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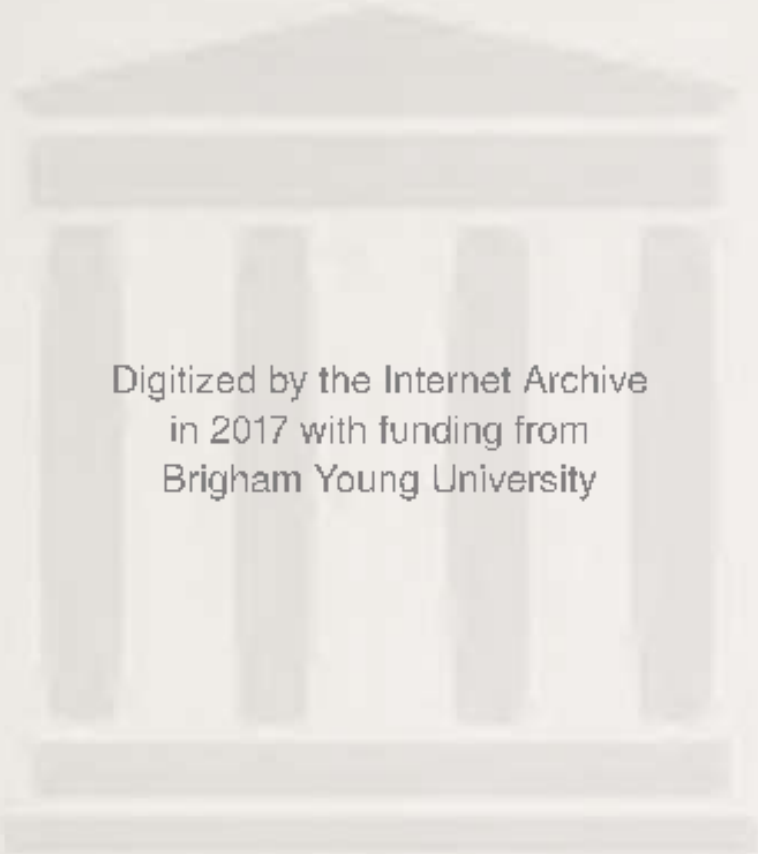
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HISTORY

OF

MARYLAND

From the Earliest Period to the Present Day.

BY

J. THOMAS SCHARF,

Author of the "Chronicles of Baltimore," &c.—Member of the Maryland Historical Society and Academy of Sciences.—Member of the Historical Society of Pennsylvania.—Honorary Member of the Georgia Historical Society.—Corresponding Member of the Historical Societies of New York, Wisconsin, Minnesota, South Carolina and Virginia; of the Historical and Philosophical Society of Ohio; of the New England Historic-Genealogical Society, &c., &c.

A.A.1.03

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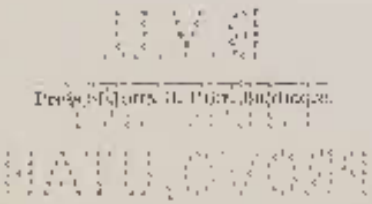

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HISTORY OF MARYLAND.

CHAPTER XXXIV.

PROFOUNDLY conscious of the responsibility attending the Act, yet no less impressed with a sense of the deep national wrongs, the Congress of the United States, on June 18th, 1812, declared war against Great Britain. On the day following, the President issued a proclamation, declaring "that war exists between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America," and appealing to all the people, "as they love their country, as they value the precious heritage derived from the virtue and valor of their fathers, as they feel the wrongs which have forced on them the 'last resort of injured nations,'" to support the measures adopted by the authorities for obtaining "a speedy, a just, and an honorable peace."

Notwithstanding this patriotic appeal, the publication of the proclamation at Boston, was the signal for a general mourning; the ships in the harbor displayed their flags at half-mast, and there, as in other northern cities, public meetings were held and resolutions adopted, denouncing the war as unnecessary and ruinous, and leading to a connection with France destructive to American liberty and independence.[1]

From the moment of the declaration of war, a "Peace Party" was formed including nearly all the federalists, by whom a steady, systematic and vigorous opposition was kept up against its prosecution. The demands of this party for the restoration of peace were as loud and imperious as had been their cry for war in the years 1806-7, and their conduct at the two periods was irreconcilable with any principle of patriotism and consistency. "The measure itself, and its authors and abettors," says Mr. Carey, "were denounced with the utmost virulence and intemperance. The war was, however, at first opposed almost altogether on the ground of inexpediency, and the want of preparation. Afterwards its opposers rose in their denunciations. They asserted it was unholy, wicked, base, perfidious, unjust, cruel and corrupt. Every man who in any degree co-operated in it, or gave aid to carry it on, was loaded with execration." The pulpit, as usual in the Northern

[1] The Senate of Massachusetts declared that "the war was founded on falsehood, declared without necessity, and its real object was extent of territory by unjust conquests, and to aid the tyrant of Europe in his views of aggrandizement."—*Niles Register.*

States, was vehement in its denunciation. Many divines, some of them quite eminent, pointed to disunion as necessary. One distinguished clergyman said: "The Union has been long since virtually dissolved; and it is full time that this part of the disunited States should take care of itself." Another said: "If at the present moment, no symptoms of civil war appear, they certainly will soon, unless the courage of the war party should fail them."[1]

With the democratic party, and a portion of the federalists in the Southern States, in particular, the popular sentiment was decidedly in favor of war; and of all the cities of America in this interest, Baltimore, perhaps, stood in the first rank in zeal and patriotism. Here the people were governed in their sentiments and conduct by a love of their own country, indignation for the manifold wrongs inflicted on it by the Government of Great Britain, and a spirited determination, by all lawful and honorable means, to punish the aggressor, and redress the injuries.

While the governors and Legislatures of some of the States were asserting in addresses that it was "incontrovertible, that guilt, and profligacy, and corruption, were the parents of the declaration of war," the Senate of Maryland, on the 23d of December, 1813, passed a set of resolutions, approving the war, in which they say that:

"Whenever the pursuit of a public policy is rendered utterly inconsistent with the national interest, prosperity and happiness, by the unprovoked injuries and lawless outrages of foreign power; whenever those rights are assailed without the full and perfect enjoyment of which a nation can no longer claim the character and attributes of sovereignty and independence; whenever the rights of a free people to navigate the common highway of nations, for the purpose of transporting to and vending the surplus products of their soil and industry at a foreign market, is attempted to be controlled and subjected to such arbitrary rules and regulations as the jealousy or injustice of a foreign power may think proper to prescribe; whenever their citizens, in the exercise of their ordinary occupations, and laboring to obtain the means of subsistance for themselves and their families, are torn by the ruthless hand of violence from their country, their connections and their home; wherever the tenderties of parent and child, of husband and wife, are wholly disregarded by the inexorable cruelty of the unfeeling oppressor, who, usurping the high prerogative of Heaven, and anticipating the dread office of death, converts those sacred relations into a premature orphanage and widowhood: not that orphanage and widowhood which 'spring from the grave,' unless the floating dungeons into which they are cast, and compelled to fight the battles of their oppressors, may be compared to the awful and gloomy mansions of the tomb; whenever injuries and oppressions such as these, are inflicted by a foreign power upon the persons and properties of our citizens, and an appeal to the justice of such power to obtain redress proves wholly useless and unavailing: in such cases, we it is the duty of those to whom the sacred trust of protecting the rights of the citizens and the honor of the nation, is confided to take such measures as the exigency of the case may require, to vindicate the one and vindicate the other. Therefore,

"*Resolved*, That the war waged by the United States against Great Britain, is just, necessary and politic, and ought to be supported by the united strength and resources of the nation, until the grand object is obtained for which it was declared."[2]

[1] Ormsby, p. 127. [2] Niles' Register, iii., p. 305.

In the House, resolutions of an opposite character were passed disapproving of the war and the conduct of the government, but pledging their "lives and fortunes to the public service" in the common defense.[1]

And the citizens of Anne Arundel County, also declared at a public meeting —

"That we will contribute to and sustain our proportion of the public burdens, which the exigency of the times may require, and the wisdom and policy of the general government may demand, for the purpose of avenging our national wrongs, and vindicating and protecting the invaluable rights of freemen, for which our forefathers so manfully contended and so successfully maintained.

"*Resolved*, That we hold the following maxims recommended to us by our political savior, Washington, the great, as sacred truths, at no time to be called in question: 'That to pay respect to the authority of the *general government*, comply with its laws, acquiesce in its measures, are duties enjoined by the fundamental maxims of true liberty.'"

Nearly the whole session of the Twelfth Congress was spent in making preparation for offensive and defensive operations. For several years preceding this period, the military establishment had stood at about three thousand men, and the navy consisted at this time of only ten frigates and ten sloops of war, and about one hundred and fifty small gunboats, suitable for harbor defenses. The policy of the administration was now changed, and bills were passed for augmenting the army, and on the 10th of April, 1812, the President was authorized to require of the executives of the several States and territories, the organizing, arming and equipment of their respective proportions of one hundred thousand militia, and to hold them in readiness to march at a moment's warning. This act also contained a clause appropriating $11,000,000 towards defraying the expense. In compliance with this requisition, Governor Robert Bowie convened the General Assembly of Maryland on the 15th of June, 1812, for the purpose of making the requisite appropriations for six thousand militia, the State's quota. After mature consideration, the Legislature appropriated the sum of $300,000. In Baltimore, the guns at Fort McHenry were mounted, and every preparation made to meet the exigencies of the war. And such was the enthusiasm of volunteers, that the recruiting officers were compelled to suspend enlistments by companies and regiments, and give precedence to the old military organizations. At this time, a journal called the *Federal Republican*, was published in Baltimore by Alexander Contee Hanson[2] and Jacob Wagner. It was a vehement federal organ, and had made itself particularly obnoxious by its opposition

ALEXANDER C. HANSON.

[1] Niles' *Register*, iii., p. 270.

[2] Alexander Contee Hanson, the grandson of John, and son of Alexander C. Hanson (Chancellor of Maryland), was born in Maryland, and died at Belmont, Frederick County, April 28, 1819. After the riot in Baltimore, he was, in 1813-14, a delegate to Congress, and in 1815-19, a United States senator.

to the measures of the government; and threats had been repeatedly thrown out against its conduct. On the day following the appearance of the proclamation of War, Mr. Hanson, in an article commenting upon it, reprobated the motives and expediency of the measure in the following words:

"'*Thou hast done a deed whereat valour will weep.*'

"Without funds, without taxes, without a navy, or adequate fortifications—with one hundred and fifty millions of our property in the hands of the declared enemy, without any of his in our power, and with a vast commerce afloat, our rulers have promulgated a war against the clear and decided sentiments of a vast majority of the nation. As the consequences will be soon felt, there is no need of pointing them out to the few who have not sagacity enough to apprehend them. Instead of employing our pen in this dreadful detail, we think it more opposite to delineate the course we are determined to pursue as long as the war shall last. We mean to represent it as strongly as we are capable, that it is unnecessary, inexpedient, and entered into from a partial, personal, and, as we believe, motives bearing upon their front, marks of undisguised foreign influence, which cannot be mistaken. We mean to use every constitutional argument and every legal means to render as odious and suspicious to the American people as they deserve to be, the patrons and contrivers of this highly impolitic and destructive war. In the fullest persuasion that we shall be supported and ultimately applauded by nine-tenths of our countrymen, and that our silence would be treason to them. We detest and abhor the endeavors of faction to create civil contest through the pretext of a foreign war it has rashly and premeditately commenced, and we shall be ready cheerfully to hazard everything most dear, to frustrate anything leading to the prostration of civil rights, and the establishment of a system of terror and proscription announced in the government papers at Washington as the inevitable consequence of the measure now proclaimed. We shall cling to the rights of freemen, both in mind and opinion, till we sink with the liberties of our country, or sink alone. We shall hereafter, as heretofore, unravel every intrigue and imposture which has beguiled or may be put forth to circumvent our fellow-citizens into the toils of the great earthly enemy of the human race. We are avowedly hostile to the presidency of James Madison, and we never will breathe under the dominion, direct or derivative, of Bonaparte, let it be acknowledged when it may. Let those who cannot openly adopt this confession, abandon us; and those who can, we shall cherish as friends and patriots, worthy of the name."

As the political sentiment of Baltimore was largely democratic, and friendly to the administration, these severe strictures on a popular measure gave great offence. A considerable number of the Federalists also disapproved their spirit, as tending to inflame men's minds, and urge them to some act of violence.

This ill-advised editorial appeared on Saturday, June 20th. On the same evening, and the next day, public meetings were held at various places to consider the expediency of suppressing the paper.

On Monday the paper appeared without comment on the affairs of Congress; but the democratic papers replied to the article of Saturday previous in a style of bitterness, well adapted to rouse the already excited people. Mr. Wagner, who was then in charge of the establishment, hearing that his office would be attacked, took the precaution of removing the books of the firm, etc., from the building. In the evening, between eight and nine o'clock, a

crowd of three or four hundred lawless men and boys assembled with axes, hooks, ropes and other instruments of destruction, at the office of the *Federal Republican*, at the northwest corner of Gay and Second streets, broke into the house and threw the types, presses, paper, etc., into the street, where they were destroyed. The house itself, a frame building, was torn to the ground, in which process a man who was knocking out a window fell with it into the street and was killed. The rioters then visited Mr. Wagner's dwelling and searched it for him, but without success, as he had left the city. The city being now in the possession of the rioters, they attempted to wreak their vengeance upon various obnoxious persons, among the rest, upon a Mr. Hutchins, whom they proposed to tar and feather for alleged expressions derogatory to the character of General Washington, but he had secreted himself. They next turned their wrath upon the blacks, who, it was reported, had been holding meetings and making threats; and several of their houses were sacked, and some violence done to their persons. To protect them, a troop of horse under the command of Colonel Biays, by the mayor's order, paraded the streets, which show of force overawed the rioters.

During the progress of these riotous proceedings, several vessels lying at the docks, and bound to Portugal and Spain, were dismantled by the mob under the idea that these vessels were to sail under British licenses. A number of respectable citizens were also ordered to leave the city; but no further violence was committed.

The *Federal Republican*, thus driven from Baltimore, was re-established at Georgetown, where, in spite of threats from both Baltimore and Washington, it was published until July 26, when Mr. Hanson, with several of his friends,[1] came to Baltimore and took possession of a house on South Charles street, lately the residence of Mr. Wagner. Here Mr. Hanson determined to re-establish his paper, hoping that the presence of his friends and the prospect of determined resistance, would prevent a repetition of violence; but resolved, in the worst event, to stand to their defence and repel force by force. On Monday, the 27th of July, without any previous notice, the paper was issued from the new office, though printed in Georgetown.

In it Mr. Hanson thus commented on the conduct of the authorities and people of Baltimore:

"Five weeks have elapsed since the suspension of this journal by the demolition of the office, whence it issued in Baltimore. Most of the overt and prominent circumstances connected with the outrage have already reached the public ear, but others of deeper interest have been concealed or permitted to remain in obscurity. To suppose that any part of our publications, immediately preceding the attack, formed the motive to the destruction, is decidedly erroneous. The fact of such incendiary meditation was communicated to us nearly two months before the crime was perpetrated. A conspiracy against the editor was then known to have been digested. It was positively asserted, and rather

[1] These friends were: General Jas. M. Lingan, General Henry Lee, Captain Richard Gesb, Dr. Philip Warfield, Charles J. Kilbourn, Ephraim Gaither, and John Howard Payne (the actor).

ated with exultation by certain disorganizing prints, and war would be declared before the 4th of July, and it was distinctly declared that on that day the office would be demolished, and the proprietors thrown into the flames of a remorseless rabble. . . . . These are some of the grounds for ascribing the origin of the tumults in Baltimore to an influence at the seat of the general government, whence ought to flow the benign blessings of social happiness. . . . . Of the officers residing in Baltimore, of the State and of the corporation, most if not all of whom were present at the burglary, the Mayor is pre-eminently distinguished for the acquiescence with which he has beheld the ruin of property, the repeated nocturnal violations of dwelling-houses, the most savage threats against persons guiltless of a crime, the usurped regulation of the port, the prostration of the laws of the State and of the Union—without the smallest exertion to enforce his authority. Upon this subject there can be no delicacy or reserve. We therefore lay the enormities which have proceeded in rapid progression and instituted an anarchy which upon Baltimore, expressly to the charge of the Mayor. This police officer, whose oath could not have been forgotten, was so little sensible of the dignity of his office, so indifferent to the peace and safety of the community, so regardless of the permanent interest of the city, which he knew must be very materially impaired by a character for tumult, disorder and assassination, which he thus suffered to be stamped upon it, that for weeks he permitted the mob to rage unrestrained, or if stations, by his connivance, to render it in the eyes of the world the indisputable arbiter of the city; and when he at last interposed, it was to prevent the threatened demolition of one of the temples of the Almighty! . . . . That the Governor has taken no steps to check or discountenance the continued disorders in the emporium of the State, must be ascribable to his knowledge of the real authors of the riot, and the political motives by which they were actuated. . . . The *Federal Republican*, which this day ascends from the tomb of Charles and Sire, will steadily pursue the course dictated with its latest accents."

This attack upon the public authorities naturally excited the people, and when they saw men with arms and ammunition, passing into the house, their excitement increased. The joint committee of the two Branches of the City Council, and ten prominent citizens appointed to inquire into the causes and extent of the riot that afterwards ensued, in their report to the mayor, say:

"In the course of the same day it was known to many persons that Mr. Hanson, one of the editors, was in the house, and from the preparations for defence that were observed to be making therein, it was conjectured that he expected to be attacked. During the day, many other persons of the city went to the house, and some remained there associated with those within. Toward evening, many boys had collected in the street, opposite the house, and their noise exciting some apprehension, a neighboring magistrate endeavored to disperse them, and had nearly succeeded, when about 8 o'clock a carriage stopped at the door of the house, and a number of muskets and other articles were seen to be taken out of it and conveyed through an armed guard into the house. The boys then returned, recommenced their noise, accompanied with abusive language to the persons in the house, and began throwing stones at the windows. At this time, and for an hour or more thereafter, there did not appear more than five or six men who could be supposed to have any connection with or control over the boys; about this period a person on the footway, endeavoring to persuade the boys from their mischief, was severely wounded in the face by something weighty thrown from the house. The boys were repeatedly told, from the persons within, to go away and not molest them, that they were armed and would defend themselves. The boys still continuing to throw stones, two guns were fired from the upper part of the house, charged, as it is supposed, with blank cartridges, as no injury was done by them. The assemblage of people in the street at this time greatly increased,

and the threats and throwing of stones at the house become more general and violent; the sashes of the lower windows were broken, and attempts made to force the door by running against it. Ten or twelve guns were fired from the house in quick succession, by which several persons in the street were wounded and one killed. About this period, application was made for military aid to prevent further mischief. Whilst the military were assembling in pursuance of an order from the General, issued in compliance with a requisition from the legal authority, frequent firing took place from the house, and three guns were fired at it. Some short time afterwards a gun was fired from the house, which killed a Doctor Gale in the street about twelve feet from the house; this circumstance greatly increased the irritation of those in the street, who soon after brought a field-piece in front of the house, but by the interposition of several citizens, were restrained from firing upon the house under an assurance that the persons in it would surrender themselves to the civil authority. The military soon after appeared, and placing themselves in front of the house, no further injury occurred. A negotiation took place from those within the house, and upon being assured that a military guard would be furnished, and every effort used by the Mayor and General to ensure their safety from violence, they surrendered themselves to the civil authority about seven o'clock on the morning of Tuesday, and were conducted to jail and committed for further examination. They were Alexander C. Hanson, Gen. Harry Lee, James M. Lingan, William Schroeder, John Thompson, William B. Bend, Otho Sprigg, Henry Kennedy, Robert Kilgour, Hugh Nelson, John E. Hall, George Winchester, Peregrine Warfield, George Richards, Edward Gwinn, David Hoffman, Hezekiah Niles, Ephraim Gaither, William Gaither, Jacob Sebley, Mark U. Pringle, Daniel Murray, and Richard S. Grabb. After the removal of the persons, the interior of the house was greatly injured, and the furniture in it destroyed and dispersed.

"The Committee further report, that during the course of the day the Mayor applied to the Sheriff to use particular precaution in securing the doors of the jail, which he promised to do; and about one o'clock application was made by the Mayor and other justices to the Brigadier-General to call out the military to preserve the peace and quiet of the State. Orders were issued calling out a regiment of infantry, two troops of cavalry, and two companies of artillery, to parade at an appointed time and places. The Mayor, the General, and many citizens repaired to the jail in the afternoon, at which a number of persons had assembled, the much greater part of whom were peaceable and orderly citizens. Those of a different temper of mind, upon being remonstrated with, appeared to yield to the admonitions of others, and to be appeased with the assurances given that the party in jail should not be called or suffered to escape during the night. To preserve the prevailing opinion about the prison that an rescue would be attempted that night; in consequence of which, and of the insufficiency of the force assembled, the military, by the order of the General, with the approbation of the Mayor, were dismissed, and many persons left the prison and went to their homes. Shortly after dark the number of the disorderly increased, and an intention was manifested of breaking into the jail.

OLD CITY JAIL.

"The Mayor, with the aid of a few persons, succeeded for some time in preventing the prison door from being forced open. They being overpowered by the increased numbers and violence of the assailants, the Mayor was forced away; and the door having been previously battered, and again threatened, was opened by the turnkey. Upon the entry of the assailants they forced the inner doors, and passed into the room in which the persons above-mentioned were confined. Here a scene of horror ensued which the

Gunnell's cannon, well directed. The result was that one of the persons (General Lingan) was killed, eleven others dreadfully beaten, eight of whom were thrown together in front of the jail, supposed to be dead."[1]

The *Federal Republican* in its next number, published in Georgetown after the riot, gave the following "exact and authentic narrative" of the events which took place in Baltimore on the 27th and 28th of July last, carefully collected from some of the sufferers and from eye-witnesses:

"State of Maryland, s. s. *Hookville, August 12, 1812.*

"Personally appeared on this 12th day of August, 1812, before John Fleming, Justice of the Peace for Montgomery County, the following persons,—Peregrine Warfield,[2] Richard J. Crabb, Charles J. Kilgour, Henry Nelson, Ephraim Gaither, Robert Kilgour, John H. Payne, H. G. Baker, and Alexander C. Hanson, who being sworn on the Holy Evangelists of Almighty God, do declare and depose in the manner of form following,—to wit:

"That these deponents are some of the surviving persons who were devoted, or meant to be devoted, to the brutal and murderous fury of the mob in the late assemblage in the jail at the City of Baltimore. That these deponents having seen the following statement subscribed to them of that horrid atrocity, and the proceedings connected with it, do swear, that as far as their individual sufferings or particular opportunities of observation may enable them to testify, they believe the facts and circumstances detailed in the following statement to be truly and accurately stated—these deponents not intending hereby to preclude themselves from a further narrative or disclosure of such other circumstances and special injuries and sufferings as are within the particular knowledge of each of them respectively, or which they may have individually experienced and endured.

"Sworn to before "JOHN FLEMING.

"State of Maryland, Montgomery County, s. s. I hereby certify, that John Fleming, esq., before whom the aforegoing affidavit appears to have been made, and whose name is thereto subscribed, was at the time a Justice of the Peace in and for the county aforesaid, duly commissioned and sworn. [Seal.] In testimony whereof, I have hereto subscribed my name, and affixed the public seal for Montgomery County, this 12th day of August, A. D. 1813. "UPTON BEALL,

"*Clerk of Montgomery County Court.*

"On the night of the 29th of June, the entire printing apparatus of the *Federal Republican* was demolished by a mob in Baltimore, in the presence of the Mayor, the Judge of the Criminal Court, and several other magistrates and police-officers, whose authority was not exerted to save it and preserve the peace of the city. One of the editors (Mr. Wagner) narrowly escaped with his life, after being pursued by ruffians who avowed their full purpose of assassination. Mr. Hanson, the other proprietor of the paper, heard of the depredations committed by the mob the evening after, and went to Baltimore the next day, accompanied by his friend, Captain Richard J. Crabb, to make arrangements for re-establishing the paper. Finding it impossible to render any service, the laws being effectually silenced, and his friends unanimously urging his departure, he left town in a few hours, having first walked the streets as usual, and made all the arrangements that could be made in conjunction with his friends and agents, for reviving the paper with all possible dispatch. Upon his return home to Hookville, Montgomery

[1] See *Annals of Baltimore* for the full report, and a number of other important documents, p. 312.

[2] It is said that the father of Mr. Warfield was the first citizen in Maryland who openly proposed a separation from the mother country. He also directed the burning of the *Peggy Stewart* with the tea at Annapolis. Captain R. J. Crabb was the son of General Crabb, one of the heroes of the Revolution.

Connly, Mr. Hanson communicated to some of his most intimate friends his determination to recommence the paper in Baltimore, and declared he never would visit Baltimore again until he could go prepared to assert his rights and resist oppression. He was aware that the execution of this plan would be accompanied with much difficulty and danger, but his friends admired and approved it the more on that account, and volunteered to accompany him to Baltimore, to participate his dangers or successes, in maintaining the rights of person and property and defending the liberty of the press. They were in number: General James M. Lingan (murdered), General Henry Lee, Captain Richard J. Cutts, Dr. P. Warfield, Charles J. Kilgour, Otho Sprigg, Ephraim Gaither, and John Howard Payne. Several others were to have gone, but were prevented; and on the night of the attack, the party was joined by three other volunteers from the country, who were not fully apprised by Mr. Hanson of his determination, but received their information in confidence from others, Major Musgrave, Henry C. Gaither, and William Gaither. On the evening of the attack they were joined by about twenty gentlemen living in Baltimore, only two only of whom were invited to the house by Mr. Hanson. When the office was first demolished, Mr. Wagner, one of the proprietors, lived in a house on Charles street. On that event he removed his family from the house, but did not relinquish it or remove his furniture. In this situation it remained until the 28th of July, when the paper having been re-established in Georgetown, and the proprietors having resolved to attempt its re-establishment in Baltimore, one of them, Mr. Hanson, came and occupied this house (having first taken a lease), as a place from which the distribution of the paper might be made. He was attended by the friends before mentioned, who were to remain as his guests until their business called them home. They thought it probable that an attempt would be made to prevent the distribution of the paper, and they might even be attacked in the house for that purpose, but they hoped, by the appearance of determined resistance, to deter the assailants from actual violence, till the civil authority should have time to interpose and prevent mischief. Should they be disappointed in this hope, and find themselves in danger from the unrestrained violence of a mob, they were resolved, and were prepared, to stand on the defensive, and to repel force by force. Reliance upon the civil authority they justly perceived to be fruitless, for on application to the Mayor by the owner of the house, he peremptorily declined all interference, and left town, as it was understood, to prevent his repose from being disturbed. The civil authority refusing to interfere when applied to by Mr. White, the son, and Mr. Dennis Nowland, the son-in-law of the owner of the house, there was nothing left but to resist the mob in the house; and while this resistance was made with a mildness and forbearance scarcely ever equalled, and which excited the wonder of the spectators, several messages were sent to Brigadier-General Stricker to disperse the mob and prevent the effusion of blood, which would otherwise be unavoidable. It is objected that the scheme was rash or imprudent, all must admit it *was strictly and wholly lawful*. Mr. Hanson had an undoubted right to distribute the paper in Baltimore, from this or any other house in his occupation, and to defend his person and property by force if they were assailed by unlawful violence and left unprotected by the civil authority.

"On Monday, the 23d of July, the distribution of the paper was commenced, and pursued without molestation or tumult till evening. But soon after twilight, a mob collected before the house, and soon began to act in a very threatening and riotous manner. The gentlemen in the house, with great mildness, patience and forbearance repeatedly advised and requested them to disperse, assuring them that the house was armed, and would be defended, and that the consequences of attacking would be dangerous. This, however, had no other effect than to increase the boldness and violence of the mob, as well as its numbers. A vigorous attack on the house was soon commenced. Stones were thrown in showers at the front windows, all of which were soon broken, and not only the glass, but the sashes and shutters were demolished, and an attempt was made

to break down the street door, which was at length actually broken and torn open. All these attacks were accompanied by loud and reiterated deglutitions by the mob of a determination to force the house and expel or kill those who were engaged in its defence. The scene continued for more than two hours, without the least interference of the Mayor, or any appearance of an intention to interpose. At length the persons thus threatened and assailed, finding that little hope remained of protection from the local authorities, and that forbearance, expostulation and entreaty served only on their part to increase the audacity of the mob, resolved to try the effect of intimidation. Orders were therefore given to fire from the windows of the second story over the heads of the mob, so as to frighten without hurting them. This was done. The mob was at first intimidated by this blank fire, but soon finding that no hurt was done by it, they returned and recommenced the attack with increased violence. The windows having been all before broken, and the front room on the lower floor abandoned, the mob prepared to enter by the door and take possession of the house. The gentlemen then within therefore prepared themselves for the worst, and resolved that when things should be pushed to extremities, they would make a serious fire on the assailants. Some gentlemen were stationed on the stairs in the entry, opposite the front door, and the entry itself was barricaded as well as could be done with chairs, tables, and other furniture. Other persons were posted at the windows in such a manner as best to command the approach to the doors. They renewed their warnings and entreaties to the mob, but with no other effect than before, and in this situation they remained until actual resistance should become absolutely necessary. Still the civil authority did nothing, save the fruitless efforts of Judge Scott, who was ultimately obliged to leave the street. The military was equally supine or indifferent. It was now about eleven o'clock. The violence of the attack increased, and in a short time, a part of the mob, with a Dr. Gale, their apparent leader and instigator (who had harangued them in the street), at their head, made an attempt to enter the passage and advance towards the stairs. Orders were now given to fire from the windows and staircase. By this the Dr. Gale was killed, and carried off by his companions and followers. Several were wounded in the street. The mob fled in every direction, carrying with them the wounded and the body of Dr. Gale, but before they fled they fired frequently into the house, where the marks of their shot are yet to be seen, and a pistol aimed at the breast of General Lee flashed while he was expostulating with the mob. One of the gentlemen of the house (Spier or Guither) was wounded at the time of the fire from the street, but how, or with what ball has not been ascertained. He bled profusely, and had a convulsion in the morning while standing at his post upon duty. This was the time for the gentlemen in the house to make their escape. Could they have seen that their enterprise had become impracticable, they might have made good their retreat. But they judged otherwise. They thought rather of their rights than out of the probability of a further effort to assert them, and resolved still to defend the house, indulging the hope too that no further violence would be attempted after this experience of its consequences, or that the civil authority would effectually interpose. The mob came very cautiously and almost by stealth in front of the house for the ultimate time. They still, however, remained in the street and increased their number gradually, a drum parading the rounds to beat up recruits, and continued to throw stones in front and back of the house.

"Between two and three o'clock, the military having been ordered out, Major Barney appeared in the street at the head of a small party of cavalry. The mob again fled at his approach, crying out as they heard the tramping of horses, 'The troop is coming, the troop is coming.' Near the front of the house Major Barney halted and addressed them. On this they again returned. He told them he was their friend, *their perserved and polluted friend;* that he was there to protect person and property, to prevent violence, 'to secure the party in the house,' and that these in the street must disperse. They then asked him by what authority he came. He answered by order of the Brigadier-General Stricker

"They demanded a sight of the order, which he consented to show them, and for that purpose went round the corner into an alley where they assembled round to see it. He said something in a low voice, on hearing which the mob gave three cheers. What did he then say to them? This can be answered only from conjecture and from what happened afterwards. Many of the gentlemen in the house, judging from subsequent events, believed that he communicated to the mob the plan of assassination, which was put into execution, and which they suppose to have been then already formed with his knowledge and participation. But this supposition would ascribe to that officer a degree of perfidy prodigiously which might not to be imputed to him or any other man without the clearest proof. The subjoined extract from the *Whig* explains Major Barney's conduct:

"'We regret that our committee have not, after so much pains and *proofs*, stated some particulars minutely; particulars necessary to be known, we mean the circumstances of the *negotiation* (as it were) between Major Barney and the populace. They agreed to rest satisfied if the murderers should be carefully kept from escaping, and be surrendered into the hands of the civil authority; in other words, *be committed to jail for trial*. To the fulfilment of this was Major Barney pledged.'

"His instructions were nevertheless for the safety and honor of the gentlemen in the house. There can be no question he had orders, while he protected the house from further attack, to secure the party in it, so as to prevent them from escaping, and to bring them to trial for the deaths which had taken place, or were expected, and that he communicated this part of his orders to the mob. This supposition is favored by what he was heard to say on his first approach—that 'he was there to take possession and secure the party in the house.' And when the gentlemen, distrusting his views, in consequence of what they had observed, demanded an explanation, he assured them that *he had no orders or instructions but such as were consistent with their safety and honor*, but he was obliged to talk otherwise to the mob to deceive and keep them quiet. The mob made no further attempt on the house, in front of which Major Barney and his cavalry remained, constantly wrangling and talking with the mob, who soon prepared for a more effectual attack, by bringing up field pieces. With this they attempted to fire on the house, but were always prevented by Major Barney, who, more than once, mounted on the cannon, declaring that if they fired they should fire on him, that they would kill their own friends; all which trouble he might have saved himself, if he pleased by marching his horse and dispersing the mob, which fled at his first approach. This state of things continued till about 6 o'clock A. M., when Mr. Johnson, the Mayor, arrived from the country, whither messengers had been despatched for him by those out of the house; and Brigadier-General Stricker, who commands the militia of the town, appeared before the door and commenced a parley with the party within. Being admitted into the house, they represented to the party defending, the irritation which prevailed in the town, the exasperation of the public mind, and the impossibility of maintaining defence against the force which would soon come in aid of the attack. The Mayor asked for and addressed Mr. Hanson with warmth and great agitation: spoke of a civil war, saying, *we are impressed with the belief that a civil war is inevitable, and I consider this a party thing and the commencement of it*. He complained also of the government's being implicated in the dispute between parties and the paper, and added, *such opposition* must or will be mobbed. To all which Mr. Hanson replied that he would not enter into a political dispute with the Mayor; that he had a right to defend his house, which was his castle, and his person, and that he and his friends were compelled to the preservation of both; that it was the Mayor's duty to disperse the mob. The Mayor and General Stricker then declared their own inability to protect the party in the house while there, and proposed that they should surrender themselves into the hands of the civil authority, and be taken to the public jail *as a place of safety*, promising an effectual escort on the way, to be composed of Mr. Hanson's own friends, in town, if he pleased, and also an effectual guard at the jail, till they could be released on bail.

"To this, many of the party, particularly Mr. Hanson, strongly objected. He was indignant at the proposal to go to jail. 'To jail!' said he, 'for what? For protecting my house and property against a mob who assailed both for three hours without being fired upon, when we could have killed numbers of them! You cannot protect us in jail, or after we are in jail!' Mr. Hanson then, after the Mayor and General went into the front room to converse with General Lee, exhorted his friends never to surrender, declaring that no reliance could be placed on the assurances of such men, who were his bitter enemies, and who, however willing they might be, were unable to afford effectual protection, as was proved by their inability to disperse the mob that assembled before the house. He repeated over and over, that if they surrendered they would all be sacrificed; and from his knowledge of the men they had to deal with, particularly John Montgomery, who had just before passed into the room, he expected they would all be given up to be massacred, either on the way to jail or in the jail. Mr. Hanson then stated his objections to the Mayor and General Stricker, who in answer gave the most solemn assurances on their faith as officers and their honor as men, to afford the promised protection or die in the attempt. General Stricker assured them, on his honor, that he would never quit them while there was danger, and if they were attacked he would rescue or fall with them. These assurances were repeated frequently with the most solemn asseverations and appeals to God. Mr. Hanson having still something to say to his friends in regard to the house and furniture, a pledge was instantly given by the Mayor to place a guard to defend both. General Lee and other gentlemen attempted to get better terms of capitulation, such as marching out with arms in their hands to assist in protecting themselves, and riding on their horses among the cavalry and in carriages. The Mayor and General went out to see if the mob would consent to any other terms. While gone Mr. Hanson made two propositions to different gentlemen of his party, the one to hold the Mayor and Brigadier-General as hostages for their safety, and the other *offering to give himself up to the mob, who would then be appeased*, repeating his belief that every man would be sacrificed if they surrendered. When the Mayor and General Stricker returned, they informed the party in the house that no other terms could be obtained from the mob than those first proposed, and urged their immediate acceptance, declaring that a delay of five minutes might be fatal.

"Mr. Hanson still vehemently opposed surrendering, and said he had nothing to say to the mob, but would negotiate only with the civil authority in order to prevent the effusion of blood, which he was as anxious to do as any one. General Lee, who had been chosen to command the party, was then sought for in the front room up stairs. He was of opinion that the proposition of the Mayor and General Stricker, ought to be accepted, and endeavored to gain over Mr. Hanson in his opinion, by expressing the warmest confidence in their sincerity and honor, and their competency to afford full protection to and at the jail. General Lee, probably saw that the defense was wholly desperate.

"The numbers in the house had diminished from about thirty to twenty, by sending out detachments for various purposes who could not return, and from other causes not now satisfactorily known. This remaining number was barely sufficient to man the essential stations. There were none to relieve them. The effects of fatigue and want of sleep began to be felt. Cases of hunger and thirst must soon be added, for their stock of provisions and water was small, and a supply was impossible. To a military man of judgment and experience like General Lee,[1] these circumstances would naturally appear in

[1] General Henry Lee was born in Westmoreland County, Virginia, January 29, 1756, and died at Cumberland Island, Georgia, March 25, 1818. He was the commander of "Lee's Legion" in the Revolution, and while in Congress in 1799, he delivered the eulogy on Washington, in which occurs the well-worded phrase, "First in war, first in peace, and first in the hearts of his countrymen." General Robert E. Lee, late general-in-chief of the Confederate States army, was his son.

The nature of the injuries sustained by Gen-

all their force. He saw the defence necessarily and rapidly becoming weaker, while there was reason to believe that the attacking force would greatly and rapidly augment. Being a soldier himself, he could not doubt a soldier's honor, nor believe that General Stricker, who had served like himself in the war of our Revolution, would abandon those who surrendered their arms on the faith of his word. General Lee therefore gave his opinion early and strongly in favor of a surrender. Several others, no doubt from similar motives, and some in deference to his opinion declared for the same course. But Mr. Hanson, more ardent because younger, smarting under wrongs unredressed, and flushed by the hope of gaining in the end a glorious victory, and less confiding because better acquainted with the weakness, timidity and disposition of the persons on whom they were invited to rely, strongly and pertinaciously opposed this sentiment to the last, contending that if the defence was really impracticable, which he by no means believed, it was better to die there with the arms in their hands, than to surrender for the purpose of being led through the streets like malefactors, and in the end massacred by the mob, against which he insisted that no effectual protection would be afforded or ought to be expected. The opinion of General Lee, however, finally prevailed, and the whole party, to the number of between twenty and thirty, surrendered themselves into the hands of the civil authority. An escort of horse and foot was provided by General Stricker, and they were conducted from the house to the jail. This took place between eight and nine o'clock in the morning.

GENERAL HENRY LEE.

"In going to the jail, they were to pass by a large pile of paving stones, which had been provided for paving the streets. While the negotiation for the surrender was going on, a plan was laid to massacre the party at this pile of stones, and a company from Fell's Point, headed by a Mr. Worrall, was to join the mob at that place for the purpose. The plan was to throw down the escort with the stones, and then beat the prisoners to death. But the pile of stones was passed a few minutes before the party from the Point arrived, and thus the scheme was frustrated, not without two of the gentlemen receiving severe blows with stones said to be aimed at Mr. Hanson. This important fact was related on the same day to a gentleman by one of the chiefs of the mob, who very coolly added: 'It is only a short delay, for we shall take them out of the jail to-night and put them to death.' This intention was publicly and frequently avowed in the course of the day, and express invitation to that effect was given the principal democratic paper of the city, and the preparations for carrying it into effect were openly made. A particular incident will show how well it was known, or how confidently expected. A youth of the name of McClelvin, a clerk in the counting-house of Hollins and Meldrim, had opened the counting house in the morning as usual, and after attending to his ordinary business, was led by curiosity or accident into the neighborhood of the jail at the moment when the party from the house entered. Being with the crowd, he was hurried into the jail by mistake,

and lost in the throng thus described in a letter, dated "Yorktown, August 7, 1812:" "On the crown of his head, there was a wound about one inch square, which must have been made with a stick or club. It had been sewed up: the bone of the skull is not fractured, and the wound appears to unite fast. On his left cheek, there is a deep cut, as if made with a pocketknife. His nose was slit with a knife as far as the bridge, and having been immediately sewed up, seems to be united and to grow well, and the nose has its natural form. His right eye has been dreadfully bruised, and is still closed: it is believed the sight will be preserved. The upper lip has been stitched up. He sees out of the left eye, which also was severely bruised; and both sides of his head, his whole face and his throat, from his ears to the breast-bone, are shockingly bruised and much swelled. This arose from efforts to strangle him, and to this cause his inability to speak or to swallow any solid food at all is partly attributed. There are some bruises from the club on his left thigh, which are not to be regarded now."

and was actually locked up with the party. Messrs. Hollins and McBlair, finding his situation, and knowing what would probably happen at night, exerted themselves to the utmost, with some of their friends, to effect his release, which they effected a little before night with very great difficulty. These gentlemen *Repairing*, it must be presumed, of success, made one effort as far as is known, to prevent the catastrophe. Some of their friends, however, and particularly Col. James A. Buchanan, exerted themselves to the utmost as it is said and believed, but to no purpose. General Stricker and Mr. Johnson being informed of the intended massacre, an order was obtained in the legal form to call out the military for the protection of the jail. This order was given to General Stricker by Mr. Johnson, on the certificates and requisition of two magistrates. General Stricker accordingly ordered out the fifth regiment (commanded by Colonel Joseph Sterett, a brave man, and to be relied on in all situations) but directed expressly that they should be furnished *with blank cartridges only*. This part of the order might very well deter, and no doubt did deter many of the well-disposed militia from turning out. They might well suppose that the order might by some means become known to the mob, who far from being intimidated by the appearance of the soldiers known to be unarmed, would naturally consider it, *as it was*, a pledge for their perfect impunity, and might probably slaughter the soldiers themselves. The general exasperation, moreover, which prevailed on account of the events of the morning, which, as always happens on such occasions, had been wholly misrepresented, and were almost universally misunderstood, was so high that great numbers of the militia and some entire companies, especially one of the cavalry, absolutely refused to turn out; many, it may be supposed, were prevented by their fears. Yet notwithstanding all these unfavorable circumstances a number did appear, which is stated by some to have been sixty, and by others not more than thirty. Colonel Sterett was at the head of this fragment of his regiment; Colonel Samuel Sterett, who commands one of the companies, was also at his post; so was Major Richard K. Heath. The other officers who appeared are not recollected. The Brigadier-General himself, after his solemn pledge of his word and honor as an officer and a man in the presence of God, did not appear. He was not seen with the troops, and if seen in the streets at all, it was in his common dress with a rattan in his hand. *He no where showed himself as the commander of the militia*, made no call in person on the troops or the citizens to rally around him, but contented himself with barely doing what was required of him, according to the strict letter, by ordering out a part of the militia, and rendered that order futile and nugatory, or worse, by combining it with an order to come without effective arms. This part of his order was however disobeyed by many, if not all of the militia who came out; resolved not to be exposed to massacre by this unaccountable conduct of their general, they furnished themselves as well as they could with ball-cartridges.

"In the afternoon, while the troops were ordered out, and while they were assembling, Mr. Johnson, Mayor, went to the jail, accompanied by Mr. Hargrave, register of the city, and together with General Stricker, Judge Job Smith, Mr. Wilson, magistrate, Mr. Calhoun, brigade inspector, visited the gentlemen in the jail, to inform them of the efforts that were making, and would be made for their protection. They renewed their solemn assurances of protection, and told the party to rest satisfied, as the military would be out in a very short time, when there would be no danger of an attack upon the jail. A butcher by the name of Mannon, and two others, understood to be prominent in the mob, entered the room in company with the Mayor and remained after him. While the interview between the Mayor, General, etc., and the gentlemen continued, this butcher was employed in observing and most attentively remarking their countenances and their dress. As many of them were strangers in Baltimore, his object no doubt was to enable himself to identify them, and point them out to his associates, when the massacre should commence. This very butcher did stand at the first iron grate and knock down the gentlemen as they were brought out. It was by him, so stationed, that Mr. Hanson was

that recognized and shockingly beaten. In the course of the afternoon the gentlemen were apprised from various quarters of the fate which awaited them at night, and particularly a gentleman of the Democratic party (who is nevertheless a man of honor, courage and humanity), after struggling in vain to provide means of protection, or to avert the danger, informed them of all they had to expect.

"The door of the room in which they were confined was very strong; composed of thick iron bars fastened together, so as to make a grate, it enabled them to see what was done on the outside, while it kept looked, it was calculated affording them a very considerable defence. That they might make the most of this feeble resource, in the apprehended absence of all others, they sent for the turnkey, and requested him to look the door and give them the key. This he promised, but did not perform. They sent to him again and reminded him of his promise, which he repeated and again neglected. They saw no more of him until the slaughter commenced.

"The militia having assembled in front of their Colonel's quarters in Gay street, at a very considerable distance from the jail, the General, instead of putting himself at their head, endeavoring to increase their numbers and leading them to the jail, left them standing in Gay street; and hearing that the mob had assembled at the jail in great numbers, he and the Mayor, accompanied by John Montgomery, Attorney-General of the State, went to them a little before sunset to expostulate with them on the impropriety of their conduct and persuade them to disperse. The object which the mob then thought proper to avow openly, was to prevent the gentleman from being admitted to bail. An assurance being given to them by the Attorney-General and the Judge that bail should not be received before the next day, they are said to have declared themselves satisfied and to have promised to disperse. Some of them, no doubt, made such a declaration and promise, with what intentions will soon appear. General Stricker and Mr. Johnson, Mayor, thought it to be satisfied with these assurances. Some of their friends, supposed to be men of influence among the mob, are said to have obtained similar assurances, and to have been equally satisfied. Be that as it may, the Brigadier-General, the Mayor of the city, and the Attorney-General of the State left the jail with the mob still assembled before it, and went into the city proclaiming that everything was settled and all danger at an end. On this ground Gen. Stricker dismissed a body of militia under Major Heath, which he met on his way from the jail, notwithstanding the advice and remonstrance of Major Heath, who exhorted them to go once more to the jail before they were dismissed and see whether all was safe. From Major Heath he proceeded to Colonel Slemp, and ordered him to dismiss the party which was under arms in Gay street, an order which Mr. Sherer obeyed with a heavy heart. Gen. Stricker then proceeded through the town to his own house, which is in a part still more distant from the jail, and on his way he proclaimed that everything was settled, all danger over, and no further need of any protecting force. By this means he dispersed a number of citizens who had assembled with a view of giving their aid. When he reached his own house he shut himself up and ordered himself to be denied, or was out of the way.

"The dismissal of the military was instantly made known to the mob at the jail by their associates stationed for that purpose, and they regarded it, as was natural, as the signal for attack. They immediately made a furious attack on the outward doors of the jail, which being observed by a gentleman who happened at that moment to pass on horseback, he rode full speed to Gen. Stricker's house, to give him the information. He was told that Gen. Stricker was not at home. Inquiring where he was, and expressing a strong desire to see him, in order to give him the information, the gentleman was told that Gen. Stricker could not be seen; and that if he could, it would be unavailing, for he had already done all he could or would do.' The gentleman then went in quest of the Mayor, who having or being informed of what happened, had gone to the jail with two

or three men supposed to have influence with the mob, whom he had engaged to assist him. With them he attempted to prevent the doors from being forced open; but his attempts were fruitless, and at length his assistants, fearing for his safety and their own, almost forced him away. The attack then proceeded without further hindrance or fear of interruption; and when the violence of the attack upon the outward door on the east increased, a voice from within was heard saying, 'Come round to the other door!'—which they were seen to do by some of the gentlemen in prison. There can be no doubt that it was in the power of Gen. Stricker to prevent or easily repel this attack. Had he put on his uniform, mounted on horseback, put himself at the head of such of the military as had assembled, called for more force, exhorted the citizens to volunteer, and marched to the jail with all the force which he could thus collect—had he, as his duty and plighted honor required, taken post after in the jail, even with the small body of militia which had assembled, the mob would unquestionably have been deterred or repulsed. But he was blind to all such considerations, and left the mob to their course by dismissing the military, and infusing a false and fatal security into the citizens. But above all, after the massacre, when it was discovered that some of the persons thrown into the pile of the supposed slain were not quite dead, and might be restored, intelligence of the fact was carried to town. Upon receiving the information a distinguished gentleman went to Gen. Stricker's house and had him called out of bed. He communicated to the General the joyful tidings, and added, 'The physicians will go out to preserve all they can, if you will furnish a guard or go with them.' The General said he was fatigued, had lost his rest the night before, and it was an *important life that any of the prisoners were alive*. The gentleman urged and remonstrated, offering to bring Lloyd home immediately, but the General flatly declined, and returned to his bed to find repose. God of Heaven! did he sleep?—he 'who hath murdered sleep!' slaughtered honor, patriotism and courage, ensnared by treachery; betrayed the brave, and banked them over to the executioner, to be tortured in a manner until now unknown in the annals of all time, to satiate the bloody appetites of cannibals and tigers in human form. Have not ages of wickedness and barbarity and guilt been crowded into days? An all-seeing and good Providence will avenge these horrid enormities.

"The mob gained possession of the principal entrance into the prison, but there were still two very strong doors to be forced before they could reach the party within. One of these doors detained them more than a quarter of an hour. Whether it was finally forced or unlocked is not known. When they reached the last door, after a few slight blows it was unlocked. Brickley, the jailer, was the first man who entered the room, to the best of these deponents' recollection, and was instantly followed by the mob; he was probably compelled to unbolt the door. From this it appears that a very small military guard posted in the first entry of the jail, especially with the Brigadier-General and the Mayor at their head, would have been a sufficient protection. This was the post in which the plighted faith and honor of Gen Stricker should have placed him, but his plight was forgotten or neglected, and the post was left wholly unguarded.

"When the victims saw the danger approach nearer and nearer they calmly prepared for their fate, but resolved to make every possible effort for effecting their escape. They had three or four pistols among them, and one or two dirks. It was proposed as soon as the last door should be forced they should shoot as many of the assailants with these pistols, for which there was no second charge, as possible. Mr. Hanson dissuaded from this course, saying it would be of no avail to kill one or two of the mob, and would only increase their fury and render escape more difficult. He strongly recommended that they should all rush among the mob, put out all the lights, create as much confusion as possible, and by that means many would escape. As for himself, he would be recognized; but every man must do the best to save himself. All agreed at once to embrace the plan; but when the mob were about entering the last door, Mr. Murray and Mr. Thompson pro-

vented their pistols, the former saying very familiarly, 'My lads, you had better retire, I can shoot either of you.' It was replied, 'I can kill you,' by the mob. Murray rejoined, 'I can kill any one of you first.' Mr. Thompson was also disposed to fire, but General Lee and Mr. Hanson urged to the contrary, and the mob rushing in, were rushed upon, and the confusion recommenced.

"The plan proposed by Mr. Hanson availed many of his friends, who escaped almost, and some entirely naked, to the number of nine or ten who made their way through the crowd in the confusion they created. But it was useless to himself, because he was known to *Mumma*, the butcher, who recognized and knocked him down after he had made his way to the lobby, as it is called, or hall of the jail. He was then dreadfully beaten, trampled on, and pitched for dead down the high flight of stairs in front of the jail. The purpose for which Mumma came into the prison-room in the evening now appeared. He was posted at the door to mark the victims as they came out, and designated them for slaughter by giving each a blow or two, which was the signal for his associates, who proceeded to finish what he had begun. The fate of Mr. Hanson, Gen. Lee, General Lingan, Mr. Hall, Mr. Nelson, Mr. Kilgour, Major Musgrove, Dr. P. Warfield and Mr. Wm. Gaither, all of whom were thrown down the steps of the jail, where they lay in a heap nearly three hours.

"During this whole time, the mob continued to torture their mangled bodies, by beating first one and then the other, sticking pen-knives into their arms and hands, and opening their eyes and dropping hot candle-grease into them, etc. Mr. Murray, Mr. Thompson and Mr. Winchester, were carried in a different direction and not thrown into the heap of supposed slain. Major Musgrove, was the last who remained in the prison-room when the mob broke in. While the slaughter of his friends was going on in the passage in his view, he calmly walked about the room waiting for a fate which he saw no possibility of averting. At length one of the assassins came and called him out. He went, and was attacked in the entry, knocked down and beaten till he was supposed by the butchers to be dead. Some of the victims were rendered wholly insensible by the first blows which they received. Others who preserved their senses and recollection, resolved to feign death, in the hopes of thus escaping further injury. The brave General Lingan,[1] lost his life by his endeavors to save it. He so much mistook the character of the monsters as to suppose them capable of some feelings of humanity. He recalled them that he had fought for their liberties throughout the Revolutionary war, that he was old and infirm, and that he had a large and helpless family dependent on him for support. These remarks served only to attract their attention to him and to inform them that he was still alive. Every supplication was answered by fresh insults and blows. At length, while he was still endeavoring to speak and to stretch out his hands for mercy, one of the assassins stamped upon his breast, struck him many blows in rapid succession, crying out, '*the damned old wretch is hardest dying of all of them*,' and repeating the opprobrious epithet of *Tory*.' These blows put an end to his torments and his life. In a few minutes after his removal into jail, he expired without a groan. His name will be immortal as his soul. While General Lee's mangled body lay exposed upon the bare earth, one of the monsters attempted to cut off his nose, but missed his aim, though he bluntly gave him a bad wound in the nose. Rising the same person or another attempted to thrust a knife into the eye of General Lee, who had again raised himself up. The knife glanced

[1] General James Maccubin Lingan was born in Maryland about 1750, and fought in the Maryland Line of long legend. He was made prisoner at Fort Washington and experienced the horrors of the prison-ship. After the war he was made collector of the port of Georgetown. General Lingan was one of the most exemplary of men, and in regard to personal courage he appeared to know no fear. This was evinced in the hour of his death. After having received the fatal blow, he reached out his hand to one of his companions, saying, "Farewell, I am a dying man, take your example—return home and take care there"—no doubt referring to his wife and fatherless children, who, it is said, he left in destitute circumstances.

on the cheek-bone, and the General being immediately by the side of Mr. Hanson, fell with his head upon his breast, where he lay for some minutes, when he was kicked or knocked off. A quantity of his blood was left on Mr. Hanson's breast, on observing which one of the mob shortly afterwards exclaimed exultingly, 'See Hanson's brains on his breast.'

"During these horrid scenes, several of the gentlemen, Mr. Nelson, Dr. Warfield, Mr. Kilgour, Mr. J. E. Hall,[1] and Mr. Hanson, perfectly retained their senses. They sustained without betraying any sign of life, or gratifying their tormentors with a groan or murmur, all the outrages that were inflicted on them. They heard without showing any emotion, the deliberations of the assassins about the manner of disposing of their bodies. At one time it was proposed to throw them all into the sink of the jail. Others thought it best to dig a hole and bury them all together immediately. Some advised that they should be thrown into Jones' Falls, a stream which runs in front of the jail. Some that they should be dismembered. Others upon a scaffolding and battering them, and directed a cart to be brought for that purpose to carry them about town. Others insisted upon gratifying all their fiends upon the spot, to make sure of them. And lastly, it was resolved to hang them next morning, and have them dissected. Pointing to Hanson, and jobbing him severely with a stick on the privates, one exclaimed, 'this fellow shall be dissected.' Being particularly desirous of insulting and mangling the body of Mr. Hanson, but finding great difficulty in identifying it, they at length thought of examining his sleeve-buttons, supposing they should there find the initials of his name. It was insisted by some one present that he knew Hanson well, and it was not him but *Hoffman*. Before they seemed to have settled the dispute, their attention was attracted to some other object.

"Dr. Hall, personally unknown to all but one, it is believed, of the sufferers, was instrumental in keeping them from the mob, which he did by a stratagem which will endear him to all good and brighter his course through life. He, with the aid of others not now known, induced the mob to place the supposed dead bodies under his care until morning, and he conveyed them into the jail to the room whence they were first taken. There he was assisted by Drs. Birckhead, Smith, Owen, and a gentleman who assumed the name of Dr. Page, but better known by the title of the 'Baton Beauty,' and was extremely active in assisting Dr. Hall to administer drinks and opiates. Having examined their wounds, some of the doctors went to town privately for carriages to carry off the bodies. By management, they had induced nearly all the mob to retire till morning. Some of them no doubt being fatigued, retired to rest and refresh themselves. A large part followed Mr. Thompson, who had been carried off in the manner stated in his narrative. Some, perhaps, felt sated with the cruelties already committed, and withdrew. The remainder were in a measure tranquilized, and the two Democratic physicians, Drs. Hall and Owen, had the address ultimately to prevail on all of them to leave the jail for the present. While the physicians were gone for carriages, Mr. Hanson procured a Dr.

[1] John S. Hall, brother of Judge Hall, was born in Dorchester, 1784, and graduated at Princeton College. He studied law and commenced practice in Baltimore in 1805. He soon became professor of rhetoric and belles lettres in the University of Maryland, and wrote among other matters in 1816, a biography of Dr. John Shaw, prefixed to an edition of his poems, and prepared an edition of Wirt's *British Spy*, to which he contributed several articles. He acted with the Federalists, and was severely wounded in the riots. From 1808 to 1817, he published the *Eastern Star Journal* 3 vols. Picked. Removing to Philadelphia from 1816 to 1827 he edited the *Portfolio*, to which he contributed the *Memoirs of Jackson*, which attracted much attention. In 1827 he edited the *Philadelphia Souvenir*, and published the *Memoirs of Admiral Preble*. He also edited *Sketches and Incidents of the Court of Admiralty*, Svo., 1860. He died June 11th, 1860. Dr. Thomas Wyatt Hall, a younger brother of Harrison, James, and John, contributed poetry and some eccentric articles to the *Portfolio*. In 1826 he embarked on board of a South American ship of war, in which he was surgeon. The vessel was never heard of after.

Hall and Owen to convey him if possible to Mr. Murray's, about three miles off, where his family was on a visit. He said it was likely he might live until morning, when if he remained in jail he would be again taken by the mob. He was told carriages would soon be at the jail, but upon discovering impatience, Dr. Owen went out to see if he could be safely carried off at once. When he returned, Bentley came with him, and Mr. Hoffman urged his removal, upon which Bentley objected, saying that he had no right to permit the prisoners to go away, as they were in custody. He was answered by Mr. H. that the jail being broken open and the prisoners rescued by the mob, and brought back by guards, officers being recommitted, as could not be blamed, Bentley replied, 'very well, do as you please.' A person then presented himself and offered to carry Mr. H. off, who fell and fainted several times upon attempting to rise. Dr. Owen recommended and gave him a glass of brandy, which he took, and was quickly invigorated, and prattled with the aid of his deliverer to stand up and walk. He asked to be carried to Gen. Lingan, over whose dead body he stood for a moment, and was carried off. When he got to the outward jail door he was taken on the back of his deliverer, who ran with him to the Falls, conveyed him over, and carried him over into a small garden opposite, where he was told to lie until called for. After lying some time wrapped up in a blanket he heard a watchman at the jail, and concluded it was the best thing to crawl away as well as he could, which he did to a place of safety, whence he was conveyed in the morning at day-light some distance from town. Mr. Nelson and Mr. J. S. Hall left the jail at the same time Mr. Hanson did. The former, though among the most injured, found his way to a secure retreat within a few hundred yards of Mr. H., and was taken in a cart covered with hay to the same house in the country, where the wounds of both of them were dressed, and they were taken to Anne Arundel County without delay. Mr. Hall got possession of the house of a humane gentleman near the Falls, near the jail. This gentleman dressed his wounds, put him to bed, and early in the morning sent him further into the country. The names of all the others who escaped in this manner are not yet known. By whom or with what intention he is ignorant, but Mr. Murray was carried by some persons and laid on the ground by the Falls. They left him there, probably supposing he was dead, and all were away but one. That person, after all the rest were gone, approached Mr. Murray and laid his hand upon him. He took the hand of the man and pressed it. He started with surprise and dread at feeling his hand pressed by what he had supposed to be a corpse. Murray then begged his assistance to escape, which he promised, adding that he was one of the mob, but thought there should be no more slay. He then assisted Murray to rise, and conducted him to a neighboring hovel, whence at Murray's request he went into town to inform his friends where he was and conduct them to the place. This office he faithfully and successfully performed, though so much intoxicated as to be hardly able to walk. Murray's friends then conducted, carried and removed him to a place of safety.

"Gen. Lee was taken to the hospital, where his wounds were dressed by the physician, and he received every assistance of which his deplorable and mangled situation admitted. Hence he was next day conveyed to the country, and arrived at Little York, where he is said to be doing well. Major Musgrove, it is understood, was also taken to the hospital, and carried the next day four miles above Elliott's Mills, on the Montgomery road. A mortification having taken place in some of his wounds after he reached home, his life was for a time despaired of; but the skill and attention of Dr. Charles A. Warfield, Dr. Matthews and Dr. Allen Thomas, have preserved this gallant officer, and he is now out of danger.

"Dr. Peregrine Warfield, Mr. Charles J. Kilgour and Mr. William Guither, all of them much wounded, were conveyed, without molestation, in a hack brought by the physicians about four o'clock in the morning, to Elliott's Mills, and thence to the house of the father of Dr. P. W., about twenty-four miles from town. They are all recovering.

"I would remain now to relate the last act of this horrible and bloody tragedy, which includes the fate of Mr. Thompson, now safe and recovering in Little York, Pennsylvania. He was the unhappy victim reserved, for what special cause is unknown, by the butchers for their infernal pastime. His narrative, already before the public, saves us the pain of describing the outward effects which enhanced ferocity delighted to inflict on him. His prayers to put an end to his sufferings by death were inhumanly rejected as often as repeated.

"Such are the particulars of this atrocious and bloody affair which it has hitherto been possible to collect in an authentic shape, and a parallel to which is scarcely to be found in the annals of revolutionary France, even after the actors in similar scenes there had become hardened by custom and familiar to deeds of horror, cruelty and crime. The bloodhounds of republican France massacred by thousands those obnoxious to their vengeance, but they dispatched their victims quickly, rarely ever resorting to such lingering tortures as the exclusive republicans of this boasted land of liberty and inquisitors have the credit of inventing. It is proposed, as soon as practicable, to obtain from each of the gentlemen a separate statement, on oath, of what he suffered himself, and of all that passed within his observation. Meantime, the above statement must receive universal credit, every material circumstance being embraced in the interrogatory affidavit. The intended statements will be published, in order to give a fuller view of these horrible scenes. While they hold up to merited detestation those who, by their active cooperation, connivance, or their disgraceful and treacherous supineness, contributed to produce the catastrophe, they will serve as a beacon to warn the civil and military authority of other places, of the danger of temporizing with the most ferocious, ruthless and bloody of all monsters, a mob, which they teach an instructive lesson to fly home, but deluded citizen, seduced by the syren charms of demagogery. The persons named in the above affidavit have read, with mingled regret and indignation, the wilful, unfeeling and unjust reflections of the local authorities in Baltimore, while they have seen, annexed to it, with grief and amazement, the signatures of some worthy and hitherto firm and independent citizens. Understanding that the justification made for the barbarous cruelties which treachery and black malignity presumed to be inflicted upon them is that an extensive conspiracy was formed to murder or otherwise molest the citizens of Baltimore, the above named do, therefore, solemnly swear that no such conspiracy, or association even, was ever formed, but merely a determination entered into by less than a dozen gentlemen in the county, to protect the person and property of Mr. Hanson, and defend the liberty of the press with their lives, if necessary. This determination remains unaltered. The letter of Colonel Lynn, whose advice was volunteered, John Hanson Thomas and Mr. Taney have been disingenuously perverted to an unjust and infamous purpose.

"*Rockville, August 17th, 1812.*"

"Narrative of John Thompson, one of the persons intended to be massacred with General Lingan and others, in the jail of Baltimore, on Tuesday, the 28th of July, 1812:

"On Monday, the 27th of July last, I was invited by Mr. Hanson to his house, and in the evening about twilight I went there, and found from fifteen to sixteen gentlemen in his house, most of them known to me. I was told that an attack upon the house was threatened that night, which they had made preparations to resist and defeat. I saw some muskets, pistols and swords in the house, for the purpose of defence. After being there some time, I understood an arrangement had been made that in case of an attack, the direction of the defence was appointed to General Lee. About 8 o'clock, a number of persons were collecting at the front of the house, who were very noisy, and began to throw stones at the windows, and they broke several of them. The house was in front completely closed, the door and inside window

shutters being shut, the stones broke the glass and burst open the shutters. Mr. Hanson spoke from the second story to the mob, and told them if they did not desist they would fire upon them, and he warned the spectators to go away. General Lee, in the house told them not to fire unless it should be absolutely necessary and the doors were forced. The mob continued to increase and to throw stones more violently, which broke the windows of the first and second stories. General Lee directed a volley to be fired from the upper story over the heads of the people in the street, to frighten them away without injuring them. This was executed and nobody was hurt. The mob huzzahed, were still more violent, and broke open the lower door. They were then fired upon, and a man fell at the door, upon the inside thereof, who was immediately taken up and removed by some of the mob. This must have happened about 10 o'clock, or after.

"Judge Scott made his appearance and came into the house, the door having remained open after it was broken. He requested us to leave the house. He was told we should do no such thing; that we could not be secure unless the civil authority interfered; that we were lawfully employed with Mr. Hanson, in protecting him and his house against violence, and whenever the mob would disperse, or the civil authority interfere, we would retire to our homes, and not before.

"During the night we continued to defend ourselves, and never fired but after some new and violent attack. I believe it probable several were wounded. The mob, during the night, retired and gathered again, and attempted some fresh damage. Just about or before daylight, the mob brought a field-piece, which was planted near the house and in front of it, but was prevented from being discharged by the arrival of Captain Barney's troop of horse, and six of them being dismounted, took possession of the front room of the first floor, and of the back yard. Hanson and his friends occupied the same places which they had done during the night. So things remained, until Edward Johnson, the Mayor, General Stricker, John Montgomery, the Attorney-General, James Calhoun, Lemuel Taylor and several others arrived and proposed that we should leave the house. We answered we had no objections to leave the house, provided the mob would retire, or we could get home with safety. The Mayor said the mob could not be dispersed, nor would they be satisfied without we went to jail, and that we should be protected from them in going to jail, and while in it. To this proposal most of us expressly objected. Gen. Lee principally carried on the conversation on our part with the Mayor and Gen. Stricker. The Mayor, Gen. Stricker, and Attorney-General severally declared and assured us, that we should be protected as well in going to the jail as in it, and the Mayor pledged his life and his honor that we should be safe, and that he would die with us should we be hurt. Gen. Stricker expressed himself in similar terms. Also Montgomery, Taylor, Calhoun, and their companions gave us assurance of safety if we went to jail. After these assurances, and finding the civil authority would not make any exertion to disperse the mob, we consented, with the advice of Gen. Lee, to deliver ourselves up to the civil authority. The Mayor declared his opinion that we would not be safe in the jail without a guard, and he and Gen. Stricker promised there should be one.

"About 8 or 9 o'clock on Tuesday forenoon we left the house, and went under the care and custody of the Mayor who preceded us, and we were placed between two lines of infantry, consisting, as it appeared, of about 50 militia; about 20 dragoons mounted advanced before us to the jail. Gen. Stricker marched on foot with the infantry, and an immense concourse of people were in the streets, some of whom went along, and were abused in the most opprobrious language. Some stones were thrown with violence at us; one struck Mr. Kilgour and cut him badly in the forehead, and another struck Mr. Bigelow and nearly knocked him down. The distance from Hanson's house to the jail was about one mile. At our arrival at the jail-door, and as we entered it, several of us

were struck by some of the mob whom we found there. Being delivered into the custody of John H. Bentley, the jailor, some five in the forenoon, we were put in a room in the common criminal department, where we remained the rest of the day. The dragoons and infantry left the jail soon after we were placed in it, and they did not return, nor was there any military guard afterwards. In the afternoon the Mayor came to us in the jail and assured us that there should be a guard, and that preparations were making to send one. He told us he would lose his own life before we should be hurt. Gen. Stricker was also at the jail, outside of it. The Mayor having been with us about 20 minutes, went away, leaving us in the belief that there would be a guard of armed militia sent to protect us in the jail. During the afternoon we were told several times by persons at the door to see us that the militia were called out and assembling.

"Late in the afternoon two butchers, one named Mumma and the other Maxwell, came in to our room; the former having a key in his hand. Mumma asked the names of several of the prisoners and said that Mr. Hoffman said he wondered Mr. Bentley should suffer so many men to come into their room who had no business there. Mumma answered that he came there on Mr. Bentley's business. They were personally known to me and some of my fellow-prisoners. We suspected their intentions were not good, and I inquired of Mr. Bentley if Mumma was a friend of his. Bentley answered 'he pretends to be so.' I replied, 'you ought to know him well before you trust the key of our room in his hands,' and I proposed that he should lock the door and give me the key through the grate. On the inside the door cannot be unlocked, and there was the outer door locked. Bentley refused, saying, 'I cannot do so, as you are a prisoner under my care.' The door was immediately locked by Bentley, and the mob very soon began to assemble from various quarters, but no troops were arriving. This excited much alarm in our room, it being afternoon, and we apprehended we were to be sacrificed.

"About dark the back door of the jail was beset by the mob, who entered it without breaking it by force. By whom it was opened I do not know but by hearsay. They began to break down the wood and iron gratings in the passage leading to our room, which took them at least three quarters of an hour. They had the light of torches. The grating of our room was opened instantly without any exertion, which makes me believe it was opened by some one having the key, and I believe either by Mumma or Maxwell. The first person I recognized at the grating was Henry Keating, who keeps a printing-office, and him I should have killed with my pistols but for Gen. Lee, who laid hold of my arm and begged me not to fire, and also prevented Mr. Murray from firing. It had been agreed that Mr. Murray and myself being the strongest men, should first rush out and make the best of our way, and every person was to escape as he could. Some of the mob rushed into the room, and Mr. Murray and myself rushed out, both of us armed—I had a pistol in each hand, and he a dirk and pistol. We made our way through the passage and hall without injury till I was at the front door, when I was struck on the back of my head with a heavy club by some man I had passed, which threw me forward from the head of the steps, and I fell headlong down a kind of cellar-way. There I saw a gang of ruffians armed with clubs, ready to destroy whomsoever should pass down the steps, and six or seven of them instantly assaulted me while down, and beat me about the head until I was unable to rise. Some of them dragged me twenty or thirty yards while others were beating me with clubs. They now tried to make me stand on my feet, and looking round I perceived Isaac Taylor, and I called upon him to prevent those men from taking my life. He told the men to desist, and said they had beat me enough, and begged them not to take my life. They said they would kill me. He again repeated that I was low enough, and desired that I should be let alone, and he would be security for my forthcoming in the morning. They disregarded what he had said. They dragged me along, and it was proposed to tar and feather me, and as I went along they continued to strike me with clubs and clubs. One

fellow struck me on the arm who raised me. When they had dragged me a considerable distance, and into Old Town, they met with a cart and put me into it, and dragged it along themselves to the place where they got him. I had left my coat in the jail, and they tore my shirt and other clothing, and put the tar on my bare body, upon which they put feathers. They drew me along in the cart in this condition, and calling me bad names. They and others called me names, they did not cease to beat me with clubs and cut me with old rusty swords. I received upon my head, arms, sides, thighs and back upwards of eighteen cuts of the sword. On my head one cut was very deep, besides which my head was broken in more than twelve places by other instruments, such as sticks and clubs. I received a few blows in my face, and very many severe strokes on different parts of my body. My eyes were attempted to be gouged, and preserved by means of the tar and feathers, though they were much injured.

"About the same time as I was lying in the cart, a fellow struck both of my legs with a bar of iron, swearing, damn my eyes, 'I will break your legs!' I threw my legs across he was led to think and to say he had broke them. Shortly after I received a blow with a club across my eyes, upon which I lay as if dead, supposing it would stop their further beating me. Remaining in the same time, I was struck upon my thighs, which I bore as if dead. A villain said he would see if I was dead, and he stuck a pin into my body twice, at which time I did not flinch, but I did manifest symptoms as if dead. Another said he would show if I was dead; he pulled a handful of tar and feathers, and set fire to it, and stuck it on my back, which put into a blaze what was on my back. I turned over suddenly and rolled upon the burning, which put it out before it reached the great a height, but I was burnt in several parts. I then raised upon my knees and addressed them: 'For God's sake be not worse than savages: if you want my life, take it by shooting or stabbing!' Often I begged them to put an end to it. Upon this one said, 'don't burn him,' another said, 'we will hang him.' One in the shape of the post turned round and said to me, 'if you will tell the names of all in the house, and all you know about it, we will save your life.' Believing all the damage was done which could be done by them I did not hesitate to say I would. They took me out of the cart upon the causeway at Fell's Point, and carried me to the Bull's Head tavern. There I gave them the names of all the persons in the house, (most of them already known to them,) which they took in writing, and the reason of our being in the house was to defend Mr. Hanson and his house against violence with which he had been threatened. They detained me about an hour at this tavern, and offered me some whiskey, of which I took several glasses, being extremely thirsty and weak from the loss of blood. They then made me walk with several persons on each side upholding me, towards the watch-house, where they said I should be kept till the morning, and that I should swear to what I had said before a magistrate by nine o'clock, or if I did not they would hang me.

"On my way I was unable to proceed, and stopped twice to rest. When I first stopped, some of them said they had got all they could out of me and they would now hang me. I rose and went on, and some who were against hanging me followed, and I was obliged by weakness to stop again, when it was proposed again to hang me; and one person said they would cut off my head and stick it on a pole. The vote was taken and carried for hanging me, but some said they should not hang me, that my life had been promised upon condition of disclosing what I knew, and that the information I might give them would be of use to them. I was then moved to the watch house, and delivered to the captain of the watch about two o'clock in the morning, who was told they held him responsible for my body at nine o'clock. I laid myself on the floor, a doctor was sent for by the captain of the watch, who came, and having removed the tar and feathers, sewed up the wounds on my head and dressed them. Between nine and ten o'clock the mob gathered at the watch-house, and some were for hanging me, saying that I had not sworn to what I had told them before a magistrate before nine o'clock, as had been stipulated, and on

of them said the rope was ready. I observed it was not my fault, that I was not able to go to a magistrate, and that I was ready to swear to it if they would bring one. They then brought a magistrate of the name of Catt, who took my affidavit, in which was stated the names of the persons in the house, the causes of their meeting, and the name of the person under whom they were acting in the house. It was read aloud, and at this period the Mayor, General Taylor and some others arrived, who said they would take me to the hospital out of the hands of these men. Mr. Taylor said he had no idea of seeing me alive. The doctor had torn my shirt and I was now provided with a pair of trowsers. The Mayor sent for a carriage, but the mob said I should not ride in it, that a cart was good enough for me, and a cart was brought, into which I was plowed,—stretched out into the cart and exposed to a hot sun!

"About 11 o'clock I was carried to the hospital, the distance of a mile, the Mayor accompanying me, amidst the noise of a great concourse of people. There I heard the groans of General Lee, in a room adjoining who had been said to be dead. After the crowd had dispersed, some of my friends, who did not like me safe, sent me a carriage, into which I was put without losing a minute, and Gen. Lee was put into the same carriage. We were carried away into the country, in our wounded, bruised and mangled condition. We arrived at Yorktown, Pa., on Saturday evening, the first of August, where we received the humane and friendly sympathies and attentions of the inhabitants, and the medical aid of two gentlemen of the faculty.

"Possessed of a strong constitution and in the prime of life, I cherish the hope that I shall survive all the bruises and wounds which have been so cruelly and maliciously inflicted by a wicked and lawless mob, and that I shall be again restored to the full use and enjoyment of my bodily powers.

"Given under my hand this 8th of August, 1812.

"JOHN THOMPSON."

Having left the jail, the mob next proceeded to the post-office, at the corner of St. Paul and Baltimore streets, which they threatened to pull down for the purpose of destroying the obnoxious copies of the *Federal Republican* deposited there for circulation by the mails. A military force was ordered out by the mayor, and as Charles Burnell, the postmaster, in spite of the threats of the mob to force his office, and the entreaties of the magistrates to yield to their request, still refused to give up the papers, a charge was ordered by Colonel Binns with a troop of horse, when the mob at once dispersed. An attack was also threatened against the office of the *Federal Gazette*, at the northeast corner of St. Paul street and Bank lane, but by a division of sentiment among the rioters it was saved from destruction.

The riot was at length quelled and the *Federal Republican* continued to be published at Georgetown. Numerous public meetings as well within as without the State expressed their indignation at the mob, whose acts left a stigma on the city, which bore for a long time the name of "Mobtown." In answer to the resolutions adopted by the citizens of St. Mary's, Charles, Prince George's and Montgomery Counties, calling on the executive of the State to interpose his authority for the "suppression and dispersion of lawless and seditious combinations having for their object resistance to the constituted authorities of the State," Governor Robert Bowie, on the 21st of August, said:

"I feel it my duty to declare, that at a time like this, when our country is engaged in an open and declared warfare with one of the most powerful nations of Europe, it is the part of patriotism—it is the duty of every good citizen—a duty sanctioned and enforced by the love of country itself, to cultivate a spirit of harmony and concord, to avoid all internal broils and domestic disturbances, and thereby the more effectually concentrate the public force against the common enemy. A course of conduct of a contrary character and description, certainly would not deserve, and never could receive the approbation of virtuous and enlightened people.

". . . Believing that it would be improper in me to pass over in silence the groundless and unmerited charges of 'perfidy' and 'cowardice' contained in the resolutions from Charles and Prince George's Counties, against General Sterrett and the Mayor of Baltimore, I feel myself impelled by a sense of justice to say, that in my opinion, founded upon official reports and personal enquiry, those gentlemen not only fulfilled every legal duty incumbent upon them, but made every effort, even at the hazard of their lives, to prevent violence from being offered to the persons composing the armed association in Charles street, both before and after they had surrendered themselves to the civil authority."[1]

The Presidential election took place this year, James Madison, of Virginia, being the democratic candidate for President, and Elbridge Gerry, of Massachusetts, for Vice-President. The federal candidates were De Witt Clinton, of New York, and Jared Ingersoll, of Pennsylvania. The electors for Maryland were Henry H. Chapman, Tobias E. Stansbury,[2] Edward H. Calvert, Thomas W. Veazey,[3] Edward Johnson, Thomas Worrell, John Stephen, Edward Lloyd, Henry Williams, Littleton Dennis, and Daniel Kentch, and their vote as cast stood, six ballots each for Madison and Gerry, and five each for Clinton and Ingersoll.

Owing, in a great degree, to the indignation aroused in the counties by the lawless proceedings in Baltimore, a great change took place in the political sentiment of the State, as was shown in the elections for delegates. St. Mary's, Charles, Prince George's, Calvert, Montgomery, Frederick, Allegheny, Talbot, Caroline, Cecil, Dorchester, Somerset, and Worcester, returned each four federalists, and Kent two, making fifty-four in all. Washington, Baltimore, Anne Arundel, Harford and Queen Anne's, returned four democrats each, making, with two from Kent, and two each from Baltimore, twenty-six democratic members. The senators, fifteen in number, had been chosen in 1811, for a term of five years, were all democrats. General Levin Winder was chosen Governor on joint ballot, the democrats voting for Robert Bowie.

[1] In August, the proprietors of the *Federal Republican* requested from a number of the leading members of the bar, their opinion whether they were justifiable, in law, in repelling the attacks made upon them, on a plea of the assailants in self-defence." (1). Messrs. R. Tilghman, W. Lewis, W. Rawle, Joseph Hopkinson and Horace Binney decided in the affirmative; and Robert Goodloe Harper, Philip B. Key, Walter Dorsey and Thomas Buchanan, in the negative.

[2] General Tobias E. Stansbury was born in Maryland in 1751, and from the opening of events of the Revolutionary War down to its close, December 25, 1850, he participated actively in national and State affairs. He was repeatedly a member of the Legislature, at one time presided as Speaker of the House of Delegates. He was also a Brigadier-General of Maryland militia in 1813-14, and commanded a brigade in the battle of Bladensburg and in defence of Baltimore.

[3] Thomas W. Veazey was governor of the State from 1836 to 1838; a member of the House of Delegates and of the Executive Council. He died in Cecil County June 30, 1858, aged eighty-eight years.

The political character of the Maryland representation in the Lower House of Congress was unchanged, being six democrats to three federals.[1] Edward Johnson was re-elected mayor of Baltimore City.

The plan adopted by the government, at the commencement of the war, was to garrison and defend the sea-coast by the State militia, aided, if necessary, by a few regular troops; the whole to be under the command of officers in the regular army, stationed at the most important points. The regular forces thus relieved, together with such volunteers as could be procured, and the militia, were to attack the British posts in Upper Canada. To carry out these plans, William Hull, governor of the Michigan territory, had been appointed a brigadier-general, and, on the 25th of May, took command of the northwestern troops, destined for the invasion of Canada. After various slight engagements with British and Indians, he arrived at Detroit, where he was joined by a few militia. Depending on the co-operation of General Dearborn, who had been appointed commander of the northwestern army, on the 12th of July, he crossed the Niagara River, about three miles below the town of Detroit, and established his headquarters at Sandwich, a village on the opposite bank, where he issued a proclamation, offering fraternity, peace and liberty to the Canadians who would remain at home, and threatening the utmost severities of war to those found with the Indians. In a few days, however, he retired, with a dispirited and disgusted army, before the advancing force of General Brock. Taking refuge in the fortress of Detroit, he disgracefully surrendered it on the 16th of August, 1812, with all the public stores, property and documents of every kind.

While these events were occurring, Maryland was busily engaged in arming, equipping and sending forward her quota of troops. To enable the government to use the regular troops on the frontier, a portion of the militia of the State was called into service, in the pay of the State, to garrison the forts of Annapolis and Baltimore. For this duty a sufficient number volunteered their services. In Baltimore, the fortifications were manned by the city militia, and every preparation made to resist an attack. Captains Collins and S. Sterett's companies of Baltimore militia were sent to Annapolis to garrison Fort Madison, then under the charge of Lieutenant-Colonel Small of the 38th regiment Maryland Militia. The "Homespun Volunteer Company," of Hagerstown, commanded by Captain Thomas Quantrill, was sent on the same service. While protecting our own ports, the army of invasion was not neglected, for within six weeks after the declaration of war, Captain Nathan Towson,[2] with a company of volunteer artillery from Baltimore City and County, marched northward to join the second

[1] These were: First district, George Philip Hunter; second, Joseph Kent; third, Alexander C. Hanson (late of the *Federal Republican*); fourth, Samuel Ringgold; fifth, Alexander McKim and A. H. Shaw; sixth, Stevenson Archer; seventh, Robert Wright; eighth, Charles Goldsborough. The members from the fourth, fifth, sixth and seventh districts were Democrats.

[2] Nathan Towson was born in Baltimore County, January 29, 1784; and, previous to the War of 1812, commanded a company of volunteer artillery, and was adjutant of the 5th Maryland Regiment. On the 12th of March, 1812,

regiment of artillery, commanded by Colonel Winfield Scott. And after the defeat and capture of General Hull, the spirit of the people of Maryland was aroused, and every exertion was made to prosecute the war and make amends for the disgrace. A number of companies tendered their services to the President, but owing to the miserable state of the federal finances, their services were not accepted until the State could provide for their comfort. In the City of Baltimore, nearly a regiment was soon forward under the command of Colonel William H. Winder, "and the most ample funds," says Niles' *Register*, "are provided from the liberal purses of our citizens, to supply them with every necessary to their leaving home. About fifteen thousand dollars have been subscribed for this purpose, and any reasonable sum may be obtained in addition, if the service shall require it. Several gentlemen subscribed five hundred dollars each."[1] On the 5th of October, another company of volunteers, consisting of one hundred rank and file, under the command of Captain Stephen H. Moore, marched from Baltimore, to join Colonel Winder. "Perhaps no body of men" says Mr. Niles, "were ever better calculated and provided for the service expected of them. They were fitted out in the most substantial manner by the munificent patriotism of the people of Baltimore, with every necessary; and were, besides, presented with an elegant flag by the patriotic ladies of the seventh ward."[2]

GEN. NATHAN TOWSON.

While Maryland was thus sustaining the honor and laws of the United States, the constituted authorities of Massachusetts, legislature, governor, and judiciary, unanimously resolved that their militia were not liable to be called out when the President of the United States thought necessary, nor could he

he was appointed a captain in the 2d United States Artillery, and on October 8, was brevetted major "for capturing the enemy's fort at Amherstburg during the siege of Fort Erie." He was engaged in the battle of Queenstown, in the capture of Fort George, the affair at Stony Creek, and on the 17th of July, 1813, he was wounded in repelling an attack of the British on the outworks of Fort George, Upper Canada. During the campaign of 1814, Towson commanded a battery in one of the divisions of General Brown's army. Being attached to the brigade of Scott, he participated in the capture of Fort Erie, July 4, and was detached with his battery to bring on the battle of Chippewa. In this conflict, Towson took a conspicuous part, and contributed greatly to the success of the day. In the obstinately contested battle of Niagara, July 25—the hardest fought and most sanguinary of the war—Captain Towson was in the front rank from first to last. August 5th, he participated in most important service in the defence of Fort Erie, elicited from General Ripley the highest encomiums on his skill and valor. In May, 1816, "for distinguished and gallant conduct in the conflict at Chippewa," 5th of July, 1814, he was made major and brevetted lieutenant-colonel. At the close of the war he was retained in May, 1815, in the light artillery, and on the 28th of August, 1819, was appointed paymaster-general. On June 1, 1821, he was appointed colonel of the second artillery, but was transferred to the Second. On May 8, 1822, he was re-appointed paymaster-general and brevetted brigadier-general June 30, 1834. On May 30, 1818, he was brevetted major-general "for meritorious services, particularly in the performance of his duties in prosecuting the war with Mexico." In 1810, he married Sophia, daughter of Caleb Stratton, of Boston, and died at Washington, D. C., July 20, 1854.

[1] Volume ii., p. 95.

[2] *Ibid.*, p. 79.

dispute his authority to command them. In addition, they upheld resistance to the war loans, and asserted that militia cannot be lawfully marched beyond the frontiers of their own State; which would have made joint operations with the regular troops impossible. Finally, Josiah Quincy, who had represented Boston in Congress, and said that the United States could not be kicked into a war, in his place, as a member of the Senate of Massachusetts, moved a resolution, that in a war waged like ours, without sufficient cause, and prosecuted in a manner indicating that conquest and ambition were its real motives, it was unbecoming a moral and religious people to express any approbation of military or naval exploits, not immediately connected with the defence of our coast and soil.[1]

To wipe away the disgrace of Hull's surrender, General Stephen Van Rensselaer induced General Dearborn to make another expedition into Canada. While the preparations were in progress, a daring and successful exploit was performed near Buffalo, that did honor to those engaged in it, and infused new spirit into the army. The heroes of this exploit were two gallant sons of Maryland—Lieutenant Jesse Duncan Elliott,[2] of the United States Navy, and Captain Nathan, of the Engineer Corps, (2nd Regiment of Artillery). On the 7th of September, Lieutenant Elliott received orders to join General Van Rensselaer on Lake Erie, and consult with him as to "the best position to build, repair and fit for service" such vessels as might be required to command the lake, and, after deciding on such a place, to "purchase any number of merchant vessels or boats that might be converted into vessels of war or gun-boats." He was also instructed by Commodore Chauncey, to construct several armed vessels. Elliott, who was then but twenty-seven years of age, immediately set about to accomplish his mission, and soon after selected Black Rock about two miles below Buffalo, as the place to build a fleet for the defence of Lake Erie. While

LIEUTENANT ELLIOTT.

[1] Hildreth, v. p. 138.

[2] Jesse Duncan Elliott was born in Maryland, July 1st, 1782, and educated at Carlisle, Pennsylvania, and studied law. He was appointed a midshipman in the United States navy, in April, 1801; Lieutenant, April 28, 1810; master, July 21, 1813; captain, March 27, 1816. He served in the *Essex*, Captain Barron, during the Tripolitan War, and in that of 1812-15 served on the lakes, in the Chesapeake and Perry. For the capture of the British brigs *Detroit* and *Caledonia* on Lake Erie, he was presented by Congress with a sword. In the attack upon York, Upper Canada, July 24, 1813, he commanded the *Madison*, and was highly commended. In Perry's famous victory on Lake Erie, September 10, 1813, Elliott commanded the *Niagara* (twenty guns), and for his conduct received a gold medal from Congress. A court-martial, appointed at his request, in consequence of misrepresentations on his disengagement, pronounced him "a brave and skilful officer." He succeeded Perry in the command on Lake Erie in October, 1813; joined Decatur's Mediterranean squadron in the ship *Ontario*, early in 1815; from 1817 to 1821 was a commissioner to select sites for dockyards, batteries and fortifications for the coast of New England. He commanded the West India squadron, in 1839-42; in 1843, took charge of the Charlestown (Massachusetts) navy-yard, and afterwards, in the *Constitution*, cruised several years in the Mediterranean. On his return, he was court-martialled, and suspended four years. A part of this sentence was remitted, and in 1844 he was appointed to the Philadelphia navy yard, where he died, December 10, 1845.

engaged here on the 8th of October, two British armed brigs, the *Caledonia* and *Detroit*, came down the lake from Malden and anchored under the guns of Fort Erie. Elliott immediately conceived a plan for their capture, and readily obtained the consent of General Smyth, his commanding officer, to lend his aid. Captain Nathan Towson was detailed with fifty of his Maryland volunteers for the service, and General Smyth in a "confidential" note to Colonel Winder of the 14th Regiment,[1] then encamped near Buffalo, said: "Be pleased to turn out the hardy sailors in your regiment, and let them appear under the care of a non-commissioned officer, in front of my quarters precisely at three o'clock this evening. Send also, all the pistols, swords and sabres you can borrow, at the risk of the lenders, and such public swords as you have."[2]

The expedition was fitted out in two boats; one under the command of Lieutenant Elliott, who had with him Lieutenant Roach of the engineers, and Lieutenant Presstman[3] of Baltimore, to command the infantry; the other under the command of Sailing-Master Watts, with twenty sailors, and twenty-eight artillerists, under Captain Towson. The plan was to ascend the lake with muffled oars, drop down with the current, make a simultaneous attack upon the two brigs which lay under the cover of the guns of the fort, and carry them by boarding. All preparations being made, the expedition embarked at midnight on the 9th of October, and at three o'clock on the morning of the 10th, the sharp crack of a pistol followed by the flash and roll of a volley of musketry, a dead silence and the moving of two dark objects down the river, proclaimed that the enterprise had been successful.[4]

In ascending the lake, the boat which carried Towson got ahead, and lost sight of the other; and was hailed and fired at by the *Detroit*, which lay highest up the lake. Sailing-Master Watts supposing that his pilot had not kept near enough to the shore to make a successful attack upon the *Caledonia*, ordered him to pass that vessel; but Towson assumed the command of the boat, and peremptorily ordered the pilot to lay her alongside of that vessel. This order was executed without opposition, and in a few seconds. In attempting to fasten the grapplings, all missed their aim but one, and the boat necessarily fell astern, exposed to a severe and destructive fire from the cabin, windows and deck of the brig. The boat, however, was soon hauled alongside, and in less than two minutes, the *Caledonia* was boarded and carried.

[1] "This regiment was recruited in Baltimore and vicinity."—*Niles' Register*, iv., p. 0.

[2] Lossing's *War of 1812*, p. 855. [Mr. Lossing had the use of Colonel Winder's MS. papers.]

[3] Stephen Wilson Presstman was born in Maryland, and appointed, on the 14th of April, 1812, ensign of the 5th United States Infantry, and in July, second Lieutenant. He was a volunteer under Captain Towson in the capture of the *Caledonia* brig, and adjutant in 1814. In May, 1814, he was promoted to first Lieutenant, and in the attack on La Cole Mill, March 30, 1814, was severely wounded. He was brigade major to Brigadier-General Izard, and distinguished himself in the affair at Lyon's Creek. At the close of the war, in May, 1815, he was retained in the 7th United States Infantry, but declined the honor and left the service.

[4] "In less than ten minutes," wrote Elliott, "I had the prisoners all ashore, the vessels shorted home, and the vessels under weigh."

The attention of the *Detroit* was so closely engaged by these proceedings, that the approach of Lieutenant Elliott, in the other boat, was not observed; so that he was enabled to carry that vessel without loss, and with but little difficulty. Both brigs were immediately got under way, and both unfortunately grounded on the Niagara River, within point-blank shot of the Canada shore. Advantage was taken of this disaster by the enemy, who, as soon as day dawned, brought up a few field-pieces, and opened a fire on the brigs. The sailing-master and pilot left the vessel, with the prisoners, about sunrise. Captain Towson remained on board, took out the greater part of the cargo (consisting of furs), and succeeded in getting the brig afloat about sunset; but not being versed in navigation, and all the sailors except two having deserted in landing the cargo, he ran aground a second time near Squaw Island. In the night, Colonel Schuyler, who had just taken the command at Black Rock, received intelligence that General Brock had crossed the Niagara below with a formidable force, and was marching to attack him. Lieutenant Elliott, after destroying the *Detroit*, sent an officer with this information to Captain Towson, with combustibles, and an order to set fire to the brig. Towson would not permit this order to be executed; but, believing his presence with his company necessary in the event of an attack on shore, he left a faithful non-commissioned officer and two men on board, with orders to fire and abandon her if it should appear that the enemy were likely to succeed in forcing the troops to retire to the main body at Flint Hill. This did not happen; General Brock had not crossed the Niagara, as reported; and thus, by the judicious management of Captain Towson, was the *Caledonia* reserved to make one of the gallant Perry's victorious fleet. In this brilliant affair the Americans lost two killed and five wounded.'

The projected invasion of Canada resulted in the battle of Queenstown, in which the Marylanders, under Towson, bore a conspicuous part. This expedition, however, resulted in a failure which General Smyth attempted to atone for by organizing another for the same object. He gave orders on the 25th of November, for "the whole army to be ready to march at a moments warning." Everything being in readiness, an advance was embarked near Buffalo, in two divisions, at three in the morning, on November 28, 1813. The first division, under the command of Lieutenant-Colonel Boerstler, with about two hundred men of Colonel Winder's regiment, in seven boats, was to cross over the river about five miles below Fort Erie, capture the guard stationed there, kill or take the artillery horses, and, with the prisoners if any, return to the American shore. The second division was under the command of Captain King, with one hundred and fifty regular soldiers, and seventy sailors under Lieutenant Angus, in ten boats, was to cross higher

[1] In his report of this engagement, dated October 9, 1813, Captain Elliott said: "To my officers and men I feel under great obligations. To Captain Towson . . . of the 2d Regiment of artillery, and Ensign Pressman, of the infantry . . . for their soldier-like conduct in a word, sir, every man seemed as if with hearts animated only by the interest and honor of their country."

up the river at the "Red House," and alarm the British batteries. Colonel Winder was to remain on the American side to give directions. At the appointed hour the boats started for their respective destinations. King's division, when within about a quarter of a mile from the shore, was discovered by the enemy, who opened upon him with such effect as to compel six of his boats to return. The other four made good their landing and forthwith carried the British batteries by storm. But the enemy came upon them from distant stations, and with no more help from General Smythe, these gallant men were soon overpowered, Sailing-Master Watts killed, and their commander taken prisoner, the rest getting back to the American side of the river in great confusion. Boerstler and his party, in the meantime, had been placed in great danger.

The firing upon King had aroused the enemy all along the river bank, and they were on the alert. Mr. Lossing says:

"Boerstler's boats became separated in the darkness. Seven of them landed above the bridge to be destroyed, while four others that approached the designated landing place, were driven off by a party of the enemy. Boerstler landed boldly alone, under fire from a foe of unknown numbers, and drove them to the bridge at the point of the bayonet. Orders were then given for the destruction of that structure, but, owing to the confusion at the time of landing, the axes had been left in the boat. The bridge was only partially destroyed, and one great object of the adverse party of the invading army was not accomplished. Boerstler was about to return to his boats and cross the river, because of the evident concentration of troops to that point in overwhelming numbers, when he was compelled to form his lines for immediate battle. Intelligence came from the commander of the boat-guard that they had captured two British soldiers, who informed them that the whole garrison at Fort Erie was approaching, and that the advance-guard was not five minutes distant. Talk intelligence was correct. Darkness covered everything, and Boerstler resorted to stratagem when he heard the tramp of the approaching foe. He gave commanding orders in a loud voice, addressing his subordinates as field officers. The British were deceived. They believed the Americans were in much greater force than they really were. A collision immediately ensued in the gloom. Boerstler ordered the discharge of a single volley, and then a bayonet charge. The enemy broke, and fled in confusion, and Boerstler crossed the river without annoyance."[1]

Colonel Winder, with a party of two hundred and fifty men, in attempting to re-embark the troops on the Canada shore, was prevented by the rapidity of the current and floating ice, and obliged to return to the American side.

The two following days were employed in preparations for a second attempt. Finally, however, General Smythe, to the universal disappointment, chagrin and indignation, again and finally revoked the whole plan, ordered the volunteers to go home, the regular troops into winter-quarters, and thus ended the discreditable campaign of 1812, without a gleam of consolation.

Thus far the war had gone against us on land, though at sea we proved a match for Britannia in both skill and courage. And here no State did more

[1] Pictorial, 1812, p. 429.

or reaped more honor than Maryland. Here the war had been popular from the first; and so soon as it was declared, Maryland privateers swarmed the seas, attacking not only the commerce of the enemy, but her armed vessels. Had the brave commanders of these adventurous cruisers been in the federal service, their names would have been placed high in the roll of honor; but as it is, the names of Barney, Boyle, Stafford, Murphy, Wilson, Wiscott, Peart, Southcomb, Vesey, Levely, Grant, Dawson, Moore, Richardson and a host of others, have been almost or quite forgotten; and neither does the storied marble commemorate, nor the historic page record, the gallant services that, by crippling the enemy's navy, contributed so much to our success.

It is well-known to those Americans who lived through the War of 1812, and to all students of the history of the time, that the privateers and letters-of-marque were the great thorn in the side of our inveterate enemy; that they harassed and annoyed their adversaries in every quarter of the globe, and even at the entrance of their own ports in old England itself. They fought and captured ships and vessels off the North Cape, in the British and Irish Channels, on the coasts of Spain and Portugal, in the East and West Indies, off the Capes of Good Hope and Horn, and in the Pacific Ocean. In a word, they were harassing and annoying British trade and commerce wherever a ship could float; they took and destroyed millions of property, and were, beyond all doubt, chief instruments in bringing about a permanent peace.[1]

When the war was declared, we had not many sharp, fast-sailing clipper vessels suited for privateers and letters-of-marque. There were, however, a few in Baltimore and some other Atlantic ports, and these were brigs and schooners which had been employed in a sort of Xeed running trade to France and the West India Islands. These were forthwith dispatched to sea in search of British merchantmen; for a Baltimore paper of July 4th mentions that "several small, swift privateers will sail from the United States in a few days. Some have already been sent to sea, and many others of a larger class, better fitted and better equipped, will soon follow." Mr. Niles, on Saturday, July 11th, says: "From Baltimore there will, in a few days, be at sea twelve or fifteen of the fastest sailing, and best found and appointed vessels in the world, carrying from ten to sixteen guns each, and from eighty to one hundred and twenty men." On the Sunday following, "seven privateers sailed from Baltimore;" and within four months after the declaration of war her wealthy merchants had sent to sea forty-two armed vessels, carrying about three hundred and thirty guns and from two thousand eight hundred to three thousand men.

Among the most notable engagements by the privateers of Baltimore we may mention the following: "On the 18th of July, the letter-of-marque schooner *Falcon*, belonging to Baltimore, on her passage from Boston to Bordeaux, with four guns and sixteen men, when on the coast of France, was

[1] *Chronicles of Baltimore*, p. 374. Cooperthwait. [2] *Register*, II., p. 319.

engaged with the British cutter *Hero*, with five guns and fifty men, for two hours and a half, and finally beat her off, with considerable loss on both sides, after repulsing the enemy three times in his attempt to board. On the next day the *Falcon* was attacked by a British privateer of six guns and forty men, and although considerably injured by her engagement with the cutter the day previous, the privateer commenced a heavy fire on the *Falcon*, which she bravely returned for an hour and a half, when the captain and several of the crew of the *Falcon* being wounded, she was carried by boarding while her colors were still flying."

Extracts from the journal of the privateer *Globe*, of Baltimore: "July 31st. saw a sail, to which we gave chase, and in about three hours were within gun-shot, when we commenced firing. She hoisted British colors, and returned fire with her stern-chasers (two long nines) which was continued for about forty minutes against one long nine (midships), that being the only gun we could get to bear, as it was blowing fresh and she crowded all sail. When we got close enough we began to fire broadsides (charged with round shot double-shotted, and then with langrage and round) which she returned, broadside for broadside. When we got within musket-shot and fired several volleys into her she struck, after a brisk engagement of an hour and a half. She proved to be the English letter-of-marque ship *Hoyd*, from New Providence for Liverpool, laden with coffee, dye-woods and cotton, mounting ten guns, viz., two long nines, two short twelves and six long sixes. Put a prize-master and eight men on board, and ordered her to Baltimore—but she arrived at Philadelphia."

Among those who went to sea at an early period was Commodore Barney, in the schooner *Rossie*. After a short but successful cruise he arrived in Baltimore on the 10th of November. During his absence he captured thirty-six hundred and ninety-eight tons of shipping, valued at upwards of $1,500,000 and two hundred and seventeen prisoners.

On the 28th of September the privateer *Nassau*, of Baltimore, Captain Levely, carrying twelve twelve-pound carronades, and between eighty and ninety men, fell in with a ship and a schooner, under British colors, off Martinique—the ship carrying sixteen eighteen-pound carronades and two hundred men, including soldiers; and the schooner six four-pounders and sixty men. "When within range of the ship she gave us a broadside. We bore down upon her and hoisted American colors, and returned her broadsides, accompanied each time with a heavy volley of musketry, the ship and schooner keeping up a heavy fire upon us with their great guns and musketry. The engagement lasted three hours and twenty minutes, when the bolts and breechings of our guns, fore and aft, were carried away, both sides. We could then only use our musketry, or we should certainly have captured them both. We dismounted several of the ship's guns, and damaged her very much in her hull and rigging. From the confusion which appeared on board, we judge that we must have killed and wounded a considerable number of men; she

bore away for Martinico; we, being much crippled in our sails and rigging, could not pursue her. The *Nautilus* lost, during the action, one officer killed (Mr. Wilkinson), and three seamen (Samuel Christian, Lewis Riley and David McCarthy), they had also six seamen wounded. The British lost seven killed and sixteen wounded."

While Captain John Murphy, in the privateer *Globe*, was cruising off the coast of Portugal, he fell in with an Algerine sloop-of-war, and a severe engagement followed. After a short contest for a period of three hours, at half gun-shot distance, the sloop of war was driven off.[1]

Great Britain, at the time the United States declared war, was straining her powers to the utmost in her struggle with France, and her statesmen could give but little attention or assistance to a remote and comparatively insignificant conflict on this side of the Atlantic. Nearly seven months, therefore, elapsed before England adopted any offensive measures. The first notice we received of any action in that direction, was the passage of an order in council on the 26th of December, 1812, declaring the ports and harbors of the Chesapeake and Delaware Bays to be in a state of vigorous blockade. British naval forces on the American coasts and stations, did not appear in any formidable numbers, till the 4th of February, 1813, when Admiral Cockburn entered the Virginia Capes and took possession of Hampton Roads, with four ships of the line, six frigates and several smaller vessels of war. In the course of the spring, this force was increased, and on the 20th of March, 1813, the whole coast of the United States was declared to be in a state of blockade, with the exception of Rhode Island, Massachusetts and New Hampshire. Thus was British vengeance inflicted on those States which refused to make peace except on honorable terms, and favor shown to those who were clamorous for peace upon almost any conditions.

In the meantime the blockading squadron under Admiral Cockburn kept harassing the shores of the Chesapeake with marauding expeditions, plundering and burning farm houses, carrying off negroes and arming them against their masters, capturing and destroying in every direction the light vessels and fishing boats in their reach. The country on each side of the bay exposed to these inroads was thinly settled, and it was difficult to concentrate a sufficient force at one point in time to be effective against the marauders, though in a few instances they were severely punished.

Four days after the arrival of the British fleet in Lynn Haven Bay, on the 8th of February, the letter-of-marque schooner *Lottery*, Captain John Southcomb, of Baltimore, bound for France, with six guns and twenty-eight men, was attacked by nine boats containing two hundred and forty men from the British squadron. Captain Southcomb with his brave companions gallantly sustained the attack for two hours and thirty minutes, during which time it was supposed that more Englishmen were killed and wounded than the whole crew of the schooner. The captain was wounded by five musket

[1] Coggeshall's *History of American Privateers.*

balls, one of which passed through his body, and finding that he had exhausted all his ammunition, and that the enemy swarmed on his deck, he deemed further resistance a useless waste of brave men's lives and surrendered. The enemy had already pulled down the colors themselves. Captain Southcomb was taken on board the British frigate *Belvidera*, where he soon after died, and Captain R. Byron kindly sent his body with a letter of condolence, in which his conduct was spoken of in terms befitting a gallant enemy, to his friends in Norfolk, where he was buried on the 16th of February, with grand military and naval honors. He was in the twenty-sixth year of his age.

On the 3d of April, the British seventy-four *St. Domingo*, three frigates, two brigs, one schooner and two pilot-boat tenders anchored off the mouth of Rappahannock River, for the purpose of attacking the privateer schooner *Dolphin*, of Baltimore, Captain W. S. Stafford, of ten guns, two letters-of-marque bound for France, and one for Savannah. While anchored in the river, these vessels were attacked by seventeen British launches and tenders containing about forty men each. Two of the letter-of-marque schooners were soon taken with slight resistance, while the other ran aground near the shore. The *Dolphin*, however, bore the brunt of the action, and the whole force of the enemy was soon brought to bear upon her. Mr. Niles says, "it was indeed, a desperate fight against fearful odds! The contest was sustained for two hours, with a gallantry peculiar to American sailors. The enemy finally succeeded in boarding, but the fight was not done. On the *Dolphin's* deck the battle lasted fifteen minutes; when overwhelmed by numbers, the brave Stafford submitted; the enemy surrendered before having pulled down his colors. It appears very certain that the British had fifty-nine killed and wounded in the affray."[1]

The Governor of Maryland, on the first arrival of the enemy in the bay, and at every subsequent period of the war, manifested the deepest solicitude for the common defence. As early as the 5th of March, 1813, he addressed a letter to the secretary of war, stating the defenceless condition of Annapolis, in which he said: "There are at present very few men at either of the forts, and in case of attack it would be impracticable to afford timely aid to Fort Madison. As it is important to be prepared in case of a visit from the enemy, we have thought proper to address you upon the subject, and beg to be informed what force it is contemplated by the general government to send to this place." Receiving no reply from this letter, he again, on the 20th of the same month, addressed another letter to the secretary of war, in which he said:

"We had the honor to address you some weeks since upon the subject of the defenceless situation of the forts at this place, and with a request to be informed what aid was contemplated to be afforded to it by the general government. We also deem it to be our duty to represent that other parts of the State are equally defenceless and unprotected, and in many quarters incursions of the enemy and depredations to a considerable extent may

[1] *Register*, iv., p. 139.

be made. In this situation we must repeat our anxiety to be informed what protection or any emergency may be expected from the general government; what regular forces can be furnished; and in the event of the militia of the State being called out for its defence, whether the expenses will be defrayed by the United States."

On the 27th of March, the secretary answered that "one battalion of the drafted militia is ordered for the particular defence of the City of Annapolis that a strong body of militia had been organized by the orders of the Executive of the United States, for the protection of Baltimore; and should there be any *new* evidence of annoyance from the enemy additional measures will be taken."

On the 23d of March, a memorial was presented to the governor and council by a committee acting in behalf of the inhabitants of Easton, representing the defenceless state of that town, and their apprehensions of danger from the British squadron in Lynn Haven Bay, and suggesting that arms be furnished them, and the militia called out. Governor Winder[1] forwarded the memorial to the secretary of war, accompanied with a letter in which he said: "By the laws of Maryland, in case of invasion or threatened invasion, the brigadier-general or the commanding officer of the place invaded or threatened to be invaded, has power to call out the militia; and it was the opinion of this Executive, that no step within its power to take could give to the inhabitants of that place further security. We thought it due, however, to the memorialists, to represent their situation to the general government; and would beg leave to observe that the town of Easton, being a place in which many of the public records are lodged, and in which too, there is an armory of the State, it is of importance that every protection and security which can be afforded to it by other government, should promptly be given." To this the secretary replied, saying that it was impossible to place troops at all points threatened, and suggesting that the armory be removed.

This refusal of the Federal Government to render that assistance which Maryland was fully justified in demanding, and which had been freely granted to other States, created much indignation, as it was looked upon as a piece of political vengeance. The papers teemed with angry articles.

"'Virginia,' said one, 'has but to ask, and she receives; but Maryland, for her late political disobedience, is denied those means of defence which she has a right, by the Constitution of the United States, to demand. To Virginia the general government stands pledged for the payment of all expenses incurred by necessary preparations for defence, while Maryland is told that she has too many vulnerable points to expect complete protection, and therefore she must take care of herself in the best manner she can.'

"Appropriations to a large amount have been made for the protection of New York, although she was unknown to [illegible] to be better secured against invasion of the enemy than any other section of the Union.

[1] Levin Winder was born in Somerset County, Maryland, and upon the breaking out of the Revolutionary struggle espoused the cause of his country. On April 17, 1777, he was appointed major of the Fourth Maryland regiment, and was lieutenant-colonel at the close of the war. Before 1812 he was Speaker of the House of Delegates, and from 1812 to 1815 was governor of the State. In 1810 he was a member of the Senate, and was also a general of militia and grand-master of Masons of Maryland. He died in Baltimore July 7, 1819, aged sixty-three years.

"Thus the general government defrays the expenses incurred by one State, makes large appropriations to another, but to a third, which is far more critically situated than either, she denies the means of protection."

In the spring of 1813, the enemy's naval force left their anchorage at Lynn Haven, and moved up the Chesapeake Bay. A general alarm was excited amongst the inhabitants of its shores; and unused as they were to a state of war, the first demonstrations of outrage and the system of plunder and destruction which Cockburn began, were of a nature to terrify a people who had so long enjoyed tranquillity and peace. But the people of Maryland, though agitated, were not dismayed, and they rallied for the defence of their homes and firesides, without waiting for the formalities of a requisition from the general government. Out of even free states to their own executive head, they were embodied at the discretion of their militia officers, according to the militia laws of the State.

About the first of April, the enemy moving up the bay, and as he advanced, sending his barges into most of the navigable inlets, the case of invasion or threatened invasion occurred at almost every point; and parties of militia were hastily formed to repel it, and disbanded when the danger seemed past. Much anxiety was felt for Annapolis, and whenever it seemed threatened the governor called out the militia and removed the records, while he again and again represented its danger to the Federal government.

On the 18th of April, the fleet threatened the city of Baltimore, which was "pointed out for military execution in papers published by citizens of the United States," and the jealousies and animosities of other cities scarcely concealed their joy of her impending ruin. A Philadelphia paper said: "Many of our cities, and especially Baltimore, are now in a rigid state of blockade. The enemy holds us at his mercy, and can injure if not destroy our defenceless towns; and why he abstains from injuring us as much as he might, is not owing to anything else, except to the *magnanimity and honourable policy of the British nation, so strictly observed towards other nations.* If the squadron remains six months as near Baltimore as it now is, many of the inhabitants, and particularly the poor, will have to seek refuge in the country. The people of the *misguided city of Baltimore* are now much alarmed and apprehensive of suffering great injury from that nation whose family they, in part, causelessly brought upon the country." After referring to the riots of the previous year the writer continues: "Who would pity such a city and its ill-fated inhabitants? Baltimore has brought the curse of Heaven upon itself, and has last summer prevented the law from giving protection to the best of citizens. Leave Baltimore to itself and let it make the best of its own situation."[1] All which was an oratorical way of saying that they would not be sorry to see the rapidly-growing commerce of Baltimore receive a check.

[1] Niles' *Register*, iv., pp. 87, 113, 146.

Before this time the enemy had not attempted anything of great importance except what was incidental to a mere blockade. But now the enemy stopped all intercourse with the city by water, thereby cutting off an immensely valuable trade, stinting the citizens of even their ordinary supplies of provision. To crown all, says Mr. Niles, "internal foes of the city, co-operating with the enemy, alarm those accustomed to deal with us from the interior, and destroy the whole trade and curtail the supplies for the subsistance of the people of this populous city." The total annihilation of trade, which threw out of employment all classes of mechanics, and the exorbitant price of most of the necessaries of life, compelled a great number of worthy people to choose between emigration or dependence on charity.

While thus assailed by her enemies, and abandoned by those whom she had considered her friends, it was a fortunate thing for Baltimore, that perfect good feeling prevailed between the executive and the city, and that all classes of her citizens vied with each other in zeal for the common defence, and in fortitude in bearing privation and loss. The State militia, also, was full of patriotic ardor, promptly answered every call, and, except at islands, and some indefensible points, all the marauding expeditions, which, this year, infested every inlet of the bay shore, were repelled or checked. Notwithstanding the serious political divisions among the people, but one spirit pervaded all classes. Arms and ammunition were furnished by the executive to the extent of its means, and all practicable measures of defence taken. This constant occupation of the militia was in itself a serious calamity, as most of those from the counties were farmers, and their absence from their lands at this time, cut off all hope of the harvest which would be sorely needed.

The peculiar conformation of the State, penetrated by a great bay running up into the land with numerous rivers and creeks, rendered her assailable at numerous points by an enemy that commanded the water, and could cut off direct communication between the two shores of the State, so that a heavy blow might be struck before news of danger had reached the State capital. Maryland had already been notified by the secretary of war that she was to expect little, if any help from the Federal Government. Nothing was then left her to depend on but her local militia. Yet, when Maryland asked for the reimbursement of those expenses incurred in the common defense, it was persistently refused.

In 1813 the government applied for a loan of $16,000,000, and notwithstanding the great distress in Baltimore from the general suspension of business, its patriotic merchants subscribed over $3,000,000.[1] Besides liberal

[1] On the 8th of December, 1774, a meeting of deputies from all the counties of Maryland was held at Annapolis, chiefly for the purpose of adopting measures to support the proceedings of the "Continental Congress." After passing several patriotic resolutions, the convention agreed to recommend to the several counties to raise the sum of £10,000 for public purposes by subscription, or "lend or otherwise convey money" as might be thought most proper. The apportionment of this sum amongst the counties at that period, according to their then supposed wealth, compared with their quotas of the United States tax as ascertained by Congress in the Act levying the same in 1813, is a statistical curiosity:

individual subscriptions from the citizens,[1] the City Council, without waiting for the preparations which might be made by the government for the defence of the city, on the 18th of April passed the following resolution, which was approved by the Mayor:

"WHEREAS, Edward Johnson, Esq., Mayor of the City of Baltimore, has by his communication of this day recommended to the City Council the appropriation of the sum of twenty thousand dollars for the defence of the city, and the City Council deeming such an appropriation of the city revenue highly laudable, and although not free from difficulty, under the corporate powers of the Mayor and City Council, yet yielding to the urgency of the measure, from the imperfect state of the public defence, it is therefore

"*Resolved*, That a sum not exceeding twenty thousand dollars be, and the same is hereby appropriated for the purpose of procuring a more effective and general defence of the city of Baltimore, which sum shall be drawn for by the Mayor and paid out of any unappropriated money in the city treasury; or, if needful, the Mayor is hereby authorized to obtain on loan the aforesaid sum from any one of the banks within the city, the repayment of which the Mayor and City Council hereby guarantee; the aforesaid sum, or such part thereof as may be necessary, shall be expended under the direction of the Mayor of the city, and Messrs. James Mosher, Luke Tiernan, Henry Payson, Dr. John Campbell White, James A. Buchanan, Samuel Sterett and Thorndike Chase, or a majority of them, who are hereby appointed a committee of supply for the purposes contemplated by this resolution."

This sum proving insufficient, a meeting of the citizens took place, who advised a loan not exceeding $500,000, with an addition to the committee of supply of Messrs. John E. Howard, George Warner, J. Kelso, Robert Gilmor, William Patterson, Messrs. Deshon and Burke."

Counties.	Assessment in '81.	Assessment in '48.
St. Mary's	$ 600 00	$ 3,950 00
Charles	800 00	6,730 00
Calvert	386 00	2,470 00
Prince George's	630 00	7,010 00
Anne Arundel	986 00	9,830 00
Montgomery	.....	6,110 00
Frederick	1,330 00	11,170 00
Washington	.....	7,872 00
Allegany	.....	2,210 00
Baltimore	933 00	48,670 00
Harford	491 00	5,850 00
Worcester	333 00	4,930 00
Somerset	588 00	6,740 00
Dorchester	150 00	5,310 00
Caroline	358 00	2,250 00
Talbot	400 00	4,740 00
Queen Anne's	530 00	5,630 00
Kent	568 00	4,230 00
Cecil	700 00	5,060 00

The counties printed in Italics were formed since 1774. Montgomery was erected from Anne Arundel and Frederick Counties; and Washington and Allegany were taken entirely from Frederick. The various comparisons growing out of this table, every one will make for himself. The capital city of Baltimore, however, claims attention. In 1774-81 St. Mary's and Caroline together were supposed more valuable. In 1813, Baltimore was estimated about eight times more valuable than those counties, and was assessed for taxes last year as St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, Montgomery and Frederick, which were rated at five times her value by the Convention of 1774.

[1] During the war of 1812, Jesse McKim, the eldest son of John McKim, one of the founders of the commerce of Baltimore, was in active service as aide-de-camp to General Samuel Smith, commander-in-chief of the forces defending Baltimore, and advanced $50,000 to the city to aid in its defence.

[2] The resistance to the war loans in New England was coherent, as the newspapers teemed with denunciation of such as should subscribe. "The subscribers to war loans," said a Boston clergyman in Boston, "would be participators in the unholy, unrighteous, wicked, abominable and unnatural war." "Let no one," said a newspaper, "dare to minister himself at the altar, who wishes to continue the war by lending money. They are as much partakers in the war as the men who harness the horses, and the judgment of God will overtake them." (One might almost fancy he was reading Lowell's *Biglow Papers* on the Mexican War.) "The universal sentiment is, that any man who lends his money to the government at the pres-

In the meantime the people complained bitterly that they were driven to the necessity of relying in times of danger on a few raw and undisciplined militia, for the security of their lives and property. And in a letter to the President, dated April 20th, 1813, Governor Winder, after alluding to the enemy landing on Sharp's Island, and pondering the residence of Mr. Jacob Gibson, says:

"We cannot close this communication without some observation upon the unprotected and defenceless state in which many parts of Maryland are left. Applications from various quarters are constantly pouring in upon us, and so far as the very limited means which our power will enable us, we are endeavoring to afford protection. But besides that, we have not sufficient arms and ammunition to supply the demands of every section of the State. The unavoidable expenses of calling out the militia for its protection would greatly exceed the ability of the State government. By the Constitution of the United States, the common defence is committed to the national government, which is to protect each State against invasion, and to defray all the necessary expenses of a national war; and to us it is a most painful reflection, that after every effort we have made, or can make, for the security of our fellow citizens and their property, they have little to rely on but the possible forbearance of the enemy. The capital of the State, notwithstanding the late call of the militia, we are informed by the commanding officer, has not a sufficient force for its protection. Indeed it must be obvious, that while there are only twenty or thirty regulars stationed in its forts, the militia, in whatever force, cannot give to it that protection it has a right to claim, and without which Maryland may be essentially injured. A communication from the Secretary of War, some time since, gave us to understand that a regiment of the troops to be raised under a late act of Congress would be assigned to Maryland, and that a train of light artillery of fourteen pieces, would be stationed north of the Potomac. We beg leave to urge the necessity of some force being ordered to the seat of government, as well as other parts of this State. Any delay may be of fatal consequence, as from the force which the enemy now has in our bay, we have much to apprehend, unless other means of defence than those which we now have are afforded to us."

While the enemy's squadron was lying off the City of Baltimore, the measures for defense went on with the greatest activity. The militia, under the command of General Samuel Smith, erected a water-battery, mounted with 42-pounders, and built furnaces for heating shot. Look-out or signal boats were established far down the Patapsco, and cavalry, infantry and artillery were stationed along the shores of the river and bay with "a code of signals." Fort McHenry was strengthened by the mounting of a number of 32-pounders, and Colonel Wadsworth, of the United States engineers, was laying off other fortifications. Several old hulks were stationed in the river for the purpose of being sunk in the channel if necessary.

"'The day (12th April on which the enemy appeared,' says Mr. Niles, 'was a proud day for Baltimore. It was astonishing to perceive the animation of the people on the firing of the alarm gun. Only one spirit prevailed. There was no fear but the fear of

one time, will forever call that a common honesty and common courtesy among all true friends to the country." Advertisements appeared in Boston newspapers, promising to conceal the names of subscribers to the loans; such was the intimidation leveled at all who ventured to subscribe. The loans were, nevertheless, taken in New York, Philadelphia and Baltimore—Ingersoll, v. p. 63.

being but little on duty; no party but to repel the enemy. This generous loyalty went through all ranks of society. We have perfect harmony, if such a thing can be; and the din of arms has not disturbed the quiet of the citizen. The peace is profoundly romantic. The marshaling of the volunteers occasions no bustle. All things are done in decency and order. On the evening of that day they captured two packets from Baltimore bound to Queenstown. The packet boat *Diligent* was captured by the enemy's small boats off North Point, with the mail, a large number of passengers, and over $8,000 in specie. The passengers were detained over night, under guard, and on the following day were put on board of an old boat, with scarcely any provisions and no water, to make the best of their way to Queenstown with a permit from the admiral."[1]

After plundering Sharp's, Poole's, Tilghman's and Poplar Islands, in the latter part of April, Rear Admiral Cockburn made expeditions for the destruction of the towns and villages at the head of the bay. On the 29th of April, thirteen British barges, manned by about four hundred armed men under the command of Lieutenant Westphall, of the *Marlborough*, made an attack on Frenchtown, nearly opposite Elkton in Cecil County.[1] The only defenders were some stage-drivers and wagoners and a few militia from Elkton. The fortifications consisted of a small redoubt, upon which were mounted four small four-pounders that had been used in the Revolution. The garrison fought manfully, but after repulsing the enemy twice, they were compelled to retire before overwhelming numbers. The wharf, fishery and warehouses, with goods estimated at from $20,000 to $30,000, were plundered and burnt, but no dwellings were injured. On the water, they destroyed five small trading vessels. They then landed at White Hall and marched over to the opposite battery, erected at Elk Landing, where, after the exchange of a few shots, they "retired and embarked immediately." The next scene of plunder and devastation was at Havre-de-Grace, in Harford County, on the west side of the Susquehannah, about two miles from the head of the bay. It was a thriving town, and contained about fifty houses, built mostly of wood. For some time the enemy were expected, and upon the high bank just below the town, a battery was erected, on which one nine-pounder and two six-pounders were mounted. This was called the "Potato Battery." On the lower or Concord Point, where the light house now stands, was a small battery. On the morning of the 3d of May, while the great body of the inhabitants were yet in their beds, nineteen barges from the enemy's squadron suddenly appeared before the place, and, without a moment's notice, opened a tremendous fire of shot, shells and rockets. The guns on Higher Point Comfort, manned by a few militia, opened upon them, and these were returned by grapeshot from the enemy's vessels. A lady, eye witness, writing to her brother in Philadelphia in a letter dated May 7th, gives the following account of the destruction that followed the bombardment:

[1] "The place, though called a town, contained only a few warehouses, a tavern, two or three dwelling houses, with a few stables and outhouses; deriving its whole importance from being the 'stopping place' of the 'land and water line of stages between Philadelphia and Baltimore.'"

"On the report of guns we immediately jumped out of our beds; and, from the top of the house could plainly see the balls and hear the cries of the inhabitants. We ran down the road, and soon began to meet the distressed people, women and children half naked; children enquiring for their parents, parents for their children, and wives for their husbands. It appeared to us as if the whole town was on fire. I think this act, committed without any previous warning, has degraded the British flag.

"The enemy robbed every house of everything valuable that could be carried away, leaving not a change of raiment to one of ten persons; and what they could not take conveniently they destroyed by cutting to pieces or breaking to atoms. The admiral himself was present at this work of destruction, and gave orders for it to his officers. Mrs. John Rogers, (wife to the commodore) Mrs. William Pinkney and Mrs. Goldsborough took shelter at Mr. Mark Pringle's. When a detachment was sent up to burn that elegant building Mrs. Goldsborough told the officer that she had an aged mother in it, and begged it might be spared. The officer replied that he acted under the admiral, and it would be necessary to obtain his consent. Mrs. G. returned with the officer and detachment, and obtained the permission that the house should be spared; but when she reached it, she found it on fire and met two men, one with a shovel, the other with a pillow-case crammed full, coming out, which she could not then notice, but ran upstairs and found a large wardrobe standing in the passage all in a flame. William Pinkney, who was with her, and two of the marines by great exertion saved the house; but some of the wretches, after that took the cover from the sofa in the front room and put coals in it, and it was in flames before it was discovered. . . . An officer put his sword through a large elegant looking glass, attacked the windows, and cut out several sashes. They cut boys through the back, and some partly through, and then left them to run. Such wanton barbarity among civilized people, I have never heard of."

Another writer says:

"Men and officers were wantonly villainous and deliberately cruel and base. They knowingly deprived women and children of all their clothing except what they had on their backs, and destroyed such as they did not please to take away. A. Bowie de-Grace, a lady with an infant at the breast, horror-struck by the outrageous proceedings around her, sat crouched in her house to wait the result. The babe was resting in her bosom. The savages entered like blood-hounds on their game. They assailed her with the language of devils, and attacked her furniture like furies. They threatened her and her child of their clothes, though entreated to spare them; and one villain actually tore from her neck and carried away the handkerchief that covered her bosom. Are these the 'religious' and 'liberty-loving' English?—the 'magnanimous' nation whose praise is sounded through the land?"

Only a single house (Mr. Pringle's) was left uninjured, and even the stages were destroyed, and the passengers' baggage shared the common fate. When the town had been bombarded for about fifteen minutes, the enemy landed, and all but eight or ten of the militia fled. John O'Neil, a brave Irishman, one of those who remained at the battery, in a letter dated May 10th, gives the following graphic account of the defence of the town:

"No doubt before this, you have heard of my *defeat*. On the 8th inst. we were attacked by fifteen English barges at break of day. We had a small breastwork erected, with two six and one nine-pounder in it, and I was stationed at one of the guns. When the alarm was given, I ran to the battery and found but one man there, and two or three came afterwards. After firing a few shots they retreated, *and left me alone in the battery.* The grape-shot flew very thick about me. I loaded the gun myself, without any one to

serve the rest, which you know is very dangerous, and I cut her, when she recoiled and ran over my thigh. I retreated down to town, and joined Mr. Barnes, of the rail manufactory, with a musket, and fired on the barges while we had ammunition, and then retreated to the common, where I kept waving my hat to the militia who had run away, to come to our assistance, but they proved cowardly and would not come back. At the same time an English officer on board, followed by the marines, rode up and took me with two muskets in my hand. I was carried on board the *Menelaus* frigate, where I remained until released three days since."[1]

Meanwhile a large detachment of the enemy "proceeded to Cresswell's Ferry, at the head of tide-water, six miles above, and desolated everything within their reach." The Episcopal Church, which now stands at the corner of Union street and Congress avenue was not fired; "but, to show their respect for religion, they assailed the house and finding nothing to steal 'magnanimously' attacked the windows with brickbats and stones and demolished them." The enemy also destroyed several hay craft, as well as the ferry-boats. Finally after the loss of three killed and two wounded, "when all possible mischief had been achieved along the river bank when farm houses had been plundered and burnt a long distance on the Baltimore road,—when after the lapse of four hours," nearly all the houses in town were destroyed, the marauders assembled in their vessels and at sunset sailed out into the bay to pay a similar visit to other portions of Maryland.[2]

Cockburn and his marauders went up the Sassafras River, that separates Cecil from Kent County and attacked with six hundred men in eighteen barges, the villages of Fredericktown and Georgetown, lying on opposite banks of that stream, about eleven miles from its mouth. He first visited Fredericktown, a small village of about twenty houses in Cecil County. A slight breastwork had been thrown up, and one small cannon mounted, and about eighty militia under Colonel Veazy were collected for the defence of the place. On the morning of the attack, the enemy sent ashore two colored men, with instructions from Admiral Cockburn to Colonel Veazy to say "that if the militia would not fire upon the boats, he would only burn the vessels and store-houses." This cowardly proposition Colonel Veazey indignantly rejected. As soon as his message was

[1] *Niles' Register*, lv., pp. 164, 182, 195.

[2] John O'Neil was born in Ireland, on the 26th of November, 1768, and came to America at the age of eighteen years. He was in the military service under General Henry Lee, in quelling the whiskey insurrection in 1791, and in 1798, entered the navy service against the French. He became a prosperous merchant at Havre de Grace, and the destruction of the place ruined his business. When the present lighthouse was built on Concord Point, in 1828, he became its keeper, and continued in such until his death, the 26th of January 1849. The big gun at the "Point Battery," the city of Philadelphia presented him with a "bran'in' sword."—Lossing's *War of 1812*, p. 973.

[3] "While the enemy were pillaging Havre de Grace, a number of the British officers being astonished, that, with civilized nations at war, private property had always been respected, replied, 'that, as the Americans wanted war, they should now feel its effects, and that the town should be laid in ashes.'" *Expedition of the Chesapeake and Chronicle of the late War between the United States and Great Britain*, p. 63.

Mr. Samuel Hughes and Mark Pringle, on the 14th of May, on behalf of the citizens of Havre de Grace, applied to the Mayor and City Council of Baltimore for the relief of the sufferers. But, as the municipal authorities of the city had no charter provisions to enable them, in their public capacities, to render the aid required, the following ordinance was passed, liberally appropriating a large sum for their relief:

delivered, Admiral Cockburn opened his guns upon the village with such effect as to put to flight all the militia except about thirty-five. With these, amidst a shower of shot, langrage, grape, rockets and musket balls, Veazey maintained an unequal contest for nearly three-quarters of an hour; every man remaining firmly at his post until a retreat was ordered. The enemy charged close to the battery before they retired in good order. "Having now nothing to interrupt them," says Mr. Niles:

"The British, with Cockburn at the head, proceeded to the village, and deliberately applied the flaming brand to the houses. The screaming women and children excited the mirth of these *Wisandagos*—(as they were called after a savage tribe of Indians)—deaf to the most humble entreaties to spare the dwellings of the poor, Cockburn stood, like Satan on his cloud when he saw the blood of man, from murdered Abel, first crimson the earth, exulting at the dooming dead; treating the supplicant females with the rudest curses and most vile appellations—callous, insensible, Lethan. The sun completed, these agents erased to Georgetown, a village of about thirty houses in Kent county, where they, in a like manner, destroyed that place, with many houses in the vicinity. It is a satisfaction that some of the wretches paid the forfeit of their crimes—a good number of them were killed and wounded, nine in a single boat, but the whole loss is not known. The property destroyed is estimated at from seventy to eighty thousand dollars. While at Frederick Town the admiral frequently spoke of Baltimore, and swore he would never rest until he had burned every house in it."[1]

At all these places the neighboring militia were suddenly called together, but in most instances, before they could be embodied for effective service, the enemy was ready to retire; and with such celerity was he enabled to change the scene of his attack, that the militia always appeared under the disadvantage of surprise, though by the very show of force they stopped the progress of his ravages, and in some cases he was successfully foiled.

On the 1st of June, Admiral Warren entered the Chesapeake with a considerable naval re-enforcement for Cockburn and Beresford, bearing a large number of land troops and marines under the command of Sir Sidney Beckwith. The British force now in the Chesapeake consisted of eight ships of the line, twelve frigates and a considerable number of small vessels. Such a force evidently foreshadowed an attack upon some important point. By the capture of the bay-craft, they were supplied with numerous tenders precisely adapted to the navigation of our waters. With these and their barges, they made repeated expeditions and kept the country in a constant state of alarm. Baltimore, believing herself the chief object of this expedition, made every preparation to receive the enemy. Several companies of militia and volunteers from Prince George's and the other counties of the State were ordered to the defense of the city, who relieved the citizens from garrison duty. Brigadier General Miller, commanded in June, a stationary force of two thousand men, which, with the strength of the city, was supposed sufficient for any emergency. To repel the advances which the increased power of the

[1] Niles, ix., pp. 182-186.

A number of volunteers marched from Lancaster and Penna., to aid in the defense of Elkton.

enemy now authorized him to attempt, the militia throughout the State were more regularly embodied, and the governor called the attention of the more distant militia officers to their powers and duties under the laws, but the actual state of things would have brought into force the law of necessity, if express provisions had not existed to authorize their proceedings. On the Eastern Shore, which during this season seemed more particularly to attract the notice of the enemy in his plundering expeditions, every exertion was made by the militia officers to ward off the expected blow from every point at which it seemed to be more particularly aimed. And it may be safely asserted, that by their spirited resistance and bold defiance, many towns and villages were saved from devastation and ruin, and particular districts of country from the occupation of the enemy. In the latter part of May, Governor Winder convened the Legislature in extra session, and laid before them all the correspondence which had passed between him and the United States authorities. In his message to the Assembly, he says:

"If being the constitutional duty of the general government to provide for the common defence, we have represented to the Secretary of War some time since, the exposed and defenceless situation of many parts of Maryland. . . . We had hoped that answers from the officers of the general government to the communications which we have had the honor to make to them, would have given some assurances of future protection and security. To provide for the common defence was one of the important objects for which the Federal Constitution was formed. To protect each State against invasion is made the imperative duty of the national government; and for that purpose every necessary power is delegated to the national authorities. The means of defence reserved in the State governments are very limited, and their powers in the conduct of a war defined. If, however, the general government should fail to afford adequate security against the violence of the enemy, the law of self preservation, which belongs to communities as well as to individuals, would demand that every effort which it is in our power to make, should be made for the defence of this State . . . We have furnished all the arms in our power to repel the invasions of the enemy, and as our resources are too limited to afford complete protection, it is for the wisdom of the Legislature to make such further provisions as the exigencies of the State, in their opinion may require."[1]

This portion of the governor's message was referred to a special committee who reported a few days after:

"That the only object of the confederation of the old thirteen United States was to provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity;' and that for these purposes the Constitution of the United States delegated to the Congress 'power to lay taxes, duties, imposts and excises, to declare war; to raise and support armies; to provide a navy,' and prohibit the individual States 'entering into any treaty granting letters of marque and reprisals; or to keep troops and ships of war in time of peace.' They cannot but express their decided opinion, that the general government is not only coerced by the genius, but by the positive language of our federal compact, to provide the individual States with prompt and efficient means of resistance to the calamities incidental to hostilities declared by the Congress of the United States; and that by every principle of justice, whenever the

[1] Niles' *Register*, iv., p. 264.

executive of the United States, charged with the direction of the national force, fails in a provident system of resistance, and a State shall be impelled, by self defence, to expend her individual resources in defensive operations, then the general government is bound to grant an indemnity from the national treasury, commensurate with the State's expenditure.

"Your committee are also of opinion that the Constitution of the United States contemplated that each State, according to the probability and facility of invasion, should alike participate in the parental care of the general government; and that any preference displayed by the executive of the United States, either in yielding to one more prompt and general protection than to another, or assuming the payment of the necessary expenditure made by a State government for the protection of the State, and denying the like assumption to others, for the disbursements, is a departure from the impartiality contemplated by the Constitution, and would require from the State thus injured, an unequivocal remonstrance against such an abandonment of constitutional duty."

After reviewing the correspondence between the governor and the federal executive, and the action of the governor to protect the State from invasion, the committee proceeded as follows:

"On the twenty-first and twenty-second of March, as it appears by the official communication of the Governor of Virginia, to the Legislature of that State, the executive of the United States, 'in conformity with its power and duty, took upon itself the defence of that State, and sanctioned the course pursued by the executive of the State of Virginia, in calling out the militia.' Your committee deem it requisite to remark that it appears also, from the report made to this House, of the executive mission to Washington, and the letter of the Secretary of War, of the 24th May, that the President of the United States has *agreed* to cause the expenditures of Virginia, in consequence of the employment of her militia, under the authority of the laws of that State, to be paid out of the public treasury. That he has not *sanctioned* the course pursued by the executive of Maryland, and has refused to cause the expenditures made by this State, in consequence of the employment of her militia, under the authority of the laws of this State, to be paid out of the public treasury, alleging, that 'no provision was found under the present laws' for expenditures arising 'in consequence of militia calls made by the State;' but, 'on the other hand, in all cases in which militia detachments had been called out or recognized (as in the case of the Baltimore militia), by the authority of the Union, such provision was found to exist and could be applied.'

"Your committee are fully sensible of the embarrassing situation in which the State is placed, from the omission and refusal of the General Government to fulfil the only object of its creation, 'the protection of its citizens.' To carry on the war, or apply a retaliating power to the advances of the enemy, by the resources only of this State, would establish a precedent, leading to a contribution by the State of more than her due proportion to a war, having for its declared object the establishment of a national benefit, and which eventually must exhaust our treasury, now appropriated to many benevolent objects of State legislation. But inasmuch as self-security is superior to every consideration of expediency, your committee would recommend the adoption of a system of defence the best calculated within our limited means to protect our establishments from the incursions of the enemy."

The committee then recommend the adoption of a number of resolutions, one of which declares "that the State of Maryland is entitled to a fair distribution of the national means for its protection; and that the refusal of the Executive of the United States to assume the liquidation of the claims arising from the employment of the militia of this State, in the same manner that they have liquidated those of Virginia for the employment

of the militia of that State, is partial, unjust, and contrary to the spirit of our Constitution, and if such refusal shall be persisted in, and the war should be prosecuted, with its diminished means and increased burdens incidental to such a state of things, must exhaust the resources of our State, and eventually in a system of taxation burthensome to our constituents."

The report of the committee was adopted, and in accordance therewith the sum of one hundred thousand dollars was appropriated, "or so much thereof as may be necessary, to be applied by the governor in discharge of the claims arising from, and the expenses incurred by the service of that portion of the militia of the State which have already been called into service."

Pending the consideration of the governor's message, on the 20th of March, Messrs. Wm. Bond, Martin and Walter Dorsey, were deputed by the governor and assembly to wait on the President of the United States and find out what aid might be expected from the general government towards protecting the State against the invasion of the enemy, and defraying the expenses necessary for the attainment of the object.

The President, through his Secretary of War, John Armstrong, in a letter dated 23d of May, said that the government had taken upon itself the protection of Virginia because her militia were placed under the command and control of a general officer of the United States, and the situation of New York particularly demanded its attention, and that "so far as expenditures have arisen or shall arise, in consequence of militia calls made by the State, without the participation of the United States, no provision is found to exist under the present laws."

This conduct of the Executive in the face of all the facts: the imminent peril of the citizens of Maryland, their alacrity to aid in the common defence, and, on the other hand, the plain meaning and object of the constitution, needs no comment.

At this session of the Assembly, as most of the male inhabitants were performing military duty, a law was passed to "stay executions" until after the next regular meeting of the General Assembly upon proper security being given. They also rejected the respectful memorial of the citizens of Baltimore, setting forth the undefended state of the city, and the fact that the city banks had, in the emergency, made a loan for the purpose of strengthening the fortifications, arming the citizens, and other measures of defence, of which loan they prayed the Assembly to assume such part as might not be refunded by the Federal government, in which case, of course, a large part of the indebtedness would still be borne by the city. They further asked that, as the Assembly might not be able to consider the matter at once, the municipal authorities might be authorized to levy a tax on the citizens to liquidate the debt, pending the ultimate action of the Assembly. Both demands were refused.[1]

The revenue cutter *Surveyor*, of Baltimore, carrying six small guns, on the 12th of June, while anchored in York River, was captured by the barges of

[1] Niles' Register, lx., p. 180.

the British frigate *Narcissus*. The enemy were discovered about one hundred and fifty yards distant from the vessel, and Captain Samuel Travis finding that he could not bring his guns to bear, furnished each of his men with two muskets. They held their fire until the British were within pistol shot, but the latter pushed on, and finally carried the vessel by boarding, with three men killed and quite a number wounded. Captain Travis, of the revenue cutter, and his crew of fifteen men and boys, were taken prisoners on board the *Junon*, and on the following day the senior officer of the *Narcissus* returned the captain his sword, with the following complimentary letter:

"*H. M. ship Narcissus, Chesapeake, June 14.*

"Sir:

"Your gallant and desperate attempt to defend your vessel against more than double your number, on the night of the 12th inst., excited such admiration, on the part of your opponents, as I have seldom witnessed, and induced me to return you the sword you have so ably used, in testimony of mine. Our poor fellows have severely suffered, occasioned chiefly, if not solely, by the precaution you had taken to prevent surprise; in short, I am at a loss which to admire most, the previous management on board the *Surveyor* or the determined manner by which her deck was disputed, inch by inch.

"You have my most sincere wishes for the immediate parole and speedy exchange of yourself and brave crew; and I cannot but regret that I myself have no influence that way, otherwise it should be forthcoming.

"I am, sir, with much respect, your most obedient,

"JOHN CREVIE.

"To Captain Samuel Travis, U. S. Cutter *Surveyor*."

During the spring and summer of the year 1813, marauding expeditions of the enemy made frequent inroads among the farmers of St. Mary's County, in the vicinity of Point Lookout. In general, they met with nothing but "hard knocks." In July they made an attempt to land in Mattox Creek, but were gallantly driven off by Captain Hungerford's company of light infantry, with severe loss. The enemy afterwards took possession of Blackistone's and St. George's Island, and soon after landed a force of about two thousand men about two miles and a half from Point Lookout. Here they organized small parties, who committed all kinds of depredations along the shores of the Potomac and Patuxent rivers, capturing and burning a great number of small vessels, together with houses and other valuable property. Mr. Niles says: "They plundered everything and anything, robbing even the women and children of their clothes, and destroying such articles as it did not suit them to carry away."[1]

In consequence of these depredations, the inhabitants of the eastern half of St. Mary's County, were compelled to perform military duty with very little intermission from early in April, without any external aid whatever. The evils of their situation at this late day, can hardly be conceived; their plantations were neglected and pillaged, their slaves run off to the enemy, and worse than all, sickness prevailed to a very great extent among these poverty-

[1] *Register*, ix., pp. 358–359.

stricken people. A large number of the inhabitants, unable to bear the burdens of war, abandoned their homes to the pillagers and moved to the new settlements then opening in the far west. And yet in the face of this condition of affairs, the president removed Colonel Carberry's[1] regiment—their only protection—later in the fall, into winter quarters at Frederick, thus abandoning the unfortunate citizens of St. Mary's County to all the miseries of war, as he had done in other portions of the State.

The enemy evacuated Point Lookout, on the 27th of August, and on the 30th, the whole fleet stood up the bay. After threatening Baltimore and Annapolis, on the 6th of August, they took possession of Kent Island, which had been almost abandoned by its inhabitants. Here the enemy landed about three thousand men, and from his ships, which lay there at anchor, expeditions of the usual kind were sent forth.[2]

On the 8th of August, three ships of the line, five frigates, three brigs, two schooners and a number of small vessels moved in sight of Baltimore, as if designing an attack. Promptly the forts were manned, and seven hundred men of Colonel Jamison's regiment of the Baltimore County brigade, were ordered to "defend a narrow pass of high land seven or eight miles from the city toward North Point." On the elevated grounds east of the city, (now Patterson Park,) about forty pieces of artillery of eighteen, twelve, six and four pounders mounted on field-carriages, were collected, and the "marine artillery company," Captain George Stiles, manned their "marine battery" of forty-two pounders on the water-front of Fort McHenry. In a few days the enemy moved off and threatened Annapolis, where Captain Morris and his crew of two hundred and twenty seamen and one hundred marines in the command of the batteries, assisted by a large force of militia were prepared to give him a warm reception. Doubtless, informed of the vigilance of the people of Baltimore and Annapolis, and the preparations made to receive him, he wisely concluded to pass by the political and commercial capitals of the State and fall upon weaker points.

Early in August he determined to renew his operations on the Eastern Shore, and on the 7th of August, the enemy embarked a large force in forty-five barges at Kent Island and marched about fifteen hundred men to make

[1] Henry Carberry was born in Maryland, and was a captain in Major Henry Gaither's battalion of "Levies of 1791," and served under General St. Clair against the Miami Indians in November, 1791. He was captain of infantry, 16th of March, 1792, and in fourth sub-legion in December of that year. He resigned, February 10, 1794, and upon the breaking out of the War of 1812, he was appointed, on the 23d of March, 1813, colonel of the 46th infantry. He resigned, March 1, 1815, and died May 26, 1822.

Henry Gaither, alluded to above, was born in Maryland in 1751, and died at Georgetown, D. C., June 23, 1811. He was a captain in the revolutionary army, and engaged in nearly every important battle of the war. He was appointed major of the levies of 1791, and served under St. Clair against the Miami Indians. He was lieutenant colonel of 3d sub-legion from October 1793, to June 1, 1792. His son, General William Lingan, was a prominent politician of the State, tragically a member of the Legislature, and President of the Senate. He died in Montgomery County, August 2, 1859.

[2] It is supposed that they took possession of Kent Island to recruit the health of their men, who were represented to be very sickly, as forty-four dead bodies were found on the shores of the Potomac.

an attack upon Queenstown, a small village of ten or twelve houses situated in Queen Anne's County, on Chester River, about two miles from the bay. The force in command of the town amounted to only about two hundred and eighty militia, including infantry, cavalry and artillery, the whole under the command of Major Nicholson. The plan of the enemy appears to have been to cut off Major Nicholson's militia, as they marched up a considerable force in front of the town, while another large body was sent around in the barges with instructions to land in the rear of the town and compel a surrender. A detachment of eighteen men of the county militia under the command of Captain Massey were out scouting about two miles from the town towards Kent Island, when they discovered the British advancing. Captain Massey ordered his men to take shelter behind a fence, and lie quiet until the enemy came within thirty yards. They obeyed orders and waited patiently until the foe arrived within pistol-shot, when they opened fire upon the advancing column and retreated in good order through a corn field. By taking a circuitous route, and marching rapidly, they again placed themselves in front behind another fence, and fired a second time, and again retreated to the town, where the main body, hearing the firing, had quickly assembled. Upon ascertaining the enemy's force Major Nicholson considered a retreat absolutely necessary, and it was accordingly ordered.

The enemy in the barges probably by mistake landed on "Blakeford Shore," which left a creek between them and the town, and by this circumstance the militia escaped to Centreville. They were followed a short distance by the enemy, who were close upon their rear and in their flank discharging artillery. The enemy lost in this engagement several killed and wounded, and a number of deserters. The commanding officer had his horse killed under him. The Americans lost nothing. Three days after this attack upon Queenstown, on the 10th of August, the town of St. Michael's, on the river of that name, in Talbot County, containing about sixty houses, after having been long threatened, was assailed and gallantly defended by the militia under Brigadier General Benson, repelling a force of about three hundred men who landed in eleven barges. Late in the evening of Monday, August 8th, a transport brig mounting about eight heavy guns sailed into St. Michael's River and anchored about two miles from its mouth. In the night the scouts who were watching its movements, distinctly heard, passing up the Eastern Bay in the track of the brig, a number of barges. Apprehensive that an attack would be made upon the town, the alarm was given throughout the county and every preparation made to repel it, that the exigencies of the moment would permit. A large number of volunteers assembled from Easton and other portions of the county, including Captain Henrix's company, Lieutenant Vicker's "Eastern Point Artillery" and Captain Kerr's company. In the meantime, a deserter came in, who warned the commanding officer of an attack. On Tuesday morning about two o'clock, the enemy landed at a small battery, erected at "Parrott's Point,"

about four or five hundred yards distant, directly opposite the town. In this little work there were two nine pounders and fifteen men, commanded by Lieutenant Dodson. As it was very dark and raining, the enemy advancing with great precaution close along shore, was not discovered until they were in the act of leaping from their barges. Hastily forming, they charged upon the battery and when within about thirty yards, Lieutenant Dodson having hurriedly added a charge of grape to the caliber shot, discharged both his guns at the advancing foe with fearful effect. For a moment the enemy were checked, and finding that they were gathering around him in overwhelming numbers, Lieutenant Dodson spiked his guns and ordered a retreat. The enemy rushed at the battery and upon taking possession gave three cheers, supposing no doubt they would have St. Michael's without much difficulty. In this, however, they were premature, for immediately afterwards Captain Vickers with the Easton artillery opened on them an active and well-directed fire, which was returned by the battery and barges until daylight. The enemy finding the battery untenable, soon after daylight abandoned it and made off. It is stated that the enemy lost in this engagement, two officers and twenty-seven men killed and wounded, and several of their barges were destroyed. Although the grape-shot flew like hail in the town, and their balls passed through a number of houses, the militia were fortunate enough not to have a man hurt.

On the 26th of August, a very large force in fifty-three barges landed a few miles below St. Michael's, apparently intending to march upon the town; but they suddenly abandoned their plan and retired, perhaps, from a false impression of the strength of the militia which had assembled to repel them.

Thus closed for the year 1813, Cockburn's course of plunder and devastation in the waters of the Chesapeake. His two principal objects had been to gratify his men with pillage, and to render the calamities of war so distressing to the inhabitants of Maryland as to drive them into uniting with the Eastern States to compel the government to make peace upon their own terms. In this, however, he missed his purpose, for every act of barbarity caused the war to become more popular, and induced the people to make greater sacrifices for its support.

While the inhabitants of the State were thus energetically engaged in the protection of their homes, they also bore an ample share in the dangers and honors of the arduous campaign on the frontiers of Canada, in which no body of men bore a more conspicuous part than Maryland's distinguished sons. Though sorely pressed at home, the State sent forward to the main army, during the summer of 1813, over one thousand volunteers and recruits.

Although Great Britain had considerably increased her forces in Canada, during the winter, it was thought that if the spirit of the Northern States could be aroused, and a vigorous effort made in that direction, important advantages might be secured, and perhaps a considerable part of Canada conquered. The enlisted troops were marched, early in the spring, to the Niagara

frontier, and supplies and munitions of war were accumulated at the posts along the line. But nothing more important than skirmishes took place until about the middle of April, when General Dearborn, in conference with General Pike and others, determined to attack Fort George, on the British side of the Niagara River, then garrisoned with a strong force. The arrangements being complete, on the 25th of April the fleet moved down the river, and on the morning of the 27th, safely reached the place of debarkation, about two miles above the town of York, now called Toronto. The British, on discovering the fleet, hastily made the necessary dispositions to oppose the landing of the American forces. The Indians were placed in the thicket at water's edge, near the point of debarkation, while the regulars were drawn up on the bank, and partly concealed in a wood. Major Forsythe, of General Pike's brigade, with Captain Stephen H. Moore's Baltimore volunteers, led the advance, and was the first to land, under a heavy fire of musketry from the enemy. They were met on the beach by about five hundred regulars and two hundred and fifty Indians, who opposed their landing with the bayonet.

Captain Moore's company was quickly followed by the whole advance, which was formed under the enemy's fire, at a distance of less than twenty paces. In the face of a galling fire of musketry and rifles, the line steadily pressed up the bank, and, by a vigorous charge, drove the British Grenadiers and Fencibles at the point of the bayonet for about thirty paces, beyond a marshy ravine. Here a fresh body of grenadiers came to their assistance, and the combined forces made a desperate charge on the American advance, which faltered for a moment only, then rallying, drove the enemy from the field. The column now pressed forward, and the British retreated to the fort.

General Pike had ordered a halt for the purpose of ascertaining the enemy's strength, when, on a sudden, a tremendous explosion occurred. The magazine of one of the barracks, containing five hundred barrels of powder, had blown up, filling the air with huge stones and fragments of wood, which fell in the midst of the victorious column, with frightful havoc, killing and wounding upwards of two hundred, and among them their beloved commander, the heroic Pike.[1] This explosion also deprived Captain Stephen H. Moore, of the Baltimore volunteers, of a leg, and otherwise seriously wounded him. He was taken on board the commodore's ship, where his leg was amputated. At the same time two of his company were killed, and more than five severely wounded. The brave column was, for a moment, confounded by the shock, but upon the musicians playing "Yankee Doodle," they soon rallied, and with three loud huzzas, pushed on.

On the fall of General Pike, the command devolved on Colonel Pearce, who immediately advanced upon the town, but on drawing near it, was met by

[1] Benjamin Nicholson, of Maryland, who entered the war as first lieutenant of the 11th U. S. infantry, March 12, 1812, and captain in March, 1813, was aid-de-camp to Brigadier-General Pike. He was mortally wounded by the explosion of the magazine, and died at Sackett's Harbor, May 18, 1813.

officers of the Canada militia, with offers of capitulation. At four o'clock, the Americans were masters of the town, and the "Baltimore volunteers" had the honor of first placing the flag, presented to them by ladies of the seventh ward, "on the highest pinnacle of the government-house in the capital of Upper Canada." The object of this expedition being now fully attained, the American forces evacuated York on the 1st of May, and re-embarked.

It was next determined to attack Fort George and Fort Erie, which had been unsuccessfully attempted the year before. As Lieutenant Colonel Scott was at that time Adjutant General of the army, it became his duty to make all the preparatory arrangements. Commodore Chauncey having reconnoitered the opposite shore, and ascertained the best places for landing, before daybreak on the morning of the 27th of May, the army, amounting to about four thousand troops, embarked in boats for the purpose of crossing the river. The advance, composed of Hindman's, Shockton's and Biddle's companies of artillery, now acting as infantry, to which were added about two hundred men detached from the rifle corps, and from one or two regiments of infantry, the whole amounting to about five hundred men, was led by Lieutenant Colonel Scott, and pushing forward with great rapidity, landed under a heavy fire of musketry from the enemy, who were drawn up on the bank. Captain Jacob Hindman, of Queen Anne's County, with his company, was the first that landed, and himself the first individual that touched the shore. He was quickly followed by the whole of the advance, who were exposed to an incessant volley of musketry, from at least twelve hundred regulars, stationed in a ravine less than twenty paces off. "This spirited corps, the flower of the army, moved on without faltering, and for a few minutes returning the fire." General Boyd, to whom was assigned the brigade lately commanded by General Pike, formed the first line, flanked by the Baltimore and Albany volunteers under Colonel McClure. He reached the shore immediately after the advance had landed. General Wm. H. Winder, of Baltimore, followed next at the head of the second brigade, and was immediately followed by the third, under General Chandler. The advance did not falter for an instant, but as soon as formed, they were led to the charge, and instantly dispersed the enemy in every direction, some flying to the woods for shelter, and others seeking refuge in the fort. General Winder with his brigade joined Colonel Scott opposite the fort, when perceiving that the enemy were evacuating the post, and hearing from a deserter that they intended to blow it up, Scott took Hindman's and Shockton's companies from the head of his column and marched against the fort, to prevent the accomplishment of either of those objects. They forced the gate and while the gallant Lieutenant Colonel Scott tore down the flag, Hindman compelled a British sergeant to lead him to the magazine, and with his own hands, at the imminent hazard of his life, snatched away the lighted fuse. The loss of the British in this affair was one hundred and eight killed and one hundred and sixty wounded, while the Americans lost thirty-nine killed and one hundred and eight wounded.

Immediately after the capture of Fort George, it was determined to attack the enemy, for the purpose of dislodging him from a position which he had taken in the neighborhood of Burlington Heights. On the first of June, the army was put in motion, and the command of the expedition assigned to Brigadier General Chandler. General Winder was ordered to press forward his brigade, and one regiment of Chandler's, who followed on the third, with the remainder. Lieutenant Colonel Scott had resumed his duties as adjutant-general, and the command of the light troops devolved on Captain Hindman. The greater part of these consisted of his own and of Biddle's and Archer's companies, all of the second regiment of artillery, but now acting as infantry. Captain Hindman pushed forward two or three miles in advance of the army, and on the evening of the 5th of June, fell in with the enemy's advance, which retreated after some skirmishing. He, however, pursued briskly, his men generally running, until it was nearly night. He then halted at Stony Creek for the remainder of the army to come up, when they encamped.

Captain Towson's artillery was stationed about the centre of the American camp in a lane, with Captain Hindman's corps upon the rising ground around him. The British general, finding his situation desperate, determined on a night attack, and favored by the excessive darkness, about three in the morning rushed upon the sentinels, bayoneted them at their posts, and pierced the centre of the camp. The unexpectedness of the attack, and the impenetrable darkness, produced the utmost confusion, and friends were attacked for foes by both forces. At one time, Hindman found himself attacked by the enemy in front, and by the American artillery in the rear, his own firing being mistaken for that of the enemy. But the mistake was soon corrected, and he determined to maintain his ground. When the enemy advanced to the attack, Captain Towson immediately formed his company, and opened upon them the fire of his artillery, which, while it lasted, was very destructive; but, by some mistake, he was ordered to cease firing. The order was immediately obeyed, and while he was taking advantage of this cessation to prepare for retreat if necessary, the enemy charged his battery. As the 23d infantry, which had been posted in the rear for the support of his battery, had abandoned their position at the beginning of the action, two of his guns which were harnessed up, fell into the hands of the enemy; several of his men were bayoneted, and seventeen of them made prisoners. General Winder now advanced between the artillery and the American forces to ascertain the cause of the confusion which seemed to prevail there; the British soldiers being intermingled with the artillerists and unable to distinguish each other. General Winder was suddenly surrounded by some of them, who discovered from his questions that he was an American, and took him, with Captain Towson, prisoner. Towson, ever on the alert, seized a favorable opportunity, and made his escape, protected by the darkness from the numerous shots that were fired at him. As soon as daylight appeared he rejoined

possession of his other two guns, which had been spiked and left upon the field; and, collecting a few stragglers of his company, succeeded in rendering them again serviceable. Hindman had, during the night, kept his men well formed, and continued firing till the returning light of the morning enabled the two armies to distinguish each other, when the American force immediately opened upon the enemy, and Towson's artillery, the corps under Captains Hindman, Biddle and Archer, poured in an irresistible fire. The British broke, then rallied, but on being vigorously charged by Colonel Burnap, on whom the command devolved, they fled in the utmost confusion. But for the capture of Generals Winder and Chandler in the early part of the action, which, however, was not generally known until its conclusion, the whole of the British army would have been made prisoners. General Lewis, in his official account of this action, says that "Hindman, Nicholas, Biddle and Towson, are young soldiers, who would do honor to any service," and to the troops under their command, with Captain Leonard's corps of light artillery, and a part of the 5th and 23d regiments, he ascribes the salvation of the army. A distinguished officer in a letter to a friend on this subject, says: "For his gallantry and good conduct in these two battles, (of Fort George and Stoney Creek) Hindman[1] was made major of artillery. Brevets were not then in fashion, or he would have been made a major for the first, and brevetted a lieutenant-colonel for the second."

Colonel Burnap, on a consultation with the officers, judged it most prudent to fall back on Forty-mile Creek, when he was joined by Col. Muller's regiment, who had been sent to guard the boats, and Generals Lewis and Boyd, the former now assuming the command. On the 8th of June, Sir James Yeo, with his fleet, appeared abreast of the encampment, and within a mile of the shore. He attempted to destroy the boats which lay at the mouth of the creek with the baggage of the army about to be sent to Fort George, and for the purpose warped in a large schooner. With a view to prevent the accomplishment of this object, Captains Towson and Archer were ordered, with four field-pieces, to the shore, where they constructed a furnace in thirty minutes, and by the skillful use of hot shot drove the schooner off.

Among the troops left at Fort George, when the army moved down the St. Lawrence was the 2d artillery, to which Captains Towson and Hindman belonged. They were afterwards marched to Sackett's Harbor, where they remained until about April, 1814.

Notwithstanding the disastrous marauding incursions in Maryland, the want of success on the western frontier and the check to our naval triumphs by the loss of the frigate *Chesapeake*, the war seemed rather to gain than to

[1] Jacob Hindman was born in Maryland, and on the 3d of May, 1808, was appointed second lieutenant of the 5th Infantry; first lieutenant, May 10th; captain of 2d Artillery, July 2, 1812, and distinguished himself in the capture of Fort George and at Stony Creek, May and June, 1813. He was appointed major of 2d Artillery, June 23, 1813, and brevetted lieutenant-colonel on October 11th for distinguished service in defence of Fort Erie, August 15, 1814. He was brevetted colonel for gallant conduct, May 17, 1815, and retained in the regular artillery. He died February 17, 1827, at Baltimore.

lose in popular favor. All these difficulties and trials seemed to bind the inhabitants of Maryland together, to subdue murmurs, to animate exertions, and to substitute energetic action for idle recrimination. The October elections in the State terminated in a considerable democratic gain in the Assembly. Talbot County, which had sent four federalists to the last Assembly now returned four democrats, and Caroline, which had also sent at the last session four federalists, now sent only one.[1]

In the Maryland election laws in force at this time, among other provisions, it was enacted, that the judges of election and their clerks should be qualified by an oath administered by a justice of the peace; or, the presiding judge, so qualified, might qualify his associate judges, and the clerks—or a *clerk* so qualified, might qualify the presiding judge, etc.

In Allegheny County, by a vote of 886 for the democrats, to 888 for the federalists, three democrats and one federalist were *chosen by the people*, but by a small technical interpretation of the law, the people of one district of the county were deprived of their suffrages, and the four federal candidates declared elected. The presiding judge of the fourth district was a justice of the peace; he qualified the two other judges and the clerks, and was then himself qualified by a judge instead of a clerk. After the election, when one of the three judges from each of the six districts of the county assembled to make the returns, it was contended that the election in the fourth district was illegal, as the presiding judge had not been properly qualified. Four of the assembled judges, after rejecting all the votes cast in said district (which was democratic), selected the four federal candidates having the highest number of votes on the list, and gave them a certificate of election, with a note, stating an "irregularity" in one of the districts. The other two judges also made a return, giving credit to the whole number of votes received in the county, showing that three of the democratic and one of the federal candidates were elected. All the judges were federalists.

As the possession by either party of these three contested delegates would determine the election of the governor, who was then chosen by joint ballot, great interest was manifested in the result of the contest. The Legislature was convened on the 6th of December, and when the clerk of the House called the names of the four federal delegates from Allegheny County, who had certificates of election from the judges of election, several objections were made by the democrats to their admission. The federalists, who were in the majority, contended that the returns of a majority of the judges of election was at least *prima facie* evidence that the persons named were duly and legally elected, and they had no right therefore to decide that they should not be qualified as members. There was nothing, they said, in the Constitution, or in the history of parliamentary proceedings, which would justify such an act. It was only after the House had been organized that they had the power

[1] As the two political parties were nearly evenly divided in the State at this period, money and misrepresentation were to a very great extent, I suppose, lavishly applied by both during the campaign.

to give any decision on the legality of a contested election; and to exclude members returned by the constitutional authority would be a course of proceeding altogether novel. On the other side the democrats through Messrs. John T. Mason, of Washington County, Thomas B. Dorsey, of Ann Arundel, and Tobias E. Stansbury, of Baltimore County, argued that as neither of the returns appeared correct, it would be better for the House to proceed in its organization, and have the question come before them at another time. Mr. Mason said as there was no case parallel to the one then under consideration, they must be governed by what seemed most expedient. Mr. Stansbury seemed greatly alarmed for the dignity of the House, lest disorder should ensue before they were in a situation to meet it, or a speaker had been appointed. As two returns had been made from Alleghany, and one appeared equally correct with the other, he wished to know who was to decide which of the persons returned should be allowed to qualify, and take their seats as members. Messrs. John C. Herbert (speaker), from Prince George's, Ephraim K. Wilson, of Worcester, and J. Hanson Thomas, of Frederick County, said that these imaginary difficulties might be easily obviated. For they were bound to pay attention to the returns made by a majority of the judges until it should be made to appear that they had been illegally made. In the course of the proceedings, several attempts were made by the democratic members to organize the House before admitting the Alleghany members; but the grounds they took were regarded as untenable, and they were overruled by the majority. Upon a reference of the whole subject to the committee on elections, they, on the 11th of December, made a report in favor of the federalists that had the minority of votes, but the certificates of election, and the House, by a strict party vote adopted it. Thus deciding that "it would be setting a dangerous precedent to admit collateral testimony to set aside the returns of the judges of election." The Monday following was the constitutional day for electing the governor.

The question whether the Senate (who were all democrats) should secede, and refuse to go into the election of a governor and council, unless the House of Delegates would consent to be controlled by their wishes and decide not to admit the Alleghany delegates, which gave the controlling power to the federalists, was fully discussed in caucus, not only by members of their own body, but by some of the most distinguished democrats in the State, who were invited to attend. At the same time the democrats of the House of Delegates exhorted the Senate with great warmth not to go into an election of the executive for the ensuing year. In fact, they threatened to resort to arms to maintain their opinion, and to compel the federalists to yield.

On the appointed day it was thought that the Senate would not meet the House in joint convention; but, at a late hour the principle that each House should be judge of its own elections, prevailed over what the Senate unanimously believed was a sacrifice of the rights of the people to a form; and

Governor Levin Winder was re-elected Governor of Maryland for the following year. Seventeen of the members of the House of Delegates, however, refused to vote.[1]

In a communication to the Legislature, dated December 8th, the governor mentions that in virtue of a resolve passed at the May session, the treasurer had borrowed $107,000, and considerable purchase of arms and military stores had been made; which, however, owing to the interruption of communications, it had not been possible to transport to the points most exposed to danger. After mentioning that the public records had been brought back to Annapolis, but twice on the approach of the enemy's fleet they had been again removed to Upper Marlborough, the governor remarks:

"It was not designed by the wise framers of the Constitution to leave it to each member of the Union to defend itself; and after having surrendered to the general government the most material sources of revenue, it is impracticable for the individual States to bear the burthen of any extensive system of defence. It was therefore expressly provided, that the United States should protect each individual State against invasion; and the militia or other force of the latter, was designed to be employed only on sudden emergencies, and until the national government should come to its relief. If the expenses of a war waged by the national authorities are to be borne by the States, it is not difficult to foresee, that the State treasury will soon be exhausted, and the annihilation of the State government must follow. We had an unquestionable right to expect, that in a war declared by ourselves, the nation would have promptly afforded to us the protection which the Constitution has so solemnly guaranteed to every member of the Union. Instead of this, however, we have to deplore the ravages and distresses which have been produced in different parts of Maryland by the incursions of the enemy, and that its most exposed places have been left in a defenceless and unprotected situation. Thus abandoned by the national authority, and without any well-founded prospect of a speedy termination of the present disastrous war, it is for the wisdom of the Legislature to devise the means of defence, which, upon any future invasion, the State authorities shall afford."

After recommending an amendment to the militia law "to control the service of those who on any sudden emergency, are unwilling to assist in the defence of the country," and the organization of volunteer corps of mounted infantry, he submitted to the legislature "the propriety of adopting a system of general education."[2]

We have seen that while Baltimore was menaced by the enemy during the summer, the Mayor and City Council borrowed of the banks over $500,000, to be laid out for the defence of the city, upon the pledge that they would exert themselves to obtain the passage of a law by which the real and personal property in the city and precincts might be taxed to refund it. Petitions to this effect were drawn up and signed by almost all the property-owners in the city, without regard to party. A bill to allow the people of Baltimore to tax themselves, was introduced into the House of Delegates early in the session. It met with considerable opposition; and the federalists attempting to saddle it with a clause providing for a valuation and payment of damages out of the funds so collected, for the injury to property caused by the mob of 1812, the whole matter was postponed to the next session.

[1] The majorities of the two parties in the State were: Democrats, 8,102; Federals, 3,908.

[2] Niles' Register, v., p. 293.

The Senate, on January 29th, passed a resolution, warmly approving the President and the majorities in Congress for the vigorous prosecution of the war. The committee of the House of Delegates, to whom had been referred that part of the governor's message relating to the unprotected situation of the State, and the dereliction of the federal government, reported, through Mr. John H. Thomas, a resolution and address to Congress and the President, representing the condition of the State, and complaining of the neglect of the federal authorities.[1]

[1] "Niles' Register," v., p. 375.

Mr. Hildreth says: "The Virginia Act for a State army gave great offence to the President and his Cabinet, as interfering with their right to conduct the war, and as countenancing the similar step of Connecticut. The authorities of Virginia also took fright at the expense; and, at a special session of the Legislature, the Act was repealed; not, however, without a promise from the War Department to maintain a regiment of regulars at Norfolk, and to pay all the Virginia troops heretofore called out for local defence, and, notwithstanding a vote adopted at Washington and enforced as to other States, to pay no militia not called for by the general government itself." *History of the United States*, iii., Second Series, p. 403.

CHAPTER XXXV.

We have already commented on the system of brigandage under the name of war, carried on by Admiral Cockburn along the shores of the Chesapeake Bay in 1813. These depredations were renewed in the spring of the following year, on a more extensive scale. And when the overthrow of Napoleon, and the return of peace in Europe set Great Britain free to increase her forces abroad, the war in America assumed a more threatening character. A determination was taken, and at length openly avowed to the Government of the United States, "to destroy and lay waste such towns and districts on the coasts as might be assailable." The federal capital itself situated at the head of the navigation of the Potomac, had been menaced by the enemy, and the government authorities it seems could not be aroused to its danger, although there were clear indications that the British contemplated an attack upon the City of Washington. On the 15th of July, while the House of Representatives was in secret session, General Philip Stuart, who represented the First Maryland District, contiguous to Washington, a veteran of the Revolution, introduced a preamble and resolution, setting forth the eminence of the peril, and providing for a distribution of arms to all able-bodied men in the district, and to "such members of this House as may be willing to receive them." The subject was discussed in secret, and the resolution was referred to the committee on military affairs, of which Mr. Troup, of Georgia, was chairman. On the following day the committee reported that they had "examined into the state of preparation, naval and military, made to receive the enemy, and are satisfied that the preparation is, in every respect, adequate to the emergency, and that no measures are necessary, on the part of the House, to make it more complete."[1]

From the short interval of time allotted, from the close of one day's session to the opening of the next, it is manifest that the investigation must have been an extremely limited one, and the president or secretary of war must have furnished the information.

It is a fact, however, that at the time this report was made, "there was not within succouring distance of Washington any organized militia of the States, nor regular force except a few hundred raw recruits of the 36th and 38th regiments; the district militia partly unarmed and miserably formed, and the defence of the river depending on the sloop of war *Adams*, with a few

[1] *Annals of Congress*, 13th-14th, i. p. 488.

small gunboats, and Fort Washington, a mere water battery of twelve or fifteen guns, bearing upon the channel in the ascent of the river, but useless the moment a vessel had passed."[1]

Such was "the state of preparation" in and about the seat of government; and to the neglect to place it in a condition to receive the enemy, may be traced all the misfortunes of the 24th of August, 1814. It is true, neither Congress nor the administration believed that the enemy entertained any design of attempting an invasion of the District of Columbia; yet they were guilty of gross negligence in not making the necessary preparations of defence. Warnings of danger were not wanting, for at that very time marauders were daily committing depredations upon the neighboring shores of the Potomac and Chesapeake, and the boom of their cannon might almost be heard in Washington. It might have been foreseen that the Federal capital would be a special object of attack; yet such a possibility does not seem to have entered their minds.[2]

Admiral Cockburn resumed his depredations on the lower waters of the Chesapeake early in March, 1814, at which time the blockading squadron consisted of one seventy-four, two frigates, a brig and a schooner, which were, from time to time, augmented by the arrivals of transports and armed brigs, sloops-of-war and ships of the line. So charming was the state of things that it was not deemed too serious an avowal for the government that the people, "forced to contend again for their liberties and independence, were called on for a display of all the patriotism which distinguished them in their first great struggle."

In this state of general alarm and danger, the militia of the bay counties of Maryland were almost constantly under arms, to repel invasions threatened at various points. Cockburn, indefatigable, rapacious, always on the alert, was so quick in his movements that it was impossible to anticipate, or to be ready to repel his predatory incursions. Up to this time they were chiefly directed to small villages, isolated farm-houses, and other indefensible points, which were plundered and often burnt, not for any strategic purpose, but by way of punishment. Those who submitted meekly, might escape with pillage and insult; but on the least show of resistance, the torch was applied to house and barn. Many wealthy farmers and merchants were reduced to poverty; while the regions that were unmolested suffered greatly from the neglect of the crops while the men were absent with the militia. Loud clamors arose for some kind of naval force, to keep these plunderers in check.[3]

For this purpose, the Navy Department, in the summer of 1813, appointed Commodore Joshua Barney to the command of a *flotilla*, to be fitted out at

[1] Wirt's *Memoirs*, i., p. 245.

[2] On the 14th of May, 1814, the *National Intelligencer* (government organ) said: "We have no idea of the enemy attempting to reach the vicinity of the city [of Washington]; and if he does, we have no doubt he will meet such a reception as he had a sample of at Craney Island. The enemy knows better than to trust himself ahead of or on the side of Fort Washington."

[3] Ingersoll, *War of 1812*, ii., p. 197.

Baltimore, for the defence of the Chesapeake Bay and its tributary waters. This bold and experienced seaman and enterprising privateersman immediately began to organize his little fleet, and, in April, was ready for active service. He had then under his command twenty-six gunboats and barges, and about nine hundred men, well officered by the principal shipmasters and mates of the port of Baltimore. In the latter end of May, he moved with sixteen of his vessels down the Chesapeake with the intention of attacking Tangier Island, of which the enemy had taken possession, and upon which they had established a negro encampment.[1]

On the 1st of June, Commodore Barney, with a force of thirteen barges and two hundred men, sailed out of the Patuxent River, but soon fell in with several vessels of the enemy, and was compelled to retreat. He was closely pursued by their whole force, and after the exchange of a few solid shot from the rockets, proceeded three or four miles up the river. Here he kept his station until the 7th, when, perceiving that the blockading squadron off the mouth of the river was reinforced by the arrival of a frigate and a sloop-of-war, he deemed it prudent to retire, and, instead of running up the Patuxent River, took refuge in St. Leonard's Creek. The prudence of this measure was soon apparent, for the flotilla was attacked by the enemy's barges on the 8th, 9th and 10th of June, but without success.

The "grand attack" was made on the 10th of June. On that day twenty-one barges, one rocket boat and two schooners, each mounting two thirty-two pounders, with eight hundred men, entered the creek with colors flying and music sounding its animating strains, and moved on with the proud confidence of superiority. Barney's force consisted of thirteen barges and five hundred men—his sloop and two gun vessels being left at anchor above him, as unmanageable in the shoal water; but he did not hesitate a moment to accept a challenge offered, and gave the signal to meet the enemy, as soon as they had entered the creek. They commenced the attack with their schooners and rockets, and in a few minutes every boat was engaged; the commodore in his barge with twenty men, and his son, Major William B. Barney, who, in a small boat, acted as his aid on the occasion—were seen rowing about everywhere in the most exposed situations, giving the necessary orders to the flotilla; the action was kept up for some time with equal vigor and gallantry, but at length the enemy, struck with sudden confusion, began to give way, and turning their prows, exerted all their force to regain the covering ships. They were pursued to the mouth of the creek by the flotilla with all the eagerness of assured victory; but here were checked by the schooner of eighteen guns, beyond which it was impossible to pass without first silencing her battery, and for this purpose the whole fire of the flotilla was directed at her. She made an attempt to get out of the creek, and succeeded so far as to gain the protection of the frigate and sloop-of-war, but so cut to pieces that to prevent her sinking, she was run aground and abandoned. The two larger vessels

[1] *Memoir of Barney*, p. 253.

now opened a tremendous fire upon our gallant little flotilla, during which they threw out less than seven hundred shot, but without doing much injury; the flying barges of the enemy having thus succeeded in recovering their safe position under the heavy batteries of the ships, the flotilla was drawn off, and returned to its former station up the creek."[1]

In his official report of this engagement, dated St. Leonard's Creek, June 13th, 1814, to the Hon. William Jones, Secretary of the Navy, Commodore Barney says: "The large schooner was nearly destroyed, having several shot through her at the water's edge; her deck torn up, guns dismounted, and mainmast nearly cut off about half way up, and rendered unserviceable. She was otherwise much cut; they ran her ashore to prevent her sinking. The commodore's boat was cut in two; a shot went through the rocket boat; one of the small schooners carrying two thirty-two pounders had a shot which raked her from aft forward; the boats generally suffered, but I have not ascertained what loss they sustained in men. . . . On Saturday evening, they burnt the property of Mr. Patterson and Skinner."[2]

After this severe engagement the enemy made no further effort to destroy the flotilla, but turned their attention to ravaging the plantations, burning the houses and carrying off the spoils.[3]

In this state of affairs, the Secretary of the Navy deemed it necessary to send one hundred marines, under the command of Captain Samuel Miller, with three pieces of artillery, to relieve Commodore Barney from the blockade. The Secretary of War also despatched Colonel Wadsworth, who had served in the corps of engineers, and was now at the head of the Ordnance Department, with two eighteen-pounders, and ordered about six hundred regular troops to be marched to St. Leonard's Creek, for the same purpose. The militia of the neighboring counties had been already called out by General Stuart.[4]

The depredations of the enemy on the banks of the Patuxent, and the defenceless state of the country, caused great inquietude to every reflecting

[1] *Niles' Register*, p. 280.

[2] Niles' *Register*, vi., p. 268.

[3] Mr. Niles estimated that they "carried off or destroyed between 3,000 and 4,000 hogsheads of tobacco, which Messrs. Cockburn & Co. are shipping to Europe. . . . The number of houses destroyed is not ascertained: those that they suffered to remain were wantonly injured; the doors and windows being broken. Even as was also the furniture; ripping open the feather beds and dispersing the feathers to the winds," etc. Vol. v., p. 276.

The Maryland *Gazette* of June 30, says: "A retaliatory system of plunder and conflagration, long since predicted, has [fell] the dwellings of the people bordering on the Patuxent, in ashes; has driven them from their homes, and has almost made them beggars and outcasts." In contrast with these statements, the *Baltimore Statesman* says that Cockburn, "notwithstanding the security pledged on him in Virginia and Maryland papers, is a humane and liberal gentleman."

[4] The Maryland *Gazette* of June 30th says: "In Calvert County absolute ruin has so suddenly overwhelmed its citizens, that like man without hope they have become careless to passing events, and in the torpor of despair can only sigh over their blasted prospects and ruined fortunes. For us here, within the circumscribed limits of suffering, we warned by their calamities not to repose in a dangerous security; [for] we [are] not only exempt from the general government, for in that quarter the springs of hope are dried up; from whence we have received nothing but disappointment: but let us early and zealously co-operate, by our individual exertions, to create the best practicable system of defence within the compass of our means. As faithful sentinels we would rouse you from your slumbers before the enemy crosses the attack."

citizens, and many abandoned their homes. Under these circumstances, the enemy landed in the early part of June, and took possession of the town of Benedict, in Charles County. In a letter dated "23d of June, near Benedict," a member of Captain Caldwell's cavalry, writing to a friend in Annapolis, says:

"My last informed you from Johnson's Mills, that the enemy had left Benedict on the preceding morning. About two o'clock yesterday, however, we received information that the enemy had again landed at Benedict. The cavalry from the District, under the command of Major John Peter, immediately marched for that place; our artillery and riflemen being several miles in the rear. We reached the hills above Benedict, about half-past five o'clock in the evening, where we found General Philip Stuart with a company of riflemen, and a few cavalry and infantry, all militia like ourselves. Scarcely had we arrived, having received on the road certain information that the enemy were at Benedict, than it was ascertained that a small detachment of the enemy, probably a marauding party, were in sight. The word was given to charge, and our cavalry rushed on with such impetuosity as entirely to break their own ranks, which, considering the nature of the ground, was perhaps necessary. Though at a great distance, when we came in sight, we presently overtook three or four of the enemy and made them prisoners. The remainder of the party made their way into an adjoining field over a fence, which it was necessary to pull down before we could get at them. After some fighting, two or three more were taken in the field, and one killed. All the rest, being but few, one of them, a lieutenant by the name of Marshall, escaped into an adjoining marsh, and reached their vessels. We have to lament the loss of one of the Alexandria troopers, Francis Wise, who was shot with a musket by one of the British who most bravely fought until he was killed by repeated wounds, and who proved to be a British sergeant of marines, of proverbial courage and strength, as he evinced on this occasion, having, before he was disabled, wounded another of the troopers with his bayonet, and very nearly overpowered General Stuart, of the militia, who engaged him after Wise was killed. By the time we had cleared the field, formed our troops again within about four hundred yards of the town, the riflemen (militia) and a small company of ill-organized artillery with two pieces, advanced on the ground. Meanwhile, the enemy, from his brig and barges, opened a very brisk fire of round and grape shot on us for fifteen or twenty minutes, to which the cavalry were particularly exposed, very few of whom probably ever heard the whistling of shot about their ears, but who stood their ground with much steadiness. A few shot were fired from the two pieces of artillery on the British schooner and barges lying at the town; but no other of the militia had an opportunity to fire a shot. Perceiving that the enemy were all on board the barges, and that we therefore could not reach or injure them, the order to retire was given by General Stuart. The enemy abandoned Benedict the next day."

On the arrival of Colonel Wadsworth, on the 21th of June, he held a consultation with Barney and Miller, and it was decided that a battery and furnace for heating shot should be erected on a high bluff between the Patuxent River and St. Leonard's Creek, upon which Colonel Wadsworth's two eighteen-pounders should be mounted on travelling carriages, and that on the 26th of June, before daylight, a simultaneous attack should be made by the flotilla and battery upon the blockading ships not more than four hundred yards off. Barney placed Sailing-Master Geoghan, with twenty men of the flotilla under Colonel Wadsworth, for the purpose of working two guns in the battery. At early dawn on the 26th, the battery

and barges opened a furious cannonade upon the moored ships which was continued on both sides for nearly two hours, when by some mismanagement the battery from which so much was expected ceased firing, and the men spiked their guns and abandoned it; upon which the barges under the command of Barney, finding themselves within grape-shot distance, contending unassisted against two frigates, a brig, two schooners and a number of barges, were compelled, as a matter of necessity, to haul off. A few minutes after the flotilla retired in consequence of this attack, and the apprehensions of continued annoyance and ultimate destruction from the "land battery," the enemy retired from his position opposite the mouth of the creek and anchored below "Point Patience." In this action the barges under the respective commands of Sailing-Masters Worthington, Sellars and Kidd all, suffered severely, losing ten men killed and wounded. Acting Midshipman Asquith was killed.

The blockade being now removed, Commodore Barney withdrew his barges from the creek, and removed them high up the Patuxent to Pig's Point, on the Western Branch near Upper Marlborough.

On that day, 26th June, 1814, information was received by the President, from Messrs. Gallatin and Bayard, our ministers in Europe, that a number of transports of the largest class, had been fitted out at Portsmouth, England, "as well as troop-ships, in that port," for the purpose, it was believed, of going to Bordeaux, taking on board the most effective of Wellington's veteran regiments and conveying them to the United States. Roused by this intelligence to the necessity of the protection of the capital, the President invited his cabinet officers to meet him on the 1st of July, for the purpose of consulting on the measures which it would be proper to adopt for the safety of the city. At this meeting the President suggested a plan "of the force to be called immediately into the field; the additional force to be kept under orders to march at a moment's notice; its composition and necessary equipment." The day after the cabinet council, the President judged it expedient to create a new military district by dismembering the 5th, and constituting out of its dissevered parts a 10th military district to be composed of that part of Virginia between the Rappahannock and the Potomac Rivers, the District of Columbia and Maryland. The officer selected to command the new district was Brigadier General William H. Winder, lately exchanged, and returned from Canada, where he had been kept a prisoner after his unlucky capture at the battle of Stony Creek in June, 1813. He immediately "accepted the command without means and without time to create them; he found the district without magazines of provisions or forage, without transport tools or implements,

GENERAL WM. H. WINDER.

without a commissariat or efficient quartermaster's department, without a general staff, and finally without troops."[1] On the 4th of July, a requisition for 93,500 men was made by the secretary of war upon the several States to be organized and held in readiness for immediate service under the laws of the 28th of February, 1795, and 18th of April, 1814. Under this call, Maryland was required to furnish the army with six regiments amounting to six thousand men, consisting of six hundred artillery and five thousand four hundred infantry, who were "to be organized and equipped, and held in readiness for future service" within the State "until the 10th district should be actually invaded or menaced with invasion," when, and not sooner, General Winder was authorized "to call for a part or for the whole of the quota assigned to the State of Maryland which shall have been organized and equipped under the aforesaid requisition."[2]

General Winder returned to Baltimore "about the 4th or 5th of July," and while there, he addressed the following letter to the secretary of war:

"Sir: "*Baltimore, July 9th, 1814.*

"The objects of the command which has been conferred on me, have, consequently, since I received it, occupied my serious consideration.

"The utmost regular force which, it is probable, can, in the present state of affairs, be placed at my command, including the force necessary for garrisoning the several forts, will not exceed 1,000 men, and some weeks will necessarily elapse before the detachments from Virginia and Carlisle will reach my District: the detachments of the 5th and 38th are, therefore, the only troops that I can expect to have in the field in the meantime; and, when those other detachments join, the utmost force will be 700 to 800.

"In conversation with you at Washington, I understood the idea at present entertained relative to the auxiliary militia force proposed for the District, to be, that it shall be drafted and designated, but that no part of it is to be called into the field until the hostile force now in the Chesapeake, shall be reinforced to such an extent as to render it probable that a serious attack is contemplated.

"The enemy's fleet has now spent more than a twelvemonth in the waters of the Chesapeake; and during that time has visited almost every river falling into the bay; and must be presumed to have such accurate information, that whatever expedition may be destined to these waters, will have a definite object, to the execution of which, on its arrival, it will proceed with the utmost promptitude and despatch. Should Washington, Baltimore, or Annapolis, be their object, what possible chance will there be of collecting a force, after the arrival of the enemy, to interpose between them and either of those places? They can proceed, without dropping anchor, to within three hours' rowing and marching of Baltimore; within less of Annapolis; and upon arriving off South River, can debark, and be in Washington in a day and a half. This celerity of movement on their part is not probable, owing to adverse weather, and other causes; but if the enemy has been active, while in our waters, to acquire a knowledge of our country, of which there can be no doubt, and should be favored with weather on the arrival of reinforcements, he can be in Washington, Baltimore, or Annapolis, in four days from entering the Capes. Just allowing liberally for all causes of detention, he can be in either of these places in ten days from his arrival. What time will this allow us to hear of his arrival, to disseminate through the intricate and winding channels the various orders to the militia, for them to

[1] Wilkinson's *Memoirs*, I., p. 754. [2] *Ibid*, I., p. 755.

assemble, have their officers designated, their arms, accoutrements, and ammunition delivered, the necessary supplies provided, or for the commanding officer to learn the different corps and detachments, so as to issue orders with the promptitude and certainty so necessary in active operations? If the enemy's force should be strong, which, if it come at all, it will be, sufficient numbers of the militia could not be warned and run together, even as a disorderly crowd, without arms, ammunition, or organization, before the enemy would already have given his blow.

"Would it not, then, be expedient to increase the force of my command, by immediately calling out a portion of the militia; so that, by previously selecting the best positions for defence, and increasing, as far as possible, the natural advantages of these positions, the advance of the enemy might be retarded, his force crippled, and time and opportunity thus gained for drawing together whatever other resources of defence might be competent to resist the enemy? The small force of regulars will be incompetent to accomplish any material work at favorable positions for strengthening the defences, and to supply the various vidette parties, which it will be necessary to station on the prominent points of the bay, to watch the enemy, and communicate his movements with the greatest possible despatch. Allow me, sir, respectfully to propose that 4,000 militia be called on without delay. I propose to station these in equal proportions in the most eligible positions between South River and Washington, and in the vicinity of Baltimore. Baltimore could not be aided by a force stationed between South River and Washington, unless a force were on the spot to retard the advance of the enemy until it could arrive, and so with respect to the force at Baltimore in co-operating with that intended to defend Washington. Each could assist the other if of this magnitude, and it appears to me, that, with materially less means actually in the field, and ready for instant action, no hope can be entertained of opposing the enemy in assailing either of these places.

"I shall proceed to Annapolis to-morrow, and have but little doubt that the Executive of Maryland will cordially co-operate in affording such means as it may be deemed advisable to call for; and I beg you will permit me to procure this, or such other militia force as the President may think proper immediately to be called out.

"I sent an order from Washington for the detachment of the 39th and 58th to move up to the head of South River, where I propose to meet them, and fix upon the most eligible spot for the camp intended to defend Washington.

"You will please, therefore, to direct any communications to me to Annapolis, which will enable me to make the requisite arrangements with the Executive of Maryland at once.

"I have the honor to be, with great respect, sir, your obedient servant,

"W. H. WINDER,

"*Brigadier-General commanding the 10th Military District.*

"To Hon. John Armstrong, Secretary of War."[1]

To this important letter no reply whatever was made, or none at least of which any record can be found; nor was any respect paid to its suggestions.

Winder, however, immediately proceeded to examine, personally, the condition of the district to which he had been assigned; and, on the 12th of July, we find him at Baltimore; the 16th, at Marlborough; the 17th, at Nottingham; the 22d at Marlborough; the 23d at the Wood Yard; the 25th at Fort Washington; the 26th, at Port Tobacco; the 27th, at Piscataway; on the 1st of August, at Washington; on the 4th, at Port Tobacco; on the 6th, at Washington; and on the 8th, at Baltimore. It is only necessary to look at

[1] *American State Papers*, I., p. 513.

the dates and places, and to take into consideration the distances and the state of the roads sixty years ago, and shall be compelled to acknowledge that he could not have been at rest for a single day.

In his letter of the 23d, from Upper Marlborough, he writes: "The governor has issued orders for calling out three thousand of the drafts under the requisition of the 4th of July; and, at my suggestion, has appointed Bladensburg as the place of rendezvous." From Piscataway, he writes on the 27th, that "the governor is exerting himself to collect a force at Annapolis;" and in another letter of the same date and place, he says: "The governor has been in vain endeavoring to assemble the neighboring militia at Annapolis; he had called on Frederick County, and some militia were coming in from thence when I was last at Annapolis. All his force is, however, called out by the authority of the State, and is not under my command; but they do, and will, co-operate toward the general defence."[1]

He had already informed the Secretary of War that he had appointed Bladensburg as the place of rendezvous, and notified him that it would be necessary to collect arms and military stores at that point, for the use of the men, remarking: "I have no knowledge where these articles are in store nearest the point, nor under whose charge they are. I must pray you to give the necessary orders for having the requisite deposits made at that place."

In the meantime, Cockburn's depredations and outrages on the shores of the Potomac and Patuxent were vigorously kept up. A resident on the latter river gives, in the *Federal Republican*, the following account of events which took place in his neighborhood from the 13th to the 23d of July:

"On last Wednesday week a detachment from the enemy's shipping in the Patuxent, in pursuit of stock, landed at Mr. Benedict Heard's in St. Mary's. Lieutenant Colonel Ashton immediately detached in pursuit of them Capt. Mackenzie's rifle corps and Capt. Brown's company of infantry. The enemy discovered them and retreated with great precipitation to their barges. On the next day they burnt every house on the land, all of which had been recently repaired: his loss is estimated at upwards of four thousand dollars. On Saturday, the *Severn*, a new ship built last year of 74, carrying 98 guns, commanded by Capt. Nourse, the *Brune*, a troop ship, with 350 marines, carrying 20 guns, a bomb-ship carrying 13 guns with four small captured sloops, ascended the Patuxent as high as Sheridan's Point, about eight miles below Benedict. On Sunday they ascended as high as Hall's Grove, the property of the late George Mackall, when they plundered nearly 500 men, and demanded about 20 hogsheads of tobacco belonging to Mr. Billingsly the late tenant, and which they carried off, except three hogsheads, which they gave to an overseer or tenant of Doctor Bell's. From thence they marched about 350 marines to Huntington, nearly seven miles, where they burnt the warehouse. Upon their return, some of their men were so much exhausted as to render it necessary for them to be moved in ox-carts.

"On Tuesday they landed a very considerable force (not sixteen only as stated in the *National Intelligencer*) and marched to Calvert Court House, which, with the jail, they destroyed. On Monday the shipping (except the detachment in the Patuxent) disappeared from the mouth of the Patuxent and a heavy force appeared off Britton's Bay on Monday night. On Tuesday morning they landed near Newtown a heavy force which marched

[1] *American State Papers*, Military Affairs, i. 514.

to the right of Leonardtown, another marched to the left, and a third, commanded by Admiral Cockburn, landed at the warehouse and took possession of Leonardtown. The two flanking parties, it is stated, reached the rear of the town a few minutes after the barges reached the landing. Their whole force in this expedition was estimated to be about 1,000 men. During their stay in the village, which was till about 2 o'clock, they behaved with great politeness to the ladies, respected private property wherever the proprietors remained at home, destroyed about 100 barrels of supplies belonging to Col. Carberry's regiment, the whole of Mr. Eskelip's store, and the furniture, clothing and bedding of Captains Forrest and Millard, all of whom had left town. They got possession of some muskets belonging to the State, which they broke to pieces, saying they were only fit to stick hogs with. Mrs. Thompson and Miss Ellen Key were very instrumental in saving the courthouse, stating that it was sometimes a place for divine worship. On Thursday a detachment of about five hundred, inclusive of sailors, landed from the Patuxent shipping near Treat Hall. The sailors were armed with boarding pikes and cutlasses (for the cavalry). They ascended into the country in quest of a quantity of tobacco, and other property belonging to Mr. W. Kilgour, which he had removed about three miles to Mr. Alvey's as a place of safety. The property was in a barn and covered with Alvey's wheat; this they deliberately removed for some time; they at length became tired and rolled out four hogsheads tobacco, which they gave Alvey as an equivalent for the remaining wheat, and a saddle they took from him; the barn was then burnt with all the tobacco. They then, under the direction of a negro of Mr. Kilgour's who had gone to them, perfectly selected the linen and other things belonging to him, and denied to Mrs. Kilgour, who was there, even a small portion of necessaries for her immediate use, saying that they had determined to destroy everything which they should find which had been removed by the proprietors that they would act otherwise where they remained at home. They found eight hogsheads of tobacco concealed in the woods near the water, which they carried off with a great deal of stock. Mr. Kilgour's loss is ruinous. He has a large family of young children and with that humanity for which he has always been distinguished, he had taken into his family the infant and improvident children of the late Rev. Mr. Stuart. As soon as General Stuart received intelligence that the enemy were landing, he moved with his whole force in pursuit of them. He arrived at High Hill, where he saw the enemy's barges prepared to cover the retreat of their men over the plain, and a frigate with her broadside ready for the same object. He could not receive any intelligence of the course they had taken, as it was disclosed by the smoke ascending from Alvey's barn. To get between them and their shipping, he must necessarily have exposed his force to a galling fire from their shipping, and given their infantry the advantage of a high commanding situation; to get in their front, so as to annoy them in their retreat, he must have taken a circuitous route of seven miles. Independent of all this, his force was much inferior to theirs; he therefore returned to his encampment: he has ordered out all of his brigade. On Friday, the enemy's vessels left their station at Benedict. A deserter states their object to be Annapolis; that Admiral Cochrane has arrived; that they have neither barges nor vessels; that at present Barney's force is too formidable for them; that the *Severn* only draws thirteen feet of water, was built for the American station; that a very heavy land force is expected; that the bomb-vessel only draws ten feet. No part of St. Mary's County is beyond succor; the inhabitants are removing their cattle and negroes into the interior, their crops are abandoned, and the frequent exaggerated statements of the force and movements of the enemy, produce such a consternation, as would melt the soul of every man, except of our wicked and callous rulers, who have plunged us into misfortune and invited the British shipping into the heart of our country, withheld from us that aid which we have a constitutional right to ask, and imposed upon us heavy taxes, to support a war for foreign conquest, while they suffer the enemy to deprive us of our agriculture, the only source from which these taxes can be paid. But as these sufferings are, they do not restrain the calumnies of

democracy. Toryism and cowardice are charged to those men who repair to the field and do everything their limited means can do; Charles County at this moment has in the service abroad every man capable of bearing arms. St. Mary's has also out a great many.

"We are told of those *thirteen democratic gentlemen*, who, in 1808, by an address to the President, urged the national government to a declaration of war, and pledged their lives, their fortunes and their sacred honor, in support of any measures which he might adopt. No one of them, save Major Mathews, has ever done one hour's service! This for Charles. Very different is the case in St. Mary's. There they have redeemed their pledges; that is, a great many of them. Nothing but a very speedy peace can save this peninsula from irretrievable ruin. Their government has abandoned them for their heresies, they are not deemed worthy of a shilling's expenditure; but still they are called on to assist in a war to the prevention of which they used every constitutional means. Let them call county meetings, and take the sense of the inhabitants as to the course which their perilous situation calls for. While the youth of their counties, under their gallant and beloved general, are doing everything enjoined by patriotism, let the old men unite, and do what it is practicable to avert our impending ruin."[1]

Admiral Cockburn's experiences in the Chesapeake and its affluents, seem to have confirmed him in the idea that the Americans could not offer any effectual resistance to his movements; and he planned a bolder stroke. As early as July, 1813, he had approached so near to Washington as to see that a sudden attack would place it at his mercy. When the fall of Napoleon left England in a position to increase her forces in America with heavy reinforcements, the English press began to foreshadow movements against Washington, Baltimore and New Orleans. It was intended to supply what had been lacking the previous year—a powerful land force. The British government, for this purpose, in the summer of 1814, sent Admiral Cochrane to Bermuda, to superintend the embarkation of the reinforcements expected there for Canada, for Louisiana and the Chesapeake.

On the 3d of August, the British naval commander-in-chief sailed from Bermuda for the Chesapeake, on board the eighty-gun ship *Tonnant*—a French prize—convoying over three thousand troops, newly arrived from France, under the command of Major General Robert Ross. The fleet entered the Chesapeake on the 15th of August, and was joined by Cockburn, with three ships of the line, several frigates, sloops-of-war and gunboats.

Desirous, wherever it can be done, of illustrating events by official documents, we quote from the dispatch of Admiral Cochrane to the British Board of Admiralty dated on board the *Tonnant*, on the Patuxent, September 2d, 1814, the following account of the plan agreed upon for the capture and invasion of Washington:

"My letter of the 31st August will have acquainted their lordships of my waiting in the Chesapeake for the arrival of Rear-Admiral Malcolm, with the expedition from Bermuda.

"The Rear-Admiral joined me on the 16th, and we had information from Rear-Admiral Cockburn, whom I found in the Potomac, that Commodore Barney, with the Baltimore flotilla, had taken shelter up the head of the Patuxent, this afforded a pretext

[1] July 26th, 1814.

for ascending that river to attack him near its source, above the Point, while the ultimate destination of the combined force was Washington, should it be found that the attempt might be made with any prospect of success. "To give their lordships a more correct idea of the plan of attack, I send a sketch of the country upon which the movements of the army and navy are portrayed; by it their lordships will observe, that the best approach to Washington is by Port Tobacco upon the Potomac, and Benedict upon the Patuxent, from both of which are direct and good roads to that city, and their distance nearly alike: the roads from Benedict divide about two miles inland; the one by Piscataway and Bladensburg, the other following the course of the river, although at some distance from it, owing to the creeks that run up the country; this last passes through the towns of Nottingham and Marlborough to Bladensburg, at which town the river called the Eastern Branch, that bounds Washington to the eastward, is fordable and the distance is about five miles. There are two bridges over this river at the city, but it was not to be expected that the enemy would leave them accessible to an invading army.

"Previously to my entering the Patuxent, I detached Captain Gordon, of his Majesty's ship *Seahorse*, with the ships and bombs named in the margin, in the Potowmac, to bombard Fort Washington, (which is situated on the left bank of that river, about ten or twelve miles below the city), with a view of destroying that fort, and opening a free communication above as well as to cover the retreat of the army, should its return by the Bladensburg road be found too hazardous from the accession of strength the enemy might obtain from Baltimore; it was also reasonable to expect that the militia from the country to the northward and westward would flock in, so soon as it should be known that the capital should be threatened.

"Captain Sir Peter Parker, in the *Menelaus*, with some small vessels, was sent up the Chesapeake above Baltimore, to divert the attention of the enemy in that quarter, and I proceeded with the remainder of the naval force and the troops up this river, and landed the army upon the 19th and 20th, at Benedict."

The manner in which the expedition was conducted, and the Americans baffled, is thus related by an English officer who was with Ross's army:

"Cruising about in every direction, they threatened the whole line of coast, from the entrance to the very head of the bay, and thus kept the Americans in a constant state of alarm. Whenever a favorable opportunity presented itself, parties landed, plundered, or destroyed the government stores, laid contributions under requisition, and brought off all the shipping which could be reached. In a word, the hostilities carried on in the Chesapeake resembled the expeditions of the ancient Danes against Great Britain, rather than a modern war between civilized nations."

On the 19th and 20th of August, without interruption, the enemy was debarked about two miles above Benedict on the east bank of the Patuxent.

"Its banks," said an English officer of the expedition, "covered with fields of Indian corn and meadows of the most luxuriant pasture, the neat wooden houses, white, and surrounded with orchards and gardens, with back grounds of boundless forests, differed in every respect from the country in France, the farms, heath and underwood skirting the similar pine forests, as if there had not been time to grub and clear the ground." "When we landed it was totally deserted by its inhabitants. The furniture, however, had not been removed, at least, not wholly, from any of the houses, and not a few of the dairies were furnished with dishes of exquisite milk, and delicate new cheeses."[1]

[1] *Robertson to America*, p. 8. *Narrative of the Campaigns of the British Army at Washington*, p. 91.

The British landed about four thousand five hundred men—marines, infantry, a little artillery and no cavalry—which were divided into three brigades. The first brigade which formed the advance was composed of the 85th regiment, the light companies composed of the 4th, 21st and 44th regiments, one company of marines, and a hundred armed negroes amounting to about twelve hundred bayonets, commanded by Colonel Thornton. The second brigade at the head of which was Colonel Brooke, comprised the 4th and 44th regiments. The third brigade composed of the 21st regiment and a battalion of marines with one hundred artillerists and one hundred drivers, but only one six-pounder and two small three-pounders was led by Colonel Patterson. On the afternoon of the 20th of August, this insignificant army proposing to invade a country and capture its capital, marched from its encampment by the Nottingham road under the command of Major General Ross. The soldiers, long confined in ships and unused to carrying their heavy arms, with sixty rounds of ammunition, baggage and three day's provisions, were overcome by the first short march of six miles, and many of them dropped out of the ranks, unable to keep up. The guns, with their tumbrils and ammunition wagons, were dragged by seamen, the gunners and drivers followed on foot, and the progress which they made was very slow, owing to the deep and sandy character of the roads. "Even the oldest and best of our veterans," says an English officer, "complained; whilst the younger men, and those who had lately joined from England, soon sank under it. In the next place, we, unfortunately, began our journey at the very hour when, in a climate like that of Maryland, the ordinary traveler thinks of resting. The heat was more intolerable than I have any language to describe. There was not a breath of air in motion; the sun was bright, and the sky perfectly cloudless, whilst the deep, fine sand, of which the road was composed, not only gave way beneath our tread, but rose in masses about us, filling our eyes, and even obstructing our respiration. . . . . It was really painful to see those whom I knew to be among the bravest and best soldiers in the army, dropping, one after another, upon the banks by the wayside."[1] The utmost caution and vigilance were practiced, for fear of an ambuscade, though the march was never impeded, and scarcely disturbed by the distressed and frightened inhabitants, who abandoned everything and fled. On the first day they marched about six miles and bivouacked "on a gentle eminence fronted by an open and cultivated country, and crowned with two or three houses, having barns and walled gardens attached to them." During the night, the rest of the enemy was disturbed by a tremendous storm of thunder and lightning, accompanied by heavy rain, which had the effect of cooling the hot air and laying the dust in the roads.

At the dawn of day the troops resumed their march, and with the exception of a slight skirmish, near Nottingham, in which one American was

[1] *Gleanings*, p. 21.

killed and two stragglers captured, nothing of importance occurred until they reached the town, where they expected to capture Barney's flotilla. The British officer, before cited, says of Nottingham, that

"It was a town capable of containing from a thousand to fifteen hundred inhabitants, which we found completely deserted. Not an individual was to be seen in the streets, or remained in the houses; while the appearance of the furniture, even in some places the very bread left in the ovens, showed that it had been evacuated in great haste, immediately before our arrival. The town itself stands upon the banks of the Patuxent, and consists of four short streets, two running parallel with the river, and two others crossing them at right angles. The houses are not such as indicate the wealth or grandeur of the owners, being in general built of wood, and little superior to cottages, but surrounded by others of far better description of good, substantial farm houses. For several miles round, the country was in a high state of cultivation; but instead of the noise and activity which we had hitherto seen, the fields were covered with an abundant and luxurious crop of tobacco. . . . We found numerous barns filled with the remains of last year's crops, the whole of which was, of course, seized in the name of his Majesty, King George the Third."

Barney's flotilla, which had been stationed opposite to Nottingham, and which was, it was supposed, the object of the invasion, retired on the approach of the enemy to Pig's Point, near Upper Marlborough.

As early as the 18th of August, it was known at Washington that the enemy was coming up the bay in force; and on the next day, Commodore Barney sent the following despatch to the secretary of the navy:

"*Nottingham, August 19th—9 A. M.*

"SIR:

One of my officers has this moment arrived from the mouth of the Patuxent, and brings the enclosed account. I haste to forward it to you; the Admiral said he would dine in Washington on Sunday, after having destroyed the flotilla, &c.

Yours, respectfully,

"JOSHUA BARNEY.

"HON. WILLIAM JONES."

One eighty or ninety gun ship, big at the main
Four seventy-four gun ships, one flag at mizzen.
Six frigates.
Ten ships about thirty-two guns.
Five small ships.
Two brigs.
One large schooner, sixteen guns.
Two smaller schooners about ten guns.
Thirteen large bay craft.

"A large number of small boats are now under way, standing up the Patuxent, with a number of men, with a determination to go to the city of Washington, as they said yesterday."

In return, the Secretary of the Navy sent him orders to retire with his flotilla as high up the river as he could get, and if the enemy landed, to set fire to the boats, and join General Winder with his men.

On the 21st of August, information reached him, that the enemy had landed at Benedict, and were then in full march on the road to Washington.

He immediately landed with nearly all his officers and four hundred men, leaving the flotilla under the command of his second-lieutenant, Frazier, with five men in each boat, a little above Pig Point, with positive orders, should the enemy appear near him in force, to set fire to every boat and see them in full conflagration, and then join him with the rest of the men. Commodore Barney marched to Upper Marlborough that evening; on the following morning, hearing from General Winder that he was with his army at the Wood Yard, he continued his march to that place which he reached about mid-day. Here he was gratified to find Captain Miller of the marines, with eighty men and five pieces of artillery, who had been directed by the secretary of the navy to report to him and place himself under his orders.[1]

During the night of the 21st of August, the enemy remained at Nottingham, surrounding themselves with unusual precaution against the attack they supposed could not be long deferred. The boats and tenders which had up to this time moved parallel with the land forces were anchored off the town. So far the invaders had advanced leisurely without a show of hindrance, fifteen miles from the place of debarkation, and had rested quietly each night. On the following day, (22d), soon after daybreak, the whole army moved forward again. Cockburn, with his naval forces, proceeded up the river in pursuit of Barney's flotilla, which was then stationed near Mount Pleasant, about nine miles from Nottingham. On his route he landed a few marines at Pig Point and captured a large quantity of tobacco. In this report of his expedition, Admiral Cockburn says:

"On approaching Pig Point (where the enemy's flotilla was said to be,) I landed the marines under Captain Robyns on the left bank of the river, and directed him to march round and attack, on the land side, the town situated on the point, to draw from us the attention of such troops as might be there for its defence, and the defence of the flotilla; I then proceeded on with the boats, and as we opened the reach above Pig Point, I plainly discovered Commodore Barney's broad pendant in the headmost vessel, a large sloop, and the remainder of the flotilla extending in a long line astern of her. Our boats now advanced towards them as rapidly as possible; but, on nearing them, we observed the sloop bearing the broad pendant to be on fire, and she very soon afterwards blew up. I now saw clearly that they were all abandoned, and on fire, with trains to their magazines; and out of the seventeen vessels which composed this formidable and so much vaunted flotilla, sixteen were in quick succession blown to atoms, and the seventeenth (in which the fire had not taken) we captured. The commodore's sloop was a large armed vessel; the others were gunboats, all having a long gun in the bow, and a carronade in the stern; the calibre of the guns and number of the crew of each differed in proportion to the size of the boat, carrying from 32 pounders and sixty men to 18 pounders and forty men.[2] I found here lying above the flotilla, under its protection, thirteen merchant schooners, some of which not being worth bringing away, I caused to be burnt; such as were in good condition, I directed to be moved to Pig Point. Whilst employed in taking these vessels,

[1] *Memoir of Barney*, p. 208.

[2] The commodore's sloop carried one long 18 pounder on a pivot, one 18 lb. grenades and four short 9 lb. carronades. One of the gunboats had one 24 lb. long gun, and the barges had each a long 12 or 18 pounder bow-gun and a carronade of 18 to 32 in the stern.

a few shot were fired at us by some of the men of the flotilla from the bushes on the shore near us, but Lieut. Scott, whom I had landed for that purpose, soon got hold of them and made them prisoners. Some horsemen likewise showed themselves on the neighboring heights, but a rocket or two dispersed them; and Capt. Robyns, who had got possession of Pig Point without resistance, now spreading his men through the country, the enemy retreated to a distance, and left us in quiet possession of the town, the neighborhood, and the prize."[1]

In the meantime, General Ross, on leaving Nottingham, had taken what is called the Chapel Road to Upper Marlborough. This road diverges from the river, and, at a few miles distance from Nottingham, forks, one branch running northward to Marlborough, and the other westward to Washington. At this fork, Ross turned into the road at the Wood Yard, as if to advance in that direction, but after halting an hour or more, retraced his steps and turned into the road to Marlborough, thus deceiving General Winder as to his real direction. In consequence of these movements, General Winder, who was endeavoring to collect a sufficient force at the Wood Yard to impede the enemy's progress, ordered his troops to retire to a place called the Long, or Battalion, Old Fields, about eight miles from Washington.

General Ross arrived at Upper Marlborough about two o'clock in the afternoon of the 22d, and remained there refreshing his troops until about the same hour the next day. One narrator, speaking of this beautiful village, says: "It was one o'clock when the neat houses and pretty gardens of Marlborough presented themselves to our view. At that moment I imagined that I had never looked upon a landscape more pleasing or more beautiful. The gentle green hills, which on either hand inclosed the village, dotted here and there with magnificent trees, the village itself, straggling and wide, each cottage being far apart from its neighbors, and each ornamented with flower-beds and shrubberies; these, with a lovely stream that wound through the valley, formed, as far as my memory may be trusted, one of the most exquisite panoramas on which it has ever been my good fortune to gaze. . . . In this place we learned that Commodore Barney, aware of our design, and unable any longer to elude it, had blown up the gunboats of which we were in pursuit. This piece of intelligence sufficiently accounted for the many explosions we had heard while on the march."[2]

Though the flotilla was in flames and Winder retreating, Ross still doubted whether to proceed and attempt the capture of Washington. The "sole object of the disembarkation" having been accomplished, Admiral Cockburn says that on the morning of the 23d, he pushed "on to Upper Marlborough, to meet and confer with General Ross, as to their further operations against the Americans." He arrived in due time at the head-quarters of Ross, where, he says, "we were not long in agreeing on the propriety of making an attempt to capture Washington." "The government," he said, "will ransom their public buildings and houses, and we shall be enriched by contributions," which sordid calculation carried the final

[1] Niles' *Register*, 7 vol., *Supplement*, p. 177. [2] *Ibidem*, p. 41

resolve to march on Washington. "As general of brigade under Lord Wellington," says the English narrative, "General Ross had no doubt learned the art of war in an excellent school, but only to obey, with no more responsibility than a colonel commanding a battalion. But, at the head of an independent army, upon his determination depend, he feels, not only the success, but the lives and safety of the troops. This diffidence, General Ross exhibited in the loss, first, of three hours in Nottingham, and again, of eight at Marlborough. The truth is, that the *capture of Washington was not the original end of the expedition.* To destroy the flotilla was the sole object of the disembarkation; and, *but for the instigations of Admiral Cockburn*, who accompanied the army, the capital of the enemy would probably have escaped its visitation. It was he, who, on the retreat of the flotilla from Nottingham, urged the necessity of a pursuit; and it was he who also *suggested* the attack on Washington, and, finally, *prevailed* on General Ross to *venture so far from the shipping.*" And General Ross, in his letter to Earl Bathurst, dated August 30th, 1814, says: "Having advanced to within sixteen miles of Washington, and ascertaining the force of the enemy to be such as might authorize an attempt at carrying his capital, I determined to make it."[1] And in his official report he says:

"To Rear-Admiral Cockburn, who suggested the attack on Washington, and accompanied the army, I confess the greatest obligation for his cordial co-operation and advice."

In conformity with the wishes of General Ross, Rear Admiral Cockburn immediately sent orders on the afternoon of the 23d of August, to his marine and naval forces at Pig Point to move immediately over to Mount Calvert, and with the marines and marine artillery and a portion of the seamen to disembark and join him at Upper Marlborough with all possible dispatch. They arrived in due time, and it was arranged that Captain Robyns with the marines should remain and keep possession of Marlborough, while the marine artillery and seamen accompanied the army. On the night of the 23d, General Ross bivouacked at a place called Melwood, about three miles from the Old Fields, and some ten or twelve miles from Washington. To save his troops as much as possible from the excessive heat, General Ross, at an early hour on the 24th of August, put them in motion, directly for Bladensburg, twelve miles from his camp, and at four o'clock A.M. passed the Old Fields, the position of the American camp. An advance of two miles further brought him to a fork of the road, one branch of which runs northward to Bladensburg, distant about ten miles, and the other westward, to Washington by the Eastern Branch Bridge, distant seven or eight miles. Here he practised the same ruse as at the fork of the road from Nottingham to Upper Marlborough. He took the road leading directly to Washington by the Eastern Branch Bridge and advanced his whole force until his last column passed the fork, then suddenly countermarched and moved rapidly to Bladensburg.

[1] Wilkinson's Appendix, No. 5.

Before proceeding to give an account of the "Battle of Bladensburg," which took place in the afternoon of the 24th of August, to obviate the necessity of tedious interruptions or repetitions, we will first give a brief description of the troops which General Winder had collected for the defence of Washington. The first in order were the troops of the District of Columbia, composed of militia and volunteer companies of Washington and Georgetown, formed into two regiments, the first commanded by Colonel Magruder, the second by Colonel William Brent. These, with two companies of light artillery, having each six six-pound guns, and commanded respectively by Major George Peter, an officer of distinguished ability, and Captain Benjamin Burch, a soldier of the Revolution, and two companies of riflemen, armed with muskets, under Captains Doughty and Stull, were organized into a brigade which was commanded by General Walter Smith, of Georgetown. These troops, well disciplined and officered, and comprising some of the most respectable inhabitants of the District, marched from Washington on the 20th of August for the scene of action, and numbered about 1070 men.

General Robert Young organized another brigade of district militia, consisting of volunteer companies from Alexandria and its vicinity, a company of cavalry, under Captain Thornton, and a company of light-artillery, with two brass six-pounders and one brass four-pounder, commanded by Captain Marstaller. This brigade numbered about five hundred men, and reported to General Winder on the 18th of August. They were not engaged at the Battle of Bladensburg, having been employed to defend the approach to Fort Washington.

As soon as the enemy appeared in the Chesapeake, the President called the third brigade of Maryland militia into active service, and on the 19th of August, General Samuel Smith, who commanded the defences in Baltimore, ordered them to hold themselves in readiness, "completely armed and equipped," to march at a moment's notice.[1] On the following day, General Tobias Stansbury's brigade, composed of two regiments of militia, one of five hundred and fifty men, under Lieutenant Colonel Ragan (late Captain United States rifles), and another of eight hundred and three men, under Lieutenant Colonel Schutz, marched out of Baltimore. This force halted at the Stag Tavern, on the evening of the 21st, and on the 22d, advanced towards Bladensburg, near which place they encamped, and on the 23d, began moving towards Marlborough, the orders of General Winder being to take a position on the road not far from that place. On the evening of the 23d, Lieutenant Colonel Sterett's command, consisting of the Fifth Baltimore Regiment of Volunteers, comprising some of the most substantial merchants and business men of the city, and some distinguished professional men, with the rifle battalion of Major William Pinkney (previously attorney-general of the United States), and two companies of volunteer artillery from the same city, under Captains Myer and Magruder, with six six-pounders, reached Bladensburg

[1] Niles' Register, vi., p. 431.

with about eight hundred tired and exhausted men about sunset on the evening before the battle, and joined General Stansbury. On the next morning arrived, after a march of sixteen miles, several detachments of Maryland militia, comprising a part of two regiments, and numbering seven hundred and fifty men under the command of Colonel William D. Beall, an efficient officer of the Revolution, and Colonel Hood. Another small detachment of two hundred and forty men, was under the command of Colonel Kramer, and two battalions, amounting to one hundred and fifty men, were under Majors Waring and Maynard.

The Virginia militia were under the command of Colonel George Minor, and consisted of one regiment of about six hundred men, and a cavalry company of about one hundred. The regular United States infantry were under the charge of Lieutenant Colonel William Scott, and amounted to about three hundred men, and a company of about eighty men from the 12th regiment. Barney's flotilla, numbering about four hundred men and about one hundred and fifty marines, with two eighteen-pounders, joined the army on the morning of the 22d of August. The Maryland cavalry, about three hundred men, were commanded by Lieutenant Colonel Tilghman, Major Otho H. Williams, and Major Charles Sterett. Captain J. C. Herbert commanded the "Bladensburg Troop of Horse." The United States' cavalry, numbering about one hundred and twenty-five, were commanded by Lieutenant Colonel Javel.

The whole American force, therefore, amounted to about seven thousand men in or near Bladensburg at the time of the battle, and the British not more than four thousand five hundred.

We now return to the action of the 24th of August, and shall first give the account of an English officer who was present, and whose narrative is impartial as well as lucid:

"The hour of noon was approaching, when a heavy cloud of dust, apparently not more than two or three miles distant, attracted our attention. From whence it originated there was little difficulty in guessing, nor did many minutes elapse before surmise was changed into certainty; for on turning a sudden angle in the road, and passing a small plantation, which obstructed the vision towards the left, the British and American armies became visible to one another. The position occupied by the latter was one of great strength, and commanding attitude. They were drawn up in three lines upon the brow of a hill, having their front and left flank covered by a branch of the Potomac, and their right resting upon a thick wood and a deep ravine. This river, which may be about the breadth of the Isis at Oxford, flowed between the heights occupied by the American forces, and the little town of Bladensburg. Across it was thrown a narrow bridge, extending, from the chief street in that town to the continuation of the road, which passed through the very centre of their position: and its right bank (the bank above which they were drawn up) was covered with a narrow strip of willows and larch trees, whilst the left was altogether bare, low and exposed. Such was the general aspect of their position as at the first glance it presented itself: of which I must endeavor to give a more detailed account, that my description of the battle may be in some degree intelligible.

"I have said that the right bank of the Potomac was covered with a narrow strip of willow and larch trees. Here the Americans had stationed strong bodies of riflemen,

who, in skirmishing order, covered the whole front of their army. Behind this narrow plantation, again, the fields were open and clear, intersected, at certain distances, by rows of high and strong palings. About the middle of the ascent, and in the rear of one of these rows, stood the first line, composed entirely of infantry; at a proper interval from this, and in a similar situation, stood the second line; while the third, or reserve, was posted within the skirts of a wood, which crowned the heights. The artillery, again, of which they had twenty pieces in the field, was thus arranged: on the high road, and commanding the bridge, stood two heavy guns; and four more, two on each side of the road, swept partly in the same direction, and partly down the whole of the slope into the streets of Bladensburg. The rest were scattered, with no great judgment, along the second line of infantry, occupying different spaces between the right of one regiment, and the left of another; while the cavalry showed itself in one mass, within a paltry field, near the extreme left of the position. Such was the nature of the ground which they occupied, and the formidable posture in which they waited our approach; amounting, *by their own account*,[1] to nine thousand men, a number exactly doubling that of the force which was to attack them.

"In the meantime, our column continued to advance in the same order which it had hitherto preserved. The road conducted us for about two miles in a direction parallel with the river, and of consequence with the enemy's line: when it suddenly turned, and led directly towards the town of Bladensburg. Being of course ignorant whether this town might not be filled with American troops, the main body paused here, till the advanced guard should reconnoitre. The result proved that no opposition was intended in that quarter, and that the whole of the enemy's army had been withdrawn to the opposite side of the stream, whereupon the army was again put in motion, and in a short time arrived in the streets of Bladensburg, and within range of the American artillery. Immediately on our reaching this point, several of their guns opened upon us, and kept up a quick and well directed cannonade, from which, as we were again commanded to halt, the men were directed to shelter themselves as much as possible behind the houses. The object of this halt, it was conjectured, was to give the General an opportunity of examining the American line, and of trying the depth of the river; because at present there appeared to be but one practicable mode of attack, by crossing the bridge, and taking the enemy directly in front. To do so, however, exposed us the bridge was, must be attended with bloody consequences, nor could the delay of a few minutes produce any mischief which the discovery of a ford would not amply compensate.

"But in this conjecture we were altogether mistaken; for without allowing time for the column to close its ranks or to be formed by some of the many stragglers, who were now hurrying, as fast as weakness would permit, to regain their places, the order to halt was countermanded, and the word given to attack; and we immediately pushed on at double quick time, towards the head of the bridge. While we were moving along the street, a continued fire was kept up, with some execution, from three guns which stood to the left of the road; but it was not till the bridge was covered with our people that the two-gun battery upon the road itself began to play. Then, indeed, it also opened, and with tremendous effect; for at the first discharge almost an entire company was swept down: but whether it was that the guns had been previously laid with measured exactness, or that the nerves of the gunners became afterwards unsteady, the succeeding discharges were much less fatal. The riflemen likewise now galled us from the wooded bank, with a running fire of musketry: and it was not without trampling upon many of their dead and dying comrades, that the light brigade established itself on the opposite side of the stream.

"When once there, however, everything else appeared easy. Wheeling off to the right and left of the road, they dashed into the thicket, and quickly cleared it of the

[1] Information derived from negroes.

American skirmishers; who falling back with precipitation upon the first line, threw it into disorder before it had fired a shot. The consequence was, that our troops had scarcely shown themselves when the whole of that line gave way, and fled in the greatest confusion, leaving the two guns upon the road in possession of the victors.

"But here it must be confessed that the light brigade was guilty of imprudence. Instead of pursuing till the rest of the army came up, they lightened themselves by throwing away their knapsacks and haversacks; and extending their ranks so as to show an equal front with the enemy, pushed on to the attack of the second line. The Americans, however, saw their weakness, and stood firm, and having the whole of their artillery, with the exception of those captured on the road, and the greater part of their infantry in this line, they first checked the ardor of the assailants by a heavy fire, and then in their turn, advanced to recover the ground which was lost. Against this charge, the extended order of the British troops would not permit them to offer a collected resistance, and they were accordingly borne back to the very thicket upon the river's brink; where they maintained themselves with determined obstinacy, repelling all attempts to drive them through it, and frequently following, to within a short distance of the cannon's mouth, such parts of the enemy's line as gave way.

"In this state the action continued till the second brigade had likewise crossed, and formed upon the right bank of the river; when the 44th regiment moving to the right, and driving in the skirmishers, debouched upon the left flank of the Americans, and completely turned it. In fact quarter, therefore, the battle was won; because the new militia men, who were stationed there as being the least assailable point, when once broken could not be rallied. But on their right, the enemy still kept their ground with much resolution: nor was it till the arrival of the 4th regiment, and the advance of the British forces in their army, to the charge, that they began to waver. Then, indeed, seeing their left in full flight, and the 44th getting in their rear, they lost all order, and dispersed, leaving bands of riflemen to cover their retreat, and hastened to conceal themselves in the woods, where it would have been vain to follow them. The route was now general throughout the whole line. The reserve, which ought to have supported the main body, fled as soon as those in its front began to give way: and the cavalry, instead of charging the British troops, now scattered in pursuit, turned their horses' heads and galloped off, leaving them in undisputed possession of the field, and of ten out of the twenty pieces of artillery.

"This battle, by which the fate of the American capital was decided, began about one o'clock in the afternoon, and lasted till four. The loss on the part of the English was severe, since, out of two-thirds of the army, which were engaged, upwards of five hundred men were killed and wounded; and what rendered it doubly severe was, that among these were numbered several officers of rank and distinction. Colonel Thornton who commanded the light brigade; Lieutenant Colonel Wood commanding the 85th regiment, and Major Brown, who had led the advanced guard, were all severely wounded; and General Ross himself had a horse shot under him. On the side of the Americans the slaughter was not so great. Being in possession of a strong position, they were of course less exposed in defending, than the others in storming it; and had they conducted themselves with coolness and resolution, it is not conceivable how the day could have been won. But the fact is, that, with the exception of a party of sailors from the gun boats, under the command of Commodore Barney, no troops could behave worse than they did. The skirmishers were driven in as soon as attacked, the first line gave way without offering the slightest resistance, and the left of the main body was broken within half an hour after it was seriously engaged. Of the sailors, however, it would be injustice not to speak in the terms which their conduct merits. They were employed as gunners, and

[1] General Winder at the head of the 5th Regiment.

not only did they serve their guns with a quickness and precision which astonished their assailants, but they stood till some of them were actually bayoneted, with fuses in their hands; nor was it till their leader was wounded and taken, and they saw themselves deserted on all sides by the soldiers, that they quitted the field. With respect to the British army, again, no line of distinction can be drawn. All did their duty, and none more gallantly than the foot; and though the brunt of the whole fell upon the light brigade, this was owing chiefly to the circumstance of its being at the head of the column, and perhaps, also, in some degree, to its own rash impetuosity. The artillery, indeed, could do little; being unable to show itself in presence of a force so superior; but the six-pounder was nevertheless brought into action, and a corps of rockets proved of striking utility.

"Our troops being worn down from fatigue, and of course as ignorant of the country, as the Americans were the reverse, the pursuit could not be continued to any distance. Neither was it attended with much slaughter. Diving into the recesses of the forests, and covering themselves with riflemen, the enemy were quickly beyond our reach; and we, having no cavalry to scour even the high road, ten of the lightest of their guns were carried off in the flight. The defeat, however, was absolute, and the army, which had been collected for the defence of Washington, was scattered beyond the possibility of, at least, an immediate reunion; and as the distance from Bladensburg to that city does not exceed four miles, there appeared to be no further obstacle in the way, to prevent its immediate capture."

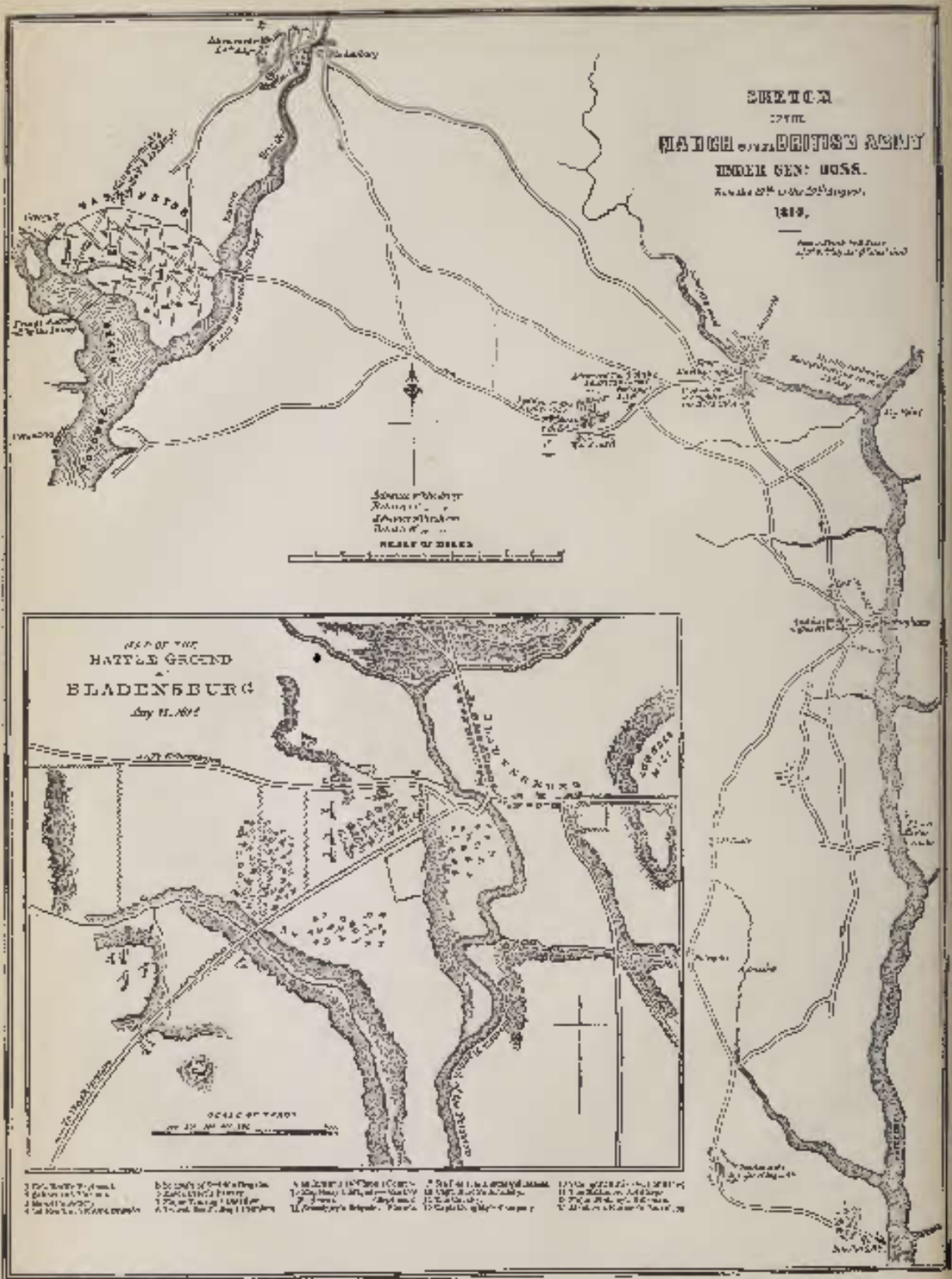
Bladensburg, at which this unfortunate engagement was fought, is at the head of small-craft navigation on the eastern branch of the Potomac, about six miles northeast of Washington on the old post-road from that city to Baltimore. North of this road is another joining the Washington road, running from Georgetown, and these roads form an acute angle a few yards from the bridge in the town. In the triangular space thus formed, and near an old mill, General Stansbury's command was posted on the morning of the 24th of August. About four hundred yards from the Bladensburg bridge, on a slight eminence in that triangular field, between a large barn and the Washington road, the Baltimore artillery, under Captains Magruder and Myers, with six six-pounders, occupied a temporary breast-work of earth, commanding the bridge and road. Part of the battalion of riflemen, under Major William Pinkney, and one other company took position on the right of the artillery, near the junction of the roads, and partially protected by a fence and brush on the low ground near the river. On the left of the battery, leading to the rear of the barn and near the Georgetown road, two companies of militia from Col. Schutz's regiment, under the command of Captains Gorsuch and Ducker, and the other portion of Major Pinkney's riflemen were stationed. Colonel Regan was posted in the rear of Major Pinkney, his right resting on the Georgetown road; Colonel Schutz continuing the line on the left, with a small vacancy in the centre of the two regiments; and Colonel Sterett formed the extreme left flank of the infantry. In the midst of these confused preparations for battle, Colonels Beall and Wood entered Bladensburg with the Maryland militia, after a forced march of sixteen miles that sultry morning from Annapolis, crossed the bridge, and took a position on the most commanding height, on the right of the Washington turnpike, about three

hundred yards from the road, to secure the right flank. In the meantime, (about eleven o'clock), intelligence was received at headquarters that the enemy was in full march to Bladensburg; on which, General Winder put in motion his whole force, except a few men and a piece of artillery left at the Eastern Branch bridge to destroy it. The march to Bladensburg was rapid, though the day was excessively hot, and the road deep in dust. On the arrival of the cavalry and mounted men, they were placed on the left flank, a little in the rear. General Winder now arrived on the field, and informed General Stansbury and Colonel Monroe, that his whole force was on the march to the scene of action, and approved the dispositions which had been made. At this time, however, it had become impracticable, in the opinion of the officers, to make any essential change, as the enemy had already appeared on the opposite heights of Bladensburg, about a mile distant, where he halted fifteen or twenty minutes. This was about twelve o'clock.

The troops from Washington were disposed of as they came up. Captain Burch, with three pieces of artillery, was stationed on the extreme left of the infantry of the first line, and a rifle company, armed with muskets, near the battery to support it. About this time, the secretary of war arrived, and in a few minutes after, the president and the attorney-general, and proceeded to examine the disposition of the troops. In the meantime, the enemy, who had been standing in the blazing sun on the opposite hill, advanced into Bladensburg, while the officers were forming rapidly the second line. At this time General Winder became greatly annoyed by "numerous self-constituted contributors of advice, suggesters of position, and intermeddlers with command; gentlemen of respectability and good will; committees, a whole democracy of commanders, industriously helped to mar all singleness of purpose and unity of action. Arriving at the bridge, while Colonel Monroe was displaying the master-science of the combat, General Winder met several gentlemen, among the rest, Mr. Francis S. Key, not only recommending, but showing where they thought the troops ought to be posted, riding to the spots designated and confounding the order. Other bystanders were present at the spectacle as well, among them, Alexander McKim, the Baltimore member of Congress, on one of his fast trotting horses – a rich merchant who said that, having voted for war, he could not find it in his conscience, if not to fight for it, at least to stand by those who did."[1]

In the midst of this confused preparation for battle, Commodore Barney, with two eighteen-pounders and his flotilla men, came up at a trot, and formed his men on the right of the main road in a line with the commands of Colonels Beall and Hood, but with a considerable space between them, owing to the formation of the ground. Commodore Barney planted his heavy guns in the road, a portion of the seamen acting as artillerists. Captain Miller, who commanded the flotilla men and marines as infantry, to support the artillery, stationed three twelve-pounders to the right of Barney. Lieutenant

[1] Ingersoll, ii., p. 174.


SKETCH
MARCH of the BRITISH ARMY
UNDER GEN.L ROSS.
1814.
BLADENSBURG
HATTLE GROUND
BLADENSBURG

Colonel Kramer, with a battalion of Maryland militia, was posted in a wood, a short distance in advance of the marines, and Colonels Beall and Hood's command. The regiment under Colonel Magruder, was stationed on the left of Barney, and the regiment of Colonel Brent and Major Waring's battalion, and some other detachments, formed the left flank of the second line, and in the rear of Major Peter's battery.[1] Lieutenant Colonel Scott, with the regulars, was stationed in advance of Colonel Magruder, and to the left, forming a line towards Major Peter's battery, other small detachments in various directions.

Such was the disposition of the American army when about half-past 12 o'clock the enemy descended the hills beyond Bladensburg, and the battle began. The Baltimore artillery opened a fire and dispersed the enemy's light troops now advancing along the street of the village, who took a temporary cover behind the houses and trees in loose order, and only presented themselves occasionally to the fire of the cannon. The enemy commenced throwing his rockets, and his light troops began to concentrate near the bridge, and urged forward by their officers they passed across it and the river which was fordable above. The battalion of riflemen of Major Pinkney now united gallantly with the fire from the battery. For some minutes the fire was continued with considerable effect; the enemy's column was not only dispersed while in the street, but while approaching the bridge was thrown into some confusion, and the British officers were seen exerting themselves to press the soldiers on. Having now gained the bridge, it was passed rapidly with the loss of a good many killed. Throwing off their knapsacks, in small squads the enemy pushed up the slope, spreading on both sides to outflank our men, so that the artillery and battalion of riflemen were compelled to give way. In this engagement Major Pinkney was severely wounded.[2] He exerted himself to rally his men a little to the rear of his first position, when they united with the fifth Baltimore regiment. Up to this time the Baltimore artillery and Major Pinkney's battalion were the only troops engaged with the whole force of the enemy, and when they retreated leaving one of their guns, after spiking it, the enemy occupied the ground they left without any considerable resistance. The enemy took advantage of the brow of an orchard lately occupied by the Americans, and kept up a galling fire upon our retreating men.

[1] George Peter was born in Georgetown, Montgomery County, Maryland, now the District of Columbia, September 26, 1779. He was educated at private institutions and at Georgetown College. He was second lieutenant of the 9th United States Infantry July, 1799; lieutenant 2d Artillery and Engineers, February, 1801; April, 1803, in Artillery and Captain in November, 1807. He was the first captain of Light Artillery in the United States, in May, 1808, and resigned June 11, 1810. He served as a major of Volunteers during the War of 1812, and a representative in Congress from Maryland from 1810 to 1819, and again from 1823 to 1827. He was elected Mayor of the State Legislature, and also served as a member of the Board of Public Works. He died in Montgomery County June 22, 1851. Hon. George Peter, his son, has held several important public offices, and is now (1879) a member of the State Senate.

[2] As Major Pinkney, without his horse, walked away with five or six of his men, among whom was Mr. Jonathan Meredith of the 5th Baltimore regiment, the enemy retreated also, but the impression, though inadvertent, a musket ball broke Pinkney's arm which in boyhood risk of capture. He was the draftsman of the declaration of war, and late the American minister at the Court of St. James, and the powerful advocate of the American code of prize law.

Captain Burch's artillery and a small detachment near it now opened a cross fire upon the enemy. General Stansbury's command was three or four hundred yards in the rear of the first position of the Baltimore battery, and General Winder, who was on the left of the fifth Baltimore regiment, ordered it to advance and sustain the artillery, which it did with great promptness, and opened a steady well-directed fire on the enemy, in which it was followed by Ragan's and Schutz's regiments forming the right and centre of the line. Some rockets thrown by the enemy which passed very close over the heads of Ragan's and Schutz's regiments, created a panic in these raw troops in action for the first time, and they fled in the utmost disorder. Their officers strove to rally and retain the fugitives, in which they were aided by General Winder, who displayed great zeal, activity and personal bravery; but their efforts were ineffectual, and both regiments were broken and dispersed, leaving the fifth and Burch's artillery with their flanks exposed. Colonel Sterett's fifth regiment, however, kept its place in line firmly, covered the retreat of Ragan's and Schutz's by a sharp fire, and even drove back the enemy's light troops; but being in great danger of being surrounded, the enemy having gained both flanks, the fifth and Burch's artillery were ordered by General Winder to retreat and form a little in the rear. Instead of retiring in order, the fifth, seeing that they were nearly surrounded like the other two regiments of General Stansbury's brigade, in a very few minutes retreated in disorder, which all the exertions of Colonel Sterett could not prevent.

"Among the circumstances which induced the men to think that rockets were akin to sessions turn were these: the shower of rockets among them; the hurried retreat of the riflemen upon them; the galling fire from the redoubt; the continued advance of fresh troops of the enemy, amounting, as they had been informed to eight or ten thousand veterans; to know[ledge] that my reserve troops were in their rear; and the conviction which every man of common sense among them must have felt, that, under these circumstances, to continue longer on the field would expose them to the danger of being cut to pieces. It is difficult to understand the motive for placing or keeping them in such a position. It was not a position to be defended at all hazards and at any cost of life, in order to gain time. What was the time wanted for? The troops in the rear were not advancing, nor does it appear that there was any desire that they should advance. Further continuance in such a position could be only for the purpose of testing the experiment whether a body of raw militia-men, in an open field, and in pitched battle, could defeat four or five times their number of regular and veteran troops."[1]

The first line having been dispersed, the left of the enemy's force advanced on the second line which was stationed nearly a mile in the rear of the first. There had been no communication nor re-enforcement from one line to the other except upon the appearance of the enemy at Bladensburg, when Captain Doughty's and Burch's companies of artillery were advanced from the second to the first line. None of the troops of the first line after its defeat rallied upon the second line, which was left to encounter

[1] John S. Williams, *Review and Digest of the Reports*, p. 280.

the full force of a victorious enemy outnumbering them nearly two to one. Moving down the road in heavy column, the British were encountered by the corps of militia under Colonel Kramer, whom they drove back after a short and sharp conflict, and who formed upon Beall's command. The enemy's column being now deployed in the field on the right of the road, was exposed to the fire of Major Peter's battery, which however, did not check its progress. The onward movement of the left wing of the enemy under Colonel Thornton down the turnpike, brought them in front of Barney's position, near the afterwards famous dueling-ground,[1] where, for a moment, they made a halt. They then advanced upon Barney, but were repulsed again and again, and the tide of victory seemed turning in favor of the Americans. A contemporary thus describes the engagement:

[1] Here, just beyond the line which separates the District of Columbia from the State of Maryland, a little distance from the Washington road, is the secluded amphitheatre embowered in trees, which has witnessed so many tragic scenes. The first who fell here was Edward Hopkins, of the United States army, in 1804. In February, 1819, General Archibald T. Mason, a senator from Virginia, was killed by John M. Mc[illegible]. On receiving the challenge, McCarty proposed to fight on a barrel of powder, or with clubs; but the seconds would not allow either. At their selected rendezvous charged with buckshot, at a distance of ten feet; but the seconds substituted balls, and a distance of twelve feet. Captain Stephen Decatur was mortally wounded here by his antagonist, Commodore James Barron, on March 22d, 1820, and died near Georgetown the same night, in the arms of his distracted wife, at the early age of forty-five. In 1821 a young cadet, by the name of Randall, killed a transient clerk named Cox, the weapons being pistols at eight paces. A fatal duel was that between Jonathan Cilley, of Maine, and Wm. J. Graves, of Virginia, both members of Congress, on February 24th, 1838. They fought with rifles at eighty yards, and Cilley was mortally wounded at the first fire. In 1845 a lawyer named Jones fought with a Dr. Johnson, and the latter fell. In 1852 J. M. Daniel and R. W. Johnson, both editors of Richmond papers, exchanged shots, but without fatal result.

One of the most famous duellists of Maryland was Dr. Alexander Skinner, a surgeon in the war of the Revolution, who showed no disposition to vary the life's pattern in battle, yet had no disinclination to single combat, and killed his man in a duel. When called on this apparent inconsistency, he used to reply that it did not become him, yet apart as he was to take care of the sick and wounded, to quit the arts and practices of those who were in commission for the express purpose of fighting. In 1781 Colonel Stewart, of the British army, and Captain John Smith, of the Maryland Line, fought a duel on the field of battle. The two officers had met previously, and having a personal difference had mutually declared that their next meeting should end in blood." The promise was redeemed at the battle of Guilford Courthouse. Both were brave and powerful. They singled each other out, and, fighting with revenge, engaged furiously with the sword. Smith "drove the edge of his heavy sabre through the head of the British colonel, cleaving him to the very spine." General James Wilkinson, of the United States army, also of Maryland, in the war of the Revolution, owing to the Conway and Gates cabal against Washington, was involved in a quarrel with Gates. A challenge was the result, which the latter accepted, but on their way to the ground Gates made satisfactory explanations and the affair was amicably settled. In 1807 General Wilkinson challenged the celebrated John Randolph, of Virginia, who declined, for the reason, he said, that Wilkinson had degraded himself, and that he would not descend to his level. General Wilkinson immediately posted him as a coward. In 1809 Lieutenant James J. Dowie, of Maryland, in the United States dragoons, was killed in a duel in New Orleans. In 1852 Hon. John Barney, of Maryland, sent a challenge to M. Bartlett, Minister of Hayti, to the United States, which the latter would not accept. On the 22d of June, 1780, John Philemon Pace, son of Wm. Pace, a signer of the Declaration of Independence, exchanged shots at ten yards with Samuel Ringgold, son of Thos. Ringgold, near Chestertown, Kent County. Mr. Ringgold was slightly wounded in the shoulder. On April 20th, 1791, Dr. Thomas Bullitt killed Dr. [illegible] in a duel in "Howard's Park," Baltimore. Mr. David Steuart. In June, 1806, Dr. [illegible] M. Key, son of Francis S. Key, the author of "The Star Spangled Banner," and a brother of Philip Barton Key, killed by General Stricker, had a meeting in a corn-field near Bladensburg with Mr. Shoburne, a New Hampshire man. Both were delinquents in the United States navy. On the ground Shoburne said, "Mr. Key, I have no desire to kill you." "No matter," said Key, "I came to kill you." "Very well," replied Shoburne, "then I will kill you," which he did at the first fire.

"If our flank had not been turned by the desertion of Beall's militia, the battle of Bladensburg might, after all, have been an American victory; won by enlisted men, without the individual bravery, intelligence or pride of the volunteers, who so soon deserted their colors, but sustained by the courage of corps, practiced to obey their officers. Some five hundred and sixty watermen and marines, well armed with artillery and musketry, commanded by determined leaders, with no other support than Colonel Beall's militia, on a neighboring eminence, were enough, while their flank was covered, to retrieve the fortunes of the day, which, for more than an hour, they held in suspense. While the front were in full retreat across the fields, Barney and Miller, pointing their cannon and reserving their fire, with level Thornton's approach along the road, from which, again and again, they drove him by destructive volleys, strewing the road with British dead. When I passed along there, forty weeks afterwards, the side ditches were filled with numerous corpses, their forms plainly visible, barely covered with earth, and in the hospital and street, at Bladensburg, I saw many prisoners and wounded, in British regimentals, and the sides of the houses perforated by cannon balls. Repeated attempts by Colonel Thornton to outflank, were repulsed every time, till he and several other principal officers being shot down, General Ross himself was obliged to lead on reinforcements from the second brigade, which he brought into action as it arrived. Still the day was ours, notwithstanding the flight of the front rank, and disappearance of generals, secretaries, proctors and a host of gentlemen counsellors-at-law. Ross was compelled to abandon the road, when not a vestige remained of the twenty-five hundred Americans with whom the battle began, except Beall's eight hundred militia, on their eminence, covering the wrecks but tenfold of Barney and Miller, impregnable, though unfortified. General Ross's official report confounds and misrepresents transactions at this crisis of the engagement, when it is not extravagant or irrational to aver that one hundred of the youth from the military academy of West Point, posted where Beall's militia were—one hundred well trained youths, armed with the mere power of military knowledge and scientific confidence, preserving Barney and Miller from being turned, would have changed American into British defeat.

"'The American first line,' says Ross, 'giving way, was driven on the second, which, yielding to the irresistible charge of the bayonet, and the well-directed discharge of rockets, got into confusion.' But the confusion is in his confounding the front rank with the second. There was no charge of bayonets on the second, no attempt at it; on the contrary, the 85th, 4th and 44th regiments repeatedly advancing *towards* Barney by the road, were as often driven back; and retreated quite as fast as the Maryland militia, from Barney's overwhelming cannonade, mowing them down. But when Colonel Thornton, Lieutenant Colonel Wood and Major Brown were disabled by wounds, Captain Hamilton, Lieutenants Gould and Snively killed, with not less than two hundred men who were buried there after the action, the British veterans retreated in confusion, leaving, for a considerable time, the Americans masters of the field, deserted though it was by all those who commenced the engagement. The only approximation to a charge of bayonets was when the British were enfiladed by Captain Miller to approach within fifty yards, and then demolish by both great guns and musketry, admirably fired by the marines, from whose deadly discharges as many of the enemy as could escape ran back to a ravine covered with wood, in which they sought shelter. During a long hour's ineffectual effort to carry Barney and Miller's open position, after the whole of Stansbury's force had disappeared, that position was nobly maintained. At length General Ross, leaving the ranch where he stood in Bladensburg, put himself at the head of his fresh troops, the second brigade, just arrived, and bravely led them to renew the assault, when his own horse was shot under him. Foiled at every attempt to carry the batteries in front, and abandoning the road, Ross finally succeeded by turning his attack upwards against Beall's covering party on Barney's flank. Beall insisted that his militia did not fly, as Barney stated, after a fire or two, but after several

regulars, retreated by order of General Winder, delivered to Colonel Beall, by John E. Howard,[1] volunteer aid of General Winder. If so, it was his most unfortunate order on that day of mistakes, for when Beall's men retreated, Barney and Miller were left entirely exposed in flank, where several hundred of the British mounted the hill, too high up for our artillery to reach them, whence overhanging Barney the enemy fired laterally down on him, shot his horse, which fell between two cannon, and eleven of his men, who all lay dead in a small circle around him. The gallant commodore, just as he was about reluctantly withdrawing from an untenable position, received a ball in the upper part of his thigh, which was never extracted, and of which wound he died several years afterwards. His ammunition nearly exhausted, his ammunition wagons having gone off in the general panic and flight of the front, two of his sailing masters, Warren and Martin, killed, and a third also named Marton wounded, with eleven of his men killed—in such forlorn and desperate circumstances he ordered a retreat to save the remainder. His brave companions, taking their gallant leader from the ground, were carrying him away, which loss of blood rendered impossible, when he called a British soldier, and directed him to bring an officer, to whom Barney surrendered.[2]

"'Barney was a brave officer,' General Ross said afterwards when in Washington. 'With only a handful of men he gave us a severe check. I am sorry he was wounded; immediately gave him parole, and hoped he will do well. Had half the army been such men as he commanded, with the American advantage in choosing position, we should never have got to Washington.'"

The command of General Smith, including the Georgetown and Washington militia and United States regulars under Lieutenant Colonel Scott, still remained firm, having been stationed in the rear of the second line, in positions the most convenient for annoying the enemy, and supporting the other corps. The enemy's light troops had in the meantime advanced on the left of the road, and had gained a line parallel with Smith's command, endeavoring to turn the flank, a manœuvre which Colonel Brent was posted to prevent. The enemy advanced within shot of Colonel Magruder's command who opened a sharp fire without effect, and in fearing that they would be outflanked, General Winder ordered all the troops to retreat towards the city. After proceeding five or six hundred yards they were halted and formed, but were again ordered to retreat. General Winder then gave orders to collect and form the troops on the heights west of the turnpike gate, about one mile and a-half from the capital, which order was in part executed by General Smith and the other officers, when Colonel George Minor came up with his Virginia regiment of eight hundred men, and joined General Smith's command, having been detained in obtaining arms, ammunition, etc.[3]

Colonel Minor was ordered to cover the retreat of the army until all had marched for the capital. The most of the troops, however, instead of moving

[1] Son of General John E. Howard, of Revolutionary fame.

[2] Ingersoll, p. 178.

[3] "This regiment arrived in Washington on the eve of the battle without muskets, powder or balls, and slept in the House of Representatives. After some difficulty, they procured muskets, but without flints. Finally, flints were obtained; but, notwithstanding Ross was hastening to Washington, and Winder was endeavoring to collect all the force at his command, the clerks, who supplied the troops, deemed it part of his patriotic economy and official responsibility to count them carefully, one by one, as if they were dollars, and before delivering, to count them over again, lest there might be some mistake. While the flints were counting, the last cannon was fired.

towards Washington, had scattered in every direction, and as it afterwards appeared, the greater part had fled towards Montgomery court-house. General Winder, after consultation with the secretary of war, decided that it would be useless to think of defending Washington, and therefore proposed to rally the troops on the heights of Georgetown. But the general soon found that but few of the militia could be collected, the greater part having strayed off in search of food or refreshments, and on the 25th, orders were given for all the troops to assemble at Montgomery court-house.

General Winder seems to have taken this position with a view to collect his forces and to interpose for the anticipated attack upon Baltimore. On the 26th, the army again took up its line of march for Baltimore, where it arrived in due time. On the 27th, General Walter Smith marched his brigade into Washington.

General Ross, after halting his army for a short time for rest, pushed on to Washington, and having stationed his main body about a mile and a-half distant, he entered the deserted city at the head of about seven hundred men that evening at eight o'clock. In his official despatch, after a brief account of the battle, he says:

"Judging it of consequence to complete the destruction of the public buildings with the least possible delay, so that the army might retire without loss of time, the following buildings were set fire to and consumed: the Capitol, including the Senate-House and House of Representatives, the arsenal, the dock-yard (navy-yard), treasury, war office, President's palace, rope-walk, and the great bridge across the Potomac. In the dock-yard, a frigate nearly ready to be launched, and a sloop of war, were consumed. The two bridges leading to Washington over the Eastern Branch had been destroyed by the enemy, who apprehended an attack from that quarter. The object of the expedition being accomplished, I determined, before any greater force of the enemy could be assembled, to withdraw the troops, and accordingly commenced retiring on the night of the 30th."

The public property destroyed at Washington, was worth more than two millions of dollars. The private houses and the stores pillaged, were those of Messrs. B. Sprigg, Boon, Burch, Long, Rapine, Watterson, McCormick, Caldwell, Elliott, B. and G. Burns, Dicks, Crampton, and General Washington. The dwellings burnt were those of Messrs. Sewall, Ball, Frost, Phillips, Tomlinson, and Mrs. Hamilton, the printing offices of Gales & Seaton, rope-walk of Ringgold & Chalmers, and the rope-walk of Mr. Heath.

"I have stated above," says the English chronicler, "that our troops were this day kept assembled together as possible upon the Capitol Hill. But it was not alone on account of the completion of their destructive labors, that this was done. A powerful army of Americans already began to show themselves upon some heights, at the distance of two or three miles from the city; and as they sent out detachments of horse, even to the very suburbs, for the purpose of watching our motions, it would have been unsafe to permit more straggling than was absolutely necessary. The army which we had overthrown the day before, though defeated, was far from annihilated; and having by this time recovered its panic, began to concentrate itself on our front, and presented quite as formidable

an appearance as ever. We learnt, also, that it was joined by a considerable force from the back settlements, which had arrived too late to take part in the action, and the report was, that both combined, amounted to nearly twelve thousand men.'

"'Whether or not it was their intention to attack,' the British narrative continues, 'I cannot pretend to say, because it was soon before they showed themselves; and soon after, when something like a movement could be discerned in their ranks, the sky grew suddenly dark, and the most tremendous hurricane ever remembered by the oldest inhabitant in the place, came on. Of the prodigious force of the wind, it is impossible for you to form any conception. Roofs of houses were torn off by it, and whirled into the air like sheets of paper, while the rain which accompanied it, resembled the rushing of a mighty cataract, rather than the dropping of a shower. The darkness was as great as if the sun had long set, and the last remains of twilight had come on, occasionally relieved by flashes of vivid lightning, streaming through it, which, together with the noise of the wind, and the thunder, the crash of falling buildings, and the tearing of roofs as they were stripe from the walls, produced the most appalling effect I ever have, and probably ever shall witness. This lasted for nearly two hours without intermission; during which time, many of the houses around us, were blown down, and thirty of our men, besides several of the inhabitants, buried beneath their ruins. Our column was as completely dispersed, as if it had received a total defeat; some of the men flying for shelter behind walls, and buildings, and others falling flat upon the ground to prevent themselves from being carried away by the impetuosity, so to speak, of the violence of the wind, that two pieces of cannon which stood upon the eminence, were fairly lifted from the ground and borne several yards to the rear.'

"'When the hurricane had blown over, the camp of the Americans appeared to be in as great a state of confusion as our own; nor could either party recover themselves sufficiently, during the rest of the day, to try the fortune of a battle. Of this General Ross did not fail to take advantage. He had already obtained all that he could hope, and perhaps more than he originally expected to obtain; consequently, to risk another action would only be to spill blood for no purpose. Whatever might be the issue of the contest, he could derive from it no advantage. If he were victorious, it would not destroy the necessity which existed of evacuating Washington; if defeated, his ruin was certain. To avoid fighting was, therefore, his object; and perhaps he owed its accomplishment to the fortunate occurrence of the storm. He had, however, as it now was, a retreat was resolved upon; and we now only waited for night, to put the resolution into practice.

"'As soon as these arrangements were completed, and darkness had come on, the third brigade, which was posted in the rear of our army, began its retreat. Then followed the guns; afterwards the second, and, last of all, the light brigade, exactly reversing the order which had been maintained during the advance. Instead of an advanced guard, this last now furnished a party to cover the retreat, and the whole procession was closed by the rearmost drivers.

"'It being matter of great importance to deceive the enemy, and to prevent pursuit, the rear of the column did not quit its ground upon the capital till a late hour. During the day an order had been issued that none of the inhabitants should be seen in the streets after eight o'clock; and as few vendors met that decree, the order was punctually attended to. All the horses belonging to different officers had likewise been removed to drag the guns; nor was any one allowed to ride, lest a neigh, or even the trampling of hoofs, should excite suspicion. The fires were trimmed, and made to blaze bright, and fuel enough left to keep them so for some hours; and finally, about half-past nine o'clock, the troops formed in marching order, and moved off in the most profound silence. Not a word was spoken, nor a single individual permitted to step one inch out of his place; and thus they passed along the streets perfectly unnoticed, and cleared the town without any

alarm being given. You will imagine that our pace was none of the most tardy; consequently, it was not long before we reached the ground which had been occupied by the other brigades. There we found a second line of fires, lighted in the same manner as those deserted by ourselves, and the same precautions, in every respect, adopted to induce a belief that our army was still encamped. Beyond these again, we found two or three solitary fires, placed in such order as to resemble those of a chain of pickets. In short, the deception was so well managed that even we, ourselves, were at first doubtful whether the rest of the troops had withdrawn.

"By the time we reached the ground where yesterday's battle had been fought, the moon rose, and exhibited a spectacle by no means enlivening. The dead were still unburied, and lay about in every direction, completely naked. They had been stripped even of their shirts; and, having been exposed in this state to the violent rain in the morning, they appeared to be bleached to a most unnatural degree of whiteness. The heat and rain together had likewise affected them in a different manner, and the smell which arose upon the night air was horrible.

"In Bladensburg the brigade halted for an hour, while those men who had thrown away their knapsacks endeavored to recover them. During this interval, I strolled up to a house which had been converted into a hospital, and paid a hasty visit to the wounded. I found them in great pain, and some of them deeply affected at the thought of being abandoned by their comrades, and left to the mercy of their enemies. Yet, in their apprehension of evil treatment from the Americans, the event proved that they had done injustice to that people, who were found to possess at least one generous trait in their character, namely, that of behaving kindly and attentively to their prisoners. As soon as the stragglers had returned to their ranks, we again moved on, continuing to march without once stopping to rest during the whole of the night. Of the fatigue of a night march none but those who have experienced it can form the smallest conception.

"Oppressed with the most intolerable drowsiness, we were absolutely dozing upon our legs; and if any check at the head of the column caused a momentary delay, the road was instantly covered with men fast asleep. It is generally acknowledged, that no inclination is so difficult to resist, as the inclination to sleep; but when you are compelled not only to keep up against this, but to struggle also with weariness, and to walk at the same time, it is scarcely possible to hold out long. By seven o'clock in the morning, it was therefore absolutely necessary to pause, because numbers had already fallen behind, and numbers more were ready to follow their example: when, throwing ourselves upon the ground, almost in the same order in which we had marched, in less than five minutes there was not a single unclosed eye throughout the whole brigade. Pickets were of course stationed, and sentinels placed, to whom no rest was granted, but except these, the entire army resembled a heap of dead bodies on a field of battle, rather than living men.

"In this situation we remained till noon, when we were again roused to continue the retreat. Though the sun was oppressively powerful, we moved on without resting till dark, when, having arrived at our old position near Marlborough, we halted for the night. During this day's march, we were joined by numbers of negro slaves, who implored us to take them along with us, offering to serve either as soldiers or sailors, if we would but give them their liberty: but as General Ross persisted in protecting private property of every description, few of them were fortunate enough to obtain their wishes.

"The *National Intelligencer* of August 31, and September 1, 1814, states 'that the enemy did not bury their dead, except those in the immediate vicinity of their camp. The rest, in number near two hundred, were buried by a committee of our own citizens selected for the purpose;' and that 'the loss of the enemy, before he regained his ships, probably exceeded a thousand men. He lost at least two hundred killed

in the battle and by explosion,' and three or four hundred wounded. Many died of fatigue, numbers were taken prisoners by the cavalry hanging on his rear, and not a few deserted.'

"The enemy occupied four days in their retreat to Benedict, which they reached on the evening of the 25th of August, and re-embarked the following day."

Two days after the retreat of the British, the squadron under Captain Gordon, consisting of seven sail, passed Fort Warburton, (now called Fort Washington). The fort had been abandoned and blown up by Captain Dyson, while under the influence of the general panic. His orders had been to abandon it only in case of an attack by the land forces, but without waiting the enemy's approach, he blew it up without firing a gun. On the 29th of August, the squadron reached Alexandria, which capitulated the next morning, and was compelled to furnish large supplies of merchandise, provisions, ships, etc.* After the capitulation of Alexandria, measures were adopted by the government to annoy the enemy's squadron on its passage down the Potomac. A large body of seamen were ordered from Baltimore, and placed under the command of Commodores Rogers, Perry and Porter, and Captain Creighton, of the United States Navy. Commodore Rogers, of Maryland, with Lieuts. Newcomb, Worrell, and Sailing Master Ramage, Master Mate Stockton and Midshipman Whitlock, and three small fire-ships, under the protection of four barges.

COMMODORE ROGERS.

* On the 28th of August, a detachment of the enemy about two hundred strong were said to complete the work of destruction at the navy-yard. The Americans, before abandoning it, had thrown a large quantity of powder, shot and shell into a well. A British artillery-man accidentally dropped a match into it, when a terrible explosion occurred, and communicated fire to a small magazine of powder near by. That also exploded. Both stones, bricks, shot, shells, etc., were thrown into the air, and, falling among the invaders, killed twelve men, and wounded more than thirty others.

† Terms of capitulation presented by the commander of the British squadron to the authorities at Alexandria:

"The town of Alexandria (with the exception of public works) shall not be destroyed, unless hostilities are commenced on the part of the Americans; nor shall the inhabitants be molested in any manner whatever, or their dwelling-houses entered, if the following Articles are complied with:

"Article I. All naval and ordnance stores (public and private) must be immediately given up.

"Article II. Possession will be formally taken of all the shipping, and their furniture must be sent on shore by their owners without delay.

"Article III. The vessels which have been sunk must be delivered up in the State they were in on the 19th of August, the day of the squadron passing the Kettle Bottoms.

"Article IV. Merchandise of every description must be instantly delivered up; and, to prevent any foreign articles that might be smuggled in for exportation, the merchants have it, on their option, to load the vessels generally employed for that purpose, which they will be towed off by us.

"Article V. All merchandise that has been removed from Alexandria since the 19th instant is to be included in the above Articles.

"Article VI. Refreshments of every description to be supplied the ships, and paid for at the market price by the officers of the British Government.

"Article VII. Officers will be appointed to see that the Articles Nos. 1, 2, 3 and 5 are strictly complied with, and any deviation or non-compliance on the part of the inhabitants of Alexandria will render this treaty null and void.

JAMES A. GORDON,
"Captain of his Majesty's ship *Sea Horse*."

Of these Articles, Nos. 2 and 5 were pushed against by the authorities of Alexandria, and were not enforced.

manned with about sixty seamen, attacked and annoyed the rear of the enemy's squadron. Commodore Porter, assisted by Captain Creighton, and other naval officers, with a detachment of sailors and marines, erected a battery at the "White House" on the west bank of the Potomac, for the purpose of destroying the enemy's ships on their passage down the river. He was also assisted by General Hungerford's brigade of Virginia militia, and Captain George W. Humphrey's rifle company, General Young, Captain Gemi's company of infantry, Captain Grayson, of the marines, Captain Spencer, of the United States artillery, and Captain Griffith of the Alexandria artillery; Commodore Perry, assisted by Lieutenant Reed, of the United States navy, established a battery on the east side of the Potomac at a place called Indian Head. In his official report he says:

"The field pieces (six-pounders) under the direction of that excellent officer, Major Peter, of the Georgetown, and Dyer's Branch, of the Washington volunteers, and Captain Lewis, of General Stuart's brigade, kept up a very spirited fire. These officers, together with Captains Ball and Davidson, and their brave men, behaved in the handsomest manner, and rendered all the assistance their limited means afforded.

"The ammunition of the eighteen-pounder and of several of the sixes being expended and the fire of the enemy from two frigates, two sloops-of-war, two bombs, one rocket ship, and several smaller vessels, being very heavy, it was thought advisable by General Stuart, Major Peter and myself, to retire a short distance in the rear. This was done in good order, after sustaining their fire for more than an hour. General Stuart and Colonel Beall were much exposed during the whole time of the cannonading. It would be presumption in me to speak in commendation of these veterans; I cannot, however, avoid expressing admiration of their conduct."[1]

The amount of damage done to the enemy on his passage down the Potomac is not known, but a deserter from the British frigate *Euryalus*, stated that on board that vessel five were killed and seven were wounded in passing the batteries. The Americans lost several killed and wounded. Sir Peter Parker, Bart., (the first cousin of Lord Byron,) who had been sent with the frigate *Menelaus*, of thirty-eight guns, and several small vessels, by Admiral Cochrane to threaten Baltimore, while Cockburn and Ross attacked Washington, was not so fortunate. On the 30th of August, Sir Peter Parker, sailing up the Chesapeake, hove in sight of Rock Hall, and from his flagship organized a series of marauding parties extremely vexatious to the inhabitants residing on the Eastern Shore. On Sunday, the 28th, after bombarding Worton, a detachment landed and burned the dwelling, barn, outhouses, granaries, and wheat-stacks of Mr. Henry Waller. On Tuesday, the 30th, they landed at Fairlee, and repeated the same devastations on the farm of Mr. Richard Frisby, and carried off four of his colored men. Near midnight, "after they

SIR PETER PARKER.[2]

[1] Niles' *Register*, vii., pp. 33, 34, 35.

[2] Sir Peter Parker, Baronet, born in 1785, was the son of Rear Admiral Christopher Parker, who, by his gallantry in West India, was made

had a high frolic, dancing and drinking," they landed again about two hundred and sixty men, under the immediate command of Sir Peter Parker, the first division headed by Captain Henry Crease, and the second by Lieutenant Pearce. Piloted by one of Mr. Frisby's slaves, they took a circuitous route with the hope of cutting off and capturing Lieutenant-Colonel Philip Reed's[1] camp of one hundred and seventy men of the 21st Maryland regiment, which was stationed about half a mile from the beach, and about nine miles from Chestertown, in Kent County. Colonel Reed, having received intelligence that the enemy were advancing upon his camp, "immediately removed his baggage to the rear and formed his troops on the rising ground, about a mile in the rear—the right towards Captain Caulk's house, and the left resting on the road, with his three pieces of artillery in the centre. The enemy, on landing, captured the two "look-out pickets," and hastened on with the greatest assurance that their movements had not been discovered; but upon arriving at the camp they were informed that Colonel Reed had shifted his position, and "after a march of between four and five miles in the country," they found the Americans posted on a plain, surrounded by woods, with the camp in their rear. In the meantime, Colonel Reed had posted Captain Wickes and his second-lieutenant with a part of his rifle company, in the road by which they expected the enemy, while the main line was formed under the direction of Major Wickes and Captain Chambers.

"About the time the line was formed, 'the head of the enemy's column,' says Colonel Reed, 'soon presented itself and received the fire of our advance party, at seventy paces distance, and, being pressed by numbers vastly superior, I repaired to my post in the line, having ordered the riflemen to return and form on the right of the line. The fire now became general along the whole line, and was sustained by our troops with the most determined valor. The enemy pressed our front; but failed in this, he threw himself on our left flank, which was occupied by Captain Chambers' company. Here too, his efforts were equally unavailing. His fire had nearly ceased, when I was informed that in some parts of our line the cartridges were entirely expended, nor did any of the men contain more than a very few rounds, although each man brought about twenty into the field. The artillery cartridges were entirely expended. Under these circumstances I ordered the line to fall back to a convenient spot where a part of the line was fortified, where the few remaining cartridges were distributed amongst a part of the line, which was again brought into the field, where it remained for a considerable time, the sight preventing a pursuit. The artillery and infantry for whom there were no cartridges were ordered to this place. The enemy having made every effort in his power, although apprised of our having fallen back, manifested no disposition to follow us up, but retreated about the time our ammunition was exhausted.

[1] Philip Reed was born in Kent County, and was a captain in the Revolutionary Army. He was United States Senator from Maryland from 1806 to 1818, and a representative in Congress from 1817 to 1819, and again from 1822 to 1828, having successfully contested the seat of Jeremiah Cannon. He commanded at the battle of "Caulks Field" or "Moorlight," and died at his home in Kent County, November 6, 1828.

pilot captain at the age of 19. He was a grandson to the celebrated Sir Peter Parker, who made an unsuccessful attack on Fort Moultrie in June, 1776, and aided Lord Howe in the capture of New York. Before the battle of "Caulk's Field," Sir Peter Parker said "he would have a frolic with the Yankees before he left them." Hinsley was sent with that of Major-General Ross, who was killed a few days afterwards near Baltimore, in the admiral's ship *Tonnant* to Halifax, and thence to England.

"When it is recollected that very few of our officers or men had ever heard the whistling of a ball; that the force of the enemy, as the most accurate information enables us to estimate, was double ours; that it was commanded by Sir Peter Parker of the *Menelaus*, one of the most distinguished officers in the British navy, and composed (as their officers admitted in a subsequent conversation), of as fine men as could be selected from the British service, I feel fully justified in the assertion, that the gallantry of the officers and men engaged on this occasion, could not be excelled by any troops. The officers and men performed their duty. It is, however, but an act of justice to notice those officers who seemed to display more than a common degree of gallantry. Major Wirkes and Captain Chambers were conspicuous—Captain Wickes and his Lieutenant, Rock, of the rifle corps, Lieutenant Emick and Ensign Shriven, of Captain Chambers' company, covered themselves, as did Captain Hyerson and his Lieutenant, Grant, Captain Eveleton, of the brigade artillery, and his Lieutenants, Reed and Brown—Lieutenant Tilghman, who commanded the guns of the volunteer artillery, in the absence of Captain Hands, who is in ill health and from home, was conspicuous for his gallantry, his Ensign, Thomas, also manifested much firmness.

"I am indebted to Captain Wilson, of the cavalry, who was with me, for his exertions, and also to Adjutant Hyerson, who displayed much zeal and firmness throughout. To Dr. Blake, Dr. Gordon and to Isaac Spencer, Esq., who were ardent in camp, I am indebted for their assistance in reconnoitering the enemy on his advance. . . . Nothing but the want of ammunition saved the enemy from destruction."[1]

This engagement, known as the battle of "Caulk's Field," continued for about fifty minutes, when the enemy sounded the bugle for a retreat, leaving ten dead and five wounded on the field. Colonel Reed says: "Certain information from the enemy assures us that his total loss in killed and wounded was forty-two or forty-three, including two wounded lieutenants." The greatest loss to the enemy was that of their commander, Sir Peter Parker, who, while animating his men, in the most heroic manner, received his fatal wound. Our English narrator says he received a ball in the thigh. "Not suspecting that the wound was dangerous, he continued to push forward, till he fell, exhausted from loss of blood; when, on examining the hurt, it was found that the femoral artery was cut, and before any proper assistance could be afforded, he literally bled to death. Seeing their leader killed, and the enemy retiring, apparently with the design of drawing them away from the coast, the sailors now halted, and taking up their dead commander, returned to the river, without having been able to effect anything which might, in any degree, console them for their loss."[2]

The capture of Washington naturally created great excitement throughout the United States, and the indignant feelings of the people were at first leveled against the whole administration, but soon settled in laying the blame of the affair on the President, John Armstrong, the Secretary of War, and General Winder. We have seen the difficulties under which General Winder labored in organizing an army from men the greater part of whom knew

[1] Niles' Register, vii. 8 Supplement, p. 161.

[2] Benjamin Chambers, brigadier-general 6th brigade Maryland militia.

Names of the wounded of Captain Chamberlayne's company—John Pearson, sergeant, slightly in the thigh; Philip Crane, severely, a ball between the tendons and the bone of the thigh near the knee.

Of Captain Price's company—John Glanville, a private, in the arm.

nothing of military service, and from their habits and pursuits were ill-fitted to endure so suddenly the hardships and exposures of war. They, however, submitted without murmuring, evincing by their patience, their zeal, and the promptitude with which they obeyed every order, a magnanimity highly honorable to their character. "Great as was their merit in this respect," says General Smith,

> "It was no less so in the spirit manifested whenever an order was given to march to meet the foe; and at the 'Long Old Fields,' where his attack was momently expected in overwhelming force, they displayed, in presence of many spectators, although scarce any of them had ever been in action, a firmness, a resolution, and an intrepidity which, whatever might have been the result, did honor to their country."[1]

American writers, in their account of the battle of Bladensburg and the capture of Washington, have attempted to cast odium upon these hastily assembled citizens "worn down with hunger and fatigue,"[2] and they seem to forget the difference between a force of raw militia and veteran troops, led by officers of great experience, and armed with novel implements of destruction.[3]

The course of General Winder[4]—who never lost the confidence of his fellow-citizens, notwithstanding he was disliked as a Federalist—was that of an officer who felt that he had been hardly dealt with, and had been unfortunate, not through his own fault. He took an active part in the military operations against the enemy at Baltimore, and on the 22d of September, 1814, was sent to the army on the Niagara frontier, "where his services were deemed of importance." He repaired there with the utmost celerity, while William Lowndes, Richard Stockton, Morris S. Miller, Charles Goldsborough, Phillip Barbour, Israel Pickens, Daniel Webster, William Cox and Colonel Richard M. Johnson, the congressional committee, were investigating "into the causes of the success of the enemy," and finally deciding that "the military question" "belonged to a military tribunal." The state of affairs on the frontier gave him no opportunity to vindicate his fame at the head of

[1] On the straw, in a tent at one time among the Baltimore volunteers, lay wounded William Cooke, Junior McCulloch, afterwards First Comptroller of the United States Treasury; John P. Kennedy, the author and statesman; Nicholas Meredith, William Gibson, Richard Dorsey, Nicholas Brice, and Richard Magruder. John E. Hoffman, son of the revolutionary hero, and Major Wm. D. Merrick, were volunteer aids on the staff of General Winder.

[2] General Stansbury says they were fed upon tainted salt beef and old and musty flour.

[3] Mr. Palmer says: "The confusion created among some of the best troops of France at the battle of Talavera, by a rocket brigade, is well known to military men." *Hist. Rep.* iv., p. 10.

[4] Gen. Winder was born in Somerset County, Maryland, February 1st, 1775. After his honorable acquittal by the court of inquiry, he resumed his command and enjoyed the confidence of the government, but on May 24th, 1815, he resigned and returned to civil life and the enjoyment of the respect and consideration of his fellow-citizens. During the ten years of his life after the war, he was twice elected to the Senate, and at the time of his death his practice was the largest at the Baltimore Bar and one of the largest in the United States Supreme Court. He was Grand Master of the Masonic Order in Maryland at the time of his death, which was on the 24th of May, 1821. No private citizen was ever before or since honored with such a funeral as his, and in the language of his great contemporary, William Wirt, "Followed by the love and honored by the tears of all who knew him, he has gone down to the grave."

regular troops, and he returned to Washington to urge the inquiry by a competent military tribunal, of his conduct in the command of the 10th military district. He had not ceased to demand this vindication from the moment that he found that attempts had been made, and persevered in, to misrepresent his actions and injure his reputation. At his urgent request a Court of Inquiry, of which Major General Winfield Scott was president, and Colonel John R. Fenwick and Colonel Wm. Drayton, members, was ordered on the 21st of January, 1815, and on the 25th of February, 1815, they made the following report which not only acquitted him with the highest honor, but established the propriety of the views he had given to the War Department when he took command of the 10th military district, and of his subsequent conduct by the sanction of the highest military authority.

"The Court of Inquiry ordered to examine into and report upon the conduct of Brigadier General Winder, so far as it is connected with the capture and destruction of the City of Washington in August, 1814, unanimously submit the following as the result of their investigations.

"The Court, with great attention and much labor, have perused the numerous papers and documents referred to them, from whence they collect—that Brigadier General Winder was appointed to the command of the 10th Military District, of which Washington was a part, on the 2d of July, 1814; that immediately thereafter he took every means in his power to put that District into a proper state of defence; that from the period when well-grounded apprehensions were entertained that the enemy meditated an attack upon the Capital, his exertions were great and unremitted; that though these exertions he was unable to bring into the field, on the 24th of August, 1814, the day on which the battle of Bladensburg was fought, about five or six thousand men, all of whom, excepting four hundred, were militia; that he could not collect much more than one half of this force until a day or two previously to the engagement, and six or seven hundred of them did not arrive until fifteen minutes before its commencement; that from the uncertainty whether Baltimore, the City of Washington, or Fort Washington would be selected as the point of attack, it was necessary that Brigadier General Winder's troops should frequently change their positions, owing to which, and alarms consequently excited on the night of the 23d of August, they were all much fatigued, and many of them, nearly exhausted at the time when the hostile army was crossing the bridge at Bladensburg; that the officers commanding the troops were generally unknown to General Winder, and but a small number of them had enjoyed the benefit of military instruction or experience.

"The members of this Court, in common with their fellow-citizens, lament deeply the capture of the Capital; and they regard with no ordinary indignation the spoliation of its edifices, those public monuments of art and science, always deemed sacred by a brave and generous foe; but amidst these painful and conflicting sensations, they nevertheless feel it to be their duty to separate the individual from the calamities surrounding him, and to declare that to the officer upon whose conduct they are to determine, no censure is attributable. On the contrary, when they take into consideration the complicated difficulties and embarrassments under which he labored, they are of opinion, notwithstanding the result, that he is entitled to no little commendation; before the action he exhibited industry, zeal and talent, and during its continuance a coolness, a promptitude, and a personal valour highly honorable to himself, and worthy of a better fate."

"W. SCOTT, *Major Gen. and President.*

"Attest: G. L. NICHOLAS, *Lieut and Recorder.*"

"The President of the United States having been pleased to approve the foregoing opinion of the Court of Inquiry, Brigadier General Winder will honorably resume his command, and report to the Major General commanding districts Nos. 4 and 10.

"By order of the Secretary of War." "D. PARKER, *Adj. & Insp. General*."

It is proper here, before resuming our narrative of military and naval events on the waters of the Chesapeake, to take a brief survey of the operations of the army on the Northern frontier.

Early in the spring, Major Hindman, who was chief of artillery under Major General Brown, on the Niagara frontier, was ordered with his battalion, including Captain Towson's company, from Sackett's Harbor, to bear a part in the active operations intended against Canada. These troops, together with the Maryland infantry, were engaged in all the movements of the army up to the battle of Chippewa, which was fought on the 5th of July, 1814, upon an open plain on the Canada shore. In all the intervening engagements they bore a prominent part, and sustained their old reputation for undaunted bravery. After the surrender of Fort Erie, General Scott was ordered to advance with nineteen hundred Americans upon Chippewa. There he met in close encounter and vanquished twenty-one hundred of the best regulars of the British army. The only artillery under Scott's command was his chosen company, Towson's artillery. In this engagement Captain Towson chose his position on the right of the line, and directly opposite to the enemy's artillery.

The number of pieces was equal on both sides, but those of the enemy were twenty-four-pounders, and Towson's only six-pounders. At the beginning of the action, the fire from the enemy was incessant and very destructive; but before it was half over, their guns were silenced, their ammunition wagon blown up, and it was with great difficulty that their guns were saved by the dragoons—their artillery horses having been all killed. It is stated that a few days before this battle, Captain Towson had been attacked with an inflammation of the eyes, and being enveloped in the smoke of his own guns, he could not observe the changing position of the enemy advancing to the charge, and nearly in contact with the American line. General Scott galloped up to him, and pointed out the new position which they had gained; Towson immediately poured upon the enemy's ranks an oblique storm of canister, which mowed them down like grass, and materially contributed to their final defeat.

General Wilkinson, writing an account of this battle, says:

"A severe, close, and bloody conflict of small arms and field artillery ensued, in which it was the good fortune of the gallant Towson to silence the enemy's chief battery; at this critical juncture, General Riall took the resolution which should have

[1] The Secretary of War, on his return to Washington, found the public feeling so hostile to him that he resigned his office, and never returned to public life. See Wilkinson's *Memoirs*; Armstrong's *Notices of War of 1812*; Niles' *Register*; Ingraham's *Sketch of the Captors of Washington*; Ingersoll's *War of 1812*; Williams' *Lessons and Leaders of Washington*; Gleig's *Campaign of Washington*; newspapers of the day and private MS.

directed his conduct in the onset; he determined to decide the contest with the bayonet, and commanded his charge, when Towson, relieved from the pressure of the opposed battery, found himself at leisure to turn his guns and scour the adverse line with showers of canister. This oblique attack of the artillery and the perpendicular fire of the American line were insupportable, and the valorous troops yielded the palm and retreated precipitately, leaving their killed and wounded on the field, but carrying off their artillery. Comparing small with great things, here, as at Minden, the fate of the day was settled by the artillery, and the American Towson may deservedly be ranked with the British Phillips, Drummond and Foy."[1]

Three weeks afterwards, on the 25th of July, amid the roar and almost within the spray of the mighty cataract of Niagara, was fought the memorable battle of Niagara, sometimes called Bridgewater, and sometimes Lundy's Lane, one of the bloodiest and most desperate ever hitherto fought by an American army. From sunset until after midnight, the hostile ranks were closely mingled together in the murderous struggle, which left upon the field, killed or wounded, nearly one-fourth of the whole number engaged. Both of Towson's Lieutenants, (Campbell and Schenck) were wounded; and of thirty-six men who served at his guns, twenty-seven were killed or wounded. In this engagement Major Hindman displayed the greatest gallantry, and contributed largely to the success of the American arms. In the official report of this engagement, the commanding officer says: "Towson's company was the first and last engaged, and, during the whole conflict maintained that high character which they had previously won by their skill and valor."

When the army retired to Fort Erie, Major Hindman with his artillery was placed in charge of the fort. Captain Towson's company, now reduced to forty men, was stationed on the left flank of the encampment. On the morning of the 15th of August, in conjunction with Major Wood, and about two hundred and fifty infantry, they repulsed the right column of the enemy, consisting of fifteen hundred men, in several desperate attempts to assault. Such was the continuous stream of flame from Towson's battery, on this occasion, that the enemy called it the "Yankee Light-house," and it was afterwards familiarly named by the American troops "Towson's Light-house." General Gaines, in his official report to the Secretary of War, giving an account of the assault upon Fort Erie, after referring to the distinguished services of Captain Towson, says, "Major Hindman and the whole of the artillery under the command of that excellent officer, displayed a degree of gallantry and good conduct, not to be surpassed." And General Ripley, upon another occasion, referring to Towson, says: "I cannot refrain from adverting to the manner in which Captain Towson's artillery was served; I have never seen it equalled. This officer has so distinguished himself that to say simply that he is in action, is a volume of eulogium; the army only to be informed he is there, and, by a spontaneous assent, are at once satisfied that he has performed well his part. I have no idea that there is an artillery officer in any service superior to him in the knowledge and performance of his duty."

[1] Mowatt, I., p. 653.

CHAPTER XXXVI.

We now turn from the northern frontier to the Chesapeake Bay and its vicinity, and the events which followed the capture of Washington.

The news of this disaster, and the arrival of the dispirited militia from Bladensburg, spread excitement and apprehension in Baltimore, for it was well known that that "nest of privateers" was an object of special hatred to the British, and was certain to be the next point of attack. The policy of the English with regard to Baltimore and Washington, was thus stated in the London papers:

"If any towns are to suffer, they should be the objects, in order to crush a large body of privateer shipping in Baltimore, and in Washington to destroy a pretty well supplied arsenal, and thus prevent Congress meeting there again, an event much and generally wished for by the people of New York, Philadelphia and the Eastern States. Let the arsenal and naval storehouses be blown up, and no government will be able to get a majority in Congress to vote for their re-erection. To the assembly of the Legislature at Washington, the influences of the Southern Legislators may be ascribed."

An eminent British Statesman declared that Baltimore was "the great depository of the hostile spirit of the United States against England," and Admiral Warren said "Baltimore is a doomed town." Another London paper said: "The American navy must be annihilated; their arsenals and dock yards must be consumed; and the truculent inhabitants of Baltimore must be tamed with the weapons which shook the wooden turrets of Copenhagen." Indeed, General Ross openly boasted, that though the heavens "rained militia," he would make his winter quarters in Baltimore. Thus forewarned, the inhabitants of Baltimore immediately set about making further preparations for defence. Up to this time half a million of dollars had been expended in the defense of the city, under the direction of the mayor, Edward Johnson, and a committee of safety, composed of James Mosher, Tobias Tiernan, Henry Payson, Dr. J. C. White, James A. Buchanan, Samuel Sterett and Thorndike Chase. A committee of vigilance and safety, of which Mayor Johnson was chairman, Theodorick Bland secretary, co-operated unceasingly with General Samuel Smith and the military. On the 27th of August, three days after the battle of Bladensburg, this committee issued the following order:

"Whereas, the commanding officer has required the aid of the citizens in the execution of works for the defence of the city, the Committee of Vigilance and Safety having full confidence in the patriotism of their fellow-citizens, have agreed on the following organization, for the purpose of complying with the request of the major-general:

"That the inhabitants of the city and precincts are called on to deposit at the court house in the third ward; Centre market, in the fifth ward; market house, Fell's Point; riding school, in the seventh ward; or take with them to the place required, all wheel-barrows, pick-axes, spades and shovels that they can procure.

"That the city and precincts be divided into four sections, the first section to consist of the eastern precincts and the eighth ward; the second to comprise the fifth, sixth and seventh wards; the third to comprise the second, third and fourth wards, and the fourth to comprise the first ward and western precincts.

"That the exempts from military duty and the free people of color of the first district, consisting of the eighth ward and eastern precincts, assemble to-morrow, Sunday morning, at six o'clock, at Hampstead Hill, with provisions for the day, and that Arthur Michel, Daniel Conn, Henry Pennington, John Chalmers, William Starr, Thomas Weary, Henry Harwood and Philip Commiller, be charged with their superintendence during the day.

"That those of the second district comprising the fifth, sixth, and seventh wards, assemble at Myer Garden, on Monday morning, at six o'clock, under the superintendence of William Parks, Captain Watts, Ludwig Herring, William Ross, William Carman, Daniel Howard, Caleb Earnest, and James Easton.

"That those of the third district, comprising the second, third, and fourth wards, assemble at Washington Square, on Tuesday morning, at six o'clock, under the superintendence of Frederick Leypold, William McCleary, John McKim, Jr., Henry Schroeder, Alexander McDonald, Eli Hewit, Peter Gold, and Alexander Russell.

"That those of the fourth district, comprising the first ward and western precincts, assemble at the intersection of Eutaw and Market [Baltimore] streets, on Wednesday morning, at six o'clock, under the superintendence of William W. Taylor, William Jessup, Edward Harris, George Decker, William Hawkins, Isaac Phillips, William Jones, and John Eigrol.

"The owners of slaves are requested to send them to work on the days assigned to the several districts.

"Such of our patriotic fellow-citizens of the county, or elsewhere, as are disposed to aid in the common defence, are invited to partake in the duties now required on such of the days as may be most convenient to them.

"EDWARD JOHNSON, *Chairman*,

"Pendrick Ehrid, *Secretary*."[1]

All classes of people, inspired with enthusiasm, set actively to work. Their ordinary avocations, which, until now, had scarcely been interrupted, were altogether laid aside; and every one who could wield a musket—even old men and boys—were found in the ranks, and each day marched, to the sound of martial music, to their daily occupation of laboring on the line of the entrenchments and fortifications.

The chief fortifications constructed by the citizens consisted of two long lines of breastworks, extending from Harris' Creek northward across Loudenslager's or Hampstead's Hill, (now the site of Patterson Park,) about a mile in length, along which, at short distances, semi-circular batteries were thrown up, armed with cannon on field-carriages. Behind these, on more elevated sites, commanding the lower line, were several additional batteries, one of which, known as Rodger's Bastion, may still be seen well preserved, on the harbor side of Patterson Park, overlooking Fort McHenry and the surrounding country. There were also connecting lines of breastworks and

[1] *Niles' Register*, vol. p. 148.

rifle-pits, running parallel with the northern boundary of the city, commanded in turn by inner bastions and batteries, the precise location of which is not now known.

Nor was the water approach neglected. A four-gun battery was constructed at Lazaretto Point, Canton, and between this point and Fort McHenry, across the mouth of the harbor, a number of vessels were sunk. Southwest of the fort, near what is now Wilmas' wharf, guarding the middle branch of the Patapsco from the landing of troops who might endeavor to assail Fort McHenry in the rear, were two redoubts, five hundred yards apart, and called Fort Covington[1] and the City Battery. In the rear of these, upon the high ground at the foot of Light street, on the present site of Battery Square, was the Circular Battery of seven guns. A long line of platforms for a battery were erected a few yards in front of Fort McHenry, which was called the Water Battery, and upon which was mounted a number of forty-two pounder guns borrowed from the French consul.

The British army, after several days rest, having replenished their stores of fresh provisions by plundering the people on the shores of the Patuxent, at daybreak, on the 6th of September, embarked on board their fleet, weighed anchor, and stood with a fair wind for the Chesapeake. After sailing down the bay, at mid-day on the 7th, they entered the Potomac, and after moving up that stream for two days, for the purpose of deceiving the Americans and to keep them in suspense as to the next point of attack, on the night of the 9th the whole squadron hastened back to the Chesapeake and stood for the mouth of the Patapsco.

To make the enemy himself tell as much as possible of these events, we will here let "*The Soldiers in America*" recite what took place while sailing up the bay:

"Numerous watch-towers, forts, signal stations, and places of arms, occupied the high grounds; whilst, nearer the beach, guard mounts for the accommodation of cavalry patrols, open batteries for the cover of guns, with all the other edifices which a people

[1] Named for Brigadier-General Leonard Covington, who received a mortal wound in the battle of Chrystler's Fields, on the 11th of November, 1813. He was born on the 30th of October, 1768, in Aquasco, Prince George's County, Maryland. On the 14th of March, 1792, he was commissioned by Washington a lieutenant of dragoons, and joined the army under General Wayne. He distinguished himself at the battle of Fort Recovery, and at the battle of Miami. In 1794, he commanded the cavalry, and for his distinguished gallantry was honorably mentioned in General Wayne's reports. For his services upon this occasion, he was promoted, in July, 1794, to the rank of captain, but soon after retired to the pursuits of agriculture. He was a member of the Senate of Maryland, a member of Congress from 1805 to 1807, and in 1809 was appointed by Mr. Jefferson a lieutenant-colonel of the new regiment of dragoons in the service. In August, 1813, he was appointed a brigadier-general, and ordered to the northern frontier, where he met his country's foe and his grave. He died on the 13th of November, 1813. "It is due," says General Wilkinson, "to his worth and services, that I should make particular mention of Brigadier General Covington, who received a mortal wound through the body while animating his men and leading them to the charge. He fell where he fought, at the head of his men, and survived but two days." Lieutenant Kean, in a private letter, said: "He received the fatal shot after having driven that part of the enemy's line which was opposed to his brigade, from their position, and whilst in the act of charging a second time; and he fell lamented by the whole army, from the commanding general to the private."—*Niles' Register*, v. p. 66 (Supplement).

invoked and apt to throw up, extended, in a regular chain, from one extremity of the State to the other. Of these we were enabled, by keeping close in shore, to obtain a distinct view. Mounted horsemen mount at every station as we approached it, and gallop with all haste towards the interior. Beacon after beacon burst into a blaze; guns were fired from every tower; and telegraphic communication was carried on without intermission. Then, again, as we drew near to a town or village, every house was seen to pour forth its inhabitants; while carts, wagons, and carriages of all descriptions hastened off, loaded, as we could distinctly perceive, with people and effects. In Annapolis, in particular, confusion and alarm appeared to prevail to an extraordinary excess. Being the capital of the State, and exposed, in a remarkable degree, to insult, its inmates doubtless anticipated nothing else than a hostile visitation; and truly, if to destroy a great many town, surrounded on all sides by elegant villas, had been our object, no task could have been more easily performed. We passed by it, however, unharmed; and, perhaps, quite satisfied that in fine a prize should be permitted to escape, but hugging ourselves in the idea that another and no less valuable one was before us.

"While the transports and larger vessels of war swept up the Chesapeake in a body, the *Sea Horse* frigate with one or two lighter sloops, dashed forward to ascertain the course or channel of the river. This manœuvre was resorted to because, though the Patapsco was known not to excel in depth, it was deemed highly desirable that some part of the navy should, at all events, co-operate with the troops in the reduction of Baltimore. Captain Gordon was accordingly directed, not only to take soundings with all accuracy, but clapping a press of canvass upon his ship, to drive her, in case of any sudden obstruction, through the mud; and to wreck, at all hazards, such beacons, or other impediments, as might be laid across the channel. That gallant officer failed not to execute his orders as far as it was possible to obey them. He actually sunk his frigate's keel some feet in the slime, and tore through banks by which the progress of almost any other individual would have been arrested, but all would not do. The frigate stuck fast in the mud, and it was only by lightening her of her main-deck guns, and most of her stores, that he succeeded in bringing her off."

On Sunday evening, September 11th, about seventy of the enemy's vessels were anchored off North Point, about twelve miles from the City of Baltimore, by water, and fourteen by land. The beautiful moonlight night was chiefly spent by the fleet in preparing for an immediate debarkation. At three o'clock on Monday morning, the 12th, the boats of every ship were lowered, and the troops landed, under cover of several gun brigs anchored within a cable's length of the beach. The boats went in divisions, the leading one of each being armed with a carronade. By seven o'clock they had landed a force of about seven thousand men, composed of infantry, artillery, marines and sailors, completely equipped, each man bearing eighty rounds of ammunition, a spare shirt and blanket, and cooked provisions for a three days' march. The most perfect system characterized every movement. Not the slightest doubt as to the result existed in the minds of the officers who planned the campaign, and the troops looked eagerly forward to the promised plunder.

The final arrangements having been made, the light brigade, commanded by Major Jones, of the 44th regiment, led the advance; then followed the artillery amounting to six field-pieces, and two howitzers, all of them drawn by horses; next came the second brigade, then the sailors, and last of all the

third brigade. Flank patrols and reconnoitering parties were also sent out. Thus it was that the invading army under the leadership of General Ross and a brilliant array of staff officers, marched towards the "doomed town" on Monday morning, September 12th, 1814. At the same time the frigate's bomb-ketches and small vessels under Admiral Cockburn approached and ranged themselves in a formidable line to bombard the fort and the city.

In the meantime the citizens were not idle, though the disasters which had befallen our arms in previous encounters, gave but slight ground for hope of success in any contest with veterans fresh from victorious strife with the legions and the genius of Napoleon. The unhappy field of Bladensburg was fresh in their memory, and the smouldering ruins of Washington, showed the fate to which Baltimore was doomed if the invaders were successful. "The prospect to which they looked forward was indeed gloomy—to the sailor, impressment and fetters; to the soldier-citizen, the prison-ship; to the merchant, confiscation and ruin; to the house-owner, the torch of the incendiary; and to the chaste matron and their pure and beautiful daughters, the foul license of a brutal soldiery. But the storm of war shook not their firm hearts. The citizen-soldiery of Baltimore on that gloomy Sunday bade a tearful adieu to their wives and children, put on the harness of battle, and went forth to meet the insolent invader."

The city now became an active military camp. Those who could afford it sent their wives and children out of the city. The banks suspended specie payments, and much valuable property was removed to the interior for protection. The batteries and entrenchments were all manned. Commodore Rogers, who had general charge of the batteries, with about twelve hundred men-of-war's-men, in his official report gives the position of his respective batteries and forces, as follows:

"In the *general* distribution of the forces employed in the defence of Baltimore, with the concurrence of the commanding general, I stationed Lieutenant Gamble, first of the *Guerrière*, with about one hundred seamen, in command of a seven-gun battery, on the line between the roads leading from Philadelphia and Sparrow's Point.

"Sailing-Master De La Zouch of the *Erie*, and Midshipman Field of the *Guerrière*, with twenty seamen, in command of a ten-gun battery, fronting the road leading from Sparrow's Point.

"Sailing-Master Ramage of the *Guerrière*, with twenty seamen, in command of a five-gun battery, to the right of the Sparrow's Point Road.

"And Midshipman Baker, with twelve seamen, in command of a one-gun battery, a little to the right of Mr. Ramage.

"Lieutenant Kuhn, with the detachment of marines belonging to the *Guerrière*, was posted in the entrenchment between the batteries occupied by Lieutenant Gamble and Sailing-Master Ramage.

"Lieutenant Newcomb, third of the *Guerrière*, with eighty seamen, occupied Fort Covington, on the Ferry Branch, a little below Spring Gardens.

"Sailing-Master Webster, of the Flotilla, with fifty seamen of that corps, occupied a six-gun battery on the Ferry Branch known by the name of Babcock.

"Lieutenant Frazier, of the flotilla, with forty-five seamen of the same corps, occupied a three-gun battery near the Lazaretto.

"And Lieutenant Rutter, the senior officer of the flotilla, in command of all the barges, which were moored at the entrance of the passage between the Lazaretto and Fort McHenry, in the left wing of the water-battery, at which was stationed Sailing-Master Thornton and fifty four seamen of the flotilla."[1]

Fort McHenry was under the immediate command of Lieutenant Colonel George Armistead, of the United States artillery. His force consisted of one company of United States artillery, Captain Evans, and two companies of sea fencibles, under Captain Bunbury and Addison. Of these three companies, thirty-five men were unfortunately on the sick list and unfit for duty. General Smith also furnished him with Captain Joshua H. Nicholson's [Judge] volunteer artillery company of the "Baltimore Fencibles," and the "Washington Artillery," under Captain John Berry, and the "Baltimore Independent Artillerists," Captain Charles Pennington, all of Colonel David Harris's regiment of the Baltimore Artillery. A detachment of Commodore Barney's flotilla, under Lieutenant Rodman, also volunteered their services. In addition, General Winder furnished Colonel Armistead with about six hundred infantry under the command of Lieutenant Colonel Stewart and Major Lane, consisting of detachments from the 12th, 14th, 36th and 38th regiments of the United States infantry—the total force in the fort amounting to about one thousand effective men.

COL. GEO. ARMISTEAD.[2]

Major Armistead arranged his force in the following manner: The regular artillerists, under Captain Evans, and the volunteers under Captain Nicholson, manned the batteries in the star fort; Bunbury's, Addison's, Rodman's, Berry's and Lieutenant-commanding Pennington's command were stationed on the lower works; and the infantry were in the outer ditch, to meet the enemy in case they effected a landing.

The Franklin Artillery, Captain Joseph Myers; Baltimore Union Artillery, Captain John Montgomery; American Artillerists, Captain Richard B. Magruder; Eagle Artillerists, Captain George J. Brown; First Baltimore Volunteer Artillery, Captain Abraham Pyke; Steiner's Artillery, of Frederick, Captain Henry Steiner; United Maryland Artillery, Captain James Piper, and Columbian Artillery, Captain Samuel Meade, all under the general command of Lieutenant Colonel David Harris, took positions in the various

[1] Niles' Register, vii., p. 151 (Supplement).

[2] Lieutenant Colonel George Armistead was born at New Market, Virginia, April 10th, 1780, and on the 8th of January, 1799, was appointed second lieutenant of the 7th United States infantry. He was first lieutenant April, 1800; lieutenant 1st artillery and engineers, February, 1801; retained in the army as lieutenant of artillery, April, 1802; assistant military agent at Fort Niagara, May, 1802; assistant paymaster, February, 1808; captain, November 6; major 3d artillery, March 3, 1813; distinguished in the capture of Fort George, Upper Canada, in May, 1813; brevetted lieutenant-colonel, September, 1814, "for gallant defence of Fort McHenry till the morn of the 14th of September, 1814." Died at Baltimore, April 25th, 1818.

lines and batteries. The trenches were occupied by some seven thousand militiamen and volunteer infantry, chiefly composed of our own citizens. A portion of these were the First Rifle Battalion of Maryland militia, commanded by Major William Pinkney. In which were the Sharpshooters, Captain Edward Aisquith; Union Yagers, Captain Dominic Bader; and Fell's Point Riflemen, Captain William B. Dyer. The 5th regiment was commanded by Lieutenant Colonel Joseph Sterett, and contained the Baltimore Yagers, Captain Philip B. Sadtler; First Baltimore Light Infantry, Captain John Skrim; Mechanical Volunteers, Captain Benjamin C. Howard; Washington Blues, Captain George H. Steuart; Independent Company, Captain Samuel Sterett; Baltimore United Volunteers, Captain David Warfield; Union Volunteers, Captain Christian Adreon; Baltimore Patriots, Captain Robert Lawson; and the Independent Blues, Captain Aaron R. Levering. The 6th regiment was commanded by Lieutenant Colonel William McDonald, and comprised eleven companies, commanded respectively by Captains Thomas Sheppard, Gerrard Wilson, Peter Galt, William Brown, Thomas L. Lawrence, Benjamin Ringgold, Luke Kierstead, Samuel McDonald, Robert Conway, Nicholas Burke and John G. Dixon. The 27th regiment was commanded by Lieutenant Colonel Kennedy Long, and comprised eight companies, commanded by Captains James McConkey, John Kennedy, James Dillon, Benjamin Estes, John McKane, Peter Pinney, George Strever, and Daniel Schwarzauer. The 39th regiment was commanded by Lieutenant Colonel Benjamin Fowler, and contained eight companies, commanded by Captains Archibald Dobbin, Thomas Warner, Thomas Watson, John D. Miller, Andrew T. Warner, Henry Myers, Joseph K. Stapleton and William Roney. The 51st regiment was commanded by Lieutenant Colonel Henry Amey, and contained eight companies, officered by Captains Jacob Deems, William Chalmers, John H. Rogers, Michael Hambert, John Stewart, James Easter, Michel Peters and Andrew Smith. The 5th regiment of Maryland Cavalry was commanded by Lieutenat Colonel James Biays, and contained the Independent Light Dragoons, Captain John Boulden; First Baltimore Hussars, Captain James Starett; Maryland Chasseurs, Captain James Horton; and the Fell's Point Light Dragoons, Captain John Hanna.

The York Volunteers, attached to the 5th regiment, were commanded by Captain Michael H. Spangler; the Hanover Volunteers, attached to the 39th regiment, by Captain Frederick Metzger; the Hagerstown Volunteers, attached to the same regiment, by Captain Thomas Quantrill; and the Maryland Cavalry by Captain Jacob Baer.

The 11th brigade, third division, was under the command of Brigadier General Tobias E. Stansbury. The first brigade was commanded by Brigadier General Thomas Forman, and the third brigade by Brigadier General John Stricker.

The command of the whole military force of the city devolved upon Major General Samuel Smith. General William H. Winder arrived in Baltimore on September 10th, and assumed command of a division. We have thus mentioned the more important preparations made for the reception of the enemy; designated the fortified lines of defence, and given the relative positions of the troops. As we have already stated, intelligence reached the city of the arrival of the enemy's fleet, which was announced to the people on Sunday afternoon, September 11th, 1814, by the fire of three cannon from the court-house green. This signal threw the city into the most intense excitement. The churches were at once dismissed; the congregations flocked homeward; the drums beat to arms; men on horseback rapidly galloped to and fro through the streets rousing the people, and all hastened to their mustering places. Each man was supplied with one day's provisions and thirty-six rounds of ammunition.

GENERAL SMITH.[1]

[1] General Samuel Smith, brother of the distinguished Robert Smith, was born in Lancaster, Pennsylvania, July 27th, 1752. His father, John Smith, who removed to Baltimore in 1760, was several years a member of the Legislature of Maryland, and member of the Maryland Constitutional Convention of 1776. Samuel received the rudiments of his education at Carlisle, Penn.; then attended school in Baltimore, and afterwards at Elkton. He was placed in the counting-house of his brother-in-law, Mr. Buchanan, at the age of fourteen years, where he remained till he was nineteen. In May, 1773, he embarked for Hamburg in one of his father's vessels as supercargo, and subsequently traveled extensively in Europe. Early in the struggle for independence he joined a volunteer company, and, in January, 1776, was appointed a captain in the 1st Maryland regiment, under Colonel Smallwood. He participated in the battle on Long Island, and was distinguished at Harlem and White Plains, where he was slightly wounded. In the harassing retreat through New Jersey, he attracted the attention of General Washington, and on December 10th, 1776, was given a major's commission in Gist's battalion; and soon after, in 1777, he received the appointment of lieutenant-colonel in the 4th Maryland regiment, commanded by Colonel Josiah G. Hall, and was at the attack on Staten Island and at Trenton. Immediately afterwards he was detached by Washington to the defences of Fort Mifflin, in the Delaware. In this valued and expert work he maintained himself under a continued cannonade, from September 26th to November 11th, when he was severely wounded as to make it necessary to remove him to the Jersey shore. For this gallant defence Congress voted him thanks and an elegant sword. Not entirely recovered from the effects of his wound, he yet took part in the hardships of Valley Forge. He took an active part in the battle of Monmouth. Retiring, for a season of three and a half years, from affluence to poverty, he was compelled to resign his commission, but continued to do duty as a Colonel of militia at Baltimore, till the end of the war. At the close of the Revolutionary War, he was appointed a brigadier-general of the Maryland militia, and commanded the quota of Maryland troops engaged in suppressing the famous "Whiskey Insurrection in Pennsylvania." Retiring to civil life, he entered on a prosperous career as a merchant in Baltimore. He was a brigadier-general of militia, and served as major-general of the State troops in the defence of Baltimore in the War of 1812, the success of which was eminently due to his talents and knowledge. In 1792, he was elected a Representative in Congress, holding the place till 1803, and again from 1816 to 1822. He was a member of the United States Senate also, for the long period of twenty-two years, from 1803 to 1815, and from 1822 to 1833.

When Mr. Jefferson came into the presidency he pressed General Smith to accept the office of secretary of the navy, which he declined, considering, however, it not in that capacity until some suitable person could be selected to fill it permanently. He served as secretary for six months, or more, in 1801, and resigned to prepare for his services. He generally, while in Congress, filled some high station, being at times chairman of the Committee of Ways and Means in the House, and of that of Finance in the

It was decided to send out a reconnoitering party to "feel the enemy." The question being raised who should compose this party, it was speedily settled by the gallantry of General Stricker, who claimed it as a right, as the brigade which he had the honor to command consisted entirely of Baltimore militia, and should be foremost in defending their homes. The order was accordingly given, and about three o'clock his brigade consisting of five hundred and fifty of the 5th regiment under Lieutenant Colonel Sterett; six hundred and twenty of the 6th, under Lieutenant Colonel McDonald; five hundred of the 27th, under Lieutenant Colonel Long; four hundred and fifty of the 39th, under Lieutenant Colonel Fowler; seven hundred of the 51st, under Lieutenant Colonel Amey; one hundred and fifty riflemen under Captain Dyer; one hundred and forty cavalry, under Lieutenant Colonel Blays, and the Union artillery of seventy-five men, with six four-pounders, under Captain Montgomery, making an aggregate of three thousand one hundred and eighty-five effective men, marched out Baltimore street upon the Philadelphia road. The troops were full of enthusiasm, and marched forth with all the glitter of a dress parade. On passing the outer breastworks and batteries, moving steadily on in brisk step to stirring music with flags fluttering in the breeze, they were greeted with enthusiastic cheers.

The route of march was the old Philadelphia road to Long Log lane (now known as the North Point road), and thence to the Methodist meeting-house near the head of Bear Creek, seven miles from the city. Here the troops bivouacked for the night, with the exception of the riflemen who were posted along the skirts of a low pine wood near a blacksmith's shop, two miles in advance; while the cavalry were posted still further forward and stationed at the end of Gorsuch's farm a mile and a-half beyond, with orders to place vedettes in the vicinity of the enemy to maintain a careful watch and patrol, and to report promptly to headquarters every movement of the enemy.

At seven o'clock on Monday morning, September 12th, information was received from the advanced scouts that the enemy were debarking troops under the cover of their gun boats which lay off the bluff of North Point, within the mouth of the Patapsco. Immediately upon receipt of this intelligence General Stricker sent back his baggage under a strong guard, and moved forward three-fourths of a mile with the 5th and 27th regiments and his battery. With these he formed the first line of battle as follows: The 5th regiment he posted on the edge of a thick oak forest behind a rail fence, at right angles with the road, on which the left flank rested, while the right

Scott. During the whole term of his command in Baltimore in the War of 1812, neither he nor his staff received any pay.

In the Bank of Maryland riots in 1835, General Smith was the leading spirit in restoring order; coming from the retirement of his country home, at the call of the citizens to place himself at their head. In the same autumn upon the resignation of Jesse Hunt, he was appointed mayor of the city, and held the office until his death, which occurred on April 22d, 1839, at the eighty-seventh year. His funeral was attended by the President and his Cabinet, the Governor of Maryland and many distinguished citizens.

General John Spear Smith, who died November 17th, 1866, was the son of General Samuel Smith.

extended to Bear Creek. The 27th regiment occupied the corresponding position on the other side of the road, on which their right rested, their left being covered by a branch of Back River and a marsh. They were also on the skirts of a wood and behind a rail fence. The artillery was stationed directly at the head of the lane between the two regiments. The 39th regiment was placed about three hundred yards in the rear of the 27th, and the 51st about the same distance in the rear of the 5th, forming a parallel to the front line. The 6th regiment formed a reserve and was stationed in front of a rail fence about half a mile back of the second line of battle. Having thus formed his battle lines, General Stricker gave orders that the 5th and 27th regiments should receive the enemy on their approach, and, if necessary, fall back through the 51st and 39th regiments and form on the right of the 6th. The riflemen were deployed where they had been stationed the evening before, behind a large sedge-field, with a thick wood of pine or fir in their rear; and as the cavalry still in front were to inform them of the enemy's approach, they were ordered to take advantage of the covering of the wood and to annoy his advance. Meanwhile the British forces were moving rapidly up the main road, and horsemen continually coming in announced their near approach. Just at this time, greatly to the general's surprise, he discovered that the entire body of riflemen were falling back to the main position, having listened to a groundless rumor that the enemy were landing on Back River to cut them off. This part of the plan having been frustrated, the rifle-corps was placed on the right of the front line, by this means better securing that flank.

GENERAL STRICKER.[1]

After marching for an hour or more, the enemy feeling perfectly confident of success, halted at Gorsuch's farm, where they spent another hour in resting and robbing the hen roosts, etc.

Our narrator says:

"On coming in with the prisoners, [three cavalrymen], we found the army halted near a farm-house, around which were several cleared fields, well adapted, in case of need, for a rapid military formation. The general himself, attended by Admiral Cockburn, was sitting in the midst of his staff by the way side, and a few orderlies were leading their horses backwards and forwards. Of the soldiers a few had strayed from their ranks; but blue-jackets [sailors], might be seen in every direction, pursuing pigs, fowls and other live stock, at full speed, and with much apparent satisfaction. Nor was it possible to refrain from laughter at the singular behavior of these men. . . . Nor did any one appear to enjoy the joke more than General Ross. He was laughing heartily as were the admiral and the rest of the group when we appeared."[2]

[1] General John Stricker was born in Maryland, and died in Baltimore, June 23d, 1825. He was an officer in the revolutionary army, and while in command of the third brigade of Maryland militia at the battle of North Point, distinguished himself. At the time of his death he was President of the Bank of Baltimore.

[2] *Rebellion in America*, p. 119.

When the Americans heard of these proceedings of the enemy, several officers volunteered to dislodge him. Levering's and Howard's companies, about one hundred and fifty in number, from the 5th regiment, under Major Richard K. Heath; Captain Aisquith's and a few other riflemen, about seventy in all; one small piece of artillery with ten men under Lieutenant Stiles, and the cavalry, were pushed forward to surprise the enemy, and provoke a general engagement.

With the force mentioned, Major Heath pursued his march to the front, under the belief that the enemy were two miles off. After proceeding about half a mile, the major ordered the riflemen to deploy as skirmishers, upon both flanks in advance, to guard against an ambuscade. The order had just been given, and the riflemen were on the point of diverging to the right and left, while the column moved steadily down the road, when, as the head of it ascended a small eminence, there appeared at the distance of about one hundred and fifty yards, the van guard of the enemy's forces, moving up. A sharp fire was immediately opened upon both sides. The American infantry occupied the road, while the riflemen who had taken position upon the flanks, but not yet left the column, availed themselves of whatever advantages the ground afforded, to use their weapons with effect. An order was given to move the piece of artillery to the front, which was obeyed, but it was withdrawn without being used. The British light troops deployed rapidly in open order, to the right and left, advancing into the thick wood which skirted the American right, and hastening to gain a copse of wood standing in a field upon the American left.

At this time, says our narrator, the skirmish was "tolerably hot and extremely animated." "The Americans," he continues—

"As individuals, were at least our equals in the skill with which they used the weapon, yet, from the very commencement, it was, on our part, a continual advance, on theirs a continual retreat. We drove them from thicket to thicket, and tree to tree, but, indeed, with any heavy loss, for they were no less expert in finding shelter than in taking aim; but occasionally bringing down an individual as he was running from one cover to another. Our own loss, again, was very trifling. Two men killed and about a dozen wounded, made up the sum of our casualties; and it may with truth be asserted, that everything was going on as the general himself could have wished. But unhappily he was not satisfied of this. The firing struck him as being more heavy and more continued than it ought to be; he was apprehensive that we had fallen into some serious ambuscade, and, unwilling to trifle with the safety even of a few companies, he rode forward for the purpose of satisfying himself that they were safe. How bitterly had the whole expedition cause to lament that step! He had scarcely entered the wood when an American rifleman singled him out; he fired, and the ball, true to its mark, pierced his side. When the general received his death-wound I chanced to be standing at no great distance from him. I saw that he was struck, for the reins dropped instantly from his hand, and he leaned forward upon the pommel of his saddle; and though I would not suffer myself to imagine that there was any danger, I hastened towards him, but I arrived too late. His horse making a movement forward, he lost his seat, and, but for the intervention of his aid-de-camp's arm, must have fallen to the ground. As it was, we could only lay him at length

upon the grass, for his limbs could no longer perform their office—it was but too manifest that his race was run. . . . His aide-de-camp (Captain McDougal) having seen the general laid by the road side, left him to the care of Admiral Cockburn, and galloped back for assistance."[1]

Gleig, in his narrative says:

"We were drawing near the scene of action, when another officer came at full speed towards us, with horror and dismay in his countenance, and calling aloud for a surgeon. Every man felt within himself that all was not right, though none was willing to believe the whispers of his own terror. But what at first we could not guess at, because we dreaded it so much, was soon realized; for the aid-de-camp had scarcely passed when the General's horse without its rider, and with the saddle and housings stained with blood, came plunging onwards. Nor was much time given for fearful surmise as to the extent of our misfortune. In a few minutes we reached the ground where the skirmishing had taken place, and beheld poor Ross laid by the side of the road, under a canopy of blankets, and apparently in the agonies of death. As soon as the firing began, he had ridden to the front, but he might ascertain from whence it originated, and mingling with the skirmishers, was shot in the side by a rifleman. The wound was mortal: he fell into the arms of his side-de-camp, and lived only long enough to name his wife, and to commend his family to the protection of his country. He was removed towards the fleet, and expired before his bearers could reach the beach."[2]

On the death of Ross, the command of the invading army devolved upon Colonel A. Brooke, of the 44th regiment, and under his direction they pressed vigorously forward. Major Heath found his situation becoming extremely perilous as a fire began to be opened upon each flank, as well as in his front, and he was compelled to order a retreat. Just after giving the order his horse had one of his hind legs broken by a ball, and the major dismounted.

The death of General Ross, no doubt changed the plan of operations on the British side. Had he lived, he would probably have pushed directly on to the attack of General Stricker's front line. The daring character of Ross, would probably have induced him to march on

[1] *Sylvester*, p. 122.

[2] A story obtained partial currency at the time, and has often been repeated since, that General Ross was slain by two boys concealed in a tree. This story is wholly without foundation. Daniel Wells and Henry McComas, to whose memory a monument has been erected at Ashland square, Baltimore, generally enjoy the reputation of having killed Ross. They were eighteen years of age, and by trade, and Henry McComas was an apprentice to Mr. Felix Jenkins, and Wells an apprentice to Edward Jenkins, saddlers in Baltimore. Both were privates in Captain Aisquith's company of sharp-shooters, and were sent in advance with the other troops to annoy the enemy. McComas was standing in the front rank of his company, on the extreme right of the line, next Richard Jones, near the old Wells. The moment after McComas and Wells fired, they were both killed, Wells being shot through the head. At this time, they were both in the ranks of their company. It is said that both McComas and Wells were exceedingly tall for their age, the former being six feet in height.—*Metropolitan Magazine.*

General Ross was a native of Ross Trevor, in the County Down, Ireland. He was distinguished as an officer of the 27th English Regiment of foot in Holland and Egypt; was a lieutenant-colonel at Maida; was in the campaign of Corunna, under Sir John Moore; and commanded a brigade at the battle of Vittoria and the Pyrenees, and was wounded at Orthez. He was selected by the Duke of Wellington to command the forces sent against Washington and Baltimore.

to the attack immediately, and then General Stricker's plan would have been followed out; for anticipating such an attack, he had ordered his two front regiments to retire by files from the right of companies, after holding their ground as long as they could, and this passing through the 39th and 51st, which were directed to open and afford a passage, the skirmish would have been renewed from time to time, until the retiring troops reached the strong ground where the 6th was posted, and where another struggle would have been made by the united force of the brigade.[1] But this judicious plan of operation, so well calculated to use his force to the best advantage, and to obtain the double object of checking his enemy and familiarizing his own troops to battle, was rendered impracticable by the cautious proceedings of Colonel Brooke. That officer just learned from his experience with the Baltimore riflemen, that desultory skirmishes were no light matters, and he therefore proceeded according to rule, as if he were opposed to a disciplined army. Observing the short extent of General Stricker's front, he halted his attacking columns, until he could detach the 4th regiment to turn the left flank of the American army. General Stricker, with a promptness and decision which reflect the highest honor upon his skill, instantly changed his whole plan, to meet the unexpected and cautious movement of his adversary; and brought up his second line to the support of the first. The 39th regiment was stationed on the left of the 27th, while two pieces of artillery were detached to the left of the 39th. The 51st regiment formed at right angles with the line resting its right rear the left of the 39th. This order being badly executed, created for a moment considerable confusion, which was rectified, however, by the efforts of brigade Majors Bradley and Calhoun, who corrected the error of Lieutenant Colonel Amey, and posted the 51st in its ordered position.

"In the meantime, according to one narrator, 'the British soldiers moved forward with their accustomed fearlessness, and the Americans, with much apparent coolness, stood to receive them. Now, however, when little more than a hundred paces divided the one line from the other, both parties made ready to bring matters more decidedly to a personal struggle. The Americans were the first to use their small arms. Having rent the air with a shout, they fired a volley, began upon the right and carried away regularly to the extreme left; and then loading again, kept up an uninterrupted discharge, which soon in a great degree concealed them from our observation. Nor were we backward in returning the salute. A hearty British cheer gave notice of our willingness to meet them, and firing and running, we gradually closed upon them, with the design of bringing the bayonet into play. . . . Volley upon volley having been given, we were now advanced within less than twenty yards of the American line; yet such was the denseness of the smoke that it was only when a passing breeze swept away the cloud for a moment, that either force became visible to the other. The flashes of the enemy's muskets alone served us an object to aim at, as, without doubt, the flashes of our muskets alone guided the enemy."

[1] The intention of General Stricker appears to have been a succession of skirmishes, rather than a pitched battle, which is indicated by the manner in which he drew up his troops when he expected an attack; and this probably accounts for his not taking with him a large detachment of artillery.

The 51st regiment which had been entrusted with the protection of the left of the line, after firing a volley at random, broke and fled in wild disorder, producing a like effect in the second battalion of the 39th regiment. All efforts to rally the fugitives proved fruitless. Colonel Brooke instantly perceiving his advantage, and hoping to effect a general rout, came on with a rapid discharge of musketry which was not returned until they had approached within a short distance when our artillery, loaded with "grape and canister, shot, old locks, pieces of broken muskets, and everything which they could cram into their guns,"[1] opened an incessant and deadly fire; while from right to left along our entire line one volley of musketry and rifle shots followed another. Our troops, weakened by the desertion of the 51st and two companies of the 39th, numbered hardly more than one thousand four hundred men. Defeat seemed to be almost inevitable, but there was no disposition to flinch on the part of the members of the city brigade, who were determined to retrieve the honor of their command.

As the British line continued to advance in overwhelming numbers, exchanging fires with the American infantry and receiving that of the artillery, which was well served throughout the whole engagement, the action became warmer and warmer; until General Stricker, having accomplished the purpose which he had in view, ordered a retreat to his reserve, and owing to the fatigued state of the regiments which had been engaged, and the probability that his right flank might be turned by a quick movement of the enemy, he finally fell back to a position near the city. Thus ended what was then called the Battle of Long Log Lane, now known as the Battle of North Point, after about a hour and a half of hard fighting.

General Stricker retired with his brigade in good order to Worthington's Mill, and as the enemy did not pursue, he again fell back, and took a position on the left of the line, about half a mile in advance of the entrenchments, where he was joined by General Winder, who had been stationed on the west side of the city, but was now ordered with the Virginia brigade, under the command of General Douglas, and Captain Bird's United States Dragoons, to take post on his left. The conduct of the city brigade, with the exception of the 51st, and the second battalion of the 39th regiments, who were seized with the panic to which raw troops are so subject, deserved the highest praise. Veterans could not have done more. Although the American Line retreated from a foe near at hand, and might be expected to incur the heavy loss which is always inflicted upon a retiring party, yet the aggregate loss of the British was greater than that of the Americans. The loss, for example, stated in the official reports of the British officers, was two hundred and ninety, exclusive of the naval brigade under Captain Crofton, while on the side of the Americans it was only two hundred and thirteen, among whom were some of the most prominent citizens of Baltimore. This may, perhaps, be accounted for by the slight protection a portion of the Americans had behind fences, a

[1] Gleig's Narrative, p. 193.

circumstance of which the officers and men availed themselves, with great coolness and the deliberate aim they took, thus increasing the destructiveness of their fire. John Lowry Donaldson, adjutant of the 27th Regiment, a distinguished lawyer, and Baltimore's representative in the State Legislature, was killed, also Gregorius Andre, first-lieutenant of the Union Yagers, 1st Rifle Battalion. Levi Clagett, third-lieutenant in Capt. Nicholson's artillery company, of Baltimore Fencibles, was killed in the bombardment of Fort McHenry, and in the two engagements the following non-commissioned officers and privates were killed: G. Jenkins, J. Richardson, W. Alexander, T. V. Brereton, D. Howard, J. H. Marriott of John, J. Armstrong, M. Desk, J. Craig, R. Neale, J. Evans, J. Hauberr, D. Davis, H. C. McComas, J. Burneston, C. Fallier, J. Jephson, E. Marriott, J. Dunn, P. Byard, B. Reynolds, J. Gregg, A. Randall, J. H. Cox, J. Wolf, D. Wells, R. K. Cooksey, J. Wallach, J. C. Byrd, W. Ways, C. Bell, J. Clemm, T. Garrett, J. Merriken, C. Cox, T. Prosser, B. Bond.

That raw militia should have met, in open fight, and ported upon equal terms with the choicest troops of the British army, who had won laurels in the Peninsular War, would have been no slight achievement. But the terms were by no means equal. The Americans, it is true, retreated; but as we have shown this was part of the plan. The closest calculation cannot make the number engaged upon the American side, after the withdrawal of the regiment upon the left, more than sixteen hundred; and the chimerical idea of effectually checking the whole British army, did not for a moment present itself to the mind of General Stricker. He came out to skirmish and no more. His object was to let the British general see that the city of Baltimore was a prize not to be had without a struggle; and the severity of that struggle was foreshadowed by the determination with which his advance was contested.

The enemy slept on the field of battle, and at an early hour on Tuesday, the 13th, they took up their line of march for Baltimore. Our narrator says:

"On our march to-day the Americans had at last adopted an expedient which, if carried to its proper length, might have entirely stopped our progress. In most of the woods they had felled trees, and thrown them across the road, but as these abatis were without defenders, we experienced no other inconvenience than what arose from loss of time; being obliged to halt on all such occasions, till the pioneers had removed the obstacle. So great, however, was even this hindrance, that we did not come in sight of the main army of the Americans till evening, although the distance traveled could not exceed ten miles.

"It now appeared, that the corps which we had beaten yesterday, was only a detachment, and not a large one, from the force collected for the defence of Baltimore; and that the account given by the volunteer troopers, was in every respect correct. Upon a ridge of hills, which concealed the town itself from observation, stood the grand army, consisting of twenty thousand men.[1] Not trusting to his superiority in numbers, their general had there entrenched them in the most formidable manner, having covered the whole face of the heights with breast-works, thrown back his left, so as to rest it upon a strong

[1] Not more than 12,000.

fort, erected for the protection of the river, and constructed a chain of field redoubts, which covered his right, and commanded the entire ascent. Along the side of the hill were likewise *pickets*, and other projecting works, from which a cross-fire might be kept up; and there were mounted throughout this commanding position no less than one hundred pieces of ordnance.

"It would be absurd to suppose that the sight of preparations so warlike, did not in some degree damp the ardour of our leaders; at least it would have been madness to storm such works without pausing to consider how it might best be attempted. The whole of the vicinity, within cannon-shot, was cleared from wood, and laid out in grass and corn-fields; consequently there was no cover to shelter an attacking army from any part of the deadly fire which would be immediately poured upon it. The most prudent plan, therefore, was to wait till dark; and then, assisted by the frigates and bombs, which we hoped were by this time ready to co-operate, to try the fortune of a battle.

"Having resolved thus to act, Colonel Brooke halted his army; and having secured it against surprise by a well-connected line of pickets, the troops were permitted to light fires and to cook the provisions. But though the rain still fell in torrents, no shelter could be obtained; and as even their blankets were no longer at hand, with which to form gipsy-tents, this was the reverse of an agreeable bivouac to the whole army.

"Darkness had now come on, and as yet no intelligence had arrived from the shipping. To assail this position, however, without the aid of the fleet, was deemed impracticable; at least our chance of success would be greatly diminished without their co-operation. As the left of the American army extended to a fort built upon the very brink of the river, [Lazaretto] it was clear, that could the ships be brought to bear upon that point, and the fort be silenced by their fire, that flank of the position would be turned. This once effected, there would be no difficulty in pushing a column within their works: and as soldiers entrenched always place more reliance upon the strength of their entrenchments than upon their own personal exertions, the very sight of our people on a level with them, would in all probability decide the contest. At all events, as this column was in no danger from cross fire at night, it might easily push forward and crown the hill above the enemy, before any effectual opposition could be offered; by which means they would be enclosed between two fires, and lose the advantage which their present elevated situation bestowed. All, however, depended upon the ability of the fleet to land their reinforcement, for without silencing the fort, this flank could scarcely be assailed with any chance of success; and therefore, the whole plan of operations must be changed."[1]

The *Subaltern says*:

"To the fleet the fort on the water was accordingly left, which, by bombardment, would, it was presumed, reduce it to ruins in a few hours; and the commencement of a serious cannonade from the river, was to be the signal for a general movement in line. An hour after hour stole on, we turned our gaze, with feverish anxiety, towards the river. All, however, continued as it had been before. No flash told that the shipping had taken their stations; the noise of firing was unheard, and the most serious apprehensions began to be entertained, that the plan had, for some cause or another, miscarried. At last, when midnight was close at hand, a military report, accompanied by the ascension of a small bright spark into the sky, gave notice that the bombardment had begun. Another and another followed in quick succession, and now every man instinctively sprung from the earth, and grasped his arms. The point to be passed was, we well knew, in our immediate front. Our ears were on the stretch for the musketry which ought soon to be heard in the opposite direction; in a word, we stood in our ranks for an hour, under the influence of that state of excitation, which, while it locks up the faculty of speech, renders the senses, both of sight and hearing, acute to an almost unnatural degree.

[1] Gleig's Narrative, p. 103.

"Such was our situation, both of body and mind, from midnight, when the ships began to open fire, up to the hour of two. That all things went not prosperously, was manifest enough.

"At last Colonel Brooke having waited until he considered it imprudent to wait longer, without knowing the disposition of the fleet, and whether he was to be supported, he determined if possible to open a communication with the fleet, and for that purpose despatched an officer to make an effort to reach it. After many adventures, he arrived on the river bank just in time to meet a party who had been sent by Admiral Cochrane, for the same purpose, to Colonel Brooke. By them he was conveyed to the Admiral, who informed him "that sufficient support could be given to the land force; for such was the shallowness of the river, that none except the very lightest craft could make their way within six miles of the town; and even these were stopped by vessels sunk in the channel, and other artificial bars, barely within a shell's longest range of the fort. With this unwelcome news, he was accordingly forced to return. * * * *

"Having brought his report to headquarters, a council of war was instantly summoned to deliberate upon what was best to be done. Without the help of the fleet, it was evident, that adopt what plan of attack we could, our loss must be such as to counterbalance even success itself; while success, under existing circumstances, was, to say the least of it, doubtful. And even if we should succeed, what would be gained by it? We could not remove anything from Baltimore, for want of proper conveyances. Had the ships been able to reach the town, then, indeed, the quantity of booty might have repaid the survivors for their toil, and consoled them for the loss of comrades; but as the case now stood, we should only fight to give us an opportunity of re-acting the scenes of Washington. . . . . About three hours after midnight, the troops were accordingly formed upon the road, and began their retreat, leaving the pickets to deceive the enemy and to follow as a rear guard."[1]

If General Ross had lived, it is possible, and indeed probable, that he might have attempted to force the entrenchments or pass around them, with a view of approaching the city upon a quarter where the natural advantages of the ground were not as great. But the experienced eye of General Smith had contemplated both these probabilities and provided against them. The heavy artillery which was planted in batteries manned by brave and skillful artillerymen, and the numerous corps of infantry which lined the entrenchments would have rendered the first a fruitless effort whether made by day or night. If by day, the destruction of the assailing force would have been almost certain, and ample means were provided, if the attack had been made by night, to throw upon the advancing column such a blaze of light, that the aim of the defenders would have been unerring. No direct attack could have succeeded. If, on the other hand, a circuitous route had been taken, the advantages of a knowledge of the country and of numbers would have probably turned the scale in favor of the American troops, a part of which had shown on the day before, that they could meet the invaders in the field with a gallantry well adapted to inspire caution in an enemy.

It seems, however, that the enemy did make a feint to pass around the entrenchments, for General Smith, in his official report to the secretary of war, dated September 19th, 1814, says:

[1] Gleig, p. 195.

"On Tuesday the enemy appeared in front of my entrenchments, at the distance of two miles, on the Philadelphia road, from whence he had a full view of our position. He manœuvred, during the morning, towards our left, as if with the intention of making a circuitous march and coming down on the Harford or York roads. Generals Winder and Stricker were ordered to adapt their movements to those of the enemy, so as to baffle this supposed intention. They executed this order with great skill and judgment, by taking an advantageous position, stretching from my left across the country, when the enemy was likely to approach the quarter he seemed to threaten. This movement induced the enemy to concentrate his forces (between one and two o'clock) in my front, pushing his advance to within a mile of us, driving in our videttes and showing an intention of attacking us that evening. I immediately drew Generals Winder and Stricker nearer to the left of my entrenchments and to the right of the enemy, with the intention of their falling on his right or rear should he attack me; or, if he declined it, of attacking him in the morning. To this movement and to the strength of my defences, whilst the enemy had the fullest opportunity of observing, I am induced to attribute his retreat, which was commenced at half past one o'clock Wednesday morning. In this he was favored by the extreme darkness and a continued rain, that we did not discover it until daylight. I consented to General Winder's pursuing with the Virginia brigade and the United States dragoons; at the same time Major Randol was dispatched with his light corps in pursuit on the enemy's right, whilst the whole of the militia cavalry was put in motion for the same object. All the troops were, however, so completely worn out with continued watching, and with being under arms during three days and nights, exposed, the greater part of the time to very inclement weather, that it was found impracticable to do anything more than pick up a few stragglers. The enemy commenced his embarkation that evening, and completed it the next day at one o'clock. It would have been impossible, even had our troops been in a condition to act offensively, to have cut off any part of the enemy's rear guard during the embarkation, as the point where it was effected was defended from our approach by a line of defence extending from Back River to Humphreys' Creek, on the Patapsco, thrown up by ourselves previous to their arrival."[1]

In the meantime the enemy determined to lay aside the musket for the mortar and bomb-shell; and moved his fleet of sixteen ships (including five bomb vessels) within about two miles and a-half of Fort McHenry. About two o'clock on Tuesday morning, September 13th, the enemy opened fire from his five bomb vessels at the distance of about two miles; and the whole of Tuesday and Tuesday night was employed in an effort to subdue the passive resistance of the fort by an incessant shower of shell, which the garrison was unable to return. "There was something exceedingly picturesque and beautiful in the silence of that fort."[2]

Having no means of reaching the enemy at that distance, which he took care to keep, the fort's brave defenders were compelled to endure without reply an incessant bombardment for twenty-four hours; and with a few brief exceptions, when the incautious enemy ventured too near, and the sullen silence of the garrison was broken by such a salute from their heavy artillery as compelled a prompt retreat, the indignant defiance of the fort was manifested only by the waving of its flag, calmly floating in the breeze. "The

[1] Niles' Register, vii., p. 26.

[2] General Wilkinson, an old and experienced officer from Maryland, said: "The defences of Fort McHenry was of no ordinary character for the passive resistance of danger is the test of valor." Memoirs, i., p. 705.

language addressed to the eye by the continued and proud waving of that flag, can never be forgotten by those who saw it. It told everything at a glance; and the feeling which it excited was most happily expressed by Francis Scott Key in a burst of genuine poetry which is destined to live as long as the history of our nation shall be read or told.

Francis Scott Key, the author, lawyer and poet, was born in Frederick County, on the 1st of August, 1779, and died in Baltimore while on a visit to his son-in-law, Charles Howard, Esq., on Wednesday, the 11th of January,

FRANCIS SCOTT KEY.

1843. He was the son of John Ross Key, a Revolutionary officer, who died in Frederick County, October 12th, 1821. Francis S. Key was educated at St. John's College, Annapolis, and studied law in that city in the office of his uncle, Philip Barton Key. In 1801, he commenced the practice of law at Frederick, but in a few years removed to Washington City, D. C., where he was chosen United States District Attorney. Mr. Key was a gentleman of the very highest order of talent, of ardent feelings and benevolent mind; the friend and influential closet counsellor of the Hon. John Randolph, of Roanoke,

in his last days, and of General Andrew Jackson during his presidency. He was also an early and zealous supporter of the African Colonization Society. But his chief title to fame rests upon his spirit-stirring song, "The Star-Spangled Banner," written to commemorate a Maryland triumph, but so glowing with the fire of genius and patriotism that it has become a national lyric. The circumstances under which it was composed are as follows:

On the retreat of the British army from Washington through Marlborough, Mr. Gleig, in his narrative says: "Though there appeared to be no disposition on the part of the American general to follow our steps and to harass the retreat, the inhabitants of that village, at the instigation of a medical practitioner called Beanes, had risen in arms as soon as we were defeated, and falling upon such individuals as strayed from the column, put some of them to death, and made others prisoners. A soldier whom they had taken, and who had escaped, gave this information to the troopers just as they were about to return to headquarters; upon which they immediately wheeled about, and galloping into the village, pulled the doctor out of his bed, (for it was early in the morning), and compelled him, by a threat of instant death, to liberate his prisoners, and mounting him before one of the party, brought him in triumph to the camp."

Dr. Beanes was the leading physician in Upper Marlborough, and an accomplished scholar and popular gentleman. It is said that his house, which was one of the best in Upper Marlborough, was selected by Admiral Cockburn and some of the principal officers of the army, as their headquarters when the British troops encamped there on their march to Washington. As the British officers had shown him much courtesy and protected his property, they were greatly incensed at his actions. Mr. Taney says, the British "entered Dr. Beanes' house about midnight, compelled him to rise from his bed, and hurried him off to their camp, hardly allowing him time to put his clothes on; he was treated with great harshness, and closely guarded; and as soon as his friends were apprised of his situation they hastened to the headquarters of the English army to solicit his release, but it was peremptorily refused, and they were not even permitted to see him, and he had been carried as a prisoner on board the fleet." Alarmed for the safety of Dr. Beanes, a number of his friends hastened to Georgetown to procure the assistance of Francis S. Key, who was then serving as a volunteer in Major Peter's artillery. Mr. Key promptly undertook to obtain the release of his friend, and immediately obtained the President's permission to visit the British fleet; Mr. John S. Skinner, the government's agent for the exchange of prisoners in Baltimore, who was well-known as such to the officers of the fleet, being directed to accompany him. As soon as the necessary arrangements were made, they embarked at Baltimore and sailed for the British fleet, which was then at the mouth of the Potomac, preparing for the expedition against Baltimore. Mr. Taney says that Mr. Key—

"Was courteously received by Admiral Cochrane and the officers of the army, as well as of the navy. But when he made known his business, his application was not met so coldly that he feared it would fail. General Ross and Admiral Cockburn, who accompanied the expedition to Washington—particularly the latter, spoke of Dr. Beanes in very harsh terms, and seemed at first not disposed to release him. It however happened, fortunately, that Mr. Skinner carried letters from the wounded British officers left at Bladensburg, and in these letters to their friends on board the fleet they all spoke of the humanity and kindness with which they had been treated after they had fallen into our hands. After a good deal of conversation, and strong representations from Mr. Key, as to the character and standing of Dr. Beanes, and of the deep interest which the community in which he lived took in his fate, General Ross said that Dr. Beanes deserved much more punishment than he had received, but that he felt himself bound to make a return for the kindness which had been shown to his wounded officers whom he had been compelled to leave at Bladensburg, and upon that ground, and that only, he would release him. But Mr. Key was at the same time informed that neither he, nor any one else, would be permitted to leave the fleet for some days, and must be detained until the attack on Baltimore, which was then about to be made, was over. But he was assured that they would make Dr. and Mr. Skinner as comfortable as possible while they detained them. Admiral Cochrane, with whom they dined on the day of their arrival, apologized for not accommodating them in his own ship, saying that it was crowded already with the officers of the army, but that they would be well taken care of in the frigate *Surprise*, commanded by his son Sir Thomas Cochrane. And to this frigate they were accordingly transferred.

"Mr. Key had an interview with Dr. Beanes before General Ross consented to release him. I do not recollect whether he was on board of the admiral's ship, or the *Surprise*, but I believe it was the former. He found him in the leeward part of the ship, among the sailors; he had not a change of clothes from the time he was seized; was constantly treated with indignity by those around him, and no officer would speak to him. He was treated as a culprit, and not as a prisoner of war. And this harsh and unfeeling treatment continued until he was placed on board of the cartel. * * * *

"Mr. Key and Mr. Skinner continued on board the *Surprise*, where they were very kindly treated by Sir Thomas Cochrane, until the fleet reached the Patapsco, and preparations were making for landing the troops. Admiral Cochrane then shifted his flag to the frigate, in order that he might be able to move further up the river and superintend in person the attack by water on the fort; and Mr. Key and Mr. Skinner were then sent on board their own vessel with a guard of sailors or marines, to prevent them from landing. They were permitted to take Dr. Beanes with them; and they thought themselves fortunate in being anchored in a position which enabled them to see distinctly the flag of Fort McHenry from the deck of the vessel. He proceeded then, with much animation, to describe the scene on the night of the bombardment. He and Mr. Skinner remained on deck during the night, watching every shell from the moment it was fired until it fell, listening with breathless interest to hear if an explosion followed. While the bombardment continued, it was sufficient proof that the fort had not surrendered. But it suddenly ceased some time before day, and, as they had no communication with any of the enemy's ships, they did not know whether the fort had surrendered or the attack had been abandoned. They paced the deck for the residue of the night in painful suspense, watching with intense anxiety for the return of day, and looking every few minutes at their watches to see how long they must wait for it; and as soon as it dawned, and before it was light enough to see objects at a distance, their glasses were turned to the fort, uncertain whether they should see the Stars and Stripes or the flag of the enemy. At length light came, and they saw that 'our flag was still there.' And as the day advanced, they discovered, from the movements of the boats between the shore and the

fleet, that the troops had been roughly handled, and that many wounded men were carried to the ships. At length he was informed that the attack on Baltimore had failed, and the British army was re-embarking, and that he and Mr. Skinner and Dr. Beanes would be permitted to leave them and go where they pleased, as soon as the troops were on board and the fleet ready to sail.

"He then told me that, under the excitement of the time, he had written the song, and handed me a printed copy of 'The Star Spangled Banner.' When I had read it and expressed my astonishment, I asked him how he found time, in the scenes he had been passing through, to compose such a song? He said he commenced it on the deck of their vessel, in the fervor of the moment, when he saw the enemy hastily retreating to their ships, and looked at the flag he had watched for so anxiously as the morning opened; that he had written some lines of brief notes, that would aid him in calling them to mind, upon the back of a letter which he happened to have in his pocket: and for some of the lines, as he proceeded, he was obliged to rely altogether on his memory; and that he finished it in the boat on his way to the shore, and wrote it out, as it now stands, at the hotel on the night he reached Baltimore and immediately after he arrived. He said that, on the next morning, he took it to Captain Joshua N. Nicholson, commander of the Baltimore Fencibles and Chief Justice of the Baltimore Court, and one of the Judges of the Court of Appeals of Maryland, to ask him what he thought of it; that he was so much pleased with it that he immediately sent it to a printer, and directed copies to be struck off in handbill form; and that he, Mr. Key, believed it to have been favorably received by the Baltimore public."[1]

The song was first set in type by Mr. Samuel Sands, who was then an apprentice boy at the office of the Baltimore *American*, on the east side of Harrison street, near Baltimore. It is said that it was first sung in a Baltimore restaurant, next to the Holliday Street Theatre, by Charles Durang, and after that, nightly in the theatre.

The bomb and other vessels ranged in a half-circle in front of the fort, and kept up a furious bombardment both day and night, and fired over eighteen hundred shells, with multitudes of round shot and rockets. Many of the shells weighed two hundred and twenty pounds, and the incessant roar of the cannon, and the deafening and continuous scream of the shells and rockets, added horrors to the awful spectacle of a cannonade by night. About midnight, screened by total darkness, only broken by the flashes of their own artillery, a few bomb-ketches and rocket-boats, with a squadron of barges, numbering altogether about eighty, and manned by about twelve hundred men, pushed up the cove beyond Fort McHenry, to effect a landing and attempt an escalade in the rear. They passed the fort and moved for the shore with loud cheers. Fort Covington, the City Battery, Fort McHenry, and the Circular Battery, instantly brought every gun to bear upon the barges, and a terrible fire was opened. The concussion was tremendous; every house in the city was shaken to its foundation, and the affrighted population believed that all was over.

No eye was closed in Baltimore that night; and many expected that the morning sun would rise upon a scene of havoc, plunder and conflagration.

[1] *Memoir of Chief Justice Roger Brooke Taney*, p. 162.

And when through the gray mists of dawn they saw the bright stars and stripes still waving over the ramparts of Fort McHenry, a burst of gratitude went up to Heaven for the deliverance.

The mortar-boats and barges which passed Fort McHenry, after losing many men and suffering considerable damage, being saved from destruction by the darkness, retreated to their distant positions, out of reach of shot, whence they kept up the ineffectual bombardment till six o'clock next morning, when they, like the army, drew off, both worsted and convinced of the much greater probability of their own capture or destruction, than that of Baltimore.

Lieutenant Colonel Armistead, in his report to the secretary of war, dated September 24th, 1814, says:

"On Tuesday morning about sunrise, the enemy commenced the attack from his five bomb vessels, at the distance of about two miles, when finding that his shells reached us, he anchored, and kept up an incessant and well-directed bombardment. We immediately opened our batteries, and kept a brisk fire from our guns and mortars, but unfortunately our shot and shells all fell considerably short of him. This was to me a most distressing circumstance; as it left us exposed to a constant and tremendous shower of shells, without the most remote possibility of our doing him the slightest injury. It affords me the highest gratification to state, that although we were left thus exposed, and thus inactive, not a man shrunk from the conflict.

"About 2 o'clock, P. M., one of the 24 pounders on the southwest bastion, under the immediate command of Captain Nicholson, was dismounted by a shell, the explosion from which killed his second lieutenant and wounded several of his men; the bustle necessarily produced in removing the wounded and remounting the gun probably induced the enemy to suspect that we were in a state of confusion, as he brought in three of his bomb ships to what I believed to be good striking distance. I immediately ordered a fire to be opened, which was obeyed with alacrity through the whole garrison, and in half an hour those intruders upon sheltered themselves by withdrawing beyond our reach. We gave three cheers, and again ceased firing. The enemy continued throwing shells, with never two slight intermissions, till one o'clock in the morning of Wednesday, when it was discovered that he had availed himself of the darkness of the night, and had thrown a considerable force above to our right; they had approached very near to Fort Covington, when they began to throw rockets; intended, I presume, to give them an opportunity of examining the shores, as I have since understood they had detached 1250 picked men with scaling ladders, for the purpose of storming this fort. We once more had an opportunity of opening our batteries, and kept up a continued blaze for nearly two hours, which soon the effect again to drive them off.

"In justice to Lieutenant Newcomb, of the United States Navy, who commanded at Fort Covington with a detachment of sailors, and Lieutenant Webster, of the flotilla, who commanded the six-gun battery near that fort, I ought to state, that during this time they kept up an animated, and I believe a very destructive fire, to which I am persuaded we are much indebted in repulsing the enemy. One of his sunken barges has since been found with two dead men in it—others have been seen floating in the river. The only means we had of directing our guns, was by the blaze of their rockets, and the flashes of their guns. Had they ventured to the same situation in the day time, not a man would have escaped.

"The bombardment continued on the part of the enemy until 7 o'clock on Wednesday morning, when it ceased; and about nine, their ships got under weigh, and stood down

the river. During the bombardment, which lasted twenty hours (with two slight intermissions), from the best calculation I can make, from fifteen to eighteen hundred shells were thrown by the enemy. A few of these fell short. A large proportion burst over us, throwing their fragments among us, and thus spreading destruction. Many passed over, and about four hundred fell within the works. Two of the public buildings are materially injured—the others but slightly. I am happy to inform you (wonderful as it may appear), that our loss amounts only to four men killed, and 24 wounded. The latter will all recover. Among the killed, I have to lament the loss of Lieutenant Clippal, and Sergeant Clemm, both of Captain Nicholson's volunteers, two men whose fate is to be deplored, not only for their personal bravery, but for their high standing, amiable demeanor, and spotless integrity in private life. Lieutenant Russel, of the company under Lieutenant Pennington, received, early in the attack, a severe contusion in the heel; notwithstanding which, he remained at his post during the whole bombardment.

"Were I to name any individual who signalized themselves, I would be doing injustice to others. Suffice it to say, that every officer and soldier under my command did their duty to my entire satisfaction."

Commodore Rogers, in his report to the Secretary of the Navy, dated September 23d, 1814, also says:

"To the officers, seamen and marines of the *Java*, considering the privations they experienced and the cheerfulness and zeal with which they encountered every obstacle, every acknowledgment is due, and it would be as impossible for me to say too much in their praise, as it would be unworthy of the station I hold, not to mention that their discipline and good conduct is owing, in a pre-eminent degree, to the indefatigable attention and exertions of that highly estimable officer, Lieutenant Gamble.

"The enemy's repulse from the Ferry branch on the night of the 12th instant, after he had passed Fort McHenry with his barges and some light vessels was owing to the warm reception he met from Forts Covington and Babcock, commanded by Lieutenant Newcomb and Sailing Master Webster, who with all under their command performed the duty assigned to them to admiration.

"To Lieutenant Frazier commanding the three gun battery at the Lazaretto, great praise is due for the constant and animated fire with which he at times assailed the enemy during a very exposed situation to rockets and shells.

"Great praise is justly due Lieutenant Butler for his prompt execution of my orders, as well as the zeal and coolness with which he performed all the duties of his station; although continually exposed for near twenty-four hours to the enemy's rockets and shells.

"Similar praise is due to the officers and men, in the several barges of the flotilla which were immediately under his command, who without regard to the enemy's rockets and shells maintained their position with firmness in the passage between Fort McHenry and the Lazaretto.

"Sailing-master Bowman, stationed in the water-battery of Fort McHenry with sixty seamen of the flotilla, did his duty in a manner worthy of the service to which he belongs.

"To master's mate Stockton, my aide, I am greatly indebted for the zeal and promptitude with which he conveyed my orders from post to post, and wherever I had occasion to communicate, although in some instances he had to pass through showers of shells and rockets.

"To Mr. Allen (brother of the late gallant Captain Allen of the navy), who acted as my aide, and remained near my person, I am much indebted for the careful assistance he rendered in the capacity of secretary, and conveying my orders wherever I found the same necessary.

"It now becomes a duty to notice the services of that gallant and meritorious officer, Captain Spence of the navy, by whose exertions, assisted by Lieutenant Rutter with the barges, the entrance into the Basin was so obstructed in the enemy's presence, and that too in a very short time, as to bid defiance to his ships, had he attempted to force that passage. In fine, owing to the emergency of the service, although no definite command could be assigned Captain Spence, his services were nevertheless of the first order, and where danger was expected there he was to be found animating with his presence and encouraging by his conduct, all to do their duty. On my leaving Baltimore, Commodore Perry being absent, the command of the naval forces devolved on this excellent officer.

"That justly distinguished officer, Commodore Perry, I am sorry to say, was so indisposed and worn out with the fatigue he had experienced on the Potomac, and having arrived at Baltimore but a short time before the bombardment commenced, precluded his taking an active command: at the moment, however, when the enemy threatened to attack our Fort, I found he was with us, and ready to render every assistance in his power. In a word, every officer, seaman and marine, belonging as well to the navy as to the flotilla, performed his duty in a manner worthy of the corps to which he belonged.

"I feel a delicacy in attempting to express an opinion of the conduct of any other corps than those particularly placed under my command by the navy department, and the more so as my object is to avoid every cause of being thought preserving. I must in justice, however, be permitted to say that the conduct of Colonel Stephen Stoner, commanding the first regiment of Maryland militia, which was formed in column in my rear, for the defence of the Fort, and whom I considered attached to my command by order of the commanding general, conducted in a manner not only to give me satisfaction, but the most incontestable proof that that corps would have done its duty had the enemy attempted to force the retrenchments in its vicinity.

"Much praise is also due to Major Randall, commanding a battalion of Pennsylvania riflemen, who was also placed under my command, and whom I dispatched with my aide, Mr. Stockton, to dislodge a party of men in the enemy's boats, which it was supposed intended landing near the Lazaretto, to take possession of our little three-gun battery. Mr. Stockton, on his return, reported to me in very high terms the zeal and gallantry displayed by the major and his corps on the occasion. Indeed, it is but justice to say, that I have the best reason to believe, that all the corps stationed in the entrenchments, so far as came under my immediate observation, would have performed their respective duties in a manner honorable to themselves and to their country."

On the 19th of September, after the enemy had retired, Major General Samuel Smith issued the following congratulatory "General Order" to the defenders of Baltimore:

"GENERAL ORDERS.

"*H. Q. Baltimore, September 19, 1814.*

"The enemy having been compelled to retire from before this city, the major-general commanding, takes pleasure in congratulating the troops under his command, upon a relaxation of the severe duties to which they were for some days necessarily exposed. The cool zeal with which they submitted to privations of every kind, was as gratifying to him as the alacrity with which they flew to arms for the protection of the city. He feels a particular pleasure in imparting to every officer and soldier his warm acknowledgments for the zeal they displayed in marching to meet the enemy, whose object by his own declaration is known to be devastation and ruin in every assailable point on the seaboard. It is with peculiar satisfaction the commanding-general seizes this opportunity of acknowledging the very great assistance he has received from the counsel and active

exertions of Commodore Rogers. His exertions and those of his brave officers and seamen, have contributed in a very eminent degree to the safety of the city, and should be remembered with lively emotions of gratitude by every citizen.

"The successful defence of Fort McHenry by Major Armistead, of the United States army having under his command (besides his own corps) three companies of Colonel Harris's regiment of artillery commanded by Captains Berry and Nicholson, and Lieutenant Pennington, and a part of the 38th and 85th regiments of United States infantry commanded by Lieutenant Colonel Steuart, is beyond all praise. Their gallantry and intrepidity enabled them to defend the fort against every effort of the enemy, and there is no doubt, that this intrepid officer will be rewarded by the government. The voluntary services of Major Lane of the 14th regiment of United States infantry, were highly useful and duly appreciated by Major Armistead. Lieutenant Newcomb, of the navy, who commanded Fort Covington, and Lieutenant Webster, of the Marines, the city battery, performed their respective duties to the entire satisfaction of the commanding-general.

"To Brigadier General Winder he tenders his thanks for his aid, co-operation and prompt pursuit of the enemy. To Brigadier General Douglass with his brigade, and to Colonel Taylor with his regiment of Virginia militia, called into service for the defence of Washington, the commanding-general also makes a tender of his acknowledgments. They have sustained privations with patience, and submitted to a soldier's life with a temper that does them credit. To the officers much praise is due for the discipline they have introduced, for their attention to their men, and prompt obedience to orders.

"To Brigadier General Stricker and the third brigade of Maryland militia, every praise is due; the city being abandoned, it became the duty of the citizens to be foremost in its defence. He claimed the honor, and the brave officers and men under his command hailed with delight the opportunity of meeting the enemy's first attack; he met the enemy and engaged him, and when compelled by superior numbers to retreat, he effected it in order, and rallied on his reserve, and from thence retired to the ground which had been assigned him near the lines. The particulars of the action and the just praise due to each officer, are given by the brigadier-general in his report. He reports the 27th regiment under Colonel Long, as having in a particular manner distinguished itself—he gives due praise to the 5th, under Colonel Shindt, and 39th under Colonel Fowler. He reports that his reserve under Colonel McDonald merited his approbation, and that the artillery under Captain Montgomery highly distinguished itself. He applauds in terms which are flattering, the conduct of Major Pinckney's battalion of riflemen, the command of which on this occasion having devolved on Captain Dyer. He mentions in honorable terms the bravery and good conduct of Major Heath of the 5th, who had two horses shot under him, and of Captains Spangler and Metzger commanding companies from Pennsylvania, and of Captain Quantril with a company from Hagerstown.

"The Pennsylvania volunteers without commissions, repaired to the post of danger, chose officers and organized themselves into regiments, performed all the duties of soldiers and have recommended themselves in a particular manner to the attention of the commanding-general. High praise is also due to Generals Stansbury and Forman. Their men came out principally *en masse*, and when assembled were to be organized, armed, equipped and disciplined. All this has been effected through their indefatigable exertions. To these gentlemen the commanding-general tenders his sincere thanks. The enthusiasm shown by their men on the approach of the enemy, gave a full assurance that reliance might be placed on them.

"The light corps under Major Randall performed in a manner highly honorable the services assigned it; and the major's conduct evinced a coolness, bravery and talent for a military life.

"The excellent discipline and order of the artillery under Colonel Harris, and marine artillery under Captain Stiles, affords a certainty of their good conduct. The regularity

which prevails in those corps does them honor and affords an excellent example to others. Fatiguing as were the duties imposed on the United States cavalry under Captain Bird, and the militia cavalry under Lieutenant Colonels Moore, Binys, Street and Tilghman, and Captain Lee, they were performed with an alacrity and promptness highly honorable to the officers and men. To Captain Thompson of the flying artillery and his company, the commanding-general tenders his thanks for their unremitting personal attention as his guard, their readiness in carrying orders and the various separate duties assigned them, and to Major Barney and Captain Thompson with their corps of observation for the correct information received from them.

"The guns at the Lazaretto were well served by Lieutenant Rutter of the flotilla, whose conduct in the discharge of that, as well as the highly important duty of advanced night guards to the fort, has met the entire approbation of the commanding-general. To the Committee of Vigilance and Safety he feels himself under particular obligations to acknowledge the many advantages he derived from their exertions in providing the means necessary for defence.

"Such was the determined zeal evinced on the part of every brigade and corps under his command, that the commanding-general is impressed with a full conviction, that had the enemy made his attack it would have terminated in his discomfiture and defeat."

There is one circumstance in the narrative of the defence of Baltimore upon which the citizens of Maryland can always dwell with peculiar pleasure, and that is the cheerfulness and promptness with which our neighbors from the interior country repaired to our assistance. Three companies from Pennsylvania, from York, Hanover and Marietta, and one from Hagerstown, attached themselves to General Stricker's brigade and bore an honorable share in the fatigues and dangers of the day. Large bodies of troops from Virginia and Pennsylvania,[1] as well as from many parts of our State, hastened to our relief with a brotherly affection. Two brigades of Virginia militia, amounting to twenty-five hundred men, constituted a part of General Winder's immediate command which hovered on the right flank of the British army during the whole of its stay before the entrenchments. On the 13th, this force was increased by the whole or nearly the whole of General Stricker's brigade; so that if Colonel Brooke had attempted a circuitous route to the city, he would have had in his front a body of six thousand men, whilst an equal number would have marched out from the entrenchments and assailed him in flank. The number which were collected enabled General Smith thus to place his troops so as to menace his enemy on every quarter, and assume a position which proved his high military skill.

Intelligence of the defence of Baltimore was received throughout the country with every demonstration of joy. The fall of Washington had hushed for a time the discords of party rancor, and united our whole people in the energetic prosecution of the war; and the result of the attack on Baltimore soothed the public feeling for the disaster of Washington. The joy of the Baltimoreans, reached, as it seemed to them, from the very jaws of

[1] Among the volunteers from Pennsylvania for the defence of Baltimore was James Buchanan (afterwards President of the United States), and Judge Henry Shippen.

destruction, cannot be described. Measures were taken for a perpetual celebration of the event; rewards were proposed for those who had filled distinguished positions in the defence; and a beautiful monument in the centre of the city perpetuates the names and memory of those who fell in defence of their homes. Around it, on each returning anniversary of the day, amid dense crowds of spectators, the pomp of military escort, and the stirring strains of martial music, march, under a tattered flag, a handful of aged men, their number lessening every year, the survivors of that eventful

BATTLE MONUMENT.

twelfth of September, the honored company of "Old Defenders." May it yet be long ere the last survivor of that venerable band performs his solitary circuit!

Notwithstanding the retirement of the enemy from Baltimore, the works of defence were pushed forward to completion, as the "hated Baltimore" expected the enemy to return for a second attack. Many new batteries and entrenchments were erected, and on the 3d of October, the "Committee of Vigilance and Safety" issued the following resolves:

"*Resolved*, That all free people of color, be and they are hereby ORDERED to attend daily, commencing with Wednesday morning, the 5th inst., at the different works pending about the city for the purpose of laboring thereon, and for which they shall receive an allowance of fifty cents per day together with a soldier's rations.

"*Resolved*, That Captain George Stiles and Captain Isaac Phillips, be, and they are hereby authorized to enforce the preceding order, and to call to their aid the different military companies of exempts, or such other aid as may be necessary to its complete execution.

"*Resolved*, That our fellow citizens who are exempt from military duty, be, and they are hereby earnestly invited to labor on the fortifications either in person or by substitute, and in the latter case, to furnish the substitutes with notes to the superintendents, requesting them to certify therein that the bearer had performed his duty.

"*Resolved*, That the thanks of this committee be, and they are hereby tendered to the military associations, who have volunteered their services to labor, and that the committee will be gratified by a continuance of military aid on the fortifications."

The enemy re-embarked on board of his fleet on the 15th, and on the 17th of September they got under weigh and sailed for the bay. The *Sabbath* says:

"Almost the same spectacle which had previously arrested our attention, rose to attract it now. Again the beacons were set on fire—again signal guns were fired, horsemen mounted, and telegraphic communications were carried on at every station: whilst the provincial capital, with all the inhabited places near it, again sent forth crowds of men, women and children, flying, in manifest confusion, into the interior. I must confess, that though the course of some three years campaigning had, by this time, pretty effectually blunted my finer feelings, I could not but pity the ill-fated denizens of this devoted district, and thus I expanded our present proceedings with no very triumphant eye, inasmuch as they reminded me more of the operations of the ancient Danes against Alfred and his subjects, than anything in the annals of modern and civilized warfare. We came at last never to look upon a town or a village, without having at least the wish that we might be allowed to pay it a hostile visit."

On the 18th of September, the fleet arrived at their old anchorage in the Patuxent River, and here began a series of expeditions for robbing and plundering the inhabitants bordering on the waters of the Chesapeake. Early in October, they again took possession of Tilghman's Island, where they established a large force. On the 27th of October, they crossed the bay to Tracy's Landing, and carried off a large quantity of tobacco and destroyed the houses. On the last day of October, an officer, with a boat's crew from the British sloop *Severn*, landed at St. Inigoes' Roman Catholic missionary establishment, in St. Mary's County, and rifled the chapel, etc. In a letter describing their visit, the writer says:

"They advanced to the house; immediately four or five of them ran into the private chapel, when, painful to relate! the sacred vestments were thrown here and there, the vessels consecrated to the service of God, profaned, the holy altar stript naked, the tabernacle rifled off, and the blessed sacrament of the altar borne away in the hands of those sacrilegious wretches.

"The captain was entreated, over and over again, to protect the church and have all things returned: he promised he would; he ran to the barge and ordered the men to restore the sacred vessels and vestments: they hurried one chalice out of the barge, when

the captain said he could not command them, they were a set of ruffians. The reverend gentleman who resides there, also joined in entreating them to return the sacred vessels, vestments and other articles for the use of the altar. The captain answered he would, seated himself in the barge and ordered his men to move off, without taking any more notice of the entreaties. At this lady, who lived on the place, prevailed on them in the meantime to return the tabernacle, which they did, also a part of the vestments.

"On returning to the house, it was pitiful to view the different rooms they had ransacked, particularly the chapel; they left the crucifix on the altar, broke the cruets and scattered the pieces over the floor; they carried off six feather beds, sheets, blankets and pillows—bed curtains, an alarm clock, silver spoons, knives and forks, glass, the reverend gentleman's watch, the candlesticks belonging to the altar, kitchen furniture, and almost all the clothing belonging to the persons who reside in the house, two trunks with clothing, books and medicine, several pair of new shoes, made for the people, and a quantity of leathers; even the horses which were at the wash, and many other articles not yet known. The loss of that house, on this and a former occasion, cannot be much less than $1200."

On the 18th of November, 1814, Captain Alexander Dixie, commander of the *Severn*, sent an officer, with a flag of truce, and a letter of apology to the priests in charge of the church, and other inhabitants of St. Inigues, acknowledging the robbery, declaring the proceedings unauthorized, and restoring some of the articles taken, "hoping this justice will efface prejudicial sentiments towards the British." A frank confession, but poor atonement for the common rapine practised by the British navy, in Maryland waters. On the 14th of October, a greater portion of the fleet sailed for Jamaica, and finally to New Orleans.

In July, the British frigate captured in the bay twelve small vessels, and on November 12th, a frigate accompanied by two tenders and several barges, captured at the mouth of the Choptank River, the packet boat *Messenger*, belonging to Mr. Clement Vickers, and running between the Eastern Shore and Baltimore. She had on board seventeen passengers and a large quantity of merchandise. The enemy also captured at this time about fifteen or twenty small craft. It was estimated that the amount captured and destroyed in vessels and merchandise was worth upwards of $30,000.

Owing to some dissatisfaction among the militia officers in and around Baltimore, a number of them resigned. In October, Major General Samuel Smith resigned his commission and General Robert Goodloe Harper was appointed in his place. General Stricker, who was the senior brigadier in the division, feeling that his rights were disregarded in the matter of promotion, also resigned. General Scott, who commanded in Baltimore at this time, in a general order announcing the resignation of General Stricker, dated November 11th, 1814, said:

"It is with much regret that Major General Scott has officially to announce to the troops under his command the resignation of Brigadier General John Stricker, late commander of the third Maryland Brigade, now in the service of the United States. This regret is undisguisedly expressed, from the high sense entertained of the military and meritorious services rendered by the late brigadier, as well during our rev-

hationary struggle, as on a late important and trying occasion, when at the head of his gallant and disciplined brigade, he met the enemy in the neighborhood of this city. Baltimore will long recollect what is due to her gallant defender, and in him the nation will recognize a public benefactor.

"Brigadier General Stricker will please accept the thanks of the commanding general for his strict observance of general orders, and for the unwearied attention to duty and discipline, which has so highly characterized the brigadier and the brigade, since they came under the orders of the major-general commanding."

Lieutenant Colonel James Sterett, of the 5th regiment, was appointed brigadier general of the third or "City Brigade," in the place of General Stricker, notwithstanding Colonel William Donald, of the 6th regiment, was the senior officer of the brigade.

On the 15th of November, the first cavalry regiment and the 5th, 6th, 27th, 38th, and 51st regiments of infantry and Major Pinkney's rifle battalion were "honorably discharged with the thanks of the major-general commanding, for their good conduct, orderly behavior and attention to discipline during their service."

The fall elections of 1814, resulted in considerable federal gains. In the House of Delegates the respective parties stood as follows: Democratic—Annapolis City, 2; Baltimore City, 2; County, 4; Harford, 4; Queen Anne's 4; Washington, 4; and in Anne Arundel, 1.—Total 21.

Federal—St. Mary's, Charles, Calvert, Prince George's, Montgomery, Frederick, Allegheny, Cecil, Kent, Talbot, Caroline, Dorchester, Somerset and Worcester, 4 each, and in Anne Arundel, 3.—Total 59.

In the election for Congressmen, the federalists gained two members. Those who were elected were as follows: 1st district, Philip Stewart; 2d, John C. Herbert; 3d, Alexander C. Hanson; 4th, George Baer and Charles Goldsborough, of the 8th district federalists, and Nicholas R. Moore and William Pinkney, of the 5th district, and Stevenson Archer, of the 6th and Robert Wright, of the 7th, democrats. On the 12th of December, the Legislature balloted for governor, when Governor Levin Winder was re-elected. He received forty-eight votes and Robert Bowie, twenty-three.

Notwithstanding the political complexion of the State was decidedly federal, yet the federalists of Maryland never refused their aid for the successful maintenance of the war when the exigencies of the times seemed to require it. Rather than see their country vitified of its honor, or dragooned into submission by any foe, either foreign or domestic, they would pour out their blood, and yield up their lives in its defence.

At the opening of the war, the Federal government, instead of providing for the common defence, exhausted the public treasury in support of its futile scheme of an invasion of Canada. The fruit of this ill-advised policy was, that when the enemy was at the door, it had not the means to protect the Federal capital from pillage and conflagration. At this gloomy time, when the cabinet at Washington seemed paralysed by dismay, and could give no help, the State of Maryland appropriated more than $160,000 from

her own treasury, to help the Federal Government, while the City of Baltimore appropriated $1,000,000 more, advanced by her own citizens, for the purposes of defence. By the judicious expenditure of this sum, Maryland was placed in an attitude of defence. But, for the fact that the State was enabled to repel the enemy, to save her chief city from destruction, and to escape with no worse harm than the plundering and burning of farm-houses along the coast, she was indebted only to the stout hearts and the open purses of her own sons: to the Federal government she owed nothing.

As a matter of course, this conduct was highly appreciated at Washington, and drew from President Madison the emphatic declaration that "the claims of Maryland for her expenditures during the war, stood upon higher ground than those of any other State in the Union." Yet, when the war was over, and all the States were enjoying the peace to which Maryland had contributed so largely, and most of the rest—to put it in the mildest form—so little, the New England journalists and orators contended, in a spirit which needs no comment, that Maryland had no right to ask to be reimbursed from the common treasury for expenditures made for the common good.[1]

Before the War of 1812, the State of Maryland was possessed of a large and profitable fund, the greater part of which, amounting to nearly $1,500,000, was invested in productive stocks at that time adequate, with other permanent sources of revenue to defray all the ordinary expenses of government, and even to leave an occasional surplus, applicable to various purposes of internal improvement. This relieved the people from the charges of public administration, and totally exempted them from taxation. The expenses growing out of the late war with Great Britain, created large demands upon the treasury, for the purposes of defence against invasion, and the supply of means to a naval and military force, for which, in the natural order of things, remuneration could not be expected from the general government until long after the disbursements were made; and as to a portion of which, from the irregularity inseparably incident to a hasty and vigorous resistance of an invading enemy, no account could be taken or vouchers supplied to justify a claim against the United States, thereby causing an irremediable loss to the revenues of the State. It was by the losses sustained during the war, and the failure of the government to reimburse the State, that the foundation of our present State debt was laid. In the City of Baltimore, up to the year 1815, the current revenues of the city were sufficient to pay the expenses of the city, and there was no permanent city debt. But during the war, the city treasury became exhausted

[1] In compliance with a resolution of the House of Representatives, passed April 8, 1820, the Third Auditor of the United States Treasury reported that Maryland had in the service during the war 12,688 militia, as follows: In service in 1812, 255; in 1813, 10,181; in 1814, 28,320 private—making a total of 42,856. In proportion to population, this was the largest contingent furnished by any State in the Union, and in actual number it was only exceeded by Virginia and New York. The State paid, during the progress of the war, for the support of the militia and other military expenses, $5,061,181.88. At its close, the State's claim against the Federal Government for militia services and supplies was adjusted at $815,111, of which $807,120 was paid, and $10,732 rejected for the want of proper vouchers.—Niles's *Register*, xix., p. 372; xxiii., p. 261.

by advancing money for the public defence, and the Committee of Safety were compelled to take loans from the banks and private citizens, which were assumed by the city, and became the nucleus of the present city debt. In the year 1816, the rate of city tax was twelve and a-half cents on each one hundred dollars or one-eighth of one *per centum* on the amount of assessment.

In striking contrast with the patriotic course of the inhabitants of Maryland, Mr. Niles gives the following account of the state of affairs in the New England States, who were about this time threatening to secede from the Union, and on the eve of calling their famous "Hartford Convention:"

"We are astounded by the clam of the Jacobins for the loss of their commerce—for the great misery and distress that prevails; for the poverty that is about to encompass them on every side: for the wide ruin that is extending itself to all classes of the people or anything else that may assist to make a noise, or fill a newspaper column with ranting and roaring. But I will give evidence of the fact, that the people of Massachusetts, (and of the eastern States generally) have suffered much less by the war than any other section of the United States; and perhaps make it appear that they have really prospered by it. I request the reader may not be surprised at this proposition, as well he may be if he believes one millionth part of what the Jacobins say—but seriously examine the statements below:

"While the ports of the Eastern States were left free for "neutrals," as they were called, those of the middle and south were blockaded by the enemy; this threw an immense business into their hands, by which they have profited beyond the calculations of any man who has not reflected on the subject, and examined the facts that belong to it. The Bostonians made more money in the first eighteen months of the war than they had done for a similar period in any other time preceding; and the nature of their business are such, that, though now blockaded like the rest, there exists a very considerable commerce, and somehow, they are full of business—while Baltimore, for example, has not had an arrival, I believe, from a foreign port for a twelvemonth. And, as it was only by commerce that Baltimore owed the sudden rise of its population (now greater than that of Boston) and as we exported more goods, it seems reasonable to suppose that we suffer as much as they do! But, instead of grumbling and growling against our own government, we do all that is in our power for us to make an honest peace, by exercising that justice which our merchants, in conjunction with those of Boston, demanded in 1806, by memorials to Congress—which memorials are on record. * * *

"As to the misery and distress that is made so much noise about in the eastward, what portion of affliction have the people of that section suffered compared with those of other States? The whole 'nation,' having out galland Vermont, has not furnished as many men even to repulse the enemy as the new State of Tennessee has sent out to meet and fight him! Nor have they lost as many lives, in all, as the State of Maryland alone—their coasts have not been ravaged like those of the Middle and Southern States, especially the shores of the Chesapeake, where things have been done by those they eulogize, that Napoleon Bonaparte would have blushed at the idea of being thought capable of! Nor have their citizens, like those of Ohio, Kentucky, Georgia, etc., been liable to the scalping knife of the savage allies of Britain—their children have not been murdered; their wives have not been violated; their wounded soldiers have not been burnt to death! Of their poverty and the wide ruin that is extending itself among them, the following table gives us the proof:

"If money—specie—be the evidence of commercial prosperity, Massachusetts never was half so well off as now. Four years ago, when the trade of the United States naturally sought the places where its commodities were to be had, one of the [two-ni]

banks of Baltimore had more specie than all the banks of Massachusetts; nay, perhaps and probably, more than there was in all New England, whether in possession of the banks or of individuals—and so it will have again, when a regular and honest commerce shall succeed the British war and restore sympathy. At the time alluded to, (1812) and for several years preceding, a half eagle of gold, was less a rarity in Baltimore than a half dollar in silver in New England. These are facts that should be called to the recollection—they arise from the regular state of trade, and will ensue the moment that a peace with England is signed; and then will the jacobins at Boston suffer those embarrassments in the due course of things, urged by a just resentment, that they have wantonly heaped upon their country through adventitious circumstances and a traitorous correspondence and intercourse with the enemy.[1]

"I give it as my deliberate opinion, that a plot was entered into between some persons to the eastward and the British, *to destroy the public credit of the United States*, by the aid of British funds, in various ways forced on the market. But this subject will require more time and more hand as worthy of it than I can spare at present. Unhappily, the alliance has measurably succeeded, through all sorts of lying and deception aided by considerable power, which they use in every way, without regard to anything but the great object just stated.

"From an examination of the facts shown by this comparative statement, we must conclude that the commerce of Massachusetts was never so flourishing; or, that the ample and excessive funds are British, held *in terrorem* over the best of our banking establishments; immediately operating to depress the public stocks at will, and embarrass the financial concerns of the government. On the most careful reflection, I cannot find any other way than *one* of these to account for the immense increase of funds, being nearly four times as much as in 1810. If a man that was notoriously poor and insane [as the Massachusetts banks were in 1810]—who was dependent on the charity of his neighbors for a character in business [as the banks of Massachusetts were—every one of which New York could have made stop payment in a month] suddenly sports with thousands [or millions], and affects to command the market where he had been an humble dependent, we naturally suspect that he has made money very rapidly, by his business—by a prize in the lottery—by a legacy—by finding a hidden treasure—or some great discovery.

"If this great monied capital be honestly acquired, may we not hazard an opinion that the Hartford Convention is useful, and the fear about separation kept up, with the sole view of inducing the enemy to continue the war, that the prosperous business may last? The Dutch merchants supplied the enemies of the republic with gun-powder: the British, in Upper Canada, had long since been compelled to retire for want of provisions but for the supplies they received from the "friends of peace" in the United States: and why may not this for—thing be a monied speculation? A plan adopted to acquire, through the course of trade as subject to the war, a mass of wealth that could never be acquired but in peace."[2]

[1] With two or three years of regular trade—"*Free trade and sailors' rights*"—the "Bostonians" *Baltimore*, a new city, but yet in the infancy (if it were not set seriously about it), could, if it chose, draw off from *Boston* all its present funds of specie, and cause every bank in that "*great commercial metropolis*" to stop payment. This is not said unkindly to it. In that old established seat of business, there is great wealth; but the same combination here to effect this purpose, that exists at *Boston*, to depreciate the credit of the other banks in the United States, would assuredly accomplish it. And the reason why it might be done is simply this: That *Baltimore* is one of the great central points of those staple articles that *command* the general trade of the country. *New York* could do it in a few months; and so might *Philadelphia* in a little while. But until the late outrageous conduct of the *Boston* banks, in running upon others, a thing of this kind was never thought of. Let them look to it—as flagrant have been their proceedings that thousands of men are ready to come under an engagement never to purchase or use anything that reaches them by the way of *Boston*.—*Niles' Register*.

[2] *Niles' Register*, viii. pp. 183–185; also, *ibid.* 209–210.

The Assembly was convened on the 10th of December, and the governor in his message said: "Amidst this general suffering we have, however, the consolation to perceive a spirit of liberty and love of country animating the breasts of our citizens. Though we are baffled in all our attempts at foreign conquest, success attended our gallant navy, and (with one disgraceful exception), victory has crowned us in every conflict undertaken in defence of our homes. Here we fight the cause of virtue, and may therefore rely on the protection of Heaven."[1]

On the 30th of January, the Senate of Maryland, on motion of Mr. N. Williams, unanimously resolved that,

"Whereas, At this momentous period, when our country is assailed by a powerful and vindictive enemy, who has associated to himself as his allies, savage Indians and ferocious blacks; and when seditious combinations and traitorous conventions are endeavouring, to destroy the Union, and to bring, devoted to our arms, a host of faithful and patriotic citizens to manifest their devotion to the government of their choice, and their firm determination to support the administration freely elected to conduct their public concerns.

"The Senate of Maryland, cherishing an ardent attachment to the free institutions of the republic, and feeling an unimpaired confidence in the integrity and ability of those who, in times of extraordinary difficulty have wisely administered the national affairs, deem the present a proper occasion for declaring their fidelity and adherence to the Union, their support of its rights and honor, and their cordial approbation of its government.

"*Therefore, Resolved by the Senate of Maryland*, That we entertain an exalted opinion of the virtue and talents of the President of the United States; and should his able and zealous measures for the honor and prosperity of his country be crowned with deserved success, (as we firmly believe) his administration will exhibit a triumphant era in the American History.

"*Resolved*, That we view with detestation the machinations of disaffected citizens to weaken the Union, distract the public councils, and embarrass military operations, whereby the enemy is encouraged in his degrading views, and the evils of war are prolonged.

"*Resolved*, That the war in which our country is engaged was rendered just and necessary, in defence of rights essential to freemen, and which it would be disgraceful to abandon.

"*Resolved*, That the terms of peace proposed by the British government to our commissioners, at Ghent, are ignominious and humiliating, and excite our highest indignation, and that the war ought to be prosecuted with increased energy, until it can be terminated by an honorable peace, becoming a high-minded nation to accept.

"*Resolved*, That the barbarous and vindictive modes of warfare practised by the enemy deserve the execration of all civilized nations, and are only worthy of the triple alliance of British, Indians and blacks.

"*Resolved*, That the brilliant victories so splendidly achieved by our gallant army and navy, have humbled the pride of the enemy, exalted the character of the nation, and filled the world with admiration of their valor, enterprize and heroism."

The Chesapeake Bay was still in the power of the enemy, yet the Baltimore privateers, though shut out from the port to which they belonged, were cruising in almost every sea, and sending prizes into the various Atlantic ports.

[1] Niles' *Register*, xiii., p. 115.

We have already referred to the brave Captain Boyle, in the privateer *Comet*, of Baltimore. His next cruise was in the privateer *Chasseur*, or the "Pride of Baltimore." Mr. Tossing says: "She was the fleetest of all vessels, and the story of her cruises is a tale of romance of the most exciting kind." She was a privateer brig, elegant in model, and carried twelve guns and about one hundred officers and men. With this formidable vessel, Captain Thomas Boyle captured eighty vessels, of which thirty-two were of equal force with the *Chasseur*, and eighteen superior.

Many of the prizes were of great value. Three of them alone were valued at $400,000. Sometimes she was in the West Indies; then on the coasts of Spain, Portugal and France; and then in the Irish and British Channels spreading the wildest alarm among England's commercial marine. So much was she feared in the West Indies and the islands of the Caribbean Sea, that the merchants there implored Admiral Dunham to send them "at least a heavy sloop-of-war" to protect their property. The admiral immediately sent them the frigate *Barrosa*. During her last cruise, only seventeen days previous to her arrival in port, her heroic commander captured, about six leagues to windward of Havana, his Britanic majesty's schooner *St. Lawrence*, mounting fifteen carriage guns, with a crew of seventy-five men. This action lasted but fifteen minutes, when the Englishman surrendered his vessel, having been completely cut to pieces. Fifteen of his crew were killed, and twenty-five wounded; the *Chasseur* had but five men killed, and eight wounded, and received little or no damage in her hull.

At this period it was the general custom for the British admirals on our coast to issue what the Americans called paper-blockades, declaring the whole coast of North America in a strict state of blockade. Several of these blockade-proclamations had recently been issued by Admiral Sir John Borlaise Warren, and Sir Alexander Cochrane. As a burlesque on these paper-blockades, Captain Boyle while in the British Channel, issued the following proclamation and sent it by a cartel to London, with a request to have it posted up at Lloyd's Coffee House:

"*By Thomas Boyle, Esq., Commander of the privateer armed brig Chasseur, &c.:*

"PROCLAMATION.

"WHEREAS, It has become customary with the admirals of Great Britain, commanding small forces on the coast of the United States, particularly Sir John Borlaise Warren and Sir Alexander Cochrane, to declare all the coast of the United States in a state of strict and rigorous blockade, without possessing the power to justify such a declaration, or stationing an adequate force to maintain said blockade. I do therefore, by virtue of the power and authority in me vested (possessing sufficient force) declare all the ports, harbors, bays, creeks, rivers, inlets, outlets, islands and sea-coast of the United Kingdom of Great Britain and Ireland, in a state of strict and rigorous blockade. And I do further declare, that I consider the force under my command adequate to maintain strictly, rigorously, and effectually, the said blockade. And I do hereby require the respective officers, whether captains, commanders, or commanding officers, under my command, employed or to be employed on the coasts of England, Ireland and Scotland, to pay strict attention

to the execution of this my proclamation. And I do hereby caution and forbid the ships and vessels of all and every nation, in amity and peace with the United States, from entering or attempting to enter, or from coming or attempting to come out of any of the said ports, bays, creeks, rivers, inlets, outlets, islands, or seacoasts, under any pretence whatsoever. And that no person may plead ignorance of this my proclamation, I have ordered the same to be made public in England.

"Given under my hand, on board the *Chasseur*, day and date as above.

"THOMAS BOYLE.

"(By command of the commanding officer),

"J. J. STRAWBRIDGE, *Secretary*."

On the 8th of April, 1815, Captain Boyle, after a successful cruise, arrived at Baltimore in the *Chasseur* with a full cargo of the enemy's spoils. On entering the port, the *Chasseur* saluted Fort McHenry in a handsome manner, and upon reaching the dock, her brave captain and crew were welcomed by all classes of the community.[2]

During the three years of the war, Great Britain lost about two thousand ships and vessels of every description, including men-of-war, two-thirds of which number were captured by the American privateers and private armed vessels. And although Baltimore was frequently blockaded by the British fleets, she took the lead in fitting out these vessels, and was more active and patriotic in annoying the enemy, than any other city in the Union. In testimony of this fact, Mr. Guggeshall says:

"When I call to mind the spirit and zeal of the Baltimoreans during our last war with England, I am inspired with a feeling of esteem and veneration for them as a brave and patriotic people that will endure with me to the end of my existence. During the whole struggle against an invincible foe, they did all they could to aid and strengthen the hands of the general government, and generally took the lead in fitting out efficient privateers and letters-of-marque, to annoy and distress the enemy, and even to 'beard the old lion in his den,' for it is well known that their privateers captured many English vessels at the very mouths of their own ports in the British Channel. When their own beautiful city was attacked by a powerful fleet and army, how nobly did they defend themselves against the hand of the spoiler! The whole venom of the modern Goths seemed concentrated against the Baltimoreans, for no other reason but that they had too much spirit to submit to insult and tyrannical oppression. Many of the eastern people made a grand mistake in counting on the magnanimity of the British nation to do them justice by mild and persuasive arguments. In making these remarks in praise of Baltimore, I do not mean to disparage the noble patriotism of many other cities of our glorious Union; but I do mean to say that if the same spirit that fired the hearts and souls of the Baltimoreans had existed throughout our entire country, it would have saved every American heart much pain and mortification, and would, in my opinion, have shortened the war."

[1] Guggeshall's *History of American Privateers*, p. 181. *Chronicles of Baltimore*, pp. 354–371.

[2] Thomas Boyle was born at Marblehead, on the 29th of June, 1776; married at Baltimore, on the 6th of October, 1791; and died at sea, on the 12th of October, 1823. He commanded a ship when only sixteen years old; married at eighteen, and died when forty-nine. Mr. Guggeshall says: "He possessed many of the elements of a great man; for in him were blended the impetuous bravery of a Murat with the prudence of a Wellington. He wisely judged when to attack the enemy, and when to retreat, with honor to himself and to the flag under which he sailed. Had he been a commander in the United States navy, his fame and deeds of valor would have been lauded throughout the country; but, as he only commanded a privateer, who speaks of him?"

The whole number of privateers and private-armed ships that were commissioned as cruising vessels, and all others actively engaged in commerce during our war with Great Britain in the years 1812, 1813, and 1814, were two hundred and fifty sail. They belonged to the different ports in the United States as follows:

From Baltimore, fifty-eight; from New York, fifty-five; from Salem, forty; from Boston, thirty-two; from Philadelphia, fourteen; from Portsmouth, New Hampshire, eleven; from Charleston, ten; from Marblehead, four; from Bristol, Rhode Island, four; from Portland, three; from Newburyport, two; from Norfolk, two; from Nowhern, North Carolina, two; from New Orleans, two; from New London, one; from Newport, Rhode Island, one; from Providence, Rhode Island, one; from Barnstable, Massachusetts, one; from Fair Haven, Massachusetts, one; from Gloucester, Massachusetts, one; from Washington City, one; from Wilmington, North Carolina, one; from other places belonging to Eastern ports, three. Total, two hundred and fifty.

The defeat of the British before Baltimore hastened the conclusion of peace, as it was among the first in that brilliant series of events that illustrated the truth that a united nation of freemen battling for the right are invincible. The American commissioners who were in Europe endeavoring to make an honorable peace with Great Britain, met in Ghent on the 24th of December, 1814, when a treaty was signed. Mr. Christopher Hughes, Jr.,[1] of Baltimore, who was then our chargé d'affaires at Stockholm, and secretary to the commissioners, arrived in Annapolis on the 13th, in the schooner *Transit*, and immediately set out for Washington. The tidings of peace which Mr. Hughes brought to Maryland were as welcome as they were unexpected. Cannon thundered, bells rang, bonfires and illuminations lighted up the towns and cities, and marked the public satisfaction. In Annapolis, the State House and other buildings, were brilliantly illuminated, and joy was felt throughout the city. Baltimore followed in the same spirit, and in accordance with the proclamation of the mayor, there was a general illumination on the evening of the 15th of February. Upon the ratification of this treaty of peace on the 10th of April, 1815, a large meeting of the citizens of Baltimore took place in the city, at which Joseph H. Nicholson, Nathaniel Williams, William Wilson, John McKim, Jr., James Hutton, Levi Hollingsworth, William McDonald, George Stiles, John Owen, Nathaniel F. Williams, Jesse Eichelberger, William Krebs

CHRISTOPHER HUGHES.

[1] Christopher Hughes was born in Baltimore, and was a gentleman of education and culture, and held the following diplomatic appointments: secretary of legation to England in 1811; same to Sweden and Norway in 1812; invested in charge d'affaires in 1817 and commissioned as such in 1818; from 1825 to 1830, charge d'affaires to the Netherlands, with special instructions to Denmark; from 1830 to 1840 he was charge d'affaires to Sweden and Norway; re-commissioned in 1842, and returned to this country in 1845.

Mr. Hughes represented the United States

and Edward G. Woodyear, were appointed a committee to forward to President Madison a congratulatory address upon the successful termination of the war, and an expression of their admiration for the "enlightened wisdom and patriotic firmness" by which his conduct was distinguished during the extraordinary trials to which our country had been exposed. In summing up the results of the war, the committee say:

"That struggle has revived, with added lustre, the renown which brightened the morning of our independence; it has called forth and organized the dormant resources of the empire; it has vindicated our republican institutions; it has given us the moral strength which consists in the well-earned respect of the world, and in a just respect for ourselves. It has raised up and consolidated a national character, dear to the hearts of the people, as an object of honest pride and a pledge of future union, tranquillity and greatness. It has not, indeed, been unaccompanied by occasional reverses; yet even these have had their value, and may still be wholesome to us, if we receive them as the warnings of a protecting Providence against the errors of a too confident, and against intemperate exultation in the midst of more prosperous fortune. Many of our citizens, too, have fallen in this conflict, and it becomes us to mourn their loss; but they have fallen that their country might rise; they have cemented with their blood the fabric of her happiness and glory; and although death has snatched them from us, they will still live in their example and in the grateful remembrance of their countrymen."

The President, in his reply, dated April 22d, said:

"For the success which has placed us on the high ground which calls for our common congratulations, too much praise cannot be given to the warriors, who, on both elements, have fought so gloriously the battles of their country; nor to the great body of citizens, whose patriotism has borne every sacrifice and braved every danger.

"In the varied scenes which have put to the test the constancy of the nation, Baltimore must rank among the portion most distinguished for devotion to the public cause. It has the satisfaction to reflect, that it boldly and promptly exposed the resort to arms, when no other honorable choice remained; that it stood in the courage of its citizens a rampart against the assaults of an enterprising foe; that it never wavered nor hesitated with the vicissitudes of the contest; and that it had an ample share in the exertions which have brought it to an honorable conclusion."[1]

honor than any other American, at several European courts, in successful diplomatic intercourse and uncommon personal familiarity with many of the monarchs and great numbers of elevated personages, from the commencement of his valuable services as a diplomat. A writer, in speaking of him, said: "He is the best-known man in the world, from New York to Kamtschatka," and was remarkable for "saying more wise things, strange things, droll things, than ever tongue uttered or mind conceived." His personal popularity, aside from a great official diplomat. He obtained a knowledge of the most profound State secrets, as John Quincy Adams said, "by no improper acts, and as no cost of secret service money, but by the art of making friends by his social qualities wherever he went."—Speech in Congress, September 4, 1841. He was a native of Baltimore, and was a brother-in-law of Colonel Armistead. He died in Baltimore, on the 18th of September, 1849.

[1] Niles' Register, xiii., p. 134.

CHAPTER XXXVII.

The war of 1812-14 terminated without any formal settlement of the questions which had occasioned it. The alleged right of searching American vessels for English sailors, which was a mere pretext for impressment of Americans, carried out under circumstances of intolerable wrong to individuals, and outrage to the country, had been the main cause impelling our government to declare war, and yet the treaty of Ghent does not mention or allude to the subject—the first time, perhaps, in modern history, in which war was terminated by treaty without any stipulation derived from its cause.

Notwithstanding this fact, the war was not without its advantages, in the indirect results which followed. It dissipated the fallacious idea, then current abroad, that our love of gain, and commercial enterprise, had extinguished our spirit of patriotism and independence; and showed that our forbearance was not timidity nor servility, and that we were not to be wronged nor insulted with impunity. Our flag was now respected on every sea; and the United States took a position among the nations of the world, which they have ever since maintained.

This war also introduced several changes, and made a number of new points of departure in American policy, and, among the rest, the establishment of a second national bank.[1] From this era we may also date the origin of our rapid growth of domestic manufactures; "protective" policy; the development of internal improvements; the doctrine of secession; slavery agitation, and many other questions of national importance.

The successful defence of Baltimore, and the repulse of the British fleet, was a most fortunate circumstance, for if the enemy had succeeded, Philadelphia would probably have fallen the next victim, and the war prolonged for another year, with the most calamitous results at home and abroad. It was as we have seen, extremely distasteful to the members of the federal party, and particularly of New England, where the discontent culminated in the famous Hartford Convention, which met on the 15th of December, 1814, and to which the design of secession has been imputed. This question, however, and that of a collision between a part of the States and the federal government, grew out of the war of 1812, and were hushed by its sudden termination; but they reappeared in a different quarter, and became a practical question almost fifty years later.

[1] The first ceased to exist in 1811.

Chief Justice Roger B. Taney, in a letter, makes the following reference to the course of the Maryland Federalists, after the war of 1812:

"When the war was over, the federal party, as it existed before, was dissolved by the events of the war. This is not the place to show why it was dissolved. But it may not be improper to say, so far as Maryland is concerned, that during the war the deepest dissatisfaction was felt by the greater number of the prominent federalists of the State, with the conduct of the Boston federalists. For while the enemy was in the midst of us, spoiling our cities and burning our houses, and plundering our property and the citizens of the State, without distinction of party, were putting forth their whole strength and bleeding in its defence, those with whom the Maryland federalists had been associated as political friends in the Eastern States, and whom they had regarded and trusted as the leaders of the party, were holding the Hartford Convention, talking about disunion, conferring with one another in secret conclave; demanding from us one of the Southern States, a surrender of a portion of the political weight secured to us by the Constitution; making this demand, too, in the hour of our distress, when the enemy were upon us. They were moreover, using every exertion in their power to destroy the credit and cripple the resources of the general government, liable as it then was, and leaving us to defend ourselves as well as we could by our own resources.

"It will readily be imagined that after this the federalists of Maryland would hardly desire to continue the party association and continue the lead in hands which appeared to be not only indifferent to the sufferings of our citizens, but ready to take advantage of the peril in which the State was placed to extort from it the surrender of a portion of its legitimate power. We thought it time that the party connection should be dissolved.

"There was no general concert of action between the members of the old federal party in relation to the general government, after the close of the war. Mr. Monroe was elected without opposition. Nor was there any organized opposition to him during his administration. Indeed, some of the federalists of the Eastern States, who had been most prominent and active in the reprehensible proceedings which I have just mentioned, seemed anxious to enroll themselves under his banner, and to be recognized as his political friends."[1]

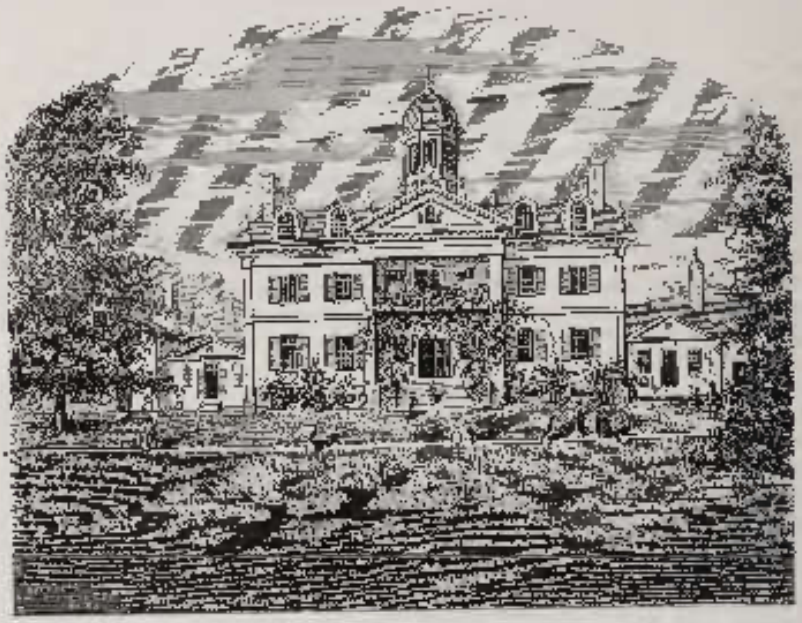
Much attention had been drawn to Baltimore by her gallant defence; and upon the ratification of the treaty of peace her unequalled local advantages began to be generally recognized, and merchants and men of business flocked to the port to engage in commerce and other branches of industry. Her ships were collected from the ports where they had been dispersed and sheltered during the war, while large accessions were made to her tonnage from her numerous privateers and the many prize ships captured from the enemy. Trade with China, Batavia, Bengal, the West Indies and European ports was extensively resumed. Great Britain had lost her war monopoly, and America had ceased to be carrier for the world. They were now reduced to the level of peace competition; and were compelled to contend in foreign markets with the skill and ingenuity of France and Italy, the patient industry and perseverance of the United Netherlands, the rival labors of Denmark, Sweden, Russia and the commercial parts of Germany, and also the efforts of Spain and Portugal. Maryland's commerce, which, during the war, was reduced to the lowest point of depression, upon the return of peace, was raised

[1] *Memoir of R. B. Taney*, p. 158.

to a high pitch of riches and honor. In 1814, the domestic and foreign exports from Maryland were reduced to $348,431, and in 1815, they increased to $5,036,602; in 1816, to $7,938,787, and in 1817, to $8,013,030.

In the election for members of the General Assembly, which took place on the 3d of October, 1815, the democrats or republicans gained eleven members in the House of Delegates, and reduced the federal majority to one vote on joint ballot. On the 11th of December, Charles Ridgely[1] of Hampton, was elected Governor by a majority of two votes. Mr. Ridgely, federal, receiving forty-seven votes, and Colonel Robert Bowie, democrat, forty-five.

At this period, considerable discussion arose in the larger counties and the City of Baltimore, from the fact that the minority of the people of the State



RESIDENCE OF CHARLES RIDGELY, OF HAMPTON.

were governing the majority. Under the existing constitution, the delegates were the representatives of the counties of the State, and not of the people, thereby giving one man as much political weight in some of these counties, as ten men in others.

Annapolis, the capital of the State, and the City of Baltimore elected one elector of the Senate—the counties two each. Annapolis had at this period from two hundred and thirty to two hundred and sixty voters, while Baltimore had from five to six thousand, but each under the existing constitution were equal. Baltimore City and County elected six members of the eighty which at this time composed the House of Delegates; while Baltimore

[1] Died July 17, 1820, aged sixty-one years.

City and County paid about one-third of all the revenues of the State, except such as were derived from dividends on stocks; and at this time had very nearly one-fourth of the free population, and therefore under a just distribution of the governing power, was entitled by contribution and by population to twenty of the eighty members in the House of Delegates.

At the election of 1813, seven counties and two cities, notwithstanding they had a majority of nearly nine thousand votes cast in the State, were only entitled, under this system, to thirty-two members, while twelve counties who were in the minority, sent forty-eight members, as will be seen by the following table:

Counties.	Free White Inhabitants.	Quota of Direct Tax.	Gross Population, White and Colored.
Harford	10,539	$ 5,260	31,365
Baltimore City and County	64,541	18,070	76,210
Anne Arundel and Annapolis	14,875	8,510	28,668
Washington	13,074	7,872	18,730
Queen Anne's	11,267	5,830	16,948
Talbot	9,363	4,140	14,830
Caroline	7,333	2,360	9,478
Total Democratic Counties	141,209	$83,322	183,307
Prince George's	13,450	7,030	20,589
Montgomery	10,402	6,110	17,880
Frederick	28,796	14,170	34,447
Allegheny	6,850	2,210	6,909
Calvert	4,089	3,410	8,005
Charles	7,819	6,740	20,245
St. Mary's	6,753	3,950	12,794
Cecil	10,793	5,870	13,786
Kent	7,201	4,214	11,490
Dorchester	13,076	5,510	18,198
Somerset	10,219	5,540	17,185
Worcester	12,711	4,910	16,971
Total Federal Counties	131,165	$83,404	197,349

From the above we have the following result:

The counties which sent 32 Democratic members had a population of 183,307.

Whites 143,209

Other persons, 54,098, allowing two fifths of such agreeably to the Constitution of the United States, the comparative rate was 21,092

164,389

The counties which sent forty-eight federal members had a population of 157,249

Whites 131,165

Other persons, 36,084, two-fifths of whom were 26,200

157,165

Leaving in this way, a majority of seven thousand one hundred and four legal persons in the counties, sending thirty-two members over the counties sending forty-eight members.[1]

The counties sending thirty-two members paid of the direct tax $83,322

The counties sending forty-eight members paid of the direct tax 68,494

Difference $14,818

[1] *Niles' Register*, ix., p. 111.

In the elections of 1816, the federals succeeded in carrying a larger number of the counties, and elected a federal Senate of fifteen members for five years. The representation in Congress consisted of five democrats and four federalists. In 1811, General Samuel Smith resigned his seat in the United States Senate, and General Robert Goodloe Harper was elected to fill the vacancy. He resigned in December, 1816, and A. C. Hanson was elected in his place.

At the Presidential election in 1816, William D. Beall, George Warner, Joseph Kent, William C. Miller, Edward Johnson, Benjamin Massy, John Stephen, Thomas Emmalla, John Buchanan, Littleton Dennis and Lawrence Brengle, were chosen electors for president and vice-president.

In the Electoral college they cast Maryland's electoral vote for James Monroe, the democratic nominee for president, and Daniel D. Tompkins for vice-president. In the general result James Monroe received one hundred and eighty-three of the two hundred and seventeen votes cast; the remaining thirty-four being given for Rufus King. Daniel D. Tompkins was elected vice-president, receiving the same number of votes as Mr. Monroe. Massachusetts cast her twenty-two electorial votes for John Eager Howard, of Maryland, for vice-president, and Delaware cast her three votes for General Robert Goodloe Harper.

President Monroe taking advantage of a season of comparative leisure left Washington on the 31st of May, 1817, on a tour of observation through all the principal towns and cities of the country. Departing from the capital, he first honored with his presence "that city which bore so conspicuous a part in the national defence." Upon his arrival in Baltimore he was received with every mark of respect and esteem by the corporate authorities and the citizens generally. During his brief stay in the city he visited the various places of interest, including Fort McHenry and the battle-ground at North Point. His honor George Stiles, mayor of the city, presented him with an address, to which the President made a suitable reply in which he said:

"It was impossible for me to approach Baltimore without recollecting, with deep interest, the gallant conduct of her citizens, in the late war, and the happy result attending their exertions. The glorious victory which was achieved here, and in which her citizens bore so distinguished a part, at a very important epoch, not only protected this patriotic city, but shed great lustre on the American name."[1]

In the State elections of 1818, the federalists were again successful, but with a reduced majority of five on joint ballot. Early in the session a bill was introduced into the Legislature to alter the Constitution of Maryland so as to give Baltimore two additional members in the House of Delegates. This had now become a matter of serious importance with the city, as with the limited powers of the municipal authorities, and the increasing needs of a large and growing city, it was found almost impossible for two representatives to attend to all the matters required of them in the Legislature. At this time,

[1] Niles' *Register*, xii., p. 206.

too, one-fourth of the time of the Legislature was taken up with the business of Baltimore. Yet, notwithstanding the equity of the claim, the necessity of the case, and the facts that the city now numbered over sixty thousand inhabitants, a greater number than Garrett, Alleghany, St. Mary's, Kent, Charles, Caroline, Talbot and Montgomery Counties combined, who together sent thirty-two delegates to the Lower House — with a strange jealousy against the city the bill was rejected. So by this unjust distribution of representation, one man in Calvert County, which only contained a population of four thousand and sixty-eight, had the political weight of twenty-eight in Baltimore.

On this subject Mr. Niles remarks:

"The whole population of Maryland, in 1810, was 380,000 — of which 130,000 were slaves. Except from Frederick and Washington Counties and one or two others, there is a constant emigration to the more fertile fields, and more liberal governments of the west; and it is probable that by the census of 1820, it will be found that the half of the increase of the State for ten years, has centered in the small spot whereon is erected the city of Baltimore — which, in spite of its own misfortunes, and the malice of its enemies, *foreign or domestic*, in war and in peace, steadily marches to population and wealth — ranking as the third city in the Union, though only a scattered village fifty years ago. It now has a *fifth* part of the free population, a *fourth* of the wealth, and *two-thirds* of the trading capital of Maryland. Upon every principle, therefore, it is entitled to a *fifth* part of the power of legislation — that is, *eleven* members of the *eighty* which compose the House of Delegates, and a proportionate interest in the Senate — and I would have this, which is our right — *or nothing*. * * * * *

"I have considered Baltimore as the soul of the State. What would the State be without it? Many parts of it would become a semi-desert, covered with scrubby oaks and dwarf pines, for the want of a *market* for its little surplus productions. During the war the State wished to negotiate a large loan — it would have applied for in vain to the counties, but in the city it was negotiated and taxed in a few hours. . . . Baltimore is the Alpha and Omega of the hopes of the Legislature to relieve the State of its difficulties; and for this we are abused, and denied the natural right of representation according to our numbers."[1]

The Legislature adjourned in February, after abolishing the law for imprisonment for debt, on the debtors giving security to appear before the court when called for. A bill to enfranchise the Jews was rejected.

We have no proceedings of the Masonic fraternity in Maryland earlier than 1765, though we believe there were meetings of the craft in the province long before this period. The Masonic Lodges of America formerly owed their existence to, and were dependent upon, the Grand Lodge of Great Britain; and hence we find a charter granted to the Reverend and Worshipful Brother Samuel Howard, W. M., Bros. Richard Waggaldle, S. W., and John Hammond Dorsey, J. W., to constitute "a Regular Lodge of Free and Accepted Masons in or near the town of Joppa, in the County of Baltimore, in Maryland," by John Saller, D., Grand Master, by the Grand Master's commands, given at London, under date of the 8th of August, A. D., 1765, A. L., 5765, attested by Samuel Spencer, Grand Secretary. By the authority of this charter the lodge at Joppa, on the day of St. John's

[1] *Register*, xiii., p. 385.

the Evangelist, 27th of December, 1783, was opened in due form, under the style of "No. 1." A procession was formed and marched to St. John's Parish Church in the town, where a discourse was delivered by the Rev. Samuel Howard, W. M. At night a ball was given by the fraternity, which was attended by the chief people of the town, accompanied by their wives and children.[1]

The war stopped all intercourse between the Masonic Lodges of America and their parent head in England; and although some provincial Grand Lodges still existed in this country, they were regarded as subordinate to the Masonic authorities of Great Britain, by whom they were created. In the winter of 1779–80, while the American army was encamped at Morristown, New Jersey, the Masonic brethren in it celebrated the festival of St. John the Evangelist. The meeting was held under the charter of the American Union Lodge; and Washington and a large number of distinguished officers of the American army, who were Masons, attended on the occasion. A petition was presented, setting forth the condition of Masonry in the country, and expressing a desire that a general union of American Masons might take place under one General Grand Master of America. A committee consisting of distinguished Masons from each division of the army, was appointed to take the subject into consideration. The committee met in convention on the 7th of January, 1780, and chose General Mordecai Gist as their president and General Otho H. Williams as their secretary. An address to the different Grand Masters of the United States was drawn up, considered and adopted on the occasion, setting forth the same general views as those embraced in the petition they were called on to consider, and asking that measures might be taken to secure a union of all the lodges of the country under one American head. Copies of the address were sent to the different Grand Masters in the United States. In the following spring, General Gist was sent with his command to assist General Gates in South Carolina. While at the North, he and the brethren of his troops had enjoyed Masonic privileges in the different Masonic Lodges in the army. No military lodges existed in the Southern army, and he therefore applied to the Grand Lodge of Pennsylvania for a warrant to hold one in the line under his command, and a warrant dated April 4, 1780, was granted, constituting him its Master. This lodge was numbered twenty-seven on the Pennsylvania Grand Lodge registry, and at the close of the war it was vacated, and another granted to General Gist of the same number, to hold a local lodge at Charleston, South Carolina, near where he resided.

Until the year 1783, the lodges in Maryland, which had become numerous, derived their authority from and were subordinate to the Grand Lodge of Pennsylvania; on the 17th day of June, in the same year, a convention was

[1] The officers of this lodge were: Samuel Howard, W.M.; Richard Wagstaffe, S.W.; John Hammond Dorsey, J.W., during residence (another to choose); Joseph Swift, secretary; John Wilson, senior deacon; Thomas Ward, junior deacon; Robert Mells, sword bearer; Isaac Norris, tyler.

called, who held their session at Talbot court-house, to take into consideration the propriety of establishing a statistical jurisdiction. Among other proceedings a resolution was passed to form a Grand Lodge for the State of Maryland, independent of any other jurisdiction. At a grand convention held at the same place, on the 31st of July, in the same year, the respective representatives being clothed with full powers, proceeded to the formation of a Grand Lodge. The Grand Lodge of Maryland continued to hold their sessions at the town of Talbot, until the year 1794, when Masonry, having by this time extended its influence throughout the State, a number of lodges having been established in the town of Baltimore and on the Western Shore of the State, it became convenient to remove the Grand Lodge to Baltimore. The first session under the new arrangement was held in May, 1794, and has since continued to meet in that city.

In April, 1819, the first lodge of Odd Fellows in the United States was instituted in Baltimore. Thomas Wildey, the founder of the order in this country, was born in London, January 15th, 1782, and after receiving a limited education, learned the trade of coach-spring maker. On his coming of age he joined Lodge No. 17, of the Order of Odd Fellows, in his native city, and, in the course of thirteen years, served in every capacity, from the humblest to the highest office. He instituted the "Morning Star" Lodge, No. 33, and was chosen its first presiding officer. In 1817 he married, and on the 30th of July of the same year he embarked for America, and arrived in Baltimore on the 2d of September following, where he immediately secured employment at his trade, and in 1818, having made the acquaintance of John Welch, a brother Odd Fellow, he determined to establish the order in Baltimore. The first difficulty was to find a sufficient number of initiates for the purpose; but upon advertising for members of the society, John Duncan, John Cheatham and Richard Bushworth, with Messrs. Wildey and Welch, met, on April 26th, 1819, at "The Seven Stars" tavern (on the south side of Second street, between Frederick street and Market Space), and founded the first Odd Fellows Lodge on this continent. The five members of the society being foreigners, as an earnest of their respect for their adopted country, they called it the "Washington Lodge of Odd Fellows." Thomas Wildey was installed as Noble Grand, and John Welch as Vice-Grand; the other offices were distributed among the members. The lodge established in Baltimore soon received the sanction of the fraternity in England, and on February 1st, 1820, accepted a charter from the Duke of York's Lodge at Preston, Lancaster. On the 22d of February, 1821, "The Grand Lodge of Maryland and of the United States" was organized in Baltimore, and continued its sessions until November 21, 1824, when it adjourned

THOMAS WILDEY.

wise did. At this time the Grand Lodge of Maryland and of the United States divided itself into two bodies, one having authority over the order in Maryland, and the other over the whole order, through the several Grand Lodges in the States. The first Grand Lodge of Maryland convened January 16th, 1823, and the Grand Lodge of the United States on February 22d, 1825, in Baltimore. Thomas Wildey, the founder of the order in the United States, died on the 10th of October, 1851, leaving forty-two jurisdictions and two hundred thousand Odd Fellows as the result of his small beginning.

In most of our principal cities, in 1819, the malignant and fatal epidemic known as the yellow fever prevailed, to a greater or less extent. At the same time a number of the cities adopted a rigid system of quarantine, to prevent the importation of the disease from the others. Philadelphia, forgetful of her reputation for kindness and hospitality, with a few cases within her own borders, carried the system of exclusion so far as to prohibit all intercourse with her neighbor, Baltimore, refused a shelter to those who were seeking a refuge from the disease, and denied admittance, or even liberty to pass through, to all who had visited any part of that city. Similar orders were issued by the Governor of Virginia, the Mayors of Alexandria and of Wilmington, Delaware.

At Baltimore, the yellow fever began earlier than at New York, though later than at Boston. But it soon exceeded them both in the extent of its ravages. The fever was here, as in those places, confined to a small section of the city, and to those who visited the sickly portions. The principal seat of the disease was on Pratt, Wolfe, Ann, George, Fells, Thames, Philpot, Fleet and Aliceanna streets, Fells Point. Towards the conclusion of the epidemic, new cases occurred in Wilkes, Bank, Bond, Caroline and Gough streets, which last street constituted the boundary line, beyond which it did not pass.

"It was so easy," says Dr. Reese, "to separate the healthy from the diseased portion of the Point, as it would be to stretch a line across a room, so circumscribed was the extent of the noxious poison. And although a continual intercourse was kept open between the city and Point, and diseased persons were constantly carried up to the centre of the city and dying there, yet in no instance was the disease thus communicated. And a fact still more remarkable is, that in the hospital, where there was an accumulation of the worst cases, yet in no instance was a physician, nurse, attendant, or any visiter diseased."[1]

"And it is very remarkable," continues Dr. Reese, "that in almost every instance wherein any person visited the Point at night, the disease was contracted, while those who were only there in the day-time, escaped with impunity. . . . Several physicians, who had been attending patients through the whole course of the fever, in the very centre of the infection, in the day-time, were exempted from the malady, but by visiting once in the night, they became diseased."[2]

The disease first appeared in the neighborhood of Gay and Frederick street docks, and it is supposed that it originated from the noxious vapours

[1] Dr. D. M. Reese's *Observations on the Epidemic of 1819*, p. 71.

[2] *Ibid.*, p. 10.

lasting from three. The utmost effort of medical skill was unable to arrest its progress. Fort McHenry, situate immediately opposite the Lazaretto, became so much infected, that it was deemed expedient to remove the troops stationed there, which was accordingly done.

The young and vigorous, as well as the aged and infirm, were alike victims of the fatal malady. Business was in a great measure suspended. Most of those whose means enabled them to remove from the "infected district," as it was designated, sought refuge in the country, or in distant parts of the city. The poor and sick were almost the only inhabitants of a portion of the city that had been distinguished for its active enterprise and the thrifty industry of its population.

The destitute condition of the sufferers awakened the warm sympathy of their more favored fellow-citizens, and Baltimore, ever distinguished for its generous impulses, made provision for the sick in the Maryland hospital, and established an encampment on the hills on the north-eastern side of the city, to which the poor were removed and were provided with provisions at the public expense. In the same tents, and on the very spot where they had encamped a few years before in military array, many of the inhabitants of Fell's Point now found refuge from an enemy far more dreaded than "an army with banners."

From the regular accounts kept by the health officers, there were about twelve hundred cases of the epidemic, of which number about three hundred died. On the 30th of October, 1819, about five thousand inhabitants, who had formed an encampment on the north-eastern side of the city, were officially informed that they might safely return to their residences, and thus terminated the yellow fever epidemic of 1819.[1]

The annual election for members of the House of Delegates of Maryland took place on Monday, the 4th of October, 1819. It was one of the closest and most exciting contests ever held in the State. The contest was opened early in the fall by transporting voters from places where they could be spared, into doubtful counties where the federalist majority was usually not very large. Large sums of money and false and libellous papers were circulated in every portion of the State by both parties. Truth and probability were set at defiance; the most virtuous private characters were aspersed: nothing in fact was left untried, however nefarious, which might conduce to gain success for either party.

The result was a success for the democrats, who had a majority of four votes upon joint ballot with the Senate (which was federal), in the election of governor, and such other officers as were appointed by a joint vote of the two Houses. The democrats were much elated at this triumph, although

[1] It prevailed in Baltimore in 1800 in a slight degree, and in the summer of 1820-21. During the progress of the malady of 1819, the benevolent people of Taney Town and Union Town, Frederick County, transmitted to the commissioners superintending the encampment of poor families, twenty barrels of flour, and a large invoice of clothing and other articles. The citizens of Georgetown, D.C., contributed over $700 for the same object.

they had in some counties but very slight majorities. In Cecil County the average democratic majority was about twenty and one federalist was defeated by only seven votes. In Kent two federalists were elected; one vote would have elected another, and fourteen the fourth. In Caroline the democratic ticket succeeded by only eleven votes; and in Worcester by nine votes. Frederick County gave a democratic majority of twenty-eight votes; Prince George's twenty-five, and Talbot, forty. Calvert County gave a federal majority of about seven votes.[1]

Upon the organization of the House of Delegates, General Tobias E. Stansbury, of Baltimore City, was chosen speaker, and on the 16th of December the Hon. Samuel Sprigg, of Prince George's County, was elected governor.

GOVERNOR SPRIGG.

On the same day Edward Lloyd and William Pinkney were elected United States Senators over Charles Carroll and Robert H. Goldsborough. A new council composed of democrats was elected, and there was a general change made in the judges of the Orphans' Courts, Levy Courts, magistrates, notaries and other officers of the State. Proscription was proclaimed from Allegheny to Worcester County, from the mountains to the Atlantic. At the session of Assembly a bill was passed in the House of Delegates to alter that part of the constitution relative to the election of governor and council, and providing for their election by the people. The federalists bitterly opposed it by every means in their power. They declared that it would be throwing the whole government of the State into the power of Baltimore, which, with her population of 62,000, could nominate and elect from among her own citizens, at any time she pleased, any person as governor. They also endeavored to excite a prejudice against the "Baltimore Jacobins" by declaring that the city contained one-third foreigners

"Who entertain strong prejudices in favor of the governments under which they were born, and whose main object in taking up a residence in this country was to ameliorate riches, which the disturbed state of Europe for many years past rendered a

[1] A correspondent of the Maryland *Gazette*, of December 26, 1818, gives the following succinct description of the manner in which the democrats conducted the campaign in that county: "The scarcity of the corn crop last year left the most indigent inhabitants of our county in a state of want; and their necessities were very generously supplied by one of our provincial democrats. This gentleman, with a degree of *munificence* which excited the surprise of those who best knew him, made a well-timed distribution of corn a few days previous to the election. The approaching winter will, in the opinion of the weather-wise, be hard; and *bad* winds were considered by some of the voters necessary to protect them from the inclemency of the weather. These articles, also, were very kindly furnished. The denizens of these who preferred being paid in cash were likewise accommodated with; and open and direct bribes were offered of $5 for a vote, $10 for two, $15 for three, and $20 for four. The judges, while they received disputed votes of their friends, either, by evidence to prove their legality, rejected those of their opponents on the most flimsy pretexts. One of our magistrates got a stolen hog for his influence—and twenty-five or eight voters were brought into the county."

impossible for them to do them." "The true contest is now between Baltimore and the counties, between the city and the country; and the question which every voter, when he goes to the polls, ought to put to himself is, shall I vote for the men, who, by effecting the changes, which they have proposed and design, will place the great agricultural State of Maryland at the feet of the merchants, the bank speculators, the brokers, the lottery office-keepers, the foreigners, and the mob of Baltimore? or shall I give my support to those, who will maintain, in opposition to them, the honor, the dignity and independence of the cultivators of the soil?"

The bill was defeated in the Senate. In January, Mr. Thomas Kell, a delegate from Baltimore City, proposed a bill to increase the representatives from that city, which was again violently opposed by the county members and defeated. In January, the following resolution, growing out of the admission of Missouri into the Union, was adopted by the Legislature, and ordered to be transmitted to each of Maryland's Senators and Representatives in Congress:

"*Resolved, by the General Assembly of Maryland*, That our Senators and Representatives in Congress be requested to use their utmost endeavors, in the admission of new States into the Union, to grant to such States all the rights and privileges of the States heretofore admitted, without requiring, as a condition of this admission, the inhibition of involuntary servitude, or any other condition limiting their sovereign powers in a greater degree than the sovereign power of the original States forming the Union are limited and restrained."

The federal party was overthrown in Maryland in 1819, but they now, in the October elections of 1820, made desperate efforts to regain their political ascendancy in the State. It is true, that party had changed much in its leaders, as well as in its measures, yet there were many of the old federalists who could not concur in Mr. Madison's administration, and who were not willing to surrender their political power in Maryland without a struggle. In the result, however, the democrats retained their power by a majority of two on joint ballot. Being a reduction of two since the last election. The Legislature met in December, and re-elected Samuel Sprigg Governor. The Presidential election coming on in 1820, Messrs. Monroe and Tompkins were nominated for re-election as President and Vice-President. In Maryland, James Forrest, Elias Brown, Robert W. Bowie, John Howard, John Stephen, William R. Stewart, A. McKim, John Boon, William Gabby, Joshua Prideaux and Michael C. Sprigg were elected Presidential electors, who cast their eleven votes for Mr Monroe for President, and ten votes for Daniel D. Tompkins for Vice-President. One vote was cast for Robert Goodloe Harper for Vice-President. In the general result, Mr. Monroe received the electoral vote of every State (two hundred and twenty-eight) except New Hampshire, of which one vote was thrown for John Quincy Adams. Daniel D. Tompkins was elected Vice-President, receiving two hundred and fifteen votes, the others scattering.

In the State election, the democrats carried all the counties excepting Charles, Montgomery, Somerset, St. Mary's and Dorchester, and secured the

Senate, which gave them on joint ballot a majority of fifty-seven votes. This settled for a long time the political complexion of the State. Upon the organization of the Legislature, William R. Stewart was elected President of the Senate, and Tobias E. Stansbury, Speaker of the House of Delegates; Samuel Sprigg was unanimously re-elected Governor. In the Legislature of 1823, the democrats had a majority of sixty-nine on joint ballot, and elected Samuel Stevens, of Talbot County, Governor, and General Samuel Smith was elected United States Senator to fill the vacancy occasioned by the death of William Pinkney. In 1824, Samuel Stevens was re-elected Governor.

When three years of Mr. Monroe's second term as President were yet unexpired, the question relative to his successor occupied the minds of politicians at Washington. It finally became the all-absorbing subject of interest, both among members of Congress and the people. And after several attempts to nominate a candidate, the election came off, and showed that no choice had been made for President by the electoral colleges, and, according to the provisions of the constitution, the decision was referred to the House of Representatives. In Maryland, Andrew Jackson received 14,823 votes, John Quincy Adams 14,632, William H. Crawford 3,364, and Henry Clay 505, resulting in a majority of 109 for Mr. Adams. The electors were Henry Brawner, William Brown, John C. Herbert, Thomas Hope, George Winchester, Samuel G. Osborn, Dennis Claude, James Sangston, William Tyler, Littleton Dennis, and Thomas Post, who cast the electoral vote of Maryland as follows for President: Andrew Jackson seven, John Quincy Adams three, and William H. Crawford one; for Vice President, John C. Calhoun ten, and Andrew Jackson one. The House of Representatives declared John Quincy Adams and John C. Calhoun, President and Vice President. The last year of Mr. Monroe's administration was distinguished by the visit to the United States of the Marquis de Lafayette, the friend and ally of the United States, during their struggles with Great Britain in the war of the Revolution. He arrived in Baltimore early in September, and was received with grand honors in Fort McHenry, by Governor Stevens, Charles Carroll, of Carrollton, General Samuel Smith, General John E. Howard, Generals Stewart, Stricker, Read, Benson, and other Revolutionary soldiers and distinguished citizens.[1] He was escorted from the steamboat to Washington's tent erected in the fort, where he was welcomed by Governor Stevens in an appropriate and feeling address. In his reply General Lafayette said:

MARQUIS DE LAFAYETTE.

"While your Excellency is pleased so kindly to welcome me in the name of the citizens of Maryland, the lively gratitude which this most gratifying reception cannot fail to excite, associates in my heart with a no less profound sense of my old obligations to

[1] See *Chronicles of Baltimore*, p. 400. *Niles' Register*, xxvii. pp. 101 and 117.

this State, both as an American general and a personal friend. I am happy, Sir, to have the honor to meet you in this fort, so gallantly defended during the late war, in the presence of the brave citizens of the worthy volunteers, whose glory, on that memorable occasion, I have enjoyed with the profound feelings of an American veteran. It was by a Maryland colonel [Samuel Smith], in the year 1777, that the British received, in the gallant defence of an important fort, [Mifflin], one of the first lessons of what they were to expect from American valor and patriotism. The Maryland line, Sir, in the Continental army, has been conspicuous, not only in days of victory, but on days either unfortunate or dubious."

After receiving all the honors which a grateful people could bestow, General Lafayette took his departure from the city, on the 11th of September, for Washington, D. C.

After visiting several portions of the United States, General Lafayette, accompanied by his son, George Washington Lafayette, Mons. Vasseur, his secretary, and a number of prominent citizens, on the 17th of December, visited Annapolis. He was escorted into the city by a large concourse of citizens and several companies of soldiers, and was received in the Senate Chamber of the State House by the mayor, Colonel James Hoyle, in the presence of the corporate authorities, the members of the Legislature, and a numerous body of ladies and gentlemen. After the mayor had welcomed him in an appropriate address, General Lafayette answered as follows:

"I had eagerly anticipated the pleasure I now enjoy, to revisit this metropolis, and to find it in the possession of those blessings of independence and freedom, for which we have had to contend. My gratification is completed by the affectionate and flattering welcome, with which I am honored, and by the kind manner in which you, Mr. Mayor, have been pleased to express it.

"This city has been the theatre of resolutions most important to the welfare of the United States, and, indeed, to the general welfare of mankind. It has witnessed the affecting scene when our unparalleled chief resigned the powers he had exercised with so much civic moderation and military glory, to the head of our patriotic army, an army in every heart of whom, be assured, Sir, the lofty principle of unshaken and unalloyed republicanism was as warmly felt and as firmly fixed as in the breast itself of our beloved commander.

"Amidst those solemn recollections, there are personal remembrances, endearing and honorable, which the view of this city, of this State House, most particularly impress upon my mind, and which mingle with the sense of my actual obligations, when I request you, Mr. Mayor, the gentlemen of the common council, and all the citizens of Annapolis, to accept the tribute of my most respectful and affectionate thanks."

He then held a reception in the State House, and afterwards visited Fort Severn. In the evening he attended a ball given at St. John's College, and on the following day reviewed the militia on the college green.[1]

[1] Upon Lafayette entering the hall of the State House, he was greeted by about thirty little girls, each about twelve years of age, formed in a semi-circle, and all dressed in white, with wreaths of evergreen entwined around their heads, and holding in their hands banners with the following inscriptions: "*Lafayette—the friend of our fathers will always be welcome to the hearts of their children.*" And the other with—

"*The sparkle now precludes the gratitude of*
warriors;
Here peaceful emblems must tell of love."

His progress through Maryland was a triumphal procession, such as no citizen has since been honored with. Everywhere he was received with unbounded honor, affection and gratitude, and when he left the State, on the 21st of December, he was loaded with honors and with every feeling of his heart gratified in the noble reception he had met with in the State, who, by an Act of Assembly, made him and his heirs citizens forever.

Until the year 1826, such was the force of prejudice in the State of Maryland, that no Israelite could hold any office, civil or military, under the State government. The intolerance of this proscription, so inconsistent with the spirit of our people and our institutions, had more than once been commented upon, until public sentiment in the matter began to take a definite shape. The subject was brought before the Legislature of 1818 by Mr. Thomas Kennedy, of Washington County, who offered a resolution "that a committee of three be appointed to consider the justice and expediency of extending to those persons professing the Jewish religion, the same privileges that are enjoyed by Christians." In response to this motion, on the 9th of December, Messrs. Thomas Kennedy, H. M. Brackenridge, and U. S. Thomas were appointed the committee. On the 21st of December they reported in favor of "the justice of the case submitted to their consideration," and a bill was offered "to extend to the sect of people professing the Jewish religion, the same rights and privileges that are enjoyed by Christians." The bill was made the order of the day for January 13, 1819, but was postponed until the 20th, when Mr. Kennedy, after some preliminary questions were gone through with, opened the debate in a masterly and eloquent speech. Mr. Washington, of Montgomery, made a short speech in reply in opposition to the bill; he was followed by Mr. E. S. Thomas, of Baltimore County, who advocated it in a very warm and energetic manner. Mr. H. M. Brackenridge, of Baltimore City, then rose and delivered an eloquent speech in favor of the bill. This speech closed the first day's debate, which was continued the two succeeding days. The principal speakers in favor of the bill were Mr. Kell, of Baltimore, Mr. Stephen of Annapolis, and Mr. Harrison, of Queen Anne's. Those opposing it, were Mr. Wilson, of Worcester, Dorsey, and Jenifer of Charles, and Mr. Forrest, of Montgomery. Upon the final question, "shall the bill pass," it was determined in the negative by a vote of twenty-four in the affirmative, to fifty in the negative.

A few days after the decision in the House of Delegates, Mr. Winder offered in the Senate a similar bill, which gave rise to a very eloquent and animated debate. It was supported by Messrs. Winder, Taney, Winchester, Jackson, and Maxcy, and opposed by Messrs. Spencer, (president), Crespi, Carmichael, Emerson, Gale, Hughlett, Parnham and West. Leave to introduce the bill was not granted.

The subject was afterwards brought before the Legislature, at each succeeding succession. It passed at the session of 1822, but in accordance with the Constitution of the State, before it could become a law, it was

necessary that it should be confirmed by the Legislature of 1823. The measure was very unpopular with the people, and its passage created an extraordinary influence on their minds, so much so, that in the election of members for the Legislature of 1823, out of forty members that voted in favor of the bill only sixteen were returned to the next Assembly. As there were about one hundred and fifty Jews in the State, representing a capital of about half a million of dollars, the prejudice of the people soon subsided, the measure gained strength, and after struggle of six or seven years, prevailed. In Baltimore, it became a *sine qua non* of the election of the delegate to avow himself in favor of it.

Finally, on the last day of the session of 1824 (Saturday, February 28th, 1825), the "Jew Bill," as it was called—or a bill to alter the constitution, so as to relieve persons from political disqualifications on account of their religious opinions, again passed the Assembly—in the House of Delegates, by a vote of twenty-six to twenty-five; only fifty-one out of eighty members being present. It was ratified by the Assembly of 1825—in the House of Delegates, by a vote of forty-five to thirty-two. Thus the Jews became freemen in Maryland, and at the election for members of the Baltimore City Council, in October, 1826, Messrs. Solomon Etting and Joshua I. Cohen, two estimable gentlemen of the Jewish faith, were chosen by the suffrages of a large part of the citizens of their several wards, to represent them in the City Council. They were the first Jews ever elected by the people to office in Maryland.

At the session of 1825, a law, abolishing the imprisonment of females for debt, was also passed.

The State of Maryland, as we have seen, from the period of the Revolution, evinced a most commendable disposition to lend her aid to every undertaking which professed to encourage and promote the internal resources of the State. This spirit, originating in this State, rapidly spread itself over the whole Union; and President Monroe, in his message to Congress, in 1824, called their attention to the improvement of our internal resources as a matter of national concern, which it took up with a corresponding spirit.

The New York Canal had just been completed, and turnpike roads and canals were the all-absorbing subjects of discussion. The Legislature and Congress were full of projects for different objects of improvement. In Congress, the Cumberland Road[1] and the Chesapeake and Ohio Canal were the two prominent objects discussed, but the design extended to a general system.

[1] This was the first regular work of internal improvement undertaken by the general government, and the first that gave rise to the question of State rights. By an Act of Congress, passed on the 30th of April, 1802, entitled, "An Act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes," after ascertaining the limits of the proposed new State, and authorizing the people thereof to elect a convention to form a constitution, the

The inhabitants of Maryland seeing that a change had come over the spirit of American trade, and that great material improvements were operating on the minds of men of intelligence in other States, to command the trade of the growing West, determined to avail themselves of their natural geographical position and recover possession of the internal trade of the country. Maryland, situated as she is in the very bosom of the United States, stands equally open to the commerce of the North and South. From her close proximity to the most important points on the western waters, she possesses a control over the products of that region, which no rivalry can wrest from her, a control which to-day renders her the mistress of the great western trade; the guardian of the gates through which the treasures of a boundless country shall issue to all the world. In addition to these advantages, her territory includes one of the most magnificent bays in the world, extending between fertile shores for about two hundred miles, navigable for the largest vessels from the Atlantic almost to the mouth of the Susquehannah, and opening into the land by numberless rivers, creeks, and estuaries, affording easy transportation for the products of the tide-water region. Thus her great port combines the advantages of an inland city, with those of a seaport, lying, as she does, in the heart of the State, and yet at the gates of the Atlantic. The Susquehannah and the Potomac washing her borders open to the industry of her citizens exhaustless treasures, while innumerable streams between afford an immeasurable supply to every demand for purposes of transportation or manufacture. Her soil is as fertile as that of any other State in the Union, east of the Alleghany Mountains. Her climate varies from the bracing air of the mountain region, to the almost sub-tropical warmth of the lower tide-water countries.

Baltimore which stands at the head of the bay holds the sceptre of commercial control over all the developed wealth of our country's most favored

following proposition, among others, was made to the convention, to be obligatory on the United States, if accepted by it: "That one-twentieth part of the proceeds of the public lands lying within the said State, which might be sold by Congress, from and after the fifth of June ensuing, should be applied to the laying out and making of public roads from the navigable waters emptying into the Atlantic to the Ohio, and through the State of Ohio, such roads to be laid out under the authority of Congress, with the consent of the several States through which they should pass." This was the origin of the Cumberland or National Road. By an Act of Congress, passed March 29, 1806, entitled, "An Act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," it was provided that the President of the United States should appoint commissioners, by and with the advice and consent of the Senate, to lay out a road from Cumberland, or a point on the northern bank of the river Potomac, in Maryland, between Cumberland and where the main road leading from Gwinn's to Wheeling (in Virginia) crosses the river to the State of Ohio, to strike the Ohio River between a point on its eastern bank, opposite to the northern boundary of Steubenville (in the State of Ohio), and the mouth of Grave Creek which empties into the Ohio River a little below Wheeling in Virginia." The necessary surveys were made, and, passing through Maryland, Pennsylvania and Virginia, these States, by legislative enactments, approved the route, and provided for the purchase and condemnation of the land. Other Acts, confirming, amending and enlarging this "great western road," were passed by Congress in the years 1810, 1811, and 1815. There was expended on the road about $3,000,000, and in course of time, Baltimore, Washington, Georgetown, and other cities and towns, connected themselves with it by turnpike roads.

region, is the third commercial city in the United States. She possesses decided advantages over any Atlantic city in competing for a portion of the commerce of the northwest.[1]

These advantages were not overlooked or unappreciated by the citizens of our State, and numerous efforts as we shall see, founded upon private as well as public patronage, to facilitate and improve the means of internal transportation, attest the interest it excited about the years 1802–3.

When it was decided that the bed of the Potomac River could not be improved for the purposes of a canal, the Board of Public Works of Virginia, in pursuance of a resolution of the General Assembly of that State, adopted on the 8th of January, 1820, appointed Thomas Moore their chief engineer, "to examine the waters of the Potomac above the upper line of the District of Columbia, and to explore the country between the Potomac and Ohio on the one side, and the Potomac and Rappahannock on the other, with a view to ascertain and report upon the practicability of effecting a communication by canal between the three rivers." After the completion of the surveys, Mr. Moore made a report, and the governor in December, 1820, in a message to the Legislature of Virginia for the first time, publicly affirmed the practicability of uniting the navigable waters of the Potomac with the Ohio by one continued canal. In view of this information, the States of Virginia and Maryland, early in the year 1822, appointed a joint commission, consisting of Moses T. Hunter, William T. T. Mason, William Naylor, Allan S. Fenwick and Elie Williams, "to examine the affairs of the Potomac Company, the state of the navigation of the Potomac River, its susceptibility of improvement, and to make report whether the said company had complied with its charter granted by the two States, and its ability to comply within a reasonable time; and whether any, or what aid should be given to the said company, and what would be the best means of effecting an improvement in the navigation of the said river." With the assistance of Mr. Moore, they entered upon their labors in July, 1822, and after a careful examination of the work and the affairs of the company in December, made a report that the Potomac Company had failed to comply with its charter, and they did not think the company would be able to do so; that the company had expended their capital stock and the tolls received, and had incurred a heavy debt which they would not be able to discharge; that it would be inexpedient to give further aid to the company, and the only thing to be done was to cancel their charter and adopt some more effectual mode of improving the navigation of the river. After review-

[1] By the New York Central Road from Chicago to New York it is 185 miles further than from Chicago to Baltimore; by the New York and Erie, 193 miles; and by the Allentown route, the distance is 101 miles greater to New York than by the Baltimore and Ohio Railroad route from Chicago to Baltimore. From Louisville to Baltimore, the distance (through Cincinnati) is 880 miles, or 291 less than to New York by the Ohio and Mississippi and New York and Erie routes, and 208 less than to New York by the New York Central, and 155 less than by the Allentown route of the Pennsylvania Road. Through the Ohio and Mississippi Road to Cincinnati, and the Marietta and Cincinnati Road thence, the Baltimore and Ohio Railroad presents a line 219 miles less in distance to Baltimore from St. Louis than the average distance by the various routes west from St. Louis to New York.

ing the different kinds of improved inland navigation, they express the opinion that the proposed canal if constructed would make Cumberland the entrepot of the trade of the West, and that nothing would be wanting to ensure to the citizens of Baltimore, with their capital and enterprise, the largest share of the advantages that would result from it, but a connection with the city by a lateral canal from the head of the eastern branch of the Potomac or Bladensburg, to the Patapsco at Elkridge, supposed by the required route, to be about twenty-five miles; "or if it should accord more with the wishes and interests of the Baltimoreans to connect with the canal at a higher point of the Potomac, they suggested that a survey be made to test the practicability of a branch from the foot of the Catoctin mountain, or any point below it, to Baltimore."

This report was transmitted by the Governors of Virginia and Maryland, to their respective Legislatures in January, 1823, and out of it sprung the idea of "The Chesapeake and Ohio Canal."

In accordance with public sentiment, which had been excited in favor of the new project, the Potomac Company, on the 3d of February, 1823, adopted a resolution signifying their willingness to surrender their charter to a new company upon liberal terms, and about the same time a bill was offered in the Maryland Legislature, to incorporate a new joint-stock association, entitled "The Potomac Canal Company." The estimated cost of the work was $1,500,000, of which it was proposed that Maryland, Virginia and the District of Columbia, should each subscribe one-third. Great efforts were made to induce the Legislature of Maryland to pass the bill as originally offered, and the House of Delegates seemed generally favorable to it, but the bill, after being variously amended, was finally withdrawn.

The progress of the bill caused much excitement in Baltimore. The people of that city, notwithstanding they were in favor of internal improvements, and had freely subscribed for the construction of roads, bridges, etc., were unanimously opposed to this bill, because it called for an appropriation of the funds or credit of the State (one-third of which they would be compelled to pay) to an object that would be rather an injury than a benefit to the trade of the city. Though they had but a fortieth part of the power of legislation in the House of Delegates, they paid one-third part of the taxes of the State, and as the funds of the State were not sufficient to meet the ordinary expenses of about $30,000 a year, the financial burden bore with great pressure upon them. Besides, they especially objected to the Potomac canal, because, under the bill in question, the canal was to terminate as at present, in Georgetown, and the privilege was virtually denied them of tapping it so as to connect it by a canal with Baltimore, if they so desired, and besides, the State was asked to cede to the company all its right to the waters of the river thus virtually preventing the future connection of the canal with the City of Baltimore. To produce concert of action in the next session of the Maryland and Virginia Legislatures, the friends of the measure began to hold

meetings in various parts of the country. The first meeting was held at Leesburg, Loudon County, Virginia, on August 25, 1823. It passed resolutions recommending to the several counties and corporations to elect delegates to a general meeting to be held in the city of Washington, on the 6th of November, ensuing. This meeting was followed by many others in Maryland and Virginia, and resulted in the assembling of a convention in the city of Washington, on Thursday, the 6th day of November, 1823, with delegates from Maryland, Virginia, Pennsylvania and District of Columbia. The convention contained many of our most distinguished citizens. Dr. Joseph Kent, of Prince George's County, (a member of Congress,) was chosen chairman. They determined upon the formation of a joint stock company, with powers to cut a canal from the tide-water of the Potomac, by the way of Cumberland, to the mouth of Savage River, and ultimately to the navigable waters of the Monongahela or Ohio Rivers; with authority to the States of Maryland, Virginia and Pennsylvania to make connections with it by lateral canals. They also appointed committees to memorialize the Legislatures of the above mentioned States, and the Congress of the United States, for a concurrent act of incorporation, and their assistance in providing the requisite means to construct the work. The committee appointed for Maryland, was composed of Grafton Duvall, George Mason, of Charles, O. Thomas Kennedy, J. C. Herbert and James Forrest. The name fixed upon in consequence of the authority conferred on the State of Maryland to extend it to the City of Baltimore, was "The Chesapeake and Ohio Canal Company." A resolution was also passed, looking to the ultimate extension of the canal to Lake Erie. After appointing a central committee consisting of Charles Fenton Mercer, John Mason, Walter Jones, Thomas Swann, John McLean, Wm. H. Fitzhugh, H. L. Opie, Alfred H. Powell, P. C. Pendleton, A. Penwick, John Lee, Frisby Tilghman and Robert W. Bowie, to take charge of the whole subject, and obtain the assent of the Potomac Company to the measure, the convention after a session of three days, adjourned.[1]

In fulfillment of the duties assigned to them, the committees transmitted memorials to Congress and the Legislatures of Virginia, Maryland and Pennsylvania, for an act of incorporation, together with a project of a law prepared by the Central Committee. The memorial was first sent to the Legislatures of Virginia and Maryland at the opening of their sessions. In the meantime, however, on the 8th of December, 1823, General Robert Goodloe Harper, and a number of the most prominent citizens of Baltimore, waited upon the mayor and requested him to call a meeting of the citizens at the Exchange, for the purpose of taking into consideration "the expediency of promoting a connection between the Ohio and the Chesapeake, at Baltimore, by a canal through the District of Columbia;" and of appointing a committee to attend the Legislature for this purpose.

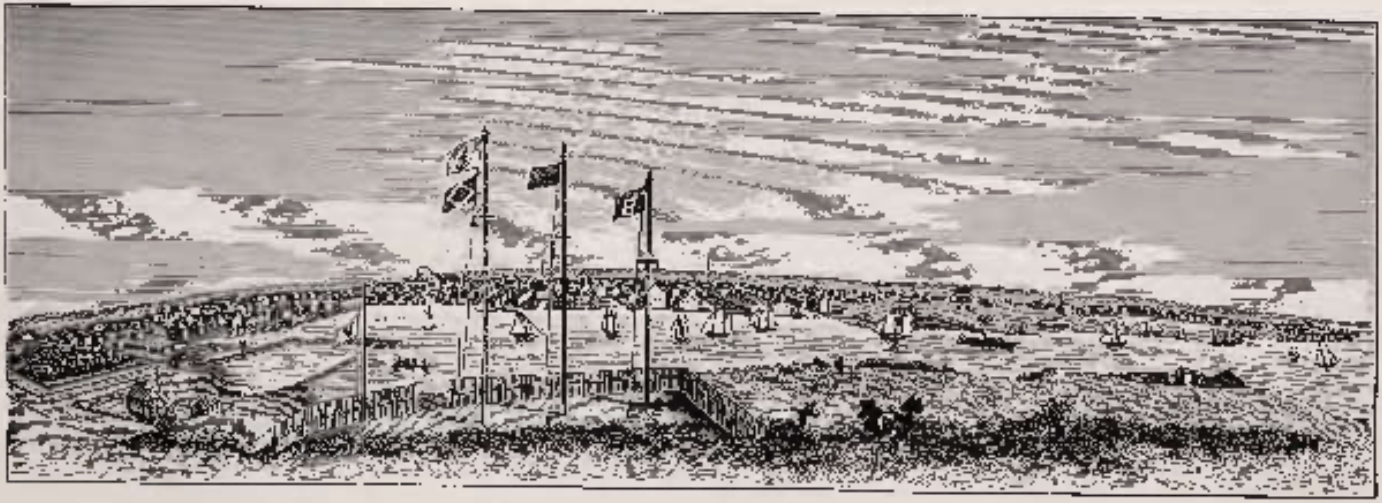
[1] Niles' *Register*, xxv., p. 178.

The mayor readily acceded to the proposal and the meeting was called for the thirteenth of the month, but postponed until the twentieth, for the purpose of also taking into consideration whether the citizens of Baltimore "preferred a canal to be made first to the Susquehannah River or to the Ohio." On the day appointed the meeting assembled, when the mayor was made chairman, and General Harper in a "great speech," explained his views "to the citizens of Baltimore, on the expediency of promoting a connection between Ohio at Pittsburgh, and the waters of the Chesapeake at Baltimore, by a canal through the District of Columbia."

At this period the cities of Georgetown, Alexandria and Washington, felt great apprehensions about the rivalry with Baltimore in the advantages that were to flow from the projected communication with the West. Baltimore desired that the canal should terminate at Baltimore as originally intended, and not at the tide-water of the Potomac. Baltimore at this period by the advantages of her position enjoyed the whole trade of the Chesapeake, that of the fertile, populous and highly cultivated counties of Pennsylvania, between the Susquehannah and the mountains, that of Frederick and Washington Counties in Maryland; and the whole downward trade of the Susquehannah. These natural advantages enabled her to leave Georgetown and Alexandria far behind, although they commenced their career about the same time with her, and to swallow up all the towns which existed on the shores of the Chesapeake, at the time when her foundations were laid. These advantages she feared would be now overcome by the small towns on the Potomac, and therefore the great majority of the meeting at the Exchange preferred a canal to the Susquehannah to secure the trade in the interior of Pennsylvania instead of one from Cumberland to Georgetown.

The improvement of the Susquehannah River, as we have seen, had been from a very early period a favorite object with the people of Baltimore, and they determined that the Legislature should not be diverted by the magnificence of other projects from the Susquehannah canal upon which their prosperity so largely depended.

At the December session of the Legislature in 1823, Theodorick Bland, George Winchester and John Patterson, were appointed commissioners "to lay out and survey a route for a canal, which will connect the waters of the Susquehannah with the City of Baltimore, beginning at the Conewago Falls, or on a point of said river, which the commissioners may deem the most practicable; and they shall also be directed to lay out and survey a route for a Canal from the same point on the Susquehannah or Conewago Falls, to the head of tide-water, on the Susquehannah; and report upon the practicability, the expense, and other necessary circumstances attending the same to the next General Assembly." They accepted their appointment in May following, and in June set out to examine the New York and Erie Canal. Arriving in New York they obtained an interview with Mr. De Witt Clinton, the great founder and advocate of the canal policy in the State of New York, from



Baltimore in 1822.—View from Federal Hill.

whom they obtained many useful suggestions, and a general introduction to those engineers who were lately connected with the great Erie canal. While at Syracuse, they obtained an interview with Mr. James Geddes, one of the principal engineers of that State, and engaged him as the director of their operations and investigations, and Mr. Popleton, an accurate and skillful surveyor, was also engaged to take a series of levels, beginning at the tide in the harbor of Baltimore, thence up the York turnpike and to York, in Pennsylvania; thence by York Haven to the head of the Conewago Falls; and thence up the river to Harrisburg.

The commissioners on their return made application to the President of the United States for the assistance of one or two officers from the corps of topographical engineers; and he detailed for the service Captain Hartman Bache and Lieutenants Eakin, Graham and Boyce. These engineers as soon as the necessary attendants could be procured, commenced operations at the head of the Conewago Falls, and proceeded with a series of levels down along the margin of the river, to tide, with occasional offsets, for the purpose of ascertaining the height of the water courses at given distances, and some adjacent elevations of the land. After it had been satisfactorily ascertained, that a canal could pass along no other route from the head of Conewago Falls to tide, than by the right margin of the river, the country lying between and near the head of the small inlets and creeks emptying into the Chesapeake, between Baltimore and Havre-de-Grace was viewed, and its appearance being favorable, it was determined that it should be explored and surveyed. Accordingly for this purpose, Mr. Bridges, a skillful leveler, and Mr. John Boulden, the surveyor of Baltimore, were engaged and directed to make the survey, under the superintendance of Mr. Geddes, who determined that it was perfectly practicable to extend the proposed canal from the Susquehannah to the city of Baltimore.

On the 25th of November, 1823, the commissioners made their report to the General Assembly of Maryland, in which they say that the "whole route from the head of the Conewago Falls to the City of Baltimore, will require a canal of ninety-two miles and three-quarters in length; which for the more perspicuous consideration of the subject, we have divided into three sections; *first*, that extending from the head of the Conewago Falls to the Pennsylvania line; *secondly*, that which is within this State, and passes along the margin of the river down to a point about a mile above Havre-de-Grace, where the route departs from the river, and takes a direction over the low lands toward Baltimore; and *lastly*, that which extends from the vicinity of Havre-de-Grace to Baltimore. The first section, which is forty-one miles and fifty-one chains in length, is wholly within the State of Pennsylvania; and, in general, passes over a most uncommonly difficult, rocky and uneven surface. . . The whole cost of this section has been estimated at $1,320,365. The second, or middle section, is fourteen miles and twelve chains in length, and is altogether so entirely analogous in its

nature to the first, that the same remarks will apply to it throughout. The cost of this section has been estimated at $564,471. The last and lower section passes over an alluvial soil, and is, therefore, expected to be everywhere very easy of excavation. In its whole length, of thirty-six miles and seventy-five chains and an half, it will pass, by aqueducts, at an elevation of twenty feet above the tide, over four rivers; that is, over a branch of Bush River, from the land of Dr. Davidge to that of Mr. Sewell; over another branch of the same river at Otter Point; over Gunpowder, from the land of Mr. Caldwell to that of Mr. Oliver; and from General Stansbury's land, over the principal branch of Back River. . . . It is proposed to open a communication, by locks, with this section and the tide, near Havre-de-Grace, for the purpose of admitting the arks, boats and rafts which may have descended the natural bed of the river, to enter and pursue their way in safety to Baltimore, without delay or transhipment: and also, that the trade of Havre-de-Grace and the head of the Chesapeake Bay may have a ready access through the canal, either to the Susquehannah country above, or to the City of Baltimore. The whole cost of this lower section has been estimated at $861,263. The three sections making together an aggregate amount of $2,026,000 for the cost of the whole canal, from the head of the Conewago falls, of ninety-two miles and three-quarters in length, into the basin, at the City of Baltimore."[1]

In consequence of the Act submitted to the Legislature, by the Canal Central Committee, not providing sufficiently for the connection of the Chesapeake and Ohio Canal with the City of Baltimore, and owing to the strong opposition made by the Baltimore merchants, the Maryland Assembly adjourned without passing it. On the 27th of January, 1824, it was passed by the Virginia Legislature, after being amended, at the instance of the friends of the measure, so as to remove the objections of Baltimore, and, on the 31st of January, 1825, the Maryland Legislature confirmed it.

The concurrence of these two most important States having been obtained, the Canal Company then appealed to Congress and to Pennsylvania, and, on the 3d of March, 1825, it was also ratified by Congress, and on the 9th of February, 1826, by Pennsylvania.[2]

On the 16th of May, 1825, the Potomac Company accepted the terms proposed to them by Virginia, Maryland and the District of Columbia, and surrendered their charter to the Chesapeake and Ohio Canal Company.

By the amended charter, the new company was authorized to construct a navigable canal of not less than forty feet at the surface, twenty-eight feet at the bottom, and not less than four feet deep from the tide-water of the Potomac, in the District of Columbia, to Cumberland, or the mouth of Savage Creek, and thence across the Alleghany mountains, to some convenient point

[1] *Report of the Maryland Commissioners on a Proposed Canal from Baltimore to Conewago*; Baltimore, 1828.

[2] See the case of the C. & O. C. Co. vs. B. & O. R. R. Co., *Maryland Reports*, 1872, for the legislative history of the canal.

of navigation on the waters of the Ohio, or its tributary streams. The connection across the mountain was to be by canal, or by inclined planes and railways or roads, as deemed best. The whole line to be divided into two sections, the eastern and western. The eastern section was to commence at tide-water and extend to Cumberland, or the mouth of Savage River, the other from the eastern end to the Ohio River. In consequence of the mineral coal in Allegheny County, which was discovered about the year 1804, and the advantages that were expected to accrue from it, the company was authorized to connect the canal by a branch improvement from the town of Cumberland to the Savage River, with a view to the development of the coal-fields at that point. Two years was allowed from the organization of the company for its commencement, and twelve years from the date of its commencement for the completion of the eastern section. The capital stock was to be $6,000,000, divided into sixty thousand shares of one hundred dollars each, with power of future enlargement. The annual dividends were not to exceed fifteen per cent., and unless one-fourth of the capital should be subscribed, all subscriptions were declared to be void.

Such in brief, were the leading provisions of the charter of the company. While the legislation we have referred to, was progressing, President Monroe, at the December session of Congress, 1823, brought before it this subject, and that body on the 3d of April, 1824, appropriated $30,000 for the purpose of procuring the necessary surveys, plans and estimates. In May following, the President appointed Brigadier General Simon Bernard,* and Lieutenant Colonel Totten, officers of the United States Army, and John L. Sullivan, Esq., civil engineer, of Massachusetts, a board of internal improvements to designate the most suitable route for a canal between the tide waters of the Potomac and the Ohio River. The survey was soon commenced, and on the 23d of October, 1826, General Bernard made a full and complete report, which was communicated by the President to Congress, on the 7th of December, 1826. The report exhibited with clearness and minuteness the whole route of the canal from Georgetown to Cumberland, and thence to its western terminations, with detailed estimates of its cost:

SECTIONS.	DISTANCES.		ASCENT, DESCENT	NUMBER LOCKS.	AMT. OF EST.
	Miles.	Yards.	Feet.		
Eastern	186	....	605	74	$ 8,177,081.05
Middle	70	1310	1405	240	10,028,222.86
Western	85	440	620	78	4,770,293.76
	342	1,450	8,158	868	$23,375,437.67

* Born at Metz, France, April 28, 1779; educated at the Polytechnic School, under La Place, Hachette, and others, and afterwards one of the most distinguished engineers and aides-de-camp of Napoleon. When Napoleon was employed in fortifying Antwerp, and had his leg shattered in the retreat of the grand army from Leipsic; lieutenant-general of engineers under Napoleon, and brigadier-general of engineers of the United States army from November 16, 1816, until he resigned, August 30, 1831. In 1821, he was made chief engineer of the army, and among the many admirable works constructed by him in this country is Fortress Monroe,

The Board divided the line into three sections—eastern, middle and western. The eastern began at Georgetown, and running thence on the northern or Maryland side of the Potomac to Cumberland. The middle began at Cumberland and ended at the mouth of Castleman's River, on the Youghiogeny. The western extended from thence to Pittsburg.[1]

To forward the work of national improvement, a meeting was held at Frederick on the 2d of November, which recommended that seven delegates should be appointed from each of the counties, and for the Cities of Annapolis and Baltimore, to meet in convention at the latter city on the 14th of December, 1825, with a view "to unite the various local interests for a system of internal improvement, and of devising and submitting the same to the Legislature of the State." At the time appointed, a large number of delegates, consisting of some of the most eminent men from all the counties and cities of the State assembled in Baltimore, "to deliberate upon measures best calculated to promote the internal improvement of the State." At the appointed hour they were convened in the First Branch Council Chamber, and were called to order by the Hon. John R. Plater, of St. Mary's County, and on motion of Governor Sprigg, of Prince George's County, the venerable Charles Carroll, of Carrollton, was unanimously appointed to preside over the convention. John S. Skinner was appointed secretary. After a session of five days the convention adjourned on the 19th of December. At its close they adopted a long "report," the preamble of which discloses its contents. It says: "The Chesapeake and Ohio Canal, in connection with a lateral canal from the Patapsco River, to intersect the Chesapeake and Ohio Canal, at the most approved and practicable point, whether considered in relation to the State at large, or in its prosperous influence upon the trade and commerce of the City of Baltimore, is the most prominent and commanding object for the early and liberal patronage of the Legislature of Maryland, therefore *Resolved*, That the practicability of a canal from Baltimore, to intersect and unite with the Chesapeake and Ohio Canal, thence to Pittsburg, and thence to Lake Erie, no longer admits of a doubt in the opinion of this convention."[2]

In this convention, Baltimore City was for the first time placed on an equality of vote with the respective counties of the State. At this time, Baltimore paid one-third of every expenditure of money made by the Legislature, though it had only one-fortieth part of the power that appropriates it; and hence the policy of the small counties having much weight in the Legislature, had been to use that weight to further their several interests. Baltimore, feeling this inequitable contributions to the public purse, showed a preference for those works which was immediately beneficial to herself. In this regard, Mr. Niles says: "The legislative power is a burlesque on representation, for

Returning to France, he became aide to Louis Philippe, lieutenant-general of engineers, and was Minister of War until April, 1834. He died in Paris, November 3, 1838. Brantz.

[1] The dimensions assigned by General Bernard were for a canal forty-eight feet at water line, thirty-three feet at bottom, and five feet deep.

[2] Thomas Phenix, *State Convention*.

CHARLES CARROLL, OF CARROLLTON.

the members of the House of Delegates, as well as of the Senate, are chosen without the shadow of a regard for either population or taxation. Baltimore City or County, with one-fourth of the whole, and nearly one-third of the free population of the State, has six members in the House of Delegates out of the eighty which compose it, of which six, the city is entitled to two, though its population is as large as that of six or eight counties, sending twenty-four or thirty-two members, and the rate of taxation is equally disproportioned. In the apportionment of the State tax of 1823, no less a sum than $49,468 was saddled on Baltimore, (and chiefly on the city, for its two members,) whereas there were three counties with twelve members, that paid less than three thousand dollars each! In the first class of counties, the people paid about two hundred and forty dollars for a representative in the Legislature; but Baltimore City and County were rated at three thousand two hundred and forty-four dollars for each representative, and the City of Baltimore, separated from the county, was to pay somewhere about eight thousand per delegate!"[1]

To promote the system of internal improvement, the Baltimore Convention appointed a committee to present their report to the Legislature at the December session. The progress of the New York and Erie Canal, connecting Albany with Buffalo, and the Pennsylvania Canal, connecting Philadelphia with Pittsburg, admonished the Legislature of Maryland when it assembled, that it had become necessary for this State, from the example of her more thriving sisters, to bring and retain within her borders, her mechanics, manufacturers, merchants and agriculturists.

Up to this time, the only means contemplated to be used for the conveyance of the products of agriculture and manufactures, and for carrying on the commerce of the State, was by canals in the direction of the Potomac and Susquehannah, and from these rivers to Baltimore. To enable Baltimore to compete with the improvements of her sister cities, and to put her in close connexion with the contemplated canal along the Valley of the Potomac, the Legislature, in addition to the survey made for a canal to form a connexion with the Susquehannah country, at the same session of the Assembly on the 18th of February, 1828, passed a resolution appointing Allan Fenwick, William Howard and William Price, commissioners "to ascertain whether a water communication could be opened between the City of Baltimore and the projected Potomac Canal," and "to lay out the route of such canal from the City of Baltimore to the mouth of Monocacy, or any other point adjacent thereto, not going further up the river than Harper's Ferry."

In pursuance of their appointment, the commissioners immediately proceeded in the execution of their work, and on the 10th of June, 1828, appointed Isaac Briggs, chief engineer, and on the 15th of December, after a survey and examination, he made a report "on the practicability of a route with a due supply of water, from the Linganore, across to the head waters of

[1] *Register*, xxix., p. 31.

the Patapsco." This view is now considered as erroneous. The subject was renewed at each succeeding Legislature, and, in compliance with one of the conditions contained in the Act, confirming and assenting to the charter of the Chesapeake and Ohio Canal Company. Dr. William Howard, of the United States Engineer Corps, was instructed, in August, 1826, by the Secretary of War to make a survey, with a view to a canal connection between the canal at the Potomac and the harbor of Baltimore. Dr. Howard made his report, which has been sustained by subsequent surveys, on the 25th of June, 1827, and was communicated to Congress, by the Secretary of War, on the 11th of January, 1828. The examinations made by Dr. Howard, led him to the conviction, that any canal from the Potomac, in the direction of Baltimore, and passing north of Georgetown, was "absolutely impracticable."

"A canal, however, from a point on the Chesapeake and Ohio Canal, in Georgetown, to the City of Baltimore, was pronounced practicable; provided, the Chesapeake and Ohio Canal should be continued from the Little Falls of the Potomac to Georgetown, at an elevation of at least twenty-five to thirty feet above tide, and afforded to this canal canal, a supply of water sufficient for its consumption, at least as far as the eastern branch, a distance of about five miles. This elevation and extension of the canal, below the Little Falls, has been made, and the supply of water provided, by amendments to the canal company's charter. The route proposed by Dr. Howard, commences at the point on the canal in Georgetown, which we have above mentioned, passes across the City of Washington, to the boundary of the city on the Maryland avenue, thence to the Eastern Branch of the Potomac, then along the bank of the Eastern Branch, which it crosses at Bladensburg, thence through the town, to and along the north-eastern branch and Piney Branch, crossing the turnpike near Vansville, where the line attains its highest elevation, and the summit level commences. From the summit level it continues to, and across the Patuxent, and thence nearly parallel with the turnpike road, until it has passed the deep cut of the middle ridge, here it deviates from a direct course, passing the north branch of the Patuxent, and then running nearly east, reaches the valley of Chandler's branch, and pursues it to the commencement of the deep cut of the Waterloo ridge, near the end of which is the termination of the summit level. The line then follows the valley of Licking Run and Deep Run, to Elkridge Landing, where it crosses the Patapsco. It then follows the left shore of the Patapsco to the Piney Branch. Arrived at the Piney Branch, it continues along the west shore, and passes the outlet of Gwynn's Falls, about one hundred yards from the bridge, and communicates with the tide at Carroll's Point. Here the canal was supposed to terminate, but if a further continuation should be desired, Dr. Howard states that it could be made without difficulty to enter the basin, near the intersection of Light street wharf with Hughes' quay."

The estimated cost of the canal with a width of forty-eight feet at the surface of the water, thirty-three feet at the bottom, and five feet deep, exclusive of land damages, etc., was $2,930,315.40.

By an Act passed on the 6th of March, 1826, the State provided for the organization of the "Maryland Canal Company," to construct a canal from the Potomac River to the City of Baltimore, so soon as the State Board of Public Works, which was created at the same session, should ascertain the practicability of such a work; and, likewise, authorized a subscription to it on the part of the State, to the amount of $500,000.

At this time the main object of the people of the State, and particularly of the City of Baltimore, was to secure the completion of the canal to Cumberland, and a connection with the City of Baltimore. These objects were steadily kept in view by the State, in its early legislation in regard to the Chesapeake and Ohio Canal; but the spirit with which the Baltimore Convention had originally insisted on, and advocated that enterprise, had passed away between the time of Dr. Howard's survey and the presentation of his report. When General Bernard's report was transmitted to Congress, December 7th, 1826, showing the immense cost necessary for the construction of the Chesapeake and Ohio Canal, it produced for a time the most paralysing effect on the public mind generally in reference to the subject, and all hopes of accomplishing this desired object by its means, were at once abandoned.

It is true, a revision of the survey of General Bernard was subsequently undertaken by James Geddes and Nathan S. Roberts, chiefly for the purpose of abating the estimates, and in their report they placed the cost of the eastern section of the canal at about one-half of the amount indicated as necessary by General Bernard and his colleagues in the United States' Board. This report was hailed with joy and congratulations by a number of the friends of the canal, yet the belief remained generally unaltered that the Chesapeake and Ohio Canal, if constructed as originally projected, would not fall much within the expense estimated by General Bernard. The people of Baltimore, sharing then this latter opinion had but one course left; and they adopted the railroad system, which by this time had attracted public attention in Europe and America, as free from all those difficulties, that rendered the execution of the canal more than doubtful, or, if executed, would still render it inefficient to accommodate the great commerce, of which it was intended to be the channel.

A meeting of a number of the citizens of Baltimore was accordingly held on the 12th of February, 1827, two months after the report of General Bernard, "to take into consideration the best means of restoring to the City of Baltimore that portion of the western trade which had lately been diverted from it," when various documents and statements illustrating the efficiency of railroads, were produced and examined, and a committee composed of Philip E. Thomas, Benjamin C. Howard, George Brown, Talbot Jones, Joseph W. Patterson, Evan Thomas and John V. L. McMahon was appointed to take the subject into consideration. The committee reported at an adjourned meeting, held on the 19th of the same month, recommending "that measures be taken to construct a double railroad between the City of Baltimore and some suitable point on the Ohio River, by the most eligible and direct route," and that a company should be incorporated for the purpose. This report was unanimously accepted, and resolutions in accordance with it were at once adopted. The following committee was then appointed to petition the Legislature for a charter: Charles Carroll, of Carrollton, William Patterson, Isaac McKim, Robert Oliver, Charles Ridgely, of Hampton,

Thomas Tenant, Alexander Brown, John McKim, Jr., Talbot Jones, James Wilson, Thomas Ellicott, George Hoffman, William Stewart, Philip E. Thomas, William Lorman, George Warner, Benjamin C. Howard, Solomon Etting, W. W. Taylor, Alexander Fridge, James L. Hawkins, John B. Morris, Luke Tiernan, Alexander McDonald, Solomon Birckhead.

The project at once awakened a feeling of great favor throughout the city and State, and upon application being made to the Legislature, the charter drawn by the Hon. John V. L. McMahon was promptly granted on the 28th of February, 1827. On the 8th of March it was confirmed by Virginia, and thus in sixteen days after the meeting, at which it was determined to adopt the railroad system, a company with ample powers was authorized to be formed in two of the States through which the contemplated road was to pass.[1]

Stock was subscribed on April 1st, 1827, to provide funds for the erection of the road, and on the 23d, the company was organized by the election of the following board of directors: Charles Carroll, of Carrollton, George Hoffman, William Patterson, Philip E. Thomas, Robert Oliver, Thomas Ellicott, Alexander Brown, John B. Morris, Isaac McKim, Talbot Jones, William Lorman and William Stewart. Mr. Philip E. Thomas was chosen president and George Brown, treasurer. The location of the road having been decided upon,[2] and the point of entrance into the city fixed, the "corner stone" was laid by the venerable Charles Carroll, of Carrollton, then over ninety years of age, on the 4th of July, 1828, with grand civic and military ceremonies, manifesting the enthusiasm of the population of Baltimore in the great work about to be commenced. During the Fall of 1829, the company began to lay their rails upon the division of the road within the limits of Baltimore, and on the 24th of May, 1830, a little more than eighteen months from the commencement of the work, the first division of the road to Ellicott's Mills was opened for the transportation of passengers. The number of cars being limited, and horse and mule power being used for drawing them, the receipts for four months from the time of putting the cars on to the 1st of October, 1830, amounted to $30,012.35.

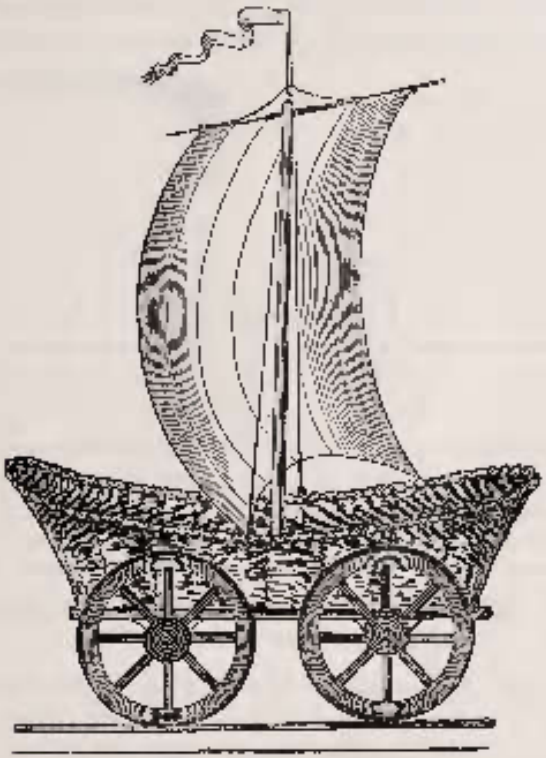
There being no settled mode of propulsion fixed upon for travel on railroads during the first year of the opening of the road, Evan Thomas had constructed as an experiment, a car with sails, which he called the "Mohas," which attracted much attention. The late Benjamin H. Latrobe, who was the chief engineer of the Baltimore and Ohio Railroad during its construction, thus describes the sailing car invented by Mr. Thomas:

[1] It was confirmed by Pennsylvania, February 22, 1828.

[2] An examination of the country was commenced under the direction of Lieutenant Colonel Stephen H. Long and Captain William G. McNeill, United States topographical engineers, and William Howard, United States civil engineer, assisted by Lieutenants Hersey, Trimble and Dillehunt, of the United States Artillery, and Mr. Hartelon, July 4, 1827. The actual survey to determine the route were begun by the same officers, with the additional assistance of Lieutenants Cook, Gwynn, Haszard, Possenlor and Thompson, and Mr. Gibbs, November 20, 1827. The State of Maryland became a stockholder in the company, by subscribing for half a million dollars of the stock, March 6, 1828, which was almost the first legislative aid ever afforded to a private corporation in the United States.

"I well recollect the little experimental locomotive of Mr. Evan Thomas: it was 'a basket body,' like that of a sleigh, and had a mast, and, if I recollect, a square sail, and was mounted upon four wheels of equal size.' It ran equally well in either direction, but of course only in that in which the wind happened to be blowing at the time, although it would go with the wind abaft the beam, but at a speed proportioned to the angle with the plane of the sails. It was but a clever toy, but I had it used at the time in showing how little power of propulsion was necessary upon a railway, compared with the best of the roads that had preceded it."

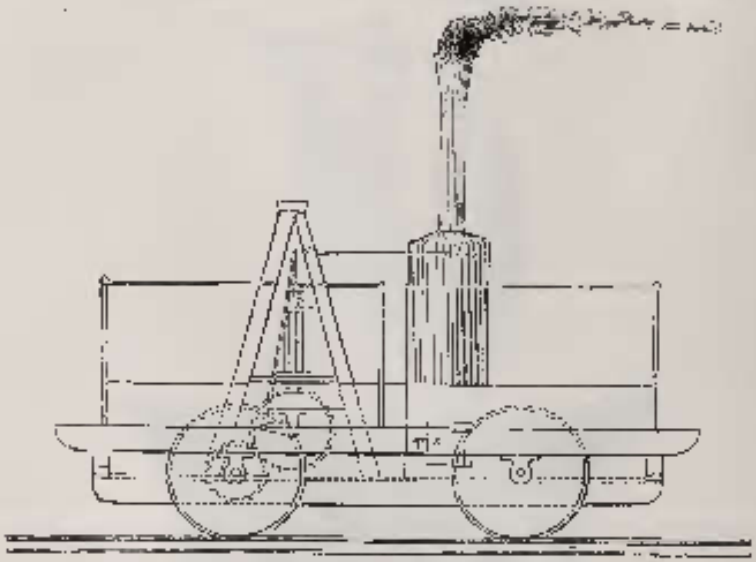
The Baltimore and Ohio Railroad was not only the first railroad in the United States, commenced for the actual traffic and commerce of the community between two distant sections of the country, but it was the railroad upon



SAILING CAR "AEOLUS."

which the first locomotive built in the United States was successfully introduced. When steam made its appearance on the Liverpool and Manchester Railroad, in England, it attracted great attention in this country. But there was this difficulty about introducing an English engine on an American road: An English road was virtually a straight road; an American road had curves sometimes of as small radius as two hundred feet. For a brief season it was believed that this feature of the early American roads would prevent the use of locomotive engines; but the contrary was demonstrated by Mr. Peter Cooper,

of New York. Mr. Cooper, who owned at the time, extensive iron works at Canton, near Baltimore, was satisfied that steam might be adapted to the curved roads which he saw would be built in the United States, and he had another idea, which was that the crank could be dispensed with in the change from a reciprocating to a rotary motion; and he built an engine to demonstrate both articles of his faith. The machine was not larger than the hand-cars used by workmen to transfer themselves from place to place, and the boiler was not as large as the common kitchen-boiler attached to the ordinary range in modern mansions. It was of about the same diameter, but not much more than half as high. It stood upright in the car, and was filled, above the furnace which occupied the lower section, with vertical tubes made of gun-barrels. The cylinder was but three and a-half inches in diameter, and speed was



"TOM THUMB'S" LOCOMOTIVE.

gotten up by gearing. No natural draught could have been sufficient to keep up steam in so small a boiler, and Mr. Cooper therefore used a blowing-apparatus, driven by a drum attached to one of the car-wheels, over which passed a cord that in its turn worked a pulley on the shaft of the blower. The contrivance for dispensing with a crank came to nothing.* Among the first buildings

* Mr. Benjamin H. Latrobe says: "Mr. Cooper brought the motor from New York, in the spring, or early in the summer of 1829; and it was on a frame and rested on four wheels belonging to the company's One road was then used between miles 6 & 7 Beetle's Hills, and with horse-power. The boiler was tubular, and upright in position. Mr. Winans does not recollect the dimensions of it, although he says it lay in his shops for several years. He thinks it was not more than twenty inches in diameter, and perhaps from five to six feet high. There was a single cylinder of three and one quarter inches in diameter, fourteen and one-quarter inches stroke, that projected its piston-rod and connecting rod so as to take hold of the crank by direct action. On the crank-shaft, which rested on the frame of the car, was a spur-wheel, which geared with a pinion on the forward road wheels, so as to increase speed: the road-wheels being only two

erected at Mount Clare, Baltimore, was a large car-house, in which railroad tracks were laid at right angles with the road track communicating with the latter by a turn-table—a lilliputian affair indeed, compared with the revolving platforms, its successors, now in use. In this car-shop Mr. Cooper had his engine, and here steam was first raised, in the presence of Mr. George Brown, the treasurer of the company, his father, Mr. Alexander Brown, Mr. Philip E. Thomas, and one or two more. Mr. Cooper, with his own hands opened the throttle and admitted the steam into the cylinder; the crank-substitute operated successfully with a clacking noise, while the machine moved slowly forward, with some of the bystanders who had stepped upon it. And this was the first locomotive for railroad purposes ever built in America, and this was the first transportation of persons by steam that had ever taken place on this side of the Atlantic.

Mr. Cooper's success was such as to induce him to try a trip to Ellicott's Mills; and an open car, the first used upon the road already mentioned, having been attached to his engine, and filled with the directors and some friends, the first journey by steam in America was undertaken. The trip was most interesting. The curves were passed without difficulty at a speed of fifteen miles an hour. The grades were ascended with comparative ease; the day was fine, and the company in the highest spirits. The return from the Mills—a distance of thirteen miles—was made in fifty-seven minutes. This was on the 28th of August, 1830.[1]

Sufficient subscriptions having been received, the commissioners of the Chesapeake and Ohio Canal, deemed it expedient to call a general meeting of the stockholders in Washington, on the 20th day of June, 1828. On the day appointed, they assembled in Washington, and formally organized the company in pursuance of the provisions of the charter, by the election of a board of president and directors. They soon after qualified, and on the 25th of June, entered on the discharge of their duties. On the 25th of the same month, they appointed Benjamin Wright, their chief engineer, and on the 4th of July, 1828, this rival enterprise of the Baltimore and Ohio Railroad was formally commenced by John Quincy Adams, President of the United States, wielding the first spadeful of earth from the site marked out for the channel of the canal.

On the 15th day of August, 1828, the Potomac Company by deed duly executed, surrendered and conveyed to the Chesapeake and Ohio Canal Company their charter, and all the property, rights and privileges, by them owned, possessed and enjoyed under the same, and thenceforth ceased to have any existence as a separate corporation. In the same month, thirty-four sections of the canal extending from the Little Falls to Seneca (seventeen miles), were put under contract, and on the 1st of September, 1828, the work was

and one-half feet in diameter. The fuel was anthracite coal, and an artificial draught, in the fire-box at the bottom of the boiler, was created by a fan, driven by a belt passing around a wooden drum attached to one of the road-wheels, and a pulley on the fan-shaft."

[1] William H. Brown's *History of the First Locomotives in America.*

actually began.[1] At this time the capital stock subscribed and payable in current funds, exclusive of subscriptions in the stocks and debts of the Potomac Company, amounted to 36,004 shares, or $3,600,400 as follows.

	Shares.	Equivalent to.
United States	30,000	$1,000,000
Washington City	10,000	1,000,000
Maryland	6,000	600,000
Alexandria	2,700	270,000
Georgetown	2,500	250,000
Shareholders as	20	2,000
Individuals	6,074	607,400
	36,004	$3,600,400

Thus, it was that Maryland began her system of internal improvements.

[1] Report of the Chesapeake and Ohio Canal Company, for 1831, pp. 2-11.

CHAPTER XXXVIII.

THE period of 1824 is also remarkable under another aspect—as having put an end to the practice of caucus nominations for the presidency by members of Congress. This mode of selecting candidates for president and vice-president began with the eminent men of the Revolution, in February, 1800, but now the present mode of concentrating public opinion was adopted—that of party nominations by conventions of delegates from the several States. It was alleged that the election of Mr. Adams had been effected by a dishonorable "coalition" with Henry Clay, and the opposition to him began early and was maintained throughout his administration.

As early as October, 1825, General Jackson was nominated by the Legislature of Tennessee, as a candidate for President in 1828. And all the elections held in Maryland subsequent to that time, turned upon the presidential question. Both the "administration" and "anti-administration" parties held State conventions in Baltimore, as early as the spring of 1827, and organized for the coming struggle; and in the fall elections for members of the House of Delegates, the "friends of the administration" elected forty-nine members, and the "Jackson men" thirty-one.

The presidential election took place in November, 1828, and resulted in the defeat of Mr. Adams and the election of General Jackson as President, and James Calhoun as Vice President. This was the most anxious and ardent as well as the most rude and ruthless political contest that had ever taken place in the United States. This struggle, which really commenced before the election of Mr. Adams, was carried on, in attack or defence, with unprecedented zeal and acrimony. Neither public reputation nor private honor was spared, nor were even the sacred obligations belonging to personal communication and individual confidence regarded. The private characters of the candidates were assailed in a manner unjustifiable, and, perhaps, unprecedented. In the electoral college, Maryland cast five electoral votes for General Jackson and six for John Quincy Adams for President.[1]

In the final result, Jackson received one hundred and seventy-eight votes, and Adams eighty-three, for President, and James Calhoun one hundred and seventy-one for Vice-President. Seven votes were given for William Smith, of South Carolina, and Richard Rush received the same vote as Mr. Adams.

[1] Electors: William Pittsburgh, Jr., Benjamin T. Forrest, William Tyler, James Bowell, John S. Sellman, Thomas Emory, Benjamin C. Howard, T. B. Lockerman, Elias Davis, Littleton Dennis and Henry Brewer.

President Jackson was inaugurated on the 4th of March, 1829; and soon after his cabinet resigned, in consequence of certain difficulties between several members. In the formation of his new cabinet, on the 21st of June, 1831, Roger Brooke Taney, who was then the attorney-general of Maryland, was appointed Attorney-General of the United States.

In the State election for members of the General Assembly in the fall of 1829, the Jackson party gained political control of the State, and elected Thomas King Carroll, Governor, by a majority of seven votes in the place of Daniel Martin. The Senate that was elected in 1826, stood eleven "Jackson," to four "anti-Jackson" members.

In the October elections of 1830, the "anti-Jackson" party in Maryland made a bold and desperate effort to regain the reins of the State government, which resulted in a surprising revolution. Instead of being in the minority on joint ballot, their majority was now forty-one, and Daniel Martin, of Talbot County, who had been refused re-election by the Jackson party the year before, was re-elected Governor. He died on July 11th, 1831, and George Howard, son of John Eager Howard, was appointed to fill his unexpired term, who in the following January, was re-elected Governor. The election of State Senators in 1831, resulted in favor of the "National Republicans," or "anti-Jackson" party, which, together with the gains made in the House of Delegates, gave the Clay party on joint ballot a majority of 49 votes.

The time for another presidential election was now approaching. The action of Mr. Clay in throwing his vote and influence in favor of Mr. Adams, in the House of Representatives in 1824, contrary to the instructions of his State, had revived the bitterness of party spirit, which had been slumbering since the old times of Jefferson and John Adams.

As a result of the election of Adams, the Crawford and Calhoun parties were absorbed into the Jackson party, while Clay's friends supported Adams. By the consolidation of Clay's and Adams's adherents the National Republican party organization was formed, which afterwards took the name of Whig, and which continued a powerful, conservative and national party, until the Presidential election of 1852.

After the election of John Quincy Adams, electioneering and the various characteristics of the canvas began to assume a new form and spirit. General Jackson was regarded by the people as the ideal representative of the Jeffersonian Democracy; and hickory brooms and other devices were paraded on their banners, in allusion to his popular name "Old Hickory," typifying the firmness of his will, and toughness of his moral and physical fibre. The Adams party were stigmatized as federalists; and in derision of their opponents, they bore on their banners the figures of gambling implements and game cocks, alluding to Jackson's supposed addiction to play, and distributed handbills bearing the figure of a coffin, an allusion to his execution of some mutineers at Mobile, in the War of 1814.

In the election of General Jackson to the presidency in 1828, the Adams, or Federal, or Whig party was overwhelmed by the new-born democratic power.

The Whigs, as we shall now term the Clay and Adams party, greatly annoyed and embarrassed the democrats by making political issues, and putting forth principles and measures as party tests. In the campaigns of this period they put forward as the distinctive characteristics of their party, the United States Bank, internal improvements and the tariff. General Jackson and his friends had up to this time been favorably disposed to these measures, but now they changed front; and, as results will show, triumphed over them all.

General Jackson, it is true, voted for the tariff of 1824, and was supported for the presidency, in the campaign of 1828, by the free-trade portion of the Southern people. But the passage of the tariff bill of 1828, proved unsatisfactory to the leading politicians of the South, and increased the Southern opposition to the Adams and Clay administration, as portions of the South at that time had begun to look upon the doctrine of protection as injurious to their interests. The enmity to the doctrine of protective tariffs had been steadily growing for a number of years, and finally culminated in principles which endangered the Federal compact. The first appearance of disaffection in the South was at the time of the celebrated debate in the United States Senate by Daniel Webster and Colonel Hayne, of South Carolina, in 1830, when the latter openly advocated nullification and disunion. The controversy, as initiated by Colonel Hayne, was made to take a sectional character, and it opened by fierce onslaughts by members of both sections of the country upon the history, character and institutions of the several States.

In the struggle for ascendency, the old military chieftain was by no means guilty of negligence or want of vigilance. Although a popular man, and strongly entrenched in the hearts of his countrymen, General Jackson found that a powerful array of talent was uniting against his administration, and that great vigilance was indispensably requisite.

Early in 1831, the campaign opened with vigor and continued without abatement until the fall of 1833. The opposition arrayed against him were called the "National Republican" or Whig, and the "anti-Masonic" party.

The latter party had its origin in the disappearance and supposed murder of William Morgan, a citizen of western New York, in 1826, in consequence of an alleged violation of his Masonic obligations, and a disclosure, real or pretended, of the secrets of Masonry. Like other exciting topics which have taken hold of the public mind in this country, it led to the organization of a distinct political party, called the "anti-Masons."

The zeal to destroy Masonry rose above all other subjects of public concern, and a large body of respectable and judicious men were found in several States who were willing to forego all the ordinary inducements to the old political organization, and to embody themselves into a party to accomplish

this one object. Sincere and zealous in their purpose, unquestionably honest and patriotic in all that they contrived and intended to do, intelligent, thoughtful and able in the general complexion of the men at their head, they had arranged a convention of delegates to be chosen from the several States, who were to meet, by appointment, in Baltimore, in September, to select a candidate for the presidency. In pursuance of this arrangement, about one hundred and twelve delegates assembled in Baltimore, at the Athenæum, on Monday, the 26th of September, 1831. It was distinguished for its talent, and for the weight of character which it presented. It was looked upon with curious and deep interest throughout the whole country; with approbation by many, but with a settled and stern, though silent hostility, by that numerous and respectable class of citizens which, in every State, yet constituted the body of the Masonic fraternity.

At the time appointed, "the national anti-Masonic Convention" assembled and was called to order by the Hon. Judge Hart, of New York, when the Hon. John Rutherford was called to the chair, and soon after, the following officers were unanimously chosen: President, John C. Spencer, of New York; Vice-Presidents, John Rutherford, of New Jersey; Jonathan Sloan, Ohio; Thomas Elder, Pennsylvania; John Bailey, of Massachusetts. Secretaries, Benjamin F. Hallet, Edward D. Barber, S. C. Leavitt and Caleb Emory. In the convention the following States were represented: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Indiana, Delaware and Maryland. Massachusetts, New York and Pennsylvania were fully represented. New Hampshire, Indiana, Delaware and Maryland were only represented by one member. On the 27th, various reports of the committees were presented and accepted, and much incidental business attended to. On Wednesday, the 28th, William Wirt, of Maryland, formerly attorney-general of the United States, was nominated for the presidency, and Amos Ellmaker, of Pennsylvania, for the vice presidency, each receiving one hundred and eight votes of the one hundred and eleven members present. On the same day, Mr. Wirt accepted his nomination, by letter, which is an important document in an interesting passage of political history.[1]

WILLIAM WIRT.

The "National Republican" party, composed principally of the friends of Mr. Adams, and those who were now dissatisfied with the course of General Jackson, met in convention at Baltimore on December 12th, 1831, with about one hundred and forty members in attendance. Peter R. Livingston, of New York, called the convention to order, and nominated Abner Lacock, of Pennsylvania, temporary chairman. On the following day the convention entered into a permanent organization by the election of James Barbour, of Virginia,

[1] Niles' Register, xli., pp. 86-107.

for president, and Allen Trimble, of Ohio, Joseph Kent, of Maryland, Peter B. Porter, of New York, and Robert Temple, of Vermont, vice-presidents. Joseph T. Tillinghast, of Rhode Island, and Henry Bacon, of Ohio, were chosen secretaries. On the same day, Henry Clay, of Kentucky, was unanimously nominated for president, and on the 14th, John Sergeant, of Pennsylvania, for vice-president.[1]

General Jackson had been designated by his friends in all parts of the Union, at an early period after the commencement of his administration, as a candidate for re-election. Hence, a national convention was necessary only to nominate a candidate for vice-president. The convention for that purpose assembled in Baltimore on the 21st of May, 1832, and was organized by the election of General Robert Lucas, of Ohio, president, and Peter V. Daniel, of Virginia, James Fenner, of Rhode Island, John M. Barkley, of Pennsylvania, and A. S. Clayton, of Georgia, vice-presidents. Secretaries—John A. Dix, of New York, Stacy G. Potts, of New Jersey, and Robert J. Ward, of Kentucky. Before proceeding to nominate a candidate for vice-president, the convention adopted the following "two-third rule," which has ever since been adhered to by all democratic conventions: "*Resolved*, That each State be entitled, in the nomination to be made by a candidate for the vice-presidency, to a number of votes equal to the number to which they will be entitled in the electoral colleges, under the new apportionment, in voting for president and vice-president; and that two-thirds of the whole number of the votes in the convention shall be necessary to constitute a choice."

After the settlement of some preliminary business, the convention proceeded to the nomination of a candidate for the vice-presidency, when upon the ballots being counted it appeared that Martin Van Buren, of New York, had received two hundred and eight votes, and was duly declared the nominee of the convention. Richard M. Johnson received twenty-six votes, and Philip P. Barbour forty-nine.[2]

The elections in Maryland in November resulted in the choice of the following presidential electors: Robert H. Goldsborough, William Price, J. S. Smith, William B. Tyler, William Frick, Albert Constable, U. S. Heath and John L. Steele, who cast their electoral vote as follows: Jackson, three; Clay, five. In the electoral colleges Andrew Jackson received two hundred and nineteen votes, and Martin Van Buren one hundred and eighty-nine, and were declared elected president and vice-president. Henry Clay received forty-nine votes, and John Sergeant the same. William Wirt received the seven votes of Maine. John Floyd received eleven, William Wilkins, thirty; Henry Lee, eleven, and Amos Ellmaker, seven.

James Thomas, the national republican candidate, was elected governor of the State.

In August, 1832, the cholera began its ravages in several parts of the State, but more particularly in Kent, Queen Anne's, Washington and Balti-

[1] Niles' *Register*, xl., p. 201. [2] *Ibid.*, xlii., p. 284.

more Counties, and Baltimore City. In the latter place over three hundred persons died from the disease.[1]

On the 14th of April, 1833, the greater part of the town of Cumberland was destroyed by fire. It broke out in a cabinet-maker's shop situated in the northwestern extremity of the business portion of the place, and a strong northwest wind prevailing at the time, it soon swept all before it. From right to left, one unbroken sheet of flame extending full a quarter of a mile, raging and roaring like a tornado, was the awful spectacle presented to the unfortunate inhabitants. It thus raged for two hours and a-half, and its ravages were not checked until about seventy five houses in the very heart of the town had been destroyed. By this dreadful conflagration all the hotels, printing offices, and all the stores save one were destroyed, and two-thirds of the inhabitants rendered homeless. The value of the property destroyed was estimated at $275,000, and the effects of the disaster were long felt.

In all sections of the State, subscriptions were taken up for the relief of the sufferers, and Baltimore, with its usual liberality, contributed over $10,000 in cash, besides a liberal gift of other necessaries.

On the 24th of November, 1834, a terrible fire also laid in ashes the greater part of the town of Snow Hill, in Worcester County. Upwards of forty houses, including the court house, hotels, post-office, printing office and the principal stores of the place, together with a large quantity of furniture and merchandise was destroyed in the short space of about two hours. The loss of property exceeded $200,000.

Early in the spring of 1834, the whig and democratic parties in Maryland made great preparations to carry the State in the fall election, for members of the House of Delegates, in the interest of their respective parties. So zealous a canvass of the State had not happened since 1798; and the number of votes polled was far beyond any election ever held in the State up to this time. The whig party entered into powerful organizations, and the democratic party were equally on the alert.

In the Legislature of 1833, the democrats had in the House of Delegates forty-five members, and desired to maintain their ascendancy. The whigs had but thirty-five members, and were resolved on victory in the coming election. The election resulted in the choice of sixty-two whig delegates to eighteen democrats, by a whig majority in the State of 2,248, out of only 60,102 votes cast.

The removal of the government deposits from the United States Bank, brought disasters upon the banks of Baltimore as upon others. The Bank of Maryland, which had been chartered in 1790, the Susquehanna Bank, the Maryland Saving's Institution, the United States Insurance Company, and two or three other banking institutions of the city failed in 1834 and inflicted great loss upon many dependent persons. None of these failures, however, affected the people of Baltimore as the failure of the Bank of Maryland.

[1] See Chronicles of Baltimore, p. 460.

It had, up to the 24th of March, 1834, enjoyed an unusually degree of public confidence, and had an extraordinary circulation, growing out of the fact, perhaps, that its stock, the par value of which being only $200, was steadily quoted in the newspapers at $500. The stock of the bank consisted of one thousand shares, on which $300,000, the par value, was originally paid in, but by bad debts, etc., it was reduced in 1824, to $200,000. This reduction, however, did not affect the credit of the bank, which appears to have been more than counterbalanced by the increased estimate of its charter, its standing, etc. From August, 1831, (the time when Mr. Evan Poultney was chosen president of the bank, and Reverdy Johnson and John Glenn, his counsel, and two of the directors) to May, 1833, the business of the bank seems to have progressed satisfactorily; its deposits were much increased, and it appeared to be doing an active and profitable business. About this time it seems that Evan Poultney, Reverdy Johnson, John Glenn, Evan T. Ellicott, David M. Perine and Hugh McElderry, agreed to form a stock association and hold between them nine hundred shares of the stock of the Bank of Maryland, thus securing control of the bank. The stock was purchased and paid for out of the funds belonging to the bank, at the market price of $500 per share from the 22d of May, 1833, to 22d January, 1834. On the 10th of March, the president and directors transferred these nine hundred shares of stock to the aforementioned members of the stock association, and the bank afterwards received through its discount book their notes for the amount, payable on demand to the president and directors, thus discounting $450,000 of their paper to purchase the stock out of the funds of the bank. This stock association having thus secured the management and direction of the Bank of Maryland, soon after connected with it a General Insurance Company, and for this purpose individually subscribed for a controlling interest of its stock, also out of the funds of the bank, and elected Reverdy Johnson its president, and the other members of the stock association its managers. In May the bank purchased from the Union Bank of Tennessee, bonds to the amount of $500,000, and in June, John Glenn purchased in his individual name, six thousand shares of Union Bank stock and gave his individual note for the amount, $510,000, depositing as security for his note these Tennessee bonds belonging to the bank. In a few months a panic in the money market commenced, and it was soon evident that the Bank of Maryland would require assistance; and early in October two of the members of the association made application to the Secretary of the Treasury, at Washington, and on the 9th of October the bank received an accommodation of about $680,000. At or about this time, it appears that the stock association, without paying their individual balances due the bank, and their subscriptions to the General Insurance Company stock, and making good their proportion of losses from the various speculations which they had entered into, cancelled and destroyed the written agreement which subsisted between them, and by powers of attorney, conveyed the stock they had held

to the president, and withdraw their notes from the bank, his individual and uncovered checks being left nominally to supply their place. In March, 1834, the president procured four notes, of $50,000 each, from one of the members of the stock association, and placed them, together with four hundred shares of the Bank of Maryland stock, with the General Insurance Company, and on these securities procured eight policies of insurance, which were afterwards deposited with the Bank of Maryland, and the proceeds placed to his credit, he at the same time giving his check to Poultney, Ellicott & Co., bankers, in part payment of a loan of Bank of Maryland stock obtained from them; and on this credit they checked and withdrew a portion of their obligations from the bank.

On the 21st of March, the General Insurance Company returned this stock to the bank, and withdrew and cancelled their policies. On the 22d of March, two members of the association returned from Washington, after having made an unsuccessful attempt to procure assistance for the Bank of Maryland, and on the following day, at a meeting held at the house of Reverdy Johnson, (the president, E. Poultney, being sick,) it was determined to suspend the operations of the bank, and to convey its effects to Thomas Ellicott, then president of the Union Bank of Maryland, in trust for the general benefit of the creditors. On the same day, the president conveyed his entire estate to his counsel, Reverdy Johnson and John Glenn, to secure his creditors from loss. On Monday, March 24th, when the morning papers announced that the institution was "unable to proceed with its business," the greatest excitement was produced in the community. In the afternoon the presidents of the several banks convened at the Union Bank, and unanimously resolved that Thomas Ellicott should become the trustee. Subsequently, on the 28th of March, a public meeting of the creditors of the bank was held at the Exchange, which resulted in associating John B. Morris and Richard W. Gill in the trust, on the 5th of April.

The trustees immediately took charge of the effects of the bank, and with the assistance of the cashier, Mr. Robert Wilson, and F. M. Fowler, accountant, and a corps of clerks, proceeded to examine its affairs. The trustees, owing to the law's delay, and other causes not understood by the people at large, continued in possession of its effects for seventeen months, without laying before its anxious creditors a satisfactory statement of its affairs. In the meantime, however, the president, trustees, counsel and others, were carrying on a war of pamphlets with each other, by which the public were made weary and disgusted. But the creditors refrained and bore these things patiently, and the citizens, notwithstanding "they have been plundered of more than two millions of dollars—perhaps three millions,"[1] by "the immense losses sustained some time ago, by the failure of the City Bank, and the reduced value of the stock in others, as much as twenty-five per cent. in some cases, and, within the last year, the bankruptcy of the Susque-

[1] *Niles' Register*, xlvii., p. 118.

hannah Bank, the Bank of Maryland, the Maryland Savings Institution, with the United States Insurance Company, and two or three other rag shops," they bore all this with astonishing meekness.

On Monday, August 3d, 1835, another weighty pamphlet appeared, which was immediately sharply commented upon by Mr. Poultney. The people being in a "feverish" state of excitement, and thoroughly disgusted with the management of the bank affairs and regarding the failure as "one of the most stupendous and *general* frauds ever committed—bearing especially hard upon the industrious poor," proceeded to take the law into their own hands and to punish the participators.

On Thursday, August 6th, a small number of persons assembled at the residence of Honorable Reverdy Johnson, on the northwest corner of Fayette and Calvert streets and began breaking the windows, but were induced to disperse by the mayor, who very indiscreetly gave notoriety to the matter on the following morning by calling a town meeting at the Exchange on the same afternoon "for the purpose of adopting such measures as may be deemed proper to *assure* the preservation of the *public peace*."

At the appointed time and place an unusually large and very respectable meeting of the citizens of Baltimore assembled and called Mayor Jesse Hunt to preside. After the selection of a number of officers and the adoption of a set of resolutions, on motion of James H. Thomas, the meeting "Resolved, That in the opinion of this meeting, it would promote the peace of the city, if the present trustees would relinquish the trust held by them, and transfer over to the creditors of the Bank of Maryland the books and papers connected therewith." The meeting then adjourned, and a number of those present again assembled in front of Mr. Johnson's mansion and began breaking the windows again. They were addressed by the mayor, and General W. Jones, of Washington, who happened to be in the city as one of the counsel in the case. These gentlemen were respectfully listened to, and the crowd dispersed about eleven o'clock.

It soon became apparent that a mob would make a serious attack on Mr. Johnson's house on the following night, and also on Mr. John Glenn's. The mayor called a private meeting at his office on Saturday afternoon, and assigned six hundred organized citizens to prevent persons from entering Monument Square. "These were supplied with badges, or strips of muslin, to be worn on the left arm, and with sticks of burned poplar, or some other light wood." About thirty of the guard were mounted on horses. By dark, a large crowd of people assembled in Baltimore street, at the intersection of Calvert. Here the crowd made frequent rushes upon the guard, at the same time hurling showers of brick bats and stones, which were returned by the guards. A large number finding it difficult to get access to Mr. Johnson's house, started off to the residence of Mr. John Glenn, on North Charles street, which was not protected, and commenced throwing stones and missiles at the windows and front door. The house was of brick, strongly

built, and the door was barricaded in anticipation of an attack. For a brief space of time the assailants were diverted from their assaults upon the house by a number of the mounted guard rushing down and firing upon them. The assailants, however, soon renewed their attacks upon the house, and after a continued effort of one half an hour, it was taken possession of, and all the furniture it contained was broken up and thrown into the street and utterly destroyed. The work of demolition was renewed some time during Sunday by numbers of young men and boys, who got in and continued through the afternoon to break up the woodwork and to beat down the jambs of the outer wall. A portion of the front wall of the second and third story was thrown down, and the house exhibited the appearance of a wreck. The guard stationed in different parts of the city, finding themselves so severely attacked, armed themselves with muskets. At about one o'clock on Sunday morning, a company of some twenty-five or perhaps thirty armed citizens marched against the rioters in Charles street. They were received with a shower of stones, and in return, fired into the crowd they opposed. They loaded and fired several times. The police and guard also fired upon their assailants at their several stations a number of times.

On Sunday night, the attack was renewed upon Reverdy Johnson's house, which was soon entered, and its furniture, a very extensive law library, and all its contents were cast forth, and a bonfire made of them in front of the house. The whole interior was torn out and cast upon the burning pile. The marble portico in front and a great portion of the front wall were torn down by about eleven o'clock. Previous to this, however, an attack was commenced upon the house of John B. Morris, in South street. His dwelling was entered and cleared, and the furniture and other contents piled up in the street and burnt. In the course of the proceedings the house took fire inside, as Reverdy Johnson's was also near doing from the bonfire near it. In both instances the engines were brought promptly to the spot, and the fire put out, so that the neighboring dwellings should not suffer. From John B. Morris's house they proceeded to that of the mayor of the city, Jesse Hunt, Esq., broke it open, took out the furniture, and burnt it before the door. They also destroyed the furniture of Evan T. Ellicott, and much injured his dwelling in Pratt street. They proceeded to the new house of Hugh McElderry, in North Calvert street, now finishing, broke the front windows, entered the door and began to destroy the house, when the builder appeared, and stated that as it was not finished, the key had not been given up, and that all the injury it might sustain would fall upon him and thus complete his ruin. Upon this assurance they desisted and retired. All the property destroyed was supposed to have belonged to the directors of the bank. The mob also attacked Captain Wiley's hardware store in Franklin street, and commenced destroying its contents, but desisted at the urgent solicitations of Mr. Tyseh, who assured them that he, and not Mr. Wiley, was the owner, and that the latter had left town. The house of Dr. Hintze was assailed,

but his lady making her appearance and declaring that the property was her own, she having received it from her father's estate, they listened to her appeal and departed without doing any injury. Captain Benzinger's house was also attacked, and all his furniture destroyed. This, as well as the attack on Captain Wiley and Dr. Hintze, was because of their opposition to the rioters. The very valuable libraries of Mr. Johnson and Mr. Glenn were destroyed, worth many thousand dollars each. All their stock of wines, and many other valuable articles fell a prey to the crowd, and were offered for sale at small prices. The different stations where guards were posted to prevent access to the square, were all more or less frequent scenes of alarm and contention; and with the discharge of firearms, the shouts of the multitude, and the rapid passage of the horsemen, the night had a truly fearful aspect. The watch-house on North street, the receptacle for the prisoners, was the scene of incessant din and commotion. At daybreak on Sunday morning the prisoners, fifty-five in number, were conveyed to jail. On Sunday the power of the city was in strange hands, and the mayor posted up an address for the people to "remain at home," etc., which he thus explains on Monday:

"*Mayor's Office, Baltimore, August 16th.*

"Having stated in a publication of yesterday, in reference to the melancholy occurrences of the last night, that firearms were resorted to against my judgment and advice; and having learned with extreme pain, that the language used by me has induced some persons to suppose that the use of firearms was entirely unauthorized by any competent power, I deem it an imperative act of justice, at the first moment of being informed of the interpretation which I supposed this part of my publication of yesterday might bear, distinctly to state that the persons who used firearms were fully authorized so to do, but again repeat, the order was not issued by me. "JESSE HUNT, *Mayor.*"

And thus was the city yielded; and, in consequence, the prisoners made on Sunday morning were released, as they certainly would have been on Sunday night by their colleagues. On Sunday, the people, without a head, had nothing to do but to look on and tremble. No one felt himself safe, as everything was given up. Anarchy prevailed. The law and its officers were away. But Monday morning changed the aspect of things. It now appeared that the people were called upon to defend, not only their property, but also their lives: and it was manifest that there was a general but gloomy resolution to do both. Things had reverted to their original elements; there was no law, and a head was wanted to bring order out of confusion. This was easily found in General Samuel Smith, who being elected chairman by a great assemblage at the Exchange, accepted the trust reposed in him, and, with the alacrity of youth, though in his 83d year, took his seat, and told the assembly that the time for resolving had passed away, and that for action had arrived. The flag of the Union had been previously raised, and with it at their head, the people marched to Howard's Park, when being addressed briefly by General Smith and others, and told what they ought to

do, they speedily retired to prepare themselves for action. The orders were to arm and to repair to the City Hall. The fire companies were also called out, and appeared on the ground in great force. The mayor having retired from his seat, (which he formally resigned the next day), the president *ex officio* of the first branch of the council, General Anthony Millenberger, took his place, and aided by General Smith, issued the necessary orders. On Monday evening a large display of citizens in arms attended at the mayor's office; they were stationed in different parts of the city with the firemen, ready also for action. Peace prevailed during the night. The streets were as quiet as the grave, except for the heavy tread of detachments of armed men to reconnoitre its different parts. A body of one hundred United States regular troops reached the city from Washington, and a number from Fort Severn, Annapolis. They were not needed, as order prevailed, and the laws were respected, and those who had been proscribed by the mob and fled the city for protection, were invited to return to their homes, assured that their persons and property would be protected against all illegal combinations. A large number of persons were arrested and subjected to fines and imprisonment for participation in the riots. On the 6th of August, 1836, the governor in pursuance of an Act passed by the Legislature "to provide indemnity to the sufferers by certain riots in the City of Baltimore," appointed Richard Lemmon, Robert Barry and James Chesron, commissioners to assess the damages, and they awarded the following amounts to the gentlemen named:

Reverdy Johnson	$10,632 50
John R. Morris and Lydia Hollingsworth	13,825 00
Evan T. Ellicott	4,747 00
Chester Bond	1,043 44
John Glenn	37,870 03
Elizabeth Peterson	400 00
J. J. Aubichon	120 00
Ebenezer L. Finley	819 70
	$103,563 67

Upon the payment of these sums, terminated in Maryland what is known as the "Bank mob."

Notwithstanding the distress brought upon the people of Maryland by the financial affairs of the State and country, they did not neglect their system of internal improvement then in progress. The treasury of the Chesapeake and Ohio Canal Company, which had been so full at the commencement of operations, already manifested symptoms of exhaustion, and the company now for the first time in accordance with the times, resorted to the issue of "commissory notes, or scrip, payable in twelve months with interest, upon a pledge of stocks for their redemption at maturity. This state of affairs induced the Legislature of Maryland on the 14th of March, 1834, to make an additional subscription to the capital stock of the company to the amount of $125,000, and a further subscription of the same amount, in case Congress should sub-

scribe a million. This generous example set by Maryland was not followed either by Congress or any of the parties to the enterprise. No further subscriptions of money to the capital stock of the company have ever been made, except those which have been made by Maryland, and, from this period, the extension of the canal to the Ohio River has been regarded as a postponed question.

The reports exhibited at the stockholders' meeting, in June, 1831, showed that the company had then expended $4,062,991.25, and that its whole remaining available means were insufficient to open the navigation beyond a point about one hundred and seven miles from Georgetown, eighty-six miles only of which were finished, and the residue nearly advanced to completion. A line of seventy-eight miles, a few miles above Williamsport, to the town of Cumberland, remained untouched. In this emergency, the citizens of Alleghany County were convened at the court house in Cumberland, on Saturday, the 18th of October, 1831, in pursuance of public notice, "to consider what measures should be adopted to hasten the completion of the Chesapeake and Ohio Canal." After the objects of the meeting had been stated at large, delegates were appointed to meet in convention in the City of Baltimore on the 8th of December, 1834.

On the day appointed, about two hundred delegates, from Pennsylvania, Ohio, Virginia, Maryland and the District of Columbia, met at the old Masonic Hall, St. Paul street, and organized by the election of George C. Washington, of Montgomery County, Maryland, as president, and Elisha Whittlesey, of Ohio, Elisha Boyd, of Virginia, William Robinson, Jr., of Pennsylvania, and William A. Bradley, of the District of Columbia, vice-presidents, and John T. Kennedy and Joseph Shriver, of Maryland, as secretaries. After a very interesting and industrious session of three days, in which a great deal of talent and much zeal was displayed, they adjourned. Their principal act consisted in the appointment of committees to memorialize Congress, the States of Maryland, Virginia and Pennsylvania, and the corporate authorities and citizens of Baltimore, for the necessary means to finish the canal to Cumberland. The memorials were presented in due time to the respective legislative bodies, but without success. The citizens of Baltimore were too deeply interested in the success of the Baltimore and Ohio Railroad, which drew largely upon their resources, and they could scarcely have been expected to contribute or subscribe money for the prosecution of other works. The Maryland Legislature postponed action on the memorial of the committee of the convention until late in the session, and when it was ascertained that aid could be obtained from no other quarter, and that the burden of providing means for the completion of the work had at last devolved on this State.

On the 7th of March, 1835, a bill, granting $2,000,000 in aid of the canal, passed the House of Delegates by the decisive vote of forty-four to thirty, and $1,000,000 to complete the Susquehannah (now called Northern Central) Railroad to York, Pennsylvania. As there was some doubt of the Senate passing

ing bill, the citizens of Baltimore assembled in town meeting and provided for the appointment of twenty-four persons to proceed to Annapolis to urge the passage of the bill. On the 18th of March, it was taken up in the Senate and passed by a vote of nine to four, and thus became a law.

Before the passage of this Act, which is known as the Act of December session, 1834, Chapter 241, the entire money investment of the State in the Chesapeake and Ohio Canal Company, amounted only to $625,000. The whole funded debt of the State was, at that time, only $1,852,942.30.[1]

The loan of $2,000,000 created for the uses of the canal, had scarcely been negotiated,[2] when it was discovered that the appropriation was insufficient to complete it to Cumberland; and with the beginning of the year 1836, the friends of the work determined to seek still further aid.

No thought seemed to be then entertained that assistance could be obtained from any other source than Maryland; for, besides the previous refusal of the other parties to the undertaking to embark further in the work, the mortgage on the net revenues, lands, property, water-rights, etc., now held by the State under the $2,000,000 loaned, precluded the hope of additional pecuniary contributions from them. On the 30th of January, 1836, a memorial was presented by the Board of President and Directors, to the House of Delegates, showing the progress that had been made in the prosecution of the canal, and soliciting additional aid.

An application was soon after made, at the same session, through a committee appointed for the purpose, by the friends of the Baltimore and Ohio Railroad Company, who had assembled in convention at Brownsville, on the 25th of the preceding November, for an appropriation to secure the completion of the railroad to Pittsburg and Wheeling. The memorials were referred to the committee on internal improvements. The whole matter was referred to the next Assembly, but at the earnest solicitation of the citizens of Baltimore, a bill similar to that which had been rejected, was offered and referred to a committee of five, with instructions "to investigate fully the subject of internal improvement, and to report by bill or otherwise." In the meantime, the Legislature thought it prudent to consult their constituents, before finally acting on the measure, and accordingly adjourned from the 4th of April until the fourth Monday of May, 1836.

The Mayor of Baltimore, at the request of the Board of Trade, two days after the adjournment of the Legislature, convened a town-meeting, which recommended the assembling of an internal improvement convention, in that city on the 2d of May. An "address of the citizens of Baltimore, to the people of Maryland," signed by General Samuel Smith, the chairman of the meeting, was issued on the 12th of April, and appeared in the newspapers.

[1] Baltimore Medical College, $30,000; Maryland Penitentiary, $97,917.30; Washington Monument, $3,000; Baltimore and Ohio Railroad, $497,000; Washington Branch Road, $500,000; Chesapeake and Ohio Canal, $625,000; Baltimore and Susquehanna Railroad, $100,000. Total, $1,853,917.30

[2] The State stock was sold by the treasurer for $116.45.

After making known the call of the convention, and earnestly inviting "every city, town, village and election district in every county, to send a delegation friendly, to the great works of internal improvement in the State," the address urged the expediency of the most efficient and vigorous prosecution, and completion of the canal to Cumberland, and of the Baltimore and Ohio Railroad to the Ohio River, and the policy of an ample appropriation by the State of Maryland, for these purposes. The Mayor and City Council of Baltimore, as early as the 31 of March, memorialized the Legislature in relation to the Chesapeake and Ohio Canal Company, setting forth that, should the Legislature in their wisdom think proper to grant further aid to the canal, it was a matter for consideration whether the interest of the State would not require that a part of said appropriation should be expended in continuing said canal to Baltimore: but now, as the Baltimore and Ohio Railroad was included in the application for an appropriation, no particular reference was made in the address to an extension of the canal to the city.

The recommendation of the address was promptly responded to. Meetings were held in nearly every section of the State, and delegates appointed. On Monday, the 2d of May, 1836, a large number of delegates from most of the counties of the State, and the Cities of Wheeling and Pittsburg, convened in Baltimore, and organized the Internal Improvement Convention by the election of Trisby Tilghman, of Washington County, President, and William B. Wilmer, of Kent, Dr. Shaw, of St. Mary's, General Tobias Stansbury, of Baltimore County, and Colonel Samuel Moore, of Baltimore City, vice-presidents, and George Cooke, Doctor Watkins and John Kettlewell, secretaries. After the transaction of some important business, the convention adopted a series of resolutions declaring that it was the duty of Maryland to furnish such aid as may be in its power towards the completion of the public works then in progress; that in the opinion of the convention, the motives of policy which originated the Chesapeake and Ohio Canal and the Baltimore and Ohio Railroad, still demanded their vigorous prosecution; "that it is most essential to the prosperity of our people that the means be supplied for the speedy completion of the canal to Cumberland, and in aid of its extension to the City of Baltimore; and that that work should be sustained and promoted by the Legislature upon the plan of rendering it the property of the State, and of bringing it to the City of Baltimore by the most eligible route." A committee consisting of one member from each county, represented in the convention, and two from the City of Baltimore, was appointed to attend at the City of Annapolis, for the purpose of presenting to the Legislature the resolutions and views of the convention, and of affording such facilities as might be deemed necessary to accomplish the object contemplated. This convention adjourned on the 3d of May, and was the last convention held in relation to the Chesapeake and Ohio Canal.

On the 20th of May, the Legislature assembled. On the 25th, the joint committee of the two Houses to whom the subject of internal improvement

had been committed before the recess, made their report adverse to the measures proposed. As regarded the canal, the committee urged the propriety of withholding further appropriations from the company until the practicability of an eligible connection by canal with Baltimore, so as to give the Chesapeake and Ohio Canal an eastern terminus within the limits of Maryland had been ascertained. The minority of the joint committee offered as a substitute for the report of the majority, a bill embodying the views of the Baltimore Convention of the 3d of May. It was taken up for consideration on the 28th of May, and after various amendments, was passed by the House of Delegates on the third of June, by a vote of forty-eight to twenty-nine. On the following day it was assented to by the Senate, by a vote of eleven to two. Thus was enacted the law of 1835, chapter 360, so well known as the eight-million bill.[1]

Unusual manifestations of gratification at the success of the measure were exhibited by the citizens of Baltimore. They assembled in public meeting at the Exchange, adopted complimentary resolutions of the Legislature, unanimously adopted resolutions for a public dinner, an exhibition of fireworks, a salute of one hundred guns, the ringing of the bells of all the churches, engine-houses and other institutions, and a general display of the flags of the shipping and public buildings.

The tenth section of the Act of 1835, authorized the Mayor and City Council of Baltimore, to subscribe to the capital stock of both the Maryland Canal Company and the Baltimore and Ohio Railroad. In regard to the first named company, the power was not exercised. On the 27th of September, 1836, four days after the Treasurer of Maryland had made the subscriptions on the part of the State, the corporate authorities of the City of Baltimore subscribed $3,000,000 to the capital stock of the Baltimore and Ohio Railroad Company, with a proviso that the whole sum should be applied exclusively to the prosecution of the work in an unbroken line from Harper's Ferry westward.

At subsequent sessions of the Legislature the canal company obtained further aid from the State, and after many difficulties it had so far progressed that on the 10th of October, 1850, it was opened to navigation throughout the entire line to Cumberland, and the through trade then commenced. It was not however finished until the 17th of February, 1851.[2]

We will now retrace our steps to the presidential election which took place in the fall of 1836. The campaign opened with Martin Van Buren, the chief exponent of the measures of Jackson's administration, as a candidate. He was nominated for president by the national democratic convention which assembled at Baltimore on the 20th of May, 1835. More than six

[1] The Act authorized subscriptions to the capital stock of the following companies: Chesapeake and Ohio Canal Company, $3,000,000; Baltimore and Ohio Railroad Co., $5,000,000; Eastern Shore Railroad Co., $1,000,000; Maryland Canal Co. (to Baltimore) $500,000; Annapolis Canal Co., $500,000. Total, $8,000,000

[2] See *Chesapeake and Ohio Canal Report*, for 1877, for an exhaustive history of this company.

hundred delegates were in attendance, and twenty-two States were represented. Andrew Stevenson, of Virginia, was made president of the convention with James Fenner, of Rhode Island, Edward Condict, of New Jersey, Upton S. Heath, of Maryland, Robert Strange, of North Carolina, John B. Nevitt, of Mississippi, and Franklin Cannon, of Missouri, vice-presidents. On the 22d, Martin Van Buren, on the first ballot, received the unanimous vote of the convention. Colonel Richard M. Johnson, of Kentucky, received the nomination for vice-president by one hundred and seventy-eight votes, to eighty-seven for William C. Rives, of Virginia. The delegates from Virginia protested against the nomination of Colonel Johnson, declaring that he could not receive the vote of that State. No other national convention to nominate a candidate for president was held. General William H. Harrison was nominated by whig conventions in many of the States, and by the anti-Masonic convention at Harrisburg, Pennsylvania. In Maryland, Elias Brown, David Hoffman, J. B. Bisaud, George Howard, William Price, J. M. Coale, Anthony Kimmel, Robert W. Bowie, T. Burchinal and Thomas G. Pratt were chosen as electors for Maryland, and cast the State's vote as follows: for president, General William H. Harrison, ten; for vice-president, John Tyler, of Virginia, ten. In the electoral colleges the result of the election was as follows: for president, Martin Van Buren, one hundred and seventy; William H. Harrison, seventy-three; Hugh L. White, twenty-six; Daniel Webster, fourteen; Willie P. Mangum, eleven. Total opposition, one hundred and twenty-four votes. Majority for Van Buren, forty-six. For vice-president, Richard M. Johnson, one hundred and forty-seven; Francis Granger, seventy-seven; John Tyler, forty-seven; William Smith, of Alabama, (the vote of Virginia), twenty-three. The votes were counted in Congress in February, 1837, and Martin Van Buren was declared elected. No person having been elected vice-president, the Senate made choice of Richard M. Johnson, he receiving thirty-three votes and Francis Granger, sixteen.

Before the presidential election, the manifest injustice of a minority of the people of the State governing the majority, which had been the subject of complaint for years, again violently agitated the people, who made it the engrossing topic of discussion and the great object in State politics. As we have before stated, the Constitution of the State, as framed in 1776, apportioned the representatives in the House of Delegates and in the Senate electoral colleges amongst the several counties and cities, in proportion to the population, as nearly as could be done. There were conflicting and disjointed interests in the State, springing from its geographical position, which had little or no existence in other States. The lower or Eastern Shore counties were densely, and the upper or Western counties sparsely populated; the former contained a large proportion of slave population, while the settlers of the latter were almost exclusively white. The City of Annapolis, and the town of Baltimore, required peculiar and special attention. And, above all, the division of the territory of Maryland into the Eastern and Western Shores required such

recognition and protection of the rights and interests of each, as infused into the Constitution, somewhat of the appearance, if not of the spirit, of a compact between the sovereign States of the opposite shores of the Chesapeake Bay. Notwithstanding the difficulties and perplexities which attended the labors of the convention at that time, they proceeded to ordain for the State of Maryland a Constitution or frame of government, which was a theme of just eulogy to the eminent statesmen, who, in framing the Constitution of the United States, borrowed largely from its admirable design. It was for a long time considered a faultless model by the statesmen of Europe and America.[1]

By the Constitution, the State was a confederation of counties, each with the same voice in the Legislature, without regard to population or wealth. The House of Delegates was composed of four members from each county, and two from the Cities of Annapolis and Baltimore. The Senate, composed of fifteen members, was chosen by a body of electors of two from each county. The governor and council were elected by the two Houses on joint ballot. By this system, it will be seen, that the smaller and less populous counties had as much political weight in the Legislature as the larger; so that by the organization of the legislative powers, the Counties of Kent and Calvert, with a population of nineteen thousand four hundred and one, were at this time allowed as many representatives in the Senatorial Electoral College and the House of Delegates as the Counties of Frederick and Washington with a population of seventy-one thousand and fifty-six; and Kent and Calvert, each, had double the number of delegates allowed to the City of Baltimore with a population of eighty thousand six hundred and twenty-five.

The executive department was the creature of the Legislature, being elected thereby, and most of the civil officers received their appointment from the executive; so that the minority of one fourth of the people, having the right to elect a majority of the members of the Legislature, controlled all the departments of the government.

Since the adoption of the Constitution of this State the resources of the western counties became developed, their fertile valleys densely populated, until the operation of the government, as originally established, was to the City of Baltimore and to the Western counties unjust and unequal. The lower counties refused to grant the reasonable and just rights of the western. Arraying themselves behind the strict letter of the Constitution, they disregarded the great principles upon which it was originally based, and its inadequacy to the wants of the people at this time. They forgot the great change the State had undergone in point of population, commerce and trade, in the space of sixty years; and that a Constitution, which was republican in an earlier date of our history, in consequence of that change, was anti-republican now.

The mode of electing the Senate was particularly objected to, and the small number of representatives allowed Baltimore City. As early as 1807, a

[1] Brief Outline of the Maryland Free Negro Electors, p. 5.

strong effort was made to change the system, by electing one senator from each county by the people; and in the bill which passed the House for that purpose, an attempt was made to engraft a provision regulating the number of delegates for each county in proportion to its population. The bill, however, was defeated in the Senate, and a similar one met with a like fate in the ensuing year. Year after year, repeated and earnest petitions were presented to the Legislature, asking, praying for redress of those gross grievances of which the majority of the people had long complained. These petitions and memorials were again and again rejected. The smaller counties who had ruled for nearly half a century the majority of the people, declined to surrender the undue share of power they possessed. At length the discordant elements, in the most populous counties and the City of Baltimore, of both political parties, united and proposed that a convention of reformers, without distinction of party, should be held in Baltimore, to agree upon such measures as would ensure success. On the 6th of June, 1836, the Reform Convention, composed of delegates from Cecil, Harford, Baltimore, Frederick, Montgomery and Washington Counties, and Baltimore City, assembled and adopted the following resolutions:

"*Resolved*, That it be recommended by this convention to the people of the counties and cities friendly to a reform of the Constitution of this State, to elect, at the next October election, delegates faithfully pledged to the people to introduce and support a bill to provide for taking the sense of the people on the question of reforming the Constitution of the State, on the first Monday in May, 1837; and in the event of a majority of the people declaring themselves in favor of such reform, providing in the same bill for the calling of a convention for that object.

"*Resolved*, That in the bill providing for the call of a convention, the members of the convention ought to be distributed equally among the several congressional districts of this State, with the exception of the fourth, which, being a double congressional district, ought to have twice the number of representatives of any other district—that the members of the convention should be elected on the first Monday in June, 1837, to assemble in the City of Annapolis on the 4th day of July, thereafter to prepare and present a Constitution for the ratification of the people of Maryland at the following October election.

"*Resolved*, That if within forty days after the commencement of its session, the Legislature shall refuse or neglect to provide for ascertaining the sense of the people of the State upon this important question, and for calling a convention as prescribed in the previous resolutions, the president of the convention is hereby required forthwith to convene this convention for the adoption of such ulterior measures as may then be deemed expedient, just and proper, as may be constitutional, without the aid of the Legislature, to ensure the accomplishment of the desired results.

"*Resolved*, That this convention respectfully recommend the appointment of delegates to the convention from such portions of the State as may not heretofore have made such appointments."

The people seemed disposed to sustain fully the recommendations of the convention, for the Assembly of 1836 had passed laws which tended to enlarge the representation of the more populous districts, and which only needed the confirmation of the succeeding Legislature to become a law. By this Act two additional delegates were given to Baltimore City; and Carroll County was

erected out of portions of Frederick and Baltimore, thus giving four more representatives to this section of the State and making the reformers more urgent in their demands.

But these movements suddenly took a most unexpected turn. The Presidential election was approaching and the opposition or whig party, although they were unable to concentrate their forces upon a single candidate, had strong hopes of defeating the election of Mr. Van Buren, by throwing the final choice into the House of Representatives. Party spirit was at its height in Maryland, and the combination of parties in the interest of reform was scarcely to be expected. A new State Senate was to be elected, and party spirit entered heartily into the contest which was perhaps to decide the political complexion of the State.

The Senate of Maryland was composed of fifteen members, who were elected every five years, not immediately by the people, but through the intervention of a college of electors, forty in number, who were elected by the people. Two of these electors were elected from each of the nineteen counties, and one from each of the two cities in the State. On the 5th of September, 1836, the election came off, and resulted in the choice of twenty-one whig and nineteen Van Buren electors. On the third Monday of September, in accordance with the Constitution of the State, they assembled at Annapolis to go into an election of Senators.

By the Constitution of Maryland, no Senate could be elected unless twenty-four electors were present in the college. On the day appointed, the twenty-one whig electors qualified by taking their official oath, but the nineteen Van Buren electors, availing themselves of this provision, which seems to have been designed for the protection of the counties on the Eastern Shore, acted in accordance with instructions given by the democrats of Frederick County to their electors, which ran as follows:

"Whereas: The 16th Section of the Constitution declares that no Senate can be formed unless twenty-four electors agree to meet for the appointment of the members of which it is to consist:

"*Therefore, Resolved*, That the senatorial electors of this county be instructed to require of the twenty-one Whig electors a pledge, that no member of the former Senate, and no member of the House of Delegates, who opposed the bill calling a convention of the people, shall be elected to the next Senate of the State. That at least eight of the members of Senate to be chosen by the Electoral College shall be selected from among persons known to entertain opinions and sentiments coinciding with the principles and opinions held by and governing a majority of the people (two hundred and five thousand nine hundred and twenty-two) who have elected nineteen Van Buren electors, and that, in the formation of the Senate, there shall be a majority of members known to be favorable to such a thorough and radical reform of the Constitution of the State as will ensure to all citizens living under it equal political rights and privileges.

"*Resolved*, That unless the pledges required by the preceding resolution are solemnly given in true faith, the two electors from this county be requested to refuse to enter into an election of Senators: *provided*, that the electors from other counties and cities, having

a majority of the white population of the State therein, will co-operate with them to defeat the election of a Senate hostile to a reform in the Constitution, to the extent required in the first resolution.

"*Resolved*, That our friends in the counties and cities, that have elected Van Buren reform electors, are earnestly invited and recommended to join us in these measures, as the only means by which we can avoid the fate of being again compelled to submit for five years at least, to the tyranny of a government wielded and controlled by a small and aristocratic minority of the people of the State."

Van Buren meetings were also held in Cecil County and Baltimore City, which endorsed the aforegoing resolutions and recommended their electors not to go into an election unless their demands were complied with. The nineteen Van Buren electors met in caucus in Annapolis on the 19th of September, and determined, in accordance with the instructions they had received, that as they represented a majority of the voters in the State, it was right that they, although a minority in the Electoral College, should have the nomination of eight members.

In the meantime, the twenty-one whig electors assembled in the Senate Chamber, and, on the roll being called, the following members were found returned, and those in italics answered to their names:

St. Mary's County—*George S. Leigh, Benedict J. Heard*; Kent County—*George Vickers, James P. Gale*; Anne Arundel County—John S. Sellman, Wesley Linthicum; Calvert County—*James Kent, James A. D. Dalrymple*; Charles County—*Henry Brawner, William D. Merrick*; Baltimore County—Dr. Ephraim Bell, George Tillotson; Talbot County—*General Solomon Dickinson, George Dudley*; Somerset County—*Dr. Williams, Samuel A. K. Handy*; Dorchester County—*William W. Lake, Thomas H. Hicks*; Cecil County—John Evans, George A. Thomas; Prince George's County—*George W. Insoll, Thomas G. Pratt*; Annapolis—Sprigg Harwood; Queen Anne's County—Dr. Enoch George, John D. Thomas; Worcester County—*Thomas A. Spence, Henry Franklin*; Frederick County—Caspar Quynn, John Fisher; Harford County—Thomas Hope, Samuel Sutton; Caroline County—Robert T. Keene, Murney Fountain; Baltimore City—Joshua Vansant; Washington County—Robert Wason, Charles Magill; Montgomery County—*Ephraim Gaither*, Dr. Washington Duvall; Allegany County—*Richard Beall, Andrew Bruce*.

On the 19th of September, 1836, the nineteen Van Buren electors addressed a letter to the whig electors, through Mr. Heard, of St. Mary's County, in which they say:

"It is a duty we owe to our constituents, that before we take our seats in the college of electors of the Senate of this State, we should have a distinct and positive understanding as to the course to be pursued by that body.

"You are apprised that a crisis has occurred, when neither of the political parties of the State has elected electors having the constitutional power to form a Senate. Of the nineteen counties and two cities into which the State is divided, we represent the two cities and eight of the counties, having a white population of 266,932, and federal numbers 267,669. You represent ten of the counties, having a white population of 81,178, and federal numbers 139,926; and the vote of the remaining counties is divided. Of the electoral

body we are nineteen in number, while you are twenty-one. But, although you are a majority (the smallest possible) of the college, it is to be recollected that we represent nearly three-fourths of the free white population, and two-thirds of the federal numbers of the State, and very much the largest portion of its territorial extent and wealth; we shall, therefore, expect that you will concede to us the nomination of eight members of the Senate to be chosen, and that you will vote for the persons whom we may nominate to the college, although they may be favorable to a convention to revise and amend the Constitution of the State, if, in all other respects, in your opinion, well qualified. * * *

"The friends of reform, in Maryland, have sought repeatedly to obtain from the Legislature, by an exertion of the powers confided to that body by the fifty-ninth section of the Constitution, such amendments of that instrument as are indispensable, and it is with regret we say that all of their applications were in vain, and, indeed, it may be said, that they were not even treated with that respectful deference to which the remonstrances of a large majority of the people are justly entitled. It would be needless for us here to unfold, in detail the several applications for reform which have been made.

"You know the history of many petitions which have been presented to the Legislature; and we have felt the manner of their rejection. Each instance is fresh in the recollection of our constituents, and they believe as we do, that no redress of grievances can be had through the ordinary form which the framers of our Constitution provided. Under this solemn consideration, we have determined not to be willingly instrumental in perpetuating institutions that work such bitter injustice, and if, Gentlemen, you will give us your pledge of honor to accede to our proposal, and give to the majority of the people a majority of one branch of the Legislature, to protect from future violations their rights and privileges, it will afford us great pleasure to meet you in the electoral college to-day. Should, however, your views, as to our relative rights and duties, not accord with ours, we shall most deeply regret it, and be compelled, by a high and holy sense of duty to our constituents and to the whole State, not to meet you in college, and thereby we shall avoid the odious responsibility of assisting to form a Senate obnoxious to the people we represent."

Contrary to the hopes and expectations of the Van Buren electors, the whig electors declined to receive or reply to the propositions submitted to them. Finding that the whig electors refused to hold any communication with them until they had qualified, according to the requirements of the constitution, the nineteen Van Buren electors, on the 21st of September, abandoned Annapolis and retired to their homes. Before doing so, however, they issued an address "to the people of Maryland," in which they announced their determination not to take part in the election of the Senate, setting forth the reasons for their course, and recommending to the people

"To proceed forthwith to elect on the first Monday of November next six delegates from each county and city to meet in convention at Annapolis on the third Monday of the same month, clothed with full powers to extend the authority of all civil and military officers now in commission, until a convention hereafter to be chosen can be convened to amend the old or form an entire new government for the people of Maryland."

The whig electors immediately published a reply.

This sudden and hostile demonstration excited serious alarm throughout the State. Men of both parties pronounced it an attempt to break up the foundations of our government

[1] *Brief Outline of the Principles the Van Buren Electors.*

"To us society loses from all its meanings, and to us, our wives, our children, our institutions, and all we hold dear, unless upon the troubled sea of revolution." And now were appealed to "throughout the State to come up with us to the rescue to rally around the banner of peace and order, and by the instant and energetic adoption of the constitutional and peaceful measures which yet remain to us, to snatch our hitherto happy and favored State from the horrors of anarchy."

In all sections of the State it was felt that a most painful and perilous crisis was at hand. Our State finances were reduced by the improvident appropriations almost to the condition of bankruptcy; fears were entertained that "the hand of the disorganizer is uplifted to strike down our State Government and all its institutions; to suspend all our works of public improvement; to break our government into fragments, and go back into a state of nature;" the minds of the timid were filled with evil forebodings, while those of sterner stuff braced themselves for the coming struggle.

Public meetings were held in many places. At Baltimore an immense meeting expressed their indignation in forcible language at the "Reform or Revolution" in Maryland. Similar meetings were held in Washington, Frederick and Alleghany Counties, at which all party distinction was ignored, and all pledged themselves to sustain the supremacy of the law. On the 18th of October, 1838, the grand jury of Alleghany County presented the nineteen recusant electors "as unfaithful public agents and disturbers of the public peace."

In the meanwhile, the whig electors continued at Annapolis, patiently waiting until a sufficient number of the recusants should qualify to enable them to proceed to business. The presidential election came off on the 5th of November, and on the following day, Governor Thomas W. Veazey issued his proclamation denouncing in severe terms the conduct of the "recusant electors and their abettors;" calling on the people, civil and military, to hold themselves in readiness to maintain the law; convening the old Senate and House of Delegates to assemble on the 21st of November.

This proclamation, notwithstanding it created considerable excitement, was cordially responded to throughout the State, and in compliance with the governor's request, "the Planters' Guards," commanded by Captain John Coates, tendered their services to the executive to support the power of the law. Their services, however, were never required.

On the 12th of November, Mr. Wesley Linthicum, one of the nineteen Van Buren electors from Anne Arundel County, addressed a note to his associates that, in accordance with "the will of the people," he had determined to repair to Annapolis, and on the 19th, qualify as an elector of the Senate, and invited them to meet him there for the purpose of joining in making a quorum. Mr. John S. Sellman, the colleague of Mr. Linthicum, had entered the college and qualified early in October.

In the meantime, the people of Maryland, in the election for Delegates, and for the President, had expressed at the ballot-box their opinion of the conduct of the nineteen recusant members. The contest was conducted with

much spirit, and the result may be considered a fair criterion of the strength of parties in those counties where they were arrayed in opposition. In Worcester and Frederick, the Van Burenites had no ticket in the field. In the latter county, the Van Buren delegate ticket was withdrawn on the ground that, as it had been determined to hold a convention in Annapolis, on the third Monday of November, 1836, to make provisional arrangements for the "continuance of the government until the old constitution is amended, or a new government instituted, it was not necessary to elect delegates to the Assembly." The election resulted in the choice of sixty Whigs and nineteen Van Buren members of the House of Delegates.

The result of this election, changed the aspect of affairs considerably. The recusant electors found that their action had not been sustained by the approval of the people, and a number of them determined to obey their will as expressed by the votes at the October and November elections, and qualify as electors of the Senate. The Anne Arundel, Queen Anne's and Caroline County electors regarded the election in November, in their counties, as instructions from their constituents, and on November 19th, Mr. Wesley Linthicum, of Anne Arundel County, Dr. Enoch George and John B. Thomas, of Queen Anne's County, and Marcy Fountain, of Caroline County, all of the recusant electors, appeared at the session of the Senate electors, and qualified by taking the oaths. The Electoral College, thus composed of twenty-six legally qualified members, immediately proceeded to the election of fifteen senators.

The delegates to the Reform Convention, still asserting the power to remodel the constitution, in the mode proposed by them, instead of proceeding to Annapolis, as originally intended, convened at Baltimore, on the 16th of November. They organized, by the appointment of Hon. Charles S. Sewall, of Harford County, president, and George Cole, of Anne Arundel County, secretary. Alleghany, Washington, Frederick, Montgomery, Baltimore, Anne Arundle, Harford, Cecil, Caroline, Queen Anne's and Somerset Counties and Baltimore City, had chosen delegates, and all were represented in the convention excepting Alleghany, Queen Anne's and Somerset County. Soon after their organization, a committee was appointed, composed of John S. Tyson, Benjamin C. Howard, Francis Thomas, John A. Carter, Washington Hall, James W. Williams and George Cook, to prepare and report to the convention resolutions for its adoption. In the meantime, the convention adjourned from day to day, until the 19th, when the committee reported a series of resolutions in which they "proudly and indignantly" repelled the aspersions cast upon them and those they represented, by the governor, in his late proclamation; and assert that they "have not done or designed anything inconsistent with their duties as peaceable citizens, or in violation of the laws of the State."

After expressing their belief, that at no distant day, a convention more full than their own, but similarly organized, would be necessary, they maintain

"that the friends of conventional reform desire a new constitution to be submitted to the people for adoption or rejection, containing among others, the following provisions:

"I. The election of the Governor by the people and the abolition of the council.

"II. The election of one Senator from each county and the City of Baltimore, directly by the people.

"III. The reapportionment of the House of Delegates so as to do justice to the populous districts, and at the same time give to the small counties, and the City of Annapolis, ample power to protect their interest.

"IV. The election of all offices for life, the appointment of Judges for a limited time, by the joint action of the Governor and Senate.

"V. The election of clerks and registers by the people.

"VI. Limitation and restraint on the power of the Legislature in the future grant of charters.

"VII. The whole constitution to be so arranged and digested as to be free from uncertainty and obscurity."[1]

After setting forth the reforms which they desired, the convention adjourned to meet at Annapolis on the first Monday of January, 1837, unless otherwise notified by the president. They never met again, for the Assembly met a few days afterwards and immediately entered upon the work of reform. They first confirmed the law passed at the last session of the Assembly to increase the delegation from Baltimore from two to four members. And in March, 1837, the Legislature, coerced by the state of public feeling produced and manifested by the course pursued by the nineteen reform electors, passed a law making many of the desired changes in the constitution. The people were given the power of electing their governor:

"His term of office was fixed at three years, and the State was divided into three gubernatorial districts, from each of which in turn he was required to be taken. The Eastern Shore counties composed the first district. Frederick, Carroll, Harford, Baltimore, Washington and Alleghany Counties the second district, and the remaining counties with the City of Baltimore the third district. The council was abolished and a Secretary of State provided to supply the place of the clerk of the council. The Senate was entirely reorganized, on the plan proposed in 1807; one member was assigned to each county and to the city of Baltimore, to be elected immediately by the people. The first election was to be held at the October elections of 1838, and in order that there might be a periodical change in that body, the senators first elected were to be divided into classes, by lot, who were to serve two, four, or six years. Upon the expiration of the different classes, their places were to be supplied by new elections, in their respective counties, and the term of their successors was fixed at six years. So that, always thereafter, at each period of two years, one-third of the whole body would be elected by the people, thus securing permanency in policy and a frequent accountability to their constituents. The qualification of a senator was the same as that of a delegate, except that he should have arrived at the age of twenty-five years, and been a resident for three years of the county, or city, for which he was elected.

"The constitution of the House of Delegates, was materially altered. Five members were assigned to Baltimore City, Frederick and Baltimore Counties, each; four for Anne Arundel, Dorchester, Somerset, Worcester, Prince George's, Harford, Montgomery,

[1] *Niles' Register*, L., p. 215.

Carroll and Washington, each; three for each of the remaining counties, and one for Annapolis City. This arrangement was only to endure until after the official promulgation of the next census of 1810; when, and also at every second census thereafter, the number of delegates was to be apportioned on the following basis: every county with a population less than fifteen thousand, in federal numbers, should elect three delegates; every county with a population of fifteen thousand, and less than twenty-five thousand, four delegates; every county, with a population of twenty-five thousand, and less than thirty-five thousand, five delegates; every county, having a population over thirty-five thousand souls, six delegates; and Baltimore City, as many delegates as the most populous county. After the year 1840, the City of Annapolis was no longer to have a separate representation in the House, but to be considered as part of Anne Arundel."[1]

In 1845-6, the Legislature passed a law making their sessions biennial instead of annual. They also reduced the salary of the governor from $4,200 to $2,000.

By the law of 1837, the term of service of the county clerks and registers of wills, was reduced to seven years, and their appointment conferred upon the governor, by and with the advice and consent of the Senate. These alterations were all confirmed at the ensuing session of the Legislature and became portions of the Constitution, and thus terminated one of the most exciting periods in Maryland's political history.

The first democratic State convention under the reformed Constitution was held in Baltimore on the 31st day of May, 1838, and resulted in the nomination of William Grason, "The Queen Anne Farmer," as the democratic nominee for governor. The whig candidate was John L. Steele. The election was stubbornly contested in every section and caused great excitement, particularly in Baltimore; in which city the opposing parties were involved in a serious affray whilst waiting for the returns in front of the newspaper offices in Gay street. There was as usual much cheering and excitement as the polls of the different wards were successively announced; but about eleven o'clock, a fight took place in which clubs, brickbats and bludgeons were freely used. The contest was kept up with occasional intermissions until two o'clock in the morning, when it was only quelled by calling out the City Guard.

The election resulted in the choice of William Grason for Governor by a majority of only three hundred and eleven votes in the State. In the Senate the whigs had twelve members and the democrats had nine; in the House of Delegates, forty whigs and thirty-six democrats. In the election for congressmen there were five whigs and three democrats. At the elections in 1839, the strength of the political parties in the Assembly, were reversed, democrats forty-six, whigs thirty-two.

The whig national nominating convention met at Harrisburg, Pa., on the 4th of December, 1839, and after a careful and friendly interchange of views in regard to the respective claims and prospects of the three candidates named in the convention, viz: General Harrison, Henry Clay and General Scott, finally awarded the presidential nomination to General

[1] McMahon, p. 372. Niles' *Register*, VI., p. 78.

William H. Harrison, of North Bend, Ohio. John Tyler, of Virginia, who was first nominated for vice-president by the whig State convention, in December, 1835, was placed on the ticket with General Harrison, as the whig candidate for vice-president.

The democratic national convention was held at Baltimore the 5th of May, 1840, being represented by twenty-one States. The convention organized by the selection of Governor William Carroll, of Tennessee, for president; William T. Rogers, of Pennsylvania, Governor C. P. Van Ness, of Vermont, William N. Edwards, of North Carolina, Dr. Charles Parry, of Indiana, John Nelson, of Maryland, and Alexander Mouton, of Louisiana, vice-presidents. Secretaries, George A. Starkweather, of New York; C. J. McNulty, of Ohio; G. B. Adrain, of New Jersey; and Albert F. Baker, of New Hampshire. On the 6th of May, Mr. Van Buren, as was expected, was unanimously nominated the democratic candidate for president. No nomination for vice-president was made; each State being left to make a nomination for itself.

The abolitionists, who had hitherto voted according to their former party attachments, now brought into the field candidates of their own. At a meeting of the Western New York Anti-Slavery Society, held at Warsaw, in November, 1839, James G. Birney, of New York, formerly of Alabama, was nominated as their candidate for president, and Francis J. Lemoyne of Pennsylvania, for vice-president.

The presidential campaign of 1840, was one of unusual excitement. And one that is particularly noted for the degrading appeals that were made to the presumed ignorance and prejudices of the people. Instead of an address appealing to high principles as the guide of those who were to rally under the Harrison banner, the Harrisburg convention projected a simultaneous movement throughout the country by meetings and conventions, catchwords and devices, to bring to their aid any faculty of the people than their reason and good sense. "Glory to the hero of Tippecanoe" became the shout, and the achievements of Harrison were now, for the first time, celebrated in song, and copious libations of "hard cider" were poured out to this artificial "god of battles." Though living on a large farm, and enriched by a sinecure office, he was declared to be a "poor man," and "the poor man's candidate."

His fine frame house was converted into a "log cabin," and the wine with which he refreshed himself and entertained his guests was converted into "hard cider." Mimic log cabins, cider barrels, mugs, coon-skins and canoes, graced the processions of federal whig conventions with banners of similar import, and human beings tippling and mumbling gingerbread. Mr. Benton says:

"Log cabins, coon-skins and hard cider, were taken as symbols of the party, and to show its identification with the poorest and humblest of the people; and these cabins were actually raised in the most public parts of the richest cities, ornamented with coon-skins after the fashion of frontier huts, and cider drunk in mugs out of barrels in the public meetings which gathered about them, and the virtues of these cabins, these skins and this cider, were celebrated by travelling and stationary orators. The whole country was put into commotion by travelling parties and public gather-

ings. Steamboats and all public conveyances were crowded with parties singing log-cabin ballads made for the occasion, accompanied with the music of drums, fifes and fiddles; and excited by incessant speaking. A system of public gatherings was got up which pervaded every State, county and town, which took place by day and by night, accompanied by every preparation to excite; and many of which gatherings were truly enormous in their numbers, only to be estimated by the new; attempts at counting or computing such masses being out of the question."[1]

JOHN V. L. M'MAHON.

One of the largest of these gatherings took place in Baltimore, at Canton, on Monday, the 4th of May, 1840. Never before was seen such an assemblage of people in this State at a political meeting. In the language of John V. L. McMahon, the president of the day, "Every mountain send its rill—every valley its stream—and lo! the avalanch of the people is here!" The procession was one of the largest and most interesting ever witnessed in this country. From day-light till the hour of moving, Baltimore street, from one extremity to the other, and, indeed, along the whole route, presented a spectacle beyond description, animated and exciting. From corner to corner, the streets presented one living mass of human beings—every window was alive with fair, smiling faces—from the top to the bottom, every house was crowded. At a few minutes after ten o'clock, the procession commenced moving from the upper part of Baltimore street, led by several barouches, each drawn by four white horses, the foremost containing General S. C. Leakin, mayor of the city, Hon. Daniel Webster, and other distinguished personages. Then followed the delegations from the different States, commencing with the northern States, each having their appropriate banners, trophies, etc. There were several log-cabins, decorated with all the fixtures belonging to the mansions of the pioneers of the west—such as stags' antlers, beaver-traps, etc. Hard cider flowed freely, and hunting-shirts were everywhere visible. In a short time they all arrived at the Canton race-course, the place of destination. The first order of meeting, after being fully assembled upon the ground, was the formal introduction of distinguished men from the different States. After this, prayer was said by Rev. Dr. Bascomb, then followed addresses, by Hon. Daniel Webster, Henry Clay, John Sargeant, William C. Preston, John J. Crittenden, Graves, Corwin, Ely Cushing, Fillmore, Halstead, John P. Kennedy, Henry A. Wise, and other distinguished gentlemen. The assembly was one of much show—flying banners, clashing cymbals, festive horses, pretty girls, whole-souled politicians, log-cabins and hard cider. The number of persons present was estimated at twenty thousand. Several very large and enthusiastic whig meetings were also held at Frederick, Cumberland, Elkton and Havre-de-Grace.

The election was warmly and stubbornly contested. And perhaps, never, in the history of our country had the United States experienced so much com-

[1] Benton's Thirty Years' View, xi., p. 205.

motion and excitement. For a time, business appeared to be paralyzed; the most important commercial transactions were suspended until after the contest; the public institutions, hotels, places of amusement, etc., were neglected, and even the sanctity of the domestic hearth was invaded by party rancor.

However, the great political question which had so long agitated the country, was brought to a close on the 2d of November, by the election of General Harrison. Van Buren's majority in the City of Baltimore was thirty-one; but John Leeds Kerr, Theodore R. Lockerman, John P. Kennedy, George Howard, Jacob A. Preston, James M. Coale, William T. Wroton, David Hoffman, Richard J. Bowie and Thomas A. Spence, the Harrison electors, carried the State by a majority of four thousand seven hundred and seventy-five. In the election for members of the General Assembly, the whigs gained twenty-seven delegates in the House and three Senators. In the electoral colleges, General Harrison received two hundred and thirty-four electoral votes and John Tyler the same.[1]

Martin Van Buren received sixty electoral votes for president, and for vice-president, R. M. Johnson received forty-eight, Z. W. Tazewell, eleven, and James K. Polk, one.

The election of General Harrison was a gross mistake, and led to the ruin of the whig party. Before his administration could be said to have acquired any positive character it was terminated. After a brief illness, the new President died on the 4th of April, just one month after his inauguration, which threw the administration into the hands of the Vice-President, John Tyler, who soon found himself at war with the whig party. Although the whigs, during the administration of Mr. Tyler, were unable to establish a United States Bank, they were successful in passing a protective tariff, which has since been much talked of as the tariff of 1842; and they repealed the sub-treasury Act.

In the State election for governor in the fall of 1841, Francis Thomas, democrat, was elected over Johnson, whig, by a majority of six hundred and thirty-nine. The democrats also secured the House of Delegates by a majority of six members. By a resolution adopted by the Legislature in 1841, Baltimore City was allowed five members in the House of Delegates and the counties their proportionate number under the new reform Constitution in the ensuing Assembly.

The democrats continued their political ascendency in the State until the fall elections of 1843, when the political parties were reversed. At the October election for members of the General Assembly, the whigs secured a majority of twelve in the House of Delegates, and a majority of seventeen on joint ballot, thus securing the election of James A. Pearce, of Kent County, for United States Senator, in place of John Leeds Kerr, whose term expired on the 4th of March, 1843, and who declined renomination.

[1] The nomination of Harrison and Tyler was first made by Maryland, at the Whig State Convention, in 1839. The proposition originally came from a delegate from Frederick County to that convention.

The State election held in 1844, under the new Congressional District system, was conducted with great spirit. The whigs rallied under the banner of "Clay and a Protective Tariff;" their opponents under the banner of "Van Buren and Free Trade." The election, however, resulted in the whigs making a clean sweep of the State, not one county or city upon the Western Shore but what gave a whig majority. Even the old citadel of democracy, Baltimore County, was carried by a large majority. As an evidence of the change of political sentiment, the third congressional district, composed of sections, which, in 1841 gave a Van Buren majority of one thousand eight hundred and sixty votes, gave the whigs at this election a majority of five hundred and thirty-four votes, being a whig gain of two thousand three hundred and ninety-four. Baltimore City, which gave a democratic majority of three hundred and seventy-five for governor in 1841, now gave a whig majority of five hundred and ninety-five.

The political conventions for the nomination of presidential candidates were now fast approaching. The annexation of Texas had become the all-absorbing political question, and constituted the leading issue between the two great parties in the presidential contest.

The Whig National Convention, composed of delegates from each State in the Union, assembled at the City of Baltimore on the 1st of May, 1844. Hon. Ambrose Spencer, of New York, was chosen president of the convention, assisted by a large number of vice-presidents and secretaries. Henry Clay, who was opposed to the annexation of Texas, was nominated by acclamation as the Whig candidate for President of the United States in the ensuing election; and on the third vote, Theodore Frelinghuysen, formerly of New Jersey, was nominated as the candidate for vice-president. On the first ballot for vice-president, John Sargeant received 38 votes; Millard Fillmore, 33; John Davis, 33; Frelinghuysen, 101. On the second vote, Sargeant received 32; Fillmore, 57; Davis, 74; Frelinghuysen, 118. On the third and last vote, the name of John Sargeant was withdrawn, and the ballot stood as follows: Davis, 76; Fillmore 40, and Theodore Frelinghuysen, 155, and nominated. On the 2nd of May, a "Young Men's National Ratification Convention" assembled at Baltimore, to endorse the nominees. This was, beyond doubt, one of the largest and most imposing assemblage that ever convened in the United States. The procession down Baltimore street to the Canton race track (the place of meeting), was of the finest description. Among the distinguished statesmen who made speeches at Canton, were Daniel Webster, Bevien, Crittenden, Clayton, George Evans, of Maine, Thomas Ewing, Morehead, Metcalf, Reynolds, Recordy Johnson, T. Yates Walsh, and others.

The Democratic National Convention, composed of delegates from all the States, except South Carolina, met at Baltimore on the 27th of May, 1844. The Hon. Hendrick B. Wright, of Pennsylvania, was chosen president of the convention, assisted by numerous vice-presidents and secretaries. Most of

the delegates had received instructions to vote for Martin Van Buren for President; but as he was also opposed to the annexation of Texas, which was a favorite measure with many portions of the South, and desired by large classes in the North, Mr. Van Buren was compelled, for the harmony of the party, during the progress of the convention, to authorize the withdrawal of his name if it should be necessary.

On the first ballot by the convention, for the nomination of a candidate for President, Mr. Van Buren received 146 votes, General Cass, 83; Colonel Johnson, of Kentucky, 24; James Calhoun, 6; James Buchanan, 4; Levy Woodbury, 3; Stewart, 1; thus showing a decided majority in favor of Mr. Van Buren. But the convention, after a long and spirited debate, adopted the "two-thirds rule," which had governed on similar occasion, thereby requiring one hundred and seventy-eight votes necessary for a choice. On the second ballot, the vote was as follows: Van Buren, 127; Cass, 94; Johnson, 33; Buchanan, 9; Calhoun, 1; Woodbury, 1; Stewart, 1. Third ballot, Van Buren, 121; Cass, 92; Johnson, 38; Buchanan, 11; Calhoun, 2; Woodbury, 2. Fourth: Van Buren, 111; Cass, 105; Buchanan, 32; Johnson, 17. Fifth: Cass, 107; Van Buren, 103; Johnson, 29; Buchanan, 20. Sixth: Cass, 116; Van Buren, 101; Buchanan, 25; Johnson, 23. Seventh: Cass, 123; Van Buren, 99; Buchanan, 22; Johnson, 21. Eighth: Cass, 114; Van Buren, 104; Polk, 44. The delegation from Virginia and New York then retired for consultation. On their return, Mr. Roane, of Virginia, stated that "the affection his State had for Mr. Van Buren, the deep grief with which she witnessed the proceedings of the convention, her desire to arrest the progress of Mr. Clay to the great chair of the Union, induced his delegates to cast their votes for Mr. Polk. Mr. Benjamin F. Butler, then of New York, made the same announcement in behalf of the delegates from his State with the exception of one who would vote blank, and at the same time stated that he had in his possession a letter from Mr. Van Buren, authorizing him to withdraw his name from the convention at any moment such a step might be necessary to its harmonious action, and coming to the hall that morning he had taken the advice of Pennsylvania and other States on the subject, and with their consent and advice he would now withdraw Mr. Van Buren's name and thus relieve his friends from further difficulty and embarrassment. He then eulogized James K. Polk, and cast the vote of New York for him with the exception before stated. On the ninth ballot, the vote was unanimous for Mr. Polk. Silas Wright, of New York, United States Senator, was unanimously nominated for vice-president. Mr. Wright, then at Washington, having declined the nomination, the convention then proceeded to ballot for a candidate for the vice-presidency. On the first ballot, Governor Fairfield, of Maine, received 107; Mr. Woodbury, of New Hampshire, 44; Governor Cass, of Michigan, 39; Col. Richard M. Johnson, of Kentucky, 26; Commodore Stewart, of Pennsylvania, 23; G. M. Dallas, of Philadelphia, 13; Governor Marcy, of New York, 5; no choice. On the second ballot, Gov-

ernor Fairfield received 30, Mr. Woodbury 6, and G. M. Dallas, 220, and the nomination.

Mr. Benton says: "The nomination was a surprise and a marvel to the country. No voice in favor of it had been heard; no visible sign in the political horizon had announced it." To the friends of Mr. Van Buren, it was a painful disappointment. They acquiesced, however, in the nomination.

The Tyler National Convention, composed of delegates from various parts of the Union, without restriction as to number from any State or district, principally office-holders and political adventurers, assembled at Baltimore on the same day of the Democratic Convention. Judge White, of Connecticut, was chosen president of the convention with a large number of vice-presidents and secretaries. Mr. John Tyler was unanimously nominated as a candidate for election to the presidency. He accepted the nomination, but his chances of election being hopeless, he yielded in August in favor of Polk and Dallas, and withdrew his name from the presidential canvass.

The political campaign was conducted with much bitterness and angry feeling. In Maryland the contest began with the election of governor and members of the Legislature, and was very animated. Both parties appeared to look upon the result at the governor's election as determining the vote of the State at the ensuing presidential election—and such was the case. And besides, the great contest which was then raging throughout the country was supposed to be the last that would ever be waged under the leadership of the two great political parties. There were also other and special circumstances which gave this contest more than usual heat.

The constitutional term for which the clerks of the courts and registers of wills were appointed (or rather continued, for they were life offices before the amendments to the Constitution), expired with the current year, and these lucrative offices were to be filled by the new governor.

The result of the election in Baltimore for governor, excited general surprise. In 1843 the whigs carried the city for James O. Law, for mayor, by three hundred and two majority, and for several days preceding the governor's election the impression was general that the whigs would again carry the city; and this also appeared to be the opinion of the democrats. But the aggregate vote confounded all anticipation, as the democrats carried the city by twelve hundred and twenty-two majority for James Carroll, for governor, against Thomas G. Pratt, the whig candidate. Mr. Pratt, however, carried the State by a majority of five hundred and forty-eight. In the presidential election, William M. Gaither, William Price, James B. Mcaud, C. K. Stewart, Thomas S. Alexander, A. W. Bradford, H. E. Wright and Samuel Hambleton, the whig electors, carried the State for Mr. Clay by a majority of three thousand two hundred and eighty-two, being a gain of two thousand seven hundred and thirty-four since the governor's election. Of the electoral votes Messrs. Polk and Dallas received one hundred and seventy; Messrs. Clay and Frelinghuysen one hundred and five.

CHAPTER XXXIX.

We have already remarked that upon none of the American States has nature been more lavish of her bounties than upon Maryland. Pre-eminent among her advantages, is her commanding geographical position, lying on both sides of the magnificent Chesapeake Bay, for nearly its whole length, her coasts indented with countless creeks, inlets and rivers; while she incloses the head-waters of that noble estuary, and the mouth of the mighty Susquehannah, to whose volume of waters five great streams contribute, draining a country extending on either hand for about two hundred miles, during their course of four hundred and fifty miles from the mountain regions of central New York and Pennsylvania, and bearing to the Chesapeake the wealth of three States. The western regions yield to none in the value and abundance of their mineral products, which indeed are distributed with profuse variety throughout all the upper part of the State.

Near Baltimore, are found the finest brick and smallest pottery clays, quarries of gneiss, of fine limestone, and of iron ore. Going westward, still in Baltimore County, we meet deposits of metamorphic limestone, serpentine, and occasional out-croppings of granite. Carroll and Frederick Counties yield soapstone and roofing slate; while in Washington and part of Frederick Counties are the famous limestone soils so admirably adapted to the growth of wheat. Alleghany County, west of Cumberland, is rich in inexhaustible mines of bituminous coal and iron.

The deep indentation of the Chesapeake Bay has furnished a site for a great and opulent port, nearer to the great rivers and valleys of the West, than any other Atlantic city, and leading to them by easy and direct routes of transportation, which touch or traverse the most productive regions of the State. To these advantages are added a mild, and for the most part, healthful climate, exempt from the torrid and exhausting summers of the South, and the long and rigorous winters of the North. It has been to avail themselves to the full of these great natural advantages that the people of Maryland have undertaken and carried on a system of internal improvements more gigantic, in proportion to population, than those of any other State in the Union.

At an early period in the history of this country, the dangerous policy of unlimited internal improvement by the federal government—"to set apart and pledge certain funds for constructing roads and canals, and improving the navigation of water-courses, in order to facilitate, promote, and give

security to internal commerce among the several States; and to render more easy and less expensive the means and provisions of the common defence," had attracted public attention, and it had received its death-blow at the hands of President Jackson, in 1832, by his veto of the Maysville Road Bill. Unfortunately for Maryland, this opinion, which had been confirmed by the general approval of the country, was not shared by our State government. It refused to abandon altogether an extravagant system of roads and canals that could not be perfected in a country where the distances are so great and the population relatively so sparse as the United States.

Measures were taken to place Maryland in the van of those States ambitious of rivaling Great Britain, Holland and other countries where the population was crowded and dense, and where their vast numbers justified large expenditures to facilitate intercourse. In the short space of seven years succeeding the veto of President Jackson, our State debt was augmented more than twelve millions of dollars. Within the same period, other roads and canals were projected, until the little State of Maryland, having ten thousand square miles of territory, and three hundred and eighteen thousand one hundred and ninety-four white inhabitants was staggering under a load of undertakings that would have taxed the financial resources of the whole kingdom of Great Britain.

We were, at one and the same time, projecting or constructing a railroad from Baltimore to Washington, a railroad from Baltimore to New York, a railroad on the Eastern Shore, a railroad from Baltimore to the Ohio, and a magnificent canal from tide-water on the Potomac to the Ohio River. If the people of the State had then foreseen the distresses which these works would bring upon them, they would have risen in wrath and swept from power all their promoters; or, if the purchasers of Maryland bonds had then understood, as they did afterwards, the fantastical measures devised to assure the punctual payment of interest promised upon the face of them, speculators and their speculations must have been arrested; for no one would have been hardy enough to invest his capital in securities for the payment of the interest on which no suitable means had been provided. Our citizens had not the remotest idea that taxes were ever to be the result of these debts, nor was any allusion to that contingency permitted. On the contrary, the vast revenues to be derived from those works to enrich the State were the sole theme of newspaper discussion, stump-oratory, and the estimate of contractors and jobbers—a vast army, eager to obtain the money that the people were urged to vote.

Such was the indignation of many, when first awakened to a true conception of the whole subject, that a strong disposition prevailed to deny all obligations to pay the debt, on account of the alleged absence of constitutional power in the Legislature to contract it. In support of this opinion, the thirteenth article of the Bill of Rights was mainly relied upon, which declared that "every person in the State ought to contribute his proportion of the public taxes for the support of the government, according to its actual

worth in real and personal property." And it was contended that in accordance with this article taxes could only be levied "for the support of government," engaged in legitimate objects; and it was denied that the construction of roads and canals was one of the purposes for which the government had been organized. This objection, however, was contrary to the practice of our early legislators; for our statute books were filled with laws authorizing the opening and establishing of roads; omitting bridges and conferring authority on the corporate authorities of cities to open, pave and otherwise improve streets, and to levy on the assessable property within their respective jurisdictions, taxes to defray the expense attendant upon the exercise of the powers thus granted.[1]

Nothing, too, it seems, contributed to the embarrassments of the people, than the absorbing character of the presidential elections. During the first term of General Jackson's administration, when the two great parties of the country were organized on great conflicting measures of public policy, Maryland was free from debt, and there was no just reason to apprehend that any contingency could arise which would endanger the fair fame and honor of the State. From that time to 1841, the people were engaged in an animated and unceasing contest in regard to the tariff, the currency and the disposition of the public lands; and so permitted the management of their more important and more immediate concerns to glide imperceptibly into the direction of a few experimenting and speculating individuals, whose zeal and enthusiasm, directed, it is true, to a commendable object, led to all the public evils of which the people of Maryland, at the time of which we are writing, justly complained.

President Jackson, who was conversant with all the questions of currency which had affected the security of property in this country from the days of the Revolution, felt it to be his duty, when the bill from Congress re-chartering the United States Bank came before him in 1832, to interpose his constitutional veto. This institution which seems to have been the fruit of all evil in relation to the financial affairs of the country, exercised a power over the actual currency of this country, nearly analogous to that of the Bank of England over the currency of the British Empire. It was chartered by Congress in April, 1816, and went into operation January, 1817. Its charter was to continue until March 4th, 1836, its capital to be $35,000,000, of which the United States subscribed $7,000,000 in a five per cent stock, and the remaining $28,000,000 was to be subscribed for by individuals — one-fourth in gold and silver, and three-fourths in the funded debt of the United States. The debts of the bank, in excess of its deposits were not to exceed $35,000,000. The bank was to pay a bonus of $1,500,000 and transact the financial business of the government free of charge. In return it received the public funds on deposit, and nothing was to be taken for public dues

[1] Governor Thomas' Message, 1843.

except specie, treasury notes, notes of specie-paying banks, and United States Bank notes. The principal banking house was at Philadelphia, with branches in most of the large cities.[1]

The power of the bank was based upon the federal finances, of which it was the agent, and it operated through the growing business of the country, which was conducted largely upon the credit system. President Jackson had seen the effects of the disturbing influence of this institution upon the industry and prosperity of the country, exercised upon several occasions in the manner of the Bank of England, which had the actual power of raising and depreciating, at its will and pleasure, the marketable value of all property throughout the commercial world. With the combined object of mitigating the mercantile inconveniences which might result from a sudden change in the financial policy of the government, and of assisting the other institutions from which the existing paper currency was derived, to resist the gigantic effort which the Bank of the United States stood just prepared to make, to force a re-charter, he directed, in the summer of 1833, that the subsequent deposits of public money be made in State banks, in anticipation of the expiration of the charter of the Bank of the United States in March, 1836.

On this occasion the power of the Bank of the United States over the other banks was signally exhibited. By its severe contraction, they were compelled to curtail their issues, which its example had tempted them to expand to such an extent as to occasion great distress for money throughout the country. A law was passed by Congress, in the summer of 1836, directing that all the public money which should remain in the treasury of the United States, at the close of that year, exceeding five millions of dollars, should be deposited with the several States, and in the meantime, should be divided among the banks in such a manner that no one should hold more than three-fourths of the amount of its capital. The withdrawing such sums from the ordinary channels of trade, and placing them, by rigid enactments, in sections of the country, and into a custody where they could not enter with a facility into the operations of commerce, had a powerful tendency to derange the rates of exchange between the different sections of the United States, and to lessen the supply of currency at those great centres where the public money had been mostly accumulated. The transfers from the banks holding a larger amount than they were authorized by the law, and the necessary preparations for paying over the first instalment to the States, in January, 1837, created an intense demand for money, both at New York and New Orleans, during the autumn of 1836.

Upon the payment of the first instalment deposited with the States, in January, 1837, the embarrassments of the banks, and their mutual want of confidence, visibly increased. The deposit law required upwards of thirty-seven millions of dollars to be paid by the banks to the States, within the term of nine months. The payment of the first quarter of this sum rendered

[1] The merchants of Baltimore subscribed to the stock of this bank over $3,000,000.

such severe curtailments necessary, especially in New York, where a large proportion of the surplus had been deposited, that the banks in other cities deemed it proper to provide for their own security. Early in February, specie to the amount of about two millions of dollars was drawn from the banks of New York by those of Philadelphia—a great part of which went to the Bank of the United States. Currency soon became so scarce in March, that the ordinary rate of interest in Wall street was from three to four per cent. per month. It was stated, at the time, upon high authority, that upon sudden emergencies, even five per cent. per month was paid upon the security of good stock.

A similar pressure existed at the same time at the commercial emporium at the other extremity of the United States. Early in March, some of the largest mercantile houses at New Orleans were compelled to suspend payments, which immediately produced suspensions in New York and other commercial cities for vast amounts. To avoid being deprived of their metallic resources, the banks of New York determined to refuse the payment of their obligations in specie. This example was followed by most of the banks throughout the country, and immediately all coin vanished from circulation, and became a commodity worth in the market from ten to twelve per cent. above the currency in general use.

The United States Bank was occasionally obliged to refuse to redeem the notes of its own branches—and even the Farmers' Bank of Maryland repeatedly refused to receive the notes of her Frederick and Easton branches as if each were an individual and local institution. By these processes our people suffered exceedingly. Thousands of individuals once wealthy were utterly ruined, and thriving institutions were swept out of existence. The most active and enterprising men of the country were the greatest sufferers. During all this trying period the people of Maryland, besides enduring the mercantile depression of the country, suffered by a depreciated currency—including bank notes, railroad orders, canal scrip, corporation and individual issues. This was the reign of small notes emitted by firms and even individuals, contemptuously called "shinplasters," which were as plentiful and as troublesome as the frogs in Egypt. Irresponsible dealers palmed them off on a distressed public, who were forced to receive them in the lack of other currency, and the inevitable failure to redeem them inflicted serious losses on the community.

To overcome the pecuniary embarrassments which threatened to overwhelm her creditors, Maryland, in the year 1837, when there was a general bank suspension, and no currency but depreciated bank paper, stepped forward and displayed to her sister States a noble example, by passing a law ordering that the State creditors should be paid in gold and silver, or its equivalent; and this law was made retrospective. Unfortunately this course could not be long maintained, for the embarrassments into which the State was drawn by her system of internal improvements,

exaggerated by the deceptive manner in which affairs of the Chesapeake and Ohio Canal were managed, resulted in such a deficit in revenue, that when the foreign markets were no longer open to the sale of stock, the payment of interest on the State debt became impossible; and as no system of taxation had previously existed in Maryland, difficulties in levying and collecting a tax were encountered, and in January, 1842, the State failed to pay its interest.

When the law of 1835 was passed, appropriating $8,000,000 for the internal improvements of the State,[1] General Thomas Emory, of Queen Anne's County, Judge James Buchanan, and the celebrated philanthropist, George Peabody,[2] were appointed commissioners to proceed to England and negotiate the loans. These commissioners did not, however, reach Europe until the revulsion had crushed American credit, and Messrs. Emory and Buchanan returned without being able to negotiate the bonds on the terms prescribed by the law. The scarcity of money, the abundance of American securities, and their rapid fall in value, made it impossible to effect a sale, or negotiate a loan on reasonable terms, either in this country or in Europe; and the introduction of so large an amount of Maryland stock into foreign markets, was calculated to sink more deeply if possible, the credit of the bonds. In the meantime, however, the canal company, pressed with heavy engagements contracted in anticipation of the success of the commission, was ready to make any sacrifice of State credit and the people's money to meet their liabil-

[1] When the Canal million bill was passed, the opponents of the measure insisted upon the impolicy of the State engaging in the construction of two works, running for fifty miles by side, and predicted the very state of things that now exists. Governor Pratt, who was then a member of the Legislature, insisted that, if the canal was to be carried to the West, it should be undertaken by individual work, by burning to citizens (as was done in Maryland). He was unsuccessful in carrying this point, as the fifth section of the Act of 1828, chapter seventy, provides that, no use it should be first ascertained by an actual survey that the Chesapeake and Ohio Canal could be extended to Baltimore by the waters of the Monocacy and Potapsco, or by a more direct line from the Chesapeake and Ohio Canal at the mouth of Seneca River, and unless enough should be actually subscribed to make such canal to the City of Baltimore, the subscriptions on the part of the State to the Chesapeake and Ohio Canal should be void. The treasurer was expressly prohibited from taking the subscriptions to the canal, etc., "until the Maryland Canal Company should, by their president and directors, have certified to the treasurer that the sum of $3,000,000 had been subscribed to justify the commencement and secure the completion of the canal to Baltimore." To obtain the $8,000,000 subscribed by the act, those citizens of Baltimore subscribed for the entire stock of the Maryland Canal Company (some $3,000,000, although they had not the ability to pay as many cents. Upon receiving this subscription, the president and directors of the Maryland Canal Company certified the commencement and insured the completion of the canal to Baltimore. By these acts, the State was satisfied with the subscriptions authorized by the Act of 1835, without securing to it the terminus of the canal at Baltimore.

[2] When Mr. Peabody was welcomed to the State by the trustees of the Baltimore Peabody Institute, on the 1st of November, 1866, in response to the remarks of Governor Swann, he said, in reference to his life in Baltimore, that, "It is upward of half a century since I came from Georgetown, in the District of Columbia, where I had for some time been in business, to reside in this city. I was then but twenty years of age, and commenced business in company with Mr. Elisha Riggs of Georgetown, at 216½ Market street, then called 'Old Congress Hall' [then situated on the site of the present southwest corner of Sharp and Baltimore streets]; and there it was that I gained the first five thousand dollars of the fortune with which Providence has crowned my exertions. From that period, for a week years of my life . . . I never experienced from the citizens of Baltimore anything but kindness, hospitality and confidence."

ties. They therefore hypothecated the stock with banks and brokers, who sold it for whatever it would bring, thus discrediting the State, and diminishing the resources of the company. In 1839, the State made a further appropriation to this company of $1,375,000, in five per cent. sterling stock, which was squandered in the same manner as the previous emissions, leaving the company heavily involved, without credit at home or abroad, and general insolvency.

As most of these loans were negotiated by Mr. Peabody in London, the following interesting letter fully illustrates the condition of Maryland's securities at that time, and the deep interest he felt in the welfare of his adopted State:

"*British Queen—London, 15th March, 1841.*

"GENERAL THOMAS EMORY:

"My Dear Sir: . . . Your remarks regarding the Presidential Election agree with my own, and most fervently do I pray that the New Administration may be able in some measure, to give relief to our country, which is so severely suffering from the acts of an unprincipled and selfish party, who have governed it for the last twelve years. Since the days of Washington, no President has entered upon the duties of his office at a period so momentous for the state of his country as General Harrison, and it will require all the wisdom, good sense and talent which are combined in himself and his able Cabinet, to arrange amicably the difficulties with this country—to bring back the finances of the United States to a wholesome and sound state, and save more to bring back the general prosperity which prevailed under the good administrations of Monroe and Adams. General Harrison was probably not two days in office before he received a communication from the British Minister on the subject of Mr. Ogle, which there is believed to be a peremptory demand for his immediate release, and in the event of a refusal requiring Mr. Fox to demand his passports. The greatest excitement exists in this country on the subject and the fear of War—the want of confidence in the good faith and ability of many of our States to meet their engagements, added to the recent news of the absolute failure of the Bank of the United States, and consequent suspension for the *third time*, of the Banks to the south of New York, has produced a greater alarm among the holders of American securities than I have ever before known, and purchasers can hardly be found at any price. When, in 1839, the bills of the Chesapeake and Ohio Canal Company obliged me to make a forced sale of Maryland bonds, I thought the market in a bad state, but had I now to raise £200,000 on that stock, I doubt whether 10 shillings in the £ could be obtained. As most of the bonds have been sold by me, I am called upon by the holders almost every day for my opinion in relation to their safety, and whether the Legislature will pass a tax bill, etc. Of course, I speak most strongly of the disposition and ability of the State to meet all engagements, but many timid holders have seen in the *Times* and other papers, that the Legislature was about to make new loans instead of providing *taxes* to meet the dividends and have been unnecessarily endeavoring to sell their sterling stock at about 70. I have circulated, as much as possible, among parties interested, the excellent report of Mr. Bowie, Chairman of the Committee of Ways and Means in the House of Delegates; and among many large holders, his patriotic sentiments have inspired much confidence, but the Legislature must promptly carry out his views, or, be assured, the credit of Maryland will so suffer that her stock in European markets will have not a nominal value. Messrs. Baring, Brothers & Co., the agents of the State, show much anxiety on the subject, and having myself taken so large a share in negotiating the loans and always spoken in the most confident manner of the high honor of her citizens to sustain, under all circumstances, the good faith of the State, I

feel most anxious that the present Legislature should adopt such measures as will permanently provide for the payment of the interest on her debt. Be assured that there is no person in Europe so frequently referred to on the subject of her credit as myself, and no one who can form a more correct opinion of the feelings of capitalists and holders of her bonds; I therefore beg of you, as a dear lover of Old Maryland, to promptly communicate a copy of your influential friends in the Legislature, the purport of what I have written, and to assure them if they wish to sustain the credit of the State in Europe, there is no other mode to adopt but immediate *Taxation*. . . . If you see Mr. Mclean, please give my respects, and say he must urge the immediate passage of a tax bill on his friends in the Legislature, with all his importance and influence, or the credit of Maryland will still continue to decline in Europe

"With great regard, believe me, truly yours,

"GEORGE PEABODY."

Thus it was that George Peabody stood forth as the champion of the good faith and integrity of the State. His word was relied upon, and soon after verified by Maryland resuming the payment of the interest on her loans.

The revenue of the State would meet only its current expenditure, and it became necessary to raise the whole interest of over $3,000,000 per annum by taxation. Although it had thus become evident, at the close of 1840, that taxes were inevitable, at the session of 1841, the Legislature was disposed to dodge the question by means of false estimates and chimerical paper speculations, but were finally compelled to begin an efficient movement by passing a law, March 23d, 1841, which, with its supplement, enacted in the December following, imposed a tax for the first year of twenty cents, and for the next three years of twenty-five cents on the $100 of assessed value of real and personal property. These were estimated to yield $450,000 per annum, and together with other laws, passed, it was expected to realize $200,000 more. All these estimates proved fallacious, mostly from causes incident upon the commencement of a system of taxation. It was contested by the ship owners, banks, and others who required time. When it is recollected that before the Act of March, 1841, the largest amount of direct taxation ever levied upon the people of Maryland in any one year was $60,818, and that over that imposition was continued but for a few years, surely it can be no matter of surprise, that grave doubts of the ability of the State to raise, in this way, upwards of $600,000, were entertained; and this apprehension operated very injuriously by leading people to resist what they supposed would ultimately not be enforced. It was also the case, that, under the impression that no serious attempt to pay the State interest would be made, the several companies that had received aid from the State, held back in their payments, showing an evident disposition to cast off the obligation to the State creditors, by throwing the odium of repudiation upon the State at large. When the direct tax was levied, the property of the State was estimated at $300,000,000. If this estimate had been correct, the rate of tax then imposed would have been sufficient. When, however, the actual value of the property was ascertained to be $190,729,788, subsequently reduced to $177,159,046, by the action of the

Appeal Tax Courts, there was no alternative for those who intended to pay the interest on the public debt by taxation, but to increase the rate of the levy from twenty to thirty cents on the $100, thus to secure an income from the ascertained value of the property of the State equal to that intended to be collected upon its estimated value. Instead of so doing, the Legislature undertook to rely upon other doubtful sources of revenue.

Another fatal error was committed in failing to enforce the laws against the first delinquents, the result of which was, that in seven counties the tax laws were not enforced, and, as a consequence, in January, 1842, the State suspended the payment of interest on its debts. This was a serious blow to American credit, as Maryland, in 1837, had paid its creditors in gold and silver.

Efforts were then made, as we have seen, to induce the popular belief that the State was not morally or legally bound for the payment of the debt. Absolute repudiation was not, however, popular, and payment in some way was felt to be necessary; nevertheless, the anxiety to avoid an increase of taxation induced attempts to sell the State interest in the public works, and, in March, 1843, a law was passed to sell the following works at the sums annexed:—

Chesapeake & Ohio Canal	$5,000,000.	Payable in five per cent. State bonds.
Baltimore & Ohio R. R. / Washington Branch R. R.	4,230,000.	" " " " "
Susquehannah R. R.	1,520,000.	" " " " "
Tide Water Canal	1,000,000.	" " " " "
Total	$11,750,000	

This remained a dead letter on the statute books. Not only was no offer made which the treasurer felt justified in accepting, but the enactment of the law was held to be a violence done to a preceding solemn engagement.

In the meantime, the charter of the United States Bank was not renewed by Congress, but the same institution obtained a charter from the State of Pennsylvania, February 18th, 1836, under the name of the United States Bank of Philadelphia. The terms of this charter were very erroneous, involving obligations such as no institution could pay from profits; and the bank, in consequence, suspended payment, in common with all others in the Union, in 1837. It resumed its payments, following those of New York, January, 1839, and struggled on until October, 1839, when it finally failed. On going into liquidation it was found that more than the whole of its large capital, $35,000,000, had been swallowed up, subjecting the stockholders to a total loss. This disaster, along with others, inflicted great loss upon the merchants of Baltimore, who were then taxed to their utmost ability, to pay the interest on a stock debt of $5,443,773.03, which had been incurred within the last few years.

Various expedients were tried by the people of the State to meet the progressive increase of interest on the State debts, which had grown from

$859,036 on the 1st of December, 1842, to $1,171,892 on the 1st of December, 1843; and to $1,159,961 on the 1st of December, 1844; while in seven counties of the State the tax laws were not enforced.[1]

Among the many laws enacted for the purpose of raising a revenue, the Act of 1844, chapter 280, imposing "the Stamp Tax," was the most objectionable. This law, which was called the "British Stamp Act," required stamps to be used "for every skin or piece of vellum, or parchment, or sheet, or piece of paper or other material, upon which shall be printed or written any or either of the instruments of writing following, to wit: On any bond, obligation, single bill or promissory note or notes, made or executed in this State, above $100, and not made or issued by any incorporated bank of this State, and on any foreign or inland bill of exchange or other evidence of debt above $100, whether endorsed or otherwise, and whether made or issued by any incorporated institution, individual or firm." This Act went into operation on the 10th of May, 1845, and from its passage it was denounced in all sections of the State in unmeasured terms—through the public press, from the hustings, and in every other shape which the ingenuity of its opponents could devise.

In several sections of the State resistance to the law was strenuously urged and insisted upon as a rightful measure. In Baltimore a movement was made in the First Branch of the City Council to reduce to practice the doctrine which had been for some time past maintained by writers in the newspapers. On April 11th, 1845, the bill to levy the State tax was called up in that body for consideration, and a substitute was offered, which provided that the levy of the State tax should be dependent upon the repeal by the Legislature of the Stamp Act, the bill for the completion of the Chesapeake and Ohio Canal (which was now suspended) an Act for dividing the city into twenty wards, and the passage of a law compelling the delinquent counties to pay their proportions of the direct tax.

This substitute created considerable alarm, and although it was not seriously considered, it had the desired effect, for the Legislature, which was then in session, complied with all its provisions excepting the Stamp Tax, as to which by the practical operation of the measure, it was clearly shown that its opponents were in error. The Baltimore merchants, however, continued their opposition to the bill on the ground that the law was unequal in its bearing, because the greater portion of the revenue derived from it was paid by them, and they finally succeeded in having it repealed.

In the meantime, in compliance with the Act of 1844, which empowered the governor in certain contingencies to commission officers for the enforce-

[1] Formerly the levy or tax of each Delegation in the State was appointed by the governor. They were then responsible to the State authorities, and consequently respected and observed the laws of the State. But now these officers were elected by the people of the particular county in which they were to act, and having thus been converted from State into county officers, they ceased to be responsible to the State authorities, and in fact were practically responsible solely to the people of the county by which they were elected. To this error was attributed the non-enforcement of the revenue laws.

ment of the tax laws, he endeavored to find in the defaulting counties suitable persons to accept commissions as collectors; but no one could be prevailed upon. The treasurer, therefore, in compliance with the law, appointed agents with authority to receive voluntary payments of taxes, which was virtually a surrender to the delinquents. In Carroll, Harford and other counties many of the citizens formed anti-tax associations, and declared their inability to meet the demands made upon them by the State.

Finally a number of the prominent citizens of Somerset County, irrespective of party, signed a notice calling a "united convention of tax-payers, farmers, mechanics and working men," at the court-house in Princess Anne, on the second Tuesday in June, 1845. The object of the convention was stated to be, to "confer and consult upon measures of policy and practice deeply interesting in the present depressed condition of the country;" and all were invited to attend who were "disposed to unite in endeavoring to devise means to avoid ruinous taxation, and provide for the reduction of the public debt, in fine, to arrest the downward course of the great interests of the people, and to save the State from desolation and disgrace."

This movement was hailed with joy throughout the State, as it was hoped the convention would be able to devise some means by which the credit of the State would be restored. On the 9th of June, the convention met and adopted a memorial asking the Legislature to pass an Act providing for the election of delegates to a State convention to form a new constitution of Maryland, and in favor of retrenchment of expenditures. After the transaction of some preliminary business, they appointed delegates to an informal State convention which had been proposed at a meeting held by the citizens of Harford County, to be held in Baltimore on the first Wednesday of August following.

In response to the call of these counties, the other counties of the State appointed delegates to the "Reform Convention" which assembled in Baltimore on the 27th of August, 1845. It was composed of some of the ablest men of the State, of both political parties, and in their deliberations they seemed to lay aside old party distinctions, and took up the various subjects connected with the interests of the State in a spirit solicitous to promote the common welfare, without reference to what effect such measures had upon existing parties.

The convention organized by the selection of Colonel Anthony Kimmell, of Frederick County, president; and Henry Tolson, of Prince Georges County, Dr. E. L. Boteler, of Washington County, George Ellicott, of Howard, Henry Tiffany, of Baltimore City, James Boone, of Kent County, and Josiah Bailey, Jr., of Dorchester, vice-presidents. Secretaries: George W. Wilson, Jervis Spencer, Francis B. Lawrenson, Samuel Barnes, W. H. Burtis and Levin Woolford.

The proceedings were of a character that received the approbation of every man in the State who was sincerely desirous of seeing its true interests pro-

moted. They adopted a set of resolutions without a dissenting voice, in which, after appointing committees for various objects, they—

"*Resolved*, That it be recommended to all the election districts in the State to organize reform associations, and to appoint corresponding committees, whose duty it shall be to report to the Central Committee of Correspondence that they may collect with regard to the progress of reform principles, and suggest such measures as may be deemed advisable to advance the cause in their several districts.

"*Resolved*, That it be recommended to the people throughout the State, to give their votes to no candidate for either branch of the Legislature who will not pledge himself to vote for the call of a Convention, the abolition of all useless offices, and the retrenchment of unnecessary expenses."

After appointing a committee to prepare an "Address to the people of Maryland," the convention adjourned *sine die*.[1]

Notwithstanding the efforts of a number of people in the State to effect a repudiation of its indebtedness, the sense of a large majority tended towards the payment of the State's obligations; and with the improvement of business generally, as the country emerged from the disastrous effects of the great collapse of the credit system which attended the final explosion of the corrupt United States Bank, the taxes were more readily paid, and the machinery for collecting them worked more smoothly. The actual produce of the taxes gradually approximated to the estimates, and the reduction in the State expenses, by the curtailment of many outlays, enabled a large amount to be appropriated to the payment of interest. When the State could no longer pay the interest coupons as they fell due, it allowed them to be received for taxes; and by this means a considerable amount came annually into the treasury, diminishing by so much the accumulation of arrearage interest.

The progress of the revenues, as well from taxes as the increasing ability of the several companies to meet the interest on the amounts lent them by the State, and to pay dividends on what stock the State owned in them respectively, enabled an increasing amount of interest to be paid annually; and it appears that during the year ending December 1st, 1844, the treasurer paid for interest on the public debt the sum of $710,534, being more than one year's interest, by the sum of $50,363. For the year ending 1st of December, 1846, the treasurer paid, on account of interest, $732,289, being $76,863 more than the accruing interest for the year.

It now became evident that the finances had, by able management, been worked up to a position which would permit of resumption. Governor Thomas G. Pratt, who had been elected in the Fall of 1844, and who did more than any other man in the State to raise Maryland from her discreditable position, and restore her to her original elevation, in a bold and independent message to the Legislature in January, 1846, from which the usual flattery of the people and other phrases of the demagogue are conspicuously absent, he

[1] In the fall elections, Carroll County ran a repudiation ticket for the Legislature, which polled 600 votes, but was defeated by the Whigs who polled 1,574.

discussed the finances of the State in an able manner, boldly recommended the adoption of measures to resume payment by the State, and proposed that the resumption of interest-payments should begin on the first day of the following October.

The financial condition of the State, owing in a great measure, to his energetic recommendations and conduct, was found to be much better than had been anticipated; and at this session of the Legislature a bill was introduced in the House of Delegates authorizing a sale of the bank stock owned by the State, and amounting to $510,266, to apply the proceeds to arrears of interest, and to resume cash payments April, 1847. This was lost, 36 to 35; reconsidered by a vote of 35 to 31; and finally passed, 45 to 25. It failed, however, in the Senate, by a vote of 9 to 8.

At the session of 1847, Governor Pratt, again exhibited the finances of the State in the most gratifying aspect, and the people of Maryland had cause to rejoice at the perseverance with which he had pursued his financial system. The governor showed that the revenues of future years would be fully adequate to all the demands, and the Legislature, in compliance with his request, passed a law directing the State Treasurer to resume payment of the current interest on the public debt on the 1st of January, 1848. This law also authorized and directed the commissioner of loans, after October 1st, 1847, to issue six per cent. bonds, the interest payable annually upon application therefor, to the holders of coupons or certificates of interest. The interest on the main debt to be first paid; and if then, after defraying the ordinary expenses of the State, there should not remain in the treasury funds adequate to pay the full amount of six per cent. interest on the bonds, then what was remaining should be appropriated *pro rata* among said bonds, and certificates given for the balance due. All taxes and State dues were to be paid in current money.

This law was carried into effect, and resumption took place January, 1848. The amount of arrears funded by its provisions was $851,003.43 in a six per cent. stock, redeemable at the pleasure of the State.

The following table exhibits the progressive results of the tax laws upon the State revenues, and the payments made annually on account of interest, together with the amount of arrearage interest outstanding at the close of each fiscal year, and the cash balance in the treasury:

AGGREGATE REVENUES AND EXPENDITURES OF THE STATE OF MARYLAND.

	Revenue		
Years.	Direct Taxes.	Other Sources.	Total Revenue.
1842	.....	.....	.....
1843	307,332.61	513,096.33	951,428.81
1844	370,242.70	387,142.50	744,471.51
1845	507,781.04	478,707.96	986,529.00
1846	593,040.75	324,808.04	917,857.79
1847	709,821.85	625,182.04	1,314,923.93
1848	543,018.89	452,553.40	1,050,572.29

Years.	Receipts—Interest.	Receipts—other sources.	Receipts—total.	Balance on hand.	Arrears of Interest at close of year.
1843.....	.....	.....	.....	.....	903,666.00
1844.....	278,376	882,544	685,979	78,817	1,171,572.00
1845.....	595,060	240,464	835,524	.....	1,450,981.00
1845.....	710,781	287,734	998,488	189,412	1,876,801.00
1847.....	738,300	230,961	969,361	145,945	1,900,623.00
1848.....	926,867	207,736	1,204,472	328,690	868,000.00
1849.....	731,160	281,999	1,013,136	315,957	834,003.43

The arrearages of interest at the close of the year 1848 were funded. Of the receipts in 1847, $723,610 were in coupons; and of 1848, $847,087.85 were in coupons.[1]

Thus it was that Maryland, by the voluntary action of her own people, cleared herself of her financial difficulties, and constructed two of the most important works upon the continent.

Governor Pratt, in his message to the Legislature in December, 1847, thus recognized the services of George Peabody in the financial affairs of the State:

"I cannot omit bringing to your notice the conduct of a citizen of Maryland, who has been for many years past, and is now, a resident of London, to which my attention has been directed within a few days past, as illustrative of the deep interest felt by our citizens abroad in the determination to which you have come to restore the credit of their State. Under the provisions of the Act of 1835, commissioners were appointed to negotiate the loan authorized by that Act, two of whom received compensation to which they were entitled under its provisions: but Mr. George Peabody, the gentleman to whom I have reference, has never claimed or received one dollar of compensation, as one of those commissioners. I am informed that while the State was struggling with her pecuniary difficulties, he felt himself bound, as one of her citizens, to add to her burdens; and I am now officially informed that he relinquishes his claim to compensation, feeling himself sufficiently remunerated for his services by the restored credit of his State."

In pursuance of this recommendation, the Legislature, on the 7th of March, 1848, passed the following preamble and resolution, tendering the thanks of the State to Mr. Peabody:

"WHEREAS, Mr. George Peabody, a citizen of Maryland, now resident of London, was appointed one of three commissioners under the Act of Assembly of eighteen hundred and thirty-five, to negotiate a loan for this State, and after performing the duties assigned to him, refused to apply for the compensation allowed by the provisions of that Act, because he was unwilling to add to the burthens of the State, at a time when she was overwhelmed with the weight of her obligations; *and whereas*, since the credit of the State has been restored, he has voluntarily relinquished all claim for the compensation due to him for his services, expressing himself fully paid by the gratification of seeing the State freed from reproach in the eyes of the world:

"*Be it unanimously resolved by the General Assembly of Maryland*, That the record of such disinterested zeal is a higher praise than any that eloquence could bestow; and that this Legislature is therefore content with tendering the thanks of this State to Mr. Peabody for his generous devotion to the interests and honor of Maryland.

"*And further resolved*, That the Governor of this State be requested to transmit these resolutions to Mr. Peabody, in such manner as he may deem most appropriate."

[1] *Merchants' Magazine.*

The resolutions were forwarded to Mr. Peabody through Mr. J. J. Speed, with a highly complimentary letter from Governor Philip Francis Thomas and Mr. Speed. The Governor, in his letter, says:

"Instances of high devotion on the part of a citizen to the public welfare, are of rare occurrence, and merit the highest distinctions which a commonwealth can bestow. To one whose actions are the result of impulses so noble and self-sacrificing, next to the approval of his own conscience, no homage can be more acceptable than the most of a people's gratitude: no recompense so grateful, as the assurance of the complete realization of those objects and ends, whose attainment has been regarded as of higher value than mere personal convenience or pecuniary consideration. The Legislature, in the passage of these resolutions, has not misconceived the sentiments of its constituents. . . . The credit of Maryland is fully restored, her public honor redeemed, every suspicion of bad faith removed, and no reasonable doubt remains as to her ability to maintain the proud and elevated position which she now occupies.

"To you, sir, who have had no inconsiderable agency in the accomplishment of this gratifying result, the thanks of the State were eminently due. The action of the General Assembly reflects faithfully the feelings of gratitude which your generous devotion to the interest of the State has awakened in the bosom of every good citizen of Maryland; and while I am happy in having been made the organ of communicating this well-merited tribute to your public and private virtue, I avail myself of the opportunity which the occasion affords to assure you, that the sentiments embodied in these resolutions have commanded my most hearty and cordial concurrence."

Having thus given an account of the "Crisis of 1837," we will now retrace our narrative to the time when Mr. Polk was nominated for the Presidency by the Democratic National Convention, at Baltimore, in 1844.[1]

By a resolution, adopted at this convention, the democratic party declared that

"Our title to the whole of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power; and that the re-occupation of Oregon, and the re-annexation of Texas, at the earliest practicable period, are great American measures, which the convention recommends to the cordial support of the democracy of the Union."[2]

[1] Twenty minutes after the reading of the ballot for President was announced, on the 29th of May, the response of the Democratic members of Congress, at Washington, was received by the convention by means of the electro-magnetic telegraph, which was then open between Washington and Baltimore. Their message was, that "The Democratic members of Congress to their Democratic brethren in convention assembled, send greeting. Three cheers for James K. Polk!"

[2] "By the 're-annexation' of Texas, reference was had to the fact that it was originally embraced within the French province of Louisiana, and subsequently became the property of the United States, by virtue of the treaty of 1803, by which that province was acquired, and was subsequently ceded to Spain by the Florida treaty of 1819. By the re-occupation of Oregon, reference was had to the first discovery and navigation of the Columbia River, in or about the year 1792, by Captain Gray, of Boston, with his ship Columbia, to the exploration of Lewis and Clarke in the year 1805, and to the settlements and establishments of John Jacob Astor and his associates, under the protection and authority of the United States, in the years 1809-10-11-12 and 1818."

In 1813, a British sloop-of-war entered the Columbia River and captured Astoria, hauled down the American and raised the British flag. In 1818, a treaty was made between the United States and Great Britain, by which it was agreed that the disputed title and boundary should be held in abeyance, and that neither party would make any permanent settlements until the treaty was abolished. Notwithstanding the stipulations of this treaty, the Hudson's Bay Company established settlements under the protection of British laws, until 1846, when a treaty was made establishing the permanent boundaries between the two countries. In 1859, Oregon was admitted into the Union as a State.—S. A. Douglas.

The adoption of this resolution had the effect of completely uniting the democratic party throughout the country, and the question of the admission of Texas had a tendency to infuse renewed vigor among the masses attached to the party.

The twenty-eighth Congress commenced its second session on the 2d of December, 1844, and closed it on the expiration of their term, the 3d of March, 1845. At this session the most exciting subject up for consideration was the admission of Texas. Joint resolutions for annexing that republic to the United States, as one of the States of the Union, passed by the Senate, on the 27th of February, 1845, and on the next day they were concurred in by the House of Representatives. On the 1st of March, the resolutions were approved by the president and the triumph of annexation was complete. On the 3d of March, President Tyler despatched the resolutions to the President of Texas, who convened delegates for the purpose of forming a State constitution, and they were assented to by that body in behalf of the people of Texas, on the 4th of July, 1845, by which Act Texas became one of the United States.

While these events were occurring at the Federal capital the politicians of Maryland were not idle. In consequence of a difference of opinion in matters of public policy, a new party was organized, which, in some of the States, took the old parties by surprise. The first announcement made by the Baltimore *Clipper* on the 5th of November, 1844, that it intended to support the principles of the "American Republican" or the "Native American" party, was cordially received by a large number of citizens of Baltimore and the adjacent counties. Meetings were held on February 26th, 1845, and every preparation made to extend the party organization throughout the State. A city convention was held on the 5th of March, and on the 13th, they issued an address "To the Public," in which they declare the objects of the party to be the correction of existing abuses; the banishment of all foreign influences, the prevention of frauds at elections, and to make American feelings and interests pervade the nation.

On the 29th of August, 1845, the native American party put out the following ticket: For the fourth district of Congress, Captain Henry A. Thompson.[1] For the House of Delegates, David Taylor, Joseph Breck, John C. Holland, David Parr and Josiah Balderston.

At the election in October in the fourth congressional district, Duncan, the native American candidate received 1,142 votes; John P. Kennedy, the whig candidate, 4,962, and William Fell Giles, democrat, 3,804. In the city a temperance ticket was run for the House of Delegates, which received 212 votes, the highest number cast for any one of its delegates. In the general result in the city, the democrats elected their congressmen, sheriff and delegates, and at the first council election, held under the new divisions of twenty wards instead of twelve, as heretofore, the democrats elected seven-

[1] He declined the nomination as soon as announced, and John McKim Duncan was selected as a candidate in his place.

teen out of the twenty members composing the First Branch, and nine out of the ten composing the Second Branch. In the Congress of 1841, the entire Maryland delegation was whig; and the House of Delegates stood sixty-one whigs to nineteen democrats, and the Senate fifteen whigs to six democrats. In the election for this year (1845) the democrats elected Thomas Perry, Thomas Watkins Ligon, William Fell Giles and Albert Constable to Congress, and the whigs, John C. Chapman, and Edward Long. In the House of Delegates, the whigs had a majority of four votes. There was no election for Senators.

Upon the assembling of the Legislature, the committee appointed by the "Reform Convention," held in the City of Baltimore, in August 1845, laid before that body the memorial suggesting "alterations in the existing, or the call of a convention for the adoption of a new Constitution." It was referred to a "select committee," who reported in February "that the Legislature has no constitutional power to grant this application, and that if the power existed, it would be inexpedient at this time to exert it."

Although opposed to the call of a convention, the Legislature favorably regarded the proposition for holding biennial sessions, recommended in the address of the Reform Committee as "one great measure of relief," and passed a law enacting "that at the next annual election for delegates to the General Assembly of Maryland, the judges of election of the several cities and counties of this State, shall enquire of each voter, as he casts his ballot, whether he is for or against the provisions of this bill, and shall record his vote accordingly," etc.

This measure constituted no inconsiderable motive in the desire for a State Convention, and was presented to the Legislature as an inducement to grant the call of such convention. Instead of postponing it for future action, it was immediately passed, as it made a reduction in public expenses to the amount of at least $30,000 per annum. Certain other reforms were demanded by the Reform Convention which desired to restore public faith by public economy, such as a reduction of the number of the members of the Legislature; a reduction of their pay; a diminution of the salaries of the Governor and Secretary of State; and the abolition of the Chancery Court.

The election on the biennial sessions' bill and for members of the Legislature, took place on the 7th of October, 1846, and astonished both parties, the whigs carrying both branches of the Legislature by handsome majorities, to the great disappointment and mortification of their adversaries. In the City of Baltimore, Mr. Charles M. Keyser, the whig candidate for State Senator, beat Mr. Joshua Vansant, the democratic candidate, by a majority of one vote out of fourteen thousand eight hundred and seventy-one votes cast. In the State the whigs obtained a majority of five in the Senate and twenty-two in the House of Delegates. Baltimore City gave a majority of six hundred and ninety-four votes against the biennial sessions bill, but

it was carried in the State by a majority of four thousand six hundred and fifty five votes. In the election for mayor of Baltimore, Colonel Jacob G. Davies, the democratic candidate, was chosen by a majority of one hundred and six votes over Aaron R. Lovering, the candidate of the whigs.

At the governor's election in 1847, Colonel Philip Francis Thomas, the democratic candidate, carried the City of Baltimore by fifteen hundred and sixty-six majority over William T. Goldsborough, the whig candidate, and the State by six hundred and thirty-eight majority. In the Legislature the whigs gained four members, giving them a majority of thirty-two in the House, making thirty-seven on joint ballot. In the congressional election the whigs gained two members.

Mexico, which still claimed Texas as a portion of the Republic, to which she had never relinquished her title, considered and treated the act of the United States, in annexing and taking possession of Texas, as an act of war; and accordingly General Almonte, the Mexican Minister to the United States, on the 6th of March, 1845, demanded his passports and returned to his government. On the arrival of the news of annexation at the city of Mexico, all diplomatic relations between the two governments were abruptly terminated; and the proceedings of the Mexican Congress manifested a highly belligerent spirit.

Neither Mexico nor the United States appeared to shrink from the issue; on the contrary, troops were ordered by both governments to march to the frontier, for the avowed purpose of defending the territory they respectively claimed. Yet, as a portion of that territory, the tract lying between the river Nueces and the Rio Grande, or Rio Bravo Del Norte, was claimed by both nations, nothing less than a forbearance to set foot on the disputed territory could prevent collision between the two armies; and such forbearance the more difficult, as a portion of the disputed territory was then actually in the occupation of the citizens of Mexico. In the instructions of July 30th, 1845, to General Zachary Taylor, then at the head of about three thousand men, the Secretary of War, William L. Marcy, thus endeavored to reconcile a proper respect for the rights of Mexico, with a determination to assert those of the United States:

"The Rio Grande is claimed to be the boundary between the two countries, and up to this boundary you are to extend your protection, only excepting any posts on the eastern side thereof, which are in the actual occupancy of Mexican forces, or Mexican settlements over which the Republic of Texas did not exercise jurisdiction at the time of annexation, or shortly before that event. It is expected that, in selecting the establishment for your troops, you will approach as near the boundary line, the Rio Grande, as prudence will dictate. With this view, the President desires that your position, for a part of your forces at least, should be west of the river Nueces."

Under these and subsequent instructions, General Taylor, on the 11th of March, moved from Corpus Christi and marched to the left or northwestern bank of the Rio Grande, and on the 28th of March, he was opposite to

the Mexican town of Matamoros. This state of things could not last, for immediately upon his arrival the Mexicans assumed a belligerent attitude, and, on the 12th of April, General Ampudia, then in command, summoned General Taylor to break up his camp within twenty-four hours, and to retire beyond the Nueces River; and, in the event of his failure to comply with these demands, announced that arms, and arms alone must decide the contest. Both armies now prepared for the conflict which was inevitable. General Taylor immediately began to throw up suitable works, while the Mexicans were strengthening their defenses on the other side of the river. By the 6th of April, Major Mansfield, of the U. S. Engineers, had completed a strong battery, which was afterwards named Fort Brown, in honor of a brave officer who was killed in its defence. No actual violence was committed until April 10, when Colonel Truman Cross, of Maryland, Assistant Quartermaster General of the army, rode out of camp for exercise, and was murdered. On the 21st his body was discovered in the forest, about four miles from camp, stripped of his clothes, and the flesh torn from the bones by vultures. It was learned that he had been attacked and stripped by the banditti of Roman Falcon, and afterwards slain by a blow on the head from that desperado's pistol.

The Mexicans continued their depredations until the 24th of April, when General Arista, who had succeeded to the command of the army, communicated to General Taylor that "he considered hostilities commenced, and should prosecute them." On the same day a reconnoitering party of sixty-three dragoons, under the commands of Captains Hardee and Thornton, who had been sent to ascertain whether the Mexican troops had crossed, or were preparing to cross the river, became engaged with a large body of these troops, and after a short affair, in which some sixteen were killed and wounded, were surrounded and compelled to surrender. This skirmish, which at once irritated the Americans and inspired the Mexicans with overweening confidence, brought about the result which every one expected; and the sudden march of General Taylor to Point Isabel, the chief depository of his military stores, was regarded by the Mexicans as an ignominious retreat. General Taylor having reinforced Point Isabel, in returning to his camp opposite Matamoros, met the main force of the enemy, almost thrice his own number, advantageously posted at Palo Alto. After an engagement from two o'clock in the afternoon till

MAJOR BENHAM.

[1] He was born in Washington County, Maryland, in 1800, and in 1814 entered the army as a cadet. He was appointed second lieutenant of artillery on the 24th of July, 1818, and assigned, on the 21st of May, 1821, to the second artillery; and third artillery, August 21st of the same year; promoted to first lieutenant, May, 1822; brevetted captain, "for ten years' faithful service," May, 1832; captain, August, 1836; brevetted major, "for meritorious conduct in gallantry and efficiency in war against Florida Indians," 17th of February, 1838; major, 1848, and mortally wounded in the battle of Palo Alto, on the 8th of May, 1846, at Point Isa-

night, the Mexicans were driven from the field with great loss. The skill and celerity with which the American artillery was handled, probably decided the fortunes of the day, but with the loss of its distinguished commander, Major Samuel Ringgold.

On the 9th of May, when within four miles of the Rio Grande, General Taylor again encountered the Mexicans, strongly posted at the pass of Resaca de la Palma, and was again victorious. The Mexicans left two hundred men on the field, lost eight pieces of artillery, much valuable baggage, and some prisoners. Next to the coolness and firmness of the commanding general, the individual efforts of Captains May, Duncan, Walker, and Lieutenant Ridgely, mainly contributed to the success of the American arms.

Upon the death of Ringgold, his First Lieutenant, Randolph Ridgely, another gallant Marylander, succeeded to the command of the Light Artillery. At the battle of Resaca de la Palma, this brave and worthy successor of the lamented Ringgold, with his battery, was in the midst of the engagement thrown forward in the road. Moving cautiously along he discovered the enemy about four hundred yards in advance, and almost instantaneously their artillery opened upon him. Ridgely ordered forward his battery at full speed, a short distance, and returned the fire with precision and effect. The cannonade was kept up for some time on both sides with great spirit, after which, Ridgely, desiring to make the fire short and sharp, limbered up and

ed, Texas. Mr. Powell, in his life of Henry Taylor, says: "Upon reaching the field of Palo Alto, at half three o'clock, in the afternoon of the 8th of May, the action commenced by the Mexicans opening their batteries on their right, at a distance of half a mile from our line. The fire was responded to by two 18-pounders, in charge of Lieutenant Churchill; Major Ringgold now took position to the right and front of the 18-pounders, at a distance of 700 yards from the enemy, subsequently advancing 100 yards, and opened his battery with tremendous effect, as was shown the next day by the large number of the enemy's dead found on the field along their line. Major Ringgold pointed the guns with his own hand, with unerring precision—directing the shot not only to groups of the enemy, but to particular men in their lines. He saw them fall in numbers, their places occupied by others, who, in their turn, were shot down. Pointing his gaze to the same place, to use his own words, he 'thus became confident of having his mark as though he had been using a rifle.' The infantry was formed in his rear as his support, and showed equanimity the brilliant movements and destructive execution of his battery, while they received the enemy's fire with great coolness as a schoolboy impatient only for the order to charge. At length, a regiment of the enemy's lancers were seen to make a demonstration towards our right, apparently to gain possession of our wagon train, when Lieutenant Randolph Ridgely was detached with two pieces to check the movement. This left Major Ringgold short of men, or rather with a less number than he deemed and considered actually necessary to execute his movement with celerity, and to supply the places of those who fell or became disabled. This was a source of regret to him, even in his last moments; but he gallantly and nobly did his duty. Not a shade of incapacity, want of diligence, lack of bravery on the battle field, can rest on his memory of the slightest of his military character." The three long hours, he continued, with his own remaining pieces, to do great execution, until shot through the thighs by a cannon ball, passing from right to left, carrying with it a large mass of muscle and integuments, and tearing off the front of the saddle as it will-ye of the noble horse on which he rode. He fell slowly from his horse, and but scarcely reached the ground, when Lieutenant Shover came to his assistance, and while he supported him, called for a caisson to carry him to the rear. "Never mind, sir," said Ringgold; "you have work to do—go there, with your men; all are wanted in front." Soon, however, finally prevailed upon to be carried from the field, he remarked with usual coolness, to his lieutenants: "Be careful to get no empty caisson, as you may require all your ammunition." His body was brought to Baltimore, and there buried with great civic and military honors, on the 22d of December.—Mr. James Wynne. Gardner's *Biographical Dictionary*.

advanced upon the enemy's batteries to within a hundred yards, and at this fearful proximity poured in rapid and terrible discharges of grape and canister. The action now became general, and the battle raged with fury along the whole line. In various parts of the field was heard the roll of musketry, where the infantry, divided into small parties by the intervening chaparral, was contending with the enemy; while the artillerists, under the intrepid Ridgely, kept up an incessant and terrible fire. The roar of the enemy's guns was almost continuous, and their fire, had it not been directed too high, would have swept Ridgely's batteries, and annihilated his command.

While the battle thus raged, Captain May made his famous cavalry charge and captured the enemy's batteries and their commander, General La Vega.[1] Two days after this battle on the 11th of May, Congress received from the President a message in which he announced that

"After reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood upon the American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war.

"The war exists, and, notwithstanding all our efforts to avoid it, exists by the Act of Mexico itself, we are called upon by every consideration of duty and patriotism to vindicate with decision, the honor, the rights and the interests of our country." The President "invokes the prompt action of Congress to recognize the existence of the war, and to place at the disposition of the Executive, the means of prosecuting the war with vigor, and thus hastening the restoration of peace."

Congress on the 13th of May, declared "that by the Act of the Republic of Mexico, a state of war exists between that government and the United States," and authorized the President "to employ the militia, naval and military forces of the United States, and to call for and accept the services of any number of volunteers not exceeding 50,000, to serve twelve months after they shall have arrived at the place of rendezvous, or to the end of the war, unless sooner discharged, according to the time for which they shall have been mustered into service."

The President, with the view of securing to the citizens of each State and Territory the privilege of participating in the war, apportioned the volunteer force under his call among the several States and Territories; and made his requisition upon the Governor of Maryland for two regiments of infantry, as the quota of that State.

In response to this requisition Governor Thomas G. Pratt, on the 31st of May, 1846, issued his proclamation calling "upon the citizens of the State of Maryland, between the ages of eighteen and forty-five, to enroll

[1] It is stated that, when Captain May arrived at the place occupied by Ridgely and his brave cannoneers, the smoke was so thick that he could not tell where the enemy were. He rode up to Ridgely, and cried out, "Where's their battery, Ridgely?" Knowing the danger attending a charge upon their guns when loaded, Ridgely replied, "Just take out of my line a little, and I'll find 'em for you, Charley!" and instantly firing his battery in their direction. The enemy at once returned the fire with effect. "There they are, Charley; now go in!" said Ridgely, and instantly Captain May, with his dragoons, sprang forward to the charge and captured the battery.

themselves forthwith, that the two regiments required of this State may be immediately filled and mustered into the service of the United States." The governor said:

"The sons of Maryland have always obeyed the call of patriotism and duty, and will now sustain the honor of the State by enabling her to be the first, or amongst the first to offer the Federal Executive, for muster into the service of the country, her quota of the volunteer force which has been called for."

The war with Mexico, had by this time, become the absorbing interest in Maryland. The voice of faction was for the time silent, and the whole people concurred in giving to the government their support in the vigorous prosecution of the war. For their devotion to their country and their public spirit, the citizens of Baltimore, were not surpassed by any other section of the Union. In time of war, they knew no party divisions, but united as patriots in upholding the honor of the country.

Upon receipt of the governor's proclamation, the City Council passed a resolution calling upon the mayor of the city to convoke the people in Town Meeting. In compliance with this request, Mayor Davies issued his proclamation, and on the 23d of May, in accordance with it, the citizens of Baltimore assembled in Town Meeting in Monument Square. After the selection of a large number of officers, and addresses by Colonel Davies, Robert M. McLane, Reverdy Johnson, General Samuel Houston and William L. Yancey, the meeting adopted a set of resolutions, in which it was

"Resolved, By the people of Baltimore, in Town Meeting assembled, that we duly appreciate the crisis in which our beloved country is engaged, and rejoicing in the remembrance of our fathers of old, and their blood in our veins, we here solemnly pledge our lives to emulate their patriotism and valor which expelled from our shores a foreign invader. Thus summoned by the rude blast of war from the still and peaceful homes we hold sacred, we are resolved,

'That living, we shall be victorious,
Or, that dying, our death shall be glorious.'

From the walls of yonder monument, we will unfurl our banner and inscribe upon it the watch-word of Decatur—*Our country—right or wrong.*"

From all sections of the State, volunteers were organizing and pressing to be placed upon active duty; but it was impossible to gratify them, as the States in the more immediate vicinity of war, had the preference, and furnished nearly all the force required. It was gratifying, however, to see the patriotic feeling which prevailed, and the unanimity in the resolve to maintain the war manfully and successfully.[1]

[1] The company under Captain James E. Stewart are still encamped on Chase's Hill, busily engaged in drill and military exercise, and steadily increasing their numbers. The rifle company, formed at the Exchange, encamped yesterday morning in the park. The Chesapeake Riflemen, under Captain Steiner, meet every evening for drill, and are rapidly filling up their ranks. The shipmasters, and others of the Point, as well as the German citizens are forming a volunteer company, to be tendered to the President for service in Mexico. The whole number of volunteers in the several corps which are organized, is between 600 and 700 men, and a better set of soldiers when they have learned the arts and mysteries of war

Such was the spirit of the Baltimoreans, that they alone could have filled the full quota of troops required from Maryland under the requisition of the President; but on account of so many offering their services in Baltimore, recruiting was ordered to be discontinued, and those who were mustered into the service were held as reserve and not as a portion of the State's quota of volunteers.

Fortunately, however, for some of those who were eager to participate in the defense of their country, it was arranged that a battalion of six companies should be formed, composed of four companies recruited in Baltimore, and two from Washington City, to be designated "The Battalion of Baltimore and Washington Volunteers." Other companies from Baltimore solicited the Secretary of War for the same favor, but were not successful.[1]

This battalion, which was second to none in discipline and bravery in the army, embarked on the transport steamer *Massachusetts*, on the 13th of June, 1846, and on the 16th, got under weigh for the seat of war. After a voyage of fourteen days, the ship arrived off the Island of Brazos, Mexico, and on the 1st and 2d of July the troops were landed. On the 9th they took up their line of march for Mexico, and on the 24th, after suffering from the extreme heat, etc., reached the main "army of occupation," and camped opposite the Mexican town of Burita.

Soon after the battles of Palo Alto and Resaca de la Palma, General Taylor was reinforced by several regiments of volunteers, and thinking it better to advance into the interior than to remain inactive, which would at once encourage the Mexicans, and be in many ways injurious to his own army, he crossed the Rio Grande on the 17th of May, 1846, and took possession of the town of Matamoros, which had been abandoned by the enemy; but his progress had been retarded by the rapid influx of volunteers, in great numbers, unaccompanied by the necessary means of transportation and proper supplies.

so ill not be selected from our citizens."—Baltimore *Clipper*, May 20, 1846.

The same patriotic spirit was manifested in other sections of the State. In Westminster, a company of volunteers was formed; also, in Belair, Harford County; in Annapolis, West River, Cumberland, Hagerstown, Frederick, Washington County, Leonardtown, Port Tobacco, Chestertown, and other places. In Talbot County, Brigadier General Perry Benson issued an order to the citizens of his district, "to engage in the formation of companies, under the provision of the 6th section of the Act of Assembly of 1835, and especially of mounted companies of riflemen and flying artillery, as best suited, by their facility of transportation, to the defense of a district exposed at numerous points." This was in apprehension of trouble with England, growing out of the Oregon boundary question, and the exposure of the Eastern Shore to the visits of an enemy.

[1] The companies from Baltimore were officered as follows: First Company of Baltimore Volunteers (Company A), Captain, James E. Stewart; Benjamin F. Owens, first lieutenant, and Samuel Wilt, second lieutenant; additional second lieutenant, David P. Chipman. Second Company Baltimore Volunteers (Company B), Captain, James S. Piper; first lieutenant, Marshall K. Taylor; second lieutenant, Lawrence Dolan; additional second lieutenant, Isaac H. Monroe. Baltimore's Own (Company C), Captain, John R. Kenly; first lieutenant, Francis B. Schneider; second lieutenant, Oden Bowie (afterwards Governor of Maryland); additional second lieutenant, William E. Aisquith. Chesapeake Riflemen (Company D), Captain, James Boyd; first lieutenant, Joseph H. Richardson; second lieutenant, Robert H. Hunter; additional second lieutenant, James Tunnyhill. The whole under the command of Lieutenant Colonel William H. Watson, of Baltimore.—*Narrative of a Campaign in the War with Mexico*, by Major General John R. Kenly.

Having, however, completed all his arrangements for a forward movement, he left Matamoros on the 5th of August, with about eight hundred men, and marching westward by Camargo, on the 19th of September reached Monterey, the capital of New Leon.

The "Baltimore Battalion" joined General Taylor at Camargo, and on the 1st of September, after being brigaded in three several commands it was attached to General Twiggs' first division of regulars, and brigaded in the fourth brigade, with the first regiment of infantry, under the command of Lieutenant Colonel Henry Wilson, of the United States army.

The Mexicans seemed to have no doubts that the City of Monterey was capable of effectual resistance, as it possessed nine different fortifications, and was defended by a force greatly superior to that of its assailants. General Taylor assigned to General Worth the storming of the Bishop's Palace, a strongly fortified place, and reserved to himself the general attack on the city.

The Baltimore Battalion, in company with others, on the night of Sunday, September 20th, were ordered near the city, to cover the men engaged in erecting the mortar batteries. Early on the following morning, the fourth brigade, consisting of the Baltimore battalion, four companies of the first infantry, with six companies of the third infantry, the whole under the command of Colonel Garland, were ordered to approach the city at the southeast or lower end, defended by three forts, a tan-yard with formidable defenses, a distillery dotted with infantry, rifemen and four-pounders, while the yards were crowded with lancers. After and hour's march, the battalion issued from a corn-field directly in front of Fort Teneria, mounting some six or seven pieces of artillery, and crowded with infantry, which opened on them as soon as the head of the column made its appearance. The battalion was now within point-blank range, and immediately formed in line of battle under the terrific fire, and soon were ordered to attack the fort in advance of the northeast corner of the city. With no support whatever from the artillery, the battalion, at the word charge, rushed furiously upon the enemy's earthworks from ten to fifteen feet high, and surrounded by a deep ditch, in the face of a storm of round-shot and shell, grape, canister and musketry, that tore their ranks to pieces. When within a few yards of Fort Teneria, Ridgely and his battery passed towards the city, and the battalion was ordered to follow. Passing between two forts, and advancing upon a third, they entered the city, where, from the tops of houses, from the corners of streets, from windows and barricades, poured down one continued storm of bullets. Without shelter, in a narrow street, exposed to the enemy in every direction, without the possibility of effectually returning his fire, officers and men fell rapidly. Onward the battalion went, men and horses falling at every step. Cheers and words of command added to the din, while the roar of the guns was absolutely deafening.

Colonel Watson, with the most undaunted bravery, leading on and encouraging his men, under this terrible fire, was repeatedly urged to be more

prudent, but disregarding his safety, his eye beaming with patriotic enthusiasm, his bosom swelling with pride as he glanced at his men, his arm extended, sword in hand, pointing to the enemy, he refused to retire until he had made two unsuccessful charges on the *place* and other parts of the city.

The battalion advanced up the street under a terrific fire from all sides, "as far as brave men could go. There was no going any further."[1] Here all those who had succeeded in getting this far, halted as if by mutual consent, and sought shelter. In about ten minutes time, Colonel Watson, rallied his command and again charged up the street, about fifty yards further, when Colonel Garland, finding the enemy strongly posted and in overwhelming numbers, ordered a retreat. The gallant survivors of the battalion, who "were unable to fight or do more than they had done," now retired from the city in good order. Upon emerging into an open field, Captain Kenly, finding that he was the senior officer present, rallied the battalion, and led them down to make another attack on the fort. Greatly to his surprise, however, upon nearing it, he found that it had been captured by the American troops, when it opened its fire on the Baltimore Battalion as it charged into the town. Captain Kenly was now ordered to shelter his men in a ditch, from the fire which was as hot and incessant as ever, and wait for further orders. He marched as directed, and while waiting for orders, the sad intelligence reached him of the death of the gallant Watson. It appears that Colonel Watson, in retiring from the city, inclined a good deal to the left, and became separated from the main body of the battalion. In company with Lieutenant Bowie, who had remained with him, he met another column advancing to the attack, which he joined with the few men he had with him, and fell a few moments afterwards, struck in the neck by a musket-shot, which severed the jugular vein, killing him instantly.[2]

COL. WILLIAM H. WATSON.

[1] Kenly's Memoir, etc., p. 110.

[2] William H. Watson was the only son of Thomas A. and Rebecca H. Watson, and was born on the 30th day of August, 1808, in Baltimore City. Upon the completion of his education, he chose the profession of law, and entered as a student under the instruction of his uncle, Colonel William H. Freeman, then favorably known as one of the practitioners of the Baltimore bar. He was admitted to the bar of Baltimore County Court on the 14th of January, 1828, and about the same time, he married the daughter of Captain Lemuel G. Taylor. He practiced his profession in the various courts of Baltimore with considerable success until December, 1835, when he was appointed a magistrate by Governor Veazy. While acting in this capacity, in the fall of 1836, he was chosen a member of the First Branch City Council from the second ward. In 1838, he was elected a member of the House of Delegates, and was in 1843, when he was chosen to the responsible station of Speaker of the House of Delegates. He was, subsequent to this, aide on the staff of Governor Pratt, with the rank of colonel, captain of the Independent Blues of Baltimore, infantry company, and, upon the breaking out of the war with Mexico, he was commissioned, by the governor, lieutenant-colonel of the battalion he commanded when killed. He was, also, a member of the Independent Order of Odd Fellows, and the Columbian Fire Company.

After a severe contest of three days, on the 25th of September, the Mexican ensign was hauled down from Fort Teneria, and the flag of the Baltimore battalion, which had been presented by the ladies of that city, was hoisted in its place, while a national salute was fired by Lieutenant James L. Donaldson, of Baltimore, in honor of the storming and capture of Monterey.[1]

A sad result of this battle was the loss to Maryland of another accomplished officer, and one of her most patriotic and devoted sons—the gallant Randolph Ridgely, the worthy successor of Ringgold, escaped the carnage of Monterey, to perish by an accident.

The streets of the city were paved with basaltic blocks, and many had been torn up to form barricades. In the main street, or road to Saltillo, one of these had been torn down, and the stones scattered about. Ridgely was riding at full speed down this street, when his horse stumbled upon the loose stones and fell, throwing his rider, whose head struck a sharp corner of a block, and the skull was fatally fractured. His death occurred on October 27th, 1846.[2]

[1] General Twiggs, referring to the battle of Monterey, publicly declared that "the Baltimore battalion throughout did acted as brave and noble a part in the three days' struggle as any troops in the American army."

[2] Randolph Ridgely sprung from the old "Maryland Line" of Revolutionary heroes. The Randolphs, of Virginia, and the Ridgelys, of Maryland, were his kindred on both sides. In early youth he was distinguished for personal daring and intrepidity, so much so that his father, General Charles Sterett Ridgely, of Elk Ridge, plainly discerned, from the development of his genius, that he was born to the profession of arms. He was sent to West Point Military Academy in 1838, and continued there until 1842. On the 1st of July, 1847, he was commissioned second lieutenant of the 3d Artillery; was distinguished in the Florida War, and promoted to first lieutenant in July, 1836, and adjutant in the same year. He was, for several years, stationed at Fort McHenry, Baltimore, as first lieutenant of Major Ringgold's battery. Upon the death of Ringgold, he assumed command of the company, and "for gallant and distinguished service in the battles of Palo Alto and Resaca de la Palma" he was on the 9th of May, 1846, brevetted captain. This honor he declined to accept, but accepted the position of assistant adjutant-general, with the rank of captain, which had been conferred upon him in July previous. He was a great favorite with his brother officers, and was idolized by his men. General Taylor held him in the highest estimation, and when he heard of his death, the stern old warrior was heard to say, with great emotion, his feelings almost choking his utterance, "Ridgely's place cannot be filled." General John R. Kenly says: "When we were entering the town at the second assault, Ridgely came tearing along with his section, his head slightly bent forward, with his face to the right, as if marking a storm of shot, instead of iron, rain and leaden hail, as it was; while in his position, passing and marshaling forward with the Baltimore battalion, his whole face lighted up with a smile, and he cried out, 'Kenly, what do you think of this?—it seems to do him good to know that I was in the same predicament with him." The following handsome tribute is paid him by Captain William S. Henry, of the United States 3d Infantry: "If any officer has particularly distinguished himself, it is the lamented Ridgely. His dauntless courage and reckless exposure of person, combined with the most perfect coolness and judgment in the hottest fire, won all his opinions 'as hits from all.' Those who knew him in the social circle can well appreciate his loss. A bright star is extinguished! He will never return to pluck fresh honors for and add new lustre to the gallantry and chivalry of the service. Strange and unfathomable fate! He died from a fall from a horse, than whom none could ride with more grace and fearlessness, nor manage with more tact, spirit and dexterity. He was probably the best rider in the world, an accomplished and polished gentleman, and one of the most humane and valiant officers of the army."—*Campaign Sketches*, p. 284.

Captain Samuel Chase Ridgely, also of Maryland, was brevetted major "for gallantry and meritorious conduct in the battles of Contreras and Churubusco."

Among the many distinguished soldiers in Mexico from Maryland, Captain Samuel Hamilton Walker was the most remarkable. He was born in Prince George's County, in 1815, and captain of Texas Rangers on the Rio Grande. In May, 1846, he distinguished himself in com-

On November 24th, 1846, while the Baltimore Battalion was encamped at Monterey, awaiting orders, Brevet Major Robert Christie Buchanan, of the 4th Infantry, United States Army, a native of Baltimore, was assigned to the command by order of General Twiggs, and at the request of the officers of the battalion. This gallant and accomplished soldier immediately assumed command, and by his teachings and strict discipline he soon had a command as efficient as any regulars in the army. In view of contemplated movements, a reorganization of the First Division was found necessary; and, accordingly, on the 10th of December, the Baltimore Battalion was transferred

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munication with Fort Brown and again in the battle of Palo Alto. He was appointed, in June, 1st lieutenant and adjutant of Hays' Texas Rangers, and distinguished himself in the battle of Monterey. Appointed captain of mounted rifles on the 27th of May, 1846, he distinguished himself in an engagement near Las Vegas on the 30th of June, 1847; again distinguished in the battle of Huamantla, and, in leading a charge, was killed, 9th of October, 1847. As a partisan soldier, he had not, perhaps, his equal in any service: prompt, daring and energetic, his fiery ardor was yet tempered in the midst of danger by the most imperturbable courage. General Lane, the commanding general, in his official report, says: "This victory is shadowed by the loss of one of the most chivalric, noble-hearted men that graced the profession of arms—Captain Samuel Walker, of the mounted riflemen. Forward in the advance, he fell rushed the enemy, when he fell mortally wounded."

Francis S. Belton, of Maryland, was brevetted colonel, "for gallantry and meritorious conduct in the battles of Contreras and Churubusco," and distinguished in the capture of Mexico. William Chapman was distinguished in the battles of Palo Alto, Resaca de la Palma; brevetted major, "for gallantry and meritorious conduct in the battles of Contreras and Churubusco," and brevetted lieutenant-colonel, for same, in the battle of El Molino del Rey. James Lowry Donaldson was brevetted captain, "for gallantry and meritorious conduct in several conflicts at Monterey," and brevetted major, "for gallant conduct, etc., in the battle of Buena Vista." John H. Gore was brevetted captain, "for gallant conduct, etc., in the battles of Contreras and Churubusco," and brevetted major, for same, at El Molino. Richard P. Hammond was brevetted captain, "for gallant conduct, etc., in the battle of Cerro Gordo" and brevetted major, for same, in the battles of Contreras and Churubusco. Edmund Lafayette Hardcastle was brevetted first lieutenant, "for gallant conduct, etc., in the battles of Contreras and Churubusco," and brevetted captain, for same, in the battle of El Molino del Rey. John Rigby Howard was brevetted major, "for gallant conduct, etc., in the battles of Chapultepec." Henry Moses Judah was brevetted first lieutenant, "for gallant conduct, etc., in the battle of El Molino del Rey, and brevetted captain, for same, in the battle of Chapultepec. John H. Lockman was brevetted first lieutenant, "for gallant conduct, etc., in the battles of Contreras and Churubusco," and brevetted captain, for same, in the battle of Chapultepec. Lewis Henry Little was brevetted captain, "for gallant conduct, etc., in the battle of Monterey." George McLane was brevetted first lieutenant, "for gallant conduct, etc., in the battles of Contreras and Churubusco," and brevetted captain, for same, in the battle of Chapultepec. Daniel H. McPhail was brevetted major, "for gallant conduct, etc., in the battles of Contreras and Churubusco." William A. T. Maddox was brevetted captain, "for gallant conduct, etc., in the battle of Santa Clara, and in suppressing insurrection at Monterey, California." Lyon S. Miles was brevetted major, "for gallant conduct, etc., in the defence of Fort Brown," and brevetted lieutenant-colonel, for same, in "several conflicts at Monterey." John Strieker Nicholson was brevetted first lieutenant, "for gallant conduct, etc., at the storming of Chapultepec and the capture of the City of Mexico." Bennet Riley was brevetted brigadier-general, "for gallant conduct, etc., in the battle of Cerro Gordo," and brevetted major-general, for same, at Contreras. Richard H. Ross was brevetted major, "for gallant conduct, etc., in the battle of Monterey," and brevetted lieutenant-colonel, for same, in the battle of Contreras. Henry B. Schroeder was brevetted first lieutenant, "for gallant conduct, etc., in the battles of Contreras and Churubusco." George Sykes was brevetted captain, "for gallant conduct, etc., in the battle of Cerro Gordo." Nathan Towson was brevetted major-general, "for meritorious conduct in performance of duties in prosecution of the war with Mexico." William Turnbull was brevetted lieutenant-colonel, "for gallant conduct, etc., in the battles of Contreras and Churubusco," and brevetted colonel, for same, in the battle of Chapultepec. John H. Winder was brevetted major, "for gallant conduct, etc., in the battles of Contreras and Churubusco" and brevetted lieutenant-colonel, for same, on entering the City of Mexico. James J. Archer was brevetted major, "for gallant conduct, etc., in the battle of Chapultepec."

from the Fourth Brigade to a volunteer brigade, consisting of the First Mississippi, the First Tennessee, and the First Georgia Regiments, under the command of Brigadier General John A. Quitman, United States Army.

On the 12th of December, marching orders were received; and on the 14th, the battalion, after nearly three months camping in the wood of San Domingo, near Monterey, took up its line of march for Victoria, distant some two hundred miles to the south-east. General Taylor and the headquarters of the army of occupation, marched with the Baltimore Battalion, and the initiative of a new campaign was now taken. On the 18th, when near the town of Monte Morelos, General Taylor retraced his steps to Monterey (having received intelligence that General Santa Ana was threatening General Worth at that place) with the First Division of regulars. On the same day, the First and Second Tennessee Regiments were brigaded under the command of Colonel Campbell, of the First Tennessee; and the First Mississippi and First Georgia and the Baltimore Battalion were also brigaded under Colonel Jackson, of the Georgia Regiment, the whole under the command of Brigadier General Quitman.

After a long and trying march, with loaded arms, and in compact column, General Quitman's division, with the Baltimore Battalion in the advance, took formal possession of Victoria, the capital of the State of Tamaulipas, on the 29th of December, and the flag of the battalion was hoisted on the flag-staff of the State House. Here the command was joined, on the 1th of January, 1847, by General Taylor, with Twiggs' First Division, from Monterey, and General Patterson with his division of volunteers from Camargo. Here General Taylor also received intelligence of the arrival in Mexico of General Winfield Scott to assume command of the army; and in pursuance of his instructions, on the 16th of January, with a small body of troops, he returned to Monterey to remain on the defensive, while the rest of his command, consisting of the First Division, composed of the First, Second, Third, Sixth and Seventh Regular Regiments of infantry, and two companies of rifles, under Brigadier General Twiggs, and the Second Brigade, composed of the First and Second Tennessee and the Third Illinois Regiments of infantry, and a regiment of Tennessee cavalry, and one section of artillery, under Brigadier General Gideon J. Pillow; and General Quitman's Brigade, now consisting of the First Georgia, the Fourth Illinois, one company of mounted Tennesseans and the Baltimore Battalion, received orders to march to Tampico, where they were to wait for the arrival of General Scott.

After a tiresome march of one hundred and fifty-six miles from Victoria, the command under General Twiggs, on the 28th of January, 1847, arrived at Tampico, the ancient capital of the Aztec Mexican province of Guasteca or Mechoacan. The town had been previously evacuated by General Santa Anna, and had been taken possession of by Commodore Connor, of the U. S. Navy, and the army was now being concentrated here awaiting the arrival of General Scott. On the 19th of February he arrived in the city, and on the

25th he ordered General Patterson to detail Colonel D. Bussey's regiment of Louisiana Volunteers, the Baltimore Battalion, and Captain Wyse's Battery of Regular Artillery, all under the command of Colonel William Gates, of the Third Artillery, United States Army, to garrison Tampico, while the rest of the army were to assist in the capture of Vera Cruz.

The designation by General Scott in general orders of the troops that were to remain in charge of Tampico, was considered by those who were selected a very high honor, and indeed, from the time of General Scott's departure this small force was compelled to remain by their guns day and night for fear of an attack, which was constantly threatened. In a few days, however, on the 29th of March, Vera Cruz surrendered to the United States, and the Baltimore Battalion, who were assigned to the eastern defences of the city, had the honor to fire a salute for the victory. The command was now comparatively at rest, but General Scott was prepared to march into the interior, and as the end of the battalion's term of service approached, various efforts were made to induce these veterans to re-enlist for the war. A large number of the men re-enlisted under Captain James Boyd, Lieutenant James Taneyhill and others, and the remainder returned home.

The battalion continued in service until the 30th day of May, 1847, at Tampico, when their term of service having expired, they were mustered out and honorably discharged by Major William W. Morris, of the United States Army. Thus, after twelve months of honorable service, the battalion of Baltimore and Washington volunteers, completed, with fidelity, until the last hour of its term of enlistment, its obligations to the government, and prepared to return home.

Before their departure, however, Colonel William Gates, Third Artillery, United States Army, commanding the department of Tampico, issued the following general order, complimenting them on their past services, and expressing a desire to retain them in the service:

"*Headquarters Department of Tampico,*
Tampico, Mexico, May 26th, 1847.

"[Orders No. 33.]

"It has been the earnest wish of the Colonel commanding, that orders from the general headquarters of the army should have been received, directing him when and where the battalion of Baltimore and District of Columbia Volunteers should be honorably mustered out of service, but circumstances not within his control have obliged him to retain it at Tampico until the last day of its term of service.

"He cannot here refrain from expressing the satisfaction he has experienced in beholding this brave body at its post, where it is so much regarded, and where he would gladly retain it during the war. Nevertheless, as that period has arrived when the expiration of the relations so long amicably existing between that corps and their commander must cease, he here proclaims it honorably mustered this day.

"His Excellency, the President of the United States, foreseeing these results, and desiring the continuance of the services of volunteers requisite for the prosecution of the plans, in the event of the prolongation of hostilities with the enemy, the colonel commanding would testify his desire that these well-drilled, experienced, and gallant companies

would again promptly present themselves for enrollment, under the respective officers, determined to abide the issues of their country's struggle, whatever it may be, secure in their acknowledged prowess and capacity in asserting her rights.

"Major Buchanan, whose well-tried fidelity and judicious performance of service have won the entire confidence of your commander, who seizes this opportunity to make known his thanks, has been officially authorized to make terms with the officers and men of this battalion, from the city of heroic monuments and patriotic associations, by which, if any of you think proper to enroll yourselves, a sixty days' furlough will be given, and on your return to Mexico, the twelve dollars bounty paid; and highly pleased will the commandant be, if even one company will raise their standard on the parade for this purpose; but if not, and he is left to say you part away, offers you his cordial good wishes that you may have a speedy passage, and find your families, relatives and friends ready and proud to greet you as your honorable services justly entitle you.

"(Signed) "WM. GATES,

"*Colonel Third Artillery, Commanding.*"[1]

Before leaving Tampico, their commander, Brevet-Major Robert C. Buchanan, addressed the following letter to the Honorable Jacob G. Davies, Mayor of Baltimore, concerning the presentation of the battalion flag to the city:

"*Tampico, May 31st, 1847.*

"Dear Sir—The term of service of the Baltimore Battalion having expired, it becomes necessary to make a suitable disposition of the flag under whose folds it so gallantly fought and so faithfully sustained the toils and privations incident to the last twelve months' campaign. The officers of the battalion desire that it should be presented by the corporation of the city, to be kept in the City Hall as a memorial of their regard for Baltimore. In this arrangement I most heartily concur. It therefore becomes my agreeable duty to forward the flag to you, the chief magistrate of the city, with the request that it may be disposed of in accordance to the wishes of the donors. By our fellow citizens it may well be regarded with feelings of pride, as having been the standard of a body of their friends which, for good discipline, soldierly deportment, and efficiency for hard service, stood in a most enviable position. The Rio Grande, Monterey, Victoria, and Tampico will all bear witness to the service of the battalion. Sergeant-Major William T. Lennox, who carried the flag in the battle of Monterey, after Hart was wounded, and who has been the color-bearer since that time, will be intrusted with the duty of delivering it to you. I am, Sir, with much respect,

"ROBERT C. BUCHANAN,

"*Brevet-Major Fourth Infantry, commanding Battalion.*

"To Hon. Jacob G. Davies, Mayor of Baltimore, Maryland."[2]

On the return of the battalion, it was welcomed home with distinguished honors and hearty congratulations. And on the 10th of July, in compliance with the request of the battalion, the first American flag that was ever planted on the walls of Monterey, was presented to the City of Baltimore, by Captain James E. Stewart, the senior officer, on behalf of his command. The mayor received it in the presence of a large audience with an eloquent address, which was appropriately responded to by Captain John R. Kenly.

Shortly after Captain Kenly's arrival home he was informed by Governor Pratt, that the President had notified him that a battalion of volunteers was

[1] Kenly's *Memoirs*, p. 275.

[2] Kenly's *Memoirs*, p. 276.

to be raised in the District of Columbia and the State of Maryland, of which the President was to appoint the lieutenant-colonel, and Governor Pratt the major. Recruiting was going on slowly for such an organization, and with the assistance of Captain Kenly, on the 20th of July, 1847, a sufficient number of companies were enlisted to authorize the appointment of major by the governor, and on that day Captain Kenly was commissioned major of the District of Columbia and Maryland Regiment of Volunteers. He immediately entered upon the discharge of his duties, and also soon succeeded in raising a sufficient number of volunteers to form an artillery company, to be attached to the battalion, it being understood that such would be accepted by the government. The artillery company was commanded by Captain Lloyd Tilghman, of Maryland. In a short time a sufficient number of men having been mustered in, Brevet-Major George W. Hughes, of the United States Army, was commissioned lieutenant-colonel of the battalion by the President. He was soon after appointed colonel, and William H. Emory, first lieutenant and brevet-major of the Topographical Engineers, was commissioned lieutenant-colonel.

On the 24th of July, Captain Kenly embarked from Fort McHenry on the transport-ship *Alexandria*, with the three Maryland companies under his command, and in one month dropped anchor off the port of Vera Cruz. On the 1st of September, 1847, Colonel Hughes joined his regiment and assumed command, and on the 6th they broke up camp at Vergara, and took up the line of march for the National Bridge. On the 9th, after a severe march, they arrived at the place of destination, which Colonel Hughes very skilfully surprised, thus getting possession of a post which during the whole war had been a thorn in the flanks of the American army. The National Bridge was one of the strongest natural passes in the country, and was the rendezvous of the numerous guerilla bands who were operating on the roads to the City of Mexico through the Tierras Calientes. The loss of this place was the death-blow to the guerrilla system which had nearly been successful in paralysing the efforts of our army.

While this small force held the pass, the enemy gave them but little rest; day and night they made frequent attacks, and kept the brave defenders busy in driving off the small guerrilla parties in their numerous raids on the village. On the 13th of September they were reinforced with about five hundred recruits under Captain Meintzelman, Second United States Infantry, who had been constantly harassed by the enemy on their march. And, on the 22d, they were further re-enforced by Brigadier General Lane, with a force of sixteen hundred men. Upon his arrival, General Lane assumed command, and immediately began to fortify the place against attack. The Thirteenth Regiment of United States Infantry, Colonel Echols, having arrived to relieve the Baltimore regiment, they left the post on the 6th of November with a column of two thousand five hundred men to re-enforce General Scott at the City of Jalapa. On the 22d, the Baltimore regiment, as

it was called, were ordered into Jalapa as a portion of its garrison, and Colonel George W. Hughes appointed military governor of the department. Here they were joined on the 4th of December, by Captain Lloyd Tilghman's battery of artillery which had arrived from Baltimore, and which was now attached to the regiment. Captain Chatham R. Wheat's company of cavalry recruited in Vera Cruz, and the 'Twiggs' Mounted Rifles were also now attached to the regiment. In the month of December, Captain Francis B. Schaeffer arrived with a fine rifle company from Washington which was also permanently attached to the regiment. On the 6th of January, 1848, the regiment was sent to Cerro Gordo to re-enforce the troops at that point who had been attacked by guerrillas; and on the 28th of March three companies of mounted men were sent under the command of Major Kenly to escort General Santa Ana (who had resigned the presidency of Mexico), from the village of San Miguel to his estate near Jalapa, before his departure from the country.

On the 13th of September, 1847, the City of Mexico surrendered to General Scott, and on the 29th of May, 1848, in the same city, Major General Butler announced in general orders that the war was ended, and that the object of it, a treaty of peace, just and honorable to both nations, had been duly ratified. On the 12th of June, the American army marched out of the City of Mexico, and on the 16th, the Baltimore regiment marched from Jalapa for home. They arrived at Vera Cruz on the 20th, and on the 22d, embarked on vessels for New Orleans. In due time the command arrived at Pittsburg, Pennsylvania, where it was mustered out on the 20th of July, 1848, and thus terminated their services in the war with Mexico.[1]

In the achievements of her sons upon the battle-fields of Mexico Maryland possesses a precious inheritance of glory. To illustrate their devotion and her own renown she may point to Palo Alto, Resaca de la Palma and Cerro Gordo; to Monterey, with its memorable charge, where the intrepid and impetuous Watson exclaimed, "who will dare say hereafter, volunteers cannot be depended on in any fight!" to the vain valor of her sons at Buena Vista; to the storming of the heights of Chapultepec, these and many others, form a galaxy whose splendor is not obscured by a comparison with the achievements of any other State. In this, as in every other war with which this country has been engaged, there is neither spot nor blemish to mar her beautiful and time-honored escutcheon. She did her whole duty and was not wearied. Her losses in distinguished men were greater than those sustained by any other State. Colonel Cross, of Maryland, was the first who fell, and his brutal murder first aroused the spirit of indignation and revenge. The brave and accomplished Ringgold, the gallant Watson, the chivalrous Ridgely, the Major of the army, the young, but heroic Thomas and Lear,

[1] Treaty of peace between Mexico and the United States was signed February 2, 1848 ratified by the President of the United States March 16, 1848, exchanged by the President of Mexico May 30, 1848, and proclaimed by the President of the United States, July 4, 1848.

Hyatson and many others less prominent, but not less brave, generously offered up their lives to advance the honor and glory, and to perpetuate the power of their country.[1]

On the 29th of January, 1848, the General Assembly of Maryland passed the following resolutions:

"*Resolved by the General Assembly of Maryland*, That the thanks of the General Assembly of Maryland are justly due and are hereby tendered to the rank and file of the Baltimore and District of Columbia Battalion, also to the Maryland Battalion, and all other officers and citizens of Maryland, serving in the army and navy of the United States, for gallant and meritorious conduct during the late war with Mexico.

"*Resolved*, That the Governor be requested to make the above resolution known in general orders."

[1] Besides the Baltimore and Washington battalion, comprising about 400 men, Maryland contributed to this war the following companies: One battery of artillery, commanded by Lloyd Tilghman, about 125 men; Captain Walker's company of United States mounted rifles, 150 men; Captain John E. Howard's company of United States volunteers, 100 men; Captain James J. Archer's company of United States volunteers, 100 men; Captain Richard T. Merrick's company of 30 United States dragoons, 100 men; and Captain Butler's company of 30 United States dragoons, 100 men. In addition to these there were at least 500 men recruited in the State for the army at large, and fully as many for the navy. So that it may be said that Maryland gave 2,500 men to the government during the war with Mexico. The Maryland Legislature passed resolutions for gallant and meritorious conduct, in favor of the following Marylanders, who distinguished themselves in the war with Mexico: Colonel Trueman Cross, Major Samuel Ringgold, Colonel William H. Watson, Major William Lear Gerrard, Captain Randolph Ridgely, Passed Midshipman John Ringgold Hyatson (United States navy), Captain Samuel H. Walker, Captain Odon Bowie, Lieutenant Raphael Semmes, (United States navy), Lieutenant Arnold Elzey (second regiment of artillery), Lieutenant John Contee, Lieutenant Colonel William H. Emory, Brevet Major James Lowry Donaldson, Colonel Robert C. Buchanan, Major John K. Kane, Lieutenant Isaac S. Strevett (United States navy), Lieutenant James Madison Frailey (United States navy), Captain Henry Little, Captain James E. Steuart, Major Daniel H. McNeil, Brevet Major John Eager Howard, Brevet Major James J. Archer, Captain James G. Murriel, Captain James Piper, Lieutenant Alexander H. Cross, Bolter, Swan, Robert H. Archer, William H. Pittsburgh regiment of volunteers, United States army; Brigadier General Bennet Riley, to whom Maryland also voted a sword, Captain Franklin Buchanan, and Surgeon Mason Pinkney, of the United States navy.

CHAPTER XI.

The brilliant achievements of General Taylor in Mexico, and the successful issue of the war, gave him great popularity; and at an early period a strong movement was felt to place him in nomination as a candidate for the presidency. It was admitted that he was no statesman and had no acquaintance with civil affairs; but he was a skillful and brave general, and an upright and honorable man. His military record was confidently relied on to cover all his defects; and there was no doubt that popular enthusiasm, always dazzled by military success, would be strong in his favor. Although he was said to be a whig, he had in all his correspondence disclaimed party attachment and party preferences, and had scrupulously refrained from any declaration of his political opinions. A "Taylor State Convention" composed of prominent and influential gentlemen of all parties assembled in Baltimore on the 26th of April, 1848, and nominated General Taylor for the presidency. This "no party" convention in their address "to the people of Maryland and of the United States," said that the only remarkable thing that characterizes this movement of ours consists, we may presume, in this, viz.: that we have met together, in our representative capacity, as citizens, in the exercise of the rights of citizens, *without regard to party distinctions*; and being of the opinion that General Taylor is the only man who can unite the moderate men of all parties, and thus prepare the country for the severe ordeal through which our institutions may have to pass in the course of approaching events, we have chosen, without waiting for the permission of hasty conventions, to act upon that conviction, and to invite our countrymen who may, upon reflection, adopt the same views to act in conjunction with us. * * *

"So well aware are we of the necessity which calls General Taylor's presence at the head of the Government, that our support of him is not made subject to any contingencies that might transfer it to another. We are not here to select a candidate for the people and to tell them how they are to vote. The people have to choose their own candidate, and we have met to announce the fact, and to declare in their name and in our own that we will support for the presidency no other man."

In response to a letter from this convention, General Taylor said:

"The political sentiments embraced in the preamble and resolutions adopted at that meeting, I rejoice to say, meet my cordial approval and assent. No movement in any part of the country, having the object to offer testimonials of honor and respect towards

myself, or to advocate my election to the Presidency, have caused in me more lively pleasure, or demand more my gratitude." And they having made the nomination "on their own responsibility, free from party action, and the exaction of pledges from myself, I shall serve them solely as a constitutional, and not as a party President."

On the 12th of May following, the Whig State Convention convened in Baltimore and put in nomination an entire State ticket. The members to this convention were nearly equally divided between the supporters of General Taylor and Mr. Clay, and the delegates to the National Convention were instructed to procure Mr. Clay's nomination if they should deem it practicable, and if not, they were then to support General Taylor. The Whig National Convention met at Philadelphia on the 1st of June, 1848, and on the third ballot nominated General Taylor for president. Millard Fillmore, of New York, was on the second ballot nominated for vice-president.

The National Convention of the democratic party met in Baltimore on the 22d of May, 1848. The convention organized by the selection of Honorable Andrew Stevenson, of Virginia, for president, one vice-president from each State, and a large number of secretaries. On the 25th, balloting was commenced for president, when James Buchanan, on the first ballot, received 55 votes; Lewis Cass, 125; Levi Woodbury, 81; James Calhoun, 9; Worth, 6; G. M. Dallas, 3; whole number of votes cast, 251; necessary to a choice under the two-thirds rule, 168. On the second ballot Cass received 131; Woodbury, 54; Dallas, 3; Worth, 5. On the third ballot Cass received 156; Woodbury, 53; Buchanan, 40, and Worth, 5. On the fourth ballot Cass received 179; Woodbury, 38; Buchanan, 33; General William O. Butler, 1, and Worth, 1. General Lewis Cass, of Michigan, having thus received more than two-thirds of the votes cast, was declared to be the candidate of the democratic party. On the second ballot, General William O. Butler, of Kentucky, was unanimously nominated as the candidate for vice-president.

The session of this body was protracted four days by the circumstance that two sets of delegates presented themselves from the State of New York—each claiming to be the representatives of the democratic party in that State, and each having been elected in a convention composed of members from every part of the State. This division, which every attempt to heal proved unavailing, arose from the democrats of that State taking opposite sides on the "Wilmot Proviso," as it was called, from the name of the member from Pennsylvania, who first proposed it; which proviso made the exclusion of slavery obligatory on all territories and States thereafter to be created or admitted into the Union. The convention, declining to decide between the two delegations, agreed to admit them both, allowing them only the vote to which the State was entitled, but they both objecting to this arrangement, and declining to vote, New York in this selection of nominees was unrepresented. Subsequently, the delegates from New York, representing what was termed the "Hunker Party," sanctioned the nominations of Cass and Butler; but the other set of delegates, being highly

exasperated, withdrew and called a convention of the "Barnburner or Free Soil Democracy,"[1] which assembled in Utica on the 22d of June, when ex-President Martin Van Buren was nominated as a candidate for the presidency, with General Dodge, of Wisconsin, for the vice-presidency. General Dodge declined the nomination, but Mr. Van Buren acceded to the wishes of the convention, and was afterwards endorsed by the convention of free soil democrats, which assembled at Buffalo. They nominated Charles Francis Adams, of Boston, as vice-president on the ticket with Mr. Van Buren.

On the 7th of November, the election took place and resulted in the election in Maryland of W. D. Gaither, A. G. Edge, Joseph H. Coltman, J. D. Roman, J. M. S. Causin, J. M. Harris, B. C. Wisner and J. Derickson, the Taylor electors, by a majority of three thousand one hundred and sixty-four. In the general result, General Taylor and Millard Fillmore each received one hundred and sixty-three electoral votes, and General Cass and General Butler, one hundred and twenty-seven electoral votes each. No votes were cast for Van Buren and Adams.

Upon the assembling of the Legislature, Governor Philip Francis Thomas, on the 3d of January, 1848, laid before that body a message of great force and power, principally upon the question of constitutional reform and retrenchment. He distinctly avowed himself in favor of the resumption of payment of the State debts, and determined to give all the aid in his power to render the revenue and tax laws effective. In a lengthy argument he favored the call of a convention for the purpose of revising the Constitution, and recommended that the sense of the people be taken on the question. This act of justice was again, however, denied the people. For more than thirty years a large majority of the people of Maryland had been ineffectually importuning the Legislature to give them the opportunity to revise the Constitution. Bills directing the call of a convention for that purpose, had been repeatedly passed by the Lower House, and as often rejected by the Senate. Within the last four years a "Reform Party" had been organized, the members of which bound themselves not to vote for any candidate for either branch of the Legislature, who would not pledge himself to support the call of a convention. This party, notwithstanding the opposition of the smaller counties on the Eastern Shore, had now acquired power and influence, and assembled in convention in Baltimore on July 25th, 1849, to make public declaration of their objects, which was done in a set of strong resolutions. They also

PHILIP FRANCIS THOMAS.

[1] The "Barn Burners" were an offshoot of the Democratic party of New York, in 1847. So named in satirical allusion to the story of a Dutch farmer, who was said to have burned his barn in search of rats and mice.

recommended the formation of committees and clubs throughout the State to promote the cause of constitutional reform, and adjourned after a session of two days.

At the fall elections of 1849, in a number of the counties the whigs and democrats united in running "Reform" tickets for members of the Legislature, without reference to political distinctions, and in others, and in Baltimore City, the candidates of both parties were pledged to the measure of "Constitutional reform." The result of the election in the City of Baltimore for members of the House of Delegates, astounded both parties. The whole democratic ticket was elected by an average majority of twenty-one hundred and eighteen. The House of Delegates, which consisted of eighty-two members, was, in 1848, composed of fifty-seven whigs and twenty-five democrats, but now the whigs only succeeded in electing forty-seven, to the democrats thirty-five. The Senate contained fourteen whigs to five democrats, with three vacancies.

Upon the assembling of the Legislature, on December 31st, 1849, Governor Thomas, in a message of great ability, reviewed, in a most satisfactory manner, the financial and general affairs of the State. The gloom which had overspread the State in regard to the public debt was, under the administration of Governor Thomas, entirely removed, and Maryland restored to the high and honorable position from which she had temporarily fallen. Her credit was entirely restored, and her creditors reposed, with full confidence, in her disposition and ability to discharge her obligations with punctuality. Maryland stocks were once more sought after by capitalists of this country and Europe, as a secure and profitable investment.

Governor Thomas, in his message to the Legislature, gave the pleasing assurance that by adhering to the system of taxation which he had boldly adopted and perseveringly carried out, not only would the State discharge the interest on her public debt with punctuality, but the whole debt could be paid with certainty, in a period not extending beyond thirteen years.

The governor also referred to the resolutions passed by the several southern States on the subject of exclusion of slavery from the new territories, as follows:

"Resolutions of the Legislatures of the States of Virginia, South Carolina, Florida, Missouri, New Hampshire and Vermont, in relation to the subject of slavery in the territories of the United States, are herewith transmitted, and will be found to present the true issue between the northern and southern sections of the Union, upon that dangerous and threatening question, in a manner that cannot fail to command itself to your most thoughtful consideration, and to elicit a solemn declaration of the policy which Maryland will feel bound to adopt, should a choice of alternatives be precipitated upon her. The dark and baleful spirit of abolitionism, which has hitherto contributed so fearfully to alienate the affections of the people of these States—to disturb the harmony and to endanger the permanence of the Union, is still progressing in its mad career, unmindful of the compromises which alone imparted vitality to the Constitution, and regardless alike of the admonitions of patriotism, the dictates of justice, and the equal and unalienable rights of all the members of this confederacy. Concealing its lust for political power,

under the specious garb of an enlarged philanthropy, while it is striking upon the labor of the slave, it wages unceasing and relentless warfare against the rights of his master. What was once considered and treated as an imputed fanatical fiction of wicked or deluded fanatics, from the very immunity which a cautious forbearance too often affords, has now assumed the character of a formidable sectional organization, resolved, unless the signs of the times are strangely deceptive, not only to appropriate to its own exclusive use the common property of the United States, but, by forcibly depriving the southern States of all participation in its enjoyment, to disgrace and degrade them from an equal rank with the other States of the Union. The Constitution of the United States recognizes, without limitation, the institution of domestic slavery, guarantees its existence, and vindicates the right of the owner to the possession and service of the slave, and it cannot be doubted that if the power now claimed to be exercised by Congress, to prohibit the emigration of the people of the slave-holding States, with their property and effects of all kinds, to any territory owned by the United States, had been asserted at the time when the Constitution was submitted for ratification to the States, that instrument would not have been adopted, nor could the Union have ever been formed. If the union of the States can only be preserved by an unconditional surrender of clear constitutional rights, secured to its members, if the Federal Government, instead of a system of liberty, equality and law, is to be perverted into an engine of force, oppression and fraud, then, indeed, has the day arrived, when the South, at least, must pause, in sorrow and anguish, to calculate its value. The crisis, though impending, is not yet come, and the evil hour of disunion, so much to be deprecated, may, it is devoutly to be hoped, be forever averted. Non-intervention is all the South has ever asked, and, however reasonable the request, it has been, more than once, coldly, if not indignantly, refused. The time for reason and argument seems to have gone by, and the perpetuity of this mighty republic, with all the countless blessings which it is capable of imparting, must now rest upon the firm, united, temperate, but determined action of the southern States; and to this end, it is believed to be the duty of the representatives of the people of Maryland, to reflect the sentiments of their constituents, by the solemn declaration, in advance, of the unalterable determination of this State, in the event of the passage by Congress of the "Wilmot Proviso," or any similar measure, to make common cause with the South, and to resist to the end, the execution of a measure so palpably violative of her rights, and so pregnant with injustice, disgrace and degradation."[1]

The governor also devoted a portion of his message to the consideration of the subject of "Conventional Reform," and said plainly, "that unless the wishes of the people in this behalf are gratified, the sanction of the Legislature will not much longer be invoked." In accordance with this recommendation, an order was offered early in the session for the appointment of a committee to report a bill to provide for the call of a convention to revise the

[1] The Legislature in a long series of resolutions endorsed the views of the governor on the subject of slavery, and after declaring "that any attempt by Congress to abolish slavery in the District of Columbia would be a violation of the implied conditions of the cession—a just cause of alarm to the slaveholding States—and have a direct and inevitable tendency to disturb and endanger the Union," it "Resolved, unanimously, That we rejoice, with pride and satisfaction, in the conciliatory and friendly feeling that pervaded the Council Board of the old thirteen States, when on a recent glorious occasion was made, and, following the example there set by our fathers, we would, in this our day of difficulty and peril, invoke a similar spirit, to unravel the distracted councils of the Federal Union; but, if we be disappointed, in this our solemn and earnest invocation, it is due to ourselves and to the people of the United States, that we should declare that Maryland will take her position with her Southern sisters in the majestic march of the constitution, with all its compromises, the preservation of the Union and the vindication of her own just rights."

present, or form a new Constitution, to be submitted to the people at the next gubernatorial election for their adoption or rejection. The committee was appointed and soon reported a "Reform Bill," which passed both Houses and became a law on the 21st of February, 1850.

It provided for a special election on the 8th of May, following, to take the sense of the people upon the assembling of a convention—a special election on the first Wednesday of September, for the choice of delegates to said convention, and a special election in June, 1851, to take the vote upon the adoption of the new Constitution which the convention was to frame. In accordance with the provisions of the bill, the election was held on the 8th of May, throughout the State, to take the sense of the people upon the propriety of calling a Constitutional Convention. The reform party of the State was composed of whigs and democrats, who in this election, laid aside all their political antipathies and prejudices to unite upon this measure. In Baltimore the election excited very little interest, and the total vote polled was only eight thousand four hundred and ninety-nine, against seventeen thousand five hundred and nine for members of Congress in the fall of 1849, showing that nine thousand and ten voters were absent from the polls. The unanimity in favor of the measure is shown in the fact, that out of the eight thousand four hundred and ninety-nine votes polled, there were only three hundred and sixty-seven against the call of a convention. In the State, the reform bill was carried by over five thousand majority, Charles and Prince George's being the only counties that voted against it. At the election of delegates to the convention, [see appendix], the whigs elected fifty-five members and the democrats forty-eight. In the election for governor, Enoch Louis Lowe, the democratic candidate, received a majority in Baltimore City, of two thousand seven hundred and fifty-nine votes, and in the State, one thousand four hundred and ninety-seven over Mr. Clarke, the whig candidate. Mr. John H. T. Jerome, the whig candidate for mayor of Baltimore City, was elected by a majority of seven hundred and seventy-seven votes over J. M. Turner, the democratic candidate.[1]

The constitutional convention assembled in Annapolis on the 4th of November, 1850, and on the following day effected a temporary organization by the call of Benjamin C. Howard, of Baltimore City, to the chair. James L. Ridgely was appointed secretary. After balloting for ten days, on the 12th, the convention organized by the election of John G. Chapman, of Charles County, for permanent president, and on the 13th, George G. Brewer, of Annapolis, was appointed secretary, and Washington B. Chichester, of Mont-

[1] Heretofore, it was the practice of both political parties to stop their interpreters' voters to prevent them from falling into the hands of their adversaries on the day of election. That, at the fall elections of 1850, a different practice prevailed; and political opponents were seized and confined until the polls had been closed. Nor was this keeping practiced only on the intemperate; persons of respectability were also caged and kept from voting. A number of very prominent politicians made narrow escapes from capture, and among them was the Mayor of Baltimore, who, it is said, was indebted to the fleetness of his horse for retaining his liberty during the day of election.

gomery County, assistant secretary. The convention, after a tedious session of over six months, adopted a new constitution, and adjourned on the 13th of May, 1851. In this constitution there were some new features which were praiseworthy; but taking altogether, it was a very unsatisfactory document, and was only adopted as a compromise measure. In fact, the members of the convention themselves seemed to have been ashamed of it, as they never passed it in a legal form. It was not engrossed and adopted as a whole; but it came before the people backed by the recommendation of fifty members. It is probable that if the new constitution had been generally read, it would have been rejected by a large vote; but the election, which took place on June 4th, came so quick upon the rising of the convention, and no provision having been made for the circulation of copies of the instrument in the counties, the people in their voting were governed rather by their dissatisfaction with the existing state of things than any clear idea of the reforms proposed, and gave it a large support. The majority in the entire State in favor of the new constitution was ten thousand four hundred and eighteen out of about forty-eight thousand votes cast. At the governor's election the vote cast was seventy-one thousand two hundred and eight.

By the provisions of the new constitution the judges of the several courts were elected by the popular vote; imprisonment for debt was abolished; all bills passed by the Legislature were to be voted for by a majority of all the members of both Houses elected; any man sent to the penitentiary for crime to be forever disfranchised, unless he should be pardoned by the governor; it separated Baltimore City from the county; exempted the property of a debtor to the amount of $500 from execution; and required the Legislature to pass a law to protect the property of the wife from the debts of the husband during her life, and for securing the same to her issue after her death. It further provided for a division of the State into three districts, of which St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, Montgomery and Howard Counties, with the City of Baltimore, were to form the first; the eight counties of the Eastern Shore the second; and Baltimore, Harford, Frederick, Washington, Allegheny and Carroll Counties to be the third; the governor to be elected for four years from the first Wednesday of November, 1853, to be taken from the first district, and thereafter from each district successively. Every county of the State and the City of Baltimore to be entitled to elect one senator. The House of Delegates, as constituted under the new constitution, may be seen in the annexed table, where it is compared with its previous formation:

	Old Rule.	New Rule.	Loss.	Gain.
Allegheny	2	2	0	0
Anne Arundel	5	3	2	0
Howard	3	2	0	2
Baltimore City	5	10	0	5
Baltimore County	5	6	0	1
Carroll	4	3	1	0

	Old Reb.	New Reb.	Loss.	Gain.
Caroline	3	2	1	0
Calvert	3	2	1	0
Cecil	4	3	1	0
Charles	3	3	1	0
Dorchester	4	3	1	0
Frederick	5	6	0	1
Harford	4	3	1	0
Kent	3	2	1	0
Montgomery	4	3	3	0
Prince George's	4	3	1	0
Queen Anne's	3	2	1	0
St. Mary's	3	2	1	0
Somerset	4	4	0	0
Talbot	3	2	1	0
Washington	5	5	0	0
Worcester	4	3	1	0
	82	74	17	9

The greatest change was in Baltimore City, which gained five delegates, while the counties collectively lost seventeen.

The first two sessions of the Legislature were to meet on the first Wednesday of January every second year, and were to be continued as long as they deemed necessary; all subsequent sessions were to commence at the same time, but to be closed on the 10th day of March next ensuing the time of their commencement; the Legislature were to appoint two commissioners to codify the laws of the State and one or more "to revise, simplify and abridge the rules of practice, pleadings, forms of conveyancing and proceedings of the courts of record in this State;" all lotteries to be abolished after the 1st of April, 1859; the State to be divided into four judicial districts: Alleghany, Washington, Frederick, Carroll, Baltimore and Harford Counties, to compose the first; Montgomery, Howard, Anne Arundel, Calvert, St. Mary's, Charles and Prince George's, the second; Baltimore City, the third; and Cecil, Kent, Queen Anne's, Talbot, Caroline, Dorchester, Somerset and Worcester, the fourth. The State should also be divided into eight judicial circuits, as follows: St. Mary's, Charles and Prince George's Counties to be the first; Anne Arundel, Howard, Calvert and Montgomery Counties, the second; Frederick and Carroll Counties, the third; Washington and Alleghany Counties, the fourth; Baltimore City, the fifth; Baltimore, Harford and Cecil Counties, the sixth; Kent, Queen Anne's, Talbot and Caroline Counties, the seventh; and Dorchester, Somerset and Worcester Counties, the eighth. There should be one person, "learned in the law," elected from each of the four judicial districts who, together, were to constitute a Court of Appeals, and one from each of the eight circuits, who were to be styled Circuit Judges. "The Court of Common Pleas," the "Superior Court" and "Criminal Court," were also established in Baltimore City. The number of the justices of the peace was fixed by the Legislature, and they were to be elected by the people;

the Chancellor and Register in Chancery were to continue in office two years, after which the said offices were to be abolished; the State to be divided into four districts and one commissioner to be elected from each, who were to be styled "Commissioners of Public Works." Howard County to be created out of that part of Anne Arundel County called Howard District; and the Legislature, at its session immediately succeeding the returns of every census of the United States, was to pass a law for ascertaining, at the next general election of delegates, the sense of the people of Maryland in regard to the calling a convention for altering the Constitution. The new Constitution went into effect on the 4th of July, 1851, and in the fall, elections were held for nearly all the offices in the State. In the election for members of the House of Delegates, the democrats succeeded in electing forty-three members and the whigs thirty. The Senate stood eleven democrats and ten whigs, with one vacancy, caused by a tie vote in Washington County, which gave the democrats political control of the State.

The National Democratic Convention for the nomination of candidates for president and vice-president met at Baltimore on the 1st of June, 1852, and was organized by the selection of John W. Davis, of Indiana, formerly Speaker of the House of Representatives, as president. Its sessions in Baltimore were very exciting, and the two Houses of Congress adjourned for several days to enable its members to be in attendance. The two-thirds rule, which was again proposed, was adopted. On the 3d, the convention began balloting for president, and continued to do so until the forty-ninth ballot, when General Franklin Pierce, of New Hampshire, was declared nominated by the convention as the democratic candidate for president. On the second ballot for vice-president, W. R. King, of Alabama, received two hundred and seventy-seven votes, and was declared duly nominated.

A series of resolutions were adopted, announcing the views of the democratic party, on certain points of national policy, and declaring "that Congress has no power under the constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions."

They also declared resistance to "all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made;" and also a determination to "abide by, and adhere to, a faithful execution of the Acts known as the compromise measures settled by the last Congress—the Act reclaiming fugitives for service or labor included."

The convention adjourned on the 5th of June, with enthusiasm for their nominees.

On the 16th of June, the Whig National Convention, met in Baltimore, and was organized by the appointment of John G. Chapman, of Maryland, as president, and other officers. Two days were occupied in preliminary business, and on the 18th, the convention proceeded to vote for a candidate for president, and continued to ballot until the 5th day of the session. Upon the first ballot, Millard Fillmore, (President) received 133; General Winfield Scott, 131, and Daniel Webster, 29 votes; and this relative proportion was nearly sustained throughout fifty ballotings. On the fifty-third ballot, General Scott received 159 votes, Fillmore, 112, and Webster, 21, whereupon the former was declared to have been duly nominated. William A Graham, of North Carolina, then Secretary of the Navy, was on the second ballot, nominated as the whig candidate for vice-president. After adopting a platform, and resolutions complimentary to Messrs. Fillmore and Webster, the convention adjourned on the 21st of June, 1852.

A National Convention of the Free Soil or Anti-Slavery Party, was held in Pittsburg, on the 11th of August, at which, John P. Hale, was nominated for president, and George W. Julian, of Indiana, for vice-president. The "National Liberty Party" convention, composed of a portion of the abolitionists or anti-slavery men, met at Syracuse, New York, on the 30th of September, and nominated William Goodell, for president, and S. M. Piper, for vice-president. In Georgia, the committee appointed by the Southern-Rights' Convention, made a report nominating George M. Troup, of Georgia, for president, and General Quitman, of Mississippi, for vice-president. The candidates did not, however, accept the nomination.

The Presidential election took place on the 2d of November, 1852, and resulted in the choice of the democratic candidates, each of whom received the electoral vote of twenty-seven States—two hundred and fifty-four in number. Scott and Graham received forty-two electoral votes from four States.

The election in Baltimore resulted in a Waterloo defeat for the whigs by a majority of 4,471 votes for Pierce, out of 33,619 votes polled. The Free Soil candidate received twenty-one votes in the city. In the State, R. M. McLane, C. Humphries, J. Parren, R. H. Alvey, Carroll Spence, C. J. M. Gwynn, J. A. Wickes, and E. K. Wilson, the Pierce electors were elected by a majority of 5,077 votes.

After the defeat of the whig presidential candidates in Maryland, that party reorganized, and with the help of the "American Party," which was now assuming shape, placed in the field Richard J. Bowie, of Montgomery, as their candidate for governor. The democratic candidate was T. Watkins Ligon, of Howard County.

In the fall elections both parties made desperate efforts to regain their lost power, and the democrats to hold their position. The result was the

election of Mr. Ligon, but with a whig majority in both branches of the Legislature, the Lower House standing thirty-nine whigs to thirty-five democrats, and the Senate fourteen to eight. In Baltimore City, the partisans of what was known as the "Maine Liquor Law," elected their ten delegates by nine hundred and sixty-four majority; their platform denouncing the manufacture, sale and consumption of intoxicating liquors, as immoral and pernicious, and their delegates being pledged to urge the prohibition of the traffic by legislative enactment.

The American or "Know-Nothing" party, which had for many years been steadily gaining strength and influence in public affairs, determined in the fall of 1854 to place in nomination, in Baltimore City, a straight-out mayoralty ticket. With this object in view, Mr. Samuel Hinks was selected as their candidate. The democrats placed in nomination Mr. William G. Thomas. In the contest considerable sectarian feeling was displayed against the Roman Catholics, which resulted in a complete triumph for Mr. Hinks by 2,717 majority, and the election of fourteen members of the First Branch of the City Council, and eight members of the Second Branch by the American party.

In the election for members of the City Council in 1855, the democrats carried the city by one thousand and twenty-nine majority, and elected a majority of the members. The State election was one of the severest political contests ever waged in Maryland, but it resulted in a complete triumph of the American ticket by a majority of two thousand six hundred and ninety-nine votes, and the election of four native American congressmen out of six. Of the eleven State senators elected, eight were of the American ticket, two democrats and one union. The House of Delegates, which contained seventy-four members, was divided politically as follows: Americans, fifty-four; union, four; democrats, nine; whig, one.

Upon the assembling of the Legislature in January, Governor Ligon, in a very able message upon the affairs of the State, made pointed reference to the native American party, which had now taken the form of a secret society. He remarks: "I should fail to discharge a public duty, were I not to allude to a new element in the political controversies of the times, which, in my opinion, has already been productive of more baneful consequences, and has done more to sever the ties which should bind together our whole people as one common brotherhood than anything which has occurred since the organization of our government. I mean the formation and encouragement of secret political societies."

After discussing the objections to such associations under the more favorable assumption that the ends sought to be attained were such as were warranted by the laws of the country, and by the spirit and character of our civil institutions, he continues—

"But how much more are they to be deprecated, when those purposes tend to the subversion of the well established and most dearly cherished principles of our government,

and to the establishment of rules for discriminating against large classes of citizens, not only unknown to the Federal Constitution and those of the several States, but plainly prohibited both by the letter and spirit of each and all of them.

"The nature and character of the issues, too, to which these organizations have given rise, are such as must be deeply deplored by all who sincerely wish the permanent peace of the country. The welfare of the Union depends so much upon the united affections and patriotism of the whole people, that any formidable effort 'to render alien to each other those who ought to be bound together by fraternal affection,' to segregate and divide them into class and classes by a proposed exclusion from any right of citizenship, either on account of place or birth of religious opinion, must excite in every true patriot feelings of the most painful solicitude. All history admonishes us that a war of races and sects is the deadliest curse that can afflict a nation. Let us not turn a deaf ear to her warning voice, by countenancing those who may really involve us in both, in the effort to accomplish political ends, by appealing to a morbid and fanatical religious zeal, and take stirring as their sources the most ungovernable passions and prejudices of the human heart. Instead it may require already a most vigorous exercise of public virtue to turn back the tide of evil flowing upon us, from an improvident introduction of religious issues into the field of political agitation, and to restrain that proclivity to intolerance and proscription, which has recently been developed in different sections of the country. We should ever guard the perfect freedom of the citizen in matters of religious opinion, and the purity of the ballot box, as we would our honor, and resist every invasion of either as a blow aimed at the very corner-stone of our political edifice. If on the one hand we permit brute force to control the ballot-box, and violence to deter the quiet and peaceably disposed citizen from the exercise of his right of suffrage, or on the other, allow a citizen to be proscribed on account of his religious faith, we 'poison the very fountain of public morality,' our Constitution becomes a solemn mockery, and the Republic a cheat and delusion, whose very essence is despotism."

In response to this portion of the governor's message the House of Delegates, on the 10th of January, by an unanimous vote appointed Messrs. Anthony Kennedy, —— Hall, —— Goldsborough, William D. Merrick and Thomas B. Smith, a select committee to investigate the subject of secret political societies. The resolutions defining the powers of the committee were as follows:

"*Resolved*, That so much of the governor's message as relates to secret political societies be referred to a select committee of five, with instructions to inquire and report whether any and what secret political societies are known to exist in this State; whether any political society, secret or open, is known to encourage or pursue 'purposes which tend to the subversion of our government;' whether any and what society, or portion of the people of this State, or any of the United States, have introduced 'religious issues into the field of political agitation;' and that the committee be also instructed to ascertain as far as may be within their power, what is the character and import of the secrets which are supposed to be held or maintained by such societies, if any such should be found to exist; and that the committee use its endeavors to obtain, *if possible*, a statement or description of the principles, objects and purposes of such societies, and report the same to this House, with such measures as they may deem necessary for restraining such societies from violating the letter and spirit either of the Federal Constitution or the Constitution of this State."

The committee were authorized to send for persons and papers, and to examine the witnesses under oath and also to elicit by respectful request from the governor, what information concerning secret societies he might possess.

The committee made two reports, one signed by A. Kennedy, Hall and Goldsborough, the majority of the committee, and the other from the minority signed by Messrs. Merrick and Smith.

The majority of the committee, in the performance of the duties with which they were charged, declared that they would not summon any witnesses to testify before them, nor would they examine any witnesses upon oath, deeming the "*election* of a large and respectable representation by the people of Maryland in the *majesty of their power, abundant testimony* of the principles of the American party." And notwithstanding they were appointed to investigate the subject of secret societies, they declared the summoning of witnesses before them to give testimony, "an insult to the intelligence of a large majority of the people of Maryland, through their representatives." In their report they entirely evade the proposed inquiries in every particular, and confine their remarks to an attack upon the politics of the governor, especially attempting to discredit his views in reference to the American party.

"The gentlemen who have signed the minority report, were evidently disposed to perform their duty faithfully; but permission to investigate analytically the subject of secret societies, was peremptorily refused to them by the majority, Messrs. Kennedy, Hall and Goldsborough, so that they were prevented from going more than remunicating to the House of Delegates and the public, certain general facts which they have collected with great deal of industry and ability."

In answer to the inquiry "whether any, and if any, what secret political societies exist in this State?" the minority committee reported

"That it is a fact so universally known and admitted, as no longer to admit of doubt or question, that there exists in this State and country within the last twelve months, a political society, formidable both in numbers and its influence upon elections, whose principles and purposes were for a long time covered with an impenetrable veil of secrecy, and who, bound together by secret oaths, recognizes each other by mysterious signs, grips and passwords, and acted always and everywhere in concert, and to some common end or purpose.

"This party openly assumed, and became generally known by the name of the Know-Nothing Party. It was not long before it became publicly known that its members had secret places of meeting and conference in almost every quarter of the State and country, at which proselytes were made and received, and where great vigilance and care were used to prevent anything that was done or said, transpiring or coming to the knowledge of the public. Secrecy continued to shroud their principles and purposes in darkness; mystery and novelty lent their untold powers to work upon excited curiosity, and are supposed to have won them many associates. Their successes in a number of elections, alarmed the fears and awakened the activity of the public; these led to closer scrutiny and more diligent inquiry—the veil of secrecy was by this means partially penetrated, and many accounts of their acts and doings, principles and purposes, became the theme of common conversation, and were published in various newspapers and other public prints in almost every State in the Union. These accounts were at first various, and to some extent contradictory, but all that have been seen by, or brought to the knowledge of this minority, concur in ascribing to this party, the practices of observing secrecy as to their

[1] *Reports of the Majority and Minority Reports of the Select Committee on Secret Societies, 1856.*

movements and purposes, of binding its members by forms of oaths, to proscribe from all offices by their votes or otherwise, if possessed of political power, all persons not of native birth, and all members of the Catholic religion, and of uniting in and laboring to obtain for themselves political power and place!"

In corroboration of which the committee annexed to their report the forms of the oaths which it was alleged were administered successively to each member of this party as he attained, or was raised to the first, second and third degrees in the order. And to prove the correctness of their "oral testimony they have had suggested and named to them, a host of witnesses, none of whom it was the pleasure of the majority, (as has been seen), to summon or examine."

The committee then follow with the forms of the oaths and obligations of the three degrees which members of this order were obliged to take.

"Those who obtained the first degree made oath that they would 'never betray any of the *secrets* of this society, nor communicate them even to proper candidates, except *within* a lawful council of the order; that you will never permit any of the *secrets* of this society to be written, or in any other manner to be made legible, except for the purpose of official instruction; that you will not vote or give your influence for any man for any office in the gift of the people, or has he be an *American born citizen*, in favor of Americans ruling America, *nor if he be a Roman Catholic*; that you will be in *all political matters*, so far as this order is concerned, *comply with the will of the majority*, though it may *conflict* with your personal preferences. . . . that you will answer an inperative notice issued by the proper authority, *obey* the command of the State Council, president or his deputy, while assembled by such notice, and respond to the chair of a sign or cry of the order, unless it be *physically* impossible." * * *

The second degree required that each member

"Should in *all things* conform to all the rules and regulations of this order, and to the Constitution and By-laws of this or any other council to which you may be attached; . . . that you will support in *all political matters*, for all political offices, *members of this order in preference to other persons*: that if it may be done legally, *your will*, when elected or appointed to any official station conferring on you the power to do so, *Remove all Foreigners, Aliens or Roman Catholics from office or place be your gift*. You do also promise and swear, that this and all other obligations which you have previously taken in this order, shall *be kept through life* sacred and inviolate."

The obligation of the third degree required all members to swear "*that you will vote for and support for all political officers, third or Union Degree members of this order in preference to all others.*"

The committee in conclusion report that "of this order there were and are in Maryland, State and subordinate councils and lodges in various quarters, the members of which take or have taken and assumed upon themselves, according to the rank or degree they hold or held in the order, one, two, or all the above recited oaths or obligations" and they are well-warranted in saying that "there was and is a secret political society in this State styled the *Know-Nothing Society or Order*, and latterly sometimes called and hiding itself the American Party."

Many good and respectable citizens in Baltimore, knowing these facts, and that organized clubs were banded together to disfranchise the naturalized voters, and that the police of the city were affiliated members of those clubs and could not therefore be trusted to protect the constitutional right of that proscribed class, made application to the mayor of the city for some extraordinary provision to meet an extraordinary emergency, as the probabilities were that the naturally election would be attended by more than the usual amount of tumult and disorder, to the suppression of which it was feared, the civil power would be found wholly inadequate. Acknowledging apparently the justice of these apprehensions, which subsequent events proved to have been but too well founded, Mayor Hinks requested General George H. Stewart, the commanding officer of the city militia, to hold his force in readiness for service upon election day. General Stewart with characteristic promptness, issued his orders to the officers and men composing his division, requiring them to assemble on the morning of the day of election at their usual places of regimental muster, equipped and in readiness for duty. Scarcely had these orders been made public, when for some unknown cause, the mayor addressed a note to General Stewart, assuring him that he had entirely misapprehended his meaning, and requesting him immediately to suspend his military preparations. Under such circumstances, the general had no alternative but to revoke his orders. No provision, consequently, was made to meet the probable contingencies of the day. The election took place on October 8, 1856, the candidates being Thomas Swann, know-nothing, and Robert Clinton Wright, democrat. It was attended by bloodshed and disorder to an extent wholly unprecedented in the annals of this or any other American city. In the vicinity of the Lexington market, and in the public squares surrounding the Washington Monument, pitched battles were fought, in which muskets were freely used, and cannon even brought into the streets—which the authorities made no attempt to quell, as they had made no provision to prevent—which lasted, without interruption, for hours, and finally only terminated with night-fall, and in which, actually, more men were killed than fell on the American side on the field of Palo Alto. The result of the election, if it may be so called, was the almost entire disfranchisement of all naturalized citizens, who were, nearly everywhere driven from the polls, and the consequent elevation of Mr. Swann to the mayoralty by a majority of 1,502 votes.

MAYOR SWANN.

In the meantime, the democratic party made their nominations for president and vice-president, at a national convention, held at Cincinnati. It was apprehended that it would nominate a sectional president; and when, on the 6th of June, the news of Mr. James Buchanan's nomination was announced throughout the land, a sensation of relief and high gratification thrilled the

heart of every conservative patriot. John C. Breckenridge, of Kentucky, was the nominee for vice-president. The republican party put in nomination John C. Fremont, of California, for president, and William L. Dayton, of New Jersey, for vice-president.[1]

The Know-Nothing National Convention assembled at Philadelphia, on the 26th of February, 1856, and nominated Millard Fillmore, of New York, as their candidate for president, and Andrew Jackson Donelson, of Tennessee, for vice-president.

The Old Line Whig National Convention met at Baltimore City, on the 17th of September, and organized by the appointment of Hon. Edward J. Bates, of Missouri, for president of the convention, and a large number of other officers. After a session of two days, they adopted a set of resolutions, in which, they say, "That without adopting or referring to the peculiar doctrines of the know-nothing party," which had nominated Messrs Fillmore and Donelson as its candidates, "we look to them as well tried and faithful friends of the Constitution and Union." and thereby endorsed their nomination.

As the time approached for the presidential election, in November, 1856, the apprehension grew general that the excesses of the October election would be repeated in Baltimore on a larger scale. Political sentiment and party animosity were alike demonstrative and violent, and peaceable and orderly citizens, and above all, the naturalized voters, were utterly hopeless of protection in the free exercise of the right of suffrage. Public confidence in the mayor had been thoroughly shaken by the scenes of the October election, and the governor of the State was now appealed to, to interpose his constitutional power for the protection of their menaced rights. The governor came to the city, and sought an interview with the mayor, "in the vain hope of such co-operation of influences, and moral and material power, as would ensure the peace of the city, prevent bloodshed, and secure to every citizen, without respect to party, the exercise of his political rights."

The charge of complicity on the part of the police with the organized clubs, to disfranchise the naturalized voters, and their connivance at such meditated outrage, was at that time indignantly denied by the mayor and his organ, who, vaunting the sufficiency of the police force for all necessary purposes of security, rejected the proffered intervention of the governor. With what result? The worst fears were realized: riot, ruffianism and murder reigned supreme; almost the entire body of naturalized citizens was

[1] The first republican meeting held in Maryland assembled at Baltimore City, on the evening of September 11, 1856. The meeting was organized on motion of Mr. William Gunnison, by calling F. S. Corkran to the chair, and the appointment of William B. Cole, Jr., as secretary. Upon presiding "An Address to the Republicans of Maryland," the meeting adjourned. Upon leaving the room (Temperance Temple), Messrs. Corkran, Gunnison, and several others, were rudely assaulted by a mob of several hundred persons, that had gathered on the street. The mob then repaired to the office of the Visiter, the German republican paper, which they assailed with stones, and only by the intervention of the police was it saved from being sacked.

disfranchised, and thousands of even native-born voters were intimidated from voting. In the City of Baltimore, Fillmore received 16,900 votes; Buchanan, 9,370; Fremont, 214. Thus giving Messrs. Fillmore and Donelson a clear majority over Buchanan and Fremont together of 6,316. In the State, J. D. Kerman, James Wallace, R. Goldsborough, E. H. Webster, C. L. L. Leary, Thomas Swann, F. A. Schley, and A. R. Sollers, the "American" electors, were elected by a majority of 8,337 votes. In the general result, James Buchanan was elected President, receiving 174 electoral votes. Fremont received 114 electoral votes, and Fillmore received 8—the vote of Maryland. The candidates for vice-president on each ticket received the same number of votes. At this election, in Baltimore city, eight men were killed or mortally wounded and over two hundred and fifty wounded.

Governor Ligon, in his message to the Legislature, thus alludes to this event:

"On the eve of the Presidential election I proceeded to Baltimore and sought an interview with the Mayor of the city in the vain hope of such a co-operation of influences, and moral and material power, as would ensure the peace of the city, prevent bloodshed, and secure to every citizen, without respect to party, the exercise of his political rights. My overtures were rejected with cold civility. I was thrown upon my personal and official responsibility, before an ingenuous and respectable community, for the initiative in a measure which the exigency of the time demanded, and the executive of the city was indisposed to adopt. The day of election was then too near at hand for me to mature, under my official authority and by my independent act, a force adequate to the probable necessity which seemed the occasion. I accordingly left the full measure of accountability with the Mayor and his subordinates. How fearful that accountability was, the sanguinary deeds of that election day have sufficiently proved. Again party animosity ran riot throughout the city; the most desperate encounters took place, in which hundreds of infuriated partisans were engaged; arms of all kinds were employed, and bloodshed, wounds and death, stained the record of the day, and added another page of dishonor to the annals of the distracted city. I retired from the scene convinced that all this might have been prevented; and not without a painful sense of duty unfulfilled."

A year passed away, and with the Fall of 1857, the political elements of Baltimore were again stirred for the election contests of the season. "In the meantime the civil condition of the city had become more sensibly demoralized. The press, without distinction of party, was teemed with every day's report of wrong, outrage, violent encounters of partisans, desperate assaults and homicides."

At last, the day of the municipal election, October 13th, came, and the city was again made the theatre of the general prolonged and desperate rioting. Although the bloody scenes of the preceding year were not re-enacted, yet the election was a mere mockery of the elective franchise, unaccompanied throughout the city by riot and bloodshed. In some of the wards the democrats, both native-born and naturalized, were virtually disfranchised. Finding that the municipal authorities were wholly inadequate to cope with the fierce organization which held absolute control of the

city, on the day of election, a large number of the democratic candidates withdrew from the contest, and a majority of the judges of election resigned.

The know-nothings carried all the wards in the city, excepting the eighth, by a declared majority of 9,026 votes, polling in all 11,895 votes, and the democrats, 2,880.

Upon the approach of the November election for governor, a number of the most prominent citizens, admonished by the experience of the previous year, confirmed by that of the late municipal election in October, and justly apprehensive, therefore, of the recurrence of the same, or even worse disorders, and distrustful alike of the ability and disposition of the mayor to make any adequate provision for their repression, applied to Governor Ligon to interpose his constitutional power for their protection. The Governor says:

"I was alarmed and convinced the people of Baltimore were inextricably involved within the grip of a dilemma. On one side was a party disfranchised by lawless violence, with which it was unable to cope; on the other, a party subdued by violence which even the most honest and upright of its members were unable to repress and restrain; while the city authorities themselves were either unable to grapple effectually with the diabolism broken loose in the community, or unwilling to provoke the retaliatory spirit of a desirable but furious ally.

"Such was the condition of affairs in Baltimore when the most urgent appeals were made to me to exert the authority vested in the Executive of the State for the protection of her citizens against intestine disorder, and to see that the laws were executed. I did not feel at liberty to hesitate longer in the performance of a duty evidently incumbent upon me. It was not for me to consider the contingencies of political antagonism or a perverted public sentiment. My duty was plain, and I had no alternative but to perform it, and to leave the issue to the people themselves. I realized no accountability in an utter failure to rally a single man to the service to which he might be called. It was my duty to present such a statement of facts as had been laid before me, to exhibit the remedy, and to use the proper means for the application of it. To this end, responding to the entreaties of gentlemen current in their avowals of co-operation in any necessary extremity, and in full compliance with my own sense of duty, I visited Baltimore."

Immediately upon his arrival he addressed to the mayor of the city the following letter, inviting his co-operation in any measures which might be deemed necessary for the preservation of the public peace, and the protection of the elective franchise:

[*] *Howard's Hotel, Baltimore, October 27, 1857.*

"Hon. Thomas Swann, Mayor of Baltimore:

"SIR—Representations from a large number of most respectable citizens of the condition of things in this city, added to my own conviction of my constitutional duty, impose upon me the obligation respectfully to request you, as the Mayor of the city, to what precaution should be made by you to guarantee personal security and the free exercise of suffrage by the legal voters at the approaching election. The events of October, 1856, both at the Municipal and Presidential election, and the violence at the recent Municipal election which practically disfranchised many thousands of the qualified native and naturalized voters of this city, conclusively establish the inadequacy of the existing city police to secure the elective rights and the personal safety of the voters. The citizen has a right to good government. He surrenders his individual power of defence and pays his property dues in consideration of the pledge made that he shall enjoy it. And I am resolute in the determination to exert any constitutional power to fulfil the guarantee.

"Subordinately, you are like myself, sworn in your sphere to put forth your powers in this behalf, and I have come to the city to confer with you and ascertain what provision of an extraordinary character you propose to make to meet apprehended disorders of a character like those which have heretofore successfully defied the ordinary Police force of the city. I shall be most happy if you can assure me of any definite preparation on your part which will allay my solicitude and certify me that the citizen may not have the occasion to reproach us as derelict in duty.

"It will never do for a great commercial metropolis like this to be dishonored by the unchecked violence of mobs, and it is necessary that the civil power should at once bring under subjection these evil-minded citizens whose acts are tarnishing the honor of the City and State, and destroying the prosperity of our commercial, mechanical and manufacturing interests.

"Not doubting that you concur with me in these sentiments and will appreciate the sense of official duty from which I invite your co-operation, I have addressed you this letter and ask most respectfully an immediate reply.

"Very respectfully, your obedient servant,

"T. WATKINS LIGON."

This overture of the governor to aid in the enforcement of the laws, was rejected, and the executive authority in the matter disputed, as will be seen by the following response of the mayor:

"*Mayor's Office, City Hall, Baltimore, October 13, 1857.*

"To His Excellency, T. Watkins Ligon, Governor of Maryland:

"SIR—I have had the honor to receive your letter of the 9th instant, in which you say that representations from a large number of most respectable citizens of the condition of things in this city added to my own convictions of my constitutional duty, impose upon me the obligation respectfully to consult you as Mayor of the City of Baltimore, as to what provision should be made by you to guarantee personal security and the free exercise of suffrage by the legal voters at the approaching election. Your letter goes on to indicate duties which are incumbent upon us both. The constitutional sphere assigned to you as Governor of the State of Maryland, and to me as Mayor of the City of Baltimore, is believed to be sufficiently defined. While I should claim, by virtue of my commission the privilege of the initiative in any demand which I might consider necessary to be made upon your Excellency, for your aid and co-operation in preserving the peace of the city and the rights of its citizens, I do not object at any time, or inquire to you or any other citizen, the fullest information in regard to matters connected with the government of the city, in which the public might feel an interest. It would not fail to excite my surprise, that in a letter inviting a consultation with me, your Excellency, after pronouncing summary judgment upon the inefficiency of the City Government, should have thought proper to refer to the events of the Municipal and Presidential elections of 1856, with which, as Mayor of the city, I had no official connection, and to suppose upon me that you were resolute in the determination to use your constitutional power to fulfil the guarantee that the citizen is entitled to good government.

"In your reference to the representations you have received from a large number of most respectable citizens, your Excellency would seem to have lost sight of the fact, that by the authority under which we are acting, the Mayor of the city is made the judge of, and is responsible for, the completeness and efficiency of the arrangements for preserving the public peace, and that the only official source of information in reference to the plans heretofore adopted, was in him and the officers acting under him.

"As to what your Excellency has said about the importance of maintaining law and order in a great commercial metropolis like this, I need hardly assure you, that no man

has labored more faithfully or assiduously than I have done towards the accomplishment of this end. The events which have transpired since I took charge of the municipal government, and the murdered and wounded policemen who have fallen in the late effort to preserve the peace of the city and to secure to the citizen the free exercise of his right of suffrage, will sufficiently attest the activity of my labors.

"My preparations at the last municipal election were, as is known, of the most ample character; sufficiently so in my judgment, to have met any emergency. That individual instances of complaint were to be found is not to be wondered at. These are incident to all excited elections, and have heretofore taken place in our city. My instructions to the police were of the most absolute and impartial character, and in every instance of actual outbreak, the efficiency of this force was full and acknowledged.

"At the election in November, in furtherance of the object which I have never lost sight of, in addition to the complement of officers assigned to the stations and the various election precincts, acting immediately in concert with the Judges, together with the details by which they will be regulated, there will be, what may be deemed in my judgment, a competent force to ensure to those who may be entitled to vote, the free and untrammeled exercise of their right of suffrage; and I will state it as my belief, that unless some unforseen occurrence should take place, or an ungovernable feeling excited by those who are now opposed in the effort to break down the city government, that the election will proceed quietly and without interruption.

"As Mayor of the city of Baltimore, I hold my commission directly from the people, and am responsible to them for the manner in which I discharge my trust. The office which I have been called upon to assume was conferred upon me without solicitation, and will be laid down whenever it shall be made to appear that I have lost the confidence of those whom it has been my highest endeavor to serve. I can recognize 'subordination' to no other power within the sphere of my duty. I deemed it due to courtesy to afford to your Excellency the amplest information in regard to the matters to which you refer in your letter, and now invite from you any reliable evidence upon which I can legally act, of a conspiration on the part of any of our citizens, to obstruct the laws at the coming election. But while I am thus frank in foreshadowing my plans for the preservation of the public peace and the protection of the voter by every means at my command, I must be equally so in declining to recognize any joint administration of the affairs of this city. The powers of the Mayor are believed to be ample. He has his reserve force of emergency, in the civil police, as well as in the military arm, which, like the former, is placed by the law under his control. It will be his duty to use his best endeavors, to see that every citizen is protected in his constitutional rights, and that the peace of the city is preserved by every means at his disposal. If, however, it should be attempted to introduce a power in the city of Baltimore, above that of its regularly constituted authorities, or if the power should be assumed in anticipation of a series of things which may not occur, to bring the military in contact with the people on the day of election, without an official requisition on the part of the local authorities, I can only express the sincere belief that such a policy might seriously endanger the peace of the city, and lead to consequences which it should be the duty of all good citizens to endeavor if possible to avert.

With great respect, I have the honor to be, your obedient servant,

"THOMAS SWANN, *Mayor.*"

To this communication the Governor made the following reply:

"*Patriot's Hotel, Baltimore, October 23, 1857.*

"Hon. Thomas Swann, Mayor of Baltimore:

"SIR:—I have just received your reply to my letter of yesterday, and beg to say that your views of our respective powers and duties do not accord with my own.

"Clothed with the authority to see that the laws are executed throughout the entire State, I cannot comprehend how the city of Baltimore, or its Mayor, recognizes no 'subordination' to the State Executive. His power is marked by the Constitution: that organic instrument also defines his duties. Has the Mayor of Baltimore any coördinate position in that charter, or under his authority and that of this city, the mere ordinances of ordinary legislation?

"I am mortified and pained to notice that spirit in a municipal agent of government, which, if generally adopted, would subvert the whole theory of our institutions, and end in jealousies among the chain of officials.

"Under your view, it would seem that any officer of a municipality elected by the people became by that circumstance subordinate to no one, and only accountable to them for the manner in which he 'discharged' his 'trust.'

"I will not now indulge in any protracted recitation of an error which must rather be the growth of official sensibility than of mistaken conceptions of Constitutional policy. The natural sequel of such an error is the further implication that my powers and duties are to be initiated into activity by the discretion of municipal subordinates. Do you thus await the application of your subordinates? If not, why? Simply because you are sworn to see the laws executed, and whilst in general you confide in the fulfilment of their duties, you still hold in reserve those powers of supervision which are made necessary by the fact that those subordinates may not recognize their own defaults, and their serious bearing on the general welfare.

"Is not the city filled with clubs of lawless and violent partisans, whose very appellatives flourish defiance at order and make the peaceable prefer to surrender rights rather than claim them at the risk of life? Sir, is there no law and no authority somewhere to curb the one class and shield the other? If the ordinary civil power of the city is insufficient, what is the inevitable deduction? Is it not better that you should admit its inadequacy, and be cordially grateful that the constitution has supplied other powers, and permitted for your aid that Executive to interfere who has not been at all compromised in past animosities.

"You mention in your communication that one of your policemen was 'murdered' at the recent election. What you mean is that a similar occurrence may not happen again at the approaching election, unless more adequate arrangements are prepared for the suppression of lawlessness? I have not come here to empower assaults upon your police, but to protect them, and invigorate every arm that will be sincerely extended in behalf of individual security and constitutional liberty. And I feel that it is a dreams sure of just mortification, that a State Executive who has appealed to a city in which the press has not hesitated to declare that the recent election was a 'mockery' from the intimidation of voters, should be asked by its municipal head to furnish him with any 'reliable evidence upon which I can legally act, of a combination on the part of any of our citizens to obstruct the laws at the coming election.'

"Is there no such thing as fear? Does the spirit of party blind our public officers to that condition of things which all fair minded citizens recognize? Are we not daily and nightly invaded?

"It is to be deeply regretted that we should be at all separated in the performance of duties for assuring to the citizen his legal rights which violence has thus overawed, and that you decline to 'recognize any joint administration of the affairs of this city,' when I tendered you the Executive co-operation. 'This fearful responsibility you have taken. I believe that a just-minded community will severely censure this false independency as not consistent with our relative official positions, or consonant with that spirit of union which should unite all good men against the bad and lawless. But however this may be, I announce to you respectfully that I shall nevertheless see that the laws are 'faithfully executed' by every constitutional power.

"I feel assured that this community and the State will see in this conduct a spirit of no intrusive interference, but rather that cooperative duty which they have a right to expect.

"Entertaining none but the most friendly feelings to yourself personally, and desiring that successful administration by you of your civil duties which will redound to the credit of the city and State, I again renew my solicitation for your cheerful co-operation with the Executive, and hope that, on a revision of your opinion, you will not see any derogatory subordination which will prevent you, as the municipal head of this city, from uniting in a harmonious effort to assert the supremacy of the laws.

Very respectfully, your obedient servant,

"T. WATKINS LIGON."

Treating this communication with contempt, the mayor made the following brief reply:

"*Mayor's Office, City Hall, Baltimore, Oct. 30, 1857.*

"To His Excellency, T. Watkins Ligon, Governor of Maryland.

"SIR:—I have had the honor to receive your letter of yesterday's date, by the hands of your Secretary.

"I feel no disposition to discuss the relative powers of your office and mine, or the other points referred to in your letter.

"Your Excellency has thought proper to visit this city, and upon representations which you have deemed sufficient, to place its inhabitants under military supervision. The responsibility is with your Excellency.

"In the exercise of my functions, I shall be governed by the authority of law, and I trust by the support of the entire community.

"With great respect, I have the honor to be, your ob't serv't,

"THOMAS SWANN, *Mayor.*"

Satisfied now, equally from his own observation, and by the representations of the respectable citizens who had solicited his intervention, that a necessity existed for his interference in behalf of the menaced rights and liberties of the people of Baltimore, and deprived of the support and sympathy of the local authorities, the governor proceeded to take the only steps that seemed likely to meet the necessities of the case. He issued the following "proclamation to the citizens of Baltimore," informing the people of the city what he had done, and contemplated, for the preservation of the peace, and to secure to the legal voters their rights against violence and intimidation:

"PROCLAMATION.

"I, T. Watkins Ligon, Governor of the State of Maryland, hereby make this proclamation to the citizens of Baltimore:

"Having been credibly informed, by a large and respectable number of citizens of Baltimore that serious apprehensions are entertained that the approaching general election is destined with extreme violence and disorder, in the city, sufficient to terrify and keep away from the polls many peaceable voters, unless the civil arm is vigorously interposed for their protection; and being fully convinced of the justness of the apprehension from the events of the election of 1856, and of the recent municipal election in the city, I have felt it my duty to repair to the city to fulfil my constitutional obligations, to afford to the citizens faithful observance of the laws. Accordingly, I have addressed the Mayor of the city, and solicited his co-operation in adequate measures for the protection of

the peace of the city. So far I have received from him no satisfactory response, and being resolved to be involved in no failure of duty, by postponing measures which can only be efficiently carried out, under the circumstances, by the greatest promptitude. I hereby proclaim to the citizens of Baltimore, that in virtue of my powers and duties under the Constitution and laws of the State, I have directed the proper military officers to enroll and hold in readiness their respective corps for active service at once, and especially on the approaching day of election, and I have issued to them full instructions to preserve the peace of the city, and secure to the legal voters their rights against the violence and intimidation of the lawless ruffians who have disgraced the city and outraged the elective rights in the recent election.

"In thus acting, I have sought merely to discharge my duty and insure to the citizen the rights pledged to him by the Constitution and the laws, and I earnestly invoke the moral support and aid of all good citizens who value their government and its privileges.

"Especially do I forewarn all persons against all illegal conduct, or the obstruction of voters, and admonish them of the serious responsibility which awaits the infraction of law.

"It is to be seen if republicanism is adequate for its own protection. The Governor confidently relies on the loyalty of the citizens of this great metropolis, and in the hearty readiness with which they will co-operate in the vindication of the city and State from an ignominious submission to lawless ruffians. If they do, all parties will rejoice in the triumph of government, and every good man in the conviction that the pledges of the Constitution are not an empty mockery. At all events, the Governor will do his duty; if constitutional authority and law are not upheld and vindicated the responsibility must rest elsewhere.

"But there is no reason to fear any adverse result. The Governor will not question the fidelity of the military arm, or doubt its ability for any emergency that may arise. The military officers with whom I have consulted, express their readiness to serve the State, and I have no doubt of their sufficiency for the occasion; and good citizens may confidently trust that their title to a constitutional government will be fully redeemed.

"Let all citizens, therefore, exercise their rights, abstain from disorder and violence, and trust in the genius of the constitution and the laws.

"Let no man leave the precincts of his own ward, unless ordered to do so by competent authority. Thus he will promote the fairness of the election and avoid the just retribution that will be dealt to those vagrant emissaries of disorder, who wander from polls to polls for the purpose of illegal voting, and to deter peaceable citizens from the exercise of their rights. But it is the sincere hope of the governor that the majesty of the law, supported by the countenance of good citizens, will make the ensuing election a signal triumph to those who believe in the capacity of the people for self-government.

"Given under my hand at the City of Baltimore, this twenty-eighth day of October, in the year of our Lord, one thousand eight hundred and fifty-seven.

"T. WATKINS LIGON.

"By the Governor, J. PINKNEY, *Secretary of State.*"

No one, perhaps, felt the burden of responsibility to be incurred by this proceeding more sensibly and seriously than the governor himself, and, with every citizen, he fully realized the antipathy of civil freedom to military surveillance or military protection; and in determining finally, to act as he did, it was in conformity with an avowed sense of imperious duty, and encountered a conflict of opinion, as was to be expected.

He also issued orders to the proper officers, directing the enrollment of a sufficient military force with a view to the declaration and enforcement of martial law, in the event of the civil power proving unable or unwilling to stem the tide of popular violence and curb the excesses of the mob.[1]

The partisans of the mayor, on their side, were not idle. In every section of the city, they were arming and organizing with the treasonable design of resisting by force the lawful authority of the governor.

Under such circumstances, a collision between the government of the State and the turbulent and seditious mob who adhered to the counsels of the mayor, seemed absolutely inevitable. To avert a catastrophe so frightful, and actuated by an earnest and patriotic desire to save the good name of the city and spare the effusion of blood, a number of the best and worthiest citizens proffered their mediation between the antagonistic authorities.

These gentlemen after consulting with the governor, called upon the mayor, and were shown for the first time, the following proclamation that he intended to issue previous to the election:

"PROCLAMATION.

"With a view to preserve order at the polls, at the election to be held in this city on the 4th of November instant, I deem it my duty to issue this proclamation to the citizens of Baltimore, in order that the position of the city government may not be misunderstood.

"The following order will be strictly observed:

"The police detailed for the various precincts will carry out all orders directed to them by any one judge or judges of election, and see that the polls are kept open and unobstructed.

"They will arrest and promptly convey to the nearest station, all intoxicated and disorderly persons who may be found at or near the polls.

"They will seize and convey to the nearest station all fire-arms which may be exhibited at the polls, or used to intimidate persons from voting.

"They will arrest all carriages passing through the streets with riotous and disorderly persons, and order them to be driven to the stations.

"On the occurrence of any serious disorder, or an attempt to obstruct the polls by any party or parties whatsoever, the judges of election are respectfully requested to despatch a message immediately to the mayor's office, in order that the same may be promptly arrested.

"The citizens generally are respectfully requested to report any case of delinquency on the part of the police.

"Omnibuses will be in readiness at the central station to convey an adequate force to any part of the city where a disturbance may take place, or an attempt is made to interfere in any manner with the free right of suffrage.

"There will be ten special policemen in addition to the regular police, who will be commissioned by the mayor, and lend their aid in preserving order at the polls.

[1] "Order No. 1. Headquarters M. M., Baltimore, October 28, 1857.—Major General George H. Steuart, commanding 1st Lt. Division M. M.: You are hereby ordered to hold your entire command ready for immediate service, fully equipped, and report to me at noon on Saturday next. T. Watkins Lucas."

"Order No. 2.—Headquarters M. M., Baltimore, October 28, 1857. John Spear Smith, Major General 3d Division M. M.: You are hereby ordered to enroll and embody, without delay, six regiments of not less than six hundred men each (to be officered and equipped), and hold the same in readiness for service by noon on Saturday next, and report to me.

"T. Watkins Lucas."

"The police are instructed to see that all drinking houses are closed on the day of the election, and to report all who refuse to obey this order.

"The voters are requested not to leave their respective wards during the day, and to retire quietly to their homes after depositing their votes.

"As Chief Magistrate of the City of Baltimore, I call upon all good and order-loving citizens to co-operate with me in carrying out the details of this proclamation.

"THOMAS SWANN, *Mayor.*"

Manifesting a degree of confidence, which subsequent events proved to have been utterly misplaced, in the ability of Mayor Swann to preserve the peace of the city, and in the sufficiency of his promised arrangements for that purpose, the gentlemen referred to returned to the governor and laid before him a "detailed exhibit" "of the special and extraordinary arrangements matured by the mayor;" and in accordance with the following communication, prevailed on the governor to withdraw his proclamation, and to leave the protection of their rights to the municipal authorities.

"*Baltimore, November 1st, 1861.*

"His Excellency the Governor of Maryland.

"SIRS:—Believing that the object of your official intervention in the matter of the coming election in this city, as to which you have done us the honor to consult us, will be effectually accomplished by the arrangements which the mayor has now made and communicated to you, we urgently advise you to abandon your purpose of resorting to the military on that day. We do not and cannot doubt that these arrangements will be carried out in good faith, and that the peace of the city and the uninterrupted exercise of the right of suffrage will be thereby effectually secured.

"We are, with very great respect,

"Your obedient servants,

"B. G. HOWARD,
"REVERDY JOHNSON,
"CHARLES P. MAYER,
"E. W. SMITH,
"CHARLES HOWARD,
"JOHN THOMPSON MASON,
"S. TEACKLE WALLIS."

The Governor consented and immediately addressed the following letter to Mr. Swann:

"*Baltimore, November 1, 1861.*

"To the Hon. Thomas Swann, Mayor of Baltimore.

"SIR: It is a matter of extreme gratification that you have communicated to me the extraordinary and additional arrangements by which you propose to preserve order at the coming election. Seeing in these the completion of a Special Police, which affords to all citizens the promise of personal protection, and also of a fairness and impartiality calculated to remove all distrust as to the freedom of the elective franchise on that day, it gives me great pleasure to say that I now contemplate no use of the military force which I have ordered to be enrolled and organized.

"I have the honor to be, sir,

"Your obedient servant,

"T. WATKINS LIGON."

To this Mr. Swann replied:

"*Mayor's Office, City Hall, Baltimore, Nov. 1, 1857.*

"To His Excellency, T. Watkins Ligon, Governor of Maryland.

"SIR: I have had the honor to receive your letter of this date. It forms me pleasure to know that Your Excellency is satisfied with my arrangements for preserving order at the ensuing election. The assurance which you have given me that you do not now contemplate the use of the military force which you have ordered to be enrolled and organized, enables me to anticipate a quiet and peaceful election, which I am sure will be as agreeable to Your Excellency as myself.

"I have the honor to be, with great respect,

"THOMAS SWANN, *Mayor.*"

The city was in a feverish state of excitement, and on the evening of November 1st, a dense and highly excited crowd gathered before the headquarters of the governor, at Barnum's Hotel, to learn the result of the negotiations for an amicable settlement which was then going on. Late in the evening, the following communication announcing the settlement of the matter, was read from the steps of Barnum's Hotel, by Colonel Samuel T. Hinsion, which was received by the crowd with cheers, after which they dispersed:

"We are authorized to state that the Governor and Mayor being mutually satisfied that the arrangements made by the Mayor will ensure the peace of the city, and the uninterrupted exercise of the right of suffrage on Wednesday next, the military will not be required in.

"REVERDY JOHNSON,
"COLUMBUS O'DONNELL,
"WILLIAM McKIM,
"LAMBERT GITTINGS,
"J. M. GORDON,
"R. OWINGS HOFFMAN,

"*Sunday, 5 P. M., November 1st, 1857.*"

On the following day, the governor issued the following proclamation, which settled the difficulty between the authorities:

"PROCLAMATION.

"I, T. Watkins Ligon, Governor of the State of Maryland, hereby make this proclamation to the citizens of Baltimore:

"Being satisfied that the extraordinary and additional arrangements made by the Mayor of the City of Baltimore, and with which he has now fully acquainted me, will afford to all citizens personal protection, and a fairness and impartiality calculated to remove all distrust as to the freedom of the elective franchise on Wednesday next; and the object of my official intervention having thus in my own judgment, and in that of a large number of respectable citizens whom I have consulted, been secured:[1]

"I do hereby proclaim and give notice that I do not contemplate the use, upon that day, of the military force which I have ordered to be enrolled and organized.

[1] Among the distinguished citizens of Baltimore who were consulted by the governor, touching the measures to be adopted, or who were invited to give an "opinion" upon the subject, and who fully concurred in all the views and measures which he felt it to be his duty to take, were the following: Reverdy Johnson, John Nelson, John V. L. McMahon, J. Mason Campbell, Charles F. Mayer, S. Teackle Wallis, George William Brown, T. W. Brune, Jr., I. Nevitt Steele, R. J. Martin, Robert Clinton Wright, W. H. D. C. Wright, Henry May, William H. Norris, and George P. Kane.

"And I do hereby call upon and solemnly enjoin all good citizens to unite with and support the constituted authorities of the city in the maintenance of order and the law.

"Given under my hand, at the City of Baltimore, the first day of November, in the year of our Lord one thousand eight hundred and fifty-seven.

"T. WATKINS LIGON,

"By the Governor, J. PINKNEY, *Secretary of State.*"

The election took place under the "arrangements" of Mr. Swann, and resulted in a more complete and shameful mockery of the elective franchise than any that had gone before. The solemn pledges of the mayor, that peace and order should be preserved at every sacrifice and at every hazard, proved to have been utterly delusive. There was more blood upon the sidewalks, and upon the hands and garments of citizens, and upon the annals and escutcheon of the city. Not only the naturalized voters, but thousands of the native-born were driven from the polls, and the majority of 1,567 given for Mr. Swann, the year before, was swelled to 9,016, in favor of Thomas Holliday Hicks, the candidate of the party which thus triumphed anew by the use of the same fraudulent and violent means. In the State, Hicks had a majority of 8,130 over John C. Groome, the democratic candidate. The know-nothings also secured forty-three members in the House of Delegates, to the democrats thirty-one; and in the Senate, fifteen know-nothings to seven democrats. They also elected all the other State officers, thus securing political control of the State.

GOVERNOR LIGON.

At the assembling of the Legislature, Governor Ligon, in his message, reviewed the "political era and its disgraceful character in the history of Maryland," and took occasion to say:

"Under a sense of duty not left to my discretion, I have issued commissions to all those persons who appear by the certified official returns from the City of Baltimore to have been elected to the various offices. At the same time I record my deliberate opinion that the election was fraudulently conducted; that in the exclusion of thousands of people from the polls, there has been no expression of the popular will; and that the whole of the returns from that city are vicious, without a decent claim to official recognition anywhere, and in all their character, a gross insult to our institutions and laws, and a moral offence to mockery of the great principle of political independence and popular suffrage."

The House of Delegates, regarding this as an insult to the members, and to the governor and other State officers, who were voted for by the citizens of Baltimore, for the first time in the history of Maryland, refused to receive the governor's message.

With the approach of the October election of 1858, absolute and utter despair seemed to take possession of the hearts and minds of the respectable citizens of Baltimore. The best and the bravest felt disheartened and dismayed in the face of that bonded ruffianism which for two years had

usurped and held possession of the polls, which had trodden under foot alike every public franchise and private right, and which now openly proclaimed its determination to re-elect the candidate of its choice. With the State and city authorities alike, the political allies of the ruffians and outlaws to whom both owed their elevation, any hope of protection from either was entirely out of the question.

Some confidently looked for an independent movement of the people, for the purpose of placing in the mayoralty an independent man. Others, with the experience of the two last years fresh in their recollection, despaired of accomplishing anything against the combined forces of ruffianism and the "city government" arrayed in opposition to any change. With the police and rowdies both on the side of the mayor, he appeared to them absolutely invincible, and they hesitated to engage in a contest against such tremendous odds. With the convictions that whatever violence might leave undone, fraud would be certain to accomplish, they abandoned all confidence in the ballot-box, as the instrument of political regeneration, and looked to time and circumstances to bring about the relief which they had given up all hope of effecting. The probabilities at one time seemed to be, that the election would be suffered to go by default,—that quiet and peaceable citizens would abstain from voting and that the mayor would be left to make as much as he could, out of a "verdict" in his favor obtained under such circumstances and by such means.

About August, 1858, however, an independent movement was instituted, though not such as was expected, and an independent candidate was nominated, which somewhat changed the aspect of things. Early in September this independent movement published their "platform," and presented as their standard-bearer Colonel A. P. Shurt, a gentleman of integrity, who had been a member of the whig party, but since the know-nothing party had come into existence he, like many others, had assiduously avoided identifying himself with either of the political organizations of the day.

But whatever the hopes of some and the apprehensions of others may have been, the actual result of the "election" must have utterly confounded the expectations and anticipations of all, except those who were secretly engaged in that conspiracy against the rights of the people, which triumphed in the absolute disfranchisement of an entire population, and in the nominal re-election of Mr. Swann to the mayoralty, by a majority which had grown from 1,567 in 1856, and 9,066 in 1857, to 19,149 on the 13th of October, 1858.

At an early hour of the day on which this mockery of the elective franchise was held, it became manifest that no free or fair expression of the popular will, with respect to the choice of municipal officers, would be permitted by the hands of armed and lawless ruffians who took and maintained possession of the polls. The police made no effort to protect citizens in the exercise of their rights of suffrage, but remained unconcerned spectators of the violence to which they were subjected. Under these circumstances,

at the hour of noon, Colonel Shutt, the independent candidate for the mayoralty, finding it impossible for those favorable to his election to approach the ballot-box without the risk of incurring great personal danger, issued the following address:

"FELLOW-CITIZENS:—It being now clearly manifest that a deliberate purpose actuates the Mayor of this city to countenance the general combination which now prevails between his police and the armed bands of lawless men who have since the opening of the ballot-boxes held possession of the polls, to the exclusion of all voters opposed to Mayor Swann, and it being urged upon me by many of our best citizens that any persistent attempts to vote upon the part of my friends can only be attended with loss of life and the general disorder of the city, I feel it my duty to yield to their judgments, and withdraw my name as a candidate for Mayor.

"A. P. SHUTT.

"*Wednesday, October 15th, 12 o'clock M.*"

Comment upon the condition of things which this letter discloses, would be superfluous. Yet the condition of the city was but the natural consequence of the encouragement, active and passive, that had been given in past years to lawlessness, and to the impunity with which it had been permitted to flourish, under the scarcely veiled protection of the municipal authorities.

If we needed further evidence to show the manner in which the election was carried, the figures would be sufficient comment. There certainly must have been illegal voting, and a great deal of it to have enabled the Eighth ward to give 3,307 majority for Colonel Shutt, and the fourth ward to give 2,507 for Mr. Swann. The more formal record of votes sufficiently explains the character of the election. Out of the entire poll of 28,866 votes, Colonel Shutt is reported to have received but 4,859, and of these 3,423 are represented to have been cast in a single ward, leaving 1,430 as the whole number of the ballots which were deposited in his favor throughout the rest of the city.

To our citizens these facts and figures were quite intelligible enough of themselves, and told, too plainly, of their shame and humiliation. The details and particulars of the various outrages that were committed by the ruffians, who held undisturbed possession of the polls, were in every mouth, and were repeated and discussed by every fireside, and in every counting-room, store, and tavern in the city. They were retailed from house to house, and from man to man, until there was scarcely an individual in the community who had not heard, or did not know of some neighbor, friend, or acquaintance, who, on October 13th, was driven and beaten from the polls, or was threatened, insulted, and intimidated, in the vain attempt to exercise the right of suffrage. From the opening of the polls in the morning until their closing in the evening, in nineteen wards of the city, they were occupied and held by bands of armed bullies, who, as the returns will show, permitted scarcely any to vote who did not openly show, and as openly vote, the "American" ticket. That ticket, moreover, was so marked upon the back with a blue checquered pattern, that, however folded, it could be recognized

without difficulty in the hands of the voter. By this means, the secrecy of the ballot was effectually destroyed, and the ruffians who guarded every avenue to the polls were enabled to tell at a glance whose votes might be admitted, and whose should be excluded. Not content, however, with excluding legal voters opposed to the election of Mr. Swann, an immense proportion—probably not less than from two-thirds to three-fourths of the whole number polled—of illegal votes were cast in his favor—men, and even boys, voting—not twice or thrice merely, but ten or fifteen times,—not only in different wards, but in the same ward—not at different hours of the day, merely, but half a dozen times in succession, with scarcely an attempt at concealment or disguise. Other votes were polled which were purely fictitious—tickets being handed to the judges, and received by them, which were falsely represented to have been tendered by persons in omnibuses and carriages, who were unable to get out and walk to the window. In short, every trick and stratagem which fraud could invent, and every extremity to which violence could resort, were successfully employed for the purpose of electing the "American" candidate. These outrages upon the ballot-box and upon the persons of voters, the judges were unable, and the police unwilling, to prevent. The former did not so much as dare to question an illegal vote, even when, as was frequently the case, they knew it to be such. The latter constantly refused to interfere for the protection of anybody.[1]

Under such circumstances, and in such a crisis, a large number of the most respectable citizens of Baltimore organized a "City Reform Association" for the effective redress of grievances which were the common burden and disgrace of all, and the reproach of the whole country.

On the 1st of November, 1858, they held a meeting and adopted the following "address," which was published with the signatures of the officers appended thereto:

"A number of the citizens of Baltimore, believing that a state of things exists in this community under which its members can no longer rest in safety or without disgrace, have united themselves together under the name of the 'City Reform Association,' for the purpose of vindicating and preserving their political, personal and civil rights. The evils and abuses which, in their judgment render such an organization indispensable at this time, are so patent, and involve so deeply and notoriously the good name of the city and the material interests of every man within its borders, as to supersede the necessity for any elaborate exposition of them here. It is sufficient to say—what cannot they believe, be denied, with any decent respect for the truth—that there is no reasonable and sufficient security in Baltimore for person, property or franchise, under the existing administration of the laws. A system of recognized violence and despotic ruffianism has

[1] "At the Southern and Western Police District Station Houses, Baltimore, there was not a single police return for an arrest on election day, although most of the disturbances occurred in those districts. The following advertisement appears in the Baltimore *Clipper* of October 1, 1858, and illustrates better than we can do by any comments of our own, the actual condition of the 'City government' and the character of the influences that controlled it:

"ATTENTION, BOYS' SQUAD!—All those opposed to William Howard being on the police are requested to meet at the Eagle Skin Hall, on this evening, October 7, 1858. By order

"WILLIAM HOWARD, *Captain*."

power to instantly and power, as a very element of government, under the inefficiency of a police force, as ample as it is costly, but which, in spite of individual and meritorious exceptions, is defective alike in morals, rhetoric and administration. Organized bands of conspirators and outlaws have usurped open mastery over important departments of industry; controlling the owners of property in the exercise of their rights over it, as well as in the employment of labor in connection with it, and driving humble and peaceful men from the lawful field of their honest livelihood and toil. Outrages by day and night upon unoffending citizens; robberies on the public highways; savage assaults upon voters while using or attempting to exercise the right of suffrage; murders of men at their own homes and in the streets—have become the burden of the press, until even the gravest communities have almost ceased to startle a community, to which scarce anything would be a novelty but peace and good government. The comparative infrequency of arrests, the facility with which the most notorious offenders find release upon insufficient security; the tardiness of trial, the uncertainty of conviction and the inadequacy of punishment, even when the crime is most heinous and glaring—all tend, if left alone, to the perpetuation of a mischief which is utterly subversive of the objects of civilized society. If, to such an array, be added the recurring outrage and shame of the last election day—when the purity of the ballot-box was made a public mockery, and the secrecy of the ballot itself a farce; when access to the polls was rendered impossible except at the armed and absolute pleasure of the most abandoned wretches among us; when the most sacred and fundamental prerogative of citizenship was trodden down, with perfect impunity, in the presence of the constituted authorities, and the great mass of the whole community was disfranchised by force and intimidations found, before the eyes and without the intervention of the officers of the law—there surely can be no need of dwelling further upon the causes which have induced the members of this Association to leave the quiet of their homes and business for the purposes of their present organization. They have felt such a step to be demanded not less by their own rights and interests than by the reputation of the city, with such atrocities, unrebuked, have so sadly stained.

"The members of this Association believe that the evils under which they and their fellow-citizens are suffering, are susceptible of easy cure, within the scope of the existing laws, with good faith and reasonable diligence on the part of those who are charged with their administration. But they see enough, in the experience of the past, to satisfy them that a temporary diminution or suspension of those evils is no guaranty for their permanent suppression; and that no momentary effervescence of official vigilance or activity affords any certainty of the re-establishment of order and good government. They are convinced that the only positive security against the continuance of such grievances and their augmentation, in the future, is the combined and resolute action of the citizens themselves, within the limits of the law also. They have therefore pledged themselves to each other, to join, with such affiliated societies as may be formed, for like purposes throughout the city, in vindicating and re-establishing their rights and restoring the good name of Baltimore. It is their declared purpose to unite in guarantying to honest the purity of the ballot-box and absolute freedom of access thereto, and in promoting and securing, by all lawful and fair means, the election of honest, competent and faithful men, without distinction of party, to the various offices of Municipal, Judicial and Executive trust in this city. Every member of the Association, while binding himself to the exclusion of party purposes and preferences from its councils and action, remains free and uncommitted to pursue his political convictions in all matters of State and General Government and policy.

"The Association has been organized by the election of the permanent officers, whose names are subscribed hereto. As its first and most appropriate public act it has resolved to make the present appeal to the community, and its members therefore respectfully and earnestly invite their fellow-citizens to co-operate with them, by the formation

of kindred associations in the different wards, with a view to the peaceable and lawful attainment of the objects which they have disclosed, and which are a common and vital necessity to men of every honest calling and every shade of political opinion.

"SAMUEL W. SMITH, *President.*
"WM. H. D'C. WRIGHT,
"HUGH A. COOPER,
"DR. A. C. ROBINSON,
"GEO. WM. BROWN, } *Vice Presidents.*
"HENRY M. WARFIELD, *Recording Secretary.*
"JAMES H. BARNEY, *Corresponding Secretary.*
"LAMMOT GUTTINGS, *Treasurer.*"

Among the names appended to this "address" together with those of the officers of the association were men whose interests were dependent upon the prosperity of the city. They had heretofore belonged to different parties, and now offered to act together without regard to party predilections, for the purpose of re-establishing in the city the supremacy of the laws, the preservation of the peace, and the vindication of the rights of all.

Their recital of the grievances which created the necessity for such an organization, though open and plain-spoken as became citizens of a free country, when commenting upon public affairs, is nevertheless temperate and decorous, and within the strictest limits of moderation. It of course offended those whom it arraigned; but its undeniable truths and firm determination, commanded the respect and enlisted the sympathy and support of the great mass of good men in the community who acknowledged the necessity of some instant action to suppress evils which had grown to be intolerable.

Neither of the political parties, as organized in the city at this time, commanded the respect and confidence of the people. It was thought, therefore, that nothing could be done for the relief of the city, save through the efforts of those who were willing, for the time, to forget party ties and political prejudices, and work honestly and manfully together, for the common weal. With this object in view, it was thought that a combination of respectable and patriotic citizens could sweep away the political hacks and affiliated ruffians who had so long plundered and disgraced the city, and install in the offices about to be vacated men whose lives were irreproachable, whose characters were pure, and whose integrity was above suspicion. A movement honestly made and honorably conducted, as the one now initiated by the merchants, must, they believed, command the overwhelming support of the vast majority of the citizens, irrespective of party.

Notwithstanding the favorable auspices under which this "reform association" was organized, nothing was done in the fall of 1858 and the spring of 1859 to restore peace and good order. As the fall elections of 1859 approached, however, a large number of the citizens of Baltimore determined to make one supreme effort "to rescue the city from its present deplorable condition." They, therefore, issued an invitation to their "fellow-citizens of Baltimore, irrespective of party," to assemble in "town meeting, at Monument Square,

on Monday afternoon, the 11th day of September, at four o'clock, to deliberate with us, and devise some means of rescuing our city from its present deplorable condition." Appended to this call were the names of over two thousand of our best and best-known citizens—of men in every walk and occupation of life—merchants and tradesmen, professional men and mechanics; of members of both political parties, and of men who had never been identified with either. With one accord, these men, of every shade of politics, and all sorts of opinions, agreed in pronouncing the "present condition" of the city "deplorable," and in proclaiming the necessity of "devising some means," other than those which the laws, existing at that time administered, afforded for the purpose of rescuing it from its degradation.

In consequence of the inclement weather, the "Town Meeting" was postponed to Thursday afternoon, the 8th of September, at which time about ten thousand persons assembled in Monument Square. At the appointed hour Charles D. Hinks, on behalf of the committee of arrangements, presented the name of William Woodward, Esq., for president of the meeting, and three gentlemen from each ward for vice-presidents, which were adopted. After the appointment of a number of secretaries, Mr. Hinks read the following resolutions, which were drafted by a committee appointed by a large number of citizens, who had assembled a short time previous in the Merchants' Exchange:

"*Whereas*, It is an established principle in all republican governments that the power of selecting men to fill the various offices of trust and emolument in the State is inherent in and may be exercised only by the people at large, or by those to whom they may delegate that power; and,

"*Whereas*, In the city of Baltimore this principle has been departed from, to so important a degree, that the authority to select and nominate for every office has been of late seized and appropriated, without the sanction of the masses of the people by a small minority of our citizens, who have in many instances, in a most disorderly and violent manner, prevented a fair expression of sentiment on the part of the legal voters of the city; and,

"*Whereas*, It is impossible that in the present condition of affairs, there can be an uncontrolled exercise of our elective privileges and franchises, either in primary meetings or on election days at the polls; and,

"*Whereas*, We are convinced that our city is suffering, both in her domestic and foreign interests, because of the abuses which have resulted from this wresting of privilege and authority from the many and concentrating both in the few; and,

"*Whereas*, Many of our best citizens, both native and of foreign birth, are rapidly losing confidence in the ability or willingness of the people to protect their lives and their property; and,

"*Whereas*, It is true that, while political rule rests where it now does, many strangers, business men and others, may think it unsafe to maintain existing relations, or form new ones with us; and,

"*Whereas*, There can be no question that apprehension hangs like a pall upon the minds of a large number of our people, and that we are jeered and scouted by our rivals, and greatly censured by our friends of other cities, and of the country, for so long permitting the grievances named to exist without an effort to abate them, and

"*Whereas*, We believe that a combined effort must and will result in the fullest and happiest success, therefore

"*Resolved*, That we will re-establish in our midst the principle heretofore set forth, and that we invoke all good men and citizens to aid us in the effort.

"*Resolved*, That the legal voters of Baltimore, be they whom they may, shall exercise their elective rights and franchises unmolested and uninterrupted by any parties or persons, and that all who seek to molest or interfere with them shall be visited with the heaviest penalties of the law.

"*Resolved*, That the public offices of this great city ought to be entrusted to none but competent, honest and faithful men, who will regard the public welfare as paramount to private interests, and who cannot be corrupted by bribes, or intimidated by threats.

"*Resolved*, That we have such men in our midst, and we hereby pledge ourselves to employ our best efforts to place them in authority.

"*Resolved*, That in this movement we utterly repudiate all party motives, ties, and predilections, being governed and influenced solely by a desire to retrieve the good name of our city, which has been so seriously compromised, and to establish authority, so necessary to good order, in the hands of good men, without regard to party names or party politics.

"*Resolved*, That there shall be appointed by the president and vice presidents of this meeting, or a majority of them, a committee of twenty men, consisting of one from each ward, and that these twenty men, with the president of this meeting, shall constitute a "Central Committee," who shall be authorized and directed to nominate at as early a day as may be expedient and practicable, candidates, without regard to party, and to be selected from the best, most reliable, and most competent men in this community, for the following offices, namely:

"For the Senate of the State of Maryland, 1; for the House of Delegates of the State of Maryland, 10; for Attorney for the State for the City of Baltimore, 1; for Sheriff of the City of Baltimore, 1; for Clerk of the Circuit Court of the City of Baltimore, 1; for Judges of the Orphan's Court of the City of Baltimore, 3; for the First Branch of the City Council for the City of Baltimore, 30; for Justices of the Peace for the City of Baltimore, 28; for Constables for the City of Baltimore, 44; and that in selecting candidates for the City Council, Justices of the Peace, and Constables, in the respective wards, the said committee of twenty-one shall call to their aid and counsel a sub-committee which they may appoint, of not less than five members from each ward, they to be residents of the respective wards in which they shall be appointed, said sub-committee to confer and consult with the said central committee of twenty-one, and that the ward nominations be made for each ward by the said central committee of twenty-one, and the sub-committee for each ward, or a majority of both.

"*Resolved*, That the said central committee shall prepare and present in person to his Honor, the Mayor of the city of Baltimore, a respectful address, claiming at his hands the appointment of Judges of Election in every ward in the city, and particularly for the ensuing elections in October and November, of unimpeachable character, unflinching firmness, undoubted courage and the purest honesty. Also, that he will enrol and commission two hundred special constables or police officers in each ward, or so many for each ward as in the opinion of the Mayor and the committee may be sufficient or necessary; said special constables to be order-loving, peaceable, conservative men, who shall co-operate with the regular police force in preserving the peace, arresting offenders, and especially any person or persons who may interfere with or intimidate, or attempt to interfere with or molest, any legal voter, or who may endeavor to prevent any legal voter from exercising his elective rights, that he will clothe the entire police force, regular and special with the fullest powers of the law, and publish to them in the daily papers of the city

such peremptory and plain orders and directions as will authorize them to meet promptly and effectively any and every emergency, and justify them in using their authority with such vigor as occasion may require; also that he will, if the power to do so rests in him, cause all drinking-houses to be closed on said election days, and that he will take all other measures to secure a peaceful and fair election, and guarantee to every legal voter his sacred rights as a free citizen of this commonwealth.

"*Resolved*, That his Honor the Mayor, be respectfully requested by said Central Committee, to reply in writing to the address presented to him by them, and that they cause both the address and the answer to it, to be printed in all the daily papers of the city, in order that the citizens of Baltimore, whose deep solicitude on the subject is apparent to every observer, may have the fullest assurance of protection and security.

"*Resolved*, That the said Central Committee, shall also respectfully tender their co-operation and assistance to his Honor the Mayor, in selecting the Judges of election, and the special police for each ward.

"*Resolved*, That while this meeting trusts that the measures they propose will produce the desired result, and that the authorities of this city will act efficiently in the spirit of these resolutions in preserving order, and in securing to all citizens their undoubted rights, yet as these just expectations may be disappointed, therefore, we do hereby declare that the said Central Committee, be, and they are hereby also authorized and requested in the event, that from any cause they have good reason to believe that the necessary steps have not been taken, and will not be taken, to secure a fair election, and to sustain each citizen in the enjoyment of his legal rights, to convene another Town Meeting, to determine what course of action shall then be pursued.

"*Resolved*, That the movement which we are now making is designed for the benefit of our city, and the good of the whole people, and that we will permit no man, nor combination of men, to use it, or direct it for any private individual or party purpose. That we earnestly invoke the countenance and aid of every good man, every true lover of his city.

"*Resolved*, That we unite in calling upon the people of Baltimore by every tie, by every consideration, by every honorable motive, to awake, arouse, and shake off the lethargy which has hitherto prevailed. That we urge them as they value their peace and life's fame to come in their might to the rescue while the opportunity invites. That we entreat them as brothers, having with us common interest to make with us common cause in this great work. That we claim their time, their thoughts, their influence; that they combine their energies to arrest their city in its present tendency to degradation and ruin. That they will with the spirit of freemen determine to rule by the voice of the whole people, and act on that determination. That they will restore the ballot-box and the government to their proper purity, and make it known to all men that they are under the protection of living and honored, not dead and dishonored laws. That they will unite in one mighty effort, will do their whole duty in perfect confidence that the path of duty is the way of right, and will lead to a successful and happy issue. Thus animated, thus united, a great moral victory must be achieved, and all will be well."

After patriotic and eloquent addresses were delivered by George William Brown, James Hodges, and George M. Gill, the meeting adjourned, with ample encouragement to those enlisted in the good work which it was its purpose to advance. Not only was the assemblage as large as the most sanguine could have anticipated, but it was animated by a hearty and determined interest for the cause in behalf of which it had come together, September 8th, 1859.

"In pursuance of the resolutions adopted at the "Town Meeting," the president and vice-president, so authorized, appointed the following twenty-one conservative citizens as a "Reform Central Committee:"

WILLIAM WOODWARD, President.

Wards.	Wards.
1—William Dean,	11—Dr. J. H. Thomas,
2—Thomas J. Cochran,	12—Charles J. Baker,
3—Edward W. Robinson,	13—Dr. A. C. Robinson,
4—Robert Carrelson,	14—Michael Warner,
5—James Musgrave,	15—James Harper, Jr.,
6—Dr. C. H. Bradford,	16—Alexander Russell,
7—Richard Fowler,	17—William Swindell,
8—James P. Thomas,	18—Edward Moon,
9—Louis Muller,	19—Joseph H. Bigmar,
10—George William Brown,	20—Allen A. Chapman,

CHARLES D. HINKS, *Secretary.*

In their "address to the citizens of Baltimore," published on the 8th of October, 1859, this committee made a report of their proceedings, as well as a statement of the prospects of "Municipal Reform," in which they say:

"The first duty assigned to us was to endeavor to obtain from the Mayor the appointment of unexceptionable judges of election, and of a strong special police to maintain order at the polls, and we regret to be compelled to report to you our failure to accomplish either of these objects, although our efforts to secure both were very sincere and as urgent as a proper regard for the character of the body which appointed us, and our own sense of self-respect would permit us to make. Our correspondence with the Mayor has been published, and has no doubt satisfied you of the impossibility of obtaining his effective concurrence in the measures recommended by the meeting.

"The tender of our assistance in selecting the judges of election and special police was made in most respectful terms, and in the confident expectation that it would be cheerfully accepted; but the Mayor assumed the position that our request was an attempt to share with him the powers and responsibilities of his office. The privilege which the humblest citizen may claim of recommending suitable men to office, and objecting to those who are unfit, was not conceded to us, although our application was made in pursuance of the instructions of one of the largest and most respectable meetings that ever assembled in this city.

"While he professed to be ready as he had been before to appoint a special police, he required them to be conservative men, free from party bias, who had a real wish to co-operate with the authorities of the city. The conditions imposed rendered the appointment of such a body impossible. If party bias be made a test it would exclude from the service the Mayor himself as well as the whole regular police force of the city, who have all been appointed on party grounds. If we could have hoped that our recommendations would have had any weight, we should have been prepared to recommend for the special police suitable and responsible men, who would do their duty, but we could not venture to affirm that they would be free from party bias, because in this country every man in the community has political relations and antipathies which necessarily constitute in his mind a party bias. Nor could we hope to satisfy the Mayor that any men of our recommendation would have a real wish to co-operate with the authorities of the city, when our own real wish to co-operate had been so unfavorably received.

"In our second letter to the Mayor we felt it to be our duty to express our deep regret that many judges of election had already been nominated who, at the last election, had received and recorded large numbers of illegal votes, and who had therefore lost the con-

felonies of the community whose rights they had failed to protect. To this charge the only reply made was a demand for such "legal proofs."[1] This demand could not be complied with, simply because no case had arisen in which legal proofs had been taken. Affidavits indeed could have been supplied in abundance, but they are not legal proof in any sense of the expression, and doubtless would have been so considered, if we had been unwise enough to offer them. Nor, could we admit the propriety of our offering proof of facts which are universally known in this community, and not even denied by the Mayor, except so far as a denial may be implied by his demand for legal evidence, and, moreover, are established by the official returns of the election by which he was made Mayor, and with the proceedings at which he must be supposed to be familiar. These returns show an aggregate vote cast for Mr. Swann of 21,805, when two years before, in his contest with Mr. Wright for the Mayoralty, his vote amounted to only 18,593. No man of sane mind can believe that upwards of ten thousand votes could have been fairly cast for Mr. Swann in 1858, over the large and triumphant vote which he obtained in 1856. Besides, at the lowest computation, there is a democratic vote in Baltimore, as shown by the election of 1856, of more than 12,000. If this be added to Mr. Swann's recorded vote in 1858, it will give an aggregate vote of upwards of 30,000, while in 1856, during the strongly contested election between Mr. Swann and Mr. Wright, the aggregate was amounted only to 31,239, thus indicating an increase of population of the city in two years, if the vote for Mr. Swann was a fair one, of nearly 10 per cent. It will be found, on examination, that these frauds were not exclusively confined to any particular wards, but generally pervaded the city, and that twenty-six judges out of sixty were denounced.

[1] Mayor Swann, in his last letter to the "Central Reform Committee," dated September 22, 1858, expressed "surprise" at the charge that "at the last election, many judges received and recorded large numbers of illegal votes." He desired to be furnished with the names of the parties implicated, "and the legal proofs" of their perversion of duty. In proof of such charge, it was only necessary to look to the returns of the election, which bore on their face so palpable an impress of fraud and violence, that any disregard of the subject natural to refined and intelligent minds was impossible. The fourth ward is well known to the citizens of Baltimore as one entirely within the bounds of the city. Its population, if it increases at all, increases so slowly as to make the advance of its vote almost imperceptible. This is proved by the returns for a number of years, when there was no pretense of fraud. In 1848, in the exciting presidential election between Taylor and Cass, the total vote of this ward was 1,103. In the election of 1850, it was 1,007. In the presidential contest between Scott and Pierce, in 1852, it was 1,133. Up to that time the vote of the fourth ward had never reached 1,200—about the outside number of legal voters which its whole white population of 6,877 returned in the census of 1850 would authorize us to expect. In 1856, which was the commencement of Mr. Swann's political career, this ward gave him 1068 votes; and his opponent, Mr. Wright, 286. The judges who presided at that election were of the appointment of Mr. Hinks, and were never charged with rejecting American votes on that occasion. The vote, therefore, of 1856, under circumstances as well calculated to bring it out as ever existed before or since, was altogether 1,197, or only *four* more than the same ward had cast in the election between Cass and Taylor, in 1848. Under the fostering care of the "municipal government," but a single year elapsed before a vast change was effected. In 1857, at the governor's election, the judges appointed by the mayor for the fourth ward reported and returned a vote of 1,879 polls—682 more than it had cast only the year before. In 1858, such were the improvements and facilities afforded by the "municipal government" and the judges and police, that this ward got in a total vote of 3,569, of which Colonel Shutt received but 41, showing another advance in another single year of 736 votes. It thus appears that, under the mayors in the eight years preceding Mr. Swann's first election, the vote of the fourth ward increased but the insignificant number which a man may count on the fingers of one hand, while, under two years of Mr. Swann's administration, there was added to it the handsome accession of 1,393 votes, making a sum total considerably larger than double the number at the start. In the second ward, where a majority for Wright in 1856 of 684 votes was converted by 1858 into a majority for Swann of 1,382. In this ward, two of the old judges were retained for the election of 1858, and one in the fourth ward. In the eighth ward, where the frauds were only less glaring than in perhaps, one or two others, and may be established as conclusively as we have proved those in the fourth, two of the old judges—a majority—were retained.

In the face of such facts, the demand for legal proofs received no further consideration from us. That morning might be wanting on our part, we next applied to the Sheriff of the city, who, as conservator of the peace, possesses ample powers—greater in some respects than those of the Mayor, and not superseded by them. Our correspondence with that officer has also been made public, by which it appears that while he does not question his own powers, he declines, for reasons which he considers satisfactory, to take measures in advance to secure the peace of the city. One of the difficulties encountered by the police and complained of by the Mayor, is the release of offenders on straw-bail by weak or dishonest magistrates. But those committed by the Sheriff or his deputies cannot be so released, and, in order to prevent this great evil at the approaching election, it is only necessary that the Mayor and Sheriff should heartily co-operate with each other.

"The Sheriff, however, assures us that, having been informed of the arrangements of the Mayor, he is satisfied that they will be sufficient to accomplish the result which we desire, and that he will co-operate earnestly and fully in all measures which circumstances may render necessary for the preservation of the peace of the city and the proper conduct of the election."

* * * * * * * * * * *

"With the prospects now before us, we see no ground for discouragement as to the great measures of Reform which you have inaugurated. On the contrary, they meet with encouragement and sympathy on all sides, from men of the highest respectability, of every occupation, and of all political parties. * * *

"In conclusion, fellow-citizens, we earnestly recommend you to organize in the different wards in support of the Reform ticket, to consecrate the whole day of election to your country, to select a large and reliable body of citizens whose duty it shall be to

[1] On Thursday evening, October 27, 1859, the conglomeration of factions of the city, comprising the Blood Tubs, Bed Necks, Pioneers, Ashbreads, Spartans, Regulators, Black Snakes, Tigers, Entombs, Gladiators, Rip Raps, Rantons, Little Fellows, Plug Uglies, and several other clubs well known to fame and the criminal annals of Baltimore, paraded the streets and assembled in mass meeting in Monument square. The assemblage was a huge one. There were drums and banners, and rockets and transparencies. The Hon. Anthony Kennedy presided, assisted by sixty vice-presidents. The Hon. Marshall Harris wore a wreath of flowers around his neck. The Hon. Henry Winter Davis spoke, and over his head was suspended a huge rail, some three feet in length, alluding to the fact that rails had been freely used by the members of these clubs in stabbing and murdering voters of the reform party at the polls. In front of the speakers' stand was a blacksmith's forge in full blast, which, during the meeting, was employed in manufacturing rails for distribution among the crowd, to be used at the next election. The mottoes upon the transparencies, which were carried in procession and arranged around the platform, were of the most brutal and indecent description. All of them distinctly avowed the deliberate purpose of the know-nothing party to triumph in the coming election by violence and fraud. Upon one of them, brought by the delegation from the eleventh ward, was the inscription, "*We will not Count the Votes*," the meaning of which—by the destruction of the ballot boxes in the tenth and seventeenth wards at the last election—was made sufficiently plain. Upon another was the significant declaration, that "*The Third Ward is And Right*," the word *not* being substituted by a transposition of the letters. Upon another transparency from the same ward was a picture of an infidel Jew with a clinched fist, with the motto, "*With this we will do the Work*." A transparency from the seventh ward pronounced the fact that "*The Art is Dyed in the Hand of an Artist*," while on another from the second ward, there was the insolent inscription, "*Reform Tickets and Reform Men by the car Load, 10 to 1—d*." Upon another transparency, was the figure of a man running, with muskets in pursuit pointing him with an axe. There was another figure of a bleeding head, with the device, "*The Head of a Reformer*." On a transparency from the seventeenth ward, was the invitation, "*Come Up and Vote; There's Room for All*." Such were the devices and mottoes which the know-nothing party had inscribed upon its banners in this instance. They were sufficiently suggestive of the spirit which animated its organization, and of the means which were to be employed to secure its success. In the ranks of the procession, in which these disgusting emblems of ruffianism and violence were borne, were many of the most influential and respectable men of the city, who depended upon the continuance of the American party in power for honorable and profitable

remain at the polls, to give lawful aid to every honest voter without regard to his party, his religion, or his place of birth; to challenge every illegal vote; to see that every man casts his vote who is entitled to do so; to note carefully whether the police and other officers do their whole duty, and to prosecute every violation of the law which may occur."

In the election for members of the city council, while not a decided success of the reform movement, yet, their success in the 8th, 10th, 11th, 12th, 14th and 15th wards afforded a most gratifying augury of the complete triumph which awaited their persistent energy, and a more thorough organization. This election, however, like a number of others that had preceded it, furnished the most overwhelming and indisputable evidence of inefficiency and bad faith, on the part of the municipal authorities. At many of the polls large numbers of voters were disfranchised by intimidation and violence, and although the demonstrations of outrage were, for the most part, less overt and scandalous than on the previous occasions, nevertheless, they were, in many wards, as successful as ever in preventing the fair and free exercise of the right of suffrage.

In but a few of the wards was there an honest and complete discharge of duty on the part of the police, while at the same time there was, everywhere, ample demonstration of their perfect ability to preserve the peace of the city and the freedom of the polls, and of the disposition of the most of them to fulfill their obligations, had they been held thereto with anything like the right spirit by those whom the law had placed above them. The proceedings of the day also made it perfectly clear, that if the mayor had adopted the suggestions of the reform town meeting, and had brought to the aid of his police the co-operation of respectable private citizens, selected and commissioned by him for the occasion, the public tranquillity would not have been violated, and the rights of no voter trodden under foot.

With the election on the 2d of November, for Comptroller, members of Congress and the Legislature, came the most momentous issue that had been presented to our citizens for years. We will not comment upon the result of it, but will simply say, that life was, as usual, sacrificed in the ineffectual struggles of individual gallantry. By two o'clock, in all the wards, except the eighth, the reformers abandoned the polls, perfectly satisfied that any fair election was impossible.

In the "address of the central reform committee" to the citizens of Baltimore, we find a history of some of the more conspicuous acts of violence:

"CITIZENS OF BALTIMORE:

"Your efforts for reform were defeated at the recent elections by deeply contrived fraud and overpowering violence, carried to an extent which could hardly be credited, were it not that you have experienced the one and witnessed the other. The extensive scale of the operations, their careful design, and skillful combination, indicate fixed complicity, or, at the least, criminal connivance on the part of the authorities of the city. A large majority of the legal voters, as we confidently believe, were in favor of the reform

movement and were prepared to sustain it by their votes on Wednesday last, and a conviction of this fact, doubtless, led to the monstrous determination on the part of those in power to retain it at any cost.

"With some exceptions those who were appointed judges of election were not qualified either by capacity or character for that important office; and while a few are entitled to all praise for their manly efforts, under the most trying circumstances, to maintain your rights, a large majority wholly failed to do their duty. The polls in some instances were placed in situations immediately under the control of the clubs who had their arsenals close at hand, with every preparation made to take possession of the polls and drive away voters by force of arms. Illegal votes in great numbers were received by many of the judges without question or scruple. Not a few persons voted many times in the same ward, and many others voted in wards where they did not reside. Omnibus loads of wretched creatures who had been coaxed or kidnapped into vile dens, and there confined for days, were carried about from place to place and voted as often as their keepers thought proper. No attempt was made by the authorities to break up the arsenals or dens. Respectable citizens were brutally assaulted, beaten and driven from the polls. Very few naturalized citizens were allowed to vote or even to approach the polls. Various kinds of violence, annoyance and intimidation were resorted to, and if these had not sufficed, the clubs were prepared to carry the election, as we have every reason to believe, by wholesale murder. When this became clearly apparent, with a view of saving the lives of citizens, we used our efforts successfully to withdraw all active opposition, and throughout the city the clubs were left in uncontrolled possession of the polls, except in the 8th and 12th wards. In the 12th ward, order was partially preserved throughout the day, and in the 8th ward the Reformers were so largely in the majority and were in such great force, that they had the control entirely in their own power, but to their great credit, notwithstanding the provocation occasioned by the ill-treatment of their friends in all the other wards, the voting was conducted fairly and peaceably during the entire day.

"In the rest of the city, no election was in fact held. That which was so denominated was a shameful mockery in which all fair expression of opinion was prevented by intimidation, fraud and violence.

"And we cannot even stop here, but it is our melancholy duty to state that a foul and bloody murder was added to the other crimes of the day. This community will long deplore the death of an excellent fellow-citizen, Adam Bentley Kyle, Jr., who lost his life in a manly effort to maintain his right as a voter and perform his duty in the manner recommended by this committee. But he has not died in vain. His blood was shed in defence of the dearest rights of freemen, and that honor awaits his memory which is awarded to those who lay down their lives for their country. A great sacrifice like this seemed to be needed to arouse the people to a just sense of their degraded political condition and of their manifest duty.

"The police, with very few honorable exceptions, were shamefully delinquent, making no effort to assist voters or suppress disorder, but openly sympathizing with the rioters, and in almost every case arresting those only who were assaulted by ruffians and who endeavored to defend themselves. Little reliance in such emergency can ever be placed on men who are chosen for their partizan services and whose continuance in office depends on the success of the party to which they belong. On this occasion the police, no doubt, obeyed the instructions which they had received from their superiors.

"Citizens of Baltimore: The men who have been returned by the officers of the law as your rulers and representatives, have no right to these places. Amongst them are those who claim to be, and who have always been considered honest and honorable. It is such a principle of law and a maxim in morals, that the receiver of property, known to have been obtained by robbery, is as guilty as the taker; and they who by fraud and violence

are elected to offices of trust, cannot retain them without incurring guilt equal to that of the instruments by which they were thrown. You have, your right, therefore, to ask and expect that every honest man who has been returned as elected will hasten to decline an office to which he has no just title.

"But even if this obvious dictate of propriety and duty should be disregarded, you are not without a remedy. On being satisfied of the facts of the case, the Legislature cannot fail to refuse seats to all those who claim to be members elect of that body. And the Courts are open to contest the places claimed by the rest. It is due to yourselves, and to the presented honor of your city, that you should not only solemnly protest against the election, but that you should immediately institute the most effectual legal measures to prevent the offices being taken possession of by those who have no right to fill them.

"We offer no suggestions in relation to the members of Congress who have been returned as elected, or to the Comptroller of the State, because our duties appertain exclusively to municipal affairs.

"Our functions as a Committee are now at an end; but in conclusion, we most earnestly advise you to apply to the Legislature for the enactment of laws which are indispensably necessary for any thorough and permanent reform in your city government."

Notwithstanding the great wrongs which had been committed at the last election, the reform committee did not suspend for a moment its efforts to redeem the city from its shame and sorrow. With confidence in the good of their cause, and a resolute determination to succeed, the committee called a reform convention on the 17th of November, and organized, on motion of Hon. S. Teackle Wallis, by calling George M. Gill, Esq., to the chair. For the purpose of carrying out the objects of the association, and with a view to make the reform movement in Baltimore more efficient and a permanent organization, the convention appointed a new "Central Committee," composed of one from each ward; an "Executive Committee" of five to provide the ways and means necessary "for the furtherance of the objects of the association;" a committee on contested elections, of five, whose duty it was to procure and prepare evidence of the fraud and violence committed at the recent election, and to present the same with memorials, etc., to the Legislature "to vacate the seats of all claiming office in virtue of the returns of the pretended election in this city on the 2d of November, 1859," and a committee on legislation to prepare and digest all legislation, etc., necessary to cure the evils the city was then laboring under.[1]

Early in July, 1859, Captain John Brown, of "Ossawatomie Brown," of Kansas notoriety, appeared in the neighborhood of Harper's Ferry, attended by two of his sons and a son-in-law, under the assumed name of Isaac Smith.

[1] The City Reform Convention appointed the following committee to draft the necessary legal measures, which form a part of that assembly which had driven a governor from the city, and for years had converted Baltimore into an organized mob, with all the accoutrements of mayor, city council, police, grand jury, sheriff and police, by day and night, in every part of its bailiwick: William Henry Norris, chairman; F. Turnbull Thomas, J. Newell Steele, S. Teackle Wallis, Nelson Dorsey. The following gentlemen were also invited as associates in the task, and by day and night, for a period of six weeks, gave their time, talents and patriotism to their duties: Hon. John V. L. McMahon, Hon. John Nelson, George M. Gill, J. Mason Campbell, George William Brown, C. Jarvis Spencer, C. J. M. Gwinn. On one occasion Hon. Reverdy Johnson participated, and would have continued to do so if he had been in the city.

He pretended to be a farmer from New York, who desired to rent or purchase land in that vicinity, with a view to farming and mining. Soon afterwards he rented a small farm from Dr. Kennedy, on the Maryland side of the Potomac, about four or five miles from Harper's Ferry, and began farming operations in a small way. He lived in an obscure manner, and attracted but little attention. Two or three of his friends were posted at Chambersburg, Pennsylvania, who received and forwarded to him, arms of different kinds. A man named Cook, whom Brown had sent to Harper's Ferry about a year previous, to await his orders, now joined him, and on Sunday night, the 16th of October, 1859, between eleven and twelve o'clock, Brown and his party, some eighteen in number, crossed the bridge, connecting the village of Harper's Ferry with the Maryland shore, and, on reaching the Virginia side, proceeded to take possession of the armory and arsenal of the United States. Each was armed with a Sharp's rifled carbine, and with revolvers. The inhabitants of the village being asleep, the presence of this party was not known until they demanded admittance at the arsenal gate, which was locked. The watchman refusing to admit them, they burst open the gate, made him prisoner, and established themselves in a strong brick building, used as an engine-house. They brought with them a wagon, containing arms and prepared torches.

"Armed parties were then stationed at corners of the streets. Their next movement was to take possession, by detached parties of three or four, of the arsenal of the United States, where the public arms were chiefly deposited, a building not far from the engine-house: and by another party, of the workshops and other buildings of the armory, about half a mile off, on the Shenandoah River, called Hall's rifle works. These dispositions made, an armed party was sent into the adjoining country, with a view to the seizure of two or three of the principal inhabitants, with such of their slaves as might be found, and to bring them to Harper's Ferry (in the language of Brown) as hostages; Cook, who had become well acquainted with the country around Harper's Ferry, acting as their guide. They thus seized Colonel Lewis W. Washington, with several of his slaves, (negro men,) at his residence, some five or six miles distant; and, in like manner, a gentleman named Allstadt, who lived near the main leading from Colonel Washington's to the Ferry, two or three miles distant from the latter, with some five or six of his slaves, (also negro men). They brought off also from Colonel Washington's such arms as they found in his house, with a wagon and four horses, for subsequent use. This party, with their prisoners, arrived at the Ferry a little before day, and the latter were carried at once to the room adjoining the engine-house, where they were kept in custody.

"Having thus far apparently perfected his plans, a party was sent, taking Washington's wagon and horses, and five or six of the captured slaves into Maryland to bring the arms deposited at Brown's house there to a point nearer the Ferry and more accessible. On their way, they seized a gentleman named Byrne, who lived in Maryland, three or four miles from Harper's Ferry, and whom they afterwards sent to the Ferry and placed amongst the other prisoners at the engine-house. It is shown that their design was to take at the same time as many of the slaves of Byrne as might be found, but in this they did not succeed. During Monday, a large portion of the arms, consisting of carbines and pistols in boxes, and pikes, were brought off in the wagon and deposited in a school-house, about a mile from the village of Harper's Ferry, on the Maryland side.

"The first alarm that was given, indicating the presence of the hostile party, appears to have been on the arrival there of the mail train of cars on the Baltimore and Ohio railroad, on its way from Wheeling to Baltimore, and which arrived at Harper's Ferry at its usual hour, about half-past one o'clock in the morning. On the arrival of Brown's party, he had stationed two men, well armed, on the bridge, with directions to permit none to pass."[1]

When the train arrived it was stopped by this guard, and very soon afterwards a free negro, named Hayward, a railroad porter, who lived at Harper's Ferry, was shot by this guard and died in a few hours. He had been out on the bridge, looking after a watchman who was missing, and being ordered to halt by Brown's men, who were stationed there, he retraced his steps and was shot in the back.

The train of cars, after being detained some hours, was permitted to proceed on its way to Baltimore.

During all this time, the alarm had not extended to the inhabitants of the town, and when daylight came, as they left their houses, on their way to their usual occupations, all unconscious of the events of the night, they were seized in the streets by Brown's men, and brought in as prisoners, until, with those previously taken, they amounted to some thirty or forty in number. After awhile, Brown selected ten whom he considered the principal men of his prisoners, and marched them into the engine-house, where they were detained as hostages, for the security of his own party. Pikes were put into the hands of such of the slaves as they had taken, and they were kept under the eyes of their captors, as sentinels, near the buildings they occupied.

"The nearest towns to Harper's Ferry were Charlestown, distant some ten miles, and Martinsburg, about twenty. As soon as information could reach those two points, the citizens assembled, hurriedly enrolled themselves into military bands, and with such arms as they could find, proceeded to the Ferry. Before their arrival, however, it would seem that some four or five of the marauders, who were stationed in Hall's rifle works, were driven out by the citizens of the village, and either killed or captured. In the course of the day, an attack was made on the engine and watch-house, by those of the armed citizens of the adjoining country, who had thus hurriedly arrived, and the prisoners in the watch-house, adjoining the engine-house, were liberated. The attacking parties were fired on by the marauders in the engine-house, and some were severely wounded. * *

"During the day an irregular fire was kept up against the engine-house by the people who assembled, and which was returned by the party within, through loop-holes made in the wall, or through the doorway, partially opened."

In this manner two of Brown's party were killed at the doorway.

The intelligence of the invasion of Harper's Ferry at first seemed so improbable that little credit was given it; but the reception in Baltimore of other despatches of the same purport, and the non-arrival of the train from the West, due at 5 A. M., gave color of truth to the statement, and the newspaper offices were besieged by an anxious and increasing crowd. About noon confirmatory dispatches were received from the office of the Baltimore and

[1] Report of Select Committee of the Senate on the Harper's Ferry Invasion.

Ohio railroad. Shortly after 12 M., the express train arrived, and full particulars of the affair was obtained from conductor Phelps and his officers. These statements, as may be imagined, excited the most intense feeling, and the news was speedily communicated to Washington and elsewhere. The Frederick military telegraphed to the President proffering their services, which were immediately accepted. Major-General George H. Stewart, of Baltimore, instantly tendered the services of his division: and five companies, under the command of Lieutenant Colonel Egerton, left at 5 o'clock in the afternoon for the scene of disturbance, amid the cheers of the immense crowd which had collected at the depot. Telegraphic operators, with proper instruments, were also sent out to establish communication between the nearest accessible point to Harper's Ferry and the city. The train consisted of eleven cars; the first contained provisions, etc.; six cars were filled with the military, and the remainder were occupied by passengers and citizens not in uniform, and by the principal officers of the road. The companies which left were the Independent Greys, Law Greys, Baltimore City Guard, and Wells and McComas Riflemen, numbering two hundred and one muskets. The train received orders to stop at Sandy Hook, about a mile and a half east of Harper's Ferry. Here it was joined by a detachment of marines, commanded by Lieutenant J. Green, accompanied by Major Russell, of that corps, the whole under the command of Colonel Robert E. Lee. The whole now proceeded cautiously towards the scene of disturbance, and soon arrived opposite to Harper's Ferry. Colonel Lee ordered General Egerton and his command to remain on the Maryland side of the river for the night, while he proceeded with the marines to Harper's Ferry, and took a position within the armory grounds to prevent the escape of the insurgents. In the meantime a number of Virginia volunteer companies, and three from Frederick under Colonel Shriver, had arrived at Harper's Ferry and forced the insurgents to abandon their positions at the bridge and in the village, and to withdraw within the armory inclosure, where they fortified themselves in the engine-house. They carried with them eleven prisoners.

The next morning, soon after daylight, Colonel Lee despatched Lieutenant J. E. B. Stewart, of the 1st cavalry (who had accompanied him from Washington as staff officer), under a flag of truce, with a written summons for the insurgents to surrender. Anticipating their refusal, he had drawn up the volunteer troops on the lines assigned them outside the armory, and had prepared a storming party of twelve marines, under their commander, Lieutenant Green, which he had posted close to the engine-house, and secure from its fire. Colonel Lee, in his official report to the adjutant-general says:

"Three marines were furnished with sledge-hammers to break in the doors, and the men were instructed how to distinguish our citizens from the insurgents, to attack with the bayonet, and not to injure the blacks detained in custody unless they resisted. Lieutenant Stewart was also directed not to receive from the insurgents any communications. If they accepted the terms offered, they must immediately deliver up their arms

and release their prisoners. If they did not, he must, on leaving the engine-house, give me the signal. My object was, with a view of saving our citizens, to have as short an interval as possible between the summons and attack. The summons, as I had anticipated, was rejected. At the concerted signal, the storming party moved quickly to the door and commenced the attack. The fire-engines within the house had been placed by the besieged close to the doors. The doors were fastened by ropes, the spring of which prevented their being broken by the blows of the hammers. The men were therefore ordered to drop the hammers, and, with a portion of the reserve, to use as a battering-ram a heavy ladder, with which they dashed in a part of the door and gave admittance to the storming party. The fire of the insurgents up to this time had been harmless. At the threshold one marine fell mortally wounded. The rest, led by Lieutenant Green and Major Russell, quickly ended the contest. The insurgents then resisted very desperately. Their leader, John Brown, was cut down by the sword of Lieutenant Green, and our citizens were protected by both officers and men. The whole was over in five minutes.

"After our citizens were liberated and the wounded cared for, Lieutenant Colonel S. S. Mills, of the 6th Maryland regiment, with the Baltimore Independent Greys, Lieutenant R. P. Simpson commanding, was sent on the Maryland side of the river to search for John E. Cook, and to bring in the arms, etc., belonging to the insurgent party, which were said to be deposited in a school-house two and a half miles distant. Subsequently, Lieutenant J. E. B. Stuart, with a party of marines, was dispatched to the Kennedy farm, situated in Maryland, about four and a-half miles from Harper's Ferry, which had been rented by John Brown, and used as the depot for his men and munitions. Colonel Mills saw nothing of Cook, but found the boxes of arms, (Sharp's carbines and bell revolvers) and recovered Mr. Washington's wagon and horses. Lieutenant Stuart found also at the Kennedy farm a number of sword pikes, blankets, shoes, tents, and all the necessaries for a campaign. These articles have been deposited in the government storehouse at the armory.

"From the information derived from the papers found upon the persons and among the luggage of the insurgents, and the statement of those now in custody, it appears that the party consisted of nineteen men—fourteen white and five black."

The prisoners were escorted to Charlestown, Va., by a detachment of marines, under Lieutenant Green, and were shortly afterwards tried, convicted and hanged by the authorities of Virginia.

On the morning of the attack, the Maryland troops crossed the bridge and took positions on the different streets of the town, together with the other military, and after the capture they were all ordered home except the Independent Greys, who remained to deposit the arms which they had captured.[1]

[1] "List of insurgents: John Brown, Aaron D. Stevens, Edwin Coppie, Oliver Brown, Watson Brown, Albert Hazlett, William Leeman, Daniel Taylor, Charles P. Tidd, William Thompson, Adolph Thompson, John Kagi, Jeremiah Anderson, and John E. Cook—white; and Dangerfield, Louis Leary, Green Shields, Copeland and O. P. Anderson, colored. List of the killed and wounded by the insurgents: Patrick Beckham, Mayor of Harper's Ferry, killed; G. W. Turner, of Virginia, killed; Thomas Boerly, of Virginia, killed; Hayward Sheppard, colored, killed; Private Quinn (Marine Corps), killed; and Messrs. Murphy, Young, Richardson, Hammond, Mellvin, Hosey, Hooper, Woodley, and Private Hupert (Marine Corps)—wounded. Of the insurgents, Oliver Brown, Watson Brown, Hazlett, Leeman, Taylor, Tidd, Wm. Thompson, Adolph Thompson, Kagi, Jeremiah Anderson, Dangerfield and Leary, were killed; and John Brown, Stevens, Coppie, Shields, Green and Copeland, were subsequently executed at Charlestown, Virginia; as were, also, John E. Cook and Hazlitt, who, at first escaped, but were captured in Pennsylvania and delivered up for trial to the authorities of Virginia. Thus, seven were executed, ten killed at the Ferry, and five (according to Brown's statement) unaccounted for.

The Legislature of 1860 met on the 4th of January, and in view of the matters presented before it, the session was one of the most important that had ever taken place. It was one unusually prolific of important measures, both of a public and private nature, and, judging from the good laws that were passed, the session of 1860 may be considered a bright chapter in the legislative annals of our State.

Among the many important laws passed at this session, the "reform bills" that were drafted by the reform committee of Baltimore, were the most important. They were the police bill, the election law and the jury law. These important measures were drawn in Baltimore, for had the Legislature been endowed with a greater amount of capacity and intelligence than it really possessed, it would have been incompetent to the task. Nothing but a personal experience of the evils to be cured, could have supplied the wisdom necessary to remedy the evils which the people complained of. Yet the praise for their passage is largely due to the Legislature, for they adopted, readily, the views and suggestions of leading reformers in Baltimore, even to the extent of appointing as police commissioners the gentlemen whom they nominated. The honest determination of the Legislature to grant to the citizens of Baltimore all the redress they needed, could have no better illustration than was shown in its willingness to let the people be themselves the judges of the mode and manner of that redress.

Another important Act of the session, which, like the passage of the reform bills, consisted rather in the adoption of the fruits of other men's labors, than in the performance of any great amount of work on the part of the Legislature itself, was the passage of the Code. The necessity for a careful and thorough revision of the Statute Law of Maryland had long been acknowledged. Such was the mass of confused, inconsistent, and oftentimes contradictory legislation, that it was almost impossible to tell what was the existing law upon any important point, without long and laborious research. The important duty of bringing order out of this legal chaos of doubt and uncertainty, had been committed, by a previous General Assembly, to competent hands. Their work had been revised by a committee of the Legislature of 1853, composed exclusively of members of the legal profession. The Legislature of 1860, completed the Code by giving to it the efficacy of law.

With honest commiseration, this Legislature also removed Henry Stump from his position of Judge of the Criminal Court of Baltimore City.

On the last day of the session, this Legislature also declared null and void the election pretended to have been held in the City of Baltimore on the 2d of November, 1859. The expulsion of Charles L. Krafft, Thomas Booze, Robert L. Seth, George R. Berry, E. C. Crowley, R. A. MacAllister, Thomas M. Smith, Robert Turner and Marcus Denison, the sitting members from Baltimore, from their seats, on the last day of the session, was regarded as, if possible, more ignominious than if it had taken

place at an earlier period. They were kept in during the session, simply to be used, and then, when their votes were no longer wanted, they were unceremoniously turned out of doors.

On February 6th, 1860, Messrs. Charles Howard, William H. Gatchell, Charles D. Hicks and John W. Davis, the Police Commissioners designated in the new police bill, entered upon their duties and soon after appointed Colonel George P. Kane, Marshal of Police. It is impossible to overrate the change that the organization of an efficient police force wrought in the condition of the city. But a short time before, Baltimore had been at the mercy of as brutal and reckless desperadoes as ever defied law and justice in a frontier settlement. Brutal assaults were their daily pastime, and murder was a familiar thing. The *Sunbeam*, the ablest and most fearless paper in the city, on the 18th of the previous August, thus commented on the condition of the city:

"In the police department, from the organization of which so much was expected, and for the support of which a heavy tax is annually imposed upon the citizens of Baltimore, men have been appointed and retained in office, whose incompetency is so notorious, that ignorance of their disqualifications, on the part of Mr. Swann, is impossible, and has never been pretended. The police force has contained, and contains, many men who were and are the personal friends and intimate associates of ruffians, in defence of whose characters not even charity has the hardihood to speak. So far from being either feared or respected, as the representatives of the law, by those who habitually violate it, the entire force, from the marshal down, has been constantly subjected to insult and violence. Nowhere else have policemen handled so tenderly the ruffians whom it is their duty to arrest, or permitted themselves to be resisted and insulted with such Christian-like forbearance and resignation. The court to which has been confided criminal jurisdiction in this city, has been by turns the jest and the reproach of the community. Whether treating with insolent disrespect the decisions of a higher tribunal, or remitting from custody felons by the score, upon the worthless security which every outlaw may purchase at pleasure, the judge of that court has so degraded himself in his high office, that men have long since ceased to look to him for law or justice. Criminals who have been indicted over and over again, have never been brought to trial by the State's attorney, and dozens of others have been nominally held to answer for their crimes, but, in reality, have never been summoned to appear. The clerk of the court and the warden of the jail have, by turns become security for noted desperadoes. Straw bail has been taken by magistrates from one end of the town to the other, not excepting those whom the mayor himself appointed to sit at the station-houses, and of whose conception of duty he has constantly complained, but whom he has never dared to remove. Murder red-handed has stalked abroad and grown familiar to us all. The names of Benton, Higdon, Armstrong, Carney, Fisher, King, Patterson, Richardson, O'Brien, Leyburn, Chronister, Taylor, Duffy, and Eglents, remind us of some of the bloody graves that have been filled within a twelvemonth from the date at which we write."

Nine more murders were added to this list before the year was out. As for brutal assaults, stabbings and shootings in the open streets, desperate

[1] In honorable contrast to the manner and fate of his colleagues, was the conduct of Mr. Wiesing, who, during the entire session, never appeared, nor claimed the seat to which he knew that he was not entitled. He had his reward in the respect with which the whole community regarded his motives and action, and the vindication of his seat by the Legislature crowned upon him no disgrace.

affrays between gangs of ruffians, wanton outrages upon the unoffending participants in picnics and steamboat excursions, they cannot be enumerated. Election days were mere carnivals of unchecked ruffianism. Day by day during that lawless period, gangs of well-known thieves and outlaws, the terror of their respective neighborhoods, congregated in public places, the police seldom daring to molest them.

Night after night, the report of the revolver broke upon the ear, and few persons were startled at the sound, so familiar had it grown to be. Day after day bands of rowdies drove laborers from their work and dictated terms to their employers. In the affairs of business and of pleasure men purchased at their hands—peace. The most abandoned ruffians in the community were not only thus paid and subsidized, but even delegated to exercise various functions and offices of honor and trust for honest citizens. Arrested for an offence one day, they were sent to a convention, or nominated for a public office the next. If, by rare good fortune, one met his deserved doom on the scaffold, pious people glorified them in their last hours, and virtuous respectability attended in sorrow at their graves. All, and more than all this the citizens of Baltimore witnessed during the years 1856–7–8–9. Not crowded into one short hour of wild anarchy, these things followed each other in an unbroken series as month followed month. Humiliating as the confession may be, the facts are unhappily but too true.

Realizing, therefore, the nature and extent of the great change which had been effected by the new police bill of 1860, and valuing the peace and security it brought them, the people of Baltimore, as the ensuing municipal election approached, determined to do something more to commend it. Accordingly, on the 18th of August, 1860, in pursuance to a call published in the daily papers, a large number of the citizens favorable to the object of the "independent reform" movement, assembled in the saloon of the Law Buildings to provide for the nomination of candidates for Mayor and City Council. On motion of George M. Gill, Esq., Dr. Alexander C. Robinson was chosen president and Hugh A. Cooper and Laurence P. Bayne, vice-presidents. James P. Thomas and Henry M. Fitzhugh were chosen secretaries. The officers of this meeting were directed by a resolution unanimously adopted to appoint a central committee to consist of one from each ward, to whom the duty of bringing forward independent reform candidates for the offices of Mayor and City Council at the ensuing election, was confided. In obedience to the resolution the officers of the meeting shortly afterwards met and appointed one gentleman from each ward to constitute a central committee. This committee, animated by a desire to rescue Baltimore from the embarrassments into which an unscrupulous and partisan administration had plunged it, and to redeem its tarnished reputation, accepted the unwelcome duty, and discharged its duty worthily. On the 29th of August, it nominated for the mayor's office, George William Brown, Esq., a gentleman not only worthy of the fullest confidence in virtue of his

irreproachable private character and acknowledged ability, but especially entitled to the respect of his fellow citizens, by the manly stand he took at the municipal elections of 1859. Without partisan motives or objects to induce him to incur unnecessary risks, he placed himself in the front ranks of those who endeavored to hold in check the ruffians who surrounded the tenth ward polls. Deeming it incumbent on him to assist in protecting the rights of the humblest and weakest of his fellow citizens, he threw himself into the midst of their assailants, and endured such outrages and insults as few men would have cared to face.

The nominations of the reform committee for members of the City Council were nearly as acceptable to the community as was its selection of a candidate for the mayoralty; and taken as a whole, a better ticket has seldom, if ever, been brought out. In the selection of candidates all party tests were discarded, and all thought of rewarding partisan services repudiated. The name of no man was placed on the ticket for his gratification or personal emolument, or that of personal or political friends. Most of the candidates consented to the use of their names with reluctance—yielding from a sense of duty to the demand of the committee, that the city had need of their services. Honesty, capacity, fidelity, to the best interests of the citizen, and protection to all, loyalty to the constitution and laws of our State and country, were the qualifications they sought.

The know-nothing party chose for its standard-bearer Samuel Hindes, and a full City Council ticket. But the halcyon days of that party were over. The blight of "a legislative despotism" had fallen upon the cherished ornaments of a "constitutional sphere." Many of them were seeking afar off some spot where "the free play of freeman's spirits" was still unchecked by the halter; and some of them were preparing to follow upon a dreadful and darker journey. Stripped of their standing army of vagrants and loafers, their camps and armories, their affiliated police; their judges of elections; their yielding and complaisant mayor; their magistracy; their courts; their sheriff; their grand and petit juries, the elements of their past success, they stood naked and humbled, if not ashamed; while the reform party had everything upon which to rely to guarantee "the purity of the ballot-box and the freedom of access thereto." The issue was distinctly reform and anti-reform. Mr. Brown headed a ticket which personified and embodied the enforcement of the laws, the safety of society and the divorce of the city government from party politics. Those opposed to him and the other reform nominees were classed as the advocates of disorder, of a tainted ballot-box and a perverted and partisan municipality. Thus clearly and unmistakably marked out, the two parties entered the

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contest, in which the cause of right triumphed and the final measure of reform which placed the government of Baltimore in hands worthy to administer it was consummated. The election took place on the 10th of October, 1860, and a reform mayor, and a city council wholly of reformers were lifted into power by overwhelming and legitimate majorities, in the midst of enthusiasm so great and so general, as to show how terrible had been the oppression from which the people were now delivered.

The votes in the important city elections from 1851 to 1860, (inclusive), ran as follows:

	Know-Nothing.	Democrat.	Reform.	Majorities.	
1854	18,850	11,109	....	2,741	Know Nothing.
1858	13,002	12,336	....	1,567	"
1857	17,849	8,213	....	9,636	"
1859	24,008	4,870	....	19,140	"
1860	18,311	5,304	....	12,907	"
1860	9,684	....	17,325	7,641	Reform.

In the election for members of the city council in 1858, the democrats were allowed to poll in the 20th ward, one vote; in the 15th, two; 19th, three; 17th, ten; 14th, eight; 1st, twenty-four; 2d, thirty-two; 4th, thirty-five; 7th, thirty-seven. 10th, ninety-one; 18th, ninety-four, and the 8th, 1,013; and only 2,830 votes in the entire city.

The day of the municipal election of 1860, in strange contrast with those of former years, was quiet as a Sunday. Every officer of the law was at the post of duty, and every citizen felt himself safe. Not a pistol was fired nor a knife drawn throughout the day; and the presence and protection of the law were felt everywhere. The result justified the most sanguine hopes of the reformers. Baltimore at once resumed the position of a law-abiding, self-governed city; while those who for years had outraged their fellow citizens, either fled or hid in obscurity. Nor were her citizens wanting in gratitude to their fellow citizens of the counties as represented in the last Legislature, who by their good laws and wise appointment of the board and marshal of police, had rendered possible this triumph of law, justice, order and liberty.

With the triumph of the reform party in Baltimore, the reign of the American party ceased. The history of this party may be studied to some profit. As a party, it never advanced one liberal or comprehensive political theory, nor did it initiate a solitary practical and beneficent public measure. It was organized under circumstances that it is disheartening to revert to; for the secrecy, the mystery and the solemnities which attended the formation of the know-nothing order, were far from creditable to the good sense and manliness of our age and nation. Its principles, as sanctioned by successive conventions, were the narrowest and the most indefensible that were ever adopted by any political party of the country. This assertion is not founded simply upon the interpretation which hostile critics have given to the platforms in question, but is supported by the conduct of the very individuals who

assented to the resolutions which were levelled at the Catholic and naturalized portion of our population. From these resolutions which set forth its distinctive features, the American party derived its vitality, and yet scarcely a man could be found to admit their meaning and defend their logical consequences. On the contrary, the most evasive construction was uniformly put upon their language, and no an individual who was elected to office on the faith of his endorsement of the Philadelphia platform, ever ventured to propose to give effect to its suggestions by legislative enactments. Those leading heads of the party were quietly ignored, and in later years its supremacy, at least in Baltimore, was certainly not attributable to its rigid adherence to principles of any sort. The means by which it maintained itself in Baltimore have already been stated. All the people of that city were familiar with the methods it adopted to attain its ends, when it entered upon that "wild hunt after office," from which it had so faithfully promised to abstain. The atrocities and frauds perpetrated in its behalf—the manifold wrongs committed by ruffians out of office, and by imbecile and dishonest individuals in office, and from which it reaped so many temporary advantages, are known to the world. So stupendous and glaring had they of late years become, that its earliest and most earnest supporters were compelled to abandon it; and their repudiation of its acts materially hastened its inevitable downfall. Its attempt to take a position as a national party, failed miserably through the causes we have first adverted to, and its heinous misdeeds brought its existence, even as a local organization, to a disastrous end. It died unregretted. Upon its death, a large majority of its members in Maryland joined the republican party.

CHAPTER XIII.

We have now reached the threshold of that period foreseen by the prophetic vision of Patrick Henry, when he foretold that the people of the American States, though standing in the foremost rank of the enlightened nations of the earth, and knit together by as many ties of kindred and interest, would, in spite of the "more perfect union," one day become aliens and enemies to each other, and grapple in the terrible strife of civil war.

The causes of discontent between the different sections were many, various, and of ancient standing, dating back to the very birth of the Federal republic; and their operation was different in the different States. As the position and history of Maryland, during the war, was somewhat peculiar, we must, as briefly as possible, review these causes, to show how she was affected by them.

Had there been in the statesmen and the people a spirit of mutual concession and non-interference, the United States would have been, from the first, the most prosperous and harmonious people in the world, as they were, ere long, to be one of the most powerful. But diversity of interest gave rise to jealousy and rapidity; and the eagerness to obtain an inordinate share of wealth, territory and power, beginning with small and invidious attempts, and advancing gradually to open rapacity and aggression, at last snapped the overstrained bonds of the Union and precipitated the States into war.

The New England States, having, for the most part, a sterile soil and severe climate, found commerce, manufactures and fishing their most remunerative interest; while, from opposite causes, the Southern States engaged in agriculture, which, owing to the system of African slavery—of which more presently—they were able to carry on under peculiarly favorable circumstances. Hence, the Southern States were the great employers of commerce, and consumers of manufactured goods. Thus far their interests were complementary to each other; but the South, finding that she could import from Europe—the great market for her principle staples—more cheaply than she could buy at the North, the manufacturing States grasped the idea of protective tariffs, on the ground that the infant industries of the country should be encouraged until they could compete with those of Europe. This once conceded, the demands for higher and even higher "protection," became insatiable; the protected industries, instead of working to the point where they could stand alone, were like the changelings of nursery lore, whose appetite nothing can appease, and whose clamors nothing can quiet.

The Southern States, naturally, grew restive under this system of tribute; and to keep them submissive to it, two things were necessary—to limit, as far as possible, the growth of the South, and hasten that of the North; and to increase the power of the Federal government, which the North hoped to control. These measures, of course, the South strenuously resisted; and the antagonism of these two policies, working in manifold ways, which cannot be recited here, form the political history of the country.

As the system of African slavery was the distinguishing feature of the industry of the South, at an early period the division between the States came to be marked by the existence or absence of slavery. This, however, was not the case at the foundation of the republic, when slavery existed in all the States, which, as colonies, had received it—some, indeed, involuntarily from the mother-country.

The African slave-trade, undertaken by British vessels, first in 1561, between the Guinea coast and the Spanish West Indies, soon expanded into large proportions. In 1685 the British government entered into a convention with Spain, by which she agreed to provide her West India dependencies with African slaves. In 1713, the South Sea Company undertook a similar contract, and for thirty years furnished slaves at the rate of four thousand eight hundred per annum. The trade being exceedingly profitable, grew apace; and in 1766, General O'Hara, Governor of Senegambia, reported that "in the previous fifty years, no less than 70,000 blacks had been exported per annum from that country alone"—an aggregate of 3,500,000 slaves.

Great Britain, finding the supply practically inexhaustible, sought to enlarge her market for so profitable a commodity, and began to send them to her American colonies, and even to force them upon them, as has been shown in an earlier page of this history. Slavery, however, in a limited extent, had long been established in America. In 1620, the year in which the Puritans sailed for New England, a Dutch ship from the coast of Guinea brought to Virginia twenty African slaves, who were sold to the planters at Jamestown. This was the beginning of African slavery on the continent.[1]

At that time but a small district of country, in the neighborhood of Jamestown, had been cleared for cultivation. The low lands were filled with stagnant and marshy pools, and the colonists suffered greatly from malarious diseases. It was supposed that the negro, a native of the tropics, would be found more capable of enduring the hardships of field labor under a sultry sun than the natives of Europe; and that they could be advantageously employed in clearing and cultivating the rich alluvial lands along the rivers, and thus filling them for the abode of the white race. The result even exceeding the expectations of the colonists, further importations were made, not only into Virginia, but the other colonies; and thus the system overspread the whole of British America.[2]

[1] The first slave in Maryland was one brought from Bermuda by the first colonists.

[2] Slavery, as a social condition, existed in Massachusetts almost from the beginning of the

The Southern Colonies had, from the fertility of the soil and the value of their productions, become the most profitable mart for black labor, but the influx gradually outstripped their productive powers, and began, as elsewhere, to inspire the leading men of the South with serious alarm. They devised what means they could to check it, but commercial rapacity eluded or overpowered their remonstrances. While the Southern Colonies were thus suffering, at this early date, both inconvenience and detriment from the blacks who were forced upon them, the Northern or New England Colonies were deriving a brisk and profitable business in the African Slave Trade. The principal occupations of these colonies consisted of commerce and the

country; and its legislative history dates from the settlement of 1641, the first statute establishing slavery in America, which was passed by the Massachusetts General Court, and runs as follows: "It is ordered, by this court, and the authority thereof, that there shall never be any bond-slavery, villinage or captivity among us, unless it be lawful captives taken in just wars, as willingly sell themselves or are sold to us; and such shall have the liberties and Christian usages which the law of God established in Israel concerning such persons doth morally require; *provided*, this exempts none from servitude who may be judged thereto by authority." Fugitive slaves sometimes preferred freedom among the savages to servitude among the Christians. This, of course, led to demands upon the Indians for their restitution. Failing to obtain prompt compliance in all cases, the General Court, on June 2, 1641, passed the first fugitive slave law of North America, by which "it is declared to be the mind of the court that, if the Indians do not back our magistrates, by commission from the governor and any three of the magistrates, to send and take as many as to satisfy for the war, or else send for the slaves or goods for them."—*Massachusetts Records*, 1, p. 328.

Thus, they might "give commission to any master to fight himself upon the Indians for his fugitive servants." Whittier's *Address to Hotel*, 66, p. 124. Hazard, i, p. 500.

During the early Indian Wars of Massachusetts, the women and children who were taken prisoners by the colonists were made slaves. Some were retained in servitude in the colony, others given to the Indian allies of the whites, and great numbers were sent to the West Indies Islands. Among these last was the son of King Philip, the great chief of Massasoit, the constant friend of the English. The Plymouth colony in 1675 ordered fifty-seven Indians to be sold.—*v.*, p. 174. Again, in Connecticut, p. 101, an account of the Massachusetts colony is stated, one of the items being an account of the expenditures of the Indian war. Certain credits are given, one of them being "126 prisoners at war sold, £307, 15*s.*, 0*d.*" silver money.

In 1697, fifty pounds were to be paid for the scalps of adult Indians, and "the story child of the said enemy, under the age of ten years, *that shall be taken alive, the gift of the people*, and that such party or parties *shall also have and keep* the same *for his or their pleasure and profitt* by such laws of the colony." In the latter cases, liberal premiums continued to be offered for the *scalps of such Indians above the age of twelve years*, as well as "*the bought of all Indian prisoners, boys, women and children, under the age above said*," subject only to the condition that they should be "transported out of the country."—*Massachusetts Laws*, 1814-1822.

In 1687 Quirey the wife of Bellicott Lawrence Southwick, and Cassandra his wife, very good members of the church in Salem, Massachusetts, for offering entertainment to two Quakers, were fined and imprisoned. They subsequently themselves from meeting, and were fined and whipped. A second daughter of this agreeable, according to Puritan standard, pious couple, were also fined for non-attendance at worship; and, not paying this fine, the General Court, by a special order, empowered the treasurer "to sell them as slaves to any of the English nation of Virginia or Barbadoes."—*History and Antiquities of Boston*, 1856, p. 342.

The Provincial Congress of Massachusetts prohibited the enlistment of slaves in the army; thus showing that slavery legally existed there in May, 1775. Rev. Dr. Belknap (the historian), a citizen of Boston, in a letter to Judge Tucker, of Williamsburg, Virginia, in 1795, admits the existence of negro slavery in Massachusetts, and that the slave trade was prosecuted by merchants in Massachusetts. He says, that "the slaves purchased in Africa were chiefly sold in the West Indies, or in the southern Colonies; but, when those markets were glutted, and the prices low, some of them were brought hither." *Mass. Hist. Coll.*, 1*v.*, pp. 191-211.

On the subject of slavery in Massachusetts, see George H. Moore, *History of Slavery in Massachusetts*; William F. Poole, *Anti-Slavery Opinions*; Curtis, *History of the Constitution*, 1*v.*, p. 484; *Address of A. H. H. Stuart before the Historical Society of Virginia*, 1851.

Fisheries. The New England ships made the voyage to England with tobacco, rice and other Southern products, and then took in British manufactures for the gold coast, which they exchanged for blacks, returning with these to the Southern Colonies where they sold them, and reloaded with tobacco, etc., for the North and Europe as before, thus completing the round voyage. The fisheries employed a considerable number of persons, and the cured fish found sale chiefly in the Catholic countries of Europe, mostly in exchange for coin, which was always in demand for England. Large quantities of these fish were sold in the West Indies for sugar and molasses. The latter was distilled into rum, which, in the changing character of the slave trade on the coast under the British governors, rapidly became a favorite article of barter for blacks, greatly to the dissatisfaction of English manufacturers of coast-goods. Lord Sheffield, in his report to the parliamentary committee of 1775, states that "out of the slavers which periodically left Boston, thirteen of them were loaded with rum only, and that having exchanged this for two thousand eight hundred and eighty-eight negroes with the governors of the Gold Coast, they carried them thence to the Southern Colonies."[1]

The same report mentions that during the three years ending with 1770, New England had sent 220,147 gallons of rum to the gold coast.

Maryland seems to have been one of the first and most earnest advocates of the southern sentiment.

In 1663, for the first time distinct mention is made upon her statute books of *negro* slaves. At this time the planters profited greatly by their labor, and 1671, an Act was passed to encourage their importation. In a short time, however, they became alarmed at the extraordinary influx of the blacks, who began greatly to outnumber the whites; and in 1695, to check the evil, the Assembly imposed a tax of ten shillings per head upon all negroes imported into the province, "to be applied to the building of a State house." Still apprehensive of danger from this source, the Assembly, in 1715, increased the tax to twenty shillings: and in 1717, an additional duty of twenty shillings currency per head was laid "to be applied to the support of the public schools."

In the year 1715, a law was passed by the Assembly rendering all negroes and other slaves then imported, or thereafter to be imported, and their children, slaves for life, and enacted that no negro acquired any title to become free by being baptized, which duty the preamble says that many people have neglected to do "on a vain apprehension that negroes by receiving the sacrament of baptism, are manumitted and set free."[2]

Thus it will be seen, that the Northern and Southern Colonies long before the breaking out of the Revolutionary War, were engaged in a lively contro-

[1] In the same report of 1790, it is said: "It is believed that no first slave-ship fitted out in the English colonies sailed from Boston in 1648."

[2] This opinion of their being rendered free by baptism, no doubt, originated in the idea that the right of making them slaves arose from their being heathens, which they ceased to be as soon as they were baptized.

versy on the subject of slavery; the South resisting the excessive flow of blacks into their section, and New England persisting in the importation for the profits of the trade. Such was the state of things to the year 1767, when a bill was offered in the Lower House of Assembly "against the importation of negroes," but owing to the exciting times, no action was taken upon it until some years after.

In the meantime, anti-slavery sentiments were making wonderful progress in the province. At the time of the Declaration of Independence, slavery existed in all the States. Vermont framed a State Constitution in 1777, and embodied in it a Bill of Rights, whereof the first article precluded slavery. Massachusetts framed a constitution in 1780, wherein was embodied a Declaration of Rights, affirming that—

"All men are born free and equal, and have certain natural, essential, and inalienable rights, among which are the right of enjoying and defending their lives and liberties, and that of acquiring, possessing and protecting property."

Chief Justice Parker, of the Supreme Court of that State, in declaring his opinion upon the first case arising before his court, which involved the question of slavery, decided that this provision had abolished slavery.[1]

New Hampshire was, in like manner, held to have abolished slavery by her constitution, framed in 1783. Pennsylvania passed a Gradual Emancipation Act, March 1st, 1780. All persons born in that State after that day, were to be free at the age of twenty-eight. Rhode Island provided by-laws that all persons born in that State after March, 1784, should be free. Connecticut, in 1784, passed an Act providing for gradual abolition. She had still two thousand seven hundred and fifty-nine slaves in 1790. New York provided for gradual emancipation in 1799. In 1817, a further Act was passed, decreeing that there should be no slavery in the State after the 4th of July, 1827. New Jersey passed an Act in 1804, designed to put an end to slavery. It was so very gradual in its operation, that the census of 1810 reported six hundred and seventy-four slaves as still held in that State.[2]

At the April session of the General Assembly of Maryland in 1783, "an Act to prohibit the bringing slaves into this State," was passed. By this law

[1] The alleged intention of the convention to abolish slavery, by the declaration in the Bill of Rights, is not well founded and will not stand the test of historical criticism. Mr. Moore says: "We have made diligent inquiry, search and examination, without discovering the slightest trace of positive contemporary evidence to show that this opinion is well founded." Besides, this opinion was pronounced in advance of that which he delivered in the case of Anderson vs. Caton, in Essex, November Term, 1810, in which he clearly recognized the doctrine of a slave's inequality before civil rights in Massachusetts. "The slave," said Justice Parker, "is the property of his master as much as his ox or his horse: he has no civil rights but that of protection against cruelty; he could exercise no property nor dispose of any without the consent of his master. His settlement in the town with his master was not for his benefit; but to ascertain what corporation should be charged with his maintenance in case his master should become unable to support him, or should die, leaving him a charge to the community. We think he had not the capacity to communicate a civil relation to his children, which he did not enjoy himself, except as the property of his master." 14 Mass. p. 556. *Vide Dred Scott Decision*, Slavery, however, was finally abolished by statute in Massachusetts on the 26th of March, 1788, by an Act of the Legislature. See Moore's *History of Slavery in Mass.*, p. 227.

[2] *American Register*, 1, p. 108.

it was "enacted by the General Assembly of Maryland, that it shall not be lawful, after the passing this Act, to import or bring into this State by land or water, a negro, mulatto, or other slave, for sale, or to reside within this State; and any person brought into this State as a slave contrary to this Act, if a slave before, shall thereupon immediately cease to be a slave, and shall be free: provided that this Act shall not prohibit any person, being a citizen of some one of the United States, coming into this State, with a *bona fide* intention of settling therein, and who shall actually reside within this State for one year at least, to be computed from and next succeeding his coming into the State, to import or bring in any slave or slaves which before belonged to such person, and which slave or slaves had been an inhabitant of some one of the United States, for the space of three whole years next preceding such importation; and the residence of such slaves in some one of the United States, for three years, as aforesaid, antecedent to his coming into this State, shall be fully proved to the satisfaction of the naval officer or collector of the tax, by the oath of the owner, or some one or more credirable witness or witnesses.

"*Provided always*, That nothing herein contained shall be construed to set any slave free, who is brought into this State by any person traveling through this State or sojourning therein for a short time, such slave not being sold or otherwise disposed of in this State, but carried by the owner out of this State.

"*And be it further enacted*, That no slave manumitted agreeably to the laws of this State, or made free in consequence of this Act, or the issue of any such slave, shall be entitled to the privilege of voting at elections, or of being elected or appointed to any office of trust or profit, or to give evidence against any white person, or to enjoy any other rights of a freeman, other than to hold property, and to obtain redress in law or equity for any injury to his person or property."

Slaves brought from other States were to serve no longer than the laws of such State obliged them.[1] Such was the system of slavery in Maryland up to adoption of the State Constitution in November, 1776. By her constitution and Bill of Rights, Maryland again maintained the sole right of regulating her own domestic affairs, and required all persons holding offices therein to take an oath that they will bear true and faithful allegiance to the State. The clause in the constitution required "that every person appointed to offices of profit or trust shall, before he enters on the execution thereof, take an oath that he will be faithful and bear true allegiance to the State of Maryland."

[1] This law was re-enacted by the Act of 1796, ch. 67, with several new provisions added. As we have shown, free negroes, in one State, had the right of voting and to be elected to office in Maryland; but the Act, 1796, ch. 67, sec. 5, provided, "That no slave, manumitted agreeably to the laws of this State, since the passage of the Act entitled 'An Act to prohibit the bringing of slaves into this State' [1783, ch. 23], or made free under the said Act, or who shall hereafter be manumitted or made free in virtue of this Act, shall be entitled to the privileges of voting at elections; or of being elected or appointed to any office of profit or trust; or to give evidence against any white person; or shall be received as competent evidence to encourage any slave petitioning for freedom."

Upon the formation of the Continental Congress, the views of the North and South on the subject of slavery, founded on interests so antagonistic, frequently came into collision.[1]

At the time of the old confederation, the amount of territory owned by the Southern States, was six hundred and forty-seven thousand two hundred and two square miles; and the amount owned by the Northern States, was one hundred and sixty-four thousand and eighty-one. All the States were then slaveholding, and the idea that a man could not then hold his slaves in any part of this territory of the United States, had never been broached. On the contrary, the right to carry them everywhere was undoubted.

By the Treaty of Peace of 1783, Great Britain relinquished "to the United States all claim to the government, property and territorial rights of the same, and every part thereof," and in March, 1784, Virginia ceded the territory north of the Ohio River, on the condition that it be divided into not more than five and not less than three States; and that all fugitive slaves, whether found in the territory or in States afterwards made out of it, should be surrendered to their owners. It was upon these express stipulations, or terms of agreement, that the vast northwestern territory was ceded to the United States by Virginia and the Southern States. These terms were inserted in the great compact or ordinance of 1787, and both were disregarded by the Northern States. Notwithstanding the express compact forbidding the formation of more than five States out of this territory, hardly had Virginia ceded it before a committee of Congress reported a proposition to divide the territory into ten States, and to admit each State into the Union as soon as its population should become equal to that of the least State already in the confederation—a measure designed to augment the relative power of the North which was then in the majority. The South voted with Virginia to cede her northwestern territory to the Union; but she resisted the design to make as many as ten States out of that territory. Thus, in the very first struggle between the two sections, the North manifested her desire of unchecked dominion, while the South aimed

[1] On the 12th of July, 1786, it was proposed in Congress "that the expenses of the Continental should be borne by each colony in proportion to the number of inhabitants of every age and quality, except Indians not paying taxes in each colony; a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the Assembly of the United States." Senator Chase, of Maryland, moved "That the quota should be paid not by the number of inhabitants, but by the value of the lands." This amendment was opposed by John Adams, of Massachusetts, and Mr. Wilson, of Pennsylvania, who spoke in opposition to it, and it was rejected by the following votes: Ayes—Maryland, Virginia, North Carolina, South Carolina and Delaware; Georgia being divided. Nays—New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania. A compromise was finally effected, by which five slaves were rated as equal to three whites in fixing the basis of taxation. But when it came to fixing the basis of federal representation, the position of each side was reversed, the one asserting that slaves, being property, could not be included in that basis, while the other argued that they were not property but persons, and as persons, quite as well entitled to representation as whites, paupers or insane persons, who were included at the North. This dispute, which threatened to wreck the confederation, was finally compromised on the same basis of five to three, as will be more fully shown hereafter. Other causes had also tended to produce sectional feelings. Differences in modes of life and of social customs had produced differences of conduct and character. In the army of the Revolution, these sectional feelings, as we have shown, were very apparent.

to preserve her independence in the Union. Thus presenting in its pure, unmixed form, the type of every succeeding contest for power between them.

Out of this territory was formed:

Ohio, Nov. 29th, 1802.	North of the Ohio.	Land ceded by Virginia.
Indiana, Dec. 11th, 1816.		
Michigan, Jan. 26th, 1837.		
Wisconsin, May 29th, 1848.		
Illinois, Dec. 3d, 1818.		
Iowa, Dec. 28th, 1846.		
Kentucky, June 1st, 1792, South of the Ohio.		
Tennessee, June 1st, 1796, land ceded by North Carolina.		
Mississippi, Dec. 10th, 1817, " "	South Carolina and Georgia.	
Alabama, Dec. 14th, 1819, " "	" "	

"In April, 1803, the United States purchased from France for $15,000,000, the territory of Louisiana, comprising an area of 1,186,112 square miles, the whole of which was slave-holding territory. In 1821, by the passage of the alleged Missouri Compromise, 964,907 square miles of this was converted into free territory. Again, by the treaty with Spain, of February, 1819, the United States gained the territory from which the present State of Florida was formed with an area of 59,268 square miles, and also the Spanish title to Oregon, from which they acquired an area of 341,463 square miles. Of this cession, Florida only was allowed to the Southern States, while the rest—nearly six-sevenths of the whole—was appropriated by the North.

"Again, by the Mexican cession, was acquired 526,078 square miles, which the North attempted to appropriate under the pretence of the Mexican laws, but which was prevented by the measures of the compromise of 1850. Of former slave territory cut off from Texas, there were 44,462 square miles.

"To sum this up, the total amount of territory acquired under the Constitution, excepting Alaska, has been, by the Northwestern or Virginia cession, 236,818 square miles; Louisiana cession, 1,186,112 square miles; Florida and Oregon cession, 160,731 square miles; Mexican cession, 526,078 square miles. Total, 2,377,002 square miles.

"Of all this territory the Southern States were permitted to enjoy only 283,713 square miles, while the Northern States were allowed 2,093,289 square miles, or between seven and eight times more than was allowed the South."[1]

The North, always fearing lest power should pass from its hands, determined to cede to Spain the navigation of the Mississippi River. Hence, before the new Union was formed in 1787, seven Northern States, deliberately and in solid phalanx, voted to exclude the citizens of the United States from the use of that great river; than which it is scarcely possible to conceive a more violent assault of one part of the Confederacy upon the rights and interests of another. This action produced a most violent sectional controversy, and shook the Union to its foundations. The six Southern States remained inflexibly opposed to the seven Northern States in regard to the transfer of that great and indispensable right. Resolutions from the Southern States were addressed to their representatives in Congress, instructing them to resist this scheme of sectional aggrandizement, which consisted in the design of the Northern States to cripple and impoverish their confederates.

[1] F. G. De Fontaine. Henry Wikoff.

However, as it required, under the Articles of Confederation, the vote of two-thirds of the States to make the transfer, and as no Southern State would unite with the North in so unjust a measure, they were deprived of the power to cede the exclusive navigation of the Mississippi to Spain. Failing in this method they sought to obtain their object by obtaining from Congress instructions to the Secretary of State, Mr. Jay, to negotiate a treaty with Spain, upon the basis that the claims of the United States to the Mississippi should not be conceded, and then to have that part of the instructions which concerned the condition revoked, which they contended might be done by a simple vote of the majority in Congress, which was composed of Northern men.[1] That is, they could not directly deprive the South and West of the use of the Mississippi by the vote of a majority nor by less than two-thirds of the States; but then they could do precisely the same thing indirectly by a bare majority of one State. They only had to authorize a treaty to be made, declaring that the use of the Mississippi should not be ceded away, and then, by the vote of a bare majority, repeal that part of the instructions; and the Secretary might then barter away the very right which two-thirds of the States had expressly declared should not be conceded.

Notwithstanding the scheme was so cleverly contrived, it failed,[2] owing to the meeting of the convention of 1787 to form a new constitution.[3]

When the Federal Constitutional Convention assembled at Philadelphia, on the 15th of May, 1787, the North and the South stood there face to face, fresh in the recollection of the late tremendous conflict, and of the angry tempest which had so recently shaken and endangered the Union.

On the fifth of August, Mr. Rutledge, of South Carolina, "delivered the report of the committee of detail," containing the provision, [Article VII., Sec. 4], that—

"No tax shall be laid by the Legislature on articles exported from any State; nor on the migration or importation of such persons as the several States shall think proper to admit; nor shall migration or importation be prohibited."

This clause made no change in the fundamental law of the Union, but merely allowed, as the existing Articles of Confederation did, every State to import negroes from Africa, or to continue the slave trade as long as it pleased.

Up to this time no effort had been made on the part of the Northern States toward abolishing slavery within the Union; nor was there the slightest opposition made, nor a word uttered by them when this provision was reported for the proposed Constitution. The slave trade was then actively carried on by the North, and to check it, Maryland, through Luther Martin, her representative in the convention, appealed to that body to stop this pernicious traffic. The North was not disposed, of course, to give it up, but with the South it had become an intolerable grievance. They had long

[1] *The Last Principle*, p. 140.
[2] *Madison Papers*, pp. 1222-1311.
[3] *Southern Review*, July, 1867, p. 122, etc.

and earnestly protested against it when carried on by the mother-country, but their minds were now made up to break with the North rather than submit further to this traffic.

The records of the convention read as follows:[1] "Mr. L. Martin proposed to vary Article VII, Section 4, so as to allow a prohibition or tax on the importation of slaves." This was the first word said in the convention of 1787 against the above proposition to permit the indefinite continuance of the slave trade to all the States in the Union. Maryland, as we have shown, acting in her own sovereign capacity, had in fact as early as 1783, prohibited the African slave trade, and her representative now wished the Federal Union to have the power to imitate her example. "In the first place," said he in support of his motion, "as five slaves are to be counted as three freemen, in the apportionment of representatives, such a clause would leave an encouragement to this traffic. In the second place, slaves weakened one part of the Union, which the other parts were bound to protect; the privilege of importing them was therefore unreasonable. And in the third place, *it was inconsistent with the principles of the Revolution, and dishonorable to the American character, to have such a feature in the Constitution.*"

The first voice from the North opposed the motion of Mr. Martin, and favored the proposition to allow the indefinite continuance of the slave trade. It was that of Oliver Ellsworth, afterwards Chief Justice of Connecticut. "Mr. Ellsworth," says the record, "was for leaving the clause as it stands. Let every State import what it pleases. The morality or wisdom of slavery are considerations belonging to the States themselves. What enriches a part enriches the whole, and the States are the best judges of their particular interest. The old confederation had not meddled with this point; and he did not see any greater necessity for bringing it within the policy of the new one."[2] Thus he even wished that traffic to remain unlimited as to time, and unrestricted by the power of taxation. Whether he was influenced by reason alone, or by the fact, as we have stated, that the New England States were then extensively engaged in the slave trade, we will not undertake to say.

The second voice in opposition to Maryland, was Mr. Sherman, also from the North, who "was for leaving the clause as it stands. He disapproved of the slave trade; yet as the States were now possessed of the right to import slaves, *as the public good did not require it to be taken from them*, and as it was expedient to have as few objections as possible to the proposed scheme of government, he thought it best to leave the matter as we find it."[3]

The third voice from the North, that of James Wilson, of Pennsylvania, pleads, not for the prohibition of the slave trade, but for the laying of a tax on the importation of slaves. "As the section now stands," says he, "all articles imported are taxed. Slaves alone are exempt. This is, in fact, a

[1] *Madison Papers*, iii., p. 1338.
[2] *Ibid.*, p. 1339.
[3] *Ibid.*, iii., p. 1340.

bounty on the article." He seems to have little objection *to the article*; he only expresses the wish that it may be made to yield revenue by means of taxation.

Mr. King, of Massachusetts, seems to be of the same opinion. "Mr. King *thought the subject should be considered in a political light only.* If two States will not agree to the Constitution, as stated on one side, he could affirm with equal belief on the other, that great and equal opposition would be experienced from other States." Mr. King proceeds to explain the source of this opposition from the other side. But he said not one word about its abhorrence of slavery or the slave trade. He only "remarked on the exemption of slaves from duty, whilst every other import was subject to it, *as an inequality that could not fail to strike the commercial equality of the Northern and Middle States.*"

Elbridge Gerry, of Massachusetts, who was afterwards Vice President of the United States, was also opposed to the voice of Maryland. He favored the indefinite existence of the slave trade. "Mr. Gerry thought we had nothing to do with the conduct of the States as to slaves, but we ought to be careful not to give any sanction to it."[1] "We ought not to sanction the conduct of the States as to slaves; but if they have a mind to import slaves from Africa, let them do as they list; it is no business of ours." Such was the utterance of Massachusetts in the convention that framed the Federal Constitution in regard to the slave trade.

Among all the speakers from the North on this memorable occasion, there is only one who favored the prohibition of the slave trade by the Federal Government. Mr. Langdon, of New Hampshire, wished to give the general government power to cause the importation of slaves to cease.

But while from the whole North, the solitary voice of this comparatively obscure member was heard pleading for the discontinuance of the slave trade; the same ground was still more emphatically occupied by two of the most influential statesmen of the South. Colonel Mason, of Virginia, said: "This infernal traffic originated in the avarice of British merchants. The British government constantly checked the attempts of Virginia to put a stop to it. The present question concerns not the importing States alone, but the whole Union. . . . Maryland and Virginia, he said, had already prohibited the importation of slaves expressly. North Carolina had done the same in substance, [she had merely imposed a tax on the importation of slaves]. All this would be in vain if South Carolina and Georgia be at liberty to import."[2] Mr. Madison, in like manner, utterly opposed the continuance of the slave trade, and insisted on giving to the Federal government power to put an end to it. In answer to Colonel Mason's philippic against slavery and the slave trade, Mr. Ellsworth said: "*let us not falter unduly.*"[3]

[1] *Madison Papers*, p. 1304.
[2] *Ibid.*, p. 1305.
[3] *Ibid.*, p. 1382.

The further continuance of the slave trade was opposed by Messrs. Martin, Mason, Madison and Randolph—all Southern members; while one Northern member alone, Mr. Langdon, of New Hampshire, made a speech on the same side of the question. The great objection urged by the North against Article VII., Section 6, was that it imposed no tax or duty on the importation of slaves. Hence, in order to remove this objection, General Pinckney, of South Carolina, "moved to commit the clause that slaves might be liable to an equal tax with other imports; which he thought right, and which would remove one difficulty that had been started." This clause was accordingly referred to a committee consisting of one member from each State. The following clause of the same provision, Article VII., Section 6, "no Navigation Act shall be passed without the assent of two-thirds of the members present in each House," was also referred to the same committee. The North was exceedingly anxious to get rid of this clause; since, if it were retained, she could not exercise or control the power over navigation; a power most essential to her greatness, prosperity and ascendancy in the new Union. "Governor Livingston, of New Jersey, from the committee of eleven [or one from each State], to whom was referred" the clause above mentioned, "delivered in the following report: strike out so much of the fourth section as was referred to the committee, and insert, 'the migration or importation of such persons as the several States now existing shall think proper to admit, shall not be prohibited by the Legislature prior to the year 1800; but a tax or duty may be imposed on such migration or importation, at a rate not exceeding the average of duties laid on imports.' . . . 'The sixth section to be stricken out,' or that which required two-thirds of each House to pass a Navigation Act." On the day following, or August 25th, "General Pinckney moved to strike out the words, 'the year eighteen hundred,' as the year limiting the importation of slaves; and to insert the words, 'the year eighteen hundred and eight.'"[1] This motion of South Carolina to extend the slave trade eight additional years, Mr. Gorham, of Massachusetts immediately seconded.

Mr. Madison protested: "twenty years," said he, "will produce all the mischief that can be apprehended from the liberty to import slaves. So long a term will be more dishonorable to the American character than to say nothing about it in the Constitution,"[2] and silently leave the States to carry on the traffic as they please. But he pleaded in vain. The first part of the report was then agreed to amended as follows: "The migration or importation of such persons as the several States, now existing, shall think proper to admit, shall not be prohibited prior to the year 1808." The vote stood as follows: New Hampshire, Massachusetts, Connecticut, Maryland, North Carolina, South Carolina, Georgia—aye, 7; New Jersey, Pennsylvania, Delaware, Virginia—no, 4. Thus every New England State in the convention, without a single exception, voted for the extension of the slave trade from 1800 to 1808.

[1] *Madison Papers*, p. 1503. [2] *Ibid.*, p. 1327.

The second constitutional clause, referring to runaway slaves, is as follows: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law, or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." It has been asserted by many statesmen of the North that this clause was also dictated by "the slave-holding lords of the South," and, like the extension of the African slave trade, was reluctantly submitted to by the freemen of the North. But there is not one particle of evidence in the record of the transaction, to justify such a charge.

When Mr. Butler, of South Carolina, proposed the clause in question, it "was agreed to, *nem. con.*,"[1] and not one syllable was uttered against it by any member of the convention. It was in accordance with the sentiment of those who framed the Constitution, and if any one of them disliked it, his dislike found no utterance whatever in the convention. The reason there was no opposition to this clause is truly stated in the language of the Chancellor of New York, in delivering the solemn judicial decision of the State. "The provision," says he, "as to persons escaping from servitude in one State into another, appears, from their journal [as it now more fully does from *The Madison Papers*], to have been adopted by a unanimous vote of the convention. At that time the existence of involuntary servitude, or the relation of master and servant, was known to and recognized by the laws of every State in the Union, except Massachusetts,[2] and the legal right of recapture by the master, existed in all, as a part of the customary or common law of the whole confederacy." Thus it will be seen that this clause of the Constitution, was not dictated by the South.

But the third and last clause of the Constitution, relative to slavery, has, if possible, been more grossly misunderstood or misrepresented than any other provision of that instrument. It is, in the language of John Quincy Adams, "the exaction fatal to the principle of representation—a representation for slaves—for articles of merchandise—under the name of persons."

The fact is, the constitutional provision which admitted three-fifths of the slave population into the basis of representation, was a compromise, resulting from a struggle for power between the North and South, and was avowedly designed to make the two sections as nearly equal as possible in the new Union.

In regard to the contest upon this subject in the convention, a recent writer observes: "Should the South have as many representatives, in proportion to its population, as the North? It was just and right that she should. The slaves were a better population than the free negroes, and if the

[1] *Madison Papers*, p. 1463.

[2] On this point, the learned commentator is in error; for we have shown that Massachusetts did not abolish the African slave trade by statute until the year 1788, after this constitution was framed; and besides, we have shown that she was among the foremost, at this time, in pleading for the indefinite continuance of the slave trade.

latter were to be counted at their full number in the apportionment of representation, so ought the former. The right could not be refused, because the slaves were naturally or legally unequal to the whites, for so are the free negroes. It could not be refused because they have no political rights; for neither have the free negroes, paupers, women and children. They are an essential part of the population; if absent, their places must be filled by other laborers, and if they are property as well as population, it is an additional reason for giving their owners the security of full representation for them. But the South, as usual, yielded to Northern exorbitance, and agreed that five slaves should count only as three free negroes. Therefore, instead of one hundred and five representatives in Congress, it has only ninety-one."[1] These arguments were, in substance, presented in the convention by Messrs. Butler and General Pinckney, and others from the South. They strenuously insisted "that the blacks be included in the rule of representation, equally with the whites;" and for that purpose, move that the words "three-fifths" be stricken out.[2] Mr. Gerry, of Massachusetts, "thought that three-fifths of them was, to say the least, the full proportion that could be admitted."[3] "This ratio was fixed by Congress," said Mr. Gorham, from the same State, "as a rule of taxation."

Some Northern members were, indeed, opposed to the representation of slaves altogether, but the South would not for an instant, have entertained the idea of entering into the new Union, unless her slaves were represented. For, in such case, so great and overwhelming would have been the Northern majority, that the South would have shrunk from it as from the touch of death. On the other hand, if the North had consented to a full representation of the blacks, it would have given the South a small majority in the new government, or rather in one branch of its Legislature. The Senate would still have been with the North; but the North insisted on having control of both Houses. Hence the necessity of a compromise, if any Union was to be formed between the two sections.

Accordingly we find, in point of fact, that a compromise of power was struck between the North and South in relation to the representation of the slave population. Mr. Wilson, from Pennsylvania, and Mr. Charles Pinckney, of South Carolina, finally on the 11th of June, united in submitting the proposition that slaves should be represented in the proportion of three to five. Yet as he declared, "Mr. Wilson did not well see on what principle the admission of blacks, in the proportion of three-fifths, could be explained. Are they admitted as citizens—then why are they not admitted on an equality with white citizens? Are they admitted as property—then why not other property admitted into the computation? There were difficulties, however," said he, "which he thought *must be overruled by the necessity of compromise.*"[4]

[1] *Union, Past and Present*, pp. 1-2.
[2] *Madison Papers*, p. 1087.
[3] *Ibid.*, p. 1087.
[4] *Ibid.*, p. 1173.

Mr. King, of Massachusetts, "had always expected that *as the Southern States are the richest*, they would not league themselves with the Northern, unless some respect were paid to their superior wealth. If the *latter expect* those *preferential distinctions in commerce*, and *other advantages* which *they will derive from the connexion*, they must not expect to receive them without allowing some advantage in return!"

"Eleven out of thirteen States," he continues, "had agreed to consider slaves in the apportionment of taxation, and taxation and representation ought to go together."[1] That is to say, the ratio of three-fifths of the slaves is already adopted as the rule of taxation, and, consequently, ought to be applied as the rule of representation, inasmuch as taxation and representation *ought* always to go together. But yet, in permitting this just rule to take place, we have a keen eye to "those preferential distinctions in commerce," and other great "advantages which the Northern States are to derive from the connexion!" Or in other words, we must be most liberally paid for this simple act of justice to the South!

Accordingly, we shall soon see how furiously the North flamed out, because the South was not willing, as had been supposed, to pay for what the North itself regarded as a simple act of justice, in adopting the established basis of taxation as the rule or ratio of representation.

Mr. King "was fully convinced that the difference of interest did not lie where it had hitherto been discussed, between the great and small States, but between the Southern and Eastern; for this reason he had been ready to yield something in the proportion of representatives for the security of the Southern. No principle would justify in giving them a majority. They were brought *as near equality as possible*. He was not averse to give them a still greater security, but did not see how it could be done."[2]

"Why would no principle justify giving the Southern States a majority? If the States were to be represented according to population, then the South would clearly have the majority, though only a small one; or if they were to be represented according to wealth, then again the South would have a majority; for as we have just seen, Mr. King admitted that the Southern States were superior to the North in wealth. But if neither population nor wealth were to determine the rule of representation, how should it be ascertained? Be this as it may, it must, at all events, conform to one indispensable condition; it must at least give the North a majority in both branches of the Federal Legislature. He was willing, however, that the South, for its protection and security, should be made as nearly equal to the North "*as possible*." But this limit of possibility had been reached in giving the North a majority of thirty-six votes to twenty-nine in one branch, and of sixteen to ten in the other!"

It was no sooner ascertained, however, that the South was not as ready as had been supposed, to reward the North for this small measure of justice,

[1] *Madison Papers*, p. 1058. [2] *Ibid.*, p. 1261.

that the whole tone of a number of Northern members is changed. Mr. Governeur Morris, of Pennsylvania, joined with his reclamation and clamour against the South. Although "he never would concur in upholding domestic slavery" on account of it being "a nefarious institution," yet he says, "*what is the proposed compensation to the North for a sacrifice of every principle of right, of every impulse of humanity?*"

Having poured out much additional eloquence against the institution of slavery, as well as against the slave-trade, and especially against the encouragement which the representation of slaves would lend to that "nefarious traffic," Governeur Morris, simply proposed to re-open and re-commit the whole subject, along with the provisions relating to taxes on exports, and to a Navigation Act, saying "these things may form a bargain among the Northern and Southern States."[1]

Such was the political ethics of the Northern statesmen of those days. They did not object to the institution of slavery, or the fractional representation of slaves, tho' the South refuses to entrust the North with the power of commerce. Then for the first time, the South discovers, that they have consciences on the subject; but consciences which are in the market! What are we to gain, they say, for sacrificing "every principle of right and every impulse of humanity?"

The bargain was struck. The grand compromise was concluded. The South purchased the conscience of the North; and to her infinite cost, she found it a damaged article. It was, indeed, merely a make-believe, or make-weight in the struggle for power. By means of this, she secured the tremendous power over commerce, which, as we shall hereafter see, enabled the North to enrich and aggrandize herself at the expense of the South.

On the 29th of August, Mr. Pinckney, of South Carolina, moved "that no Act of Congress, for the purpose of regulating the commerce of the United States with foreign powers, among the several States, shall be passed without the assent of two thirds of the members of each House."[2] This motion gave rise to a most bitter controversy between the two sections. It was indeed, the previously evinced unwillingness of the South to trust the power over the commerce of the republic to a bare Northern majority.

In dispensing the motion, Colonel Mason, of Virginia, said: "The majority will be governed by their interests. The Southern States are the minority in both Houses of Congress. Is it to be expected, that they will deliver themselves bound hand and foot to the Eastern States, and thus enable them to exclaim in the words of Cromwell: 'The Lord hath delivered them into our hands.'"[3] Mr. Randolph, of Virginia, was equally strenuous in his support of the same motion. "There were," said he, "features in the Constitution so odious as it now stands, that he doubted whether he should be able to agree to it. A rejection of the motion would complete the deformity of the system."[4]

[1] *Madison Papers*, pp. 1305-6.
[2] *Ibid.*, p. 1450.
[3] *Ibid.*, p. 1451.
[4] *Ibid.*, p. 1455.

General Pinckney opposed the motion of his namesake and colleague, Mr. Charles Pinckney. "It was," said he, "the true interest of the Southern States to have no regulation of commerce; but considering the loss brought on the commerce of the Eastern States by the Revolution, *their liberal conduct towards the views of South Carolina*, and the interest the weak Southern States had in being united with the strong Eastern States, he thought it proper, that no fetters should be imposed on the power of making commercial regulations, and that his constituents, though *prejudiced against the Eastern States*, would be reconciled to this liberality."[1] By the liberal conduct of the Eastern States to the views of South Carolina, "he meant," says Mr. Madison in a note, "the permission to import slaves. *An understanding on the two subjects of navigation and slavery had taken place between these parts of the Union*, which explains the vote on the motion depending, as well as the language of General Pinckney and others." "He differed," said Governeur Morris, "from those who considered the rejection of the motion as no concession on the part of the Southern States. *He considered the interests of these and the Eastern States to be as different as the interests of Russia and Turkey.* Being, notwithstanding, desirous of conciliating *the affections* of the Eastern States, he should vote against requiring two-thirds instead of a majority."[2]

The vote on the motion required two-thirds of each House to pass an Act to regulate commerce, reveals the existence and the extent of the compromise in question as plainly as the words of Mr. Madison. Maryland, Virginia, North Carolina, and Georgia voted in the affirmative, while New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware and South Carolina voted in the negative.[3] Thus South Carolina was the only Southern State which voted to confer the power in question on the Northern majority, or against requiring two-thirds of each House to regulate commerce. It is curious to note the corresponding change in the vote of the Northern States on the subject of slavery. On the question for agreeing to include three-fifths of the blacks in the basis of representation, when, on a former occasion, it came up for decision, every Northern State, except Connecticut, voted in the negative, or against the representation of slaves.[4] But now, notwithstanding all the inflammatory speeches of King, Morris, and other Northern members against slavery and the slave trade, every Northern State, except New Jersey, voted for the provision, or for the representation of slaves.[5] Was not this a most extensive sale of conscience?

It was an evil hour for the Southern States, when the power over commerce was yielded to the Northern majority. A great effort was made in the convention by Northern members to confer on Congress the power to tax exports; but the design of such a measure was too obvious to be tolerated by

[1] *Madison Papers*, p. 1451.
[2] *Ibid.*, p. 1451.
[3] *Ibid.*, p. 1076.
[4] *Ibid.*, p. 1450.
[5] *Ibid.*, p. 1075.

the South, and hence it was defeated. But the same object had been attained, as we shall see, and the same fearfully unequal burdens laid on the South, by giving Congress, in both branches of which the North had a majority, the power to regulate commerce and to impose a tax upon imports.

The North agreed, it is true, that the slave trade might be continued for twenty years; but this granted nothing to South Carolina or the South, since every Southern State already possessed the power to carry on that trade just as long as it pleased. This was in fact a surrender, not an acquisition, of power by the South. The truth is, the South consented to confer the power over commerce on the majority, because she expected soon to be in the majority herself. She struggled for the representation of three-fifths of her blacks, and also to bind the Legislature to distribute the right of representation according to the census, instead of leaving it free, because she believed that this would soon turn the balance of power in her favor. Neither section would trust the other, though it was perfectly willing to trust itself, with the power over commerce as well as with the other great powers of the general government. The North knew that it would hold these powers in the beginning, if entrusted to a majority; the South expected soon to be able to wield them. Hence the great difficulty of the convention was not settled at all, the grand antagonism was not adjusted. It was simply a contest for power, and not for liberty. Neither section really sought to protect the rights and interests of the other against its own aggressions; as if, while fearing its adversary, it deemed itself incapable of tyranny or wrong.[1]

Thus it is seen that the views of Maryland and Virginia and other Southern States, upon the subject of slavery, could not be universally carried out, by reason of the privilege conceded to such as chose to avail themselves of it under the Constitution. The result was forced upon Maryland by the Northern States in part. Those States, if no restriction on Navigation Acts was imposed upon them by the authorities, were very ready to indulge any who desired an increase in the number of their slaves; and by their aid and essential co-operation, the ninth section of the first article was adopted, expressly against the remonstrances of the State of Maryland. The sole-

[1] The peculiar character of this critical struggle between the North and South is taken from an able article, entitled "The North and South in the Convention of 1787," in the *Southern Review* of October, 1867.

In corroboration of these facts, Rev. Dr. N. Adams, of Essex street Church, Boston, in a fast day sermon, delivered January 9th, 1861, says: "We at the North are certainly responsible for the existence of slavery in our land. The committee of the convention, which framed the Constitution of the United States, consisted of Messrs. Rutledge, of South Carolina, Randolph, of Virginia, and three men from free States, viz., Messrs. Wilson, of Pennsylvania, Gorham, of Massachusetts, and Ellsworth, of Connecticut. They reported, as a section for the Constitution, that no tax or other duty should be laid on the migration or importation of such persons as the several States should think proper to admit; but that such migration or importation should be prohibited. This was referred by the convention to a committee, a majority of whom being from the slave States, they reported that the slave trade be abolished in 1800, and that a tax be levied on imported slaves. But in the convention, the two States of Massachusetts, New Hampshire and Connecticut voted to extend the trade eight years, and it was accordingly done; by means of which it is estimated that there are now at least three hundred thousand more slaves in the country than there would otherwise have been."

brated Luther Martin, of this State, one of the greatest jurists of his time, who was a member of the convention, in his explanation of the proceedings of the convention to his own State, upon this very subject he makes it a matter of complaint to the people of Maryland, against the action of the Northern States. He says:

"The design of this clause is to prevent the General Government from prohibiting the importation of slaves. This clause was the subject of a great diversity of opinion in the convention. A committee of one member from each State was chosen by ballot, to take this part of the system under their consideration. To this committee was also referred the following proposition: 'No navigation Act shall be passed without the assent of two-thirds of the members present in each House;' a proposition which the staple and commercial States were solicitous to retain, lest their commerce should be placed too much under the control of the Eastern States, to which these last States were unwilling to reject. This committee, of which I had also the honor to be a member, met and took under consideration the subjects committed to them. I found the Eastern States, notwithstanding their aversion to slavery, were very willing to indulge the Southern States, at least with a temporary liberty to prosecute the slave trade, provided the Southern States would in their turn gratify them, by laying no restriction on navigation Acts; and, after a very little time, the committee, by a great majority, agreed on a report by which the General Government was to be prohibited from preventing the importation of slaves for a limited time, and the restrictive clause relative to the Navigation Act was to be omitted. You will perceive, Sir, that the General Government is prohibited from interposing in the slave trade before the year 1808, but that there is no provision in the Constitution that it shall afterwards be prohibited, nor any security that such prohibition will ever take place."

The Federal Constitution, with all these essential clauses, having passed into operation, it became henceforth a certainty that the slave trade would finally expire in the United States at the close of 1808. This left it still a duration of nineteen years, and the North seemed determined to reap the utmost possible advantage from the time remaining. The Duke de Rochefoucault-Liancourt, in his work on the United States, 1795, states that "twenty vessels from the harbors of the North are engaged in the importation of slaves into Georgia; they ship one negro for every ton burden."

While New England was thus vigorously engaged in buying and selling negro slaves, Maryland, on the other hand, was steadfastly pursuing her theory of manumission. At this period the whole legislation of the non-slaveholding States demonstrates that they regarded the creation of slavery as one of State jurisdiction alone; and as an illustration of this, the abolition of slavery, when it had become unprofitable in those States, was by the general voice of the people effected by the Acts of their own State Legislatures. And the operation of causes similar to those which produced emancipation at the North, was bringing about the abolition of slavery in Maryland, when it was interrupted by individuals, who, shutting their eyes to wrongs and miseries at their own doors demanding redress, with self-assumed superiority arrogated to themselves the entire possession of philanthropy, prolonged the abolition of slavery in Maryland nearly a century beyond the point at which it might otherwise gradually and quietly have come to an end.

The first movement upon record of associated action in Maryland, for the abolition of slavery, was the organization on the 8th of September, 1789, of a society composed of a number of prominent citizens, called "The Maryland Society for promoting the abolition of slavery, and the relief of poor negroes and others unlawfully held in bondage." They adopted the following Constitution and By-Laws.[1]

"Constitution of the Maryland Society for promoting the abolition of slavery, and the relief of poor negroes and others, unlawfully held in bondage.

"The present attention of Europe and America to slavery seems to constitute that crisis in the minds of men, when the united endeavors of a few may greatly influence the public opinion, and produce from the transient sentiment of the times, effects extensive, lasting and useful.

"The common Father of mankind created all men free and equal, and His great command is, that we love our neighbor as ourselves, doing unto all men as we would they should do unto us.

"The human race, however varied in color or faculties, are all justly entitled to liberty; and it is the duty and the interest of nations and individuals, enjoying every blessing of freedom, to remove this dishonor of the Christian character from amongst them. From the fullest impression of the truth of these principles; from an earnest wish to bear our testimony against slavery in all of its forms, to spread it abroad as far as the sphere of our influence may extend, and to afford our friendly assistance to those who may be engaged in the same undertaking; and in the humblest hope of support from that Being, who takes as an offering to himself what we do for each other. We, the subscribers, have formed ourselves into 'The Maryland Society for promoting the Abolition of slavery, and for the relief of poor negroes and others, unlawfully held in bondage.' George Matthews, Isaac Gelsel, William Wilson, John Brown (purser), Henry Wilson, David Shields, David Brown, Joseph Williams, Philip Rogers, Enoch Levering, Joseph Townsend, Alexander McKim, Elias Ellicott, George Garnaghan, Asaac Pomeroy, George Buchanan, Elisha Tyson, Hugh Stewart, John Mitchel, James Allen, Jesse Tyson (of Harford), William Winchester, Job Smith, John Kilgar, William Hawkins, Morris Dorling, James Cary, John Griffith, Gerard Hopkins, Thomas W. Griffith, Archibald Robinson, David Farrell, Nicholas Jones, John Mason (of Harford), John Brown (potter), John McKim, William Trimble, Henry Payson, Jacob Eichelberger, Aquila Jones, Lockard Harbaugh, Robert Smith, James McCannon, Moses Haslet, George Deal, Reuben Gilder, John D. Rees, Alexander McCaskey, Amos James, John Lewis, William Brown, John Lee (Fell's Point), James Hicks, Samuel Sterett, Robert Cruthwait, Hezekiah Waters, William Wood, William Lynch, William Riley, Jesse Hollingsworth, Abraham Tarsey, Peter Hoffman, Zebulon Hollingsworth, James Angel, Thomas Dickson, John Tullard, John Lee, Martin Eichelberger, Stephen Wilson, Richard Lawson, Aaron Levering, George Devilbiss, Andrew Allison, John Killen, James Ogleby, Henry Wilson, Sr., George Presstman, Samuel Hopkins, John Hankson, John Hayes, Thomas Buckingham, Thomas Coulson, William Goddard, John Scarg (of Harford), John Deaver, Herman Stump (Harford), Elisha Dowes, William Pilgrim (of Stony), Nathan Tyson, Job Mannes (Nottingham).

[1] See Maryland Journal of December 15, 1789. This was the sixth anti-slavery society in the world. The first was formed in Philadelphia, April 14, 1775; the second, in New York, January 25, 1785; the third, in London, July 17, 1787; the fourth, in York, February, 1788, and the Delaware society in the same year. An anti-slavery society was formed at Newport, Rhode Island, in 1789; in Connecticut, 1790; in Virginia, 1791; in New Jersey, 1792, and one at Chestertown, Kent County, Maryland, in 1793.—Poole, p. 60.

"OFFICERS OF THE SOCIETY.

"President, Philip Rogers; Vice-President, James Carey; Secretary, Joseph Townsend; Treasurer, David Brown; Counsellors, Zebulon Hollingsworth and Archibald Robinson; Honorary Counsellors, Samuel Chase and Luther Martin; Electing Committee, James Ogleby, Adam Fonerden, Isaac Orrell, Jacob Richelberger, George Matthews, William Hawkins, George Presstman, William Wilson, Henry Wilson, Thomas Dickson, John Benkson, Gerard Hopkins; Acting Committee, John Brown, Elias Elliott, Elisha Tyson, William Trindle, James McCannon, George Dent.

"THE CONSTITUTION.

"I. The Officers of the Society are, a President, Vice-President, Secretary, a Treasurer, four Counsellors, an Electing Committee of twelve, and an Acting Committee of six members. All these except the Acting Committee, shall be chosen annually, by ballot, on the first seventh day, called Saturday, in the month called January.

"II. The President, or, in his absence, the Vice President, shall subscribe all the public Acts of the Society.

"III. The President, or, in his absence, the Vice President, shall, moreover, have the power of calling a special meeting of the Society, whenever he shall judge proper, or six members require it.

"IV. The Secretary shall keep fair records of the proceedings of the Society; he shall also conduct the correspondence of the Society, with a committee of three, appointed by the President; and all letters, on the business of the Society, are to be addressed to him.

"V. Corresponding members shall be appointed by the Electing Committee. Their duty shall be, to communicate to the Secretary and his assistants any information that may promote the purposes of this institution, which shall be transferred by him to the Acting Committee.

"VI. The Treasurer shall pay all orders drawn by the President or Vice President; which orders shall be his vouchers for his expenditures. He shall, before he enters on his office, give a bond of not less than two hundred pounds, for the faithful discharge of his duty.

"VII. The duty of the Counsellors shall be to explain the laws and constitutions of the States, which relate to the emancipation of slaves, and to urge their claims to freedom, when legal, before such persons or courts as are authorized to decide upon them.

"VIII. The Electing Committee shall have the sole power of admitting new members; two-thirds of them shall be a quorum for this purpose, and the concurrence of a majority of them by ballot, when met, shall be necessary for the admission of a member. No member shall be admitted who has not been proposed at a general meeting of the Society; nor shall an election for a member take place in less than one month after the time of his being proposed. Foreigners, or other persons, who do not reside in this State, may be elected corresponding members of the Society, without being subject to an annual payment; and shall be admitted to the meetings of the Society during their residence in the State.

"IX. The Acting Committee shall transact the business of the Society, in its recess, and report the same at each quarterly meeting; they shall have a right, with the concurrence of the President or Vice President, to draw upon the Treasurer for such sums of money as shall be necessary to carry on the business of their appointment; four of them shall be a quorum. After their first election, at each succeeding quarterly meeting, there shall be an election for two of their number.

"X. Every member, upon his admission, shall subscribe the Constitution of the Society, and contribute ten shillings annually, in quarterly payments, towards defraying its contingent expenses. If he neglects to pay the same, for more than six months, he shall, upon due notice being given him, cease to be a member.

"XI. The Society shall meet on the first second day, called Saturday, in the months called January, April, July and October, at such time and place as shall be agreed to by a majority of the Society.

"XII. No person, holding a slave as his property, shall be admitted a member of this Society; nevertheless, the Society may appoint persons of legal knowledge, owners of slaves, as Honorary Counsellors.

"XIII. When an alteration in the Constitution is thought necessary, it shall be proposed at a previous meeting, before it shall take place. All questions shall be decided, where there is division, by a majority of votes. In those cases where the Society is equally divided, the presiding officer shall have a casting vote."[1]

This society increased its membership rapidly from among the best people of the State, and in the year 1797, numbered two hundred and thirty-one members, and the third largest in the United States. On the fourth of July, 1791, Dr. George Buchanan delivered in Baltimore, before this society, a remarkable oration, of the most radical type, "upon the moral and political evil of slavery," in which he asserted that the negro race was equal in its capacity for improvement, to the white race. That this address was not offensive to those before whom it was delivered, is evident, for the society unanimously "resolved, that the president present the thanks of the society to Dr. George Buchanan, for the excellent oration by him delivered this day, and, at the same time, request a copy thereof in the name and for the use of the society."[2]

In 1797, Charles Carroll, of Carrollton, who ever bitterly lamented the existence of slavery, which British laws had rooted in Maryland, and who held many slaves, while he would gladly have adopted any means by which the country could have been relieved from the evil, without inflicting a greater evil in the attempt, introduced into the Senate of Maryland, a bill for the gradual abolition of slavery. By its provisions, the State was to buy up all the female children, educate them for freedom and usefulness, and bind them out, to be free at twenty-eight years of age, when habits of order would have fitted them for a state of liberty. At a given period, all males, and others under forty-five years of age, were to be free. The bill, however, did not pass.[3] And Roger Brooke Taney, afterwards Chief Justice of the United States, in defending the Rev. Jacob Gruber, charged in 1818, with anti-slavery teachings and acts, said:

"A hard necessity, indeed, compels us to endure the evils of slavery for a time. It was imposed upon us by another nation, while yet we were in a state of colonial vassalage. It cannot be easily or suddenly removed. Yet, while it continues, it is a blot on our national character, and every real friend of freedom confidently hopes that it will be effectually, though it must be gradually wiped away, and sincerely looks for the means by which this necessary object may be attained. And until it shall be accomplished, and the fearful

[1] Maryland *Journal* of December 15, 1789.

The editor comments: "It is now hoped that the time is rapidly approaching when the citizens of these United States will no longer merit the odious character of oppressors of their fellow men; but, by nobly breaking the chains of slavery justly entitle their country to the name of 'The Land of Liberty.'"

[2] *Chronicles of Baltimore*, p. 268.

[3] Hazard's *Register*, v., p. 113.

when we can point without a blush to the language held in the Declaration of Independence, every friend of humanity will seek to lighten the galling chain of slavery, and better, to the utmost of his power, the wretched condition of the slave."[1]

Thus, it will be seen, at an early day an anti-slavery sentiment existed in Maryland. While there was an abundance of passionate and sentimental declamation by the abolitionists of the North, it is a remarkable fact that nowhere was slavery denounced with stronger condemnation than in this State; a condemnation founded on purely moral grounds, and unconnected with any political associations. Here the sentiment had a distinguished and

[1] Niles's Register, i., p. 209.

Upon the occasion of the death of the Hon. Roger B. Taney, on the 12th of October, 1864, Hon. Reverdy Johnson, in the course of the proceedings of the bench and bar of Baltimore on the 13th, in referring to his opinion in the celebrated Dred Scott case, said he felt it "to be due to the memory of the Chief Justice to vindicate him from a gross misrepresentation of a single phrase. In the middle of a sentence of that opinion referring to Africans, he said, 'they had no rights which the white man was bound to respect;' and the whole injustice is done of changing him with entertaining the view which these words, taken by themselves, govern. Extracting them from the opinion without giving the whole of the sentence of which they constitute but a part, or without giving what immediately precedes and follows the sentence itself, a great part of the public have been made to believe that the Chief Justice and a majority of the court intended to announce that at the time the judgment was rendered, the Africans here in the United States possessed 'no rights which the white man was bound to respect.' So far is this from being a just version of the opinion, that nothing but a false view of it justifies that impression. The Chief Justice was there referring to what he and a majority of the court understood to have been the light in which the Africans were held by our ancestors before and at the time the constitution was adopted. No one can doubt the propriety of this reference, for it bore directly and forcibly on the question before the court. But so far from justifying the view ascribed to the men in 1776 or 1787, he declared that it was difficult, at this day, to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portion of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted. And he, then, proceeded to cite the legislation of the colonial governments and of the States, merely for the purpose of proving the fact that such was the public opinion, and not to justify it. The accuracy of his citations of the legislation of those days has not been disputed. Nor could it have been, as its very words were quoted. Neither can it be questioned that that legislation demonstrates that, at that period, the Africans had no such rights as the Declaration of Independence announced to be 'inalienable.' They were not only bought and sold in the markets as chattels, and subjected to every kind of degrading inferiority, but were subjected to punishment if they claimed 'liberty' or the right to 'the pursuit of happiness.' It was this, and this among others, that caused the Chief Justice and the court to construe the words in our great national charter as not having been intended by our ancestors to embrace the Africans. And who is now assuming that position, and adopt the opposite conclusion? That the consideration to which I have referred in public opinion of that age was the controlling reason with the court in the view they took of the meaning of the Declaration of '76, in the particular in question, is apparent from another circumstance. In the same paragraph, the Chief Justice admits that if he should be wrong in his interpretation of the Declaration, if used in a like instrument, at this time, would comprehend the whole race of man. His language is, 'The general words above quoted (those in the Declaration of Independence) would seem to embrace the whole human family, and if they were used in a similar instrument, at the present day, would be so understood.' It is, thus, perfectly apparent that in using the phrase, which has been a matter of the fabrication of the false accusation against him, his purpose was not to express the sentiments it expressed, but to show that it was the public sentiment in 1776, and that, at that time, the African was not thought to have the rights of 'liberty and the pursuit of happiness,' but, on the contrary, was considered an inferior being to the white man, and dependent upon him for all the liberty and happiness that he might, from time to time, be permitted to enjoy. Nothing therefore, can be more obvious than the misrepresentation that has been made to his opinion, or more unjust to the author. It is, on the contrary, evidently false. Upon us, who knew the Chief Justice so well, who saw in the man and in his conduct everything that characterizes a good and humane citizen, the calumny never made the slightest impression. We knew him to be humane, to be charitable, to be a Christian gentleman, and so knowing, we knew that he was incapable of entertaining the thought imputed to him."

a continuous antecedence, for every famous statesman in the State, without one exception, no matter what had been his votes or acts in the interest of slavery, and on the issues concerning it, made by political parties, had not hesitated to express his deprecation of the institution. All the distinguished early Marylanders were indeed anti-slavery men. Owning slaves and upholding slavery as against Northern interference, they yet protested against it, as of their conscience. The record of such anti-slavery sentiment in Maryland is commenced from the period of the Revolution, in the very midst of which Maryland proposed to free her slaves by a system of graduations.[1]

In 1793, Congress, on the recommendation of President Washington, and in obedience to the constitution, enacted a law enjoining the restoration of fugitive slaves. This Act was defective in many of its provisions, but it seems evident that slaves were then generally regarded in the light of property only; and that persons held to slavery in one State escaping into another should be rendered back to their owners. It was passed in the Senate without a division, and in the House of Representatives by a vote of fifty-eight to seven. It soon afterwards came under the revision of the courts of the United States and the States, and it was sustained by every judicial tribunal, Federal and State.[2]

The cessation of the slave trade in 1809, and the acquisition of Louisiana in 1803, and Florida in 1819, which were so distasteful to the North, were followed by the Embargo Act of 1807, which together menaced the extinction of the commercial interests of the Eastern States, whereupon they threatened to secede from the Union, and form a Northern Confederacy. In February, 1809, the Governor General of Canada, Craig, deputed his agent, John Henry, to go to Boston and treat with the leading federalists there; and by the arrangement then made, Massachusetts was to declare itself independent and invite a Congress to erect a separate government. John Q. Adams, ex-President, in a letter to Mr. Otis, 1828, states that the plan had been so far matured that proposals had been made to a certain individual to put himself at the head of the military organization.[3]

[1] Speech of William Osl Johnson, of Maryland. Niles' *Register*, Ix., pp. 179-180.

[2] In the treaty of peace with Great Britain in 1783, there is a provision "for the payment of debts and other property" carried away during the war; and again, in the treaty of peace at Ghent in 1815, the same clause recurred, and the British Government paid a million and a half dollars for slaves that had been carried off by their forces. The amounts of Rush and Bush, their summary of the treaty, contain the various sums paid by the United States Government to the owners of slaves and "other property." The government issued frequent demands for the payment of slave-property after the peace. The law, at the time, for recovering that property was of a summary nature. The owner might seize his property wherever he found it, and, on making an affidavit before a federal judge, a warrant was issued for the removal of it. There was no provision for trial by jury, or for writs of *habeas corpus*, which would be indispensable if black slaves had been considered as persons. Chief Justice Parker, of Massachusetts, in 2d Pickering, says: "We think, in making the commercial treaty entered into an agreement that slaves should be considered as property," etc.

[3] On the 20th of December, 1813, Commodore Stephen Decatur, in a letter from New London, addressed to the Secretary of War, said: "Some few nights since, the weather promised an opportunity for the squadron to get to sea, and it was said on shore that we intended to make the attempt. In the course of the evening, two blue lights were burnt on both the

These schemes went on until they resulted in the Hartford Convention of December 15th, 1814, where the subject of a Northern Confederacy, in all its bearings, underwent discussion. The sentiment of the North at that time may be seen in the party cry: "The Potomac for a boundary—the negro States to themselves." This became the favorite phrase of the day all over the Eastern States, and the secession movement which afterwards went on in the South was not more popular or more seriously resolved on. The Hartford Convention adjourned without day, January 5th, 1815. A few days after its adjournment, the treaty of peace with Great Britain, which had been signed while the convention was in session, reached this country and was immediately ratified by Congress. Thus, happily, the immediate cause of dissatisfaction was removed and the discontent allayed.

While the irritation was still lingering in the Northern mind, a bill was introduced into Congress, 1818, to authorize the people of Missouri to form a constitution, preparatory to admission into the Union. This territory was a portion of that same Louisiana whose purchase had been so vehemently resisted by New England. During its ownership by Spain and afterwards by France, slavery had existed in the whole of this territory, and it remained undisturbed after its purchase by the United States; nevertheless, its admission into the Union as a slave State was violently opposed by the Eastern

points at the harbor's mouth, as signals to the enemy, and there is no doubt, but that they have, by signals and otherwise, instantaneous information of our movements. Great but unsuccessful exertions have been made to detect those who communicate with the enemy by signal. The editor of the New England *Gazette*, to alarm them, and in the hope to prevent the repetition of these signals, stated in the newspapers that they had been observed, and aroused to detection those who had made them, in animated and indignant terms. The consequence is that he has incurred the express displeasure of some of his neighbors. Notwithstanding these signals have been repeated, and have been seen by twenty persons at least in the evening, there are men in New London who have the hardihood to disbelieve it, and the effrontery to avow their disbelief."—*Niles' Register*, v., p. 382. Mr. Niles, in referring to this matter, under date of January 22, 1814, says: "Blue lights are still exhibited at New London: a traitorous intercourse is kept up with the enemy; the prisoners confined in Worcester jail have escaped, no doubt by assistance from without, and one was communicated to certain artists preparing for the United States vessels at Portsmouth."—*Ibid.*, p. 370. Again, in referring to the meeting of the Legislature, he says: "The high tone of the anti-federal or British *gazettes* in Boston, and some others in Massachusetts, for several months past, led us to expect a storm on the meeting of the Legislature. The right and expediency of *separating from the Union* had freely discussed and decidedly advocated by the ablest writers on the *British* side; and every effort of genius and of falsehood had been exerted to prepare the public mind for rebellion against the United States and alliance with *England*, as the natural consequence. The most base-faced lies and outrageous misrepresentations were diligently used to excite State jealousies and partial sympathies; all that was base and detestable was ascribed to our own government; all that was religious [precious heaven!] and magnanimous, attached to the enemy." . . . . "Such were the circumstances under which the Legislature convened. The Governor's speech was not calculated to still the wicked passions that had been stirred up; respect for the office he filled I also decline to speak of it as it deserves. The replies of the two Houses went much further than his excellency had done; they appeared ill drafted for the chief purpose of provoking civil war. In the debates upon these, the most disgraceful sentiments were avowed: it was proposed or talked of to open custom houses, to clear out vessels in opposition to the laws of the land; that they should negotiate a loan, and raise an army of 80,000 men to resist to the shedding of blood; the constitutional authorities; and one honest fellow fairly declared that he was ready to change the Constitution of the United States for that of Great Britain, 'immediately and all over, etc. Be it noted, that they who said these things were, as members of the General Court of Massachu-

States. The history of the celebrated Missouri Compromise of March 2d, 1820, is thus set forth in the words of Henry Clay, delivered in the Senate of the United States:

"At the first session of Congress," says Mr. Clay, "when the proposition was made to admit Missouri, ... the bill failed by a disagreement between the two Houses, ... the House insisting upon an interdiction of slavery, and the Senate rejecting the proposition for the interdiction of slavery. The bill failed. It did not pass that session of Congress.

"At the next session it was renewed; and at the time of its renewal, Maine was knocking at our door, also to be admitted into the Union. In the House there was a majority for the restriction of the admission of slavery: in the Senate the majority was opposed to any such restriction. In the Senate, therefore, in order to carry Missouri through, a bill, or provision, for her admission, or rather authorizing her to determine the question of her admission, was coupled with the bill for the admission of Maine. They were connected together, and the Senate said to the House: 'You want the bill for the admission of Maine passed; you shall not have it, unless you take along with it the bill for the admission of Missouri also.' There was a majority, not a very large one, but a very firm and decided majority in the Senate for coupling them together. Well, the bill went through all the usual stages of disagreement, and committees of conference, for there were two committees of conference before the matter was finally decided. It was finally settled to disconnect the two bills; to admit Maine separately, without any connection with Missouri, and to insert in the Missouri bill a clause—which was inserted in the Senate of the United States—a clause, which was proposed by Mr. Thomas, of Illinois, in the Senate, restricting the admission of slavery north of 36° 30', and leaving the question open south of 36° 30' either to admit or not to admit slavery. The bill was finally passed. The committees of conference of the two Houses recommended the detachment of the two bills, and the passage of the Missouri bill, with the clause 36° 30' in it. So it passed. So it went to Missouri. So, for a moment, it quieted the country."

sels, sworn duly sworn of their own true will and accord, to support the Constitution of the United States." *Register*, vii., p. 2. After the gallant Captain James Lawrence had fallen in the unequal fight of the *Chesapeake* with the *Shannon*, Josiah Quincy offered to the Senate of Massachusetts the preamble and resolution: "Whereas a proposition has been made to this Senate for the adoption of sundry resolutions, expressive of their sense of the gallantry and good conduct exhibited by Captain James Lawrence, commander of the United States ship of war *Hornet*, and the officers and crew of that ship in the destruction of his majesty's ship of war *Peacock*; and, whereas, it has been formerly the *practice of this State* to pass such *complimentary resolutions*, relative to *military officers* engaged in *battles* as may have given great discontent to many of the good people of the commonwealth, it being considered by them as an encouragement and excitement to the commission of the present *unjust, unnecessary and injurious war*, and that, accordingly, the Senate of Massachusetts have declined to *interfere directly* to *express their opinion* on the said propositions . . . . And to the end that all misrepresentations on this subject may be obviated; *Resolved*, as the sense of the Senate, That in what the press termed *wicked Jacobinic times*, and proceeded in a manner that indicates *bad temper and ambitious views*, it is not becoming a *moral and religious people* to express any approbation of military exploits which are not immediately connected with the defence of our sea-coast or land." This resolution was adopted by the Senate of Massachusetts, June 16, 1813, and Governor Gore, in the same legislature, said "it was owing to the *jealousies* and *animosity* of the British that we are *provoked* to have a ship on the ocean."—*Niles' Register*, viii., p. 345. Mr. Niles again says, on November 26, 1814: "On several occasions of public rejoicing, they have fired 100 guns, as a national, or New York hunt salute. That revolution is designed, is beyond all doubt. A few, some half a dozen of the leaders may have other objects, but the bulk of the *jacobins* look to it as the means of such promotion. The Boston *Sentinel* of the 6th instant, mocking the appointments of delegates by Connecticut and Rhode Island to the Hartford Convention, says they are the second and third 'pillars of a new federal edifice.'"—*Ibid.*, p. 185.

Such was the sacred compact that was regarded by the South as binding on the conscience of the two great sections of the country.

At the very next session of Congress, Missouri, for the third time, appeared at Washington, and sought admission into the Union. There she stood in the National Capital with the aforesaid solemn compact in one hand and her constitution in the other. The friends of Missouri had paid the stipulated consideration for her admission, though she had a perfect constitutional right to enter the Union without any such terms or conditions. By virtue of the compact, Maine had come into the Union; and her representatives were then on the floor of Congress, waiting to vote for the admission or exclusion of Missouri. Her position was fixed in the Union. The friends of Missouri then could no longer say, if she is refused admission, neither shall Maine be admitted. The line of 36° 30', too, had been established by the same compact, and could be repealed only by the concurrence of both Houses of Congress. Missouri, then, simply stood at the bar of Congress, shorn of her strength by the aforesaid sacred compact, and defenceless, having nothing to rely upon, except the naked good faith of the North. Yet the North answered: "Missouri *shall not enter; she is unworthy of a place in this sisterhood of States.*"

On the 12th day of February, 1821, Mr. Mallory, of Vermont, moved to amend the amendment proposed by the committee, by striking out all of it after the word "respects," and, in lieu thereof, inserting the following: "Whenever the people of the said State, by a convention appointed according to the manner provided by the Act to authorize the people of Missouri to form a constitution and State government, and for admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain territories, approved March 2d, 1820," adopt a constitution conformably to said Act, *and shall in addition to such provisions, further provide, in and by said constitution, that neither slavery nor involuntary servitude shall ever be allowed in said State of Missouri*, unless inflicted as a punishment for crime, committed against the laws of the State whereof the party accused shall be duly convicted. Provided that the civil condition of persons who are held to service in Missouri shall not be affected by the last provision." Now here is the distinct proposition, that Missouri shall not enter the Union, unless in addition to complying with all the conditions of the Missouri Compromise, she go still further, and *prohibit slavery within the limits of the State.*

The record shows that sixty-one Northern members of the House voted to sustain this motion and only thirty-three against it. Thus, by a large majority of nearly two to one, the North repudiated the "sacred compact" of 1820, when it was only a little more than eight months old.

In the meantime, however, the compromise was not repealed, but the Legislatures of Vermont and New York had instructed their senators and representatives in Congress assembled to repudiate the compromise of 1820,

and urged them to insist on the exclusion of Missouri, unless she should consent to abolish slavery. Accordingly on the 13th of February, 1821, when the vote was taken on the question, shall Missouri be admitted into the Union under the compromise of 1820, it stood as follows:

	For Admission.	Against Admission.
New Hampshire	0	0
Massachusetts	0	10
Maine	8	5
Rhode Island	1	0
Connecticut	1	3
Vermont	0	6
New York	7	17
New Jersey	3	.
Pennsylvania	1	22
Ohio	0	6
Indiana	0	1
Illinois	0	1
	—	—
	15	84

	For Admission.	Against Admission.
Delaware	1	0
Maryland	9	0
Virginia	16	2
North Carolina	9	2
South Carolina	8	0
Mississippi	1	0
Georgia	5	0
Kentucky	9	0
Tennessee	7	0
Louisiana	1	0
Alabama	1	0
	—	—
	67	1
	15	84
	—	—
	82	85

So the bill was lost; and the celebrated Missouri Compromise of 1820, was dishonored and repudiated by the North, notwithstanding it was afterwards conceded by all parties that the general government had no right nor authority to require a State to abolish slavery as a condition of her admission into the Union. Now the Union fairly began to reel, and gave signs of dissolution. And to save their party, or their country, or both, three members from Pennsylvania and one from North Carolina, who had voted against the compromise of 1820, several times afterwards during the session of 1821, were induced to change their votes, which gave a majority of two in favor of admission. Hence the admission of Missouri, February 26th, 1821, was due neither to the compromise of 1820, nor to the alleged pretext offered by Mr. Clay, in 1821.[1]

From the following extract taken from the speech of Mr. Ingraham, of Maine, delivered during the struggle, it will be seen that the question was simply, whether the North should hold and retain the "balance of power:"

"It is, sir, in the nature of man, especially of irresponsible bodies of men, and triumphant majorities are irresponsible when forbid by power—to be forgetful of right. Those but seldom obtain justice, who are not in a situation to cause its claims to be respected. The soundest maxims of policy require that no section of our country should gain such an enormous ascendancy as to give law to the rest. *It would, in time, crush the other under its feet.* To guard against such an abuse, there should be preserved a balance of power. Yes, sir, a balance of power. As the repetition of the phrase gentlemen seem to take the alarm. * * * * * * *

[1] Mr. S. A. Douglas says the alleged compromise of Mr. Clay "was all a burlesque. Clay's account of it was, that they met one Sunday, took some brandy, threw dust in their eyes, and gave them an excuse to vote down." Christ' *Lively Questions*, note, p. 71.

"'Our country was then, [at the formation of the Union] bounded by the Mississippi, and little was to be apprehended, as the condition of the United States was at that period, an overgrown power derived from a slave population. *But could it have been foreseen, that a territory west of that river, larger than the old thirteen United States, would have been added to our country, out of which new States, almost to infinity, could be formed, with the privilege of holding slaves, I am persuaded that neither Massachusetts, nor any part of New England, and perhaps none of the non-slaveholding States then extant, would have consented on such terms, to have come into the Union.*'

"Such was the manner in which Maine, already admitted into the Union under the compromise of 1820, raised her voice against the admission of Missouri. Yet, at the very same moment, the North had a majority over the South, of forty-three votes in the House; which would not have been the case but for the magnificent domain that Virginia had so generously, nay, so boyishly, given to the non-slaveholding power of the North.

"There is one other feature in this Missouri business, which deserves a special notice. After Missouri had been refused admission, and her cause seemed hopelessly lost, Mr. Brown, of Kentucky, moved to repeal the line of 36° 30'. He said to the North 'if you will not keep the bargain, then repeal it. If you will not fulfil your promise, then give back the consideration for it. But even this demand was refused. The part of the compromise by which she gained the admission of Maine and the vast territory beyond the line of 36° 30', was held sacred by the North; while the part they had promised to perform was dishonored and repudiated by her. Though her gains were in violation of the Constitution itself, and of the treaty with France, both of which her representatives in Congress had sworn to support as the supreme law of the land, yet were they held sacred by these representatives, and by 'the whole North for thirty years.' But the admission of Missouri, though guaranteed by her promise and *by the Constitution*, was repudiated by her."[1]

An able writer in the *Southern Review* of April, 1868, thus sums up the whole question of "the Missouri Compromise of 1820," as drawn by him from the "unimpeachable records."

"First, That the North took an unconstitutional stand in 1820, and thence extorted the compromise by which the South gained absolutely nothing, except the recognition of a constitutional right, and by which the North gained all the territory beyond the line of 36° 30' (in violation of the treaty of purchase with France), and the admission of Maine into the Union without the admission of Missouri.

Secondly, Though the North thus extorted that compromise from the South, and held fast all she had gained by it, she yet refused, at the very next session of Congress, shamelessly and unblushingly refused—to fulfil the only stipulation she had agreed to perform. Only one member of Congress—only one poor, despised, solitary member, could be found in all the faithless regions of the North, too honest to 'keep a Punic faith' even with the South.

"Thirdly, Though the North refused to fulfil her part of the compromise, she still refused to relinquish the vows she had extorted from the loyalty of the South to the Union. On the contrary, instead of consenting to the repeal of the Missouri Compromise after refusing to keep it, she made that repeal the ground of her indictment against the South, and poured out the vials of her wrath on the Northern Senator by whom it had been proposed, as well as on all concerned in the deed; not even excepting the Supreme Court of the United States, by whom the Compromise was declared to be unconstitutional.

[1] *Southern Review.*

"Fourthly, the North, in less than one year after the 'sacred compact' in question, was made, utterly repudiated and trampled it under foot. Yet, when the South set it aside as not binding in the forms of conscience, or of the Constitution; the self-righteous North raised such a 'howl of indignation as has never been heard on earth, except in the darkest and most dismal regions of malignant falsehood. By her Sewards, her Summers, her Greeleys, her Hodges, and by the whole brood of her Black Republican leaders, she boldly and unblushingly declared that the South had 'forced the Missouri Compromise upon the country'—upon the poor, the innocent, the peace-loving North, who, for the sake of 'the glorious Union,' was disposed to yield everything; and yet, although this forced compact had been sacredly kept 'by the whole North for thirty years,' it was violated by the South 'for a section advantage'! Hence the pure conscience of the North was outraged, and she could no longer yield everything to the vile demands and aggressions of the South."

The war of 1812, leaving a large public debt, it was necessary that extraordinary provision should be made by the Government for its payment. In 1816, the tariff was revised, and the duties on imports largely increased. The revision was made particularly with a view to revenue, but it necessarily operated to give incidentally increased protection to domestic manufactures. Encouraged by this aid and by the favorable circumstances of the country, manufactures were rapidly developed, and before the close of President Monroe's administration, constituted an important and influential interest in the Northern section of the country. With their growth, came demands for still further protection, and in the Congress of 1823 and 1824, a revision of the tariff of 1816 was proposed with a view to discrimination for the purpose of protection. The proposition, after being warmly discussed, was revised in 1824, by which largely increased protection was given to domestic manufactures. The Act caused great dissatisfaction among the people of the Southern States. But it was acquiesced in with the hope that the policy it embodied would be abandoned upon the extinction of the public debt, which it was believed would soon be accomplished.

In 1827, the subject was again agitated, and a bill was proposed in Congress for increased protection to woolens. This attracted the attention of other manufactures, and as a consequence, at the next session of Congress the subject was again discussed, upon a bill proposing largely increased public duties on all articles of manufacture. The passage of this Act and the determination manifested by the majority to make the system of protection a permanent one, caused great excitement and intense dissatisfaction throughout the staple-growing States.

"In his annual message to the Congress of 1831, President Jackson announced that the public debt would soon be entirely paid, and recommended the reduction of duties to the amount needed for the payment of the ordinary expenses of the government. The recommendation was considered by Congress, which passed an Act diminishing the duties on articles not affecting the interests of the manufactures, without reducing the duties on manufactured goods. This Act was approved July 14, 1832, and tended greatly to increase the excitement which prevailed in the Southern States, as it indicated a determination to persist in the protective policy notwithstanding the payment

of the public debt. Resistance to the enforcement of the Act was openly advocated. The Legislature of South Carolina convened October 22d, and on October 26th passed an Act by the necessary majority vote of two-thirds of the members, authorizing a convention of the people, to meet at Columbia, on the 19th day of November following, to determine the course to be pursued by the State in view of the dangerous condition of affairs which existed. Delegates were chosen, and the convention assembled at the time and place appointed. The subject for the consideration of which the convention was called, was referred to a committee, which, on the 24th day of November, made a report, setting forth the grievances of the people of the State, and proposing an ordinance for adoption by the convention, which was adopted by a vote of 136 ayes and 26 noes. The convention also adopted two addresses, one to the people of South Carolina and the other to the people of the other States of the Union. These papers and the report subsequently made to the convention on "The Power Bill," so-called, may be considered as authoritative statements of the people of South Carolina upon the subject of their alleged grievances.

"Upon the question of the primary causes of the existing discontent, the report on the Power Bill, after reciting the measures which had been adopted by the [Federal] Government tending to the prostration of our system of Government to the arbitrary will of the aggregate majority, which if persisted in would result in a consolidated Government, states, 'And what is it to the Southern States to be subjected to a consolidated Government? These States constitute a minority and are likely to do so forever. They differ in institutions and modes of industry, from the States of the majority, and have different, and in some degree, incompatible interests. It is to be governed, not with reference to their own interests or in accordance with their own habits and feelings, but with reference to the interests, and according to the prejudices of their rulers, the majority. It has been truly said that the protecting system constitutes but a small part of our controversy with the Federal Government. Unless we can obtain the recognition of some effectual constitutional check on the usurpation of power, which can only be derived from the sovereignty of the States, and their right to interpose for the preservation of their reserved powers, we shall experience oppression more cruel and revolting than this.'

"The immediate cause of the discontent is stated at length in the report first made to the convention, from which we give the following extracts: 'The laws have avowedly been so framed as to give a direct pecuniary interest to a sectional majority, in maintaining a grand system by which taxes are to be raised imposed upon the few, for the benefit of the many;—and imposed, too, by a system of indirect taxation, so artfully contrived, as to escape the vigilance of the common eye, and masked under such ingenious devices as to make it extremely difficult to expose their true character. Thus, under the pretext of imposing duties for the payment of the public debt, and providing for the common defence and general welfare (powers expressly conferred on the Federal Government by the constitution), Acts are passed containing provisions designed exclusively and avowedly for the purpose of securing to the American manufacturers a monopoly in our markets, to the great and manifest prejudice of those who furnish the agricultural productions which are exchanged in foreign markets for the very articles which it is the avowed object of these laws to exclude. It so happens, that six of the Southern States, whose industry is equal to only one-third part of the whole Union, actually produce for exportation near $60,000,000 annually, being about two-thirds of the whole domestic exports of the United States. As it is their interest, so it is, unquestionably, their right, to carry these fruits of their own honest industry to the best market, without any molestation, hindrance or restraint, whatsoever, and subject to no taxes or other charges, but such as may be necessary for the payment of the reasonable expenses of the Government. But how does this system operate upon our industry? While imposts to the amount of ten or twelve per cent. (if arranged on just and equal principles) would be admitted to be fully adequate to all the legitimate purposes of Government, duties are actually imposed (with a few incon-

siderable exception) upon all the woollens, cottons, iron and manufactures of iron, sugar and salt, and almost every other article received in exchange for the cotton, rice and tobacco of the South, equal on average to about fifty per cent; whereby (in addition to the injurious effects of this system in prohibiting many articles, and discouraging the production of others) a tax equal to one-half of the first cost is imposed upon cottons, woollens and iron, which are the fruits of Southern industry, in order to secure an advantage in the home market, to their rivals the American manufacturers of similar articles, equivalent to one-half of their value, thereby stimulating the industry of the North and discouraging that of the South, by granting bounties to the one and imposing taxes upon the other.'

"The immediate remedies proposed are set forth in the ordinance which was adopted. It declares the Tariff Acts of 1828 and 1832 unconstitutional, and null and void, and not binding upon the State, its officers or its citizens; forbids any officer, State or Federal, to enforce the revenue laws within the limits of the State; and further declares, that, if any attempt should be made on the part of the Federal Government to enforce said Acts or to coerce the State, the people thereof would forthwith proceed to organize a separate Government.

"In the address to the people of the other States of the Union, the right of the State to nullify is claimed. The report asserts 'That the States have the right in the same sovereign capacity in which they adopted the Federal Constitution, to prevent, in the last resort, authoritative judgment on the usurpations of the Federal Government, and to adopt such measures as they may deem necessary and expedient to arrest the operation of unconstitutional Acts of that Government within their respective limits. . . . . And the obligation of the oath which is imposed, under the Constitution, on every functionary of the States, to 'preserve, protect and defend' the Federal Constitution, as clearly comprehends the duty of protecting and defending it against the usurpations of the Federal Government, as that of protecting and defending it against the violation in any other form or from any other quarter. . . . . But clear and undoubted as we regard the right, and sacred as we regard the duty of the States to interpose their sovereign power for the purpose of protecting their citizens from the unconstitutional and oppressive Acts of the Federal Government, yet we are reluctantly of the opinion that nothing short of that high moral and political necessity which results from acts of usurpation, subversive of the rights and liberties of the people, should induce a member of this confederacy to resort to this interposition. Such, however, is the melancholy and painful necessity under which we have declared the Acts of Congress, imposing protecting duties, null and void within the limits of South Carolina. . . . There is no right which enters more essentially into a just conception of liberty than that of the free and unrestricted use of the productions of that industry wherever they can be most advantageously exchanged, whether in foreign or domestic markets. South Carolina produces, almost exclusively, agricultural staples, which derive their principal value from the demand for them in foreign countries. Under these circumstances, her natural markets are abroad, and restrictive duties imposed upon her intercourse with those markets, diminish the exchangeable value of her productions very nearly to the full extent of those duties.' In this address the following proposition for adjustment was made: 'But we are willing to make a large offering to preserve the Union; and with a distinct declaration that it is a concession on our part, we will consent that the same rate of duty may be imposed upon the protected articles that shall be imposed upon the unprotected, provided that no more revenue be raised than is necessary to meet the demands of the Government for constitutional purposes, and, provided also, that a duty, substantially uniform, be imposed upon all foreign imports.'

"On the 10th day of December following, President Jackson issued a proclamation asserting his right and duty as President, to execute and enforce all laws of the United States within the State of South Carolina, and declaring that this duty would be faithfully

performed. Is it to be admitted that the people of that State had indeed felt the unequal operation of laws which might have been unwisely but not unconstitutionally passed, but that 'that inequality must necessarily be removed;' and made to them a patriotic appeal to refrain from the commission of acts which might require the employment of force on the part of the Federal Executive."[1]

The apprehension of open collision between the Federal authorities and the people of South Carolina caused great excitement throughout the country, and a bill, known as the Compromise Bill, providing for a general reduction of duties was offered in Congress. This measure was passed on the 2d of March, and on the 15th, the convention of South Carolina, by a nearly unanimous vote, rescinded its ordinance of nullification.

About this time (1833), unhappily a new movement was initiated in New England. The New England Anti-Slavery Society was organized in Boston, on January 30th, 1832, that of New York in October, 1833, and the National Society in Philadelphia in December 1833, and soon after affiliated societies became numerous. These societies were formed for the avowed object of abolishing slavery in the States, or dissolving the Union, and soon after their formation agitation against slavery proceeded with redoubled vigor. One of the first and most pernicious effects of these proceedings was to arrest the natural progress of emancipation under legitimate State authority, which was making steady progress. In no State of the Union had emancipation so rapidly progressed as in Maryland; and while several of the counties had now a larger number of slaves than of white inhabitants, yet there were in the State at this time, not only the largest proportion, but actually much the largest number of free colored people, of any State in the Union.

The effect of Maryland's policy is plainly seen by comparing the items of the several censuses:

Years.	Whites.	Slaves.	Free Colored.	Total.	Increase.	Proportion of Whites to the Colored.
1755.....	107,103	43,059		153,564		2-3 to colored.
1790.....	208,649	103,036	8,043	319,728		1-88 " "
1800.....	216,326	105,635	19,587	341,578	21,850	1-76 " "
1810.....	235,117	111,502	33,927	380,546	38,968	1-62 " "
1820.....	235,823	107,094	44,730	407,650	26,804	1-77 " "
1830.....	291,108	102,994	53,935	447,040	39,390	1-88 " "
1840.....	310,544	89,726	64,887	468,117	21,077	2-083 " "
1850.....	417,943	90,368	74,723	583,034	114,917	
1860.....	515,128	87,188	83,718	687,032	170,998	

Thus it will be seen that during the period from 1755 to 1840, the colored population had undergone a very material change. Sixty years before 1840, all persons of color were slaves. In 1790, not quite one out of every fourteen was free. In thirty years from that period (1820) the number of free had increased to 44,730, and bore the proportion of considerably more than one-fourth of the total number of their race in the State. During the same period the entire increase of the slaves was but 3,963, being less than four per cent. In 1830, more than one-third of the colored people of the State were free, and

[1] *Southern Review*, July, 1867.

in 1840, the proportion of free colored to the slaves was as 24 to 89—or more than two-fifths of the whole. It will also be seen that for thirty years, from 1810, the number of slaves diminished 21,796.

The American Colonization Society was formed in the City of Washington in December, 1816, by a number of benevolent gentlemen from various sections of the country for the purpose of colonizing the free people of color of the United States in Africa. In imitation of the American Colonization Society, Maryland, in January 1831, organized an auxiliary society for the same objects. This society, however, differed from all other auxiliaries, inasmuch as its constitution required, that the funds raised in Maryland should be appropriated by the society, within the limits of the State. Immediately after its formation, an agent was appointed to form auxiliaries and disseminate information upon the subject. In October, 1831, the *Orion* was fitted out by the State Society in Baltimore, and sailed for Monrovia, with Doctor James Hall and thirty-one emigrants. At the December session of the Legislature succeeding, the State embarked zealously in the work, and made the munificent appropriation of $10,000 for twenty-six years, for the transportation and reception of emigrants to Africa; and the State Society was incorporated with ample powers to accomplish the ends which it had in view.

Thus we see that, notwithstanding the abolitionists of the North were binding tighter the bonds of slavery, the people of Maryland expended more than a quarter of a million dollars in promoting colonization. So well satisfied were the successive Legislatures with this policy and its results, that not only during that period of financial embarrassment when the State could not pay the interest on her public debt, was this annual appropriation not interfered with, but when at the end of twenty-six years it terminated by the expiration of the Act of 1831, the Assembly, by the Act of 1832, renewed the appropriation for six years; and when this term expired, it was once more renewed for four years longer—and again for six years more, at the expiration of which time, the war had brought about another phase of the problem.

We are, therefore, justified in maintaining that no State did as much as Maryland towards emancipation and the improvement of the condition of the African race within her borders. Her early statutes protected them from cruel treatment[1] and authorized their manumission. She looked to their gradual and voluntary removal as the only means of solving the difficult problem which their presence involved. She did not make the annual

[1] Maryland, as early as 1715, acting upon humane and reformed views, provided by statute the following law for the security and amelioration of the negro, and this legislation still stands on her statute books: "That, if any master or mistress of any servant refuses or shall deny, or not provide sufficient meat, drink, lodging or cloathing—or shall unreasonably burden them beyond their strength with labor, or debar them of their necessary rest and sleep, or excessively beat and abuse them, or shall give them above ten lashes for any one offence, they shall be fined in the discretion of the court, not exceeding one thousand pounds of tobacco; and for a third offence, the said servant shall be freed." Such was the humanity of our statute upon this subject.

appropriation in the expectation that the sum would transport them all from the country to Africa; but that "by means of it, a community of freemen capable of self-support and self-government might be established there, that would be so attractive ultimately to the colored people here, as to produce an emigration at the proper cost of the emigrants themselves, based on the same motives, and as great in amount as the emigration from Europe to America."[1] Maryland did all this with limited means, and with no parade or ostentation of humanity, and her whole people approved the legislation.

In the meantime, the abolitionists of the North were becoming more aggressive, and each step of theirs was further and bolder in their unlawful measures. They had found in the halls of Congress bold and able champions to defend their memorials and to justify their excitement, to aid them indirectly in their fanaticism and to protect them, while the South was pursuing the same object by the means of the Abolition Societies.[2] In 1837 the Northern fanatics sent their agents among the negroes of the South, and by every mail, and through every post-office in the nation, scattered their inflammatory tracts and publications. They had succeeded in exciting an insurrection of the negroes in 1830 at Southampton, in Virginia, and men, women and children were murdered in their beds.[3]

In this connection, Governor James Thomas, of Maryland, on the 30th of December, 1835, in his message to the Legislature, felt it his duty to say that

> "Since the adjournment of the late Legislature, the country had been much and deeply agitated by the machinations of sundry misguided and wicked disposed citizens residing chiefly in the Northern and Eastern States of the Union, who, associating themselves with certain unprincipled foreign emissaries, have sought, and it is believed are still seeking, by every means within their power, to destroy the peace, happiness and security of the citizens of this and of all our sister States of the South. Presses are established, from which issue, in a constant stream, the most exciting and inflammatory addresses to our slave population, which are circulated among them by means of the post-offices and by secret agents, dispersed in every direction. These addresses inculcate not the doctrines or principles by which their authors profess to be actuated, they inculcate not philanthropy, humanity or brotherly love, but they teach, and are designed to excite to rebellion, murders and bloody slaughter. Their authors seem anxious to involve us in all the horrors of servile war, and profess to do it, too, in the name of outraged humanity and religion. It is by no means necessary that we should enter here upon the discussion of the question of slavery in the abstract. It is enough that it is one of the domestic institutions of the State, with which we utterly deny the right of any power without the State to interfere in any manner whatever. The policy we have pursued towards our slave population has been liberal and just. Our slaves were believed hitherto to have been no less happy than ourselves. They know not, they felt not, the hardships

[1] Latrobe's *Discourse*, p. 5.

[2] "In 1827, there were one hundred and thirty abolition societies in the United States. Of these, one hundred and six were in the slave-holding States, and only four in New England and New York. Of these societies, eight were in Virginia, seven in Maryland, two in Delaware, two in the District of Columbia, eight in Kentucky, twenty-five in Tennessee, with a membership of one thousand, and fifty in North Carolina, with a membership of three thousand persons."—Locke, p. 72.

[3] W. Gist Johnson, *Niles' Register*, IX., pp. 160-163.

of bondage, and if they should now be shridged of their comforts, curtailed in their privileges, and harassed by rigid surveillance, the blame must rest with those enemies, both of the white man and the black—the incendiary abolitionists."

We will not attempt to describe the scenes of blood and barbarity which marked every step of the "Nat Turner Insurrection;" it is enough to say, the South was roused to arms, and even the most zealous advocates of abolition were appalled. Throughout the whole South the alarm ran, and the quiet of the night was broken by the tramp of armed troops traversing the country, or patrolling the towns and villages. The effects were deeply felt at the North; and the sober judgement of the people began to estimate the effects and consequences as they recovered from the madness of fanaticism. In New York, Philadelphia, Boston, in New Hampshire and Connecticut, leading anti-slavery men were mobbed, and meetings of the societies broken up with violence.

Those who had made their religion consist in humanity, philanthropy and abolition, no longer had the hardihood to preach doctrines which made the nearest road to Heaven to be through the wild fires of insurrection, the slaughter of innocent women and children, and other dreadful scenes of intestine war.

As an evidence of the condition of the colored people in Maryland, we will submit several communications of the colored ministers of Baltimore, their "disapprobation of the measures pursued by the anti-slavery" societies of the North.

"We, the undersigned, members of the African Methodist Episcopal Church, and trustees of the Strawberry alley meeting house, attached to Bar. Baltimore Station, do hereby take occasion to express our decided disapprobation of the measures pursued by the "Anti-Slavery Society," with the ostensible design of effecting the emancipation of the colored population.

"We do most firmly and sincerely believe, that the dissemination of inflammatory appeals addressed mainly to the prejudices and passions without reference to the reason, instead of promoting the object professed to be had in view, will greatly aggravate the evils already existing, and create others of a far more alarming and calamitous nature: will render the situation of that portion of the colored people now in possession of liberty, awfully precarious, rivet the fetter still more closely on the slave; and jeopard the prosperity and happiness, nay, the life itself of the whole population of the Southern States, both white and black.

"The conviction thus expressed is the rational consequence of cool and deliberate reflection on the subject when contemplated abstractly and without regard to actual occurrences; but it has been powerfully corroborated by the developments which have already attended the efforts of the licentious and misguided fanaticism now in progress. But a short time has elapsed since all of us were permitted to worship God undisturbedly in our own sanctuaries, under our own vine and fig-tree; since we were protected in the enjoyment of civil privileges and allowed a common participation with our white brethren, in many of the comforts of domestic life. Now, in many sections of the country both North and South of us, our congregation for religious exercises is either prohibited altogether or watched with a jaundiced eye; the civil blessings with which we were measurably favored, are denied, or restricted; our most innocent motions are exposed to the scrutiny of suspicion; and our homes and firesides threatened with ruin.

"Influenced by these considerations, and determined by the harmless rectitude of our deportment, to manifest our heartfelt and unconquerable abhorrence of the atrocious attempts of misguided, but fanatical zealots to plunge the country into anarchy and discord, and to deluge it with torrents of blood: We do hereby sacredly pledge ourselves not to receive any of the vile, mischievous and incendiary publications now so industriously scattered abroad; to arrest the circulation of such as may come under our observation—of which we respectfully ask the postmasters to take notice—and to destroy them without perusal; and in fine, by every effort within our power to put a period of the operations of this engine of bloodshed and torture. We do most earnestly entreat those over whom we may have control or influence, either officially or as friends, to co-operate with us in the suppression of this most pernicious, this fatal evil; to lend their most ardent and cheerful endeavors to prevent the diffusion of a spirit of insubordination and rebellion. And being fully persuaded that our opinions faithfully and truly reflect those of the church to which we are attached—we do most unfeignedly and anxiously beseech those engaged in the propagation of abolition principles, and the distribution of abolition tracts, periodicals and pamphlets to abstain from their unasked and unwelcome interference in our concerns, and if they have a spark of compassion, sympathy or philanthropy in their bosoms, to permit us to enjoy our existence in security and peace.

"NATHAN MONTGOMERY,
"JOHN LAUCK,
"JAMES WILSON,
"STEPHEN LAUCK,
"THOMAS SAUNDERS."

"To the Rev. William Levington, John Fertic, and Nathaniel Peck:

"Gentlemen: Having, for many years past viewed with great satisfaction the efforts that have been made to ameliorate the condition of the colored population of this city, and likewise the great mental improvement that has resulted from it—and I am likewise glad to say that, notwithstanding the commotions that have taken place in different parts of the country, the colored people here have always conducted themselves in the most peaceable and orderly manner. Now, gentlemen, under all these favorable circumstances, I hope you are able to say that the different congregations over which you preside are still determined to pursue the same blameless course of conduct.

"A WHITE CITIZEN.

"*Saturday*, 26th, 1835."

"DEAR SIR: It is with high respect that we reply to your friendly note of the 25th instant. Permit us to say, with all gratitude and humility, that we sincerely acquiesce with you in your views, as it relates to the efforts that have been made to ameliorate the condition of the colored population of this city, and also the great mental improvement that has resulted from them. Sir, as to the commotions that have taken place in different parts of the country, we, and our brethren, have always been a docile people, and have endeavored to conduct ourselves in a peaceable and orderly manner; confiding in the justice of Almighty God and philanthropy of the humane and influential white citizens, we have and do most cheerfully still submit our destinies to the guidance of Him who suffers not a sparrow to fall without his especial Providence. Therefore, whatever may be the excitement in the community in which we live or elsewhere, we deem it our paramount but bounden duty, to pledge our fidelity and that of our brethren, to the Christian pillar, in the sincere hope thereby to remove, if possible, any unfounded impressions as to there being any disposition among us, or our brethren generally, of the city and vicinity of Baltimore, to countenance any views or movements which tend to disturb the peace, to alienate the feelings, to provoke the jealousies, or to jeopardize the safety of the citizens of the said community.

"We, therefore, sincerely hope that it will not be considered superfluous or intrusive if we furnish a few particulars why we and our brethren are bound by the most sacred duty to act as good and conscientious citizens, by carefully and scrupulously avoiding all interference, and attempts to interfere, and all manifestations of any intention and a wish to interfere with the peculiar interests, customs and laws of the community in which we live. First, we have, within the said city, ten places dedicated to the social worship of Almighty God, wherein we are permitted to worship the Lord according to the dictates of our own conscience, and are protected by the laws of the community; secondly, we have among us from thirty-five to forty benevolent institutions, both male and female, for mutual relief, each of which numbers from fifty-five to a hundred and fifty members, and much of the money thereof is in some of the savings institutions of this city; and, also, among us there are various mechanics and others, who have, by industry and frugality purchased houses and lots of ground, horses, drays, carts and carriages, all of which are sustained and protected by the laws of the community; thirdly, the endearing and social relations among us, of husband and wife, father and mother, of brother and sister, our daily work day and Sabbath-schools, in which we are trying to train up our children in the way they should go; by acting thus, we hope, with the blessing of our Lord, to form in their the basis of moral virtue, a formed and well regulated mind, whereby they will be led to abhor vice and immorality, and keep the good order and appreciate the peace of the community in which they live as good citizens; fourthly, the various employments afforded the free colored population by the humane and influential white citizens. The respect that is shewed to the orderly and decent part of the said population by the captains of steamboats and the owners of other public conveyance, when passing to and from this city.

"Surely, while possessing the benefits which industry and integrity, in this prosperous community, secure to all its inhabitants, enjoying the rich blessings of the religion of Christ, by opportunities of worshipping the only true God under the light of Christianity, each of us according to our own understanding, and having offerings to us and our brethren the means of facilitating our condition, whereby we are enabled to make great mental improvement—all of which are enough to convince us and our brethren that whatsoever tends to disturb the connection, to molest or destroy the peace and harmony of the community, that the colored population always feel the greatest pressure. Can the thinking, wise and humane part of the white citizens of this great community be led to believe that we, or our brethren, in view of the privileges herein denoted, and the awful calamity that must come upon us and our brethren, should we, or they, or any member thereof, be so perfidious as to become the violators or destroyers of the public order and tranquillity in any way whatsoever? Now, dear Sir, in view of these particulars, we can emphatically say that we believe that not only the congregations over which we preside, but the other colored congregations also of this city and vicinity, and the colored population generally, are on the side of peace and good order, and are determined, with the blessing of God, to pursue the same blameless course of conduct as heretofore. Therefore, we will, by Divine permission, faithfully and conscientiously support with fidelity our pledge herein given, and may the day be darkened, whensoever we, knowingly and wilfully, deviate from our pledge.

Signed, in behalf of the said colored population.

"JOHN FORTIE,
"*Minister of the Methodist Episcopal Church, Sharp Street.*
"NATHANIEL PECK,
"*Minister of the Bethel Methodist Episcopal Church.*
"WILLIAM LEVINGTON.
"*Rector of St. James' P. E. Church, Baltimore.*

"*September 20, 1835.*"[1]

[1] Niles' *Register*, xlix., pp. 40-42.

But the spirit of abolitionism was not to be thus silenced. Contributions were made, zealous agents employed and the southern mails flooded with documents of a most inceudiary character, which excited a feeling of indignation, mingled with alarm, throughout the South. Public attention was called to these movements in Maryland by the slave-holders of Anne Arundel County, who held a large public meeting, on the 16th of September, 1841, and unanimously adopted the following resolutions:

"*Resolved*, That a convention shall be held in the City of Annapolis, of the persons favorable to the protection of the slave-holding interests in the State upon the first Monday of January next.

"*Resolved*, That a delegation of twenty be appointed by each county in the State, and from the Cities of Annapolis, Frederick and Baltimore, and twenty from Howard District, to attend said convention.

"*Resolved*, That the chairman of this meeting be considered the chairman to represent the meeting from Howard District.

"*Resolved*, That these proceedings be published in the Howard *Free Press*, with a request to all papers in the State to copy.

"GEORGE HOWARD, *Chairman.*

"WILLIAM H. MARRIOTT, *Secretary.*"

Accordingly, on the 12th of January, 1842, the Slave-holders' Convention assembled at Annapolis, having representations from every county in the State excepting Carroll, Allegheny, Caroline and Worcester. The following officers were elected: Robert W. Bowie, of Prince George's County, president; General Thomas Emory, General Benjamin C. Howard, Dr. Thomas Wilson, vice-presidents; John A. Carter and James B. Ricaud, secretaries. After a session of three days, they adopted a large number of recommendations to the Legislature, concerning the colored population, and adjourned on the 14th.[1]

In compliance with the recommendations of the convention, laws were passed, placing restrictions upon the free negroes, and binding tighter the bonds of slavery.

The abolitionists of the North, meanwhile, continued their operations with all their ardor, through the press, the pulpit, State Legislatures, State and County Conventions, anti-slavery societies, and abolition lecturers employed for the purpose. Prominent among these agencies were what were then called abolition petitions.

"Throughout the session of 1835–6, and for several succeeding sessions, these petitions incessantly poured into Congress. They prayed for the abolition of slavery in the District of Columbia, and in the forts, magazines, arsenals, and dock-yards of the United States within the slave-holding States. They also protested against the admission of any new slave-holding State into the Union, and some of them went so far as to petition for a dissolution of the Union itself.

"These petitions were signed by hundreds of thousands of men, women and children. In them slavery was denounced as a national sin and a national disgrace. Every epithet was employed calculated to arouse the indignation of the Southern people. The time of Congress was wasted in violent debates on the subject of slavery. In these it

[1] Niles' *Register*, lxi., pp. 323–350.

would be difficult to determine which of the opposing parties was guilty of the greatest excess. Whilst the South threatened disunion unless the agitation should cease, the North treated such threats with derision and defiance. It became manifest to every reflecting man that two geographical parties, the one embracing the people North and the other those South of Mason and Dixon's line, were in rapid process of formation—an event so much dreaded by the Father of his Country.[1]

The reception of abolition petitions, etc., and the debates thereon, agitated incessantly the December session of Congress in 1837, and to correct the evil, Mr. Patton, of Virginia, offered as an amendment to the rules of the House, the following resolution which it was supposed would close the door against any discussion upon abolition petitions afterwards: "*Resolved*, That all petitions, memorials and papers touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District or Territory of the United States, be laid on the table without being debated, printed, read or referred, and that no further action whatever shall be had thereon." It received a full two-thirds vote of one hundred and thirty-five yeas to sixty nays, and for some time prevented in the House the inflammatory debates on the disturbing petitions.

On the 28th of January, 1840, the question was taken in the House on an amendment offered by William Cost Johnson, of Maryland, to an amendment offered by Mr. John Quincy Adams to the rules. The amendment of Mr. Johnson was carried by a vote of one hundred and fourteen ayes to one hundred and eight nays, and was called the twenty-first rule. It read as follows: "That no petition, memorial, resolution or other paper, praying for the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States and the Territories of the United States, in which it now exists, shall be received by this House, or entertained in any way whatsoever."

This rule was rescinded on the 3d of December, 1844, and on the 1st of December, 1845, a motion was made to revive it, but it was rejected by a vote of yeas, eighty-four, nays, one hundred and twenty-one.

When the anti-slavery agitation ceased in Congress by the adoption of the twenty-first rule, it assumed the form of resistance to the execution of the old Fugitive Slave Law, passed in February, 1793. This was greatly increased by the decision of the Supreme Court of the United States at the January term, 1842, in the case of Prigg vs. the Commonwealth of Pennsylvania. The history of this case in brief is as follows: In 1832, Margarette Morgan, a slave owned in Maryland, fled to Pennsylvania. Edward Prigg, the attorney for her owner, caused her to be arrested in 1837, and, with her children, one of whom was born more than a year after her escape, taken out of Pennsylvania and delivered to her mistress. For this act he was arrested, tried and convicted in the York County Court. The case was then appealed to the Supreme Court of Pennsylvania, and the judgment of the lower court

[1] *Buchanan's Administration*, p. 11.

affirmed. From this court an appeal was taken to the Supreme Court of the United States, which decided (Judge Story delivering the opinion of the court) the constitutional right of the owner to recover his fugitive slave in any State to which he had fled. The points decided by Judge Story were these: "The provisions of the Act of the 12th of February, 1793, relative to fugitive slaves, is clearly constitutional in all its leading provisions." "The power of legislation in relation to fugitives from labor is exclusive in the national Legislature."

"The right to seize and retake fugitive slaves, and the duty to deliver them up, in whatever State of the Union they may be found, is under the constitution recognized as an absolute, positive right and duty, pervading the whole Union with an equal and supreme force, uncontrolled and uncontrollable by State sovereignty or State legislation. The right and duty are co-extensive and uniform in remedy and operation throughout the whole Union. The owner has the same exemption from State regulations and control, through however many States he may pass with the fugitive slaves in his possession *in transitu* to his domicil." "The Act of the Legislature of Pennsylvania, on which the indictment against Edward Prigg, was founded, for carrying away a fugitive slave, is unconstitutional and void. It purports to punish, as a public offence against the State, the very act of seizing and removing a slave by his master, which the Constitution of the United States was designed to justify and uphold." "The constitutionality of the Act of Congress (1793), relating to fugitives from labor, has been affirmed by the adjudications of the State tribunals, and by those of the Courts of the United States."

This clear and full decision of the Supreme Court of the United States, upon the Fugitive Slave Law, was by the Northern and Eastern States set at naught, notwithstanding the law was passed under the administration of Washington, for the purpose of carrying into effect a plain, clear and mandatory provision of the constitution. And this was done in the face of a well known historical fact, that without such a provision the constitution itself could not have existed, as without this law, the slave-holder would have had no remedy to enforce his constitutional right.

Upon the rendition of this decision, State magistrates were prevailed upon by the abolitionists to refuse their agency in carrying the law into effect, and "Personal Liberty Bills" were passed by the Northern States, interposing insurmountable obstacles to the recovery of slaves.[1]

The slave-holders, thus deprived of their rights, began to threaten secession from the Union. They contended that the people of the Northern States

[1] States which prohibited their officers and citizens from aiding in the execution of the fugitive slave laws of 1793 and 1850: Maine, Massachusetts, Pennsylvania, New York, Vermont, Wisconsin, New Hampshire, Connecticut, Michigan, New Jersey and Rhode Island. States which denied the use of all public offices in aid of the master for the safe keeping of the fugitive: Maine, Massachusetts, Michigan, Vermont and Rhode Island. States which provided counsel for the fugitives: Maine, Massachusetts, Pennsylvania, Wisconsin, Vermont, New York and Michigan. States which declared the fugitive free, if brought by their masters within their borders: Maine, Vermont and New Hampshire. States which declared slaves to be free absolutely: New Hampshire.

having violated the constitution in a fundamental provision necessary to their peace and safety, they of the South, according to the settled rules governing the construction of all contracts, whether between States or individuals, had a right to rescind it altogether.[1]

Maryland being a border State, her slaves, by simply escaping across the State line, set themselves free. Our people had no security for their property, for according to the laws of Pennsylvania, the guarantees of the constitution were practically of little or no avail.

The Legislature, as early as 1811, called the attention of her representatives in Congress, and her sister States, to the subject of slavery, in a set of resolutions which were then adopted. She declared:

"That the establishment of the Federal Constitution was the result of the compact between the States; that in the formation of this compact, diversified and apparently conflicting interests were involved; that the parties to the said compact after long but patriotic deliberation, endeavored to harmonize these various interests; but amongst other difficult questions adjusted, not one was attended with more embarrassment in its satisfactory settlement than the question arising from the peculiar institutions of the Southern States, in relation to slavery; that after patient and patriotic examination, this question was happily compromised upon a fair and equitable basis; that this adjustment of a distracting question, upon high and solemn considerations by the patriots of the Revolution, ought not to be disturbed, but held inviolably sacred and forever settled; that its removal can lead to no beneficial results, either politically or morally, but must be attended with consequences, which no human eye can foresee, and fatally involving probably the lives and liberties of the good people of these United States, and convulsing the very elements of our existing happy Union:

"*Resolved*, That the State of Maryland, having within her limits a large portion of the peculiar population recognized by said compact as under her exclusive control, has upon the most elevated principles of enlightened humanity endeavored, by her policy towards this class, so to regulate it as to ameliorate its condition, and make it subservient to the most practicable well-being of the entire community, and under which that class may enjoy as much comfort as ordinarily falls to the lot of mortals, and also by her system of colonization, to afford to such as choose to avail themselves of her liberality, an opportunity to be settled in a country congenial to their existence as a free and independent people. That whilst the State is not convinced that this class is not now in that state of inevitable vassalage, providentially ordained for their own, as well as for the happiness of others, yet in a spirit of just deference to the conscientious views of some of her people, although her financial exigencies are urgent, she has imposed and does now

[1] Daniel Webster, in a speech said: "I will allude to other grounds of complaint of the South, especially to one which, in my opinion, furnishes just foundation of complaint, and that is, that there has been found in the North, among individuals and among legislators, a disinclination to perform fully their constitutional duties, in regard to the return of persons bound to service, who have escaped into the free States. In that respect the South, in my judgment, is right and the North wrong. Every member of every Northern Legislature is bound by oath, like every officer in the country, to support the Constitution of the United States; and the article of the constitution which says to those States that they shall deliver up fugitives from service, is as binding in honor and conscience as any other article." Again, in his speech at Capon Springs, Virginia, in 1851, he said: "I do not hesitate to say and to repeat, that, if the Northern states refuse willfully and deliberately to carry into effect that part of the constitution which regards the restoration of fugitive slaves, the South would no longer be bound to keep the compact. A compact broken on one side, is broken on all sides."

impose upon her citizens a considerable tax, to aid in transporting to Africa, such as may be willing to make the experiment of self-government, that acting upon benevolent principles, towards this class of people, Maryland cannot but be mortified to find some of her sister States arrogating to themselves supremacy of morals and more enlightened policy, without deference to the different views of others, and adopting a course of conduct which cannot but be productive of the most lamentable consequences.

"*Resolved*, That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States; and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution. That all efforts of the abolitionists or others made to induce Congress to interfere with subjects of slavery or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

"*Resolved*, That the Legislature of Massachusetts by the recent actions adopted upon this subject, has in an organized form placed herself, in the opinion of this General Assembly, in an attitude well calculated to disturb the compromises of the Constitution, and to encourage the fanatical crusade against the rights of their southern brethren, and well adapted to create serious apprehensions, as to the perpetuity of our glorious Union: the course of that great State in her legislative capacity we cannot but consider as highly disloyal to the constitutional integrity of the Federal compact, and under all the circumstances displaying very bad faith to her sister States, whose peculiar institutions differ from hers, that in a spirit of fraternal respect we invoke from the patriotic sons of that ancient Commonwealth, a reconsideration of their aforesaid action, and beseech them as they regard the holy connexion of the States, not to persist in their efforts to agitate again this mixed question, which in its renewed agitation must terminate in a state of things which all friends of the Constitutional Union as it is, would seriously deplore. That we call upon them in the spirit which dictated its formation to pause in their career of revolutionary innovation.

"*Resolved*, That justice and sound policy forbid the Federal government to foster one branch of industry to the detriment of another, or to cherish the interest of one portion to the injury of another portion of our common country; that every citizen, and every section of the country has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of person and property from domestic violence or foreign aggression.

"*Resolved*, That the governor of this State cause to be transmitted a copy of the foregoing resolutions to each of our senators and representatives in Congress, and to the governors of the several States of the Union, with a request that they will cause the same to be laid before the respective Legislatures thereof."

Again, in December, 1847, Governor Thomas G. Pratt, in his message to the General Assembly, called the attention of the Legislature to this subject, and to some of the grievances which Maryland was then suffering from her close proximity to a free State. He says:

"The Constitution of the United States secures to the citizens of any territory belonging to the United States, the right to have that territory admitted as one of the United States, with such republican form of government as they may choose to adopt, or may deem most conducive to their happiness; and no State has the constitutional right to interfere with, or restrict the rights thus secured to the citizens of such territory; nor have the

Congress of the United States the constitutional power to prescribe whether slavery shall or shall not exist within the limits of such new State, it being exclusively the right of the citizens of such territory to decide that and all other questions for themselves.

"Whilst I admit that every State has a right to declare, whether territory conquered by the United States, shall be held by or annexed to the United States, as a part of the territory thereof, I deny the right of any State or of the United States, to prescribe for such territory, if acquired, any condition not recognized by the constitution as incident to the other territories of the United States. My respect for the State from which it emanated will not permit me to speak of the injustice of a resolve by which the citizens of the slave States would be excluded with their property from territory, which, if annexed, will have been acquired by conquest, achieved by the blood and treasure of the whole Union. I wish, gentlemen, that I could close this communication without adverting to a subject, which it gives me great pain to be obliged to bring to your attention. The course pursued by the authorities and citizens of Pennsylvania towards the Executive and citizens of this State, upon the subject of fugitive slaves, clearly demonstrates the inadequacy of existing constitutional and legal provisions to protect our citizens, in the enjoyment of their rights over this portion of their property. The first section of 1826, chapter 95, declares that the escape of a slave from this State into any other State shall be deemed a felony; and the third section makes it the duty of the Governor, upon the presentation to him of proof of the fact, by affidavit or indictment, to demand such slave as fugitive from justice, from the proper authorities of the State into which the slave may have escaped.

THOMSON F. MARY.

"On the 9th of February last, I issued a requisition upon the Governor of Pennsylvania, for the delivery to the agent of this State of negroes Charles and Elliek Gray; and on the 27th of March of the same year, a requisition for the delivery of Samuel Lockwood, charged with the offence of escaping from their masters, into the State of Pennsylvania. The first requisition was based upon affidavits, and the second upon an indictment in Washington County Court, charging the felony specified in the Act of 1826, to which I have referred. The Governor of Pennsylvania refused in both cases to gratify my demand, and accompanied his refusal in the latter case with the opinion of the Attorney General of that State, declaring that the Act of the General Assembly of this State of 1826, was deemed unconstitutional by the authorities of Pennsylvania.

"After this decision, the citizens of Maryland could only rely, in regard to Pennsylvania, upon the redress afforded by the Act of Congress of 1793, chapter 152. Shortly after this decision was known, several slaves belonging to citizens of Washington County, having made their escape into Pennsylvania, their owners determined to take the course prescribed by this Act of Congress. They accordingly went to Pennsylvania, and having proved their property, and obtained from the proper authorities of that State, the required certificate, duly arrested their slaves, and were bringing them to this State, when they were waylaid by an overwhelming number of the citizens of that commonwealth, who proceeded to take from them a portion of their slaves by violence, which resulted in the death of Mr. Kennedy, an estimable and valuable citizen of this State. I will bring to your notice another case before I offer any comments upon the subject. On the 20th of April last, I demanded of the Governor of Pennsylvania, as a fugitive from justice, Isaac Brown, the slave of Mr. Alexander Somerville of Calvert County, who had been indicted for an attempt to assassinate his master. The Governor in this case issued his warrant for the arrest and delivery of the criminal to the agent of this State. He was arrested in

Philadelphia, and after a protracted trial before one of the tribunals of that city, involving the legality of the Governor's warrant, the court directed his delivery to the officer of this State; and to avoid the threatened violence of the populace, the court placed the criminal in the custody of the sheriff until the agent of Maryland could with safety take charge of him.

"Immediately after the case was supposed to have been thus terminated, a writ of *habeas corpus* was issued by some other tribunal than that before which the case had been tried, and the criminal was rescued by the populace, and placed beyond the reach of the officer of this State. You have, therefore, in the two first cases, the decision of the Executive of Pennsylvania that the fugitive slaves made felons by our Act of 1826, cannot be demanded as fugitives from justice. You have, in the third case, evidence of the successful determination of the citizens of that State that fugitive slaves shall not be given up, when that object is sought to be attained in the manner prescribed by the Act of Congress. And you have in the last case, the fact that a slave inflicted for an attempt to murder his master cannot be delivered up for trial by the authorities of that State when demanded in strict accordance with the Constitution of the United States, and the Act of Congress passed to make effectual the declared object of that instrument.

"The institution of slavery existed in Maryland long before the Revolution, by the act of British subjects, and by the authority and sanction of the government of Great Britain. Thus introduced and existing, the rights of property of the citizens of such State over their slaves was as fully recognized, and intended to be as fully protected by the Constitution of the United States, as the rights of property of the citizens over any other subject.

"The second section of the fourth article of the Constitution of the United States was designed to perform the double office of recognizing the title, and protecting the rights of the master. It was subsequently found that some legislation by Congress was requisite, to prescribe the manner in which the rights of the citizens of each State intended to be secured by that article of the constitution, should be enforced within the jurisdiction of the other States; and the Act of Congress referred to, of 1793, chapter 38, was passed for that object. The protection thus afforded was adequate for many years: and until the spirit of abolitionism became an active political element in some of the non-slaveholding States, the plain requisition of the constitution and law of the United States upon this subject was conformed to by the authorities and citizens of all the States. But since the introduction of this fanatical spirit, the harmony which had existed between all the States of this Union has been frequently interrupted, and now the constitutional right of the citizen of a slave State to demand and receive his slaves when they escape to a non-slaveholding State, if not disregarded by the authorities, is successfully resisted with impunity by the citizens of that State."

Thus it will be seen that the doctrine of nullification, or the power of States to decide on the constitutionality of Federal laws, was far more active in Pennsylvania than it had ever been in South Carolina.

Before these outrages were committed, of which the governor complains, slaves in Maryland had become very uncertain and uncomfortable property. In fact, public sentiment was in favor of the gradual extinction of slavery in the State; but in consequence of the violent denunciation and improper interference of Northern abolitionists, a reaction had taken place, not in public sentiment, but in public policy. The excitement which these fanatics produced was deeply regretted, more on account of the slaves than of their owners. It compelled the passage of the most stringent laws against slaves

at the very moment when they were rapidly acquiring public sympathy, and when the Legislature was making the most liberal appropriations for the comfort of the colored race. For more than twenty years the people of Maryland had submitted to be taxed for the transportation and maintenance of liberated slaves and other persons of color; and the Maryland colony in Africa afforded them a safe asylum, profitable employment, perfect independence and just laws. If let alone, Maryland, we repeat, would in time, have become a free State, but the interference of the abolitionists of the North prevented that result.

In 1846, in the midst of the agitation against the Fugitive Slave Law, came that of the "Wilmot Proviso." This asserted it to be the right and duty of Congress to prohibit the people of the Southern States from exercising their constitutional right of emigrating with their slave property to the common territory of the United States, which was acquired by the war with Mexico. Thus was raised anew the question in regard to slavery in the territories which afterwards proved so fatal. The introduction of this proviso instantly caused the flames of fanaticism to burn with more intense ardor, both North and South, than they had ever done before. This measure continued to be forced upon the consideration of Congress, as well as of State Legislatures, session after session, in various forms until the 4th of February, 1850, when the House of Representatives by a vote of one hundred and five to seventy-five, laid the resolutions upon the table. The way was now opened for compromising all the existing questions in regard to slavery, which was accomplished in September, 1850, by the passage of five distinct Acts of Congress. These were first an "Act to amend and supplementary to" the old Fugitive Slave Law of 1793, by which commissioners were appointed by the United States Courts to supply the place of the State magistrates to carry into effect the mandate of the constitution for the restoration of fugitive slaves. Second, "an Act for the admission of California, *as a free State* into the Union, embracing its entire territory, as well that south as north of the Missouri compromise line." Third and fourth, Acts for the establishing territorial governments in New Mexico and Utah, under which both these territories were to be admitted as States into the Union "with or without slavery as their respective constitutions might provide." These two Acts, in addition to the old Missouri Compromise, embraced all our remaining territories, whenever derived from Mexico or France, and therefore terminated the agitation on the Wilmot Proviso, by depriving it of any territory on which it could operate. The Act establishing the Territory of New Mexico provided also for annexing to it all that portion of Texas lying north of 36° 30', thus withdrawing it from the jurisdiction of a slave State. Fifth, an Act was passed to abolish the domestic slave trade within the District of Columbia.

These five Acts constituted the famous compromise of September, 1850.[1] The Fugitive Slave Law, passed under the compromise of 1850,

[1] *Buchanan's Administration*, pp. 22-23.

Daniel Webster declared to be more favorable to the colored race than that recommended by Washington in 1787. Yet it was seized upon by the anti-slavery politicians to keep up the subsiding agitation, and they still continued to circulate tracts, books and pictures, harping on slavery and all its fancied horrors.

In September, 1851, however, the excitement in regard to the slave question had nearly subsided in the several States—the new fugitive slave law was being duly executed in the free States—and people generally were beginning to look forward to the restoration of entire good feeling between the North and South, when Maryland and the South was startled by the outrageous murder of Mr. Edward Gorsuch, and the wounding of several other gentlemen of Maryland, by a mob of negroes and abolitionists, in Lancaster County, Pennsylvania.

It appears that on the 11th of September, 1851, Mr. Edward Gorsuch, a highly respectable citizen of Baltimore County, accompanied by several friends and relatives, and a Deputy United States Marshal, went to Christiana, Lancaster County, Pennsylvania, for the purpose of recapturing four fugitive slaves, under the Fugitive Slave Law. Information had been, it appears, previously communicated to the people of that neighborhood, of the approach and intention of the marshal and his party. Shortly after their arrival, they were surrounded by armed bands of negroes and white abolitionists numbering together about one hundred and fifty, who had been assembled by a preconcerted signal. Finding that it was useless to attempt an arrest of the fugitives who were present, the marshal was already in the act of retreating, and had called upon his companions to follow him, when, with fierce yells and execrations, the infuriated mob made an onslaught upon them. Mr. Edward Gorsuch was killed, and his dead body was brutally mutilated; and his son, Dickinson Gorsuch, was left upon the field as dead.

When the news of this atrocious butchery and rebellion against the laws of the land reached Maryland, the people, and especially the community of which Mr. Gorsuch was a member, manifested a great and very natural degree of excitement. Private letters, and the resolutions of public meetings poured in upon the governor, calling for his executive interposition with the federal authority. He immediately addressed a letter to the President, and the Secretary of State took an early opportunity to assure the governor of his deep abhorrence of the crime committed, and of his determination to exert the energies of the law to bring the offenders to justice, and to prevent similar occurrences in the future. Notwithstanding the assurances of the President, the State was not an idle spectator of the proceedings instituted by the federal authorities. The governor sent the Hon. John Nelson, the Attorney General of Maryland, to assist in the prosecution of the criminals who had been arrested, and likewise employed Hon. James Cooper, United States Senator from Pennsylvania, a distinguished lawyer and statesman, as assistant counsel. The trial commenced on the 24th of November, before

Judge Grier, of the Supreme Court of Pennsylvania, and was continued more than ten days. The governor says: "The trial of Castner Hanway was a farce, which only added new insult to old injury. The offensive manner in which the trial was conducted by subaltern officers, the manifestations of the rebel sympathizers, and the extraordinary decision of the court, will more fully appear" by a reference to the attorney-general's report to the Legislature. In reference to the jury, however, he held them blameless "because the charge of the court prohibited a conviction." The governor was naturally very indignant at the result of this mockery of a trial, and appealed to the Legislature to

"Make it known, by positive measures, that the blood of your constituents shall not be shed by mobs, in the face of the law and the Constitution of your fathers, without justification or a remedy. You should leave no lawful and constitutional power unused to bring home to outward Shays the force of your displeasure. Although a decided majority of the people of Pennsylvania may be, and doubtlessly are in favor of the right, yet they will be held accountable for the treason and murders perpetrated by their fanatical, wicked lawless violence they fail to suppress or punish. No people can plead innocence who stand by as passive spectators of crimes committed within their jurisdiction. They are bound to enforce the right, else we hold them guilty of the wrong. Let that Commonwealth be distinctly given to understand that, henceforth, words will give place to acts. You owe it to your honor; it is necessary to your peace; it is essential to your domestic security. Heretofore the cry of '*peace, peace, when there is no peace*' has had the effect to embolden your assailants, who have learned to believe that your indignant remonstrances are mere occasional explosions of light wrath — mere elevations of the '*Southern safety valve*,' as they have insultingly termed it. Beware that your State does not become a mockery! Remember that all the direful crimes which our fifty millions a border warfare is the most direful. Consider the likelihood of that result, springing from the unexpressed feelings of friends, relatives and neighbors, when they gaze upon the mangled remains of such men as Edward Gorsuch, who may hereafter be murdered, as he was, in the exercise of a constitutional right. Do not shut your eyes to the progress with this human nature will master human passions only so long as hope points to relief by lawful means. Firmness now is patriotism. Candor now is wisdom. It may be too late hereafter."[1]

In 1854, the slavery question re-appeared in Congress, and the action of the North and South on this occasion, was pregnant with serious consequences. On the 4th of January, 1854, Senator Douglas, chairman of the committee on territories, reported a bill to establish a territorial government in Nebraska. On the 23d of January, Mr. Douglas offered a substitute for the original bill, by which, after dividing Nebraska into two territories, the one still bearing that name, and the other the name of Kansas, he proceeded to annul the Missouri Compromise, with the following explanation of the object of the repeal: "It being the true intent and meaning of this Act not to legislate slavery into any territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

In this form, and with this intent, the "Kansas and Nebraska Bill" became a law, by the approval of the President, on the 30th of May, 1854.

[1] *Message to the Legislature*, January, 1852.

While this bill was pending in Congress, Messrs. Chase, of Ohio, Sumner, of Massachusetts, Seward, of New York, Wade, Giddings and other free-soilers, issued an appeal to the people, in which they denounced the measure as an attempt to open the whole northern territory to slavery, and appealed to all who were opposed to the extension of slavery, to forget all party distinctions, hold public meetings, denounce the measure and its author, send up petitions and remonstrances from every town and hamlet in the country, urge the Legislatures to send up instructions, and requesting the preachers of the Gospel to denounce it in their pulpits, and all religious men to assemble in prayer-meetings and invoke the interposition of Divine vengeance against those who should consummate such a damnable crime.

In response to this appeal, the wildest passions were aroused. Mr. Cutts says: "Meetings were held, violent resolutions of denunciation were passed, sermons preached, violence urged to any extent necessary to defeat the measure. As a specimen of the tone of the anti-Nebraska press, *The New York Tribune* threatened, and justified the execution of the threat, that if the measure could not be defeated in any other mode, the capital should have been burned over the heads of the members, or blown up with powder. Mr. Douglas was burned and hung in effigy in every portion of the free States, sometimes in a hundred different places in the same night, and nearly every pulpit of the Protestant churches poured forth its denunciations and imprecations upon every man who should vote for the measure. A memorial was presented in the Senate, among many others of the same character, containing the signatures of three thousand and fifty clergymen protesting against the measure in the name of Almighty God, and imploring His vengeance upon the author."[1]

When the bill was passed, "Emigrant Aid Societies" were formed in the Northern States, and emigrants shipped to Kansas, "armed with Colt's pistols, a bowie knife, and a Bible." The slave State of Missouri, directly adjoining Kansas, not disposed to be forestalled, did its best to encourage emigration to the territory, and as a matter of course, it was impossible for the people of the two opposite sections, in their intemperate state of mind, to live long in peace together. The first gun of the civil war was soon fired in "bleeding Kansas," and a wild and furious shriek vibrated in a thousand echoes through all the valleys of New England. The organs of the abolitionists teemed with the most virulent appeals to the passions of the people; and denunciations of the most startling description were launched against the "Border Ruffians," as the settlers from Missouri were called.[2]

This state of affairs continued with more or less hostility until the passage of the "Act for the admission of the State of Kansas into the Union," on the 4th of May, 1858.

[1] *Constitutional and Party Questions*, p. 96.

[2] At a public meeting, in New Haven, the Rev. Henry Ward Beecher desired his name to be subscribed for "twenty-five Sharpe's rifles," as I announced that he would collect the money to pay for them in his church the following Sabbath, which was done.

CHAPTER XLII.

UNTIL the year 1840, there was no open co-operation between the abolitionists and any political party. No important issues could be framed in accordance with their views which could be defended on constitutional grounds; and up to this time the respect for the Constitution was great and universal. Moreover, the objects of the abolitionists were altogether destructive and negative. They simply proposed to destroy an institution, the overthrow of which, it was everywhere believed, would ruin the agricultural system of the South, by which the North had greatly profited, and in which she was deeply interested. Compensating advantages they had none to offer.

In January, 1840, however, a New York State anti-slavery convention was held in Genesee County, which issued a call for a national convention; and accordingly on April 1st, it assembled at Albany. After a full discussion, the "Liberty Party" was organized, and James G. Birney and Thomas Earle were nominated for president and vice-president of the United States. At the presidential election in the autumn of that year, the entire vote of the liberty party amounted to seven thousand and fifty-nine. In 1844, the proposition to admit Texas as a State into the Union, and subsequently the establishment of governments for the territories acquired in the war with Mexico, afforded an opportunity to this new party which was not neglected, of asserting that the anti-slavery issues were within the purview of the Constitution. Upon the admission of Texas into the Union, though their immediate designs were defeated, yet one point was gained by them, they succeeded in obtaining a position in Congress, and the appearance of a great moral issue on which to arouse the people. Thus a way was opened for the establishment of a great sectional party, which, selecting the slavery question as the ostensible issue, but really because it afforded a favorable point of attack, really aimed at the control of the Federal government.

"The organization of this new party was the signal for fierce and desperate political conflict. Based upon the great predominant interests of the majority section of the country, appealing to and reviving all the sectional prejudices of the past, and animated by the intolerant spirit of a bitter fanaticism, the political anti-slavery party of the North rapidly increased in numbers and power. It soon obtained the supremacy in the governments of many of the free States, and in such instances of success pursued a most relentless and proscriptive course against the local minorities which attempted to arrest its progress. The administration of the General Government was looked upon as a barrier in the way of its success, and the authorities of the States in which it had control were invoked against the Acts of the Federal Congress.

"The Legislature of Massachusetts, as early as the period of the admission of Texas, 'resolved, that Massachusetts hereby refuses to acknowledge the Act of the Government of the United States authorizing the admission of Texas, as a legal Act in any way binding her from using her utmost exertions, in co-operation with her sister States, by every lawful and constitutional measure, to annul its condition and defeat its accomplishment.' A few years later the Legislature of the same State passed an Act known as the Personal Liberty Bill, intended to nullify within the commonwealth the provisions of the Act of Congress passed for the rendition of fugitives from service and labor; and as late as in 1858, 'resolved, that the Legislature of Massachusetts is imperatively called upon by the plainest dictates of duty, from a decent regard for the rights of her citizens and a respect for her character as a sovereign State to demand, and the Legislature hereby does demand of the National Congress a prompt and strict investigation into the recent assault upon Senator Sumner, and the expulsion, by the House, of Mr. Brooks of South Carolina, and every other member concerned with him in said assault.'

"Massachusetts not only claimed authority as a sovereign State, but the right to interpose that authority against acts of the Federal Government, which her Legislature and not the judicial tribunals of the country might deem to be unconstitutional. The Legislatures of other States of the North asserted the same authority and passed personal liberty bills similar to that enacted by the Legislature of Massachusetts.

"But the great immediate object of the party was to increase the relative power of the North, and through a union of its people to obtain control of all the legislative departments of the Federal Government. The numerical superiority of the people of the North over the people of the South was so large as to insure the election by it of the President and a majority of the United States House of Representatives, upon any considerable unanimity of political action. The Senate, representing the States, was equally divided; and although in this branch of the government, during the entire period of the struggle, the North had a majority, yet it was so small as not to be relied upon except on a thorough union of the people of all the States. Thus the struggle for slavery restriction in the territories became one of the deepest significance. Each party contributed to the contest its most strenuous efforts. For years, this struggle for power in the Senate, absorbed every other issue. The North, having the control of two branches of the Federal Government within its power, strove with the fiercest energy to secure to itself the same predominance in the other branch, that it might control the legislation of the Federal Government. This accomplished, the Supreme Court of the United States would remain the only obstacle to the complete perversion of all the powers of the Federal Government to the arbitrary will of a sectional majority. Systematic efforts were made to destroy its influence. Its decisions were treated with contempt, and the tribunal itself traduced in political speeches and platforms.'

[1] "By the laws of Maine, and under the constitution of the State of Maine, free negroes are citizens: *just as much citizens in the State of Maine as white men.* It has been so solemnly decided by the highest tribunal of our State, *since the decision of the Dred Scott case.* . . . They stand upon a perfect equality with white men."—United States Senator Fessenden of Maine.

"If I were in Congress, and a vote should come up on a question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, *I would vote that it should.*" A. Lincoln's speech in Chicago, July 10, 1858.

"The Supreme Court, also, can reverse its erroneous judgments when satisfied that we can reconcile the people to its usurpation. . . . The people of the United States never can, *and they never will*, accept principles so unconstitutional and so abhorrent. Never, never. *Let the court recede.* Whether it recedes or not, *we shall recognize the Constitution, and, so far, refuse the political sentiments and practices* and bring them into harmony with the constitution and the laws of nature."—William H. Seward's speech in the Senate, March 3, 1858.

"We shall change the Supreme Court of the United States, and place men in that court who believe, with its pure and immaculate chief justice, John Jay, that our prayers will be impious to Heaven while we sustain and support human slavery. We shall free the Supreme Court of the United States from Judge Kane." Senator Henry Wilson's (afterwards vice-President) speech in New York, December, 1855.

"The people of the South, on the other hand, were united with the intensest zeal to retain their relative strength in the Senate of the United States. They felt that their negative power in this branch of the government constituted the only remaining barrier against oppression: as under a sectional administration of the government, decisions of the Supreme Court would be evaded or disregarded, and eventually, by new appointments, the character of the tribunal would be radically changed. The prejudices as well as the interests of the respective sections, were enlisted in the struggle.

"At the North, the gravest misrepresentations were made by the political leaders to arouse and inflame the passions and jealousies of the masses. They declaimed to the people with effect that in this contest for power, which it really was, the people of the South were striving for supremacy in the Federal Government; although the relative numbers of the populations of the respective sections were such as to render it impossible for the South, in a sectional conflict, to control the election of president, or of a majority of the House of Representatives, both of which would be necessary for such a consummation; and they attempted to justify their own sectional policies under most specious and fallacious pretexts. A thorough amalgamation of political and moral issues was accomplished. The party of politico-religious expediency rapidly increased."

". . . . . In 1858, a bold advance step was taken. The doctrine of the irrepressible conflict, substantially the doctrine of the early abolitionists, 'scattering fire-brands, arrows and death,' was proclaimed by Messrs. Seward and Lincoln, and adopted by the party of which they were the acknowledged leaders. From this time constitutional limitations and guarantees were disregarded, and open appeals were made for a union of the people of the North against the people and institutions of the South."[1]

[1] *Southern Review*, July, 1867. "Causes of Sectional Disturbance."

"It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must, and will, become, sooner or later, an entirely slave-holding nation, or entirely a free-labor nation."—W. H. Seward's speech at Rochester, New York. "If you believe that freedom is the right of man, then join the party which has inscribed on the folds of its banners, 'Freedom throughout the country's wide dominion.'"—Hon. Chase, of Ohio, speech at Pontiac, Michigan. "I tell you, we [the republicans] are a sectional party. It is not above a fight between the North and South; it is a fight between freedom and slavery, between God and the devil, between Heaven and hell."—G. W. Julian, ex-congressman, speech at Greenville, Ohio, September 10, 1856. "Mr. Chairman, it has become obvious to all, that these conflicting institutions of freedom and slavery cannot flourish together under the same government. They can never be reconciled. They never have been, they are now, and ever will be, at war with each other. Virtue and crime will not commingle. Heaven and hell cannot be at peace."—Joshua R. Giddings, of Ohio, speech in Congress, May 16, 1854. "Universal emancipation is near at hand. The republicans have thrown their banners to the breeze, inscribed with Lincoln's glorious motto, 'The States must be made all free,' and under it will march on to victory after victory, conquering and to conquer."—John Wentworth, congressman from Illinois, in the Chicago *Democrat*.

Thus, it will be seen, that it was the interpretation of the "irrepressible conflict" so loudly defended and advocated by the principal leaders of the republican party, long before the late civil war, when they got into power, to trample under foot the slave States of the Union and unconstitutionally free their slaves. It has been well and truly said, that "the law is the nonexpressed majesty of the voice of the people." He who violates a law, therefore, not only insults, but commits an offence against the people. The constitution says: "No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." The constitution also established the Supreme Court as the court of last resort, to interpret the laws of the land, and makes its decision obligatory upon every citizen. He who therefore refuses to obey its decisions, is an enemy to his country. Let us, now, see how and by republicans party before 1860. Senator Sumner, of Massachusetts, in Boston, in 1850, said: "The good citizen, as he reads the requirements of this Act relative to

While these appeals were being made early in 1859, a man destitute of principle, driven from a State of which he claimed to be a native on account of his bad conduct, published a book, which bore his name, at the instance of the "Publishing Committee" of the republican party, to be used as a campaign document, entitled "*The Impending Crisis of the South*, by Hinton Rowan Helper, of North Carolina." This intemperate and seditious work was evidently prepared in the North by some of the extreme fanatics, and designed for circulation there for party purposes. This book naturally intensified the mutual hatred between the North and the South, as it was filled with the most unsparing denunciation of the Southern people, in regard to their "peculiar institution," their principles, habits, and general condition; their public and private lives, their social, political, moral and religious state. It urged the extinguishment of slavery by the most violent and unsparing means; and the virtual proscription of slaveholders, and of all others, in either section who maintained any political or social relations with them. In fine, this reckless tissue of fabrications attempted to fix such a thoroughly debased and vicious character upon the slave-holding population of the South, and those in sympathy with them in that quarter, as to make it seem to the faithful a sort of virtue to exterminate outright such "ruffians, outlaws, and criminals."[1]

fugitive slaves] is filled with horrors. . . . Here the path of duty is clear. *I am bound to disobey this act.*" Senator Seward, on the 11th of March, 1850, in the Senate, said: "This constitutional obligation *must be obeyed*, because it is repugnant to the law of nature and nations." Congressman Giddings, in the XXXIVth Congress, said: "Gentlemen will bear with me, when I assure them and the President, that I have seen as many as nine fugitive slaves flowing about me in my house. I fed them. I clothed them, and gave them money for their journey, and sent them on their way rejoicing. If that be treason, make the most of it." Hon. Josiah Quincy, of Boston, in a speech delivered by him in Boston, August 18, 1851, said: "The obligation incumbent upon the free States to deliver up fugitive slaves, is that burden; and it must be obliterated from the constitution or every bulwark." Henry Ward Beecher said: "If there were as many lions as there are lines in the fugitive slave law, as many millions as there were lions in Daniel's Hotel den, I would disregard every law but God's, and help the fugitive." "I [always] always hated slavery, I think as much as any abolitionist. . . . I always believed that everybody was a savage to, or that it was in course of ultimate extinction." Speech of A. Lincoln, in Chicago. "If [slavery] can be, and it must be, abolished, and you and I can, and must, do it."—William H. Seward, in Cleveland, 1858. "Send to Congress men of the wind, that I am committed, fully committed, to the fullest extent, in favor of *immediate and unconditional abolition of slavery*, wherever it exists under the authority of the Constitution of the United States."—Senator Wilson, of Massachusetts, delivered in Boston, 1855. Hon. Thos. H. Ford, of Ohio, in 1856, said: "The curse of slavery was a war between righteousness and unrighteousness. The people of the North should say to the people of the South, 'Let us alone, and we will remove slavery for you; we will take it out of the nation. . . . It must be blockaded and crushed out.'" Governor Andrews, of Massachusetts, said: "Slavery will die out, . . . but I do not intend to wait for the Providence of God to work it out."

[1] The following passages are extracts from this infamous work:—"Our own banner is inscribed: No co-operation with slaveholders in politics; no fellowship with them in religion; no affiliation with them in society; no recognition of pro-slavery men, except as ruffians, outlaws and criminals." "Immediate death to slavery; or, if not immediate, unqualified proscription of its advocates during the period of its existence." "It is our honest conviction that all the pro-slavery slaveholders deserve at once to be hanged to a gallows with the basest criminals that lie fettered within the walls of our public prisons." "Slaveholders are traitors." "It is our imperative business to unite malcontents." "We believe that thieves are, as a general rule, less amenable to the moral law than slaveholders." "Slaveholders are more criminal than common murderers." "Slaveholders and slave-traders are a general curse,

If this book had been put forth without any endorsement save that of the author, the South would have regarded it as the ravings of a madman, and would have given it no notice. But what was their surprise to find the book "cordially endorsed" and commended by Senator William H. Seward, of New York, the acknowledged leader of the republican party, and sixty-nine prominent republican members of Congress. Mr. Seward, who was then spoken of as candidate for President of the United States, said:

"I have received from you a copy of the recent publication entitled the 'Impending Crisis of the South,' and have read it with the deepest attention. It seems to me a work of great merit, rich, yet accurate in statistical information, and logical in its analogies; and I do not doubt it will exert a great influence on the public mind, in favor of truth and justice."

The sixty-nine republican members of Congress and all the republican leaders, made the most energetic efforts for its distribution. They stated in

unfit to occupy any honorable station in life." "It is our honest conviction that all the pro-slavery slaveholders, who are alone responsible for the continuance of the servile institution among us, deserve to be at once reduced to a pauper with the basest criminals now in the penitentiary within the walls of our public prisons." "Were it possible that the whole number (3,-of the slaveholders) could be gathered together and transferred into four equal gangs of 187 thousand Robbers, Ruffians, Thieves and Murderers, his society would be much worth safety less from their atrocities than it does now." "So it seems that the total number of infamous slave owners, including their entire crew of attending blackguards, against whom we have to contend, is but three hundred and forty-seven thousand five hundred and twenty-five. Against this army for the defense and propagation of slavery, we think it will be an easy matter, independent of the negroes, who, in mid-ocean out of ten, would be delighted with an opportunity to cut their masters' throats and without occupying a single room in from either of the two States, England, France or Germany to polish one at least three times as large, and far more copious table for its utter extinction. We hope the matter in dispute may be adjusted without arraying these armies against each other in hostile attitude. . . . But we are wedded to one purpose, from which no earthly power can ever divorce us. We are determined to abolish slavery at all hazards, in defiance of all opposition of whatever nature which it is possible for slaveowners to bring against us." "Henceforth, sirs, we are demandants, not simplicants. We demand our rights: nothing more, nothing less. It is for you to decide whether we are to have justice peaceable or by violence; for whatever consequences may follow, we are determined to have it, one way or the other." "We believe it is, as it ought to be, the desire, the determination, and the destiny of the republican party to give the death blow to slavery." Amongst other

diabolical measures it proposed "to find military forces in the Northern States, who shall raise the standard of freedom, and call the slaves to it, and such free persons as may be willing to join it." The purpose was thus more particularly developed: "Our plan is 'to make war, openly or secretly, as circumstances may dictate, upon the property of the slaveholders and their abettors; not for its destruction, if that can be easily and fully converted to the use of the slaves. If it cannot be thus converted, we advise its destruction. Teach the slaves to burn their masters' buildings, to kill their cattle and hogs, to conceal and destroy farming utensils to abandon labor in seed-time and harvest, and let the crops perish." It then maintained that the slaveholders in this manner "And, now, sirs, we have thus laid down our ultimatum. What are you going to do about it? Something dreadful of course! Perhaps you will dissolve the Union again. No sir, if you dare! Our motto, and we would have you to understand it, is: 'The abolition of slavery and the perpetuation of the American Union.' If, by any means, you do succeed in your honorable attempts to take the South out of the Union to-day, we will bring her back to-morrow: if she goes away with you, she will return without you. Do not mistake the meaning of the last clause of the last sentence. . . . Thus, terror stricken sirs of the South, have we fully and frankly defined our position; we have no modifications to propose, no compromises to offer, nothing to retract. Prepare, sirs, then, found prepare your weapons, thrust, strike, shoot, stab, bring on civil war, dissolve the Union, nay, annihilate the solar system if you will—do all this, more, less, better, worse, anything—do what you will, sirs, you can neither roll back or forbid the onward purpose of a firmly fixed, as the eternal pillars of heaven; we have determined to abolish slavery, and so help us God, abolish it we will! Take this to heart, deem over it, and let us know how you feel to-morrow morning."

their circular that they "have read and critically examined the work; that no other volume now before the public, as we conceive, is, in *all respects*, so well calculated to induce in the minds of its readers a decided and persistent repugnance to slavery;" that its "extensive circulation would, we believe, be productive of most beneficial results," and they hope their friends "will assist us in carrying out a plan we have devised for the *gratuitous* distribution of one hundred thousand copies."[1]

The South, under manifestations like these, exhibited no small alarm. They felt they had a right to infer that, if a party making such declarations of hostility were elected to power by the North, they must either consent to the early abolition of slavery, or retain it by seceding from the Union.

When the British Government emancipated the blacks in her colonies, she acted with the strictest commercial equity; but Helper's book repudiated any compensation, for it said: "Shall we pay the bloodhounds of slavery? Shall we fee the curs of slavery? Shall we pay the whelps of slavery? No, never."

In the midst of the excitement produced, both North and South, by this book, occurred the raid of John Brown into Virginia. This was undertaken for the avowed purpose of producing a servile insurrection among the slaves, and aiding them by military force in rising against their masters. The wretched mistake which this man and his deluded followers made about the feelings of the negroes, and the opinion of the non-slave-holding portion of the population was one common to a large number of the residents of the Northern States. These men entered Virginia utterly ignorant of the practical workings of the system they desired to overthrow, and they apparently troubled themselves very little to understand it. Supposing that every one held in slavery would rise at the first summons, and seizing the proffered weapon, would battle to the death for his freedom, they thought it unnecessary to run the risk of being betrayed by endeavoring to organize them, or even fomenting disaffection. They seemed also to have believed that every non-slaveholder was not only jealous of those who owned slaves, but that they would rush with alacrity to the assistance of those who sought to strip the

[1] To this circular was appended the names of the following members of the House of Representatives of the XXXVth Congress. Indiana: Schuyler Colfax, Charles Case, David Kilgore, James Wilson. Massachusetts: Anson Burlingame, Calvin C. Chaffee, Daniel W. Gooch, Henry L. Dawes, Timothy Davis, C. L. Knapp, Robert B. Hall, James Buffington. Illinois: Owen Lovejoy, Wm. Kellogg, E. B. Washburne, J. F. Farnsworth. New York: Aaron P. Granger, E. B. Morgan, Wm. H. Kelsey, George W. Palmer, S. G. Andrews, A. B. Olin, Emory B. Pottle, R. E. Fenton, A. S. Murray, John M. Parker, Charles B. Hoard, John Thompson, J. W. Sherman, O. D. Matteson, Francis E. Spinner, Silas M. Burroughs, Edward Dodd. Pennsylvania: Galusha A. Grow, John Covode, William Steward, S. A. Purviance. Ohio: Joshua R. Giddings, Edward Wade, John Sherman, J. A. Bingham, Benjamin Stanton, C. B. Tompkins, Philemon Bliss, V. B. Horton, Richard Mott. Michigan: Wm. A. Howard, Henry Wilkinson, De Witt C. Leach. Vermont: Justin S. Morrill, H. E. Royce, E. P. Walton. Maine: Israel Washburne, Jr., N. H. Morse, John M. Wood, Stephen C. Foster, Charles J. Gilman. Wisconsin: Carl C. Washburne, John F. Potter. Connecticut: Sidney Dean. Rhode Island: Nathaniel B. Durfee, William D. Brayton. New Hampshire: Mason W. Tappan, James Pike, Ira T. Davis, Samuel R. Curtis. New Jersey: Isaac D. Clawson, George H. Robbins. Missouri: Francis P. Blair.

latter of those possessions which made them envied or hated by their poorer neighbors. How grossly Brown misjudged the condition of the society by which he was surrounded, the sequel showed him; and many circumstances which could have been given in evidence upon his trial, because not relevant to the issue before the jury, could have been adduced to satisfy those who took the same view of the Southern fallacy of their conclusions regarding us. Not only did the negroes fail to make any movement whatever, when the news spread through the county that their fellows were in arms at Harper's Ferry, but during the panic which followed close upon the exaggerated reports which were flying in every direction, they were, in many instances, relied upon to defend their masters had the necessity arisen. Men heard of the difficulty when miles away from home and started at once for the scene, leaving their servants and families together without a thought of danger. One farmer armed his slaves, and this was the only case in which they willingly accepted weapons. Most of them sought the dwelling houses of the whites at the first alarm, as if these were the safest places of refuge; and the five who were captured and employed by Cook on the Maryland side the day after the seizure of the arsenal, in transporting rifles from Brown's farm to the school-house, ran away from him that night and made their way to their homes, excepting one, who was drowned in the effort to cross the river.[1]

Notwithstanding these facts, the fanatics of the North could not be convinced that slavery was anything but an evil, although they found that the condition of the negroes of Maryland and Virginia was in the main, more comfortable and happier than the lot of the laboring population in any quarter of Europe. If this were so, the philanthropists of the North ought to have seen that they were fighting against a substantial thing, and though they might desire to suppress the name of slavery, yet it was not worth while to uproot society itself to accomplish that purpose.

This attempt of John Brown to incite the Virginia slaves to insurrection and murder, was the direct and logical consequence of the ideas on the subject of Southern slavery, and the duty of Northern men with reference thereto which the republican press and orators had most sedulously labored to inculcate, and which the Republican masses entertained. They were also responsible for his crimes, as they had for years been engaged in exciting the slaves of the South to insurrection, and justified the massacre of the whites in the Southern States.[2]

[1] In the testimony of Colonel Lewis Washington, who as we have previously stated, was seized and kept a prisoner with some of the slaves, by Brown, until rescued by the party of United States troops under Colonel Robert E. Lee, appears the following question and answer in regard to the affair: "Question—Did it excite any spirit of insubordination among your negroes?" "Answer. Not the slightest. If anything, they were much more tractable than before." *Senate Report*, p. 40.

[2] Mr. Joshua R. Giddings said: "I would not be understood as desiring a servile insurrection; but I say to Southern gentlemen, that there are hundreds of thousands of honest and patriotic men who will laugh at your calamity, and will mock when your fear comes. If blood and massacre should mark the struggle for liberty

Coupled with sympathy with the treason, everywhere at the North was manifested admiration for the traitor. Besides the tolling of bells, cannons fired, buildings draped in mourning, the sermons in churches and speeches at public meetings, at which he was held up before admiring audiences in the light of a hero and a martyr, his personal character was made the subject of extravagant eulogy. He was compared to Washington—to Moses—to Christ. He was the "brave old man"—the "noble old man"—the "great" and even the "God like" man. The history of his bad and disreputable life was rehearsed and invested with a halo of glory and romance, which was obviously intended to allure others to a similar career. Every circumstance

of those who, for ages, have been oppressed and degraded, my prayer to the God of Heaven shall be, that justice, stern and unyielding justice, may be awarded to both master and slave. . . . If rage cannot regain the lost given rights by peaceful means, I, nevertheless, hope it will regain them: and if blood be shed, I should certainly hope that it might be the blood of those who stand between them and freedom." Again, on the 19th of May, 1854, he delivered a speech in the House of Representatives, in which he said: "Tell the slave who comes there his rights; teach him his obligations to himself; PUT ARMS IN HIS HANDS, *believe him to battle for them*, and the best mode of protecting yourself. Were I a resident of a Territory, and slaves were held in bondage around me, *I would supply those with arms*, and teach them to use all the means which God and nature have placed within their control to maintain their freedom and their manhood." Mr. O. Lovejoy, of Illinois, in his speech of April 9, 1858, said: "Though all the slaveholding Ballots in the country fall dead in their hands with shame, and prove as I will not cease to do, I believe that his purpose was a good one; that so far as his own motives before God were concerned, they were honest; and he fulfills and no one can deny that he stakes head and shoulders above any other character that appeared on the stage in that tragedy, from beginning to end, from the time he entered the armory door to the time when he was strangled by Governor Wise. He was not guilty of murder or treason. Despotism has seldom exercised more noble virtues than Brown, Stevens and Hazlett." John A. Andrews (afterwards Governor of Massachusetts), at a sympathy-meeting for John Brown, held in Boston on the 19th of November, 1859, said: "John Brown and his companions, in the conflict at Harper's Ferry, those who fell there, and those who are to suffer upon the scaffold, are victims and martyrs to an idea. There is an irrepressible conflict between opposing forces in this country, as old and as immoral as the irrepressible conflict between right and wrong. They are among the champions of that conflict. *John Brown was right.* I sympathize with the men: I sympathize with the act, because I sympathize with, and believe in, the *eternal right*." On the 2d of December, 1859, the day on which Brown expiated his guilt upon the gallows, the Melodeon Hall in the city of Cleveland, Ohio, was draped in mourning, and a meeting there assembled to pay honor to his memory. A set of resolutions adopted, they said: "negro slavery . . . in the words of Wesley," was "the sum of villainies," and can only be abolished by giving it, in Southern parlance, "War to the knife, with the knife to the hilt." We have, by force of circumstances, become convinced that the irrepressible conflict is upon us, and that it will not cease raging until 'Freedom or slavery go to the wall.' In such a contest and under such a necessity, we say, 'without fear and without reproach'—*let freedom stand, though the Union be dissolved!*" At this meeting, Judge D. R. Tilden, in a speech, said that he could not fail "to express to this meeting my respect, my admiration, my veneration for the old man that Virginia has, to-day, executed on the gallows. John Brown has gone to his grave, and we can't call him back, but I propose that we dedicate ourselves to *his spirit*, and stand upon a foundation of eternal and immutable hostility to slavery." [Cries of "Good! Good!"] Rev. Mr. Brewster said: "We are not here to advocate an armed invasion of the South. The time has not come for that. *Now mark it well*, we are not prepared to say." Judge R. P. Spalding said: "I claim John Brown as a hero, true to his consciences and true to his God. We have met to honor him for his faithfulness to his conviction of duty and his principles. We have met to honor those principles, and the cause in which he died." Thus it was, that the negroes were all in public places that they were entitled to their freedom; that it was a gross usurpation and tyranny to hold them in bondage; that they were equals of the white men; that the slaveholders were a band of thieves, robbers and murderers; that there was an irrepressible conflict between the free North and the slaveholding South; that John Brown was right in murdering in cold blood the defenceless and unarmed inhabitants of Harper's Ferry. What but insurrection and bloodshed could spring from such counsels?

of his capture and trial was seized upon and perverted so as to serve the purpose of magnifying his sufferings, and vilifying his captors and judges. The wounds on his body were counted, and the idea studiously put forward that like savages the Virginians amused themselves with torturing the prisoner, when he was powerless in their hands. The proceedings of the court which tried him were charged to have been characterized by unusual and indecent haste, and the learned and humane judge, who presided on the occasion, was declared to be worse than a second Jeffries. One orator (Wendell Phillips), did not scruple to tell the people of the South, that when the news of Brown's capture reached Boston, there was but one sentiment in the community—that of universal regret—that men walked the streets sadly, as though they had lost a friend, and that the exclamation was on the lips of every second person you met—"What a pity he did not succeed!" A correspondent of the New York *Tribune* declared, that if the people of the United States permitted Brown to be hung they need no longer delude themselves with the idea that they would not have suffered their Saviour to be crucified 1800 years ago.

Such utterances widened the breach which already existed between the North and the South, and added fuel to the flame which already burned too fiercely for the peace and security of the Union. These sentiments also demonstrated conclusively, that in spite of their disavowal of any participation or complicity in Brown's treason, it was his failure and not the attempt which met with the regret of the republicans. How, indeed, could it be otherwise? Did not the whole republican party, as one man, believe that the relation of master and slave was sinful, and contrary to natural justice and divine right? Did not the members of this party believe that every slave was entitled to his freedom—that he could lawfully run away from his master, and that he could rightfully resist, even unto death, any attempt to restrain or re-capture him? Did they not solemnly protest against the Fugitive Slave Law, as being equally opposed to the Constitution and the conscience of a Christian man, and did they not in every State, where they had the power, interpose legislative obstacles in the way of the execution of that law, and of the reclamation and sedition of slaves? Did they not approve and ratify the harbouring and sheltering of fugitive slaves, and the furnishing them with money and arms, to enable them to effect their escape, and did they not, in many places, forcibly rescue them from the hands of their masters and the custody of the law—invading, for the purpose, even the precincts of the court house, and the presence of the judges? How, then, could any republican pretend to say that he did not approve, in principle at least, the plan of John Brown and his confederates? If it was lawful to help one slave to his liberty, why not a thousand? If it was right to place a weapon in the hands of one negro, to enable him to resist and slay the slave-catcher, why not arm the slave population of a county or a State?

The sentiments to which we refer were those of the least violent and most moderate of the freesoil party. The extremists, among whom were counted their ablest and influential men, declared for the immediate abolition of slavery by the Federal government, despite the Constitution; or, failing in that, a dissolution of the Union. Indeed, many of them seemed to prefer the latter alternative, and "the Union," which in two years was to be almost deified, was spoken of with scorn and abhorence.[1]

[1] Governor Banks, of Massachusetts, in a speech delivered in Maine in 1857, said: "Although I am not one of that class of men who cry for the preservation of the Union; though I am willing, as a certain part of a matrimonial connection, *to let it go*, I have no fear for its perpetuation. But let me say, if the chief object of the people of this country be to maintain and propagate chattel property in man—in all or any of its hideous slavery—this Union cannot, and *ought not to stand*." At this same meeting, Senator Wade said: "There was really no Union now between the North and the South; and he believed no two nations upon the earth cherished feelings of more bitter rancor towards each other than these two sections of the republic. . . . There was no Union with the South. Let us have a Union, or let us sweep away this rottenness which we call a Union. I go for a Union where all men are equal, or for no Union at all, and I will go for right." His brother in the House, August 2d, 1856, said: "Sir, if the Constitution and the Union are to be used as instruments for propagating human bondage, they cannot be preserved—neither is it desirable that they should." "In the case of the Administration being prosecuted, of the continuance of slavery or the dissolution of the Union, *look for dissolution*; and I care not how quick it comes." Charles B. Smith, speech at Fremont convention, 1856. "I have only to add, under a full sense of my responsibility to my country and my God, I deliberately say, *better disunion, better a servile war*, better anything, that God in his providence shall send, than an extension of the bonds of slavery." "Not that I love the Union less, but freedom more, do I now, in pleading this great cause, desire that freedom, *at all hazards*, shall be preserved. God forbid, that for the sake of the Union, we should sacrifice the very thing for which the Union was made." Senator Sumner, speech in Senate, 19th and 20th May, 1856. "The people will not levy war nor inaugurate a revolution even to redeem Kansas, until once have *first* tried what they can do by voting. If this peaceful remedy also do fail to be applied this year, then the people will count the cost wisely, and decide for themselves boldly and firmly which is the better way, *to live in slave and abide by a government worse than that of old King George*, or endure as another four years, and then rise and [illegible]. . . . The only hope of the slave is over the ruins of the government and of the American Church. *The dissolution of the Union is the abolition of slavery.*"—Henry Ward Beecher's speech, New Haven, 1856. "If peaceful means fail us, and we are driven to the last extremity, when ballots are useless, *then we will make battle effective!*"—Hon. Eastus Hopkins, 1856. "If the Union, bound as it is to the hearts of the people by so many endearing associations, has no other principle of union than the blood of human slavery, *let it perish!*"—Hon. John P. Hale, of New Hampshire, May 31st, 1856. "May the God in heaven, rather be ardent as I please the very soul of our nation with an agency that shall sweep as with the besom of destruction, this abomination of slavery from the land. You call this revolution. It is. In this we must revolution; we must, we will have it! *Let it come!*" Carl Schurz, speech at St. Louis, 1859. "Better that confusion should ensue, better that discord should reign in the national councils, better that Congress should break up in ill will and disorder, better that the capitol itself should blaze by the torch of the incendiary, or fall and bury its inmates beneath its crumbling ruins, than that this perfidy and wrong shall be finally accomplished."—Horace Greely. "I have no doubt that the free and slave States ought to separate. The Union is not worth supporting in connection with the South."—James G. Birney, *New York Tribune*. "I love the Union, but the time has come when we must declare we love freedom better than the Union."—Ex-Lieutenant-Governor Root, of Ohio. "I sincerely hope a civil war may soon burst upon the country. I want to see American slavery abolished in my time."—Mr. W. O. Bryant. "The Union dominant, and we must have an anti-slavery Constitution, and no slavery Bible, and no anti-slavery God."—Hon. Amos Blanchard, Boston. "Slavery has perverted the government, violated the national faith, muzzled the press, disturbed the church, corrupted Christianity, and seeks to change the glory of the invisible God into a Moloch, and transform the eternal and loving Father into a patron of cruelty, lust and injustice. *I should be ashamed of such a God as that.*"—Hon. O. Lovejoy, House of Representatives, 31st of April, 1858. "If Kansas were saved from oppression while the Carolinas were in for the land of the slaveholder, it would be said, that God is a Rebel."—Abby K. Foster, May 13, 1857. "They demanded justice for the slave at any price—if Constitution, of Union, of country." Rev. O. B. Frothingham, of New Jersey, May 14, 1857. "This Union is not the American Union as a

Although the majority of the republican party disclaimed any intention of interfering by legislative enactments, with slavery in the States where it existed, yet they did not disapprove the private efforts of individual men to help slaves out of bondage, nor the efforts of the slaves themselves to effect their own escape. This disclaimer of all power of legislative interference with the institution was the very ground upon which Mr. Henry Winter Davis and other leading members of the American party advocated a fusion of the know-nothings with the republicans. Mr. Davis could see "no difference of opinion on public measures, which ought for a moment to keep them asunder at the next presidential election." Such were his sentiments when he was a candidate for re-election in the fourth congressional district in 1859, and in a speech which he delivered at the Maryland Institute early in the Fall of that year he openly proclaimed himself in favor of an alliance with the republicans, and averred that the true interests of Maryland were with the North, rather than with the South.

HENRY WINTER DAVIS.

In December, 1859, the nomination by the republican members of Congress to the speakership of the House of Representatives, of Mr. Sherman, of Ohio, who had made himself especially odious to the South, by indorsing the brutal and diabolical sentiments of Helper's work, and urging its circulation, made a deep impression on the Southern mind, as the republican party by this Act also indorsed the infamous doctrines it inculcated. This fact, too, was further fastened upon them by their patriarch, Joshua R. Giddings, who wrote the following letter to the editor of the Ashtabula (Ohio) *Sentinel*, when Mr. Sherman's name was withdrawn as the republican candidate for speaker:

storm, an impression, a covenant with death, an agreement with hell, and it is our business to call for a dissolution. Let the Union be accursed. . . . I will continue the experiment no longer—it is all madness. Let the slave-holding Union go, and at once; with no such Union down into the dust. If the Church is against disunion, and not on the side of the slave, then I proclaim curses on the Church. I say let us cease striking hands with thieves and murderers, and give to the winds the rallying cry of 'the union with slaveholders, socially or religiously, and now with the flag of disunion.'" Wm. Lloyd Garrison, New York, August 1st, 1855. "The dissolution of the Union is essential to the abolition of slavery."—*Boston Liberator*. "We are disunionists, not from any love of seaside or mountain scenery, or as ignorant of the high-sounding evils that spring from neighboring and quarrelsome States, but we would get rid of the Union."—Wendell Phillips, 1856. "He wishes not for the dissolution of the Union because he wanted Massachusetts to be left free to right her own wrongs. If so, she would have no trouble in sending her ships to Charleston and laying it in ashes. There was no State in the Union that would not cower, at a low figure, to whip South Carolina. Massachusetts could do it with one hand tied behind her back. He did not like such a republic as this. It was against his conscience. He hated, and abhorred it. In order to hold any office under the Government of the United States, a man must swear to support the Constitution, and consequently to support slavery in its early phases. It was as inevitable that the Union should be dissolved as that water and oil must separate, no matter how much they may be shaken. They could not tell how it was to be done, but done it must be."—Edmund Quincy, of Massachusetts. May 10th, 1857. A convention in Boston, in 1850, unanimously adopted a set of resolutions in which they say: "Resolved, That the one great issue before the country is the dissolution of the Union, in comparison with which all other issues with the slave power are as dust in the balance."

"*Washington City, February 4th, 1860.*

"To the Editor of the Ashtabula *Sentinel*:

"Our friends at home should be slow to censure their representatives for dissenting Mr. Sherman. . . . They felt the humiliation of discarding a candidate because he had indorsed the doctrines of Helper's book, every sentiment of which finds a response in the hearts of all true republicans.

"J. R. GIDDINGS."

Thus it will be seen that out of their own mouths the republican party indorsed and approved the sentiments and the brutal programme contained and set forth in this book which proclaimed, without disguise, that its object was the abolition of slavery at the South by force, which force was to be exercised by the Federal government as soon as the republican party should obtain possession of it, while the Southern States were to be forced to manumit their slaves, or submit to a servile insurrection.[1]

The Southern delegations gave warning during the contest for the speakership that they would regard the election of Mr. Sherman, or any other man with a similar record, as an open declaration of war upon the institutions of the South; as much so, some of the members declared, as if the Brown raid were openly approved by a majority of the House of Representatives. The republican party, however, defiantly nominated Sherman, and continued to vote for him for near two months, giving him within four votes of a majority upon every trial of strength. Although he was finally withdrawn, and Governor Pennington, of New Jersey, one of his party was elected, yet the fact that more than three fourths of the entire Northern delegation had adhered to Mr. Sherman for nearly two months, produced a deep impression on the minds of Southern members and of their constituents. The early dissolution of the Union had come to be a subject freely canvassed among members of Congress and politicians in the South in the event of the election to the presidency of the candidate of the republican party. All these disunionists professed to have but one primary and common purpose, which was to uphold the rights of the South, and to prevent any outside interference with its domestic institutions. Maryland was as much interested in this object as the most extreme secessionist could possibly be, for she was likely to be the first, if not the greatest sufferer by the disruption of the Union. As a border State she would have to make far more extraordinary

[1] In the election for speaker, Henry Winter Davis, in defiance of the wishes of the people of Maryland, cast his vote for Governor Pennington, of New Jersey. By his course in 1855, Mr. Banks, the candidate of the Republican party, was also elected Speaker of the House. He did not vote for him, but he refused to unite with the rest of the Southern members by which course the election of Mr. Banks might have been defeated. Though Mr. Sweney and influence Mr. Pennington, the candidate of the Republican party, was made the presiding officer of the House in 1860, and for his action on this occasion the legislature of Maryland passed the following resolution of its censure:

"*Resolved by the General Assembly of Maryland*, That Henry Winter Davis, acting in Congress as one of the representatives of this State, by his vote for Mr. Pennington, the candidate of the Black Republican party for the Speakership of the House of Representatives, has misrepresented the sentiments of all portions of this State, and grossly outraged the confidence of her people."

This resolution of censure was adopted by a vote of sixty-two in the affirmative, and but one in the negative.

efforts to place herself in a position to repel aggression or insult, than her more Southern allies, and as one of the smallest of the States, her burthens would have been heaviest to bear.

The people of Maryland had refused, and properly so, to admit the religious element into the discussion of her institutions, and they held the question of slavery to be simply a political one, which they insisted upon settling for themselves within their own borders. Had they been left free to do this they would have determined more speedily and satisfactorily upon their line of policy than they could now be expected to do. That portion of the population about whose welfare such a clamor had been made by those who were most ignorant of its wants and condition, was in the main as well fed and clothed and as happy as any laboring class in Europe; and but for ceaseless endeavors made to render it discontented or seditious, our Legislature might at this period be enacting laws tending to enlarge rather than restrict its privileges.

Its condition would at all events, have been candidly and dispassionately considered, and from such an investigation much good would have unquestionably resulted. But, as it was, many of our people were led to believe that the danger of being assaulted from without, grew more and more threatening. Some were satisfied that invasions like that which Virginia was so suddenly summoned to repel were not improbable, and others, fearing that the much talked-of dissolution of the Union was imminent, looked forward with dread to the hour when a hostile, instead of a friendly State should adjoin our borders. Under these circumstances, they could not but regard with anxiety the course of South Carolina, which in December, 1860, passed a set of resolutions in which she re-affirmed her claim asserted in 1852, to secede whenever she thought it expedient to do so, and in which she earnestly requested her southern sister States to appoint deputies, and adopt such other measures as would promote the meeting of the slaveholding States in convention. These resolutions calling for a general convention of all the Southern States, to devise means of defence from Northern aggression, and to take into consideration the propriety of seceding from the Union, accompanied by a letter from Governor William H. Gist, dated December, 30th 1860, were transmitted to Governor Hicks, who in acknowledging the receipt of them on the 26th of January, 1860, said:

GOVERNOR HICKS.

"I will very cheerfully comply with your request to submit these resolutions to the General Assembly of this State, now in session; and in informing you of my intention so to do, it seems right to add the expression of my own opinion, that, while the people of Maryland have more than the people of any other Southern State to complain of the

loss and injury from these conspiracies and assaults, they do not see the remedy for such outrages in a measure which, if it were possible, could only secure the continuance of them under shelter of a *foreign* asylum upon her borders.

"With great respect and consideration, I am yours, truly,

"THOMAS H. HICKS."

On the 5th of February, 1860, Governor Hicks inclosed the resolutions with a message to the General Assembly, which was then in session. They were utterly repugnant to the sentiment of our citizens, who desired to cling to the Union, both because they revered it, and because they foresaw the inevitable disasters that would overtake the divided and hostile States into which its fragments would be resolved.

The Legislature referred the resolutions to a "select committee," and in the meantime, Governor Hicks received the following answer to his letter acknowledging the receipt of the resolutions passed by South Carolina:

Executive Department,
Columbia, S. C., February 3d, 1860.

"To His Excellency, Thomas H. Hicks, Governor of Maryland.

"DEAR SIR:—Yours of the 20th of January, acknowledging the receipt of the Resolutions, unanimously adopted by the State of South Carolina, was received yesterday; and I must be permitted to correct a very grave error into which you have fallen in relation to them. You speak of the resolutions as 'requesting this State (Maryland), to join in the appointment of Deputies to a Convention of the slaveholding States, for their united action in regard to secession from the Union.' If there is anything in the resolutions proposing a 'secession from the Union,' I am unable to find it, and deny that South Carolina proposes any such measure to Maryland or her other co-States. By re-examining the resolutions, you will find that all South Carolina proposes is, 'that the slaveholding States should immediately meet together, to concert measures for united action,' and it is a forced and unwarrantable construction of the resolutions to say that 'concerted action' means secession from the Union. I belong to that class of politicians who have been denounced as 'disunionists,' and never for a moment have I desired a dissolution of the Union, if our rights in the Union are respected and our equality preserved. And I solemnly believe the very best way to preserve the Union is, for the Southern States to meet and insist upon their rights, and to act in concert in defending them. If the South were united, they could preserve the Union, and at the same time have their rights respected and recognized. It is because the Southern States have acted with so much jealousy and distrust towards each other, that the North has been able to encroach upon their rights and war upon their institutions. If I desired a dissolution of the Union, and wished to effect it, nothing would please me more than the refusal of the slaveholding States to meet in Convention; for, then the North will continue its aggressions, and some of the slaveholding States, goaded to madness, will secede, preferring to be held as conquered provinces rather than become voluntary slaves. Speaking for myself, I would rather South Carolina should be the cemetery of freemen than the habitation of slaves; and animated by these sentiments, our people never will submit to inequality and degradation.

"With great respect, I am yours, &c.

"WILLIAM H. GIST."

In his reply Governor Hicks, under date of February 12th, alluding to the election of Governor Pennington to the speakership of the House of

Representatives, as less obnoxious to the Southern people than would have been the election of Mr. Sherman, and which would have precipitated the crisis that the extreme opinions of the republicans had so well calculated to provoke, said:

"I hope it may not be out of place to add the expression of my belief that some late events have rendered, more than ever, unnecessary the proposed convention, and of my hope that in the result to which the doctrines of fanatics have led, as well as in their defeat, we may find the beginning of better things. And I trust that those conservative men under whom under the Constitution, our Federal relations are confided, to concert measures, by united and harmonious action, for the continuance of the Union, in the spirit and to the great end for which it was formed."

On March 8th, the select committee to whom the South Carolina resolutions were referred, made their report in which they deemed "it due and respectful to the sovereign and gallant State of South Carolina, to express the sentiments of Maryland in reference to the proposition contained in those resolutions." They, therefore,

"*Resolved*, That whilst we are deeply sensible of the aggressive policy of the anti-slavery elements of the country towards our Southern institutions, and the unjust and unpatriotic assaults of the fanatical and misguided societies of the North, and whilst we condemn the gross violations of public and of private right, the invasion of the soil of a sister State, by bands of lawless ruffians, the system of decoying and assisting the escape of fugitive slaves, and the constant effort of the republican party of the North to obtain control of the National Government, in order to trample still further upon our rights, yet as a member of this great Confederacy of States, Maryland will not be precipitate to initiate a system that may begin the destruction of this majestic work of our fathers.

"*Resolved*, That in the spirit of the patriots of the Revolution, we are willing to exhaust all reasonable means to convince our Northern adversaries that a mutual interest and a mutual patriotism, and a common destiny shall bind us together as brethren rather than sever us as foes, and with this purpose we desire to express to them our deep apprehension of the threatening prospect of our internal affairs; our remonstrance against the spirit of interference and aggression, and our fixed determination to cling to the Union so long as its great principles can be preserved, and the blessings for which it was intended can be secured, but our deep and solemn conviction that the Union must be worn in fragments unless equal rights to all sections of the country are sacredly preserved; we also respectfully, but earnestly, desire to assure our brethren of South Carolina, that should the hour ever arrive when the Union must be dissolved, Maryland will cast her lot with her sister States of the South, and strike their fortune to the fullest extent.

"*Resolved*, That we deem it inexpedient to call a Southern convention in the present excited condition of the country, relying upon the belief that the recent outrages against the South have already awakened the patriotism and justice of the majority of our Northern brethren, but should this fond hope result in a shameless failure, our earnest protest be disregarded, and the disruption of these States be rendered inevitable, that Maryland will then be prepared to meet her sister States of the South in a Southern Convention for the protection of Southern rights.

"*Resolved*, That the Governor of this State be directed to transmit a copy of these resolutions to the Governor of South Carolina, and to the Governors of each of the slave-holding States."

On the 23d of April, 1860, the National Democratic Convention assembled at Charleston, South Carolina, to nominate candidates for the offices of presi-

dent and vice-president. Thirty-two States were represented, the delegates being nearly six hundred in number; and after organizing, the Hon. Caleb Cushing, of Massachusetts, was chosen president of the convention.

Before the convention met, the majority expressed their deep interest in its action, for they looked to it for the presentation of a candidate, in support of whom the whole conservative party of the country might be asked to unite with reasonable prospect of success. The election of a republican president, while they would not consider it any justification for extreme action on the part of the South, they would deprecate as a serious national calamity. Of the Constitutional Union Party, its principles and purposes, they knew altogether too little to venture upon the expression of any opinion, as it was too new and too heterogeneous in its composition to have any great power of cohesion, and had, moreover, too much the semblance of an attempt to manufacture a party to order, and in this country, as everywhere else, such attempts had proverbially failed.

Upon the democratic party, therefore, at least up to the hour of the assembling of the convention at Charleston, the main or perhaps the only hope of the conservative men of the country seemed to depend. That hope, as we shall see, was destined to disappointment.

In the convention there were not less than three distinct parties, and it was the struggle between these for the mastery, and the unwillingness of each to accept of any compromise, which prevented the nomination and led to the adjournment. In the first place, there were the friends of Mr. Douglas, numbering fully one-half of the convention. These had gone to Charleston for the express purpose of securing Mr. Douglas' nomination. About platforms, they were comparatively indifferent, provided the platform was one that Mr. Douglas could stand upon. They were probably equally willing to take him without a platform—with a platform embodying the doctrine of squatter sovereignty—with a platform from which all allusion to the subject of slavery should be carefully excluded. Many of them were attached to Mr. Douglas by strong ties of personal and political sympathy, and were resolved to stick to him through thick and thin. Others gave him their support under the conviction that he was the strongest, or, as the phrase is, the most available candidate; and others, and these were not a few, followed his fortunes in the hope of bettering their own. A second party in the convention was composed of the delegates from the cotton States, who were opposed to Mr. Douglas, some of whom even went to the length of proclaiming their determination not to abide by his nomination, and who, for the purpose of defeating him, or for the more sinister one, perhaps, of dividing the convention, and thereby leading to a rupture of the party, and possibly of the union itself, insisted upon the incorporation of a clause relating to slavery in the party platform. A third division of the convention comprehended all the more moderate and conservative members of the body who were opposed to the extreme views and unreasonable demands of the delegates from the cotton

States, but who preferred the nomination of any other candidate to that of Mr. Douglas, and some of whom, as the sequel showed, thought a resort to any tactics, even to the very questionable expedient of withdrawing from the convention, justifiable for the purpose of preventing his nomination. Defeated, as they well knew beforehand that they would be, in their attempt to engraft upon the party creed their own ultra and sectional views, the delegates from Louisiana, Alabama, South Carolina, Georgia, Mississippi, Florida, Texas and Arkansas, before any ballottings for the nomination were had, withdrew in a body from the Convention. Some of them acted in accordance with instructions from their constituents. All professed to be acting in obedience to the wishes of the people whom they represented. Whether any of them rightfully interpreted the popular will was a matter which was left for their constituents to determine. Before the convention re-assembled, steps were taken both in Georgia and Louisiana to condemn the action of the delegations from those States, and no doubt everywhere except among the fiercest fire-eaters of Alabama, Mississippi and South Carolina, a similar feeling of disapprobation prevailed, if it was not expressed. With the delegations from the cotton States went out some of the more moderate members of the convention, who, as they disavowed all participation in the extreme views of the fire eaters, were supposed to have been actuated in the step solely by a desire to defeat Mr. Douglas. They left their seats professedly, because, as they said, the convention no longer represented the whole party; but in reality because they did not choose to stay behind, for the sole purpose, as they believed, of ratifying the nomination of an obnoxious candidate. The opponents of Mr. Douglas who remained when the others withdrew, procured the adoption of a resolution still requiring the vote of two-thirds of the whole convention, in order to a choice; which, of course, had the effect of giving to the votes of the seceding delegates the same weight in the scale against Mr. Douglas, that they would have had if those delegates had been present to cast them. Under such circumstances the nomination of Mr. Douglas, or, as it seemed, of any other candidate, became impossible; and the convention very wisely adjourned to meet again in Baltimore on the 18th of June, inviting, in the meantime, the constituents of the seceding delegates to fill their places by new elections. From the course of things at Charleston it was plainly distinctible that under no circumstances could Mr. Douglas command the united support of the party, or hope to be elected President. It was clearly demonstrated that his nomination, in opposition to the wishes of any considerable portion of the party, would lead to a division and to certain defeat. It was the duty of his friends, therefore, to withdraw him from the field—to make a sacrifice of their individual preferences for the sake of their party and the country, and to unite in the nomination of some sound, conservative statesman of moderate views, who would be acceptable to all sections of the party, and country alike. Such a man would have been Mr. Hunter, Mr. Dickenson, Mr. Guthrie, Mr. Breckenridge, or Mr. Pearce,

of Maryland, whose names were prominently mentioned before the convention. Under the leadership of either one of these gentlemen, harmony and victory would have perched upon the banners of the democratic party, and saved us, at least for a time, from the horrors of civil war.

In the meantime, the seceders assembled in convention at Charleston with Senator James A. Bayard as president. They styled themselves the true National Democratic Convention, and adopted the report of the regular convention, which had been adopted by seventeen of the thirty-two States of the Union, as their platform, but nominated no candidate. On the 3rd of May they adjourned to meet in Richmond, on the second Monday in June, after resolving to invite that portion of the democratic party which agreed with their views, to send delegates to their adjourned convention.

Accordingly, at the appointed time, the seceders assembled in Richmond, but nothing of importance was transacted, as most of the delegates on the second day of the session, proceeded to Baltimore. On the 18th of June, the National Democratic Convention re-assembled at the Front Street Theatre, in Baltimore. It at once entered upon an angry and stormy session, the first business in order being the admission to seats in the convention of those delegates who had withdrawn from it in Charleston. It was contended on one hand that they had a right to return to it, and on the other hand, this right was denied them in virtue of the resolution which had been adopted in Charleston before adjournment, calling upon the States to fill vacancies. On the morning of the 19th this difficult question was referred to the committee on credentials. They could not agree; and on the 21st of June, the fourth day of the session, two reports were submitted, the majority report recommending the admission of Douglas delegates (in place of the seceders), from Louisiana and Alabama, and parts of the delegations from other States. The minority report was against any such action. These reports were discussed with great warmth, which sometimes reached the point of fierce personal quarrels. The pro-slavery men gave free scope to the expression of their opinions and feelings. On the following day the majority report was adopted, and, by its provisions, the seats of seceders were mostly occupied by Douglas men. Thereupon the convention again divided, as it had in Charleston. Virginia, with twenty-five of her thirty delegates, announced that she could no longer remain in the convention. North Carolina, California, and Oregon followed Virginia; Kentucky and Tennessee retired for consultation; Georgia refused to re-enter the convention; Missouri and Maryland were preparing to carry out a moiety of their delegations. The night of the 23d was a gloomy one for those who earnestly desired the unity of the democratic party. On the following morning their hopes were utterly blasted, when Caleb Cushing,

FRONT STREET THEATRE.

the president of the convention, and a majority of the Massachusetts delegation, also withdrew. "We put our withdrawal before you," said the Hon. Benjamin F. Butler, of that delegation, "upon the simple ground, among others, that there has been a withdrawal, in part, of a majority of the States; and further (and that perhaps more personal to myself,) upon the ground that I will not sit in a convention where the African slave-trade—which is piracy by the laws of my country—is approvingly advocated." These remarks created a great sensation. On the retirement of Mr. Cushing, Governor David Tield, of Ohio, one of the vice-presidents, took the chair, and the convention proceeded to ballot for a presidential candidate.

On the second ballot, Mr. Douglas received one hundred and eighty one and a-half votes, out of one hundred and ninety-four and a-half votes cast, and was declared the choice of the convention. At the evening session, James Fitzpatrick, of Alabama, was unanimously nominated for vice-president, but he declining, the National Committee, which assembled at the National Hotel, in Washington, and at which all except four States were represented, nominated Herschel V. Johnson, of Georgia. On the evening of the 23d, the convention made a final adjournment.

On the same day, the democratic delegates who had abandoned the Douglas Convention, together with the delegations from Louisiana and Alabama, who had been refused admission, met at the Maryland Institute. The following States were represented by partial or full delegations: New York, Vermont, Virginia, North Carolina, Maryland, Georgia, California, Oregon, Florida, Alabama, Louisiana, Missouri, Texas, Mississippi, Massachusetts, Tennessee, Kentucky, Arkansas, Delaware and Pennsylvania. An organization was speedily perfected by the selection of Hon. Caleb Cushing as president, and the convention unanimously adopted the majority report which had been drawn up at Charleston, as the platform of the convention. In a harmonious session of a few hours, John C. Breckinridge, of Kentucky, the Vice President of the United States, was nominated for the presidency, and Joseph Lane, of Oregon, for the vice-presidency. The convention then adjourned. The Richmond Convention assembled on the 26th of June, and after declaring Messrs. Breckenridge and Lane its unanimous choice for president and vice-president adjourned *sine die*.

MARYLAND INSTITUTE.

The split in the democratic party was now complete; and the feud between the two wings proved to be of the most bitter and irreconcilable character.

While the excited attention of the whole country was drawn toward Baltimore, two other conventions had assembled, one of them also in that city. On May 9, 1860, "all the elements of opposition" known as the Constitutional Union Convention, convened in Baltimore at the old First

Presbyterian Church, which then stood on the northwest corner of Fayette and North streets. The convention, which gathered there, was made up mostly of members of the American or know-nothing party and old line whigs, and was regarded "as a collection of political antiquities." The invitation of these highly respectable but somewhat obsolete politicians upon the stage of action, was responded to by only twenty-two States: California, Florida, Iowa, Louisiana, Michigan, New Hampshire, Rhode Island, Oregon, South Carolina and Wisconsin, not being represented. The convention was called to order by Mr. Crittenden, of Kentucky, and was finally organized by the selection of Governor Hunt, of New York, as permanent chairman, with the usual complement of vice-presidents and secretaries. No platform was adopted other than the sententious declaration of principles adopted by the New York declaration, "The Union, the Constitution and the enforcement of the laws." On the second day of the session, Hon. John Bell, of Tennessee, was nominated for president of the United States, and Edward Everett, of Massachusetts, for vice-president. The convention then adjourned.

FIRST PRESBYTERIAN CHURCH.

Just one week after this body assembled in Baltimore, the memorable National Republican Convention met at Chicago, Illinois, on the 16th day of May, and on the 19th, nominated Abraham Lincoln, of Illinois, for president, and Hannibal Hamlin, of Maine, for vice-president.[1]

The several nominations being thus made, the four great political armies entered on the presidential campaign of 1860, with much spirit and equal bitterness. On the 6th of November, the long struggle between the North and South on the slavery question, that began in 1803, with the purchase of Louisiana, ended with the election to the presidency of Abraham Lincoln, the representative of the republican party, which also included the abolition party.

In Maryland, E. Lowis Lowe, James L. Martin, Elias Griswold, John Brooke Boyle, Joshua Vansant, T. Parkin Scott, John Ritchie and James S.

[1] The Republican State Convention assembled at Rockville Hall, in Baltimore, on the 20th of April, and organized by the election of Montgomery Blair as chairman. While the convention was in session, a band of lawless men gathered, which finally broke it up. The members, however, met in a private house, and selected the following delegates to the Chicago Convention: At large—Francis P. Blair, Sr., of Montgomery County, and Hon. William L. Marshall, Judge of the Court of Common Pleas of the City of Baltimore. First district—James Bryan, delegate; D. W. Owen, alternate. Second district—James Jeffries, delegate; W. P. Ewing, alternate. Third district—Francis S. Corkran, delegate; James V. Wagner, alternate. Fourth district—William B. Cook, delegate; Jonathan Shoemaker, alternate. Fifth district—Charles Lee Armour, delegate; E. J. Ann, alternate. Sixth district—Montgomery Blair, delegate; Frederick Iddins, alternate. They also adopted resolutions recommending the delegates to the National Convention to cast their votes as a unit, and instructing them to advocate the passage of a resolution, as a part of the platform of the republican party, favoring the Jeffersonian plan of colonizing the free negroes in some neighboring country, where, under the protection of the United States, they might establish a free and independent government.

Franklin, the Breckinridge electors, carried the State by 720 majority, and the City of Baltimore by 2,357. In the State Mr. Breckinridge received 42,497 votes; Bell, 41,777; Douglas, 5,873, and Lincoln, 2,294. In the United States, Mr. Lincoln received the vote of California, Connecticut, Illinois, Indiana, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, (4) New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont and Wisconsin—180. John C. Breckinridge received the vote of Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina and Texas—72. John Bell received the vote of Kentucky, Tennessee and Virginia—39. Stephen A. Douglas received the vote of Missouri and three electoral votes from New Jersey—12. The entire popular vote for Lincoln was 1,806,152 out of a suffrage of 4,680,193, leaving a balance recorded against him of 2,813,741, showing a clear aggregate majority against him of 917,283, or nearly a million of votes. Mr. Breckinridge, of the popular vote, received 847,953; Mr. Douglas, 1,375,157, and Mr. Bell 590,631.

The accession of the republican or anti-slavery party to power, filled the Southern States with dismay, and created the greatest excitement throughout the country. Hardly had this result been ascertained, before some of the extreme Southern States began military preparations, and set on foot measures to carry into effect their oft-repeated threats of secession, and combination in resistance to Northern encroachments.

The Legislature of South Carolina, which had been convened for the purpose of choosing presidential electors, was still in session when the election returns made it certain that Mr. Lincoln had been elected President on a platform of absolute slavery-exclusion in the territories, and a practical nullification of the decisions of the Federal courts. Governor Pickens sent them a message recommending that they remain in permanent session and take action to prepare the State for the threatened crisis. He considered secession the only remedy for the wrongs that had been committed on the South, and believed that such a step on the part of South Carolina would be followed by the entire South. He recommended military reorganization, that every able-bodied citizen be furnished with the most approved fire-arms, and that ten thousand volunteers be at once prepared for service. The Legislature adopted resolutions endorsing the action and views of the governor, and proceeded to carry his advice into effect by proper legislation. The militia was reorganized, arms purchased; and other military preparations "for defence" made, and a State loan was authorized to meet the necessary expenses. The Legislature also passed an Act calling a convention of delegates to assemble at Columbia on the 17th day of December for the purpose of considering the state of the Union. The convention assembled at the time appointed, but in consequence of the small-pox then prevailing in the city, they adjourned on the following day to Charleston, where they re-assembled in the afternoon in Institute Hall.

It was an unfortunate but indisputable fact that a very large number of people were still unable to realize the seriousness of the crisis. Most men in the North, and many men in Maryland, not only failed to comprehend the true import of the movements in South Carolina, but they regarded the excitement in the slave States, as purely factitious, and imagined that it would die out in a few fiery but brief and harmless flashes. Very many of the Northern journals, while deploring the consequences of the political and commercial panic which had already been produced, treated it, nevertheless, as the work of a few extreme political adventurers; and assured the public that it had only to stand by and laugh at and denounce disunion measures in order to insure their speedy defeat. The press and the pulpit united their voices to convince the people of the North that the threatening language of the South was the merest bluster; that it was an attempt to intimidate, or a scheme to cover the retreat of a defeated party in the South, and they predicted it would soon die out amid the derisive laughter of one section and the indignant hootings of the other. Overlooking altogether the substantial issues it presented, they contented themselves with attacking the arguments adduced, and the recklessness of some of the measures proposed by the advocates of disunion. The Northern press teemed with articles denying the right of a State to secede, pointing out the dangers of such a course, and dwelling with peculiar emphasis on every foolish speech and unwise act that was said or done in the South. Those journals could not or would not realize the fact that they were dealing, not with a party, but with a people ripe for revolution; they had been watching the light foam tossing upon the surface of the sea, and had not noted the rapid rise of the irresistible tide beneath.

All sorts of reasons were also adduced to show that the election afforded no just ground for the threatened action of the Southern States. They asserted that the election of any man in the mode provided by the constitution could not of itself serve as an excuse for the disruption of the Union, even though he was known personally to entertain extreme and dangerous views, and though he had been supported by a purely sectional party. The South insisted that these objections did not touch the vital and substantial issues before them. They could not concede that the disputes which then agitated the country hinged upon any proposition which ignored the past, and took account only of one present and isolated fact. They, therefore, strenuously denied the sufficiency or fairness of the statement which segregated Mr. Lincoln from the organization which nominated and elected him, and which separated the crowning triumph of the republican party from the continued series of wrongs for which it was responsible. He was to be judged together with his party, and he shared the odium of its deeds and doctrines. All the acts and scenes of the political drama in which he had now assumed the leading part, the public had the fullest right to criticise, for though he had ascended to power, he could not bid the world forget the agencies through which he had achieved success, nor could he repudiate the partisans to whose

aid or counsel he owed his elevation. The South considered the subject solely from this point of view; and it was about Mr. Lincoln and the republican party together that it chiefly concerned itself. The proceedings and principles of that party were matters of history which admitted of no dispute, and it was impossible for the South to read their record without a feeling of indignation and alarm. It is equally impossible, we think, for any candid unprejudiced man to study it, and still deny that the Southern States had grave cause to distrust and dread the North.

The South had watched with anxiety the growth of the anti-slavery party for years, and had seen it steadily increasing in violence as it gained in numbers. We have specified some of the many aggressions which had served to convince the South that its position was daily becoming weaker and more dangerous. Its people had heard and remembered the taunts, the abuse and the threats which for a long time had been poured forth against them and their institutions, by the press, the pulpit and the politicians of the North. They had seen their friends murdered or imprisoned for seeking to maintain their rights. They had seen the officers of the Federal government meet with forcible resistance while endeavoring to enforce the process of the courts in behalf of Southern citizens. They had seen the legislatures of various States enact laws for the purpose of nullifying an Act of Congress, passed to protect the South. They had seen how the tide of fanaticism had approached nearer and nearer, gathering in volume as it came, and avowing an unrelenting and active hostility towards their institutions. Within twelve months of the presidential nominations, it was obvious that the anti-slavery agitation had reached a point beyond which it could not be pressed without endangering the safety of the Union. Though the republican party had, after the election of Mr. Lincoln, attempted to evade the responsibility it had incurred by repudiating the acts and words of all its leading members, the effort was too shallow and dishonest to deceive the Southern people.

In the House of Representatives, the notorious Lovejoy, said: "Than robbery, than piracy, than polygamy, slaveholding is worse, more criminal, more injurious to man, and consequently more offensive to God. Slaveholding in Virginia is no more under the control or guarantee of the constitution, than slavery in Cuba or Brazil. . . . . I would not hesitate to fill up and bridge the chasm that yawns between the hell of slavery and the heaven of freedom, with the carcasses of the slain."

Did the republican party, on that occasion, drive from its ranks this earnest advocate of its cause? In the Senate, Sumner delivered an oration filled with more foul and vituperative epithets, than had ever before disgraced a speech in that chamber, and after Congress had adjourned, he travelled through the country repeating his threats and slanders. He said in New York, in July 1860, that the institutions of the South should be destroyed, and that "the Northern States joining hands together will become as a belt of fire girt about the slave States, in which slavery must die."

Was not Sumner, afterwards, one of the most popular champions of the republican party? Mr. Seward, only three months before his election, harangued an audience in Boston, and speaking of Mr. Lincoln's election to the presidency, he said:

"His claim to that seat is, that he confesses the obligation of that *higher law*, which the sage of Quincy proclaimed, and that he avowed himself, for weal or woe, for life or death, a soldier on the side of freedom, in the irrepressible conflict between freedom and slavery. This, gentlemen, is my simple confession. I desire now, only to say to you that you have arrived at the last stage of this conflict before you reach the triumph *which is to inaugurate this great policy into the Government of the United States.*"

Did the republican party deny that Mr. Seward was one of its most honored representatives, and did not Mr. Lincoln, upon assuming the presidential chair, reward his utterances by making him his Secretary of State, the highest office in his gift? The New York *Tribune*, all through the summer, was filled with the most offensive libels on the people of the South, and scattered incendiary diatribes broadcast through the country. It urged that two million copies of Lovejoy's speech should be printed for distribution during the presidential canvass. Did the republican party ever intimate that the *Tribune* was not its trusted organ? Mr. Lincoln, in one of his replies to Mr. Douglas, said: "I believe this government cannot endure, permanently, half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will all become one thing or all the other."

Did not Mr. Lincoln stand higher than all other men in the esteem and confidence of the republican party? But we abstain from multiplying extracts, though we could furnish them by the page, to prove that the South had ample cause for alarm in the elevation of Mr. Lincoln and his supporters to power.

We think, therefore, that it cannot be denied that thus the two great sections had become estranged from, even hostile towards each other, prior to the nomination of Mr. Lincoln; but so long as the Federal Government should stand between them, and have the disposition and the power to enforce in every quarter obedience to the constitution, the South dreaded no systematic and irresistible assault upon its rights. When, however, the republican party met in convention at Chicago, it presented an issue to the country which changed altogether the aspect of affairs. It assumed an attitude which few conservative men then believed it would dare to take, and which could not fail to excite the gravest apprehensions in the South. Under the shallow pretence of reaffirming the Declaration of Independence, it asserted that governments are instituted to secure to all men the inalienable rights "of life, liberty and the pursuit of happiness." It adopted the language of the charter of the republic, but it gave to it a signification widely different from that which it bore when it was first written. The Chicago Convention meant

simply that it was the business of this government to secure the liberty of every class and race. Having thus indicated as clearly as it could venture to do, the spirit in which it proposed to deal with the subject of negro slavery in future, the republican party denounced the decision of the supreme court in the Dred Scott case; declared "that the normal condition of all the Territories of the United States is that of freedom;" and explicitly denied the "authority of Congress, of a Territorial Legislature, or of any individuals, to give legal existence to slavery in any Territory of the United States." Now the supreme court had said with equal distinctness, that the constitution recognized slavery in the Territories—and that neither Congress nor a Territorial Legislature, could constitutionally prohibit slavery in any Territory, but that on the contrary the slaveholder had the right to go there and the Federal government was bound by the constitution to protect him. The republican party, therefore, deliberately announced its determination to repudiate this adjudication—to act in defiance of the decision of the supreme judicial tribunal of the land—to legislate in contravention of the established law. It made its appeal to the North, a vast majority of whose people determined to sustain it, and now it was indignant at the reproaches and suspicions of the South, and told the latter that its fears were groundless. But the Southern people having vast interests at stake, and fearful dangers to guard against, were compelled to exercise more foresight and vigilance than nations less peculiarly situated. They could but see that the power of the Federal government could and might be now turned to their destruction. They knew that if the republican administration should ostentatiously abolish slavery in the District of Columbia, and in the forts and dock-yards throughout the South, and should encourage the circulation of incendiary documents through the post-office, and interfere with the inter-State slave trade, that then their utter ruin would speedily follow; and they felt that they could not trust to the magnanimity or justice of those who had assumed a menacing and illegal position, and who refused to recede from it. Surely then the slave States had some cause for the alarm which they now manifested; and they did not oppose Mr. Lincoln simply because he was a Northern man, or because his own individual views were antagonistic to theirs. But they resisted the republican party and the election of the candidate who sympathized with it, and who was bound if he was honest, to carry out its policy. They did not stand upon the Dred Scott decision because they expected it would ever be productive of any practical advantage to them; but they made it a part of their platform because it was the undoubted law of the land, and they desired its recognition by the North as a proof of the loyalty of the people of that section. They felt that if the latter would disregard one constitutional obligation, they might repudiate all. They were convinced that if the North could stand by Mr. Lincoln at this juncture, it would probably not hesitate to endorse every other prominent leader of the republican party. The platforms and the candidates were in themselves as

nothing, and they derived all their importance from the fact that they were simply brought forward as tests by which the conservatism of the country could be tried. The experiment had resulted disastrously. The South had hoped to turn back the current which had almost overwhelmed it, and had not merely failed to secure that result, but it had seen the main barrier, behind which it had heretofore sought refuge, give way before the flood. The election of a comparatively obscure person to the presidency was not therefore the cause of the Southern alarm. But the triumph of Sumner and Lovejoy, and Seward and Greeley, had alarmed them. The success of the republican party was the grave matter upon which the South now deliberated. The army and navy, the custom-houses and post-offices, the treasury and mint of the Federal republic, were soon to be controlled by the people who had heretofore nullified Federal laws and repudiated their constitutional obligations; and it was this fact that excited the fears of the people of the slave States.

Maryland, as an exposed and frontier slaveholding State, had a larger practical interest in the maintenance of the guarantees of the Constitution in regard to slavery than South Carolina, Georgia, Alabama, and Mississippi put together. From her geographical position, she had a heavier stake, proportionately, in the preservation of the Union, so far as her material prosperity was concerned, than any of her sister commonwealths. This was clearly demonstrated by a consideration of the sources of her wealth, the nature and direction of her industry and of her commerce, external and internal. Bound to the Constitution and the United States, by every tie that interest could weave or strengthen, she had been uniformly faithful to the performance of every obligation imposed by the one or suggested by her devotion to the other. Not only this, but in all the dissensions which sectional feeling and fanatical agitation had promoted, her support had always been given to moderate doctrines, and conciliatory counsels. Sympathizing with the South in its wrongs and just resentments, and ready at all times to make common cause with it, in the constitutional maintenance of its rights, she had always kept aloof from its mad heresies and passionate bitterness. Outraged more than any other State in the Union by the aggressions of the North, and prompt to repel them, within the limits of her constitutional resources and federal allegiance, she did nothing whatever to widen the breach between the antagonistic sections of the republic, or to weaken the hands of those conservative Northern citizens who were now nobly struggling to maintain the good faith and integrity of the national compact. In the position which she had thus historically assumed, the election of the 6th of November had rooted her still more firmly. She had given her electoral vote to the candidates by whom the constitutional rights of the South were most emphatically and exclusively represented, and at the same time, through her whole press, and with the united voice of all the political parties within her borders, she proclaimed at this period her fixed determination to take her stand within

the circle of the Union, and protect herself by the Constitution only. She therefore recognized to the full the aggressiveness of the unconstitutional encroachments upon the rights of the South, which she believed to be substantially the cement and the policy of the republican party; she still held to the conviction that the rights of the South could be as valiantly, and as honorably, and ten-fold more successfully vindicated and upheld, under the Constitution, and within the Union, than beyond their pale. As an evidence of this fact, a number of her statesmen pointed to the community in which they lived (Baltimore) which was at this time a splendid illustration of the justice of the faith which they professed in the ability of the people to remedy, and the ultimate certainty that they would redress, within the limits of the law and the Constitution, the evils which might assail them through the violence of both. No State of the Union had ever practically suffered from sectional aggression, one tithe of the bitter wrong and outrage, which in Baltimore they were compelled to bear, for years, under the vulgar and reckless despotism of brute force, upheld and countenanced by those who abused the administration of the laws. The rights of property and person had been trampled under ruffian feet; the right of suffrage had been blotted out with blood; every guarantee of our institutions that should have made us free had been spit upon and set at naught. And yet, at this time, without violence, without revolution, through the peaceful processes of the law and the Constitution, by that safe and omnipotent reaction of public opinion and the popular sense of right, which the truth, manfully proclaimed and battled for, has never failed to crown at last with victory, we were once more in the enjoyment of all blessings of freedom, security and good government. With such an example at our own doors—so extreme and at the same time so triumphant—our people maintained that they could not falter in their conviction that the Constitution was the true and the only sure refuge of those whose rights were violated under it, whether they were States or individuals—and that within the Union alone was to be found a healing for the wounds that might be inflicted under the shield of its brotherhood, through treason to its spirit.

Entertaining these sentiments, which were cordially cherished by the whole people of Maryland, they still believed that the issue which had been made by the South, whether made wisely or unwisely, whether shaped prudently or imprudently, had nevertheless to be met as a practical, existing peril, and settled at this time or never. They were prepared, we believe, to insist, with hardly a dissenting voice, upon its being settled then and forever. They were wise enough to know that even if a settlement could be postponed, it would only be until some period not far off, when still bitterer feelings and more intolerable aggressions would bring the North and the South face to face in a yet fiercer spirit, with the strength of the former almost doubled for wrong, and the resistance of the latter shorn of half its strength. While the people of Maryland entertained these con-

visions, and were prepared to make a stand upon them and take the consequences, they were, as we have said, neither disunionists nor secessionists. Maryland did not desire nor intend that her position should be compromised by the rash acts of parties whose zeal far outran their discretion. Whatever might have been the sympathy of our people with their southern brethren, and their undoubted disposition to make common cause with them for the maintenance of common rights against northern aggressions, yet nobody was disposed to regard South Carolina as the exclusive champion of southern fortunes, or the only representative of southern intelligence and spirit. That inflammable little commonwealth had been in a chronic state of irritation for many years; and to the fact that she complained of serious grievances when there were none, was attributed, more than to anything else, the little importance which the sectional fanatics of the North were disposed to attach to the real and deep earnest of the present crisis. The real grievances of which she complained affected Maryland ten times more; and she had nothing like the population, the resources, the wealth or the geographical position, which gave to Maryland her all-absorbing interest, and importance in the solution of the sectional problem. And when on the 26th of November, a few southern volunteers unfurled to the breeze a palmetto flag, and asked our people to enroll under it, the Baltimore *Exchange*, the leading southern paper, said "most of all do we protest against any enrollment of any portion of our people, no matter how insignificant, under the 'palmetto' banner. The good old blood of Maryland is a wine that needs no such brush. If ever—which God forbid—a time should come when our people shall be unwilling to let the flag of the Union float over them, Maryland has a banner of her own, red with the glories of the Revolution, and well known to South Carolina, which she can unfurl, and be proud of its memories, though she sorrow over the need of its return."

MARYLAND FLAG.

While four-fifths of the people of Maryland at this time regarded the course which had been adopted by the cotton States as rash, hasty, unadvised and uncalled for, yet there was one point upon which we believe the people of this State were almost unanimous, and that was against the idea of coercing the Southern States by the physical power of the Federal government or the northern people. Against this idea Governor Hicks himself took as open, public, and decided ground as any of those who differed from him otherwise in opinion; and the first blow which was afterwards struck on the side of such coercion served to unite the people of Maryland, of all opinions, as nearly one man, with the South. All personal feelings and partisan rivalries and discords among us were then buried, and from them sprung up armed men all over the soil.

The people of Maryland being conservative, and not likely to take extreme southern ground, it was urged, shortly after the election of Mr. Lincoln, with great unanimity by all parties that the governor should call the Legislature together. This measure was proposed solely because the existence of the

federal Republic was threatened, and they wished the representatives of Maryland to take counsel together, to endeavor, by a wise and conservative course, to control events, rather than wait until the Revolution had swept over them and forced the State into a struggle for her own safety. She had influence with the North and the South, for she had the strongest and most intimate social and business relations with both sections; and it was urged that this influence could be exercised for the benefit of the whole country. Her position, too, was misunderstood, for her vote for Mr. Breckinridge was warmly hailed in the South as a proof of her sympathy with that section, and her respect for its constitutional rights; and the statements of Governor Hicks were quoted in the North as evidence of her hostility to the southern "traitors." But the time had now arrived when it was absolutely necessary that the voice of Maryland should be authoritatively heard. Every other border slave State had convened its Legislature for the purpose of taking such action in the matter as the importance of the crisis demanded. Maryland alone was restrained from asserting her convictions. Yet it became alike her honor and her dignity, that she should speak out, that she should define her position on a question that touched her so nearly. She owed it also to her sister States that she should frankly assert her own convictions, and calmly but resolutely assume the responsibilities which belonged to her station. The predominance of the conservative sentiment within her borders placed it beyond doubt, that whatever propositions she might make with a view to harmonize the differences that now prevailed would be maturely considered, and would be only such as were just and right. There was no danger that she would be led astray by rash counsels.

Notwithstanding the large number of citizens of Maryland, representing a majority of her people, who petitioned the governor, again and again, to convoke the Legislature, he refused. He sought to justify his course by assuming that the Legislature would misrepresent the State, and instantly adopt some revolutionary measure; and he regarded all who were in favor of an extra session as advocates of disunion or at best as the inappreciable allies of disunionists. Nothing was safe, in his judgment, but silence and immobility, and nobody was a safe counsellor who suggested anything else. It was manifest from the sentiments expressed by the governor at various times, that his real motives were very different from those by which he affected to be guided. His views of national affairs were evidently influenced materially by his indisposition to act in concert with a political party in Maryland to which he was opposed. Old wounds were still rankling; unforgotten and unforgiven party defeats were still working in the executive mind; and he could look for no patriotic aid or counsel from the men who dared to curb the fraud and infamy by which he himself obtained his position. The expense of an unlimited session—private schemes—unwise legislation—secession, were the bug-bears, forsooth, which were to prevent the State of Maryland, in a moment of impending revolution, from taking her stand, and uttering her constitutional voice among her sister States.

Indeed, his whole course upon this subject was alike unfounded and untenable. Though Maryland was not disposed to stand by and passively see the South forced to accept the aggressive and unconstitutional doctrines of the republican party, she was on the other hand as unwilling as the most conservative patriot could wish, to seek redress through secession. The people of Maryland, of all parties and classes, as we have before stated, regarded the preservation of the Union as the primary object of every movement which had been suggested; and we cannot doubt that nine-tenths of the members of the Legislature were animated by the same sentiment that prevailed so generally among their constituents. Governor Hicks, therefore, did the grossest possible injustice to that body; and we know that his allegations concerning the motives of the vast majority of those who had requested him to assemble it, were altogether unfounded. As Governor Hicks sought to cast an odious imputation upon the sincerity and loyalty of those who applied to him to convene the Legislature, we insist that the political principles of a large majority of them were more above suspicion on the subject of secession than those of the governor himself; for though they may have contemplated the disruption of the Republic as among the possible contingencies of the future, they had never thought nor contended that secession should have been recognized as a constitutional right; nor had they ever endeavored to pave the way for a separation between the people of any States or sections. But the governor's record was not so clear. As a member of the Constitutional Convention of 1851, he offered, as an amendment to a pending resolution, the following proposition:

"That any portion of the people of this State shall have the right to secede and unite themselves, and the territory occupied by them, to such adjoining State as they elect."

On a subsequent day, Governor Hicks earnestly supported his motion, urging that —

"His object was to provide for a crisis such as might occur in the history of those who were to come after us—by asserting the right of the Eastern Shore to withdraw—not by means of revolution, but peaceably; and to unite herself with Delaware or Virginia, whichever the interests and happiness of the people might require it."

But, although Governor Hicks desired that provision might be made in the constitution for a case of secession, he did not seem to doubt that the people had the right to secede whether the constitution recognized it or not. He was afraid, however, that such a movement might be stigmatized as revolutionary, and he therefore wanted the convention to approve his proposition. He said he —

"Believed that without the provision contained in his amendment, it would be in the power of part of the Western Shore of Maryland to unite herself with the State of Virginia, and of the Eastern Shore to unite herself to Delaware by agreement with the States, and with the consent of Congress; but he desired to have such privilege or right recognized and countenanced by the constitution, which we are now framing, that it may not be considered as revolutionary hereafter."

At a large and enthusiastic town meeting, held at the Maryland Institute, in the City of Baltimore, on the 1st of February, Hon. S. Teackle Wallis, in a speech of great power and eloquence, thus reviewed the course of Governor Hicks in relation to calling an extra session of the Legislature:

"On the 17th of November, 1860, Governor Hicks answered a letter of the Hon. Thomas G. Pratt, and other gentlemen, who prayed him to exercise his powers and discharge his duty, by calling an extra session of the Legislature. He declined to comply with their solicitations on the following grounds: 'I cannot but believe that the convening of the Legislature in extra session at this time, would only have the effect of increasing and reviving the excitement now prevailing the country, and now apparently on the decline. It would at once be heralded by the sensitive newspapers and alarmists throughout the country, as evidence that Maryland had abandoned all hope of the Union, and was preparing to join the traitors to destroy it. . . . . You, gentlemen, favor an extra session, only because of the importance of the present crisis; but there are others who think of their own interests rather than those of the State, who would be found seeking to monopolize the valuable time of the body in furthering schemes of personal advantage, which can well afford to await the meeting at the regular session.' Nevertheless, he said that 'the wishes of the people should certainly be respected in this matter,' and after insisting on the propriety of waiting until we should 'hear from the National Executive,' from 'the other Border Slave States,' and from 'the congregated wisdom of Congress,' he declared 'I shall hold myself ready to act promptly, when I shall believe the honor and safety of Maryland require me to act in the premises.' Time wore on. The National Executive had been heard from, and it seems without much consolation, for the governor had waxed rigid in being a 'secessionist.' On the 8th of December, he addressed a letter to Captain John Contee, of Prince George's, which stopped, as it seems to me, far over the boundaries of what he now supposes to be 'treason.'

S. TEACKLE WALLIS.

[1] Severn Teackle Wallis, A.M., LL.D., was born in Baltimore, September 18, 1816, and graduated at St. Mary's College, in the same city, in 1833, at the age of sixteen years. In the fall of 1832, he entered the office of William Wirt, as a student at law, remaining there until the death of Mr. Wirt, in 1834, when he entered the office of the late Judge John Glenn, where he continued his studies until September, 1837, when he was admitted to the bar. At eighteen he received the degree of *Artium Magister* from St. Mary's College, and the honorary degree of *Legum Doctor*, in 1847. In early life, Mr. Wallis had a taste for literature, and contributed a good deal, in both prose and verse, to the magazines and periodicals of the day—the prose articles consisted mostly of literary or historical criticisms. He early became prominent in the Spanish language, and was devoted to the history and literature of Spain, receiving, in consequence, in 1843, the rare honor of election as a corresponding member of the Royal Academy of Madrid. In 1849, he was chosen a fellow of the Royal Society of Northern Antiquaries at Copenhagen. In 1847, Mr. Wallis visited Spain, and, in 1849, published the result of his observations in his *Glimpses of Spain*. Later in 1849, he was sent to Madrid by the United States Government, for the purpose of examining into the title to the public lands in East Florida, and on his return, prepared a work on *Spain: Her Institutions, Public and Private Men*, which was published in 1851. From 1850 to 1861, he contributed largely to the editorial department of the Baltimore *Sun*. He was a Whig in politics, down to the organization of the Know-nothing party, when he identified himself with the democratic party, and voted for Mr. Buchanan. In 1857, he was conferred the position of United States district-attorney, but declined it. In 1861, he was elected to the House of Delegates, and took a leading part in the proceedings of the Legislature of that year, at Frederick. In September of that year, the Legislature was suppressed by military force, and Mr. Wallis was arrested, with many of its members and

"'If the Union must be dissolved,' he says, 'let it be done calmly, deliberately, and *after full reflection on the part of a united South.*'

"He then discusses the Personal Liberty Laws, and proceeds to declare that—

"'These laws should be repealed at once, and the rights of the South guaranteed by the Constitution, should be respected and enforced. *After allowing a reasonable time for action on the part of the Northern States, if they shall neglect or refuse to observe the plain requirements of the Constitution, then, in my judgment, we shall be fully warranted in demanding a division of the country.*'

"'We shall have done our duty to the Constitution, to the memory of our fathers, to ourselves and posterity, and the *South can honorably take such steps as patriotism and honor may demand either in or out of the Union.*'

"In conclusion, he adds: '*I shall be the last one to object to a withdrawal of our State from a confederacy that denies to us the enjoyment of our undoubted rights; but believing that neither her honor nor interests will suffer by a proper and just delay, I cannot assist in placing her in a position from which we may hereafter wish to recede. When she enters in the matter, I wish to be side by side with Virginia—our nearest neighbor—Kentucky and Tennessee.*'

"Until this be not rank 'secession,' as the governor now understands it, I cannot understand him. I am solemnly pronounced a traitor, for which he might certainly to be hanged—(laughter and applause)—according to his doctrines, I beg you to understand me—not accepting its crime. But whether it be treason or not, I ask you emphatically to note the sentiments declared from the executive chamber. I ask you to bear witness from the governor's own unequivocal, and I trust conscientious language, that on the 6th of December he called for the action of 'a united South' that he recognized the right of the South to 'demand a division of the country,' if its constitutional guarantees were not protected; and that, at last, that he would be 'the last man to object to the withdrawal of our State' from the Union, in such a contingency. All that he asked for was 'reasonable' delay—all that he claimed for Maryland was that she should be 'side by side with Virginia, Kentucky and Tennessee.' Time still wanted. Upon the 9th of December it became the duty of Governor Hicks to respond to the communication addressed him by a commissioner from Mississippi. Again his plea was only 'that time be given, and opportunity afforded for a fair and honorable adjustment.' About the course to be adopted, in case that adjustment could not be made, he had neither doubt nor difficulty. 'Fraternal concert with the other Border States' was still the alternative. Here is his language:

other prominent citizens of the State, and imprisoned for over fourteen months in Fort McHenry, Fortress Monroe, Fort La Fayette, and Fort Warren, successively. No charge was ever made against him by the government, and, having steadfastly insisted upon being either lawfully tried or discharged, he was finally released, in November, 1862, without condition, and without having ever been informed, to this present day, of the cause of his arrest. In the winter of 1862-3, Mr. Wallis had a controversial correspondence, which attracted considerable attention, with the Hon. John Sherman, then of the United States Senate, concerning the suppression of the Maryland Legislature and the arrest of its members and of the mayor and police commissioners of Baltimore, in 1861. Besides being a frequent contributor to the press, Mr. Wallis has also been called upon frequently for addresses upon occasions of interest. In 1870, being one of the trustees of the Peabody Institute in Baltimore, he delivered a discourse upon the *Life and Character of George Peabody*, which, upon invitation of the General Assembly of Maryland, was repeated in the State House, at Annapolis. Upon the death of Hon. John P. Kennedy, Mr. Wallis was elected to succeed him as provost of the University of Maryland, and, in December, 1873, he delivered in the Senate Chamber, at Annapolis, the address upon the unveiling of Rinehart's statue of Chief Justice Taney. Down to the breaking out of the civil war, Mr. Wallis was an ardent advocate for the Union. His sympathies, however, were altogether with the South after the struggle began; and, although he did not recognize secession as a constitutional right, he regarded the Federal Government as entirely without constitutional authority to interfere with the States, by coercion, if they saw fit to retire from the compact, as they had seen fit to enter into it.

"'*Whatever power I may have, I shall use only after full consultation, and in fraternal concert with the other Border States, since we, and they, in the event of any dismemberment of the Union, will suffer more than all others combined.*'

"'*I am now in correspondence with the governors of those States, and I await with solicitude for the indications of the course to be pursued by them. When this is made known to me I shall be ready to take such steps as our duty and interest shall demand, and I do not doubt the people of Maryland are ready to go with the people of those States for weal or woe.*'

"And he added—'I fully agree with all that you have said as to the necessity for protection to the rights of the South; and my sympathies are entirely with the gallant people of Mississippi, who stand ready to resent any infringement of those rights. But I earnestly hope they will act with prudence as well as with courage.'

"On the 3d of January, 1861, being pressed by a majority of the Senators of Maryland to call the Legislature together, he published an address to the people, in which he protested and enlarged upon his own patriotism in refusing to convoke the legislature; denounced the motives and principles of 'the men embarked in the scheme' of calling it together; charged the existence of a conspiracy to capture the Capitol and the Federal archives, which was at the bottom of the movement he was resisting, and endeavored to rally the citizens of the State around himself and his policy, by every appeal to their fears, their sympathies, their timidity and their prejudices. Yet even in this, the most elaborate and passionate of his efforts, he does not venture to decry the plan of consultation and united action with the other States of the Border.

"'Believing,' he declares, '*that the interests of Maryland were bound up with those of the South, cherishing Slave, I have been engaged, for months past, in a full interchange of views with the Governors of Virginia, Kentucky, Tennessee and Missouri, with a view to concerted action upon our part. These consultations, which are still in progress, I feel justified in saying have resulted in good; so that when the proper time for action arrives, these Slave States, bound up in a common destiny, will, I trust, be prepared to act together.*'

"And, he adds, with increasing emphasis:

"'I firmly believe that the salvation of the Union depends upon the Border Slave States. Without their aid, the Cotton States could never command the influence and credit and respect essential to their existence as a nation. Without them the Northern half of the republic would be shorn of its power and influence. Within the Union, I firmly believe we can secure guarantees for our protection, which will remove these disgusting causes of irritation.

"'*If we find hereafter that the North does, after due deliberation, refuse to give them, we will, in a united body, demand and receive a fair division of the national domain.*'

"On January 12th, a committee of most respectable gentlemen, deputed by a conference from all portions of the State, and held in the Law Buildings of this city, had an interview with the Governor. The conference had deferred to his declared objections to the convocation of the Legislature, and the committee were instructed merely to solicit that he would issue his proclamation inviting the people to determine, by their ballots, whether they desired a convention to be called. In case of an affirmative response to the appeal, the Governor was requested to designate a day for the election of members to the contemplated body. The Governor declined. He still desired delay. 'He preferred waiting' (according to the announcement in the Baltimore *American*) 'until Mr. Crittenden's compromise resolutions should be finally acted upon, before taking any decisive step upon the subject at issue.' On the 24th of January, to the astonishment of everybody, except those initiated in the mystery, there appeared in the Annapolis *Republican*, a copy of a letter bearing date as far back as the eighth of that month, and addressed to the Hon. J. L. Curry, Commissioner of Alabama, wherein every previous suggestion of the Governor, and of everybody else, looking to a 'united South' a 'convention of the Border States,' a 'united body,' a 'position side by side with Virginia, Tennessee and Kentucky,' an

association 'for weal or woe,' with these States, or any other States, 'in common destiny,' is utterly repudiated and denounced, as a flagrant violation of the constitution a step to which 'the people of Maryland will never consent.' Such 'mutual concert,' for any purpose or in any shape, is not (he says) for an instant to be tolerated. Let us hear the language in which his doctrine is proclaimed, from the same lips by which the people of Maryland were so often assured, as I have shown you, that the identical course, now so bitterly denounced, was nearest the Governor's heart.

"I cannot see how, while the constitutional prohibition stands against compacts of agreements between any of the States, any 'mutual league' can be had, even between those whose hopes and hazards are alike. And if this prohibition has been judicially declared to include 'every agreement, written or verbal, formal or informal, positive or implied, by the mutual understanding of the parties,' then I am unable to imagine how any league or covenant or understanding whatever, unauthorized or unsupported by Congress, even though it should be in furtherance of the laws and for strengthening the Confederacy, can be otherwise than in plain violation of the clearest provisions of the supreme law of the land."

"Instead, therefore, of 'hardening to any such treason' 'instead of' proceeding with the Border States 'in a united body, to demand and receive a division of the national domain,' instead of 'demanding a division of the country?' Instead of having our Governor to lead us 'in fraternal concert with other Border States,' in the ultimate violation of our common rights and 'common destiny'—we are to do what? Submit to the action of Congress?

"'The Congress of the United States,' says the Governor, 'offers the only mode, authorized by the constitution, for consultation and agreement among the several States. To the Congress I still look with confidence for such enactments as shall secure our just and equal rights, and shall satisfy all except those who are determined to be satisfied with nothing but revolution, and the hopes that are to arise to them from anarchy and confusion.'"

As time wore on and the drift of feeling in Maryland became more apparent, the Governor grew more outspoken. Three days after the election of President Lincoln, in answer to an application of Hon. Edward H. Webster, for arms to equip a military company in Harford County, he replied as follows:

"*State of Maryland, Executive Chamber, Annapolis, November 9th, 1860.*

"Hon. E. H. Webster:

"My Dear Sir:—I have pleasure in acknowledging the receipt of your favor introducing a very clever gentleman to my acquaintance (though a democrat). I regret to say that we have at this time no arms on hand to distribute, but assure you at the earliest possible moment your company shall have arms; they have complied with all required of them on their part. We have some delay in consequence of contracts with Georgia and Alabama, ahead of us, and we expect at an early day an additional supply, and of the first received your people shall be furnished. Will they be good men to send out to kill Lincoln and his men? If not, suppose the arms would be better sent South. How does late election sit with you? 'Tis too bad. Harford nothing to reproach herself for.

"Your obedient servant,

"THOMAS H. HICKS."

Such was at this time the attitude, and such the language of Governor Thomas H. Hicks.

Meanwhile events in the South rapidly assumed a decisive character. Meetings were held in every city, town and village, which were addressed in vehement language by members of Congress and other prominent speakers. Resistance to the election of Mr. Lincoln and his friends, and the duty of the Southern States to secede from the Union, were the chief topics of their impassioned appeals to the people. On the 20th of December, the State Convention of South Carolina, after a brief debate, passed the ordinance of secession by a unanimous vote, and on the following day a declaration of the causes which had led to this action. The announcement of the passage of the secession ordinance caused general enthusiasm in all the more Southern slave States, but in the Border States it served to intensify the painful feeling with which they had watched her course. That the action of South Carolina had been hasty and ill-judged, a majority of the people even in the South admitted; and this fact gave additional poignancy to the general sorrow with which this first disunion movement was regarded. By the passage of this secession ordinance an impetus was given to the prevailing excitement in the South, and the measures of the Cotton States were accelerated. Mississippi followed the example of South Carolina on the 9th of January, 1861; Alabama and Florida, January 11th; Georgia, January 20th; Louisiana, January 26th; Texas, February 1st; Virginia, April 17th; Tennessee, May 6th; Arkansas, May 18th; North Carolina, May 21st; and Kentucky, November 20th.

On the day before South Carolina seceded, Hon. A. H. Handy, who had been appointed by Mississippi a commissioner to visit Maryland, arrived in Baltimore. He had an informal meeting with Governor Hicks, on the morning of the 19th of December, and on the same day the governor addressed to him a strong conservative letter in answer to his official communication of the 18th, declining to receive Mr. Handy, officially, as commissioner for the purpose of joining in any movement of the slave States looking toward disunion. The governor also declined to convene the Legislature, which Mr. Handy had urged him to do. On the same evening, Mr. Handy addressed the citizens of Baltimore, at the Maryland Institute, on the course his State intended to pursue in relation to the crisis which then disturbed the country. In the course of his remarks he said:

"Secession is not intended to break up the present government but to perpetuate it. We do not propose to go out by way of breaking up or destroying the Union as our fathers gave it to us; but we go out for the purpose of getting further guarantees and security for our rights—not by a convention of all the Southern States, nor by Congressional tricks, which have failed in times past and will fail again, but our plan is for the Southern States to withdraw from the Union, for the present, to allow amendments of the Constitution to be made, guaranteeing our just rights; and if the Northern States will not make these amendments, by which these rights shall be secured to us, then we must secure them the best way we can.

"This question of slavery must be settled now or never. The country has been agitated seriously by it for the past twenty or thirty years. It has been a festering sore

upon the body politic, and many remedies having failed, we must try amputation, to bring it to a healthy state. We must have amendments to the Constitution, and if we can't get them, we must act up for ourselves."

On the 3d of December, while the excitement at the South was increasing, the second session of the Thirty-Sixth Congress assembled at Washington, and never, probably, in the history of the country, had this body been looked to with greater interest and anxiety.

To this session of Congress President Buchanan transmitted his last annual message. The events occurring at the South demanded from him especial attention, which he presented at great length. Soon after its reception, (December 8th,) Mr. Boteler, of Virginia, moved in the House, that so much of that document as related "to the present perilous condition of the country be referred to a special committee of one from each State, with leave to report at any time," which was agreed to, yeas, 145; nays, 38. This committee was soon afterwards named, Henry Winter Davis being appointed on the part of Maryland. On the 14th of January, 1861, Mr. Corwin, of Ohio, the chairman of the committee, reported a series of propositions.

In the meantime, on the 11th of December, Mr. Powell, of Kentucky, moved in the Senate that "so much of the President's message as relates to the present agitated and distracted condition of the country, and the grievances between the slaveholding and the non-slaveholding States," be referred to a special committee of thirteen members.

On the 18th of December, Mr. Wade, of Ohio, addressed the Senate upon the state of the country, and in the course of his speech, remarked:

"*I do not so much blame the people of the South*, because I think they have been led to believe that we, to-day the dominant party, who are about to take the reins of government, are their mortal foes, and stand ready to trample their institutions under foot. They have been told so by our enemies at the North, and they would not hear us at all."

On the 21th of the same month, Mr. Nicholson, Senator from Tennessee, paid an eloquent tribute to the fidelity of the democrats of the North. He said, in the course of his able speech:

"The Senator from Ohio spoke the truth when he said that the South believed that the North were their enemies. But he denied that this belief had been brought about by any acts of the democrats of the North. The belief of the South came from the inflammatory sermons from the speeches and writings of the eminent men of the republican party—in which number he would especially include the Senator from Ohio."

This committee was composed of the most distinguished and influential Senators, the true representatives of the parties to which they respectively belonged. It consisted of five republicans: Messrs. Seward, Collamer, Wade, Doolittle and Grimes; five from slave States: Messrs. Powell, Hunter, Crittenden, Toombs and Davis; and three Northern democrats to act as mediators between the extreme parties: Messrs. Douglas, Bigler and Bright.

The committee first met on the 21st of December, and preliminary to any other proceeding, "resolved that no proposition shall be reported as adopted,

unless sustained by a majority of each of the classes of the committee; Senators of the republican party to constitute one class, and Senators of the other parties to constitute the other class." This resolution was adopted, because any report they might make to the Senate would be in vain unless sanctioned by at least a majority of the five republican Senators. On the following day Mr. Crittenden submitted to the committee "a joint resolution" (the same which he had two days before presented to the Senate) "proposing certain amendments to the Constitution of the United States," now known as the "Crittenden Compromise."

These resolutions were truly a compromise of conflicting claims, as they offered terms far less favorable to the South than their existing rights under the Constitution and the decision of the Supreme Court.

They were substantially as follows:

I. The re-establishment of the Missouri Compromise line on the parallel of 36° 30′ north latitude, north of which line the South surrendered her adjudged right to take slaves, but south of it slavery was "recognized as existing, and shall not be interfered with by Congress, but shall be protected as properly by all the departments of the territorial government during its continuance; and when any territory, north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress, it shall be admitted into the Union with or without slavery, as the Constitution of such new State may provide."

II. Congress should have no power to abolish slavery in places (the forts, dock-yards, etc.) under its exclusive jurisdiction and situated within the limits that permit the holding of slaves.

III. Congress should have no power to abolish slavery in the District of Columbia while it existed in Maryland and Virginia, or either, or without the consent of the inhabitants or remuneration to owners. Nor should Congress at any time prohibit officers of the federal government from bringing their slaves with them into the district, and keeping them there during the period of their own stay and removing them again afterward.

IV. Congress should have no power to prohibit the transportation of slaves from one State to another, or to a territory where slavery existed, whether such transportation should be by land, rivers, or by the sea.

V. Congress was to provide for the payment to the owner of the value of a fugitive slave whose return was prevented by violence or intimidation.

VI. That no further amendment of the Constitution should affect these provisions, nor give to Congress any power to abolish or interfere with slavery in any of those States by whose laws it was or should be allowed.

An accompanying series of resolutions recommended the enforcement of the existing Fugitive Slave Law, its improvement to the extent of making the commissioner's fee equal in amount in the cases decided by him, whether his decision be in favor of or against the claimant, the repeal by the States of the Personal Liberty Bills, and that the laws forbidding the African slave trade be made effectual.

Notwithstanding the Constitution, as expounded by the decision of the Supreme Court, opened all the territories, both North and South, as the common property of the States, to the introduction and protection of slave property, these resolutions yielded everything to the North, except a mere abstraction, by proposing as a peace offering, to restrict this general right and confine it to the territories south of the latitude of 36° 30'. It gave in point of fact, all the vast territories of the United States to perpetual freedom, with the single exception of New Mexico, which could never practically become a slaveholding State, owing to its geographical position.[1]

Within a day after these resolutions had been submitted to the committee of thirteen, on December 23d, Mr. Robert Toombs thus informed his constituents in Georgia:

"I came here to assert your constitutional rights and to demonstrate to you that you can get no guarantee for those rights from your Northern confederates.

"The whole subject was referred to a committee of thirteen in the Senate. I was appointed on the committee, and accepted the trust. I submitted propositions[2] which, so far from receiving a decided support from a single member of the republican party of the committee, were all treated with derision or contempt. A vote was then taken in the committee on amendments to the Constitution, proposed by Hon. J. J. Crittenden, and each and all of them were voted against, unanimously, by the black republican members of the committee.

"In addition to these facts, a majority of the black republican members of the committee declared distinctly that they had no guarantee to offer, which was silently acquiesced in by the other members.

"The black republican members of this committee are representative men of the party and section, and, to the extent of my information, truly represent them.

"The committee of thirty-three, on Friday, adjourned for a week, without coming to any vote, after exhausting pleading. They refused to vote on all the propositions then before them that day. It is controlled by the black republicans, your enemies, who only seek to amuse you with delusive hope until your election that you may defeat the friends of secession."

[1] *Buchanan's Administration*, p. 134.

[2] They were—1. The people of the United States shall have an equal right to emigrate to and settle in the present or any future acquired territories, with whatever property they may possess (including slaves), and be securely protected in its peaceable enjoyment, until such Territory may be admitted as a State into the Union, with or without slavery, as she may determine, on an equality with all existing States. *Lost under the rule*—yeas 7, nays 5 (the republican members).

2. That property in slaves shall be entitled to the same protection from the Government of the United States, in all of its departments, everywhere, which the constitution confers the power upon it to extend to any other property—this not to interfere with the right of every State to prohibit, abolish, or establish and protect slavery within its limits. *Lost under the rule* by the same vote.

3. Persons committing crimes against slave property in one State, and fleeing to another, shall be delivered up as other criminals. Lost by the same vote.

4. Congress to pass laws punishing persons engaged in invasion or insurrection, or other acts tending to disturb the tranquility of any other State. Lost, 6 to 1.

5. Fugitive slaves not to have benefit of writ of *habeas corpus*, or trial by jury. Lost, 7 to 5, as before.

6. Congress to pass no law in relation to slavery in the States or territories or elsewhere, without the consent of a majority of the senators and representatives of the slaveholding States. Amended, on motion of Mr. Hunter, as to add: "*and also a majority of the senators and representatives of the non-slaveholding States*," and then lost—yeas 5, nays 6.

7. None of these provisions, or others in the constitution relating to slavery (except the African slave trade), to be altered without the consent of all the States in which slavery exists. Lost, 6 to 5 (the republican members). McPherson's *Political History of the Rebellion*, p. 71.

"If you are decided by them, it shall not be my fault. I have put the test fairly and frankly. It is decisive against you now. I tell you, upon the faith of a true man, that all further looking to the North for security for your constitutional rights in the Union ought to be instantly abandoned.

"It is fraught with nothing but ruin to yourselves and to your posterity. Secession, by the 4th day of March next, should be thundered from the ballot-box by the unanimous voice of Georgia on the 2d day of January next. Such a voice will be your best guarantee for liberty, tranquillity and glory. "R. TOOMBS."

Where the obstacle lay may be learned also from a speech of Mr. Douglas in the Senate, January 3d, in which, referring to a similar plan of compromise, introduced by himself, he said:

"I believe this to be a fair basis of amicable adjustment. If you, of the republican side, are not willing to accept this, nor the proposition of the senator from Kentucky, Mr. Crittenden, pray tell us what you are willing to do. I address the inquiry to the republicans alone, for the reason that, in the committee of thirteen, a few days ago, every member from the South, including those from the cotton States (Messrs. Davis and Toucey), expressed their readiness to accept the proposition of my venerable friend from Kentucky, as a final settlement of the controversy, if rejected and sustained by the republican members. Hence, the sole responsibility of our disagreement, and the only difficulty in the way of an amicable adjustment, is with the republican party."

Indeed, Mr. Toombs himself, in a speech in the Senate, January 7th, speaking of the course of the southern people and himself, after suggesting the conditions which he would prefer and would accept "for the sake of peace, permanent peace," continued:

"I am willing, however, to take the proposition of the senator from Kentucky, as it was understood in committee, putting the North and the South on the same ground, prohibiting slavery on one side, acknowledging slavery and protecting it on the other, and applying that to all future acquisitions, so that the whole continent to the north pole, shall be settled upon the one rule, and to the south pole under the other."

This was in accordance with the propositions of the peace conference, and the principle of the Missouri Compromise. Mr. Crittenden, in a letter to Mr. Anderson, of Cincinnati, dated March 27th, 1861, says in reference to his resolutions:

"I believe, if these measures had been adopted, as a suitable time, promptly adopted by the Congress of the United States, it would have checked the progress of the rebellion and revolution, and saved the Union."[1]

"Notwithstanding the powerful arguments which were urged in favor of the Crittenden Compromise, during the sessions of the Committee of Thirteen, it was rejected, every one of the five republican members voting against it. Indeed, not one of all the republicans in the Senate, at any period or in any form, voted in its favor, 'doubtless for the reason that it tolerated slavery within New Mexico, in opposition to the Chicago platform. This they held paramount to every other consideration.'"

The committee, having failed to arrive at a satisfactory conclusion, reported their disagreement to the Senate on the 31st December, 1860, in a resolution declaring that they had "not been able to agree upon any general plan of adjustment."

[1] Lossing's Pictorial Hist. of the Late War, v. 427.

Mr. Crittenden did not despair of ultimate success, although he could see that he could not carry his compromise as an amendment to the Constitution by the necessary two-thirds vote of Congress. He therefore, on his own motion, postponed the further consideration of the measure, and on the 3d of January, 1861, submitted to the Senate a joint resolution which he thought might be passed by a bare majority of both Houses. This was to refer his rejected compromise amendment by an ordinary Act of Congress, to a direct vote of the people of the several States.

It was supposed that by thus referring the question in dispute to the legitimate fountain of all political power, it would relieve the republican senators from previous committals to the Chicago platform; but notwithstanding immense memorials poured into Congress from all portions of the North, praying the adoption of the compromise measures, not a single republican senator ever voted for the resolution. President Buchanan, in a special message to Congress (8th January, 1861), earnestly recommended this measure, but it was totally disregarded. On the 14th of January, Mr. Crittenden made an attempt to have it considered, but it was postponed until the next day. On this day it was again postponed by the vote of every republican senator present, in order to make way for the Pacific Railroad bill. On the third attempt (January 16th), he succeeded by a majority of a single vote, in bringing his resolution before the body, notwithstanding every republican senator present voted against its consideration. He now pressed his resolution to a vote, but the republican party again defeated his object. This party, notwithstanding the turn in public sentiment, determined to oppose the reactionary spirit. "And the New York *Tribune*, in a pungent editorial article, rebuked with much severity certain "eminent men" of whom, as it alleged, the party "had the right to expect better things;" "but who" it proceeded to say now, "counsel that it repudiate its platform of principles, confess itself a common cheat, turn its back upon those who elevated it to place, and convict itself of either having been a rank hypocrite before the election or of being a skulking craven now."

Indeed the general cry from the party press and leaders became "don't yield an inch," and this too at a time when the issue depending was peace or war between kindred States. A committee of New York democrats on the 3d of January urged Mr. Seward to approve the Crittenden compromise, but he refused; and on the same day, Mr. Douglas in a speech of his usual eloquence, asked the Senate "Why republicans could not unite on that compromise now? Senators on the other side seemed determined to *act as a party.*"

In the midst of this conflict, Mr. Clark, of New Hampshire, moved to strike out all Mr. Crittenden's proposition, after the preamble, and insert as a substitute a resolution of a directly opposite character, and in accordance with the Chicago platform. This motion prevailed by a vote of 25 to 20, every republican Senator voting in its favor. Mr. Cameron, who voted with

the majority, immediately moved for a reconsideration, which was postponed until the 18th of January, when it was carried by a vote of 27 to 24. It was evident from the result thus obtained, that it would be in vain to expect the necessary two-thirds for Mr. Crittenden's proposition, which was now buried under this amendment, though the struggle was kept up until the close of the session. On that day (March 3d), a final disposition was made of the question. The House had rejected the proposition, on the 27th of February, by a vote of 113 to 80. In the Senate the amendment of Mr. Clark came up first in order, and was defeated by yeas, 32, to nays, 11; several of the republican Senators voting with the majority in order, as they stated, either to allow "the Senator from Kentucky to obtain a vote on his resolutions," or "in order to get an opportunity to vote against the resolutions." The question then recurred on the adoption of the Crittenden Compromise. The result was, its rejection by a strict party vote of 20 to 19, all the republican senators present (Mr. Seward was absent) voting for its rejection. Thus the republican party accomplished their object, and thus terminated the last lingering hope which might have been entertained of any compromise between the North and the South.

On the final disposition of the question, Mr. Pugh, of Ohio, declared in a speech to the Senate:

"Before the senators from the State of Mississippi left this chamber, I heard one of them [Jefferson Davis], who now assumes, at least, to be President of the Southern Confederacy, propose *to accept it* (that is the Crittenden proposition) *and to maintain the Union, if that proposition could receive the vote it ought to receive from the other side of this chamber.* Therefore, of all your propositions, of all your amendments, knowing as I do, and knowing that the historian will write it down, at any time before the 1st of January, a two-thirds vote for the Crittenden Resolutions, in this chamber, would have saved every State in the Union, not South Carolina."

Mr. Douglas following Mr. Pugh on this occasion, remarked:

"The Senator has said, that if the Crittenden proposition could have passed early in the session, it would have saved all the States, except South Carolina. *I firmly believe it would.* . . . I can confirm the Senator's declaration, that Senator Davis himself, when on the Committee of Thirteen, *was ready at all times to compromise on the Crittenden proposition.* I will go further, and say that Mr. Toombs was also."[1]

Mr. Lunt, a Northern historian, in summing up this controversy, truthfully says:

"It has been alleged, indeed, on many hands, and very extensively believed, without examination of the facts, that it was by the wilful default of the Southern Senators that the Crittenden proposition was defeated; in a word, that the Northern Senators could not be expected to adopt the measure, since those from the South had seen fit to abandon it to its fate. On the contrary, supposing higher motives, worthy of the occasion and becoming statesmen and patriotic citizens, could have had due influence, the very fact alleged—though not a single one carefully stated, since two Senators from slave States retained their seats until Congress finally rose, might seem to impose upon the Northern senators a still higher obligation. It was entirely in their own power to adopt measures which would have put the deserters so clearly in the wrong, as to have left no excuse

[1] *Congressional Globe*, ii., pp. 1399-1401.

over to themselves, and which at the latest hour could have hardly failed to pave the way for the pacification of the country. It was the very absence of the seceders which gave the others the grand opportunity. Nor, in that case, no outbreak of violence could have occurred; the question would have been submitted to the people, and time would have been afforded for the angry excitements of the hour to pass away. And, even if the seven States, which alone had seceded, at the close of the session of Congress had been able to maintain their attitude until the popular decision had been reached, it is certain that upon agreement to the proposed constitutional amendment, by a majority of the Northern States, they must have been compelled to yield to the popular will of the South itself without further action on the part of the North. Such a course therefore adopted by Congress would have saved the country, but it would have broken up the republican party.

"But, in fact, the democrats and conservatives in the Senate did not have it in their power to give the vote of two-thirds necessary for the admission of the question to the people, even when the senators from all the states were in their places, to say nothing of the decided majority against any plan of adjustment in the House of Representatives. Of the twenty-seven senators who constituted the majority, upon the reconsideration of Mr. Clark's amendment on the 18th of January, not less than seventeen were from the slave States, and no republicans voted in favor of the motion. The Senate at that time consisted of sixty-six members, of whom thirty were from the slave States, and ten were democrats or conservatives from the free States. Had all the seceding senators, therefore, remained in their places till the last, they could not have secured the necessary two-thirds without the aid of four republican votes; and that those would not be afforded was made sufficiently clear by their action upon the amendment proposed by the senator from New Hampshire. Indeed, the republican members let it be known, at the earliest date, as has been already shown, that they 'had no guarantees to offer.' Had the others, therefore, been in numbers sufficient to obtain a two-thirds vote, it would have been simply a reaffirmation of their own well understood views, and without any moral influence whatever. Besides, the action of the House shows it would have been of no avail. It was for the republicans to shake themselves free from the trammels of party, and, for the sake of the country, to unite with the democrats upon a plan of adjustment. Deliberately declining to do so, the conclusion is unavoidable, that upon them must rest the responsibility."[1]

Of the spirit which really actuated the republican leaders, the extract from a letter addressed by Mr. Douglas from Washington, to a Mr. Hayes, of Chicago, dated December 23th, 1860, affords convincing proof:

"Many of the republican leaders desire a dissolution of the Union, and urge war as a means of accomplishing disunion, while others are Union men in good faith. We have now reached a point where a compromise on the basis of mutual concession or disunion and war are inevitable."

On the same day he addressed another letter to Mr. Taylor, of New York, in which he said:

"We are now drifting rapidly into civil war, which must end in disunion. This can only be prevented by amendments to the constitution, which will take the slavery question out of Congress. Whether this can be done depends upon the republicans. Many of their leaders desire disunion on party grounds, and here's the difficulty. God grant us a safe deliverance, is my prayer."

[1] Orations of the Late War, p. 427.

Again, on the 2d of February, 1861, Mr. Douglas addressed a letter to a newspaper in Tennessee for the purpose of dissuading the people of that State from taking part with secession, in which he said:

"You must remember that there are disunionists among the early leaders at the North as well as at the South; men whose hostility to slavery is stronger than their fidelity to the constitution, and who believe that the disruption of the Union would draw after it, as an inevitable consequence, civil war, servile insurrection, and finally, the utter extermination of slavery, in all the Southern States. . . . The Northern disunionists, like the disunionists of the South, are violently opposed to all compromises or constitutional amendments, or efforts at conciliation, whereby peace should be restored and the Union preserved. They are striving to break up the Union, under the pretence of unbounded devotion to it. They are struggling to overthrow the constitution, while professing undying attachment to it, and a willingness to make any sacrifice to maintain it.

"They are trying to plunge the country into civil war, as the surest means of destroying the Union, upon the plea of enforcing the laws and protecting the public property. If they can defeat any adjustment or compromise by which the points at issue may be satisfactorily settled, and keep up the irritation, so as to induce the border States to follow the cotton States, they will feel certain of the accomplishment of their ultimate designs. Nothing will gratify them so much, or contribute so effectually to their success as the secession of Tennessee and the border States. Every State that withdraws from the Union increases the relative power of the Northern abolitionists to defeat a satisfactory adjustment."

While the conservative masses of the country were despairing for the fate of the Crittenden amendment, their hope of its final triumph was revived by the interposition of Virginia. The General Assembly of that State, on the 19th of January, 1861, adopted resolutions expressing "the deliberate opinion" "that unless the unhappy controversy which now divides the States of the Confederacy shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable." For the purpose of averting "so dire a calamity," they extended an invitation "to all such States, whether slaveholding or non-slaveholding, as are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversies, in the spirit in which the constitution was originally framed," to appoint commissioners for this purpose to meet on the 4th of February, 1861, at the City of Washington. The resolutions expressed a favorable opinion of the Crittenden Compromise, with some modifications, and the belief that "it would be accepted as a satisfactory adjustment by the people of this commonwealth." Such was the origin of the "Peace Conference." "The proposition of Virginia," says Mr. Lunt, "was like a fire-brand suddenly presented at the portals of the republican magazine, and the whole energies of the radicals were at once enlisted to make it of no effect." The Border States sent men of eminent character, while the Northern States mostly sent the most bitter partisans, and uncompromising republicans. Indeed the Northern legislatures in general, having come under the control of the republican party, were extremely reluctant to accede to the invitation of Virginia; and although professing their desire for a friendly con-

ference, in their resolutions for the appointment of commissioners, took care to let it be known that they were not prepared to accept the basis of adjustment proposed. Several of them merely requested the attendance of their senators or representatives in Congress; and as there seemed reason to apprehend that the deliberations in the conference might produce a strong public impression, and prove unfavorable to the interests and objects of the party, a number of the "stiff-backed" were in attendance to deprive its deliberations of all moral effect.

It was with this view that the following despatch was sent to the Governor of Wisconsin, by a leader of the republican party:

"*February 1st, 1861.*

"To Governor Randall:

"Appoint commissioners to Washington Conference—myself one—*to strengthen our side.*

"CARL SCHURZ."

The subjoined letter was also sent by one of the Senators in Congress from Michigan, which gives his views, and that of his colleague:

"*Washington, February 7th, 1861.*

"My Dear Governor:

"Governor Bingham and myself telegraphed to you on Saturday, at the request of Massachusetts and New York, to send delegates to the Peace Compromise Congress. They admit that we were right and they were wrong; that *no Republican State* should have sent delegates; but they are here, and can't get away. Ohio, Indiana and Rhode Island are caving in, and there is some danger of Illinois; and now they beg us, for God's sake, to come to their rescue, and *save the Republican party* from rupture. I hope you will send *stiff-backed men* or none. The whole thing was gotten up against my judgment and advice, and will end in smoke. Still, I hope, as a matter of courtesy to some of our erring brethren, that you will send the delegates.

"Truly your friend,

"Z. CHANDLER.

"His Excellency Austin Blair.

"P. S.—Some of the manufacturing States think that a *fight* would be awful. Without a little blood letting, this Union will not, in my estimation, be worth a curse."

Thus it will be seen that this letter expressed the views of the republican managers, and indicated their relations with the Peace Conference, and their determination to have "a fight" and "a little blood letting."

The Peace Conference met on the 4th of February. It was composed of one hundred and thirty-three commissioners representing twenty-one States. Governor Hicks appointed the Hon. Reverdy Johnson, Hon. Augustus W. Bradford, Hon. William T. Goldsborough, Hon. John W. Crisfield and Hon. J. Dixon Roman, Commissioners, on the part of Maryland. On the 6th of February, on motion of Mr. Guthrie, of Kentucky, a resolution was adopted to refer the matter before the convention to a committee composed of one commissioner from each State; and to prevent delay, as less than one month of Congress remained to act upon their proceedings, they were instructed to report on or before the following 8th of February, "what they may deem right, necessary and proper to restore harmony and preserve the Union."

This committee, instead of reporting on the day appointed, did not report until the 15th of February, thus losing a week of valuable time. The reason of this delay is thus given in a letter dated May 13th, 1863, from Hon. Reverdy Johnson, to the New York *Journal of Commerce*, in answer to allegations made by David Dudley Field, of New York, who had been a member of the conference.

Mr. Johnson says:

"In the committee to whom the whole subject was referred, and at whose head was placed Mr. Guthrie, of Kentucky, and of which Mr. Field was a member, efforts to this end [reasonable guarantees to the South on the subject of slavery], were made again and again, but in vain. What was finally agreed upon and reported, and with the sanction of but a bare majority of the committee, Mr. Field not being of that majority. The discussions in every meeting of the committee were earnest, and a part of the Southern members (I was of the number), implored their Northern brethren to agree to something that there was any reason to believe would be satisfactory to the South. I saw then that unanimity could alone render the propositions of the committee effective. I also saw, as the result has proved, that no satisfactory adjustment attained an attempt at least would be made to save the Union."

The conference continued its sessions until February 27th, when it finally recommended an amendment to the Constitution of the United States to the several States. This was substantially the same with the Crittenden Compromise, excepting that it was less favorable to the South, and ought therefore, to have been more acceptable to the North. The convention on the same day, through ex-president John Tyler, their chairman, communicated to the Senate and House of Representatives the amendment they had adopted, embracing all the sections (seven) with a request that it might be submitted by Congress under the Constitution, to the several State Legislatures. In the Senate, on motion of Mr. Crittenden, it was referred to a select committee. On the following day this committee reported a joint resolution proposing it as an amendment to the Constitution, but the Senate could not be induced to vote upon it. Failing in this, Mr. Crittenden made a motion to substitute the amendment of the Peace Conference for his own, which was rejected by a large majority, twenty-eight to seven.

In the House of Representatives, the amendment proposed by the Peace Conference was treated with still less respect than it had been in the Senate. The speaker was refused leave even to present it. Every effort made for this purpose was successively resisted by leading republican members. The consequence is that a copy of it does not even appear in the journal.[1]

While the peace propositions were still before the committee in Washington, and the country was waiting events and some possible solution of difficulties, the "Friends of the Union" were at work in Maryland. Numerous Union meetings were held in various parts of the State, and five thousand citizens of Baltimore signed a letter addressed to Governor Hicks, approving his course in refusing to convene the Legislature. The Union

[1] *Buchanan's Administration*, p. 151, *et a.*

sentiment was much heightened in Baltimore by an immense Union meeting which assembled at the Maryland Institute on the evening of Thursday, January 10th, 1861. This vast hall was crowded to its utmost capacity by one of the most imposing popular demonstrations that ever assembled in that city. Popular and distinguished speakers addressed the meeting, and a series of strong resolutions expressive of the hopes of Maryland for continued peace, for concession and a proper spirit of compromise; for the repeal of all unconstitutional personal liberty laws in the different States, and in support of Governor Hicks' position, were unanimously adopted. At this meeting every chord that was touched—even the slightest tribute to the national sentiment—awoke a response in the bosoms of the vast crowds in unmistakable evidences of the deepest feeling.

On the same day that this meeting was held, in accordance with an invitation sent by prominent gentlemen of Baltimore, a number of gentlemen of all shades and classes of opinion, representing all parts of the State, met in the Law Buildings "for the purpose of conferring relative to the threatening condition of public affairs." This "Conference Convention" was organized by the selection of Col. John Sellman, of Anne Arundel, as president, and David M. Perine, of Baltimore City, and Wm. T. Goldsborough, of Dorchester County, vice-presidents. Horace Resley and James H. Stone were appointed secretaries. The deliberations of the conference were conducted in a spirit, and its recommendations supported with a unanimity, which challenged the respectful consideration of the whole State for the conclusions that were adopted. The convention, after continuing in session two days, adopted three resolutions, which were in substance as follows:

1st. An expression of devotion to the Union.

2d. A concurrence in the wisdom and propriety of the Crittenden Compromise.

3d. Appointing Hon. R. B. Carmichael, of Queen Anne's, Hon. William T. Goldsborough, of Dorchester, and Messrs. Allen Bowie Davis, of Montgomery, John Contee, of Prince George's, A. B. Hagner, of Anne Arundel, and Ross Winans, of Baltimore City, a committee to solicit the governor to issue his proclamation calling on the people to vote, on the last Monday of January, for or against the calling of a convention, and requesting that in case of their favoring the call, he would issue his proclamation, inviting the people to elect delegates to such convention, on the second Monday of February.

Upon the adjournment of the convention, the committee immediately proceeded to Annapolis, where they had a long interview with the governor, who promised to give to the resolution which invoked his action, the full and candid consideration which it deserved, in itself as well as from the character of the able and influential body by which it was addressed to him.

These gentlemen urged as a matter of the first necessity, that Maryland should define her position, under the conviction that earnest and decided

action on her part would materially promote a peaceful settlement of the pending dispute. They were satisfied that the people of the State were misunderstood in both sections of the country, and that their silence was taken by the South to indicate a determination to make no further struggle against the advance of abolitionism, while at the North, it was construed into an admission that the republican party had done no wrong. They believed, moreover, that to these false impressions the precipitate measures of the Gulf States, and the uncompromising attitude of the North, were in a great degree attributable; and they thought that through the influence of Maryland and the other border slave States, the extremists of the South might be persuaded to be more moderate, and the fanatics of the North compelled to be more just.

But this State, through the action of Governor Hicks, was not suffered to express in any authoritative way, the sentiments of her people; and encouraged by her inaction the republican party maintained its unyielding attitude. Meanwhile, the Union was undergoing a rapid process of disintegration. Several States had already withdrawn, and several more followed within a brief period. Maryland did nothing to save the Union until it was too late to accomplish that end. If the progress of this revolution was to be stayed, then alone could the work have been done; and if it was possible to avert the downfall of the republic, the conservative masses of Maryland wished to be the medium for accomplishing a result so patriotic, and by them so ardently desired.

While these grave issues were confronting us, from which only the most decisive and energetic action could extricate us, Governor Hicks kept Maryland in a state of feverish anxiety by his continued allusions to some dark and desperate plot, which, he said, was hatching in the State; and he stimulated the excitement which pervaded the country, by announcing the existence of an organization in Baltimore, whose purpose was to seize the capital. On the faith of his statements, Federal troops were concentrated at Washington, and State Legislatures vied with each other in commending his vigilance and patriotism. Yet when he was authoritatively called upon by a committee of Congress to furnish some evidence of the treasonable scheme which he had been endeavoring to counteract, he found himself unable to give any specific information whatever. Not one solitary conspirator was unenrolled; not one single member of the band which was to subvert the government, was pointed out; and not a particle of proof was offered to satisfy the public that any one in Maryland ever seriously suggested or countenanced any such plot. The information which he possessed, and to which, as he said, the people at large had not access, turned out to be little more than newspaper paragraphs and anonymous letters. However, by his action, he succeeded in gaining a little notoriety, and bringing reproach upon the people of his State.

The special committee of Congress who investigated the alleged "plot" to prevent by forcible resistance the inauguration of Mr. Lincoln, and seize the capitol, in their report, say:

"If the purpose was at any time entertained of forming an organization, secret or open, to seize the District of Columbia, attack the Capitol, or prevent the inauguration of Mr. Lincoln, it seems to have been rendered contingent upon the secession, either Maryland or Virginia, or both, and the surrender of one of those States.

"Certain organizations in this district and in Maryland, that prior to the election seem to have been only political clubs, have since assumed the character of military organizations, are now engaged in drilling, and aspire to provide themselves with arms, some from the State authorities, and others from private subscriptions. But so far as the committee were able to learn their purposes, while they sympathized strongly with secession, there is no proof that they intend to attack either the Capitol or the District, unless the surrender should be demanded by a State to which they profess a high degree of allegiance. Some of these companies in Baltimore profess to be drilling for the sole purpose of preventing other military companies from passing through the State of Maryland. Whether these representations of the purposes of those companies be correct or not, the committee have failed to discover any satisfactory evidence that they have any purpose whatever, as a mere mob, without the sanction of State authority, to attack the Capitol, or any other public property in this District, or to seize the District."

On the 1st of February, the citizens of Baltimore who were "in favor of restoring the Constitutional Union of the States, and who desire the position of Maryland in the existing crisis to be ascertained by a convention of the people," assembled in town meeting at the Maryland Institute. The assemblage was an immense one of citizens who regarded with anxiety and indignation the position of Maryland and the course of Governor Hicks. A long list of resolutions was adopted, and several of the most prominent members of the Baltimore Bar addressed the enthusiastic assemblage. The meeting invited the people of the State to send delegates to a convention to meet in Baltimore on the 18th of February.

In pursuance of this call, the State Conference Convention assembled in Baltimore in the Universalist Church, at the corner of Saratoga and Calvert Streets, on the day appointed. All the counties in the State were represented by gentlemen reflecting all shades of political opinion; comparatively few of them professional politicians, and almost all of them feeling great interest in the welfare and peace of the Union and the State. The convention was organized by the selection of Judge Ezekiel F. Chambers, of Kent County, as president, and Colonel John C. Groome, of Cecil, David M. Perine, of Baltimore County, Henry G. S. Key, of St. Mary's County, J. F. Dashiell, of Somerset, and Andrew Resch, of Washington County, vice-presidents. After a session of two days, the convention unanimously adopted an address "To the People of Maryland," and a set of resolutions, and then adjourned to meet in Baltimore on the 12th of March following.

So far as the proceedings of this convention, and the personal bearing of its members, were concerned, it may be said that no similar body ever collected in the State afforded less ground for invidious or unfavorable comment. Accused of a corrupt and disorganizing purpose to snatch the reins of government from the hands of the constituted authorities, and that it was their purpose to tear the State from its moorings, there was not a single

particular in which they did not vindicate themselves, temperately and manfully, from the misrepresentations which were heaped upon them. They declared their fidelity to the existing Union of the States, and their unwillingness to take any step involving a consideration of their severance from it, until its disruption, by the failure of all measures of compromise and conciliation should force the people of Maryland to select that fragment of the wreck which was fittest and worthiest to be trusted with their fortunes.

Abraham Lincoln, the President-elect of the United States, left his home in Springfield, Illinois, accompanied by his family and a few friends, for the Federal Capital, on the 11th of February, 1861, and journeyed through Illinois, Indiana, Ohio, New York, New Jersey, Pennsylvania, Delaware and Maryland. It was a part of his arrangements to participate in the ceremony of raising the flag on Independence Hall at Philadelphia, on the 22d of February (Washington's birthday), and also to visit the Legislature at Harrisburg; and there taking a special train over the Northern Central Railroad, he was to arrive in Baltimore about 1 P. M., of Saturday, 23d of February, and after dining at the Eutaw House, continue his journey to Washington the same afternoon. This plan was changed. Mr. Lincoln proceeded to Harrisburg, where he was formally welcomed by the Legislature of Pennsylvania, and after his reception, he retired to his quarters at the "Jones' House" until it was time for his departure. About six o'clock in the evening he retired from the dinner-table on the plea of fatigue, and a few moments later, accompanied by his friend and biographer, Ward H. Lamon, quietly left the house and took a special train in waiting—an engine and one passenger car, for Philadelphia. In order to prevent his departure from Harrisburg from being known in Baltimore, the telegraphic wires were severed by an expert, and readjusted afterwards. The presidential train reached Philadelphia at 10.45 P. M., where Mr. Lincoln was met by friends and driven in haste to the Philadelphia, Wilmington and Baltimore Railroad station, where the regular eleven o'clock express train had been detained on his account. Unrecognized, he stepped into a sleeping car, which had been engaged for him and kept locked until his arrival. The train at once started, and passing through Baltimore in the night, reached Washington at six o'clock the next morning. Mr. Lincoln at once drove to Willard's Hotel, where he was met by Mr. Seward. So perfectly was this arrangement planned and carried out, that the news of Mr. Lincoln's arrival in Washington was not known with absolute certainty in Baltimore until nearly nine hours after he had passed through the city.

In the meantime, on Friday afternoon, February 22d, the Northern Central Railroad carried from Baltimore to Harrisburg a republican committee, composed of William G. Snethen, Judge William L. Marshall, Louis Blumenberg, James E. Bishop, William E. Gleason, William F. Beale, of Baltimore, and ——— Palmer, of Frederick, and Francis S. Corkran, to act as an escort to the President. On their arrival at Harrisburg they were joined by William

Gunnison and William E. Coale. Upon their arrival at the Jones House, where Mr. Lincoln and his party were stopping, this self-constituted committee made great efforts to see them, but were assured that the President-elect had retired, and his room door was locked. Early on Saturday morning they again applied to see Mr. Lincoln, and were greatly disconcerted when Colonel Ellsworth, of Chicago Zouaves, informed them that "Mr. Lincoln is not in Harrisburg. He left this place last night, and is now safe in Washington." They thereupon returned with all speed to Baltimore.

A correspondent of the *Baltimore Exchange*, who accompanied the committee to Harrisburg, gives the following account of the extravagant precautions that were taken for the safe arrival of the presidential party in Baltimore:

"The officers of the Northern Central Railway Company had made the most careful and ample preparation for the arrival of the Presidential party. Colonel J. S. Gittings and James C. Clarke, Esq., superintendent of the Northern Central Railroad, were both in Harrisburg, and were to accompany the party. Every precaution which human foresight could suggest had been taken to ensure safety over the road. The day previous, Mr. Clarke had taken a number of the master mechanics from the Baltimore machine shops to Harrisburg. On Friday night these men went to work and took the engines of locomotives John H. Dale apart, examined and tested every part of the machinery, and so far as mechanical skill could suggest, provided against the possibility of an accident. Duplicate pieces for each and every part of the machinery were placed on board the train, with screws and all the necessary appliances for repairing the breakage of any part of the engine.

"The cars were prepared expressly for the occasion. The same caution exercised in regard to the locomotive and cars, was also used along the route. At intervals of half a mile along the entire road, day men were stationed, who had watched the road the entire morning. At every bridge there was a watchman carefully guarding it. At no point along the route was there the least neglect; but everything and any contingency which an extensive experience of railroad affairs could suggest, were carefully provided for. Mr. Clarke had with him his only son, a boy five years of age, which was a good evidence that he did not fear danger from accident. Captain George A. Rawlings, a gentleman widely known for his urbanity and skill as a conductor, had charge of the train, and the engineer was Mr. Gardiner Cobb, one of the most reliable and capable men in the country.

"About fifteen minutes of nine o'clock, the Express train took position on the siding. There were but few persons present, the crowd still lingered in and around the Jones House. The Baltimore committee, who were not yet assured that they would be allowed seats in the train, came to the cars looking troubled and dubious. Some of them now expressed the belief that the President had really gone before; whilst others clung to the belief that it was a ruse. The doubt could not last much longer, and while they were engaged in discussing the matter, cheers in the streets announced that the Presidential party was on its way to the depot.—In a short time the carriage made their appearance, and it was evident that the President was not with the party. There were Mrs. Lincoln, the two little Lincolns, and 'Bob' and his brother, but the President-elect was nowhere to be seen. The committee looked crest-fallen, and immediately became solicitous about their passage home. With but little trouble they gained admission to the cars, and in a few minutes the train was on its way."

Upon the arrival of the train at the intersection of Charles and Bolton streets, Mrs. Lincoln and family alighted from the presidential car, and the train then proceeded to Calvert Station. It was received by an immense crowd with groans and hootings, but no personal violence was done to any one upon the train. Nearly the entire police force of the city, under the command of Marshal Kane and their respective captains, were on duty at the station and occupied positions inside, outside and around the depot. Superintendent Kennedy, of the New York police, in company with Police Commissioner Howard and Marshal Kane took a view of the disposition of the force, and Mr. Kennedy expressed himself in very complimentary terms of the appearance of the men, and the ample preparations to protect the President and his party from personal violence.

The Baltimore *American* of February 25th, 1861, in noticing the preparations made to preserve the peace of the city, said:

"Ample precautions were adopted to guard against any violation of the public peace. A large police force was detailed for duty at the depot, and to protect the President and his suite on their passage through the streets against the turbulent pressure of the crowds which he experienced in other cities on his route hither, and these measures of Marshal Kane, even if they had failed to restrain any expression of disapprobation, would certainly have secured Mr. Lincoln from insult, had such been intended."

The police had been upon the ground only a short time when Marshal Kane was officially notified by the police commissioners that Mr. Lincoln was certainly in Washington, and that the extra force of over three hundred men would not be required. Orders were given accordingly to march a portion of the men back to their respective stations, and soon after, the crowd at the depot quietly dispersed.

Mrs. Lincoln and family, on alighting from the presidential car, were immediately escorted to the private carriage of John S. Gittings, Esq., and accompanied by that gentleman, Colonel Sumner and the Hon. Mr. Davis, was driven to Mr. Gittings' residence on Mount Vernon Place. The remainder of her party were quickly driven off to the Eutaw House. While at Mr. Gittings', Mrs. Lincoln is said to have expressed herself with much indignation in regard to the whole course thought fit by the advisers of Mr. Lincoln to have been pursued. She said that she had advised Mr. Lincoln not to depart from the route which he had first intended to take, and was the more satisfied of the folly of the movement when she had witnessed the extraordinary care and caution which had been taken by the officers of the railroad for the safe transit of the party to Baltimore. After dinner Mrs. Lincoln was driven in the same conveyance to the Camden street depot, and soon after joined her husband in Washington.

This sudden and secret ingress of Mr. Lincoln, was the subject of much speculation and condemnation. In Baltimore, his fugacious exploit disgusted more than it astonished the community. The citizens of that city, besides, had especial cause to be indignant at the course into which Mr. Lincoln had

weakly allowed himself to be led. By giving hasty credence to absurd and unfounded rumors touching the dangers which awaited him on his passage through this State, and by taking such extraordinary precautions against those mythical perils, he convinced thousands of persons of the truth of the slanderous reports which of late had been so freely circulated. No less a personage than Governor Hicks had occasioned much of this unfavorable opinion, as for a long time he kept the Washington authorities in alarm by warnings of a plot to seize the Federal capital, of which plot, he said, he had special information. Yet when called upon by Congress, and by Marshal Kane, to produce his evidence, to enable the latter to prevent the crime and disgrace said to be threatened, and bring the conspirators to punishment,[1] he had nothing to show beyond newspaper paragraphs and anonymous letters. And in reply to the letter of Marshal Kane, dated February 3d, 1861, he said, in addition, "I attach but little consequence to such reports," and "have never believed that any considerable number of the people of Baltimore were engaged in such enterprises. That city, with comparatively few exceptions, is loyal." No single conspirator was arrested, or even pointed out; not a particle of proof of the existence of a plot could he, or could any one furnish.

It is evident, from all the facts in the case, that Mr. Lincoln altered his arrangements at the suggestion of Marshal Kane, "to avoid" (as the Baltimore *American* of February 25th, 1861 stated) "the attention of his political friends here whose unpopularity with the great mass of the people is so notorious." In this view the *American* is sustained by the Baltimore *Clipper*, which says, "in the absence of any positive information as to the cause of Mr. Lincoln's precipitate retreat from Harrisburg, it is fair to presume that he *decamped to* avoid the *Baltimore Committee*, of whose approach he was secretly advised." And the Baltimore correspondent of the New York *Tribune*, in a letter published in that journal, adds:

"As to the rumors of danger to Mr. Lincoln on the Northern Central Railroad, they are ridiculed by its officers and explained by the fact that he committed his family to the care of the train that brought them safely to the city. And the rumors, too, that he would run the risk of insult or injury in passing through the city are nothing but the revenge of heated brains. The fair fame of our city was too deeply involved for any such casualty, even if it had been contemplated."

Finally, we have the "liberally correct" statement of the Baltimore *American* upon the matter which Marshal Kane never denied.[2] It will be seen from

[1] Letter of Geo. P. Kane to Governor Hicks, dated January 31, 1861.

[2] In explanation of the statement made by the Washington correspondent of the Baltimore *American*, Marshal Kane published in that journal the following card:

"POLICE DEPARTMENT,
"OFFICE OF THE MARSHAL,
"BALTIMORE, February 27, 1861.

"Having been in Washington on Thursday last, on business of purely a private nature, I called to pay a friendly visit to friends of the President-elect, with whom I had been formerly upon kind and intimate relations. In conversation, the contemplated passage through our city of the public functionary referred to, was incidentally mentioned, when I spoke of the rumors which had reached me of an intended republican display, by certain parties here, which, in my opinion, would be deemed offensive to the masses of our people, and in the event of Mr. Lincoln associating himself with

the following editorial taken from the *American* of February 26th, 1861, that Mr. Lincoln's course was influenced by Marshal Kane:

"We were yesterday informed by Marshal Kane that the following statement, which appeared yesterday in the despatch of our Washington correspondent 'Special,' is literally correct, so far as Colonel Kane is himself:

"'It appears that a few municipal officers, particularly obnoxious to the people and public sentiment of Baltimore, had determined to avail themselves of the opportunity to use Mr. Lincoln, and to make a military fire in procession from the depot to his hotel.'

"They applied to Marshal Kane for protection by the police. He advised against the proceeding, assuring the parties that while Mr. Lincoln, in his passage through Baltimore, would be treated with the respect due to him personally and to his high official position, there was no guaranty that the proposed procession would be similarly respected. He thought, moreover, that the proceeding would be calculated to place the people of Baltimore in a false position, as neither they nor the citizens of Maryland sympathized with Mr. Lincoln's political views. He advised, therefore, that the idea of a procession should be abandoned, lest it might provoke some indignity which would involve the character of Baltimore and be very unpleasant to the President-elect.

"'It appears, however, that the parties insisted on their programme, when Mr. Lincoln was advised of the facts, and urged to pass immediately through to Washington. Acting upon this suggestion, he proceeded to Philadelphia in time for the night train from New York, and reached here at six o'clock A. M. yesterday.'

"Marshal Kane informed us that he did give the information to Mr. Corwin and other friends of Mr. Lincoln, as to the change of route and incognito of return to Washington was caused by a desire to escape from his pretended friends here, and that he prevented a breach of the peace that would have been disgraceful to the city and derogatory to American character. We do not believe there was any intention to assault, or even insult the president-elect on the part of any portion of our community, but it is a notorious fact that the Baltimore republican committee, who proceeded to Harrisburg and declared their determination to escort Mr. Lincoln to his quarters, would have been assailed and pelted with eggs, if not otherwise maltreated. This would have incensed Mr. Lincoln in the direct manner, and we can not but think that he acted wisely under the information communicated by Colonel Kane, in preventing the possibility of such an occurrence as was feared by our police authorities."

The absurd story of a conspiracy to assassinate Mr. Lincoln, which was the theme of discussion in the newspapers at the time, from one end of the country to the other, was perfectly ridiculous. No man then living would have looked upon such a conspiracy with more abhorrence than George P.

such a demonstration, or having it as an appendage in his transit through Baltimore, would in the slightest degree have met with his disapproval.

"I did not recommend that the President-elect should avoid passing openly through Baltimore, nor did I, for one moment, contemplate such a contingency. Indeed, I made no recommendation whatever in the premises, but confined my remarks to the expression of an opinion that such an escort or appendage as the one which rumor had attributed, would, in my judgment, as I advised, and subject that appendage to an evasion of public observation, what might, and doubtless would, have been construed into a premeditated discourtesy by the people of Baltimore to the President-elect.

"The Police Board had the whole subject of the proposed visit of the President-elect under consideration, and all measures necessary for preserving order on the occasion were fully matured and deemed by them amply sufficient.

"The Board were, also, informed by me of the conversation referred to, held by me in Washington, and concurred in the opinion which I had expressed.

"I make this explanation, because erroneous construction of my action in the matter have found their way to the public through a portion of the press. (Signed),

"GEORGE P. KANE, *Marshal.*"

Kane, who was not only one of the bravest and most straightforward of men, but a strong constitutional Union man, and true patriot, though spies and informers denounced him, and tyranny imprisoned him while living, and slanderers have even tried to blacken his memory in the grave. Certainly Mr. Lincoln and his advisers probably entertained no serious idea of the peril from which they pretended to run away. Had they believed there was real danger, they would hardly have exposed his wife and children to it. As evidence of this fact, Mr. Charles Hale, the editor of the Boston *Advertiser* (republican), telegraphed to that journal from Washington the following contradiction of the assassination canard, and which that journal emphasized by publishing in italics:

"The unexpected arrival of Mr. Lincoln, early yesterday morning, created surprise but general approval.

"*Do not credit the stories of a plot against his life! He hastened hither to consult friends here and to escape foes.*

"Already Mr. Lincoln's arrival has exploded the pretence of a quarrel between himself and Mr. Seward."[1]

The facts as we have conclusively shown are, that Mr. Lincoln and his advisers were far more afraid of the friends of the President elect in Baltimore than of his enemies.

Notwithstanding all these facts, it was an extraordinary circumstance that all the journals of all the large cities of the North, day after day, for a long time, continued to repeat, and with continued improvements, a story which was wholly unsupported by anything in the nature of proof, and which was absurd on the face of it. In consequence of the hideous tale of the plot, and the popular credulity in regard to it, on the day after Mr. Lincoln's arrival in Washington, Marshal Kane issued the following denial of the charge:

"*Police Department, Office of the Marshal, Baltimore, February 23, 1861.*

"My attention having been called to certain telegraphic reports purporting to have been sent from Harrisburg, and also from Baltimore, and published in the New York papers, to the effect that the sudden passage of the president elect through this city had been caused by reliable information that a conspiracy to offer violence to his person, had been organized here, and was approved and abetted by influential merchants and bankers, I deem it my duty, as Marshal of Police, to brand the statement as utterly destitute of truth. It was thought possible that an offensive republican display, said to have been contemplated by some of our citizens at the railroad station, might have provoked disorder, so far as they were concerned; and ample measures were accordingly taken to prevent any disturbance of the peace.

[1] "Among the Washington 'fools and rumors' which we copied yesterday from the Northern papers, was one in relation to the sudden departure of Mr. Lincoln from Harrisburg, in which it was stated that 'the names of General Scott and Governor Hicks were prominently mentioned among those who gave warning,' etc. We are authorized to state that this rumor is entirely unfounded, so far as Governor Hicks is concerned. He was in Washington on Saturday, and was surprised and astonished at the news of the unexpected presence at the capital of Mr. Lincoln. He had no knowledge of any contemplated attack on him, and consequently had no knowledge of his intended change of route." Baltimore *American*, February 27, 1861.

"But as to any purpose to offer violence or indignity to the president elect, I affirm, without hesitation, and with ample means of knowledge, that no such purpose existed, and that he would have passed through the city with perfect safety and entire freedom from any mark of disrespect.

"These slanders upon the good name of the city of Baltimore, now one of the quietest and most orderly in the country, deserve to be rebuked wherever uttered. * * *

"GEORGE P. KANE, *Marshal of Police.*"

The gross imputations being still flung broadcast throughout the country against Baltimore, the Board of Police Commissioners on the 28th of February, published the following card:

"*Office Board of Police, Baltimore, February 28th, 1861.*

"The Board of Police deem it proper to state, for the information of their fellow-citizens, that the reports which have appeared in some of the newspapers of other cities, that *'the police authorities of Baltimore had determined to employ a force of only twenty men for the special duty of attending to the route of the President's journey through Baltimore'* on Saturday last, that *'yielding to the pressure of public opinion, they determined to have out the whole force, though they still believed that twenty men would be sufficient,'* or that they were influenced in the slightest degree in making or changing any of their arrangements by representations said to have been made to them by Mr. Kennedy, superintendent of the New York police, or by any other person or persons from New York or Washington, are all and each of them utterly untrue.

"The Board take this opportunity of also expressing their entire conviction that the whole story, so industriously circulated, of there having been any intention, or any plan concerted to assassinate or injure the President elect on his journey from Harrisburg to Washington, is utterly destitute of any reasonable foundation. His passage through this city, they have always felt assured, and again unhesitatingly say, would have been made in safety.

"This subject had been under the consideration of the Board for some time past, and they had determined to make, and accordingly had made the amplest arrangements to insure such a result. By order of the Board. "CHARLES HOWARD, *President.*"

Notwithstanding these authoritative denials, and the absence of all evidence to bring home to any one human being the slightest knowledge of the pretended plot, the existence of the alleged conspiracy was stoutly maintained. The New York *Times* did not doubt that "the project of assassinating Mr. Lincoln," had been "seriously canvassed," and that the "plans had been laid for its accomplishment." The *Courier* was equally satisfied that General Scott and Mr. Seward, had "sufficient evidence" in their possession to justify the belief that if the President elect had passed through Baltimore, "an attempt would have been made upon his life." One paper told its readers about the arrangement which had been made to shoot Mr. Lincoln with an air-gun; another said that the work was to be done with a revolver, and that a steamer was lying in the harbor ready to take the assassins to Mobile as soon as the deed was done; another informed the public that "a club of fifteen persons were sworn to accomplish his assassination," and that one of the fifteen "was a secret agent of the government, who divulged the plans of the junta as rapidly as they were matured"—

while another was advised that a bowie-knife was the instrument by which the death of Mr. Lincoln was to be compassed. But all these journals, while differing in opinion as to the mode in which the plot was to be carried out, not only agreed in asserting the existence of the conspiracy, but united in declaring that Mr. Lincoln's friends had the names of the parties engaged in it.

The "bankers, merchants, brokers, and statesmen," who suggested or abetted the fiendish project, we were told, were all known; but strange to say, not a solitary one of them was ever arrested or even exposed. Nor was it intended that the public should know anything about this extraordinary scheme. In fact the *Courier* notified the country that it was idle to inquire into the matter any further. Speaking of the information which Scott and Mr. Seward were supposed to be possessed of, it said, "we greatly doubt whether they will ever apprise the anxious public of the precise nature of the testimony on which they acted. Very probably they are not at liberty so to do. The revelations made to them were doubtless based upon implicit confidence in their honor; and, in all human probability, the condition upon which the conspiracy was revealed was a pledge that even the President elect, shall never know the particulars of the threatened danger." Here was the avenue of escape from all unpleasant questioning, already prepared for the inventors of these preposterous fabrications. It was evident that Mr. Lincoln's friends and advisers, had no proof whatsoever to offer to substantiate their accusations. They had, for purposes best known to themselves, lent the sanction of their names to a falsehood, which was calculated to fix a stigma upon the people of Baltimore; and having attained their ends, they proposed to avoid all further responsibility by pleading the confidential nature of the communications they had received.

The part played by the New York police in this singular game, deserves notice. The *Times* said "we have also reason to believe that the police authorities of our own city had a share in detecting, tracing up and thwarting the murderous design.—Captain Watling, accompanied by detective officers Young, Elder, Samson and Devoe, having been stationed on the lookout in Washington and Baltimore for several weeks back, and keeping themselves constantly in communication by telegraph and letter with the police headquarters in this city." The *Tribune* recounted the services of Mr. Kennedy, superintendent of the New York Metropolitan Police. It assured its readers that the police authorities of Baltimore were managing their own business so negligently as only to "employ a force of twenty men for the special duty of attending to the route of the presidential *cortège* through Baltimore"—and that Mr. Kennedy, hearing of the inefficiency of the police arrangements in Baltimore, hurried on to that city in order to superintend matters himself; but learned on going to the office, that the commissioners had yielded "to the pressure of public opinion," and had determined to employ the whole force, though they still thought twenty men sufficient.

These laudable and self-sacrificing exertions on the part of Mr. Kennedy were wholly untrue, as the commissioners never asked nor received his advice, nor did he presume to make them any suggestions, while in the city, in regard to the manner in which they should discharge their duties. They acted solely on their own knowledge and convictions.

However, as these reported absurd statements of Mr. Kennedy reflected on Marshal Kane and the Baltimore police, the Police Board requested the marshal to address Mr. Kennedy the following letter:

"*Police Department, office of the Marshal,*
"*Baltimore, February 25th, 1861.*

"John A. Kennedy, Esq., Superintendent of Police, New York:

"Dear Sir:—I have recently noticed many newspaper paragraphs referring to the Baltimore police, or myself as marshal, which I have deemed utterly unworthy of notice because they either mentioned no names of authority, or the names given were not such as would be likely to give weight to the various rumors in circulation. An article is, however, now going the rounds of the press, of a different character.

"It is stated that upon information received in New York, from this city, some of your detectives were sent on here; that by their efforts and those of Police Commissioner Acton and yourself, an organized plot for the assassination of the President elect was discovered; that you were satisfied of the existence of such a plot, and had in consequence recommended a change in the programme of Mr. Lincoln's journey to Washington.

"Looking to your official position, and my own, I deem it due to both of us that I should ask whether there is any foundation whatever for the above report of the acts and statements attributed as above to you or any part of the New York police force, acting under your orders.

"Yours respectfully,

"GEORGE P. KANE, *Marshal.*"

To this letter Kennedy replied as follows:[1]

"*Central Department of the Metropolitan Police,*
"*150 Broome Street, Corner of Elm,*
"*Office of Superintendent of Police, New York, February 28, 1861.*

Col. Geo. P. Kane, Marshal of Police, Baltimore.

"Dear Sir:—In reply to your note of the 26th inst., this day received, I have to inform you: First, that I have neither published, nor ordered to be published, any of the newspaper articles to which you allude, and very possibly have not yet seen them all; nor have I thought it worth while in this case, any more than in others that have occurred, to publish explanations or corrections to the numerous articles misrepresenting the actions of myself and the members of my force. I do not desire to commence operating on a ways which we both know to be an endless one. I can, therefore, assure you that none of the newspaper articles to which you allude, either emanated from me or by my suggestion.

"One article has appeared in the *Tribune* since, *i. e.* 27th, which in the main was taken from my lips, which I forewith enclose. There is a spirit in this article which I disclaim, and a quotation 'nobody is going to turn out,' etc., which I repudiate to you, that was not so given by me, nor was the response stated by me in the manner here pointed. In other respects the statement is a wonderfully accurate sketch of what I said. I may also add that I am of the opinion that either you or Mr. Howard said something of the

[1] The italics are ours.

kind as quoted. On the evening of Tuesday, 25th, several friends came into my office to learn the facts, whether any attempt was to have been made to assassinate Mr. Lincoln. *I assured them there was no foundation to the story*, and went on to relate to them my participation in the movements of Mr. Lincoln after he had left New York on the 21st inst. In doing so, I spoke as freely as one friend should speak to another, and it was not until I had nearly closed the conversation, that I discovered a newspaper reporter present whom I had refused an opportunity to with previous to the arrival of my friends. I regret, while he was taking the advantage of reporting a conversation, entirely private, that he omitted the remarks of commendation I used in regard to the importance and material of your force, as well as those on the orderly and good natured character of the very large crowd assembled around the depot to receive Mr. Lincoln. However, these are the kinds of omissions the press delights in making.

"Second. I have had others occasionally in your city, as I have had in others farther South, ever Charleston, ever since these secession troubles began to show form. I presume in this I am not much ahead of our Southern friends. Not a few of the journeys have been undertaken while attending the movements of persons who were in this city, and excited our suspicions while here. *But no officer of mine has reported to me the actual existence of any band organized for the purpose of assassinating the President elect.*

"Although in the prosecution of their duty, they may have deemed it advisable to associate themselves with the bodies denominated 'Southern Volunteers,' wherever they found them, *they have not reported to me that even these bodies had resolved on assassination.* Of course I regard them as dangerous organizations, and have not failed in obtaining every information in my power as to their locality, number, means of support, members, officers, and movements.

"On some particular day, these points of intelligence may become valuable.

"Since Wednesday of last week, up to Tuesday of this week, three hundred and twenty-seven of these men have left your city, in squads, for service at the South, and I am advised that about two hundred more will leave during the present week.

"It has not appeared to me necessary to stop this movement, else I should have notified you of it before. The parties are represented to me as being desperadoes of the worst kind, and whose departure from any community is the only good act they can perform.

"I will merely add, that when I read my letters on Friday morning, advising me that your department felt so secure from riot and disturbance on the arrival of the President elect, I at once thought my men were to be on duty as an escort. I at once determined to call on you and endeavor to relieve you of the burden. But on my arrival, I was very happy to find my advice was not needed, and, therefore, I did not obtrude it on you.

"*So far from having advised the change of Mr. Lincoln's route from Harrisburg, before leaving New York for Baltimore, on the 23d, I sent a telegraph to Mr. Wise of Mr. Lincoln's party, advising him to go down on the Susquehannah road as perfectly safe.*

"You are at liberty to make such use of this letter as you may deem proper.

"I am very respectfully yours, &c.,

"JOHN A. KENNEDY, *Superintendent.*"

Here superintendent Kennedy, under his own hand, in a letter written for publication, declares:

First—That there was no foundation for the report of a plot to assassinate Mr. Lincoln.

Second—That none of his spies reported the existence of any band organized for, or resolved upon, assassination.

Third—That so far from advising a change of programme, on the 22d (the day the change was made), he telegraphed advising the party to "go down on the Susquehannah [Northern Central] road, as *perfectly safe*." More than this, he bears voluntary and explicit testimony to "the orderly and good-natured character of the very large crowd assembled around the depot to receive Mr. Lincoln."

The services of Mr. Kennedy were not appreciated by Mr. Lincoln, for the New York *Herald* tells us early in March, 1861, "that Mr. Kennedy, disgusted with the ingratitude of the world, intends to confine his detections in future to this city and the metropolitan district, and leave the country to take care of itself. He is going to establish new station houses, and make a radical reform in the police department. If he does this we will give him every aid and comfort, even perhaps to the *obtaining of the United States marshalship*, as a reward for saving the life of the second Washington." It is certain he was much annoyed about the alleged plot and the failure to obtain the United States marshalship for his services. Toward the elucidation of this question we offer an affidavit of Alvin H. Williamson, a member of his force, published in the New York *Express* of March 9th. Certain charges had been laid by Kennedy against the affiant, who made the following sworn statement:[1]

"As to the charge of neglect of duty and disobedience of orders made against him on the sixth day of said March, he said that he had then tendered his resignation as a policeman of the police department, and that the bringing of such charges was the result of malice on the part of John A. Kennedy, Superintendent of Police, who had previously under color of his official authority, endeavored to induce him, the said respondent, while acting as a detective of the said police department, to proceed to the cities of Baltimore and Washington, for a purpose which was developed by a conversation which took place between the said Kennedy and this respondent on an evening in the latter part of December last, at the headquarters of the police department in this city, that on the occasion referred to, the said Kennedy summoned this respondent to the apartment of the said Kennedy, who then and there said substantially as follows: 'I understand that you are a pretty good republican;' to which the said respondent replied: 'Yes, I understand myself to be so;' that said, Kennedy then said, 'I intend to send one or more detectives to the cities of Baltimore and Washington, for I have understood that they are organizing a plot or plots there to assassinate the president elect; *at all events I desire it to appear so, so that I can do the president a service; I have been spoken of as a candidate for the office of United States Marshal of the Southern District, and I don't mean to be that I shall be a candidate;*' that this respondent then said that he did not think himself very smart at that kind of business, and that he (Kennedy), could find some one to do it who was more capable; that the said Kennedy then replied in a short time, 'very well,' when this respondent left the room."

The explicit denials of an attempted assassination plot did not stop the circulation of the falsehood. Anonymous slanders, extravagant newspaper reports, were good material for history, while signed and published statements of unimpeachable witnesses were silently ignored. As a consequence, the

[1] The italics are ours.

old slanders have been refurbished several times since as history. In June, 1868, there appeared in *Harper's Magazine* an article of a sensational character, entitled, "The Baltimore plot to assassinate Abraham Lincoln." In this article unwarrantable liberties were taken with Colonel Kane's name and character, who, in a letter to the Baltimore *Sunday Telegraph* of June 21st, 1868, refuted in an able manner this libellous publication. In this letter, he for the first time made public, the following particulars of Mr. Lincoln's flight through Baltimore.

"The first definite information of the day and hour of Mr. Lincoln's expected arrival in Baltimore, on that occasion, was received by the Baltimore and Ohio Railroad Company a few days in advance of his coming. His route was to be, according to that information, from Harrisburg to Baltimore, over the Northern Central Railroad, arriving at this place about 1½ o'clock, and departing over the Baltimore and Ohio, Washington branch, at 3 P. M., the same day. As soon as this information was received, the master of transportation of the latter road, Mr. William Prescott Smith, addressed me a note, informing me of the fact, asking that I would suggest some mode of entertaining Mr. Lincoln during his brief stay, in the absence of any respectable number of his own partizans in Baltimore, to do him honor, (there were I think only about one thousand republican votes cast for Mr. Lincoln in Baltimore, and they, in most part, were of the very scum of the city, and of the old 'club' organization, though there were some few exceptions, candidates for office, and fanatics on the negro question); and to avoid having the impression go abroad that our city had been wanting in respect for the President elect of the nation.

"Immediately on the receipt of that note, I called on General John S. Gittings, then president of the Northern Central Railroad, and communicated to him the information I had received. My reasons for selecting General Gittings, was the fact, of which I was aware, that there were some kind of business relations between him and Senator Cameron, (who was talked of as likely to become a cabinet officer,) growing out of the latter's being largely interested in the ownership of the road, of which Mr. G., was president. I discussed with General Gittings the character of the individuals who would likely press themselves upon, and to the annoyance of, Mr. Lincoln, and that I thought something should be done in his behalf; to all of which that gentleman fully agreed. I then suggested that as he was known at home and abroad as a leading member of the democratic party of Maryland, and not a candidate for favor at the hands of the new administration, and having a commodious mansion, eligibly situated, near the Washington Monument; I thought it would be a fit and graceful thing for him to meet Mr. Lincoln at the Maryland line, and invite him and his family to become his guests during their stay in Baltimore. To these suggestions the General also yielded approval.

"It was then agreed upon and arranged that he should go up on his road the day before Mr. Lincoln was expected over it, and meet and welcome him at the Maryland line, and as the train reached the crossing on Charles street, north of the monument, it was to be stopped at that point, where I was to be in readiness with carriages to receive the General and his guests, and convey them to Mount Vernon Place. The intended debarkation on North Charles street, was under no apprehension or suspicion of intended violence or insult to Mr. Lincoln if carried to the depot, but because the route along Charles street, passing the monument, and through Mount Vernon Place, afforded a view of the most beautiful part of Baltimore, and would relieve the visitors of the necessary annoyance from noise and confusion incident on a railroad depot, and even greater than these, the annoyance of being brought into contact with the element which would be in waiting to advertise themselves for office. These arrangements were so far communicated

as that General Gilmor went to the Maryland line to meet Mr. Lincoln, and failed to find him, received Mr. Lincoln's family and conveyed them to his home, where they remained during the latter's stay in Baltimore as his guests; and I had carriages in readiness to carry out my part of the arrangements, when the news reached Baltimore that Mr. Lincoln was in Washington.

"With these statements and explanations, the truth of which, I imagine, neither Kennedy nor Pinkerton will call in question; and even if they do, the parties to the arrangements to whom I have referred, still live. I feel quite certain that no intelligent and honest mind will continue to credit the oft-repeated slanders upon Baltimore, of having contemplated a deed of such savage atrocity as that alleged to have been frustrated by these detective policemen. That Mrs. Lincoln was not imposed upon by the inventions of such people, was abundantly shown in the fact that before starting from Baltimore for Washington she sent a request that I would call and afford her an opportunity of making her acknowledgments for the interest I had shown in the arrangements which had been made; but sudden and severe indisposition prevented me from doing so. As eventually no further business may for the time have been elapsed by these people, and led to a course which was subsequently a matter of deep regret to himself and his friends. I had the very best reason to know that he was very soon undeceived, and that I could have enjoyed the most substantial evidence of his confidence and favor after he became the President, had I felt inclined to cultivate it.

"Yours very respectfully,

"*Dansville, Va.* "GEORGE P. KANE."

Besides this truthful statement, we fortunately have the deliberate judgment of Colonel Ward H. Lamon, of the value of the "proofs" of the alleged conspiracy. Colonel Lamon, Mr. Lincoln's biographer, was one of his chosen companions on this journey—in fact he was the only one that never left him until he reached Washington—and, in the event of an assassination, would most probably have fallen a victim. Certainly if there had been a conspiracy he would have known it. Here is what he says:

"These documents are neither edifying nor useful: they prove nothing but the baseness of the vocation which gave them existence. They were furnished to Mr. Herndon in fact, under the impression that partisan feeling had extinguished in him the love of truth and the obligations of candor, as it had in many writers who preceded him in the same subject-matter. They have been carefully and thoroughly read, analyzed, examined, and compared with an earnest and conscientious desire to discover the truth, if, perchance, any trace of truth might be in them.

"The process of investigation began with a strong bias in favor of the conclusion at which this detective had arrived. For ten years the author implicitly believed in the reality of the atrocious plot which these spies were employed to have detected and thwarted; and for ten years he had pleased himself with the reflection that he also had done something to defeat the bloody purpose of the assassins. It was a conviction which could scarcely have been overthrown by evidence less powerful than the detective's weak and contradictory account of his own case. In that account there is literally nothing to sustain the accusation, and enough to refute it. It is perfectly manifest that there was no conspiracy—no conspiracy of a hundred, of fifty, of twenty, of three; no definite purpose in the heart of even one man to murder Mr. Lincoln at Baltimore."

We have now, we think, refuted all the essential points of the alleged assassination conspiracy of 1861. We have shown that one of the chief

authorities, Superintendent Kennedy, publicly and under his own signature, declared that no such plot existed. We have shown that when the so-called "proofs" were submitted to Mr. Lincoln's friend and companion—a man who, fortunately, had a preposession in favor of justice—their utter worthlessness was recognized with mingled disgust and astonishment. We have shown that other allegations brought forward were emphatically contradicted at the time by the persons best informed. Of proof there is absolutely not a particle. Detectives, listening with greedy ears in an atmosphere thick with rumors, report these rumors to their employers, and that is all. A few weeks later, Baltimore was entirely in the control of the federal authorities, and many arrests were made. There was certainly no disposition to spare any disloyal offender; even alleged sympathy with the Southern cause was enough to send men to prison or exile; yet for a plot so atrocious as this, no one was convicted, no one was tried, no one was arrested, no one was ever exposed. These facts are enough to demonstrate that there was no conspiracy to assassinate Mr. Lincoln in Baltimore in 1861.

So much, therefore, for the ingenious exploit of the President-elect. We have deemed the subject worthy of this extended notice, not only because of the importance apparently attached to it by the organs and representatives of the republican party, but also because it is of consequence that a matter involving the fair fame of one of the chief cities of the country should be settled once for all. Yet, though again and again refuted, this charge is again and again repeated with the persistency of malice or the fatuity of prejudice; and we have little doubt—so strong is the tenacity of life in a robust falsehood—that it will continue to be uttered so long as it can excite interest or do harm.

CHAPTER XLIII.

ABRAHAM LINCOLN, the sixteenth President of the United States, was quietly inaugurated on the 4th of March, 1861. In forming his cabinet, he appointed Montgomery Blair, of Maryland, to the office of postmaster-general. After this event, a lull seemed to pervade the political atmosphere. The uproar and excitement in which the country had been kept for three months had for the moment sensibly subsided. Every one was now waiting with a feeling of vague, but painful anxiety, the next act of as momentous a drama as had ever been played upon the world's great stage. Since the first meeting of Congress in December until its adjournment in March, the fears, hopes and expectations of the people had been alternately wrought up to the highest pitch. There had scarcely been an hour in which they did not foresee clearly some important occurrence that was about immediately to happen, or in which they were not agitated about one that had just taken place. Four anxious months had been spent in appeals to Northern patriotism and good feeling. All that was good and true and earnest in the councils of the nation, devoted itself, with intense solicitude, to the work of reconciliation and peace. The Northern people were conjured by every argument and motive that could affect their reason and touch their hearts, to meet their Southern brethren half way, in the spirit of kindness and compromise. They were besought to rescue the Union from disruption; they were implored to save its broken fragments from the stain and shame of blood. They responded coldly or not at all. Congressional committees proposed plans of settlement, and they were hooted down by leaders, press and people. The peace conference interposed its patriotic offices, only to be sneered at and derided. Not a governor, not a legislature, not a county, not a town, from Maine to Mason and Dixon's line, gave ear to the call of peace, or real sympathy to those who uttered it. Here and there a few scattered meetings of brave and upright men, and a few manly and honorable presses, worthy to be remembered and honored always, lifted themselves above the mire of partisanship, and responded as became them. But the hearts of the masses of the North were dead to every appeal of brotherhood, and the four months ended in more utter darkness and hopelessness than they had begun.

Mr. Lincoln assumed his place. He promised peace, and his promise was almost believed. But he was not allowed to redeem it, if he meant it. Presses and people, from Boston to Chicago, goaded him to war. Those who, before had been only passively hostile, became jubilant at the hope of a

collision. When all had been made ready, the collision came. If we are to believe the Northern journals who professed that they were in the secrets of the administration, the whole expedition to Charleston, the whole suggestion of relieving Sumter, was a feint and a trick to tempt the Confederate army into striking the first blow, so that demagogues might kindle the passions of the North, by talking of insult and outrage to the flag of the Union. The proclamation of President Lincoln followed on the 15th of April, calling to arms seventy-five thousand men.[1] This proclamation forever put an end to the fond and hopeful delusion, which so many honest and patriotic men had been hugging to their hearts, that the people of the Northern States still retained, in the midst of their political and sectional fanaticism, some loving traces of the old affection for their countrymen in the South. After this period we beheld cities that were deaf to the appeals of peace, rampant at the summons to the field. States, that might have saved the Union by a kindly word, and yet refused to say it, now emptied their treasures to arm and equip soldiers. Enthusiasm and energy, the little of which directed to the salvation of the republic, would have rescued it from even greater perils, were now lavished upon the appliances of fratricide and desolation.

On the 12th of March, the State Conference Convention re-assembled in Baltimore, and adhered to the views which had influenced it at its last session. On the second day it adjourned to await the action of Virginia, after appointing Messrs. Walter Mitchell, E. F. Chambers, William Henry Norris, E. L. Lowe, Isaac D. Jones and J. Hanson Thomas, a committee of well known and influential gentlemen, to wait upon the Virginia convention which was then in session, and urge that body to recommend a border State convention.

Upon the adjournment of the conference convention, the committee (excepting Mr. Lowe, who was detained by illness), proceeded to Richmond and laid before the Virginia convention a communication, inviting that State to a border State convention "to secure, as far as may be done, a full, fair and accurate expression of the popular will, in such form as to leave no doubt either of its character, or of the authority of those who may be selected as its agents and representatives." In consequence of the stirring events which were then occurring in the South, no action was taken upon this communication, and the committee returned home without accomplishing their object.

The suspense in which the country had been kept was finally dissipated by the terrible certainty that the crisis had at last come. The attack upon Fort Sumter on the 12th of April indicated the determined resolution of the people of the seceded States to maintain the position they had assumed, and the departure Southward of the armament which sailed from New York

[1] Immediately after the President's call was issued, John B. Kenly, then a prominent lawyer of the Baltimore bar, and a number of other citizens of the State, associated to organize military companies for the support of the Federal Government. By the 14th of May, two full regiments were organized, and placed under the command of Brigadier General Kenly (Maryland militia). In consequence of the short term for which they were called upon to serve, they were declined by the government, and, on the 16th of May, 1861, they were disbanded by General Kenly, with his thanks for "risking up arms for the maintenance of the Union."

proved the purpose of the administration to coerce the Gulf States into obedience. Thus war began between the government of the United States and the people of the Confederate States.

The call of the government for an army of volunteers created the most intense excitement in Maryland, as it showed that the government was determined to make instant and desperate war upon the South; and the announcement of the Northern press that Maryland was to be held by the North only served to increase it. Therefore, when the Northern regiments came to march into or through our State to the Federal Capital, it was asserted that this was but a pretense of protecting Washington, but in reality to secure Maryland to the North.

In Baltimore, the most intense excitement followed the attack on Sumter, which was continued until after the riot of the 19th of April. Day after day, Union men and secessionists appeared on the streets and openly expressed their political sentiments. Owing to the excited state of the public mind, and the great division of opinions which existed in relation to political subjects, and apprehensive that violations of the peace might occur, Mayor Brown, on the 17th of April, 1861, by proclamation, earnestly invoked

"All good citizens to refrain from every act which could lead to any outbreak or violence of any kind; to refrain from rashness of speech, and to render in all cases prompt and efficient aid, as by law they are required to do, to the public authorities, whose constant efforts will be exerted to maintain unbroken the peace and order of the city, and to administer the laws with fidelity and impartiality."

Notwithstanding this urgent appeal to the citizens of Baltimore to preserve the peace, and the efforts of the police to enforce the laws, the good order of the city was constantly broken, and excitement increased.

The 18th of April was a day of much excitement. At noon, a small party of young men, sympathizing with the South, and somewhat elated by the secession of Virginia, on the 17th determined to raise a Confederate flag and fire a salute of a hundred guns in honor of the action. They hoisted the flag near the Marine Observatory upon Federal Hill, and began the firing. On the third round, however, they were driven off, the cannon seized, and, with the powder, thrown into the Basin, while the gun-carriage was broken up and the flag torn into shreds. Later in the day, another Confederate flag was hoisted in the northern section of the city, and saluted with one hundred guns. About two o'clock, of the same day, a force of about six hundred United States troops and Pennsylvania volunteers arrived in the city. Efforts had been made to keep the expected transit of troops from the knowledge of the public, but a large crowd gathered at the Calvert and Bolton depots before the time of their arrival. They left the cars at the intersection of Cathedral and Howard streets, and formed in column to march thence to the Mount Clare depot.

There were six companies of troops: two companies of United States artillery from St. Paul, under the command of Major Pemberton, two compa-

nies from Pottsville, Pennsylvania, one from Reading, and one from Lewistown, Pennsylvania, called the Logan Guards, in all numbering a fraction over six hundred men. Several hundred persons had congregated at the depot to await their arrival, and amused themselves in the interim by singing "Dixie's Land," and cheering for the Southern Confederacy. Upon the troops disembarking, they were jostled and pushed about considerably by the crowd. The line of march was finally taken up for Mount Clare Station, where fifteen freight cars, with seats placed in them, had been prepared for their transportation. From the commencement of the march to the close of it, they were greeted with groans, hisses, and other indignities, and with cheers for Jefferson Davis, South Carolina, the Southern Confederacy and Virginia. But for the efficient police arrangements, there would undoubtedly have been a collision between the populace and the military. On reaching the cars, the troops took possession of them, while many of the crowd clambered on top, hooting and yelling, while others pelted them with stones. They soon departed for Washington, and the crowd dispersed. These proceedings were an earnest of what might be expected on the arrival of other troops, the excitement growing in intensity with every hour. Numerous outbreaks occurred in the neighborhood of the newspaper offices during the day, and in the evening a meeting of the State-Rights Convention was held in Taylor's building, on Fayette street near Calvert, and where, it is alleged, very strong ground was taken against the passage of any more troops through Baltimore, and armed resistance to it threatened. On motion of Mr. Ross Winans, the following resolutions were unanimously adopted:

TAYLOR HALL.

"*Resolved*, That, in the opinion of this Convention, the prosecution of the design announced by the President, in his late proclamation, of reinforcing the forts in the seceded States, will inevitably lead to a sanguinary war, the dissolution of the Union, and the irrevocable alienation of the people of the South from the people of the North.

"*Resolved*, That we protest in the name of the people of Maryland against the garrisoning of Southern forts by militia drawn from the free States; or the quartering of militia from the free States, in any of the towns or places of the slaveholding States.

"*Resolved*, That, in the opinion of this Convention, the massing of large bodies of militia, exclusively from the Free States, in the District of Columbia, is uncalled for by any public danger or exigency, is a standing menace to the State of Maryland, and an insult to her loyalty and good faith, and will, if persisted in, alienate her people from a government which thus attempts to overawe them by the presence of armed men, and treats them with contempt and distrust.

"*Resolved*, That the time has arrived when it becomes all good citizens to unite in a common effort to obliterate all the party lines which have heretofore unhappily divided us, and to present an unbroken front in the preservation and defence of our interests, our homes and our liberties. To avert the horrors of civil war, and to repel, if need be, any invader who may come to establish a military despotism over us.

"A. C. ROBINSON, *Chairman*.

"G. Harlan Williams, Alfred Riddle, *Secretaries*."

At the same building, a meeting was held in the morning, of the "National Volunteer Association," Hon. T. Parkin Scott presiding, at which strong speeches, in sympathy with the South, denouncing any attempt at coercion, and recommending thorough preparation by Maryland to meet the crisis, were made by a number of prominent citizens.

During the day, a messenger arrived from the Mayor of Charlestown, Virginia, to Mr. John W. Garrett, president of the Baltimore and Ohio Railroad, with instructions to demand guaranties from him that no troops should be permitted to pass over the main stem, and that no munitions of war should be suffered to be removed from the arsenal at Harper's Ferry. If these guaranties were not given, the messenger was authorized to state to Mr. Garrett that the bridge at Harper's Ferry would at once be blown up. These were not given, and a short time afterwards the threat was carried out.

A dispatch was also sent by the Northern Central Railroad to Governor Curtin, of Pennsylvania, stating that the feeling was so intense in Baltimore that no more troops could be transported over their road.

In the midst of all this excitement, and in consequence of the riotous demonstrations of the day, Governor Hicks and the Mayor of Baltimore found it necessary to issue to the people the following proclamations:

"*To the People of Maryland*:

"The unfortunate state of affairs now existing in the country has greatly excited the people of Maryland.

"In consequence of our peculiar position, it is not to be expected that the people of the State can unanimously agree upon the best mode of preserving the honor and integrity of the State, and maintaining within her limits, that peace so earnestly desired by all good citizens.

"The emergency is great. The consequences of a rash step will be fearful. It is the imperative duty of every true son of Maryland to do all that can tend to arrest the threatened evil. I therefore counsel the people, in all contingencies, to withhold their hands from whatever may tend to precipitate us into the gulf of discord and ruin gaping to receive us.

"I counsel the people to abstain from all heated controversy upon the subject; to avoid all things that tend to criminution and recrimination; to believe that the origin of our evil day may well be forgotten now, by every patriot, in the earnest desire to avert from us its fruits.

"All powers vested in the governor of the State will be strenuously exerted to preserve the peace and maintain inviolate the honor and integrity of Maryland.

"I call upon the people to obey the laws, and to aid the constituted authorities in their endeavors to preserve the fair fame of our State and its right.

"I assure the people that no troops will be sent from Maryland, unless it may be for the defence of the national capital.

"It is my intention in the future, as it has been my endeavor in the past, to preserve the people of Maryland from civil war; and I invoke the assistance of every true and loyal citizen to aid me to this end.

"The people of this State will, in a short time, have the opportunity afforded them, in a special election for members of the Congress of the United States, to express their devotion to the Union, or their desire to see it broken up.

"THOS. H. HICKS, *Governor of Maryland.*

"*Baltimore, 18th April, 1861.*"

"*Mayor's Office, April 18th, 1861.*

"I heartily concur in the determination of the governor to preserve the peace and maintain inviolate the honor and integrity of Maryland, as set forth in the above proclamation, and will earnestly co-operate with his efforts to maintain peace and order in the city of Baltimore.

"And I cannot withhold my expression of satisfaction at his resolution that no troops shall be sent from Maryland to the soil of any other State. The great questions at issue must, in the last resort, be settled by the people of the city and State for themselves, at the ballot-box, and an opportunity for a free expression of their opinions will speedily be afforded at the approaching congressional election.

"If the counsels of the governor shall be heeded, we may rest secure in the confidence that the storm of civil war which now threatens the country, will at last pass over our beloved State, and leave it unharmed, but if they shall be disregarded, a fearful and hitherto undreamed strife may at once burst forth in our midst.

"Under such circumstances, can any good citizen doubt for a moment the course which duty and honor alike require him to pursue?

"GEO. WM. BROWN, *Mayor.*"

Such was the condition of affairs in Baltimore, when the memorable 19th of April opened, and with it came the news of the destruction of the Harper's Ferry arsenal, and the approach of additional forces from the North, proceeding to the defence of Washington. No member of the board of police had any information that these troops were expected, until within about an hour of the time at which they were to arrive. Marshal Kane was immediately notified, and called out at once a large portion of his force to preserve order during their transit through the city. The Mayor's action on the occasion is detailed in his message to the City Council, on the 12th of July, 1861.

"On the morning of the 19th, about ten o'clock, I was at my law office engaged in the performance of my professional business, when three members of the City Council came to me with a message from Marshal Kane, in which he informed me that he had just learned that the troops were about to arrive, and that he apprehended some disturbance. I immediately hastened to the office of the board of police and gave notice. George M. Gill, Esq., counsellor of the city, and myself, got into a carriage and drove rapidly to the Camden Station, and the police commissioners followed without delay. On reaching Camden Station we found Marshal Kane in attendance, and the police coming in squads to the spot. The plan of the agents of the railroad companies was that the troops which were to arrive in the cars at the President street station, should in the same way be conveyed through the city, and be transferred to the cars from Washington at the Camden Station. Accordingly, the police were requested by the agent of the road to be in attendance at the latter station. After considerable delay, the troops began to arrive, and were transferred, under the direction of the police, to the Washington cars as rapidly as possible. There was a good deal of excitement, and a large and angry crowd assembled, but the transfer was safely effected. No one could tell whether more troops were expected or not. At this time an alarm was given that a mob was about to tear up the rails in advance of the train on the Washington road, and Marshal Kane ordered some of his men to go out the road as far as the Relay House, if necessary, to protect the track. Soon afterwards, and when I was about to leave the station, supposing all danger to be over, news was brought to Commissioner Davis and myself, who were standing together, that other troops were left at the President street station, and that the mob was tearing up the track on Pratt street. Mr. Davis immediately ran to summon a body of police to be sent to

Pratt street, while I hastened alone down Pratt street towards President street station. On arriving at the head of Smith's wharf I found that anchors had been piled on the track so as to obstruct it, and Sergeant McGowan, and a few policemen who were with him, were not allowed by the mob to remove the obstruction. I at once ordered the anchors to be removed, and my authority was not resisted. On approaching Pratt street bridge I saw several companies of Massachusetts troops who had left the cars, moving in column rapidly towards me. An attack on them had begun, and the noise and excitement were great. I ran at once to the head of the column, some persons in the crowd shouting as I approached, 'Here comes the Mayor!' I shook hands with the officer in command, saying as I did so, 'I am the Mayor of Baltimore!' I then placed myself by his side and marched with him as far as the head of Light street wharf, doing what I could by my presence and personal efforts to allay the turmoil."

It seems that about eleven o'clock, a train of thirty-five cars arrived in the city by the Philadelphia, Wilmington and Baltimore Railroad, containing about two thousand troops. They consisted of the Sixth Regiment of Massachusetts, under command of Colonel Edward F. Jones, six companies of the First, and four of the Second Regiment of Pennsylvania volunteers, about half of the "Washington Brigade," of Philadelphia, under General John Small. Fearing an attack on the way through the city, Quartermaster Monroe distributed to the Sixth Massachusetts Regiment twenty rounds of ball cartridges; and Colonel Jones went through the cars ordering the men to cap and load their rifles.

As soon as their arrival was announced in Baltimore, the excitement became intense, and in less than fifteen minutes hundreds of people rushed in crowds towards the railroad track on Pratt street, leading from the President street to the Camden street depots, with the intention of preventing the passage of the troops through the city.

Having assembled on Pratt street, from Light street as far down as the bridge, some time was spent in giving vent to their indignation by groans for Hicks, Lincoln and the Federal government, and cheers for Jefferson Davis and the Southern Confederacy. About half past eleven o'clock, a car drawn by horses was seen approaching from the bridge over Jones' Falls, and a general shout was sent up by the crowd in favor of Jefferson Davis and the South. This car, with eight others, was allowed to pass unmolested, except that the multitude groaned and hissed at them as they passed. As the tenth arrived opposite Commerce street, the brake upon the car became disarranged by some means, and the car was consequently stopped, when a man standing upon the sidewalk threw a stone into one of the windows. This was a signal to all assembled, and in an instant the stones were flying thick and fast. The driver of the car becoming frightened, attached his team to the opposite end and drove rapidly toward the Philadelphia depot, the car being stoned until it disappeared from view. After the lapse of a few moments spent in cheers and groans, the crowd, which had by this time increased to the number of about eight hundred, proceeded to tear up the street for the purpose of blockading the track, to prevent the passage of any more of the cars. Picks and

shovels were soon procured, and in a short time the entire street, for a distance of about fifty yards, was entirely torn up, the bridges over the gutters were taken up, and the paving-stones thrown in large piles in the centre of the track. About this time some one among the party discovered several large anchors lying upon the wharf near by, and a rush was immediately made to gain possession of them. A number of negroes employed as sailors upon schooners hailing from the South, came ashore from their vessels and rendered every assistance in their power, hauling the ponderous anchors to the centre of the railroad tracks, with cheers for the "Soul," and "Massa Jeff Davis." By their assistance, some eight of the anchors were piled upon the track. A cart loaded with sand happened at the time to be passing, and it was also seized upon, and being hauled up, the contents were emptied on the centre of the track.

The crowd at this point now received information that the troops at the Philadelphia depot were about to form and march to the Camden station, being unable to proceed thither by rail. This announcement led to a yell of disappointment from those assembled, when a cry of "to the depot," was heard, and the greatest portion of them moved off at a rapid rate down President street. As the crowd arrived in the neighborhood of the depot, hundreds of citizens joined it to discover the cause of the excitement, and the mass soon swelled to over two thousand persons. Passing rapidly down President street, as far as the depot, they assembled beside the train containing the remainder of the military, and immediately sent up a shout for the Southern Confederacy, accompanied by the most unearthly groans for the troops and the Federal government. No movement was made by the troops for about fifteen minutes to alight from the train.

During this delay among those in command, the crowd became furious with excitement, and were about to force an entrance into the cars, when a large detachment of police under the charge of one of the captains, made their appearance, and rushing forward at the risk of their lives, succeeded in preventing the attack upon the cars. The order being given by the captains of the various companies of the troops, six car-loads of them proceeded to alight from the train. As they descended single file into the crowd, they were hustled quite violently, and were hooted at and hissed by all assembled, but finally succeeded in pushing their way, with the assistance of the officers, to the footway alongside the depot, where they formed in double file, awaiting further orders. At this instant, a commotion was perceptible on President street, and a man appeared, accompanied by about one hundred friends, bearing in his hands a pole having upon it a flag of the Southern Confederacy. As it became perceptible, a loud shout of enthusiasm was sent up by the multitude, and for several moments the air was rent with cheer upon cheer for the Southern flag. Some one here stole silently into the crowd, and grasping at the flag-staff, tore it almost in half, when he was seized by the throat by the man who bore the flag, and would have been killed upon the

spot had the police not saved him from their vengeance. The shreds of the flag were immediately caught up by the crowd, and being tied upon the staff, was again saluted with cheers. The most bitter taunts were thrown at the troops by those surrounding the flag, many of whom declared that they should march behind it, which they were compelled to do, as will be shown by the sequel.

The arrangement having been perfected for a march, the order was given, and the whole body made a movement towards President street, when those surrounding the secession flag made a bold and determined stand, and refused to give an inch to allow them to pass. Finding it impossible to proceed, they wheeled around and started in an opposite direction, when cries of "head them off," were re-echoed through the vast assemblage, and a rush was made to the southern end of the depot. At this point they were completely surrounded, and for several minutes it was found to be impossible for them to move in any direction. Finally, however, the body of military were formed into platoons, four abreast, when three or four of those in the rear were attacked and separated from their comrades. Here again the police, who were untiring in their efforts to preserve the peace, rushed in and protected the men, enabling them to regain their places in the ranks, when the body again made a move, and by their broad front, aided by the police, they forced a passage through the crowd. As the body moved off, the Confederate flag was borne to the head of the ranks, and saluted with cheers. Groans were given for the troops, and the flag was immediately surrounded by about two hundred persons, who marched in front of the troops, protecting the flag and compelling the volunteers of Massachusetts to march for a distance of two squares behind the Confederate banner. When about one hundred yards from the depot, a second attempt was made by several Union men to seize the flag; and, upon being attacked by the citizens, they endeavored to escape by retreating behind the ranks of the military.

This action exasperated the entire mass of citizens to such an extent that an attack was immediately made upon the troops with stones and such missiles as could be found. As the attack began one of the soldiers, a man named William Patch, from Massachusetts, was seen to fall about midway of the ranks, having been struck in the back with a large paving stone. As he fell upon his side into the gutter, his musket was seized by a portion of the crowd, apparently in a great state of exasperation, who set upon him, and before the police could prevent them, beat the unfortunate soldier most unmercifully. The gun was borne rapidly off some distance, but was finally given up to an officer. As the man Patch was seen to fall, the commanding officer of the troops gave a hurried order to the troops to "run," and dipping their heads, they were soon running at a rapid rate, followed by the crowd, who continued to pelt them with stones as they retreated.

When at the corner of President and Stiles streets the crowd pressed closely upon them, and rallying around them, knocked down two of the soldiers and seized their muskets, which were very promptly delivered into the hands of the police, who checked them in the attack. One of the soldiers who was knocked down managed to regain his feet and make his escape, but the second one was quickly picked up by an officer, and carried to the Middle Station House, where he was protected from the crowd.

The body of troops continued to run with great rapidity across Pratt street bridge, and as far as Commerce street, the point where the street had been torn up, and where an immense concourse of people had assembled, completely blockading the entire street from one side to the other. As the troops advanced towards them, a tremendous shout of indignation resounded among the crowd, and determined resistance was depicted upon every countenance. Almost every man of them provided himself with a huge paving-stone, and as the troops advanced a shower of the stones was poured into them. This had the effect of checking the speed of the troops completely, and for a few minutes the citizens were decidedly victorious. Finding themselves hemmed in, the commanding officer of the troops ordered them to "fire," and the order was no sooner given than several of the men foremost in the ranks took deliberate aim, and at the first fire a number of citizens were shot down. The remainder of the troops fired in rapid succession upon the crowd in front, shooting several persons, some of whom were instantly killed. "A resident of this city was forced by the rush of the crowd in close proximity to one of the soldiers. He raised his gun, and taking deliberate aim, pulled the trigger. The cap exploded, but the gun failed to go off. The citizen rushed forward, and seizing the musket, plunged the bayonet almost entirely through his body."

PRATT STREET BRIDGE.

As those who were shot down by the soldiers continued to fall, the citizens, who were almost entirely unarmed, wavered somewhat, and giving way before the fixed bayonets of the troops, opened a passage, and the troops were again in motion, running rapidly up Pratt street towards Camden Station. Mayor Brown, who had joined the troops near Pratt street bridge, and marched at the head of their column, finding that his presence was of no use, left them about Light street, but immediately after, Marshal Kane, with about fifty policemen from the direction of Camden Station, rushed to the rear of the troops, formed a line across the street, and with drawn revolvers checked and kept off the mob. This movement was perfectly successful, and without a doubt saved the soldiers from extermination. In the meantime, the nine cars which the mob had allowed to pass along Pratt Street,

arrived at Camden Station, where the soldiers were greeted with hisses, groans and insulting threats of every description. The troops appeared to be somewhat unsteady, and looked uneasily upon the angry crowds surrounding the cars. While they were waiting for their comrades at the President street depot, the crowd gradually diminished, and many persons left the place under the impression that the trouble was over; but in reality the greater part of them had gone off to the conflict on Pratt street, while others had repaired to the outskirts of the city for the purpose of tearing up the track and making preparations to attack the train as it moved off from the depot. When Marshal Kane started from the depot for the scene of the conflict a large crowd left with him. In a few minutes the crowd came surging up Pratt street, hooting at the military, but kept somewhat at bay by the strong police force present, until they arrived near Howard street, when a volley was fired by the troops, in which one or two persons were wounded. Immediately after firing they started in a run, which was kept up until near Camden street, when about a dozen shots were fired by them, but no one was injured at this time. The run was then resumed and kept up until they reached the cars, into which they very unceremoniously jumped. As soon as they were within the cars, the muskets were run out of the windows on the east side of the train, and an indiscriminate fire opened upon the citizens standing on the pavement. This was promptly responded to from those on the outside.

MARSHAL KANE.

Thirteen cars were then drawn out, which were entirely occupied by troops, and being attached to a locomotive, about a quarter before one o'clock moved out of the depot amid the hisses and groans of the multitude. At every point within the city they were stoned, and this was kept up until they were a considerable distance beyond the city limits. When at a short distance from the city one of the soldiers ran his musket out of a car window, and taking deliberate aim at Mr. Robert W. Davis, a well known merchant of the city, who was standing looking at the train as it passed, fired and killed him.

About half-past two o'clock the populace, which about this time filled the streets, crowded in a body, to the number of about eight or ten thousand, to the President street depot, a rumor having been spread abroad to the effect that the celebrated New York Seventh Regiment would arrive at three o'clock. On arriving at the depot they assembled around the train containing the Philadelphia volunteers, and began an attack upon those who were in the passenger cars, by throwing stones through the windows, smashing them to atoms. Marshal Kane here appeared in company with General Egerton, of the Maryland militia, and it was announced that the train would soon leave for Philadelphia. With this understanding the crowd withdrew for a short time,

but becoming impatient, a second attack was made, during which about twenty of the volunteers, who were unarmed, were badly injured, being struck with stones about the body and head. Those in the passenger cars were removed to freight cars for safety, when a large body of them, numbering 110, including many members of the band accompanying the troops, became separated and were taken into the Eastern Station House by the officers for protection. After the lapse of a few moments, about half past two o'clock, an engine was attached to the train consisting of some twenty cars, and it passed shortly out of the city, an order having been issued by the railroad company for their return to Philadelphia.[1]

Immediately after the Massachusetts troops left the city, the military were called out by Governor Hicks, for the preservation of the peace and the protection of the city. At the same time the following despatch was telegraphed to the President:

"SIR:—A collision between the citizens and the Northern troops has taken place in Baltimore, and the excitement is fearful. Send no troops here. We will endeavor to prevent all bloodshed. A public meeting of citizens has been called, and the troops of the State have been called out to preserve the peace. They will be enough.

"Respectfully,

"THOMAS H. HICKS.

"GEORGE WILLIAM BROWN, *Mayor.*"

To effect, if possible, a settlement of the difficulties caused by the transportation of troops through the city, Messrs. H. Lennox Bond, John C. Brune and George W. Dobbin were sent to Washington to consult with the President, bearing the following letter:

"*Mayor's Office, Baltimore, April 19th, 1861.*

"SIR:—This will be presented to you by the Hon. H. Lennox Bond, and George W. Dobbin and John C. Brune, Esqs., who will proceed to Washington by an express train, at my request, in order to explain fully the fearful condition of affairs in this city. The people are exasperated to the highest degree by the passage of troops, and the citizens are universally decided in the opinion that no more should be ordered to come. The authorities of the city did their best to-day to protect both strangers and citizens, and to prevent a collision, but in vain; and but for their great efforts a fearful slaughter would have occurred. Under these circumstances it is my solemn duty to inform you that it is not possible for more soldiers to pass through Baltimore unless they fight their way at every step. I therefore hope and trust, and most earnestly request, that no more troops be permitted or ordered by the Government to pass through the city. If they should attempt it, the responsibility for the bloodshed will not rest upon me.

"With great respect, your obedient servant,

"GEORGE WILLIAM BROWN, *Mayor.*

"To His Excellency, Abraham Lincoln, *President United States.*"

[1] Among those killed on the day were: Citizens—Robert W. Davis, Philip S. Miles, John McCann, John McMahon, William B. Clark, James Carr, Francis Maloney, Sebastian Gill, William Maloney, William Reed, Michael Murphy, and Patrick Griffith. Soldiers—Addison O. Whitney, Luther C. Ladd, Charles A. Taylor, and Sumner H. Needham.

"I have been in Baltimore City since Tuesday evening last, and co-operated with Mayor G. W. Brown in his untiring efforts to allay and prevent the excitement, and suppress the lawless outbreaks as indicated above, and I fully concur in all that is said by him in the above communication.

"Very respectfully your obedient servant,

THOMAS H. HICKS, *Governor of Maryland.*

"To His Excellency, Abraham Lincoln, *President United States.*"

At four o'clock in the afternoon a public meeting was held in Monument Square, at which a number of prominent gentlemen made speeches, including Governor Hicks, who said: "He had had three conferences with the mayor, and they had always agreed upon every point presented. He was a Marylander, and would sooner have his right arm cut off than raise it against a sister Southern State."

Thus terminated the most exciting day in the annals of Baltimore. All business for several days was suspended, and the city given up to the wildest and most exaggerated rumors and reports. But when they heard on the night of the 19th, and on the following morning, that other Northern regiments were on the road, loud in their threats of vengeance, and resolved "to fight their way to Washington," the feeling of the people of Baltimore became one of stern determination to prevent their passage through the city at every hazard.

On the same night the board of police met, and the opinion was unanimous that, in the existing state of public feeling, it was impossible that any more northern troops could pass through the city without a fierce and bloody conflict, involving great loss of life and imminent danger to the city. They were as unanimous in the decision that it was their duty, to the city and State, to prevent the arrival of any such troops at the city. To effect this, the most feasible, and perhaps the only means, was to destroy some of the bridges on the Northern Central and Philadelphia railways.

Later in the evening, the board of police were informed by telegraph that troops were to come over the Northern Central; and there was a report that others were on their way, and probably then at Perryville (a village about thirty-eight miles to the northeast of the city). On receipt of this intelligence, the board, about midnight, sent Marshal Kane to the Mayor (at whose house Governor Hicks was staying), Ex-Governor Lowe accompanying him. On arriving at the Mayor's house, the two gentlemen were conducted by the Mayor to the Governor's apartment, where they laid the matter before him. Ex-Governor Lowe, in a letter to Hon. John C. Brune, dated Frederick, Md., May 10th, 1861, gives the result of this interview, as follows: "Governor Hicks replied that it was a serious affair to undertake to destroy the bridges, and he expressed some doubt as to his authority to give such an order. It was urged, in reply, that it was a case of absolute self-preservation—that in three or four hours time a large body of troops would probably be in the city, inflamed with passionate resentment against the people of Baltimore for the

assault made on their comrades, in the Pratt street encounter; and that, as the city was filled with hundreds of excited men, armed to the teeth, and determined to resist the passage of troops, a fearful slaughter must necessarily ensue, and the safety of the city itself be put in peril, unless by the destruction of the bridges time could be gained to avoid the difficulty by peaceable arrangement of some sort. Governor Hicks fully and most distinctly assented to all this, and said, 'well, I suppose it must be done,' or words of precisely that import, to which the mayor replied, substantially: 'Governor, I have no authority to act beyond the city limits, and can do nothing in this matter except by your direction; shall the bridges be destroyed?' Governor Hicks emphatically and distinctly replied in the affirmative. It is absolutely impossible for any misapprehension to exist on this point."[1] This statement is corroborated by that of Mayor Brown, J. Cumming Brown, (the Mayor's brother, who was present), and Marshal Kane.

In reply to an official communication made to the Legislature by Mayor Brown, Governor Hicks denied that he authorized the burning of the railroad bridges on the night of the 19th of April. Not being able to rebut the unbesitating testimony of the above named witnesses of the highest integrity, who were present, and heard the authority given with their own ears, the Governor endeavored to get rid of his difficulty by cooking up a silly case of probabilities, and chiefly by attempting to show that the attack on the northern troops, in Baltimore, and the burning of the bridges, were all "part of the secession programme," and a portion of the "details matured" to "precipitate Maryland into rebellion against the general government, and thus render our State the theatre of war." It is needless to say that the Governor's puerile evasion of the issue of veracity, which he was unable to meet, mortified even his own friends. It, nevertheless, furnished the starting point of a slander, which, nursed and repeated by demagogues and conspirators, was at last impressed as a fact upon the willing credulity of the government, and chiefly contributed to its belief in the existence of a conspiracy among our people, which the board and marshal of police were charged with encouraging, which thus led to their arrest, together with that of the mayor, and their imprisonment for over fourteen months in northern forts. Now let us look at the facts. The charge, we repeat, was one of conspiracy, to attack and murder the northern troops on their passage through Baltimore; the police board and marshal of police conniving thereat, and intending to burn bridges, etc., etc., so as to throw the State inextricably into rebellion and civil war.

On the 25th of April, 1861, some weeks before the publication of the document referred to, and before the necessity for getting up a conspiracy had arisen, Governor Hicks had occasion to send a message to the Legislature, at the opening of the special session. It contained a statement of the troubles of the 19th of April, and in it was this paragraph:

[1] Document "G," House of Delegates, 1861, special session.

"On Friday last a detachment of troops from Massachusetts reached Baltimore, and was attacked by an irresponsible mob, and several persons on both sides were killed. *The Mayor and Police Board gave to the Massachusetts troops all the protection they could afford, acting with the utmost promptness and bravery.* But they were powerless to restrain the mob. Being in Baltimore at the time, I co-operated with the Mayor to the full extent of my power in his efforts."

Now let us see what one of the parties most interested and most likely to know, thought of the conduct of our "treasonable" authorities on the occasion. Colonel Jones, the commander of the Sixth Massachusetts regiment, in his official report to Major General B. F. Butler, dated Washington, April 22d, says: "The Mayor of Baltimore placed himself at the head of the column, beside Captain Follansbee, and proceeded with them a short distance, assuring him that he would protect them, and begging him not to let the men fire: but the mayor's patience was soon exhausted, and he seized a musket from the hands of one of the men, and killed a man therewith [this statement Mayor Brown has denied;] and a policeman, who was in advance of the column, also shot a man with a revolver." In a letter to Marshal Kane he said:

"*Head Quarters Sixth Regiment, M. V. M.*

"*Washington, D. C., April 20th, 1861.*

"Marshal Kane, Baltimore, Maryland.

"I have deliver the bodies of the deceased soldiers belonging to my regiment to Morris S. Wright, Esq., who is authorized to receive them and take charge of them through to Boston, *and thereby will you oblige the state of Massachusetts for which, in connection with this matter, I am, with my command, much indebted to you. Many, many thanks for the Christian conduct of the authorities of Baltimore in this truly unfortunate affair.*

"I am with much respect, your obedient servant,

"EDWARD F. JONES,

"*Colonel Sixth Regiment, M. V. M.*"

The following card of Captain John H. Dike, who commanded Company C, of the Sixth Massachusetts Regiment, is taken from the *Boston Courier*:

"*Baltimore, April 22d, 1861*

"It is but an act of justice that induces me to say to my friends who may feel any interest, and to the community generally, that in the affair which occurred in this city on Friday, the 19th instant, *the Mayor and city authorities should be exonerated from blame or censure, as they did all in their power, as far as my knowledge extends, to quell the riot, and Mayor Brown attested the sincerity of his desire to preserve the peace, and pass our regiment safely through the city, by marching at the head of its column, and remaining there at the risk of his life.* Candor could not permit me to say less, and a desire to place the conduct of the authorities here on the occasion in a right position, as well as to allay feeling, urges me to this act of simple justice.

"JOHN H. DIKE,

"*Captain Company C, Keswick Regiment attached to Sixth Regiment Massachusetts V. M.*"

Thus it will be seen that during the bloody and memorable occurrences of the 19th of April, the police of Baltimore did all that courage, discipline and subordination to authority could possibly do, to preserve the peace of the city, and protect the troops from violence. Whatever may have been their opinions as to the course of the administration in calling out troops, they were

resolute to discharge the duties imposed upon them by the laws of Maryland, and they did so faithfully. In the midst of the surging and overwhelming masses, and the scenes of violence and bloodshed that were provoked by the presence of these Northern troops, their conduct was calm, vigilant and resolute, and worthy of all praise. Marshal Kane and Deputy Marshal Gilford especially distinguished themselves; while the courageous deportment of Mayor Brown, who marched with them through the furious crowds, risking his life to maintain order, as far as it was possible, and vindicate the authority of the city, was the theme of general praise. It was a perilous and difficult duty fearlessly performed.

It was with the knowledge of these facts and the fullest conviction of their truth, that President Lincoln, in the interview held by him with Mayor Brown, on the 21st of April, in Washington, acknowledged frankly and freely the perfect fidelity with which the police authorities of the city discharged their duties on the trying occasion. In the language of the report of that interview, published by the mayor on the 23d of April, "the president, upon his part, recognized the good faith of the city and State authorities, and raised on his own." Again, in a letter addressed by him to Governor Hicks and Mayor Brown, dated on the Sunday after the assault on the Massachusetts troops, President Lincoln said, "I tender you both my sincere thanks for your efforts to keep the peace in the trying situation in which you are placed." In the face of all these facts, so attested, so recognized, so indisputable, the citizens of Baltimore were afterwards told that the authorities who risked their lives to put down the riot of the 19th of April, had deliberately and systematically conceived it all, the burning of the bridges included, and were now carrying on the "secession programme" then begun, so as to be unworthy afterwards to perform the functions which the laws of the State of Maryland had entrusted to their hands. Further comment on this subject is unnecessary.

Immediately on receiving the governor's permission to destroy the bridges, the mayor and the gentlemen present went to the office of the marshal of police, and reported to Mr. Charles Howard, the president of the board, the assent of the governor. The necessary order to destroy the bridges was given, and accordingly about two and one-half o'clock, of Sunday morning, two parties left the city; one consisting of a squad of police, accompanied by one company of the City Guard, under command of Captain J. C. Johnsons, and a number of armed citizens, who volunteered their services for the Northern Central Railroad; the other, with a posse of police officers, with one company of the Baltimore City Guard, under Colonel Kane, for the Philadelphia Railroad. Each squad was equipped with picks, axes, crowbars and a good supply of turpentine.

The first party destroyed the bridge at Melvale, about five miles from the city, but the citizens not feeling satisfied at this, proceeded further on and destroyed the bridge at the Relay House, and the one near Cockeysville. The second party burnt the bridges over the Bush and Gunpowder Rivers and

Harris's creek. The telegraph poles and wires were also cut and destroyed in several places on both roads. The action of the police board was subsequently explained by them in their report to the Legislature, from which the following is an extract:

"The absolute necessity of the measures thus determined upon by the governor, mayor and police board, is fully illustrated by the fact that early on Sunday morning, reliable information reached the city of the presence of a large body of Pennsylvania troops, numbering about twenty-four hundred men, who had reached Ashland near Cockeysville, by the way of the Northern Central Railroad, and were stopped in their progress towards Baltimore, by the partial destruction of the Ashland bridge. Every intelligent citizen at all acquainted with the state of feeling then existing, must be satisfied, that if these troops had attempted to march through the city, no calculation can be made of the loss of life which would have ensued, in the conflict which would necessarily have taken place. The bitter feelings already engendered would have been intensely increased by such a conflict, all attempts at conciliation would have been vain, and terrible destruction would have been the consequence. It is as is certain, other bodies of troops had insisted upon forcing their way through the city. The tone of the whole of the Northern press, and of the mass of the population, was virulent in the extreme. The orders upon our city were daily threatened, not only by troops in the service of the Federal Government, but by the vilest and most reckless desperadoes, acting independently, and as they pretended, in spite of the Government, backed by well-known influential citizens, and sworn to the commission of all kinds of excesses. In short, every possible effort was made to alarm this community. In this condition of things, the board felt it to be their solemn duty to continue the organization which had already been commenced, for the purpose of assuring the people of Baltimore that no effort would be spared to protect all within its borders to the full extent of their ability. All the means employed were devoted to this end, and with no view of promoting a collision with the general government, which the board were particularly anxious to avoid; and an arrangement was happily effected by the mayor with the general government that no troops should be passed through the city. As an evidence of the determination of the board to prevent such collision, a sufficient guard was posted for several nights in the neighborhood of Fort McHenry, to arrest all parties who might be engaged in a threatened attack upon it, and a picket boat was employed, properly manned, to prevent any hostile demonstration upon the receiving-ship *Allegheny*, lying at anchor in the harbor, of a... which the United States authorities in command were duly notified."[1]

[1] "OFFICE BOARD OF POLICE,
"BALTIMORE, April 20, 1861, 8 o'clock, P. M.
"CAPTAIN ROBINSON, U. S. A.,
"*Commanding at Fort McHenry:*

"DEAR SIR—From rumors that have reached us, the board are apprehensive that you may be annoyed by lawless and disorderly characters approaching the walls of the fort to-night... We propose to send a guard of perhaps 200 men, to station themselves on Whetstone Point, of course entirely beyond the outer limits of the fort and within those of the city. Their orders will be to arrest, and hand over to the civil authorities any evil-disposed or disorderly persons who may approach the fort. We should have confided this duty to our regular police forces, but their services are so extensively required elsewhere that it is impossible to detail a sufficient number of men to your vicinity to insure the accomplishment of our object. This duty has, therefore, been entrusted to a detachment of the regularly organized militia of the state, now called out pursuant to law, and actually in the service of the State of Maryland. The commanding officer of the detachment will be instructed to conduct himself with you. Permit me here to repeat the assurance I verbally gave you this morning, that no disturbance of your post shall be made with the sanction of any of the constituted authorities of the City of Baltimore, but that, on the contrary, all their powers shall be exerted to prevent anything of the kind by any parties. I have the honor to be, very respectfully, your obedient servant,

"GEORGE P. KANE, *President.*

"P. S.—There may probably be a troop of volunteer cavalry with the detachment: these will, of course, be under the orders of the officer in command. Yours, etc., G. P. K., *President.*"

[2] Document "D," House of Delegates, 1861, extra session.

In such a period of intense excitement, many foolish and unnecessary acts were undoubtedly done by persons in the employment of the city as well as by private individuals, but it is undoubtedly true that the mayor and board of police commissioners were inflexibly determined to resist all attempts to force the city into secession or into acts of hostility to the Federal government, and that they successfully accomplished their purpose. If they had been otherwise disposed they could easily have effected their object.

Early on Saturday morning, the 20th of April, Mayor Brown received a despatch from Messrs. Bond, Brune and Dobbin, the committee who had been sent to Washington to consult the President, in which they said:

"We have seen the President and General Scott. We have from the former a letter to the mayor and governor, declaring that no troops shall be brought through Baltimore, if, in a military point of view, and without interruption from opposition, they can be marched around Baltimore."

Upon the receipt of this despatch a strong feeling of dissatisfaction was expressed at the unsatisfactory result of the interview with the President, many being of the opinion that "these Northern troops should not be allowed to pollute the soil of the State of Maryland by their march to the rendezvous." Another committee was therefore sent to Washington, consisting of Senator Anthony Kennedy and Hon. J. Morrison Harris, member of the House of Representatives. In the meantime preparations were continued for the defence of the city in any emergency; with this object in view, Mayor Brown requested:

"All citizens having arms suitable for the defence of the city, and which they are willing to contribute for the purpose, are requested to deposit them at the office of the marshal of police."

In consequence of this recommendation a very large quantity of arms of all kinds and descriptions were gathered together at police headquarters, and other military preparations proceeded with vigor. Volunteers poured into the city from all sections of the State and tendered their services to the authorities.

To arm the immense number of men that flocked to the defence of the city, all sorts of weapons were secured. Among the many curious inventions tendered the authorities was a steam-gun, invented by Charles S. Dickinson, and made by Ross Winans. It was asserted that this invention could throw two hundred balls a minute, a distance of two miles, and would be terribly destructive in front of an army, mowing down regiments like grass. It was protected by a bullet-proof cone of iron, and could be made to project missiles of any size. The efficiency, however, was never tested, as it was captured when on its way to Richmond, at Harper's Ferry, and was placed in position to guard the Relay House on the Washington Branch of the Baltimore and Ohio Railroad.

WINANS' STEAM GUN.

About 10 A.M. Saturday the City Council assembled and immediately appropriated $500,000 "to be expended under the direction of the mayor," "for the purpose of putting the city in a complete state of defense against any description of danger arising, or which may arise out of the present crisis." A few hours afterwards a committee, composed of Messrs. Johns Hopkins, John Clark and Columbus O'Donnell, on the part of the banks of the city, waited on the Mayor and advanced the sum to the city for the purpose designated. At the same time a large number of the most prominent merchants of the city irrespective of past party affiliations, subscribed a large sum to be devoted to "the purchase of arms, to be placed in the hands of the police commissioners for distribution," or placing the city in a position of defence.[1]

After the interview of Messrs. Kennedy and Harris with the President, they sent a despatch to the mayor that they had "seen the President, Secretaries of State, Treasury and War, also General Scott. The result is the transmission of orders that will stop the passage of troops through or around the city."

This it seems was not satisfactory to the President, for on Sunday about 3 A. M. he sent a despatch to Governor Hicks and Mayor Brown, requesting them to come to Washington by special train to consult with him about the preservation of the peace of Maryland. Mayor Brown replied that Governor Hicks was not in the city, and inquired if he should come alone. Receiving an answer by telegraph in the affirmative, the mayor, accompanied by George W. Dobbin, John C. Brune and S. T. Wallis, whom he had invited to attend him, proceeded to Washington. They were immediately admitted to an interview with the President, at which the cabinet and General Scott were present by order. A long discussion followed, after which the mayor and his party were about taking the cars for Baltimore when he received the following despatch:

"*Baltimore, April 19th, 1861.*

"Hon. George William Brown, Mayor of Baltimore, at Washington:

"Three thousand Northern troops are reported to be at Cockeysville. Incensed workmen's pretext. Citizens have been disarmed, and the people are arming in mass. To prevent terrible bloodshed, the result of your interview and arrangements is awaited.

"(Signed) JOHN W. GARRETT, *President.*"

[1] When it is remembered that the gentlemen composing the committee from the banks, and many of those who voluntarily subscribed, and the editors of the *Sun*, *American*, *Exchange*, *German Correspondent*, *Clipper*, *Wecker*, etc., at the time, endorsed the action of the city authorities, and as some of these were reinstated shortly afterwards as violent partisans of Mr. Lincoln, it is not reasonable to suppose that there was much division of sentiment in Baltimore on and immediately after the 19th of April. It is equally capable of proof, that though the people were thus united, no violence was with a solitary exception done to the few whose opinions differed radically from those of the mass of the community. Men who were known always to have been strenuous supporters of Mr. Lincoln, and to have sympathized merely with the most extreme politicians of the North, walked the streets unmolested. The people of Baltimore, though here, as on Yindicating their own rights, did not then or afterwards desire or attempt to compel any citizen to forego his political opinions.

To this Mayor Brown replied:

"Your telegram received on our return from an interview with the President, cabinet, and General Scott. Be calm, and do nothing until you hear from me again. I return to see the President at once, and will telegraph again. Wallis, Brune and Dobbin are with me."

On his return from the interview with the President, the Mayor again replied to Mr. Garrett as follows:

"We have again seen the President, General Scott, Secretary of War, and other members of the cabinet, and the troops are ordered to return forthwith to Harrisburg. A messenger goes with us from General Scott. We return immediately."

In the meantime, in Baltimore intelligence had been received that about five thousand Northern troops were at Cockeysville, fifteen miles distant, and were marching direct for the city. The startling announcement was very soon spread abroad by the newspaper offices, and in a few moments the whole town was on fire with excitement. The church bells were ringing for morning service, when the quick roll of the drums at the various armories was suddenly heard calling the forces to arms, and the effect was instantaneous. Men rushed from the churches to the armories; women hurried shrieking through the streets, supposing that the enemy was already in the city. Some of the churches were deserted; most of the ministers read only a portion of the morning service, and then dismissed their congregations, and in less than fifteen minutes after the first alarm the streets were filled with people flying to arms to meet the "invaders." The old "Town Clock" bell soon rang an alarm, and by eleven o'clock, Holliday street from Baltimore to the old city hall, and several other streets, were packed with a dense mass of citizens and soldiers. They were rapidly enrolled in companies of forty, and electing their captains, were furnished each with a gun. They were then marched to the headquarters assigned them to await further orders. Hundreds of persons made their appearance at the marshal's office, armed with small bird and heavy duck guns, bowie knives, pistols and every description of weapon. After some five hours spent in hasty preparation the forces were all collected, under the command of Colonel Isaac R. Trimble, and ready for a move, when at 2 o'clock several cannon were taken as far as Eager street, near Greenmount avenue, where they awaited the arrival of the remainder of the force stationed on Holliday street. Nothing definite was known until about 5 o'clock, when it was announced that the President had ordered the troops back to Harrisburg. Upon the announcement of this fact, the militia and volunteers promptly dispersed, and all was quiet again.

OLD CITY HALL.

That day, the 21st of April, 1861, will ever be memorable in the history of Baltimore, less for the events it brought than for the feeling it disclosed. For nearly half a century, no enemy had menaced the city or State, and a generation had grown up, that, for the most part, knew nothing of war but by report. Yet, no sooner was it known that an armed force was approaching, bent, if not on the destruction of the city, at least on forcing a passage through, than the whole population rose as by a single impulse to resist the invasion. There was no question of party or class; all differences, all distinctions, were merged in the common feeling. Boys stood beside graybeards. Republican shouldered democrat, merchants and professional men touched elbows with mechanics and laborers, in the ranks of the citizen soldiery. Volunteers came hurrying in from the counties, eager to share in the perils of the conflict. Companies were at once formed, under officers of their own choosing, some providing their own arms, and others supplied by the city; and upon organizing, reported themselves as ready for orders. Altogether, the readiness, the calmness, and the determination shown, formed a display of courage, patriotism, and military spirit, well worthy the descendants of the men of the old Maryland line; nor can it be doubted that if the crisis had come, they would have so borne themselves as to show that the race of Marylanders had not degenerated.

MARYLAND GUARD.

During these three days, the 19th, 20th, and 21st, Washington was completely isolated from communication with the North. The Northern people were naturally alarmed at this state of affairs, and it seemed for a short time as if the Federal capital would be cut off before they could reach it. The first thing, therefore, which they had to do was to open a way to Washington.

Brigadier General Butler, who had been assigned to the command of the forces from Massachusetts, arrived at Philadelphia with the 8th Regiment from that State, on the evening after the attack upon the 6th, in Baltimore. The 7th Regiment, of New York, also shortly arrived. The news of the events in Baltimore produced great excitement, and loud were the threats of the punishment to be dealt out to the "traitors," and the destruction which was to befall their city.

The practical fact, however, remained, that no troops could at that time be taken through Baltimore without a bloody conflict; so it became necessary to choose some other route. General Butler, therefore, decided to take his troops to Annapolis, from which point they might march to Washington, if no transportation was procurable. In this movement he desired the co-operation of the New York regiment, but Colonel Lefferts, its commander, did not accede to his request. General Butler, therefore, with his command, left Philadelphia on the 20th, going by rail to Perryville, at the head of the bay. Here he found the ferry-boat *Maryland*, on which he embarked his troops, and steamed down the bay, arriving at Annapolis early on the morning of the 21st.

Upon his arrival, Governor Hicks addressed him a note, in which he said: "I would most earnestly advise that you do not land your men at Annapolis. The excitement here is very great, and I think that you should take your men elsewhere. I have telegraphed to the Secretary of War, advising against your landing your men here."

After acknowledging the receipt of copies of the correspondence between Mayor Brown and Mr. Garrett, General Butler, in reply, said:

"I cannot return, if I desire so to do, without being furnished with some necessary supplies, for all which the money will be paid. I desire of your Excellency an immediate reply, whether I have the permission of the State authorities of Maryland to land the men under my command, and of passing quickly through the State, on my way to Washington, respecting private property, and paying for what I receive, and outraging the rights of none—a duty which I am bound to do in obedience to the requisitions of the President of the United States? * * *

"Have I your Excellency's permission, in consideration of these exigencies of the case, to land my men,—to supply their wants, and to relieve them from the extreme and unhealthy confinement of a transport vessel not fitted to receive them? To convince your Excellency of the good faith towards the authorities of the State of Maryland, with which I am acting, and that I am armed only against the disturbers of her peace and of the United States, I enclose a copy of an order issued to my command before I had the honor of receiving the copy of your communication through Captain Blake. I trust your Excellency will appreciate the necessities of my position, and give me an immediate reply, which I await with anxiety.

"I would do myself the honor to have a personal interview with your Excellency, if you so desire. I beg leave to call your Excellency's attention to what I hope I may be pardoned for deeming an ill-advised designation of the men under my command. *They are not Northern troops; they are a part of the whole militia of the United States, obeying the call of the President.*"[1]

In the letter referred to by Governor Hicks, which he had addressed to President Lincoln, he said that—

"I feel it my duty, most respectfully to advise you that no more troops be ordered or allowed to pass through Maryland, and that the troops now at Annapolis be sent elsewhere; and I most respectfully urge that a truce be offered by you, so that the effusion of blood may be prevented. I respectfully suggest that Lord Lyons be requested to act as mediator between the contending parties in our country."

To the suggestions made to the government, Mr. Seward replied as follows:

"*Department of State, April 22d, 1861.*

"His Excellency, Thomas H. Hicks, Governor of Maryland.

"SIR:—I have had the honor to receive your communication of this morning, in which you inform me that you have felt it to be your duty to advise the President of the United States in order elsewhere the troops then at Annapolis, and also that no more be sent through Maryland, and that you have further suggested that Lord Lyons be requested to act as mediator between the contending parties in our country, to prevent the effusion of blood.

[1] "The militia of the United States," never heard of before our time, seems to have been an invention of the same fertile imagination that, at a later date, discovered that negroes were "contraband of war."

"The President directs me to acknowledge the receipt of that communication, and to assure you that he has weighed the counsels which it contains with the respect which he habitually cherishes for the Chief Magistrate of the several States, and especially for yourself. He regrets as deeply as any magistrate or citizen of the country can, that the circumstances against the safety of the United States, with very extensive preparations for the effusion of blood, have made it his duty to call out the force to which you allude. The force now sought to be brought through Maryland is intended for nothing but the defense of this Capital. The President has necessarily confided the choice of the national highway which that force shall take in coming to this city, to the Lieutenant General commanding the army of the United States, who, like his only predecessor, is not less distinguished for his humanity than for his loyalty, patriotism, and distinguished public service.

"The President instructs me to add, that the national highway thus selected by the Lieutenant General has been chosen by him upon consultation with prominent magistrates and citizens of Maryland, as the one which, while a route is absolutely necessary, is farthest removed from the populous cities of the State, and with the expectation that it would therefore be the least objectionable one.

"The President cannot but remember that there has been a time in the history of our country, when a General of the American Union, with forces designed for the defense of its Capital, was not unwelcome anywhere in the State of Maryland, and certainly not at Annapolis, then, as now, the Capital of that patriotic State, and then also one of the Capitals of the Union.

"If eighty years could have obliterated all the other noble sentiments of that age in Maryland, the President would be hopeful, nevertheless, that there is one that would forever remain there and everywhere. That sentiment is, that no domestic contention whatever, that may arise among the parties of this Republic ought, in any case, to be referred to any foreign arbitrament, least of all to the arbitrament of an European monarchy.

"I have the honor to be, with distinguished consideration,

"Your Excellency's most obedient servant,

"WILLIAM H. SEWARD."

To the protest of Governor Hicks, General Butler made a suitable reply, while he did not release the military possession which he had taken of the place, or abate his efforts to forward troops to Washington. He also offered the services of the troops to suppress any threatened insurrection of slaves. On the 22d, the steamer *Boston*, arrived from Philadelphia, bringing the New York Seventh Regiment, and together, these troops took possession of the Annapolis and Elkridge railroad, leading from that city to the Washington branch of the Baltimore and Ohio railroad, and began to repair it sufficiently to convey them to Washington. By this time several other transports arrived with more troops from New York, Massachusetts and Rhode Island, and soon they commenced their march. On the 25th the route for the transportation of troops to the Federal capital was opened without opposition, and the Seventh New York regiment marched by the White House and saluted the President.

In a short time the government collected a considerable force at Washington, and was receiving, every day, considerable accessions through Annapolis and by way of the Potomac. But the route through Baltimore was not yet opened, communication by way of the Potomac was threatened, and Harper's

Ferry was now in possession of the Confederates. With such limited means of communication with the Northern States, Washington was in great danger. To secure it, and to prevent the sending of supplies to the Confederates, at Harper's Ferry, by their sympathizers in Baltimore, General Butler, on the 5th of May, with the Eighth New York, and the Sixth Massachusetts regiments, and Major Cook's battery of Boston Light Artillery, took possession of the Relay House, at the junction of the Baltimore and Ohio Railroad and the Washington Branch, about six miles from Baltimore. Here cannon were planted on the viaduct over the Patapsco River, in the railroad track and on the heights. Breastworks were thrown up, camps formed and scouting parties sent out. Officers were detailed to examine all passing trains and seize articles contraband of war and arrest disloyal persons.[1]

A few days after this, a large body of troops, that had been transported from Perryville, on a steamboat, on the 8th of May, landed at Locust Point, Baltimore, and being transferred to the cars, were immediately carried to Washington. There was no attempt on the part of the people or the authorities of Maryland to interfere with the troops. The Mayor of Baltimore and a large police force were present, and the large crowd of spectators appeared to have been attracted by curiosity rather than a purpose to obstruct their passage.

The communications between Baltimore and the North were now being opened by the reconstruction of the railroad bridges, and troops from Pennsylvania were preparing to advance. On the night of the 13th of May, General

[1] While General Butler was stationed here, an incident happened which would be merely ludicrous except as showing the attempts made to breed hate and bitterness. One of the privates, having partaken excessively of rum and beer furnished by a peddler, was taken sick in consequence. This important fact General Butler thought momentous enough to mention in a special order (May 8), in which he alleged that he "had [also] well authenticated evidence" that the rum had "been poisoned by means of strychnine administered in the food brought into the camp." He then continued, in characteristic style: "Are our few insane enemies among the loyal men of Maryland prepared to wage war upon us in this manner? Do they know the horrible doom of wretched they are tendering us? Can it be that they realize the fact that we can *put an equal with a word to every drop of blood that runs from this terrible wound?*" And the order concludes with a quotation of the words of the Saviour upon the cross, which, in such a connection, is so offensive, not to say blasphemous, that we will not repeat it.

Though most strongly posted and formidably armed, the forces at Camp Bligly were apprehensive of an attack by the "roughs" of Baltimore, and judged it prudent to apply to the mayor for the protection of the police, as will be seen by the following letter, dated May 11, 1861, which is probably unique in military annals:

"CAMP AT RELAY, Saturday, P.M.

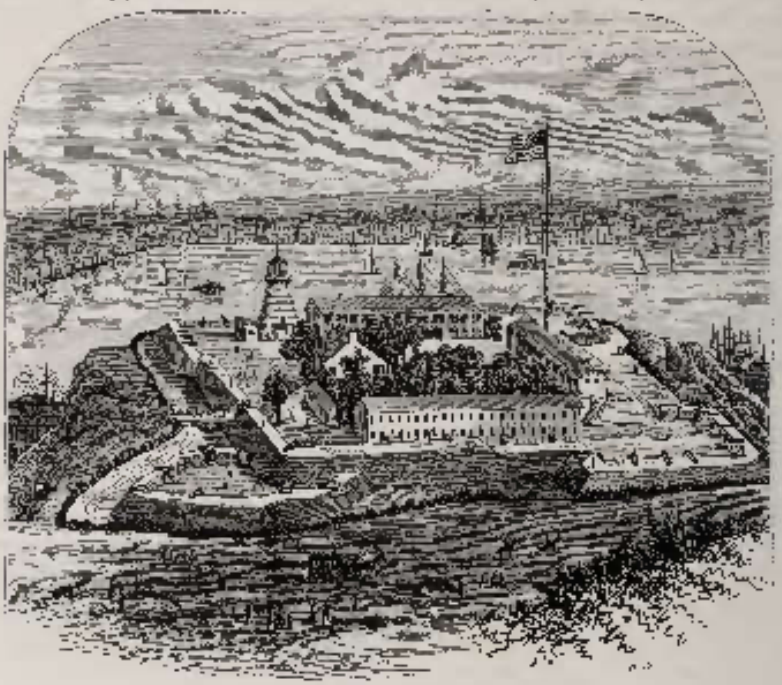
"To MAYOR BROWN:

"SIR, I represent General Butler at this camp during his absence at Annapolis. I have received intimations from many sources that an attack on me by the Baltimore roughs is intended to-night. About 4 P.M. to-day, these rumors were confirmed by a gentleman from Baltimore, who gave his name and residence to *Marshal Kane*. He said that he heard publicly that on Saturday night, the attack would take place by more than a thousand men, every one 'sworn to kill a man' before he returned; a portion were Knights of the Golden Circle, etc. I wish you to guard every avenue from your city, and prevent these men from leaving town. They are coming in wagons, on horses, and on foot, we are informed. We are also told that a secession force is approaching from the west, probably Point of Rocks, to attack on that side and co-operate with the Baltimore mob, with whom they have constant communication. Mr. Clark, whom I have already sent to you, will tell something about it. It may be all a sham, but the evidence is very conclusive, and from several sources.

"EDWARD G. PARKER,
"*Aide-de-Camp.*"

Butler entered Baltimore with a large portion of his command, and took possession of Federal Hill, no one offering the slightest resistance. On the following day he issued a "proclamation," which was generally observed. The troops at Federal Hill, after a few days' stay, returned to the Relay House; but the position was held by some of the new regiments, and from that time a considerable force was kept in Baltimore until the end of the war.

On the 14th of May, General Butler, for his "hazardous occupation of Baltimore," without the "knowledge" or approbation of General Scott, received a rebuke from the latter and was recalled to Washington and General Cadwallader appointed in his stead. The President, however, did not concur



FORT FEDERAL HILL.

with the rebuke of General Scott, for he appointed General Butler to the command of the department of Fortress Monroe, with the rank of major-general, dating from the 16th of May, two days after his march into Baltimore.

General Butler, in his proclamation issued in Baltimore, forbade the transportation of supplies to the South and all assemblages of military organizations. He forbade also the display of any secession flags or banners, and directed all State military officers to report to him; he offered aid to the corporate authorities in sustaining the laws, and applied for commissary stores at fair prices, to the amount of forty thousand rations. As soon as he was withdrawn, the post on Federal Hill was amply garrisoned and strong fortifi-

cations mounting upwards of fifty heavy guns and commanding the greater portion of Baltimore and Fort McHenry, were thrown up by the Fifth New York Zouave Regiment, under the direction of Colonel Brewerton, of the United States' Engineer Corps.

This fort enclosed the entire crown of the hill. The angles of the bastions were so arranged that the guns mounted on them would rake by an enfilading fire all the streets by which the hill could be approached. As completed, the work was a very strong one, its huge cannons in close proximity to South Baltimore, and effectually overlooking the city across the basin and the shipping below. A number of other forts were afterwards constructed, that of

FORT NUMBER ONE.

Fort Marshall being the chief, a very strong work to the east of Patterson Park; and Fort Worthington, northeast of the Maryland Hospital. These were fully mounted and garrisoned, Fort Worthington towards the middle of the war, after one or two of the threatened Confederate raids had convinced the Military authorities that the key of Baltimore lay in the heights to the northeast of the city, an invading column being sure to attack by way of the Belair road and others in its vicinity. Besides these regular works a number of others were at different times erected, and completely defended the city. These were numbered, beginning at the head of Baltimore street, on the estate of General George H. Steuart. His property there was confiscated, and his mansion and extensive grounds devoted to the use of a hospital,

known as the Jarvis Hospital. Adjoining, on a ridge overlooking a wide extent of country, an extensive fortification was reared, the lines of which may still be traced. This was Fort No. 1, and these earthworks, regularly numbered, encircled Baltimore. Many of them were never used at all, and a number of the smaller ones within the inhabited parts of the city have now disappeared. Fort No. 4 stood at the intersection of Gilmore street with the Liberty road, and No. 5 is now distinguished as the little eminence just within the gate of Druid Hill Park. These two posts were garrisoned after the raid of 1864. No guns were ever mounted in No. 5, although several pieces of heavy ordnance were sent out there, the company of the Veteran Reserve Corps occupying it only a few weeks. Fort No. 7 was the extensive work near Mount Royal Reservoir, and was garrisoned for a few days also in July, 1861, by the Union Club Company. Two heavy pieces of cannon were sent out there, but not mounted, and shot and shell provided. In addition to these strong lines of defence there were numerous great hospitals in different sections of the city, as well as camps and barracks.

Governor Hicks, in compliance with the will of a majority of the people of the State, on the 22d of April, convened the Legislature to meet in special session at Annapolis on the 26th, "to deliberate and consider of the condition of the State, and take such measures as in their wisdom they may deem fit to maintain peace, order and security within our limits." The capital of the State being occupied by the federal troops, the governor, on the 24th, selected Frederick City for the deliberations of the Assembly.

As the Legislature, at its last session, had unseated the delegates from Baltimore, a special election was held in that city on April 24th. But one ticket was presented, and nine thousand two hundred and forty-four ballots were cast for Messrs. John C. Bruce, Ross Winans, Henry M. Warfield, J. Hanson Thomas, T. Parkin Scott, H. M. Morfit, S. Teackle Wallis, Charles H. Pitts, William G. Harrison and Lawrence Sangston, the State-Rights candidates. These gentlemen were well known in the community, and had long enjoyed its confidence.[1]

On the appointed day the Legislature assembled at Frederick and entered upon the discharge of its duties with earnestness and spirit. Fully impressed with the gravity of the situation, thoroughly comprehending the nature of the crisis, and the perilous situation of our own State, resolutely bent upon vindicating the rights of the South, and protecting the honor and interests of Maryland, it assumed an attitude which was as far removed from hesitation and timidity on the one hand, as from rashness and passion on the other. Its course strengthened its hold upon the respect and confidence of its constituents. Scarcely any measure was suggested, and none was adopted, which did not command the assent of a large majority of the people.

[1] Various parties in Baltimore had hoisted flags signifying their political preferences; so much it became known that disturbances was threatening, on the 26th the police board forbade the display of all flags, political or national. This order went was removed on May 10th.

During its brief session it passed several useful laws, and it kept faithful watch and ward over the interests and honor of Maryland. More than this it could not do. It was powerless to relieve the State of the presence of strange troops within her borders, and unable to devise any sufficient measures for her protection against the dangers which threatened her. But it honestly exposed the lawless and aggressive character of the policy of which she was the victim; it slowly protested against the unconstitutional acts of the administration and its agents; and it showed itself ready, at all times, to discharge, fairly and courageously, the duties which the laws and the Constitution of Maryland devolved upon her representatives.

The Legislature having spent a day in organizing, Governor Hicks, on the 27th, sent in his message, communicating his correspondence with General Butler and the Secretary of War, relative to the sending of troops to Annapolis. On the same day an Act was passed authorizing the Mayor and City Council of Baltimore "to raise and appropriate at their discretion, and in the modes and at the times which they may judge best, all moneys whatsoever, which they may deem necessary and proper for the defence and protection of the said city." On the same day it also ratified the previously mentioned appropriation of $500,000 for the defence of the city. On the 8th of May, in consequence of threatened prosecution from the Criminal Court of Baltimore City, it passed "an Act to relieve the Mayor and members of the Board of Police of the City of Baltimore and all persons who acted under their orders, in their efforts to maintain peace and good order, and prevent further strife on and after the occurrences of the 19th of April, 1861, in said city, from prosecution for, or in consequence of their acts of obedience to said orders."

Upon the opening of this session, intense interest was felt as to what would be its course in relation to secession. On the 27th, the second day of the session, the Senate settled this question in an "address to the people of Maryland," in which it said, "we cannot but know that a large proportion of the citizens of Maryland have been induced to believe that there is a probability that our deliberations may result in the passage of some measure committing this State to secession. It is, therefore, our duty to declare that all such fears are without just foundation. We know that we have no constitutional authority to take such action. You need not fear that there is a possibility that we will do so." This address was unanimously adopted. The House of Delegates, two days afterwards, on the 29th, by a ballot of fifty-three to twelve, declared that they did not possess the power to pass an ordinance of secession.

This resolution of the Legislature greatly disappointed the wishes of a large number of ardent secessionists, especially in some of the Southern counties, where public meetings had been held, and resolutions recommending secession adopted. There was also dissatisfaction in some quarters because the Legislature had neither reorganized and armed the militia, nor put the

State and City of Baltimore in a position to resist the passage of the Northern troops. But, in truth, the Legislature could not, had it been ever so willing, have possibly done a little of what some persons expected; and, moreover, if, under the circumstances, it had taken any such steps, its rashness would have visited the city and State with heavy penalties. Any attempt to offer armed resistance to the proceedings of the Federal government, would have not only resulted in failure, but in the certain destruction of Baltimore. The State was in a more defenceless condition than it had been for years; the militia were scant in numbers, undisciplined, and officered by men of no military experience. Cannon, there were none worth speaking of in the State; and of the few muskets that could have been collected, part were wholly unserviceable, and the rest of inferior quality and obsolete pattern. Upon whom the responsibility should rest that the State, when a crisis that had been so long foreseen had at last arrived, was found utterly defenceless, we will not here inquire. Such was the condition of things which the Legislature found; and before it had time even to consider the situation, the administration had already completed its arrangements for taking control of the State.

The President's call for seventy-five thousand volunteers had been rapidly answered, and from every Northern State regiments were tendered for instant service. In an emergency he could have thrown into the State fifty thousand men, well armed and equipped, and accompanied with the necessary artillery. He could have sent a fleet of light-draught steamers up our bay and rivers, which could have landed troops at any point, and prevented the erection of defensive works. At this very time the Federal government had a strong garrison at Fort McHenry, it was strongly intrenched at Washington, it held a firm grasp of Annapolis and of the intermediate lines of communication; and was master of the mouth and head-waters of the Chesapeake, and of every navigable river in the State. It could, therefore, have brought troops to Washington, or thrown them into the State faster than they could have been organized in Baltimore, especially as our whole northern frontier lay open. From the South we were cut off by rivers which they controlled; and even Virginia could have given us no help, as her state of preparation was scarcely better than our own.

Such was the position of affairs on the 23d of April. So rapid were the movements of the administration, that within eight days it had established a formidable post at the Relay House, on the Baltimore and Ohio Railroad, thus cutting off communications between Baltimore and Harper's Ferry. With equal ease, had the occasion demanded it, the heights commanding Baltimore could have been seized, men and artillery been brought by land and water to man them, and the city laid in ruins.

These facts stared the Legislature in the face, and they acted in accordance with their duty, and the weighty trust reposed in them, in resisting the mad unreasoning clamors of those who wished to precipitate a conflict. Whatever may have been their personal views of the justice of the war that

was being waged, their first duty was to save the lives and property of Marylanders; and they performed that duty firmly and well, as all men now cheerfully admit. They stood upright at their posts, neither truckling to armed force on one side, nor the wild demands of an excited people on the other; and like the "just and firm man" of the poet,—

"Nec civium ardor prava jubentium,
Non vultus instantis tyranni"

availed to turn them from the path of wisdom and of right.

On the 3d of May, the Legislative Committee on Federal Relations, "in view of the seizure of the railroads by the general government, and the erection of fortifications," presented resolutions appointing commissioners to the President to ascertain whether any becoming arrangements with the general government were practicable for the maintainance of the peace and honor of the State, and the security of its inhabitants. The report was adopted, and Otho Scott, Robert M. McLane and William J. Ross, were appointed commissioners. They accordingly visited Washington on the 4th of May, and "were received by the President with respectful courtesy, and they made such representations as were necessary to convey to him the sense of the General Assembly of Maryland, in relation to the occupation" and seizure of the territory and property of the State, and of private citizens; and "his attention was called to the suspension of intercourse between Baltimore and Washington, and of all parts of the State with Annapolis, and to the indignity put upon a State in the Federal Union by such an interference with the private rights of its citizens, and by such an occupation of its soil and ways of communication by the Federal government." Full explanations were exchanged between the commissioners and the Secretary of War and the Secretary of State, who were present and participated in the discussion, as to the facts and circumstances that rendered necessary the extraordinary incidents accompanying the passage of federal troops through Maryland *en route* to the City of Washington, and especially in reference to those acts of the authorities of the City of Baltimore which arrested the progress of the troops by the railroads leading from Pennsylvania and Delaware into Maryland. "In regard to the general principles at issue," the committee in their report to the Legislature on the 5th of May, say "a concurrence of opinion was reached. The president concurred with the undersigned in opinion, that so long as Maryland had not taken, and was not about taking a hostile attitude to the Federal government, that the exclusive military occupation of her ways of communication, and the seizure of the property of her citizens, would be without justification; and what has been referred to in this connection so far as it occurred, was treated by the government as an act of necessity or self-preservation."

On the 10th of May, the Committee on Federal Relations in the House of Delegates, consisting of Messrs. S. Teackle Wallis, chairman, J. H. Gordon, G. W. Goldsborough, James T. Briscoe and Barnes Compton, presented a

report and set of resolutions "in regard to the calling of a sovereign convention," which met the hearty approval of an overwhelming majority of the members of that body. In the House the vote stood, ayes, 43; nays, 12; and in the Senate, ayes, 11; nays, 3.

In their report the committee made a lucid, able and comprehensive review of the question they were called upon to consider, and the following resolutions which accompanied it are couched in bold but dignified language and explain the relations of Maryland with the Federal government:

"Whereas, In the judgment of the General Assembly of Maryland, the war now waged by the Government of the United States upon the people of the Confederate States is unconstitutional in its origin, purposes and conduct; repugnant to civilization and sound policy; subversive of the free principles upon which the Federal Union was founded, and certain to result in the hopeless and bloody overthrow of our existing institutions; and

"*Whereas*, The people of Maryland, while recognizing the obligations of their State, as a member of the Union, to submit in good faith to the exercise of all the legal and constitutional powers of the general government, and to join as one man in fighting its authorized battles, do nevertheless, nevertheless, the great American principle of self-government and sympathize deeply with their Southern brethren in their noble and manly determination to uphold and defend the same; and

"*Whereas*, Not merely on their own account, and to turn away from their own soil the calamities of civil war, but for the shared sake of humanity, and to arrest the wanton shedding of fraternal blood, in a miserable contest which can bring nothing with it but sorrow, shame and devastation, the people of Maryland are enlisted with their whole hearts upon the side of reconciliation and peace,

"Now, therefore, it is hereby *Resolved*, by the General Assembly of Maryland:

"That the State of Maryland owes it to her own self respect and her respect for the Constitution, not less than to her deepest and most honorable sympathies, to register this, her solemn protest, against the war which the Federal government has declared upon the Confederate States of the South and our sister and neighbor Virginia, and to announce her resolute determination to have no part or lot, directly or indirectly, in its prosecution.

"*Resolved*, That the State of Maryland earnestly and anxiously desires the restoration of peace between the belligerent sections of the country; and the provisional authorities and people of the Confederate States having over and over, officially and unofficially, declared that they seek only peace and self-defence, and to be let alone, and that they are willing to throw down the sword, the instant that the sword now drawn against them shall be sheathed:

"The Senators and Delegates of Maryland do entreat and implore the President of the United States, to accept the olive branch which is thus held out to Him, and in the name of God and humanity, to cause this unholy and most wretched and unprofitable strife at least until the assembling of the Congress at Washington shall have given time for the prevalence of cool and better counsels.

"*Resolved*, That the State of Maryland desires the peaceful and immediate reorganization of the United States of the Confederate States, and hereby gives her cordial consent thereunto, as a member of the Union, entertaining the profound conviction that the willing return of the Southern people to their former federal relations is a thing beyond hope, and that the attempt to coerce them will only add slaughter and hate to impossibility.

"*Resolved*, That the present military occupation of Maryland, being for purposes which in the opinion of this Legislature, are in flagrant violation of the Constitution, the General Assembly of the State, in the name of her people, does hereby protest against the

same, and against the arbitrary restrictions and illegalities with which it is attended; calling upon all good citizens at the same time, in the most earnest and authoritative manner, to abstain from all violent and unlawful interference of every sort, with the troops in transit through our territory or quartered among us, and patiently and peacefully to leave to time and reason the ultimate and certain re-establishment and vindication of the right.

"*Resolved*, That under existing circumstances it is inexpedient to call a Sovereign Convention of the State at this time, or to take any measures for the immediate organization or arming of the militia."

On the 18th, both Houses adopted a resolution providing for a committee of eight members (four from each House), to visit the President of the United States and the President of the Southern Confederacy. The committee to visit Jefferson Davis were instructed to convey the assurance that Maryland sympathized with the Confederate States, and that the people of Maryland were enlisted with their whole hearts on the side of reconciliation and peace. The next day, the 14th of May, the Legislature adjourned until the 4th of June.

The day of the adjournment of the Legislature, proved an eventful one for Baltimore. The arrest of Mr. Ross Winans, a member of the House of Delegates, and the action of Major Morris, the commander of Fort McHenry, in refusing to obey a writ of *habeas corpus*, marked the rapid strides toward despotism which the administration was making. Mr. Winans, while returning from his legislative duties, was seized and held a close prisoner by an armed force, on a charge of high treason. The arrest was made at the Relay House, on the Baltimore and Ohio and Washington Branch Railroad, by order of General Butler, and although Governor Hicks and a large number of the members of the Legislature were in the same car, they were powerless to prevent the seizure of Mr. Winans, who was at once conveyed to Annapolis, and subsequently to Fort McHenry. Here he remained a short time in custody, and was finally released without trial. His friends being very indignant at his arrest, nominated him the next day for Congress, but the substitution of military for civil rule in Baltimore, and the consequent political changes thereby, prevented any attempt to elect him. His name was withdrawn and Hon. Henry May, the "independent" and conservative Union candidate was substituted in his stead.

Major Morris was, on the 4th of May, served with a writ of *habeas corpus*, by Judge William F. Giles, of the United States District Court, for the purpose of releasing from the United States service an enlisted soldier, named John George Mullen, who had petitioned for release on the ground of minority. Major Morris, in a letter to Judge Giles, dated May 7th, refused to obey the writ, and the case attracted very great attention, from the fact of an army officer daring to resist such an order, a refusal being almost unprecedented, thereby taking upon himself the gravest responsibility, and rendering himself liable to be court-martialed and cashiered, unless fully sustained by the government. The writ was extended to May 13th, but Major

Morris still refused to obey. Dr. N. S. Jarvis, the medical examiner of Fort McHenry, however, appeared, and testifying that the soldier was under age, he was discharged. The last few days of May were signalized by another *habeas corpus* case, of even greater note than the foregoing, being rendered famous by the issue of the writ, and the filing of an elaborate opinion in the case by Chief Justice Taney. Mr. John Merryman, of Baltimore County, was arrested at his dwelling on the 25th of May, by an armed force, and removed to Fort McHenry, under a charge of treason. On the following day a writ of *habeas corpus* was issued by Chief Justice Taney, directed to General George Cadwallader, returnable Monday, May 27th. Upon that day Colonel Lee, aid-de-camp of General Cadwallader, appeared in court, and stated that he had been directed by his commanding officer to appear and express his regrets that his engagements at the fort prevented his appearing in person, but that he had charged him to read to the court a letter as his answer to the writ which had been issued against him.

CHIEF JUSTICE TANEY.

In this letter, directed to Judge Taney as Chief Justice of the United States, General Cadwallader said that Merryman had been arrested without his knowledge or direction, by Colonel Samuel Yohe under orders of Major General William H. Keim, both being military officers of the United States, but not within the limits of his command. The charges against Merryman were that he belonged to an organization as lieutenant in a company armed in armed hostility against the United States, and had made "open and unreserved declaration of hostility to the government and was in readiness to co-operate with those engaged in the present rebellion," etc. He further informed Judge Taney that he was *authorized by the President* to suspend the writ of *habeas corpus* in such cases, and requested that further action should be postponed until he could receive additional instructions from him. After reading the letter the chief justice observed that the writ positively commanded General Cadwallader to deliver up the body of Mr. Merryman that day, but as he had disobeyed, he would direct an attachment to be issued against him, returnable on the next day. An attachment was accordingly issued against General Cadwallader, citing him to appear before the court to answer for contempt in refusing to obey the writ previously issued. On the deputy United States marshal proceeding to Fort McHenry to serve the writ, he was met at the outer gate, and sending in his name, the messenger returned with the reply that there was no answer to the marshal's card, and further, that he would not be permitted to

ABEL SHERIDAN.

enter the gate of the fort. Upon thus reporting to court, the chief justice after making some remarks regarding General Cadwallader's refusal, said that he would reduce his opinion regarding the statute of *habeas corpus* to writing, and that he should report the case to the President of the United States. The chief justice accordingly not long afterward rendered an elaborate opinion, marked with all the legal ability for which he was so distinguished, proving that the President of the United States could not under the constitution suspend the privilege of the writ of *habeas corpus*, nor authorize any military officer to do so.

In defiance, however, of the highest legal authority in the land, Mr. Merryman was still detained in confinement, and finally released without trial.

In consequence of the arrest of Mr. Winans and other citizens of Maryland, the Legislature at its adjourned session, on the 3rd of June, passed a series of resolutions remonstrating against these acts. They declared that

"The unconstitutional and arbitrary proceedings of the federal executive have not been confined to the violation of the personal rights and liberties of the citizens of Maryland, but have been extended into every department of oppressive illegality, so that the property of no man is safe, the sanctity of no dwelling is respected, and the sacredness of private correspondence no longer exists; and,

"Whereas, The Senate and House of Delegates of Maryland, recognizing the obligation of the State, as far as in her lies, to protect and defend her people against usurped and arbitrary power, however difficult the fulfilment of that high obligation may be rendered by disastrous circumstances, feel it due to her dignity and independence, that history should not record the overthrow of public freedom for an instant within her borders, without recording likewise the indignant expression of her resentment and remonstrance.

"*Now, therefore, be it resolved*, That the Senate and House of Delegates of Maryland, in the name and on behalf of the good people of the State, do accordingly register this their earnest and unqualified protest against the oppressive and tyrannical assertion and exercise of military jurisdiction within the limits of Maryland, over the persons and property of her citizens by the government of the United States, and do solemnly declare the same to be subversive of the most sacred guarantees of the Constitution, and in flagrant violation of the fundamental and most cherished principles of American free government."

Thus did the Legislature of the State of Maryland remonstrate against the indefensible conduct of the United States Government. It displayed a spirit of heroism worthy of her liberty-loving people. Sitting in a city surrounded, occupied, and threatened on all sides by Federal bayonets, speaking for a sovereign State which the mandates of a Federal Executive had hoped to silence, unawed by threats of violence and unmoved by apprehensions of personal harm, remembering that it was the constituted and authorized guardian of citizens who had been unlawfully seized and imprisoned, and of property which had been illegally occupied and destroyed, its calm, dignified voice of protest rose like the utterances of Senates and Consuls of classic days, and as worthy as they to be recorded in history.

At the same session of the Legislature the two committees appointed on the 13th of May to visit the President of the United States and the President of the Southern Confederacy, made their reports. Messrs. John B. Brooke, G. W. Goldsborough, George H. Morgan and Barnes Compton, the committee appointed to visit President Lincoln, and "secure, if possible, through the instrumentality of Maryland, peace to our distracted country; and if failing in that, then a cessation of hostilities on the part of the armies of the Federal and Confederate troops, until Congress should express its opinion on the subject which now agitates the people," submitted a report, in which they say: "These purposes being defeated in the movement of the Federal troops on Virginia, and an active commencement of hostilities, we have considered our mission as ended, and, therefore, have not felt authorized, on the part of the sovereign State of Maryland, to present a request which has in advance been repudiated."

At the same time Messrs. Thomas J. McKaig, Coleman Yellott and Charles A. Harding, the commissioners appointed by the Legislature to visit Jefferson Davis, at Montgomery, Alabama, presented their report, accompanied by a letter from Mr. Davis, dated May 25th, expressing his gratification to hear that the State of Maryland was enlisted on the side of peace and reconciliation, and avowing that the Confederate government would readily entertain any proposition from the government of the United States, tending to a peaceful solution of existing difficulties.

On the 10th of June, Major General Nathaniel P. Banks, of Massachusetts, was appointed to the command of the department of Annapolis, with headquarters at Baltimore, relieving General Cadwallader. And, on the 13th of the same month the election for the special session of Congress called by President Lincoln, to meet on the 4th of July, took place, and Messrs. John W. Crisfield, Edwin H. Webster, C. L. L. Leary, Henry May, Frank Thomas and Charles B. Calvert were elected. At this election public interest was mainly centred upon the issue in the then fourth congressional district, and there the defeat of Mr. Henry Winter Davis was more overwhelming than his most sanguine opponents ventured to anticipate. A few days before the election, Mr. Robert M. McLane, the State-Rights candidate, withdrew from the contest, and although many of his party persistently declined to vote for Mr. May, the "independent" and conservative Union candidate, and though eight or ten hundred citizens, of strong Southern proclivities, were absent from the district, Mr. May, out of a total vote of 14,621, received a majority of 2,045 votes.

The election passed off so quietly that no stranger could have supposed that any event of more than ordinary importance was taking place; and its fairness none disputed. Though it was apparent, throughout the day, that the authorities were resolved and fully able to protect, impartially, the person and rights of every voter, desperate efforts were made by the partisans of the administration to secure the presence of troops in the city, in the hope of provoking a riot, or, at least, causing Messrs. May and Preston to retire from

the contest. Dispatches were sent to Washington, reporting that a conflict was raging, and that "Union men" were driven from the polls; and, on the strength of these, orders were issued for troops to proceed to Baltimore. Fortunately those nefarious schemes were frustrated, and the only disturbances which occurred, were occasioned by the noisy and threatening demonstrations of the defeated party on the following night. This election, however, assured for the city authorities, and especially the Board of Police, the undying hatred of Mr. Henry Winter Davis, of his Know-Nothing friends, of the "Plug Uglies," "Tigers," "Blood Tubs," and other similar associations, whose characters were well expressed in their names, and of the whole class of those whose careers of lawlessness and crime had been checked by the removal of authorities who winked at their excesses when they did not pander to them.

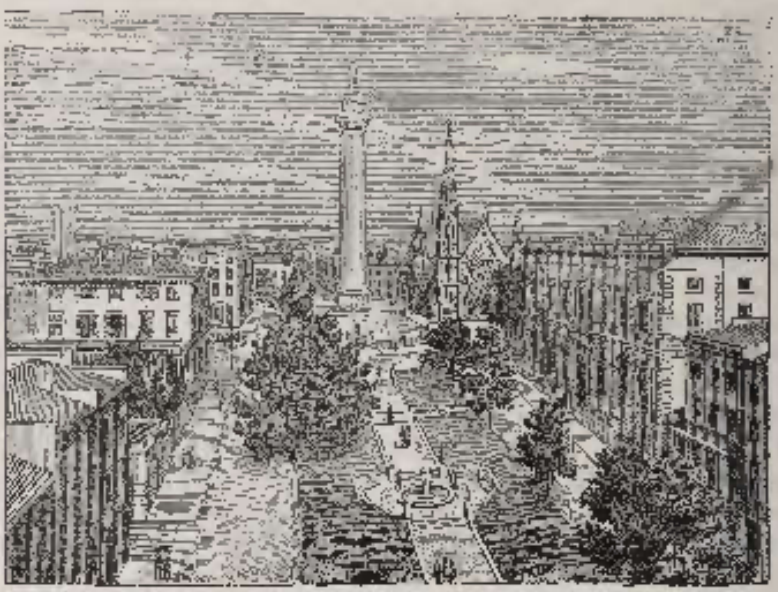
Long before the election, these persons, and the representatives of Northern journals in the city, had clamorously demanded that the Police Board of Baltimore should be superseded by the Federal authorities; and that all citizens who opposed the policy of the self-styled "Union party," should be disarmed while the latter was furnished with arms by the general government. Three of the adherents of the administration[1] who had been connected with the old know-nothing party in Baltimore, and who were indebted to the faithful service of the ruffian clubs for political preferment, had the audacity to demand, under their own signatures, in the New York *Tribune*, that the arms which were then in "the arsenals and forts within this State," should be placed in the hands of their partisans. So atrocious a proposition that one political party in the State should be disarmed, while the other was armed by the Federal or State authorities—had never before been broached in Maryland; yet it did not startle nor greatly surprise the people, who were no longer astonished at any base or shameful act or scheme from men who had long been used to call in the aid of lawlessness and violence to secure their ends.

To give some color to their proposal, these men unblushingly alleged that the authorities of the city had placed arms in the hands of the States-Rights party, and were persistently working to plunge the State into revolution. To this falsehood, the history of the previous two months furnishes a conclusive answer. The whole accusation against the authorities grew out of the occurrences of the 19th of April, and the following days. As we have shown already, those disturbances were a sudden outbreak of indignation, on the part of the people, at the presence and passage of Northern troops, destined, as they believed, to an unconstitutional, wicked, and uncalled-for war upon their brethren. The outbreak was instantly and courageously resisted by the city authorities, and in a few hours the turbulence was under complete control, though the excitement continued. The events of the following Sunday, and the entire absence of anything like riot, or dissensions among

[1] James R. Partridge, Henry Winter Davis and Archibald Stirling, Jr.

the citizens, we have already recorded. It was a spontaneous movement for self-defence; and the authorities wisely—instead of attempting to resist what was natural and irresistible—directed and organized, thus controlling it. So soon as the emergency was over, and calmer feelings prevailed, the authorities *called in the arms which they had issued, and disbanded their levies.* Although they knew of the existence of the "Minute men," an armed "Union" organization, professing to muster two or three thousand men, they did not attempt to disarm or in any way molest them, while taking away the arms from the companies which they had themselves formed.

Yet, notwithstanding these facts, the Administration lent a willing ear to calumnies which justified its aggressions, and kindly took Baltimore under



WASHINGTON MONUMENT.

its especial charge. Evidences of its paternal care and vigilance everywhere met the eye: from the frowning batteries of Fort McHenry, whose cannon now were trained in a new direction, and turned their black mouths *toward* our beautiful city, the commanding officer gleefully boasting that he could throw his shells to the Washington Monument from the encampments and entrenchments on Federal Hill, at Mount Clare, and Patterson's Park. As if this array of forces was not enough, a second line was drawn around the city, at a few miles distance from Annapolis, the Washington Junction, the Relay House on the Baltimore and Ohio, and on the Northern Central Railroads, to Havre-de-Grace, while from all of these points, swift communication by railroads and steamboats was kept open with the camps, from which spread this array of occupation, and where the people were daily warned that

tens of thousands of soldiers were prepared to rush forward to relieve "the terrible condition of the Union-loving people of Baltimore," who were now occupying such exposed and most perilous situations.

Baltimore, however, did not have to wait long before it was taken under the absolute and exclusive military possession and control of the Federal government.

On the 27th of June, General Banks, by a proclamation issued in that city, informed the people that by virtue of authority vested in him and in obedience to orders as commanding general of the military department, he had arrested and detained in custody, Colonel George P. Kane, the marshal of police. Disclaiming all purpose, and announcing that his instructions did not authorize him, "to interfere in any manner with the legitimate government of the people of Baltimore or Maryland," General Banks went on to charge the existence, in his department, of unlawful combinations of men, organized for resistance to the laws of the United States and of Maryland, providing hidden deposits of arms and ammunition, encouraging contraband traffic with the enemies of the country, and stealthily waiting opportunity to combine their means and forces with those in rebellion against the authority of the government. Of these combinations, he charged that Colonel Kane was "believed" to be cognizant, and that he was "both witness and promoter of the transactions and parties engaged therein," and consequently could not be regarded by the government as "otherwise than at the head of an armed force hostile to its authority, and acting in concert with its avowed enemies." The proclamation then announced that "for this reason" General Banks, "superseding" Colonel Kane's "official authority, and that of the commissioners of police," had arrested and detained, and "in further pursuance of my instructions," he added, "I have appointed for the time being, Colonel John R. Kenly, of the first regiment of the Maryland volunteers, provost-marshal, with the aid and assistance of the subordinate officers of the police department."

At an early hour of the same day, Marshal Kane was arrested by a body of military, and taken to Fort McHenry, where he was confined. On the same morning, Colonel Kenly proceeded to the office of the board of police, read to them the proclamation, and in obedience to the orders of General Banks, notified them that their official authority was "superseded." The president of the board protested against the proceedings, and asked time for reflection. The Colonel replied that his orders were to enter immediately upon the discharge of the duties assigned him, and that he should proceed at once to the central police station, and demand there the surrender of the police authority exercised by Deputy Marshal Gilford.

He then proceeded thither, followed very soon after by President Howard and Mayor Brown, who, after the demand had been made upon the deputy marshal, directed that officer to offer no opposition to the demand, but to acquiesce in it for the time, until the board had time to draw up and utter a formal protest against the usurpations. In compliance with this request, the

deputy marshal and the police captains who had been summoned, expressed their readiness to receive the orders of Provost Marshal Kenly, who forthwith entered on his duties.

Colonel Kenly then issued an order "to the officers and men of the police force of Baltimore," notifying them of his assuming command and directing them to continue in the discharge of their duties subject to his orders and under the existing regulations.

Matters being thus arranged, the board of police commissioners, unable to resist the military power of the government, protested (the mayor uniting) in a dignified and becoming manner, as officers of the State of Maryland, against the arbitrary subversion of its laws and government, and refused to recognize the right of the officers and men of their police force to receive orders or directions from any authority but their own. Carrying out the obvious spirit, and obeying the letter of the law which they had sworn to support, and under which, alone, the board and its officers and men had official existence or authority, they also adopted and published the following resolution:

"*Resolved*, That in the opinion of the board, the forcible suspension of their functions, surpasses at the same time the active operation of the police law, and puts the officers and men off duty for the present, leaving them subject, however, to the rules and regulations of the service as to their personal conduct and deportment, and to the orders which this board may see fit hereafter to issue, when the present illegal suspension of their functions shall be removed."

Having thus asserted, as was their duty, and in the only mode left to them, the supremacy of the laws of Maryland, within their legitimate locality, the board refrained from all interference with the proceedings of the provost-marshal, who at once commenced the appointment of individuals at his discretion, to assume the places, and discharge the functions of policemen. Not content with their supplanting the subordinates of the police board, General Banks proceeded further and removed the officers in charge of the police and fire alarm telegraph, who received their appointment by law from the mayor and city council, and substituted appointees of his own in their stead.

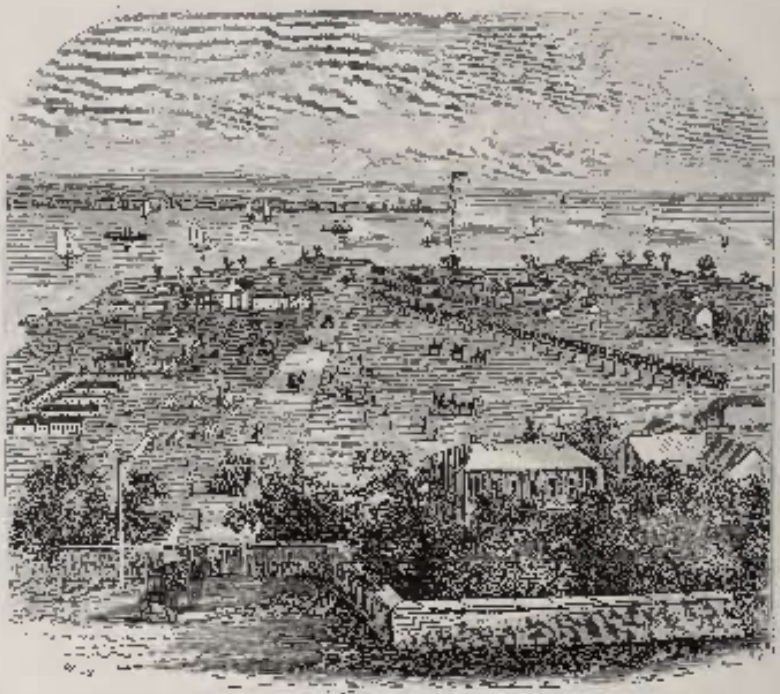
For daring to resist by simply recording the "solemn protest" against the arbitrary proceedings of General Banks, the commissioners were on the night of the 1st of July, dragged from their houses by an armed force, and hurried to Fort McHenry. No charge whatsoever had been brought against them, when they were thus, without warning and without warrant, seized by the federal government. General Banks then put forth another proclamation, in which he stated, as the ground of his action, the refusal of the commissioners to obey his decrees, or to recognize his appointees; and, moreover, alleged, by way of further justification, that the commissioners continued to hold the police force subject to their order, "for some purpose not known to the government." Such were the accusations, and the only accusations, that were brought against the commissioners. No other charges have from that day to this been publicly preferred against the gentlemen who were thus

arbitrarily imprisoned, although the most strenuous efforts of the most unscrupulous knaves in Baltimore were exerted to discover some legal ground of complaint against them. These outraged citizens[1] were in the meanwhile kept close prisoners in Fort McHenry, where a few of the subordinate officers showed them courtesy and kindness, but where they were in the main treated like convicted felons. They were, with three or four other "State prisoners" confined in quarters which were insufficient for the decent accommodation of half their number; and from the time they entered the fort until the day they left it (July 29th, 1861), they were never asked whether they required food or bedding: nor did they receive from the superior officers of the department or garrison any other consideration than vulgar and brutal jailors are wont to extend to criminals. They awaited patiently the action of the grand jury, supposing that it would put into some tangible shape the slanders which were in circulation against them, and that then, at least, they would obtain their liberty or a hearing. But the grand jury adjourned without arousing them, thus silently confessing that it could find no solitary ground on which to indict them. The commissioners, however, were not content to await such investigations as it might suit the government to institute, and they boldly challenged it to afford them the opportunity to refute the malignant libels of their enemies. They presented a memorial to Congress, demanding a hearing, but Congress refused to notice it. A resolution was then introduced in the House of Representatives, requesting the President to communicate to that body the "reasons and evidence" for the arrest and detention of the commissioners, and he also refused to afford the desired information on the ground that he judged it "incompatible with the public interest" to do so. The President thus falsely put forward this wretched pretext in order to avoid admitting that each and every one of the commissioners was imprisoned without color or form of law, and in the absence of any charge against them. But the tyranny of the government did not stop here. While the commissioners were making unavailing efforts to procure from Congress the redress which the military power would not permit the courts to grant them, they were hurried on board a steamer, on the 28th of July, 1861, and transported to Fort La Fayette, in the harbor of New York. While confined here on the 5th of August, Judge Garrison, of Brooklyn, issued a writ of *habeas corpus* directing Colonel Burke, the commander of the fort, to produce them in court. This he declined to do on the alleged authority of an order from Lieutenant General Scott. Colonel Burke was then cited to answer for contempt of court, but he did not appear, and August 22d, Judge Garrison, "submitting to inevitable necessity," dismissed the proceedings. They were subsequently sent to Fort Warren, in Boston harbor.

[1] Excepting Charles D. Hicks, who, after a few days' confinement, was allowed to return to his own house upon parole, upon the representations of his physicians that, owing to his state of ill health, his life would be seriously endangered by a continuance of his imprisonment.

An indicted felon could not be taken for trial to another district: but the government thus dared, in its vindictive desire to repress all opposition to its lawless aggressions to transport to, and imprison in another State, men against whom it could substantiate no charge. All the obnoxious persons whom a grand jury of the government's own selection could be induced to indict, were held to be dealt with in Baltimore by the authorities, and those against whom the government agents found it impossible to prefer any well-founded charges, were removed elsewhere to be dealt with, regardless of the forms or the substantial requirements of the law.

Let it be remembered that at this very time these things were going on, the government was loudly asserting that the vast majority of the people of



FORT NORFOLK.

the State were "loyal" to the administration, and while the cannon of Fort McHenry, of Federal Hill, and the revenue cutters in the harbor, were levelled against the city, thousands of federal bayonets were bristling in the streets, and the United States Courts and United States Marshals were exercising their functions without obstruction.

The commissioners being removed from the sphere of their duty, the military occupation of the city was continued—the court house and many public places and offices which belonged to the corporation, being appropriated to the use of the troops, who thronged the streets and squares also, by night and by day. Meanwhile, Mayor Brown, being the only member of the

Police Commissioners who had not been deprived of liberty, in order, if possible, to relieve his fellow-citizens from the embarrassments and perils of their situation, expressed his readiness to General Banks, to undertake the management of the police, Colonel Kane having expressed a willingness to resign to relieve the mayor from embarrassment, so that he would have no difficulty in consummating the arrangement proposed. General Banks, however, responded unfavorable to the proposition, after some delay, and on July 10th, announced the consummation of his plans by proclamation, in which he said that, "By virtue of authority vested in me as commanding officer of this department, I have appointed, and do hereby appoint George R. Dodge, Esq., of Baltimore, Marshal of Police, *vice* Colonel John R. Kenly, who, being relieved of this service at his own request now assumes command of the First Regiment of Maryland Volunteers, on the Upper Potomac, in the State of Maryland."

Of the many absurd stories current at this period, the most ridiculous was the attempt to make capital out of the discovery of "deposits of arms" at the office of the marshal of police after his arrest. No falser story was ever circulated to stimulate popular excitement and cover up a flagrant governmental usurpation. The whole of the warlike material found was the legitimate property of the city—part of it the regular armament of the police force, and part of it purchased under the resolution of the Mayor and City Council, passed on the afternoon of the 19th of April, and providing for the public defence. The "concealment," of which so much was made, was resorted to at the time when the illegal searches for arms were begun by General Butler, in collusion with Governor Hicks, and when various other arms purchased and belonging to the city, were unlawfully carried off by the orders of these functionaries. Concealment, under such circumstances, was the only security against robbery.

The appointment of Mr. Dodge as Provost Marshal of Baltimore was accompanied by the withdrawal of the troops from the central part of the city, and from that time to the restoration of peace, the police department of Baltimore was under the military power of the Federal government. Under his administration a large number of the old know-nothing police were re-appointed. On the 21st of July a bill was introduced in Congress, appropriating $100,000 for the payment of "the police organization of Baltimore employed by the United States." It was passed by the House of Representatives under the pressure of the previous question, Mr. Henry May, having in vain attempted to obtain the floor to discuss it, and having been sharply reprimanded for a breach of the rules of the House, in protesting against it, as "a bill to provide for the wages of oppression." In the Senate it was adopted with equal precipitancy, against the solemn remonstrance of both Senators from Maryland. The Congress of the United States thus ratified the action of General Banks in suppressing the legal State police government of Baltimore.

The Legislature, which was then in session, viewing with indignation the usurpations of General Banks, and the suppression of the rights and liberties of the people, on the 7th of August passed the following eloquent "resolutions protesting against the unconstitutional and illegal acts of President Lincoln."

"WHEREAS, The military authorities of the government of the United States, in Baltimore, have assumed to remove from office the Marshal of Police of that city, an officer of the State of Maryland, and to appoint his successor; and have further assumed to dismiss from office the Board of Police of Baltimore, a body of men with high powers by the State of Maryland for the protection of its citizens, and have actually put an end by force to the exercise by said Board of its lawful and important functions, and have appointed another individually, in large numbers, to govern said city as a Police, in contempt of the constitutional rights of the State of Maryland, and in open violation of its laws; and,

"*Whereas*, The Congress of the United States, instead of rebuking the wrong and usurpation aforesaid, has justified and approved the same, under color of a 'military necessity,' not known to the institutions of the country, and fatal to its liberties; and has appropriated large sums of money for the said unlawful Police forces, and the members thereof are maintained thereby in daily and oppressive hostility to the laws of Maryland and the rights of its citizens, and constitute, in fact, a civil government established by Congress, over the chief city of the State; and,

"*Whereas*, Charles Howard, William H. Gatchell and John W. Davis, Police Commissioners aforesaid, having been arrested by order of the General commanding the army of the United States, and imprisoned at Fort McHenry, under frivolous and arbitrary pretexts, without oath, warrant or presentment of a Grand Jury, or lawful examination, or trial had, have since been removed by military force, under the same order, to Fort Lafayette, in New York, where they are now held as 'prisoners of State,' at the military pleasure of the President of the United States and the officers under him, at a distance from their homes and families, in defiance of law and the Constitution, and in criminal violation of the plainest and dearest rights to which American citizens are born; therefore, be it,

"*Resolved*, by the General Assembly of Maryland, That we solemnly protest in the name of the State and her people, against the proceedings aforesaid, in all their parts, pronouncing the same, so far as they affect individuals, a gross and unconstitutional abuse of power, which nothing can palliate or excuse, and in their bearing upon the authority and constitutional powers and privileges of the State herself, a revolutionary subversion of the Federal compact.

"*Resolved*, That we appeal in the most earnest manner to the whole people of the country, of all parties, sections and opinions to take warning by the usurpations aforementioned and come to the rescue of the free institutions of the country, so that whatever may be the issue of the melancholy conflict which is now covering the land with sacrifice and sorrow, and threatens to overwhelm it with death and ruin, there may at least survive to us when it is over, the republican form of government which our fathers bequeathed to us and the inestimable rights which they framed it to perpetuate."

These remonstrances did not however, redress the wrongs of our people, for notwithstanding the Union men of Maryland alleged that a large majority of the people of the State cordially sustained the measures of the administration, she was still subjected to all the indignities of an armed occupation. Our great avenues of commerce were closed against us, and all our sources of trade were deliberately cut off. If her "loyalty" was unimpeachable, the

sufferings which she was ruthlessly made to endure were of themselves sufficient to foster a spirit of disaffection, and to change her patient forbearance into one of determined hostility. While acknowledged to be a member of the Union—while still yielding obedience to her constitutional obligations and performing all the duties incumbent upon her in that relation, it was somewhat remarkable, on the theory of her "loyalty," that she should experience at the hands of the authorities at Washington nothing but insolence and outrage. Every act which they perpetrated against her at this time were in clear violation of the laws of the land, while the evils which she was ruthlessly made to experience were as unwarranted as they were atrocious and tyrannical. She was, confessedly, no more in insurrection against the Federal government than Massachusetts, or New York, or Pennsylvania; she formed no lawless "combinations" which it was necessary to repress by an army of invasion; she respected the Federal judiciary, and offered no obstruction to the service of process by the Federal marshal; and yet, although her fealty to the cause of the Union continued to be vehemently asserted, she was virtually reduced to the condition of a subjugated province.

One desperate step remained for the Administration and its adherents to crush out all opposition to their policy in Maryland. They had some hesitation about adopting so bold and unparalleled a measure, because they feared the outcry with which it would probably be hailed throughout the country, and they therefore delayed to act until they could familiarize the people with the aggressions of the Executive, and teach them to acquiesce in any outrage that a "military necessity" might seem to dictate. But the temper of the Northern people had now been sufficiently tested, and they were apparently ready to accept the will of their masters as the law of the land in lieu of its written statutes. The administration, therefore, seeing no reason why it should not proceed to declare its dictatorship in Maryland, proceeded on the 13th of September to arrest the legal authorities of the State, and to suppress the liberty of free speech.

Accordingly, on the 12th of September, Major General Dix, commanding in Baltimore, issued the following order:

"*Fort McHenry, 12th September, 1861.*

"George R. Dodge, Esq., Provost Marshal:

"Arrest without an hour's delay George William Brown, Coleman Yellott, Stephen P. Dennis, Charles H. Pitts, Andrew A. Lynch, Lawrence Sangston, H. M. Morfit, Ross Winans, J. Hanson Thomas, Wm. G. Harrison, John C. Brune, Robert M. Denison, Leonard D. Quinlan, and Thomas W. Renshaw."

In compliance therewith, the military police of Baltimore, on the 12th and 13th of September, arrested George William Brown, Mayor of Baltimore; Ross Winans, Severn Teackle Wallis, Henry M. Warfield, Dr. J. Hanson Thomas, T. Parkin Scott, Henry M. Morfit, Charles H. Pitts, William G. Harrison and Lawrence Sangston, members of the House of Delegates from Baltimore City; Henry May, member of Congress from the Fourth Congres-

sional District; Robert Denison and Leonard G. Quinlan, members of the House of Delegates from Baltimore County; Dr. A. A. Lynch, State Senator; Francis Key Howard, one of the editors of the Baltimore *Exchange*, and Thomas W. Hall, the editor of *The South*.

These arrests were managed with great secrecy, all being accomplished about the same time, and all the prisoners being committed to Fort McHenry. It was originally intended that they should be confined in the Fort at the Dry Tortugas,[1] but as there was no fit steamer in Hampton Roads to make the voyage, the programme was changed and they were finally sent to Fort Warren, Boston harbor.

The Legislature, as we have stated, assembled in special session at Frederick on the 26th of April, 1861, and adjourned on the 14th of May until the 4th of June, when it reassembled, but adjourned on the 25th of the same month until the 30th of July. On that day it again met and continued its session until the 7th of August when it adjourned until the 17th of September. Previous to its last meeting, however, the Secretary of War, without any justification whatever, issued the following order which finally prevented a quorum of both Houses from assembling:

"*War Department, September 11th, 1861.*

"GENERAL:—The passage of any act of secession by the Legislature of Maryland must be prevented. If necessary, all, or any part of the members must be arrested. Exercise your own judgment as to the time and manner, but do the work effectively.

"Very respectfully your obedient servant,

"SIMON CAMERON, *Secretary of War.*

"Major General N. P. Banks, *Commanding, etc., Annapolis, Md.*"

In pursuance of this order, the following was issued by the commander-in-chief of the army of the Potomac:

"*Headquarters Army of the Potomac,*
"*Washington, September 12th, 1861.*

"*Confidential.*—Maj. Gen. N. P. Banks, U. S. A.:

"GENERAL:—After full consultation with the President, Secretary of State, War, etc., it has been decided to effect the operation proposed for the 17th. Arrangements have been made to have a government steamer at Annapolis to receive the prisoners and convey them to their destination. Some four or five of the chief men in the affair are to be arrested to-day. When they meet, on the 17th, you will please have everything prepared to arrest the whole party, and be sure that none escape. It is understood that you arrange with General Dix and Governor Seward the *modus operandi*. It has been intimated to me that the meeting might take place on the 14th; please be prepared. I would be glad to have you advise me frequently of your arrangements in regard to this very important matter. If it is successfully carried out it will go far towards breaking the back-bone of the rebellion. It would probably be well to have a special train quickly prepared to take the prisoners to Annapolis. I leave this exceedingly important affair to your tact and discretion, and have but one thing to impress upon you—the absolute necessity of secrecy and success.

"With the highest regard, I am, my dear General,

"Your sincere friend,

"GEO. B. McCLELLAN, *Maj. Gen. U. S. A.*"

[1] A group of barren, unwatered coral islands of the southern coast of Florida.

General Banks entrusted the execution of this order to E. Morris Copeland, one of his aides, who immediately proceeded to Frederick and made his arrangements accordingly. In this he was greatly assisted by several citizens of the place, and Lieutenant Colonel Ruger, commanding the third Wisconsin regiment, who was especially detailed for the service. In his instructions to Lieutenant Colonel Ruger, General Banks said:

"It becomes necessary that any meeting of this Legislature, at any place or time, shall be prevented. You will hold yourself and your command in readiness to arrest the members of both Houses. A list of such as you are to obtain will be enclosed to you herewith; among them are to be especially included the presiding officers of the two Houses, secretaries, clerks and all subordinate officers. *Let the arrests be certain and allow no chance of failure.* The arrests should be made while they are in session, I think. You will, upon receipt of this, quietly examine the premises. I am informed that escape will be impossible if the entrance to the building be held by you; of that you will judge upon examination. If no session is held, you will arrest such members as can be found in Frederick. The process of arrest should be to enter both Houses at the same time, announcing that they were arrested by orders of the government; command them to remain, as they are subject to your orders. Any resistance will be forcibly suppressed, whatever the consequences. Upon the arrests being effected, the members that are to be detained will be placed on board a special train for Annapolis, where a steamer will await them. Everything in the execution of these orders is confided to your secrecy, discretion and promptness."

Pursuant to adjournment, both Houses of the Legislature were called at one o'clock on the afternoon of the 17th of September, but no quorum being present, they adjourned until the following day.

In the meantime the Federal military authorities had placed pickets around the city and allowed no one to leave without a pass from the provost-marshal, whose office was soon crowded with a throng of people who had been stopped and turned back in their various walks. Meanwhile, on the 18th, a lieutenant of the Baltimore police was moving quietly about with his officers, accompanied by a squad of military, arresting those who were "spotted," commencing with the officers of the Legislature, especially the clerks. After some time, Copeland succeeded in arresting Milton Y. Kidd, the chief clerk of the House, and his assistant, Thomas H. Moore. The Secretary of the Senate, William Kilgour, and his assistant, L. P. Carmack, were also arrested, as were John M. Brewer, reading clerk of the Senate, and William T. Salmon, Ethridge C. Kilbourne, Thomas J. Clagett, Philip F. Raisin, Andrew Kessler, Josiah H. Gordon, James W. Maxwell, R. C. McCubbin, George W. Landing, Dr. Bernard Mills, William R. Miller, Clark J. Durant, John J. Henkart and J. Lawrence Jones, members from different counties. A number of citizens of Frederick were also arrested, as well as E. Riley, editor of the Annapolis *Republican* and printer of the House.[1] The prisoners

[1] John H. Onion, Dr. Edward Johnson, A. H. Barton, Charles M. Hugelen, Dr. Charles Magill, Samuel H. Lyon, Richard W. Airey, James M. Helg and Joseph H. Maddox were "State prisoners" from Maryland, confined in Fort Lafayette in October, 1863.

(excepting a few of the clerks, who took the oath of allegiance and were released), were sent to Fort McHenry, and finally sent to Fort Lafayette, with those arrested in Baltimore.

Owing to the unsettled condition of affairs in the State, Governor Hicks did not comply with the first call of troops by President Lincoln, until the 14th of May, when he issued a proclamation calling for four regiments of volunteers for three months, to serve "within the limits of Maryland, or for the defence of the capital of the United States, and not to serve beyond the limits aforesaid." In consequence of the delay, and the short term for which they were to serve, the government did not accept any of the three months men offered by the State, but on the 2d of May, the President called for forty-two thousand and thirty-four volunteers, to serve for three years, and a large number who had enlisted under the first call, immediately joined companies that were enlisting for the second.

Under this call, James Cooper, of Frederick City, was appointed by the war department a brigadier-general, and assigned to the duty of raising and organizing the volunteers of the State. In a short time, the First Maryland Regiment was organized, and Colonel John R. Kenly, a gallant soldier of the Mexican war, was appointed its commander, who took immediate steps to put it into condition for active service. On the 7th of July, 1861, it took its departure from Baltimore, and proceeded to the military department of the Shenandoah, and was stationed for some time along the Potomac from Williamsport to the mouth of the Antietam, guarding the fords of that river, where it did good service. In the meanwhile, other regiments and "home guards" were organized in various sections of the State, and were soon sent into active service.

While the federal pressure was thus surely surrounding Maryland, the Southern men in the State were making every effort to commit her fortunes to an alliance with Virginia. In March, leading Southern men were delegated to go to Richmond and urge upon the convention there in session, such prompt action as would unite the border States, prevent an undivided front to the North, and thus arrest the war which every one could now see, could only be averted by the boldest and promptest action. They returned with an answer from the Virginia leaders, that she was not ready to move.

When the proclamation of troops on Washington was answered by the act of secession of Virginia in secret session on April 17th, 1861, the response in Maryland, among a majority of her citizens, was the wildest enthusiasm and excitement.

The City of Baltimore, as we have seen, drove the Union troops through her streets in an outburst of indignation which the utmost efforts of the authorities were unable to control.

As soon as the General Assembly met in Frederick, the Hon. James M. Mason, formerly United States Senator from Virginia, waited on it, as commissioner from that State, authorized to negotiate a treaty of alliance offensive

and defensive with Maryland on her behalf. But such action had been delayed too long. The only hope then left for Maryland to be united with the South was for her to be represented in the South by such a force as would express her protest against her subjugation. At least these were the opinions and motives of the young men who flocked to the Southern colors. Under these impulses and with these convictions, Captain Bradley T. Johnson, a native of Frederick, procured from Mr. Mason authority to raise troops for the Confederate service on the pledge of Mr. Mason that all such troops would be welcomed there. Armed with this endorsement, Captain Johnson visited Colonel Jackson, then in command of the Virginia troops at Harper's Ferry, and afterwards world-famous as "Stonewall" Jackson, and obtained from him permission to rendezvous his troops at the Point of Rocks, a place most convenient for Maryland men to assemble, together with an order to Captain Turner Ashby to furnish them with rations. Accordingly on May 8th, 1861, Captain Johnson marched his company out of Frederick to the Point of Rocks, and crossing to the Virginia side, was warmly welcomed by Ashby.

GEN. BRADLEY T. JOHNSON.

On the 9th he was joined by Captain C. C. Edelin with a company he had marched from Baltimore. Other skeleton companies were rapidly formed at Harper's Ferry, under Captains James R. Herbert, Wilson G. Nicholas, Harry McCoy, Holbrook, Price and Wellmore.

On the 18th of May, they organized themselves into a battalion of eight companies under the command of Captain Johnson. On the 21st and 22d of May, they were mustered into the Confederate service by Lieutenant Colonel George Deas, assistant inspector-general Confederate States Army, as follows: company A, Captain Bradley T. Johnson; company B, Captain C. C. Edelin; company C, Captain Frank S. Price; company D, Captain James R. Herbert; company E, Captain Harry McCoy; company F, Captain —— Holbrook; company G, Captain Wilson G. Nicholas; company H, ——Wellmore. They immediately sent an application to Jefferson Davis, that Captain Charles S. Winder, late of the United States army, be appointed their colonel and captain, Bradley T. Johnson, lieutenant-colonel. But the battalion was in a helpless condition. It had been organized as a distinct Maryland command, for the special purpose of representing Maryland in the Confederate army, and therefore had no State to look to for arms or clothing. Colonel Jackson fed them, but the only company armed was Company A, which had brought from Frederick a lot of Hall's carbines, an antiquated and utterly useless weapon—Virginia had not enough arms for her necessities and there was imminent risk that the representation of Maryland would be dis-

handed because of the impossibility of procuring arms. In this trying exigency, Mrs. Bradley T. Johnson volunteered to go through the country to North Carolina, her native State, and there appeal to her countrymen for assistance. She was the daughter of the Honorable R. M. Sanders, of that State, formerly minister to Spain, was amply qualified by graces of person and mind and the force of her will to accomplish an enterprise which required the daring gallantry of a man, with the persuasive power and perseverance of a woman.

Accordingly, on the 21th of May, she left the camps of companies A and B at the Point of Rocks, escorted by Captain Nicholas and Lieutenant George M. E. Shetter, of company A and tried to get to Richmond by way of Leesburg and Alexandria. Finding the way barred by Federal troops, which had occupied Alexandria that very day, she pushed on by way of Harper's Ferry and reached Raleigh on the night of the 27th. The next morning she made her application to Governor Ellis and the Council of State, stating to them the necessitous condition of the Marylanders, who were without arms, clothes, blankets or the common necessaries of life. The governor and council immediately ordered five hundred Mississippi rifles to be turned over to her, with ten thousand cartridges and necessary equipments.

The Constitutional Convention of North Carolina, being then in session at Raleigh, a public meeting was called at night, in the capitol, under the auspices of the Honorable Weldon N. Edwards, president of the convention, Chief Justice Thomas Ruffin, her father Judge Sanders and other distinguished North Carolinians. It was presided over by ex-Governor David S. Reid, and attended by the members of the convention amid great enthusiasm. The cause of the Marylanders was espoused with ardor, the meeting making a liberal contribution in money on the spot. The Honorable Kenneth Rayner in addressing the meeting, said:

"If great events produce great men, so in the scene before us, we have proof that great events produce great women. It is not that particular case of the romance than of the realities of life. One of our own daughters, raised in the lap of luxury, blessed with the enjoyment of all the elements of elegance and ease, had quitted her graceful home, followed her husband to the camp, and leaving him in that camp, has come to the home of her childhood to seek aid for him and his comrades—not, because he is her husband, but because he is fighting the battles of his country against a tyrant."

He paid a high tribute to the patriotism and love of liberty which eminently characterize the people of Maryland. "They were fighting our battles," he said, "with a halter round their necks."

On the 28th, Mrs. Johnson left Raleigh with her rifles and her escort, and stopping in Richmond for a day, procured from General Lee a supply of blankets and camp equipage, consisting of camp kettles, hatchets, axes, etc., and ordered forty-one tents to be made at once. On the 31st of May she left Richmond with her supplies, and on the 30th of June, 1861, after an absence from camp of ten days, returned and delivered to her husband

the results of her enterprise. The following receipt from the chief of ordnance of Stonewall Jackson's command has probably no parallel in the history of war:

"Received, Ordnance Department, Harper's Ferry, Virginia, June 30, 1861, of Mrs. B. T. Johnson, five hundred Mississippi rifles, (cal. 54) ten thousand cartridges, and thirty-five hundred caps.

"G. M. COCHRAN,
"*Master of Ordnance.*"

The issue of arms to the Marylanders by a woman, was a romantic incident of the day, and Colonel Jackson called and thanked her for her services. The officers of the battalion held a meeting and passed the following resolutions:

"*Resolved*, That the thanks of the Maryland Line be tendered to Mrs. Captain B. T. Johnson for her earnest, patriotic and successful efforts in arming and equipping the Maryland Line.

"*Resolved*, That we, the officers, pledge ourselves, and for our men, that the arms she has obtained shall, at the close of the war, be returned to the State of North Carolina, without claim or dishonor.

"*Resolved*, That these resolutions be signed by the officers of the meeting, and presented to Mrs. Johnson.

"JAMES R. HERBERT, *President*.
"J. C. W. MARRIOTT, *Secretary*."

She forthwith returned to Richmond for clothes and the tents, and on the 29th of June, started back with forty-one tents and enough uniforms and underclothes for five hundred men.

While these events were occurring at Harper's Ferry, other Maryland commands were being organized at Richmond. There it was considered advisable to attempt the formation of three regiments of Marylanders in the Virginia service, and Francis J. Thomas, formerly of the United States Army, was commissioned colonel by General Letcher, of one, Bradley T. Johnson lieutenant-colonel of another, and Ahlen Weston, major, of the third. Captain Johnson declined the commission tendered him, refusing to enter the military service of Virginia, on the ground that Maryland must be represented by Maryland regiments, and to accept service under Virginia would be to sacrifice the rights of his State to the services of her own sons. If they formed regiments commissioned by Virginia, they would be Virginia regiments, and that State would be entitled to and would claim and get the credit for them. It was, in his view, the duty of Marylanders to give their own State the benefit of their services and such reputation as they might make. He, therefore, procured the eight companies at Harper's Ferry, to be mustered into the Confederate service, as we have seen. Under this arrangement, however, four companies were mustered into the Virginia service at Richmond, those of Captain J. Lyle Clark, Captain E. R. Dorsey, Captain William H. Murray, and Captain M. S. Robertson. Captain Clark elected to unite his company with the 21st Virginia. The other three companies were united with the battalion at Harper's Ferry; the companies

of which were reorganized, and the 1st Maryland regiment formed with Arnold Elzey, late captain of artillery, United States Army, colonel; George H. Steuart, late captain of cavalry, United States Army, lieutenant-colonel, and Bradley T. Johnson, major. Soon after, Captain R. Snowden Andrews formed his battery, known during the ensuing four years as the 1st Maryland Artillery. The Baltimore Light Artillery, Captain Brockenborough, was mustered into service. The 3d Maryland Artillery, Captain Brown, and the 4th Maryland Artillery, Captain Latrobe, were subsequently formed, and served with credit to themselves and their State. About this time, Captain George R. Gaither, of Howard County, mustered his troop into the 1st Virginia Cavalry, Colonel J. E. B. Stewart, as Company K of that distinguished corps. Later in the war, the 2d Maryland Regiment of Infantry was organized under Lieutenant Colonel James R. Herbert and Major W. W. Goldsborough. The 1st Maryland Cavalry was not organized until 1862-63, under Lieutenant Colonel Ridgely Browne, Major Robert Carter Smith, and Adjutant George W. Booth.

On the 24th of May, the first forward movement of the Federal forces from Washington as a base, took place under the command of General J. K. F. Mansfield. The entire force, consisting of thirteen thousand men, proceeded to cross the Potomac, and took possession of Alexandria and all the heights which commanded Washington on the Virginia side of the river. The Confederates, having occupied Harper's Ferry in large force, under the command of General Joseph E. Johnston, the Federals commenced operations to re-capture it. With this view, a large force was collected at Chambersburg, Pennsylvania, under Major General W. H. Keim. On the 2d of June, Major General Robert Patterson took command of this force, and soon after, with a force of ten or twelve thousand men, he made a forward movement, by way of Hagerstown, towards Harper's Ferry, while another force moved up the north bank of the Potomac from the District of Columbia. As General Patterson's forces approached Harper's Ferry, the Confederates evacuated the Maryland Heights, which they had for some time occupied, and where they had some artillery mounted, and fell back to their main body on the Virginia side of the river. On the 15th of June, General Johnston, after deciding that Harper's Ferry was untenable, evacuated it and retreated towards Winchester. Before leaving this place, he destroyed the fine bridge over the Potomac, the government buildings, and forty-six locomotives and over three hundred cars, valued at $510,000, belonging to the Baltimore and Ohio Railroad. The railroad bridge at Martinsburg was also destroyed. For the services rendered by the First Maryland regiment upon the evacuation of Harper's Ferry, General Joseph E. Johnston, in special orders said that their "soldierly qualities would not be forgotten."

In the meantime the army in front of Washington was organized, and preparations were made for an advance against the Confederate forces collected at Manassas. Accordingly on the 16th of July a forward movement was

begun, and the "Grand Army," in four divisions, under the command of Major General Irvin McDowell, took up its line of march for Fairfax and Manassas. McDowell's force consisted of about sixty thousand men. On the 21st of July, the opposing forces met on the plains of Manassas, and soon was fought the celebrated battle of Bull Run, or Manassas. The details and incidents of the battles of the War between the States are hardly adapted to the purpose of this work, except so far as they illustrate the part that the Maryland troops took in them, whether they wore the blue or the grey.

The battle of Manassas raged with terrible effect from early morning until 3 o'clock in the afternoon, when the Confederate forces were driven back over four miles from the starting point. At 3:30 o'clock, when the condition of the battle-field was looking desperate for the Confederates, Johnston's army from Winchester began to arrive on the field. The first of these was Elzey's Brigade of the 1st Maryland, 10th and 13th Virginia, and 3d Tennessee. As they got out of the cars, Kirby Smith rode up, in whose division the brigade was, and assuming command, detached the 13th Virginia, Colonel A. P. Hill (afterwards Lieutenant General Hill) toward Bull Run, and with the other three regiments pushed on to the field, and the only orders he had received being, "to go where the fire was hottest."

As these troops drew near the field, the enemy were made aware of their approach by the clouds of dust they raised, and several pieces of artillery were turned upon them. An eye-witness, giving a description of the part the Maryland regiment bore in this engagement says:

"The scene that presented itself as we emerged from a strip of pines was frightful indeed, and in no way calculated to encourage us to advance further. Wagons in great numbers were coming to the rear at headlong speed, and demoralized fugitives by hundreds from the battle field were rushing frantically by, crying out, 'All is lost, all is lost; go back, or you'll be cut to pieces, the army is in full retreat,' etc. And indeed, so it seemed, for presently we met a whole regiment coming off, and, upon making inquiry for the cause, we were curtly told that 'they had got somewhat *foughed* in the fight, and as we were whipped and retreating, they didn't think it worth while to stay any longer.'

"But amid prospects so discouraging, the command from our gallant general was ever 'forward, forward, my brave men; pay no attention to those miserable cowards and skulkers.'

"The 1st Maryland, had the right of the line, at the head of which was riding General Kirby Smith. We were still marching by the flank, when, just as the column entered a strip of woods, it was fired upon by about a dozen of the 11th Brooklyn Zouaves, and the general fell from his horse shot through the neck, and it was feared at the time fatally wounded. . . . The command now was assumed by Colonel Elzey, who, after waiting some minutes, and the enemy not appearing, moved the brigade obliquely through the woods to the hill and front, and as we approached its edge the Federal line of battle appeared in view, which, as they perceived us, poured into our ranks a terrific volley of musketry, but took effect upon several of the men of the brigade. . . . Colonel Elzey immediately prepared to attack, and forming the 1st Maryland, 10th Virginia and 3d Tennessee, under cover of a hot fire from the Newton battery of light artillery, ordered a 'charge.'

"The enemy held a strong position on a ridge difficult of ascent, and immediately in front of a dense pine thicket. At least three hundred yards separated us, and the charge was to be across a wheat field, and of course without shelter of any description. It was a desperate undertaking, but upon that charge rested the fate of the Confederate army. At the command, with one wild, deafening yell, the Confederates emerged from the woods, and, amidst a perfect storm of bullets, the gallant fellows rushed across the field. But they never wavered nor hesitated, and, dashing up the acclivity, drove the enemy pell-mell from their strong position into the thicket in their rear.

"Halting the column for a brief while to reform, Elzey pressed on in pursuit, and when we came once more into the open country, we saw before us, and for a mile down in our right, no organized force, but one dense mass of fugitives; with the successful charge of Elzey upon their right flank, the whole of the Federal army had given way, and was rushing madly in the direction of Washington. Nothing that I ever saw afterwards could compare with that panic; and, as we passed on in pursuit, men surrendered themselves by hundreds. It was while thus pursuing the enemy that President Davis and Generals Johnston and Beauregard, rode up to Colonel Elzey, until the joyful shouts of the men, and the former, with countenance beaming with excitement and enthusiasm, seizing him by the hand and giving it a hearty shake, exclaimed: 'General Elzey, you are the Blucher of the day.'"[1]

[1] Gleanings from *Maryland Men*, p. 92.

For his gallant conduct upon this occasion, Colonel Elzey was promoted to the rank of brigadier-general, and Col. George H. Steuart, succeeded to the command of the regiment. In a letter to the author upon this subject, General Beauregard wrote as follows:

"NEW ORLEANS, *November 3, 1875.*

"*Dear Sir*—Your favor of the 18th ultimo was received here during my absence. I had no Maryland troops, as well as I can now recollect, in my army of the Potomac; but, at the battle of the first Manassas, the 1st Maryland Regiment, Elzey's brigade, Ewell's division, Army of the Shenandoah, contributed greatly to the success of that battle by checking the flanking movement of the federals, until Early's brigade could get into position on Matthews Hill (see my report of the battle of Manassas). The officers and men of that Maryland regiment behaved with much gallantry on that occasion and afterwards, while on duty in front of Manassas Hill, near Alexandria and while in winter quarters near Centreville, they were noted for their discipline and good behavior. Generals Elzey and Steuart subsequently attained high distinction as Confederate officers. I remain, yours very truly, G. T. BEAUREGARD.

"MR. J. THOMAS SCHARF, Baltimore, Md."

CHAPTER XLIV.

It would be idle to attempt a description of the disappointment and consternation that befel the Northern people, when it was announced that "the grand army of the Union," had been defeated on the plains of Manassas. In the opinion of the North, the Southern people were a race of braggarts and vain boasters; of good soldierly qualities, perhaps, and not wanting in courage; capable of making a brilliant charge, but lacking those powers of endurance, and that tenacity of purpose, which the North claimed to be the most prominent characteristics of the men of its own section. In brief, the Southerners were regarded by their opponents, as a fiery, and impulsive, but radically effeminate people, who talked eloquently and boasted largely; but whose resolves had always come to nought when put to a practical test, and who were the last persons in the world that had sufficient self-control to shroud their doings in silence and mystery, as they did in their preparations for the coming struggle. How greatly the North erred in its estimate of Southern character, the battle of Manassas, or Bull's Run, as it is sometimes called, most conclusively showed.

The news of the defeat of the Federal army was received in Baltimore with great satisfaction by those entertaining Southern views, while on the other hand, the "Union" men appeared to be uneasy and greatly depressed in spirits. With the exception of such feeling as was naturally engendered on both sides in consequence of the state of affairs, the city was very quiet for nearly two months afterward, and that period is therefore, nearly devoid of stirring incident.

In the history of a war of such gigantic proportions, and spread over so wide a territory, we are obliged to call the reader's attention somewhat abruptly from one field of operations to another, as the current events, by their relation to Maryland and their importance, seem to demand. We now return to a naval exploit on the Chesapeake Bay, in which several daring Marylanders took a prominent part. On June 28th, the steamer *St. Nicholas*, Captain Jacob Kirwan, running between Baltimore and the various landings on the Potomac, left the city, at her usual time, having on board about fifty passengers. Everything passed off as usual, until the boat arrived at Point Lookout, on Sunday morning, June 30th. Here several of the passengers landed, and Captain George N. Hollins, late of the United States Navy, who had resigned and joined the Confederate service, came on board. Among those passengers who embarked at Baltimore, was a

very respectable French lady, heavily veiled, who, after the boat passed Point Lookout, appeared on deck in Zouave uniform, surrounded by a party of twenty-five men, dressed in the garb of mechanics, who had taken passage on the steamer. Captain Kirwan demanded an explanation, when the "French lady," who was Colonel Zarvona Thomas, of St. Mary's County, but now of the Confederate army, informed him that he intended to seize the steamer and go on a privateering expedition. Finding himself overpowered, Captain Kirwan was compelled to submit quietly, and the steamer was formally surrendered to Colonel Thomas and his crew, who took possession, and placing Captain Hollins in command, they ran the steamer to a point known as "The Cone" on the Virginia shore. Here most of the passengers were landed, and about one hundred and fifty Virginia and Tennessee troops were taken on board, Captain Kirwan and fourteen of his crew being held as prisoners. The steamer was then run down as far as the mouth of the Rappahannock River, where three large brigs were captured. These prizes, laden with ice, coal, and coffee, were taken up the Rappahannock to Fredericksburg, where they were, with the steamer, delivered into the possession of the Virginians.

About ten days after this bold exploit, Colonel Thomas, on his return to Baltimore in the steamer *Mary Washington*, to arrange for other operations, was detected before he was able to carry out his plans, and was imprisoned for a long time in Fort McHenry.

In April, the President, by proclamation, ordered a blockade of the ports of the Confederate States, and prohibited all commercial intercourse with them. To drive off the Federal blockading fleet at New Orleans, Captain Hollins, in October, extemporized a small flotilla, and on the 11th started from Fort Jackson. With his little fleet he attacked the United States blockading squadron, and, after a short engagement, drove them all aground on the Southwest Pass bar, except one vessel which he sunk, and one that he captured.[1]

While the Marylanders in the Confederate naval service were showing the greatest gallantry and skill, the bravery of those in the Federal service was equally conspicuous. On the 13th of October, a boat expedition, consisting of one launch and two cutters, with a force of about one hundred men, officers, sailors and marines, was fitted out by the United States blockading squadron, off Fort Pickens, Pensacola, Florida. The object of the expedition was the destruction of the Confederate privateer schooner *Judah*, which lay off the Pensacola Navy Yard, (then in the possession of the Confederates,)

[1] George N. Hollins was born in Baltimore, September 20, 1799; midshipman, February 1, 1814, and, with the officers and crew of the sloop *Erie*, assisted in the defence of Washington. He was captured in the frigate *President*, in the War of 1812, and distinguished himself in the Algerine War. He was made lieutenant, January 23, 1825; commodore, September 8, 1845; and captain, September 14, 1855. He bombarded and destroyed the town of Greytown in 1854, resigned from the United States navy in 1861, and entered the Confederate service. For his achievement at the passes of the Mississippi, he was promoted to flag-officer of the New Orleans naval station. He died in Baltimore in 1878.

and the spiking of a gun in battery at the southeast end of the yard. Lieutenant John R. Russell, of Maryland, with midshipman Morgan Forrest, of the same State, had charge of the expedition, and with Lieutenant Blake, were to attack the vessel, while Lieutenant John G. Sproston and midshipman Steece, both of Maryland, spiked the gun. Flag officer William Mervine, commanding the Gulf blockading squadron in his official report of this brilliant exploit to the Secretary of the Navy, dated September 15th, 1861, said: "The attack was made on the morning of the 14th instant, at half-past three o'clock. The schooner, named the *Judah*, was found moored to the wharf, under the protection of a battery and field piece, and to be armed with a pivot and four broadside guns. Her crew were on her, and prepared to receive our forces, pouring in a volley of musketry as the boat neared the vessel. A desperate resistance was made from the decks of the schooner, but her men were driven off on the wharf by our boarders, where they rallied and were joined by the guard, and kept up a continued fire upon our men. In the meantime the vessel was set on fire in several places. . . . She burned to the water's edge, and has since, while burning, been set free from her moorings, and has drifted down opposite Fort Barrancas, where she sunk." The party assigned to the spiking of the gun accomplished their object.

Immediately after the battle of Bull Run, Major General George B. McClellan, who had been operating in Western Virginia, was assigned to the command of the Federal forces in and around Washington and Northeastern Virginia. On the 31st of October Lieutenant General Winfield Scott, the commander-in-chief of the armies of the United States, in consequence of his age and infirmities, resigned his position, and on the following day, by order of the President, General McClellan assumed the command.

Upon taking command of the army, General McClellan immediately proceeded to strengthen the defences of Washington, and so to dispose of the forces as to be best prepared for any aggressive movement on the part of the Confederates. Congress authorized the enrollment of five hundred thousand volunteers, and by the time the term of service of the three months' troops had expired, their number was replaced by new battalions that had enlisted for three years or the war. Every energy of the government and all the resources of the people were freely and lavishly placed at the disposal of General McClellan to enable him to gather together another army and put it in the most complete state of efficiency, so that offensive operations might be resumed at the earliest practicable moment.

The small force remaining in Patterson's army after the discharge of the three months troops, were removed to the Maryland side of the Potomac, and re-enforced by a portion of the new regiments as they arrived. Major-General N. P. Banks was assigned to this division of the army which was now posted in the vicinity of Poolesville, with picket lines extending along the banks of the Potomac from Harper's Ferry to Georgetown. The Federal forces also

occupied the Maryland shore of the Potomac below Washington, the lines being gradually extended towards the mouth of the river. In front of this line the Confederates were posted in strong force, constantly threatening an attack, and making movements which required vigilant watching and counter-movements on the part of the Federal forces. Frequent skirmishes occurred between the pickets and reconnoitering and foraging parties of the two armies, with various success and more or less loss, but no engagement of any magnitude took place in the Fall of 1861, until the battle of Ball's Bluff or Leesburg, which occurred on the 21st of October. In this affair one-half of the Federal force which crossed the Potomac under the command of Colonel Baker to attack the Confederates never returned. Many were shot while in the water, many were drowned, many surrendered, others succeeded in swimming to Harrison's Island.

In this battle no Maryland troops were engaged; but on the 22d of October, the first Maryland regiment which was then stationed at Darnestown, Montgomery County, received orders to re-enforce the command of Brigadier General C. P. Stone at Edward's Ferry. Upon their arrival they were directed to man the boats and rescue the brigade of General Gorman, which had been sent over the Potomac to act in conjunction with Colonel Baker's command, and who were in momentary danger of being cut to pieces or captured. Notwithstanding the river was very high, the current strong, and the wind blowing a gale, these brave men almost alone, with canal boats worked with poles, brought out of the jaws of danger and death a whole brigade. All night long they worked silently but diligently to bring off those whom folly had sent to the Virginia side of the river, and this too when troops from other States refused to perform so dangerous a service. Colonel Kenly, in his official report of this affair, concludes with the remark: "I feel it to be a duty to say that the soldiers of the first Maryland regiment of infantry saved numbers of our army from destruction or capture. I am very proud of that night's work."

After this arduous service the Maryland troops under Colonel Kenly went with the rest of General Banks' division into winter quarters near Frederick, but soon after were recalled to the defence of military posts near Hancock and Williamsport, Maryland.

In the meantime, the Confederates erected batteries on the Potomac at Quantico Creek, Cockpit and Shipping Points, which effectually blockaded the river. No vessels, except occasionally in the night by stealth, could pass up or down the Potomac, and the immense supplies required for the Federal army were necessarily cut off. The horses of McClellan's army consequently suffered frequently during the winter of 1861-2, for the want of forage.

Several plans were considered for the destruction of these batteries by crossing troops opposite them, and preparations were even made for throwing General Hooker's division across the river to carry them by assault. To prevent the threatened crossing of the Confederates into Maryland, batteries

were also erected by the Federal forces opposite to them above the mouth of Indian River, in Charles County, and General Hooker's corps was stationed here during the winter to protect them.

Finally, Brigadier General J. G. Barnard, of the United States Engineer Corps, was ordered to make a reconnoissance of the positions of the Confederate batteries, and upon his unfavorable report, a plan to capture the works was abandoned as impracticable.[1]

In consequence of the closing of the Potomac River by the Confederate batteries, an immense quantity of freight was carried over the Washington branch of the Baltimore and Ohio railroad. In fact a larger freight business was done on this road during the war, than was ever performed by any road in the United States. Upwards of sixty vessels including many large steam propellers, arrived at Locust Point daily, and their cargoes were immediately forwarded to Washington. For some days the daily average of cars over this road numbered over four hundred, and to supply the increasing demand for transportation, in October, a wagon train of nearly one hundred wagons, was established between Baltimore and Washington. This immense amount of business which the exigencies of the war created, rendered it necessary that the railroad from Baltimore to Washington should be carefully guarded against depredations and accidents to the greatly increasing number of trains running on the route both day and night. To effect this, every quarter of a mile of the road was guarded by a sentinel.

While the Federal capital was thus effectually blockaded from direct communication with the sea, the government determined to make an attack upon some of the valuable and important points on the Southern coast. With this object in October an immense land and naval armament assembled in Hampton Roads, for a descent upon the coast of South Carolina and Georgia. The destination of the expedition, however, had been kept secret, and even when it sailed the public was mystified as to its ulterior purpose. Great interest was felt in Maryland concerning the expedition, as the land forces destined to accompany it were collected at Annapolis, numbering about fifteen thousand. This large force was placed under the command of General W. T. Sherman. The naval armament was in charge of Commodore S. F. Dupont. The expedition, composed of fifty vessels of war and transports, with twenty-five coal vessels, left Hampton Roads on the 29th of October, and early in November captured the Confederate fortifications at Hilton Head, and took possession of the region from the North Edisto River to Warsaw Sound.

Early in January, another imposing land and naval force assembled in Hampton Roads, destined for the coast of North Carolina. Over a hundred

[1] In this blockade of the Potomac, the 1st Maryland Confederate Light Artillery, which was organized in Richmond, Virginia, in July, 1861, under the command of Captain R. Snowden Andrews, First Lieutenant Wm. F. Dement and Second Lieutenant Charles Contee, took a most important part. They occupied a position on the extreme right of the Confederate line, at Shipping Point, and during the winter did much hard service, and often exchanged shots with the Federal batteries on the Maryland shore, and vessels running the blockade.

steam and sailing vessels, consisting of gun-boats, transports and tugs, and about eleven thousand troops, mostly recruited in New England, composed the armaments which, under the command of General A. E. Burnside, became known as the "Burnside Expedition." The military force taking part in it, had been gathered at Annapolis, and was divided into three brigades, under command respectively of Generals John G. Foster, Jesse L. Reno and John G. Parker. The expedition, which we do not propose to follow in detail, sailed on its secret mission from Annapolis on the 8th of January, 1862. The naval fleet was under the command of Commodore L. M. Goldsborough, of Maryland. The expedition, like that for Port Royal, experienced the stormy weather for which the dangerous coast of North Carolina is noted in the winter season. However, with the loss of three steamers and some half-dozen sailing vessels, sloops and schooners, the fleet arrived at Hatteras Inlet, and on the 5th of February sailed up the Sound, and, on the 8th, landed and captured the Confederate forts of Roanoke Island.

The next in the order of military events in Maryland, was the occupation of Accomac and Northampton Counties of Virginia, east of the Chesapeake Bay. It was understood, in November, that a body of Confederates, mostly residents, were in arms and, to a certain extent, in control of those two counties. General Dix, then in command of the department, with his headquarters at Baltimore, despatched, on the 13th of November, 1861, four thousand troops, under Brigadier General Henry H. Lockwood, to restore the Federal authority. At the same time he issued a proclamation, addressed to the people of the two counties, stating that the object of the expedition was to assert the authority of the United States, etc. The troops composing the expedition, consisting among others the 1st Eastern Shore Maryland Home Guard, Captain Richard's company of Independent cavalry and Purnell's Legion, were transported from Baltimore, and mostly landed at Newtown, Somerset County, whence they marched across the Maryland line into Accomac and Northampton Counties, Virginia, where they met with no opposition. The people declared their intention to submit to the United States authorities, and the Federal troops held peaceful possession of the two counties. As the election, appointed to be held November 6th, 1861, for governor, comptroller, members of the Legislature, judges of the various courts and several clerks, sheriff, commissioner of public works and city surveyor, approached, it became manifest that the right of suffrage was to be accorded to the people of the State, only to such extent as might be consistent with the objects of the "Union" party. In the election for members of the First Branch City Council, held in Baltimore on the 9th of October, the candidates of this party had no opposition, and polled only 9,687 votes; but at the

GOVERNOR BRADFORD.

November election, the democrats determined to place a ticket in the field. The "Union" ticket was headed by Hon. Augustus W. Bradford for governor, and the democratic ticket by General Benjamin C. Howard for the same office.

Governor Hicks, who was "anxious to have a killing majority rolled up against secessionism," in a letter addressed to General Banks, dated as early as October 20th, suggested "the importance of looking closely to Maryland until our election is over." And the Secretary of War, feeling the same solicitude for the State, and "in order to have a full vote in Maryland at the coming election," directed General McClellan "to grant three days' furlough to the soldiers of the 1st, 2d, and 3d regiments of Maryland volunteers," to enable them to go home and vote.

In order "to have a killing majority," General R. B. Marcy, chief of General McClellan's staff, also issued an order on the 20th of October to General Banks, calling his attention to the alleged "apprehension among Union citizens in many parts of Maryland, of an attempt at interference with their rights of suffrage by disunion citizens" at the approaching election, and directing him to

"Send detachments of a sufficient number of men to the different points in your vicinity where the elections are to be held to protect the Union voters, and to see that no disturbances are allowed to intimidate them, or in any way to interfere with their rights.

"He also desires you to arrest and hold in confinement till after the election, all the individuals who are known to have returned from Virginia recently, and who show themselves at the polls, and to guard effectually against any invasion of the peace and order of the election. For the purpose of carrying out these instructions you are authorized to suspend the *habeas corpus*."

And further to carry out the schemes of the "Union party" the *National Intelligencer*, which in Washington city and elsewhere, was properly regarded at that time, as the organ of the Administration, published on the 31st of October, an article upon the approaching elections in Maryland. The object of the *Intelligencer* was to intimidate the candidates and the voters who dared to differ from Mr. Lincoln and his adherents in Baltimore, (whose leaders had been connected with the old know-nothing party, and who were indebted to the labors of its ruffian clubs for political preferment); and the threats so plainly thrown out were undoubtedly to be regarded as intimations from high official quarters of the purposes of the Administration. After stating that the previous acts of the Government were to be interpreted as emphatically declaring "its determination, that Maryland shall be governed loyally," the *Intelligencer* said:

"The nominations have already advised the Government who they are whom their friends deem worthy the honors of Fort La Fayette, and whom, without injustice, it can suspect. This is information which the Government has long desired. It knows precisely who are the most active in instigating treason and inciting rebellion. It needs further only to know by whom these leading conspirators are supported. This it will learn by following arrests till after the day of election, and taking its observations as

events on that day transpire. Neither the Government nor the friends of the Union in the State could have desired a plan which would so effectually have furnished the Government the information needed to enable it to act energetically and efficiently. Its alert and vigilant agents in Baltimore, will not fail to avail themselves of this golden opportunity.

The permission, and the election of traitors could produce no other result than their removal. If madness and folly in wantonness, a spirit of bravado, or a lust of notoriety, will toy with treason and in its rebellion, they but make their possessors the forged of a Government which in Baltimore and Maryland is irresistible; and they will find, too late for their comfort, that the day for forbearance and leniency is past. Success or defeat of secession at the polls is all one to the status of Maryland, but defeat will be most profitable to the leaders who are in communion. We will wait to see who recklessly brave the Government. We are sure what course the Government will, for we know what course it must, pursue."

Lest this distinct announcement of the disgraceful purposes of the Federal authorities, should fail to give the "Union" party the power and offices it so much coveted, General Dix seized the opportunity of letting the people of Baltimore know that he took a profound interest in the election, and that the United States Marshal and the Provost Marshal proposed to give it their attention likewise. On the 1st of November, General Dix issued a proclamation in which he alleged

"That certain individuals who formerly resided in this State, and who are known to have been recently in Virginia bearing arms against the authority and the forces of the United States, have returned to their former homes with the intention of taking part in the election of the 4th of November instant, thus carrying out at the polls the treason they have committed in the field. There is reason also to believe that other individuals lately residents in Maryland, who have been engaged in similar acts of hostility to the United States, or in actively aiding and abetting those in arms against the United States, are about to participate in the election for the same treacherous purpose, with the hope of carrying over the State by disloyal votes to the cause of rebellion and treason."

He therefore directed the United States Marshal of Maryland and the Provost-Marshal of the City of Baltimore to arrest all such persons. He further requested the judges of election to commit any such persons; and called on all "good and loyal citizens," to support the judges of elections and the marshals in their efforts to secure a "free and fair expression of the voice of the people of Maryland, and at the same time to prevent the ballot-box from being polluted by treasonable votes."

At the polls the following placard was conspicuously displayed:—

"NOTICE.

"PROCLAMATION OF GENERAL DIX.

"'All persons are requested to *point out to the Judges of Election and to the Poles* any individuals attempting to vote, or who may be present *at the Polls*, who may have been actively 'engaged in acts of hostility to the United States, or in actively *aiding and abetting* those in arms against the United States,' and especially those who *on the 19th of April*, and subsequent days, took part in *opposing the march of the United States troops* or in *transmitting stores and supplies, or forwarding persons or communications* into States engaged in the rebellion."

As General Dix had taken so much pains to suppress free thought and free speech in Maryland, it is not probable that his warmest partizans could have honestly believed that he really desired a "free and fair expression of the voice of the people of Maryland." They too, knew, as well as General Dix, that of the "individuals" who had left the State and had become citizens or soldiers of the Southern Confederacy, not enough to change the election in a single precinct would return for the purpose of voting.[1] His speciously worded proclamation deceived no one. It was indisputably, as was the placard posted at the polls, a direct invitation to the officials and agents of the government to use their power for the purpose of intimidating or otherwise excluding from the ballot-box all voters who were likely to cast their ballots against the administration candidates. The "Union" party and its opponents understood this fully, and the former acted accordingly. But the scenes which characterized the election, apart from the previous intimations, from high quarters, to that effect, sufficiently proved that the partizans of the administration had determined that the "voice of the people of Maryland" should be made to speak in commendation of the government's usurpations. Soldiers were stationed at the polls in nearly all the polling places throughout the State.

Many hundreds of citizens were arrested in the various counties and in the City of Baltimore, without the slightest pretext, and evidently for the mere purpose of deterring their neighbors and political friends from attempting to exercise their rights. The vast majority of those so arrested were men who, as was perfectly well known, had not, since the beginning of the war, been out of Maryland. Test oaths, which, since the Revolution of 1776, had been unheard of among the laws of the State, were offered to other citizens, whose votes were refused when they declined to submit to so gross an outrage.[2]

[1] The following extract from a letter written by Colonel J. W. Geary, of the 28th Pennsylvania Regiment, dated "Point of Rocks, Md., November 8th, 1861," to Captain R. Morris, Deputy-Acting-Assistant-adjutant-general, explains how the election was conducted in Maryland: "Previous to the election, a number of enemies to the Union in this State published notices for disturbing the peace of the various precincts. I had several of the most prominent arrested, among whom was a candidate for senator, arrested before election and held until to-day. I had detachments from various companies of my regiment, with proper officers, stationed in Sandy Hook, Petersville, Jefferson, Urbana, New Market, Rockegtown, Frederick City, and other places where the polls were held. Owing to the presence of the troops, everything progressed quietly, and I am happy to report a Union victory in every place within my jurisdiction."

[2] The arbitrary arrests made by the Federal authorities at this election caused Lord Lyons, the English minister, to remonstrate with Secretary Seward. Lord Lyons, in a letter to Earl Russell, dated "Washington, November 4th, 1861," said that these arrests "could have a great effect upon public opinion in England; the English people did not enter far into abstract questions of national dignity, but they felt very strongly on the subject of the treatment of their fellow countrymen abroad; nothing inspired them with so strong or so lasting a resentment as injuries and indignities inflicted by foreign governments on her Majesty's subjects." Mr. Seward replied, "that, as to the recent arrests, they had always all been made in view of the Maryland elections; that these elections would be over in about a week's time, and that he hoped then to be able to set at liberty all the British subjects now under military arrest."—*Correspondence of the Civil War in the United States*, p. 103; London, 1862.

In another letter of September 30, 1861, after alluding to the arrest of members of the Legislature also, Lord Lyons says: "A step has been

The election was a shameless mockery, and its results were but the work of fraud and violence. The "Union" candidate for governor was declared elected, he having received in the City of Baltimore 17,022 votes, while the democratic candidate was said to have polled but 3,317 votes. In the State the entire "Union" ticket was elected by a majority of 31,438 votes.

Small as the vote was, it is a notorious fact that an immense number of illegal votes were everywhere cast for the Administration candidates. Massachusetts soldiers were known to have boasted in Boston that they voted on that day in Baltimore, as often as they pleased. But the "Union" party applauded this wanton violation of the rights of their fellow-citizens, and the laws of their State, and accepted such an election as an honest popular decision upon the momentous issues involved; and a governor, and a large portion of the Legislature and judiciary of the State, went into office with the knowledge that they owed their elevation to power to those who controlled the military powers then within our borders.[1]

Ten days after the election, on the 16th of November, Governor Hicks convened the Legislature, in special session on the 3d of December following, "to consider and determine the steps necessary to be taken to enable the State of Maryland to take her place with the other loyal States, in defense of the Constitution and the Union."

At the time appointed, the Legislature assembled at Annapolis, and upon its organization, Governor Hicks sent them a message in which he presented a brief review of the circumstances attending the position of Maryland since the commencement of the war.

On the 12th of December, the Senate, by a vote of twelve to five, declared vacant the seat of Hon. Coleman Yellott, senator from Baltimore City, who had removed to the South, and ordered a new election to fill the vacancy. Very few other proceedings of special interest occurred in the Legislature during this session, beyond the adoption of a new police bill and various resolutions. Besides, passing an Act appropriating fifty thousand dollars "for the relief of the families of the Maryland volunteers," a vote of thanks was awarded to Colonel John R. Kenly, of the First Maryland Regiment, "for his early, prompt, and distinguished services in the cause of his country," and also to Captain Hugh G. Purviance, (a citizen of Baltimore,) of the United States ship *St. Lawrence*, for his conduct and success in the attack and destruction of the Confederate States privateer *Petrel*. Resolutions of thanks were also tendered to Captain Cadwallader Ringgold, of the United States frigate *Sabine*, for his coolness and eminent seamanship displayed in rescuing a marine battalion of four hundred men, from the wreck of the transport steamer *Governor*, during the storm which overtook the United

[1] made, at Baltimore, upon particular articles of dress, particular colors, portraits of Southern leaders, and other supposed symbols of disaffection. The violent measures which have been resorted to, have gone far to establish the fact that Maryland is retained in the Union only by military force. They have undoubtedly increased the dislike of the people to their Northern rulers." *Ibid.*, p. 81.

[1] *Southern Rights and Union Parties in Maryland Contrasted.*

States squadron, on its way from Fortress Monroe to the attack and capture of Port Royal, early in November; and also to Lieutenant John H. Russell, a native of Montgomery County, "for his gallantry and daring in running into Pensacola Harbor, directly under the guns of the enemy, and firing and destroying the rebel pirate *Judith*, and that in connection with Lieutenant John Glendig Sproston, of the City of Baltimore."

On January 8, 1862, Augustus W. Bradford, who, in the way we have seen, had been elected governor to serve the ensuing four years, was inaugurated at Annapolis, and made an inaugural address, denouncing the policy and work of secession in the strongest terms, and expressing the utmost devotion to the Union and the Constitution. Early in March the Legislature adopted the following resolution, defining the position of Maryland upon the subject of slavery and the objects of the war:

"The General Assembly of Maryland have seen with concern certain indications, at the seat of the General Government, of an interference with the institution of slavery in the slave-holding States, and cannot hesitate to express their sentiments, and those of the people they represent, in regard to a policy so unwise and mischievous.

"This war is prosecuted by the Nation with but one object, that, namely, of a restoration of the Union just as it was when the rebellion broke out. The rebellious States are to be brought back in their places in the Union, without change or diminution of their constitutional rights; in the language of the resolution adopted by both Houses of Congress at its extra session in July last, with remarkable unanimity, this war is declared to be prosecuted not in any spirit of oppression, or for any purposes of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality and rights of the several States unimpaired, and that, as soon as those objects are accomplished, the war ought to cease.

"The objects and purposes of the war thus expressively declared, are those alone which the Nation can rightfully contemplate in its prosecution; and the moment the object of the war changes from a simple restoration of the Union as known to the Constitution, to something else in conflict with the guarantees of that instrument, from that moment the war itself changes its character.

"The duty of the government in a great crisis like the present is a very plain one, it is to preserve, protect and defend the Constitution of the United States; and, thankful as we have reason to be for our exemption from the devastation and ruin of civil war, we rely further upon the wisdom and firmness of the President, in the discharge of the high and solemn trust committed to his hands, to resist and rebuke all attempts, from any and from every quarter, to convert this war into a crusade against the institution of domestic slavery as it exists in the Southern States, under the guarantees of the Constitution, or to take advantage of the troubled condition of our country, for the gratification of personal views or sectional prejudices.

"It is, therefore, in accordance with these views:

"I. *Resolved by the General Assembly of Maryland*, That we cordially approve of the resolutions passed at the extra session of Congress, already alluded to, and earnestly desire that in the prosecution of the war the sentiments and purposes it announces as the deliberate judgment of the Nation, may be steadily kept in view, and faithfully adhered to by all the Departments of the Government, and by our armies in the field.

"II. *Resolved*, That our confidence in the wisdom, firmness, and moderation of President Lincoln remain undiminished. That we have seen, with approval and gratification,

the sentiments announced by the President in his recent message to Congress, presenting his views of the course to be pursued in suppressing the insurrection, and declaring his anxiety that the inevitable conflict for this purpose shall not degenerate into a ruthless revolutionary struggle, and that in every case he has thought it proper to keep the integrity of the Union the primary object of the contest on the part of the Government.

"III. *Resolved*, That the wisdom of the policy announced in the said resolution of Congress, has been signally exemplified in the peaceful triumph achieved by Major General Dix, by his admirable proclama tion issued in conformity with its spirit and purposes, to the people of Accomac and Northampton Counties, of the Eastern Shore of Virginia, on the thirteenth instant; and we believe it would be productive of beneficial results if Congress would, at the present time, reaffirm the principles of that resolution, and thereby give assurance that it proclaims the fixed policy of the government.

"IV. *Resolved*, That Maryland is ready to fulfil all her Constitutional obligations to the general government as a loyal State of the Union, and desires that the integrity of the Union may be preserved, and the supremacy of the Constitution restored.

"V. *Resolved*, That the governor be requested to transmit copies of the foregoing preamble and resolutions to the President of the United States, and to our Senators and Representatives in Congress."

A number of other resolutions were also adopted at this session, expressive of the devotion of Maryland to the Union, condemnatory of secession sentiment and action, and approving the course and policy of the President of the United States.

Upon the subject of slavery, however, the Legislature was greatly disturbed, owing to the agitation which was then going on in Congress for its abolition in the District of Columbia. And on Washington's birth-day it made the following appeal to the Northern States:"

"Whereas, on this twenty-second day of February, the people of the United States are listening to words of peace and conciliation, and of solemn warning against sectional contests and jealousies, from the father of their country, Maryland, one of the States of the Revolution, makes this solemn appeal to the citizens of the loyal States of the Union:

"Whereas, We believe the reckless and wicked agitation of the slavery question, both North and South, has been the ostensible cause of the rebellion now devastating our once happy country by affording a pretext to those who have long desired to break up our government, for putting their long cherished plans in operation, and by furnishing arguments by which the Southern people have been misled and betrayed; and whereas, we believe that a continuance of such agitation will have a tendency to prevent a cordial return of our Southern brethren to their position in the Union: therefore,

"*Be it resolved by the General Assembly of Maryland*, That we appeal with united voice to our brethren of the Northern States to discountenance, by every means in their power, all attempts to revive the agitation of this subject, not only productive of no good, but, as the history of the present shows, fraught with danger and untold evils; that the loyal State of Maryland has a right to insist that her voice be heard on this subject, in which she has so great an interest at stake: that the dissolution of this Union, however much to be deprecated by other States, would fall with tenfold weight upon her, and that, in a spirit of conciliation, she calls upon her sisters of the North to frown down every attempt to revive a subject which has, in the hands of wicked and ambitious men, contributed so largely to produce the calamities that have befallen the nation; that she calls upon them as coinheritors of the great patrimony bequeathed to us by our fathers, to remove from their statute books every enactment calculated to disturb the friendly feeling that should

subsist between the people of both sections of our country; and to rebuke, in an unmistakable manner, those of their representatives in Congress who are wasting their time in devising schemes for the abolition of slavery in the rebellious States."

This appeal was sent to the "executive of each loyal State," and to the President and members of Congress, but seemed to have no effect; for on the 6th of March, the President sent a message to Congress recommending the adoption of the following joint resolution: "*Resolved*, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system." On the 11th of March, the resolution finally passed the House of Representatives by a vote of 97 yeas to 36 nays. On April 2d, it passed the Senate—yeas 32, nays 10.[1]

[1] In the House of Representatives, Mr. Henry Winter Davis, of Maryland, voted in the affirmative; and Messrs. Calvert, Crisfield, Henry and Thomas, in the negative. In the Senate, Mr. Kennedy voted in the negative; James A. Pearce was absent. On the same day that this resolution was offered in the House of Representatives, the President invited to the White House the delegations of Kentucky, Missouri, Virginia and Delaware, for the purpose of explaining his message of the 6th of March. At the time appointed, these delegations, or such of them as were in Washington, assembled at the White House—Mr. Henry and Mr. Crisfield being the only ones in the city, present, representing Maryland. Mr. Crisfield, in his memorandum of this interview with the President, states that it was in substance as follows: "The President disclaimed any intention to injure the interests, or wound the sensibilities of the slave States. On the contrary, his purpose was to protect the one and respect the other; that we were engaged in a terrible, wasting and ruinous war; immense armies were in the field, and must continue in the field as long as the war lasts; that these armies must, of necessity, be brought into contact with slaves in the states we represented and in other States as they advanced; that slaves would come to the camps, and continual irritation was kept up; that we were constantly annoyed by conflicting and antagonistic complaints: on the one side a certain class complained if the slave was not protected by the army—persons were frequently found who, participating in these views, acted in a way arbitrarily to the slaveholders; on the other hand, slaveholders complained that their rights were interfered with, their slaves induced to abscond, and protected within the lines; their complaints were numerous, loud and deep; were a serious annoyance to him, and enteremissibly to the progress of the war; that it kept alive a spirit hostile to the government in the States we represented; strengthened the hopes of the Confederates that at some day the border States would unite with them, and thus tend to prolong the war; and he was of opinion, if this resolution should be adopted by Congress and accepted by our States, these causes of irritation and these hopes would be removed, and more would be accomplished towards shortening the war than could be hoped from the greatest victory achieved by Union armies; that he made this proposition in good faith, and desired it to be accepted, if at all, voluntarily, and in the same patriotic spirit in which it was made; that emancipation was a subject exclusively under the control of the States, and must be adopted or rejected by each for itself; that he did not claim, nor had this governmental any right to coerce action for that purpose; that such was no part of his purpose in making this proposition, and he wished it to be clearly understood; that he did not expect us there to be prepared to give him an answer, but he hoped we would take the subject into serious consideration; confer with one another, and then take such course as we felt our duty and the interests of our constituents required of us." Mr. Crisfield asked what would be the effect of the refusal of Maryland to accept this proposal, and desired to know if the President looked to any policy beyond the ascertainment or rejection of this scheme. The President replied that he had no designs beyond the action of the States on this particular subject. He should lament their refusal to accept it, but he had no designs beyond their refusal of it. Mr. Crisfield said he did not think the people of Maryland looked upon slavery as a permanent institution; and he did not know that they would be very reluctant to give it up if provision was made to meet the loss, and they could be rid of the race; but they did not like to be coerced into emancipation, either by the direct action of the government, or by interference as through the enunciation of slaves in this District, or the confiscation of Southern property as now threatened; and he thought,

On the 13th of February, a committee of the United States Senate, reported to that body a bill providing for the abolition of slavery in the District of Columbia. It provided for a commission to appraise the valuation of the slaves liberated, but limited their allowance in the aggregate to an amount equal to three hundred dollars per slave; and appropriated one million dollars to pay loyal owners, and one hundred thousand dollars to colonize such of the slaves as desired to emigrate to Hayti or Liberia, this expenditure not to exceed one hundred dollars for each person emigrating.[1]

Notwithstanding the protest of the Legislature of Maryland, and a number of the border States, the bill passed the Senate on April 3d, yeas 29, nays 14. It passed the House April 11th, yeas 92, nays 39, and was signed by the President on the 16th of the same month. Mr. Davis was the only member from Maryland, in either branch of the Congress, that voted for the bill.

For some time before this, the slaves in Maryland, especially in the southern counties, had been constantly running off; the largest number making their way to Washington, which was at this time an asylum for runaway slaves. Parties of from five to fifty sometimes started together, encouraged and assisted by the federal soldiers stationed in the neighborhood, and were hid in the Capitol. Frequently they were apprehended when they had almost reached Washington, but in many cases, they ran away unmolested and unpursued, their owners thinking it not worth their while to attempt to recover them, as they required incessant trouble and watching, and had become utterly insubordinate.

On the 14th of April, in accordance with a resolution passed by Congress, a select committee of nine members was appointed to report whether any plan could be proposed and recommended for the gradual emancipation of all the African slaves, and the extinction of slavery in Delaware, Maryland, Virginia, Kentucky, Tennessee and Missouri, by the people or local authorities of these States; and how far, and in what way the government could or ought equitably to aid in facilitating either of the above objects. On the 12th of July, the President again convened the representatives and senators of the

before they would venture to consider this proposition, they would require to be informed on three questions. The President replied that, "unless he was expelled by the act of God or the Confederate armies, he should occupy that house for three years, and as long as he remained there Maryland had nothing to fear, either for her institutions or her interests, on the points referred to." Mr. Crisfield immediately added: "Mr. President, if what you now say could be heard by the people of Maryland, they would consider your proposition with a much better feeling than, I fear, without it they will be inclined to do." The President: "That interesting publication of what he said will not do; it would force me into a quarrel before the proper time." And, again intimating, as he had before done, that a quarrel with the "Greeley faction" was in pending, he said "he did not wish to encounter it before the proper time, nor at all if it could be avoided."

[1] Pending the civil appropriation bill in the Senate and House, June 25th and 26th, 1864, a section was adopted, without a division, repealing this section, and also that part of the first section of the civil appropriation bill of July 16, 1862, which appropriated $500,000 to colonize emancipated slaves of the District of Columbia to be repaid to the treasury out of the proceeds of confiscated property.

border slaveholding States at the executive mansion, and appealed to them to consider his proposition of the 6th of March last. These gentlemen, in concluding their reply to the President, said:

"We regarded this resolution as the utterance of a sentiment, and we had no confidence that it would assume the shape of a tangible, practical proposition, which would yield the fruits of the sacrifice it required. Our people are influenced by the same want of confidence, and will not consider the proposition in its present impalpable form. The interest they are asked to give up is to them of immense importance, and they ought not to be expected even to entertain the proposal until they are assured that when they accept it their just expectations will not be frustrated. We regard your plan as a proposition from the nation to the States to exercise an admitted constitutional right in a particular manner and yield up a valuable interest. Before they ought to consider this proposition, it should be presented in such a tangible, practical, efficient shape as to command their confidence that its fruits are contingent only upon their acceptance. We cannot trust anything to the contingencies of future legislation.

"If Congress, by proper and necessary legislation, shall provide sufficient funds and place them at your disposal, to be applied by you to the payment of any of our States or the citizens thereof, who shall adopt the abolishment of slavery, either gradual or immediate, as they may determine, and the expense of deportation and colonization of the liberated slaves, then will our State and people take this proposition into careful consideration, for such decision as in their judgment is demanded by their interest, their honor, and their duty to the whole country."[1]

Nothing, however, was done at this session of Congress upon the subject of emancipation.

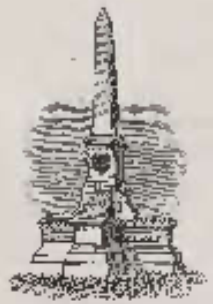
Among other topics which engaged the attention of the Legislature of 1861-2 was the "Treason Bill." This exceedingly stringent law was passed finally by both Houses of the Legislature on the 6th of March. By its provisions the penalty of death was to be inflicted on any one who should be convicted of treasonably levying "war against this State, or shall adhere to the enemies thereof, whether foreign or domestic, giving them aid or comfort, within this State or elsewhere." A number of sub-sections of the bill prescribed various degrees of punishment for various offences, such as conspiring to burn bridges, destroy railroads, break canals, etc.; holding "any secret or public meeting, or unite with or belong to any secret club or association . . . intended to effect, promote or encourage the separation or secession of this State from the government or union of the United States; displaying secession flags, etc.; offering inducements to any minor or other person to abandon his home or place of temporary residence, for the purpose of going into any of the States in rebellion, or furnishing to any minor or other

[1] This report was signed by Francis Thomas, J. W. Crisfield, Charles B. Calvert, H. L. L. Leary, and Edwin H. Webster, of the Maryland representatives in Congress, and fifteen others. According to the census of 1860, there were then nearly four million slaves in the country; from natural increase, they exceeded that number in 1862. At even the low average of $300, the price fixed upon by the Emancipation Act for the District of Columbia, they estimated value would be, at this time, $1,200,000,000; and if to this we would add the cost of deportation and colonization, at $100 each, which was but a fraction more than was actually paid by the Maryland Colonization Society, we have $400,000,000 more. Stated in this form, the proposition would have cost the government $478,038,134 to liberate 1,196,112 slaves in the six border slave States. According to the census of 1860, Maryland had 87,188 slaves.

person money, clothing or conveyance of any kind, for the accomplishment of any such intended object;" giving aid or comfort to the enemies of the State; exciting rebellion, or seducing any one to such acts. The Act was not to take effect until the 1st of April following, but we know of no instance in which parties were arrested and punished under its provision, and it proved, therefore, more of a dead letter than was intended.

On the 6th of March, the Legislature, "anxious to do something to efface that stain from the hitherto unblemished honor" of Maryland, passed a bill, introduced by Hon. John V. L. Findlay, appropriating $7,000 "for the relief of the families of those belonging to the 6th Regiment of Massachusetts volunteers, who were killed or disabled by wounds received in the riot of the 19th of April, in Baltimore."

This bill was introduced on the 11th of February, 1862, and on the 19th was read a second time, and on the same day amended, so as to make the appropriation seven thousand ($7,000) dollars, instead of ten thousand ($10,000) as originally reported. On the same day, a member belonging to the opposition offered the following amendment: "Strike out the words 'the sum of seven thousand dollars, and insert the same sum as has been, or may be appropriated by the State of Massachusetts, for the relief of the families of the citizens who were killed and wounded at Harper's Ferry by citizens of Massachusetts under John Brown, and also the same sum as has been or may be appropriated by the State of Pennsylvania for the relief of the families of Kennedy and Gorsuch, and of the citizens of Maryland killed in that State by rioters." The bill and last amendment gave rise to an animated and protracted debate, in which Mr. Findlay, as the author of the bill and chairman of the committee on militia which reported it, took a prominent and leading part. The result was that the bill passed by a large majority, and on the 5th of March, having passed the Senate, also became a law. Governor Andrew, of Massachusetts, was made a trustee for the distribution of the money, which was promptly paid after the adjournment of the Legislature. To commemorate the death of Luther C. Ladd and Addison O. Whitney, two members of the 6th Massachusetts regiment, who were killed in Baltimore on the 19th of April, 1861, the State of Massachusetts and the City of Lowell, created in Merrimack Square, Lowell, Massachusetts, a monument of Concord granite. It was formally dedicated on the 17th of June, 1865, in the presence of nearly twenty thousand people, who were addressed by Governor John A. Andrew. At the conclusion of the consecrating ceremonies, at the tomb of Ladd and Whitney, in Lowell, Lieutenant-Colonel Thomas J. Morris, of the staff of Governor Bradford, of Maryland, and now judge of the United States District Court for Maryland, presented to Governor Andrew, as the representative of Massachusetts, a United States flag, made of



LADD AND WHITNEY MONUMENT.

silk and wrought by a number of ladies of Baltimore for the purpose. It was of regimental size and surmounted by a carved eagle holding thunderbolts in its talons and an olive branch in its beak. On the black walnut staff was a silver plate, bearing an engraving of the arms of Maryland and Massachusetts, and the words: "Maryland to Massachusetts, April 19, 1865. May the Union and Friendship of the Future obliterate the Anguish of the Past."

Although the political troubles of 1861 interfered very materially with the commerce in all the Atlantic cities, yet in some branches at the close of the year, it compared very favorably with the record of former years. In the chief commercial city of the State, after the 19th of April, the embargo that was placed by the city military authorities on the commerce of Baltimore, prevented the export of her principal staples, which necessarily tended to divert consignments from the West to some more fortunate market, and also, to cause the withdrawal of orders for shipments to Baltimore from Europe, as well as from manufacturers at home. Many goods too, then in Baltimore, owned by manufacturers and others in Eastern cities, were re-shipped to their owners on account of the unsettled condition of affairs in the city and State. The interference of the Confederate troops with the business of the Baltimore and Ohio Railroad, and subsequently the obstruction of an important portion of this great highway, seriously affected a trade which had been steadily improving in amount and value before the war began. Consignments from the Western States, and return commodities from Baltimore were necessarily compelled to seek a circuitous route through Pennsylvania, thereby rendering Baltimore's railway enterprise worthless for over a year.

In the early part of the year, the banks of Baltimore generally refused to extend accommodations to the merchants, or to increase their loans, a course determined by the general want of confidence arising from the complications with the Southern States, the impossibility of receiving remittances from that quarter, and the expressed determination of the Confederate Congress to confiscate all money and debts due to Eastern merchants, and even property held by them. It is true that in the proposed confiscation, the property of Marylanders was not included, and exemptions were even made in favor of Baltimore vessels in case of capture by Southern privateers, but there were still strong apprehensions felt that these would be ultimately disregarded. In most instances, therefore, bank discounts were confined to notes based on actual transactions, which on account of the general derangement of business, were very scarce.

The result of the city and State elections seems to have begotten in the Federal government some confidence in the "loyalty" of our people, which induced it to make purchases to a considerable extent in Baltimore for army purposes, thus causing the circulation of a good deal of money among the people and giving them employment, while at the same time it took off large stocks of surplus merchandise and produce. A number of United States vessels were also sent to Baltimore for repairs and outfits, and the numerous

expeditions that were fitted out in Baltimore and Annapolis, by the government, for operations in the South, gave marked activity to many mechanical pursuits, and before the close of the year infused new life and animation into numerous branches of trade, which for many months had lain dormant. While the various departments of industry, connected in any manner with the war, thus received constant impetus, others languished and suffered greatly. House-building, for instance, which, up to the breaking out of the war, had rapidly progressed, came almost to a stand-still in Baltimore, and this species of property, for a time, became greatly depreciated in value, and sold in many cases for about one-quarter of what it afterwards sold for at the close of the war.

Soon after the departure of General Burnside's expedition to North Carolina, there were indications that active movements were to be made in other quarters, which had the effect of producing a most beneficial change in mercantile quarters. And the great abundance of money arising out of the issue of many millions of government obligations, operated as an active stimulus to all branches of trade.

The position of the Federal troops in Maryland at the beginning of the year 1862, was as follows: General Dix commanded in Baltimore; General Hooker in Charles county, and south of Washington; General McClellan southwest of Washington; Generals Keys and Casey, in and around Washington; General Stone at and near Poolesville, and Banks near Darnestown, with detachments on the Potomac to Williamsport. Cumberland was the headquarters of General Kelly. On the 5th of January, General Lander arrived at Hancock, on his way to Cumberland to relieve General Kelly, who was sick. He found the Confederates under General Jackson on the other side of the Potomac in considerable force—having driven the Federal troops out of Bath, Virginia, and which latter had taken a stand at Hancock. Here some firing occurred on both sides of the Potomac without any serious damage being done; and upon General Jackson's offering the alternatives of the surrender of the town or its bombardment, the women and children were quickly sent away, and preparations made for defence. For some reason, however, General Jackson did not carry out his threat of bombarding the place; but a few days later, after tearing up the track of the Baltimore and Ohio Railroad in the vicinity, and burning the Capon bridge, he moved westward with the intention of coming into Romney, on the Federal left, by way of Springfield, and thus cutting off the supplies from Cumberland and the railroad. He a short time afterwards captured Romney, and then retired with his army to Winchester.

The Federal Administration had determined to respond to the call of the people of the North for the vigorous prosecution of the war, and the accession of Mr. Stanton to the war department was followed by a more active and energetic conduct of military affairs. A general plan of operations was adopted, and on January 27th, 1862, all the land and naval forces of the

United States were ordered to move, on the 22d of February following, "against the insurgent forces." Besides this general order of the President, on the 31st of January he issued a special order directing "all the disposable force of the army of the Potomac, after providing safely for the defence of Washington, be formed into an expedition for the immediate object of seizing and occupying upon the railroad south-westward of what is known as Manassas Junction."

The first movement under the orders of the President was a military and naval expedition up the Tennessee against Fort Henry, a fortification on the right bank of that river, about seventy miles from the Ohio, in command of Brigadier General Lloyd Tilghman, of Maryland, an officer who had distinguished himself in the Mexican War. The land force was delayed on its march, but seven gun-boats, under flag officer A. H. Foote, on the 6th of February, attacked the fort with such vigor that it was compelled to surrender. The prisoners taken were about sixty, including General Tilghman, to whose determined resistance Captain Foote, in his official report, bears the following testimony: "Fort Henry was defended with the most determined gallantry by General Tilghman, worthy of a better cause, who, from his own account, went into the action with eleven guns of heavy calibre bearing upon our boats, which he fought until seven of the number were dismantled or otherwise rendered useless."

While these events were occurring at the southwest, the army of the Potomac still remained in front of Washington, and no movement was made towards the Confederates. General McClellan had objected to the movement proposed by the President in his special order of January 31st, and suggested an advance by the way of the Rappahannock's as one which would more surely result in success. The question, however, was submitted to a council of war, composed of the commanders of the army corps, in which, after several meetings and some discussion, a movement by way of the peninsula between the York and James Rivers was finally decided upon.

Before General McClellan advanced, however, early in March the Confederates abandoned their batteries on the Potomac, the navigation of which they had so long obstructed and fell back to the position occupied by their main army. The 1st Maryland Confederate Artillery Company, Captain R. Snowden Andrews, being ordered to Yorktown to reinforce General Magruder. At the same time the entire Confederate army fell back from its position at Manassas to the south side of the Rappahannock.

Immediately upon receipt of this information, General McClellan ordered an advance, but finding the Confederates occupying a stronger position upon the Rappahannock and Rapidan, he marched back again to the Potomac for transportation to a new base. Here he remained until the 22d of March, when he shipped from Alexandria the first division of his army for Fortress Monroe. The transportation continued till April 2d, when the greater part of the army having arrived at Old Point, it commenced a movement towards Yorktown.

The original design of General McClellan was to make a sure and rapid movement upon Richmond, but the success of the Confederate iron-clad *Merrimac* or *Virginia*, in the conflict of the 8th of March, and the insecurity of the transports while the Federal navy could not control the James River, caused him to change his plans and march by the overland route.

In the exploit of the 8th of March, the *Virginia*, which was commanded by Captain Franklin Buchanan, a native of Maryland, who had seen forty-five years of service in the navy of the United States, within forty-eight hours successively encountered the naval force of the United States Government in the neighborhood of Norfolk, amounting to 2,800 men and 330 guns. She also sunk the *Cumberland*, probably the most formidable vessel of her class then in the Federal navy, consigning to a watery grave the larger portion of her crew of 360 men; had destroyed the crack sailing frigate *Congress*, with her heavy armament; and had crippled in the action the *Minnesota*, one of the best steamers of the Federal navy. In the engagement the Confederates lost two killed and nineteen wounded, and the *Virginia* came out of the action with the loss of her prow, starboard anchor, and all her boats, with her smoke-stack riddled with balls, and the muzzles of two of her guns shot away, but no serious damage to her armor, that had sustained a cannonade such as never before was inflicted upon a single vessel.

Since the battle of Ball's Bluff, or, as the Confederates call it, Leesburg, the upper Potomac had formed the line of demarkation between the contending forces. The southern shore, mostly covered with forests and broken into eminences, was occupied by the pickets of the Confederates, while the northern bank, not wooded to the same extent, was held by the Federal guards, entrusted with the duties of giving notice of any attack, protecting the canal-boats and teams, and attending to the safety of that portion of the Baltimore and Ohio Railroad lying between the Point of Rocks and Sandy Hook, presenting a river front of about twelve miles.

When, therefore, it was decided by the President that the army of the Potomac should make an advance into Virginia, on the 22d of February, General McClellan determined that the advance should begin by a forward movement of the extreme right wing of the army stationed at and near Sandy Hook and Frederick, under General Banks. Accordingly a concentration of the troops which had been wintering in Western Maryland, and others sent for the purpose, took place at Sandy Hook, and when all the details had been arranged, a temporary structure was thrown across the Potomac, and on the 24th of February, the 28th Pennsylvania regiment and several others crossed to the opposite shore and occupied Harper's Ferry. While these regiments were crossing, a pontoon bridge, about thirty feet in width and one third of a mile in length, was constructed about three hundred yards above the piers of the Baltimore and Ohio Railroad bridge, which had been destroyed some months before by the Confederates. Upon its completion (February 27th) the passage of all the troops was safely effected, under

the direction of General McClellan, who had arrived on the 26th from Washington to superintend the operations of the army. On the same day that General Banks occupied Harper's Ferry, the advance took possession of Bolivar Heights, and on the 27th Charlestown was taken. On the 2d of March Colonel Kenly and his regiment crossed the Potomac and occupied Martinsburg, and on the same day Leesburg and other towns were taken possession of, as the Confederate army had now commenced its retreat along its entire line from Aquia Creek to the Shenandoah. All their important positions, including Manassas and Winchester, were occupied by the Federal troops during the next ten days.

Confronting the Federal right was General Jackson and Colonel Ashby, the latter commanding the Confederate outposts, stretching his cordon of pickets from the Blue Ridge to the North Mountain, across the whole breadth of the Great Valley of Virginia. Fighting and falling slowly back, Ashby retarded the advance of General Banks until Jackson effected the evacuation of Winchester, which was completed on the night of the 11th of March, 1862.

The retreat of Jackson was leisurely continued up the valley turnpike towards Staunton, with nothing to mark it specially, except some slight skirmishing between Ashby's cavalry and Banks' advance. Nine days after his retreat from Winchester, General Jackson only reached Mount Jackson, a distance of forty-three miles. Here he received a despatch from General Johnston, that it was imperatively necessary that Banks should be prevented from sending reinforcements to McClellan, and ordered him to turn upon Banks and annoy him as much as possible. Immediately obeying the order, Jackson made a rapid march to the neighborhood of Cedar Creek, returning in one day to a point he had left eight days before. On the 22d of March he drove in the Federal pickets, and on the next day met the Federal troops under Major General Shields, at Kernstown, about three miles from Winchester, and fought one of the most desperate battles of the war. The Confederate force, consisting of Virginians and a few companies from Maryland, amounted to six thousand men; the Federal force was about eighteen thousand. The former held their ground until night, when the scarcity of ammunition put an end to the conflict. During the night General Jackson decided to fall back to Cedar Creek, which he did in good order. General Shields did not pursue the retreating Confederates, but withdrew his advanced forces and blockaded the road between Strasburg and Winchester.

The line of the Baltimore and Ohio Railroad being now clear of the Confederates, its employees repaired the great bridge at Harper's Ferry, and others which had been burnt or broken down, and relaid the rails where they had been torn up; and on the 30th of March, all the repairs being completed, a resumption of business took place between Baltimore and Wheeling. The first through passenger train for Wheeling, which had gone over the road since May, 1861, left Baltimore, on April 1st, 1862.

General John C. Fremont, in command of the Federal forces in Western Virginia, on the 3d of May, left Wheeling to advance his troops towards the Shenandoah mountains, to co-operate with the forces in the valley. Before this, General Milroy, who commanded the advance Federal force in this region, had moved his division to a small village west of the mountains, called McDowell. This position was about forty miles from Harrisonburg, where General Banks was concentrating his forces for an attack upon General Jackson, who was now joined by a brigade commanded by General Edward Johnson, from Western Virginia.

General Jackson, perceiving the object of General Banks, and prompt to plan and execute, determined to prevent the junction or effectual co-operation of the different bodies of Federal troops; and he therefore adventured upon a campaign, the most successful and brilliant of the war. He was confronted on his left by Fremont, on his front by Banks, on his right by McDowell. These he determined to attack in succession. His first movement was against General Milroy, who was now joined by General Schenck, at McDowell. On the 8th of May, with a force of about six thousand men, General Jackson, after a brisk engagement, defeated General Schenck, who retreated in the night, to Franklin.

After driving back the forces of Generals Schenck and Milroy, and thus preventing the advance of General Fremont, Jackson moved his army into the valley again, where they were joined by the division of General Ewell, to which the 1st Maryland regiment and Griffin's Baltimore Artillery, was attached. With his combined force, Jackson commenced his brief, but brilliant campaign to capture or destroy the Federal troops in the valley. At this time, General McClellan was within fifteen miles of Richmond, and it was all important to the defenders of that city, that General Jackson should threaten Washington, and thereby prevent reinforcements from being sent to General McClellan. General McDowell had been reinforced by the division of General Shields, from the army of General Banks, and orders were expected every hour for him to advance toward Richmond.

At the time General Shields' division joined General McDowell, at Fredericksburg, orders were given to General Banks, to fall back to Strasburg, and fortify. At this place, the Massanutten range of mountains rise in the middle of the valley and divide it. Strasburg is favorably located for defence against an attack from the south by the western valley; but the eastern valley, by opening out at Front Royal, affords another road to the Potomac, and also a good road which runs direct to Winchester, going around Strasburg.

General Jackson, knowing the position and strength of General Banks' forces at Strasburg, now formed a plan to capture him; and for this purpose, he marched a heavy column up the valley between the Blue Ridge and Massanutten range to Front Royal, with the design of capturing the force there, and then passing on by the plank road to Winchester, in the rear of General Banks. The guard at Front Royal consisted of nine companies of

the First Maryland (Federal) regiment, Colonel Kenly; company F, Captain E. E. Gillingham, being on detached service at Linden Station, on the Manassas Gap Railroad, with companies E and G, of the 29th Pennsylvania, two rifled guns of Knapp's Pennsylvania battery, and two companies of the 5th New York cavalry. To their bravery, and the skill of Colonel Kenly, is due the partial defeat of the Confederate plan, and the preservation of General Banks' army from capture.

When Jackson's army had arrived about five miles from Front Royal, he sent, on the 23d of May, the following order to Colonel Bradley T. Johnson, who had succeeded to the command of the 1st Maryland (Confederate) regiment, by the promotion of Colonel George H. Steuart, to the rank of brigadier-general:

"Colonel Johnson will move the 1st Maryland to the front with all dispatch, and in conjunction with Wheat's Louisiana battalion, attack the enemy at Front Royal. The army will halt until you pass. "JACKSON."

Notwithstanding their term of enlistment (twelve months) had expired, the 1st Maryland passed along the whole of Jackson's army "amid the most deafening cheers," and entered the main street of Front Royal, driving the pickets of the Federals before them.

Colonel Kenly, knowing the critical situation of General Banks' army at Strasburg, and fully aware of the importance of checking the progress of the Confederates, for the purpose of gaining time so as to enable General Banks to get beyond Middletown before Jackson, determined to hold his position as long as possible, and at the same time, sent a courier to inform General Banks of his danger. Colonel Kenly formed his position on the east side of the Shenandoah, where the fight began by a strong dash of Colonel Ashby's cavalry. This attack was met with the greatest skill and bravery by Colonel Kenly and his Maryland troops, and after a sharp contest of nearly two hours, the Confederates were checked.

In the meantime Jackson's main force was undeveloped, it appearing to be his object to conceal his strength. A regiment of cavalry was sent on the Federal flank, and the first Maryland (Confederate), and Wheat's Louisiana battalion were left to bring on the contest. Steadily pressing his skirmishers around the left flank of Kenly, so as to threaten the bridges, his only line of retreat, the position became untenable. Colonel Kenly, seeing that his small force would be greatly outnumbered, and was likely to be overwhelmed, determined to withdraw to the west side of the river and burn the bridge after his passage. But this was impossible. The moment he moved, his adversary rushed on him in a furious charge and drove him over the bridge, and when he continued his retreat, fighting at every step towards Winchester, he was pursued by Ashby's cavalry. Knowing that the safety of the Federal army at Strasburg rested upon his efforts to check the Confederate advance, Colonel Kenly gallantly continued the struggle until nearly dark, standing and

fighting, and then standing to fight again, and finally being wounded, and his lines broken, and having gained the object for which he had fought, he and his command were compelled to surrender. A part of the Federal cavalry with one piece of artillery and a few of the infantry, succeeding in escaping the enemy, and subsequently reached the forces of General Banks. This engagement at Front Royal was notable, in that it was a struggle between regiments of the same State, representing their respective ideas. Kenly's active force was about seven hundred men; Johnson had two hundred and seventy-five rifles, and Wheat about one hundred and fifty, with a total of four hundred and twenty-five. But Kenly was threatened with an overwhelming force of cavalry on his flank, moving in his rear, with Jackson's main force within striking distance. Under the circumstances, Colonel Kenly's position became simply untenable, and he did everything that a gallant soldier could to preserve his command. His efforts to check the Confederate advance being enough to give Banks time to escape from Strasburg, though it resulted in the sacrifice of himself. But Maryland can well pride herself on the gallantry of her sons on this field; thus pitted against each other, they behaved with a gallantry that made each admire the other.

COLONEL KENLY.

Thus ended the battle of Front Royal, the first time that Marylanders crossed swords in the war.

Intense excitement was created in Baltimore on the arrival of the news of Kenly's defeat and capture. On May 26th, a dense throng of people filled Baltimore street from Calvert to Holliday streets, and a number of Southern sympathizers were set upon and badly beaten. The excitement was kept up more or less all that day, and was in several instances only quelled by the presence of members of the police board confronting the rioters. On the following morning the police board issued a proclamation declaring their determination to preserve the peace at all hazards, and ordering all bar rooms and restaurants to be closed. A number of respectable gentlemen were beaten, and newspaper offices and stores were visited and demands made for the display of flags. It was several days before the excitement subsided, which was very great also in Hagerstown and Frederick, and all along the line of the Potomac.[1] In Hagerstown, a mob, composed principally of soldiers, destroyed the newspaper office in which the Hagerstown *Mail* was published. The presses, type and other materials, were totally demolished, together with the building.

General Banks heard of the disaster at Front Royal on the evening of its occurrence, and instantly made a forced march to Winchester, where he arrived on the following day. Jackson had moved his forces to Middletown by

[1] See *Chronicles of Baltimore*, p. 622.

a road to the right of the main valley road, with the hope of cutting off Banks, but the latter, owing to the time gained by Kenly's gallant defence of Front Royal, and his own forced marches was too quick for him, for when Jackson reached Middletown he struck only the rear guard of the Federal army. Banks with his force attempted to check the advance of Jackson by taking a position on the heights of Winchester, May 25th, where he opened battle, but being assailed on both flanks, he made a rapid retreat to the north bank of the Potomac, making a march of fifty-three miles in forty-eight hours. In his official report of his campaign in the valley, General Banks says: "There never were more grateful hearts in the same number of men than when at midday on the 26th, we stood on the opposite shore of the Potomac."

Jackson continued the pursuit to Charlestown, where he detached General George H. Stewart with the first Maryland regiment and two batteries of artillery to attack the Federal camp on Bolivar Heights, and make a demonstration upon Harper's Ferry from the Shenandoah Heights. This small force drove the Federal troops from their camp on Bolivar Heights, and having accomplished their purpose, soon after retreated with the rest of the army towards Winchester.

General Fremont, who had been stationed at Franklin, now received orders by telegraph from Washington to intercept Jackson and cut off his retreat in the valley. He went northward forty miles to Moorfield, then crossed the Blue Ridge mountains and reached Strasburg June 1st, just after Jackson's force had passed through it. Shields, who was moving along the south fork of the Shenandoah on the east of the Massanutten range, while Fremont was thus moving on the west, attempted to intercept Jackson farther South, but that wily tactician retarded the pursuit of Fremont, and delayed Shields by burning the bridges as he passed them. Marching rapidly, the Confederate troops on the 5th of June, reached Harrisonburg and encamped for the night, about two miles from the town, the Federals occupying Harrisonburg.

Early the next morning the enemy's pickets were within rifle-shot, and followed closely the Confederates on their march towards Port Republic. Ewell's was the rear division. The rear brigade comprised the 58th and 44th Virginia, and 1st Maryland regiments of infantry, and the Baltimore light artillery, Captain Griffin, all under the command of General George H. Stewart, who had been transferred from the cavalry to the infantry a short time before. Early on the morning of the 6th of June, when about four miles from Harrisonburg, Stewart and Ashby determined to give their persistent foe a check, and accordingly they applied to General Ewell for the necessary orders. Contrary to his own judgment, he yielded to their earnest solicitations, and ordered Stewart's brigade and Ashby's cavalry to attack and surprise the enemy's advance. Colonel Bradley T. Johnson, who commanded the 1st Maryland regiment, in a letter to a friend, gives the following particulars of this engagement:

"On the morning of Friday, the 6th of June, we left Harrisonburg, not having seen the enemy for two days. To our surprise, in the afternoon his cavalry made a dash into our rear guard, and was whipped most effectually, their colonel, Sir Percy Wyndham, being taken prisoner. My regiment was supporting a battery a short distance behind this cavalry fight. In half an hour we were ordered forward—that is towards the enemy—retracing the march just made. Our infantry consisted only of Brigadier General George H. Steuart's brigade, the 58th Virginia, 44th Virginia, two other Virginia regiments, and the Maryland line—of the latter, only the 1st Maryland was taken back; the artillery and all the cavalry were left behind us. The 58th Virginia was first, my regiment (the 1st Maryland) next, then came the 44th and the rest.

"A couple of miles east of Harrisonburg we left the road and filed to the right, through the fields, soon changing direction again so as to move parallel to the road. General Ewell soon sent for two of my companies as skirmishers. Moving cautiously through the darkening shades of the tangled wood just as the evening twilight was brightening the trees in front of us in an opening, *spat, spat, spat*, began a dropping fire from the skirmishers, and instantly the 58th Virginia poured in a volley. Another volley was fired. The leaves began to fall, and the bullets hit the trees around. General Ewell came up in a gallop. 'Charge, Colonel, charge to the left.' And I charged, got to the edge of the wood, and found a heavy body of infantry and cavalry supporting a battery on a hill six hundred yards in front of me. But the Yankee bells were fast and thick on my flank. 'The 58th are firing into us,' the leading captain said. General Ewell and myself, the only mounted officers, plunged after them and found it was not their fire. I got back. 'Up men, and take that hill,' pointing to my right. They went in with a cheer. In less than five seconds the first rank of the second company went down. The color-sergeant, Doyle, fell. The corporal who caught the colors from him fell. The next who took them fell, when Corporal Shanks, a six-footer seized them, raising them over his head at arm's length. Captain Robertson lay dead, Lieutenant Snowden shot to death; myself on the ground, my horse shot in three places. But still we went forward and drove the Rucktails from the lines where they had been concealed."

It was as the brave men were pressing on in this charge that Ashby, who was on the right of the 58th Virginia, calling them to forward, fell. His death was quickly avenged; for the Maryland regiment rushed in, notwithstanding the Virginia troops had recoiled, plunged through a storm of bullets and after a short but sanguinary engagement, drove the Federals from the field.

On the following morning, the Confederates resumed their march to Port Republic, closely followed by Fremont's army. At length the Confederates halted at Cross Keys, and made preparations to pass the bridge, which afforded them the only means of escape. On the other side of North River, Shields and his army was marching to form a junction with Fremont, who was following closely in the rear of Jackson. The latter halted on the west side of the river, and while here, on the 8th of June, was attacked by Fremont's whole army. The battle began early in the morning and lasted all day, with occasional intervals. While the desperate conflict continued, the Federals made repeated attempts to penetrate the Confederate line, but every assault was repelled with heavy loss. During the progress of the battle, Jackson passed his immense trains of captured stores, etc., across the bridge, and at dark, when the firing had ceased and Fremont had been driven back

over a mile, with a loss of about two thousand, he withdrew his men to the other side of North River (with a view of attacking Shields in the morning) and burnt the bridge after him. In this engagement the loss of the 1st Maryland regiment was severe; General George H. Steuart, who was in command of the Maryland Line, was desperately wounded in the breast by a grape shot, and General Elzey, who commanded the left, was wounded in the leg.

With the defeat of Shields' army under the command of General Tyler, closed Jackson's valley campaign, for Fremont, finding it useless to attempt to cope with his wily antagonist, retired in the direction of Winchester, leaving Jackson to join the army in front of Richmond opposing McClellan's advance.

Jackson's campaign, by the rapidity of its movements and in the brilliancy of the results accomplished, is unrivalled by any campaign of the war. In less than six weeks he had, with inferior numbers, defeated successively, four generals and as many armies, besides capturing many millions of dollars' worth of military stores.

General Ewell, in his official report of the Valley campaign, after testifying to the efficiency of the services rendered by General Isaac Trimble, General Arnold Elzey, General George H. Steuart, of Maryland, and Captain Brockenbrough, of the Baltimore Light Artillery, makes the following complimentary reference to the Maryland regiment under his command:

"The history of the Maryland regiment, gallantly commanded by Colonel Bradley T. Johnson during the campaign of the Valley, would be the history of every action from Front Royal to Cross Keys. On the 6th (June), near Harrisonburg, the 58th Virginia regiment was engaged with the Pennsylvania 'Bucktails,' the fighting being close and bloody. Colonel Johnson came up with his regiment in the hottest period, and by a dashing charge in flank drove the enemy off with a heavy loss, capturing Lieutenant Colonel Kane, commanding. In commemoration of this gallant conduct, I ordered one of the captured 'Bucktails' to be appended as a trophy to their flag. The action is worthy of acknowledgement from a higher source, more particularly as they avenged the death of the gallant General Ashby, who fell at the same time. Four color-bearers were shot down in succession, before the colors were caught before reaching the ground, and were finally borne by Corporal Daniel Shanks to the close of the action.

"On the 8th instant (June), at Cross Keys, they were opposed to three of the enemy's regiments in succession. General Jackson also, in his official report of the Valley campaign, thus speaks of the 1st Maryland's participation in the battle of Harrisonburg: 'Apprehending that the Federals would make a more serious attack, Ashby called for an infantry support. The brigade of General George H. Steuart was accordingly ordered forward. In a short time the 58th Virginia Regiment became engaged with a Pennsylvania regiment called the Bucktails, when Colonel Johnson, of the 1st Maryland Regiment, coming up in the hottest period of the fire, charged gallantly into its flank, and drove the enemy, with heavy loss, from the field, capturing Lieutenant Colonel Kane commanding.'"

General Jackson, after skilfully eluding the combined efforts of Fremont and Shields to capture him in the valley of the Shenandoah, leisurely moved his almost exhausted troops towards Staunton; but after marching a short

distance he went into camp to rest his men after their arduous campaign. The First Maryland Regiment was ordered to Staunton to recruit, but before its departure General Ewell issued the following general order, complimenting the command for their bravery at Harrisonburg.

"*Headquarters, Third Division.*

"General Orders, No. 30.

"In commemoration of the gallant conduct of the First Maryland Regiment on the 6th June, when, led by Colonel Bradley T. Johnson, they drove back with loss the 'Pennsylvania Bucktail Rifles' in the engagement near Harrisonburg, Rockingham county, Virginia, authority is given to have one of the captured 'bucktails' [the insignia of the Federal regiment,] appended to the color-staff of the First Maryland Regiment.

"By order of "MAJOR GENERAL EWELL.

"JAMES BARBER, A.A.G."

General Robert E. Lee, by the wounding of General Joseph E. Johnston, at the battle of Seven Pines or Fair Oaks, succeeded to the chief command of the Confederate Army in Virginia; and on the 25th of June decided to make a general attack upon the whole line of General McClellan, before Richmond. To this end Jackson's army embarked on the cars at Staunton, and on the 25th of June moved by order rapidly and secretly to Ashland, facing the extreme right flank of the Federal army. On the following day the army advanced from Ashland, the First Maryland Regiment in the front. In the afternoon they reached Beaver Creek, near Hundley Corner, which they crossed, driving the Federals before them, and camped. On the same afternoon the division of General A. P. Hill, with the First Maryland Artillery, Captain R. Snowden Andrews, crossed the Chickahominy at Meadow Bridge and advanced on Mechanicsville. Upon crossing the Chickahominy, the First Maryland Artillery was the first to open fire upon the Federal troops, and later in the day suffered severe loss at the battle of Mechanicsville—the first of that series of bloody battles which were destined to continue for seven days, with a severity, perhaps, without a parallel in the history of war. On the following day General McClellan took up a new position at Gaines's Mill, where he was attacked by the combined forces of Hill, Longstreet and Jackson. The First Maryland regiment was again in the advance, and Colonel Bradley T. Johnson, its commander, in his official report, speaking of the movements of his regiment at the battle of Gaines's Mills, says:

"Major General Jackson ordered me to take my regiment into action. I went in about the central point of the line. Arriving on the plateau in front of Mr. Gaines' house, I found it occupied by the enemy, and behind them, a short distance, a battery which poured a continual and rapid fire into my troops in front of it. Their infantry held a strong position behind the bank of the road in front of Gaines' house. I found, to my horror, regiment after regiment rushing back in utter disorder. The Fifth Alabama tried in vain to rally with my sword and the cries of my men. The twelfth Alabama reformed readily on my right, and the North Carolina regiments, of Colonel McRae's command, at my appeal, rallied strongly on my left. Thus reinforced, my men moved forward at a 'right shoulder shift,' taking touch of elbows, dressing on the alignment with the pre-

gism of a parade. Not a man was missing. Marching straight on, when a cannon fell, not a man left the ranks until a surgeon's detail carried him off. We gained the road and the house, when Brigadier General Winder brought the first brigade into line on my right, and ordered me to put some Georgia regiments of Brigadier General Lawton's command on my left, to take command of the whole and charge the battery. This was done. The whole line swept forward; but when close to the battery, it limbered up and fled. Two of its pieces were found next morning in the road, a mile from the position we charged. The conduct of my men and officers is beyond praise. They can never be surpassed."[1]

General Jackson in his official report of his operations around Richmond, speaking of General Charles S. Winder, of Maryland, who commanded the first Virginia or "Stonewall Brigade," says, "Thus formed, they moved forward under the lead of that gallant officer, whose conduct here was marked by the coolness and courage which distinguished him on the battle-fields of the valley. The enemy met this advance with spirit and firmness. His well directed artillery and heavy musketry, played with destructive effect upon our advancing line. Nothing daunted by the fall of officers and men thinning their ranks at every step, these brave men moved steadily forward, driving the enemy from point to point, until he was finally driven from his last position, some three hundred yards beyond McGee's house, when night prevented further pursuit. . . . Five guns, numerous small arms, and many prisoners, were among the fruits of this rapid and resistless advance." General Jackson also mentioned with great pleasure the gallant Lieutenant Henry Kidd Douglas, of Maryland, his assistant inspector-general, for the efficient discharge of his duty.

Day after day, with unabated impetuosity and untiring perseverance, until the night of the 1st of July, attacks were made upon McClellan's army, which fell back to Harrison's Landing on the James River, giving battle each day, checking the rapidity of Lee's pertinacious advance by the most gallant resistance. In all these engagements the First Maryland regiment of Infantry, the First Maryland artillery, and the Baltimore light-artillery bore a most conspicuous and gallant part.[2]

The 1st Maryland Infantry slept on the battle-field of Gaines' Mill, and on the next morning, 28th, were ordered to the front by Major General Ewell, and gained the York River Railroad. Pushing beyond to a hill which commanded Bottom's Bridge, they placed pickets on the Williamsburg road and held the hill by order, until the 30th, when they were ordered towards Malvern Hill. On the 1st of July, under a heavy fire of shell and shrapnel, they took possession of the woods beyond Littleton's house, which

[1] *Reports of the Operations of the Army of Northern Virginia*, 1, p. 570.

[2] At the battle of Cold Harbor, General Elzey and Brigadier General James J. Archer were dangerously wounded, and, at the battle of Mechanicsville, Captain R. S. Andrews fatally. During the battles around Richmond, the 1st Maryland Artillery was attached to the 6th Brigade, General W. D. Pender, in Major General A. P. Hill's division. In his official report, General Pender, alluding to the battle of Gaines' Mill, says: "The section of Andrews' battery (Maryland) was under Lieutenant Dement, who also did fine service. Captain Andrews, as usual, was present, chafing for a fight."

gave them complete command of the battle-field. On the 4th of July, they occupied with Brigadier General Early's command, the woods in front of Westover church, until General Lee thought it best to withdraw his army to the more healthy country around Richmond, when they were ordered to encamp on the Central Railroad, about three miles from the city. In a short time the 1st Maryland was ordered to Charlottesville to recruit, arriving there about the 15th of July. It remained here however, but a short time, for on the 4th of August, it was ordered to Gordonsville, where it was on the 17th of August, mustered out of service for the purpose of re-organizing a Maryland Line, to be composed of infantry, artillery and cavalry.

In the meantime, Captain R. Snowden Andrews was promoted to the rank of major, for gallant and meritorious conduct displayed in the battles before Richmond, and was placed in command of a battalion of artillery, to which was attached his old company, the 1st Maryland, and the Chesapeake Artillery, Captain William D. Brown.

The armies that had been under the command of Generals Fremont, Banks and McDowell, were consolidated into one, which was designated the army of Virginia. It formed the first, second and third corps respectively, and was intrusted on the 26th of June, to the command of Major General John Pope. On June 1st, General John A. Dix, was transferred from his command of the middle department in Baltimore, to Fortress Monroe, and was succeeded by General John E. Wool, who arrived in Baltimore, on the 18th.

Early in August, the divisions of Jackson, Ewell and A. P. Hill, were advanced to the Rapidan, and on the 9th of August, the opposing armies under the leadership of Pope and Jackson, fought the battle of Cedar Mountain. This battle was remarkable for an extraordinary and terrific "artillery duel." In fact, the battle raged with artillery alone for more than three hours. The opposing batteries unlimbered so close to each other that, during the greater part of the engagement, they used grape and canister. The advance of the Confederate troops was the division of Brigadier General Charles S. Winder, and its artillery became first engaged. Major R. Snowden Andrews, commanded the artillery of General Winder's division. Attached to his command were his old company, Captain William F. Dement, and the Chesapeake artillery (another company of Marylanders), under the command of Captain William D. Brown. Major A. R. Courtney, chief of artillery, third division, in his official report says:

"Having three of Captain Brown's guns (two old six-pounders and a howitzer), I carried the rest directly forward, and posted Captain Dement, with two of his Napoleon guns [captured from the Federals at Richmond], and Captain Brown, with his three-inch rifles, on a hill a rise on the right of General Early's brigade, on which there was a small clump of cedars and pines, about six hundred yards from the enemy's extreme right battery. The other section of Captain Dement's battery, (two Napoleons). . . . Posted along a ridge behind Mrs. Crittenden's house, *i. e.* between it and the enemy's battery, and about eight hundred yards from the battery on their extreme left. From these

positions, the batteries opened upon the batteries immediately in their front, as soon as they took their position and continued the fight, their ammunition, fortunately, lasting just till dark. . . . Though the effect of our artillery fire upon their batteries was evidently terrible, the enemy obstinately held their position, except to move their pieces a little to the right or left occasionally, to escape the deadly shower, and moving the battery on their right, back to a knoll three hundred yards in rear, even after they were opened on by the three guns of Captains Dement and Brown, behind the column of reserve. About sundown, the ammunition being exhausted, the guns which had been in action on the plain and under my immediate command, were ordered to the rear. . . . As to the conduct of officers and men of these batteries, on the plain to which I confined my attention, I cannot but speak in the highest terms. The officers and men of Captain Dement's 1st Maryland battery, the only one which had been in action before, showed more coolness and deliberation. . . . Colonel Crutchfield, chief of artillery of the 2d corps says, 'these two batteries were capitally served and evidently damaged the enemy severely.' He also, 'cordially appreciates the gallantry displayed by Major R. S. Andrews, in this action,' who he says, 'was severely wounded, and in our withdrawal, fell a prisoner into the hands of the enemy.' General Jackson also says, 'especial credit is due Major Andrews for the address and gallantry with which his guns were directed until he was severely wounded and taken from the field.'"

In this engagement, the Confederate army lost one of its bravest, most generous and accomplished officers, and Maryland one of her noblest sons. General Charles S. Winder, while gallantly leading his command into action upon the Federal flank, was killed by a shell. General Jackson, in his official report of the battle of Cedar Mountain, says:

"It is difficult, within the proper reserve of an official report, to do justice to the merits of this accomplished officer. Urged by the medical director to take no part in the movements of the day, because of the then enfeebled state of his health, his ardent patriotism and military pride could bear no such restraint. Richly endowed with those qualities of mind and person which fit an officer for command, and which attract the admiration and excite the enthusiasm of troops, he was rapidly rising in the front rank of his profession. His loss has been severely felt. The command of Jackson's division now devolved upon Brigadier General William B. Taliaferro."

Jackson, after his defeat of Banks, held his position in the neighborhood of Cedar Mountain for a day, and then, finding that his communications were endangered, retired across the Rapidan. General Pope, ascertaining that the whole Confederate army before Richmond, was moving by forced marches to attack him before a junction could be formed with McClellan's army, which was now also moving by transports, etc., to join him, abstained from crossing the Rapidan, and, retiring, took post behind the North Fork of the Rappahannock. On the same day, (August 19th,) General Lee, with a large force, crossed the Rapidan in pursuit. Early on the morning of the 21st, General Jackson's corps, composed of Ewell's, A. P. Hill's, and Jackson's division, left its encampment and moved in the direction of Beverley's ford, on the Rappahannock. On the following day, the three divisions continued their march up the south bank of the river, and, in the afternoon, the 13th Georgia regiment, Colonel Douglass, the Chesapeake and 1st Maryland Artillery, of four guns each, Early's brigade of Ewell's division, crossed the

Rappahannock at Warrenton Sulphur Springs. During the night there was a heavy rain, which caused the river to rise six feet. In the morning, the troops who had crossed found they were in imminent danger of being captured, as there were no longer any fords, and the bridges being carried away, all communication with the main body was cut off. While in this critical situation General Pope determined to destroy them, and for this purpose began to concentrate his whole force at Sulphur Springs, Waterloo Bridge and Warrenton.

Late in the afternoon, a heavy column of infantry with artillery, made its appearance in front of the Confederates and drove in their pickets. About this time, Colonel Robertson, with two or three regiments of cavalry and two pieces of artillery, came from the direction of Warrenton. In a short time the Confederate artillery opened upon the Federals, and kept up the fire until near sundown. In the meantime, the river began to fall rapidly, and a great show of the force which had crossed was made by marching and countermarching in the presence of the Federals, moving here and there a battery of artillery or a regiment of cavalry, while fires were lit in every direction and chains rattled, to deceive them as to the actual number which had crossed.

After the cessation of the artillery-fire about dark, a Federal column was observed to advance, and in a short time they charged with cheers, but two of Captain Dement's guns being in position, General Early caused them to open fire with canister. The General says: "This fire was so well directed, although objects could not be distinguished, that the enemy was thrown into confusion and driven back, as was manifest from the cries and groans of his men which were plainly heard." There was no further attack during the night; and a temporary bridge having been constructed on the brush, etc., gathered against the piers of the old one, about three o'clock on the morning of the 21st, General Ewell crossed over, and after a consultation with General Early, gave the order for re-crossing, which was accomplished, the whole being completed very shortly after daylight. General Early in his official report says: "My command was thus rescued from almost certain capture, as it has since appeared from General Pope's report that he had brought up his whole force to attack what he supposed to be General Jackson's whole force. . . . Our situation was felt by every officer and man to be of the most critical nature, and I cannot speak in too high terms of the deportment of the whole command. The men had nothing to eat since the day they had crossed over, and for two nights and a day they lay upon their arms; yet they did not murmur, but exhibited the utmost resolution to repulse the enemy at all hazards should he come."[1]

On the 24th of August, 1862, General Sigel, supported by Generals Reno and Banks, crossed Great Run and occupied Sulphur Springs, under a heavy fire

[1] *Conduct of the War (Supplement)*, part ii., p. 132.

[2] *Records of the Operations of the Army of Northern Virginia*, ii., p. 178.

of artillery from batteries which General A. P. Hill had established all along the south side of the Rappahannock to cover the retreat of the Confederates who were cut off. The bridge by which they escaped was destroyed by General Sigel's command, which pushed forward in the direction of Waterloo bridge.

In the meantime, Jackson's army, on the 25th, left Jeffersonton to throw his command between Washington City and the army of General Pope, and to break up his railroad communication. Taking the route by Amissville, crossing Hedgeman River, one of the tributaries of the Rappahannock, at Henson's Mill, and moving by way of Orleans, he reached the vicinity of Salem, after a severe day's march, and bivouacked there for the night. On the next day (26th) the march was continued, diverging to the right at Salem, crossing the Bull Run mountain through Thoroughfare Gap, and, passing Gainesville, he reached Bristoe Station on the Orange and Alexandria Railroad after sunset. Although marching over thirty miles, he sent General Isaac Trimble with a small force of five hundred men during the night to Manassas Junction, seven miles distant, where he captured eight guns, with three hundred and twenty-five horses, equipments and ammunition complete, immense supplies of commissary and quartermaster stores, one train of cars, and upwards of two hundred tents, the whole valued at over $3,000,000.[1]

On the morning of the 27th, the divisions under command of Generals Hill and Taliaferro moved to Manassas Junction, the division of General Ewell remaining at Bristoe Station. In the afternoon of the same day heavy columns of the Federals were seen approaching Bristoe Station from the direction of Warrenton Junction, and on the right of the railroad. General Ewell promptly made dispositions to meet them. So soon as the Federals came within range, Captain Dement's battery, which occupied a position on a hill near the railroad, opened upon them, checking their advance until the Confederates withdrew their forces north of Broad Run. The Federals halted near Bristoe Station, while Early's brigade and the 1st Maryland artillery moved to Manassas without molestation. In the subsequent battle of Manassas, which raged for three days, the Federal army was defeated. In accomplishing this end the Maryland batteries of Dement, Brown and Brockenbrough performed gallant service. The first-named battery having exhausted all their solid shot and shell, on the last day they were engaged were brought into action by General A. P. Hill so close to the Federals that they fired nothing but canister.

The cavalry companies of Gaither, in the 1st Virginia, and Brown, temporarily attached to the 2d Virginia, greatly distinguished themselves in the cavalry fights at Sudley's and about the stone bridge. Brigadier General

[1] In his official report of this affair, General Trimble says: "As I have had frequent occasions before to speak in high commendation of the gallantry of Lieutenant W. D. McKim, my aide-de-camp, so, on this occasion, as the only member of my staff present, I take pleasure in acknowledging the value of his services, and his judgment and coolness in so trying an emergency."

Trimble was badly wounded, and Colonel Bradley T. Johnson, though actually without a commission, by reason of the mustering out of the remnant of his old regiment, was assigned by Jackson to the command of the second brigade of Jackson's division, and with this command held the centre of Jackson's line and the key of his position during the three days' battles. Captain, afterwards Major W. W. Goldsborough, whom Colonel Johnson had assigned to the 48th Virginia regiment, was badly wounded in the terrific struggle over the railroad cut, held by the second brigade under Johnson's command.

General Pope, now forced back on the works of Washington, resigned his command, and was succeeded by McClellan. His losses in the campaign were probably not less than thirty thousand men, thirty guns, twenty thousand small arms, and vast quantities of munitions and supplies. Lee's loss during these operations was probably about fifteen thousand men.

About this time the officers and soldiers connected with the several Federal companies and regiments raised in Maryland, felt that they were not justly dealt with by the government, inasmuch as that the several corps raised in the State were scattered about in various directions, and there was but little identification of them as a Maryland body. Their pride was touched in the matter, and they were anxious for a change by which Maryland should be credited with their services. This feeling was also shared by the young men who went South, for, notwithstanding the books of the Confederate war department contained the names of over twenty thousand Marylanders in the service, they could at no time be organized to the proportion of a brigade. There were several attempts to organize the various batteries and companies of infantry and cavalry into one command; but owing to the jealousies and the indifference displayed by their commanding officers, they were assigned to other commands, whose States were credited with their services. Maryland, however, in a very large degree, furnished officers for companies, regiments, brigades and divisions of Confederate troops from other States, for, as a general thing, the young men from Maryland were of a superior order intellectually, who were actuated by patriotism alone, or by a natural bent to military pursuits, and not driven into the service by the conscript officer, or influenced by mercenary motives.

Besides, for a long time great injustice and misapprehension was evinced by the people of the North in regard to the number and character of the troops which Maryland had in the Federal service. Notwithstanding the differences of opinion in the State at that period, and notwithstanding the large number of her sons who devoted themselves to the service of the Southern Confederacy, and fought gallantly for its cause on all fields throughout the war, still the State in proportion to her population, displayed as much zeal and energy in the defence of the Union as any of the "loyal" States.

On the 14th of April, 1861, President Lincoln called upon the country to furnish seventy-five thousand men to suppress the rebellion. In his letter to Governor Hicks, on the following day, he designated four regiments, of seven

hundred and eighty men each, as the quota of Maryland. The Governor, in his reply, on the 20th, informed the President that he "thought it prudent to decline (for the present) responding affirmatively to the requisition."

This, at the opening of hostilities, was the estimate of the general government of the contribution which Maryland should furnish; this the Governor's estimate of the response which Maryland could and would give to the demand. Nor did the conclusion spring from the Governor's wish. It was the result to which he was forced by his knowledge of the condition of the State and the people, and from that day forward, greater difficulties were encountered in enrolling the recruits gathered for the defense of the Union in Maryland, than in any other State. Besides, in the other "loyal" States, the volunteers were raised directly under the supervision of the State authorities, armed and equipped for service, and tendered to the United States government; the expenses incurred were subsequently settled, or are to be, by the government; but in Maryland, the Governor had no authority to act in that manner; so that the several corps raised were either by independent parties or individuals, under the countenance of the Federal government.

Taking, therefore, these facts into consideration, and considering the large number of young men who went South, the wonder is, that any considerable number in Maryland were induced to enlist in the Federal army at all.

In the turbulent and unsettled condition of public opinion immediately following the Governor's declining to respond affirmatively to the President's requisition, some days elapsed before any further action was taken by the government, or any person came forward on behalf of the State, or of the citizens to initiate and carry forward measures for enlisting troops in Maryland. It was easy to find men enjoying the confidence of the people, in whom the government could confide, and who were ready to undertake the work of raising and organizing troops in the defence of the Union. Some persons, singly, or in unorganized bands, proceeded promptly to Washington or Philadelphia and enlisted in regiments there forming. Others waited, in hope of being able to join Maryland regiments in Baltimore.

About the close of April, 1861, the government offered Hon. James Cooper, of Frederick, the command of such troops not exceeding a brigade as might be raised for the war, within the State. The offer was accepted, and early in May he was commissioned as brigadier-general, and set about recruiting and organizing his command.

The recruiting in Baltimore was commenced by J. C. McConnell, and enlisting went on rapidly. Several companies were completed in the city, others, raised chiefly in other parts of the State, were added, and in about three weeks the 1st Maryland regiment was mustered into service, and John R. Kenly appointed colonel, and Nathan T. Dushane, lieutenant-colonel. At this point, by order of the government, recruiting was suspended for about a month, and when, in the latter part of June, 1861, recruiting for the 2d Maryland regiment was begun, the demands of the harvest-field and

other pursuits diverted the attention of men to other channels, so that recruiting was slow and difficult, and the regiment was not completed and mustered into service till about the middle of September, under the command of Colonel Shriver and Lieutenant Colonel Duryea. To the recruiting and organizing of these regiments, General Cooper gave his constant and earnest attention.

Recruiting for the 3d regiment was begun the latter part of July, 1861. A part of it was recruited in Baltimore, by J. C. McConnell, and a part in Western Maryland, by Colonel Lamon. It was placed under the command of Colonel De Witt. The 4th regiment (chiefly German) was commanded by Colonel Sudsburg. The 1st and 2d Maryland batteries, of four guns each, under Captains Hampton and Thomson, and the 1st Maryland cavalry, under Lieutenant Colonel Miller.

While these regiments were forming or in service, other forces were organized, which were not numbered in regular order. We had, in August, 1862, the 1st and 2d regiments from the Eastern Shore, commanded by Colonels Wallace and Wilkins; 1st and 2d, raised under Colonel Maulsby and Johns, called the "Potomac Home Brigade;" 5th regiment, Colonel Schley's Purnell Legion, enlisted during the fall of 1861, and comprising a full and admirable regiment of infantry, and efficient battery of artillery and two companies of cavalry; the 1st Maryland artillery, raised in Baltimore, by Captain Alexander; besides the 4th, 6th, 7th, and 8th regiments.

Wishing to record impartially the deeds of valor done in the field alike by Union and Confederate soldiers, the sons of Maryland, we are now obliged to deviate to illustrate a portion of the services rendered by the soldiers that were in the Federal army from Maryland. There were no better nor more active troops in the service, none more anxious than they to meet their opponents, and none who were more to be trusted.

Having already spoken of the 1st regiment, we will now speak of the condition and services of some of the others.

The 2d regiment, under Colonel Duryea, rendered efficient service in General Reno's division, under General Burnside, at Newbern, North Carolina. Upon one occasion they were sent on an expedition to Pollocksville, for which they received the following complimentary notice from General Burnside:

"*Headquarters Department of North Carolina.*

"*Newbern, May 22d, 1862.*

"Lieutenant Colonel J. Eugene Duryea, Commanding Second Regiment Maryland Volunteers:

"SIR—The Commanding General desires me to express his gratification at the skillful and soldierly manner in which your movement on Pollocksville was executed on the 14th and 17th inst., and his high appreciation of the fortitude and perseverance with which the obstacles, presented by the elements, were borne and overcome by yourself and your command.

"I have the honor to be, Colonel, very respectfully, Your obedient servant,

"LEWIS RICHMOND,

"*Assistant Adjutant General.*"

This movement was one of those exploits which tests more severely the mettle of soldiers than a brisk engagement or fierce charge could do. It was a march of sixty miles in seventy-two hours, unsupported, and in the face of an active enemy; through deep mud and in a drenching rain, a maintaining of their position for two days against heavy odds, successfully repelling repeated assaults, and killing Colonel Colton, the commander of the assailing force, and, when their work was thoroughly performed, effecting a safe return and junction with the main army, notwithstanding a vigorous pursuit.

When General Burnside and his army were ordered to reinforce General Pope at Fredericksburg, the 2d Maryland regiment returned with it and did good service at the second battle of Manassas.

The 3d Maryland regiment, under Colonel De Witt, was engaged in the battle of Cedar Run on the 9th of August, and met with severe loss. Major Kennedy was killed, and over one hundred men killed and wounded. They were also engaged at the battle of Antietam, where they suffered a severe loss, one-third of their command being either killed or wounded.

The 1st regiment of Maryland cavalry, under Lieutenant Colonel A. G. Miller and Major James M. Deems, was at different periods in 1862 under the command of General Buford and Colonel Beardsley's cavalry brigade or General Sigel's army corps in the valley of Virginia, and shared all the various actions at Harper's Ferry, Charlestown, Hallstown, Cedar Run, Manassas, etc., and distinguished itself by its boldness and bravery. As did also the 1st Maryland regiment Potomac Brigade, Colonel William P. Maulsby, who relieved several regiments from guard duty on Maryland Heights, Harper's Ferry, Berlin, Point of Rocks, Frederick City, Junction and Tunnel, and afterwards on the numerous battle fields of Maryland and Virginia.

This regiment, with the Potomac Brigade and the Parnell Legion, were organized as "Home Guards," to be used in the protection of the State, and not to be called upon to go beyond its limits. Notwithstanding this fact, stimulated by the patriotism which was evinced about them, all of them finally demanded to accompany the army to the front, and soon there was no line of division between Maryland and the other States of the Union.

Maryland, also, had in the Federal service at this time a fine battalion of 1st Maryland artillery under the command of Major E. R. Pelhambridge, of Baltimore. Battery A, was recruited in Baltimore, and was armed with eight three-inch rifled ten-pounders, and was commanded by Captain J. W. Wolcott. Battery B, was recruited in Cecil County, and was armed with six of the same guns as battery A, and was commanded by Captain A. Snow. These two companies were brigaded before Richmond with the artillery reserve of Colonel Hunt. Upon one occasion, at New Bridge on the Chickahominy, battery B had a severe artillery duel with the 1st Maryland artillery company in the Confederate service, at which they fired over six hundred shots, doing considerable damage.

Thus it was that the Maryland troops were scattered in every direction, and most of the regiments serving in Virginia were in brigades or divisions commanded by generals of other States, and it is therefore almost impossible to trace their movements. The desire now was that the large body of Marylanders who served in the Federal army should, as far as possible, be embodied in one or more brigades, with their own generals at their head, so that the Marylanders might be able to have an identity before the world, and thus be enabled to maintain the fame of their ancestors in the great contest for the preservation of the Union.

After the battle of Front Royal, about two hundred and fifty men who belonged to Colonel Kenly's regiment, and who were not taken prisoners, were ordered to Baltimore to recruit the regiment to its original strength. Colonel Kenly after his capture was paroled and returned to Baltimore, where he was, by general orders on August 15th, 1862, declared exchanged. On the 23d of the same month, he was promoted by President Lincoln, brigadier-general of volunteers, "for gallant conduct at the battle of Front Royal."

On the 6th of September he was ordered by Major General Halleck "to organize and command a brigade of new troops." Two days thereafter, the 8th of September, 1862, General Kenly assumed command of the "Maryland Brigade," in accordance with the following orders:

"*Headquarters Eighth Army Corps, Baltimore September 8th, 1862.*

"General Orders No. 36:

"The 1st, 4th, 5th, 7th and 8th regiments of Maryland volunteers, now in process of formation near this city, together with Captain Alexander's battery Baltimore light artillery, are hereby placed under the command of Brigadier General John R. Kenly, United States volunteers. When the organization of the above named regiments shall be completed, they will constitute a brigade, still to be commanded by Brigadier General Kenly, until further orders.

"By command of Major General Wool,

"WILLIAM D. WHIPPLE, *Assistant Adjutant General.*"

CHAPTER XIV.

During the summer of 1862, and until the entrance of the Confederate forces under Lee, in September, Maryland was undisturbed from without. Within she presented a state of affairs which the Consolidationists might contemplate with satisfaction, as the fruition of their highest hopes. Though she had offered no resistance to the Federal power she was treated as a conquered province, without a single State right, or a single constitutional guaranty remaining. Her Legislature and the municipal authorities of Baltimore were still in confinement, untried, and their places filled with the creatures of military power. There was not even the pretence of necessity, military or other, to palliate these proceedings; on the contrary, with insolent mockery, the "loyalty" of her people was praised in reports of secretaries and a proclamation of the President, and the protection of the Constitution promised, as the reward of their fidelity.

Yet, in the face of these pledges, the people were none the less subjected to oppression and outrage. Arrests were made, imprisonments prolonged, right of trial denied, confiscations made, commerce interdicted, and slaves carried off. Free speech and a free press were things of the past. Property of all kinds was openly seized and appropriated by the agents of the Federal government or its armed marauders, who dispensed with the superfluity of judicial proceedings by pronouncing its condemnation themselves. Houses were invaded and ransacked by night and by day; private papers seized; and men and even women torn from the bosoms of their families and hurried away to imprisonment or exile. A minister of the Gospel was arrested and imprisoned for refusing to allow a flag to be displayed from his church. Even infants in the nurses' arms, were arrested for wearing knots of red ribbon, which the "loyalists" were pleased to regard as a "disloyal" color. As to the conduct of a certain faction of the "loyal" citizens, the spies and delators, we pass it over in silence for very shame. Nor can we enter into the details of the insults, wrongs and outrages that were daily and hourly committed upon the people of this State, for the remembrance still rouses indignation too hot for the calmness of impartial history.[1] Their culmination

[1] During this one time in history, the Consolidationists had the opportunity to carry out their ideal of government. The difference between their "National Republic" and a constitutional monarchy may be seen in two celebrated utterances. The Earl of Chatham said in Parliament: "The poorest man in his cottage may bid defiance to all the power of the crown. That cottage may be frail, its roof may shake, the wind may blow through it, the storm may enter, the rain may enter, but the King of England cannot enter; all his power dares not cross

was reached in the spectacle of an upright, honored and venerable judge beaten, wounded, and dragged bleeding from the bench for upholding that Constitution which he had sworn to maintain, and whose protection was to be the bountiful reward of Maryland's fidelity.

Richard Bennett Carmichael was judge of the circuit comprising the counties of Kent, Queen Anne's, Caroline and Talbot. At the approach of the fall elections of 1861, parties of soldiers were sent into that circuit to intimidate the voters; and in Queen Anne's and Talbot Counties numerous arrests were made of persons charged with "disloyalty," or known not to favor the Administration candidates. The clerk of the Court of Queen Anne's was arrested and held a prisoner in the Federal camp. Upon the opening of the regular fall term of that court, Judge Carmichael, in his charge to the grand jury, referred to these arrests, reminding them that every arrest without warrant of law, was a crime subject to their cognizance. The jury brought in bills of presentment against the parties who had made the arrests; but before they were brought before the Court, the camp was broken up, and the troops removed from the State. Similar arrests were made in Talbot; and at the November term Judge Carmichael charged the grand jury of that county to the same effect as in Queen Anne's, and with similar results. On Friday, May 24th, 1862, James T. McPhail, provost-marshal, of Baltimore, received orders from Major General Dix, commanding in that city, to proceed to Easton and arrest Judge Carmichael and Isaac Powell, the prosecuting attorney. Early on the following morning, McPhail, with a few special officers, left Baltimore on the steamer *Bridgeton*, taking with him Lieutenant Colonel Baylor, Captain Ricketts, and two privates of the 2d Delaware regiment, who had made the unlawful arrests, and had been summoned to appear before the court now in session. They reached Easton in the evening, when McPhail, fearing resistance, telegraphed to General Dix for a hundred men. One hundred and twenty-five men were sent, who arrived the next day.

JUDGE CARMICHAEL.

On Monday, McPhail and a party went to the court-house, where they found the judge upon the bench, engaged in the trial of a case. McPhail mounted the platform, and addressing Judge Carmichael, told him to consider himself a prisoner. Upon the judge demanding the authority for such a proceeding, he was told, "the authority of the United States Government." At this moment, James Bishop, one of the special officers detailed to serve

for the relief of that ruffian's memory." Secretary William H. Seward replied to Lord Lyons: "My Lord, I can touch a bell on my right hand, and order the arrest of a citizen of Chicago upon probable cause, and order the arrest of a citizen of New York and no power on earth except that of the President can release them. Can the Queen of England do as much?" To this pass had been brought the descendants of those men who defied the whole might of Great Britain rather than concede a single right!

under McPhail, mounted the platform, and seizing the judge by the beard, shouted with ruffian insolence: "Come out o' here!" The judge replied by striking his assailant, when Bishop and his gang fell upon him, striking him upon his bare gray head with the butts of their pistols, until he fell, senseless and bleeding, to the floor. The jury and spectators were dispersed, and Prosecuting Attorney Powell and two citizens arrested, after which a surgeon was allowed to dress the judge's wounds. After a short delay the whole party, including the soldiers, embarked for Baltimore, stopping at Fort McHenry, where they left their prisoners in charge of the commander.

Here Judge Carmichael was imprisoned for about six weeks, then removed to Fort Lafayette, and finally to Fort Delaware, where he remained from September 23d, to December 4th, when he was unconditionally released, no trial having been granted him nor any notice taken of his repeated demands upon the President and other authorities, to make known the charge against him.

A similar outrage upon the highest judicial authority of the State was perpetrated on June 28th, by the arrest in Baltimore of Judge James L. Bartol, of the Court of Appeals, and his confinement in a casemate of Fort McHenry. Such was the use made of a fortress built by the citizens of Maryland and ceded to the federal government for their defence. Judge Bartol's crime was his manful stand for the laws of his State and Constitutional rights of her citizens. He was released after a few days' imprisonment without any charge being openly performed against him, or any explanation given.

A camp of instruction for fifty thousand men—cavalry, artillery and infantry—was formed near Annapolis, on June 5th, 1862, Major General Wool commanding, in addition to his duties as commander of the Department. On July 2d, President Lincoln called for 300,000 troops, to be apportioned among the several States; Maryland's quota being four infantry regiments.[1] In advance of the special call, Governor Bradford, on the 4th, appealed to the people of the State, and on the 17th appointed a committee of fifty citizens of Baltimore, with John P. Kennedy at their head, to assist in raising troops. This committee met on the 21st and asked the aid of the City Council. As this body had adjourned, acting Mayor John Lee Chapman, called an extra session, which met on the 22d. The First Branch unanimously passed an ordinance appropriating $300,000 for bounties to volunteers in the State regiments, but it was rejected by the Second Branch.

When this rejection was known, an angry crowd gathered, and began to denounce and threaten those members who had refused to vote for the measure; and on the adjournment several councilmen were assaulted, with cries of "Hang the traitors!" and severely maltreated. At this time General Wool (as he relates in his defence) "was waited on by some who called themselves 'Union men,' and was urged to use coercive measures against a legislative

[1] A battery of light artillery, known as Alexander's, was also organized.

body constitutionally elected, to vote as I might dictate." The General replied that he did not feel justified in coercing citizens who were faithfully discharging their duty in the face of innumerable attempts to intimidate them. "This," he says, "did not satisfy the gentlemen; when I remarked that I thought, if they would not interfere, I could arrange the matter without resorting to force or dictation, and produced the arrangement which gave the Union party a common council which voted, I believe, the sum of three hundred and fifty thousand dollars." The arrangement thus produced was "that the members of the Second Branch of the Council not in favor of the appropriation, after consultation with myself, resigned, and their places were afterwards filled by Union men."

On the 26th of July, after conferring with General Wool, nine members of the Second Branch resigned. The appropriation of three hundred thousand dollars was passed by both Branches of the Council early in August, and on the 9th, one of thirty thousand dollars was also made toward uniforming and otherwise equipping the first eight divisions of Maryland volunteers. Another ordinance passed by the City Council, about the same time, required all city officials, school-teachers and employees, no matter in what capacity, to take the oath of allegiance.

On July 28, 1862, a large war meeting was held in Monument Square, at which Governor Bradford presided, supported by thirty-five vice-presidents and four secretaries. A long series of partisan resolutions were adopted, among which were the following:

"*Resolved, by the loyal citizens of Baltimore, in mass meeting assembled*, That the President of the United States, be and is hereby requested to instruct the General in command of this Military Department to require all male citizens above the age of eighteen years to come forward and take the following oath; and that all persons refusing to take said oath shall be sent through our military lines into the so-called Southern Confederacy.

THE OATH.

"I solemnly swear that I will bear true allegiance to the United States, and support and sustain the Constitution and laws thereof; that I will maintain the national sovereignty paramount to that of all State, County, or Corporate powers; that I will discourage, discountenance and forever oppose secession and rebellion, and the disintegration of the Federal Union; that I disclaim and denounce all faith and fellowship with the so-called Confederate States and Confederate armies, and pledge my property and my life to the faithful performance of this my solemn oath of allegiance to the Government of the United States."

These violent propositions did not receive a single public remonstrance from any portion of the "Union" party, but on the contrary, the First Branch of the City Council adopted a resolution a few days afterwards, requesting General Wool "to administer such an oath to all the citizens of the City of Baltimore at the earliest possible period." General Wool rejected this advice, "for the reason," as he said, that it would, at a critical moment, "send twenty thousand men to swell the army of Jefferson Davis." But the suggestion was not the less disgraceful to the party which sanctioned it, because it proved to be impracticable.

After the second battle of Manassas, the Confederate army, on August 31, 1862, was moved toward Little River turnpike for the purpose of turning the right of General Pope. Anticipating this movement of the Confederates, Pope prepared to resist it, and on the evening of the following day a battle occurred at Chantilly, in which General Kearney and General Stevens, of the Federal forces, were killed. The ultimate design of the Confederates was frustrated, but Pope's army was compelled to seek shelter in the fortifications around Washington. Pope now resigned his command, and was succeeded by General McClellan.

The withdrawal of the army of General Pope left the field clear for a transfer of hostilities to Federal soil. In fact it was necessary that General Lee should do so to subsist his army in the coming winter, as Northern Virginia at this time was completely desolated. At the end of eighteen months of civil war it had been reduced to a condition nearly resembling that of Middle Germany, after the Thirty Years' War. Deserted as it was by the majority of its inhabitants, it was almost an impossibility to maintain an army of one hundred thousand men in this desert, dependent on a single track of railroad, when winter should render the other highways impassable. Besides, the plans of the leaders looked to the "deliverance of Maryland and the invasion of Pennsylvania."[1]

General Lee, after the retreat of Pope, moved the main body of his army to Leesburg. Thence he moved to the Potomac, near Point of Rocks, and on

[1] On the 21st of November, 1861, the Confederate Congress passed the following resolutions:

"Whereas, The State of Maryland has suffered the same wrongs which impelled these Confederate States to withdraw from the United States, and is intimately associated with these States by geographical situation, by mutual interest, by similarity of institutions, and by enduring sentiments of reciprocal amity and, esteem; and whereas, it is believed that a large majority of the good people of Maryland earnestly desire to unite their State with the Confederate States, a desire which is proved to exist even by the violent, extraordinary and tyrannical measures employed by our enemy to restrain the expression thereof; and whereas, the Government of the United States, by imprisoning members of the Legislature of Maryland, by establishing powerful armies of foreign troops within that State and along her borders, and by suspending, with armed force, the freedom of speech and of elections, has prevented the people and their representatives from adopting the political organization which they prefer, and, in pursuance of their preferences, has inflicted upon them many outrages, and established over them a foreign despotism: and whereas, the accession of Maryland to this Confederation will be mutually beneficial, and is essential to the integrity and security of the Confederate Union; be it, therefore,

"*Resolved by the Congress of the Confederate States of America*, That the sufferings of the good people of Maryland, under the oppression of our enemy, excite our profound sympathy, and entitle them to speedy and efficient exertions on our part for their relief.

"Second. That it is the duty of this government, by appropriate measures, to facilitate the accession of Maryland, with the free consent of her people, to the Confederate States.

"Third. That no peace ought to be concluded with the United States, which does not insure to Maryland the opportunity of forming a part of this Confederacy."

That the invasion of Maryland was in accordance with the popular wish of the Southern Confederacy, is manifest from the following resolution, passed on the 12th of September, 1862, in the House of Representatives, by a vote of fifty-six ayes to thirteen nays:

"*Resolved*, That Congress has heard, with profound satisfaction, of the triumphant crossing of the Potomac by our victorious army, and, assured of the wisdom of that masterly movement, could repose with entire confidence on the distinguished skill of the commanding general and the valor of his troops, under favor of the Great Ruler of nations, to achieve new triumphs, to relieve oppressed Maryland, and to advance our standard into the territory of the enemy."

the same day, the 5th of September, that General Bragg, on a similar duty, entered Kentucky, Lee crossed at White's Ford, five miles below, and at a ford three miles above. His force consisted of the divisions of Generals Jackson, Ewell, A. P. Hill, D. H. Hill and Longstreet. On the march to the Potomac, the Confederates were everywhere greeted with loud demonstrations of joy; and when it became known that the army was destined for Maryland, enthusiasm ran wild. Old and young, white and black, thronged the roadsides with banners and waving handkerchiefs. Gray-haired fathers and half frantic mothers sought sons and relatives in the various regiments which continually passed along the hot and dusty roads. Upon entering Leesburg the bands played, colors waved, men shouted, women wept, and all was a scene of dust, confusion and noise. "Maryland my Maryland," "Dixie," the "Bonnie Blue Flag," and the "Marseillaise," were drowned in the hubbub of voices, rumble of wagons, jingling of artillery, and the heavy tramp of infantry.

Jackson's division crossed near the Point of Rocks, broke up the Baltimore and Ohio Railroad, and cut off all telegraphic and other connection from Harper's Ferry to Washington. The crossing of the Potomac was a holiday for the Marylanders in the Confederate army. All of them were filled with joy, and many wept with gladness when they touched the "sacred soil of old Maryland." Old and young tossed their hats in the air with delight, others kissed the ground, and the bands played "My Maryland," until the sound was oppressive. The troops were wretchedly clothed and shod, and greatly in want of all necessaries. "Thousands of the troops" says Lee, "were destitute of shoes." "Never," says General Jones, who commanded Jackson's old brigade, "had the army been so dirty, ragged and ill provided for, as on this march."[1]

The wagons were empty, except extra ammunition; and as soon as the troops had crossed, many of them were compelled to feed upon green corn. Soon, however, the quartermasters and commissaries brought in from the surrounding country supplies of provisions, which had been unknown to the army for many months. No violence nor incivility was shown by the Confederate agents, and all transactions were satisfactorily arranged with Confederate scrip or Federal paper. Of the citizens of Western Maryland, a large number favored the Federal cause, many were indifferent, and a few warm secessionists. An eye-witness says, "The few inhabitants we met betrayed evident pleasure at our arrival, but were extremely cautious and circumspect in showing it. They would look on and smile as we passed, but seemed much constrained in manner, as if feeling certain that Union men were in their midst, quietly taking note of all actions or expressions, and ready to divulge names at fitting opportunities. Some few young men openly avowed their Southern feeling and joined us, but the greater number stood

[1] *Reports of the Army of Northern Virginia*, i., p. 27; ii., p. 221.

aloof as if thinking, "I should much like to assist you if I dare, but how long will they remain? I am between two fires; I must sacrifice principle and secure my home."[1]

The advance of the Confederate forces reached a point but three or four miles from Frederick on the night of the 5th. Their approach was already announced, and created great commotion. The military force in Frederick consisted of but one company under command of Captain Faithful, the provost-marshal, and of course no attempt could be made to defend the city from attack. Having satisfied himself of the near approach of the Confederates, Captain Faithful at once made preparations to evacuate the place. At midnight, on the 5th of September, having loaded the wagons at his command with the most valuable of his stores, and left sufficient for the supply of the hospitals, in which there were about six hundred patients, he applied the torch to the remainder, and retreated from the city. The conflagration increased the excitement, and every vehicle that could be obtained was brought into requisition to convey many of the inhabitants who fled, carrying with them such property as they were able to take away. Many persons left during the night on foot, and the roads leading to Baltimore and Pennsylvania were represented as swarming with fugitives.

From Frederick the excitement rapidly spread through the surrounding country, and to other towns and cities in Maryland, and on the borders of Pennsylvania. In Baltimore it was intense, on the 3d and 4th, hundreds of excited men besieging the principal newspaper offices anxious to gather information as to the truth or falsity of the rumors afloat. Several breaches of the peace occurred, and a number of Southern sympathizers were violently assaulted.

The Confederate army entered Frederick City on the morning of the 6th, and were placed under the strictest orders to respect personal rights and private property. A brigade took possession of the hospital buildings for the sick and wounded Confederates, while a large portion of the army marched through the city and camped on the other side of the town at Worman's Mill. The main body encamped about Monocacy Junction.

In the city martial law was proclaimed, and Colonel Bradley T. Johnson, a native of the place, was appointed provost-marshal, with a strong guard of soldiers, to patrol the streets and preserve order. Immediately on assuming command he issued the following proclamation:

"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.

[1] An English combatant, *Battle-Fields in the South*, p. 407.

"The Government of the Confederate States is pledged by the unanimous vote of its Congress, by the solemn declaration of its President, its soldier and statesman, Davis, never to cease this war until Maryland has the opportunity to decide for herself her own fate, untrammelled 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 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 inroads, 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 6, 1862.*"

"Personne," the intelligent correspondent of the Charleston *Mercury*, who was an eye-witness of all the stirring scenes of Lee's campaign in Maryland, in a letter dated at Frederick, September 7th, the day after the Confederates arrived, says:

"Thus far we have everywhere met with cordial hospitality. Along the road the farmers have welcomed the presence of our men with a cheerfulness that cannot be misunderstood, opened their houses and spread their boards with the fat of the land. One Maryland widow I met, has fed, in twenty-four hours, six hundred hungry men, free of charge. Others have been proportionately liberal. Our reception, up to this point, has been all that we could desire. With a few, the enthusiasm has been highly demonstrative, but the majority content themselves with quiet manifestations of the warm sympathy they feel. Nearly all the houses along the route of march were open, and invitations were freely extended to the officers to spend the day and night. A slight indication of the grateful exuberance of the people was in the presentation of a magnificent horse to General Jackson, by the farmers, within an hour after he touched Maryland soil.

"In the sentiment of the people, we are not much disappointed. It is apparently about equally divided, and there is yet little expressed enthusiasm. As Jackson's army marched through, their houses were mostly closed, and from between the window blinds the citizens could be seen anxiously peering, as if they expected to see a crowd of bugaboos, intent upon robbing but maybe murder and slaughter. A few of the residences were open, however, and in those ladies and gentlemen were waving their handkerchiefs and displaying the Confederate flag."

On Sunday the churches were opened as usual, and were filled with Confederate officers and soldiers. General Jackson attended the Presbyterian and German Reformed churches. On Monday, September 8th, "Personne" writes:

"Frederick, to-day, presents a busy scene, more like that of a Fourth of July festival than a gathering of armed invaders. A majority of the stores are closed to general admis-

sion, because of the crowds eager to pass and buy, but a little diplomacy secures an entrance at the back door, or past the sentinel, wisely stationed, to protect the proprietor from the rush of anxious customers. Prices are going up rapidly. Everything is so cheap that our men frequently lay down a five dollar bill to pay for a three dollar article, and rush out without waiting for the change. The good people here don't understand it. Bitter complaints are uttered against those who refuse Confederate money, and it is understood that the authorities will insist upon its general circulation.

"The people are beginning to recover from their surprise at our sudden appearance, and to realize the magnitude of our preparations to advance through and relieve Maryland from her thralldom. Some are still unduly excited, evidently hate us heartily, but we are more than compensated by the warm welcome of others, who now begin to greet us from every quarter. Only a few moments ago I met a lady who confessed that although she had Confederate flags, ready to expose in her windows as we passed, she was afraid to wave them, lest being discovered by her Union neighbors, she should be reported to the Federals, in case of our retreat, and be thereby subjected to fine, if not imprisonment, at their hands. To assure me how true were her sentiments, she introduced me to a large room in her house, where there were fourteen ladies, young and old, busy as bees, making shirts, drawers and other clothing for the soldiers. She also distributed money and tobacco to the soldiers.

"Though thousands of soldiers are now passing through the town, there has not been a solitary instance of misdemeanor. I have heard no shouting, no clamor of any kind, and seen but a single case of intoxication—of one legged Yankee prisoner.

"All who visit the city are required to have passes, and the only persons arrested are those who are here without leave. This quiet behavior of our men contrasts so strongly with that of the Federals when here, as to excite the favorable comment of the Unionists.

"None of the latter have, to my knowledge, been interfered with, and, as far as I can learn, it is not the policy of our commander to restrict. We shall, on the contrary, pursue a conciliatory course, and by kindness endeavor to show those misguided people that our home should be their home, and our God their God.

"One of these Union men frankly confessed to me that he feared his own neighbors more than he did our troops, and he should regret to see us depart. We pay for everything as we go, the farmers being compensated for all damage by the burning of rails, use of forage, or destruction of crops, before we break up camp.

"Recruiting here goes on rapidly. Within two days five companies have been formed, and it is stated that from the surrounding country over seven hundred entered our ranks while en route. Pennsylvania, the border line of which is only some twenty-five or twenty-eight miles distant, has sent us nearly a hundred recruits, who prefer service in the Confederate army to being drafted into that of the North.

"Altogether, our movements have been thus far marked by the most gratifying success. Every detail has been successfully carried out, the troops are in good health, and full of enthusiasm, the commissarial is improving, and we wait for nothing more anxiously than the order to resume our march onward."[1]

On the same day General Lee issued the following address to the people of Maryland, setting forth the object of his invasion.

[1] The only breach of the peace, in Frederick, was committed by some citizens, aided by a few soldiers, who entered the office of the *Frederick Examiner*, a republican paper, and did some damage. Upon complaint being lodged with the provost-marshal, he caused everything to be replaced and the offenders placed under arrest.

"*Headquarters Army N. Va.,*
Near Frederickstown, Sept. 8th, 1862.

"To the people of Maryland:

"It is right that you should know the purpose that has brought the army under my command within the limits of your State, so far as that purpose concerns yourselves.

"The people of the Confederate States have long watched with the deepest sympathy the wrongs and outrages that have been inflicted upon the citizens of a Commonwealth allied to the States of the South by the strongest social, political and commercial ties.

"They have seen with profound indignation their sister State deprived of every right, and reduced to the condition of a conquered province.

"Under the pretence of supporting the Constitution, but in violation of its most valuable provisions, your citizens have been arrested and imprisoned upon no charge, and contrary to all forms of law; the faithful and manly protest against this outrage, made by the venerable and illustrious Marylander to whom in better days no citizen appealed for right in vain, was treated with scorn and contempt; the Government of your chief city has been usurped by armed strangers; your Legislature has been dissolved by the unlawful arrest of its members; freedom of the press and of speech has been suppressed; words have been declared offences by an arbitrary decree of the Federal Executive, and citizens ordered to be tried by a military commission for what they may dare to speak.

"Believing that the people of Maryland possessed a spirit too lofty to submit to such a government, the people of the South have long wished to aid you in throwing off this foreign yoke, to enable you again to enjoy the inalienable rights of freemen, and restore independence and sovereignty to your State.

"In obedience to this wish, our army has come among you, and is prepared to assist you with the power of its arms in regaining the rights of which you have been despoiled.

"This, Citizens of Maryland, is our mission, so far as you are concerned.

"No restraint upon your free will is intended, no intimidation will be allowed.

"Within the limits of this army at least, Marylanders shall once more enjoy their ancient freedom of thought and speech.

"We know no enemies among you, and will protect all of every opinion.

"It is for you to decide your destiny, freely and without constraint.

"This army will respect your choice whatever it may be, and while the Southern people will rejoice to welcome you to your natural position among them, they will only welcome you when you come of your own free will.

"R. E. LEE, *General Commanding.*"

It was hoped that Johnson's proclamation and Lee's stirring appeal would arouse the people of the State, but few responded to the call. The section occupied by the Confederate army was inhabited by people who had, for the most part, very different views and feelings from those of the more southern counties. In the latter, and in Baltimore, thousands would have flocked to the standard of Lee, had they not been restrained by the Federal occupation, and by a system of espionage so zealous and so complete that it was said "that a cat could not mew in Baltimore without the fact being reported at the provost-marshal's office." Then the wretched appearance of the Confederate troops had a discouraging effect, and damped the martial ardor of many who visited the camp with an intent to enter the service. The cavalry and artillery were nearly all barefooted, and many of the infantry in the same condition; some having their feet tied up with rags or covered with raw-hides, while the more

fortunate had some buttoned remnants of shoes through which the toes protended. It was no unusual sight to see tracks of blood on the turnpike left by a marching regiment.[1]

While the Confederates occupied Frederick, their cavalry scoured the entire country for forage, provisions, recruits, etc. They established pickets on the Baltimore turnpike, at New Market, Liberty, Middletown, Union Bridge, Pikesville, Poplar Springs, and other places. Colonel Ropor, with a force of about three hundred and fifty of Stuart's cavalry and one piece of artillery, occupied Westminster, where they arrested Dr. Billingslea, the provost-marshal, but afterwards released him on parole. All the books and papers relating to the enrollment were seized and destroyed. They also seized the post-office and carried off the postage-stamps.

In their intercourse with the citizens they professed the greatest friendship for the peace of the State, and desired to be received as friends. No one was interfered with or questioned with regard to their sentiments. They had plenty of money, such as it was, and spent it freely, purchasing what they wanted from the stores.

As these pickets and scouting parties were scouring the country in every direction, rumors were rapidly circulated of an advance on Baltimore, to seize upon the city with the aid of a general rising, and cut off Washington from the North. At this juncture, Governor Bradford, on the 8th, issued the following proclamation:

"TO THE PEOPLE OF BALTIMORE.

"*State of Maryland, Executive Department,*
"*Annapolis, September 8, 1862.*

"*Whereas*, It has been represented to me, upon authority which seems unquestionable, that a portion of the Rebel army of the South, now in arms against the Union, have crossed our border, and is encamped upon our territory, menacing the City of Baltimore and other portions of the State with a hostile attack; and it is expedient that besides all the powers with which the Government may be prepared to meet this daring invasion, that our own citizens should without delay organize throughout the State such a militia force as may effectually assist in defending our homes and firesides against the assault of the invader.

"I, therefore, in virtue of the authority vested in me by the Constitution and Laws of the State, hereby call upon her citizens to enroll themselves at once in volunteer military organizations, that no possible power of command may be overlooked in preparing to meet every emergency. In the City of Baltimore, I would especially call upon our citizens to organize at once and complete the formation of the First Light Division of Maryland Volunteer Militia—in which several companies have been already filled, and their officers commissioned.

"As a mistaken impression seems to exist, to some extent, of a purpose to offer to the Government the services of this division, or some portion of it, as United States volunteers for nine months, and this impression may tend to retard the formation of the division, I would take this occasion to reiterate the assurance already given to many who have consulted me on the subject—that no one by becoming a member of any company

[1] The present writer, on the retreat from Maryland in 1862, counted forty-nine men without shoes in a regiment of two hundred.

in that division places himself thereby in the power of the officers of the organization to transfer his services, without his consent, to the volunteer forces of the United States. Whilst opportunity will be given to any regiment or brigade connected with the division to make such tender of their services to the Government, no member of any such regiment can be constrained to such a course by the majority of the regiment, nor without his individual consent.

"With this understanding of the character of this military organization, I hope to see the ranks of the First Light Division immediately filled, prepared, when called into the service of the State or City, to respond effectually in maintaining their peace and ministering to their defence. At the same time any portion of it disposed to extend the sphere of its usefulness will have the opportunity, with the consent of the Government, of uniting their exertions with the other volunteers from Maryland in the service of the United States.

"To the citizens of the several counties I would appeal, and especially commend to them the formation of volunteer cavalry companies as better adapted than any other to the present emergency.

"I have provided and am ready at once to distribute cavalry arms and accoutrements sufficient for all that will probably be organized; and whilst every effort will be made to arm and equip also all the infantry volunteers that may offer, let our loyal citizens not wait for the distribution of arms, but organize everywhere without delay, and assist in driving from the State the invading host that now occupies its soil, armed with any weapon which opportunity may furnish.

"Given under my hand and the Great Seal of the State, this eighth day of September, 1862. "By the Governor, "A. H. BRADFORD.

"WM. B. HILL, *Secretary of State.*"

To this appeal a large number of citizens responded. In compliance with the governor's recommendation, Mayor Chapman, on the 9th, requested the citizens of Baltimore "to assemble at their usual places of meeting in the several wards every night this week, and form themselves into military companies for the defence of the city." At the same time Hugh L. Bond, A. Sterling, Jr., John P. Graham, W. H. Purnell, Theodore Hooper, P. G. Sanerwein, Thomas H. Gardiner, Dorsey Carter, E. B. Petherbridge, T. T. Martin, E. S. Hutchinson, John H. Lloyd, A. C. Hall and Henry Stockbridge published a request to all those "who desire to join an independent military organization for the defence of the city, to be called the 'Maryland Line,' to call and register their names and residences at the post-office." General Wool, in command of the military department, looked to the defences of the city, and planned additional works. The forts under the command of General Morris were in complete readiness, as well as a fleet of heavy mortar-vessels which lay in the harbor ready to lay the city in ashes, in case an outbreak occurred or the Confederates made a lodgement within its boundaries. In either of these events the destruction of Baltimore was certain. General Kenly, having recovered from his wound received at Front Royal, was appointed to the command of the infantry for the defence of the city. The board of police swore in four hundred special policemen, and these with the regular force and the aid of General Kenly's brigade preserved order. Major William P. Jones was appointed military provost-marshal of the department, under the orders of General Wool.

The excitement in Pennsylvania was quite as great as in Maryland. An invasion of the North had been loudly proclaimed by the Confederates, and threats of retaliation and devastation were freely uttered. The advance to Frederick was directly towards Pennsylvania, and the invasion of that State seemed imminent. While at Frederick the Confederate cavalry had entered the State and their numbers had been greatly exaggerated by rumor. In the excited state of the people, it was believed that the whole army was advancing towards Harrisburg with the purpose of moving thence upon Philadelphia. Governor Curtin summoned the people to the defence of their State, and they hastened in great numbers to Harrisburg, while from other States new levies and volunteers were hurried forward to the defence of the capital.

Jackson's division was encamped on Norman's near the suburbs to the north of Frederick, except the brigade of General J. R. Jones, (Colonel Bradley T. Johnson commanding,) which was encamped in the barracks enclosure in the city as a provost guard. Ewell's and Hill's divisions occupied positions near the railroad bridge over the Monocacy, guarding the approaches to Washington. On the occupation of Frederick, General Lee supposed the Federals would evacuate Harper's Ferry, and thus open his line of communication through the valley of Virginia to Richmond. As this did not occur, it became necessary, if possible, to dislodge the Federals from this position before concentrating the army west of the mountains. With this object in view, General Lee directed Jackson to proceed with his command to Martinsburg, and, after driving the Federals under General White from that place, to move down the south side of the Potomac upon Harper's Ferry. General McLaws, with his own and R. H. Anderson's divisions, was ordered to seize Maryland Heights on the north side of the Potomac, opposite Harper's Ferry, and Brigadier General Walker to take possession of Loudon Heights, on the east side of the Shenandoah at its junction with the Potomac. These several commands, after reducing Harper's Ferry and clearing the valley, were ordered to join the rest of the army at Boonsboro' or Hagerstown. These troops, in pursuance of their orders, on the morning of the 10th, broke up camp at Monocacy Junction, and passing rapidly through Middletown, Boonsboro' and Williamsport, re-crossed the Potomac at Light's Ford, on the 11th. General A. P. Hill moved with his division on the turnpike direct from Williamsport to Martinsburg. The divisions of Jackson and Ewell proceeded towards the North Mountain depot, on the Baltimore and Ohio Railroad, about seven miles northwest of Martinsburg, to prevent the escape of General White's troops. Major Myers commanding the cavalry, sent part of his force as far south as the Berkeley and Hampshire turnpike. General White learning of these movements, evacuated Martinsburg, on the 11th, and retreated to Harper's Ferry. On the following day, Jackson's command took possession of Martinsburg, and, on the morning of the 13th, they arrived before the Federals drawn up in force upon Bolivar Heights. Before beginning the attack, General Jackson proceeded to put himself in

communication with the co-operating forces of McLaws and Walker. The latter took possession of Loudon Heights on the 13th, and on the next day was in readiness to open fire upon Harper's Ferry. The former entered Pleasant Valley on the 11th, and on the following day, General Kershaw, with his own and Barksdale's brigade, to ascend the ridge whose southern extremity is known as Maryland Heights, and attack Colonel Thomas H. Ford who occupied that position with infantry and artillery, protected by entrenchments. He disposed of the rest of his force to hold the roads leading from Harpers' Ferry eastward through Weaverton, and northward from Sandy Hook; guarding the pass in his rear, through which he had entered Pleasant Valley, with the brigades of Semmes and Mahone. Kershaw with his infantry drove in the advanced parties of the Federals on the summit of the ridge on the 12th, and assailed the works the next day. After a spirited contest they were carried. In the defence of Maryland Heights, the 3rd and 3d Maryland Home Brigade, under Colonels Downey and Maulsby, and a few companies of the 1st Maryland cavalry, performed gallant service. Colonel Ford spiked the heavy guns, and retreated across the river to Harper's Ferry. On the 14th, a road was cut along the ridge for Kershaw's artillery, and at 2 P. M., four guns opened on Harper's Ferry, and the investment of the place was complete.

In the meantime, events occurred in Maryland which threatened to interfere with the reduction of the place. On the 10th, General Longstreet moved from Frederick for Hagerstown, and reached there with part of his command on the 11th. General D. H. Hill with his division constituted the rear guard, and had charge of the immense wagon train moving in the direction of Hagerstown. On the 12th, he was ordered by General Lee to dispose of his troops so as to prevent the escape of the Federal garrison from Harper's Ferry, then besieged, and also to guard the pass in the Blue Ridge near Boonsboro'.

When General McClellan arrived at Washington about the middle of August, he was in the department of General Pope, which included the District of Columbia. On the 2d of September, Major General Halleck relieved General Pope and placed Major General McClellan in "command of the fortifications of Washington, and of all the troops for the defense of the capital." On the 4th, he assumed command of the forces under General Pope, together with some new levies which had arrived at Washington under the call of the President. On the invasion of Maryland, he received orders to pursue General Lee with all the troops which were not required for the defence of Washington, and on the next day most of his army was in motion, and rapidly advanced into Maryland. General Banks was placed in command of the defences at Washington, and General Heintzelman in charge of the forces on the Virginia side. The command of Fitz-John Porter's corps was given to General Hooker, and that of General McDowell was assigned to General Reno, late of the North Carolina department.

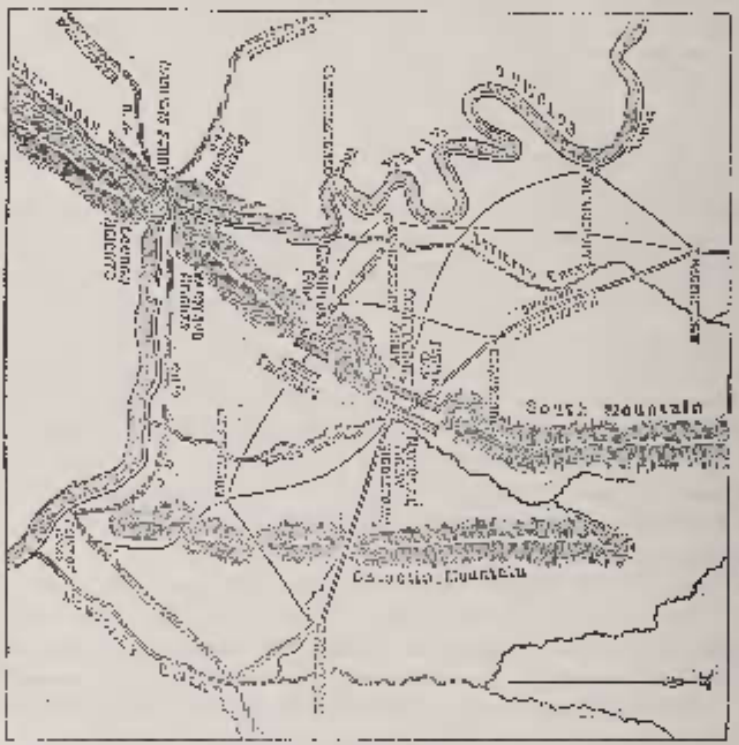
"Having assumed command of the army, I pushed forward," says General McClellan, "the 1st and 9th corps under Generals Reno and Hooker, forming the right wing, under General Burnside, to Jeffersonville on the 5th instant; thence, the 1st corps by Brookville, Cookesville, and Ridgeville, to Frederick, and the 9th corps, by Damascus, on New Market and Frederick. The 2d and 12th corps, under Generals Sumner and Williams, on the 6th were moved from Tenallytown to Rockville; thence by Middlebury and Urbana on Frederick, the 12th corps moving by a lateral road between Urbana and New Market; thus maintaining the communication between the centre and right wing, as well as covering the direct route from Frederick to Washington. The 6th corps, under General Franklin, was moved to Barnesdown on the 6th instant; thence by Dawsonville and Barnsville, on Buckeystown, covering the road from the mouth of the Monocacy to Rockville, and being in a position to connect with and support the centre should it have been necessary (as was supposed) to force the line of the Monocacy. Couch's division (composed of the brigades of Generals Howe, Devens, afterwards Attorney General of the United States, and Cochrane) was thrown forward to Offut's Cross Roads and Poolesville by the river road, thus covering that approach, watching the forks of the Potomac, and ultimately following, and supporting the 6th corps. The object of these movements was to feel the enemy—to compel him to develop his intentions—at the same time that the troops were in position readily to cover Baltimore or Washington, to attack him should he hold the line of the Monocacy, or to follow him into Pennsylvania if necessary."

The advance of General McClellan entered Frederick on the 12th, followed on the next day by the main column. The same afternoon his advance drove the Confederates out of Middletown, and on Sunday morning, the 14th, he found them posted on the east side of the South Blue Ridge Mountains, and stretching on a line from north to south from points immediately opposite Middletown and Jefferson, both of which villages are about eight miles from Frederick. Middletown is on the road to Hagerstown, and Jefferson on the direct road to Harper's Ferry. The right of the Federal army at this time, under General Burnside, rested on Middletown, and the left, under General Franklin, on Jefferson.

At Frederick, McClellan found a copy of Lee's order to General D. H. Hill, disclosing to him the movements of the Confederate forces. From this it appeared that Lee intended to capture the garrison of Harper's Ferry. McClellan immediately gave orders for a rapid and vigorous forward movement. The Confederate cavalry under General Stuart fell back before him, materially impeding his progress towards Boonsboro'. The Confederate line of battle was formed with the left resting upon Turner's Gap and the turnpike road toward Hagerstown, which passes through the gap, and the right covering Crampton's Gap and the road leading to Harper's Ferry. To check the advance of the enemy and to prevent the relief of Harper's Ferry, Hill was directed to guard Crampton's Gap and Longstreet was ordered from Hagerstown to his support.

Early on the morning of the 14th, the battle of South Mountain began, by an attack on Hill's position at Crampton's Gap, on the Boonsboro' road, in which General Garland, of the Confederates, and General Reno of the Federal forces, lost their lives. The battle raged with fearful effect against Hill's small force until the afternoon, when Longstreet, who had made a forced

march from Hagerstown, arrived to his assistance about 3:30 o'clock. Longstreet hurried his troops to Hill's assistance as rapidly as their exhausted condition would admit of, and they succeeded in repulsing the repeated and powerful attacks of the Federal army and in holding their position till night put an end to the conflict. The great superiority of numbers enabled McClellan to extend his army beyond both flanks of the Confederate line. By this means he succeeded in reaching the summit of the mountain, beyond the Confederate left, and pressing heavily upon them from that direction, gradually forced General Rodes back till darkness rendered a further advance



BATTLE OF SOUTH MOUNTAIN.

of the Federals impossible. Having accomplished all that was required—the delay of the Federal army until Harper's Ferry could not be relieved—the Confederates, during the night, retreated to Sharpsburg, covered by the cavalry brigade of General Fitzhugh Lee. General Hill, in summing up the results of this battle says: "Should the truth ever be known, the battle of South Mountain, as far as my division was concerned, will be regarded as one of the most remarkable and creditable of the war. The division had marched all the way from Richmond, and the struggling had been enormous, in consequence of heavy marches, deficient commissariat, want of shoes, and inefficient officers. Owing to these combined causes, the division numbered

less than five thousand men on the morning of the 15th of September, and had five roads to guard, extending over a space of as many miles. This small force successfully resisted, without support, for eight hours the whole Federal army, and when its supports were beaten, still held the roads, so that our retreat was effected without the loss of a gun, a wagon, or an ambulance."[1]

In the battle of South Mountain, the Confederates lost in killed, the following prominent officers: General Garland, Colonel B. B. Gayle, of the 12th Alabama; Colonel J. B. Strange, of the 13th Virginia; the Federals lost General Reno and several minor officers.

When General Jackson, on the 14th of September, found that the troops of McLaws and Walker were in position to co-operate in the attack on Harper's Ferry, he ordered General A. P. Hill to advance, turn the Federal left flank and enter the town. Ewell's division, under General Lawton, was ordered to his support; while Winder's brigade of Jackson's division, under Colonel Grigsby, with a battery of artillery, made a demonstration on the right near the Potomac. Colonel Grigsby succeeded in securing a slight eminence on the left, upon which two batteries were placed. General Hill established himself on the plain to the left of the Federal breastworks. This was accomplished during the night. Colonel Walker, chief of A. P. Hill's artillery division, placed several batteries on a hill captured by General Pender, on the extreme left of the Federals. Towards the close of the afternoon of the 14th, a general advance was made along the Confederate lines, but the near approach of night prevented any serious engagement. During the night, Colonel Crutchfield, chief of Jackson's artillery, took two guns from the batteries of Captain William F. Dement's 1st Maryland artillery, two from the Chesapeake Maryland artillery, and two each from the batteries of Captains Garber and Latimer, and moved up the Shenandoah, and crossing at Kelly's Ford, moved down on the other side until opposite the left and in rear of the Federal line of entrenchments and fortifications. This position commanded the Federal works on their left, where they had an embrasure battery of four guns, but open in the rear, and the first point of their works to be encountered by General Hill in his advance. In fact, it was the key to the whole position, as the result demonstrated. Colonel Crutchfield said that the embrasure battery "gained, his other works were untenable." The necessity of cutting a road on the mountain for these ten guns, prevented their opening at daybreak, as Jackson had ordered. At dawn the attack was begun by eight guns in front, but below and rather to the right of the Confederate line, from the batteries of Captains Pegram, McIntosh, Davidson and Braxton, of General A. P. Hill's division. The Federals held their ground and returned the fire sharply, at the same time advancing their infantry in line of battle, as if to charge the Confederate lines. At this moment the guns of the 1st Maryland artillery, the Chesapeake battery, and the guns of Garber and Latimer, being in position, opened a terrific fire of shot and shell upon the enemy's rear. Its battery

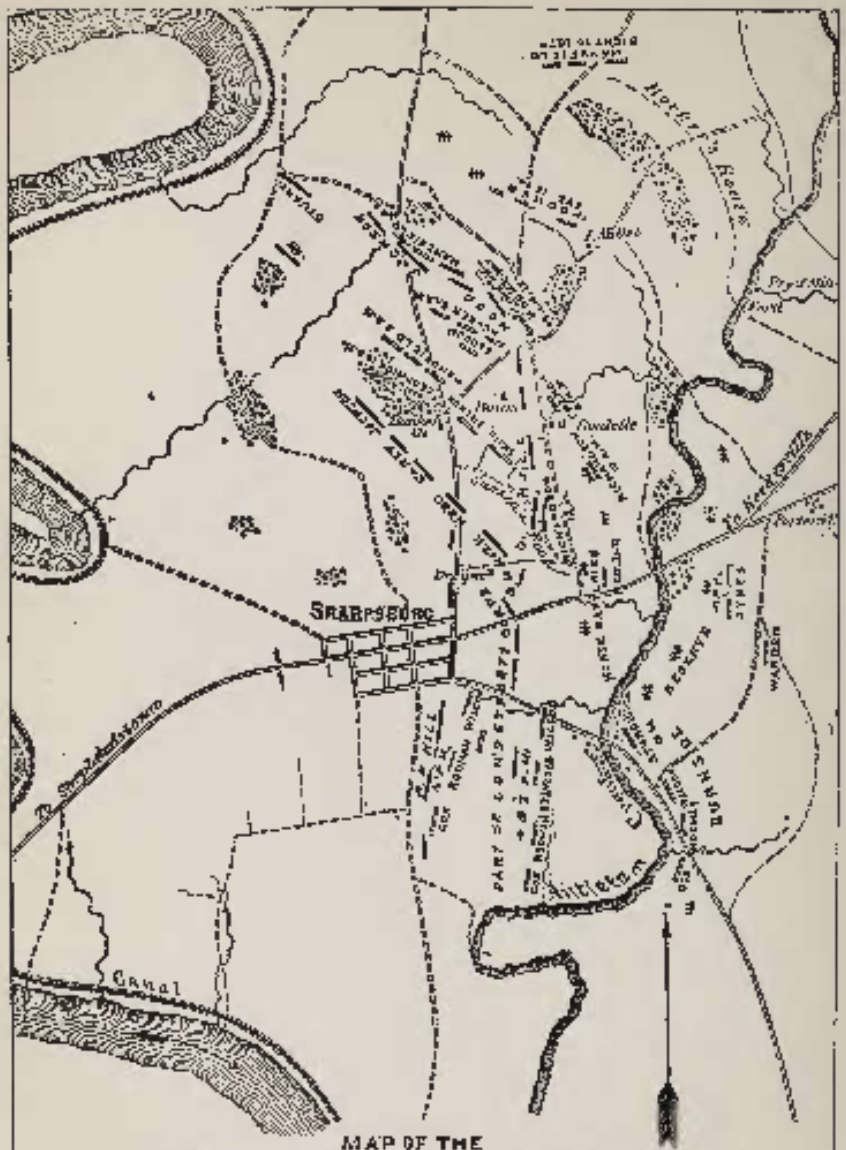
[1] *Reports of the Army of Northern Virginia*, ii., p. 114.

was quickly silenced, the men running from their guns, and though they presently came back and turned their guns against the Confederates, they were forced to abandon them after a few shots. The guns of Dement, Brown, Garber and Latimer, were now brought to bear on the Federal infantry in their entrenchments, soon forcing them to fly in great confusion. Colonel Dixon H. Miles, the commander of the post, in his efforts to rally them, was mortally wounded.

All the batteries from Maryland, London and Bolivar heights and the plains below had now opened on the garrison, and within an hour from the time the action began, the white flag was raised over the works. As the batteries on London heights enfiladed the whole Federal entrenchments, and as it was evident from their position that they could not be driven away, a council of war was held, and in order to prevent useless sacrifice of life, General White came out with a flag of truce and surrendered to Generals Jackson, and Hill. The terms of capitulation were: Officers and men to have ready parole; officers to retain side arms and private property; all United States property to be turned over to the Confederates. While negotiations were pending, the cavalry force under Colonel Davis, escaped and made their way in safety to Greencastle, Pennsylvania. The number of troops surrendered at Harper's Ferry, were eleven thousand five hundred and eighty-three, half of them being from New York, and the remainder from Ohio and Maryland. Among the latter, was Colonel Maulsby's 1st Maryland regiment, Potomac Home Brigade, nine hundred men, Colonel Downey's 3d Maryland regiment, of the same brigade, six hundred men. Captain Russell's 1st Maryland cavalry escaped with Colonel Davis. Seventy-three pieces of artillery, thirteen thousand small arms, two hundred wagons, and a large quantity of tents and camp equipage and military stores fell into the hands of the Confederates.

Leaving General A. P. Hill to receive the surrender of the Federal troops and secure the captured property, General Jackson, with Ewell's division (General Lawton commanding,) and Jackson's, (General Jones commanding,) set out at once to join General Lee, at Sharpsburg, ordering Generals McLaws and Walker to follow without delay. By a forced march, he arrived at Sharpsburg, on the morning of the 16th, where he was joined on the 17th by the remainder of his command. McLaws crossed the Potomac at Harper's Ferry and destroyed the bridge behind him, moved through Martinsburg and Shepherdstown to Sharpsburg.

After the battle of South Mountain, the Confederates, under Hill and Longstreet, reached Sharpsburg, about daylight on the morning of the 15th, followed closely by McClellan. During the day both combatants were occupied in concentrating their detached forces, for the great battle which was to ensue. Tuesday the 16th, there was a heavy artillery firing and some skirmishing during the forenoon, and in the afternoon, the Federals attacked General Hood on the extreme left of Longstreet's line, between Antietam



MAP OF THE

BATTLE OF THE ANTIETAM

Fought Sept. 16 & 17th, 1862.

Engraved for Campaigns of the Army of the Potomac

Scale of Miles

Union Troops — Confederate Troops

creek and the village of Sharpsburg. Hood held his position, but during the night the Federals threw a strong force across the Antietam, in front of Hood, and renewed the attack at daylight on the next morning after he was relieved by Lawton.

On the morning of the 17th of September, the Confederate line was drawn in front of the town of Sharpsburg, on a range of hills with the flanks resting on the Potomac, which makes a sharp curve at this point. Lee's front was covered by the Antietam, and nearly parallel with the course of the stream. Longstreet, with his command, was posted on the right of the road from Sharpsburg to Boonsboro', and D. H. Hill's command on the left, with Lawton's and Trimble's brigades from Ewell's division, commanded by Lawton, on the extreme left of him and near the Hagerstown road. Jackson took position on Lawton's left with his right resting upon the Hagerstown road, and his left extending towards the Potomac, protected by General Stuart, with his cavalry and horse artillery. General Walker, with his two brigades, was stationed on Longstreet's right. The force under Lee, was about forty thousand men.

About half a mile in the rear of the Confederate left, and on the west of the Hagerstown road, was a small meeting house known as the Dunker church. It was surrounded by a skirt of woods, which extended in a circular form northward to where the Hagerstown road passed. In this woods and near the church, were limestone hedges, behind which, at times, the Confederates took shelter. Three stone bridges crossed the Antietam, one in front of Longstreet, on the Confederate right, a second in front of Hill, in the centre, and a third opposite Jackson, by the Dunker church, near this there was also a ford.

Confronting the Confederate lines on the left, were the corps of Hooker and Mansfield, supported by Sumner's and Franklin's; Burnside on the extreme right, and Porter in the centre. During the night of the 16th, Hooker's and Mansfield's corps crossed the Antietam on the Confederate left, and advancing southwesterly to the eastern edge of a cornfield in the centre of the woods near the Dunker church, took post for the night. At daylight on the 17th, the Federal batteries which were placed on the ridge on the east side of the Antietam, and those crossed by Hooker and Mansfield, opened a furious cannonade on the Confederate left, under cover of which Hooker assailed Jackson. The Federal artillery was replied to by the batteries of Poague, Carpenter, Brockenbrough, Raines, Caskie and Wooding. Hooker under a terrific storm of shell, canister and musketry, advanced his corps of eighteen thousand men, with Doubleday's division on the right, Meade's in the centre, and Ricketts on the left. Jackson met him with two divisions, Ewell's and Jackson's, commanded respectively by Lawton and Jones numbering four thousand men.[1] This small force met Hooker's corps with the utmost resolution, and for several hours the conflict raged with great fury and alternate success.

[1] *Reports of the Army of Northern Virginia*, II., pp. 222-225.

"'The terrific nature of the conflict in which these brigades had been engaged,' says General Early, 'and the steadiness with which they maintained their position, is shown by the losses they sustained. They did not retire from the field until General Lawton had been wounded and borne from the field; Colonel Douglas commanding Lawton's brigade, had been killed, and the brigade had sustained a loss of five hundred and fifty-four killed and wounded, out of eleven hundred and fifty, losing five regimental commanders out of six. Hays' brigade had sustained a loss of three hundred and twenty-three out of five hundred and fifty, including every regimental commander and all of his staff, and Colonel Walker, and one of his staff had been disabled, and the brigade he was commanding had sustained a loss of two hundred and twenty-eight, out of less than seven hundred present, including three out of four regimental commanders.'" And Jackson adds, "The carnage on both sides was terrible—more than half the brigades of Lawton and Hays were either killed or wounded."[1]

With heroic spirit these brave men had maintained their position in the face of superior numbers, sometimes driving the Federals before them and sometimes compelled to fall back before their well sustained and destructive fire, fresh troops from time to time relieving Hooker's advanced lines. About seven o'clock, A. M., General Starke and Colonel Douglas, of the Confederates, were killed. Their ammunition becoming exhausted the wrecks of Jackson's division, and the brigades of Lawton, Hays and Trimble, were withdrawn to the rear, and Hood, of Longstreet's command, again took the position from which he had been relieved the evening before. General Stuart moved his horse-artillery a little to the rear, and near the main line. In consequence of General Lawton's wound, General Early assumed command of Ewell's division.

At about half-past seven o'clock Mansfield's corps reached the field by the way of the Hagerstown road, for the purpose of relieving Hooker's troops, where he was met by Early, who had come out of the woods at the Dunker church. Another severe engagement ensued, and the advancing Federals were driven back. Of Mansfield's corps the first division, under General Williams, occupied a position on the right, and the second, under Greene, on the left. In placing them in position, General Mansfield was killed, and upon General Williams assuming command, General Crawford took command of his division. General Williams was driven back to the woods, and the combat which had raged so long on each side was still undecided. Hooker, having been shot through the foot, his corps was dispersed and routed, closely pursued by the Confederates. At this moment Sumner's corps arrived, and throwing Sedgwick's divisions on his right, into the woods where Crawford had been fighting, he easily drove the remnants of the Confederate line before him. Sumner also advanced French's and Richardson's divisions to the left to oppose the Confederate centre under Hill. For a time Sumner's divisions flanked the Confederates, who retired slowly, fighting every inch. It was a trying hour; Sumner saw his advantage and pressed it with vigor. Eight batteries were in full play upon the retreating Confederates, and the dis. of

[1] *Reports of the Army of Northern Virginia*, ii., pp. 190-191.

[2] *Ibid.*, ii., p. 198.

heavy guns, whistling and bursting of shells, and the roar of musketry, were almost deafening. At this critical juncture the divisions of McLaws and Walker, which had just come up from Harper's Ferry, confronted Sumner's victorious troops. The Confederates had fought until their ammunition, as well as their strength, were well nigh exhausted. But encouraged by the opportune reinforcements, the whole line rallied, and the fight was resumed with redoubled energy. Splendidly manœuvred, the divisions of McLaws and Walker swept on like a wave upon Sumner's columns that had so stubbornly forced their way to the original position held by the Confederates in the morning. Half an hour later, Sumner's corps gave way, and was pursued at one point for nearly a mile. The success of the Confederates at this end of the line was now complete, as they forced Sumner out of the woods on the west side of the Hagerstown road, and back across the open corn-field and into the woods on the east side of the road—the position originally held in the morning. The Confederates did not follow up their advantage on this end of the line, but retired to their first position when the battle began.

While Sumner was thus engaged, the divisions of Richardson and French had made a strong demonstration upon the Confederate centre under D. H. Hill. The brigades of Kimball and Weber, under French, and the brigades of Meagher, Caldwell and Brooke, under a heavy support of artillery, drove the Confederates half way from the Antietam to Sharpsburg, and succeeded in getting possession of a sunken road, which ran almost at right angles to the Hagerstown road. The action at this point was fierce and stubbornly contested, but the heavy fire of the Confederate artillery forced the Federals to retire. At this moment the latter were reinforced by the divisions of Sloeum and W. F. Smith, of Franklin's corps, and advanced again steadily in three lines. They were met with a galling fire, recoiled, again advanced, and again fell back, and finally, taking shelter behind the crest of a hill, kept up an irregular firing for the rest of the engagement.

While the attack upon the Confederate left and centre was in progress, General Burnside made repeated efforts to force the bridge, over the creek, opposite Longstreet's right wing, defended by General Toombs, with two regiments of his own brigade and the batteries of General Jones. This small force repulsed five different assaults made by greatly superior numbers. In the afternoon, General Burnside made a feint, as if intending to pass by the bridge below, and then threw a heavy force upon Toombs, and drove the Confederates from their position. But the timely arrival of General A. P. Hill, with his command, from Harper's Ferry, entirely changed the position of affairs. He was ordered to reinforce General Jones, commanding Longstreet's right wing, and moved to his support with the brigades of Archer, Branch, Gregg, and Pender, who attacked the Federals and with the assistance of several batteries of artillery arrested their progress. After an obstinate resistance the Federals began to waver. At this moment, General Jones, ordered Toombs to charge the flank, while Archer, supported

by Branch and Gregg, charged them in the front. General A. P. Hill, in his official report, says that "the enemy had already advanced in three lines, had broken through Jones' division, captured McIntosh's battery, and were in the full tide of success. With a yell of defiance, Archer [of Maryland], charged them, retook McIntosh's guns, and drove them back pell-mell. Branch and Gregg with their veterans sternly held their ground and pouring in destructive volleys, the tide of the enemy surged back, and, breaking in confusion, passed out of sight." Burnside, made a brief resistance, then broke and retreated in confusion towards the Antietam, pursued by the Confederates, until he reached the protection of his batteries on the opposite side of the creek. In this attack the Confederates lost General L. O'B. Branch, killed. The troops of General Hill, were now recalled, and they occupied the position originally held by General Jones, in the morning.

This repulse ended the battle of Sharpsburg, or Antietam as it is sometimes called, one of the most sanguinary and protracted engagements of the war. The results of the battle may be briefly summed up. Every effort of McClellan to dislodge General Lee from his position had been defeated with severe loss. The Confederates lost in killed and wounded, about eight thousand men, and the Federals twelve thousand five hundred. Nowhere did McClellan gain any advantage over the Confederates. Varying as were the successes of the day, Lee was left intact, unbroken, and an equal master of the field with his antagonist. Both armies fought well, and were handled in a masterly manner, and their losses were heavy. McClellan had the advantage not only in numbers, but of a position from which he could assume an offensive or defensive attitude at will; besides which, his signal stations on the Blue Ridge, commanded a view of every movement of Lee's army. Lee could not make a manœuvre in front or rear that was not instantly revealed to their lookouts; and as soon as the intelligence could be communicated to the Federal batteries below, shot and shell were poured upon the moving columns. The total strength of McClellan's army was about ninety thousand men, Lee's was less than forty thousand.

The following distinguished Confederate officers were killed in this battle: Longstreet's division, Colonel Liddell, 11th Mississippi; Lieutenant Colonel's Coppens and Holmes, of the 2d Georgia volunteers; Jackson's division, General Starke, Colonel Douglas and thirty-six other officers; D. H. Hill's division, Brigadier General G. B. Anderson; Colonel C. C. Tew, 2d North Carolina regiment; Colonel W. P. Barclay, 23d Georgia; Colonel Levi B. Smith, 27th Georgia; Lieutenant Colonel J. M. Newton, 6th Georgia; Major Tracy, 6th Georgia; Major Robert S. Smith, 4th Georgia; in the 27th Georgia regiment every commissioned officer was killed; in the 4th North Carolina all the officers were killed or wounded; General A. P. Hill's lost General L. O'B. Branch, of North Carolina, Colonel Barnes; General McLaws lost his adjutant general, Major T. S. McIntosh. Among the Federal killed were Major General Mansfield, Major General Israel B. Richardson, Brigadier General

Isaac P. Rodman, Colonel Kingsbury, of Connecticut, Colonels Crossdale, Childs and McNeil, of Pennsylvania, Colonel Hinks, of Massachusetts, Colonel Coleman, of Ohio, and Lieutenant-Colonel Dwight, of Boston.[1]

Captain Noyes, who visited the field soon after the battle, gives the following graphic description of what he saw:

"My route carried me over the battle-field, and I spent much of the afternoon, part of the time in company with a friend, in visiting some of the most severely contested points, to be awe struck, sickened, almost benumbed with the sights of horror. Within this space of little more than a mile square—this spot, once beautiful with handsome residences and well cultivated farms, isolated, hedged in with verdure, sacred to quiet, calm content, the hottest fury of man's hottest wrath had expended itself, burning residences and well-filled barns, plowing fields of ripened grain with artillery, scattering everywhere through corn-fields, wood, and valley, the most awful illustrations of war. Not a building about us which was not deserted by its occupants, and rent and torn by shot and shell; not a field which had not witnessed the fierce and bloody encounter of armed and desperate men.

"Let us first turn off to the left of the Hagerstown turnpike; but we must ride very slowly and carefully, for lying all through this cornfield are the victims of the hardest contest of our division. Can it be that these are the bodies of our late antagonists? Their faces are so absolutely black that I said to myself at first, 'This must have been a negro regiment.' Their eyes are protruding from their sockets; their heads, hands, and limbs are swollen to twice the natural size.

"Passing through this cornfield, with the dead lying through its aisles, out into an uncultivated field beyond, I saw bodies attired mainly in rebel gray, lying in ranks as regular as Death, the Reaper, must have mowed them down in swaths. Our burying-parties were already busily engaged, and had put away to rest many of our own men—still here, as everywhere, I saw them scattered over the fields. The ground was strewn with muskets, knapsacks, cartridge-boxes and articles of clothing; the carcasses of horses, and thousands of shot and shell. And so it was on the other side of the turnpike, nay, in the turnpike itself. Ride where we may, through cornfield, wood, or ravine, and our ride will be among the dead, until the heart grows sick and faint with horror. Here, close to the road, were the haystacks near which our General and Staff paused for a while when the division was farthest advanced, and here, at the corner of the barn, lay one of our men, killed by a shell, which had well-nigh proved fatal to them also.

"Just in front of these haystacks was the only pleasing picture on this battle-field—a fine horse, struck with death at the instant when cut down by his wounds, he was attempting to rise from the ground. His head was half lifted, his neck proudly arched; every muscle seemed replete with animal life. The wound which killed him was wholly concealed from view, so that I had to ride close up before I could believe him dead. Hundreds of his kind lay upon the field, but all were repulsive save himself, and he was the admiral of every passer-by. Two weeks afterward I found myself pausing to gaze upon him, and always with the wish that some sculptor would immortalize in stone, this magnificent animal, in the exact pose of his death-hour. One would like to see something from a battle-field not wholly terrible.

[1] General Lee, in his official report, says: "The arduous service in which our troops had been engaged, their great privations of rest and food, and the long marches, without shoes, over mountain roads, had greatly reduced our ranks before the action began. These causes had compelled thousands of brave men to absent themselves, and many more had done so from unworthy motives. The great battle was fought by less than forty thousand men on our side, all of whom had undergone the greatest labors and hardships in the field and on the march. Nothing could surpass the determined valor with which they met the large army of the enemy fully supplied and equipped, and the result reflects the highest credit on the officers and men engaged."—*Reports of the Army of Northern Virginia*, i., p. 115.

"Over this graveyard of the unburied dead, we marched a mile, every tree pierced with shot or cut with bullets, and came to the little brick Dunker church on the turnpike. This must have been a focal point in the battle, for a hundred round shot have planed its walls, while bullets by thousands have scarred and battered it. A little crowd of soldiers was standing about it, and within a few severely wounded rebels were stretched on the benches, one of whom was crying in his agony. Surgical aid and proper attendance had already been furnished, and we did not join the throng of curious visitors within. Out in the grove behind the little church the dead had been collected in groups, waiting for burial, some of them wearing our uniform, but the large majority dressed in gray. No matter in what direction we turned, it was all the same shocking picture, awakening awe rather than pity, benumbing the senses rather than touching the heart, glazing the eye with horror rather than filling it with tears.

"I had, however, seen many a poor fellow during my ride, something in whose position or appearance had caused me to pause; and here, lying side by side with these others, I saw a young rebel officer, his face less discolored than the rest, whose features and expression called forth my earnest sympathy, not so much for him as for those who, in his Southern home, shall see him no more forever. No one among the burying party knew his name, and before night he was laid in a trench with the rest—no head stone to mark his resting place—one of the three thousand rebel dead who fill nameless graves upon this battle-field.

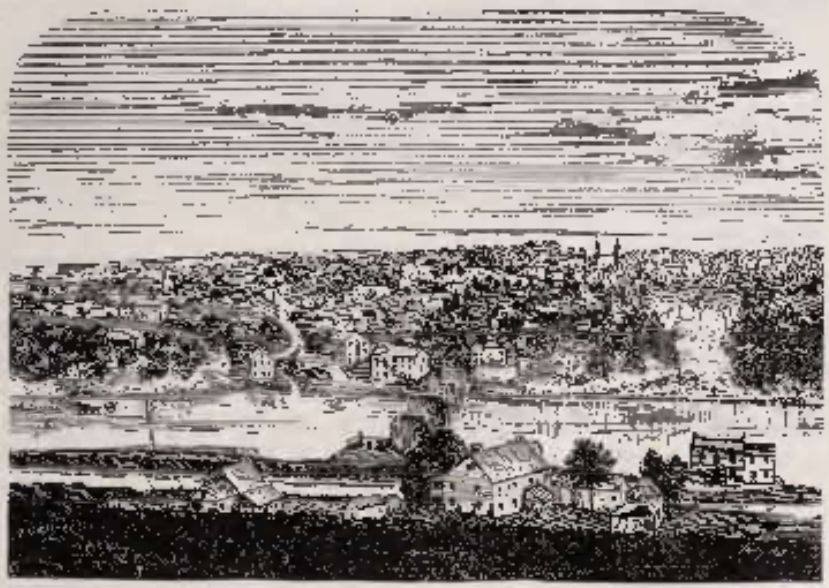
"Very slowly, as men move through the burial places of the dead, we rode through the woods at the back of the church and reached the rocky citadel, behind which crouched the enemy to receive our charging battalions, sweeping their ranks with destruction and compelling their retreat. I was astonished to see how cunningly nature had laid up this long series of rocky ledges, breast high, for the protection of the rebel lines. In front of this breast-work, we found a majority of the dead dressed in blue. At this point also, commenced a long barricade of fence rails, piled closely, to protect the rebel lines and stretching off toward the North. Here is one more evidence of the use to which the rebel generals put every spare moment of time, and of their admirable choice of position.

"One more scene in this battle picture must be seen, and with a wish to it our ride may run. It is a narrow country lane, hollowed out somewhat between the fields, partially shaded, and now literally crowded with rebel corpses. How they stood in line of battle, and here, in the length of five hundred feet, I counted more than two hundred of their dead. In every attitude conceivable—some piled in groups of four or six; some grasping their muskets as if in the act of discharging them; some evidently officers, killed while encouraging their men; some lying in the position of calm repose, all black, and swollen, and ghastly with wounds. This battalion of the dead filled the lane with horror. As we rode beside it—we could not ride in it—I saw the field all about me black with corpses, and they told me that the cornfield beyond was equally crowded. It was a place to see once, to glance at, and then to ride hurriedly away, for, among hearted as were then my mates, I had gazed upon as much horror as I was able to bear."

Such was the bloody battle-field of Sharpsburg on the 17th of September, 1862. At night, notwithstanding the overwhelming odds which Lee had contended against, he remained in possession of the field. On the next day McClellan, notwithstanding his greatly superior force, made no attempt to renew the conflict, but massed his artillery on the east side of the Antietam, as if fearing an attack from the Confederates, being unable himself to take the offensive. "The next morning," says he, on his trial, "I found that our loss had been so great, and that there was so much disorganization in some of

the commands, that I did not consider it proper to renew the attack that day." This was the 13th, and during the whole of that day General Lee remained drawn up in line of battle, ready to renew the conflict if McClellan advanced. His army had suffered heavily, however, and McClellan was rapidly receiving reinforcements; so he determined to recross the river and take time to collect his stragglers and reinforce and recruit his exhausted army.

On the night of the 13th, having previously sent over all his trains, artillery and stores at the ford near Shepherdstown, Lee moved his army to the south bank of the Potomac, entirely unmolested, the last body crossing about ten o'clock on the following morning. Anticipating pur-



SHEPHERDSTOWN, VA.

suit, he made no display of force to intimidate the enemy, who soon followed. The passage of the river was undisputed, except by a few shots from a four-gun battery, whose gunners fled when the Federal advance reached the Virginia side. Supposing that the Confederates were in full retreat, they pressed on with loud cheers. Jackson, who was bringing up the Confederate rear, at once ordered A. P. Hill's division to drive them back. Arriving about half a mile from Boteler's ford, Hill drew his men up in two lines, the first the brigades of Pender, Gregg and Thomas, under command of General Gregg, and the second, Lane, (Branch's brigade) Archer and Brockenbrough, under the command of General Archer, of Harford County, Maryland.

"The enemy had taken the opposite hills," says General Hill, "with some seventy pieces of artillery, and the infantry, who had crossed, lined the crest of the high banks on the Virginia shore. My lines advanced simultaneously, and soon encountered the enemy.

GEN. JAMES A. ARCHER.

"This advance was made in the face of the most tremendous fire of artillery I ever saw, and too much praise cannot be awarded my regiments for their steady, unwavering step. It was as if each man felt that the fate of the army was centered in himself. The infantry opposition in front of Gregg's centre and right was but trifling, and soon brushed away. The enemy, however, massed in front of Pender, and extending, endeavored to turn his left. General Pender became hotly engaged, and informing Archer of his danger, he (Archer) moved by the left flank, and forming on Pender's left, a simultaneous, daring charge was made, and the enemy driven pell-mell into the river. Then commenced the most terrible slaughter that this war has yet witnessed. The broad surface of the Potomac was dyed with floating bodies of our foe. But few escaped to tell the tale. By their own account, they lost three thousand men killed and drowned from one brigade alone. Some two hundred prisoners were taken. My own loss was, slightly killed, and two hundred and thirty-one wounded. Total, one hundred and sixty-one. This was a wholesome lesson to the enemy, and taught them to know it may be dangerous sometimes to prey a retreating army. In this battle (Shepherdstown) I did not use a piece of artillery."[1]

Leaving the dead behind, and unheeding the constant cannonade maintained from the north bank of the Potomac, the Confederates withdrew towards the Opequan, and drew up in line of battle on the west side of that stream, with their left extending to Williamsport and the Potomac. They maintained this position for several days, but McClellan declining to advance, they retired leisurely to the Opequan, near Martinsburg, where they remained a few days and then removed to the vicinity of Bunker Hill and Winchester, carefully removing everything in their route. On the 2d of October, General Lee issued the following order, giving a summary account of his campaign:

"*Headquarters, Army Northern Virginia, October 2d, 1862.*

"General Orders No. 16.

"In reviewing the achievements of the army during the present campaign, the commanding General cannot withhold the expression of his admiration of the indomitable courage it has displayed in battle, and its cheerful endurance of privation and hardship on the march.

"Since your great victories around Richmond, you have defeated the enemy at Cedar Mountain, expelled him from the Rappahannock, and, after a conflict of three days, utterly repulsed him on the plains of Manassas, and forced him to take shelter within the fortifications around the capital.

"Without halting for repose you crossed the Potomac, storming the heights of Harper's Ferry, made prisoners of more than eleven thousand men, and capturing upwards of seventy pieces of artillery, all their small arms, and other munitions of war.

"While one corps of the army was thus occupied, the other insured its success by arresting, at Boonsboro', the combined armies of the enemy, advancing under their favorite general to the relief of their retreating comrades.

[1] *Reports of the Army of Northern Virginia*, p. 129.

"On the field of Sharpsburg, with less than one-third his number, you resisted, from daylight until dark, the whole army of the enemy, and repulsed every attack along its entire front, of more than four miles in extent.

"The whole of the following day you stood prepared to renew the conflict on the same ground, and retired next morning, without molestation, across the Potomac.

"Two attempts, subsequently made by the enemy, to follow you across the river, have resulted in his complete discomfiture, and being driven back with loss.

"Achievements, such as these, demanded much valor and patriotism. History records few examples of greater fortitude and endurance than this army has exhibited; and I am commissioned by the President to thank you, in the name of the Confederate States, for the undying fame you have won for their arms.

"Much as you have done, much more remains to be accomplished. The enemy again threatens us with invasion, and to your tried valor and patriotism the country looks with confidence for deliverance and safety. Your past exploits give assurance that this confidence is not misplaced. "R. E. LEE, *General Commanding.*"

In the battle of Sharpsburg and other engagements fought in Maryland, quite a number of the Maryland commands in the Federal and Confederate armies suffered severely. The 3d Maryland Federal regiment, under the command of Lieutenant Colonel Sudsburg, occupied a prominent position on the right of the line at the battle of Sharpsburg, and was reduced to about two hundred effective men. They fought with the greatest gallantry, driving the Confederates before them and only retired when the remainder of the army fell back. At night they occupied a portion of the field won from the Confederates. Their victory however, was purchased with heavy loss. This gallant command also suffered in the various engagements in Virginia. At the battle of Slaughter Mountain under Colonel De Witt, they lost in killed Major Kennedy, and in killed and wounded seventy-two. At Beverly Ford, on the 21st of August, they were again called into action and had seventeen killed and wounded, and forty-three taken prisoners. Colonel De Witt being sick, Lieutenant Colonel Sudsburg took command at Georgetown, on their march to Frederick, and fought the regiment at the battle of Sharpsburg. The 5th and 2d regiments also evinced distinguished bravery in the battle of the 17th of September. The former regiment was under the command of Major Blumenburg, who was severely wounded, and it lost forty-two killed and one hundred and forty-two wounded. The latter under Lieutenant Colonel Duryea, fought on the left of the Federal line under Burnside, near the stone bridge, and lost several killed and wounded. This regiment had also performed hard service in Newbern, North Carolina. At that time it numbered seven hundred and seventy-nine men, and after the campaign in Maryland, it only numbered two hundred and fifty officers and men. It lost in battle by death and wounds, one hundred and forty-four men. At the battle of Sharpsburg, the Purnell Maryland Legion, fought in the third

* General Longstreet says: "In one month, these troops had marched over two hundred miles, upon little more than half rations, and fought nine battles and skirmishes; killed, wounded and captured nearly as many men as we had in our ranks, besides taking arms and other munitions of war in large quantities."—*Reports of the Army of Northern Virginia*, i., p. 80.

brigade of Brigadier General George S. Green's second division of the eleventh army corps. They were complimented by General Greer for their gallant behavior on the field, having lost three killed, and twenty-four wounded out of one hundred and ninety-three men, with which they went into the engagement. The 1st Maryland (Federal) artillery, or the Gist Artillery, as it was sometimes called, also won great distinction in this memorable battle. It occupied an advanced position.

General Kenly, with his brigade, left Baltimore for the army on the 18th, and arrived at Williamsport on the 20th, to reinforce the Pennsylvania militia, drawn up in line of battle near the town. The Pennsylvanians were very much alarmed at the presence of the Confederates, and had made preparations to destroy the stores, etc., in case of an attack. But the presence of General Kenly's command, notwithstanding their long and forced march, and the great need of rest and subsistence, "encouraged us," says Governor Curtin, "and proved a material influence in compelling the enemy to withdraw to the right bank of the Potomac, and in checking the demonstration he was making on Hagerstown." Governor Curtin, in a very complimentary letter, acknowledged the "valuable services" of the Maryland Brigade at that time, and expressed his thanks to General Kenly personally "for the cheerful alacrity with which you obeyed the orders of General Reynolds, and for the faithful discharge of all the duties which devolved upon you."

In the Confederate army, besides General Trimble, General Archer, Colonel Bradley T. Johnson, Colonel Charles Marshall, Major Henry Kyd Douglas, and other prominent Marylanders, who held distinguished positions and took a prominent part in the battles in Maryland, the State was represented in the ranks by the 1st Maryland artillery, Chesapeake artillery, Baltimore light artillery and several companies of cavalry, besides scouts, etc.

After the campaign in Western Maryland, the entire country around was turned into a vast hospital, for the sick and wounded soldiers of the two armies. Federal and Confederate sufferers were lying side by side in the hospitals, and received equal attention and relief. No distinction was made between them. The ladies of opposite sentiments united as relief associations and accomplished their humane and benevolent objects. The "Christian Commission," of Baltimore, visited the battle-fields, hospitals, and distributed food, clothing and bandages to the sick and wounded, and rendered all possible aid to the needy soldiers. Among those who rendered valuable assistance to the sufferers was Dr. Lewis H. Steiner, of Frederick City.

Subscription lists were opened in all sections of the State by the association for the relief of the sick and wounded, and soon large sums of money, clothing and necessaries were contributed. At Middletown, Boonsboro', Burkettsville, Sharpsburg, Frederick and Hagerstown every church and lecture-room, and many of the stores and private residences were converted into temporary hospitals. Many who had slight wounds made their way to Baltimore, stopping at the railroad stations, etc., to have their wounds dressed. In

Frederick accommodations were made for four thousand sick and wounded. Besides a large number of private houses, the government occupied the following buildings for hospitals: United States General Hospital, City Hotel, United States Hotel, Lutheran, Methodist, new and old Episcopal, Presbyterian and African Churches, three (Nos. 70, 71 and 72) High Schools, two German Reformed Churches, Frederick Female Seminary, Bronson's Academy, part of the Jesuits' Novitiate and the left wing of the Convent occupied by the Sisters of the Visitation Convent. All hours of the day and night the benevolent ladies of Frederick attended at the bed-sides of the sick and wounded in these hospitals, aided by a large corps of volunteer surgeons from Baltimore and the neighboring cities and towns.

Governor Bradford and his staff, with eighteen volunteer surgeons, visited the hospitals around the battle-field of Sharpsburg, and the latter remained to assist the army surgeons in their duties. After the Governor's return, he issued an address thanking the Marylanders under McClellan—the 2d, 3d and 5th regiments, the Purnell Legion, the 1st regiment of the Potomac Home Brigade, and 1st Maryland artillery—for their courage and conduct, and expressing acknowledgments on behalf of the State to General McClellan and Governor Curtin, of Pennsylvania.

On the 1st of October, President Lincoln, accompanied by John W. Garrett, President of the Baltimore and Ohio Railroad, John P. Kennedy, Superintendent United States Census, Marshall Lamon, of the District of Columbia, and several other distinguished personages, visited General McClellan, and remained several days. He visited the battle fields of South Mountain and Sharpsburg, and spent some time in viewing the prominent points of historical interest. He returned to Frederick on the 4th, where he was enthusiastically received by the citizens and soldiers. A speech being called for, he responded as follows:

"I am surrounded by soldiers and a little further off by the citizens of this good city of Frederick. Nevertheless, I can only say, as I did five minutes ago, it is not proper for me to make speeches in my present position. I return thanks to our soldiers for the good service they have rendered, the energy they have shown, the hardships they have endured, and the blood they have shed for this Union of ours; and I also return thanks, not only to the soldiers, but to the good citizens of Frederick, and to the good men, women and children in this land of ours, for their devotion in the glorious cause; and I say this with no malice in my heart towards those who have done otherwise. May our children and children's children, for a thousand generations, continue to enjoy these benefits conferred upon us by a united country, and have cause yet to rejoice under those glorious institutions, bequeathed to us by Washington and his compeers. Now, my friends, soldiers and citizens, I can only say once more—farewell."

On the 4th of August, the President ordered a draft of three hundred thousand militia for nine months, unless sooner discharged, and directed that if any State should not by the 15th furnish its quota of the additional three hundred thousand authorized by the Act of Congress of July 17th, 1862, the deficiency of volunteers in that State would be made up by special draft from

the militia. On the 13th of August, the enrolling officers of the State began to enroll the militia under the direction of John A. J. Cresswell, assistant adjutant-general of Maryland. In Baltimore City the work of enrolling was completed by Messrs. John B. Seidenstricker, Frederick Fickey, Jr., and Henry Stockbridge, the commissioners, on the 22d of August. A great number of persons claimed exemption for various causes, but still the number of those in the city subject to military duty was upwards of twenty-five thousand men. The following table shows the aggregate of volunteers and drafted men that was apportioned at this time among the counties and the city of Baltimore, the number of volunteers furnished up to this time, and the net residue that had to be made up by draft after apportioning excesses:

Counties.	Population in Federal numbers.	Aggregate of volunteers and drafted men apportioned to each county.	Volunteers already furnished.	Net residue to be drafted after apportioning excesses.
Allegheny	37,057	972	1,462	In excess
Anne Arundel	24,021	630	70	491
Baltimore City	221,242	6,296	5,897	46
Baltimore County	51,179	1,600	531	978
Calvert	7,587	246	0	392
Caroline	9,729	304	281	56
Carroll	23,785	742	409	210
Cecil	22,310	695	817	In excess
Charles	12,230	382	1	380
Dorchester	16,398	589	246	343
Frederick	44,250	1,354	1,019	340
Harford	21,295	662	483	201
Howard	11,234	363	116	327
Kent	10,930	341	415	In excess
Montgomery	15,529	486	7	453
Prince George's	17,853	558	8	525
Queen Anne's	12,913	457	76	398
St. Mary's	11,241	370	4	346
Somerset	21,131	669	177	468
Talbot	13,123	379	97	261
Washington	30,169	941	1,048	In excess
Worcester	17,774	536	196	330
	615,056	19,343	14,449	5,965

By this table it will be seen that Allegheny, Washington, Cecil and Kent Counties, furnished an excess of volunteers. Allegheny having sent more than any other county in the State. The excess in these four counties aggregated nine hundred and twenty-four, a due proportion of which being credited to Baltimore City, her deficiency was reduced to forty-six, to be raised by draft.

In some of the Southern counties the draft fell heavily. Calvert County, it will be seen, did not furnish a single volunteer, Charles but one, Prince George's two, St. Mary's four, and Montgomery seven. These counties therefore had their whole quota to raise, which fell the harder upon them as

a large number of their young men had gone to the South. Some of the other counties were also heavily deficient; Baltimore County having but one-third of her quota in the field.

The enrollment having been completed, the long-expected draft took place throughout the State on the 15th of October. Those drawn were notified to present themselves at the place of rendezvous within five days; the rendezvous for Baltimore County being the old cattle-show grounds (for the time being called Camp Bradford), near the northern boundary of the city. Substitutes were accepted in place of those unwilling to serve in person; and a lively business was done in that traffic, prices ranging from $300 to $700. Many of these substitutes, escaping from the camp of instruction, sold their services several times over.

Considerable interest was felt in Baltimore in the mayoralty election, which came off on the 8th of October. The opposing candidates were John Lee Chapman, the "regular Union," and Frederick Hickey, Jr., the "Union," candidate. No candidate was offered by the State-Rights party, as the disfranchisement of the great majority of the citizens prevented any expression of the will of the people. Not satisfied with this, threatening notices, such as the following, were published to intimidate voters from casting their ballots for any but the "regular Union" candidate:

"TO THE BALTIMORE TRAITORS.

"A city rumor is floating about the community to the effect that the distinguished patriot and soldier, General John E. Wool, has given assurances to the traitors of this city that he will protect them in the right of voting at the coming Mayoralty election. Greater injustice could not be done to a brave and gallant old soldier, who has drawn his sword in defence of the Republic, than to attribute such base motives and disgraceful conduct to him. General Wool came to Baltimore to fight, whip and destroy traitors, not to protect them. The rebel must have great presumption indeed who would dare ask his protection from an outraged community whose laws he has trampled under his feet.

"The traitors of this city need expect no aid from General Wool. His business here is to execute the laws of the United States to put down rebellion and crush out treason. He and his brave soldiers are battling for the Union. The bones of their comrades already whiten the fields of Virginia. Let no Maryland rebel dare claim their protection, but rather let righteous and long delayed vengeance be inflicted upon the wretches who are seeking the destruction of the government and the death of its brave defenders.

"UNION."

Fearing a disturbance of the peace, General Wool issued the following address:

"TO THE CITIZENS OF BALTIMORE.

"*Headquarters Middle Department, Baltimore, Md., October 7, 1863.*

"Apprehension being entertained that the peace and quietude of the city may be put in jeopardy in consequence of excited feelings which may be caused by the election to-morrow, therefore, in order to secure to every citizen the sacred right and privilege of the elective franchise, guaranteed by the laws of Maryland, I deem it my duty as Military Commander of this Department, to announce that all proper means will be taken by me to prevent such apprehended disorder, to the end that peace and quiet shall obtain throughout the city." "JOHN E. WOOL, *Major General Commanding.*"

The contest resulted in the success of the entire "regular Union" ticket for Mayor and City Council, with the exception of the councilman from the 14th ward. Mr. Chapman received 9,077 votes and Mr. Pickey 1,231, making a total of 10,308, while a full vote of the city was not less than 15,000. The "disloyal" or "traitors" took no part in the "family quarrel."

The course of General Wool towards the best and most conservative element of the city, excited the ill-will of the extreme faction of the "Union" party, and they made strenuous efforts to have him removed, alleging that his rule was not sufficiently strict, and that he was too much under the influence of the presidents of the Baltimore and Ohio railroad, and the Bay Line of steamboats. To their charges the General replied with spirit in a public communication, in which he stated very plainly his opinion of his censurers and their motives. They, however, put in circulation a petition for his removal, to which he responded by arresting some of the persons said to be active in the movement. Either on this account, or for other causes, General Wool was relieved from a command which he had administered with much discretion, and with firmness tempered by a conciliatory spirit, that gained him the esteem of the better class of citizens—on December 22d, and his place was filled by Major General Robert C. Schenck, of Ohio.

Not long after the battle of Sharpsburg, the State was again thrown into excitement by an adventurous inroad of the Confederate cavalry under General J. E. B. Stuart, an officer famed for his enterprise and daring. In compliance with instructions from General Lee, General Stuart proceeded on an expedition into Pennsylvania, with a cavalry force of 1,800 and four pieces of artillery under Major Pelham. The cavalry was under Brigadier General Wade Hampton, and Colonels Lee and Jones. This force rendezvoused at Darkesville on the 9th of October, and at daylight on the next morning crossed the Potomac above dam No. 5, on the Chesapeake and Ohio Canal, and not far from Cherry Run station on the Baltimore and Ohio Railroad, ten to fifteen miles west of Williamsport. General Stuart proceeded northward to the turnpike leading from Hancock to Hagerstown, where he captured a signal station and all its appurtenances, with eight or ten prisoners; thence striking directly across the National road in the direction of Mercersburg, Pennsylvania, with the intention of capturing Hagerstown. Finding that the Federals were aware of his approach, he turned towards Chambersburg, where he arrived after dark in a rain. Not wishing to defer his attack until morning, Stuart sent in a flag of truce summoning it to surrender. It was met by a number of prominent citizens who informed the officer that there was no military or civil authority in the town, upon which General Hampton took possession of the place and was appointed military governor. About two hundred and seventy-five sick and wounded in hospitals were paroled, the telegraph wires were cut, the railroads obstructed, the railroad depot with a large amount of military stores destroyed, together with the extensive machine shops, trains of cars and other property. From this point Stuart started for

Gettysburg, but after passing the Blue Ridge mountains he turned back toward Hagerstown for six or eight miles and then crossed to Maryland by Emmittsburg, "where as we passed," says Stuart, "we were hailed by the inhabitants with the most enthusiastic demonstrations of joy." Taking the road to Frederick, before reaching the city he crossed the Monocacy, continued the march through the night, *via* Liberty, New Market, Monrovia, on the Baltimore and Ohio railroad, where he cut the telegraph wires and obstructed the railroad. At daylight on the 12th, he reached Hyattstown, where he captured a few of McClellan's wagons, and pushed on to Barnesville. From thence he started directly to Poolesville, but instead of marching upon that point, he avoided it by moving through the woods leaving it two or three miles to his left, and getting into the road from Poolesville to the mouth of the Monocacy. "Guarding well my flanks and rear," he says, "I pushed boldly forward, meeting the head of the enemy's column going toward Poolesville. I ordered the charge, which was responded to in handsome style by the advance squadron (Irving's), of Lee's brigade, which drove back the enemy's cavalry upon the column of infantry advancing to occupy the crest from which the cavalry were driven. Quick as thought Lee's sharp-shooters sprang to the ground, and engaging the infantry skirmishers, held them in check till the artillery in advance came up, when under the gallant Pelham they drove back the enemy's force to his batteries beyond the Monocacy, between which and our solitary gun quite a spirited fire continued for some time. This answered, in connection with the high crest occupied by our piece, to screen entirely my real movement quickly to the left, making a bold and rapid strike for White's Ford, to make my way across before the enemy at Poolesville and Monocacy could be aware of my design." After being delayed by a small force of infantry stationed in the cliffs, Stuart crossed the canal (now dry) and finally the Potomac without the loss of a man.

The crossing of the Confederates into Maryland, was first disclosed to the government by General Keuly, who was stationed with his brigade near Williamsport. On their arrival at Chambersburg, Governor Curtin telegraphed to General Wool that the town was occupied, and that other points in the State were threatened. As this district was in General Wool's department, he started at once for Hanover, by special train from Baltimore, with three regiments and a battery, with reinforcements arranged to follow. At the same time, Generals Pleasanton, Stoneman, Averill, Crook, Burnside and Ward, were using every effort to get on the trail of Stuart's force, with orders to pursue them with the utmost rapidity, and to destroy or capture them if possible. They were also instructed to keep a vigilant watch upon all the roads and fords, so as to prevent Stuart's escape to Virginia. The Confederates, however, made a complete circuit around McClellan's army, and returned into Virginia near the Monocacy, having made a remarkable march of ninety miles in twenty-four hours. Stuart brought over a large number of horses and other stores, besides a number of public functionaries and promi-

ment citizens who were held as hostages for those Southern citizens whom the Federal authorities had taken from their homes and imprisoned at the North.

In the meantime, the Confederates had destroyed about thirty-five miles of the Baltimore and Ohio Railroad, beginning at Harper's Ferry and running west to a point about ten miles west of Martinsburg. This portion of the road had the rails torn up, and either carried off or twisted and rendered useless. All the bridges throughout this extent were destroyed, and at Martinsburg, one of the great store-houses of the company, and an immense amount of damage was done. Switches and sidings were torn up, the various repair-shops, water-tanks, coal-dumps, offices, machine-shops, engines, cars, and, in short, everything pertaining to the railroad was destroyed as far as possible. In consequence of the incessant attacks upon the Baltimore and Ohio Railroad, a vast amount of business was transferred to the Northern Central; enormous quantities of freight, provisions and munitions of war being sent from the West to the junction of the Northern Central with the great Pennsylvania and New York Roads, while cars could be sent direct through Baltimore to Washington, without breaking bulk or disembarking troops.

In the latter part of October, the Confederates captured a large ship, the *Alleghany*, of New York, laden with guano, for London, near the mouth of the Rappahannock, and burnt her. In consequence of this and other depredations made by their boating parties along the shores and creeks of the Chesapeake, the Federal gunboats cruised actively in the bay and its adjacent waters for some time afterward. Several valuable captures were made of Confederate scouts, spies and mails, as well as of volunteers going South to join the army. In consequence of much illicit trading in the Chesapeake, by which the Confederates were supplied with many valuable articles, medicines, etc., Mr. Chase, the Secretary of the Treasury, passed an order on the 28th of August, 1862, requiring all coastwise traders to obtain special permits at the custom-house in Baltimore, under penalty of confiscation of their goods with fine and imprisonment. During the single month of November, in consequence of these regulations, the surveyor of the port of Baltimore, issued seven thousand six hundred and five permits for goods valued at $1,100,778.55, to be resold in those districts of Maryland and Virginia, which were restricted by the orders of the Secretary of the Treasury.

On the 19th of April, 1861, the President issued a proclamation blockading the ports of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas. Lord Lyons says: "Maryland was to have been also included in the blockade, but it was deemed advisable after the proclamation was signed to erase the name of that State."[1] In August, 1862, however, General Wool issued an order requiring all persons leaving the city by the Patuxent, Potomac or West River boats, to obtain permits from headquarters, and at the same time to take the oath; and policemen were stationed on the

[1] Lyons, dated April 27, 1861, to Earl Russell.

clocks to see that the order regarding passes was complied with. To enforce the order on the water the Federal authorities had several gunboats cruising in the Chesapeake and the Potomac, which captured sometimes two or three small vessels a week, engaged in smuggling goods contraband of war into the Confederate lines; running up small rivers and creeks and landing goods to be sent into Virginia, and also in some cases carrying letter mails from Baltimore and the counties. These mails were usually secretly made up at the house of some Southerner, and then carried off as opportunity served.

On the 20th of November, Colonel J. Dimmick commanding Fort Warren, received the following telegraphic order from the adjutant-general's office, Washington:

"The Secretary of War directs that you release all the Maryland State prisoners; also any other State prisoners that may be in your custody, and report to this office."

In pursuance of this order, Colonel Dimmick, on the following day, released from Fort Warren the following State prisoners without imposing any condition upon them whatever:[1]

[1] As it was little else than Confederate sympathizers who were released, Mr. Wallis, while in New York, on his return home, took occasion to address a letter on the subject to the editor of the New York *World*, in which he said: "No condition whatever was exacted to be imposed, and none would have been accepted, as the Secretary of War well knew. Speaking of my fellow-prisoners from Maryland, I have the right to say that they understand, to the last, the principle which they asserted from the first, namely: that if charged with crime, they were entitled to be charged, held and tried in due form of law, and not otherwise; and that in the absence of lawful accusation and process, it was their right to be discharged without terms or conditions of any sort, and they would submit to none."

By way of episode and to close up this disagreeable business, it is proper to mention that, according to the record in the Clerk of Dorchester, 1862, Messrs. Reed, Key Howard, Henry M. Warfield and Severn Teackle Wallis, by their attorney, Severn Teackle Wallis, brought suit against Major-General John E. Wool for "falsely, unlawfully and by force" imprisoning the said gentlemen in Fortress Monroe, "in violation of the laws and Constitution of the United States, and subversive of the rights of the plaintiffs as free citizens of the United States and the State of Maryland," etc. General Wool, who was a wealthy man, with a large estate at Troy, N. Y., appeared and answered by his counsel, Mr. William Schley, petitioning for the removal of the case to the United States Court, which, upon the necessary bonds being given, was granted. At or about the same time the Police Commissioners of Baltimore brought suit against Simon Cameron, late Secretary of War, for the same sort of false imprisonment, the damages in all the cases being laid at $20,000 each. All these suits were brought under an Act of the Maryland Legislature, passed at the Frederick session, in 1861, and by which the writ of *ne exeat* absolute was authorized to be issued out against the lands, tenements, goods and credits of the person charged with the arbitrary proceedings. In the case of the suits against Mr. Cameron, the attachments were laid against property known to be his in the American Telegraph Company and the Northern Central Railroad Company. Mr. Cameron, as General Wool had done, appeared by his counsel, Mr. Thomas S. Alexander, and filed answers asking removal to the United States Court. Gen. Wool in the event has pleaded not guilty, upon the ground of simply obeying his superior officer, the Secretary of War; and when Mr. Cameron was called, he also pleaded not guilty, upon the ground that he was not holding as Secretary of War at the time of the arrests, but that these arrests had been made by another department of the administration, no longer in its stand. The President was naturally willing to assume responsibility for all arrests made by his confidential advisers, and as Congress had enacted [illegible] an act of indemnity of the fullest sort, it would have been useless to push these damage cases any further, and they were accordingly abandoned; but, at the time they were abandoned, it was distinctly upon the ground of Secretary Cameron's plea, in bonor of not guilty. It has been asserted, and is believed, that Cameron's absence from the War Department at that particular time was in consequence of a particular arrangement

Severn Teakle Wallis, Henry M. Warfield, William G. Harrison, T. Parkin Scott, ex-members of the Maryland Legislature from Baltimore; George William Brown, Mayor of Baltimore; Charles Howard, (president,) and William H. Gatchell, of the Baltimore Police Commissioners; George P. Kane, ex-Marshal of Baltimore Police; Frank Key Howard, one of the editors of the Baltimore *Exchange*; Thomas W. Hall, Jr.,[1] editor of the Baltimore *South*; Robert Hall, merchant of Baltimore; Dr. Charles Musgill, of Hagerstown, Md.; William H. Winder, of Philadelphia, and B. L. Cutler.

The Baltimore "Sixty Prisoners" arrived home on the 28th and 29th of November, and received a deep, sincere welcome—a cordial greeting with earnest spoken words—from those who knew that they were true and faithful to the constitution and the laws of the land. To prevent abuse of power in the future, General Wool issued a special order declaring that thereafter no person should be arrested within the limits of his department, except by his order, and in all such cases the charges against the accused party had to be sworn before a justice of the peace by the accuser.

After repeated orders from Washington to advance into Virginia, General McClellan, on the 26th of October, crossed the Potomac on a new pontoon bridge at Berlin, and moved on in the direction of Paris ville. Soon after, General Burnside crossed and took a position at Lovettsville. On the 5th, General McClellan's headquarters were at Rectortown, near Front Royal, and at midnight on the 7th, an order was received from President Lincoln to surrender the command of the army to General Burnside, and to report himself immediately at Trenton, New Jersey. On the 14th Burnside organized the army in three grand divisions—the right composed of the 2d and 9th corps, to be commanded by Major General Sumner; the left, the 1st and 6th corps, assigned to Major General Franklin; the centre, the 3d and 5th corps, to Major General Hooker, while the 11th corps, under Major General Sigel, constituted the reserve. The army had continued to advance to Gordonsville with Lee retreating before it, but now Burnside designed to occupy the attention of the Confederates in front of Warrenton, while he should move rapidly with his main force to Fredericksburg and cross the Rappahannock at that point for a movement on Richmond. Lee discovered the movement, and while Burnside marched along the north bank of the Rappahannock to Falmouth, he proceeded along the south bank to Fredericksburg. Upon arriving at their places of destination, Lee occupied the range of hills on the south side of the Rappahannock, Burnside those on the north side. Between them was Fredericksburg. Under a heavy fire of artillery, Burnside succeeded in throwing two pontoon bridges across the Rappahannock on

with a college in the cabinet, who thought he knew better than any Pennsylvanian could, how, by arbitrary arrests, to break the back of the supposed (but actually non-existent) "secession movement" in Maryland.

[1] Thomas W. Hall, Jr., afterwards entered the Confederate service and was distinguished for gallant and meritorious conduct. He was aide-de-camp and adjutant-general of Gregg's Texas brigade, (previously Hood's). Subsequently, in the winter of 1864–5, he was promoted to be major and assigned to special duty in the Confederate War Department.

the 11th of December, and on the 12th his army began the passage of the river. On the 13th Burnside made an assault upon the Confederate heights in the rear of Fredericksburg, when "a slaughter, the most bloody and the most useless of the war," took place. General Jackson commanded on the right of the Confederate line, and General Longstreet on the left. On the Federal side, Franklin was on the left, Hooker occupied the centre, and Sumner the right. In this battle of Fredericksburg the Federals lost about fifteen thousand, killed and wounded, the Confederates about five thousand. On the Confederate side three rifle guns, under Lieutenant Plater, of the Chesapeake Maryland artillery, occupied a position near Hamilton's Crossing, in General Early's division, and "did excellent service."[1]

On the next day, Captain Dement's 1st Maryland artillery was ordered to the front, and took post on the extreme right of the Confederate line, on the heights at Hamilton's Crossing, but was not engaged, as Burnside did not renew the assault; and during the night of the 14th withdrew his army to the north side of the Rappahannock. Whereupon the Confederate army went into winter quarters, the 1st Maryland on Dejarnette's farm, near Bowling Green.

In consequence of the distrust and want of harmony among the superior officers of the Army of the Potomac, and the demoralization of the troops after the battle of Fredericksburg, General Burnside at his request was relieved from his command, and General Hooker appointed in his stead. He assumed command on the 26th of January, 1863, and on the 2d and 3d of May, fought the battle of Chancellorsville, in which he was defeated with dreadful loss. The Confederates, under Lee, gained a great victory, but this was more than counterbalanced by the death of General "Stonewall" Jackson, who was mortally wounded, by the fire of his own men, in his attack on Howard's corps, and died the 10th of May. His loss was irreparable, and was deeply felt throughout the South.

At the battle of Chancellorsville, the 1st Maryland Confederate artillery and the Chesapeake artillery defended an important position in front of Sedgwick's corps, and did such service as to elicit the especial notice and commendation of Major General Early. The 1st Maryland, on the following day (3d of May), held an important position on the right of Marye's Hill. Both companies lost heavily in killed and wounded in this series of engagements.

[1] General Early's *Report of the Army of Northern Virginia*, ii., pp. 472, 587, 588.

CHAPTER XLVI.

WHILE the armies were thus honorably contending on fields of battle, General Schenck and his congenial provost-marshal, William S. Fish, found a safer sphere of distinction in tyrannizing over the unarmed inhabitants of Baltimore. Fish, who had been lieutenant-colonel in the 1st Connecticut cavalry, was a brutal ruffian and debauchee, and from his accession to office on January 21, 1863, every imaginable insult and outrage were heaped upon the people, until the time when his career found its proper close in the Albany penitentiary. His earliest exploits were upon the churches. A congregation of the Methodist Episcopal denomination worshipped at the Assembly Rooms, corner of Lombard and Hanover streets. On Sunday, February 8th, on entering the rooms, the members found two large flags prominently displayed, which gave offence to a number of the congregation and they left the services. The matter having been brought to the notice of the military authorities, Fish served the following order on the pastor:

"I understand that considerable dispute is excited in view of a class of persons who assembled at your rooms in consequence of the American flag being displayed there. You will hereafter cause constantly to be displayed there in a conspicuous position at the end of the hall, a large-sized American flag, until further orders."

This bit of petty tyranny was followed in a few days by another of a similar nature. The Rev. Dr. Dashiell, of Strawbridge Chapel, Biddle street, on proceeding to his church on a Sunday morning, found that a large flag had been suspended in front of the building. Upon removing it, he was arrested and detained by the military authorities. At the Chelsworth Methodist Church, on the corner of Pine and Franklin streets, a crowd of men, during service, fastened a flag over the door, so as to compel the congregation on emerging from the church to walk under it. As the flag was raised for the purpose of creating a disturbance, the congregation paid no attention to it, but Fish sent a note to the trustees, saying:

"I understand that, rather than worship God under the shadow of the American flag, you have in consequence of the order for you to display in the building where you hold your service our glorious flag, concluded not to hold such worship at the place you have been commanded to have it, and have chosen some other place for no other purpose than evading this order; therefore you will, under these circumstances, cause to be conspicuously displayed in the public building or buildings where you meet to-morrow (16th of February), the American flag, as in accordance with the first order to Mr. Cooch. I understand that the congregation, of which you are the trustees, are to meet in two places; the regulations mentioned above will have reference to each place."

In reply to General Schenck, one of the trustees observed among other reasons that they entertained no objection to worship under the American flag, but they did object to an order which applied to their church alone.

The Rev. Dr. Dashiell having refused to sign a paper apologizing for taking down the flag at Strawbridge Chapel, was committed to Fort McHenry, where he remained until he signed a paper prepared by Fish, to the effect that he would conduct himself as a loyal citizen.

Some little excitement was also caused at this time by the following order which was served on all the music dealers and publishers in the city:

"*Headquarters Middle Department, Eighth Army Corps,*
Office of the Provost Marshal, Baltimore, March 7, 1863.

"Publishers of Music, Baltimore City.

"Gentlemen: The publication or sale of secession music is considered by the commanding general and the Department at Washington an evil, incendiary, and not for the public good. You are therefore hereby ordered to discontinue such sales until further orders. Also, to send to this office any such music you may have on hand at present.

"By order. "H. C. SCHENCK, *Major General.*

W. W. Ryan, Lieut. Col. and Provost Chief, Middle Department 8th Army Corps

This order was complied with, and a large quantity of music sheets, of the kind indicated, sent to the marshal's office. This, however, did not seem to gratify the military authorities, and on the 11th all the music dealers were summoned by Fish to appear at his office, who demanded the surrender of all the copper-plates of the various pieces of music, the sale or publication of which had been prohibited. Upon this order being complied with, they were compelled to sign the following "parole," to effect their release:

"*Headquarters Middle Department, Eighth Army Corps,*
Office Provost Marshal, Baltimore, March 11th, 1863.

"We, — — —, hereby make solemn oath and give our parole of honor that we will, in every respect, demean ourselves as true, loyal and law-abiding citizens of the United States, neither doing ourselves, aiding or abetting or countenancing any act prejudicial to the good of the United States, and its civil and military laws. Furthermore, that we will not correspond with any parties in the States now in rebellion, neither by word, letter or sign, unless under the proper military supervision; and that we will not attempt to trade ourselves, or be interested in any commercial transactions, directly or indirectly, in which goods, wares or merchandise are sent or carried into, or designed to be carried into any of the States above mentioned, nor attempt to go into any of those now in rebellion."

"National" melodies or those of strictly "loyal" sentiments, were alone allowed on sale, and in consequence, many Southern war-songs are now excessively rare, and only to be found in the portfolios of curious collectors, together with the envelopes, songs, placards, writing paper, etc. A similar onslaught was also made on the photographers, by the following order:

"*Headquarters Middle Department, Eighth Army Corps,*
Office Provost Marshal, Baltimore, March 11th, 1863.

"Daniel Pontier is hereby ordered to proceed to any photographist, or dealer in pictures in this city, and seize all pictures of rebel generals and statesmen which they are

publicly or privately exposing for sale, as they have been repeatedly requested not to display such pictures for sale, and furthermore ordered by Marshal Van Nostrand not to sell such pictures; and the sale of such pictures is hereby forbidden hereafter, unless by special permission of the military authorities.

"Per order of Major General "R. C. SCHENCK.

"W. S. Fish, *Lieutenant Colonel and Provost Marshal.*"

At the same time that the sale of these articles was forbidden in Baltimore, they were freely exposed for sale in the Northern cities and New England Villages, the "copperhead" element of the North, not being deemed of sufficient importance to cause a prohibition of these pictures there. Under this order a number of seizures and arrests were made. Confederate songs and broadsides, and pamphlets of a "disloyal" character were obliged to be privately printed, as a great number were. Red and white (without the blue), being forbidden colors, all sorts of schemes were employed to use them without drawing down the vengeance of Fish and his agents. A contemporary writer giving an account of the usurpations practiced by the military authorities at this period in Baltimore, says:

"The authors or agents of these wrongs did not pretend to respect the forms of law, nor did they generally condescend to order, even informally, any specific charges against those whom they thus thrust into prison. Nor was it merely in its overthrow of the laws and Constitution of the State, that the 'Union' party wielded and upheld the Federal government. They equally countenanced and apologized for the insolent and barbarous treatment to which individual citizens were subjected. Brutal outrages, such as had never disgraced the soil of Maryland, and acts of petty tyranny which any man would, a twelve month before, have been ashamed to order or execute, were perpetrated without eliciting a word of public remonstrance or denunciation from the 'Union' party. Persons were dragged from their homes upon the mere order of some contemptible underling of the government. The houses of citizens were invaded and ransacked in the search for arms, papers and flags; and oftentimes without even the pretext of an excuse for the outrage, being confessedly in the wrong place. Newspapers were denied the privilege of passing through the mails, and were finally suppressed by the arrest of their editors. Men and women were stopped on the streets and ordered to strip from their persons ribbons or scarfs, of which the colors were obnoxious. Nurses were turned off to the station-house for carrying in their arms babies wearing red and white socks. Free speech became an act of treason, which the government agents punished when they chose; and persons of both sexes and of all ages were over and over again arrested for some casual remark which was disrespectful to the government, and was, therefore, deemed to be 'disloyal.' Even the unconscious utterance of the drunken reveller were noted by the active agents of Mr. Lincoln, and numbers of men were arrested for having, in their cups, said something that savored of respect for Mr. Jefferson Davis or 'Stonewall' Jackson. In the shameless race for pre-eminence in servility to the all-powerful dictator, spies and policemen had not the foremost place; for the Judge upon the bench of the Criminal Court, and the State's Attorney, gravely asserted when a man was on 'trial' before them, that it was 'illegal' and 'treasonable' to drink the health of Mr. Jefferson Davis. And the counsel who denied the ridiculous proposition, was and, for months, in Fort Lafayette, by the provost-marshal. All this time the 'Union' party hounded on the government officials to acts of increased severity.

The rights of their opponents were alluded to, only to be derided. It was asserted that all the privileges to which those opposing Mr. Lincoln's proceedings had been borne were abrogated; and that the protection which the laws terminally threw around them, had been dissipated by a whisper from the president at Washington. The Baltimore *American* was blatant in its outcries for the initiation of more stringent measures, which should crush out every vestige of free thought and free speech, in a community in which its own base leanings had been always tolerated. Politicians who had enjoyed all the rewards and honors which the state could once confer, and who still professed to have its dignity as well as interest at heart, saw its representatives driven from their place at the point of the bayonet, and merely sneered at what they called the 'defunct legislature.' A dozen or more of the most wealthy and influential members of the 'Union' party, not content with silent gratitude to the men who had lost them regiments, went to render their humble homage in person. Bowing before the despot's throne, they thanked him for having removed from their midst, those whom they designated as 'incendiary politicians,' and assured him that he had thereby lain, though they did not say where, 'the foundations of affection and gratitude.' And there was not a man among them who did not know that his own character for integrity and manhood would, in the community in which he lived, suffer by a comparison with that of more than one of the prisoners whom he thus infamously flatter, and who were then in Fort Warren and dungeons."[1]

All public buildings were required to have flags, and Fish even issued an edict against weather-beaten and worn-out banners, ordering new ones to be replaced in several instances where long use had impaired their beauty. About the first of May the provost-marshal's quarters were removed from Taylor's building on Fayette street, to the Gilmor House on Monument Square at the corner of Courthouse lane; the whole edifice being occupied for various offices connected with the Department, also barracks for the guards, etc., while the two upper stories were used as a prison for the detention of persons brought before the authorities on charges of "disloyalty." Later in the year Donovan's slave jail, which stood on the southwest corner of Camden and Eutaw streets, was taken for the provost-marshal's prison. Many of the most respectable and distinguished citizens of the State, both male and female, were from time to time incarcerated in this wretched pen.

The position of Maryland towards the Federal government was frequently discussed in Congress, and on the 13th of February very strong resolutions were passed by the City Council of Baltimore, insisting that the "loyalty" of the State and city were unquestionable, and that various measures of legislation introduced into Congress, calculated to injure Baltimore, were totally unjust, and that in the view of the Council the loyalty of the city and State deserved other reward than the isolation of the chief city of Maryland from its natural resources, as contemplated by the proposed injurious measures. Particular objection was made to the construction of any railroad from Washington to New York, which should isolate Baltimore, as would be done by one which was proposed. Also against any road from the Point of Rocks to Washington City, after the immense sums which Baltimore and the State had contributed toward the Baltimore and Ohio Railroad. The Washington road,

[1] *State Rights and Union Parties in Maryland Vindicated*, p. 23.

already existing under the able administration of its president, John W. Garrett, was amply sufficient for all purposes, as had been thoroughly proved during the war, by the enormous amount of freight which had been carried over it, and the armies transported to the defence of Washington. It was further resolved that the senators and representatives of Maryland in Congress, should be memorialized on these subjects, (excepting the Honorable Henry May, of the fourth Congressional District), and that a committee of three members of each Branch be sent to Washington to confer with these legislators.

We now revert to the operations of the armies in the field.

"After the battle of Chancellorsville, 'the position occupied by the enemy,' says General Lee, 'opposite Fredericksburg being one in which he could not be attacked to advantage, it was determined to draw him from it. The execution of this purpose ordered the relief of the Shenandoah Valley from the troops that had occupied the lower part of it during the winter and spring; and, if practicable, the transfer of the seat of hostilities north of the Potomac. It was thought that the corresponding movement on the part of the enemy, to which those contemplated by us could probably give rise, might offer a fair opportunity to strike a blow at the army therein commanded by General Hooker, and that, in any event, that army would be compelled to leave Virginia, and possibly to draw to its support troops designed to operate against other parts of the country. In this way, it was supposed that the enemy's plan of campaign for the summer would be broken up, and part of the season of active operations be consumed in the formation of new combinations and the preparations that they would require. In addition to these advantages it was hoped that other valuable results might be attained by military success.'"

Having arranged his plan of campaign, General Lee proceeded with great energy, to put it into execution. The infantry were organized into three corps, under Longstreet, Ewell and A. P. Hill, each of these corps containing three divisions. The cavalry under J. E. B. Stuart, consisting of the brigades of Fitzhugh Lee, Hampton and W. H. F. Lee, which were concentrated at Culpeper Court House.

All his preparations having been made, on June 3, 1863, McLaw's division of Longstreet's corps left Fredericksburg for Culpeper Court House, and Hood's division of the same corps was ordered to the same place. On the next day, Ewell marched in the same direction, leaving A. P. Hill to occupy the lines at Fredericksburg.

On the 11th and 12th, Hooker broke up his encampments on the line of the Rappahannock, and moved cautiously northward, followed by Hill.

We have seen that the term of service of the 1st Maryland Regiment of Confederate Infantry having expired, they were disbanded on the 17th of August, 1862. The most of the officers and men returned to Richmond, where a number joined other commands, but a greater proportion soon made active preparations for the formation of the 2d Maryland Infantry. It was fully organized early in the spring of 1863, at Winchester, Va., by the election of Lieutenant Colonel, James R. Herbert; Major, W. W. Goldsborough; Acting Adjutant, Lieutenant George Thomas; Quartermaster,

Major Charles Harding; Commissary Captain, John E. Howard; Surgeon, DeWitton Snowden. Commanders of companies: company A, William H. Murray; company B, Captain J. Parran Crane; company C, Captain F. C. Duvall; company D, Captain Joseph L. McAleer; company E, Captain John W. Torsch; company F, Captain A. J. Gwynn; company G, Captain Thomas R. Stewart.

In April, 1863, while under General Jones, they made a raid on Moorefield, West Virginia, and in the latter part of May, with the Baltimore Light Artillery, Captain Griffin, and the 1st Maryland Cavalry, they were encamped at Fisher's Hill as a nucleus of the Maryland Line which was then forming. During their stay at this point they had several severe skirmishes with the Federals in which a number of the command were killed and wounded.

Meanwhile, General Lee had continued to push northward. On the 9th, Stuart's and Pleasanton's cavalry had a severe contest near Beverly's and Kelly's Fords, in which the 1st Maryland Federal cavalry regiment suffered severely. On the 10th, Lieutenant-General Ewell pressing forward passed by Gaines' Cross Roads, Flint Hill and Front Royal, arriving at Cedarville on the 12th. At this point he detached Rodes' division, with General Jenkins' cavalry brigade to capture Colonel McReynold's at Berryville, and then to press on to Martinsburg. With the remaining force Ewell proceeded to attack Winchester. On the 13th, he sent Early's division and Colonel Brown's artillery battalion, (under Captain Dance,) to Newton on the valley pike, with directions to advance on the town. The enemy had abandoned it, and Early accordingly moved down the pike towards Winchester. When he arrived at Kernstown he was joined by the Maryland battalion of infantry, under Lieutenant Colonel Herbert, and the Baltimore Light Artillery, Captain Griffin. Upon approaching Winchester, three companies of Herbert's battalion under Major Goldsborough were thrown forward as skirmishers, and although subjected to a severe artillery fire, drove the Federals into their works around the town. On the same day, Johnson's division, preceded by Newman's cavalry, drove in the Federal pickets on the Front Royal and Winchester roads, and formed line of battle two miles from town preparatory to an attack. After some skirmishing, Milroy opened from a battery near the Nineveh road, and Carpenter's battery, (Lieutenant Tanner commanding,) was placed by Lieutenant Colonel R. Snowden Andrews to the left of the Front Royal road, and opened vigorously, soon driving off the opposing battery, and blowing up a caisson. About five o'clock, Early, with Gordon's and Hay's brigade, attacked and quickly carried the outer defences of the town and captured six pieces of artillery. Night coming on, they lay upon their arms. Meanwhile Johnson was sent with James A. Walker's "Stonewall" brigade, Nichol's Louisiana brigade, Colonel J. M. Williams, commanding, and three regiments of George H. Stewart's Virginia and North Carolina brigade, and William F. Dement's First Maryland artillery, with sections of Raine's and Carpenter's (the whole under Lieutenant Colonel R. Snowden Andrews), to

make a detour to the east of the town to occupy the Martinsburg road, about two and a-half miles from Winchester, and thus intercept Milroy's line of retreat, or to be ready to attack at daylight, if the enemy held their ground. During the night Milroy cut down his guns and attempted a precipitate retreat to Harper's Ferry. A small part of his command had passed, when Johnson, who had been delayed in getting into position, arrived about daylight at the Martinsburg road, and at once attacked the passing column.

"Forming line parallel with the pike," says Ewell, "behind a stone wall, George H. Steuart on the right, and the Louisiana brigade on the left, twelve thousand men in all, and pushing the artillery favorably, Johnson was immediately attacked by Milroy with his whole force of infantry and cavalry, his artillery having been abandoned at the town. The enemy made repeated and desperate attempts to cut their way through. Here was the hardest fighting which took place during the attack, the odds being greatly in favor of the enemy, who were successfully repulsed and scattered by the gallantry of General Johnson and his brave command. After several fruitless attacks had been steadily met and repulsed, they attempted to turn both flanks simultaneously, but were met on the right by General Walker and his brigade, which had just arrived on the field (having been left behind by mistake) and on the left by two regiments of Nichols's brigade, which had been held in reserve. In a few minutes the greater part of them surrendered—twenty-three to twenty-five hundred men. The rest scattered through the woods and fields, but most of them were subsequently captured by our cavalry. General Milroy, with two hundred and fifty or three hundred cavalry, made his way to Harper's Ferry. The fruits of this victory were twenty-three pieces of artillery, nearly all rifled, four thousand prisoners, three hundred loaded wagons, more than three hundred horses, and quite a large amount of commissary and quartermaster stores. My loss was forty-seven killed, two hundred and nineteen wounded, and three missing. Lieutenant-Colonel Andrews, who had handled his artillery with great skill and ability in the engagement of the 14th, was wounded just at the close of the action."

In the summary of his "report of operations of the Second Army Corps" in the summer campaign of 1863, he adds:

"Lieutenant-Colonel Andrews, of the artillery, not fully recovered from his serious wound at Cedar Run, was again wounded at Winchester, and while suffering from his wounds appeared on the field at Hagerstown and reported for duty." At Winchester "Lieutenant Charles S. Contee's section of Dement's [First Maryland] battery was placed in short musket-range of the enemy on the 14th of June, and maintained its position till 3 o'clock. Sixteen of the sixteen men in the two detachments were killed or wounded, when Lieutenant John A. Morgan, of the 1st North Carolina regiment, and Lieutenant R. H. McKim, A. D. C. to Brigadier-General George H. Steuart, volunteered and helped to work the guns till the surrender of the enemy. The following are the names of the gallant men belonging to the section: Lieutenant C. S. Contee, W. H. May, J. W. Owens, Samuel Thomas, —— Mustachey, A. J. Albert, jr., John Kesler, William Hill, B. W. Owens, John Glascock, John Harris, William Worden, C. C. Pease, Frederick Frayer, —— Duvall, William Compton, John Yates, Wilfare Brown, William H. Gorman, Thomas Moore, Robert B. Chew. Colonel Brown, chief of artillery, recommends Lieutenant Contee for promotion in the cavalry of the Chesapeake (Maryland) artillery; also Captain W. D. Brown, a most gallant and valuable officer, killed at Gettysburg." General Ewell also expresses his thanks to the officers of his staff for their distinguished gallantry and valuable services during the campaign, among whom he mentions Lieu-

Jenkins, Elliott Johnson, of Baltimore. "At Winchester the Maryland battalion was attached to General Steuart's brigade, and the Baltimore Light Artillery to Colonel Brown's battalion, with which they served with their usual gallantry throughout the campaign."[1]

Major General Early, in his official report of the battles around Winchester, also said: "I must also commend the gallantry of Lieutenant Colonel Herbert and Major Goldsborough, of the Maryland Line, and their troops."

We have seen that Colonel Kenly, "for gallant conduct at the battle of Front Royal," was promoted on the 22d of August, 1862, to brigadier-general, and on the 6th of September to the command of the Maryland brigade, composed of the 1st, 4th, 6th, 7th and 8th regiments of Maryland infantry, and Alexander's Battery of Artillery. On the first invasion of Maryland by General Lee and his army, General Kenly, on the 7th of September, 1862, was "assigned to the command of all the infantry in Baltimore City, except those in the several forts," which were under the command of Brigadier General W. W. Morris, United States Army. He took command immediately, and occupied a post at the Eutaw House, at the northwest corner of Baltimore and Eutaw streets, with instructions, in case the Confederate cavalry made a dash into the city, "to occupy the hotel building and warehouses opposite, and fire upon the enemy from the windows." On the 18th they embarked on the cars at the Northern Central Railroad, with orders to join the army at Antietam, by way of Hagerstown. They reached Hagerstown on the 20th and marched to Williamsport, where they remained, actively engaged in guarding the Potomac and performing other duties until the 11th of December, when they marched to Maryland Heights opposite Harper's Ferry. On the 27th of March, 1863, it was designated by general orders, the 1st brigade, 1st division, 8th army corps. On the 9th of April, the 1st regiment was detached to occupy Bolivar Heights, where it remained until the 30th, when the entire brigade was sent to Grafton, to the support of General Roberts. They arrived at this point on the 1st, and after performing arduous service at Bridgeport, Clarksburg, Jane Lew, Weston, Sloan Coal Creek, West Union, Buckhannon, Philippi and Webster, returned to Harper's Ferry. For their services upon this occasion, Brigadier General B. F. Kelly, then commanding the 1st division, 8th army corps, in a letter to General Kenly, says:

"When the rebel Generals, Jones and Imboden, in April last, organized an invasion of the entire State of West Virginia, your prompt movement, under orders, to the support of General Roberts, at Clarksburg alone, saved from destruction much valuable public property, as well as that of the Baltimore and Ohio Railroad. Your services afterward, in aiding to drive the enemy from the State, were not less valuable, and deserve great praise."

After their return to Harper's Ferry, the 6th Maryland regiment and Alexander's Maryland battery, were permanently attached to General Milroy's command in the valley, and in the defence of Berryville and

[1] *Report of the operations of the Second Army Corps.* Southern Magazine, xiii, p. 858.

Winchester, bore the brunt of the heavy fighting and suffered severely, the latter losing their guns at the battle of Winchester, June 15th, 1863. The remnant of Milroy's forces after this disastrous engagement retired to Maryland Heights, where, with the Maryland Brigade, he strengthened the fortifications and observed the movements of the Confederate forces. On the 30th of June, the fortifications were destroyed, and Harper's Ferry evacuated, when the whole force under the command of Major General French, moved to Frederick City. On reaching Frederick, the Maryland Brigade was sent to Monocacy Junction to guard the bridges over the Monocacy and the approaches from Nolan's and other ferries of the Potomac.[1]

Before Ewell crossed the Blue Ridge to clear out Milroy at Winchester and other points in the lower valley, he detached Rodes' division to dislodge the Federal force at Berryville. While Ewell and his force were moving around Winchester on the 14th of June, Rodes having passed through Berryville on the 13th, compelling the force there to retire pushed on to Martinsburg. He dispersed this force on the 14th, taking seven hundred prisoners. On the 15th, the day of the dispersion of Milroy's force at Winchester, Rodes moved to Williamsport and sent Jenkins' brigade of cavalry which had been placed under his orders to Hagerstown. Jenkins went on to Chambersburg and returned on the 20th, while Rodes waited for the remainder of Ewell's corps. This was being moved up, Johnson with the Maryland infantry and artillery crossing and camping at Sharpsburg on the 18th, and Early crossing and going on to Boonsboro' on the 22d.[2]

After remaining in camp at Sharpsburg three or four days, the 2d Maryland (Confederate) infantry moved on towards Hagerstown, which place they passed through and encamped a short distance beyond. On the 26th they left Hagerstown, and crossing the Pennsylvania line and passing through Greencastle, Mercersburg, McConnellsburg, etc., arrived at Chambersburg on the 26th. On the 27th they passed through Chambersburg, and on the 28th went into camp about three miles beyond Carlisle.

While these movements were being effected, General Hooker, and the Federal commander-in-chief, General Halleck, at Washington, continued in the most painful ignorance and uncertainty as to the position of General Lee. His rapid movements were all concealed behind a cloud of cavalry, and by frequent demonstrations in different directions, he held them in constant suspense and doubt as to his real point of attack. The startling news, however, of the advance of the Confederate forces and their invasion of Pennsylvania,

[1] Captain John W. Kirkley's *Historical Record of the 1st Maryland Regiment*.

[2] Major Goldsborough, of the Maryland infantry, says: "Upon reaching the Maryland shore, the joy of her exiled sons baffled description. They shouted and screamed, and rolled upon the ground in the delirium of their joy, and to one not acquainted with the cause it would have seemed as though Dedlam had been let loose; and, in the Pandemonium, I must confess, our guitar friends and flutinists commenced playing a conspicuous part, leaving out others of minor rank."—*Maryland Line, Confederate States Army*, p. 123.

Scene of Military Operations of the Army of Northern Virginia.

in an instant created the most intense excitement from one end of the country to the other. It was at once perceived by the Federal authorities that the varied heavy attacks and combinations of the Confederates in the valley of Virginia, were very different in their nature from any sudden raid, but the result of a well-matured plan of far deeper import; and, in fact, that the long threatened invasion of the North had actually begun. An intense excitement was at once created in all the free States, and especially in Pennsylvania, the first theatre of combat, and the people of that State, in many instances, became wild with terror, while their utter helplessness and inefficiency in the face of sudden danger, became a serious embarrassment to the government. Governor Curtin, of Pennsylvania, at once, on the 15th of June, 1863, issued a proclamation setting forth in plain terms the imminent danger, and calling on all able-bodied citizens to arm and organize for defence. An accredited messenger bearing the most important despatches for the government, passed through Baltimore, at about midnight of Saturday, the 13th, being sent on from Philadelphia to Washington, by special train, while Major General Schenck and staff were busy night and day in co-operating with the authorities of the capital in preparations for defence.

Upon the invasion of the State, the citizens of Western Maryland were thrown into the greatest excitement. In Frederick, hundreds of the citizens left the city, while many more made preparations to do so. The free negroes were thrown into the greatest perturbation, fearing that they would be carried South, and sold as slaves by the Confederates. They crowded the freight trains to Baltimore, and in a short time there was a general flight of them towards the Pennsylvania line and in other directions. The government, on the 15th of June, removed its surplus commissary and quartermaster stores from Frederick, and cleared the hospitals of all patients who could be moved.

On the 15th of June, President Lincoln issued his proclamation calling for one hundred thousand men, to be immediately mustered into the service of the United States, to serve six months, unless earlier discharged. Of these, there were to be fifty thousand from Pennsylvania, thirty thousand from Ohio, ten thousand from Maryland, and ten thousand from West Virginia. The Governor of Ohio united with the President, by proclamation calling out the State militia, and the Governor of New York also offered the services of that State.

In accordance with the President's proclamation, Governor Bradford the next day issued an appeal to the people of Maryland to furnish the ten thousand men allotted to this State by voluntary enlistment. The Mayor of Baltimore called an extra session of the City Council, and urged upon them the importance of taking prompt measures to raise the city's quota. The council, after deliberation, adopted an ordinance appropriating four hundred thousand dollars for the purpose of offering a bounty of fifty dollars to each man who should enlist before the 26th of June, and ten dollars per month for

five months thereafter. The various uniformed military organizations offered their services for six months under the call. Among these were the Independent Grays, the Washington Light Infantry, the Baltimore Union City Guards of East Baltimore, and the battalion of Baltimore City Guard.

In the meanwhile the excitement growing out of the cavalry raid in Pennsylvania was intense, and spread from the rural districts to the larger cities. General Couch, on the 16th, removed his headquarters from Chambersburg to Harrisburg, and at that place refugees from Chambersburg and other interior towns poured in in large numbers. At Harrisburg great preparations were made for the defense of the city; the court-house bell was rung, calling the panic stricken people together, when they were energetically addressed by Governor Curtin, Simon Cameron and General Couch. The government and State archives were all removed and sent to Philadelphia, and the contents of the bank vaults removed to places of safety. Governor Curtin issued another proclamation denouncing the people for the lukewarm manner in which his call to arms had been answered, and calling for all volunteers without respect to the six months clause; and Mayor Henry, of Philadelphia, issued an appeal to all citizens to close their stores in the afternoons and assemble in public to devise measures of relief. By the 16th of June, all the New York militia were under arms, and at midnight the city bells rang out an alarm in Brooklyn which aroused the inhabitants, while reinforcements were rapidly despatched to Philadelphia.

In Baltimore business was abandoned, and the streets were continually thronged by anxious inquirers, and never did the hopes of those who favored the southern cause rise higher—they having full confidence in General Lee's power and design to win a splendid victory and then march in triumph on Baltimore.

The situation seemed so urgent that Governor Bradford, on the 17th, decided to arm and equip all volunteers as they were received, in companies, without waiting for regimental organizations. In 1862, a number of the aged citizens of Baltimore, not subject to militia duty, had formed themselves into an artillery corps for home service, in case of an attack upon the city. Now, they again offered their services to the Governor, who accepted them in a letter complimenting their spirit.

Saturday and Sunday, June 20th and 21st, were two days of great excitement in and around Baltimore. There were rumors and counter-rumors in abundance varying from hour to hour, as to the movements of the Confederates in Maryland, and of the probability of their approach to the city. General Schenck was active in using every means at his command to place the city in a state of defence. He appealed to the "Loyal Leagues," and over six thousand responded to his call. Each of the leagues formed companies, which elected their officers and with three days' rations were sent to occupy the defences of the city. On Saturday, June 20th, General Schenck issued the following order:

"*Headquarters Middle Department, 8th Army Corps,*
Baltimore, Md., June 20th, 1863.

"ORDERS,

"I.—Many patriotic citizens of Baltimore having tendered their services to the Government of the United States, for the protection of their city against armed invaders, the Major General commanding this Department accepts such volunteer services, and authorizes an issue of arms to such citizens in every case where a full company of them is duly enrolled and organized under competent officers, on the same plan of organization as is used in military service of the United States.

"II.—The arms furnished to these companies will be, by an arrangement that has been made, receipted for by the Mayor of the city, to be returned when the emergency requiring the services so to be rendered, has, in the opinion of the General commanding, ceased.

"III.—Honorable H. Winter Davis, who has tendered his services as volunteer aide to the General commanding, is accepted as such, and is charged with the enrollment of the volunteer companies.

"IV.—All citizen volunteers thus accepted will be subject to be disbanded, in whole or in part, at any time by the General commanding; and while serving will be held subject strictly to military rule and government by the military authorities.

"By command of "MAJOR GENERAL SCHENCK.

"HENRY HOYT, *Asst. Adjutant General, Chief of Staff.*"

General Schenck also issued special orders, summoning all officers and soldiers on leave of absence from the Middle Department to return forthwith and report at headquarters, under penalty of being considered deserters. The orders forbidding the sale of liquors to soldiers were re-issued.

Another special meeting of the City Council took place on Saturday, June 20th, to adopt measures providing for the defence of the city. Immediately after its organization the following communication was received from the Mayor enclosing the communication from General Schenck:

"*Mayor's Office, Baltimore, June 20th, 1863.*

"To the members of the First and Second Branches of the City Council:

"GENTLEMEN—The want of additional fortifications to protect our city, and the necessity of providing labor to erect them, has induced me to call you together to-night.

"The General commanding this department relies on the city authorities for aid in this matter, and I hope that it may be promptly given. A very large number of men are at work, and it becomes our duty to see that their families are properly cared for. I respectfully urge prompt and energetic action in this matter, believing that we can best place ourselves in an impregnable position. I enclose to you a communication from General Schenck on this subject.

"With great respect, etc., "JOHN LEE CHAPMAN, *Mayor.*"

The following is the communication referred to:

"*Headquarters Middle Department, 8th Army Corps,*
Baltimore, June 20th, 1863.

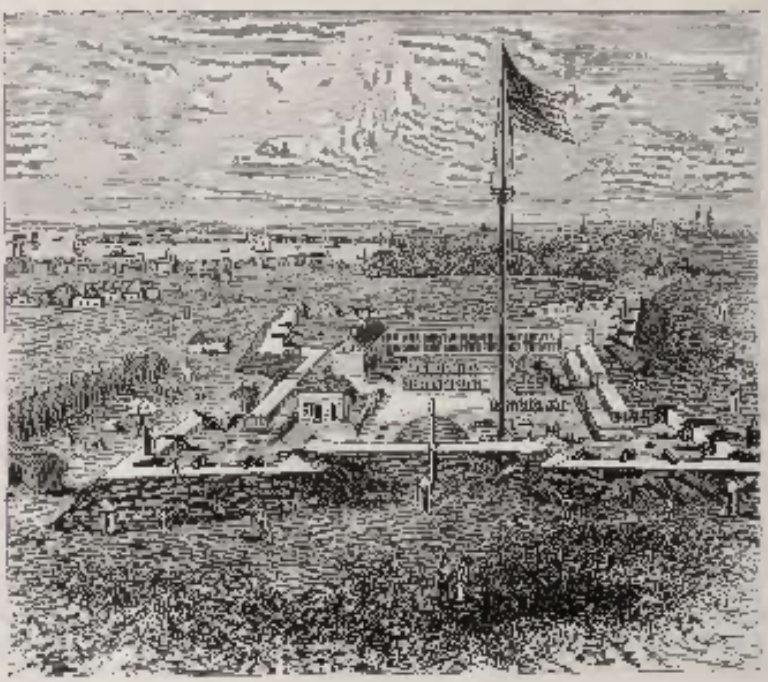
"HONORABLE JOHN LEE CHAPMAN, *Mayor of Baltimore:*

"SIR—I am prepared, among other preparations for the defence of Baltimore against a possible attack of the Rebels, to construct some lines of entrenchments at points commanding approaches to the city. You have apprised me that in this emergency the city

authorities would furnish the required number of laborers, either by hiring, volunteering or otherwise. I desire to have immediately, to be put at work by 4 o'clock, to-day, one thousand men, who, when ready, will report to Lieutenant Meigs, of Engineer Corps, on my Staff, for service. If you have any difficulty in furnishing the labor and find it necessary to enforce it, or any part of it, by some equitable system of impressment, give me notice to that effect at any time, and I will furnish you with the military power to enforce such impressment.

"JOSEPH G. SWIFT, *Major General Commanding.*"

The council decided that $100,000 of the four hundred thousand voted a few days before as bounty-money, should be devoted to the construction of barricades and fortifications around the city. Accordingly, on Saturday



FORT FAYETTE IN 1908.

morning, June 20th, about one thousand negroes were seized by the police in different sections of the city, causing much excitement among that portion of the population as they were marched out in squads of about forty each, under white overseers, to the different locations to work on the defenses. At night another force was impressed to relieve those who had been at work throughout the day, and another relief gang was provided on Sunday, so that rapid progress was made. In a number of cases, white persons were seized by the police and compelled to work for a time upon the entrenchments, but these were almost invariably those who were supposed to favor the Southern cause, or who took occasion to express sentiments obnoxious to the authorities.

The long trains of wagons and drays through the streets carrying hogsheads, barrels, and other materials required for the barricades, were rather a novel sight for Sunday, and brought to mind the scene presented on Sunday, the 21st of April, 1861. The work of erecting the barricades progressed rapidly, and on Sunday, June 23d, the entire circuit of the city was completed and ready for military occupation at any moment that the scouts and pickets should announce the approach of the Confederates. The line of entrenchments and fortifications on all the approaches to the city attracted thousands of visitors. The barricades which were erected in many parts, closed the streets to carriages, and it was supposed would be effectual against cavalry, although some of them were so low that a horse could have cleared them with ease. They were generally constructed at the corners of streets by gathering one or two carts at each end on the sidewalk, and then by digging up stones on the road-way, sufficient earth was thrown up to form an embankment, leaving a narrow passage on each side for foot passengers. If an attempt had been made to take the city, the houses in the vicinity of the line of barricades were to be occupied by riflemen. In addition to Fort McHenry, which had already played an important part in the war, Fort Federal Hill, and Fort Marshall, upon higher ground than Fort McHenry, mounted each with fifty to sixty guns of forty-two and thirty-two pounders, and eight-inch columbiads with a few rifled pieces, could have destroyed Baltimore in a short time, this being the style of "defence" determined on, if they were not able to keep the Confederates from capturing the city. Boasts were openly made that the first shell from Fort Federal Hill would be thrown directly into the Maryland Club, at the northeast corner of Franklin and Cathedral streets, the "Latin quarter," as it was sometimes called, for the exact range of the buildings had been ascertained, and it was regarded by the military authorities as the very focus of "treason" in the city.[1] Besides these heavy works, and Fort Washington, afterwards constructed on the northeastern outskirts of the city, on even higher ground than Fort Marshall, a great number of earthworks were thrown up completing the circuit of defences.

As the proclamation issued by Governor Bradford on the 16th of June, did not have the desired effect, and as the troops were needed at once for the defence of the city and State, the governor on Sunday, June 21st, issued the following appeal:

"TO THE PEOPLE OF THE STATE AND CITY:

"*Baltimore June 21, 1861.*

"The proclamation which I issued on the 17th instant, calling upon you to furnish six months' volunteers for the quota of militia required of us by the government has not met with that prompt and practical response which I thought I had the right to expect. Whilst many, with a cheerful alacrity worthy of all praise, have offered themselves for the service, the number, I regret to say, has fallen far short of what is required.

[1] It was closed on the 24th of June, 1861, by order of General Schenck, and was not again opened until after the war ended, two years later.

"Some, assuming to be ready for any emergency which the defence of the State may require, hesitate to enlist in government service lest they may be ordered *elsewhere*; but the very proclamation of the President which makes this call upon us assumes, as the true reason for it, the threatened invasion of our State, and would seem to be an implied assurance that such force is only required within the borders. But suppose it were otherwise, and that it could be made available elsewhere, are we willing so to qualify and cramp the service that may be asked of us as to say that it shall be rendered within the confines of our State, but nowhere else? It may well be that the very best and safest of the State defences are to be found on the other side of the Potomac.

"Who are the men here in our midst to-day ready to avail themselves of the opportunity for? They come from the North and the East and the West. Volunteers representing six States now man the works upon Maryland Heights, and the citizens of the State, sheltered as they are under the very shadow of the capital, should be the last in the Union to hesitate over any service of a national character that may be required of them.

"The commanding general authorizes me to say that whilst he has reserved for special duty in the neighborhood of the barricades the preferred service of some of our patriotic citizens, such service will be no obstacle to the enlistment of those who would volunteer for six months, and who, whilst in discharge of this special duty, will be still accepted and mustered into the six months' service.

"Some, as I am told, decline to volunteer, preferring a draft, because, as they say, only the loyal will volunteer, whilst the draft compels the rebel sympathizer to discharge his just share of the public duty. The duty to which we are now summoned is emphatically a patriotic one, any which we should be unwilling to share with any whose whole heart is not devoted to his country. Do you expect a hearty service of this kind from Secessionists? Are you willing to leave the metropolis of the State undefended because they may fold their arms and offer no assistance? God forbid.

"The patriots of the Revolution fully recognized no such reasoning. No whig failed to respond in those days because the Tories stood aloof—but when struggling for the liberties which it is now your duty to defend, they mustered to a man, and sought no aid from the traitors in their midst, and left the very name of Tory a term of perpetually sad scorn for all time to come.

"Let me, then, make one appeal to you, my fellow citizens, and remind you that the foot of the invader is once more upon the soil of Maryland. In other days her citizens did not require to be twice told of such an event. And you, I feel, will show the world that the blood of the '76 Defenders still courses through your veins. Come, then, at once. Come with a will, and come in crowds; and as our fathers did fifty years ago, meet the invader before his tread shall desecrate the threshold of our homes.

"The general commanding this Department informs me that besides the work upon the entrenchments now being done by a force of citizen laborers impressed for the purpose, he will have occasion to-morrow (Monday) morning for one or two thousand patriotic citizens to be employed in different fortifications in other points. To wield a pick or a spade for such a purpose is fully as honorable, and just now quite as essential as to shoulder a musket or unsheathe a sword.

"All citizens who will volunteer for this work are invited to present themselves at Monument Square, in front of the general's headquarters, at 8 o'clock Monday morning.

"A. W. BRADFORD."

In a short time, the 5th, 10th and 11th Maryland regiments of infantry were formed together, with several companies of cavalry and artillery. Major General Sandford, of New York City, received a despatch from the Secretary of War, directing him to send all the militia of the city direct to Baltimore

instead of Harrisburg, and consequently a number of New York regiments came to Baltimore and remained during the troubles. On the 23d, Major General Halleck, commander-in-chief, made an official visit of inspection to the various forts and outposts around the city, expressing himself as well satisfied with everything that Schenck had done. He returned to Washington the same evening. General Hooker, after he was relieved of his command, also reported in Baltimore.[1]

While Ewell's corps was moving northward, General Lee was still in Virginia. As Hooker still showed no disposition either to cross the Potomac or to advance and offer battle, Lee prepared to move into Maryland with his whole army. On the 21st of June, Lee issued the following address to the army of invasion:

"*Headquarters Army Northern Virginia, June 21, 1863.*

"General Orders No. 72:

"While in the enemy's country, the following regulation for procuring supplies will be strictly observed, and any violation of them promptly and rigorously punished.

"No. I. No private property shall be injured or destroyed by any person belonging to or connected with the army, or taken, except by the officers hereinafter designated.

"No. II. The chiefs of the commissary, quartermaster, ordnance and medical departments of the army will make requisitions upon the local authorities or inhabitants for the necessary supplies for their respective departments, designating the places and times of delivery. All persons complying with such requisitions shall be paid the market price for the articles furnished, if they so desire, and the officer making such payments, shall take duplicate receipts for the same, specifying the name of the person paid, and the quantity, kind and price of the property, one of which receipts shall be at once forwarded to the chief of the department to which such officer is attached.

"No. III. Should the authorities or inhabitants neglect or refuse to comply to such requisitions, the supplies required will be taken from the nearest inhabitants so refusing, by the order and under the directions of the respective chiefs of the departments named.

"No. IV. When any command is detached from the main body, the chiefs of the several departments of such command will procure supplies for the same, and such other stores as they may be ordered to provide, in the manner and subject to the provisions herein prescribed, reporting their action to the heads of their respective departments, to which they will forward duplicates of all vouchers given or received.

"No. V. All persons who shall decline to receive payment for property furnished on requisitions, and all from whom it shall be necessary to take stores and supplies, shall be furnished by the officer receiving or taking the same with a receipt specifying the kind and quantity of the property received or taken, as the case may be, the name of the person from whom it was received or taken, the government for the use of which it was intended, and the manner paid. A duplicate of said receipt shall be at once forwarded to the chief of the department to which the officer by whom it is executed is attached.

[1] "Douglas Monroe Hopkins Assistant Adjutant General,
Office Provost Marshal, }
Baltimore, June 24, 1863. }

An order was published in the evening edition of the *Gazettes*, also in the *Sunday Telegram* of to-day, purporting to emanate from this office, in reference to the suppression of certain newspapers. No such order as that published was issued. It is, perhaps, a misunderstanding, which is thus explained: I was directed by the major-general commanding, to notify the editors of some of the city papers that "the articles from the *New York World*, *New York Express*, *Caucasian*, *Cincinnati Enquirer* and the *Chicago Times* would be permitted to be published in this department," which was duly done, and from this fact the mistake must have occurred. I therefore respectfully request that this explanation be published. WILLIAM S. PELL,
Lieutenant Colonel and Provost Marshal.

"No. VI. If any person shall remove or conceal property necessary for the use of the army, or attempt to do so, the officers hereinbefore mentioned will cause such property, and all other property belonging to such person that may be required by the army, to be seized, and the officer seizing the same will forthwith report to the chief of this department the kind, quantity, and marked price of the property so seized, and the name of the owner.

"By command of "GENERAL R. E. LEE.

"R. H. CHILTON, *A. A. and I. G.*

"LIEUT. GENERAL R. S. EWELL, *Commanding 2d Army Corps.*"

On the 24th, General Ewell, with Rodes' and Johnson's divisions, had reached Chambersburg, and Early was at Greenwood. On this day, Hill and Longstreet crossed the Potomac at Shepherdstown and Williamsport, and moved towards Hagerstown. It was now, for the first time, that Hooker seemed to have any definite information as to Lee's movements. On the morning of the 25th, he sent over Stahl's cavalry, followed by General Reynolds, with the 1st, 3d and 11th corps, at Edwards' Ferry. On the next day, he crossed over with the 12th, 5th, 2d and 6th corps, the cavalry bringing up the rear. The main army was concentrated near Frederick, while the 12th corps was advanced toward the passes in the South Mountain leading to Hagerstown, and Stahl's cavalry thrown forward to scour the country in the neighborhood of Gettysburg.

On the 27th, General Hooker, at his request, was relieved at Frederick from the command of the Army of the Potomac, and General George H. Meade was appointed in his stead. On the same day Lee, with the corps of Longstreet and Hill, reached Chambersburg, Pennsylvania, where he issued the following address to his troops:

"*Headquarters Army of Northern Virginia,*

"*Chambersburg, Pa., June 27, 1863.*

"General Orders No. 73:

"The commanding general has observed with satisfaction the conduct of the troops on the march, and confidently anticipated results from their movements with the high spirit they have manifested. No troops could have displayed greater fortitude or better performed the arduous marches of the past ten days. Their conduct in other respects has, with few exceptions, been in keeping with their character as soldiers, and entitles them to approbation and praise.

"There have, however, been instances of forgetfulness on the part of some, that they have in keeping the yet unsullied reputation of the army, and that the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own.

"The commanding general considers that no greater disgrace could befall the army, and through it our whole people, than the perpetration of the barbarous outrages upon the innocent and the defenceless, and the wanton destruction of private property, that have marked the course of the enemy in our own country. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army and destructive of the ends of our present movement. It must be remembered that we make war only upon armed men, and that we cannot take vengeance for the wrongs our people have suffered without lowering ourselves in the eyes

of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whose vengeance belongeth, without whose favor and support our efforts must all prove in vain.

"The commanding general, therefore, earnestly exhorts the troops to abstain with most scrupulous care from unnecessary or wanton injury to private property; and he enjoins upon all officers to arrest and bring to summary punishment all who shall in any way offend against the orders on this subject. "R. E. LEE, *General.*"

Ewell, with two divisions, reached Carlisle, and Early, having passed through Gettysburg the day before, occupied York, where he levied a contribution on the authorities, and on the day of his departure issued the following proclamation:

"*York, June 28, 1863.*

"To the Citizens of York:

"I have abstained from burning the railroad buildings and car shop in your town because, after examination, I am satisfied the safety of the town would be endangered, and acting in the spirit of humanity, which has ever characterized my Government and its military authorities, I do not desire to involve the innocent in the same punishment with the guilty. Had I applied the harsh editions regard to consequences, I would then have pursued a course that would have been fully vindicated as an act of just retaliation for the authorized acts of barbarity perpetrated by your own army on our soil. But we do not war upon women and children, and I trust the treatment you have met with at the hands of my soldiers will open your eyes to the odious tyranny under which it is apparent to all, you are yourselves groaning."

"J. A. EARLY, *Major General C. S. A.*"

In the meantime, on the Baltimore and Ohio Railroad, all trains ceased to be run further than Harper's Ferry. A vast quantity of freight and locomotives were sent into the city, the company being fortunate in despatching an immense amount of rolling stock toward the eastern end of the road in time to prevent its capture. The town of Cumberland was occupied a few hours on the 19th by the Confederates, and the bridges over Patterson's creek, Evett's creek, North Branch, South Potomac county road, Great and Little Capon, and Opequan were all destroyed. The road was also very much damaged between Harper's Ferry and Cumberland.

On June 20th, telegraphic communication with the Baltimore and Ohio Railroad ceased beyond Martinsville at an early hour, the Confederate cavalry doing much damage along the line in that vicinity. At this point, which is only thirty-one miles from Baltimore, the telegraph wires were cut, the rails torn up, bridges burned, and other damage done. They also spread themselves over Montgomery County, but for the most part abstained from plunder, except seizing all the horses they could find. A large body of cavalry also carried on their operations undisturbed at Rockville, and a small body also appeared at Colesville, a few miles from Baltsville, on the Washington Branch of the Baltimore and Ohio Railroad. At Westminster, Carroll County, a body of about one hundred of the 1st Delaware regiment of Federal cavalry being surrounded by the Confederates, under Major Harry Gilmore, were nearly all captured, and others escaping were chased by the Confeder-

ness beyond Pikesville, only eight miles from Baltimore. These, together with a little squad of Federal cavalry, who had escaped the Confederates at Winchester, dashed into the city at midnight and spread the report that the Confederates were at hand in full force. The signal corps stationed on the different roads fired rockets, announcing the approach of the Confederate cavalry on the Reisterstown road.

All these operations were made by Stuart, who had crossed the Potomac from Loudon County, Virginia, into Montgomery County, Maryland, and had pushed through Rockville, crossing the Baltimore and Ohio Railroad at Marriottsville, passed up through Carroll, by Westminster, to Carlisle, in Pennsylvania. His flanking and scouting parties spread over a wide stretch of country on each side of his line of march, and spread terror and confusion, with the impression of overpowering forces, which were present everywhere. The clatter of the cavalry in the streets of Baltimore at midnight, the glare of the rockets on the western horizon, the fugitives from the Confederates, on the Reisterstown road, all spread panic in the city. The impression readily prevailed that the "rebels" were indeed upon the city, and at half-past eleven o'clock that night (23d), a general alarm being sounded (the signal agreed upon by General Schenck) from all the fire bells in Baltimore, immediately the whole city became wild with excitement. The population poured into the streets, eagerly seeking the latest intelligence, while a thousand rumors were spread about on every hand. The various Union Leagues and many other citizens assembled at the different headquarters, received arms and marched to the barricades. In a few hours several thousand men were thus collected and placed under the command of Brigadier General R. C. Tyler. General Schenck and staff and the regular military forces of the city took up their position at the north of the town. The excitement continued all night, gradually lessening as it was found that the Confederates did not arrive.

GENERAL SCHENCK.

Early on the next morning, General Schenck issued the following military order, proclaiming martial law in the City of Baltimore and the counties of the Western Shore of Maryland:

"*Headquarters Middle Department, 8th Army Corps,*
Baltimore, June 26th, 1863.

"The immediate presence of a rebel army within this department, and in the State of Maryland, requires, as a military necessity, a resort to all the proper and usual means of defence and security. This security is to be provided against known hostilities and opposition to the lawful and national government, from every quarter and in every form.

"Traitors and disloyal persons within must be restrained and made to contribute to the common safety, while the enemy in front is to be met and punished for this bold invasion. Martial law is therefore declared, and hereby established in the City and County of Baltimore, and in all the counties of the Western Shore of Maryland.

"The commanding general gives assurance that this suspension of the civil government within the limits defined shall not extend beyond the necessities of the occasion.

"All the civil courts, tribunals and political functionaries of the State, county or city authority, are to continue in the discharge of their duties as in times of peace; only in no way interfering with the exercise of the predominant power assumed and asserted by the military authority.

"All peaceful citizens are requested to remain quietly at their homes, and in the pursuit of their ordinary vocations, except as they may be, possibly, subject to calls for personal services, or other necessary requisitions for military purposes or uses hereafter.

"All soldiers language or mischievous practices, leading to the encouragement of rebellion, are especially prohibited, and will promptly be made the subject of observation and treatment.

"Traitorous and dangerous persons must expect to be dealt with as the guilt's safety may seem to require. 'To save the country is paramount to all other considerations.'

"When the occasion for this proclamation passes by, no one will be more rejoiced than the commanding general, that he can revoke his order and return to the normal condition of a country at peace, and a government sustained by a united and loyal people. "ROBT. C. SCHENCK, *Major General Commanding.*"

The following orders were also issued under this declaration of martial law:

"*Headquarters, Middle Department, Eighth Army Corps,*
Baltimore, Md., June 30th, 1863.

"Orders.

"Until further orders, no arms or ammunition shall be sold by any dealer or other person within the City and County of Baltimore without a permit from the general commanding the military department, or from such officer as shall be duly authorized to grant the same. Any violation of this order shall subject the party offending to arrest and punishment.

"Until further orders, no person will be permitted to leave the City of Baltimore without a pass properly signed by the provost-marshal, and any one attempting to violate this order shall be promptly arrested and brought before the provost-marshal for such action.

"Until further orders, no one will be permitted to pass the barricades or into or out of the city between the hours of 10 P. M. and 4 A. M., without giving the proper countersign to the guard in charge.

"Until further orders, no club-house or other place of like resort shall remain open, without a permission given by the general commanding. Any attempt to violate this order will subject the club-house and property to seizure and occupation by the military, and the proprietors who engage in or encourage such violation, to arrest.

"Until further orders, all bars, coffee-houses, drinking saloons and other places of like resort shall be closed between the hours of 8 P. M. and 8 A. M. Any liquor-dealer, or keeper of a drinking saloon, or other person selling intoxicating drinks who violates this order shall be put under arrest, his premises seized and his liquor confiscated for the benefit of the hospitals.

"Until further orders, the general commanding directs that the stores, shops, manufactories and other places of business other than apothecary shops and printing offices of daily journals be closed at five o'clock, P. M., for the purpose of giving patriotic citizens an opportunity to drill and make themselves expert in the use of arms.

"By order, "MAJOR GENERAL SCHENCK,

"DONN PIATT, *Lieutenant Colonel and Chief of Staff.*"

The city was now turned into a camp, and the tread of armed men and the word of command could be heard in every direction. At General Schenck's request, the naval authorities took a part in the measures for defence, and Commodore Dornin, the senior naval officer on duty in Baltimore, placed several gun-boats in positions to aid in repulsing any Confederate attacks. The United States gunboat *Rodgers*, 1000 tons, carrying eight guns, two pivot and six broadside, throwing an eleven-inch projectile weighing three hundred and thirty pounds, was stationed in the harbor, near Thames street. The gunboat *Dolphin*, carrying eight large guns, similar to the Eutaw, lay at the foot of Broadway. The *Morgiana* lay further up the harbor, in range of one of the principal streets, to bear upon the city and its approaches. She carried eight guns. The United States gunboat *Seymour*, was stationed near the long Ferry Bar bridge, at the foot of Spring Gardens, commanding that part of the harbor and overlooking the Baltimore and Ohio Railroad and the western section of the city. The United States revenue cutter with pivot and side guns was sent to protect the railroad bridge and steamboats upon the Susquehannah at Havre-de-Grace. Two steamers were also armed and equipped and sent to guard the bridges over the Gunpowder and Bush Rivers, on the line of the Philadelphia and Wilmington Railroad.

The Union League clubs and other organizations continued under arms all the night of the 29th, and on the following day were discharged with the following complimentary order:—

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, Md., June 30, 1863.

"Special Orders No. 8.

"The threatening approach of the enemy on the city of Baltimore, which occasioned the calling out of the troops and citizen soldiers last night, no longer exists. The commanders of the brigades and defences will return their forces to their respective encampments and barracks, placing only the usual guard and other details on duty.

"The commanding general expresses his thanks to the officers and men, and the organized companies of citizens bearing arms, for the prompt and resolute alacrity with which they responded to the call so suddenly made for their services. It gives him confidence to believe that the complete defence of this city will always be secure against any ordinary force of traitors in arms who may attempt its invasion.

"The works upon the fortifications will be continued, and pressed to speedy completion under charge of the corps of engineers.

"By order of "MAJOR GENERAL SCHENCK,

"DAVID PLATT, *Lieutenant Colonel and Chief of Staff.*"

On the same day Mayor Chapman issued the following call upon the "Union men" to meet every night in the week for the purpose of drill, etc:

"*Mayor's Office, City Hall, Baltimore, June 30, 1863.*

"The Union men of Baltimore are earnestly requested to assemble at their usual places of meeting in the different wards every evening this week for the purpose of forming independent military companies to aid the Government forces in defending our city.

"It is anxiously desired that every Union man shall be under arms, and it would be a most gratifying result to have a Union Guard of at least ten thousand men fully armed.

"The Rebel forces have levied a tax of $250,000 upon the people of York, which may be our fate unless we promptly organize for defence. The time for action has arrived.

"It is advised that all places of business be closed at 6 P. M.

"JOHN LEE CHAPMAN, *Mayor.*"

The effect of martial law was very annoying to the citizens, and an incessant rush for passes, principally on account of women and children, who were being sent from the city, was kept up at the provost-marshal's office. Soldiers were on guard in all the railroad depots and at the car doors, to prevent any one from leaving without a pass. This rule of guarding trains prevailed throughout the remainder of the war.

General Schenck, on the 1st of July, issued the following proclamation to the citizens of Baltimore and the county, prohibiting them from keeping arms in their possession unless enrolled in volunteer companies for the defence of their homes:

"*Headquarters, Middle Department, Eighth Army Corps,*
Baltimore Md., July 1st, 1863.

"Until further orders the citizens of Baltimore city and county, are prohibited keeping arms in their possession unless enrolled as volunteer companies for the defence of their homes.

"The execution of this order is entrusted to General R. C. Tyler, assisted by the provost-marshal and chief of city police, who are authorized to search for and seize such arms.

"Any person violating this order shall be arrested and placed in close confinement until released by the general commanding the department.

"Until further orders the sale of intoxicating liquors to citizens in the city and county of Baltimore, will cease between the hours of 6 P. M., and 8 o'clock A. M. All orders, or parts of orders, conflicting with this are hereby revoked. The entire prohibition of such sale to soldiers will continue and be enforced under penalty of arrest and confiscation as heretofore.

"So much of the order issued by the general commanding as prohibits the passage of the barricades by citizens and others between the hours of 10 P. M. and 4 A. M., is hereby revoked. But all persons leaving the City of Baltimore, are required to procure passes from the provost-marshal, as heretofore.

"By order of "MAJOR GENERAL SCHENCK.

"DOUG. DAVIS, *Lieutenant Colonel and Chief of Staff.*"

About ten o'clock on the morning of July 2d, Colonel Augustus Sprague's 53d Massachusetts regiment was placed at the disposal of the specified authorities for the execution of the order. In squads of three or four, they acted in concert with the police in diligently searching the dwellings of persons supposed to be "disloyal" for arms. Furniture wagons accompanied the squads, and as soon as arms of any description were discovered they were seized and placed in the wagons. Among the various arms seized were muskets, carbines, rifles, revolvers of all kinds, pistols, swords, sabres, bayonets, bird and duck-ing guns. Some of the latter were very valuable and

many of the articles were old family relics. In some instances citizens refused to surrender their cherished weapons, or permit their dwellings to be searched, when they were arrested and held in prison for a hearing.

General Schenck, who was prolific in military orders, issued the following proclamation forbidding under severe penalties, any correspondence with the South:

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, Md., July 1, 1863.

"General Orders No. 41.

"During the past six months great numbers of letters have been intercepted on their way to and from persons within the enemy's lines in the States in rebellion. This clandestine and contraband correspondence must altogether cease. Many of the letters that have thus come into the possession of the military authority are only of a family or personal character, but many more of them contain information as to military or public authority.

"Hereafter the writer of any such intercepted letter, living within this department, will be arrested and sent beyond the lines, where the intercourse with his or her correspondent may be in person. The communications of the parties can be conducted without resort to this uncertain medium of secret mails. Many places and persons in this city and elsewhere are known as the depositories of such illicit letters.

"Hereafter such facilities for transmission will be broken up in all cases by the immediate arrest and punishment of the parties affording them.

"By command of "MAJOR GENERAL SCHENCK,

"W. H. Chesebrough, *A. A. General.*"

As a system of correspondence with the South had been carried on secretly since the beginning of the war, this order had very little effect. One singular feature of the times was the suspension for a brief season, of commercial intercourse between New York and Maryland and Pennsylvania. On the 22th of June, Hiram Barney, Collector of the Port of New York, received a circular from General Schenck, requesting him under the exigency of the period, to permit no clearance to be made from New York for Maryland and Pennsylvania, nor for any portion of the Chesapeake excepting Accomac and Northampton Counties, which were held under strong military rule, and in their case only of goods to be used for family purposes, and in limited quantities. Upon the receipt of this circular, Collector Barney submitted it to Secretary Chase, who instructed him to comply with the suggestion of General Schenck.

Generals Hill and Longstreet, on the 29th, moved toward Gettysburg, from Chambersburg, and Ewell was directed to march from Carlisle to the same place. These marches were conducted slowly, the position of General Meade being unknown, and General Lee, in the absence of any information from Stuart his cavalry leader, did not know that the Federal army was so near him. The concentration of Lee's army was so admirably ordered that Ewell, from Carlisle, Early, from York, and Hill, from Chambersburg, all reached Gettysburg within a few hours of each other on July 1st. Meantime Meade was gathering his army at the same place. On the 1st, 2d

and 3d, the contending forces fought the battle of Gettysburg, one of the fiercest battles of the war. In this, as in all the great contests of the war, the sons of Maryland, under either flag, bore a distinguished part. The 2d Maryland Confederate infantry, under Lieutenant Colonel James R. Herbert, which was the pride and the boast of the army[1] made an assault on the Federal breastworks, on Culp's Hill. On the first day they captured the first line of works, but on the next, in storming the hill in the face of heavy masses of infantry and artillery, they were compelled to fall back with heavy loss. Nearly all the commissioned officers were killed or wounded, and of the five hundred of the command who went into the fight, only two hundred escaped unhurt.[2] In this terrible conflict the commander of the Chesapeake Maryland artillery, Captain William H. Brown, was killed. Captain Dement's battery of 1st Maryland artillery also suffered greatly. On the Federal side Colonel Mosby's Potomac Home Guards displayed conspicuous gallantry, and suffered severely in killed and wounded.

On the 4th of July, Lee took a position to receive an attack, but as Meade showed no disposition to disturb him, he began to retreat on the following night, and reached Hagerstown on the 9th and 10th. Finding the river too full to cross, he took up a position covering the Potomac from Williamsport to Falling Waters. While at Hagerstown he issued the following address to his army:

"*Headquarters Army of Northern Virginia, July 11, 1863.*

"General Orders No. 10:

"After long and trying marches, endured with the fortitude that has ever characterized the soldiers of the Army of Northern Virginia, you have penetrated to the country of your enemies, and recalled to the defence of their own soil those who were engaged in the invasion of ours. You have fought a fierce and sanguinary battle, which, if not attended with the success that has hitherto crowned your efforts, was marked by the same heroic spirit that has commanded the respect of your enemies, the gratitude of your country, and the admiration of mankind.

"Once more you are called upon to meet the enemy from whom you have won, on so many fields, names that will never die. Once more the eyes of your countrymen are turned upon you, and again do wives and sisters, fathers and mothers, and helpless children, look for safety on your strong arms and brave hearts. Let every soldier remember that on his courage and fidelity depend all that makes life worth having, the freedom of his country, the honor of his people, and the security of his home. Let each heart grow strong in the remembrance of our glorious past, and in the thought of the inestimable blessings for which we contend; and, invoking the assistance of that benign Power which has so signally blessed our former efforts, let us go forth in confidence to secure the peace and safety of our country. Soldiers, your old enemy is before you. Win from him the honor worthy of your right cause, worthy of your comrades dead on so many illustrious fields.

"R. E. LEE, *General Commanding.*"

The Federal army on the 13th, marched slowly from Frederick, but as it was greatly demoralized and scattered by the three days' conflict, Meade did

[1] It was attached to Gen. George H. Steuart's brigade, Johnson's division.

[2] Goldsborough's *Maryland Line in the Confederate States Army*, p. 159.

not think it prudent to make an attack. On this day and the next, Lee waited the Federal attack, and then, the river having become fordable, and a bridge being ready, he crossed into Virginia and moved back to Bunker Hill. After some preliminary movements on the line of the Rapidan, the campaign of 1863 closed.

The news of the tremendous battle of Gettysburg produced great excitement in Baltimore, the hopes of the Southern sympathizers being blasted by Lee's retreat, while the feelings of the Unionists were much elated. The streets and newspaper offices were constantly thronged by crowds of people eagerly seeking the latest intelligence, and the knowledge of Lee's check had great effect upon the celebration of the Fourth of July.

General Schenck issued the following order, that every house in the city should display the United States flag:

"TO THE CITIZENS OF BALTIMORE.

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, July 3, 1863.

"To-morrow is the anniversary of our National Independence. It will be celebrated here and elsewhere throughout the land, with various forms of public observance. One simple and appropriate demonstration I now make. Let every man on that day show his colors. I request and recommend, therefore, that every house and place of business of every loyal citizen of Baltimore shall have displayed upon it to-morrow, from 10 o'clock A. M. to 6 P. M., the American flag. Let this be done, the ensign being large or small, according to the means and opportunities of each person, and the city will be clothed with the glorious and honored emblem of our nationality. If there be any spot where it does not appear its absence there will only prove that patriotic hearts do not beat beneath that roof.

"ROBERT C. SCHENCK, *Major General Commanding.*"

In consequence of this order, nearly every one complied with the request, and those who failed to comply were marked, and afterwards paid the penalty. The demand for and the exhibition of colors were quite unprecedented. Very soon, too, the terrible results of the battle became apparent, from the large number of wounded officers and men, both of the Union army and Confederate prisoners, who began to arrive in the city. Measures of relief for the wounded were at once adopted, and committees appointed to solicit and forward supplies. The City Council also appropriated about $6,000, and with the amount contributed by the citizens, there was raised in Baltimore $50,000 in cash, besides other articles. A large number of the surgeons of Baltimore were dispatched to the battle-field at Gettysburg, and the sanitary and Christian commissions went to the same place with a large amount of medical stores, clothing, delicacies, etc. Many ladies and gentlemen of Baltimore also went in search of friends and relations wounded in the battle, or to act as nurses in the hospitals, and a number of Sisters of Charity started on the same noble mission. The Adams Express Company, through Mr. Samuel Shoemaker its superintendent, established a hospital corps, and sent Mr. John Q. A. Herring with a large quantity of ice and other stores for the relief of the sick and wounded. The railroads having suspended travel, many loads

were sent to Gettysburg by wagons. In consideration of the valuable services rendered by the "Adams Express Company Hospital Corps" in relieving the wants of the wounded and suffering soldiers, U. S. Surgeon General Hammond addressed Mr. Shoemaker the following letter:

"*Surgeon General's Office, Washington City, D. C., July 29, 1863.*

"S. M. Shoemaker, Esq., Baltimore:

"DEAR SIR:—I desire to express to you my sincere thanks for the great benefits rendered by the Adams Express Company and its agents to the wounded at the battle of Gettysburg.

"I assure you I shall always bear in grateful remembrance the noble services which the Adams Express Company and its agents have rendered, and I beg you will convey to your agents my high appreciation of their labors.

"Please accept for yourself my warmest acknowledgements, and believe me

"Yours sincerely, "WILLIAM A. HAMMOND, *Surgeon General.*"

Lieutenant Colonel J. M. Cuyler, the Medical Inspector of the United States army, in his report also gratefully acknowledge their services. He said:

"To Adams Express we are also greatly indebted for much liberality and kindness extended to the wounded at a time when they were most in need."

As there were a great many Confederate wounded brought to Baltimore, General Schenck issued the following order relating to wounded prisoners:

"*Headquarters Middle Department, Eighth Army Corps, Baltimore, Md., July 16th, 1863.*

"General Order No. 42.

"Suitable and comfortable hospital accommodations will be provided for sick and wounded prisoners of war the same as for soldiers of the Union.

"On the arrival of wounded or sick rebel officers or soldiers in Baltimore, whose injuries or condition are such that, in the opinion of the proper medical authority, they should not be confined or sent for exchange with other prisoners, they will be immediately assigned and conveyed to the hospital designated for them; there to remain on parole until they are sufficiently recovered to be removed for imprisonment or exchange. No other paroles of prisoners of war will be taken or recognized.

"No rebel officer or soldier can be received or entertained in any private house, or in any place other than the hospital to which he is regularly assigned by proper medical authority.

"Separate hospitals for prisoners of war will be established.

"No person not thoroughly loyal will be permitted, under any circumstances, to visit or have access to any military hospital.

"If any person or persons within this department be found harboring, entertaining or concealing any rebel officer or soldier in his or her house, or on his or her premises, or in any place, after twenty-four hours from the publication of this order, the person so offending will be at once sent beyond the Union lines into the rebel States, or otherwise punished, at the discretion of the military authority.

"The marshal, provost-marshal of the middle department and provost-marshal of the 8th army corps, are charged to see that this order is strictly executed.

"By command of "MAJOR GENERAL SCHENCK.

"WILLIAM H. CARMICHAEL, *Lieutenant Colonel and A. A. G.*"

Besides this stringent order, another was issued informing the public that "no passes, under any circumstances, were granted to visit Fort McHenry."

The severe provisions of martial law in Baltimore, were speedily relieved by the following orders:

"*Headquarters, Middle Department, Eighth Army Corps, Baltimore, Md., July 1st, 1863.*

"ORDERS—So much of the military rules and regulations announced June 30th, that 'other places of business be closed at five o'clock P. M.' is hereby declared not to apply to news and literary depots, confectioners, ice cream saloons, soda fountains and fruit stands, also barber shops; provided the keepers of such places produce to the provost-marshal satisfactory evidence of their loyalty to the government of the United States.

"By order of "MAJOR GENERAL R. C. SCHENCK.

"SIGNED: DON PIATT, *Chief of Staff.*"

"*Headquarters, Middle Department, Eighth Army Corps, Baltimore, Md., July 3d, 1863.*

"All places of business conducted by women alone, where women and children are employed, are not to be considered within the order prohibiting business after the hour of five P. M., made for the purpose of enabling the citizen to drill and perfect himself in the use of arms.

"By order "MAJOR GENERAL SCHENCK.

"DON PIATT, *Lieutenant Colonel and Chief of Staff.*"

"*Headquarters, Middle Department, Eighth Army Corps, Baltimore, Md., July 10th, 1863.*

"So much of the orders under martial law issued by the general commanding this military department, June 30th, 1863, which prohibits business after five o'clock P. M., is hereby revoked.

"By command of "MAJOR GENERAL SCHENCK.

"N. B. JEFFRIES, *A. A. G.*"

"*Baltimore, Md., July 11th, 1863.*

"Lieutenant Colonel Fish, Military Provost Marshal, Baltimore, Md.:

"COLONEL—The major-general commanding directs that you detail an officer of the provost guard, to proceed to the 'City Hotel' and ascertain the names of all officers in the military service of the United States, and direct them to immediately leave that hotel.

"By order of "MAJOR GENERAL SCHENCK.

"DON PIATT, *Lieutenant Colonel and Chief of Staff.*"

"*Headquarters Middle Department 8th Army Corps, Baltimore, Md., July 21st, 1863.*

"ORDER—So much of that order issued under martial law, June 30th, 1863, that requires passes from persons coming to or leaving the city of Baltimore, is revoked."

"By order "MAJOR GENERAL SCHENCK.

"WILLIAM H. CHEESEBROUGH, *Lieutenant Colonel and A. A. G.*"

In view of the withdrawal of Lee's army from Maryland, Governor Bradford issued a proclamation recommending that special thanksgiving services be held in all the churches of the State, on the 19th of July:

"STATE OF MARYLAND, EXECUTIVE DEPARTMENT.

"To the people of Maryland:

"The recent occurrences within or near our borders are well calculated to profoundly excite the devotional feelings of our people, and incline their hearts to offer to Almighty God their earnest thanks for his agency in delivering the State from the dangers which recently threatened it, in driving the invaders from ourself and in crowning with victory the efforts of those to whom, under His Providence, we are indebted for that deliverance.

"Humbly, therefore, acknowledging our dependence on His favor, so often before and now again so conspicuously extended to us, let us embrace the earliest opportunity of publicly confessing it.

"I, therefore, earnestly recommend to the people of the State to unite, on Sunday next, the 19th instant, in their usual places of public worship in humbling themselves before God in acknowledgment of His recent mercies; and whilst we offer up our thanks for the deliverance He has wrought and the victory he has garnished to us, let us humbly entreat that His wisdom may so direct the councils of our rulers, that the result of these achievements may be the speedy restoration of our beloved country to its former condition of a united, peaceful and prosperous people.

"Given under my hand and the great seal of the State, this 15th day of *July*, in the year eighteen hundred and sixty three.

"By the Governor: "A. W. BRADFORD.

"WM. B. HILL, *Secretary of State.*"

President Lincoln also appointed the fifth of August as a day of thanksgiving, prayer and praise, for the recent success of the Federal arms.

As it was alleged that depredations had been committed in several counties and the barns of "loyal" citizens destroyed, General Schenck issued the following orders, levying a contribution upon the alleged "disloyal" residents in their respective neighborhoods to make good the loss:

"ORDER UNDER MARTIAL LAW.

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, July 21st, 1863.

"Two barns and other property situated in the fourth election district, Harford County, Maryland, belonging to, or occupied by, Levi Pennington and Joseph Perry and brother, loyal citizens of that district, having been burnt and destroyed by persons who resorted to that outrage as a means of preventing and deterring the proper official authorities from the enforcement of the Enrolment Act and draft of militia in that county, it is ordered: That the full value of said property shall be paid for by the disloyal citizens of that neighborhood. For this purpose an assessment of three thousand dollars, being the estimated value of the property destroyed, is made and shall be collected immediately from the following amounts and from the following named persons known to be disaffected to the loyal government of the country, and unfriendly to rebellion and treason; and who reside within a distance of six miles from the points where the barns were burnt:

"James A. Ames, $212.00; Clement Butler, $44.00; Thomas L. Emory, $15.00; Abraham A. Gilbert, $28.00 Shadrack R. Gilbert, $32.00; John Hawkins, $84.00; Thomas Hope, $85.00; William B. Jarrett, $10.00; George Lemmon, $50.00; Richard Mosslear, $30.00; Nathan Nelson, $70.00; Nicholas H. Nelson, $155.00; Robert Nelson, $18.00; Evan S. Rogers, $478.00; Abraham Rutledge, $71.00; John W. Rutledge, $178.00; Charles H. Rails, $145.00; John Rush Street, $23.00; Dr. St. Clair Street, $480.00; Shadrach Street, Jr., $20.00; Dr. Abraham J. Strott, $247.00; John Walter Street, $66.00; Shadrach Street, Sr., $42.00; James R. Sharff, $110.00; Eli Turner, $48.00; James W.

Folly, $68.00; Howard Walters, $20.00; Caleb Wright, $30.00; John D. Alderson, $47.00; Thomas Alderson, $ 3.00; James Watt, $38.00; Nathan Hurst, $18.00; Nathan Grafton, $10.00; Thomas Bay, $10.00; Howard Whitaker, $20.00; Total $3,000.00.

"The several persons above named will be notified that they are required to pay their proportions of the assessment thus made, within three days from the time of notification. In case of the neglect of any one of them to pay after being thus notified, an officer will at once proceed to make collection thereof; and any person refusing to pay on demand shall be forthwith arrested, and sent to the provost-marshal of this army corps, at Baltimore, to be held in confinement until compliance with this order is enforced.

"Captain William L. Cannon, 1st Delaware Cavalry, now on duty with his command in Harford County, is charged with giving the necessary notices, and generally with the execution of this order. The money thus obtained will be paid over, when collected to Captain Robert Cathcart, United States provost-marshal of this Congressional district, in trust, to be distributed and paid by him to the sufferers, Messrs. Pennington and Perry. It is to be understood, however, that in consequence of the reimbursement to the owners, no officer will relax his vigilance in defending, arresting and bringing to punishment, under the provisions of law, the guilty parties to the incendiary and unpardonable acts of destruction.

"By order of

"MAJOR GENERAL SCHENCK,

"W. H. Chesebrough, *Lieutenant-Colonel and A. A. G.*

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, August 4th, 1864.

"One barn and other property in the Fifth Election District, Harford County, Maryland, belonging to or occupied by George M. Ford, a loyal citizen of, and the enrolling officer for that district, having been burned and destroyed by persons who resorted to that outrage as a means of preventing and deterring the proper official authorities from the enforcement of the Enrolling Act and draft of militia in that county, it is ordered that the full value of said property shall be paid for by the disloyal citizens of that neighborhood.

"For this purpose an assessment of six hundred dollars ($600), being the estimated value of the property destroyed, is made, and shall be collected immediately, in the following amounts, and from the following named persons, known to be disaffected to the lawful government of the country, and encouragers of rebellion and treason; and who reside within a distance of six miles from the points where the barn and other property were burned and destroyed:

"William M. Ady, $62.00; William Bay, $30.00; J. W. and Alexander Barnes, $20.00; Jeremiah Bencington, $31.50; Joseph Colston, $20.00; John Daugherty, $27.00; George Norwood & Brothers, $18.00; Alexander Galbreath, $30.50; John F. Galbreath, $37.50; William Heaps, $20.00; Archibald Heaps, $37.50; Stephen S. Johns, $35.00; A. B. Lindsay, $20.00; John McCubbin, $24.00; James H. Nevill, $20.00; Edward Pearce, $22.00; Hugh C. Ramsay, $15.00; William Roberts & Brother, $35.00; Henry A. Silver, $35.00—Total, $600.00.

"The several persons above named will be notified that they are required to pay their proportions of the assessment thus made, within three days of the time of notification. In case of the neglect of any one of them to pay, after being thus notified, an officer will at once proceed to make collection thereof; and any person refusing to pay, on demand, shall be forthwith arrested and sent to the provost-marshal of this army corps at Baltimore, to be held in confinement until compliance with this order is enforced.

"Captain William L. Cannon, 1st Delaware cavalry, now on duty with his command in Harford County, is charged with giving the necessary notices, and generally with the execution of this order. The money thus obtained will be paid over, when collected, to Captain Robert Cathcart, United States Provost Marshal of that Congressional District, in

trust, to be distributed and paid by him to the sufferer, Mr. George M. Ford. It is to be understood, however, that in consequence of the reimbursement to the owners, no officer will relax his vigilance in detecting, arresting and bringing to punishment, under the provisions of law, the guilty perpetrators the incendiary and unreasonable acts of destruction.

"By order of "MAJOR GENERAL SCHENCK.

"W. H. CHESEBROUGH, *Lieutenant Colonel and A. A. G.*"

"*Headquarters Middle Department, 8th Army Corps.*
Baltimore, Md., September 27th, 1863.

"*Whereas*, The outbuildings and barns, horses, wagons, forage, farming implements and other property situated in the fifth election district, Anne Arundel county, Maryland, belonging to or occupied by Wm. H. Dorsey and John G. Cromwell, loyal citizens and United States officers for that district, having been burnt and destroyed by persons who resorted to that outrage as a means of preventing and deterring the proper official authorities from the enforcement of the recalling act and draft of militia in that county, it is ordered: That the full value of said property shall be paid for by the disloyal citizens of that neighborhood.

"For this purpose an assessment of fourteen hundred and fifty dollars ($1,450), being the estimated value of the property destroyed, is made and shall be collected immediately in the following amounts, and from the following named persons, known to be disaffected to the lawful government of the country and encouragers of rebellion and treason, and who reside within a distance of six miles from the point where said barns and other property were destroyed:

"Frederick G. Crisp, $41,32; Nicholas J. Crisp, $67.81; Richard G. Crisp, $80.50; James C. Cromwell, $34.23; Randolph S. Cromwell, $26.82; Richard Cromwell, Jr., $122.65; William Shipley, 108,72; Wm. Lindenberg, $110.83; Owen Hammond, $169.50; Dr. Eli J. Henkle, $35.15; John Merrit, $27.75; Jonathan Warfield, $20.07; William Hawkins, $21.60; Joshua Stewart, $38.54; Richard Shipley, $18.10; Jonas Smith of P., $46.30; Charles Smith, $43.65; James Lucas, $42.21; Charles Pumphrey, $32.62; Thomas Pumphrey, $36.25; Basil S. Brewer, $89.20; Joseph Hanson, $54.43; Henry J. Williams, $6.21; Lewis S. Kelley, $19.18; Hezekiah Kelley, $11.80; Nelson Purdy, $21.68; Richard D. Phelps, $14.87; J. H. Gardner, $22.54; Joshua L. Smith, $12.10; Nicholas Pumphrey, $59.38. Total $1,450."

"The several persons above named will be notified that they are required to pay their proportion of the assessment, five cents, within three days from the time of notification.

"In case of the neglect of any of them to pay after being thus notified, an officer will be once proceed to make collection thereof, and any person refusing to pay on demand shall forthwith be arrested, and sent to the provost-marshal of this army corps, in Baltimore, to be held in confinement until compliance with this order is enforced.

"Brigadier General Tyler, commanding First Separate Brigade, will detail a competent commissioned officer, with a sufficient guard of cavalry, who will immediately proceed to Anne Arundel county, Maryland.

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[1] "PAYMENT OF THE ASSESSMENT FOR BURNINGS.—Last Monday was a lively day in Dublin. It was the day fixed by the deputy provost-marshal to receive the different sums levied on the disloyal citizens of Marshall's district, to pay for the two barns destroyed by fire in that district. We understand that the money was all paid. In the meantime, the barn of Mr. George Ford, in Dublin district, has been destroyed by fire, and the amount was assessed at $900, which will be collected in the same manner.

"The above incidents caused a number of persons to assemble in Dublin, which occasion was taken advantage of by a cavalry company stationed there, and several fine horses were 'pressed into the service' for the use of said cavalry company. Those from whom horses were taken were presented with a receipt for the same, and, if they can prove their loyalty, will be paid for the same at some future time. A dispatch was sent out, on Tuesday morning, to scour the surrounding country for more horses." *Baltimore County Advocate.*

"The commanding officer of the detachment will be charged with giving the necessary orders, and generally with the execution of this order.

"The money thus obtained will be paid over, when collected, to Captain E. C. Holland, United States Provost Marshal of that district, in trust, to be paid over and distributed by him to the sufferers, William H. Downs and John G. Cromwell, in accordance with their sworn statement of the amount of damage sustained by each, viz: to Wm. H. Downs, $1,058, and to J. G. Cromwell $102, making in all $1,160. It is to be understood, however, that in consequence of the reimbursement to the owners no officer will relax his vigilance in detecting, arresting and bring to punishment under the provisions of law the guilty parties in the incendiary and lamentable acts of destruction.

"By command of "MAJ. GEN. SCHENCK.

"W. H. CHESEBROUGH, *Lieut. Colonel and A. A. G.*"

In February, 1861, Captain Fairchild, commanding the post at Frederick, received the following orders:

"*Office of Provost Marshal, Department W. Va.,*
"*Harper's Ferry, Va., Feb. 20, 1862.*

"Provost-marshals of this division will register the names of all wealthy disloyal citizens in the vicinity of your post, and within the lines of military occupation, notifying them that immediately on any damage being done to the property of loyal citizens by guerilla bands, their property will be assessed to the full amount of loss and damage sustained.

"By command of "MAJ. GEN. J. G. SULLIVAN.

D. H. HASKINS, *Major and Provost Marshal of Division.*

As the Republican party gradually attained power, it was more and more emboldened to adopt many anti-slavery measures, on the plea of military necessity. On the 6th of August, 1861, a bill was approved declaring free all slaves used by the Confederates in aid of military purposes. On the 13th of March, 1862, the President also approved a bill dismissing from the service officers guilty of surrendering fugitive slaves. On the 16th of April, 1862, he approved a bill abolishing slavery in the District of Columbia. On the 19th of June, 1862, slavery was prohibited in the territories, and on the 17th of July, 1862, Congress authorized the enlistment of negro soldiers. Upon the first invasion in September, 1862, "I made a solemn vow before God," said Lincoln, "that if General Lee was driven back from Maryland, I would crown the result by a declaration of freedom to the slaves." Accordingly three days after the retreat of Lee across the Potomac on the 22d of September, 1862, he issued his emancipation proclamation in which he said:

"That on the first day of January, in the year of our Lord, one thousand eight hundred and sixty three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof,

shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not in rebellion against the United States."

In accordance with this proclamation, he issued another on the 1st of January, 1863, in which he designated the States and parts of States wherein the people were declared in rebellion against the United States as follows:

"Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth,) and which excepted parts are for the present left precisely as if this proclamation were not issued.

"And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and hereforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

"And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

"And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations and other places, and to man vessels of all sorts in said service."[1]

In the meantime anti-slavery sentiments were making rapid strides in Maryland, and entered largely into the politics of the times. As early as May 28th, 1862, the Union Convention of Baltimore, unanimously adopted a series of strong resolutions, recommending a new Constitutional Convention and declaring the following upon the subject of emancipation:

"That we approve the wise and conservative policy proposed by the President in his message of the 6th of March, 1862, and sanctioned by Congress, tendering pecuniary aid to such States as may choose to adopt a system of gradual emancipation; and that it is not only the duty of the loyal people of Maryland to meet the government in this endeavor to relieve them, in the only practical way, from the evils which armed insurrection has brought upon the land, thus sustaining the government as well against the treason of secession as against the ruinous and violent projects of fanatical abolitionists, but that it is likewise for the interest of all the people of this State, more especially of the

[1] On the 15th of December, 1862, Mr. S. C. Fessenden, of Maine, offered the following resolutions in the House of Representatives, which were adopted: yeas 78, nays 51:

"*Resolved*, That the proclamation of the President of the United States of the date of 22d September, 1862, is warranted by the Constitution.

"*Resolved*, That the policy of emancipation, as indicated in that proclamation, is well adapted to hasten the restoration of peace, was well chosen as a war measure, and is an exercise of power with proper regard for the rights of the States, and the perpetuity of free government."

None of the Maryland representatives voted, excepting Mogers, Calvert and Critchfield, who voted nay.

slave-owners, promptly to accept the aid thus tendered, and remove from our midst an institution which has ceased to be profitable, and is now injurious to our political and material interests, and dangerous to our peace and safety, by inaugurating such a plan of emancipation and colonization as will be equitable to those interested, and as will tend to secure the industry of the State to the white labor of the State."

The subject was discussed from time to time by the press and people until the year 1863, when the ultra Union party, aided by the administration, determined to make emancipation the paramount and leading issue in the fall canvass. They demanded peremptory emancipation without regard to constitutional rights and laws of the State, or even the reasonable convenience of those who were slaveholders and who had been from the beginning of the war, as strong in support of the government as the emancipationists.

Monday, April 20th, being the second anniversary of the troubles in Baltimore, a large Union mass meeting was held at the Maryland Institute in that city, at which Governor Bradford presided. Montgomery Blair, postmaster general, Governor Bradford, General Schenck, Governor Hicks, David Paul Brown, of Philadelphia, and Governor Cannon, of Delaware, addressed the meeting. A series of resolutions were adopted, among which was the following:

"*Resolved*, That the origin and progress of the rebellion leave no room to doubt that the institution of slavery has become an instrument in the hands of traitors to build an oligarchy and an aristocracy on the ruins of republican liberty. That its continued existence is incompatible with the maintenance of republican forms of government in the States in subordination to the Constitution of the United States; and that the emancipation proclamation of the President ought to be made law by Congress, and to be fed by all the power placed by Congress in the hands of the President. That traitors have no right to enforce the obedience of slaves; and that against traitors in arms the President should use all men, white or black, in the way they can most be useful, and to the extent they can be used, whether it be to handle a spade or shoulder a musket.

"*Resolved*, That the safety and interest of the State of Maryland, and especially of her white laboring people, require that slavery should cease to be recognized by the law of Maryland, and that the aid of the United States, as recommended by the President, ought to be asked and accepted to alleviate the public and private inconveniences incident to the change.

As the campaign opened for the election of members of Congress, the deepest interest was felt by the politicians of the country in the result of Maryland's choice. By the new apportionment founded on the census of 1860, the State elected five members. The New York *Herald*, in August, estimated that two of these would be in favor of the radical administration party, composed of Messrs. Stanton and Chase, and three in the opposition, which consisted of Messrs. Seward, Blair, Bates and Usher. The *Tribune*, on the other hand, conceded four in opposition to the administration, which would have the effect, according to the tables the leading papers of the country had arranged for the election of speaker, of increasing the majority from six to eight.

"'But,' adds the *Herald*, 'if, by any possibility, the radicals of the administration could get into their clutches the whole of the Maryland delegation, there would be no majority for the opposition. The vote would then be a tie, and it would be an easy matter for Cisco and Stanton to purchase one vote, which would throw a majority of two on their side.' * *

"The anxiety of the radicals about the Maryland election is, therefore intense. Stanton and Chase are working like beavers, through their agents, to have the whole five members elected as radical republicans, and in favor of making territories of the reclaimed Southern States, with a view of forcing emancipation upon them, and, as a consequence, the amalgamation of the races, or the extermination of the whites of the South, according to the approved programme of Wendell Phillips. Intrigues of every kind were being carried on to accomplish the purpose. What corrupt influences and fraud and intimidation can do is done, and will be done to achieve it. But fortunately, a majority of the cabinet—the conservatives, numbering four to three—are not idle on the other side. Seward, Blair, Bates and Usher are opposed to the schemes of the radical minority, and they are quietly using their best efforts to defeat it through the Maryland elections."

We shall see the realization of the schemes of the emancipationists, in the result of the election held in Maryland on the 4th day of November, 1863. And here we must take a glance at the political movements in the State. The two "Union" conventions that were called by the State central committee, and the Union League convention, which adjourned over from the 16th of June, met in Baltimore on the 23d. The proposition that the two conventions should join in calling a new State convention, to be held at a subsequent day, was rejected by the convention called by the central committee, and both bodies adopted platforms and made nominations. The conditional Union State convention nominated as their candidate for State Comptroller, S. P. Mallit, of Cecil County, and for Commissioner of the Land Office, William L. W. Seabrook, of Anne Arundel County. The Union League convention endorsed Mr. Seabrook as Commissioner of the Land Office, and nominated Henry H. Goldsborough, of Talbot County, as State Comptroller.

To urge upon the people the election of the unconditional ticket, and to carry out the programme of the radical republicans, a mass-meeting was held in Monument square on the 28th of September, at which the Mayor, John Lee Chapman, presided, supported by thirty-five vice-presidents, the most conspicuous "Union" men in the city. The first speaker, Hon. Henry Winter Davis, made an eloquent speech, in which he declared that the battle of emancipation in Maryland was no longer a question, it was already won. He was followed by Secretary Chase, who said that the eyes of the whole country were turned on Maryland. Other speakers, all of the radical wing of the administration party, followed in the same strain.

As the election approached the people were justly apprehensive that they would not be allowed to cast their ballots in their own way, but that it was the intention of the government to interfere in some way to secure the election of its candidates. These fears received some strength from the fact that the two last elections in the State, as also the late election in Kentucky, were openly interfered with and the voters intimidated by persons

in the employment of the Federal government and ostensibly by its authority. The election was a matter of deep interest to the people of the whole State, for on the same day that the five members of Congress were to be chosen, important State and county officers were to be elected. The public, therefore, was in a state of great uncertainty and excitement on the subject of Federal interference with the ballot, which increased as the day of election approached. Under these circumstances, on the 26th of October, Thomas Swann, Chairman of the Union State Central Committee, addressed the following letter to President Lincoln:

"*Office of the Union State Central Committee,*
Baltimore, October 26th, 1863.

"To the President:

"SIR: A suspicion having taken possession of the minds of many loyal Union voters of the State of Maryland, that the election about to take place on the 4th of November, will be attended with undue interference on the part of persons claiming to represent the wishes of the Government, I am induced, by what I know to be the desire of a large number of our people, and in furtherance of applications daily made to me, to ask, most respectfully, that you would place me, as Chairman of the Union State Central Committee, in possession of your views upon this subject, in order that they may be communicated to loyal voters throughout this State.

"I will beg you to believe, Mr. President, that it is with no doubt or distrust on my part, as to what will be your response to this letter, that I ask this favor at your hands; but simply to satisfy a large class of persons who believe that an expression of opinion on your part, would not be without its benefit to the people of the State, in promoting what we all desire, a fair expression of the public voice.

"I am, with great respect, your obedient servant,

"THOMAS SWANN,
"*Chairman of the Union State Central Committee.*"

To this letter Mr. Lincoln replied as follows:

"*Executive Mansion, Washington D. C., October 27th, 1863.*

"Hon. THOMAS SWANN:

"DEAR SIR: Your letter, a copy of which is on the other half of this sheet, is received. I trust there is no just ground for the suspicion you mention; and I am somewhat mortified that there could be a doubt of my views upon this point of your inquiry. I wish all loyal, qualified voters in Maryland and elsewhere, to have the undisturbed privilege of voting at elections; and neither my authority nor my name can be properly used to the contrary.

"Your obedient servant, "A. LINCOLN."

On the same day that this letter was written, a few days before the election, the following military order or apology for another gross outrage upon the rights of the people was issued from the army headquarters at Baltimore, which in effect placed the polls under the surveillance and at the command of the military authority:

"*Headquarters Middle Department Eighth Army Corps,*
"*Baltimore, Md., October 27th, 1863.*

"General Orders, No. 83:

"It is known that there are many evil disposed persons, now at large in the State of Maryland, who have been engaged in rebellion against the lawful Government, or have

given aid and comfort or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which tolerates their presence to embarrass the approaching election, or through it to foist enemies of the United States into power. It is therefore ordered:

"I. That all provost-marshals and other military officers do arrest all such persons found at, or hanging about, or approaching any poll or place of election on the 4th of November, 1863, and report such arrest to these headquarters.

"II. That all provost-marshals and other military officers commanding in Maryland, shall support the judges of election on the 4th of November, 1863, in requiring each of citizenship as the test of allegiance to the United States, as the test of citizenship of any one whose vote may be challenged on the ground that he is not loyal, or does not admit his allegiance to the United States, which oath shall be in the following form and terms:

"I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign; that I hereby pledge my allegiance, faith and loyalty to the same, any ordinance, resolution, or law of any State Convention or State Legislature to the contrary notwithstanding; that I will at all times yield a hearty and willing obedience to the said Constitution and Government, and will not, either directly or indirectly, do any act in hostility to the same, either by taking up arms against them, or aiding, abetting, or countenancing those in arms against them; that, without permission from the lawful authority, I will have no communication, direct, or indirect, with the States in insurrection against the United States, or with either of them, or with any person or persons within said insurrectionary States; and that I will in all things deport myself as a good and loyal citizen of the United States. This I do in good faith, with full determination, pledge, and purpose to keep this, my sworn obligation, and without any mental reservation or evasion whatsoever.

"III. Provost-marshals and other military officers are directed to report by these headquarters any judge of an election who shall refuse his aid in carrying out this order, or who, or that copy of a vote being made on the ground of disloyalty or liability to the Government, shall refuse to require the oath of allegiance from such voter.

"By order

"MAJ. GEN. SCHENCK.

"W. H. CHESEBROUGH, *A. A. G. and A. A. G.*

"Official—W. M. BOND, *Maj. and Aide-de-Camp.*"

Before this order was promulgated in Baltimore,[1] Governor Bradford appreciating the situation of affairs and fearing military interference with the elections, addressed the following letter to President Lincoln:

"*Executive Office, Annapolis, Oct. 31, 1863.*

"To his Excellency President Lincoln:

"SIR—Rumors are to day current, and they touch me in such a shape that I am bound to believe them, that detachments of soldiers are to be dispatched on Monday next to several of the counties of the State, with a view of being present at the polls on Wednesday next, the day of our State election. These troops are not residents of the State, and consequently are not sent for the purpose of voting, and as there is no reason, in my opinion, to apprehend any riotous or violent proceedings at this election, the inference is unavoidable that these military detachments, if sent, are expected to exert some control or influence in that election. I am also informed that orders are to be issued from this military department, on Monday, presenting certain restrictions or qualifications on the right of suffrage—of what precise character I am not apprised—which the judges of election will be expected to observe. From my knowledge of your sentiments on these subjects, as expressed to Hon. R. Johnson, in my presence, on the 23d instant, as

[1] This order was not made public in Baltimore until November 3d.

also disclosed in your letter of instructions to General Schofield, since published, in reference to the Missouri election, I cannot but think that the orders above referred to are without your personal knowledge; and I take the liberty of calling the subject to your attention, and invoking your interposition to countermand them. I cannot but feel that to suffer any military interference in the matter of our election, or to prescribe any test of oath to voters when all the candidates in the State—with the exception, perhaps, of two or three in one Congressional district, and all loyal men—would be justly obnoxious to the public sentiment of the State. There are other reasons why such proceedings would appear as an offensive discrimination against our State. Our citizens are aware that highly important elections have recently taken place in other States, without, as it is believed, any such interference by the Government authorities; and if votes by hundreds of thousands have been allowed to be cast there without objection, and with no limit upon the elective franchise other than the State laws prescribe, and where one, at least, of the candidates so supported was considered so hostile to the Government that for months past he has been banished from the country, certainly any such interference as between the loyal men now candidates in this State would, under such comparisons, be more justly objectionable, and finds nothing in the present condition of things here to justify it. I rely, therefore, upon your Excellency for such an order as will prevent it.

"I have the honor to be, with great respect, your Excellency's obedient servant,

"A. W. BRADFORD."

Governor Bradford was less prepared for General Schenck's remarkable practical comment on the President's letter, from the fact that though in frequent personal communication with the military authorities of the department, he had received no intimation whatever of such a proceeding or of any supposed necessity for it. In that part of the State against which the movement seemed to be more particularly directed (the Eastern Shore), there seemed to be less necessity, as there certainly was less semblance of authority than elsewhere; for while martial law had been proclaimed upon the Western Shore in June, and had not been revoked to the day of election, upon the Eastern Shore it had never been proclaimed at all.

It will be seen, that according to the terms of General Schenck's order, the military, aided by the provost-marshals, were to arrest voters whom *they might consider disloyal* approaching or hanging about the polls; an oath not provided for by the laws of the State was prescribed, without taking which no one, if not challenged, could vote; and the several commanding officers were charged to report to headquarters any judge of election who should refuse to administer that oath or to aid in carrying out that order. In response to Governor Bradford's protest, President Lincoln, on Monday November 3d preceding the election, addressed the following letter to the Executive of the State modifying the first part of the order of General Schenck, but even this modification, as the results showed, received no attention from those entrusted with its execution, and in some instances was openly disregarded:

"*War Department, Washington, November 3d, 1863.*

"To his Excellency A. W. Bradford, Governor of Maryland:

"SIR—Yours of the 31st ultimo, was received yesterday about noon, and since then I have been giving most earnest attention to the subject matter of it. At my call General Schenck has attended, and he assures me it is almost certain that violence will be used at

some of the voting places on election day, unless prevented by his provost-guards. He says that at some of these places the Union voters will not attend at all or run a ticket unless they have some assurance of protection. This makes the Missouri case of my action, in regard to which you express your approval.

"The remaining point of your letter is a protest against any person offering to vote being put to any test not found in the laws of Maryland. This brings us to a difference between Missouri and Maryland, with the same reason in both States, Missouri has, by law, provided a test for the voter with reference to the present rebellion, while Maryland has not. For example, General Trimble, captured fighting us at Gettysburg, is, without regarding his treason, a legal voter by the laws of Maryland. Even General Schenck's order admits him to vote, if he swears upon oath. I think that is cheap enough. My order in Missouri, which you approve, and General Schenck's order here, reach precisely the same end. Each assures the right of voting to all loyal men, and whether a man is loyal, each allows that man to fix by his own oath. Your suggestion that nearly all the candidates are loyal I do not think quite meets the case. In this struggle for the nation's life, I cannot so confidently rely on those whose election may have depended upon disloyal votes. Such men, when elected, may prove true, but such votes are given them in the expectation that they will prove false.

"Nor do I think that to keep the peace at the polls and to prevent the persistently disloyal from voting constitutes just cause of offence to Maryland. I think she has her own example for it. If I mistake not, it is precisely what General Dix did when your Excellency was elected Governor. I revoke the first of the three propositions in General Schenck's General Order No. 53, not that it is wrong in principle, but because the military being, of necessity, exclusive judges as to who shall be arrested, the provision is liable to abuse. For the revoked part I substitute the following:

"That all provost-marshals and other military officers do prevent all disturbance and violence at or about the polls, whether offered by such persons as above described, or by any other person or persons whatsoever.

"The other two propositions of the order I allow to stand. General Schenck is fully determined, and has my strict order besides, that all loyal men may vote, and vote for whom they please.

"Your obedient servant,

"A. LINCOLN, *President of the United States.*"

To this letter Governor Bradford replied in full on the next day.

Prominent among the provost-marshals to whom the execution of the order of General Schenck was in part committed, were several who were themselves candidates for important offices. These marshals, appointed for the purpose of the militia enrolment and draft, were placed by the law creating them, under the control of the provost-marshal general, but to ensure the right to employ them in the enforcement of the election order, special authority was obtained from Washington to place them for the time being under the orders of the military authorities.

Governor Bradford, knowing these facts and seeing that the judges of election, who were sworn to conduct the same according to the laws of the State, were openly menaced with arrest unless they recognized the military authority and conducted the election by the rules which it had prescribed, determined to assure the judges of election the protection of the State to the extent of his ability. He, therefore, on Monday evening, November 2d,

issued the following proclamation, instructing the judges of election to obey the election laws of the State, and promising them the protection of the State in so doing:

"PROCLAMATION BY THE GOVERNOR.

"*State of Maryland, Executive Department,*
Annapolis, November 6th, 1863.

"To the Citizens of the State, and More Especially the Judges of Election:

"A military order issued from the headquarters of the 'Middle Department' bearing date the 27th ult., private and confidential, as it is said, through the State, though never yet published here, and designed to operate on the approaching election, has just been brought to my attention, and is of such a character and issued under such circumstances, as to demand notice at my hands.

"This order, omitting what there are many evil disposed persons now at large in the State of Maryland, who have been engaged in rebellion against the lawful Government, or have given aid and comfort or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which creates their presence, to embarrass the approaching election, or through it to foist enemies of the United States into power, provides among other things as follows: all provost-marshals and other military officers, to arrest all such persons found at or lurking about, or approaching any poll or place of election, on the 4th of November, 1863, and report such arrest to their headquarters.

"This extraordinary order has not only been issued without any notice to, or consultation with the constituted authorities of the State, but at a time and under circumstances when the condition of the State, and the number of the candidates are such as to preclude the idea that the result of that election can in any way endanger either the safety of the Government or the peace of the community.

"It is well known that, with perhaps one single exception, there is not a Congressional candidate in the State whose loyalty is even questionable or unsound, and in not a county of the State, outside of the same Congressional District, is there, I believe, a candidate for the Legislature or any State office, whose loyalty is not equally undoubted. In the face of this well-known condition of things, the several classes of persons above enumerated are not only to be arrested *at* but '*upon awaiting any poll or place of election.*' And who is to judge whether voters thus on their way to the place of voting have given 'aid, comfort, or encouragement' to persons engaged in the rebellion, or that they 'do not recognize their allegiance to the United States,' and may avail themselves of their presence at the polls 'to foist enemies of the United States into power?' As I have already said, in a very large majority of the counties of the State there are not to be found among the candidates any such 'enemies of the United States;' but the provost-marshals 'crowded' for a very different purpose—and the other military officials who are thus ordered to arrest approaching voters, are necessarily made by the order the sole and exclusive judges of who fall within the prescribed category—an extent of arbitrary discretion, under any circumstances, the most odious, and more especially offensive and dangerous in view of the known fact that two at least of the five provost-marshals of the State are themselves candidates for important offices, and actively on their deputies for others.

"The military order, therefore, is not only without justification when looking to the character of the candidates before the people, and rendered still more offensive by the means appointed for its execution, but is equally offensive to the sensibilities of the people themselves and the authorities of the State, looking to the reputed proofs they have furnished of unquestionable devotion to the government. For more than two years past there has never been a time when, if every traitor and every treasonable sympathizer of the State had voted, they could have controlled, whoever might have been their candidates, a

single department of the State, or jeopardized the success of the general government. No State in the Union has been or is now actuated by more heartfelt or unwavering loyalty than Maryland—a loyalty intensified and purified by the ordeal through which it has passed; and yet looking to what has lately transpired elsewhere, and to the terms and character of this military order, one would think that in Maryland and nowhere else is the government endangered by the timely and disposed persons that are now in power.

"Within less than a month the most important elections have taken place in two of the largest States of the Union; in each of them candidates were before the people charged by the particular friends of the government with being hostile to its interests, and whose election was deprecated as fraught with the most dangerous consequences to its success. One of the most prominent of these candidates was considered so dangerously inimical to the triumph of the national cause that he has been for months past banished from the country, and yet hundreds of thousands of votes were allowed to approach the polls, and to attempt 'to foist' such men into power, and no provost-marshals, or other military officers, were ordered to thrust them on the way, or so far as we have ever heard, even test their allegiance by any oath.

"With these facts before us, it is difficult to believe that the suggestion that the enemies of the Union States may be foisted into power at our coming election, was the consideration that prompted this order; but whatever may have been that motive, I feel it to be my duty to solemnly protest against such an intervention with the privileges of the ballot box, and so offensive a discrimination against the rights of a loyal State.

"I avail myself of the occasion to call to the particular attention of the judges of election, the fact that they are on the day of election clothed with all the authority of conservators of the peace, and may summon to their aid any of the executive officers of this county, and the whole power of the county itself, to preserve order at the polls, and secure the constitutional rights of the voters.

"It is also made their 'special duty' to give information to the State's Attorney for the county, of all infractions of the State laws on the subject of elections, and by these laws it is forbidden to any commissioned or non-commissioned officers, having command of any soldier or soldiers quartered or posted in any district of any county of the State, to muster or embody any of said troops, or march any regular party within the view of any place of election during the time of holding said election.

"I need not, I am sure, remind them of the terms of the oath they are required to take before entering upon their duties, and according to which they swear to permit all persons to vote who shall offer to poll at the election, etc., who in their judgment shall according to the directions contained in the constitution and laws, be entitled to poll at the same election, and not to permit any person to poll at the same election who is not in (their) judgment qualified to vote as aforesaid.

"It is the judgment of the judges of election alone, founded upon the provisions of the constitution and the laws of the State, that must determine the right to vote of any person offering himself for that purpose. I trust and believe that they will form that judgment, and discharge their duty, as their conscientious convictions of its requirements, under the solemn obligations they assume shall dictate, unfettered by any orders to provost-marshals to report them to 'headquarters.'

"Whatever power the State possesses, shall be exerted to protect them for anything done in the proper execution of its laws.

"Since writing the above, I have seen a copy of the President's letter to the Chairman of the Union State Central Committee, bearing the same date with the order, and evidently showing, that the order was unknown to him, that it would not have been approved by him, if he had known it, and that it is therefore all the more reprehensible.

"By the Governor: "A. W. BRADFORD.

"WM. B. HILL, *Secretary of State.*"

"After the above was in print, at three o'clock this afternoon I received from the President the following despatch:

"'I revoke the first of the three propositions in General Schenck's general order, No. 38, not that it is wrong in principle, but because the military being of necessity exclusive judge as to who shall be arrested, the provision is liable to abuse. For the revoked part I substitute the following:

"'That all provost-marshals and other military officers, do prevent all disturbance and violence at the polls, whether offered by such persons as above described, or by any other person or persons whomsoever; the other two propositions I allow to stand; my letter at length will reach you to-night.

"A. LINCOLN."

"Whilst this modification revokes the authority of the provost-marshals and military officers, to arrest the classes of persons enumerated in the preamble to the order 'found at or hanging about, or approaching any poll or place of election,' it directs them to prevent all violence or disturbance about the polls, etc.

"To meet such disturbances, the judges of election, as I have already stated, are clothed with ample powers, and I had received no previous intimation that there was any reason to apprehend a disturbance of any kind at the polls on the day of election. In the absence of any military display there would certainly seem to be as little cause for such apprehensions as ever before existed. A preparation by the government by military means, to provide for such a contingency, will be quite as likely to provoke as to subdue such a disposition. Not only so, but the military thus required to prevent violence or disturbance about the polls, must necessarily be empowered to arrest the parties they may charge with such disorder, and they are still left in effect 'the exclusive judges as to who shall be arrested.' A power they may so readily abuse as any other.

"I regret, therefore, that I can perceive no such change in the general principles of the order as to induce me to change the afore-going Proclamation.

"A. W. BRADFORD.

"*Baltimore, Monday Evening, November 3, 1863.*"

As soon as it was known in Baltimore that this proclamation was issued and in the hands of the newspapers for publication it created considerable excitement, as there was now open antagonism between Major General Schenck, as the representative of the military power of the Federal government, and Governor Bradford, as the representative of the sovereign power of the people of the State. It is true, President Lincoln had modified the order of General Schenck by striking out the most objectionable clause; but this did not satisfy the Governor, and hence his proclamation. It was sent to the newspapers for publication in their Tuesday morning's edition, but before it appeared a written order was received by all the papers in Baltimore, from General Schenck, peremptorily forbidding, under penalty of suppression, its publication until further orders from him. Before Tuesday morning, military orders were also sent to the Eastern Shore, directing its circulation to be suppressed, the public papers in that part of the State were also forbidden to publish it, and an embargo was laid on all the steamers in port trading with the Eastern Shore lest they might carry it. The proclamation of the Governor, however, appeared in the columns of the Baltimore newspapers on the morning of the election, Wednesday, November 4th, (too late for circulation in the counties,) with the sanction of the major-general commanding and the following military order in reply to it:

"TO THE LOYAL PEOPLE OF MARYLAND.

"*Headquarters Middle Department, Eighth Army Corps,*
Baltimore, Md., November 3, 1863.

"A very extraordinary Proclamation was issued last evening by his Excellency, A. W. Bradford, Governor of Maryland, in relation to General Order No. 68, from these headquarters. I will not presume, with my knowledge of Governor Bradford, that that proclamation was designed to produce collision between the military power and the citizens, who are assembled at the polls to vote at the election to-morrow; but I cannot doubt that its obvious tendency is to invite and suggest such disturbance. When that proclamation came to my knowledge, late last night, I felt it to be my duty to take measures for restricting, as far as possible, its circulation in those parts of the State to be most affected by it, until there could go out with it the letter of the President of the United States on the subject, written yesterday to Governor Bradford, a copy of which I have now obtained.

"I will make for myself but one or two comments on the proclamation.

"The intimation of the governor that my order might have been prompted by some other consideration than patriotic purpose of official duty, is unworthy of reply and unworthy of him. He knows, and the people of Maryland and of this military department know, how steady and earnest and constant has been my aim to avoid all side influences, and to keep in view and act steadily upon the idea of maintaining the just authority of the national government against disloyalty in all its forms, and for the general good only.

"It was in this spirit that I issued the general order in question. Its simple purpose is to prevent traitorous persons from controlling in any degree by their votes, or taking part in the coming election. The order is not aimed at candidates, either individually or as a class, as the governor would presume. Neither is it aimed at, nor can it by any proper interpretation, in any way interfere with the rights of loyal voters. It is only framed and intended to exclude from a voice in the election of those who are to administer the affairs, either of the national government or of this loyal State, such individuals as are hostile to that government of which Maryland is a part. What any good citizen pretend that the exclusion of such persons is not a wise and wholesome protection due to those who adhere to and sustain the Constitution and lawful authority? And it is clearly not a hardship to be complained of by the individual challenged for such disqualification, when he is permitted to purge himself with his own oath of allegiance to the government in the maintenance of which he claims a share. Governor Bradford himself cannot appreciate more highly than I do the sterling loyalty of the great majority of the people of Maryland; but he must know, as I do, that there still remain at large, from subserviance of the government authority, a very considerable number who are more or less actively engaged in aiding, and encouraging rebels in arms. Even in his proclamation he admits the existence of such prevailing disloyalty in the counties of at least one of the congressional districts. But my general order was only put forth after the receipt, through all the last month, of a great number of letters, petitions and appeals in person, from respectable and loyal citizens, particularly throughout the southern part of the State, on both sides of the bay, imploring the issuing of such an order. I have only failed in complying with their requests by making its provisions less stringent than justness and fairness to loyal citizens seemed to them to demand.

"I will add, only to show with what anxiety I have sought, on this occasion, to secure peace and good order at the polls, that the officers intrusted with this duty have, in every instance, been furnished with written or printed instructions, of which the following is one clause: 'The officers and men are to be cautioned not to commit or permit any unlawful violence. They must not enter into political discussions, and are to remember that while protecting the polls from rebel sympathizers, they are conservators of the peace, and are there to support the judges of election.' Even Governor Bradford could scarcely

object to this. I now repeat to the provost-guards that instruction, and enjoin upon them that while they enforce the observance of the general order firmly and faithfully, as directed, they do it in every respect discreetly and temperately. I append copies of the President's letter and of the general order as modified.

"ROBT. C. SCHENCK, *Major General Commanding.*"

This explanation of General Schenck's will possibly appear somewhat lame and inconsistent, but this whole business was tainted with falsehood and inconsistency from beginning to end. Governor Bradford was in a false position when, professing to represent a free and sovereign State, he yet upheld an administration whose policy was to crush out all State freedom and independence.

General Schenck was in a position equally false when professing to regard the constitution and laws, and be solicitous for the general good, in act he trampled on the former, and saw no way of securing the general good, but by the triumph of a faction who would sustain him in any wrong he might please to perpetrate. As inconsistent were the "Union" people, who, while clamoring that they were the immense majority—were, in fact, the State—could never devise measures stringent enough to prevent the minority from meeting, speaking, writing, voting, or in any way manifesting their insignificance.

"No matter what had been the conduct of the voter," said Governor Bradford "there was nothing in the oath calculated to exclude him: it had no reference to his past conduct, and every traitor who had left the State and had not just returned from the rebel army, might have taken it with impunity. It contained only a promise for future good behavior—a promise which, as a very slight atonement, many a rebel sympathizer might, and doubtless did very readily make, while the loyal citizen who had stood always faithful to his allegiance, would feel justly indignant at having his loyalty challenged, or being required to give any guarantee for his future conduct, or to ask for him to exercise a privilege he had never forfeited."

How far the military order of General Schenck accomplished its alleged purpose, or how far the governor's anticipations of the consequences of the order and the abuses to which it would lead were realized, will appear by a brief reference to some of the transactions connected with its execution.

In the State, the election was held for comptroller of the treasury, commissioner of the land office, members of congress, State senators, members of the House of Delegates, judges of the courts, clerks of courts, sheriffs, and other minor officers. In Baltimore there were four tickets in the field—the Independent Union, Regular Union, Conditional Union and Unconditional Union. The Independent Union, Regular Union and Unconditional Union tickets had the same State officers with some changes in the candidates for local offices. The candidates for Congress on the Unconditional tickets were, first district, John A. J. Cresswell; second district, Hilvin H. Webster; third district, Henry Winter Davis; fourth district, ex-Governor Frank Thomas, and fifth district, John C. Holland. The candidates on the Conditional Union were, first district, John W. Crisfield; fifth district, Charles B.

Calvert, and Benjamin G. Harris. The five Unconditional Union candidates were all pledged to vote for the radical administration candidate for speaker. In the election for State officers, the question of emancipation or slavery was to be tested. Those who were for the speedy abolishment of slavery in the State, voted for Henry H. Goldsborough for comptroller of the treasury; and those who wished to retain slavery in the State, and who were opposed to the calling of a convention for the abolishing of slavery from the State Constitution, voted for Samuel S. Maffit for comptroller of the treasury.

In Baltimore the entire Regular Unconditional Union ticket was elected, and in the State, the same State ticket was elected, with the nominees of the same ticket from the first, second, third and fourth districts, for Congress. In the fifth district, where there were two Union candidates running, Benjamin G. Harris, the Constitutional Union candidate was elected. In Baltimore City, Goldsborough received 10,942 votes and Maffit 368. In the State, the former received 33,001, and the latter 12,951, making a total vote of 46,852 and a majority of 20,050 votes for Goldsborough. The Legislature was largely in favor of the abolition of slavery, and the calling of a convention to alter the Constitution of the State.

To accomplish the objects of the Unconditional Union men in the election, Governor Bradford in his message to the Legislature at the January session of 1864, says—

"Arrests commenced even before the opening of the polls. On the day preceding the election, the officer in command of the regiment which had been distributed among the counties on the Eastern Shore, and who had himself landed in Kent county, commenced his operations by arresting and sending across the bay some ten or more of the most estimable and distinguished of its citizens, including several of the most steadfast and uncompromising loyalists of the State. The jail of the county was entered, the jailer seized, imprisoned and afterwards sent to Baltimore, and prisoners confined therein under indictment were set at liberty. The commanding officer referred to gave the first clue to the character of disloyalty against which he considered himself as particularly commissioned, by printing and publishing a proclamation in which, referring to the election to take place next day, he invited all the truly loyal to avail themselves of that opportunity and establish their loyalty 'by giving a full and ardent support to the whole Government ticket upon the platform adopted by the Union League Convention,' declaring that 'whatever other is recognized by the Federal authorities as loyal or worthy of support of any one who desires the peace and restoration of the Union.'

"To secure the election of that ticket seemed to be the business to which he and his officers especially devoted themselves throughout the day of election. In the statements

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HEADQUARTERS 3D MARYLAND CAVALRY,
CHESTERTOWN, KENT, November 2, 1863.

Whereas, the President of the United States, in reply to a letter addressed to him by Hon. Thomas Swann, of Baltimore City, has stated that all loyal, qualified voters should have a right to vote, it, therefore, becomes every truly loyal citizen to avail himself upon the record or poll books, at the approaching election, by giving a full and ardent support to the whole government ticket, upon the platform adopted by the Union League Convention. None other is recognized by the Federal authorities as loyal or worthy of the support of any one who desires the peace and restoration of the Union.

CHARLES CARROLL TEVIS,
Lieutenant Colonel Commanding.

See, also, the documents accompanying the governor's message, January 5, 1864.

and certificates which have been furnished to me from different counties in that Congressional district, I have been furnished, I presume, with an account of part only of the outrages to which their citizens were subjected. The "Government ticket" above referred to, was in several, if not all of these counties, designated by its color; it was a yellow ticket, and armed with that, a voter could safely run the gauntlet of the sabres and carbines that guarded the entrance to the polls, and known sympathizers with the rebellion were, as certified to me, allowed to vote unquestioned, if they would vote that ticket, whilst loyal and respected citizens, ready to take the oath, were turned back by the officers in charge without even allowing them to approach the polls.

"In one district, as appears by certificate from the judge, the military officer took his stand at the polls before they were opened, declaring that none but 'the yellow ticket' should be voted, and excluded all others throughout the day. In another district a similar officer caused every ballot offered to be examined, and unless it was the favored one, the voter was required to take the oath and not otherwise; and in another again, after one vote only had been given, the polls were closed, the judges all arrested and sent out of the county, and military occupation taken of the town.

"But I will not detain you with a recapitulation of all the abuses that these sham reports disclose. I have caused copies of them to be furnished to you and they cannot fail to arrest your attention. They present a humiliating record, such as I had never supposed we should be called upon to read in any State, still less in a loyal one like this. Unless it be indeed a fallacy to suppose that any rights whatever remain in such a State, or that any line whatever marks the limit of federal power, a bolder stride across that line than power never made even in a Rebel State than it did here on the 4th of last November.

"A part of the army which a generous people had supplied for a very different purpose, was on that day engaged in stifling the freedom of election in a Faithful State, intimidating its sworn officers, violating the constitutional rights of its loyal citizens, and obstructing the usual channels of communication between them and their Executive."[1]

Under the anti-slavery agitation, slave property which had been very uncertain for some time, became almost valueless. This was strikingly illustrated in July, when Colonel William Birney, of the bureau for the organization of colored troops, liberated all the slaves in Campbell's slave prison, on Pratt near Howard street, Baltimore. At this time there were over fifty imprisoned "contrabands," as negroes were now jocosely called, who had been sent there for safe keeping by their owners. This establishment with others was broken up, and during the civil war many a prominent

[1] As the overawe of power upon liberty have never yet failed to find authors, and philanthropic defenders, we cannot be surprised to find that the Boston Commonwealth, the organ of the Hon. Charles Sumner, senator from Massachusetts, thus justifying the military interference of the administration with the elections in Maryland and Delaware: "We do not find fault with the anti-slavery zeal to carry Maryland and Delaware. During nearly the entire control of the House by its friends in the conduct of the war from March, 1861, to the fall of 1862, the administration owed it to the country to recover that control somehow. To recover it regularly, was impossible; so irregularity had to be resorted to. Popular institutions will not suffer for the opportunist doctrine. All loyal men will have a much larger number of members in both branches than it is entitled to by its popular vote. Odds will, in all original republican majority, will be represented by five republicans and a dozen or more copperheads. It is fitting that this misrepresentation of popular sentiment in the given State of the West should be offset, if necessary, by a loyal delegation from Maryland and Delaware, even even at the expense of military interference. If laws are silent amid the clash of arms, we must take care that the aggregate public opinion of the country obtains recognition, somehow or other."

slave owner found himself the occupant of cells in some of which, perhaps, his own negroes had been incarcerated. The course pursued by Colonel Birney in enlisting negroes excited universal comment, and considerable correspondence grew out of it. Among others a discussion upon the question of emancipation was carried on between himself and the Mayor and the City Council of Baltimore, and between Governor Bradford and ex-Governor Francis Thomas. Judge Hugh L. Bond, who became one of the most strenuous advocates of unconditional emancipation in Maryland, addressed a long and urgent letter to Secretary of War, Stanton, in relation to the enlistment of negroes within the limits of States which were exempted from the operation of the President's proclamation of freedom. It attracted a great deal of attention at the North and was widely copied by the journals of that section of the country. He observed that in Maryland the free negroes were nearly equal in numbers to the slave population, their aggregates being in 1860, eighty thousand and eighty-seven thousand. If enlistments were to be confined to the former class, Baltimore and the adjoining free counties of the northern and western section of the State would suffer materially in being deprived of the laboring force necessary for their welfare, if not existence.

At the same time, in the lower slave-holding counties, a majority of whose inhabitants he declared were at heart disloyal, the value of slave property would very largely appreciate, a result which it was impossible to suppose that Congress had in view when it passed the enlistment act of 1862. The course pursued by Colonel Birney, of enlisting free negroes, would "put money in the pockets" of the plantation interest at the expense of those who were at this period, and had always been, loyal to the government. The judge elaborated his views at some length and finally recommended that a proclamation be issued stating explicitly that the acts of Congress before referred to, authorized the enlistment of all classes of persons of African descent, and inviting free negroes and slaves alike to join the army.

In the meanwhile, however, the abduction and recruiting of slaves was kept up in Maryland by the various negro companies in the State. It was practised to a very large extent on the Eastern Shore, and in the southern counties of the Western. In October, the recruiting officer at Benedict, in Charles County, notwithstanding the protests of the Governor and county authorities, openly declared his determination to establish recruiting stations at all the landings on the Patuxent river, as far as Upper Marlboro', and to carry off all the able-bodied male slaves by force, if it should be necessary. By this means the peaceable and law-abiding people of that section of the State suffered greatly, and were compelled to provide for the negro women and children, and the superannuated and infirm. In October, a party of negro soldiers from Baltimore, with two white officers, arrived at Benedict for the purpose of obtaining negro recruits for the army. After scouring the country and obtaining some fifty recruits from the slaves in the neighborhood and

sending them off, a party of two negroes and a white officer visited the plantation of Colonel John H. Sotheron, in St. Mary's County, a few miles from Benedict. The officer in command informed Colonel Sotheron that he came to carry off his able-bodied slaves, which Colonel Sotheron was willing he should do, provided they were willing to go with him. The negroes all declined to leave, when an altercation ensued, in which the officer declared his determination to carry them off, and Colonel Sotheron expressed his intention to protect them. A struggle took place in which Lieutenant White, the officer in command was killed, and a negro soldier wounded. Colonel Sotheron and his son, for fear of the vengeance of the Federal authorities escaped to Virginia, and did not return until the close of the war.

Soon after this event a circular was issued from the bureau for organization of colored troops, at the war department, by order of President Lincoln, establishing the following recruiting stations for negro troops in Maryland: Baltimore City, Havre-de-Grace, Broad Creek, Chestertown, Queenstown, Kent Island landing, Oxford, Slaughter's Creek, Princess Ann wharf, Forrest wharf, Leonardtown, Benedict, Lower Marlboro', Monocacy, Hagerstown, Annapolis, Ellicott's Mills. The following stations in Eastern Virginia were also added: Cherrystone Creek and Chesconessex Creek. All claims for slaves that were to be enlisted were laid before a board appointed by President Lincoln, consisting of Hugh L. Bond, Thomas Timmons and R. E. Strengh, which was to convene in Baltimore. No claim was entertained from any person who was or had been in arms against the government, or who in any way had given aid or comfort to the Confederates; and all claimants were to file with their claims an oath of allegiance to the Government of the United States. The order however further declared that "any citizen of Maryland, who shall offer his or her slaves for enlistment into the military service, shall, if such slave be accepted, receive from the recruiting officer a certificate thereof, with a descriptive list of such slave, and become entitled to compensation for the service or labor of said slave not to exceed the sum of $300, upon filing with the slave board a valid deed of manumission and release, and making satisfactory proof of titles; and any slave so enlisted, shall be forever thereafter free."

Governor Bradford in a letter to President Lincoln, upon the subject of slave enlistments, dated September 28th, 1863, gives the following "course of proceeding usually adopted" in Maryland for the enlisting of slaves:

"A steamer in government employ, provided with a recruiting officer and armed guard, is sent into some of the many rivers with which our State abounds, and this officer and guard immediately make known their presence, and find means of communicating with the slaves on the neighboring farms. These slaves, usually under cover of the night, are induced to quit their owners' houses, and to repair on board of the boat. The officer in charge exercises his arbitrary discretion, by no means regulated by the question of the owner's loyalty, in carrying off one man's slaves, and allowing another's

to return; and when his cargo of recruits is thus made up, he weighs anchor and delivers them at camp, in a distant part of the State, sometimes before their owner is aware of their absence. These owners are not allowed access to them, and in some instances have been positively refused, though their only and avowed purpose was to identify their property, as a preliminary to a claim for future indemnity, in case such should be allowed."

At the January session of the Legislature, the Governor also felt it his duty to call their attention to the subject which had greatly agitated and alarmed the people in the large slave-holding counties.

"About four months since," says the governor, "recruiting officers for the first time made their appearance among the slave population of the State, with the avowed purpose of enlisting in the military service all colored persons of the required age and condition who would present themselves. No orders from the headquarters of the army authorizing such a proceeding had been made known, and no rules seemed to exist establishing any certain course of proceeding. The recruiting officers exercised apparently an arbitrary discretion, stripping some neighborhoods and leaving others untouched, taking frequently the slaves of owners whose loyalty had never been questioned, in some cases when these owners were themselves absent in the army or navy struggling against the enemy, and leaving those of others whose want of loyalty was equally notorious. They frequently took not only such as were fit for the service, but many others who were entirely unfit, and who, when brought to the rendezvous in another part of the State, were turned adrift and in most cases lost both to the government and their owners.

"I complained of these proceedings to the President of the United States, and was informed that no orders upon the subject had been given, and that it was under consideration. After the lapse of a month, the practice still continuing, no order relating to it yet appearing, and continued complaints from loyal owners still reaching me, I addressed a written communication to the President remonstrating against the practice and invoking his interposition.

"This led to another conference with him and the Secretary of War, the result of which, as I thought, was the suspension of the practice, until an opportunity could be offered to the owners to voluntarily offer their slaves to the government at a certain rate of compensation, and to meet by that means its supposed necessities. But the suspension did not take place, and the practice still continued with as little system as ever on the part of the recruiting officers.

"You will readily perceive the gist of the objection which our loyal citizens make to these proceedings. It is not so much that they object to colored troops, for they are ready and willing to see every one, be his color what it may, who is subject to military duty, arrayed against this rebellion. It is not that they object to the surrender of their property to any extent that may be necessary to strengthen the arm of the government in the conflict in which it is engaged. They admit, that when a pressing emergency exists, if it cannot be otherwise met, their property may be impressed for that purpose; but, if such an emergency does not exist, they claim not only that they shall be paid for property so seized without unreasonable delay, but that its improvement shall be so guarded as to embrace all alike, and to avoid the wanton or reckless ruin of it; and that such proceedings shall not be conducted according to the arbitrary whim of every subaltern who, by carrying off those evidently unfit for service, proves that the augmentation of the army is frequently the least of his considerations.

"If slaves are persons subject, within the provision of the Acts of Congress, to military duty, those Acts have prescribed the mode of enforcing that duty; they should then be

enrolled and drafted as militia-men, but they have not been so enrolled simply because they have not been made subject to that duty, as reference to the conscript law will show. If then they are subject to seizure, it is only as property, and to meet an emergency; and then their seizure or their enlistment should not be by the arbitrary process noticed, but governed by some fixed rule that would make all alike subject to the burden and allow no discrimination either between individuals or loyal States."

On the 28th of September, 1863, General Schenck obtained leave of absence, and Brigadier General Erastus B. Tyler, by order of the War Department assumed command of the department. Soon after General Schenck was elected a member of Congress from Ohio, when he resigned to take effect on the 5th of December. On that day Brigadier General Henry H. Lockwood, of Delaware, assumed command of the Middle Department.

CHAPTER XLVII.

THE Maryland Legislature assembled at Annapolis on January 6th, 1864, and was regularly organized on the next day. It then proceeded to elect ex-Governor Hicks, United States Senator.[1]

At an early point in the session of the Assembly, the subject of negro emancipation was discussed, and one of its first acts was the introduction of a bill for calling a State Convention with a view to the abolition of slavery. This bill passed both Houses on the 28th of January, and became a law on February 3. The vote in the Senate was, ayes 13, nays 8; and in the House, ayes 45, nays 17.

By this Act, the people of Maryland were called upon to vote on the first Wednesday of April, "for" or "against" holding a State Convention to frame a new Constitution and frame of government. On the same day they were to elect delegates to said convention. The convention, if it was decided to hold one, was to meet in Annapolis on the last Wednesday of April, 1851. The members were to have the same qualifications as members of the House of Delegates, and receive as compensation, five dollars per day. The members, besides the usual oath, were required to swear that they would "support the Constitution of the United States, and be faithful and bear true allegiance

[1] Hon. Thomas Holliday Hicks, the eldest son of Henry S. and Mary (Sewell) Hicks, was born in Dorchester County, September 2, 1798. He attended the subscription schools of his neighborhood, till he was about twenty years of age, and, soon after attaining his majority, he was made a constable, which position he held till 1824, when he was elected sheriff of the county. After filling this office for three years, he settled upon a farm on the Choptank River, and, while residing there, was a member of the Legislature. In 1835, he entered into mercantile business, and, in 1836, was elected, on the Whig ticket, one of the State electors for senators; in 1837, was a member of the Governor's Council, and, in 1838, Governor Veazey appointed him register of wills for Dorchester County. He was reappointed by successive governors, until the adoption of the Constitution of 1851 made the office elective. To that Constitutional Convention, he was elected; and, the register of wills elected under the new constitution dying in 1853, he was appointed by the Orphans' Court to fill the vacancy. He filled that office, in all, about seventeen years, holding it until 1857, when he was elected governor by the Know-nothing party. At the close of his gubernatorial term, he was offered by President Lincoln an appointment as brigadier general of volunteers, but declined, and, in 1863, was appointed United States Senator by Governor Bradford to fill the unexpired term of Hon. James A. Pearce, who died in December, 1862. That appointment was ratified by the Legislature, in 1864, by an election for the term ending in 1867. He was now thoroughly identified with the republican party, and, although a slave-owner, he voted for the Constitution of 1864 and for the abolition of slavery. In the autumn of 1865, he sprained his ankle, and, erysipelas setting in, the amputation of his leg became necessary to save his life. He died February 13, 1865, in Washington City, from the effects of a stroke of apoplexy.

to the State of Maryland and the Government of the United States, any law or ordinance of any State to the contrary notwithstanding, and that I have never, either directly or indirectly, by word, act or deed, given aid, comfort or encouragement to those in rebellion against the Government of the United States, and this I swear or affirm, voluntarily, without any mental reservation or qualification whatever." The law also declared that in case any organized military or armed force of the United States should appear in any election district or precinct where the polls were held, and should interfere with said election, (unless such force should be called out by the judges of election or other civil authority, charged with the preservation of the peace), the judges should certify the facts to the governor, who should order a new election in such election district or precinct. The judges of election were also to "administer the oath or affirmation to every person offering to vote, whose vote shall be challenged on the ground that such person has served in the rebel army, or has either directly or indirectly given aid, comfort or encouragement to those in armed rebellion against the government of the United States, or is, for any other reason, not a legal voter, in the manner and form provided by Section 21, Article XXXV. of the Code of Public General Laws relating to elections; and a judge or judges of election failing to comply with the provisions of this Act, shall be liable to the same penalties as he or they would be by the non-compliance with the existing election laws of the State." After the proposed Constitution and form of government was adopted by the convention, it was to be submitted to the "legal and qualified voters of the State, for their adoption or rejection, at such time, in such manner, and subject to such rules and regulations as said convention may prescribe." And in case any judge of election, clerk of court, or sheriff should neglect their duty, they were liable to indictment, and upon conviction were deemed guilty of a misdemeanor, and were to be sentenced not less than $500, and subject also to imprisonment in the jail for not less than six months. If the Constitution was adopted by a vote of the people the governor was to declare the same by proclamation, and take steps to carry it into effect.

The Legislature passed a resolution, on the 9th of March, tendering the thanks of the State "to Commander John Rogers, of Maryland, for his distinguished services during the rebellion, especially in organizing the iron-clad fleet on the western waters; in the attack on Fort Darling; in the heroic attempt on Fort Sumpter, under Admiral Dupont and the memorable capture of Atlanta." Thanks were also to tendered Captain A. H. Kilty, "for his brilliant services in command of the gunboat *Mound City*, in the fight at Fort Pillow, and in the attack on the batteries at Saint Charles, on the White River." They also appropriated $2,500 to purchase flags to be presented by the governor "to such Maryland regiments, batteries or battalions as have borne, or may hereafter bear a distinguished part in any of the battles of the war."

The two Houses, after passing a joint resolution appropriating one hundred dollars to each of the members for extra expenses, contrary to the Constitution of the State,[1] adjourned on the 10th of March, 1861.

On the 12th of March, Major General Lewis Wallace, an unsuccessful officer, was appointed to the command of the 8th army corps, middle department, exclusive of Fort Delaware. He relieved Brigadier General Lockwood and assumed command on the 22d. A few days after he was waited on by the Mayor and City Council, on which occasion he remarked that he "regarded rebels and traitors as having no political rights whatever." His line of official conduct being thus foreshadowed, during the entire period of his command in Baltimore he carried out with unflinching vigor and great harshness his repressive measures, and incurred more odium than any other of the military satraps excepting General Butler. The first proposed interference by General Wallace with the civil affairs of the State was in the pending election "for" or "against" the constitutional convention. Notwithstanding the law which provided for the election expressly said there should be no military interference, General Wallace addressed the following inquiry to Governor Bradford in relation to those who should attempt to vote, which is quite in keeping with his previously expressed sentiments as to the political rights of those whom he was pleased to consider "disloyal:"

GENERAL LEW WALLACE.

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, Md., March 30, 1861.*

"His Excellency, Gov. A. W. Bradford:

"DEAR SIR—Herewith please find official copies of papers, a glance at which will doubtless satisfy you that persons disloyal to the Government of the United States are candidates for the Constitutional Convention, the election for which takes place on the 6th of April next. It is hardly necessary for me to say that I am deeply interested in the prevention of the selection discreetly; and as my offer of co-operation in all matters calculated to promote the welfare of the people of Maryland was very kindly received by you, I am encouraged to ask a question touching a subject about which your Excellency's official position is entitled to the most distinguished consideration.

"As the oath which the law providing for a convention requires you to administer to delegate elect, before taking their seats, was evidently intended to exclude disloyal persons from participation in the deliberations of that body, I have thought it possible that it was also the legislative intention to provide a method for the rejection, at the polls, of the votes of disloyal men, and that the power, according to judicial authority (according to my interpretation of the Act) with which the judges of election are clothed, was really the mode adopted by the law-makers for the accomplishment of that purpose.

[1] The Constitution of 1851, article III., section xxx., expressly declares that "the Senators and Delegates shall receive a per diem of four dollars" and mileage. Section 23 declares nor shall "the salary or compensation of any public officer be increased or diminished during his term of office." Section 24 declares that "no Senator or Delegate, after qualifying as such, shall, during the term for which he was elected, be eligible to any office which shall have been created, or the salary or profits of which shall have been increased, during such term," etc.

"Your Excellency would oblige me very much therefore, by giving me your views as to the extent of authority possessed by the judges of election, and especially as to whether they have power to reject a vote on account of the disloyalty of the person offering it?

"I will avail myself of the first opportunity to disclose to your Excellency the circumstances which, in my judgment, make it my duty to advise with you touching the subject.

"Meantime I have the honor to remain, most respectfully, your friend and very obedient servant,

"(Signed) "LEW WALLACE,

"*Maj. Gen. Commanding Middle Department.*"

In reply Governor Bradford said:

"*State of Maryland, Executive Department, Annapolis, March 31, 1865.*

"DEAR SIR:—I received your letter of 30th instant, in which, premising that persons disloyal to the government of the United States are candidates for the Constitutional Convention, the election for which takes place in this State on the 6th of April next, and referring to the oath which by the law providing for that Convention its members are required to take before they are entitled to seats therein, You suggest that it was probably also the legislative intention to provide for the rejection of the votes of disloyal persons at that election, and that the judges of election are vested with authority to that effect. You, therefore, request me to give you my views as to the extent of the authority possessed by the judges on that subject.

"It gives me pleasure to comply with this request and to state as explicitly and as briefly as I can my views of the power possessed by our judges of election in the premises.

"By a clause in our election law, as it has existed for many years, it is provided that 'the judges of election may administer an oath in any inquiry they may deem necessary to be made touching the right of any person to vote; and if any person shall swear falsely in relation thereto, he shall upon conviction thereof suffer the pains and penalties of perjury.' The effect of this provision was to authorize the administration of an oath by the judges in any inquiry touching the right of a person offering to vote; but whilst the oath was thereby legalized, and a party swearing falsely was subjected to the penalties of perjury, there was nothing in the law which *required* the judge to administer such oath. This omission, so far at least as the election of the 6th of April next is concerned, has been supplied by the act of the General Assembly under which that election is to be held.

"By the terms of that act, it is no longer a *discretionary* authority with the judge to administer an oath or not, but it is made his duty to do so, and especially in the language of that act, 'to every person offering to vote whose vote shall be challenged on the ground that such person has served in the rebel army, or has either directly or indirectly given aid, comfort or encouragement to those in armed rebellion against the government of the United States.'

"The fact to be ascertained, is whether the voter has served in the rebel armies, or directly or indirectly aided, comforted or encouraged those engaged in the present rebellion; and whilst the judge is required, whenever a voter is challenged on such ground, to administer an oath to him, he should not content himself with the mere denial, by personal terms, by the one so challenged, that he has ever aided, comforted or encouraged the rebels; but would be authorized, and I think required, to test the recollection of the party swearing, by propounding to him particular interrogations, suggestive of different modes by which this aid, comfort or encouragement may have been given previously as when a

voter is challenged on the ground of a want of residence, the most general affirmation upon oath of the party challenged would not be considered sufficient proof of his residence, but he would be required to state time, place and circumstance upon which a proper judgment as to the question of residence might be formed.

"Neither is the judge in case of a challenge or any account concluded by the answers of the party challenged, but he is fully authorized to administer an oath to any other who may be present, and cognizant of facts having a relation to the question.

"It will, of course, occur to you, from the facts which I have quoted, that the giving at any time since the commencement of the existing rebellion, either directly or indirectly, of aid, comfort or encouragement thereto, is, so far as the coming election is concerned, the disqualification of a voter; for the General Assembly would not have imposed upon the judge of election the duty of inquiring into these facts if, when their existence was established, the voter could still exercise the right of suffrage. I know that it may be said that the General Assembly possessed no power to prescribe the qualifications of a voter, and that these are established by the constitution; but without entering into any discussion upon this point, or as to the extent of the judge's power to inquire into and determine the question of citizenship—one of the constitutional qualifications to be possessed by the voter—it is sufficient to know that the General Assembly has declared that certain acts shall disqualify the voter at this election.

"Such is the law of the State authorizing and regulating said election, and no one can lawfully question the constitutionality of that law until some court of competent authority has declared it unconstitutional. This is a prerogative belonging to our courts alone, and even as a judicial function is the exercise of a power of a grave and delicate character, and only warranted in a clear case.

"I think, therefore, sir, that from this very hasty and imperfect review of our laws upon the subject, you will agree with me in believing that they are entirely sufficient, if faithfully executed, as I have every reason to hope they will be, to exclude disloyal voters from the polls.

"The duties of our judges of election are, it seems to me, in this respect, clearly defined and adequately enforced. By the 7th section of the convention act it is provided that any judge of election who shall refuse or neglect to perform any of the duties required of him by that act, shall be liable to indictment for such offence, and upon conviction thereof shall be deemed guilty of a misdemeanor, and be sentenced to a fine of not less than $500, and to imprisonment in the jail of the city or county where such offence may have been committed, for a term of not less than six months.

"In conclusion, permit me to say, I shall be at all times pleased to confer with you in all matters connected with your command touching the interests of the people of this State.

"I have the honor to be, with great respect,

Your obedient servant,

"A. W. BRADFORD."

In this response of Governor Bradford it will be seen that he gave it as his opinion that it was the *legal duty* of the judges of election to examine persons offering to vote as to their loyalty, and even to extend the inquiry by questioning witnesses. But the judges of election were not *required* to do this unless they had suspicions themselves, or the votes of the parties were challenged. It was suggested that the "true Union" men should go to the polls, and as challengers, question boldly the votes of their neighbors, compel the judges to administer the oath, suggest the inquiries to be made, adduce

evidence of disloyal acts and declarations where the voters tried "to lie out of their treason," and if necessary, warn the judges of the penalty incurred by shirking their duty.

Such was the easy and effective way in which the dominant party (dominant by force of bayonets, not of numbers) carried elections at this time. An obnoxious voter was first tried with the oath; if he took that, some one was ready to charge him with treasonable acts or sentiments. If this was not sufficient, he was plied with multiplied questions, until at last one was found which he could not, or would not, answer to the judges' satisfaction. Governor Bradford, doubting the ability of the judges to devise questions sufficiently entangling, was at the pains to draw up himself the following series of interrogatories for their guidance, to which they were at liberty to add any others which might occur to them as most likely to entrap the party interrogated.

"QUESTIONS.

"1. *Service in the Rebel Army.*

"Have you ever served in the Rebel army?

"2. *Aid to those in Armed Rebellion.*

"Have you ever given aid to the rebellion?

"Have you never given money to those intending to join the rebellion?

"Have you never given money to their agents?

"Have you never given money, clothing or provisions for the purpose of aiding the emigration of persons from this State to the South?

"Have you never sent money, clothing or provisions to persons in the South aiding the rebellion?

"3. *Comfort and Encouragement to the Rebellion.*

"NOTE.—Comfort or encouragement means advocacy, advice in favor of. We *aid* the Rebellion by giving money, clothing and provisions; we give it *comfort* or *encouragement* by our words. A man who has advocated the cause of the rebellion, who talked in favor of Maryland going with the South, who rejoiced over the victories of the Rebel army, has given *comfort* and encouragement to the Rebellion.

"Have you ever given comfort or encouragement to the rebellion?

"Have you never in conversation, attempted to justify the course of the States in rebellion?

"Have you never expressed a wish for the success of the Rebellion, or its army?

"Have you never in conversation discouraged the cause of the Federal government?

"Did you rejoice over the downfall of Fort Sumter?

"4. *Disloyalty.*

"NOTE.—If the judges are satisfied that a man is disloyal to the United States, it is their duty to refuse his vote, for such person is not a legal voter of the State of Maryland.

"Are you a loyal citizen of the United States?

"Have you been loyal ever since the beginning of the rebellion?

"Have you never rejoiced over the defeat of the Union army?

"Have you never rejoiced over the success of the Rebel army?

"When the Union army and the Rebel armies met in battle, which do you wish to gain the victory?

"NOTE.—After interrogating the person offering to vote, the judges may hear other evidence to prove or disprove his statements, and must be governed by the weight of testimony.

The election took place on the 6th of April, and resulted in calling a State Constitutional Convention. The Governor stated that the whole vote cast was 31,314, of which 31,593 were for, and 19,524 against a convention. He thereupon called the convention, by proclamation, to meet at Annapolis on Wednesday, the 27th of April. The vote by counties was declared as follows:

	Convention.	
	For.	Against.
Washington	2,205	661
Somerset	818	1,381
Kent	453	991
Talbot	579	869
Dorchester	702	1,105
Anne Arundel	446	1,187
Cecil	2,007	893
Harford	1,303	944
Howard	512	549
Baltimore City	5,162	87
St. Mary's	103	703
Montgomery	516	746
Caroline	630	469
Charles	90	638
Frederick	2,231	1,957
Calvert	53	452
Prince George's	185	1,097
Allegany	2,307	1,135
Worcester	800	135
Carroll	1,898	1,687
Baltimore	3,946	811
Queen Anne's	429	1,681
For a Convention	31,053	19,524
Against a Convention	19,524	
Declared Majority for a Convention	12,069	

The scenes at the polls were quite like those witnessed at the preceding November elections for State officers. The list of questions, many of which were altogether inapplicable to the provisions of the convention law, were submitted in the city of Baltimore and in all the counties, to those whose votes were "challenged," and unless the party offering to vote answered them to the satisfaction of the judges, he was pronounced "disloyal," and not permitted to vote. This was the general, but not the invariable rule, as some were permitted to vote after answering with qualifications but three or four of the questions. Many were turned away from the polls without being allowed to vote, who proposed to take the oath prescribed by the convention law; and a large number of the best citizens in the State refused to offer their votes, for the reason that they could not approach the polls upon equal terms with their political opponents. In some instances, parties who were known to be opposed to the convention, were challenged and compelled to

answer not only the printed questions, but whatever it pleased the judges to ask. Voters who refused to give a direct answer to these questions were turned away, and in some instances where they had taken the oath of allegiance. In Kent County, a few days before the election, a Government steamer with General Lockwood on board arrived at Chestertown and landed part of a company of infantry, fully armed, who were quartered in the court house until the day of election, when they were distributed in squads of ten about the county, at the distance of a mile from the several polls. In Frederick County "citizens of all ranks and conditions of life, from the venerable and honored ex-Judge Marshall, down to the humblest, most honest, industrious, quiet and unobtrusive mechanic or day-laborer, whose sentiments might be known to the selected and hired challengers to be in opposition to a convention, were turned away from the polls, without being allowed to vote."[1]

In Baltimore city, out of a voting population of about forty thousand, only nine thousand one hundred and eighty-nine ballots were allowed to be polled, of which number only eighty-seven were cast in opposition to a call of the constitutional convention.

The Constitutional Convention assembled at Annapolis, on the 27th of April, 1864, and organized by the election of Henry H. Goldsborough of Talbot County, the State Comptroller, as permanent president of the convention. After a session of over four months it adopted a new constitution and form of government, and adjourned on the 6th of September.

The Declaration of Rights and Constitution adopted by the Convention of 1851, made radical changes in the organic law of the State. Of these, the most important were the articles abolishing slavery, and declaring "paramount allegiance" to be due to the Constitution and Government of the United States. In the Declaration of Rights three new articles were introduced, one withdrawn and two modified; in other respects it was essentially the same as that of 1851. The first article was the following acknowledgment from the Declaration of Independence with an attempted improvement:

"Article I.—That we hold it to be self-evident that all men are created equally free; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, the enjoyment of the proceeds of their own labor and the pursuit of happiness.

The fifth article introduced a new feature which was a novelty in State papers, as it denied the sovereignty of the State, which had been recognized since the formation of the government, and was indeed the corner-stone of the whole Federal structure. It ran thus:

"Article V.—The Constitution of the United States and the laws made in pursuance thereof, being the supreme law of the land, every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and is not bound by any law or ordinance of this State in contravention or subversion thereof."

What idea it was intended to convey by the preposterous phrase "paramount allegiance," it were as idle now, as it would have been dangerous then, to inquire.

[1] Frederick *Citizen*.

Article XXIII. omitted the word "free" in the Constitution of 1851, to conform to the following new Article, abolishing slavery in Maryland:

"ARTICLE XXIV.—That hereafter in this State there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free."

From the following table it will be seen what was the value of slave property in Maryland previous to the war:

"The compendium of the census for 1860 does not give the ages of the slave population, but merely the aggregate number and sex, viz:

Males	44,818
Females	42,870
	87,188

"The aggregate for 1850 gives the number at 90,368, and classifies the ages as well as the sex; the returns for 1860 show a decrease in ten years of 3½ per cent.

"In order therefore, to arrive at the value of the slaves for 1861, it is only necessary to take the classification of ages in 1850, with a reduction of 3½ per cent. The estimate of value is based on what it was generally recognized to have been five years ago:

	Males.	Females.	No.	Estimate.	Amt.
Under 1 year	1,249	1,209	2,449	$35	$91,150
1 to 5 "	5,091	5,091	11,582	50	504,200
5 to 10 "	6,306	6,712	13,014	250	1,013,100
10 to 15 "	6,069	6,402	12,283	350	4,299,300
15 to 20 "	5,013	5,161	11,106	600	6,663,600
20 to 30 "	8,093	7,443	11,535	900	12,438,300
30 to 40 "	4,209	4,500	8,709	800	7,115,200
40 to 50 "	3,553	2,031	6,584	650	2,942,600
50 to 80 "	1,920	1,859	3,778	200	7,65,200
Over 60 "	1,502	1,388	3,089	...	.....
					36,012,650
Deduct 8½ per cent					7,281,149
					$30,331,111

[1] June 23.—The question recurred on the twenty-third article of the Bill of Rights, as reported by the Committee for the New Constitution, as follows: "Hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted, and all persons held to labor as slaves are hereby declared free." An amendment was pending, offered by Mr. Brown, of Queen Anne's, as follows: "And the Legislature shall make provision from the treasury of the State for the comfortable support and maintenance of the helpless and paupers hereby emancipated."

The amendment was rejected—yeas 28, nays 51, as follows: Yeas—Messrs. Berry (of Baltimore County), Berry (of Prince George's), Billingsley, Blackiston, Bohanan, Brown, Chambers, Clarke, Crawford, Dail, Davis (of Charles), Donaldson, Duvall, Fookes, Gale, Harwood, Billings, Horsey, Johnson, Lansdale, Lee, Marbury, Mitchell, Miller, Parran, Price, Smith (of Dorchester), Turner—28. Nays—Messrs. President (H. H. Goldsborough), Abbott, Adams, Addison, Baker, Barron, Carter, Cunningham, Cushing, Daniel, Davis (of Washington), Davis, Foster, Furnow, Galloway, Greene, Hatch, Hebb, Hellman, Hopkins, Harper, Jones (of Cecil), Keefer, Kenning, King, Lamb, Mace, Morley, Mullikin, Murray, Negley, Nyman, Parker, Pitzell, Pottigrew, Richardson, Russell, Sands, Schley, Schlosser, Scott, Smith (of Cecil), Swing, Stellings, Stockbridge, Symes, Thomas, Thruston, Vallandingham, Wickard, Wooden—51.

The article was then adopted—yeas 53, nays 27, as follows: Yeas—Messrs. President (H. H. Goldsborough), Abbott, Adams, Addison, Baker, Barron, Berry (of Baltimore County), Carter,

"From the above it will be that the aggregate value of the slave property of this State, in 1859–60, was thirty-five millions three hundred and thirty-one thousand one hundred and seventy-seven dollars

The former twenty-fourth Article in the Constitution of 1851, which declared that "no conviction shall work corruption of blood or forfeiture of estate," was changed by adding "for any crime except treason."

The phrase in Article XXXI., relating to the quartering of soldiers in time of war, "in such manner as the Legislature shall direct," was changed to, "as prescribed by law."

Article XXXVII. ran as follows:

"Article XXXVII. That no other test or qualification ought to be required on admission to any office of trust or profit than such oath of allegiance and fidelity to this State and the United States as may be prescribed by this Constitution, and such oath of office and qualification as may be prescribed by this Constitution, or by the laws of the State, and a declaration of belief in the Christian religion, or in the existence of God, and in a future state of rewards and punishments."

Article XLI. was a blow at the dreaded liberty of the press; to the affirmation of which was added the clause that those using it were "responsible for the abuse of that liberty."

In the Constitution a number of changes were made, relating for the most part to the elective franchise, representation in the Legislature, and restrictions on its powers; to the tenure of office, an increase in the judiciary and the establishment of a system of public education.

Section 2 provided for a uniform registration of voters in the State, and receiving the votes of soldiers; section four provided for the administration to voters of the following "iron-clad oath," as it was then commonly called:

"Section 4.—No person who has at any time been in armed hostility to the United States, or the lawful authorities thereof, or who has been in any manner in the service of the so-called 'Confederate States of America;' and no person who has voluntarily left this State and gone within the military lines of the so-called 'Confederate States or armies' with the purpose of adhering to said States or armies; and no person who has given any aid, comfort, countenance or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies money, or goods, or letters, or information; or who has disloyally held communication with the enemies of the United States; or who has advised any person to enter the service of the said enemies, or aided any person so to enter; or who has by any open deed or word declared his adhesion to the cause of the enemies of the United States, or his desire for the triumph of the said enemies over the arms of the United States.

Cunningham, Cushing, Daniel, Dunn of Washington, Eagle, Ecker, Emrich, Galloway, Greene, Hagel, Hebb, Hoffman, Hopkins, Hopper, Jones of Cecil, Kreider, Leonard, King, Lash, Mace, Mackey, McComas, Mullikin, Murray, Negley, Nyman, Parker, Pennell, Ridgely, Robinette, Russell, Sands, Selby, Schlosser, Scott, Smith of Carroll, Swoope, Stirling, Stonebraker, Sykes, Thomas, Thruston, Valiant, Wetmore, Worthington, Mayo, Mears, Mary of Prince George's, Billingsley, Blackistone, Briscoe, Brown, Chambers, Clarke, Crawford, Dail, Daniel, Davis of Charles, Dennis, Duvall, Edelen, Gale, Harwood, Holliday, Howes, Johnson, Lansdale, Lee, Mackubin, Mitchell, Miller, Perrin, Peter, Smith of Dorchester, Turner—27.—*Journal of Proceedings.*

shall ever be entitled to vote at any election to be held in this State, or to hold any office of honor, profit or trust under the laws of this State, unless, since such unlawful acts, he shall have voluntarily entered into the military service of the United States, and been honorably discharged therefrom, or shall be, on the day of election, actually and voluntarily in such service, or unless he shall be restored to his full rights of citizenship by an Act of the General Assembly, passed by a vote of two-thirds of all the members elected to each House; and it shall be the duty of all officers of registration and judges of election carefully to exclude from voting, or being registered, all persons as above disqualified; and the Judges of election, at the first election held under this Constitution, shall, and at any subsequent election may administer to any person offering to vote, the following oath or affirmation:

"I do swear or affirm that I am a citizen of the United States, that I have never given any aid, countenance or support to those in armed hostility to the United States, that I have never expressed a desire for the triumph of said enemies over the arms of the United States, and that I will bear true faith and allegiance to the United States, and support the Constitution and laws thereof as the supreme law of the land, any law or ordinance of any State to the contrary notwithstanding; that I will in all respects demean myself as a loyal citizen of the United States, and I make this oath or affirmation without any reservation or evasion, and believe it to be binding on me."

"And any person declining to take such oath shall not be allowed to vote; but the taking of such oath shall not be deemed conclusive evidence of the right of such person to vote; and any person swearing or affirming falsely shall be liable to the penalties of perjury; and it shall be the duty of the proper officers of registration to allow no person to be registered until he shall have taken the oath or affirmation above set out; and it shall be the duty of the judges of election in all their returns of the first election held under this Constitution to state, in their said returns, that every person who has voted has taken said oath or affirmation. But the provisions of this section in relation to acts against the United States shall not apply to any person not a citizen of the United States who shall have committed such acts while in the service of some foreign country at war against the United States, and who has, since such acts, been naturalized, or may be naturalized, under the laws of the United States; and the oath above set forth shall be taken in the case of such persons in such sense."

Section 7 prescribed an oath to those elected or appointed to office the same as that contained in Section 1 down to "contrary notwithstanding," with the following clauses added:

"That I have never directly or indirectly, by word, act or deed, given any aid, comfort or encouragement to those in rebellion against the United States or the lawful authorities thereof, but that I have been truly and loyally on the side of the United States against those in armed rebellion against the United States; and I do further swear or affirm that I will to the best of my abilities defend the Union of the United States and not allow the same to be broken up and dissolved, or the government thereof to be destroyed, under any circumstances, if in my power to prevent it; and that I will at all times discountenance and oppose all political combinations having for their object such dissolution or destruction."

The provision for dividing the State into three gubernatorial districts was omitted. Article II, Section 5, provided for the election of a lieutenant-governor and section seven made him president of the Senate. Section twenty-two increased the governor's salary from $3,500 to $4,000, and his term of office was extended from three to four years.

Article III, Section 2, divided Baltimore City into three legislative districts; Section 3 gave it three senators instead of one, and Section 4 gave it eighteen members instead of twelve. By the Constitution of 1851, the whole population was the basis of representation, but by this Constitution the white population was the exclusive basis of representation in the House of Delegates. The design of this was to lessen the representation of the lower counties, where the democratic party and Southern sentiments were strongly in the ascendant. Section 6 changed the time of elections. Section 10 which declared ministers of the gospel ineligible to membership was omitted. Hitherto the session of the Legislature had terminated on the 10th of March, and the members received $4 per diem; now the sessions were unlimited but they could not receive more than $4 or $5 per diem. Special sessions were limited to thirty days. Section 41 empowered the Legislature "to make effective the provisions of the constitution disfranchising certain persons or disqualifying them from holding office." Section 47 directed the General Assembly to pass—

"Laws requiring the presidents, directors, trustees or agents of corporations, created or authorized by the laws of this State, teachers or superintendents of the public schools, colleges or other institutions of learning; attorneys at law, jurors, and such other persons as the General Assembly shall from time to time prescribe, to take the oath of allegiance to the United States set forth in the first Article of this Constitution.

Sections 52 and 53 provided for the sale or exchange of the State's interest in railroads and canals.

Article IV, Section 3, made the judges of the Court of Appeals elective by the people of the whole State instead of by the voters of their own district, and the term was extended to fifteen years instead of ten. Section 12 was as follows:

"Section 12.—Any person who shall, after this Constitution shall have gone into effect, detain in slavery any person emancipated by the provisions of this Constitution, shall, on conviction be fined not less than five hundred dollars nor more than five thousand dollars, or be imprisoned not more than five years; and any of the judges of this State shall discharge, on *habeas corpus*, any person so detained in slavery."

Section 17 enlarged the Court of Appeals from four judges to five, and Section 21 increased their salary from $2,500 to $3,000. Section 21 divided the State into thirteen judicial circuits instead of eight. Section 25 made one court in each county. Section 42 authorized the governor to appoint for two years the magistrates and the constables by county commissioners and mayor and city council of Baltimore. They were, by the Constitution of 1851, elected by the people.

Article VII., Section 1, constitutes the Governor and Comptroller the Board of Public Works. Heretofore a board of four commissioners was elected by the people. Article VII. provided for a board of education, composed of the Governor, Lieutenant Governor, Speaker of the House, and a

State Superintendent of Public Instruction, to be appointed, with a salary of $2,500. The school commissioners in the counties were appointed by the State Superintendent, and held office for four years.

Article XII., sections 8, 9, and 10, provided for the vote on the constitution as follows:

"SECTION 8. For the purpose of ascertaining the sense of the people of this State in regard to the adoption or rejection of this Constitution, the Governor shall issue his proclamation within five days after the adjournment of this convention, directed to the Sheriff of the City of Baltimore, and to the Sheriffs of the several counties of this State, commanding them to give notice, in the manner prescribed by law, that an election will be held in the City of Baltimore on the twelfth day of October, in the year eighteen hundred and sixty-four, and in the several counties of this State on the twelfth and thirteenth days of October, in the same year, at the usual places of holding elections in said city and counties, for the adoption or rejection of this Constitution, which election shall be held in the said City of Baltimore on the twelfth day of October, eighteen hundred and sixty-four, between the hours of eight o'clock, A. M., and five o'clock, P. M., and in the said several counties of this State on the said twelfth and thirteenth days of October, eighteen hundred and sixty-four, between the hours of eight o'clock, A. M. and five o'clock, P. M., and the judges of election of said city, and of the several counties of the State, shall receive at said election the votes only of such electors as are qualified according to the provisions of this Constitution who may offer to vote at such election, and the said sheriffs shall also give notice on or after the twelfth day of October, eighteen hundred and sixty-four, for all elections provided for by this Constitution, to be held during that year.

"SECTION 9. At the said election the vote shall be by ballot, and each ballot shall designate thereon the words 'For the Constitution,' or 'Against the Constitution,' as the voter may select, and it shall be conducted in all respects as the general elections in this State are now conducted. The judges of election shall administer to every person offering to vote, the oath or affirmation prescribed by this Constitution, and should any person offering to vote refuse or decline to take said oath, he shall not be permitted to vote at such election, but the taking of such oath or affirmation shall not be deemed conclusive evidence of the right of such person to vote; and it shall be the duty of the return judges of said city, and of the several counties of the State, having counted the votes given for or against the adoption of this Constitution, to certify the result thereof in the manner now prescribed by law, accompanied with a special statement, that every person who has voted, has taken the oath or affirmation prescribed by this Constitution; and the Governor, upon receiving such certificates, and ascertaining the aggregate vote throughout the State, including the soldiers' vote, hereinafter provided for, shall by his proclamation make known the same, and if a majority of the votes given shall be for the adoption of this Constitution, it shall go into effect on the first day of November, eighteen hundred and sixty-four.

"SECTION 10. And the Governor shall exclude from the count the votes of any county or city the return judges of which shall fail to certify in the returns, as prescribed by this schedule, that all persons who have voted have taken the oath prescribed to be taken, unless the Governor shall be satisfied that such oath was actually administered, and that the failure to make the certificate has been from inadvertence or mistake."

The following provision was also made for the soldiers, not only in relation to this constitution, but all elections to be held afterward:

"SECTION 11. Any qualified voter of this State who shall be absent from the county or city of his residence by reason of being in the military service of the United States, so as

not to be able to vote at home, on the adoption or rejection of this Constitution, or for all State officers elected on general ticket, and for Presidential electors and for members of Congress, at the election to be held on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-four, shall be entitled to vote at such elections as follows: A poll shall be opened in each company of every Maryland regiment in the service of the United States or of this State on the day appointed by this convention for taking the vote on the new Constitution, or some other day not more than five days thereafter, at the quarters of the commanding officer thereof, and voters of this State belonging to such company who shall be within the limits of such quarters on the day of election may vote at such poll; the polls shall be opened at eight o'clock, A. M., and close at six o'clock, P. M.; the commissioned officers of such company, or such of them as are present at the opening of the polls, shall act as judges, and any one officer shall be competent so to act, and if no officer be present, then the voters in such company present shall elect two of the voters present to act as judges of the election; before any votes are received, each of the judges shall take an oath or affirmation that he will perform the duties of judge according to law; will prevent fraud, and observe and make proper returns thereof, and such oath the judges may administer to each other; the election shall be by ballot, and any voter may vote either 'For the Constitution' or 'Against the Constitution.'

"Section 14. The judges shall, as soon as possible, transmit said returns, with the tickets so strung, to the Governor, who shall receive the returns of the soldiers' vote, and shall cast up the same and judge of the genuineness and correctness of the returns, and may recount the ballots so as to satisfy himself, and the Governor shall count said vote with the aggregate vote of the State on the adoption or rejection of this Constitution, and shall wait for fifteen days after the day on which the State vote is taken, so as to allow the returns of the soldiers' vote to be made before the result of the whole vote is announced. The Governor shall receive the returns of the soldiers' vote on said election for State officers, Presidential electors and members of Congress, and shall count the same with the aggregate home vote on the state officers, and the aggregate home vote in each district respective for members of Congress."

It will be observed that the convention in Article XII, Section 8, of the constitution, directed that the proposed new constitution and form of government should be submitted to the people for adoption or rejection at an election which was to be held in the city of Baltimore on the 12th day of October, 1864, and in the counties on the 13th and 18th.

In the same section it further provided, that the judges of election should receive "the votes only of such electors as are qualified according to the provisions of *this* constitution, who may offer to vote at said election." And in the ninth section of the same article, it directed that the judges of election "shall administer to every person offering to vote, the oath or affirmation prescribed by *this* constitution, and should any person offering to vote refuse, or decline, to take said oath, he shall not be permitted to vote at such election." And in the same section it further provided that the governor, on receiving the returns as therein provided, and ascertaining the aggregate vote throughout the State, *including the soldiers' vote*, provided for in the eleventh section, shall make known the same, by proclamation, and if a majority of the votes cast shall be for the adoption of said constitution, it should go into effect on the 1st day of November, 1864.

Thus it will be seen that while the convention, which was the agent of the people, provided for submitting to them the question of adoption or rejection of the constitution, it expressly provided, contrary to all constitutional rights, that no one should be permitted to vote at said election, unless *qualified* to vote according to the provisions of *said instrument*; and further, that no person offering to vote should be *permitted* to do so, unless he should take the particular oath set forth in said instrument. It will further be seen, that instead of holding elections at the *places of election* prescribed by existing laws, elections were also to be held elsewhere, in the State and out of the State, under the superintendence of regimental officers, persons not known to the existing constitution and laws, as judges of election. It was perfectly proper for the Legislature of the State acting under and in conformity to the provisions of the existing constitution adopted in 1851, to regulate the right of suffrage by prescribing the conditions on which it should be exercised. But it is clear, by all constitutional law and precedent, that a constitutional Convention has no such authority. The members of a State Convention have no legislative authority whatever, either to add to or subtract from the conditions of the elective franchise; and their work can be legally ratified only as it shall be ratified by the same voting population which elected them. The legislature of Maryland acting, under the existing Constitution, had prescribed the qualifications of suffrage in the State, but the convention, in the very act professing to submit its work to the popular approval or confirmation, made a part of its work, (which was wholly without legal or binding authority of any kind,) a part of the organic and statute law of the State, thus overriding the existing constitution, and the statutes made in pursuance thereof, and making operative a law which, as yet had no legal existence. It is clear that the convention, whose only powers were conferred by the existing constitution, had precisely as much right to declare that their work should be ratified by themselves alone, as it had to limit and define the class of persons to whom it should be submitted for ratification, in a way not authorized by the constitution and laws then in force. Indeed it is a little surprising that this easy and convenient plan was not adopted.

Previous constitutional changes had been made with a view of reforming some abuse, or conferring some public benefit; but the various alterations now introduced had, with hardly an exception, but two objects: to lessen the power and degrade the dignity of the State, and to perpetuate power in the hands of a minority. Had the ability of the convention been equal to their zeal, they might have been successful in doing great and permanent harm; as it was, they only succeeded in producing work so bunglingly had, and imposing it in a way so superfluously odious, that it could not endure for a day when the people had liberty to declare their will.

Owing to the shackled condition of the State, and the near approach of the day when the great wrong was to be effected, it was impossible for the people to avert it. They had appealed to Messrs. Beverly Johnson, Thomas

S. Alexander and William Schley, three of the most eminent and distinguished constitutional lawyers of the State and country, who in the most emphatic terms declared that the oaths which had been wrought for them were "neither constitutional nor upon any ground legal or binding."

The Honorable Reverdy Johnson who was then an Unconditional Union man and a member of the United States Senate from Maryland, in his opinion "upon the constitutionality, legal and binding effect, and bearing of the oath prescribed by the late convention in our State to be taken by the voters of the State as the condition and qualification of the right to vote upon the new constitution," forcibly said:

"In the existing constitution no such oath as the one in question is required to give the right of suffrage, nor for voting on the new constitution that might thereafter be framed under the authority of the legislature.

"Nor did the law passed by the Legislature, and under which alone the recent convention was elected and held, authorize any other qualification for a vote on the constitution that they might recommend, other than what was required by the existing constitution. On the contrary, in this respect its terms are perfectly plain. The sixth section provides 'that the constitution and form of government adopted by the said convention shall be submitted to the legal and qualified voters of the State for their adoption or rejection.' If the Legislature had the authority so to legislate, then they have by doing so, secured to every legal and qualified voter of the State the right to vote on the adoption or rejection of the new constitution. And to me, I confess, it is clear that they did not possess that power. Indeed, they had no authority, except as it might be granted by subsequent popular assent, to prescribe any other qualification. Their powers being derived from the constitution, they could not themselves take away any right of suffrage, nor authorize it to be done by any other body. The right being secured by the organic law, from its very nature is beyond the reach of mere legislative authority. No one can think that they could by the mere force of legislation, have extinguished the right, or could have authorized the convention to extinguish it, in a vote on any constitution they might propose.

"The Legislature were but the agents of the people by whom they were chosen, and these were 'the legal and qualified voters of the State.' How can it be that as such agents they could deprive their principals of rights secured by constitutional guarantee? And what difference is there between such an act, and that of limiting or controlling such rights? In my opinion each is alike void from want of authority.

"But the Legislature, in the law providing for the convention, attempted no such usurpation. On the contrary, they provided that the constitution which that body might form should be submitted to those, and to all of those who, at the time, should have a right to vote under the existing constitution, and to no one else. It has been, I learn, suggested, rather than seriously maintained, that the act of the convention in question was authorized by reason of that part of the law under which it was elected which says that the constitution is to be submitted to the people 'at such time, in such manner and subject to such regulations as said convention may prescribe.' This suggestion, it seems to me, is wholly without warrant. The question is to whom, and not under what regulations, the constitution is to be submitted. And the law says that the persons to whom the submission is to be made are 'the legal and qualified voters of the State.' At what time, in what manner, and under what regulations the submission was to be made, not being provided for by any prior law, nor by the law authorizing the convention, it was proper and necessary that these should be left to the convention itself. But that this authority was intended to give to the convention the power to exclude from the right to

vote the persons who, by the same law, were sworn in that right, cannot be even plausibly maintained. Indeed, so far from this having been the purpose of the words quoted, they were used not to take away or impair the existing right of suffrage, but merely to provide for the mode of exercising it."

In reviewing the whole subject, William Schley sums up his opinion on the questions involved as follows:

"I have considered the question calmly, carefully, deliberately and dispassionately, and with all becoming respect for those of the convention who maintained the power of the convention to prescribe this oath, as a condition precedent to the right to vote; and amongst whom are many intelligent and honorable gentlemen, for whom I have sincere personal respect. But I have no doubt that the exaction of this oath is illegal, and against the plain meaning of the said Act of 1864, and against the existing laws and constitution of the State. And I am equally clear, that votes taken elsewhere than at the places for holding elections for delegates to the General Assembly, are not proper votes to be counted, in computing the majority of votes for or against the proposed new constitution."

Before the Constitution was submitted to be voted upon, the minority of the convention submitted the following address:

"TO THE VOTERS OF MARYLAND.

"The undersigned members of the convention, lately in session at Annapolis, for the formation of a new Constitution, believing that the instrument prepared by the majority of that body and about to be submitted to you for adoption or rejection, is altogether

[1] The convention, as such, had none of the powers of a Legislature, except in such particulars and to such extent as the Act under which the convention was called conferred legislative powers upon that body. Beyond this, the convention could not enact a law, nor repeal a law, nor prescribe any rule or regulation; much less, by its own mere will, could it rightfully disregard the existing constitution of the State, or any valid legislative enactment. The authority of such a convention is strictly analogous to that of a committee authorized to consider and report to the body which appointed the committee. The delegates to the convention were, in fact, citizens selected by the people to consider and report a new constitution and form of government to be submitted to the people for adoption or rejection by the people; validly adopted, in the mode prescribed, by the people, or the Act calling the convention, then and henceforth, it would operate legally and fully. If rejected, then and from thenceforth, the proposed new constitution would be merely waste paper. Assuming it to be clear that the convention could not, legally, do any act which, as the work of the convention, should be of force before the adoption of the constitution which they framed, unless within the scope of granted powers, then the inquiry arises up, whether, in the granted powers, any authority was conferred on the convention to receive the soldiers' votes outside of the State on the solemn question of the adoption or rejection of the proposed new constitution. That they did not have such power, is clearly shown in a resolution passed by the legislature of 1864, the same which passed the convention law, in which they distinctly gave their opinion upon this subject. The resolution says:

"Whereas, Many of the legal voters of this State are on the armed field in the army of the United States, beyond the limits of this State, and, by the constitution and laws of this State, are not entitled to enjoy the elective franchise unless they vote in the place of their residence;" and, therefore, the Secretary of War was requested "to grant to the soldiers of this State all the facilities in his power to enable them to return to their respective places of voting, and vote at all elections held in this State."

It was clearly the intention of the Legislature that said election might be held *at the places* for holding elections for delegates to the Assembly, *and nowhere else*; that such election shall be held *before Judges of Election*, appointed and qualified according to law, and *before no other persons*; that every *legal and qualified voter of the State*, entitled to vote under the existing constitution and laws for delegates to the General Assembly, shall be *permitted* to vote at said election; without meaning to impair in the convention any power to say that any person shall vote at said election who is not, under the existing constitution and laws, a legal and qualified voter.

ratified to the condition and necessities of the State, deem it proper to present, for your serious consideration, some of the reasons which have induced us to oppose it in convention, and which, we respectfully submit, should induce you to reject it.

"At the outset of this movement we, in common with a large portion of the people of the State, entertained the opinion that this period of civil war—a war in which scarcely a family in the State was exempted from the excitement necessarily resulting from the personal participation of one or more of its members, and in a large number of cases, from the death of such member, and from the destruction of property, and the pecuniary loss to which they had been subjected, was not the appropriate time for calm, considerate work, which of all others demanded the cool deliberations of men in the highest degree divested of personal or party prejudices.

"A Constitution should institute a form of government for all time—for all persons who are to be governed by it, under all the changes to which political organizations must be subject—consistent with the great eternal principles of political, social and moral truth and justice, which, as they never can change, should never be disregarded, and made to give place to those impulsive feelings and opinions, which, in moments of passion and excitement, blind the judgment of even good men.

"The proceedings of the convention have fully justified all our anticipations of the evil influence of the times upon the character and temper of its members. Many persons were chosen delegates who have never been engaged in such pursuits as would probably direct their attention to subjects connected with elementary principles of organic law, fitted for the government of a free people for all time—men whose claim to a seat in the body rested entirely on their violent and boisterous support of extreme partisan doctrines, and that persecuting spirit against all who differed from them, which is always the result of great excitement. Accordingly, we have found the majority indulging in violent partisan measures having no relation to the proper duties of the body, even so far disregarding the obligations which they cannot but acknowledge to be universal, as to invite the arbitrary and irresponsible interference of the President and his military subordinates, at their sole will and pleasure, to seize, confiscate and appropriate the property of such of our citizens as they may select, and to exile others into the country of the public enemy for imputed offences, of which they declared them guilty without trial or opportunity of defence, while in the same breath they announce, as an acknowledged principle, 'That no man ought to be taken or imprisoned, or disseized of his freehold liberties or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land.' Let the freemen of Maryland reflect upon the fearful consequences of a surrender of these fundamental, these essential principles, which underlie the fabric of all political, social and personal security, and they may well be prepared to estimate the work of those who have trodden under foot these sacred safeguards of our rights, in their eager and relentless pursuit of a large portion of our fellow-citizens, who are made the victims of a blind and fanatical persecution, and that for no other cause than an honest difference of opinion as to the political course of the party in power.

"Looking to the actual changes which the proposed Constitution will make in the organic law, it may be said they chiefly consist in two particulars—one, the anxious advancement of the negroes; the other, restrictions and impositions upon their owners. Some change has been effected in the judicial system, affecting the arrangement of the districts and circuits, increasing the number of judges, and extending for five years their term of office. But this, like other matters, did not seem to be of sufficient importance to demand the concentrated and decisive support of the whole party.

"It is known that the city and county of Baltimore, and three large western counties, send to the convention a number of members sufficient to control its action. Their delegates number thirty-six, being a majority of the ruling party, and of course, irrespon-

part in the counties whose mandates must be implicitly obeyed. It is in this portion of the State that few slaves are to be found. The slaveholders are almost entirely in the counties of the Eastern Shore, and those in the more southern parts of the Western Shore. The well-known process by which the election was conducted under the convention bill, in connection with military power exerted to intimidate voters, prevented the full expression of the popular will, and increased largely the preponderance of abolition members and abolition sentiments. It was, therefore, but natural that these facts should result in favoritism to the negroes, and opposition to their owners, and never was a result more effectually accomplished.

"The slaves, men, women and children, at one blow, taken from you, manumitted, suddenly turned loose without the slightest provision for you or for them. Widows, orphans, the feeble old, and creditors, in many instances, dependent alone on the value of this property, reduced to poverty and want by a remorseless indulgence of a fanatical frenzy which heeds no appeal from helpless infancy or decrepit age. Not only is this most wanton violation of your rights aggravated by a contemptuous refusal to allow the least shadow of compensation, but every possible means have been used to extend and perpetuate the injury. The authors of these outrages, apparently sensible that at some future day, a returning sense of justice might arrest the mad fanaticism of the hour, and reverse the iniquitous decrees they had pronounced, have actually assumed the prerogative of judging for all time to come, for the future generations of the people, and the future Legislatures of the State. The fiat has gone forth that no future Legislature shall have power to make compensation. The finances of the State may be ample, the people of the State may desire to repair, to some extent at least, this enormous injury, the Legislature may unanimously respond to this sentiment, but no, the lunatics of 1864 have manacled their hands, they have no constitutional power to do justice. Is the equal to such enormity to be found in the history of any civilized region of the world? We fearlessly answer, no! Other people have emancipated negro slaves. Most of the States north of us have emancipated negro slaves. Did any one of these do this thing as the Convention has done it? Most certainly not.

"And this wholesale outrage on the interests of the masters has been inflicted in all the expense of a blind disregard to the comforts, nay, even the necessities of the negroes. Not the slightest provision has been made for the young and helpless, the aged and decrepit. Appeals were made, interpositions invoked by some of us whose experience has taught us to know that there are many of these utterly incompetent to procure a garment to clothe them, or a mouthful of food to nourish them. It has been in vain, as they have been left, as far as any action of their boasted deliverers is concerned, to exposure, nakedness and starvation. This consequence must inevitably follow, unless their present masters charge themselves with the burden of their maintenance.

"Every measure that the animosity of the majority could devise in respect to the property of the slaveholders being exhausted, the next step seemed to be so to arrange matters as more effectually to render their condition hopeless and remediless, by denying them any agency in the political affairs of the State. Knowing that they were generally opposed, in their political opinions, to the President of the United States, and aware that a large number of young men had gone from our midst to unite themselves with the Southern army, although without or against the consent of their parents, they have exhausted every effort to prescribe and require oaths of allegiance, protestation and abjuration, to alter and embarrass them. Heretofore it has been sufficient for a citizen to take the oath to support the Constitution of the United States and the laws made in pursuance thereof. Any act in violation of this oath, was punishable according to its magnitude. A man's thoughts were held, as were also his religious opinions, quite beyond the control of human law. The enlightened sentiment of the civilized world had generally endorsed the declaration of an illustrious American, 'that error could be tole-

shall when reason was left free to combat it.' Not so with this convention. Even supreme allegiance to the Government, now perverted to mean the President and his appointed officers, will not avail. You are to swear not only that you have never given aid, countenance or support to those in armed hostility to the United States, but your opinions, language, sentiments, are catechised and denounced—you are to swear to your desires in all previous time. And after having, sworn your allegiance and abjured the expression of all sentiments obnoxious to the views of your rulers, even that is not sufficient, for it is declared that the taking of such an oath shall not be deemed conclusive of your right to vote.

"Many persons, in almost every section of the State, have children or grand-children in the military service of the enemy—in many instances, resident and settled in the South before the breaking out of the war. Cases have occurred where such persons, having been wounded or captured, have been prisoners of war in the hands of their friends or relatives. In other cases the children of aged friends have been similarly situated. Parents, relatives or friends have, with the sanction of the military authorities, ministered to the necessities of persons thus situated. They have furnished them food and clothing sometimes, when such things were certainly comforts, if not luxuries. In doing this they violated no law of God or man, and even a military decree or order. Now, such parties are to be disfranchised unless they solemnly swear, amongst many other things, that they 'have never given any aid, comfort, countenance or support to those in armed hostility to the United States.'

"And last all we shall refer to, the basis of representation has been so framed as to increase largely the representation of the City of Baltimore and those counties where the dominant party has prevailed, while the number of delegates is materially decreased in the slaveholding counties, the majority having steadily rejected every proposition to allow the colored population to be counted or represented as heretofore. Their invariable zeal for the negro seems to operate just to the point at which it ceases to injure the master, but abates whenever the good of the poor negro's race should require it.

"You will notice another provision by no means an improvement. The election of the judges of the Court of Appeals is no longer to be by districts, as heretofore, but by general ticket, so as to secure to the dominant party in the State all the members of that court. Again, the time honored territorial subdivisions of the State have been abandoned, and in place of parishes and election districts with which your fathers and you have been familiar, you will have put upon you the New England system of townships. We forbear going into further details.

"But after framing a constitution containing the restrictions and disabilities, and working the wrong and injustice which we have thus briefly and imperfectly stated, the majority seemed to be disturbed, as well they might be, with doubts whether their proceedings could find acceptance with the people, who by the present constitution and the law were entitled to vote. Fearing this, and resolved at all hazards to perpetuate their present political rule in the State, and to this end to secure the adoption of this constitution at the sacrifice of every principle of right and justice, they have resorted to another most unwarrantable process. We think that no Marylander can doubt or deny that if any one expectation or purpose was universal amongst all who voted on the subject of the convention, whether for it or against it, that expectation and purpose was that the constitution now to be voted on was to be a dead letter until a vote of the people was taken on it. But in despite of this known and acknowledged fact, in violation of undivided public sentiment they have determined at once to give force and effect to that portion of it which they thought would be most likely to accomplish their purposes. By provisions contained in that portion of it called 'The Schedule,' they have declared that in the vote upon the adoption or rejection of the Constitution no one shall be allowed to vote unless he takes the oath prescribed in

another part of the very instrument on which the vote is being taken, and soldiers in the field and *out of the State* are allowed to vote on its adoption, when by the existing Constitution and laws they are not allowed so to vote. By this process further restrictions are unwarrantably imposed on those who, by the existing Constitution, and even by the terms of the Convention Bill, were entitled to vote; and other voters have been introduced who, however entitled to *become* voters, are certainly not so now, either by the existing Constitution or that bill. Thus the new Constitution is sought to be made, and is to be partially operative and partially inoperative at the very time when the people are voting whether it shall be their form of government or not—and when, if rejected, it will be found that the Constitution and laws have been violated and voters disfranchised in obedience to an instrument having no more force or effect than waste paper.

"These views have influenced us to oppose the Constitutional provisions which are to be submitted for your adoption or rejection. We beg your calm consideration of them, and we appeal with great confidence to the moral sense and honest feeling of our fellow citizens of Maryland, to say whether they will ratify this embodiment of force and wrong—this wholesale robbery and destruction perpetrated by those whose cardinal duty was to provide for the security of the persons, the protection of the property and the preservation of the inalienable rights of all the citizens of the State. Your votes, fellow-citizens, are to decide whether this gigantic system of lawless plunder and oppression shall be consummated.

"J. P. Chambers, Isaac D. Jones, Edward W. Belt, Samuel H. Berry, Daniel Clark, Randall Mahoney, Oliver Miller, Washington A. Smith, Thomas J. Dail, Alward Johnson, John W. Mitchell, George S. Holliday, James U. Dennis, William H. Gale, A. J. Crawford, John C. Hussey, Peregrine Davis, David C. Beckiston, E. P. Duvall, Spriggs Harwood, George Peter, William B. Bond, E. J. Henkle, Thomas Lemmon, John Brown, Pope Wilmer, John Lee, R. H. Dixon, Thomas J. Hodson, Joan P. Dent, Chapman Billingsley, George W. Morgan, John Turner, James T. Briscoe, Charles S. Person.

In a number of the counties, mass meetings were held, and resolutions adopted protesting against the imposition of the illegal test oath, and memorials signed, addressed to the governor, calling upon him "to interpose his executive power to enforce the obligation of the existing constitution and laws at the said election, and not to allow the said proposed constitution to go into effect or supersede the existing constitution, until the same shall be legally and properly ratified by the free and unrestricted suffrage of the legal and qualified voters of the State." Notwithstanding these earnest protests, Governor Bradford did not interfere to uphold justice and protect from violation the constitution he had sworn to support, but maintained every provision of the proposed constitution, as will be seen by the following extract from a letter of his to Hon. George Vickers:

"In regard to the query propounded by one of your judges of election, and mentioned in your postscript, as to whether I would refuse to count the vote of a district where the judges did not certify that the oath required by the convention had been administered, I would say, what you are, of course, aware of, that by another clause in the Constitution proposed I am expressly enjoined not to count such votes. That for the reasons already given, I hold myself bound by that requirement, and were I so disregard it, it would be as effectually to annul the action of the convention as if I had acceded to your request, and directed the judges of election not to administer the oath required."

The election was held in Baltimore City on the 12th of October, and in the several counties of the State on the 12th and 13th. Each voter, besides being compelled to take the test-oath before he could cast his ballot at the polls, was required to answer in a satisfactory manner, the following questions propounded by the convention:

"1. Have you ever been in armed hostility to the United States?

"2. Have you ever been in the service of the so-called Confederate States?

"3. Have you ever voluntarily gone within the lines of the so-called Confederate States?

"4. Have you ever given aid, comfort, countenance or support to those engaged in armed hostility to the United States?

"5. Have you ever sent any money, goods, letters or information to any person in the so-called Confederate States?

"6. Have you ever advised any person to enter the army of the so-called Confederate States?

"7. Have you ever given money to enable any person to join the army of the so-called Confederate States?

"8. Have you ever, by word or deed, declared your adhesion to the cause of the so-called Confederate States?

"9. Have you ever rejoiced at the success of the army of the so-called Confederate States?

"10. Have you ever rejoiced at the defeat of the army of the United States?

"11. When the Union and Rebel armies meet in battle, which side do you wish to see success?

In Baltimore City the vote for the adoption or rejection of the new constitution fell on the same day (12th October), as the election of Mayor and City Council. The total vote on the former question was 11,832, of which 9,779 was "for" and 2,053 "against," a majority of 7,726. The total vote polled on the mayoralty question was 12,618, of which John Lee Chapman, the "regular Union" candidate, received 11,334, and Archibald Stirling, Jr., "Independent Union," 3,783. In the State, the citizens vote on the new constitution was declared as follows:

COUNTIES.	FOR.	AGAINST.
Allegheny County	1849	961
Anne Arundel	381	360
Baltimore City	9779	2053
Baltimore County	2067	1849
Carroll	1657	1660
Caroline	471	423
Calvert	67	631
Cecil	1311	1411
Charles	13	978
Dorchester	489	1486
Frederick	3906	1918
Harford	1053	1671
Howard	253	983
Kent	260	1346
Montgomery	422	1307

Counties.	For.	Against.
Prince George's	749	1206
Queen Anne's	280	1517
Somerset	404	2069
St. Mary's	99	1078
Talbot	480	1020
Washington	2441	395
Worcester	491	1026
Total	27,541	29,536
		27,541
Majority in the State against		1,995

To counteract this apprehended result, the provision had been introduced contrary to law, for taking the soldier's vote at their camps outside of the State. The soldiers voted as the Prussian army prays, at the word of command; or at least due diligence was exercised that the returns should be satisfactory. The final result was:

	For.	Against.
Citizens' vote	27,541	29,536
Soldiers' vote out of the State	2,633	263
Total	30,174	29,799
	29,799	
Declared majority in favor of Constitution	375	

So nearly had all their machinery of test-oaths, interrogatories, challengers, intimidations, disfranchisements, and illegal votings, failed, after all. In this way was emancipation accomplished in Maryland.[1]

As soon as it was known that the constitution was defeated in the State, Thomas S. Alexander, of the Baltimore Bar, on the 21th of October, on behalf of Samuel C. Miles, a slave owner, applied to the Superior Court of that city, for a writ of *mandamus* to compel Governor Bradford to reject the soldiers' vote, on the ground of illegality. The application was refused *pro forma* by Judge Martin, and an appeal was taken the same day to the Court

[1] "At the Democratic State Convention, held in Baltimore on the 27th of October, Henry W. Archer, of a committee previously appointed to wait upon Governor Bradford in relation to the soldiers' vote upon the new constitution, submitted a report, prepared by Judge E. F. Chambers, in which it was stated that they had called upon the governor and informed him that they were convinced that gross frauds had been perpetrated, particularly in the votes which professed to have been given by soldiers. Several instances were mentioned, on the authority of those who had been officers, as well as those who now were citizens, and he was assured that they were prepared to prove that the majority reported in favor of the constitution was largely in excess of all the Marylanders in the army—counting old and young, black and white." The governor answered that he could not go behind the returns." Nor only were gross frauds perpetrated in the counting of the soldiers' vote, but they were also committed in almost every section of the State. As an instance of this fact, the Denton *Journal* said: "In counting out the ballots in this district [Denton], but forty seven votes appeared 'against the constitution,' whereas eighty-nine voters, whose names appear upon the poll-books, have certified, and propose to swear, that they voted 'against the constitution.' Independently of these eighty-nine names, William Bradley, Edward Shubberry, R. W. Carroll, James T. Richardson, and James Sangster are known to have voted in like manner—making ninety-four votes cast." The eighty-nine voters referred to published a card, with their names attached, that they voted against the constitution, and were ready to make affidavit to that effect.

of Appeals, which affirmed the decision on the 29th.[1] Governor Bradford, on the same day, issued a proclamation declaring that the constitution and form of government had "been adopted by a majority of the voters of the State, and that, in pursuance of the provisions therein contained, the same will go into effect as the proper constitution and form of government of this State, superseding the one now existing, on the first day of November next."

On the 9th of November, General Wallace issued the following order appointing a freedmen's commission or bureau, under charge of Major William W. Este:

"*Headquarters Middle Department, Eighth Army Corps, Baltimore, Md., November 9th, 1864.*

[1] General Orders No. 112.

"Official information having been furnished, making it clear that evil disposed parties in certain counties of the State of Maryland, within the limits of the Middle Department, intend obstructing the operation, and nullifying as far as they can, the emancipation provision of the new Constitution; and that for this purpose they are availing themselves of certain laws, portions of the ancient slave code of Maryland, as yet unrepealed, to institute as respects the persons hereafore slaves, a system of forced apprenticeship; for this, and for other reasons, among them that, if they have any legal rights under existing laws, the persons spoken of are in ignorance of them; that in certain counties the law officers are so unfriendly to the newly made freedmen, and so hostile to the benignant measure that made them such, as to render appeals to the courts worse than folly, even if the victims had the money with which to hire lawyers; and that the necessities of the case make it essential, in order to carry out truly and effectively the grand purpose of the people of the State of Maryland—emancipation of every slave, man, woman and child, within her limits, from and after the first day of November of this present year—that there should be remedies extraordinary for all their grievances—remedies instantaneous without money or reward—and somebody to have care for them, to protect them, to show them the way to the freedom of which they have yet but vague and unfaithful ideas. *It is therefore ordered*

"1st. That all persons within the limits of the Middle Department, heretofore slaves, but now free by operation of the new Constitution, shall be considered under special military protection until the Legislature of Maryland may, by its enactments, make such military protection unnecessary.

"2d. A Freedmen's Bureau for said department is hereby created; office in Baltimore, Major William M. Este, A. D. C., in charge.

"3d. Major Este is entrusted with the execution of this order; and to make it effective he is authorized to institute investigations, to send for persons and papers, and to make necessary arrests.

"4th. Provost-marshals in their several districts, particularly those on the Eastern and Western Shores, are requested and directed to hear all complaints made to them by persons within the meaning of this order, to collect and forward information and proofs of wrongs done to such persons, and generally to render Major Este such assistance as he may require in the performance of his duty.

"5th. As it will be impossible to carry out this order without having a place in which the sick, helpless, and needy can be temporarily rested and provided for, Major Este is directed to take possession of the building known formerly as the Maryland Club House,

[1] Judge Bartol dissented from a majority of the bench. By the adoption of the constitution the judges of the Court of Appeals were continued in office.

but now ruined 'Freedman's Rest,' to select some excellent lady to take charge of the same as matron, and to suitably prepare and furnish as many rooms as may be required for the purpose proposed. And that this may be speedily accomplished, donations are respectfully solicited from all philanthropic and Christian persons wherever resident. All fines hereafter assessed and collected by the provost-marshal of the department will be appropriated to the support of the Freedman's Rest. To supply immediate wants, Major Este is further directed to draw on Colonel Woolley.

"Lest the moneys derived from donations, and from fines collected, should prove insufficient to support the institution in a manner corresponding to its importance, Major Este will proceed to make a list of all the avowed Rebel sympathizers resident in the City of Baltimore, with a view to levying such contributions upon them in aid of the 'Freedman's Rest,' as may be from time to time required.

"7th. Major Este will enter upon the execution of this order without delay.

"By command of "MAJOR GENERAL WALLACE.

"OLIVER MATTHEWS, *Asst. Adj. General.*

"Official: JAMES R. ROSS, *Major and A. D. C.*"

The selection of the Maryland Club House as a "Rest" for the negroes, was a bit of petty persecution, the members of that club being regarded by the party in power as hostile to them and their acts. This portion of the order, however, was revoked.

We must now revert to events of the earlier part of this year. The trial of Colonel William S. Fish, late provost-marshal in Baltimore, who had been arrested in December, 1863, was concluded in Washington on the 15th of April, the court martial finding him guilty on most of the charges, with about twenty-five specifications. Several of the charges were "wrongfully appropriating goods to his own use," of rendering false accounts to the government; "and with sending cotton or Confederate bonds to Europe." The sentence having been approved by the President, he was dishonorably dismissed from the service of the United States, and condemned to pay a fine of $5,000 and to be imprisoned one year in the Albany penitentiary.

An order was issued by General Wallace, on the 26th of April, requiring all persons embarking at Annapolis, either in steam or sailing vessels, to have passes furnished them from the commanding officer of the port; and any vessel on which passengers might be found unprovided with such passes, was made liable to seizure. On the 13th of May a similar order was issued in relation to Baltimore.

On the 12th of July, 1862, President Lincoln approved a bill passed by Congress, "to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," and a joint resolution explanatory of said Act.

The commander of the middle department, on the 26th of April, issued the following order, attaching the proceeds of all the real estate and personal property owned by persons who had gone voluntarily into the Southern Confederacy, either to join the army or to aid the same in rebellion by their presence:

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, Md., April 20, 1864.*

"General Orders No. 39:

"Many citizens of this department have gone voluntarily into the States in rebellion against the United States, some to join the rebel army, others to aid and encourage the rebellion by their presence and otherwise, who have left property in real estate, slaves, stocks of various description, and other securities for money, in this department; and many citizens of the States in rebellion, who have participated in and encouraged the movement, having similar property within this department; it is deemed important that such property should not be under the control of such persons, and liable to be used in whole or in part to the support of the rebellion, and against the interests of the United States. It is, therefore, hereby ordered, that the proceeds of all real estate, the hire of all slaves, the interest on all debts due from persons in this department, the current income on all private debts, the dividends and interest on all stocks and bonds, railroad companies, banks, turnpike road companies, manufacturing companies and public corporations, however declared and payable, which are the property of the persons above described, and are within this department, shall be withheld by the persons authorized, and whose duty it is to pay the same, from said persons, their representatives, agents and attorneys, howsoever constituted; and that the same shall be paid over to Lieutenant Colonel Alexander Biss, quartermaster of this department, or such other agent as the general commanding may authorize and appoint from time to time. All persons having authority over such property will be held responsible for such sums as may be paid in violation of this order, and be otherwise punished by military commission.

"The hire and the proceeds of the labor of such slaves as are in the counties of Maryland, in this department, and belonging to the persons above described, will, in due proportion, be set apart and reserved for the use of such states, when they shall have been freed by the constitutional law of Maryland, as it is hoped they soon will be.

"By command of "MAJOR GENERAL WALLACE.

"SAMUEL H. LEAVENWORTH, *Assistant Adjutant General.*

[Official.] "JAMES B. BISS, *A. D. C.*"

To carry out the provisions of this order more effectually, on the 1st of May he issued the following instructions:

"1st. That the president and directors, or other authorized agents and representatives of all banks, insurance companies, railroad, turnpike, ferry, and manufacturing companies, and all other incorporated corporations, institutions, and joint stock companies whatsoever within this military department, shall, with the least possible delay, and not later than the 15th day of June next, forward to the office of Lieutenant Colonel Alexander Biss, quartermaster of this department, a written statement verified under oath by the president, and by the secretary or treasurer of such corporation or company, etc., setting forth the names and addresses of all the proprietors or stockholders, or others having now or within the past year, any interest whatsoever in the capital stock, the bonds or other debt, funded or otherwise of such corporation or company, or in the dividends, interest, premiums or other profits whatsoever arising therefrom or from its business, who are, or who since April 19, 1861, have been residents of, or have lived within any of the States now in rebellion, or who now are, or who have been in the rebel army, or in the employment of the rebel government, to the best knowledge and belief of the deponents —the exact amount and nature of the share or other interest of every such person, the date of the commencement of such interest, or of any increase thereof; also, the dates and amounts of all payments of dividends, interests, premiums or other profits by said company since May 1st, 1861, to any such person, or to any one whatsoever on account

of any such persons, and the names of those to whom paid. Also the name of any of the said persons to whom any interests or profits are now payable, and the amounts and dates when due.

"2d. It is ordered that all corporations, joint stock companies, and all individuals within this department, who now owe, or who since May 1st, 1863, have owed any interest upon any mortgage, bond or note, or other security, or who since May 1st, 1863, have paid any interest upon any mortgage, bond, note, or other security, or any other interest, or profit whatsoever to any person or any of the classes enumerated in the preceding paragraph, (or to any agent, attorney, or representative of any of the said persons,) shall, with the least possible delay, and not later than the 15th day of June, 1863, forward to the office of Lieutenant Colonel Alexander Bliss, quartermaster of the middle department, a written statement, verified under oath, setting forth the names and addresses of all persons to whom any such interest has been or is due, or to whom paid, the amount thereof, the amount of the principal upon which it is due or has been paid, the nature of the debt, whether bond (secured or not by mortgage), or note, or other security or evidence of debt whatsoever, and the date of its maturity.

"3d. It is ordered that all corporations and joint stock companies, and all individuals within this department who now occupy or enjoy the use of, or, since May 1st, 1863, have occupied or enjoyed the use of any lands, tenements, buildings, or other real estate whatsoever owned either in whole or in part by, or of which the rent or other proceeds in any manner accrue to, any of the persons of any of the classes above enumerated in paragraph 1 of this order, shall, with the least possible delay, and not later than the 15th day of June next, forward to the office of Lieutenant Colonel Alexander Bliss, quartermaster of the middle department, a written statement, verified under oath, setting forth their names and address, the location and description of any such lands, buildings, or other real estate, the names of the owners, lessors, etc., thereof, the rate of the rent or hire thereof, and any amount now due on account of the rent or hire thereof, or which have since May 1st, 1863, been due, or which have since that date been paid to any person whatsoever, and the names and address of all persons to whom said amounts are or have been due or paid, and the date when due or paid.

"4th. It is ordered that all persons in the counties of Maryland within this department now hiring, or who since January 1st, 1864, have hired slaves, belonging wholly or in part, now or within the past year, to any of the persons of the class enumerated in paragraph 1 of this order, shall furnish to Lieutenant Colonel Alexander Bliss, quartermaster of the middle department, a written statement, verified under oath, of their names and address, of the number of such slaves hired by them, the rate of hire, the names of the owners of each, the name of such slave, and the names of the persons to whom any payments have been since January 1st, 1864, made, or are now due on account of such hire, the amounts of such payments, and the amounts now due.

"And all slaves are required to furnish themselves such of the above information as is in their power, by appearing personally at the above place for that purpose, or otherwise, as they may be able.

"By command of MAJOR GENERAL WALLACE.

"SAMUEL B. LAWRENCE, *1st Lieut. Adj. Gen.*

"Official: MAX WOODHULL, *A. D. C.*"

The President, however, suspended the execution of these orders, and the moneys, etc., paid under them were ordered to be repaid.

The draft was renewed in Maryland in November, 1862 and in May, 1864. To avoid, if possible, this mode of filling the quota, liberal appropriations were made from time to time by Baltimore City, the several counties, and the

State. On the 14th of May Governor Bradford issued a call urging the "loyal" men of the State to come forward and enlist for one hundred days. Two regiments were called for, but he would accept three. The troops thus called for were to be armed, equipped and mustered into service the same as other volunteers, with the proviso that their length of service was for one hundred days only, and that in no case without their consent were they to be called upon to go outside the limits of Maryland. They were to garrison the defences of Baltimore, and guard the Baltimore and Ohio and other railroads; and one regiment was to take the place of the 5th Maryland volunteers, which at this time was doing garrison duty at Fort Delaware. Those troops performing garrison duty were to be sent to join the main army.

The troops called for by the governor's proclamation, not being forthcoming, on the 5th of June a draft took place to fill up the deficiency of two thousand men.

While these movements were in progress for strengthening the army, the National Union Convention, for the purpose of nominating candidates for the presidency and vice-presidency of the United States, assembled in Baltimore, on the 7th of June, at the Front Street Theatre. Ex-Governor Morgan, of New York, the chairman of the National Executive Committee, called the convention to order, and nominated as temporary president of the convention, Robert J. Breckenridge, of Kentucky. Speeches were made by Senator Morgan and Dr. Breckenridge, when the convention adjourned. At the evening session, Hon. William Dennison, of Ohio, was chosen permanent president, and the organization of the convention effected. Mr. Brownlow and the president made speeches, and the convention adjourned until the next day. Soon after assembling, the convention came to a vote, and although the Missouri delegation were instructed to cast their vote first in favor of General Grant, the vote for President Lincoln was made unanimous, every other State voting for him on the first ballot; in all 519 votes being cast. For the vice-presidency, on the first ballot, 200 votes were cast for Andrew Johnson; 145 for Hannibal Hamlin; 113 for Daniel S. Dickinson; 28 for General Benjamin F. Butler; 21 for Rosseau; 6 for Schuyler Colfax; 2 for Attorney General Holt; 1 for Governor Todd, and 1 for Preston King. Before the ballot was announced, several of the States changed their votes to Johnson, so that the final result was: Johnson, 494; Dickinson, 17, and Hamlin, 9. Andrew Johnson having received a majority of all the votes cast, was declared the nominee for vice-president; and his nomination was then made unanimous. The convention adjourned after passing a series of resolutions, adopted as the platform.

CHAPTER XLVIII.

WHILE the army of the Potomac lay on the north of the Rapidan, Major General U. S. Grant, who had been made Lieutenant-General, was assigned by President Lincoln on the 26th of March, to the command of all the "armies of the United States." General Meade was selected as his second in command of the army of the Potomac, and to him was entrusted the execution of his plans. This portion of the army was consolidated into three corps, the second, fifth and sixth, commanded respectively by Generals Hancock, Warren and Sedgwick, and numbering, with Burnsides' independent corps, about 140,000 men. The Confederates under Lee, numbered about 60,000. By the consolidation of the army of the Potomac on the 23d of March, into three corps, the Maryland brigade under Colonel N. T. Dushane, of the 1st Maryland regiment, became the third brigade in the second division of the fifth army corps. Brigadier General John C. Robinson commanded the division, and Major General G. K. Warren the corps. General Kenly, much to the regret of his command, was assigned a district in the middle department.[1] During the temporary absence of Colonel Dushane, (afterwards killed at the battle of Weldon Railroad,) who was then reorganizing the 1st Maryland veteran regiment, the command of the brigade devolved upon Colonel Andrew W. Denison, of the 8th Maryland regiment.[2]

[1] Before General Kenly departed for his new command, he was presented with the following complimentary address, which was signed by all the commissioned officers of his brigade:

"CHESAPEAKE CONVALESCENT HOUSE, VIRGINIA, }
"March 25, 1864. }

"BRIGADIER GENERAL JOHN R. KENLY:

"SIR:—The undersigned officers, commanding regiments, and others in the first and second brigades, comprising third division, first corps, army of the Potomac, cannot part with you, our late division commander, without first conveying to you the assurance of the friendship, regard and respect for you as a soldier and a gentleman, in the full completion of these terms, accomplished for you by us and by the officers and men of our several commands. The experiences and intercourse of more than eight months of active service in the field, furnishing an unerring test of competence and character, of courage and capacity, unite in impressing upon us a feeling of sincere regret at parting with you. We desire to retain a place in your memory, and the cordial prayer that your life may be spared, and your labors in the new field of duty to which you are to be transferred be crowned with uniform prosperity and success. With the hope of again meeting with you, General, on such occasions as the present, and probable, we bid you a sincere and affectionate adieu."

Edward L. Dana, colonel 140th Pennsylvania Volunteers, commanding 1st brigade, 3d division; W. Dwight, lieutenant-colonel, commanding 149th Pennsylvania Volunteers; John Irwin, major; G. W. Jones, captain, commanding 150th Pennsylvania Volunteers; J. G. Andrews, captain, commanding 142d Pennsylvania Volunteers; Samuel T. Floyd, captain, commanding 121st Pennsylvania Volunteers; William Painter, lieutenant-colonel and chief quartermaster of 1st army corps; N. T. Dushane, colonel 1st Maryland infantry, commanding 2d brigade; J. W. Wilson, lieutenant-colonel, commanding 1st Maryland Volunteers; J. G. Johannes, lieutenant-colonel 8th Maryland Volunteers; Charles E. Phelps, colonel, commanding 7th Maryland Volunteers; Gregory Barnett, jr., lieutenant-colonel 4th Maryland Volunteers, and ninety-five other prominent officers.

[2] The 8th regiment took the field September 18, 1862.

On the 3d of May, General Meade issued an address to his army, and on the following day it left Culpeper for the Rapidan; on the same day Butler moved up the south side of James River; on the 6th, Sherman advanced from Chattanooga. In the evening Meade reached that tangled forest where was fought, from the fifth to the ninth, the battle of the Wilderness, the most terrible and bloody battle of the war. In this series of bloody engagements fought in a mass of tangled underwood, the Maryland brigade took a conspicuous part in Warren's corps and met with severe loss. On Sunday, the 8th of May, with its division they charged Longstreet's command posted in a skirt of woods at Laurel Hill, near Spottsylvania Court House, in the face of a galling fire of musketry and a storm of canister and shell from both front and flank. The 2d, 7th and 8th Maryland regiments pushed on to within fifty yards of Longstreet's entrenchments, but the terrible fire poured into their depleted ranks forced them to retire, leaving the field covered with their dead and wounded. General Robinson, their division commander, was wounded in the leg, and Colonel Dennison, who commanded the brigade lost his arm. The command of the brigade now devolved upon Colonel Charles E. Phelps who had succeeded Colonel E. H. Webster, elected to Congress. While gallantly leading his men into action, Colonel Phelps was struck down within the Confederate line and was taken prisoner, but was afterwards recaptured by Custer's cavalry. Colonel Richard M. Bowerman, of the 4th regiment, then assumed command of the brigade.[1]

In consequence of the disabling wound of General Robinson, his division was broken up, and the various regiments, with the exception of the Maryland brigade, were assigned to other commands. The Maryland brigade as a light corps was placed under the immediate command of General Warren. It was employed in various duties until the 29th of May, when the old second division was reorganized, and the Maryland brigade again became the third brigade, second division, fifth army corps, which it remained until the 6th of June, when it was named the second brigade of the same division and corps. Brigadier General R. B. Ayres was assigned to the command of the division, and the Purnell legion, Maryland infantry, under Colonel Samuel A. Graham, was joined to the brigade.

In all the various battles in which their division was engaged, from Spottsylvania Court House to the Chickahominy, which they crossed on the

[1] The 4th Maryland regiment was raised mostly in Baltimore City, with one company (C) from Carroll County. It left Baltimore for active duty, September 18, 1862. Its first colonel was W. H. L. Maidenes, a graduate of West Point, and captain in the regular service. He resigned in November, 1862, and was succeeded by Colonel R. N. Bowerman, a gallant and spirited officer.

The 7th regiment was raised as follows: Company A, Washington County; B, Frederick County; C, Baltimore and Harford Counties; D, Baltimore City; E, Frederick County; F, Carroll County; G, Frederick County; H, Baltimore City; I, Washington County; Company K was raised in April, 1864, from the 10th Maryland 6-months militia infantry. It left Baltimore, September 18, 1862, with the Maryland brigade. Its first colonel was Edwin H. Webster, of Harford County, who resigned November 6, 1863, and was succeeded by Charles E. Phelps. In consequence of severe wounds received, on the 8th of September, 1864, he was discharged, when the command devolved upon Major E. M. Mobley, who was succeeded by Lieutenant Colonel H. T. Barnett.

14th of June, the Maryland brigade bore a distinguished and active part and suffered severe loss in killed and wounded. On the 16th, moving by way of Charles City Court House, it crossed the James at Wilson's Landing with the second and fifth corps, and proceeded towards the lines near Petersburg, where it arrived early on the morning of the 17th.

While the Maryland brigade was thus operating with Grant in his movements against Richmond, other Maryland regiments were performing active service in other sections of the country. The 3d Maryland cavalry, composed in part of four hundred Confederate deserters from Fort Delaware who had taken the oath of allegiance and enlisted in the Federal service, under Colonel C. Carroll Tevis was actively engaged in the neighborhood of Madisonville, Louisiana. The 6th Maryland regiment of infantry,[1] under Colonel Horn, was in the sixth corps under the distinguished but lamented General Sedgwick; and the 2d and 3d regiments, in the ninth corps under General Burnside, on more than one occasion proved their patriotism by valor and acts of bravery. At the battle of Cold Harbor the 2d and 3d regiments were in all the severe engagements in which the ninth corps participated; and was part of the rear guard when Grant and his army crossed the James. On the 17th of June their brigade was ordered to charge the Confederate breastworks in front of Petersburg. Advancing under a heavy cross-fire from the Confederate rifle-pits and batteries, the charge was successfully executed with severe loss. They held the breastworks until late at night, when for want of support their whole line fell back to their former position. On the 18th the Confederates evacuated this line of entrenchments and they were taken possession of. In the Red River expedition in May, 1864, the third Maryland cavalry, under the command of Captain Thomas W. Canfield, lost severely in killed, wounded and missing.

At early dawn, on the morning of the 10th of January, 1864, Mosby's Confederate battalion of cavalry made an attack upon the camp of Major Cole's Maryland cavalry, on Loudon Heights, Virginia. They avoided the pickets, dashed into the camp with a yell, and poured a volley of bullets into the tents where the officers and men were sleeping. Upon a demand being made for the unconditional surrender of the command, the Marylanders answered it by a shout of defiance as they rushed from their tents half-naked, but with their arms, in the midst of their assailants. The Confederates fought with the most desperate valor, which was only equalled by the coolness and

[1] This regiment was organized in Baltimore, under the call of July 2, 1862, and took its departure from the city on the 19th of September, to Williamsport, where it joined the Maryland brigade. It was detached from the brigade in March, 1863, and assigned to General Milroy's command, and subsequently to the sixth army corps under Grant, where it did gallant service. It crossed the Rapidan with 1,122 men, and before the 27th of June it had lost in killed and wounded, over one-half of the regiment. The first colonel of the regiment was George R. Howard, who resigned on the 5th of May, 1863, and was succeeded by John W. Horn. He resigned in February, 1865, and was succeeded by Lieutenant-Colonel Joseph C. Hill. It participated in the battles of Winchester, Spottsylvania, Cold Harbor, Petersburg, Opequan, Fisher's Hill, Cedar Creek, Sailor's Creek, and Appomattox Court-House.

undaunted valor of the Marylanders who drove Mosby and his command from their camp. In this cavalry exploit the Confederates lost eight killed, and the Federals six, and a large number severely wounded on both sides.

For the gallantry displayed by Major Cole and his command upon this occasion, the following complimentary orders were issued:

"*Headquarters of the Army,*
Washington, D. C., January 20, 1863.

"Brig. B. F. Kelley, Cumberland, Md.:

"GENERAL. I have just received, through your headquarters, Major Henry A. Cole's report of the repulse of Mosby's attack upon his camp on Loudon Heights, on the 10th instant. Major Cole and his command, the battalion of P. H. B. Cavalry, Maryland Volunteers, deserve high praise for their gallantry in repelling this rebel assault.

"Very respectfully, your obedient servant,

"H. W. HALLECK, *General-in-Chief.*"

"*Headquarters Department West Virginia,*
Cumberland, Md., January 25, 1863.

"Respectfully transmitted to Brig. General Sullivan, commanding post:

"I take great pleasure in thus conveying to the officers and men of Major Cole's command this evidence of appreciation on the part of the General-in-Chief of the gallantry displayed by them.

"B. F. KELLEY, *Brigadier-General.*"

"*Headquarters First Division, Department West Virginia,*
Harper's Ferry, Va., January 31, 1863.

"Respectfully transmitted to Maj. Henry H. Cole, who will cause this communication to be read to his command. I take great pleasure in transmitting the thanks of the General-in-Chief, which the command so richly deserve.

"JOHN C. SULLIVAN, *Brigadier-General Volunteers.*"

We will now briefly trace the movements of the several Maryland commands in the Confederate service united in one corps as the Maryland Line.

When the 1st Maryland regiment was mustered out of service on August 17th, 1862, Colonel Bradley T. Johnson and the rest of the officers of that regiment were left without commissions. Ewell offered Johnson the place of inspector-general on his staff, which he declined, preferring to remain on the staff as volunteer with his adjutant, Captain George W. Booth, and surgeon Richard P. Johnson. On the 21st of August, Jackson assigned him, though without rank or commission, to the command of the second brigade, Jackson's old division, then commanded by Taliaferro; Brigadier General J. R. Jones, who had been assigned to this brigade, being then absent on sick leave.

Colonel Johnson commanded the brigade in the three days' battle of second Manassas, in a manner so satisfactory to Jackson, that on the 6th of September, 1862, just as the army was crossing into Maryland, he recommended him for appointment to the rank of brigadier-general, in the following letter:

"*Near Leesburg, September 6th, 1862.*

"GENERAL—I respectfully recommend that Colonel Bradley T. Johnson, late colonel of the 1st Maryland regiment, be appointed brigadier-general. While I was in command at Harper's Ferry, in the early part of the war, Colonel Johnson left his home in Maryland

and entered our service, where he continued until his regiment was recently disbanded. I regarded him as a promising officer when he first entered the army, and so fully did he come up to my expectations, that when his regiment was disbanded, I put him in command of a brigade; and so ably did he discharge his duties in the recent battles near Bull Run, to make it my duty as well as pleasure to recommend him for a brigadier-generalcy. The brilliant service of his brigade in the engagement on Saturday last proved that it was under a superior leader, whose spirit was partaken of by his command. When it is so difficult to procure good general officers, I deem it due to the service not to permit an opportunity for securing the services of one of rare merit to pass unimproved. I am, General, your obedient servant.

"T. J. JACKSON, *Major General.*

"General S. Cooper, *Adj. and I. Gen. C. S. A.*"

And in a letter to General R. E. Lee, recommending the promotion of various officers, Colonel J. B. Jordan, Colonel Alfred Iverson, Colonel S. D. Ramseur and M. E. F. Paxton, to be brigadiers, and Brigadier General Jubal A. Early to be major-general, he urges Colonel Johnson's promotion thus:

"*Headquarters Virginia District, October 27th, 1862.*

"..... In this number (of brigadiers to be appointed), I would include Bradley T. Johnson, late Colonel of the 1st Maryland regiment. He commanded a brigade in the engagement about Manassas, and won merited distinction. The 1st Virginia infantry (P. A. C. S.), which had been doing so badly before, that I was disposed to take away its colors, behaved gallantly under Colonel Johnson. He is an officer of tried courage, industrious, enterprising, possesses an unusually good mind and constitution.

"I am General, your obedient servant.

"T. J. JACKSON, *Major General.*

"General R. E. Lee."

During the occupation of Frederick, General Jones reported to his command and Colonel Johnson was thus relieved, and was then ordered by Jackson to Richmond, to present his recommendation for promotion. This was delayed on the ground that there was no Maryland brigade to which he could be assigned. He was appointed colonel of cavalry and assigned for duty on the military court, permanently stationed at Richmond. In the spring of 1863 he was elected lieutenant-colonel of the 2d Maryland infantry by its officers, but declined on the ground that the rank was due to Captain James R. Herbert, who was the senior officer of the battalion, which had been raised mainly by his efforts with those of Captains W. W. Goldsborough and Wm. H. Murray.

When the army moved North in the spring of 1863, Colonel Johnson insisted upon throwing up his place in the rear, and finding service in the field. Hon. James A. Seddon, Secretary of War, then appointed him to command the Maryland Line, which was composed of the Maryland troops then with Lee's army, and which was expected to be increased to a brigade by recruits in Maryland. Accordingly, on June 22, a commission was issued to him as colonel of the 1st regiment, Maryland Line, and he was ordered to report to General Trimble, of Ewell's corps. The following authority was given to him:

"*Confederate States of America, War Department,*
"*Adjutant and Inspector General's Office,*
"*Richmond, Va., June 22, 1863.*

"SIR: You are authorized to recruit from Marylanders and muster into service, companies, battalions and regiments of infantry, cavalry and artillery, to serve for the war, and to be attached to and form part of the Maryland Line.

"By command of "SECRETARY OF WAR.
"SAMUEL W. MELTON, *Major and A. A. G.*
"Colonel BRADLEY T. JOHNSON, *Present.*"

Riding rapidly through the country with Lieutenant Colonel Ridgely Brown, and Captain George M. Booth, who had been wounded, they reached Gettysburg the afternoon of July 2, just as the disastrous assault on Culp's Hill was being made. There being then no time to consolidate the Maryland battalion included in Johnson's orders, on the 4th of July he was assigned by Ewell to the command of his old brigade, the second, of Jackson's division, and he commanded that on the retreat from Gettysburg, and until the middle of November when Brigadier General J. M. Jones, to whom the brigade belonged and who had been wounded at Gettysburg, reported for duty. The Maryland line was then organized under the orders of the new department, and consisted of 1st Maryland infantry, Captain J. Parran Crane; 1st Maryland cavalry, Lieutenant Colonel Ridgely Brown, and Baltimore light artillery, Captain W. H. Griffin. They were ordered to Hanover Junction, to protect the bridge over the North and South Anna and Middle rivers, to protect Lee's right flank down the peninsula as far as New Kent Court House, and to watch the lower Rappahannock and Pamunkey, and to keep Lee advised of any movements of the Federals from those directions. The camp was established as Camp St. Mary's—and the months from December to May were passed in drills, reviews, scouts and pickets—with frequent alarms of approaches from the direction of York River and Fortress Monroe.

The command reached a high degree of efficiency in drill and discipline. On the 22d of March, 1864, a general order from the adjutant and inspector general directed all the Maryland companies then in service, except company K, 1st Virginia cavalry, Captain Gustavus W. Dorsey, to report to Colonel Johnson at the headquarters of the Maryland Line at Hanover Junction. Another camp was established for rendezvous of Marylanders at Staunton under command of Major General Arnold Elzey, and all natives of Maryland in the Confederate army were authorized, on application, to have themselves transferred to either of the camps at their selection. By operation of these orders the force at Hanover Junction was increased by the addition of two batteries of artillery, and the Maryland Line thus organized consisted of the following commands and officers:

"Colonel commanding, Colonel Bradley T. Johnson; Captain George W. Booth, Assistant Adjutant General; Captain Wilson C. Nicholls, Assistant Inspector General; Major Charles B. Harding, A. Q. M.; Major George E. Kyle, A. C. S.; Surgeon Richard S. Johnson, Medical Director; Lieutenant A. C. Tripp, Ordnance Officer; Rev. Mr. Duncan, Chaplain.

"2d Maryland Infantry: Lieutenant Colonel, James R. Herbert, wounded at Gettysburg and prisoner; Major, W. W. Goldsborough, wounded at Gettysburg and prisoner; Captain, J. Parran Crane, commanding, Adjutant; Assistant Surgeon, DeWitton Snowden; Captain, John E. Howard, A. Q. M.; Sergeant Major, Winder Laird.

"Company A: Captain, George Thomas; Lieutenants, Clapham Murray and William P. Zollinger.

"Company B: Captain, J. Parran Crane; Lieutenants, John H. Stone, Charles B. Wise, James H. Wilson.

"Company C: Captain, F. C. Duvall; Lieutenants, Charles W. Hodges, James W. Barker, Thomas H. Tolson.

"Company D: Captain, Joseph L. McAleer; Lieutenants, James S. Franklin, J. T. Bussey, S. T. McCullough.

"Company E: Captain, John W. Torsch; Lieutenants, W. H. Dyer, James P. Quin.

"Company F: Captain, A. J. Colton; Lieutenants, Polk, John Hyland and Forrest.

"Company G: Captain, Thomas R. Stewart; Lieutenants, James Davis, G. G. Gullelon.

"1st Maryland Cavalry: Lieutenant Colonel, Ridgely Brown; Major, Robert Carter Smith; Assistant Surgeon, W. B. McKnew; Adjutant, John Post, Captain; J. W. Dorsey, A. Q. M.; Quartermaster Sergeant, Charles Wagner; Sergeant Major, Arthur Bond; Ordnance Sergeant, Edward Johnson.

"Company A: Captain, Frank A. Bond, wounded at Hagerstown, July 1863, prisoner, returned and served with rank of major on staff of Brigadier General Lewenthorpe, of the North Carolina State troops; Captain, Tom Griffith; Lieutenants, J. A. V. Pue and Ed. Beatty.

"Company B: Captain, George M. Emack; Lieutenants, Mason E. McKnew, Adolphus Cook, Henry Blackstone.

"Company C: Captain, George Howard; Lieutenants, Thomas Green, T. Jeff. Smith.

"Company D: Captain, Warner G. Welch; Lieutenants, W. H. Dorsey, Stephen D. Lawrence, Milton Welch.

"Company E: Captain, William J. Reisin; Lieutenants, John B. Burroughs, Nat. Chapman, Joseph K. Roberts.

"Company F: Captain, Augustus Schwartz; Lieutenants, C. Irving Pitty, Fielder C. Slingluff, Samuel C. Bonn.

"1st Maryland Artillery: Captain, William F. Dement; Lieutenant, Charles Coulter.

"2d Maryland Artillery, (Baltimore Light Artillery): Captain, William H. Griffin; Lieutenants, John McNulty, W. B. Bean, J. W. Goodman; Assistant Surgeon, J. B. Worsham.

"3d Maryland Artillery, (Chesapeake Artillery): Captain, W. South Chew."

The Maryland Line thus organized, contained an aggregate of about fifteen hundred men of all arms, the largest Maryland force ever collected in one command in the Confederate service.

Before the order concentrating this force was issued by direction of the Secretary of War, an election was held from the 6th to the 10th of February, for a colonel to command the Maryland Line, and Colonel Johnson was unanimously elected to that position.

About this time, occurred one of the most brilliant episodes in the service of the Marylanders in the Confederate army.

While the army of Lee lay on the Rappahannock, confronted by the Union army under Meade, of which Grant had just assumed supreme

command, a daring dash was attempted on the Confederate capital, for the purpose of releasing the Union prisoners—many thousand in number, confined on Belle Isle, on the James River—of sacking the city, and of destroying the Confederate President and his cabinet.

The execution of this exploit was committed to Brigadier General Judson Kilpatrick, and Colonel Ulric Dahlgren, two officers whose youth, gallantry, and former achievements commended them for so desperate an undertaking.

A force of fifty-five hundred men was picked from the cavalry corps of Meade's army—of which, three thousand were committed to Kilpatrick, and five hundred to Dahlgren. Their plan was to pass around the right flank of Lee's army, Dahlgren crossing the Virginia Central Railroad, above Hanover Junction, passing thence into Goochland County, where he was to cross the James, and moving down on the south side of that river, attack Belle Isle, in conjunction with Kilpatrick, and let loose the prisoners on the undefended city. Kilpatrick was to move down on Hanover Junction, destroy the bridges over the North and South Anna and Middle Rivers, at that point, over which the two railroads, running out of Richmond, north and west, passed, thus cutting Lee's communications with Richmond and his base of supplies in the Valley and from Lynchburg, and then to co-operate with Dahlgren in the attack on Richmond.

The enterprise was a daring and perilous one, and, in a military point of view, could only be justified in view of the tremendous consequences which would ensue from its success. If it had been successful, and Lee's supplies cut off, he would, in that wintry weather, over those almost impassable roads, have been obliged to fall back on Lynchburg; for, according to the plan, Richmond would have been burned to the ground, and the evacuation of Virginia by the Confederates would have taken place then, instead of in April, of the following year.

Accordingly, on the 28th of February, 1864, the two commands started on their desperate expedition. Dahlgren moved rapidly across the railroad at Frederick's Hall, and attempted to cross the James at Dover Mills, some twenty miles above Richmond. A freshet in the river made it unfordable, and he, believing he had been betrayed by his guide, a negro who had recently run away from that neighborhood into the Union lines, hung him from a tree on the road-side. Thence he rode rapidly down the river road toward the capital.

Kilpatrick, in the meantime, pressed directly down the Fredericksburg road to Richmond. His route lay by Hanover Junction and through Ashland. But Hanover Junction was the key to Lee's position, and had been that whole winter. The railroad from Richmond to Fredericksburg, and from Lynchburg and Staunton to Richmond, crossed each other at that point. All supplies to Lee, from the South or from the Valley, were obliged to pass there. There were, a mile below the Junction, six long high bridges over the North and South Anna and Middle Rivers, which, if destroyed,

would have rendered Lee's position untenable. Colonel Johnson was at once informed, by telegrams from General Lee, of this movement. The first information reached him just before midnight of February 29th, that a body of cavalry had passed the right of the army, accompanied by orders to find it without delay, ascertain its force and the direction it was moving, and its intentions and object, fight it if possible, and to save the bridges at all hazards. He immediately sent orders to his pickets to destroy the boats on the Pamunkey, between Hanover Court House and the White House, in order to prevent the escape of the enemy in that direction, and at the same time sent out an expanding circle of scouting parties, to the North and West, to ascertain the movements of the enemy. It was soon ascertained that they were moving on Hanover Junction, and that there was a large force. The extended pickets and necessary scouts had only left about sixty men of the 1st Maryland Cavalry present for duty, and these, with the infantry and artillery, were prepared to receive the expected attack. Moving out with the cavalry and two pieces of the Baltimore light artillery, just before light, on March 1st, Johnson struck a force of the enemy near Taylorsville, two miles from the junction, and drove them off. Pushing on, he found that the main body had moved rapidly on Richmond, and were at least an hour ahead of him. He followed quickly on their line of march, and at the Yellow Tavern, five miles from Richmond, found them, under Kilpatrick, in line of battle a mile beyond him, preparing to attack the city, upon whose outworks they had already opened with artillery. Just then a straggler was captured, and finding there were forces in the rear, Johnson drew his squadron off on the side of the road, and posted a picket in Federal uniform on the road itself. In a few minutes a squad of five men rode into the ambuscade, who proved to be the guard of a bearer of a dispatch from Dahlgren to Kilpatrick. It was a verbal one, but the officer who bore it was forced to give it up. It was information that Dahlgren had failed in his attempt to cross the James, but would charge into the city from the river road at dark, and asking Kilpatrick's co-operation in a joint attack at that time. Immediately on getting this information, Colonel Johnson charged Kilpatrick's picket and rear guard, which he had left behind him on the Brook Turnpike, and drove them in on the main body. Whereupon Kilpatrick at once desisted from his attack, took horse and drew off his troops in the direction of the Peninsula, evidently aiming to escape over the Pamunkey, or down toward Williamsburg. Colonel Johnson with his sixty men followed close on his heels, and that night Kilpatrick camped on the eastern side of the Chickahominy, only four miles from Richmond, with Johnson on the other side of that river, between him and Richmond. During the night, Hampton came on Kilpatrick's camp and drove him from it with loss in prisoners and horses.

At daylight of the 2d, the Confederates were again on his track, and for the whole day kept harassing him, constantly driving in his rear

guard, and never losing sight of him, until he eventually escaped, by joining an infantry force which was sent from Williamsburg to Tunstall's station, on the York River Railroad, to rescue him. So persistent and vigorous was the pursuit, so sharp and incessant the charges of the Marylanders, that at Old Church, sixteen miles from Richmond, General Kilpatrick was forced to go into battle, and offer to fight his adversary. He displayed three thousand picked cavalry, and a battery of six guns, prepared to resist the onslaught of the sixty hornets who had been stinging, exasperating and alarming him for nearly twenty-four hours. Such an invitation, was, of course declined, but a regiment of the Union troops charged them and drove the Marylanders back to Old Church, with the loss of one man. As soon as the Federal regiment retired, however, the Marylanders went at them again, and while thus engaged, were themselves charged in rear by a force of four hundred men, part of Dahlgren's command, who were seeking to unite with Kilpatrick, with three thousand men in front and four hundred in rear. The Marylanders, undismayed, opened their ranks, let them through, and actually closed in on their flanks, and brought off many prisoners, besides inflicting severe loss in killed and wounded.

No exploit of the war on either side exceeds this for skill, daring and cool courage. A small squadron to pursue and attach itself to a brigade of its enemy, and when attacked in rear by odds of seven to one, to turn and inflict severe injury on them, is an achievement never surpassed and hardly paralleled in war.

Johnson's prisoners were more than twice as numerous as his command. His loss was Captain George M. Emack, of company B, Prince George's County, slightly wounded; Lieutenant C. Irving Ditty, company F, Baltimore, through the thighs seriously; Private George Parker, sabre cuts over the head; Private R. K. King, sabre cuts over the head and shoulders; Private Key, of St. Mary's County, sabre cut and prisoner, his horse falling or being killed.

This very remarkable series of exploits of the Marylanders, was considered by the Confederate authorities of the very highest importance. General Hampton reported that the dash by Johnson on Kilpatrick's rear, his disconcerting the joint attack of Kilpatrick and Dahlgren on Richmond and his untiring and incessant harassing of the former, had saved Richmond from capture and thus been of eminent service to the Confederacy.

In token of his admiration for his services, Hampton presented Colonel Johnson with a sabre, fellow to the one worn and used by himself in many a hard fought field. The gallant services of the Marylanders were further rewarded by a general order thanking them and commemorating their achievements.

While these events were occurring between Johnson, Kilpatrick and Dahlgren, all his plans frustrated by the capture of his dispatch, made a desperate charge at the time appointed, about dusk of the 4th of March, almost into the suburbs of Richmond. He was bloodily repulsed by a battalion

of department clerks, commanded by Captain Ellery, who lost his life in the gallant defence, and turning eastward, he marched all night of the 5th, in search of Kilpatrick, who was then hurrying down the Old Church road. Arriving in the neighborhood of Hanover Court House, Dahlgren endeavored to cross the Pamunkey, but all the boats having been destroyed or sunk, was only able, with the aid of some negroes, to raise one canoe, by which he passed over about one hundred men, swimming their horses by the side of the boat. This took so long that the rest of the command started for Old Church, where they fell on Johnson's rear, with what fortune we have seen, and those who escaped being killed or captured, ultimately rejoined Kilpatrick.

Dahlgren, in the meantime, with his hundred men, and many negroes mounted on their master's horses, pushed rapidly across King William County, crossed the Mattapony at Aylett's, and made a forced march toward Miller's in King and Queen County. Lieutenant James Pollard, of company H, 9th Virginia cavalry, had got together twelve of his men, united them with Captain R. H. Bagby's company of Home Guards, consisting of boys under eighteen, and some soldiers, home on furlough, threw himself in front of him and fell back before him until dark.

He then posted himself in a good position, and at about 11 o'clock that night Dahlgren came up. When right within twenty paces of the barricade made by Pollard across the road, the latter cried: "Halt." Dahlgren immediately replied: "Disperse, you damned rebels, or I shall charge you." "Fire!" ordered Pollard. A volley was the answer. Dahlgren fell, his horse and himself killed instantly. The next morning the whole command surrendered, with their negroes and other plunder. From Colonel Dahlgren's person were taken his orders, apparently from General Kilpatrick, and an inflammatory address by Dahlgren to his troops, showing that the object of the raid was to release the prisoners, set them loose on Richmond and her citizens; "exhorting the released prisoners to destroy and burn the hateful city, and do not allow the rebel leader, Davis and his traitorous crew to escape." Among other papers was an accurate copy of the last field return of the Confederate cavalry made to Major General J. E. B. Stuart, with the location of every regiment. This last was credited to the "Bureau of Instruction" at Washington. Kilpatrick's orders to Dahlgren were as follows:

"*Headquarters Third Division Cavalry Corps.*

"Guides, Pioneers, (with Oakum, Turpentine and Torpedoes) Signal Officer, Quartermaster, Commissary, Scouts and Picked Men in Rebel Uniform:

"Men will remain on the north bank and move down with the force on south bank, not going ahead of them; and if the communications can be kept up without giving an alarm, it must be done. Everything depends upon a surprise, and no one must be allowed to pass ahead of the column. Information must be gathered in regard to the crossings of the river, so that should we be repulsed on the south side, we will know where to cross at the nearest point. *All mills* must be *burned* and the *canal destroyed*, and also everything which can be used by the rebels must be destroyed, including the boats on the river. Should a ferry boat be seized and can be worked, have it moved down. Keep the force

on the south side posted of any important movement of the enemy, and in case of danger some of the scouts must swim the river and bring us information. As we approach the city, the party must take great care that they do not get ahead of the other party on the south side, and must conceal themselves and watch our movements. We will try and secure the bridge to the city (one mile below Belle Island) and release the prisoners at the same time. If we do not succeed, they must then dash down, and we will try and carry the bridge from each side. When necessary, the men must be filed through the woods and along the river bank. The bridges once secured and the prisoners know and over the river, the bridges will be secured and the city destroyed. The men must keep together and well in hand, and once in the city, it must be destroyed, and Jeff Davis and his Cabinet killed. Pioneers will go along with combustible material. The officer must use his discretion about the time of assisting us. Horses and cattle which we do not need from Belle's, must be shot rather than left. Everything on the canal and elsewhere of service to the rebels must be destroyed. As General Custer may follow me, be careful not to give a false alarm."

There was some dispute as to the genuineness of these papers, an attempt having been made by the Federal authorities to disown them, and to charge that they were forgeries; but the Confederate government had the originals photographed and sent to the Confederate ministers in Europe, and to the North. Their authenticity was so apparent that it was at once conceded, and has never since been denied by any responsible source.

On the 10th of May, the Federal general attempted another *coup d'état* against Richmond. He detached Sheridan with twelve thousand sabres to push by Lee's right, and dash into Richmond before any force could be assembled to resist him. Major General J. E. B. Stuart, with the cavalry division of Fitz Lee, followed hot in his tracks.

Johnson having been informed of the Federal movement, directed Lieutenant Colonel Brown to proceed towards Beaver Dam and ascertain the force of the column. Brown came upon them at night and immediately attacked, but of course was repulsed. His loss was Captain Augustus F. Schwartz, company F, seriously wounded, and several men killed and wounded. Finding that nothing could be done except watch them, Brown kept in their front during the 10th, and in the afternoon reported to Johnson at Taylorsville, who had his force there in position to make a fight to save the bridges. During the night, General Stuart came up, and sent Johnson the following request:

"*Military Despatch, May 11, 2 o'clock A. M., 1864.*

"To Colonel B. T. Johnson:

"Colonel.—General Stuart directs me to say that he would be glad to obtain one of your light batteries to assist him to-day, as he is short of artillery. Our cavalry is interposed between the enemy and Hanover Junction. General Stuart will return the battery as soon as the present emergency has passed. The enemy encamped last night at Ground Squirrel Bridge. They had orders to march at one o'clock to-night. General Stuart is now moving down the Telegraph Road, and desires you to send the battery by the same route.

"Very respectfully, your obedient servant,

"H. B. McCLELLAN, *Major and A. A. G.*"

Accordingly the Baltimore light artillery joined Stuart on the morning of the 11th. On coming up with Sheridan at Yellow Tavern, five miles from Richmond, Stuart's plan of battle was one of the most brilliant ever conceived by that dashing soldier. Instead of interposing himself between Sheridan and Richmond, and thus if driven back, being followed by him into the city, Stuart disposed his troops so as to attack in rear and threaten in flank. Sheridan was thus forced to turn back on his march, remove himself further from Richmond, and give the authorities there more time to get up troops for the defence of the place, in case any disaster happened to Stuart. The latter thus risked the sacrifice of himself to ensure the safety of the city. And his manœuvre did save it. His force consisted of about three thousand sabres to Sheridan's twelve thousand. The Baltimore light artillery was posted near his centre, and the masses of the Federals were driven on it again and again. Many charges were repulsed with grape and canister. The 1st Virginia cavalry, in which was the Maryland company K, Capt. Gustavus W. Dorsey, supported the battery, and together they held the centre for hours against the fiercest assaults. At last, in the evening a heavy force was hurled at them, which drove back the 1st regiment, and rode over the guns of the Baltimore artillery. Stuart came up in a gallop, and rallied the men to recover the Maryland battery, and, with him at their head, they drove back the charging squadrons and regained possession of the pieces. As they were slowly returning from this charge, a dismounted Federal soldier, running by towards his own lines, shot Stuart with a revolver, the ball passing into his side. He rode for a short distance and was lifted from his horse by private Tom Waters and three other men of company K, Dorsey's Marylanders, and carried to an ambulance. In a moment, however, the return charge of the Federals swept back to the guns and carried off two pieces. General Stuart died of his wound the next day, in Richmond.

As Lee's army closed in around Richmond, the Maryland Line could no longer be used as a detached command, but was absorbed in the general mass of the army. The cavalry and 3d Maryland artillery, under Colonel Johnson, were assigned to Hampton, the infantry to Major General Breckenridge, and the two other batteries to artillery commands.

On the 3d of June, was fought one of the most memorable engagements of the war. On this field the 2d Maryland battalion was held in reserve to support Echols' brigade of Breckenridge's division, and formed a line about one hundred yards in rear of the main body. During the night of the 2d, the reserve was strengthened by the arrival of Wilcox's and Finnegan's brigades. An eye witness of this exciting contest says:

"At the break of day (June 3d), the command was hastily aroused from its slumbers by the loud peals of cannon and the rattle of small arms. Springing to their feet, what was their surprise to behold part of the line of battle in their immediate front precipitately retreating and abandoning their works, and the artillery there stationed to the enemy who were swarming over the

breastworks. But an instant, however, was left for reflection. Another moment their own artillery, double-shotted with canister, would be turned upon them and their destruction was inevitable, and, perhaps, the destruction of the whole division. And then and there they did what few troops had ever done before. Almost spontaneously (for in the confusion and noise no command could be heard), they rushed upon the overwhelming masses of the Federal infantry with the bayonet and wrested the guns from their hands just as they were about to belch forth death and destruction to all who stood in their way. A most desperate and sanguinary hand-to-hand struggle then ensued, in which the bayonet and the short swords of the officers were used with dreadful effect, and it can be said to be one of the few instances of the kind in the history of battles. The enemy did not long withstand this mad attack, but fled over the breastworks and sought the cover of the line of works from which they had just emerged, falling by hundreds at every step, from the fire of the recaptured artillery and the deadly rifles that relentlessly pursued them. Again and again they advanced, but right upon the heels of the Maryland boys had followed Finnegan, with his Floridians, and the utmost efforts of the heavy Federal columns failed to make the least impression, and the result was that the whole ground in front was strewn with the dead and wounded of the enemy, and at the close of the sanguinary battle of Cold Harbor, Breckinridge remained master of his position with several hundred prisoners in his possession, captured in the headlong charge of the Marylanders."

Before the close of the desperate struggle, General Breckenridge, who had witnessed the hand-to-hand conflict of his favorite battalion, rode up and with tears of emotion streaming down his cheeks, extolled their conduct and thanked them in the most expressive manner for having saved his division from destruction or capture. Shortly afterwards, in referring to the gallant behavior of the 2d Maryland, at the battle of Cold Harbor, he exclaimed: "What could not be done with a hundred thousand such men." In answer to some inquiries made by the present writer after the war, in relation to the Maryland battalion in his command, he replied as follows:

"*Lexington, Ky., January 9th, 1877.*

"You desire me to tell you something of a Maryland regiment that was in my command toward the close of the war, with a view to use the information in your proposed 'History of Baltimore.' When I crossed over from the Shenandoah Valley in May, 1864, and joined General Lee on the North Anna, near Hanover Junction, a battalion of Maryland infantry was sent to me, and it remained under my command until I returned to the Valley in the following month. It had seen much service, and I think all the field officers were absent from disabling wounds. While with me it was commanded by Captain Crane. I had occasion to observe this battalion along the North Anna, on the Botetourt, and in a series of other engagements of greater or less importance, ending with the battle of Cold Harbor early in June, and I take pleasure in saying that its conduct throughout was not merely creditable, but distinguished. Not being incorporated into my brigade,

[1] Goldsborough's *Maryland Line in the Confederate States Army*, p. 176.

it came more frequently under my eye, and I presently fell into the habit of holding it in hand for occasions of special need. For an instance, at Cold Harbor, where a point in my line was very weak, and was actually broken for a time by General Hancock's troops, the Maryland battalion and Finnegan's Florida brigade (the latter borrowed from General Hoke for the occasion) aided decisively to restore the situation, and behaved with the greatest intrepidity. During their brief service with me I was every way favorably impressed by these Marylanders. Not in courage only, but also in discipline, tone and all soldierly qualities, they were quite equal to any troops I saw during the war. After my return to the Valley I did not see them any more, yet I never think of them but with admiration and affection. Some Maryland cavalry and artillery under the command of Colonel (afterwards Brigadier General) Bradley T. Johnson reported to me for a few days after my arrival at Hanover Junction. They seemed to be fine troops and well instructed, but I do not speak of them more particularly.

"With good wishes, I am yours truly,

"JOHN C. BRECKENRIDGE.

"Col. J. Thomas Scharf, *Baltimore, Md.*"

"A Virginian," in the Richmond *Sentinel*, also bears the following testimony of the gallant conduct of the Second Maryland Confederate infantry in the sanguinary battle of Cold Harbor:

"*Semi-Weekly Richmond Sentinel, June 7th, 1864.*

"MR. EDITOR:—The public have already been informed, through the columns of the public journals, of the great results of the late engagements between the forces of General Lee and General Grant. But they have not yet learned the particulars, which are always most interesting, and in some instances, owing to the confusion which generally attends large battles, they have been misinformed on some points. It is now known by the public that the enemy were momentarily successful in one of their assaults on the lines held by Major General Breckenridge's division, which might have resulted in disaster to our cause. It will be interesting to all to know what turned disaster into victory, and converted a triumphant column into a flying rabble. The successful assault of the enemy was made under cover of darkness, before the morning star had been hid by the light of the sun. They came gallantly forward in spite of a severe fire from General Echol's brigade, and in spite of the loss of many of their men, who fell like autumn leaves, until the ground was almost blue and red with their uniforms and their blood. They rushed in heavy mass over our breastworks. Our men, confused by the suddenness of the charge, and borne down by the rush of the enemy, retreated, and all now seemed to be lost. At this juncture the second Maryland Infantry, of Colonel Bradley T. Johnson's command, now in charge of Captain J. P. Crane, were roused from their sleep. Springing to their arms they formed in a moment, and rushing gallantly forward, poured a deadly fire into the enemy and then charged bayonets. The enemy were, in turn, surprised at the suddenness and vim of this assault. They gave back, they became confused, and General Finnegan's forces coming up they broke to flight; but not until nearly a hundred men were stretched on the plain, from the fire of the second Maryland Infantry, and many others captured. Lieutenant Charles B. Wise, of company B, now took possession of the guns which had been abandoned by our forces, and with the assistance of some of his own men and some of General Finnegan's command, poured a deadly fire into the retreating column of the enemy. Thus was the tide of battle turned, and this disaster converted into a success. I am informed that the whole force of the enemy which came within our lines would have been captured, had it not been for the mistake of an officer who took the enemy for our own men and thus checked for a few moments the charge of the Second Maryland Infantry. I take pleasure in narrating these deeds of our Maryland brethren, and doubt not you will join in the feeling.

"A VIRGINIAN."

Not long after the battle of Cold Harbor the Maryland battalion was transferred to Walker's brigade, and from thence was assigned to General James J. Archer's brigade of Heth's division.

While Lee was defending his lines at Cold Harbor, Hunter was ravaging the Valley of Virginia, and moving on Lynchburg for the purpose of destroying the stores, manufactories, and the railroad bridges at that place. General Early, who had received orders on the 12th of June, at Cold Harbor, to move with two battalions of artillery and the infantry of Ewell's corps, numbering altogether about nine thousand men, to destroy or disperse Hunter's force, arrived with his advance at Lynchburg on the 18th. In the meantime, General Breckenridge, who had been sent from Cold Harbor to Waynesboro' with a small command, by a forced march had arrived at the same place. Hunter with his force arrived before Lynchburg on the 18th, and made a slight attack on Early's lines which was repulsed. Fearing that he would be cut off from his base, Hunter rapidly retreated during the night, closely pursued in the morning by Early and Breckenridge. He continued retreating across the mountains towards Charleston, Kanawha, leaving Washington exposed. Lee, seeing the opportunity to make an attempt on the capital, believing that such a demonstration might lead to the raising of the siege of Petersburg, telegraphed to Early whether in his judgment the condition of his troops would permit such a movement across the Potomac. General Early determined to make the attempt, and immediately set about to carry out his plans. With a force of about twelve thousand half-fed men, in rags, and many shoeless, he moved down the valley on the 28th of June from Staunton. In spite of the intense heat he marched over dusty roads about twenty-five miles a day. He reached Winchester on the 2d of July, and on the 3d, dividing his force into two columns he sent one under Breckenridge to drive Sigel out of Martinsburg, and the other he marched to drive Mulligan out of Leetown. Both columns were successful. Sigel retreated across the Potomac at Shepherdstown. Colonel Bradley T. Johnson, who had been promoted to brigadier-general of cavalry and assigned to the cavalry brigade of W. E. Jones, who was killed at New Hope,[1] led the advance of Early's command, encountered Mulligan's advance, and after a severe fight, drove them out of Leetown with loss. General Weber, in command at Harper's Ferry, evacuated the town, and after destroying the bridges over the Potomac, retired to Maryland Heights. Early destroyed the Baltimore and Ohio Railroad, the Chesapeake and Ohio Canal, and broke along his lines from Shepherdstown to Harper's Ferry. On the 5th of July, General Johnson, with his cavalry, crossed the Potomac at Sharpsburg, part going to Hagerstown and part to

[1] Attached to Johnson's cavalry brigade was the old command of the 1st Maryland cavalry and the Baltimore light artillery. They were the very pick of the army, so famous in their State, and relied on as the surest and most determined troops in the Confederate service. They were reinforced by Lieutenant-Colonel Harry Gilmor's 2d Maryland battalion of cavalry, and the two cavalry battalions were temporarily consolidated, during the Maryland campaign, under his command.

Boonsboro'. Breckenridge, with his command, crossed the Potomac the same afternoon, followed on the next day by the rest of Early's command. After receiving some stores, which he was greatly in need of, on the 8th, Early marched twenty miles to Jefferson and Middletown, where he was joined by the cavalry, who had been scouting in the vicinity of Frederick.

The sudden and unexpected invasion of Maryland by the Confederate forces under Early, created intense excitement in the State, especially in Frederick and in the Cumberland Valley.

The movements of the Confederates on the Upper Potomac were not sufficiently developed to afford a clear estimate either of their force or intentions, until the 6th of July, when a skirmish between pickets took place about half way between Frederick and Point of Rocks. The Confederates retired, leaving several of their men in the hands of the Federals, who gave the intelligence that the Confederates were advancing, and that it was not simply a raid, but an invasion in force, with the purpose of capturing Washington or Baltimore.

On receipt of intelligence that the Confederates were crossing the Potomac, the inhabitants of the border towns of Pennsylvania were greatly alarmed. Hundreds of men, women and children passed through York and Harrisburg, on their way to the interior, and the roads were lined with horses, cattle and wagons, loaded with goods and provisions, being driven in the same direction. Many hid their property and cattle in the mountains. The merchants in Chambersburg, Shippensburg and Carlisle, packed up their goods and valuables and shipped them to points of safety. The machinery in the shops of the Chambersburg Railroad Company was removed, and every precaution taken to prevent anything valuable falling into Confederate hands. The live stock of the farmers in Adams, Fulton and Cumberland Counties was all removed, and every train from Cumberland Valley, moving eastward, was crowded with refugees.

The Confederate cavalry, under Brigadier General John McCausland, entered Hagerstown on the 6th of July, and took possession of the place. The United States Quartermaster had, in the meantime, abandoned the place with a large quantity of his stores and several hundred horses, and arrived safely at Carlisle. A large majority of the stores were closed and their contents removed.

As soon as McCausland found that he was in undisturbed possession of Hagerstown, he requested an interview with the town council. As soon as this was had, he presented them with the following order, and told them that if the demand was not complied with, within a limited time, the town would be laid in ashes:

"*Headquarters Cavalry Brigade,*
Hagerstown, Md., July 6th, 1864.

"General Order, No. —

"1st. In accordance with the instructions of Lieutenant General Early, a levy of $20,000 dollars is made upon the inhabitants of this city. The space of three hours is allowed for the payment of the sum in United States funds.

"2d. A requisition is also made for all government stores.

"3d. The following articles will also be furnished, from the merchandise now in the hands of the citizens or merchants, viz: 1,700 suits of clothes, 1,500 hats, 1,500 pairs shoes or boots, 1,500 shirts, 1,000 pairs drawers, and 1,500 pairs socks. Four hours allowed for their collection.

"The mayor and Council are held responsible for the execution of this order, and in case of non-compliance, the usual penalty will be enforced upon the city.

"JOHN McCAUSLAND, *Brigadier General, C. S. A.*"

Upon receipt of this order, a town-meeting was immediately called to assemble in the court-house, where the demand of General McCausland was discussed, and it was decided that under the circumstances, the Town Council should raise the money and as much of the clothing as it was possible for them to obtain within the time allowed. The money was soon raised, but it was found that it would be impossible to furnish the clothing. Additional time was asked in which to raise it, but McCausland was deaf to every appeal and repeated his threat, that if his demand was not complied with within the time specified, he would lay the town in ashes. At last, however, when he found that there was a disposition on the part of the Council and the people to furnish the required amount, he extended the time two hours, telling them that if his requisition was not filled by that time, they knew what they had to expect. He then marched a regiment of his cavalry into the town, and stationed them in front of the court-house, as it was supposed for the purpose of intimidating the citizens, or with a view of carrying out his threat, providing the money and goods were not promptly handed over at the hour stipulated.

Every effort was put forth by the distressed citizens, and clothing of every kind and material was taken to the court-house, where it was placed in the hands of a committee, whose duty it was to hold it and transfer it to McCausland. The supply in town, however, was found to be sadly deficient, and the fact was soon announced to the Confederate leader, who swore to them that if it was not "forthcoming by the time specified, he would carry out his threat should it cost him his own life and that of his whole command." He told them that before doing so he would give them half an hour to remove the women and children from the town, and that they might expect no laxity at his hands. At last, through the influence of several members of his staff, to whom the citizens had appealed, he was induced to accept the $20,000 and the amount of clothing that they had raised.

Upon receiving the following assurance, written on the bottom of the original demand, that the money and clothing was satisfactory, the ransom was handed over to McCausland:

"The town of Hagerstown having complied with the aforegoing requisition by paying in cash twenty thousand dollars ($20,000, and having also furnished the specified articles therein mentioned to the utmost of their ability, I hereby certify to the fact, and place the town under the protection of the Confederate forces, releasing the citizens and their property from further contributions, and agreeing to shield both from further requirements. "[Signed], JOHN McCAUSLAND, *Brig. Gen. C. S. A.*"

Coats	248	Shoes	121
Pants	200	Hats	850
Drawers	132	Shirts	225
Hose	787	Piece Goods, 1,3704 yards	
Boots	99	Clothing, 70 pieces assd.	

"J. C. VAN BOSSEN, *Quartermaster.*"

While the citizens of Hagerstown were thus occupied, a number of prowling cavalrymen entered the drug stores and helped themselves to the contents. At the same time, other bodies were scattered over the county plundering stores, seizing horses and cattle and destroying property, in retaliation for General Hunter's devastations. In Williamsport, Sharpsburg, Boonsboro' and Middletown, they entered the stores, and in some instances private dwellings, and carried off whatever suited their purpose. At Boonsboro' they also destroyed the printing materials of the *Odd Fellow* newspaper, and in their march through the country they took wagons, horses, cattle and sheep.

After the money and clothing had been handed over to McCausland by the citizens of Hagerstown, he left the place, marching in the direction of Middletown and Boonsboro'. On the next day (Thursday, July 7th), several squads of Confederates passed through the town, but no damage was done to any property, and no one was molested. On Friday morning, however, a band of guerillas, numbering about one hundred and eighty men, under command of Major Davis, entered the town and broke into a number of shoe and hat stores, helping themselves freely to their contents. They also set fire to the hay belonging to the United States government, and to the Franklin Railroad Depot, which were consumed. They were about to destroy a large quantity of oats and corn belonging to the government, stored in several private warehouses, when the citizens remonstrated with them, and called their attention to the fact that they had already paid the amount of indemnity demanded by McCausland, and were ransomed. This, Davis' party was not satisfied with, but they consented to spare the warehouses, and perhaps the town, provided they were paid the sum of $500, and that one of the citizens would give bond in one hundred thousand dollars, that the grain would be burned, his life, besides, to be forfeit in case of default. Mr. Isaac Nesbitt, clerk of the court, agreed to the conditions and gave the requisite bond, and the people proceeded to carry out the grain and set it on fire in accordance with the terms. They then demanded ten pair of boots, with the understanding that on receipt of them they would vacate the place. This was agreed to; the boots were furnished, and the marauders left the place. On Saturday evening the town was occupied by Federal cavalry, and thus ended the raid on Hagerstown.

After General Johnson, with his brigade of cavalry, had crossed the Potomac on July 5th at Shepherdstown, he moved through Sharpsburg, sending a scouting party in the direction of Hagerstown, and camped at Keedysville that night. The next day (the 6th), he moved through Boons-

bord' by the turnpike and camped on the top of the mountain, between Boonsboro' and Middletown, in the gap which was the scene of Reno's attack, where President, then Colonel R. B. Hayes, was wounded just before the battle of Sharpsburg, in September, 1862. On the 9th, being still held back by the orders of Major General Ransom, commanding Early's cavalry, who insisted upon his keeping within reach of the infantry, he made another slow movement towards Frederick. Early had passed part of his force over the Potomac on the evening of the 8th, and was manœuvring to oust the Federal force from Maryland Heights, being unwilling to expose his flank to it while moving on Washington as well as to leave it in his rear.

In Middletown, Johnson's advance came in contact with the 8th Illinois cavalry, Colonel Clendening, which had moved from Frederick on a reconnoissance. Colonel Clendening's force consisted of about three hundred of the 8th Illinois, Cole's Maryland cavalry battalion and two pieces of Alexander's Baltimore artillery. After a sharp skirmish the Federals were driven back, and made a stand on the top of the mountain between Middletown and Frederick. General Johnson deployed the two Maryland battalions under Colonel Harry Gilmor and pressed them on the Federal position, when Colonel Clendening, finding he was about to be flanked, withdrew into Frederick, the Confederates pressing hotly on his retreat, moving to within a mile of Frederick on the Hagerstown turnpike. Johnson's brigade consisted of about eight hundred effectives and the Baltimore light artillery, with four guns. As he passed the hamlet of Fairview, at the toll-gate, he detached Lieutenant Colonel Dunn, with a Virginia regiment, by the road that passes from the right of the road behind the estate of Prospect Hill to the Harper's Ferry road. Dunn passed rapidly down the road in a sweeping gallop and turning into the Harper's Ferry road, moved sharply over the city, pushing his dismounted skirmishers as far as Rizer's barn, and across through Mount Olivet cemetery, towards the Georgetown turnpike.

These operations created the utmost excitement in the city. From early dawn on the 7th, it was rumored in Frederick that the Confederates were only a short distance from the city, and that they would soon enter and occupy it. The arrival of couriers and wounded from the skirmish beyond Middletown, bringing the news that the force sent out to hold the Confederates in check until reinforcements arrived, was unable to cope with them, and was slowly falling back towards Frederick, raised higher the alarm, and by noon business was suspended, stores closed, and many fled from the city. All the sick and stores were hastily removed.

About half-past three o'clock the Federal forces came down the Hagerstown turnpike, and immediately took position on the edge of the city. It was an anxious time for the citizens of Frederick, as it was impossible to resist a direct assault upon the city with the light force at the command of Colonel Clendening. At this time, however, General Wallace, the commander of the department, sent up from Monocacy Junction the 3d Maryland

regiment, which was promptly marched to the front under Colonel Gilpin, the senior officer present, who assumed command, and disposed of his forces for battle. The whole force under his command at this time in defence of the city was the 3d Maryland, seven hundred men; 8th Illinois cavalry, three hundred men; three pieces of Alexander's Baltimore battery, about fifty men, and two companies of Colonel Mankby's Potomac home brigade, and Captain Cole's Maryland cavalry.

About four o'clock the Confederates were to be seen from the roofs of the houses in Frederick, coming down the Hagerstown road, and also the Harper's Ferry or Jefferson road, apparently in strong force. Captain Alexander opened his battery upon the advancing foe, when they closed up and formed their line of battle on the west front of the city, covering the Harper's Ferry and Hagerstown roads, planting their guns on "Hagan's Hills and the "Red Hills," and posting their cavalry in the valley formed between the two hills named and the Catoctin Mountains. The engagement opened about half-past four o'clock, with an artillery duel between Alexander's guns in Zimmerman's field and the Confederate guns on Hagan's Hill. The skirmishers soon advanced, and the sharp crack of musketry was heard for about two hours with no result on either side, when the 3d Maryland regiment was advanced and drove the Confederates out of Rizer's field, lying on the Harper's Ferry road on the west side of the city, which they held for the remainder of the day. The two companies of Colonel Mankby's regiment supported the guns at the head of Patrick street, and the 8th Illinois cavalry were dismounted and rendered effective service on the skirmish line. During the artillery duel several shots from the Confederate batteries entered the heart of the city and did some damage. All the houses on the west side of the city were deserted, as they were in range of the Confederate guns.

The Confederate line of battle held its position, pushing its skirmishers along the front of the Federal line to conceal the movement Johnson was preparing to make by the reservoir road, at the north-western end, and by the Georgetown road at the southern end of the city. He was perfectly informed by his friends of the forces and condition of things within the Federal line, and he proposed to send one regiment in by the reservoir road, while Lieutenant Colonel Owen charged with his regiment down through Market street by the Georgetown road, and the main body moved directly on in front. This attack on both flanks and in front, he believed, would result in the capture of the entire force then engaging him. General Ransom, who was with Johnson's column, prohibited him from attempting to execute this plan, and ordered him to withdraw his troops to the top of the mountain as soon as night covered the movement.

Chagrined and mortified, Johnson saw a brilliant victory eluding his grasp, and a substantial success thus escaping him, and sullenly withdrew about nine o'clock the night of the 7th. His headquarters during the engagement that afternoon had been on the range of hills not far from the house of George William Smith, Esq.

All day of the 8th, the Confederates lay inactive, leaving the garrison of Frederick in the greatest anxiety, which feeling was intensely shared by the administration at Washington.

Colonel Clendening and the 8th Illinois cavalry made another reconnoissance from Frederick by way of the mountain or Shookstown road on the 8th, but were driven back with loss by Gilmor and the 1st and 2d Maryland cavalry. The head of Early's column of infantry reached Middletown the evening of the 8th, and the same evening General Wallace, having assumed command at Frederick, ordered the evacuation of the place.

Hastily gathering the stores and ammunition, he forwarded them by rail to Monocacy Junction and withdrew his forces by the turnpike road to the same place. The whole movement was executed quickly, and by midnight there was scarcely a Federal soldier in the city, except a few scouts who had been stationed to watch the movements of the Confederates.

The feelings of the "Union" people of Frederick when it became known that the Federal troops were about to evacuate the city, cannot be described. Hundreds left with the troops in every manner of conveyance, and many on foot. On the withdrawal of the Federal forces, many of the Southern sympathizers made their way out the Hagerstown road and communicated the intelligence to the Confederates, who immediately entered the city with cavalry and hoisted their flag over the Court House. The capture was a barren victory, so far as military supplies were concerned, as everything in the way of stores, horses, ammunition, wagons, etc., belonging to the Federal Government had been removed long previous to its evacuation. Nearly all the horses of citizens were sent away, and many people had sent their valuables to points of safety. The banks had made ample arrangements to secure their property. The collector of Internal Revenue sent over $70,000 in his possession to Washington, and the Baltimore and Ohio Railroad Company secured all their rolling stock and motive power on the road.

On taking possession of Frederick, the Confederates appointed a provost-marshal, etc., and then demanded a contribution of $200,000. Mayor Cole called the members of the corporation, remaining in the city, together, and to save the city from threatened destruction, it was decided to ransom it by paying the sum. The amount was accordingly paid in "greenbacks" of various denominations, which were placed in baskets and removed to one of the wagons. The stores were visited by a number of the cavalrymen, who took what they wanted, in some instances offering Confederate currency in payment, but generally helping themselves without compensation. On Sunday, Cole's cavalry had quite a skirmish on Patrick street opposite the City Hotel with a portion of the rear guard of the Confederates, who were moving out towards the Washington turnpike.

On the 5th of July, Governor Andrew G. Curtin, of Pennsylvania, made an urgent call for 15,000 troops to repel the Confederate invaders, and volunteers not coming forward with the desired promptitude, he, on the next day, issued

another proclamation, calling for 12,000 more men, in accordance with President Lincoln's proclamation, which required, to meet the exigency, 12,000 men each from New York and Pennsylvania, and 5,000 from Massachusetts; all to serve one hundred days. General Grant, on learning that Early had crossed the Potomac, also detached the sixth corps from the army of the Potomac and forwarded it by transports to Washington. It happened, too, at this juncture that the nineteenth corps under General Emory, which had been ordered from New Orleans after the failure of the Red River expedition, had just arrived in Hampton Roads. Without debarking it was sent to follow the sixth. The advance division of the sixth corps under General Ricketts having arrived at Baltimore, General Wallace with that added to, his own force, determined to cover the turnpike road leading to Baltimore and Washington, and to preserve his communications with the forces at Harper's Ferry. With this view, after withdrawing his force from Frederick on the evening of the 8th, he took up a strong position on the east side of the Monocacy river along the crest of a ridge running obliquely to the left from the river. The troops forming Rickett's division of the 6th corps, which had arrived on the ground from the Army of the Potomac, were posted to the left of the railroad, crossing the Baltimore turnpike, with their front resting on the Buckeystown road, while the remaining portion of General Wallace's forces were posted to the right of the railroad. General E. B. Tyler, with a small force, defended the turnpike bridge crossing the Monocacy. In General Wallace's front lay an open field, which he commanded with his artillery, while in the rear ran a valley nearly parallel with the general direction of his lines of battle. About 9 o'clock on the morning of the 9th, General McCausland's cavalry brigade (dismounted,) advanced and felt Wallace's lines, but after considerable skirmishing, they were driven back by superior numbers. McCausland occupied the attention of the Federal force until about noon, when the advance of Early's force, which had marched fourteen miles that morning from Middletown and Jefferson, arrived at the scene of action. Early determined, if possible, to disperse Wallace's command before he moved in the direction of Washington, and as soon as Breckenridge's corps arrived on the field, the action began.

About 2:30 o'clock, Major General John B. Gordon received orders to move his division, consisting of about 2,500 men, to the right and cross the Monocacy about one mile below the bridge and ford (on the Georgetown pike) which was then held by the Federals. While he was carrying out this movement, Breckenridge was to occupy Wallace on the front from the opposite side of the river, with a portion of McCausland's cavalry, numbering about 500 men. Gordon's division rapidly crossed the river, and then filed to the left to the point where McCausland's cavalry had been skirmishing. General Gordon reconnoitred the Federal position, and as soon as he obtained the range of their lines, he ordered his skirmishers, under Captain Keller of Evans' brigade, to deploy, and directed Evans' brigade under the protection

of a dense woodland about 700 yards in front of the Federal left, to move by the right flank and form so as to over-lap them. General York, with the brigades of Hay's and Stafford, was ordered to form on the left of General Evans, and Terry's brigade to move in support of the left of Gordon's line. These dispositions having been made, Gordon advanced *en echelon* by brigades from the right. The troops emerged from the woods in front of the Federal left under a heavy fire of artillery and infantry. This force advanced but a short distance when General Evans was struck down, and several of his regimental commanders were killed, which threw his brigade into slight confusion. This, however, did not check their advance, for they forced Wallace to change his front under fire.

"'At this point,' says General Gordon, 'the Louisiana brigades, under the command of Brigadier General York, became engaged, and the two brigades (Evans' and York's) moved forward with much spirit, driving back the enemy's first line in confusion upon his second. After a brief halt at the fence from which this line had been driven, I ordered a charge on the second line, which was equally successful. At this point, I discovered a third line, which overlapped both my flanks, and which was posted still more strongly in the deep cut through the Georgetown road, and behind the crest of the hill near the Monocacy bridge—and at once ordered Brigadier General Terry, who as yet had not been engaged, to attack vigorously that portion of the enemy's line nearest the river, and from which my troops were receiving a severe flank fire. This brigade advanced with great spirit and in excellent order, driving the enemy from his position on a portion of the line. But it held most stubbornly his strong position in front of three of my two brigades and upon my right. He also advanced, at the same time, two fresh lines of troops, to retake the position from which he had been driven by Terry's brigade. These were repulsed with heavy loss and in great confusion. Having suffered severe loss in driving back two lines, either of which I believed equal in length to my command, and having discovered the third line longer than either of the others, and protected by the cuts in the road, in order to avoid the great loss it would require to drive the enemy from his position by a direct front attack, I despatched two staff officers in succession to ask for a brigade to use upon the enemy's flank. Ascertaining, however, that a considerable length of line must elapse before these could reach me, I at once ordered Brigadier General Terry to change front with his brigade to the right, and attack the enemy's right. This movement, promptly executed, with a simultaneous attack from the front, resulted in the dislodging of this line and the complete rout of the enemy's forces.

"'The battle, though short, was severe. I desire, in this connection, to state a fact of which I was an eye witness, and which, for its rare occurrence, and the evidence it affords of the sanguinary character of the struggle, I consider worthy of public mention. One portion of the enemy's second line extended along a branch, from which he was driven, leaving many dead and wounded in the water and upon its banks. This position was in turn occupied by a portion of Evans' brigade, in the attack on the enemy's third line. So profuse was the flow of blood from the killed and wounded of both these forces, that it reddened the stream for more than a hundred yards below.'[1]

General Gordon's loss was heavy in both officers and men, amounting in the aggregate, as shown by reports of brigade commanders, to be six hundred and ninety-eight. Among the killed were Colonel J. H. Lamar and Lieutenant Colonel Van Valkenburg, both of the 61st Georgia regiment of Evans'

[1] Report of General Gordon of the battle of Monocacy, dated July 22, 1864.

brigade. Lieutenant Colonel Hodges, of the 9th Louisiana regiment, Hays' brigade and several other regimental commanders, were severely wounded. The Federal loss was about sixteen hundred killed, wounded and missing. The retreat soon became a perfect rout, and the Confederate cavalry pursuing closely, secured a large number of prisoners. All the Federal wounded and killed in the latter part of the action were abandoned where they fell. A great number of men, principally slightly wounded, managed to reach the train stationed at New Market, and were immediately sent to Ellicott's Mills. The Confederate cavalry followed the retreating column to nearly the same point at which Wallace made a stand with the remnant of his force the next morning.

Great excitement pervaded Baltimore on Saturday night, July 9th, and the next day, when the news became generally known that General Wallace had been defeated at the battle of Monocacy, and was falling back on the city.

At day-break a general alarm was sounded throughout the city, calling the people to arms, which was promptly responded to. People rushed from their houses with guns in their hands, and squads were soon marching through the streets to the various headquarters, to await orders. Many prominent citizens were in the ranks, with youths and gray-headed men, all enthusiastic to defend the city. The following proclamation was also posted on the corners, which added to the general alarm:

"CITIZENS OF BALTIMORE:

"We have been unwilling to create an unnecessary alarm or agitation in this community by any appeal for your immediate assistance in resisting the threatened invasion that might be deemed premature, but we have no longer such an apprehension, and feel no hesitation in declaring that, in our opinion, the danger which now threatens the city is imminent, and if you would avert it, every loyal man must at once prepare to meet it.

"The invading enemy is, by the last accounts, approaching the city. Men—all the men that can be raised—are wanted to complete the fortifications already completed and to prepare others. It is not important how you assist, but *most important that you assist at once*; come in your leagues, or come in your militia companies, but come in crowds, and come quickly.

"Brigadier General Lockwood has volunteered to take charge of all the civil forces thus raised, and has been assigned to that command.

"*The loyal men of every Ward* will assemble at their usual places of ward meetings, and will report forthwith to General Lockwood, at his headquarters, 24 North street.

"A. W. BRADFORD, *Governor of Maryland.*

"JOHN LEE CHAPMAN, *Mayor.*

"*Baltimore, July 9, 1864.*"

An official bulletin from Secretary Stanton to General Dix was also received at 1 A. M., on Sunday, July 10th, announcing the disastrous defeat of Wallace the day before, as follows:

"An official report from Major General Wallace, just received, states that a battle took place between the forces under his command and the rebel forces at *Monocacy*, to-day, commencing at 9 o'clock A. M. and continuing till 5 P. M.; that our forces were at length overpowered by the superior number of the enemy, and were forced to retreat in disorder."

The idea was entertained by many that the Confederates, elated by their success, would endeavor to reach Baltimore; and at sunrise the drum and fife resounded throughout the city, and in all quarters men were seen in citizen's dress, but armed and in companies, marching out to the various fortifications around Baltimore. General John R. Kenly, with headquarters at Fort No. 1, at the head of Baltimore street, was placed in command of the defenses west of Jones' Falls, and General Lockwood of those east of it. All the forts prepared for instantaneous action, lay grimly waiting the approach of the Confederates, and while the military preparations were incessant, other precautionary measures were also adopted.

The Union Club called a meeting of its members, a company was formed, and they marched out under Captain George A. Pope, and took possession of Fort No. 7, overlooking the Northern Central Railroad, a short distance beyond the Mount Royal Reservoir. There they remained during the week, guarding this point. In the neighborhood of the custom house, Exchange Place, and the docks south of these a curious scene was presented during Sunday. Many warehouses in that part of the city were used for government stores, and crowds of laborers were busily engaged in emptying these of everything likely to be seized by the invaders. Long lines of drays were rapidly loaded and sent off to places of safety, mostly to vessels which lay at the docks, with steam up, ready to start down the river at a moment's notice. All the valuables of the Treasury Department in the custom-house had been sent off the night previous, and the contents of the postoffice and pay department of the army and navy, in the Exchange Building, were also hurriedly removed. Some of the army paymasters were absent on duty, but under the supervision of Major B. W. Brice, afterward paymaster-general, their effects were all packed up and sent on board the steamer *Balloon*. From an early hour in the morning until late in the night, the spacious enclosures of the Camden Street Railway Station were crowded with anxious citizens, among whom were many relatives and friends of the Maryland soldiers engaged with Wallace in the Monocacy, particularly those of the 11th Maryland, (100 days' men) commanded by Colonel Landstreet. The officers of the Baltimore and Ohio Railroad were in their offices all night Saturday and during Sunday, with engines fired up and trains ready, awaiting the emergencies of the occasion. As the morning advanced on Sunday, it was announced by the railroad officials that a special train would be despatched for Ellicott's Mills, where General Wallace had arrived with the wounded. About eight o'clock in the morning, a special train arrived with three hundred and eleven wounded and sick from his command. They were taken in charge by Medical Director Dr. Josiah Simpson, U. S. A., and removed to the hospitals in Patterson Park. During the morning, an additional number arrived in ambulances by the Frederick turnpike, together with many stragglers. At noon another special train with wounded arrived, and shortly after 2 o'clock, a special train of thirty cars drawn by two locomotives, moved into Camden

Station from Ellicott's Mills, crowded with the remnants of General Wallace's command. Upon the arrival of this train, it was surrounded by thousands of anxious spectators. Alexander's battery and the Federal cavalry marched into Baltimore by the turnpike, nearly exhausted. Siegel's and Mulligan's wagon trains, accompanied by their guards, also passed through the city and proceeded to the east end where they encamped.

After the defeat of Wallace, the Confederates had everything their own way until they chose to return to Virginia. Small parties traversed the country in every direction without opposition, collecting forage, grain, horses and army supplies of all sorts. General Early, after burying his dead and caring for his wounded at the Monocacy, on the morning of the 10th, took up his line of march towards Washington, and made twenty miles that day, camping within four miles of Rockville. On the following Monday morning he resumed his march and appeared before the defences at Washington, on the Seventh street pike. His force at this time had been reduced to about eight thousand infantry and forty pieces of artillery manned by about seven hundred men and one thousand cavalry. The rest of the cavalry force had been detached at Frederick, on the 9th, under General Bradley T. Johnson, with special orders from General Lee to destroy communication between Baltimore and the North, threaten Baltimore, break the railroad and cut the telegraph wires between Baltimore and Washington, and thence move on Point Lookout, so as to attack on the morning of the 12th, when an attack was also to be made on the bay-side. After releasing the prisoners, some fifteen thousand, General Johnson was to take command of them and rejoin Early at Bladensburg, while that general was in the meantime to attack Washington and carry it by assault. As soon as Early's movements were disclosed in the neighborhood of Washington, General Kenly, General Rawlings, and most of the regular troops engaged in the defenses of Baltimore, hastened to Washington and manned the fortifications at that point.

Johnson moved his whole force to Cockeysville, and after destroying the bridges there, he detached the 1st and 2d Maryland cavalry, under Gilmor, and directed that officer to burn the railroad bridges over the Bush and Gunpowder rivers.[1] At Texas, Baltimore County, on the line of the Northern Central Railway, the telegraph wires were cut and poles pulled down; the bridge above Cockeysville was destroyed and a portion of the track torn up; the Hanover bridge was destroyed and two others south of the Junction; the bridge at Ashland was burnt and the telegraph line cut. After operating with the greatest boldness on the north of Baltimore, they pushed across the country, cutting the telegraph wires on the Harford and Philadelphia turnpikes. A small detachment came down Charles street avenue and burned the country house of Governor Bradford, five miles from the city, with all his household furniture, valuable library, paintings, etc. This was done in retaliation for General Wanser's destruction of Governor Letcher's residence

[1] Goldsborough's Maryland Line, p. 240.

at Lexington, Virginia, in his movement upon Lynchburg. The main body of the Confederate cavalry passed on by the Joppa Road, and struck the Philadelphia Railroad at Magnolia Station, eighteen miles from Baltimore. Here they captured the morning express train from Baltimore, turned the passengers out, and setting fire to the cars, ran the train back upon the bridge over the Gunpowder River. The burning train set fire to the bridge which was much damaged. In one of the cars Major General William B. Franklin, who was going North from Baltimore, was recognized and taken prisoner; but he afterwards escaped. The Confederates captured a way train which they also destroyed. In their movements in the neighborhood of Baltimore, they visited Towsontown, Reisterstown, Relay House, Mount Washington, Texas, Randallstown, Union Bridge and other points, helping themselves to whatever they fancied, especially horses.

General Johnson, after detaching Gilmor's force at Cockeysville, moved rapidly around Baltimore, and at Bellsville found a force of Federal cavalry which he drove into Bladensburg. He cut the telegraph wires and tore up the track of the Washington Branch of the Baltimore and Ohio Railroad, and then moved toward Point Lookout to release the prisoners.

It seems that, while at Cockeysville, he learned that the sixth and nineteenth corps had arrived in Baltimore, and were moving for the defence of that city and Washington, which information he immediately communicated to General Early. This officer had arranged his plans for an assault upon the defences of Washington at daylight on the 12th, but during the night received the despatch from General Johnson. This caused General Early to defer his contemplated assault, and as soon as it was light he rode to the front and found the fortifications lined with troops in every direction. He therefore abandoned the assault and immediately sent an order to General Johnson to join him without delay. Johnson had not proceeded many miles from Bellsville when he received the order, and retracing his steps joined General Early the next morning at the house of Francis P. Blair, Sr., at Silver Springs, Montgomery County.

During this time the Confederates under Major Gilmor, to the alarm of the people in the vicinity of Baltimore, were scouring the country in various directions without resistance, sometimes venturing so near the city that they could be seen from it. Rumors of an advance in force upon the city were rife. At six o'clock in the evening the signal officer of the Union forces, situated at a point near Charles Street avenue, received a signal from the outer pickets that the Confederates were in sight. The fact was immediately communicated to the military authorities in the city who proceeded to put their troops in position. In consequence of this alarm the Baltimore and Ohio Railroad removed all their engines from the Mount Clare shops and occupied the track on Pratt street for nearly a mile in a continuous line.

At a late hour on Monday night, July 11th, Major General Edward O. C. Ord was appointed to the command of the eighth army corps and the middle

department and entered on his duties at once. He retained General Kenly in command of the defenses, which were being strengthened and manned so as to command every approach to the city. Additional earthworks were also thrown up and barricades in every direction. General Lockwood was in command of the outposts. The negroes in the city were organized into companies, selected white officers, and after being supplied with arms, were marched to the fortifications. The city council on Monday appropriated $100,000 for the erection of defenses and on this same evening unanimously adopted the following resolution:

"WHEREAS, There is great excitement in the public mind caused by the near approach of the rebel troops to our city; and,

"*Whereas*, It seems but meet and proper that the citizens should present an unbroken front in defence of their homes, and that all and every facility should be given them for that purpose; therefore,

"*Resolved by both branches of the City Council of Baltimore*, That his honor the Mayor be requested to confer with the commander of the middle department with a view to the closing of banks and all other places of business in the City of Baltimore until otherwise ordered, if in his judgment it be expedient, and the immediate enrolling and arming of all citizens, and their formation into organizations for the defence of the city."

In pursuance of this resolution Mayor Chapman had an interview with General Ord on the same evening, in relation to the action of the council, at which it was decided that the citizens should enroll for the defense of the city. The board of police commissioners also determined to double their police force.

In accordance with the views of the Mayor and General Ord, Governor Bradford issued the following proclamation calling out the city militia:

"*State of Maryland, Adjutant General's Office,*
"*Headquarters, 202 Baltimore Street,*
"*Baltimore, July 12, 1864.*

"General Order, No. 25:

"The invasion of the State by the public enemy, and their threatened approach to this city, rendering it necessary to exercise the power vested in the commander-in-chief of the militia, of calling them into actual service, and the voluntary offering in response to previous calls falling so far to furnish the number required, upon consultation with the Commanding General of the Middle Army Corps, it has been determined that the whole enrolled militia of this city be ordered to prepare for immediate service.

"This order embraces all the forces enrolled by the enrollment of 1863; and as these will not all be required for duty at the same time, they will serve in large or small numbers, not exceeding ten thousand at any one time, as the exigency for the time being may require; and a system of alternate and relief will be adopted and announced as soon as said entire force shall assemble.

"The enrolled men of the city will assemble in their respective wards to-morrow, 13th inst., at 5 o'clock, P. M., at some central point in each ward, which will be designated by the morning papers, as well as by an officer charged with that duty in each precinct, and on failure to do so proper means will be adopted to enforce their immediate attendance.

"When the enrolled men of each ward are thus assembled, those required for immediate service will be assigned to such duties as the commanding general aforesaid may

prescribe. They will be officered, armed and equipped in pursuance of the regulations governing the United States service, and for the time they may serve will be entitled to receive from the State the same rates of pay and emoluments as are allowed to officers, non-commissioned officers and privates in the United States army.

"As in an emergency of this kind many small articles required by the soldier cannot be supplied by the proper departments as expeditiously as may be desired, it is suggested that his personal comfort would be promoted by each man furnishing himself with an oil, blanket, and such other conveniences as may be at hand.

"By order of the Governor and Commander-in-Chief.

"JOHN S. BERRY, *Adjutant General.*"

As the city militia were required to occupy the cordon of works constructed around the city, the order calling them out was rigidly enforced by the State authority, backed by the military power of the general commanding, as will be seen by the following order:

"*Headquarters, Eighth Army Corps,*
"*Baltimore, Md., July 14th, 1863.*

"General Orders, No. 4:

"In connection with the Proclamation of the Governor, issued upon consultation with the general commanding, by which the militia of this city is called out, I apprise all citizens liable to the call that the proclamation will be rigorously enforced.

"This notice is to be understood not as a threat, but to inform all concerned, and all are concerned in the safety of our beautiful city, that the general in command records entirely with the governor, as to the necessity for the call.

"By order of "MAJOR GENERAL E. O. C. ORD.

"SAMUEL B. LAWRENCE, *A. A. G.*"

In response to the governor's proclamation, the citizens of Baltimore assembled in their respective wards on Wednesday afternoon, July 13th, and were enrolled for service. The attendance was very large in all the wards, but was still far from including all who were liable to military duty. It was the avowed intention, however, of the military authorities to enforce the order calling out the militia, and those who had refused or neglected to obey the call were sought out and forced to do duty on the fortifications and barricades.

Governor Bradford, who desired to establish a permanent organization of the citizens in Baltimore for future calls, issued the following as a basis of such an organization:

"*State of Maryland, Adjutant General's Office,*
"*Headquarters 237 W. Baltimore St.,*
"*Baltimore, July 15th, 1863.*

"General Orders No. 30.

"The following appointments, in connection with the call for the city militia issued yesterday, have been made by the Governor, and the officers so appointed will be respected accordingly:

"Colonel N. L. Jeffries, Assistant Adjutant General and Superintendent of enrollment.

"*Ward Commanders of Militia.*—First ward, Caleb R. Hynes; Second ward, Joseph H. Anderson; Third ward, J. L. Thomas, Jr.; Fourth ward, William Chestnut; Fifth ward, Nicholas Brewer; Sixth ward, John Evans; Seventh ward, Davis Carter; Eighth

ward, Dr. Joseph Roberts; Ninth ward, H. C. Denkon; Tenth ward, C. H. Cobb; Eleventh ward, Evans Rogers; Twelfth ward, W. J. Nichols; Thirteenth ward, W. G. Horner; Fourteenth ward, F. B. Steiner; Fifteenth ward, E. L. Thomas; Sixteenth ward, John Barton; Seventeenth ward, Stephen B. Taylor; Eighteenth ward, Thomas W. Cromer; Nineteenth ward, John Carson; Twentieth ward, Richard Sewell.

"1. These ward commanders are charged with the duty of preparing a list of the names of the militia reporting at the appointed rendezvous of the several wards, at five o'clock this afternoon.

"2. They will receive reports from the officers appointed in the several precincts to notify the enrolled men, and they will report to Colonel Jeffries, at their headquarters, at nine o'clock this evening, the number in their several wards who have reported for duty, and the names of such as fail or refuse.

"3. Exemptions on the ground of alienage or physical disability, will be disposed of by the company officers as soon as each company is organized, and applications on that account will not be entertained by the ward commanders.

"4. The said ward commanders will also receive all applications and recommendations for office in said militia force, and will inform themselves, as far as practicable, of the qualifications of those so applying, and will report, at the time and place above mentioned, these applications, recommendations, etc., with the view to an immediate organization of the force of each ward into one or more companies.

"5. Volunteers who, in response to the proclamation of the Governor and Mayor, of the 9th instant, have formed themselves into company organizations, will be considered as already in service, and not subject to said call for the militia; but a muster roll, certified by the commanding officer of said organization, to the ward commander of the ward to which the men belong, will be required to exempt such persons.

"By order of the Governor and Commander-in-Chief.

"JOHN S. BERRY, *Adjutant General.*"

About ten thousand men reported under the governor's proclamations, although their services were scarcely required. On the 14th they were released from assembling, but, in accordance with the following, they were ordered to hold themselves in readiness, in case of another alarm:

"*State of Maryland, Adjutant General's Office,*
"*Baltimore, July 15, 1864.*

"General Order No. 32.

"The Governor having been notified by the general commanding the eighth army corps that the militia called out for the defence of the city, by general order No. 29, issued the 12th instant, are no longer required for that purpose, they are, therefore, hereby discharged. The governor avails himself of the occasion to thank the citizens, who upon a short notice, so promptly responded to that order, as also the several ward and precinct officers who have aided in its execution. Especially does he thank those who, before that order was issued, rendered with such exemplary patriotism to the defence of the city upon the first intimation that it was in danger.

"The volunteer and militia organizations which this occasion has enabled us to form, though as yet numerically imperfect, will lay the foundation for an efficient militia system; instead, therefore, of dissolving these associations, now that the recent emergency has passed, the governor would earnestly urge that they be continued, and he will take the earliest opportunity allowed by other duties, to perfect that system to the extent of his authority, both in the city and the State.

"By order of the Governor. "JOHN S. BERRY, *Adjutant General.*

"Official: A. H. MILLER.

The colored militia who had volunteered their services were also dismissed with the following complimentary order:

"*Headquarters United States Colored Troops, July 17, 1863.*

"General Orders No. 3.

"The colored militia, at Camp Barney and Fort Nos. 6 and 7, defences of Baltimore, are hereby relieved from further duty.

"The colonel commanding tenders his sincere thanks to the colored men of this city for the prompt and noble manner in which they responded to his call for their services in the late trying emergency.

"By command of COLONEL S. M. BOWMAN.

"HENRY W. FISHER, *2d Lieut. 19th U. S. Colored Infantry, and A. A. A.*"

For a few days Baltimore was entirely isolated from the rest of the country, except by water. Provisions and fuel doubled in price, and there was some suffering among the poor in consequence. The telegraph wires being cut, there was no communication for a time with Washington, Philadelphia or Annapolis. As a consequence, the people of Baltimore were entirely in the dark as to the movements either of the government or the Confederates, and rumors of every kind prevailed, among the rest, that Annapolis had been taken. At the latter city, where the Constitutional Convention was then in session, there was equal uncertainty and anxiety about Baltimore and Washington. When it was known that General Johnson's cavalry—then on their march to release the prisoners at Point Lookout—had crossed the railroad at Beltsville and Bladensburg, the excitement became great; bells were rung and the "Union" citizens assembled to devise measures for defence. A company was organized, and the citizens compelled to march out and to throw up entrenchments and man the breastworks. The archives of the State and the convention were removed to a steamer at the Naval Academy wharf, and the Constitutional Convention was adjourned in the excitement. In a day or two, no Confederates appearing in force, the excitement subsided, and the ancient city sank into its customary repose.

The convention, recovering from its consternation, resumed its sessions; but the effect was visible in a series of highly characteristic resolutions adopted by the majority. It must be supposed that only the extremity of mortal terror could have so unsettled their judgment as to beget the delusion that they had any authority to "request" anything, or "demand" anything, or, in short, do anything but amend the Constitution.

Against these preposterous resolutions, the minority, numbering about thirty-five members, felt it their duty not to vote, but to record their solemn protest upon the journal of the proceedings of the convention. This latter right, however, was denied them by a vote of yeas 26, nays 42.

"The following is their protest, as presented by Judge Chambers.

"The undersigned, delegates to the Maryland State Constitutional Convention, respectfully ask that the following protest be entered upon the journal of the proceedings of the Convention.

"The undersigned protest against the 'order' adopted by the Convention, by a vote of thirty-three delegates, on the 9th inst., in the following words:

"'*Ordered*, That this Convention, representing the people of Maryland, hereby respectfully request the President of the United States and the commandants of the Military Departments in which Maryland is included, as an act of justice and propriety, to assess upon known sympathizers with the rebellion, residents in this State the total amount of all losses and spoliations sustained by loyal citizens of the United States resident in this State, by reason of the recent Rebel raid, to compensate loyal sufferers.'

"And also against the preamble and resolutions adopted by the Convention, by a vote of forty-one delegates, on the 30th instant, in the following words:

"'Whereas, There is in Maryland a class of persons whose desire for the success of the Rebel arms is a matter of public notoriety, who have been demonstrated more clearly by the recent invasion to be the invokers of Rebel raids, the guides, welcomers and encouragers of Rebel soldiers, who have rejoiced at the burning of our houses and the plunder of our property, who only want the opportunity to place the lives and property of loyal people at the mercy of their Rebel friends, by pointing them out for destruction, and under the protection of the Rebel army usurp the Government of the State; and whereas, the experience of the past two weeks now clearly shows that the presence of such persons in our midst in time of war is no longer to be tolerated, and justice to ourselves, our families, and our country, no less than to weak-minded disloyalists themselves, the only hope of whose reclamation is in a vigorous policy, requires that the sternest justice should at once be meted out to those who persistently refuse to obey the laws, and the active and dangerous class be separated from the peaceable and loyal, by the exercise of the undoubted power of the Government to arrest and detain dangerous persons during the times of war; therefore

"'*Resolved*, That this Convention, on the part of the loyal people of Maryland, demands of the Government of the United States that all adult citizens of this State, who shall refuse to register or take their allegiance, submission and obedience to the United States, and thus persist in the position of public enemies, and all persons who shall be proved to have taken part with or properly expressed their sympathy with the recent invasion of the State, shall be banished beyond the lines of the army, or imprisoned during the war.

"'*Resolved*, That the president of this Convention transmit certified copies of this preamble and resolutions to the President of the United States and the commanders of the military departments in which Maryland is embraced.'

"We protest against the pretension of the said delegates, that in this matter they had any authority to represent the people of Maryland, or any part of them. The delegates to this Convention were elected under a law of the State, to form a new Constitution of civil government to be submitted to the people, and not to invite the introduction of an unlimited military despotism in the State.

"The Convention had already duly considered and adopted a Declaration of Rights, setting forth the fundamental principles of civil liberty, and of Republican government, among which are the following, viz:

"'DECLARATION OF RIGHTS.

"'We, the people of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare

"'That the people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof.

"'That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury according to the course of that law.

"'The doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

"'That the legislative, executive and judicial powers of Government ought to be forever separate and distinct from each other, and no person exercising the functions of one of said departments shall assume or discharge the duties of any other.

"'That no power of suspending laws or the execution of laws, unless by, or derived from, the Legislature, ought to be exercised or allowed.

"'That no aid, charge, tax, burden or fees ought to be set or levied, under any pretence, without the consent of the Legislature.

"'That no man ought to be taken and imprisoned, or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land.

"'That no person, except regular soldiers, mariners, and marines, in the service of this State, or militia when in active service, ought in any case to be subject to, or punishable by martial law.

"'That in all cases, and all times, the military ought to be under strict subordination to, and control of, the civil power.'

"We protest, that the said order and resolutions are in direct conflict with every Article of the Declaration of Rights above quoted.

"The losses and spoliations referred to, whatever they may have been, were occasioned by the acts of the public enemy of the United States, with whom the United States are at open war; and against which it was the duty of the general and State governments to have protected all their citizens. There is certainly nothing in the constitution and laws of the United States which can authorize the President, and still less his military subordinates, to make such assessment as is required by the said order. On the contrary, the exercise of any such power would be an unprecedented and unparalleled outrage upon every principle of justice, and every maxim of civil liberty and constitutional government.

"Since the war began the Congress of the United States and the General Assembly of Maryland have been composed of an overwhelming majority of so-called Union men; have held repeated sessions, and passed laws to punish every offence which it was supposed possible to be committed by those who are amenable to their respective criminal jurisdictions. In these criminal laws is to be found full authority to punish, 'with due process of law,' every violation of those laws; and surely, with the unlimited power now exercised by the President in the employment of provost marshals, spies and detectives, there ought to be no lack of evidence, if the facts exist, to convict those who persistently refuse to obey the laws. The constitution which the President is solemnly bound 'to preserve, protect and defend,' declares that 'in all criminal' prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, etc.'

"We protest that the constitution and laws have not required private and peaceful citizens of this State 'to register on oath their allegiance, submission and obedience to the United States,' and that 'to banish beyond the lines of the army, or imprison during the war,' persons who shall not have been duly tried and convicted of some offence to which such punishment is affixed by law, and to carry into effect the said order would be a palpable and flagrant usurpation of power, would endanger the security of the life, liberty and property of our citizens, to the certain injury of every material interest of the State thus threatened with all the horrors of anarchy.

"In behalf of the people we represent, and of all the peace-loving and law-abiding people of Maryland, and in behalf of all the fundamental principles of civil liberty and constitutional government, we enter this, our formal protest, against the said action of the said delegates to this convention;

"E. F. Chambers, Sprigg Harwood, Thomas Lonsdale, D. C. Blackiston, John Lee, John Brown, George S. Holdyeny, George Peter, E. P. Duvall, Oliver Miller, R. H. Eccleu, John W. Mitchell, P. Davis, Edward W. Belt, S. H. Berry, James T. Belcrose, John Turner, Bendall Murray, Thomas J. Dail, William B. Bond, John C. Hervey, Isaac D. Jones, Daniel Clarke, E. J. Henkle, C. S. Parran, Alward Johnson, Washington A. Smith, James U. Dennis, A. J. Crawford, Thomas J. Hooker, Vere Wisner, George W. Morgan, John E. Deal, Chapman Billingsly and W. H. Gale."

While the telegraph wires running out of Baltimore were severed, travel was also much interrupted. The mails for Philadelphia and the North generally were sent by steamers for a day or two, and passengers from Philadelphia came as far as Havre-de-Grace by rail and thence by steamboat to Baltimore. A few days afterward trains ran as far as the Gunpowder River, where the passengers and baggage were conveyed across on flat-boats, and thence by rail to Baltimore. General Ord issued orders that passes to leave the city should not be issued to any except those living outside of it who could prove their "loyalty." By the 20th of July, however, the embargo which had been laid upon nearly every species of business was removed by order of the authorities, and business returned to its usual channels. On the 14th, the following orders were issued:

"*Headquarters Middle Department,*
"*Baltimore, Md., July 14th, 1864.*

"General Orders, No. 61.

"The restrictions on travel are hereby removed: passes will be no longer required from persons going in or out of Baltimore, and vessels will not be required to obtain permits from the military authorities, in order to leave the port.

"By command of "MAJOR GENERAL WALLACE.

"SAMUEL B. LAWRENCE, *Assistant Adjutant General.*

The following order was also issued by General Ord:

"*General Wayne Steeles, Baltimore, Md., July 14th, 1864.*

"There will be no further impressment of horses.

"By command of "MAJOR GENERAL ORD.

"Official: C. W. GALLAGHER, *Captain and A. Q. M. in charge.*"

"*Mayor's Office, Baltimore, Md., July 14th, 1864.*

"Messrs. Editors Baltimore *American:*

"SIR—Please state in your paper that wagons, drays and lumber (that which have been receipted for) which have been used for barricading the streets can now be removed at the option of the several owners, the period of danger which had occasioned the precautionary measure to prevent a cavalry raid into the city, having passed.

"Obliged, very truly, "E. J. SMITH,
"*Acting Chief Engineer Street Barricades for City Defence.*"

"*Headquarters Middle Department,*
"*Baltimore, Md., July 14th, 1864.*

"General Order, No. 58.

"General Order, No. 51, is not intended to revoke the orders heretofore existing, requiring passes to go to Fortress Monroe, or to Annapolis and points on the Western and Western Shores of Maryland by boat or railroad, and from Wilmington South by rail.

"Passes to the above-named points will be granted by Lieutenant Colonel John C. Woolley, Provost Marshal, Middle Department.

"By command of "MAJOR GENERAL WALLACE.

"SAMUEL B. LAWRENCE, *Assistant Adjutant General.*"

Nearly all the railroads were again in running order by the 20th, the greatest damage, as usual, having fallen on the Baltimore and Ohio Railroad. The Confederates had destroyed six large and important bridges, beginning below Harper's Ferry and ending at Patterson's Creek, a few miles east of Cumberland. The track had been torn up for several miles between the same points, and many miles of telegraph wire destroyed. All this destruction was replaced by new and substantial bridges, track and telegraph lines in a very few days, under the indefatigable administration of its able president.

General Ord remained in command of the forces of the middle department, eighth army corps, until the excitement subsided, when General Wallace resumed his command. In a few days afterward he issued the following circular thanking the citizens generally and the officers and troops for their zealous and readiness in volunteering for the defense of the city:

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, Md., July 18, 1864.*

"To the Loyal Citizens of Baltimore:

"The enemy having withdrawn from our borders, and the impending evils of an invading force, to which the City of Baltimore was recently exposed, having been removed, I desire to return to those citizens who so promptly and cheerfully took up arms to assist the regular forces of the government, my thanks for their courage and loyalty. Their services were really invaluable.

"Orders have been given to the brigade commanders to preserve lists of all citizens who rendered service, and copies of the lists will be furnished to the city governments as 'rolls of honor,' for future reference.

"Every thoughtful citizen will agree with me that the recent experience is a convincing argument in favor of continuing and perfecting the militia organizations. It will not be difficult to do so now, if the loyal zeal already shown continues.

"If the companies will reorganize their organization, it will be my duty and pleasure to assist the civil authorities to arm and drill them, and form regiments and brigades, so as to reconstitute the national guard of Baltimore.

"If this be done, a future invasion will find Baltimore ready and sufficient for its own defense.

"I respectfully suggest that company commanders prepare rolls of their officers and men, and report at these headquarters on Wednesday evening next, at 7½ o'clock, to confer with the city authorities, with a view to immediate regimental organization.

"LEW WALLACE,
"*Maj. Gen. Commanding Middle Department, Eighth Army Corps.*

On the 28th, General Wallace also issued the following important order relating to the organization of negro troops:

"*Headquarters Middle Department, Eighth Army Corps,*
"*Baltimore, Md., July 28, 1864.*

"Special Orders, No. 187.

"Par. I. Under the direction of His Honor, Mayor Chapman, the lieutenants and sergeants of the municipal police of the City of Baltimore will proceed immediately to

organize the able-bodied negroes, by their respective wards, into military companies for duty in this city, make rolls of such companies, and report them, when perfected, to these headquarters.

"Each company must contain not less than sixty-four, or more than eighty-two members, exclusive of the non-commissioned officers, and the name and place of service or residence of each member, must appear upon the rolls.

"The several companies, as part of the organization, will be permitted to elect their non-commissioned officers, inclusive of first sergeants.

"Experienced white officers will be appointed by Mayor Chapman.

"When sufficient rolls are reported, the companies will be further organized into regiments by directions from these headquarters.

"Each regiment will be armed and equipped by orders from these headquarters. Blouses and caps will be provided by the city authorities. Companies will also be furnished armories for purposes of drill, and for the security of their arms. Such armories will be in charge of the police.

"Secession masters and employers must not interfere in this business. Prohibiting a negro from attending the drills, or obeying regimental or company orders, will be considered as an interference.

"By command of "MAJOR GENERAL WALLACE.

"Official: SAMUEL B. HAWKINSON, A. A. G."

General Early, after withdrawing from the lines around Washington, retraced his steps to Virginia, and crossed the Potomac at Edward's Ferry. During his absence from the valley, General Hunter had been plundering, burning, and laying waste in his usual style of warfare, without check. The Federal troops had also burned and devastated towns and villages in other parts of the South, and, as far as could be seen, public sentiment at the North approved this mode of conducting war. General Early, therefore, determined to follow these examples by way of retaliation. Chambersburg, in Pennsylvania, was selected for the sacrifice, and thither General McCausland was ordered to proceed with his cavalry brigade and that of General Bradley T. Johnson, and a battery of four guns, and demand of the municipal authorities the sum of $100,000 in gold, or $500,000 in United States currency, as a compensation for the wanton outrages of General Hunter in the Valley of Virginia; and, in default of payment, to lay the town in ashes. On the 29th of July, McCausland crossed the Potomac, near Clear Spring, above Williamsport, while Vaughan drove a cavalry force from Williamsport, and entered Hagerstown, where he captured and destroyed a train of cars loaded with supplies. Several infantry divisions also crossed the Potomac, at Shepherdstown, and took positions at Sharpsburg, to be within supporting distance. On the 30th, McCausland reached Chambersburg, and made the following demand as directed:

"*Headquarters, Advance Forces C. S. Army,*
July 29, 1864.

"To the Municipal Authorities of Chambersburg, Pennsylvania:

"The houses of Andrew Hunter, Esq., Alexander R. Boteler, Esq., and Edmund J. Lee, Esq., citizens of Jefferson County, Virginia, having been burned by order of the

officer commanding the Federal forces in the department called the 'Department of Virginia,' I have directed that your town pay for the said houses, to be handed over to the owners the sum of $100,000 in gold, or $500,000 in current Northern funds.

"In default of the payment of this money, your town is directed to be laid in ashes in retaliation for the burning of said houses, and other houses of citizens of Virginia by Federal authorities.

"J. A. EARLY, *Lieutenant General.*

"Official: T. BOWLES, *A. A. G.*"

It was not complied with, and the greater part of the town was burned. "For this act," says General Early—

"I alone am responsible, as the officers engaged in it were simply executing my orders, and had no discretion left them. Notwithstanding the lapse of time which has occurred, and the result of the war, I am perfectly satisfied with my conduct on this occasion, and see no reason to regret it."[1]

McCausland then moved in the direction of Cumberland, but finding it defended by a force under General Kelly, after a slight skirmish about two miles from the town, withdrew towards Hampshire County, Virginia, and crossed the Potomac near the mouth of the south branch. He then moved to Moorefield, in Hardy County, where he was overtaken by General Averill, who had been in pursuit since he left Chambersburg, and his entire command was routed and his four pieces of artillery captured. The remnants of the command finally made its way to Mount Jackson in great disorder.

In consequence of the sympathy displayed by certain persons in Frederick County, towards the command of General Early and his troops, General Hunter issued the following characteristic order:

"*Headquarters Department Western Virginia,*
Harper's Ferry, July 18, 1864.

"Major John L. Yellott, First Maryland P. H. B. Infantry, Commanding Officer, Frederick, Md.:

"Major:—Your communication of this date, relating to persons in Frederick city, Md., having 'pointed out to the rebels during their late raid the property of Union citizens, and otherwise manifested their sympathy with the enemy,' has been submitted to the major-general commanding the department.

"In reply, he directs that you arrest at once all persons who are known by Union citizens to have given such information, and to send them, with their families, to this place under suitable guard, that the males may be sent to the military prison at Wheeling, West Virginia, and their families beyond our lines South. You will seize their houses, to be used for hospitals, government offices and storehouses, and for government purposes generally. Their furniture you will have sold at public auction for the benefit of Union citizens of the town who are known to have suffered loss of property from information given by these persons.

"The major-general commanding further directs that all male secessionists in Frederick, with their families, must be sent here at once. You will make the same disposition of their houses and furniture as has been directed already in this letter for the houses and furniture of those who gave information as to the property of Union men.

I am, major, very respectfully, your obedient servant,

"P. G. BIER, *Assistant Adjutant General.*

[1] *Memoirs of the Last Year of the War for Independence.*

"To prevent infliction of such punishment as is specified in the above order, it is ordered that every male citizen of this town, and that portion of Frederick county lying within the limits of the department of West Virginia, shall appear at this office between the hours of eight o'clock A. M., and five o'clock P. M., beginning on the 25th day of July, 1864, and ending on the 30th day of July, 1864, and subscribe to an oath of allegiance to the government of the United States. In default of this appearing and swearing allegiance to the national government, all persons thus failing will be regarded as secessionists and treated as directed in the above order.

"JOHN I. YELLOTT, *Major Commanding Post and Provost Marshal.*"

In pursuance of this order many of the most respectable citizens of Frederick County, male and female, were seized and imprisoned or driven from their homes and sent within the Confederate lines.

To work of this sort the provost-marshals throughout the State addressed themselves with eagerness and found no lack of zealous assistants. Under their rule spies and informers swarmed like vermin in Egypt. Servants were suborned to lodge information against their masters or their families; a reproof or unpleasant task might be avenged by imprisonment or exile. Whoever had a petty grudge, had now the offender's liberty within his power. Evidence was scarcely needed, where treason was assumed to lurk in a schoolboy's gray jacket, in a girl's scarlet ribbon, or in the striped socks of an infant in arms. Secret denunciation was encouraged and the delator's personal animus, though notorious, or his character though infamous, was not allowed to invalidate his accusation. Private letters were broken open, dwellings ransacked, women treated with the grossest personal indignities, and men of unimpeachable characters subjected to arrest by ruffians and protracted imprisonment without trial, upon charges that could not be learned, or if learned, were in nine cases out of ten as frivolous as they were false. And Secretary Seward warned the victims of his "little hell," that if they dared to appeal for protection to the law and employed counsel to protect them, or even to ascertain the charges brought, they would but bring the special vengeance of government upon the heads of their defenders.

That base and malicious men should rise to the surface in these times of turmoil and violence, was but natural, and that they should act according to their natures was to be expected. The most melancholy part of all this miserable business was the fact that the better class of "Union" citizens whose influence was potent with the government and its agents, raised no voice of condemnation at these outrages, but looked on with acquiescence, if not with satisfaction, while law was violated, liberty trampled under foot, and their fellow-citizens and ancient friends were dragged to dungeons or driven into exile.

It having been alleged that the Confederates during their invasion of the State, had destroyed the barn of one Thomas Harris, General Wallace assessed the following persons residing in the Liberty district, Frederick County, for the amounts set opposite their respective names, to indemnify him for his loss:

James Pearce	$1,206 30
Wm. Hobbs	1,027 04
Anthony Kimmel	518 72
Luther Welch	382 80
Thomas Pool	286 80
Dr. G. R. Suppington	104 46
Jesse Devilbiss	191 45
Henry Cury	250 96
George Gaither	259 20
John D. Gaither	194 40
C. A. Lawrence	259 20
C. W. Dorsey	259 96
Thomas G. Maynard	194 45
Wm. C. Wilson	129 63
John P. Devilbiss	324 08
Milton Carter	129 64
Dr. Thomas W. Simpson	64 82
Joseph Smith	64 82
Henry A. Pedicord	64 82
Hamilton Lindsay	64 82
John G. Norris	129 63
Thomas H. Hammond	191 45
D. V. Hammond	129 63
R. Emory Simmons	64 82
James H. Swan	194 45

On November 8th, the election took place for President and vice-President of the United States, and for governor, lieutenant-governor, comptroller, attorney general, congressmen, State Senate and members of the House of Delegates of Maryland. The republican candidates were Abraham Lincoln for President, and Andrew Johnson for vice-President. The democratic candidates, General George B. McClellan, for President, and George H. Pendleton for vice-President. The total vote in the State was 72,910, as follows:[1]

	Lincoln.	McClellan.	Gov. Aug.
Home vote	37,372	32,418	4,954
Soldiers' vote	2,799	321	2,478
	40,171	32,739	7,432[2]

[1] The following is the official vote of each county in the State:

County.	Lincoln.	McClellan.
Allegany	2,155	1,099
Anne Arundel	416	1,371
Baltimore City	11,981	2,953
Baltimore County	2,570	2,093
Carroll	2,057	1,887
Caroline	726	271
Calvert	33	213
Cecil	1,757	1,341
Charles	27	967
Worcester	698	1,381
Frederick	3,594	2,302
Harford	1,244	1,005
Howard	578	777
Kent	372	1,280
Montgomery	498	1,542
Prince George's	197	1,530
Queen Anne's	854	1,383
Somerset	444	2,110
St. Mary's	99	967
Talbot	576	287
Washington	2,084	1,402
Worcester	603	1,708
Total	37,372	32,418

[2] The Lincoln electors were William J. Albert, W. H. W. Barrow, Isaac Nesbit, H. H. Goldsborough, William Pinkney Hume, George W. Shields and R. Stocket Mathews.

Lincoln received in the electoral college 212 votes, and McClellan 21; the latter receiving the votes of New Jersey, Delaware and Kentucky.

For Congress, Messrs. McCullough, democrat; Webster, Phelps, and Thomas, republican; and Harris, democrat; were elected.

The candidates for State officers were: Democrats, Judge Ezekiel F. Chambers, for governor; Oden Bowie, for lieutenant-governor; Bernard Carter, attorney-general; A. Lingan Jarrett, comptroller of the treasury. Republican ticket: Thomas Swann, for governor; C. C. Cox, lieutenant-governor; Alexander Randall, attorney general; Robert J. Swap, comptroller of the treasury.

At the election the oath prescribed by the new Constitution was administered to each voter.

The total vote in the State for governor, was 72,647, as follows:

	Swann.	Chambers.	Swann's Maj.
Home vote	37,788	31,801	5,987
Soldiers' vote	2,841	267	2,574
	41,579	32,068	8,611

The republicans carried the entire State, excepting the State Senate, in which the democrats had a slight majority. The governor and lieutenant-governor were inaugurated on the 11th of January, 1865.

While General Early was operating in Maryland, General Grant was extending his lines before Petersburg, so as to cut off Lee's supplies from the South. On August 18, 1864, he detached Warren's corps with the Maryland brigade to capture the Weldon Railroad, four miles south of Petersburg. Warren accomplished his purpose after a three days' struggle, inflicting severe loss upon the Confederates. The Maryland brigade lost heavily, including its commanding officer, Colonel Nathan T. Dushane—

"'Every member of the 1st Maryland's color-guard, including the color-bearer,' says Captain J. W. Kirkley, 'received severe wounds in the engagement. When the first color bearer was struck, a second one seized the flag, but he too quickly fell, another and another grasped the standard, until seven had been shot down, when Lieutenant William Taylor took the banner and carried it until relieved by a newly appointed bearer.' Colonel Wilson, subsequently speaking of this affair, said: 'At no time in my life could I have shed tears more freely than when I saw the men fall around my colors as fast as I could count one, two, and three.'"

On the Confederate side also the Marylanders maintained the honor and glory of the State. The 3d Maryland infantry, under Captain J. Parran Crane, occupied a position near Reams' Station, where they made a brave and determined stand, but were compelled to fall back with fearful loss

"'Disdaining to retreat without the command,' says Major Goldsborough, 'when all others were rushing wildly in flight, they stood to their post to the last. Again and again were they assaulted, but again and again they drove their assailants back with heavy loss. At length in overwhelming numbers the enemy came upon them and reached the breastworks. But these that little band remained for a time as firm as the rock of Gibraltar

But the enemy crossed the breastworks, and the struggle was hand to hand. Desperately the bayonet was thrust, and the butt of muskets crashed through human skulls. But this unequal struggle could not be of long duration, and surrounded and overwhelmed, the survivors sought to fight their way out. Many succeeded, but one-third of that gallant band lay dead and wounded, or were prisoners in the hands of the foe."[1]

Again, at the battle of Pegram's Farm, on the 30th of September, did this brave command prove the material of which it was made. Under the command of Captain Ferdinand Duvall, it went into this sanguinary engagement with one hundred and forty-nine men, and at its close their loss was forty-three killed and wounded, including their commanding officer. On the following day, under Captain John W. Torsch, they again encountered the Federals on the Squirrel Level Road, whom they repulsed with severe loss, but not without heavy loss to themselves. By these continuous and bloody conflicts the 2d Maryland Confederate battalion was reduced to about one hundred men; but such was the condition of the army at this time, that they were compelled to perform the services of a battalion. So numerous were the desertions at this time in the brigade to which they belonged that it at last became necessary to keep the Marylanders almost constantly on picket, for as sure as this duty was entrusted to other troops just so sure were they to find deserted posts in the morning. And still these brave men never complained of what was imposed upon them. Throughout that dreary fall and the long cold winter, nearly naked and hardly half fed, they silently did their duty, while thousands from the more Southern States were proving recreant to the cause in which they had embarked.[2]

Elegant and refined gentlemen, who at home never knew what it was to want for a single comfort, were in rags and tatters, sleeping in mud and filth; and when the bleak winds of December pierced many a rent in their wretched garments, they only drew their sorry blankets the closer around their gaunt and shivering limbs, and cheerfully responded to the call for any duty.[3]

[1] Jefferson Davis, President of the Southern Confederacy, in answer to a letter from the writer of this sketch:

"MEMPHIS, August 28, 1873.

"COL. J. THOMAS SCHARF, Baltimore, Md.:

"DEAR SIR: Yours of the 22d inst. received, and I am glad to know that you are about to make a durable record of the services of the Baltimore people in the great struggle for the assertion of State rights and the preservation of constitutional government. The world will accord to them peculiar credit, as it has always done to those who leave their hearthstones to fight for principle in the land of others. I am glad that your old commander, so distinguished for skill and gallantry, survives to hear testimony to the brilliant merit of the members of his company. Wishing you long life, prosperity and happiness,

"I remain, very respectfully and truly yours,

"JEFFERSON DAVIS."

[2] A North Carolinian, in an able article upon the "Soldier Hospitals in Gettysburg," published in the Pelagary number (1867) of *The Land We Love*, pays the following just tribute to the Marylanders who were in the Confederate army: "Let it not be said by history that Maryland was not true to the South, let it not be said by the Southern people she gave not her share. Her twelve thousand sons, scattered through a hundred commands, did not equal North Carolina's numbers in proportion to population, but there were no conscripts among them, and the soil of numberless battle fields from Manassas to Appomattox can tell how true were their faith and pluck. Her noble daughters, did not all the States, but chiefly devotion, the oppression of her citizens during the war—the disinterested manner in which the South—the diligence of Mrs. Henry and Dalcarnes, the charity of her women and their constancy in adversity as well as prosperity, these all these will place Maryland a queen among our land."

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The remnants of this gallant band, under Captain Torsch, continued steadfast to the last, and bore uncomplainingly the many privations that were imposed upon them. The crisis, however, was approaching when they would cease to exist as a military organization. On the 9th of April, 1865, Captain Torsch surrendered with the army of Northern Virginia, sixty-three officers and men, the survivors of a battalion conspicuously marked by unsurpassed courage and fortitude.

The remnants of the 1st Maryland artillery, the Chesapeake artillery, and the Baltimore light artillery, like their comrades of the Maryland battalion, were also true to the last to the cause they had espoused. After facing death on so many bloody fields, these brave men now wept like children, when they too were disarmed at Appomattox Court House.

General Lee advised the Confederate authorities to withdraw from Richmond, on the 2d of April, and that night they left accordingly. The duty of destroying the Confederate fleet in the James River, devolved upon Rear-Admiral Raphael Semmes, a native of Maryland, who had been promoted on February 10th, 1865, "for gallant and meritorious conduct in command of the steam-sloop *Alabama*," and who had been placed in command of the fleet. Rear-Admiral Semmes had lost the famous privateer *Alabama*, in an engagement with the United States steamer *Kearsarge*, Captain Winslow, off the French port of Cherbourg, June 19th, 1864. This was a severe blow to the privateer service of the South, as Semmes, in a cruise of over three years, had compelled nearly a thousand United States vessels to be sold to foreign shipping merchants; and it is said that he caused 178,665 tons of American shipping to fly foreign flags. The *Alabama* was the most formidable of the Confederate privateers, and destroyed property of the United States estimated at from eight to ten millions of dollars.

REAR-ADMIRAL SEMMES.

Rear-Admiral Semmes assumed command of the James River fleet, which consisted of three iron-clads and five wooden gun-boats, on the 18th of February, 1865. Charleston was evacuated on the 17th of February, and Fort Anderson, the last defence of Wilmington, fell on the 19th of the same month.

The lines in the vicinity of Petersburg having been weakened by the necessity of withdrawing troops to defend Lee's extreme right, resting now on a point called the Five Forks, Grant, on the morning of Sunday, the 2d of April, made a vigorous assault upon them and broke them. Lee's army was uncovered, and Richmond being no longer tenable, that city was evacuated on the same night and the following morning. On the 3d of April, Lee abandoned his lines, and surrendered his army, or the small remnant that was left of it, to Grant, on the 9th, at Appomattox Court House.

The 1st Maryland cavalry, under Lieutenant Colonel G. W. Dorsey, was destined to close the record of the veteran army of Northern Virginia. On the morning of the 9th of April, this gallant band, under General Munford, determined to sell their lives dearly before they would lay down their arms and surrender. As the Federals closed around the ill-fated army of Lee, it was whispered that he was about to surrender. This General Munford determined not to do; and before the preliminaries were arranged his command drew their sabres and cut their way through the heavy columns of the Federals. This was the last blow struck by the army of Northern Virginia. The 1st Maryland now retired towards Lynchburg with the intention of joining General Joseph E. Johnston at the South. Colonel Dorsey marched to the vicinity of Waynesboro', where he received an order from General Munford to join him in the valley, where the cavalry were gathered preparatory to joining Johnston's army. The 1st Maryland arrived at Cloverdale, Botetourt County, on the 23th of April, where Colonel Dorsey received from General Munford the following letter:

"*Cloverdale, Botetourt County, Virginia,*
"*April 23th, 1865.*

"Lieutenant Colonel Dorsey, commanding First Maryland Cavalry:

"I have just learned from Captain Enick that your gallant band was moving up the Valley in response to my call. I am deeply pained to say that our army cannot be reached, as I have learned that it has capitulated. It is sad, indeed, to think that our country is all shrouded in gloom. But for you and your command there is the consolation of having faithfully done your duty. Three years ago the chivalric Brown joined my old regiment with twenty-three Maryland volunteers, with light hearts and full of fight. I soon learned to admire, respect and love them for all those qualities which endear soldiers to their officers. They recruited rapidly, and as they increased in numbers, so did their reputation and friends increase, and they were soon able to form a command and take a position on their own. Now I say when I see that position so high and almost alone among soldiers, that my heart swells with pride to think that a record so bright and glorious is in some part linked with mine? Would that I could see the mothers and sisters of every member of your battalion, that I might tell them how nobly you have represented your State and maintained our cause. But you will not be forgotten. The fame you have won will be guarded by Virginia with all the pride she has in her own immortals, and the ties which have linked us together memory will preserve. You who struck the first blow in Baltimore, and *the last in Virginia*, have done all that could be asked of you; and had the rest of our officers and men adhered to our cause with the same devotion, to-day we would have been free from Yankee dominion. I have ordered the brigade to return to their homes, and it behooves us now to separate. With my warmest wishes for your welfare, and a hearty God bless you, I bid you farewell.

"THOMAS T. MUNFORD,
"*Brigadier-General Commanding Division.*"

With this letter of General Munford, announcing the surrender of General Joseph E. Johnston's army, perished the last hope of the Southern Confederacy.[1]

[1] Maryland was also largely represented in the command of Colonel Mosby's partisan rangers. Major Harry Gilmor's corps and the command of Lieutenant McNeil, who entered Cumberland on the morning of the 21st of February, and captured Major Generals R. E. Kelly and Cook, and Major Tolson Melvill.

We will now return to the operations of the Marylanders in the Federal army. The Maryland brigade went into winter-quarters near Warren Station, on the Weldon Railroad, and there remained until the 6th of February, 1865, when they met the enemy at Dabney's Mill, on Hatcher's Run. In this severe contest the 1st Maryland regiment lost Colonel Wilson, and a number of valuable officers and men. Colonel Bowerman, in command of the brigade, after charging for a considerable distance, came upon the Confederate main line, where a general engagement ensued, which continued without intermission nearly three hours. The brigade, after firing all its ammunition, were relieved. The coolness and daring of the officers and men upon this occasion were much and deservedly praised, and General Meade, in recognition of their gallant services, specially mentioned a large number of the non-commissioned officers and privates in general orders, and granted them a furlough for twenty-five days.

Again, at the battle of the White Oak Road, they were distinguished for gallantry, and participated in all the encounters in which their division was engaged until the capitulation of General Lee and his army at Appomattox Court House, which virtually closed the war.

General G. K. Warren, commanding the fifth corps of the Army of the Potomac, in a letter to J. W. Kirkley, thus mentions the services of the Maryland brigade:

"The frequent loss of commanding officers by that brigade in the campaigns of 1864–65 brought it particularly to my attention, and its constancy under all the difficulties and hardships made me regard it with affection as well as esteem. As a part of the combined First and Fifth Army Corps it will always share in the common reputation; and this was a corps that never gave ground to the enemy, which marched and fought battles in every month but January, four May, 1864, to May 1865; which made all the extensions of the line of the Union army around Petersburg by contests with the enemy from the place where the mine was sprung in the summer of 1864 to the capture of his extreme right on the White Oak road, at Five Forks, on April 1, 1865, and which finally stretched its unbroken lines across the rear of retreat of the Army of Virginia at Appomattox. It should hereafter be enough glory for any man to say, 'I bear an honorable reputation in the Maryland brigade.'"

And in his report to the war department, dated April 24, 1868, he recommends the following officers of the brigade for brevet appointments:

"The following survivors, not brevetted since the close of the war, are, therefore, respectfully recommended as worthy of that honor: . . . Brevet Brigadier-General A. W. Denison, United States Volunteers, commanding Maryland brigade, to be major-general of volunteers, by brevet, for gallant conduct in the battle of White Oak Ridge, March 31st, 1865, in which he was wounded. . . . In the foregoing list of recommendations for the brevet of major-general of volunteers is included that of General Denison, of the Maryland brigade. To this brigade especial honor is due, for they were the loyal men of a divided community. They had clung to sacrifice old personal associations and interests, and while doing their duty at the front, had repeatedly to endure the anxieties of having their homes invaded by the enemy. They, now that the war is over, have to encounter, socially, sympathizers and many active participants of the

rebellion, and they should be remembered in every proper way by the approval of the government that they have so faithfully served. It would seem but just that the most liberal views attend the consideration of the brevets by this brigade; but their record is one that speaks for them, and in a way they may well be proud of. I will give a brief outline of their connection with the Army of the Potomac. They first joined it just after the battle of Gettysburg, and were joined to the 1st corps. On its consolidation with the 5th corps, under the Light Infantry commander, General Kenly, was transferred to another army, and Colonel A. W. Denison, of the 8th regiment, was left in command. The brigade was composed of the 1st, 4th, 7th, and 8th regiments of Maryland volunteers, and they were placed in General Robinson's division.

"On the 8th of May their division commander was wounded; Colonel Denison, their brigade commander, was wounded; and Colonel C. E. Phelps, of the 7th regiment, next in command, was wounded; and Colonel Bowerman, of the 4th regiment, took the command, which he kept till May 13th, when the arrival of Colonel Dushane, of the 1st regiment, placed him in command. Colonel Dushane retained this command till killed in battle, August 21st, on the Weldon Railroad. The next brigade commander was Colonel Graham, of the Purnell Legion, whose regiment had joined on the 8th of May. On the 12th of October Colonel Denison, having recovered, with the loss of an arm, for which he was brevetted brigadier-general, returned and again took command. On the 6th of February, 1865, Colonel Wilson, of the 1st regiment, was killed in battle. On March 31st, 1865, General Denison was again wounded, and Colonel Bowerman again succeeded to the command. On April 1st, at Five Forks, Colonel Bowerman was wounded, and the command fell to Colonel Saxton, of the 1st regiment. This brief mention of the loss in higher officers gives a fair representation of the proportionate risk and suffering of the brigade in battle while with me. I therefore recommend, besides General Denison for the brevet rank of major-general of volunteers, the following additional ones: Colonel Charles E. Phelps, 7th regiment Maryland volunteers, to be brevet brigadier-general of volunteers, for gallant conduct in battle, May 8th, 1864, at Spottsylvania; Colonel D. G. Shunder, 1st regiment Maryland volunteers, to be brevet brigadier-general of volunteers, for gallant conduct in battle of Five Forks; Major E. M. Mobley, who in march of the campaign of 1864, commanded the 7th regiment Maryland volunteers, to be colonel of volunteers, by brevet, for faithful and gallant service."[1]

General John R. Kenly, who had been appointed by the President, on the 11th of June, 1861, colonel, and on the 22d of August, 1862, brigadier-general of United States volunteers, was brevetted major-general of volunteers on the 13th of March, 1865, "for gallant and meritorious services during the war."

[1] "Official Articles of the United States, }
"Washington, D. C., July 22, 1865. }

"To Colonel Jacob H. Gilbert,

"Colonel 6, Fourth Regiment Md. Volunteer Infantry.

"Sir:—The sum of four hundred and sixty dollars was sent me by patriotic citizens of the North, to be given as a reward for gallantry to the soldier who should first raise the United States flag over Richmond. As Richmond was not taken by assault, I considered that the donors' wishes would be best carried out by dividing the sum between the three soldiers most conspicuous for gallantry in the final and successful assault on Petersburg. Major-General Charles Griffin, commanding 5th army corps, has since reported you as entitled to this honor, in behalf of that command, and I herewith transmit to you the sum of one hundred and fifty-three dollars and thirty-three cents as one-third of the original sum. It affords me great pleasure to receive from your commanding general such unqualified testimony of your gallantry and devotion in battle, and to be the medium of transmitting to you this recognition of the worth of your services in defense of our common country.

"I. S. Grant, *Lieutenant-General.*

"T. S. Bowers, *Assistant Adjutant-General.*"

The 1st Maryland regiment was mustered out of service, July 2, 1865; 4th regiment, May 31st; 7th regiment, June 20th; 7th regiment, May 31st; 8th regiment, May 31st; Alexander's Baltimore artillery, June 17th; Purnell Legion, October 21, 1864, when it was transferred to the 1st Maryland.

General Joseph E. Johnston's army surrendered on the 26th of April, to General W. T. Sherman, near Durham Station, North Carolina, and was followed, on the 11th of May, by that of General Richard Taylor, with all the remaining Confederate forces east of the Mississippi, to General Canby. On the 26th of the same month, General Kirby Smith surrendered his entire command, west of the Mississippi, to General Canby. With these movements all military opposition to the government ended.[1]

Five days after the surrender of Lee, the country was shocked by the intelligence of the assassination of President Lincoln, and the attempted murder of members of his cabinet. The news was received in Baltimore, as it was throughout the land, with a universal feeling of regret and indignation. Men of all parties joined heartily in deploring the untimely end of the chief magistrate of the nation, and in denouncing the crime of which he was the victim.

As soon as the intelligence was received in Baltimore, the police commissioners were convened, in order to act in harmony with the military authorities, in preserving peace and order. The most stringent orders were issued to the police force, who were on duty, both day and night, at every prominent point. The drinking-houses were all closed, and General Morris, commander of the middle department, issued the following proclamation, suspending all travel to or from the city, either by railroad, steamboat or turnpike:

"*Headquarters Middle Department, Eighth Army Corps,*
"*Baltimore, Md., April 15th, 1865.*

"The assassination of the President of the United States, and the Secretary of State and his son calls for the following order:

"The utmost rigor of military discipline and authority will be enforced in this city and department until further orders.

"All persons are hereby notified that assemblages of more than three persons will not be permitted.

"The pickets on all the roads are hereby ordered to arrest all suspicious persons.

"Marked wagons will be permitted to come into the city, but must not be allowed to pass out, without a written pass from the provost-marshal of the department.

"No boats or trains will be permitted to leave the city until further orders, without permission from these headquarters.

"No vehicles will be permitted to pass out of the city on any of the roads.

[1] General Major-General R. B. Ayres, in a letter to J. W. Kirkley, adjutant-general's office, dated August 10, 1878, alluding to the services of the Maryland brigade while under his command, says: "The Maryland brigade, after joining my division, came especially under my own observation on the Weldon Railroad, where it acted up to its work manfully, after the first fire, and did very valuable and gallant service on each of the three days, August 18, 19 and 21, 1864, of that battle. Again, at Hatcher's Mill, February 5, 1865, the mill was carried by them. On the 31st of March, at the reconnoissance on the White Oak Road, its conduct was that of veterans. At Five Forks, April 1, 1865, my division carried the key of the position—the Maryland brigade on the right, after my change of front to the left—the 1st Brigade on the left—the two carried the enemy's breast works with a rush, losing there over a thousand prisoners and nine battle flags. This was a very gallant deed, and those troops covered themselves with glory. In all these conflicts, after the first occasion when I saw them at their work, I looked upon the Maryland brigade as perfectly reliable, having the coolness and firmness of veterans."

"Good order must prevail in this city. The provost-marshal of the corps is hereby directed to co-operate with the police authorities and preserve the peace of the city.

"It is imperative upon all good and loyal citizens to assist in enforcing all the orders issued by the civil or military authorities in their efforts to suppress all manifestations of sympathy with the fiendish crime so grossly in violation of laws, human and Divine.

"By command of "BREVET BRIGADIER GENERAL MORRIS.

"SAMUEL R. LAWRENCE, A. A. G."

It was hoped that by a strict compliance with these measures, the murderers of the President, if they succeeded in reaching the city, might be stopped. General Morris also issued orders to the commanding officers of the troops around Baltimore to be ready for service at a moment's notice, and two pieces of ordnance were placed in Holliday street near Fayette. A section of a battery was also stationed near the quarters of the provost-marshal. On the morning of the 15th, Mayor Chapman issued an order convening the City Council, and requested all the shipping in the harbor, all public buildings and private residences, to display the United States flag at half-mast, and also that the various bells of the city be tolled between the hours of eleven and twelve A.M., and between the hours of five and six P.M. These requests were promptly complied with, and before night the whole city was draped in mourning. The courts adjourned, and in the evening, the places of amusement were ordered to be closed. The City Council appropriated $10,000 for the apprehension of the murderer or murderers, and soon all the roads swarmed with pickets ordered to arrest all suspicious persons. Commodore Dornin had charge of the harbor and an armed tug, to prevent any vessel from leaving the port. The Right Reverend William R. Whittingham, the Episcopal Bishop of Maryland, issued an address to the clergy of his diocese, and Archbishop Spalding also issued one to the Roman Catholic clergy. On the same day, General Morris issued the following order in relation to paroled prisoners of war:

"*Headquarters Middle Department, Eighth Army Corps,*
"*Baltimore, Md., April 15, 1865.*

"General Orders, No. 81:

"Paroled prisoners of war (Rebels), arriving in this department are hereby ordered to report at once to the nearest provost-marshal, in order that their names may be registered, their papers examined, and such passes furnished them as may be necessary for their protection.

"Such prisoners of war will not be permitted to wear the uniform of the Army and navy of the so-called Confederate States, but must abandon their uniforms within twelve hours after reporting to the provost-marshal, and adopt civilian dress.

"HEADQUARTERS MIDDLE DEPARTMENT,
EIGHTH ARMY CORPS,
BALTIMORE, MD., April 15, 1865.

General Orders, No. 82. 1. It is hereby ordered that all bar-rooms and other places where spirituous, vinous or malt liquors are sold in this department, be closed, and remain so until further orders from these headquarters.

2. All persons not in the military or naval service in this department, or members of the police force, are hereby forbidden to carry fire-arms or other deadly weapons.

All persons violating this order will be immediately arrested.

By command of Brevet Brigadier General W. W. Morris, U.S.A. SAMUEL R. LAWRENCE,
Assistant Adjutant General.

Official—George H. Hooker, A.A.G.

"This order will apply to such of the prisoners of war paroled by the surrender of General R. E. Lee as may report in this department.

"Prisoners of war (Rebels), paroled to return to their homes to await exchange, will not be permitted to remain in this department unless their former residence is within its limits.

"Any violation of this order will be promptly noticed by arrest and imprisonment, whatever the conditions of the parole may be.

"By command of Brevet Brigadier General

"W. W. MORRIS, U. S. A.

"Official: S. B. Lawrence, *Assistant Adjutant General.*"

General Wallace arrived in Baltimore on the 15th, from Philadelphia, and on the 19th resumed command of the department, which had been so satisfactorily administered by Brevet Brigadier General W. W. Morris, United States Army, who again took command of Fort McHenry and the other forts about Baltimore. Immediately after General Wallace resumed command, he issued the following order respecting the uniform worn by the pupils of the Catonsville Military Institute:

"*Headquarters, Middle Division, Eighth Army Corps,*
"*Baltimore, April 24th, 1865.*

"General Orders, No. 93

"The grey uniform worn by certain young men, said to be students, has become so offensive to loyal soldiers and citizens that it is prohibited in this department.

"This order will take effect from and after the 27th of the present month.

"By command of "MAJOR GENERAL WALLACE.

"George H. Hooker, *Assistant Adjutant General.*

"Official: D. P. Turnerot, *Captain A. D. C.*"

General Wallace also issued the following circular which was sent to all the clergymen of Baltimore:

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, Md., April 29th, 1865.*

"CIRCULAR—The conduct of certain clergymen in this city has, in some instances, been so positively offensive to loyal people, and, in others, of such doubtful propriety, to say nothing about taste, as to have become a cause of bad feeling with many well-disposed citizens.

"As you must be aware, the recent tragedy, so awful in circumstance, and nationally so calamitous, was, as it well might, hallowed the sensibilities of men and women who esteem their loyalty only a little less sacred than their religion.

"In this state of affairs you will undoubtedly perceive the wisdom of avoiding, on your own part, everything in the least calculated to offend the sensibilities mentioned. You will also perceive the propriety of requiring members of your congregation, male and female, who may be so unfortunate as to have been sympathizers with the rebellion, not to bring their politics into the church.

"So profound is my reverence for your truly sacred profession, that, in the sincere hope of avoiding any necessity for interfering with the exercise of your office, I choose this method of respectfully warning you of the existing state of public feeling, and calling upon you, in the name of our common Saviour, to lend me your influence and energetic assistance, to be exerted in every lawful way, to soothe irritations and calm excitements.

You know that what I thus request I have the power to enforce. You ought also to know that, to save the community from the disturbance and consequences of a public outbreak, it would be my duty to exercise all the power I possess, without regard to persons or congregations.

"If you feel that you cannot yourself comply with this fraternal solicitation, or that you are unable to restrain evil disposed members of your flock, I suggest that it is better, far better in every respect, that you should close the doors of your church for a season at least.

"I have no fear that the kindliness of my purpose in thus communicating with you will be misjudged; and that you may not understand yourself as accused, or specially selected from the mass of your professional brethren, you are informed that a copy of this note has been or will be addressed to every clergyman in the city.

"Very respectfully, your friend,

"LEW WALLACE, *Major General Commanding.*

"Official: D. P. THOMPSON, *Captain A. D. C.*"

The excited state of feeling growing out of the assassination of President Lincoln, and the return of Confederate paroled prisoners, stimulated the City Council of Baltimore in passing the following notable preamble and resolution:

"WHEREAS, The national government has the police control over this city, which is but just and proper, yet it is the duty of the city council of Baltimore, representing as it does the people of all sections of the city, to confer with the Federal authorities of this department with the view of cooperating in sustaining them in the discharge of their duties, in upholding the common cause, and in protecting our loyal citizens from the indignities of rebels and rebel sympathizers; and,

"WHEREAS, Many of the church members of the old organizations have seceded from their brethren and founded independent churches on political differences of opinion between themselves and the loyal portion of the community, which churches are patronized, attended, and the services performed by clergymen sympathizing with the rebel cause. Among said churches is the so-called Methodist church, on Madison and Preston streets; the so-called Methodist church, on Franklin and Fine streets; the congregation professing to worship at the Red Men's Hall, Penn street, near the one professing to worship at Winans chapel; and,

"WHEREAS, These churches, inimical to the loyal and patriotic Christian denomination of Methodists among us, the members of which are enjoying all the immunities of a munificent government, while they, by their unholy sympathies, are engendering a spirit of partisan feeling, demoralizing to society, and in conflict with peace and harmony among our citizens; it being a notorious truth that none but rebel sympathizers belong to these new organizations, and under the sanctity of religion (which they use) to foster a difference of political faith; in other words, they have seceded from their brethren for no other cause than that those they left were loyal to the government on the question of slavery, and in offering up prayers for the president and those in authority under the Federal Union; and,

"WHEREAS, We believe, for churches to be based on such infamous principles that the members will not associate or worship God with loyal men and women, is insulting to the self-respect and patriotism of our people, and that they have no right to claim the protection of the civil or military authorities for religious associations among a loyal people, which invokes the spirit of disloyalty for countenance in our midst; that the moral, political, and religious sentiments of our people demand of the military authorities of this department, under whose protectorate once we are placed, to save our city

from this degradation and shame by removing these two pests, the miasma arising from which taints the moral atmosphere with treason. And while our brave defenders upon the land and upon the sea are suffering deprivations, exposing their lives and limbs on the battle-fields by thousands, it is a sacred duty enjoined upon us to see that the wily enemy at home shall not inject the subtle poison into the veins and arteries of the nation under a false religious plea. It is our duty at home to purge ourselves from traitorous treasons, for the cause of the Federal Union and all that pertains to it is the cause of religion and the cause of God; therefore,

"*Resolved by both Branches of the City Council of Baltimore*, That the commander of this department be respectfully requested to close those churches named in the aforegoing preamble, and such others as are governed by such disloyal and unpatriotic purposes.

"*Resolved* That a copy of these preambles and resolutions be sent to General Wallace."

These characteristic and truly remarkable resolutions caused considerable excitement among the churches mentioned, and led to a protracted correspondence between their trustees, pastors, etc., and General Wallace. A number of the ministers and trustees who were charged with disloyalty took the oath of allegiance at the provost-marshal's office but this it seems did not satisfy the partisans in the council who wanted additional guarantees or removal.[1]

General Wallace on the 29th addressed the following letter to Mayor Chapman respecting the removal of certain ministers and the closing of several churches:—

"*Headquarters Middle Department 8th Army Corps,*
"*Baltimore, April 29th, 1865.*

"Hon. J. Lee Chapman, Mayor of the city:

"Sir. Both branches of the City Council, as appears by their resolution received to-day, formally request me, as commander of this department, 'to remove from their midst' the Rev. J. J. Bullock, Rev. J. W. Hanner, Rev. J. Lafevre, and all such dangerous persons as are 'inimical to our Government.' The First Branch is, at the same time, pleased to inform me that, for reasons stated, it is not satisfied with the oath of allegiance which these reverend gentlemen have solemnly taken and subscribed; on the contrary, it asks me 'to require of those additional guarantees.'

"As I have never had a better opportunity, I avail myself of this one to make sincere and public acknowledgments to your municipal authorities, including both Branches of the Council, for the earnest and unfailing support they have always rendered me in the discharge of my duties. So often has this spirit been manifested by them, and so often has it developed itself into energetic co-operation, always productive of the best results, that I am quick to perceive that their action in this instance springs from impulses of ardent patriotism, influenced by an occurrence of more the saddest and most calamitous in our history. I feel sure, however, that I will not suffer in the opinion of those authorities, if, for once, I differ with the Council, and respectfully decline to accept their reasons as sufficient to justify the measures they have advised.

[1] General Wallace sent the following communication to the council:

"HEADQUARTERS MIDDLE DEPARTMENT,
"EIGHTH ARMY CORPS,
"BALTIMORE, April 21, 1865.

"TO THE PRESIDENT AND MEMBERS OF THE FIRST BRANCH CITY COUNCIL, BALTIMORE:

"*Gentlemen*—The general commanding directs me to inform your honorable body that the correspondence had by him with the Rev. Mr. Bullock, together with the oaths of allegiance taken by Mr. Bullock, Mr. Lafevre, Mr. Hanner and Captain Phipps are at your disposition, if you so desire, and he hopes that the action of the gentlemen named will prove entirely satisfactory. Very respectfully, your obedient servant,

JOHN WORTHINGTON,
"*Lieutenant Colonel and Provost Marshal.*"

"Please submit this reply to the two Branches of the Council.

"I have the honor to enclose you a number of letters, among them one from the Rev. John A. Williams, pastor of the Chatsworth Methodist Church, and his stewards vindicating themselves from the accusation of disloyalty. The First Branch will no doubt be pleased to know that those gentlemen have all taken the oath of allegiance. I trust you will submit this correspondence to that honorable body.

"Very respectfully, your obedient servant, "LEW WALLACE,
"*Major-General Commanding.*"

On the 24th of April the City Council of Baltimore passed the following resolution:—

"*Resolved*, By the Mayor and City Council of Baltimore, for the sake of the present and future peace and tranquillity of our city, we solemnly protest in the name of the people of Baltimore, against the policy of allowing men who left our city for the purpose of co-operating with the so-called Southern Confederacy against our lives, our property and our nationality, returning among us, or permitting them to remain, who have already returned, believing, as we do, their presence in our midst will be a constant source of irritation, fraught with the deadliest mischief. And we respectfully ask of our military authorities, in the most earnest and emphatic language of speech, not to invite this, the worst of dangerous evils, which will, in all probability, result in collisions terrible in their consequences."

At the request of the war department, Attorney General Speed, on the same day, gave an opinion in regard to certain prisoners that were paroled by General Lee, and whose homes, before the war, were in the States north of of the Potomac. By the terms of the agreement entered into between Generals Grant and Lee, respectively, all the officers and men of Lee's army were to be allowed to return to their homes, and were not to be disturbed by the United States' authorities so long as they observed their parole and the laws in force at the place of their residence. In the opinion of the attorney-general, this freedom of action, under the stipulated conditions, did not apply to the soldiers and civilians serving under Lee, whose homes, before the war, were north of the Potomac. He declared: 1st. That the officers who surrendered to General Grant had no homes in the loyal States, and had no right to come to places which were their homes before their going into the rebellion. 2d. That the terms of surrender did not include persons in the civil service of the rebellion, who had given it aid and comfort, and who were in the Southern States at the time the capitulation took place. All such persons, according to the attorney-general, had no right to return north of the Potomac. He also added, that Confederate officers had no right to wear their uniforms in any of the loyal States, and that the wearing of such a uniform was an act of hostility against the United States government.

In accordance with this opinion, Major General Wallace issued the following order, directing the commanding officers and provost-marshals in his military department, to arrest and hold in confinement all Confederate officers, soldiers, and citizens who had returned to their former homes to await exchange, and to report such case to headquarters, for such disposition as might be directed by the government at Washington.

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, April 23, 1865.*

"General Orders, No. 57:

"The following extract from general orders 59, current series from these headquarters, viz: 'Prisoners of war (Rebels) paroled to return to their homes to await exchange, will not be permitted to remain in this department unless their former residence is within its limits,' is hereby modified to conform to the provisions of that portion of the opinion of the Hon. James Speed, Attorney General of the United States, as promulgated in paragraph 1, general orders 73, War Department A. G. O., April 24th, 1865, which is as follows: 'That the Rebel officers who surrendered to General Grant have no homes within the loyal States, and have no right to come to places which were their homes prior to their going into the rebellion.'

"Commanding officers of districts and posts and all provost-marshals in this department are hereby directed to carefully and vigorously execute the general orders referred to in this order.

"All Rebel officers, soldiers and citizens discovered in this department in violation of any of the provisions of said general orders, must be immediately arrested and held in confinement, and a report in each case made to these headquarters, when they will be disposed of as may be directed hereafter by the General Government at Washington.

"By command of "MAJOR GENERAL WALLACE.

"SAMUEL B. LAWRENCE, *A. A. G.*"

General Wallace at the same time issued the following notice to the citizens:

"*Headquarters Middle Department, Eighth Army Corps,*
"*Baltimore, April 23, 1865.*

"Circular:

"The attention of citizens in this department is respectfully invited to general order No. 57, issued this day from these headquarters, on the subject of paroled Rebel officers, soldiers and citizens. In view of that measure, the undersigned asks loyal people in this department to act with the moderation that has distinguished them throughout the trying circumstances of the rebellion, and to have confidence that the order mentioned will be vigorously enforced by the civil and military authorities.

"They are also earnestly requested to contribute to the enforcement of the order by promptly giving to the nearest provost-marshal or policeman such information of the whereabouts of obnoxious persons as they may at any time chance to obtain. If they will do this, they are assured that the common object can and will be lawfully and peacefully attained. "LEW WALLACE, *Major General Commanding.*"

It was also proposed in the City Council to request the mayor to call a town meeting of the loyal citizens, "that an expression of the loyal public of Baltimore may be had in relation to the presence in our midst of returned rebels, who, with an unblushing effrontery, presume to take their places again as members of our loyal community." In accordance with the orders of the commanding general, and out of respect for the dominant authority represented in the City Council, a large number of ex-Confederates were arrested "for coming into this department without authority," and upon taking the oath of allegiance were sent north, where they were tolerated. A great many fearing criminal prosecution for acts committed while in the Confederate service, or participation in the troubles in Baltimore in April, 1861, fled from the city.

The funeral of the deceased President took place in Washington on April 19th, and his remains, with solemn and imposing ceremonies, were borne to the Capitol, where they lay in state until April 21st. The Mayor and City Council of Baltimore, with several societies and a large number of private citizens, attended the funeral. The day was solemnly observed all over the country, and in Baltimore all the public offices and banks were closed, business suspended, the city cars ceased running for a time, and all the bells were tolled. It was decided to carry the body through a number of cities to Springfield, Illinois, and the transport was under the superintendence of John W. Garrett, President of the Baltimore and Ohio Railroad. Military possession was taken, for the time being, of all the roads over which the funeral train traveled, and in Baltimore, Harrisburg, Philadelphia, New York, Albany, Buffalo, Cleveland, Columbus, Indianapolis, Chicago and Springfield, the corporate authorities and citizens united in paying tributes of respect and mourning to the late President.

On the 20th of April restrictions on travel by steamer or sailing vessel to the counties of the Western Shore of Maryland were removed, and on May 2d the following military order was issued relating to the sale of portraits:

"*Headquarters Middle Department, Eighth Army Corps,*
"*Baltimore, Md., May 2, 1865.*

"General Orders No. 55.

"The sale of portraits of any rebel officer or soldier, or of J. Wilkes Booth, the murderer of President Lincoln, is forbidden in matter in this department.

"All commanding officers and provost-marshals are hereby ordered to take possession of such pictures when ever found exposed for sale, and report the names of the parties so offending, who will be liable to arrest and imprisonment if again guilty of a violation of this order. "By command of

"MAJOR-GENERAL WALLACE.

"SAMUEL B. LAWRENCE, A. A. G.

Official: SAMUEL B. LAWRENCE."

Early in May from six to eight thousand United States troops garrisoned Prince George's, Charles and St. Mary's Counties. They were quartered mostly at or near Chapel Point on the Potomac. On the 1st the following circular was issued:

"*Headquarters Military District of Patuxent,*
"*Port Tobacco, Md., May 1st, 1865.*

"Circular:

"A considerable portion of the inhabitants of this military district having heretofore rendered themselves culprits for their hostility to the government, many of them engaging in blockade running, supplying the enemy with goods, and in some cases with munitions of war, affording an asylum for the worst criminals, and more recently, giving to the murderer of the President of the United States an uninterrupted passage through parts of three counties, feeding him and his confederate, and concealing their presence, it is necessary that this infamy should be ferreted out, and a new condition of things be inaugurated. The following regulations are therefore made:

"1. No person will be allowed to engage in any occupation, trade, or profession without taking an unconditional oath of allegiance, which oath will state that it is taken

voluntarily, without mental reservation; and acknowledging the right to require, and authority to administer the same. Taking the oath will not be deemed conclusive evidence of loyalty; and, as none but loyal persons will be permitted to carry on any business, the oath must be accompanied by consistent conduct and loyal acts.

"II. No person will be allowed to wear any rebel uniform, or to display or have in his possession any rebel flags, or insignia of rank; nor to utter any disloyal sentiments, or question by word or deed, the rightful authority of the government of the United States.

"III. All officers, soldiers and citizens who have been in the rebel service, and have not taken the oath of allegiance; and persons who have been engaged in running the blockade, aiding the enemy, concealing or aiding in the flight of Booth and his confederates, or who have failed to give such information as they possessed of his interfering, his place of concealment, or of his aiders and abettors, will be arrested and sent to these headquarters.

"IV. All truly loyal persons who sympathize with the government are requested to furnish such information as they possess, and otherwise to co-operate in this effort to discover the guilty, and vindicate the supremacy of the law—and they are assured that the fullest protection will be afforded to them.

"V. Military commanders in this district are charged with the duty of enforcing this order, and will exercise the utmost vigilance to discover and arrest all guilty parties.

"By command of "H. H. WELLS, *Colonel Commanding.*

"Official: A. V. THAYER, *Asst. and A. A. A. G.*"

A few days after the above order was issued, Brigadier General Barlett was placed in command of the department of the Patuxent, and prescribed the following oath of allegiance, as mentioned in the order of Colonel H. H. Wells:

"I ———, of ——— County, Maryland, do solemnly swear that I will bear true faith, allegiance and loyalty to the Government of the United States: that I will support and defend its Constitution, laws and supremacy against all enemies, whether domestic or foreign; any ordinance, resolution or law of any State Convention or Legislature to the contrary notwithstanding. Further, that I will not in any wise give aid or comfort to, or hold communication with any enemy of the government, or any person who sustains or supports the so-called Confederate States; but will abstain from all business, dealing or communication with such persons. And I do this freely, without any mental reservation or evasion whatsoever, with full purpose and resolution to observe the same. I also fully acknowledge the right of the government to require this oath, the authority of the officer to administer it, and its binding force on me."

The following places were designated as military stations where the oath of allegiance was to be administered: In Charles County—Port Tobacco, Milstead's, Nanjemoy, Pleasant Hill, Pumunkey, Bryantown, Benttown, Benedict, Newtown, Allen's Fresh, Newport and Swan Point. In St. Mary's County—Charlotte Hall, Chaptico, St. Clement's, Leonardtown, Great Mills, St. Inigoes and St. Mary's. In Prince George's County—Upper Marlboro', Nottingham, Aquasco, Piscataway, T. B., and Brandywine.

In May, Benjamin G. Harris, member of congress from the Fifth Maryland Congressional District, was tried by court-martial upon the charge of violating the 56th article of war, in harboring Sergeant Richard Chapman and private Read, two alleged paroled Confederate soldiers belonging to

company K of the 33d Virginia regiment, on the night of the 26th of April. Major General Foster was president, and Major Winthrop, judge advocate. Ex-Judge Crane, of Baltimore, defended Mr. Harris, who pleaded that he was in no way connected with the land or naval forces of the United States, and that he had not committed any offence. In his defence, Mr. Harris also stated that he had not harbored the prisoners, and it had been proven that they did not lodge at the house in which they stated they had. He said that they stated to him they were paroled prisoners, and asked for lodging. He, being actuated by a desire to get rid of them, and knowing their poverty, gave each of them one dollar to pay for a lodging at the hotel, to which he told them to return.

The following is the official order in the case:

"*War Department, Adjutant General's Office,* }
"*Washington, June 1, 1865.* }

"General Court-Martial, Orders No. 203:

"1. Before a General Court-Martial, which convened at Washington, D. C., May 2, 1865, pursuant to Special Orders, No. 186, dated War Department, Adjutant General's Office, Washington, May 1, 1865, and of which Major-General J. G. Foster, United States Volunteers, is President, was arraigned and tried,

"Benjamin G. Harris, citizen.

"Charge—Violation of the 6th Article of War.

"Specification 1.—In this, that Benjamin G. Harris, a citizen of Maryland, and a member of the Congress of the United States, did receive, with money, to wit; the sum of two dollars, the public enemy, to wit: Sergeant Richard Chapman, and private William Read, of company K, 33d regiment, Virginia infantry, soldiers of the army of the so-called Confederate States of America, then in rebellion against and at war with the United States; he the said Harris then and there well knowing said Chapman and Read to be soldiers of said army, and feeding and offering to relieve them as such, and at the same time advising and inciting them to continue in said army, and to make war against the United States, and emphatically declaring his sympathy with the enemy, and his opposition to the government of the United States in its efforts to suppress the rebellion. This at or near Leonardtown, St. Mary's County, Maryland, on or about April 26, 1865.

"Specification 2.—In this, that Benjamin G. Harris, a citizen of Maryland, and a member of the Congress of the United States, did knowingly harbor and protect the public enemy, to wit: Sergeant Richard Chapman and private William Read, of company K, 33d regiment Virginia infantry, soldiers of the army of the so-called Confederate States of America, then in rebellion against and at war with the United States, by procuring them to be lodged and fed in a private house, and furnishing them with money therefor; he, the said Harris, then and there well knowing said Chapman and Read to be soldiers of said army, and feeding them, and offering and giving them money as such, and at the same time advising and inciting them to continue in said army, and to make war against the United States, and emphatically declaring his sympathy with the enemy, and his opposition to the Government of the United States, in its efforts to suppress the rebellion. This at or near Leonardtown, St. Mary's County, Maryland, on or about April 26, 1865.

"To which charge and specifications the accused, Benjamin G. Harris, citizen, pleaded "Not Guilty."

"FINDING

"The court having maturely considered the evidence adduced, finds the accused, Benjamin G. Harris, citizen, as follows:

"Of the first specification, 'guilty.'

"Of the second specification, 'guilty,' except as to the words, 'and fed in a private house.'

"Of the charge, 'guilty.'

"SENTENCE.

"And the court does therefore sentence him, Benjamin G. Harris, citizen, 'to be forever disqualified from holding any office or place of honor, trust or profit under the United States, and to be imprisoned for three years in the penitentiary at Albany, New York, or at such other penitentiary as the secretary of war may designate.'

"II. The record in the foregoing case of Benjamin G. Harris, citizen, was transmitted to the Secretary of War, and by him submitted to the President of the United States. The following are the orders of the President in the case:

"*Executive Office, May 31, 1865.*

"In the within case of Benjamin G. Harris, the findings and sentence of the court are hereby approved and confirmed. Additional evidence and affidavits, however, bearing upon this case, and favorable to the accused, having been presented to and considered by me, since the sentence aforesaid, I deem it proper to direct that the sentence in the case of the said Harris be remitted, and that he be released from imprisonment.

"ANDREW JOHNSON.

"III. In accordance with the foregoing order, Benjamin G. Harris, citizen, will be immediately released from imprisonment.

"By order of the President of the United States.

"E. D. TOWNSEND, *Assistant Adjutant General.*"

In obedience to orders from the war department, General Winfield S. Hancock, on the 18th of July, assumed command of the middle department, embracing the States of West Virginia, Pennsylvania, Delaware and Maryland, excepting the counties of Anne Arundel, Prince George, Calvert, Charles and St. Mary's. Lieutenant Colonel Adam E. King was the adjutant general of the department.

On the 2d of August, General Hancock issued the following orders in relation to paroled Confederate prisoners:

"*Headquarters Middle Military Department,*
"*Baltimore, Md., August 2d, 1865.*

"General Orders, No. 6.

"Paroled prisoners of the late rebel armies, who have not been pardoned by the President of the United States, will, upon arriving within the limits of this Department, report their presence and their residence, immediately, to the nearest Provost Marshal, and register their names. All non-residents of this department, and not allowed, by the terms of their parole, to enter the department, the especial authority must be shown and filed under which they are found therein, and that authority, to be valid, must be from an officer having power in the premises. To allow persons of the latter class to remain within the limits of this department, requires the sanction of the Department Commander, or of higher authority; that of an inferior Department Commander is not sufficient.

"The commanding officer of a District may authorize persons still under parole to leave their homes and visit points within the limits of that District, but to visit other districts requires additional permission of the commanding officer of the district to which the person desires to go, or of higher authority.

"No person, however, of the class named, will be allowed to visit the city of Baltimore, without permission from these headquarters, or higher authority. All persons availing themselves of the provisions of the foregoing order will be promptly reported by subordinate Provost Marshals, to Lieutenant-Col. John Woolley, Provost-Marshal General Middle Military Department, and any evasion of this order will be promptly rodued.

"By command of "MAJOR GENERAL HANCOCK.

"Adam E. King, A. A. G."

On the 12th of January, 1866, another military order was issued, in which it was announced that

"The provost-marshal's department will cease to exist in this command on the 31st of January. Brevet Brigadier General John Woolley, United States Volunteers, provost-marshal, will take measures to close the books and records pertaining to his office upon that date, and turn them over to the Adjutant General of the department. During completed this duty, he will report by letter to the Adjutant General of the army for instructions. When it becomes necessary, the duties heretofore performed by the provost-marshal will devolve upon Brevet Major General C. W. Deady, commanding the district of Baltimore."

In accordance with this order, all the books, papers and records of the office of the provost-marshal general of the middle department, of the 8th army corps, were turned over on the 31st by Brigadier General Woolley to Adam E. King, brevet-colonel and adjutant-general of the middle military department. The closing of the provost-marshal's department in Baltimore closed the reign of the military commanders in Maryland. President Johnson, on June 23d, 1865, rescinded the blockade proclamations issued April 15th and 17th, 1861; removed further restrictions August 29th, 1865, annulled the suspension of the writ of *habeas corpus* December 1st, 1865, and on April 2d, 1866, announced by proclamation that the rebellion had ended.

CHAPTER XLIX.

THE direct results of the war were two: first, it was shown that the South was unable to cope, in a protracted struggle, with the numbers and resources that were at the disposal of the North. This was the question of comparative strength, and in it was, perhaps, involved that of the *expediency* of secession as a remedy for real or supposed grievances; that of the *right* of secession, which belongs to another forum, was left where it was — a matter of private opinion, which each may determine for himself, according to his knowledge of the history and understanding of the character of the Federal compact.

The second result of the war was the emancipation of the negroes; a measure pregnant with important consequences, not all of which are yet clear. At the time, it was very generally believed at the North that it would be highly beneficial to the negro, and at the South that it would seriously injure the slaveholding States. But whether the negroes, as a body, have been helped by it, is more than doubtful now; and there is good ground for believing that the South will greatly gain by the change of her system of labor.

But at the close of the war, the South was left devastated and her people beggared. The direct loss by the destruction of towns, villages, plantations, railroads, manufactories, and all the fruits of industry, had been enormous; yet it was small compared with the indirect results, the disorganization of all society, the paralysis of all industries, the uncertainty of the future, the prostration of credit, the gloom and despair. The land was there, but there were no laborers to till it, no money could be obtained upon it, and a system of taxation, like that of Alva's in the Netherlands, threatened to engulf it all in the capacious maws of the "carpet-bag" governments, composed of men who had no interest in common with the community, and who had sought power as a means of plunder. Political redress was impossible; the whites were disfranchised; the negroes were puppets in the hands of the carpet-baggers. But out of their very extremity came their help. Starvation had to be fought off at all hazards; and fortunately, the life-giving and genial climate could not be carried away. Like Antæus, the South renewed her strength by contact with the earth. The owner of a thousand acres took spade and hoe in hand and cultivated ten, that his wife and children might have bread. A system of small farming sprang up, and compulsory economy was learned. Gradually the negroes found out that politics could not override natural laws, and that freedom to select a master at pleasure, was not absolution from the

curse of Adam. At first, it is true, they crowded into the towns, where most of them lived in idleness, vice and squalor; but the better and more intelligent betook themselves to work, and in time a system of hired labor enabled agriculture to be carried on at greater advantage.

It had been thought that giving the ballot to the negroes, who, it was assumed, would vote steadily with the republican party, would keep the South in perpetual subordination. A few years, however, sufficed to show the blacks that their interests were identical with those of their former masters; while the increased basis of representation, arising from placing the blacks on the same footing as the whites, has given the South increased strength in Congress. Thus, by an unforeseen way, has the South won what she strove for in vain at the formation of the Constitution; a representation in proportion to population, without distinction of color. The barrier being now removed that separated the slave-holding South from the non-slave-holding West, these two great agricultural sections are drawn, by community of interest, daily nearer together, and bid fair, ere long, to shape the policy and destinies of the country. Still, at the time we are speaking of, these things were in the dim future, and many difficulties had to be coped with; the military governments, the monstrous "carpet-bag" speculations, the reconstruction policy, the infamous "ku-klux" prosecutions; but the recital of these forms no part of the history of Maryland.

The North, too, though victorious, had not escaped a heavy share of the general calamity. The passions engendered by civil war had struck at the very roots of public morality. "Military necessity" had been allowed to override liberty at home as well as abroad. Vast contracts had been given to, and boundless confidence reposed in the most vociferously "loyal" men, and immense fortunes grew up, as if by magic. A parvenu aristocracy of wealth sprang up, whose nickname of "shoddy" typified the popular idea of its character and the source of its wealth. A reign of extravagance and boundless speculation, fostered by an inflated and depreciated paper currency, and consequent violent fluctuations in all values, at once set in. Gigantic frauds were so frequent that a swindle upon the community almost ceased to be looked upon as a crime, and places of public trust were sought as legitimate means of private enrichment.

Worse even than these were the contempt that had been cast upon the organic law of the land, the scorn and insult heaped upon the civil tribunals, the shameless disregard of the clearest rights of individuals and of States; the foul means used and justified; the prostrate adoration of brute force; the assumption that the administration was the government, and that the "Union" was something distinct and above the States composing it. These monstrous doctrines and practices have left a poison which still taints the blood of the body politic, and scatters germs of evil everywhere.

Of these evils Maryland did not escape her share. We have seen how, as early as 1861, the Legislature which was the choice, and justly had the

confidence of a large majority of the people, and the brave and upright Mayor of Baltimore, were thrown by the administration into Federal prisons. The forms of an election were subsequently gone through with, and by excluding from the polls, by violence and intimidation, the vast majority of the people of the State, men were placed in office who were willing to co-operate with the military satraps in any act of lawless violence or oppression. Though the courts were open, it was in vain for an accused person to demand a trial, or even to ask to know the charge against him. All rights of person or of property were contemptuously disregarded, and suspicion of "disloyalty" was held sufficient justification for any outrage. To receive a letter from beyond the lines, to canvass the acts of the public servants, to hand a morsel of bread or cup of water to a weary and famishing prisoner, was treason. To remain a silent and passive spectator of the ruin of all liberty was proof of disloyalty. "Loyal" men were expected to applaud these acts, and to be conspicuous in their self-abasement, that they might be exalted by their masters.

If any fresh evidence was needed than that which we have given to show the character of the government's dealings with citizens, and to prove that the people, not only of Maryland, but of the whole North, lived, for the four years preceding the close of the war, under an absolute despotism, we have only to refer to some of the military orders which were served during that period upon the editors and proprietors of the newspapers of Baltimore. Of the journals of that city, one or two enjoyed some slight share of the favor of the military authorities; but this was not a felicity without alloy, for it was expected to be paid for in boundless compliance. The others were the subjects of endless persecution and annoyance. They were forced to obey every caprice of the various generals who, from time to time, ruled over the city, most of whom achieved considerable notoriety by their course there, though few, if any, during the war, won distinction in the field.

On the 13th and 14th of September, 1861, the editors and proprietors of the Baltimore *Daily Exchange* and *The South* were arbitrarily arrested and imprisoned, as we have shown, by order of the Federal government, in consequence of which the publication of those journals was suspended. A few days afterwards the Maryland *News Sheet* was issued, but this was also suppressed on the 11th of August, 1862. Mr. William H. Carpenter, its able editor, and now (1879) one of the editors of the Baltimore *Sun*, was arrested and taken to Fort McHenry (where he nearly died from hardship and exposure) and thence to Fort Delaware. After an imprisonment of several months he returned and resumed his editorial duties, but subsequently was compelled to seek refuge in the country, until by grace of the general then in command he was allowed to return. The proprietors of the *News Sheet* regained possession of their office in October, 1863, and on the 8th of that month issued the *Daily Gazette*. They were arrested and imprisoned on the 29th of September, 1863, and their office was closed and taken possession of

by the military authorities. A few days afterwards they were set at liberty, their premises were restored to them, and the publication of the paper has not since been interrupted.

On June 29th, 1863, Mr. Charles C. Fulton, then one of the proprietors of the *American*, was arrested and committed to Fort Mullanry for an alleged "violation of confidence," but was released within forty-eight hours afterwards. The Baltimore *Republican* was suppressed on September 11th, 1863, and on the 20th, Messrs. Michael J. Kelly and John R. Piet, editors and proprietors of the *Catholic Mirror*, were arrested and imprisoned in Fort Mullanry. The *Evening Transcript*, edited by Mr. James R. Brewer, now (1879) the editor and one of the proprietors of the Baltimore *Evening News*, was suppressed on November 10th, 1863, but soon after resumed publication, until on May 18th, 1864, its issue was finally forbidden. Mr. Brewer then commenced the publication of the *Evening Post*, which was also suppressed on September 30th, 1864. On the following day, the *Evening Loyalist* met the same fate.

The editors and proprietors of most of these journals were imprisoned; and of newspapers that were not suppressed the editors and proprietors were more than once threatened with arrest, and molested in many other ways.

During these dark hours the Baltimore *Sun* often incurred the displeasure of the government, and at one time an order for its suppression and the arrest of Mr. Arunah S. Abell, the proprietor, was issued by the War Department in Washington, and was about to be transmitted to the commander of the Baltimore military department, when Mr. Abell received information of the fact in time to have an effective and earnest protest interposed against this high-handed proceeding, and the execution of the order was suspended. The principal motive which instigated the proceeding was betrayed the day after, when two prominent Pennsylvania politicians called upon Mr. Abell at his office, and desired to know if *The Sun* could be purchased, and, if so, at what figure. They anticipated that with the fate of other newspapers, which had been suppressed and their editors incarcerated, staring him in the face, Mr. Abell would be only too willing, if not thankful, to retire from his dangerous position and to be rid of his precarious property at any sacrifice. They were, however, very much surprised, if not mortified when they found that their design was thoroughly understood, upon being told that *The Sun* was not for sale at any price which it was in their power to offer.

ARUNAH S. ABELL.

In Baltimore, at this period, a general and his provost-marshal assumed to prohibit a journalist from publishing any article which they might construe to be detrimental to the interests of the government. Those people who

looked to their newspaper for information about public affairs, were compelled to sit in the silence and mystery which settle down over men who are in the grasp of arbitrary, irresponsible power. As illustrative of the character of the government under which we lived, and also of the annoyances and outrages to which the editors and proprietors of the various newspapers in Baltimore were subjected at this time, we give a few selections from the written official notices that were continually sent to the newspapers in Baltimore; verbal orders were issued almost daily.

It will be seen from the following letter, which was forwarded to the editor of the *News Sheet* by the Hon. Henry May, then a representative of Baltimore in Congress, accompanied by an "extract from a letter received at the post-office department from a prominent gentleman in Western Virginia," that one of the chief departments of the government, at this eventful period, was busied in making inquiries and collecting complaints about newspapers:

"*Postoffice Department, Appointment Office,*
"*February 24th, 1862.*

"SIR:—The enclosed extracts are from a letter received from a prominent gentleman of Western Virginia, in reply to an enquiry of the department in relation to the character of the Maryland *News Sheet*.

"They are commended to the consideration of yourself and the editor of that paper.

"I have the honor to be, very respectfully,

"Your obedient servant,

"JOHN A. KASSON, *First Assistant P. M. General.*

"Hon. HENRY MAY, House Representatives."

On the 20th of June, 1863, a memorandum was delivered to the editors and proprietors of the newspapers of Baltimore, with a message from Colonel Fish, (at that time provost-marshal, and afterwards an inmate of the penitentiary at Albany,) commanding them not to publish any extracts from the *World* and *Express* of New York, the *Enquirer* of Cincinnati, the Chicago *Times*, and the *Gazette*.

On the 23d of September, 1863, the reporters brought to the various newspaper offices a report of an affray, which nearly ended in a fight, between Colonel Fish and a general then on duty in Baltimore. Of course the United States Government was not interested in suppressing an account of a quarrel between two of its officers, but Colonel Fish was, and in the evening he issued this order:

"*Office Provost Marshal, Eighth Army Corps,*
"*Baltimore, September 23d, 1863.*

"MESSRS. EDITORS:—You will not mention in your edition of to-morrow, or hereafter, any account of the misunderstanding which occurred at this office to-day.

"Very respectfully yours,

"W. T. FISH, *Colonel and Assistant Provost Marshal General.*"

We have shown that in November, 1863, General Schenck undertook, as usual, to regulate the election then held, and issued an order concerning it. Governor Bradford issued a proclamation to the people of the State, whereupon the subjoined military order was left at the various newspaper offices:

"MILITARY ORDER.

"*Headquarters Middle Department, 8th Army Corps.*
"*Baltimore, Md., November 2, 1863.*

"To the Editors and Publishers of the Baltimore *Gazette:*

"You are directed not to publish in your newspaper, or in any other form, 'a proclamation by the Governor,' dated at Annapolis, November 2, 1863, (this day) and signed by his Excellency, A. W. Bradford, in relation to General Order No. 38, from these headquarters, until you have further orders and permission from me in regard to the same.

"ROBERT C. SCHENCK, *Major General Commanding.*"

On the 15th of June, 1864, the following advertisement was left and paid for at the counting room of the *Gazette*, and appeared the next morning:

"Died, at Richmond, Virginia, on Saturday, 21st of May inst. from wounds received on Thursday, May 19th, in the battle of Spottsylvania Court House, ——— ———, of this city, Lieutenant and A. D. C., C. S. A."

Another advertisement of similar character, received and inserted in the same way, appeared in the same issue. Under both was printed the request, "Richmond papers please copy." On the 18th of June this order was served on the proprietors of the *Gazette:*

"*Headquarters Middle Department Eighth Army Corps,*
"*Baltimore, Md., June 18th, 1864.*

"To the Editor of the Baltimore *Gazette:*

"Sir—Publications of the death of Rebel officers having been noticed in the edition of your paper dated June 16th, 1864, and in such forms as to constitute a recognition of the so-called Confederate States (the letters 'C. S. A.' being conspicuously made use of in two particular instances), I am directed by the major-general commanding to inform you that such publications have a tendency to dignify the Southern rebellion, and, to that extent, weaken the respect which the United States Government demands from all its subjects.

"As the advertisements referred to request republication by the Richmond papers, they are in direct violation of a long existing order of this department, forbidding communication of any kind with persons in the States in rebellion, and I repeat it, will render you liable to have your office closed, and yourself tried by a military commission.

"I am, Sir, very respectfully, your obedient servant,

"SAMUEL K. LAWRENCE, *Lieut. Colonel A. A. G.*"

Such an order scarcely needs comment. Hundreds of official notes or orders were constantly passing between Federal and Confederate officers, civil and military, in which the rank of the Confederate officers were always recognized. Hundreds of obituary notices, containing the objectionable letters, were daily being published throughout the North and the Border States. But the supersensitive patriotism of the major-general commanding in Baltimore was shocked. He imagined that the Confederacy had been recognized, and that the *Gazette* was in communication with Richmond, and he thought he had a chance of commending himself to his superiors by a grand display of promptitude and zeal. But we should suppose that even Mr. Stanton must have sneered when he learned that the military authorities

of Baltimore were engaged in enforcing the respect which the United States Government demanded from "all subjects." That the citizens of the free United States were subjects of the Federal administration, was something new in the history of the country.

In the same year the following order was served upon the Baltimore *Katholische Volkszeitung*, a weekly Catholic journal:

"*Headquarters, Middle Department, Eighth Army Corps,*
"*Baltimore, Md., October 21, 1864.*

"Messrs. J. and C. Kreuzer, proprietors of Catholic newspaper:

"GENTLEMEN:—I am directed by Major General Lew Wallace, to inform you that, if hereafter you publish any article in your newspaper, either original or extracted, against the interests of the government, directly or indirectly, your paper will at once be suppressed, and you severely punished.

"You will send, each week, a copy of your paper to Captain William H. Weigel, assistant provost-marshal for examination. I have the honor to be, very respectfully,

"Your obedient servant,

"JOHN WOOLLEY, *Lieutenant Colonel and Provost Marshal.*

Some of the Western papers, many of them supporters of the administration, had published accounts of the conduct of General Paine in Kentucky, which they averred to have been infamous and brutal to the last degree. A number of articles, denunciatory of his course, went the rounds of nearly all the Northern journals. One of them appeared in the Baltimore *Gazette*, and was transferred from its columns to those of the *Volkszeitung*. It was for that reason that the order was issued. It was assumed that it was, "directly or indirectly," against the interests of the government to let the public know that a general, in whose keeping were the lives and property of many thousands of people, was charged with recklessly and cruelly abusing his power. To copy the assertions of republican journals to that effect was an offence for which the military authorities thought a citizen of Maryland deserved to have his property summarily destroyed, and to be himself "severely punished."

Again, the Dorchester *News* having charged the postmaster of the town of Cambridge with having, during the war, retained possession of letters which reached his office, the latter sent to the *News* a copy of the order under which he served. It will be seen that he received from the post-office department instructions to hand over all suspicious letters to the neareat military commander. The system of espionage that was introduced by the post-office department, at this time, was such as has never been adopted by any but the most despotic of governments. When Joseph Mazzini was in England, and was known to be engaged in perfecting his plans for an Italian revolution, one of his letters was opened by order of the authorities, and this proceeding aroused the people of England to a pitch of indignation which was only prevented from ending in some serious disturbance by the very conciliatory and apologetic course of the ministry. Here, the postmasters of

country towns and villages, during the war, were clothed with absolute authority to detain, at their discretion, any letter which might find its way into their respective offices. The following is the order to the postmaster of Cambridge:

"[CONFIDENTIAL.]

"*Post Office Department, Appointment Office,*
"*Washington January 21, 1865.*

"SIR—Frequent inquiries are made by postmasters as to the disposition they shall make of letters deposited in their offices to be sent through the mails, which they have reason to suspect contain treasonable matter, or other information intended to overthrow the government.

"In order to prevent unnecessary delay, the *Postmaster General directs that in all cases* where a postmaster has good cause to suspect, and does suspect any letter deposited in his office contains matter of information of the character above specified, he immediately inform the nearest military commander of the fact, with the reasons and grounds of his suspicions; and that he deliver such letters to such military commander upon his request, taking his receipt for the same, and forwarding it, together with any correspondence he may have upon the subject, to the department. But in no case shall a postmaster open any letter himself.

"I am, respectfully, &c.,

"ALEX. W. RANDALL, *First Assistant Postmaster General.*

"P. S.—These instructions will apply with equal force in regard to letters which may reach your office for delivery.

"POSTMASTER, Cambridge, Dorchester County, Maryland."

The Constitution of 1864, as we have seen, disfranchised, by *ex post facto* enactment, some two-thirds of the citizens of the State. And now this minority, which had been ruling by virtue of the sword, devised a plan to perpetuate their lease of power. Accordingly, on March 24th, 1865, the Legislature passed "an Act relating to the registration of the voters of the State." By this Act the governor was to appoint from the citizens "most known for loyalty, firmness and uprightness, three persons for each ward in the city of Baltimore, and for each election district in the several counties of the State," who were to be styled officers of registration. They were to "register the names of all free white male persons claiming and entitled to the elective franchise, resident in or temporarily absent from the several wards of the city of Baltimore, and the several election districts of the counties," according to the provisions of this Act. Three persons were also appointed to register the soldiers and sailors of the State in the service of the United States, that were stationed at convenient and accessible posts, who were absent from their regular places of voting, on account of the nature of their service, and qualified voters at the various camps, hospitals, etc. To all persons registered they were to administer the oath of allegiance prescribed by the Constitution of 1864, and also a further oath that they would answer truly all questions propounded, touching their right to vote. They were empowered to exclude from the register the name of any person who had done any of the acts enumerated

in the third, fourth and fifth sections of the first Article of the Constitution, notwithstanding the applicant had taken the oath of allegiance prescribed in section four of the First Article.

In pursuance of this law, the real object of which was "to screen from punishment the lawless men who, under cover of transcendent loyalty, have been the greatest offenders against the cause of the Union,"[1] the governor appointed registers, who held a State Convention in Baltimore, on the 3d of August, 1865, and adopted the following machinery for disfranchising as far as that was possible, every voter whose political views opposed to those of the minority that held sway in the State:

"WHEREAS, In the terrible revolution through which the country has passed, during the past four years, it has been shown that the people of Maryland were divided on the great issues of patriotism and disloyalty, of Union and disunion, of the preservation and destruction of our government; and

"*Whereas*, The Constitution of the State of Maryland, and the Legislature, at its last session, recognized this division of sentiment among the people of the State, and both took precautionary measures that the future destiny of the good old commonwealth should be confided alone to the true friends of the Union, the Constitution enjoining upon the Legislative department the duty of passing such laws as would secure this end; and

"*Whereas*, The Legislature, recognizing the necessity of some measure to fix the status of the voter, did pass a law known as the 'Registry Law,' which declares that no rebels or rebel sympathizers shall be allowed the privilege of voting; therefore, for the purpose of adopting a uniform mode of procedure by the registers appointed by the Governor throughout the State of Maryland,

"*Resolved*, That no person be registered as a qualified voter who has the *general* reputation of being a rebel sympathizer. Also,

"*Resolved*, That the following questions be adopted as leading questions to be propounded to all such persons applying for registration who are not known as being fully qualified:

"I. What is your full and true name?

"II. Do you consider the oath just taken as legally and morally binding as if administered by a judge of the court or a justice of the peace?

"III. Are you perfectly aware that any false statements made in said oath, or false answers given to any question which may be propounded to you, renders you liable for perjury, and if found guilty, to confinement in the penitentiary not less than one nor more than eight years, and forever disqualifies you from voting or holding office, in addition to the moral turpitude and future punishment due the false swearing?

"IV. What is your age?

"V. Where were you born?

"VI. How long have you resided in this State, and in this county, city, ward or district?

"VII. If naturalized, where are your papers?

"VIII. Have you ever, since twenty-one years of age, been convicted of larceny or any infamous crime, and confined in the penitentiary and not pardoned out by the government?

"IX. Have you at any time been in armed hostility to the United States or the lawful authorities thereof?

"X. Have you ever been in any manner in the service of the so-called 'Confederate States of America?'

[1] Montgomery Blair's letter, October, 1865.

"XI. Have you ever left this State and gone within the military lines of the so-called 'Confederate States' or armies, for the purpose of adhering to said States or armies?

"XII. Have you ever given any aid, countenance or support to those engaged in armed hostility to the United States or the so-called 'Confederate States of America?'

"XIII. Have you ever in any manner adhered to the enemies of the United States or the so-called 'Confederate States' or armies?

"XIV. Have you ever contributed money, goods, provisions, labor, or any such thing, to procure food, clothing, implements of war or any such thing for the enemies of the United States or the so-called 'Confederate States' or armies?

"XV. Have you ever unlawfully sent within the lines of such enemies money, goods, letters or information?

"XVI. Have you ever in any manner disloyally held correspondence with the enemies of the United States or the so-called 'Confederate States' or armies?

"XVII. Have you ever advised any person to enter the service of the enemies of the United States, or the so-called 'Confederate States' or armies, or advised any one so to enter?

"XVIII. Have you ever, by any open word or deed, declared your adhesion to the cause of the enemies of the United States, or the so-called 'Confederate States' or armies?

"XIX. Have you ever declared your desire for the triumph of said enemies over the armies of the United States?

"XX. Have you ever been convicted of giving or receiving bribes in elections, or of voting illegally, or of using force, fraud or violence to procure yourself or any one else nomination for an office?

"XXI. Have you ever deserted the military service of the United States and not returned to the same or reported yourself to the proper authorities within the time prescribed by the proclamations of the President of the United States and the Governor of this State?

"XXII. Have you on any occasion expressed sympathy for the Government of the United States during the rebellion?

"XXIII. During the rebellion, when the armies were engaged in battle, did you wish the success of the armies of the United States or those of the rebels?

"XXIV. Have you voted at all the elections held since the year 1861, and if not, give your reasons?

"XXV. Have you, in taking this oath or in answering any questions propounded to you, held any mental reservation or used any evasion whatever?"

Thus it was that those who had been induced and maintained in office by the aid of Federal bayonets, clung frantically to the flesh-pots now that the bayonets were no longer at their service. By their inquisitorial additions to the test oath, they constituted themselves accusers and judges of their fellowmen, and so construed the constitution and laws of the State as to limit the political franchise to themselves and their political adherents, vainly hoping thus to monopolize and hold in perpetuity all the offices of honor and profit. The scheme worked admirably. The governor was pliant; the officers of registration were supple and subservient, and the work of disfranchisement for opinion's sake went on until the little close corporation had secured to itself supreme control over the affairs of the State.

Individuals were refused registration on the most frivolous grounds, and in many cases without ever having heard that any reason whatever was given

for their disqualification. In defiance of the plain meaning of the law itself, citizens were interrogated as to their concealed opinions and secret sympathies, and, on account of these, stripped of their rights.

From a memorial sent to the Legislature by Judge Franklin, whose election was contested, we learn how the law was executed in Somerset County. He proposed to prove—

"That the officers of registration in said county, in many instances, deterred applicants who were entitled to be registered from approaching them by publicly promulgating illegal and improper tests, to which they would be subjected.

"That they excluded from registration all who, upon examination, declared that in 1861, at the election for a member of Congress from this district, they had voted for Daniel M. Henry, the Democratic candidate.

"That they excluded all those who declared, on examination, that they had voted in 1861 for Lewis L. Waters, for the Senate of Maryland, although no other objections were made to them.

"That the said officers, in some instances, offered to register a citizen if he would promise to vote the Republican ticket at the approaching election.

"That they refused to register persons for no other reason than because they would not promise to vote said ticket.

"That many applicants were examined, and answered all the questions satisfactorily that were propounded, but were afterwards entered upon the books as disloyal, without ever being notified of any charge of disloyalty, and without being afforded an opportunity to defend themselves.

"That many were disfranchised without the production of any witnesses against them, and without any sufficient cause whatever.

"That in many cases where it appears from the books that witnesses were sworn, such entry is false and fraudulent, said witnesses never having appeared before them or testified at all.

"That where the cause of disfranchisement appears on the books, it is illegal and insufficient.

"That citizens of said county, who were legally entitled to be registered, were wantonly and illegally disqualified."

It was under such circumstances that a large proportion of the people of Maryland were disfranchised. The list of registered voters betrayed the fact that of forty thousand voters in the City of Baltimore, but ten thousand were thought to be worthy of registration. Upon comparing the number of voters registered throughout the State with the number excluded from voting we find that, of the ninety-five thousand persons entitled to vote, but some thirty-five thousand were registered, and that all the rest were disfranchised. And all this in face of the fact that the intensely loyal minority had been protesting to the world that they represented a large majority of the population of the State. Of the thirty-five thousand votes registered in the State as qualified, it was estimated that at least fifteen thousand were of the opposition, so that according to this calculation, the party who had seized control over the affairs of the State did not number, all told, more than twenty thousand voters out of a voting population of ninety-five thousand. Hence, there was in a free State, among a free people, and under institutions which

professed to guarantee to every man all the rights of citizenship, the monstrous anomaly of a political oligarchy, by means of laws of its own making, disfranchising nearly sixty thousand citizens of Maryland, and rendering fifteen thousand powerless to remedy the wrongs they beheld.

The first presence of an election under the new registration law was gone through with in Baltimore on November 7th, 1865, for a member of Congress, State senator, two members of the House of Delegates, sheriff, clerk of the Circuit Court, and City Surveyor. In the counties elections were also held for county officers and judges of the Circuit Courts.

The true voting population of Baltimore at this time was about forty thousand, but the total vote cast on the 7th of November reached but little over five thousand. The candidates for Congress were John L. Thomas, republican, and William Kimmel, independent. In the seven lower wards of the city the vote was as follows:[1]

Wards.	Thomas, R.	Kimmel, I.
1	233	10
2	251	3
3	330	9
4	291	15
5	314	8
6	337	4
7	259	9
	2,041	58
	58	
Thomas' majority	1,983	

The mass of the people were now fully conscious of the humiliation of their position, and the necessity of making every exertion to regain their rights. They knew that a minority of about one-fifth of the inhabitants of the State governed the rest, and that a large proportion of the tax-payers were denied all representation in its government. They felt that no shadow of pretext existed for the continuance of this odious and oppressive law, and they determined to exert themselves to procure its early repeal.

In the contest for the enfranchisement of the citizens of Maryland, several of the newspapers of Baltimore took a leading and active part. *The Sun*, *Gazette*, *German Correspondent* and *Sunday Telegram*, fought the fight of public liberty, and vigorously upheld what they believed to be right, and some of their editors and proprietors should be remembered with gratitude and honor for enduring outrages and brutality rather than abate one jot or title their hatred and defiance of the wrong. *The Sun* and *Gazette* in the fight which ensued after the war for the re-enfranchisement of the citizens of the State, the struggle against the new constitutional amendments, the impeachment of President Johnson, the civil rights question, etc., were always bold and fearless makers and leaders of opinion. *The Sun*, under the editorial

[1] The second congressional district was composed of the fifth, sixth, seventh, ninth, tenth, eleventh and twelfth election districts of Baltimore County, and all of Harford County.

management of Mr. John T. Crow, took the lead in counselling moderation and the exercise of a spirit of conciliation and forbearance on both sides, with the view of healing as rapidly as possible the wounds which the war had made, and of burying out of sight the animosities it had engendered. Mr. Crow felt the unhappy condition of his native State, and entered faithfully into the work of bringing about its sorely needed rehabilitation. He wisely foresaw that to the restoration of State unity two things were essential, the enfranchisement of the citizens of the State and the abrogation of the Constitution of 1864. Steadily persevering in this course, and crystallizing public sentiment as it went on, *The Sun* succeeded in bringing about a complete transformation of our public affairs. The editorial utterances of that paper during this period were distinguished for the eloquence and logic with which they advocated the restoration of the right of suffrage to a disfranchised and powerless people, the recognition in the statutes of the State of the new political status and the changed condition of the colored race, the restoration of the revolted States to their former relations in the Union, the acceptance on all sides of the inevitable results of the war, and the resumption in all sections of amicable business and social relations.

The first response to the appeals of the press and people came from Howard County, where a mass meeting was held in the summer of 1865, and the existing Registry Act boldly denounced by the Hon. Montgomery Blair and other distinguished citizens. Similar movements followed in other sections of the State, and a test case of the validity of the law made in the courts. This, however, on being carried to the Court of Appeals, as then organized, was decided against the counter-claims, and there remained no recourse but an appeal to the Legislature.

In the meantime, early in January, 1866, at the instance of a number of conservative gentlemen from the counties, a meeting was formally called for and held in Baltimore, for the purpose of endeavoring to ascertain whether the people of that city were willing to co-operate with them in calling a State convention of those who were opposed to the registration law. All those who were in attendance at this meeting were of opinion that the citizens of Baltimore heartily united with those of the counties in the wish for a convention, and they agreed, therefore, to the following preamble and resolutions:

"WHEREAS, By the operation of the registry law of the State of Maryland, a large majority of the people are disfranchised, and it is in opposition to all ideas of republican liberty that the citizens should be taxed and governed without representation; therefore be it

"*Resolved*, That, for the purpose of obtaining a united expression of sentiment on this subject and of remedying the evil through the instrumentality of the Legislature about to assemble, or of devising such other measures as may be deemed best adapted to accomplish the object in view, the people of the different counties of the State and of the City of Baltimore who are opposed to the registration law are invited to elect primary meetings, and through them to appoint delegates, equal in number to those elected to the House of Delegates, to meet in convention in the City of Baltimore on the 24th day of January, 1866."

A committee was appointed, and addressed the following circular to prominent gentlemen throughout the State:

"*Baltimore, January 16th 1866.*

"SIR:—A number of influential gentlemen in the counties and in the City of Baltimore, earnestly desire that a convention of delegates, representing those citizens who are opposed to the present registration law, may be immediately called. They wish to give expression to their views concerning the political disfranchisement of a large proportion of the people of Maryland, and to take into consideration appropriate measures for their relief. In response to letters from prominent men in the counties, private meetings have been held here, and after consultation with a number of leading citizens, who cordially approve of the movement, a call has been made for a convention to meet in Baltimore on the 24th instant.

"It is proposed, as you will see by certain resolutions which appear in the Baltimore papers, that primary meetings be held throughout the State on or about the 20th of January, and that delegates from each county and the City of Baltimore, equal in number to their respective representation in the Legislature, be appointed to meet in convention in Baltimore on the day designated.

"It will be apparent to you, that in order to render this movement effective and beneficial, the aid of the ablest and best men in the State is required. We therefore solicit your active co-operation, if you approve of the plan, and beg that you will confer without delay with those who agree with you in your county, and see that it is represented in the convention by its best men."

In obedience to the governor's proclamation, the General Assembly met in special session on January 10th, 1866, and on the following day Governor Swann, in his message recommended that no radical modification of the registration law should be made. The law was passed, he said, to protect the State against treason; and he was pleased to regard as traitors all those who dissented from his later opinions[1] concerning the causes of the late war and the course of Mr. Lincoln's administration. Not pretending to deny that a minority now governed the State, he contented himself with the reflection that it represented "whatever there is of loyalty among our people." He proposed that the "loyal" people should determine at the next election whether disfranchised citizens should be permitted to vote, and only when the minority should have grown weary of power, and graciously accorded to the majority political equality with themselves, were the latter to exercise the right of suffrage. The governor also briefly reviewed the events of the civil war, advocated President Johnson's policy of restoration, and opposed negro suffrage because that question was settled by the Constitution of 1864.

In the meantime, the call for a State Convention to take action in regard to the Registry Law was being promptly responded to in all sections of the State, by prominent men of all parties.[2]

[1] In 1868, he (then mayor) informed the City Council that, "while the people of this city will use every effort, as heretofore, to foster and invigorate kindly relations between all sections of our common Confederacy, they will shed their blood, if necessity compels it, in defending their just rights and those of their Southern sister, under the guarantees which the constitution has provided."

[2] Hon. Montgomery Blair, in responding to the invitation, in January, said: "I authorize you to say that I favor the movement. I see however, with regret, that whilst there are many friends with whom I have been acting, who approve my course in denouncing the registration system, they are not yet ready to step out and take part openly in putting down the same."

While a call was being prepared in Baltimore, requesting the people to meet in primary assemblies and elect delegates to a city convention which should appoint representatives to a State convention to meet in Baltimore on the 21th of January, 1868, the Conservative members of the Legislature issued the following call to the same effect:

"The citizens of Maryland opposed to the existing Registry Law and in favor of the repeal of the restrictions imposed by that act on the exercise of the elective franchise, are requested to assemble in primary meetings in their respective counties, and in the city of Baltimore, at an early day, to select delegates, equal in number to their representation in both branches of the Legislature, to represent them in the State Convention, called to meet in Baltimore City on the 24th instant.

"Washington A. Smith, Adam C. Warner, Lemuel Malone, Thomas F. J. Rider, Benjamin Fowler, H. A. Silver, Joshua Wilson, Isaac Caimes, B. A. Jamison, Ritchie Fooks, R. B. B. Chew, John P. D. McMaster, George Vickers, Wm. B. Stevenson, Thomas Longsdale, Charles B. Calvert, Oliver Miller, James S. Robinson, John H. Hedges, John C. Tolsen, Lewis Culton, Alfred B. Nairne, T. A. J. Holloway, Thomas C. Hopkins, Joshua R. Hardy, Claudius Stewart, James T. Earle, R. Mackall, Samuel Cumegys.

The Convention met at Temperance Temple, Baltimore, on the day appointed, and the following delegates were reported present:

"Anne Arundel—John Thomson Mason, Joseph H. Nicholson, E. J. Henkle, James A. Bruce, Richard C. Hardesty, F. G. Kilbourn.

"Alleghany—Richard D. Johnson, James M. Schley, Dr. Robert T. McKnig, John S. Daily, J. Philip Ranson, Peter Baker.

"Baltimore City—George M. Gill, Wm. Dean, Capt. W. Wilson, James C. Wheedon, Jere Whitman, John L. Smith, Wm. H. Neilson, John Boyle, Marcus Wolf, Thomas G. Pratt, Robert B. Morrison, Wm. Crichton, George H. Brice, Edward J. Chaney, Wm. J. Reiman, Levi Taylor, James R. Brewer, E. Wyatt Blanchard, Geo. P. Thomas, George W. Herring and P. D. Sutton.

"Baltimore County—Hon. John Wethered, Hon. Samuel Brady, E. S. Myers, Charles Buchanan, R. J. Worthington, John S. Gittings, Wm. M. Isaacs, D. Carnahan, Jeremiah Yellott, Walter J. Ford, John S. Biddeson, John Glenn, Victor Holmes, Jas. C. Magruder.

"Calvert—James T. Brisbon, Lewis Griffith.

"Charles—John W. Jenkins, Dr. J. Carrico.

"Cecil—Hon. Hiram McCullough, Dr. J. H. McCullough, David Rea, Milton Y. Kidd, Joseph Colbert.

"Carroll—Dr. Henry Bote, J. M. Parke, Jacob Pender, Sterling Galt, T. W. Manro, L. P. Slingluff, John Frizzle, Henry Moller, Michael Murdock, Dr. Butler, Jas. Blizzard, John B. Boyle, E. M. Shipley.

"Caroline—T. H. Kemp, Reuben Town, Daniel Fields.

"Dorchester—Col. James Wallace, Daniel M. Henry, T. D. Eagan.

"Harford—H. W. Archer, H. D. Forwoodis, Dr. Ayres, L. S. Johns and J. J. Street.

"Howard—Dr. Wm. H. Worthington, Judge Wm. M. Merrick and John A. Dorsey.

"Frederick—Col. J. M. Kimball, John Barthalow, Hon. Anthony Kimmell, Frederick J. Nelson, Harry W. Dorsey, Valentine Ebbarts, Upton Worthington, Hugh McAleer, John Ritchie, J. D. Zeiller, James McSherry, Jr., Jos. Brown, N. B. Hendry, Robert Pottengall, John E. Sifford, John Lapenall, N. J. Wilson and Joseph Bowlus.

"Kent—Jesse K. Hines, Joseph A. Wickes and Comegys Cosden.

"Montgomery—Hon. Montgomery Blair, Wm. Thompson of R., and Jos. A. Taney.

"Prince George's—Col. Odon Bowie, John B. Brooke and Thos. E. Williams.

[a] Queen Anne's—Stephen J. Bradley.

[b] St. Mary's—Col. Wm. Coad and Richard H. Miles.

[c] Somerset—Hon. Isaac D. Jones, Hon. James U. Dennis, John Davy and Dr. George R. Dennis.

[d] Talbot—Philip F. Thomas, G. L. F. Harrison and Edward Lloyd.

[e] Washington—H. H. Alvey, James Wilson, Z. S. Claggett, David Geshon, William Dodge and Col. George Schley.

[f] Worcester—Dr. John T. B. McMaster, George W. Covington, Dr. H. H. Pitts and B. Everett Smith.

On motion, a committee from each delegation was appointed to select permanent officers of the convention, and also to recommend rules of order for the regulation of the body. After a short recess, the committee reported the rules of order of the House of Delegates of Maryland, and recommended the following gentlemen as permanent officers:

President, Hon. Montgomery Blair, of Montgomery County; vice-presidents, Colonel James Wallace, of Dorchester County; Hon. John Wethered, of Baltimore County; Geo. M. Gill, Esq., of Baltimore City; J. Orlan Bowie, of Prince George's County, and George Schley, Esq., of Washington County. Secretaries, Milton Y. Kidd, of Cecil County; Wm. H. Neilson, of Baltimore City, and Thomas E. Williams, of Prince George's County.

The report of the committee was adopted by acclamation, and the gentlemen named took their places on the platform.

On taking the chair, the Hon. Montgomery Blair returned thanks for the honor conferred on him in the selection of himself as the presiding officer. He said the "issue which radicalism has ordered in the halls of Congress of excluding the entire representation of the Southern States, and retaining them in a territorial condition, so as to force upon them the acceptance of negro suffrage, was the absorbing political question of the future, and which must involve in its results the preservation or the overthrow of our system of constitutional government." He indicated very clearly that upon this question the sentiments of the President of the United States were in accord with the people of Maryland, and that he desired earnestly "that the citizens of Maryland, and the citizens of all the States of the South, should at once be restored to their fair share in the control of the country, towards which they now harbor no hostile anticipation."[1]

MONTGOMERY BLAIR.

[1] At an unconditional Union meeting, held at Hockville, Montgomery County, as early as October 8, 1860, Mr. Blair, then Postmaster-General in the cabinet of Mr. Lincoln, made a very able and forcible speech in defence of the policy of the President of the United States, and in opposition to the efforts of the disunionists to break up the Southern States and receive them back only as Territories of the Union." Mr. Blair at this time was one of the most conspicuous men of the State, and the leader of the opponents of the negro law.

The Baltimore *Sun* in noticing the assembling of this convention, said:

"We have seldom seen a convention assembled in the City of Baltimore, which so thoroughly represented the intelligence and influence of the State, as the one which convened at Temperance Temple on yesterday, to express the opinions and wishes of the people, and to concert measures for the restoration of the privileges of the elective franchise to the great body of the citizens of Maryland. Distinguished gentlemen, who have filled the highest stations in the national and the State governments, were there amongst the yeomanry of the counties, all inspired by a common sentiment—the desire of restoring harmony and cordial relations amongst all parties, which have been separated by the incidents of the late civil war, and, earnestly bent on vindicating the personal and political integrity and restoring to their just political privileges the proscribed majority of the State. All party political differences seemed to have been obliterated from the hearts of the delegates. All seemed to feel the important influence which their deliberations might exercise in the present crisis of our State and national affairs. The prevailing tone amongst the members was, that by-gones should rest with the dead memories of the past, and that in the great struggle with the radical element which now grasps the control of national and State affairs, was 'but one thought and one purpose, one policy and one aim to be accomplished', to prevent the political power of the country from being perpetuated in the hands of a small and dangerous faction, who, under the loudest professions of equal rights, are really endeavoring to pervert the character of our free institutions, and to make this *government a creature of the few*, ruled and governed through the numerical power of the African race."

The convention adopted an address "to the people of Maryland," prepared by Hon. William M. Merrick, which was dispassionate, but vigorous and determined. It set forth the grievances to which the people of Maryland has been subjected, and in a dignified appeal to the sense and justice of the Legislature, it expressed confidence that the sober judgment of those who held the political power of the State would do justice to all. It declared the duty of the people to exhaust all peaceable means to obtain redress of their grievances, and that the people of the State must continue to assert their demands until right should be extorted from reluctant power.

After a two days' session, before adjourning, committees were appointed, consisting of members from each county and the city of Baltimore, one to proceed to Annapolis and present the address and resolutions of the body to the General Assembly then in session, and another to procure signatures throughout the State to the memorial heretofore put in circulation praying a repeal or modification of the constitution and law of the State which disfranchised so large a majority of its citizens. An executive committee was also constituted to take charge of the general subjects involved in the movement, and with power to re-call the convention whenever deemed necessary. The resolutions as finally adopted by the convention were as follows:

"I. *Resolved*, By this convention, representing all the people of Maryland who are in favor of the restoration of political rights to the disfranchised citizens of the State, that the persistent efforts of the President of the United States to restore to their political rights the citizens of the Southern States, and to protect them in the enjoyment of their constitutional relations to the Federal government, receive our cordial endorsement, and we pledge to him our support in his efforts to re-establish the rights of the States under the Federal government upon a constitutional basis.

"II. *Resolved*, That the president of this convention be directed to communicate to the President of the United States a copy of the proceedings of this convention, and to express to him their high appreciation of his patriotic efforts to restore peace, good feeling and political equality between all sections of the country.

"III. *Resolved*, That we will, and all who are opposed to the odious laws of proscription and disqualification should be, determined and persistent in the effort to regain the freedom that is now most unjustly and tyrannically withheld from the majority by the minority of the citizens of the State, and that there should be no cessation to the struggle to recover such freedom until equal liberty to all citizens of the State is made triumphant.

"IV. *Resolved*, That the registration law of this State is unjust and oppressive in its provisions, unjust and tyrannical in the manner of its administration, the fruitful source of dissension among the people, calculated to keep alive the memory of differences which ought to be forgotten, and that sound policy, enlightened statesmanship and positive justice demand its immediate repeal.

"V. *Resolved*, That the provisions of the 4th section of the 1st article of the Constitution, which prescribe conditions to the elective franchise, before unknown to the people of Maryland, are retrospective, partaking of the nature of an ex *post facto* law, and repugnant to the terms of the Declaration of Rights, as well as to the Constitution of the United States."

The committee appointed by the convention appeared before the General Assembly at Annapolis on the 26th and presented the address and resolutions. The two Houses, in joint session, received the committee most courteously, Hon. Montgomery Blair, its chairman, delivering an address pertinent to the objects of their mission and expressive of a full appreciation of the consideration and respect extended by the legislative bodies in their official capacity. In due time petitions signed by over twenty thousand citizens were presented to the Legislature, but that body, on the 8th of February, 1866 —

"*Resolved*, That neither the temper or conduct of the people of this State who have been hostile to the government, nor the condition of our municipal affairs, nor the provisions of the Constitution of the State, warrant any interference with the registry law, and that it ought to be vigorously enforced."

On the 5th of June, the radical wing of the Unconditional Union party in Maryland assembled in convention at Baltimore, and adopted the following resolutions as their platform, during the ensuing campaign:

"*Resolved*, That the registered loyal voters of Maryland will listen to no propositions to repeal or modify the registry law, which was enacted in conformity with the provisions of the Constitution, and must remain in full force until such time as the registered voters of the State shall decree that the organic law shall be changed.

"*Resolved*, That the loyal people of the State are 'the legitimate guardians and depositories of its power,' and that the disloyal 'have no just right to complain of the hardships of a law which they have themselves deliberately provoked.'

"*Resolved*, That it is the opinion of this convention that if disloyal persons should be registered, it will be the duty of judges of election to administer the oath prescribed by the Constitution, to all whose loyalty may be challenged, and in the language of the Constitution, to 'peremptorily exclude from voting' all that are disqualified.

"*Resolved*, That we cordially endorse the reconstruction policy of Congress, which excludes the leaders of the rebellion from all offices of profit or trust under the national

government, and place the basis of representation on the only just and honest principle, and that a white man in Virginia or South Carolina should have just as much representative power, and no more, as a white man in Pennsylvania or Ohio.

"*Resolved*, That the question of negro suffrage is not an issue in the State of Maryland, but is raised by the enemies of the Union party, for the purpose of dividing, and distracting it, and by this means to ultimately enable rebels to vote.

"*Resolved*, That we are pledged to the maintenance of the present Constitution of Maryland, which is expressly and emphatically prohibits both rebel suffrage and negro suffrage, and we are equally determined to uphold the registry law which disfranchises rebels and excludes negroes from voting, and have no desire or intention of repealing or abolishing either the Constitution or the registry law.

"*Resolved*, That we warn the Union men of Maryland 'that no Union man, high or low, should count the favor of traitors, as they can never win it—from the first they have held him as their enemy, and to the last they will be his—and that they should eschew petty rivalries, frivolous jealousies, and self-seeking cabals so shall they save themselves from falling, one by one, an unpitied sacrifice in a contemptible struggle.'

"*Resolved*, That appreciating the blessing of a free republican form of government, it is our duty first to acknowledge our indebtedness, and return our sincere and heartfelt thanks to the noble soldiers and sailors of the late war, for their valor and heroic efforts by land and by water, which have thus far preserved the United Republic, founded by our revolutionary sires, from disruption and destruction."

The Unconditional Union State Convention again met in Baltimore on the 15th of August, and after adopting similar resolutions, and appointing delegates to the Southern loyalists' convention, to be held at Independence Hall, Philadelphia, on the 3d of September, and nominating Colonel Robert Bruce, of Alleghany County, as their candidate for State comptroller of the Treasury, it adjourned.

The conservative wing of the Unconditional Union party in Maryland assembled in convention at Baltimore, on the 25th of July, and nominated for comptroller, Colonel Wm. J. Leonard, of Worcester County. After adopting a long series of resolutions, and appointing delegates to the Philadelphia National Convention, it adjourned.

In the meanwhile, a new set of officers of registration were appointed, who, appreciating the change of sentiment in the community, gave a more liberal construction to the law than their predecessors. They tendered to all those applying for registration the oath prescribed by the Constitution of 1864, and heard against any citizen, applying for registration, only specific charges, supported by proper proof. They did not think themselves justified in asking citizens whether they had ever been convicted of larceny, or indeed any of the long series of insulting and inquisitorial questions which the judges of election at the preceding election had propounded to voters. Nor were individuals turned away by thousands and pronounced to be "disloyal," simply because they were known to have disapproved of the policy of President Lincoln's administration. Recognizing the fact that the interpretation given to the law previously was dictated amid the convulsions of a civil war, and by excited and, in most cases, unscrupulous men, and animated by a disposition to deal with the majority of the people in a fairer and juster spirit

than had been shown toward them for years, the registrars determined to give the law as fair a construction as its terms would admit, and to adhere strictly to its provisions.

On the 20th of October, the form of a popular election was again gone through in Baltimore. The minority, backed by the authorities and an armed police, held the ballot-boxes, and excluded from voting those who dissented from their opinions. In 1863, the voting population of the city numbered about thirty-five thousand. At the mayoralty election of 1866, but 2,493 votes were cast; of which 2,607 were given to Daniel Harvey, the conservative candidate, and 5,392 to the ultra-radical candidate John L. Chapman, who was thus made mayor of a city containing near three hundred thousand inhabitants. The right of the voters registered in 1866, to vote at this election led to conflicting opinions on the part of eminent jurists. Alexander Randall, the attorney-general of the State, took the ground that the registration not being complete, the registered voters of 1866 could not be recognized—and the judges of election in Baltimore City followed his advice. Messrs. Reverdy Johnson, John H. B. Latrobe, William Price, and others, held that the registration law did not apply to corporations electing their own officers, and that the city stood in that category.

As the Act of 1862, Chapter CXXXI, provided that "for official misconduct any of the said [police] commissioners may be removed by a concurrent vote of the two Houses of the General Assembly, *or by the Governor during the recess thereof*," the disfranchised citizens determined to make an effort to have the police commissioners removed for their misconduct during the last election. The police commissioners, in their conduct of this election, had disregarded some of the clearest and most peremptory provisions of the law. In their oath of office it was declared

"That in any and every appointment or removal to be made by them to and from the police force created and to be organized by them under this article, they will in no case and under no pretext, appoint or remove any policeman or officer of police, *or other person under them*, for, or on account of, the *political opinion* of such policeman or officer, or other person, or for any other cause or reason than the fitness or unfitness of such person, in the best judgment of the said mayor or commissioners, for the place to which he shall be appointed or from which he shall be removed."

This provision against the appointment of a partisan police force was deliberately set at naught. On the day of election the ballot-boxes were in the hands of partisan regular and special policemen, and of thoroughly partisan judges, all selected by the commissioners with the express purpose of securing a partisan triumph.

A meeting of the citizens was held on the 16th of October, when committees were appointed to gather information "touching the official misconduct of the police commissioners and their appointees," and to prepare memorial lists to the governor, asking for their removal and that the election be set aside. In a few days a memorial signed by over four thousand respectable

citizens was presented to Governor Swann accompanied with numerous affidavits, praying for the removal of the commissioners for official misconduct. The petition of the memorialists represented that—

"It became the duty of the board of police under the law to appoint two hundred and forty judges of election and one hundred and sixty clerks prior to the municipal election of the 6th of October, instant. In view of the grave differences of opinion which are entertained in regard to the qualifications, and the manner of conducting that election, the board of police was appealed to by sober and discreet citizens to select the judges of election from among the members of both political parties in the city. Disregarding alike the appeals of their fellow citizens and their own explicit oaths, they appointed the two hundred and forty judges, almost without exception, from the political party of which they themselves are members. They were then urged to appoint at least one clerk of election in each precinct from the opposite party, and again disregarding the advice and requests of their fellow-citizens, their duty and their explicit oaths, they appointed nearly the entire number of one hundred and sixty clerks from the same political party, and instead of selecting clerks themselves, they delegated that power to the partisan judges of election in the several precincts. In like manner, on the day of election, they appointed special police in each precinct to the number of four hundred, and nearly all of them, as far as is known, were likewise selected from the same political party. . . . The board of police further, in violation of law and the liberty of the citizens, gave orders to the police justices not to hear any case, or to take bail or in any manner release any person arrested or committed on the day of election, but in all cases to keep them confined until after six o'clock in the evening of that day. . . . The judges of election issued unofficial and inaccurate printed lists of registered voters of 1865, instead of the authentic official list (of 1866) and caused to be arrested parties for no other cause than that they had insisted upon having their ballots in one of the other boxes. They also refused to use the separate box for rejected ballots. . . . In some of the precincts the judges of election refused to open the ballot-boxes and count the ballots publicly, as required by law."

On the 18th of October, Governor Swann notified Messrs. Nicholas L. Wood and Samuel Hindes, the police commissioners, that he would take up their case on the 22d at the executive chamber, Annapolis, and inclosed copies of the memorial, and the affidavits for their inspection. The police commissioners denied the power of the governor to try them for "official misconduct," or to pronounce them guilty thereof. The trial, however, was proceeded with, and on the 1st of November, Governor Swann announced his determination to remove Messrs. Wood and Hindes for the following causes which he said had been "proven beyond a doubt:"

"1. By creating or permitting to grow up under their eyes, and with their complicity, a violent partisan organization, treating all as disloyal who do not adopt the views of the radical party.

"2. By denying the right of the governor to entertain jurisdiction of the charges of official misconduct as preferred against said commissioners.

"3. By appointing to office, both as judges of election, special policemen and clerks, men exclusively from their own party, and in many instances incompetent, and in some of the precincts of the most disreputable character, and denying applicants of any other class of our citizens.

"4. By delegating to the marshal and officers under him the power to appoint special policemen without themselves inquiring into the qualifications or moral standing of said officers, thus attempting to throw the responsibility of bad appointments, which they were ready to accept, upon their subordinates.

"5. By refusing the judges of election to throw aside the boxes for rejected ballots, and giving them no advice as to their obligation under the law to use them, and refusing to remove them from office for so manifest a violation of duty."

Pending the decision of Governor Swann, the State was threatened with invasion by armed partisans from other States, and military organizations were formed in the City of Baltimore for the open and avowed purpose of resisting the authority of the laws.

On the 24th of October, General Grant addressed the following letter to President Johnson, in reference to the troubles in Baltimore:

"*Headquarters Armies of the United States,*
"*Washington, October 24th, 1866.*

"His Excellency, A. Johnson, President of the United States:

"I have the honor to enclose to you the within report from General Canby, commander of this military department, upon the threatened violence in the city of Baltimore, previous to the approaching elections. Upon receiving your verbal instructions of the 20th instant, to look into the nature of the threatened difficulties in Baltimore, to ascertain what course should be pursued to prevent it, I gave General Canby, whose department embraces the State of Maryland, instructions, also verbal, to proceed to Baltimore in person, to ascertain as nearly as he could the cause which threatened to lead to riot and bloodshed. The report submitted is given in pursuance of these instructions.

"Since the rendition of General Canby's report, I had a long conversation with him, and also with Governor Swann, of the State of Maryland. It is the opinion of General Canby and the statement of Governor Swann, that no danger of riot need be apprehended unless the latter should find it necessary to remove the present police commissioners of Baltimore from office, and to appoint their successors. No action in this direction has been taken yet, nor will there be until Friday next, when the trial of the commissioners before the governor is set to take place. I cannot see the possible necessity for calling in the aid of the military in advance of even the cause (the removal of said commissioners), which is to induce riot.

"The conviction is forced on my mind that no reason now exists for giving or promising the military aid of the government to support the laws of Maryland. The tendency of giving such aid or promise would be to produce the very result intended to be averted. So far there seems to be merely a very bitter contest for political ascendency in the State.

"Military interference would be interpreted as giving aid to one of the factions, no matter how pure the intention, or how guarded and just the instructions. It is a contingency I hope never to see arise in this country while I occupy the position of general-in-chief of the army, to have to send troops into a State in full relations with the general government, on the eve of an election, to preserve the peace. If insurrection does come, the law provides the method of calling out forces to suppress it. No such condition seems to exist now.

"U. S. GRANT, *General.*"

On the 25th, President Johnson asked for the number of troops at convenient stations near Baltimore, to which General Grant replied on the 27th, giving the desired information. On the 1st of November, President Johnson directed Secretary Stanton

"In view of the prevalence in various portions of the country of a revolutionary and turbulent disposition, which might at any moment assume insurrectionary proportions, and lead to serious disorder, and of the duty of the government to be at all times prepared to deal with decision and effect, this force is not deemed adequate for the protection and security of the seat of government. I therefore request that you will at once take such measures as will insure its safety, and thus discourage any attempt for its possession by insurgent or other illegal combinations."

When Governor Swann made his decision, removing the police commissioners, President Johnson gave Secretary Stanton the following order:

"*Executive Mansion, Washington, D. C., November 3d, 1866.*

"Sir: There is ground to apprehend danger of an insurrection in Baltimore against the constituted authorities of the State of Maryland, on or about the day of the election soon to be held in that city, and that in such contingency the aid of the United States might be invoked under the acts of Congress which pertain to that subject. While I am averse to any military demonstration that would have a tendency to interfere with the free exercise of the elective franchise in Baltimore, or be construed into any interference in local questions, I feel great solicitude that should an insurrection take place, the government should be prepared to meet and promptly put it down. I therefore desire you to call General Grant's attention to the subject, leaving to his own discretion and judgment the measures of precaution and prevention that should be adopted.

"Very respectfully, yours, "ANDREW JOHNSON.

"Hon. Edwin M. Stanton, *Secretary of War.*"

On the same day, General Grant sent this telegram to General Canby:

"General E. R. S. Canby, Commanding Department of Washington.

"Enclosed I send you orders just received from the President of the United States. They fully explain themselves. As commander of the military department, including the State of Maryland, you will take immediate steps for carrying them into execution. There are now six or eight companies of infantry ready organized in New York that have been ordered to Baltimore, on their way to their regiments here in Washington and in Virginia. Either visit Baltimore or send a staff officer there to stop these troops at Fort McHenry until further orders. Also hold one of the infantry regiments on duty in this city in readiness to move at a moment's notice. By having one ready to take a regiment all in order, they will be practically as near Baltimore here as if in camp a few miles from that city. These are all the instructions deemed necessary in advance of troops being legally called out to suppress insurrection or invasion. Having the utmost confidence, however, in your judgement and discretion, I wish you to go to Baltimore in person and to remain there until the threatened difficulties have passed over. Proper discretion will no doubt go further towards preventing conflict than force.

"U. S. GRANT, *General.*

"P. S.—The order referred to have not as yet been received. When received, they will be forwarded to your address, which you will please communicate."

General Canby came immediately to Baltimore, where a copy of the President's instructions were sent him, and was followed in a few days by General Grant, who reported on the 5th as follows:—

"*Headquarters Armies of the United States,*
"*Baltimore, November 5th, 1866.*

"Secretary Stanton, Washington, D. C.

"This morning collision looked almost inevitable. Wiser counsels now seem to prevail, and I think there is strong hope that no riot will occur. Propositions looking to the harmonizing of parties are now pending. "U. S. GRANT, *General.*"

Messrs. Wood and Hindes, the Police Commissioners, having been removed by Governor Swann, Messrs. Wm. Thomas Valiant and James Young were duly appointed on the same day to fill the vacant offices. The superseded Board desiring to remain in power until it could settle, to its own satisfaction, the issues to be determined at the approaching election, on the 3d of November procured the arrest of the new appointees and the Sheriff, Wm. Thomson, who was assisting Messrs. Valiant and Young, and had them all lodged in jail. They were arrested on a warrant issued by Judge Bond, of the Criminal Court, and being charged with inciting a riot were entitled to be released upon giving bail to keep the peace or answer the charge. Judge Bond, however, insisted that they should do more and required them to bind themselves not to attempt to execute the duties of their offices. To this insolent and unwarrantable order they very properly refused to submit, and were therefore committed to jail. This proceeding caused the most intense excitement in the city, but there was no serious disturbance of the peace. Several regiments of troops arrived and were quartered at Fort McHenry, and Generals Grant and Canby were besieged by the several factions at their headquarters in the city. Messrs. Hindes and Wood mustered in about thirty-five hundred regular and special police and guarded the station houses, their office and prominent places in the city.

As soon as the new police commissioners and sheriff were committed to jail, their counsel waited upon Hon. James L. Bartol, one of the judges of the Court of Appeals, who was at his home in the city, and procured a writ of *habeas corpus*, which was made returnable on Monday at nine o'clock, A.M., November 5th, before the judge of the Superior Court. The writ was directed to the warden of the Baltimore City Jail, commanding him to produce the bodies of William Thomas Valiant, James Young and William Thomson, and have them before him at the time named. At the time appointed it was stated to the judges that the writs had been served, but it was understood that they would not be obeyed. The court adjourned until November 8th, and in the meantime the police commissioners were kept confined. During their confinement the radical faction backed by an organized force and a favorable court, having managed to retain itself in power, despite the removal of the police commissioners by Governor Swann, undertook to hold an election on Tuesday, the 6th of November. This election bore a strong family likeness to those memorable elections held during the war. Every effort that could be devised to secure a majority for the radical party was unhesitatingly and unscrupulously resorted to, but notwithstanding that only a minority of the citizens of Baltimore went to the polls, the conservatives carried every one of the three legislative districts of the city. Had all the citizens who were

JUDGE J. L. BARTOL.

fairly entitled to exercise the elective franchise been permitted to vote, the conservative ticket would have been elected by about thirty thousand majority. Had all the registered voters been allowed to deposit their ballots, the majority for the conservatives would have been at least fifteen thousand. In the city a total vote of sixteen thousand and six was polled for State comptroller, of which the conservatives cast eight thousand five hundred and thirteen, and the radicals seven thousand four hundred and ninety-three, showing a majority of one thousand and twenty for the conservatives. They also carried the entire State by a very large majority, electing Governor Bowie and a two-thirds majority in both branches of the Legislature.

Messrs. Valiant and Young, the new police commissioners, were brought before Judge Bartol on the writ of *habeas corpus* on November 8th, two days after the election, and on the 11th, the judge delivered his decision in which he declared:

"There cannot be any question of the governor's power under the law to remove incumbents, if, in his judgment, the complaint of official misconduct has been proved. The law makes his judgment final and conclusive, not subject to appeal or review any more than a similar judgment passed by the General Assembly. A removal by the Governor during the recess, has the same force and effect as a removal by the General Assembly; their powers under the law are identical, and their decision alike final, conclusive and binding, and entitled to the same obedience. For parties thus removed to hold on with a strong hand, and continue to exercise official power, is to resist the rightful authority of the governor, and to put the law at a defiance."

The judge further went on to say: "The sheriff was bound to decide, at his peril, as to the rightful power and authority of Young and Valiant to issue the order to him, and in my judgment he acted in the discharge of his duty in obeying it." Immediately after they were discharged, the commissioners took possession of the office, and entered upon the discharge of their duties. The marshal of police, during the day, surrendered the force under his charge to their orders, and on the 15th, Messrs. Hinds and Wood surrendered their books, and turned over the station-houses and other property to the new commissioners, thus settling one of the most exciting difficulties that ever occurred in Baltimore. The unscrupulous faction had received a mortal blow.

The Baltimore *Sun* of Thursday, November 8th, 1860, in speaking of "the Maryland election" as "a triumph of popular forbearance," gives so admirable a summing up of the whole situation, that no apology is needed for its reproduction here. It says:

"Since these United States proclaimed their independence there has been presented no parallel to the situation in which the people of Baltimore have been placed for the last two years. By the cunning device of the men who had been elected as the agents of the whole people, a clause was inserted into the Constitution which they framed disqualifying three-fourths of the constituency from passing upon the work of their agents. Taking advantage of the war, which at that time was in progress, they raised an artificial cordon for the purpose of confounding with traitors all the citizens of the State whom they knew or suspected to be inimical to their dominion, and by their devices succeeded in excluding

them from the ballot-box. Then, proceeding to select fit ministers for their purposes, they still further, by perverting the registration law, reduced the body of electors so as to make of them a close corporation, extending to only about ten thousand men in the city of Baltimore, out of nearly forty thousand, the privilege of a voice in public affairs. All this the people bore with exemplary patience, protesting against but not resisting the hand upon their liberties. Emboldened still more by success, every place was filled with ready instruments, who interpreted the laws as it suited caprice or the interests of the moment, still further to narrow the privileges of freemen. The municipal election of the city, on the 15th of October last, was conducted under circumstances which made it a mockery of the popular will. But still the color of law was used, and the people, rather than appeal to force, suffered the fraud to be enacted before their eyes. Nevertheless, they did arraign at the bar of public opinion, and before the constituted authorities, the chief actors.

"Upon that investigation such abuses of power were disclosed as led the Governor of the State to depose from office the men who were tried before him. Instead of submitting to the authority of the law, colorable pretexts for evading its mandates were resorted to, and behind its outward forms its spirit and its obligations were perverted and the rights of the public defied and trampled upon. Again, the love of order and the people's reverence for law were appealed to, and their confidence in the ultimate triumph of right urged, and again the people acquiesced, and bore with patience a glaring usurpation of authority and contempt for the majesty of right. What was the effect, the silent, certain effect, of these proceedings? The mighty pressure of sentiment within and without the State, gathering strength throughout these two years, with every perversion of right, and every new act of forbearance on the part of the people to the majesty of law, has at last overcome every obstacle. The ballot-box, hedged round by restrictions, and kept in custody of those who, by the judgment of the law, had forfeited all right to its guardianship, has, under all these adverse circumstances, won the final right of triumph—a complete and absolute triumph. The machinations by which its custody was retained have resulted in making its keepers the howling witnesses that they no longer have the shadow of title to rule the people of Baltimore. They claimed that the body of the people was with them; they repudiated the judgment of the law, which in proper form had been rendered. They clung to power by force; they tried to elude the processes of the law by availing themselves of certain delays which it allows; they appealed to the ballot-box in their own possession, and, as they vainly imagined, under their own control, to reverse the judgment of the law. Under all these circumstances, of their own selection and contrivance, the appeal has been heard and concluded, and its immediate judgment is one of utter condemnation. The people have been rewarded for their forbearance and patience. Adhering with unswerving faith to peaceful measures so long as there remained a possibility of peaceful redress, the people of Baltimore have been rewarded with a final triumph of their will over a combination of obstacles and impediments, of delusions and delays, which have tested to the utmost their capacity for self-government. They have restrained themselves under provocations which confirm their right and title henceforth, without challenge, to regulate their own liberties.

"Coming in the form and manner which it has, the result of the election of Maryland must fall as a cloud from the minds of patriots; it will stand a monument to which the friends of peace and liberty—for peace and liberty cannot be kept separate—to which the friends of peace and liberty may confidently point whenever doubt shall obscure their hopes or perverted instruments shall assail the majesty of the people and trample upon the principles of justice."

Among the most serious results of the impoverished condition of the South, was the lack of means and opportunities for educating the children.

Perceiving this, Mr. George Peabody, a wealthy American merchant, born in Massachusetts, but residing in London—whose services to Maryland in supporting her credit abroad in 1837, have already been recorded—placed in the hands of trustees the munificent sum of two million dollars to found and support schools throughout the Southern States. But Mr. Peabody was an adopted son of Maryland, having long resided, and laid the foundation of his great fortune in the City of Baltimore, and in the distribution of his bounties Maryland was not forgotten. Here there was already ample provision of the means of primary education; he therefore thought the best service would be done by founding an institution which should place the means of higher culture within the reach of all. This had been for years a favorite plan of his, and as early as February 12, 1857, he had explained the object and character of his intended foundation, in a letter to a number of prominent gentlemen whom he appointed trustees for the purpose, and placed in their hands the sum of $300,000 towards the preparation of a suitable building and appliances. The corner-stone of the Peabody Institute was laid on the 16th of April, 1859, and the building was dedicated in the presence of its founder, and of an immense concourse of people, including about eighteen thousand children, pupils of the public schools, on October 25, 1866. Mr. Peabody, by various donations, increased the endowment of the Institute to $1,400,000. It included provisions for a free public library, courses of lectures, a school of music, and a gallery of art. He also presented a handsome donation to the Maryland Historical Society, to which he had at various times rendered valuable services. He gave large sums in other States for similar purposes, and in London, to ameliorate the condition of the poor; bestowing in these acts of beneficence the bulk of his great fortune.

GEORGE PEABODY.

The first wing of the Peabody Institute was ready for use in May, 1861, and in October, 1866, the library was first formally opened to the public. The building was finally completed in 1878. The library is entirely used for reference, and contains about sixty thousand volumes, and about ten thousand pamphlets.[1]

[1] Baltimore also contains the Mercantile Library Association; organized in November, 1839, and incorporated in January, 1842. It is both a circulating and reference library, and contains about 82,000 volumes of books and about 8,000 pamphlets. The Maryland Historical Society was organized in January, 1844, and was chartered by the Legislature in December, 1845. The library contains about 18,000 volumes and several thousand valuable pamphlets and newspapers. Among other libraries in the city are: The Maryland Institute, for the promotion of the mechanic arts, with 17,000 volumes; School of Design; Maryland Academy of Sciences, 700 volumes; Maryland State Normal School, library 2,000 volumes; Library Company of the Baltimore Bar, 7,000 volumes; Library of the Independent Order of Odd Fellows, 20,000 volumes; Baltimore Colored Normal School, 1,000 volumes; Friends' Elementary and High School, 3,000 volumes; City Library, 5,000 volumes; Archiepiscopal Library, 10,000 volumes; Baltimore Academy of the Visitation, 4,700 volumes; Baltimore College of Den-

Provision was also made for a conservatory of music, and a gallery of art; and likewise for courses of public lectures. In addition to this, Mr. Peabody placed in the hands of trustees a fund for the bestowal of prizes upon meritorious students of the public schools, and in other ways made provision for the improvement of education and the diffusion of knowledge. After living to see his bounties flourishing and bearing fruit, and his name honored and beloved everywhere, Mr. Peabody died, in London, on November 4, 1869, regretted by the whole civilized world, and mourned alike by England and America.

The intense sympathy which was felt in Maryland for the sufferings of the Southern people, soon found active expression in devoted charitable deeds. Shortly after the close of the war, in 1866, a number of Baltimore gentlemen, irrespective of party, organized an agricultural aid society, to supply a portion of the Southern States, and more particularly Virginia, with stock, farming tools, and seed. For this purpose, over eighty thousand dollars were subscribed and judiciously distributed.

The ladies of Baltimore, always active in deeds of mercy and beneficence, organized a great fair for the relief of poverty and suffering at the South, and worked with indefatigable ardor to make it a success. The Southern Relief Fair opened at the Maryland Institute on April 3d, 1866, and closed on the 13th. The total receipts were $154,560.94, which was distributed as follows: Virginia, $27,000; North Carolina, $16,500; South Carolina, $19,750; Georgia, $17,875; Alabama, $16,250; Mississippi, $20,025; Louisiana, $7,500; Florida, $3,500; Arkansas, $5,000; Tennessee, $13,500; Maryland refugees, $10,000; and miscellaneous donations, $6,060.94.

The State also, in its organic capacity, was not behindhand in this beneficent work. The Legislature, at the session of January, 1867, appropriated $100,000 "for the relief of the destitute people in the States wasted by civil war," and appointed commissioners for its distribution. To this sum was added over $21,000 in money and goods contributed by private individuals. As in many places the people were actually suffering for want of food, the commissioners shipped large stores of provisions to various points in North and South Carolina, Georgia and Alabama, to be distributed by agents appointed by the governors of those States. The Hon. G. Welles, Secretary of the Navy, placed at their disposal the United States store-ship *Relief*, by which a full cargo of corn and bacon was shipped to Mobile, Alabama. In the flooded districts of Louisiana (the levees having been cut during the war) great destitution prevailed, to relieve which they placed in the hands of an

1st Surgery, 3,000 volumes; Baltimore Female College, 4,000 volumes; Concordia Library, 1,500 volumes; German-American Institute, 2,000 volumes; House of Refuge, 1,500 volumes; Loyola College, 22,000 volumes; Public School Library, 1,200 volumes; St. Joseph's Academy, 3,000 volumes; St. Mary's Theological Seminary of St. Sulpice, 15,000 volumes; Social Democratic Turners' Union, 1,500 volumes; Young Men's Christian Association, 1,000 volumes; Zion School, 1,200 volumes; Calvert Hall (Christian Brothers), 10,000 volumes; German Society for Aid of Mechanics, 3,000 volumes; Johns Hopkins University Library, between 7,000 and 8,000 volumes, to which accessions are constantly made.

View of Bathwick from Richmond Market.

agent in New Orleans the sum of $11,000. In the hands of Governor Humphreys, of Mississippi, $8,000 were placed for the same purpose; $2,500 to the State Relief Commission of North Carolina; $1,186.44 to the Southern Relief Association; $1,146.90 for the sufferers by yellow fever in New Orleans and Galveston, and $750.66 to the Ladies' Depository Association. The cost of distribution by the State commissioners, including freights and other expenses, amounted to $106,623.65.[1]

In addition to all this, there was an immense aggregate of contributions, of which not even an approximate estimate can be made, given by individuals privately, and sent through private channels. Nearly all hearts and purses were open; and it has been estimated that the relief thus afforded fell but little short of that which was publicly given. All the railroads of Baltimore and the bay steamers carried the contributions free of charge; no commissions were charged for purchase or storage, and liberal reductions were always made by the sellers of goods for this purpose.

The Legislature, which convened at Annapolis, on the 2d of January, 1867, was the only one within five years that was able to assert, with any show of truth, that it represented the people of Maryland. And this Legislature was elected under the operation of a constitution and laws which disfranchised tens of thousands of the best citizens of the State, who, under the republican form of government which had existed in the State for eighty-five years, were clearly entitled to exercise the elective franchise. Very many of the members of both Houses were gentlemen of the highest character and of great political experience, and the majority of the Legislature unquestionably represented the feelings, convictions and views of at least seven or eight tenths of the people of the State; and they at once set about the laborious task of amending or abrogating the oppressive and iniquitous legislation of the preceding five years.

The House was organized by the selection of Oliver Miller, of Anne Arundel County, for speaker.[2] Lieutenant Governor Cox, who held over, was president of the Senate. On the 3d, Governor Swann presented a very sensible and satisfactory message to both Houses. In tone and temper it was moderate and conciliatory, and dealt with many important practical questions. His defence of his action in the case of the late police commissioners, was clearly and vigorously put, and was approved by all fair-minded men. In this connection he observed that:

"The Act relating to the registration of the voters of the State, passed March 24th, 1865, places the limitation within which the returns of the officers of registration were required to be made, beyond the period appointed by law for holding the municipal

[1] The distribution of provisions was as follows: North Carolina, 6,148 bushels of corn, 40,491 pounds of bacon, 24 barrels of flour, 2 barrels of hominy, 2 barrels of fish; South Carolina, 18,148 bushels of corn, 53,062 pounds of bacon, 10 barrels and 4 bags of flour, 2 bags of cornmeal, 2 barrels and 3 boxes of sundries; Georgia, 18,534 bushels of corn, 37,000 pounds of bacon; Alabama, 14,882 bushels of corn, 89,578 pounds of bacon.

[2] Now [1879], one of the ablest judges of the Court of Appeals.

elections of the City of Baltimore. This virtually disfranchised, according to the opinion of the Attorney General of the State, more than one-half of its voting population. That the Legislature could not have contemplated any such construction of the law, I am fully convinced; and the omission to name an early day for the returns of the officers of registration, so as to include the municipal election, strengthened the belief that the law was not meant to apply to corporations, but only to general State elections. Some of the most eminent jurists in the State entertained this view. In an aggregate voting population of 24,000, only qualified under the Act of registration in the City of Baltimore, the successful city officers, now in charge of the city and its property, represent scarcely one-fourth of this registered vote. Such flagrant injustice to the people of Baltimore could not fail to result in the most embittered feeling; and coupled as it was with the extraordinary conduct of the police board in the selection of the judges of election and special policemen was officered on that occasion, it may be well doubted whether any the police could have been devised more thorough and complete to retain by force and intimidation the power which the combination so defiantly held in their grasp. The power attempted to be exercised by the Judge of the Criminal Court is believed to be without precedent, ignoring alike the Great Seal of the State and the limitations governing his judicial functions."

He objected to the ratification of the United States Constitutional amendments, and favored a convention of the people to revise the Constitution of the State, and admitted the right of the Legislature to give the citizens of Baltimore an immediate opportunity of establishing a municipal government that really represented them.

Among the first bills introduced in the Legislature was one reported by Hon. Philip Francis Thomas, of Talbot County, in the House of Delegates "to restore to full citizenship and the right to vote and hold office, to all persons who may be deprived thereof by the provisions contained in the fourth Section of the first Article of the Constitution of the State."

This bill provided for the enfranchisement of the great mass of the citizens of the State who were deprived of all their civil rights during the war. It was passed on the 24th of January, and under its operation all those who had been denied access to the ballot-boxes because they had opposed or protested against the policy and action of the Federal government during the civil war, were rehabilitated as citizens upon taking an oath to bear "true faith and allegiance to the United States, and support the constitution and laws thereof as the supreme law of the land," and to demean themselves as "loyal" citizens. Public officers were required to take an additional oath which contained, among others, the following clause:

"And I do further swear (or affirm) that I will, to the best of my ability, protect and defend the Union of the United States, and not allow the same to be broken up or dissolved, or the government thereof to be destroyed under any circumstances, if in my power to prevent it, and that I will at all times discountenance and oppose any political combinations having for their object such dissolution or destruction."

Following in this path the Legislature passed a bill calling for a new election for Mayor and City Council of Baltimore, but before it was signed by the governor it was reconsidered, and failed to become a law.

While the subject was pending in the General Assembly, on the 2d of January, 1867, the Mayor and City Council of Baltimore, passed the following resolution:

"*Resolved*, by the Mayor and City Council of Baltimore, that the mayor be, and he is hereby authorized *to take such legal steps* as he may deem necessary to test the validity of the action of the General Assembly in their recent legislation for the removal of the existing city government; and for that purpose to employ such counsel as he may deem proper, and that the sum of twenty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to be paid by the register to the mayor, *to be used by him in paying the expenses of such legal steps* as he may take under the resolution."

Notwithstanding this resolution states distinctly that the money was to be used, if used at all, in paying whatever expenses might be incurred in taking legal steps to contest in the courts the validity of the law—provided the same had been passed by the Legislature—it was immediately drawn out of the treasury of the city by the mayor, and expended by him in paying lobby-agents to defeat the passage of the bill. Independently of the $20,000 appropriated by the City Council of Baltimore, to defeat the municipal bill of the session of 1867, a privy purse of $10,000 was also raised by sundry patriotic individuals and expended for the same purpose.[1]

[1] At the session of 1868, the Legislature appointed a committee of investigation in regard to the alleged corruptions practised at the last session, when the following facts were elicited: Of the $20,000 appropriated by the City Council, Messrs. Archibald Sterling, Jr., Henry Stockbridge and Milton Whitney, the retained counsel of the mayor, received $2,000 each; the remaining $14,000 was deposited with Alfred Mass, then clerk of the Superior Court, and what became of it could not be learned. Ex-Sheriff William Thomson received the $10,000 contributed by individuals, and converted it to his own use. Of the $20,000 drawn out of the city treasury by the mayor, $13,000 was reimbursed by means of assessments on office-holders and of subscriptions made by individuals of the radical party. The city brought suit for the remainder, and the claim was finally compromised.

CHAPTER L.

For several years after the war, the internal affairs of Maryland, her political status, and the condition of her colored population were a frequent subject of congressional agitation. In the Thirty-ninth and Fortieth Congress, owing to the absence of representatives from the South, the Republican majority was much more than the necessary two-thirds to override the Presidential veto, and was led by men of ability, experience and audacity, like Stevens, Conkling, Blaine, Garfield and Thomas. The last named, ex-Governor Francis Thomas of Maryland, was in many respects one of the most extraordinary men ever sent by his State to the Federal Congress. He was a leading supporter of Jackson throughout the stormy congressional contest on the United States Bank, and by his commanding gifts of eloquence and fascinating personal address had, after a service of ten years in Congress, from 1831 to 1841, acquired a national reputation. After serving as Governor of Maryland, he retired, or rather retreated, from public life, in 1844, under the cloud of a real or imaginary domestic scandal, and lived the life of a hermit upon the mountains, interrupted only by a brief episode as a member of the Constitutional Convention of 1851, until the outbreak of the civil war, when he flamed like an apparition over Western Maryland, arousing the Union sentiment, encouraging enlistments and organizing regiments. Leaving to younger men, like Col. Mankby, the duty of leading these regiments into the field, he accepted in 1861 the "Union" nomination to Congress, and after an interval of twenty years again found himself a member of the House of Representatives. His course during the war was that of an earnest, though not extreme supporter of the government, in fact inclining more to that of Border State Union men like Critfield and Webster,[1] than to the more

[1] Edwin H. Webster was born in Harford County, March 31, 1820; was educated at Darlington College, and was a member of the State Senate from 1853 to 1859, serving two years as the president of that body. His term in Congress commenced with the Thirty-sixth Congress, and he was re-elected to the Thirty-seventh and Thirty-eighth. During the period of anxiety which intervened between the secession of South Carolina and the outbreak of civil war, he exerted his influence at home in behalf of the Union and in Congress for pacification. He was active and vigilant in thwarting the efforts of commissioners from seceding States and those citizens of Maryland in sympathy with them, and was prominent among those who sustained Governor Hicks in resisting the pressure brought to bear upon him to convene the Legislature in extra session. He afterwards raised and commanded the 7th regiment of Maryland volunteer infantry, and remained with it in the field until its re-election to Congress in November, 1862. He was re-elected to the Thirty-ninth Congress, but in July, 1866, was appointed by President Johnson collector of customs for the port of Baltimore. He was one of the most influential leaders of the conservative party in the State, until its absorption into the democratic-conservative party, since which time he has taken no active part in politics.

advanced line of Henry Winter Davis. With the shrewd instinct of an experienced political leader, he never allowed himself to get too far in advance of his constituency, and no man could have been more formidable on the stump when adroitly disarming prejudice or defending unpalatable measures, he appealed to his own record for moderation and conservatism with that musical modulation of voice and captivating manner which stamped him as a natural orator.

It was not until after the close of the war that Governor Thomas identified himself with the extreme radicals, and showed that he was prepared to go all lengths, even to the violent subversion and parricidal reconstruction of the government of his native State.

The fall elections of 1866, as we have shown, resulted in Maryland in the defeat of the radicals and the success of the so-called "Conservatives." The Democratic party as an organization did not enter into that contest, but accepting its fruits became the "Democratic Conservative" party. The main issue, as we have seen, was as to the freedom of the ballot-box. The Conservatives, who had been Unionists during the war, and many of whom had supported the Constitution of 1864 as a necessary war measure, were opposed to the continued proscription and disfranchisement of the class called "rebels and rebel sympathizers" in time of peace. The radicals, on the other hand, openly avowed their intention to maintain that disfranchisement indefinitely and with unabated vigor. The struggle for political existence was fierce, bitter, and very near becoming bloody. The defeated party, to whom defeat meant political annihilation, then looked eagerly to Washington and the strong republican majority in Congress as their last refuge, and to ex-Governor Francis Thomas as their champion.

The charge was made that the State had been "revolutionized;" that Governor Swann, in appointing registers who construed the registration law "literally," had been guilty of a species of "treason;" that the government of the State had been taken away from "loyal men" and handed over to "rebels and rebel sympathizers," and that the safety of the loyal men and especially of the colored population was endangered.

These charges first took definite and official form in a notice of contest by Joseph J. Stewart, Esq., who was the radical candidate for the Fortieth Congress from Baltimore, defeated by Charles E. Phelps, conservative, and then a member of the Thirty-ninth Congress.

Mr. Stewart charged, "that Thomas Swann, governor of the State of Maryland, conspiring with officers of his own appointment to defeat the law and revolutionize the State, did resort to measures revolutionary in their character, as against the loyal body politic of Maryland."

After considerable testimony was taken on both sides, Mr. Stewart abandoned the contest in a published letter to Mr. Phelps, dated 12th April, 1867, admitting that the evidence had failed to present matter of serious controversy, and offering to indemnify his opponent for the costs.

Some time previously to the failure of this election contest,[1] in fact, immediately upon the assembling of Congress, after the Fall election of 1866, a resolution passed the House of Representatives, on motion of General Schenck, of Ohio, instructing the Judiciary Committee to investigate alleged sales of negro convicts in Maryland. Scarcely had this investigation been entered upon, when the foundation of it suddenly collapsed. By an Act which passed the General Assembly of Maryland in February, 1867, with almost entire unanimity in both Houses, the sale of negro convicts was prohibited.

Considerable partisan testimony had, however, been taken by the committee in secret session, not confined strictly to the matter in hand, but bearing upon the general question of politics in the State. In order to give the necessary license for an inquiry of the latitude, a resolution passed the House on the 21st of January, 1867, on motion of Mr. Ward, of New York, directing investigation into the recent Maryland elections for representatives in Congress, and for other officers, whether the laws of Maryland had been violated by the voting of persons disqualified or disloyal, etc.

While these inquiries were in progress, another investigation of somewhat similar character was going forward, under a resolution passed on motion of General Schenck, instructing the committee on naval affairs "to inquire into the propriety of an immediate removal of the United States Naval Academy, from its present location in the State of Maryland, to some point in a loyal State, where the pupils will be secure against the surrounding political influences, hostile to the national government, which now prevails at Annapolis."

Although the State was well represented in the naval committee a majority reported adversely to Annapolis, and a struggle followed in the House which was finally to decide the question of the future location of the Naval Academy. The debate was sustained on behalf of Annapolis mainly by General Phelps, and Governor Thomas, who, on this occasion, faith-

[1] During the taking of the testimony in this contest, the rejected ballot-boxes were brought into the United States Court and the contents examined. Nearly seven hundred rejected ballots were found there, many of them endorsed by the judges of election with the grounds of their rejection. The following are specimens. Ninth Ward: "*George Lotz*, refused to answer oath questions;" "*Thomas Byrnes*, refused to take the oath;" "*William Kerns*, could not answer questions satisfactorily;" "*James Hoey*, admits that he has sympathized with the rebellion;" "*William Dempsey*, for not satisfying the judges;" "*Eugene Connolley*, refused to answer;" "*John C. Madison*, disloyal;" voted for and sympathized with the legislature of 1861;" "*Robert C. Keeler*, did not wish the success of negro troops of the United States;" "*John F. Nusbaum*, unsatisfactory." Sixth Ward; "*Thomas Hoey*, doubtful;" "*John S. Pollard*, doubtful;" "*John W. Nelbert*, disloyal;" "*A. Hertle*, refused to be registered in 1865." Eighteenth Ward: "*Felix McCarty*, evaded the questions;" "*John Hays*, did not wish the success of either army;" "*John P. Gregory*, refused to say which army he desired success to." Nineteenth Ward: "*Benjamin B. Hyde*, refused to take the oath;" "*M. E. Wallis*, expressed sympathy for the rebellion;" "*Thomas E. Hostleton*, disloyal;" "*H. G. Wakely*, says he does not take the oath without mental reservation;" "*James S. Nutt*, was disappointed cause of the federal army;" "*A. Johnson*, did not care which side won;" "*A. J. Wyld*, did not know which army he wanted to succeed;" "*Alexander M. Rieser*, rejected, letter produced."

Most of the ballots were endorsed simply "disloyal." It appeared that of the 382 rejected votes in the third congressional district, six were for Stewart and the balance for Phelps.

fully supported the cause of his State, much to the disappointment of the friends of rival localities. The cause of Annapolis prevailed by a decisive majority.

After summing up the advantages of Annapolis as a site for the academy, Mr. Phelps concluded his speech as follows:

"Now, sir, it is too late in the day for gentlemen to come in here and say that Maryland is not a loyal State. Fifty thousand of her sons upon the muster-roll of the Union army are the answer to the libel. $30,000,000 thrown into the breach, with eighty-seven thousand of her slaves as a voluntary sacrifice to the Union at the time it was imperilled, is the answer in the libel. The first State to advance her quota of the war tax, she was the third to ratify the constitutional amendment abolishing slavery. Sir, it is too late for any man to come before an intelligent body of gentlemen, no matter how strong their party feelings or party prejudices, and deliberately ask the removal of this national institution, not called for by any considerations of propriety or economy, on the ground that a State with such a record is not a loyal State. Sir, if the results of elections from time to time are to have this effect upon works requiring stability for their success, upon great public institutions demanding permanence for their utility, then you must put the Military Academy at West Point, the Naval Academy, the United States Mint, and every other public institution, upon wheels, and move them from State to State, whenever the result of an election may be objectionable to the dominant majority in Congress."

Governor Thomas, after calling attention to the amounts expended upon the academies, and to the reports of naval officers, said: "Are all these considerations to be overlooked because a few mischievous politicians are now cutting fantastic tricks before high heaven in a little temporary domination in the government of Maryland?"

Meanwhile, the judiciary committee was busily engaged, still in secret session, in taking the testimony of Maryland politicians of the radical school, bearing upon the "revolutionizing" effect of the recent elections, until the 4th of March, 1867, when the Thirty-ninth Congress expired.

The Fortieth Congress met upon the same day, in special session, and the Hon. F. Thomas, of Maryland, was re-appointed upon the judiciary committee. On the 18th of March, upon his motion, it was

"*Resolved*, That the testimony taken by the judiciary committee of the last House of Representatives, in pursuance of resolutions of that House, concerning, to some extent, affairs in Maryland, and now in the custody of the clerk of this House, be committed to the committee on the Judiciary, with instructions to complete the inquiries which the last committee was instructed to make, and to inquire *whether the people of Maryland have a State government* REPUBLICAN *in form, and such as Congress can, consistently with the requirements of the Constitution of the United States,* RECOGNISE *and* GUARANTEE."

Like the rest of the radical faction of Maryland, now that power had slipped from their hands, and the people were once more free, he affected to have discovered that there was no republican government in the State, and that the existing political system—supported by overwhelming majorities—was "an engine of infamous tyranny and oppression, which no free people should submit to."

In a speech delivered in the House, March 28th, 1867, Governor Thomas said:

"I utterly deny here—I have denied it for thirty years of my life—that there is a republican government in Maryland. Talk tyranny and oppression no free people ought to submit to.

"Let me speak of their inequalities a little in detail. There are about 182,000 free white inhabitants in those fifteen counties of Maryland where settlements were first made, while there are in other parts of the State 550,000. These counties, with 182,000, have fifteen members of the Senate of Maryland, out of twenty-four, nearly two thirds of that body. Of the thirty-one governors of Maryland, these fifteen counties, with one-fifth of the population, have had twenty-four. The same injustice has prevailed with reference to the selection of Senators of the United States. The school fund, contributed mainly from western Maryland and the city of Baltimore, has been distributed without regard to population. Under such a government, the majority cannot rule. Is such a government to be deemed republican in this age? Never was it intended that the minority should have perpetual dominion over the majority.

"In 1850, there was a partial rectification of this evil. In 1864, again a small portion of that power was taken away from the southern counties. The party temporarily in power, this minority in the lower counties, aided by the treachery of the governor, have now boldly presented a call for a constitutional convention, as a basis of which they propose that twelve more members of the Legislature shall be given to the lower section of Maryland. The people of the State are up in arms against such a monstrous proposition. What are we to do? We are powerless, unless Congress interposes. And has Congress that power? The United States have power to guarantee a republican form of government to all the States. How is Congress to exercise that power? *By an Enabling Act.* The party in power in Maryland have utterly disregarded that article of our Constitution, which excludes from suffrage those who went South during the rebellion and took part against the government of the United States.

"Look at the situation of the State of Maryland in relation to the seat of government of the United States. No member of Congress can come here to take his seat without crossing the territory of Maryland, and is it unreasonable to expect that the Congress of the United States, which has expended so much blood and treasure to restore one section of the Union from the political dominion held by those plotting the overthrow of the government, will hesitate to exercise the unquestioned power conferred upon it under the Constitution to rescue Maryland from the hands of persons as thoroughly disloyal and hostile to this government of this country as are any in the States further South? Sir, I take bolder ground than that, even. I hold that were the Constitution silent upon the subject, so absolutely necessary and indispensable is the aid of Maryland to the proper administration of this government, a power in this government, as a government, would exist to seize, occupy and establish those institutions in accord with the known wishes and purposes of the people, and the safety and security of the government itself."

Although distinctly foreshadowed in the partisan press, the partisan resolution of Mr. Thomas was the first definite announcement in Congress of a scheme to reconstruct the State government of Maryland by a similar process to that which had been applied to the late Confederate States.

The theory that the State government of Maryland was anti-republican and anti-democratic because based upon an *unequal apportionment* of representation in the State Legislature, was a favorite idea with Governor Thomas, entertained by him ever since the days of the "glorious nineteen." The

overwhelming majority in Congress in thorough sympathy with the lately defeated minority in Maryland, and distrustful of the now dominant party in that State, furnished Thomas the opportunity for bringing forward his long cherished scheme of political re-adjustment, modified to suit the partisan exigencies of the hour.

The speech, the substance of which has been given, was answered by the Hon. James Brooks, of New York, who referred to inequalities in the apportionment of representation in several of the Northern States, and to the composition of the United States Senate itself, as equally calling for reformation and for congressional intervention, thereby applying to Governor Thomas' logic the *reductio ad absurdum*.

The sympathies, however, of the majority in Congress were evidently with the movement thus begun; and their party zeal was quickened from time to time by fresh appeals from the professional "loyalists" of Maryland, especially those holding office, whose tenure now began to be seriously menaced by the impending State Constitutional Convention. Memorials came in thick and fast. The radical minority of the Legislature of Maryland, gravely invoked Congress on March 30th, by the following memorials to interpose and take possession of the State in the interest of the handful of partisans who aspired to govern and rule the people, resorting, without scruple, to any and every means to attain that object:

"To the Honorable Senate and House of Representatives of the United States.

"The undersigned members of the General Assembly of Maryland respectfully present this memorial to your honorable body on the condition of public affairs in this State, to which they ask the immediate consideration of the National Legislature. The General Assembly of Maryland is about to adjourn after a session as memorable for evil and as important to the country as that which consigned the Legislature of 1861 to the casemates of Fort Warren. Elected in great part, by the deliberate violation of the election laws of the State, by the votes of men who were in active accord with the rebellion, and whose hatred to the Government rendered the presence of military force during the war necessary to prevent their active aid to the rebels in arms, and in spite of which they did give large aid in men and money, they have marked their session by a series of acts to which we desire to call your attention.

"The rebels of Maryland sent South during the war some 20,000 soldiers to the rebel army. These men have nearly all returned, and a large emigration from the South since the war has largely added to the number. By a cowardly construction of the clause of the existing constitution, this General Assembly now elected has enfranchised all white men, no matter what treason they may have committed, and has thus added to the voting population about 30,000 persons who have only lately ceased an armed resistance to the government. Not satisfied with this, they have just passed a militia bill, which, in direct defiance of the present Constitution of the State, has made all white rebels, no matter what their previous treason, part of the militia force. They have by deliberate vote refused to exclude, even from the highest offices under the law, any person, no matter what his rank in the rebel army, and they are about to put in force this law, the effect of which is against our own constitution and the army laws of Congress, and which puts in the rear of the capital an armed force, composed largely of the same men who have just been forced to cease armed attempts to capture the capital. One great object of this bill is to leave

carry out the scheme of revolutionizing the government of the State, abolishing the existing constitution and making another, still more firmly fastening on the necks of loyal people the yoke of rebel control. The present Constitution of Maryland, while it does not allow colored suffrage, does not give to the late masters the right to represent in the Legislature their disfranchised freedmen. It bases representation on white population. These conspirators, not satisfied with controlling the legislative and executive departments, have passed a bill calling an election for a constitutional convention on the 14th day of April, the convention to meet on the second Monday of May, 1867. This they have done, although the constitution provides that the Legislature shall pass no laws providing for a change in the existing constitution, except in the mode therein prescribed; and although the constitution regulates the representation in any convention called to make a new constitution, by fixing it the same as that of each county in the General Assembly, they have fixed an arbitrary basis of representation, which, while it excludes the colored man from the ballot box, gives to the old worn out counties which were so rebellious as South Carolina, an increased representation by which the oppressor is to represent the oppressed against his will, and by which a minority of the people of the State are to hold in their proposed convention the same power as the majority. The State of Maryland has at present a colored population of about 200,000, and by emigration since the war perhaps 200,000, making a voting population of from 40,000 to 50,000. In most of the counties where representation has been thus illegally increased, the colored population is equal to, or greater than the white. The House of Representatives of the United States has already passed a resolution of inquiry, whether the present constitution of this State is now republican; and since the colored man is now a citizen, it may well be doubtful whether a State which excludes for no crime one fourth of its population who are citizens is republican. This General Assembly has inaugurated, however, a movement which from the illegal representations made in the bill itself, and by new interpolations not only the exclusion of this population from suffrage but also gives the disloyal population a representation for them.

"The present judiciary of the State is for the most part loyal, and one object of this movement is to legislate out all the remaining loyal officers whom they have not already removed, and place in office perhaps brigadiers and colonels of the rebel army—in their places. Not satisfied with the pardon and the charity which Union men have extended, they have commenced a reaction against the results of the war and determined on a policy, which, if unchecked, destroys a loyal constitution and puts in its place one made by traitors and flagrantly anti-republican, and places an armed militia of disloyal men and a minority government of rebel sympathizers and rebels in the complete possession of this State. While the South is about to commence a career of freedom and progress, these men, untaught by the lessons of the past, have determined by the forms of law, but in real violation of both the State and federal laws, to put this State back into a condition of darkness and slavery. These acts we submit are in violation of State and national law, oppressive, revolutionary and dangerous to the order and peace of the nation. The Union men of Maryland are groaning under this tyranny. They are now oppressed by verdicts of disloyal juries in many counties. Emigration to the State except from the South is stopped, and many loyal men are deliberating upon leaving the State. The most, however, are ready by all personal means and at all personal hazards to resist this infamous attempt at oppression. The danger of bloodshed is imminent, and the times are perilous. We call upon Congress not to adjourn before settling this grave matter, which, if not settled, may startle them in their recess by something more than the massacre at New Orleans, although not so one-sided as it was one sided. We earnestly ask on the part of the majority of the people of Maryland, deprived of loyal votes, except through us, a minority of the General Assembly, that Congress will guarantee to us a republican form of government on the only basis of right, truth and peace—impartial suffrage without respect to race or color, as it has already guaranteed it to the Southern States.

"Signed by Curtis Davis, Charles B. Trail, J. Toms, H. R. Holden, Elias Davis, James D. Billingslea and Edward P. Philpot, members of the State Senate; and Daniel C. Brien, J. Tobey, A. R. Appleman, Thomas Cornell, J. P. Bishop, Benjamin Pool, James V. Cresswell, John L. McCrum, John M. Thorier, Henry Baker, R. C. Hereford and S. R. Cole of the House of Delegates.

On the same day Senator Nye, of Nevada, presented the following memorial that had been entrusted to him by the "Grand Council of the Union League of Maryland," praying that a military despotism might be established in the State:

"WHEREAS, The Constitution of the State of Maryland makes a uniform registration of voters obligatory; and,

"*Whereas*, The law passed in obedience to this mandate of the Constitution has been made a nullity by the governor and the registers whom he appointed for that purpose, and the ballot-box opened for the reception of the votes of traitors, whereby a Legislature and other officers were elected, notorious for their disloyalty; and,

"*Whereas*, Carrying out the purpose of the governor and of their election, this Legislature has amended the loyal provisions of the Constitution and restored to citizenship all who had aligned or forfeited their rights as citizens by treason against the State or the United States; and on the other hand has enacted a law making it treason for loyal men to unite to uphold the National Government, and has not only refused to pass laws for the protection of the rights of colored citizens, but has offered a premium for violation of the laws of Congress, known as the Freedmen's Bureau law and the Civil Rights law, and assumed the defense of all who have violated those laws in the past, *or will do so in the future*, and made their defence a charge upon the State treasury without audit, has persisted from the State treasury the Legislature which was suspended from the exercise of its functions by the military power of the nation, and compelled the City of Baltimore in like manner to pension the disloyal police force which was discharged from service in 1861, as a necessary measure of public safety; has instituted measures for imposing on the State the burden of paying for the slaves emancipated as a necessary result of the slaveholders' rebellion, and has passed a law in palpable and confessed violation of the Constitution, calling a convention for the purpose of abrogating what remains of loyalty and equal rights in our Constitution, and of placing loyal men in hopeless subjection to traitors; therefore,

"*Resolved by the Grand Council of the Union League of Maryland*, That we earnestly pray the Congress of the United States, as far as practicable, to extend to Maryland the principles of the Military Reconstruction law and to secure to all loyal citizens in the State the right of suffrage.

"*Resolved*, That a copy of the foregoing preamble and resolution be signed by the Grand President and Secretary, and forwarded to the Hon. Francis Thomas and the Hon. James W. Nye, with the request that they will lay the same before the House of Representatives and Senate, respectively, and urge such action as shall ensure protection to the loyal citizens of Maryland.

"H. SHOEKBRIDGE, *Grand President*.

"ORANGE T. GREEN, *Grand Secretary*."

The radical State convention which assembled in Baltimore on the 28th, adopted the following resolutions which were also presented in Congress—

"WHEREAS, The Legislature of Maryland has, since the adjournment of this republican State convention, on the 27th of February, passed the convention bill in regard to

which this convention has already in previous resolutions declared its judgment, and this convention is now reassembled as provided for by its fifth resolution on the contingence of the passage of said convention bill; therefore,

"*Resolved*, That we return our thanks to the republican members of the General Assembly for their memorial to Congress, presented to that body on the 28th of March, and this convention on the part of the citizens of Maryland, appeals hereby to the Congress of the United States to grant the request of that memorial.

"*Resolved*, That we call upon Congress to protect the loyal majority of the people of Maryland, both white and colored, in defeating the scheme of the revolutionists in the Legislature, and to aid us in forming and to guarantee to us by act of Congress a republican State government on the basis of impartial manhood suffrage.

"*Resolved*, That we will oppose any new constitution set up in subversion of the present constitution, under the convention bill, which does not express the will of the majority of the people, without regard to color; and that we will with the aid of the loyal conservatives of the nation, and by all means in our power, resist and destroy any such constitution as a revolutionary usurpation.

"*Resolved*, That we will take no part in the approaching election of delegates to a constitutional convention further than to recommend a general vote of the republicans of the State against the call for a convention, and to use every lawful means in their power to defeat the call.

"*Resolved*, That should the call be made by a majority of the voters, that the State central committee, on ascertaining the result, issue a call for district meetings, to be held in every election district in the State, for the choice, by ballot, on the basis of universal manhood suffrage, of delegates to a State constitutional convention, each county and the city of Baltimore to elect the number to which they may be entitled under the present constitution of the State.

"*Resolved*, That said State constitutional convention, if called, shall assemble in the City of Baltimore, on the first Wednesday in June, and proceed to form a constitution based upon universal manhood suffrage.

"*Resolved*, That courage, wisdom and action are all that is necessary to success, and we call on the brave Union veterans of the State who have been hardened by the conflict of six years of battle and agitation to fly high the banner of liberty and Union and know no goal but victory."

Congress was also earnestly supplicated by the Baltimore City Council, which, in its solicitude for the public welfare, stepped out of its proper business to ask Congress to "assist the people of Maryland to form a State government, republican in form, and in unison with the spirit of the age." A bill of indictment was also preferred (to Congress indirectly) by Judge Hugh L. Bond, of the Criminal Court of Baltimore City, one of the items being a false declaration that the Legislature had "determined to make us pay for slaves."

Thus, in their frantic eagerness to regain the power they had so grossly abused, the Maryland republicans were not ashamed of acts which they should have blushed even to think of. Reckless of the rights of their fellow-citizens, and of the honor and dignity of their State, which they were quite willing to lay prostrate and shackled, at the feet of Congress, they had even the effrontery to assert that those who advocated the calling of a convention "have determined, in violation of both the State and Federal law, to put the State back into a condition of darkness and slavery"—that "Union men" in Maryland

were groaning under tyranny—that many "loyal men" were "deliberating upon leaving the State"—that "the danger of bloodshed is imminent"—and that unless Congress interfered in the affairs of the State there would probably be some kind of "massacre."

Similar expedients were also resorted to to induce Congress to force negro suffrage upon the State, the minority hoping to be reinstalled in power by the negro vote; although when they framed their constitution they had looked with no favorable eye upon that measure, and all their candidates had declared their opposition to it. This constitution had, moreover, reserved to the Legislature the privilege of repealing the disabling clauses: and now, when the voice of justice and the irresistible will of the people demanded that this should be done, in their desperation they shrieked to Congress to help them; deeming the loss of all liberty in the State, the return of martial law and of the statute of 1864, a cheap price to pay for their restitution to power.

Failing to carry their point with Congress at its first session, they next tried the courts. A petition for an injunction to restrain the people from expressing their sovereign will at the election authorized by the Legislature, on the 20th of March, 1867, to decide whether or not a constitutional convention should be called, was filed in the Superior Court of Baltimore City, on March 30th. After an extensive argument by counsel on each side, Judge Martin, on the 2d of April, rendered the following decision:

"The application for an injunction in this case is rejected. The allegations in the bill involve the consideration of political questions, or legal questions, cognizable only in a court of law, with which a court of equity has no concern, and over which it has no jurisdiction.

"There is no power in a court of equity, at the instance of complainants in the position of these complainants, and upon the allegations in this bill, to interrupt the progress of an election to be held by the legislative department of the government on the averment that it is unauthorized. There is no branch of equity jurisprudence within which this power can be included. In 2 Story Eq. Juris., sec. 872, and in Eden on Injunctions 1, the cases proper for the application of the writ of injunction are enumerated, and it is not pretended that a case of this character is within any of the designated classes. After an election is accomplished, parties claiming office under it, or against, may, if the asserted illegality of the election depends on legal grounds, contest the question by *mandamus*; but it is not within the power of any court by injunction or by *mandamus* to arrest the progress of an election directed by the Legislative department, by deciding in advance questions connected with the alleged illegality or irregularity of the election as stated, expressing their opinions as to the expediency of a constitutional convention.

"It is therefore on this 2d of April, 1867, ordered and decreed by the Superior Court of Baltimore City, as a Court of Equity, that the application for an injunction in the above case be rejected, and the bill dismissed with costs. "R. N. MARTIN."

The election was held on the 10th of April and the whole number of votes cast was 58,718, of which 34,534 were for a convention, and 24,136 against a convention, and 48 blank ballots. In accordance with the Act of Assembly, the governor issued his proclamation on the 20th, calling the convention to assemble at Annapolis on the 8th of May. It met in the hall

of the House of Delegates, at the time appointed, and organized by the election of the following permanent officers: President, Richard B. Carmichael, of Queen Anne's County; Secretary, Milton Y. Kidd, of Cecil County, with other subordinate officers. After a session of over three months the convention completed its work and adjourned on the 17th of August, 1867. The election for the adoption or rejection of the new constitution, was held on the 18th of September. The whole number of votes cast in favor of its adoption, was 47,158, and against it, 23,036, being a majority of 24,116 in its favor. It went into effect on the 5th of October, and is still in force. Thus after a hard struggle, but by the use of lawful and peaceful means alone, did the people of Maryland regain their liberties and restore a republican government of the State.

Even after the Constitution of 1867 had been adopted, and the State government peaceably re-organized under it, without any such forcible or factious resistance from within the State as that menaced by the manifesto referred to, Governor Thomas and his associates in the House were still perseveringly laboring to accomplish the "reconstruction" of the State upon *ex parte* testimony by means of a congressional "enabling act."

At the beginning of the next session of Congress, as late as December 17th, 1867, Mr. Thomas reported from the Committee on Judiciary a resolution, authorizing that committee to "continue the inquiries heretofore ordered by the House concerning public affairs in Maryland, with all the power and authority given to the committee on that subject by orders and resolutions of the House." The resolution was passed, after being amended on motion of Mr. Phelps so as to allow the representatives from Maryland to attend at the examination and cross-examination of witnesses. In offering this amendment Mr. Phelps spoke in terms of indignant denunciation of—

"The attempt that has been made here and persisted in for more than twelve months, by a secret *ex parte* inquisition, no voice from that State being allowed to be heard in her defence, not only to overwhelm a State of this Union in full relation to the general government, but to put that State upon trial for its life, its independence, its sovereignty, its integrity. It is time the country should know what has been passing in silence and secrecy through the subterraneous channels underneath this floor. I have made the effort, by appearing before the committee having in charge this investigation to secure for my State something like a fair hearing in the examination of witnesses. I had always supposed that the Constitution of a State of this Union was a document of such authentic character that it proved itself. But it appears that in these days it is regarded as standing upon parol evidence, depending on matter *in pais*, and established or overthrown by such partisan testimony as can be drummed up in the interest of a defeated and disappointed political faction. Such testimony as this is brought forward to prejudice the minds of those who are already sufficiently hostile. Even the very reasonable request which I made was refused or indefinitely postponed. The testimony has been taken in the manner and without cross-examination on the part of those who, knowing the character of the witnesses and familiar with the political history of the State, could probe and sift the testimony upon the spot, prove the extravagance of willing witnesses, and thus aid materially in eliciting truth."

With this debate closes the history of the attempts at congressional intervention in the internal affairs of Maryland.

No report ever came from the Committee on the Judiciary, and the immense mass of testimony they accumulated on the subject of Maryland politics was quietly buried in the vaulted corridors of the capitol. Thus failed the minority's last frantic and futile clutches at expiring power; and the faction which had so long misruled the State, sank, finally to their proper place—their place in the body politic, their place in their history, and their place in the opinions of honest men.

The first election under the new constitution was held in Baltimore, on October 21, 1867, for Judge of the Court of Appeals, Chief and four Associate Judges of the Supreme Bench of Baltimore, and for Mayor and City Council of the latter city. The vote for mayor was: R. T. Banks, democratic conservative, 18,490; A. W. Denison, radical, 4,896. At the State election, on November 5, the candidates for governor were: Oden Bowie, democratic conservative, and Judge H. Lenox Bond, radical. In Baltimore, Bowie received 19,912 votes, and Bond 4,846. The total vote in the State was 85,744, of which Bowie received 63,094, and Bond 22,650. The conservatives, knowing their heavy preponderance, did not poll by any means their full strength, yet they elected all their State officers and carried both branches of the Legislature, a fact unprecedented in the history of the State.

The Assembly met on the 1st of January, 1868, and presented the singular spectacle of a legislative body in which there was absolutely no opposition—not a single member to oppose any measure on political grounds. This, however, proved no disadvantage, as there was little or no hasty or partisan legislation. The members, to an unusual degree, represented the ability, the intelligence, and the most considerable interests of the State.

The Hon. Barnes Compton was elected President of the Senate, and in his opening address expressed the general feeling of the people of the State. "The present," he said—

"Was an eventful period in the History of this State and country. The deliberate attempt has been made permanently to pervert the character of our government. Our institutions have been unwarrantably and rudely assailed, and that enduring liberty and happiness designed and hoped for by their authors, eclipsed in the meridian. But the sky is clearing; from every quarter comes the cheering echo of indignant reproof by an outraged people, of the usurpations which infatuated zeal and partizan hate have perpetrated. What the State requires, what the country demands, is practical, conciliatory, constitutional legislation.

"Fortunately for us as a State, we have again a form of government upon the original model, reflecting the views and wishes of a vast majority of our people. But a great deal of important amendatory legislation remains to be perfected in the interest of and in obedience to the known wishes of our people. The burden is upon us. Ours is an undivided responsibility. Necessarily, we shall be called upon to consider questions not only of grave import to the people of this State, but the ripples of whose influence may extend beyond our own borders."

The House was organized with the election of William A. Stewart, of Baltimore, as speaker. Governor Swann sent his message to the Legislature on the 3d, and on the 8th, Oden Bowie, the tenth governor elected by the vote of the people, was duly inaugurated.

The first exciting contest in the Legislature was the election of United States Senator for six years, from the 4th of March, 1860, when the term of the Hon. Reverdy Johnson expired. On the final ballot, which took place January 17th, the Hon. William T. Hamilton, a democrat of Washington County, received fifty-six out of the total number of one hundred and ten votes, and was declared duly elected.[1]

The distinguished abilities and great learning of the late senator, Reverdy Johnson, caused him to be appointed by the President, with confirmation of the Senate, United States minister to England.

Reverdy Johnson was born in Annapolis, on May 21st, 1796, and received his education at St. John's College, in that city. He then studied law in his father's office, was admitted to the bar in 1815, and in 1817 removed to Baltimore, where he soon obtained a prominent place among his professional brethren. At that time the Baltimore bar was especially distinguished for the ability, learning, and high character of its members. His knowledge of law was vast and profound, and his force as a jurist was not surpassed by that of any lawyer of his time. His political career began in 1821. During the war between the States, he adhered to the Union cause, though he manifested none of that passion, vindictiveness and unreasonableness which characterized the conduct of many assuming to be statesmen, but who had neither his intelligence nor his liberality. In many instances, he expressed emphatic disapproval of measures legislative and military which he considered unconstitutional, or unnecessarily harsh and oppressive, which were justified by the ever-ready plea of "military necessity." His great knowledge of law, and his unquestioned fidelity to the cause he supported, gave his protests great weight. Even those who dissented from his views, readily admitted the integrity and native independence of his character. His acceptance of the ministry to England left his seat in the Senate vacant, and on the 13th of July, 1868, Governor Swann appointed William Pinkney Whyte, of Baltimore, to fill the unexpired term.

REVERDY JOHNSON.

In February, 1857, Governor Swann was elected United States Senator to replace John A. J. Cresewell, whose term expired on the 4th of March following. Governor Swann, however, declined the office, and in March Philip

[1] The vote was as follows: Hon. William T. Hamilton, Senators, 17, Delegates, 39, total, 56; Hon. Thomas Swann, Senators, 7, Delegates, 38, total, 45; W. M. Merrick, Senators, 1, Delegates, 6, total, 7; Hon. Thomas G. Pratt, Senators, 0, Delegates, 1, total, 1.

Francis Thomas, of Talbot County, was elected.[1] Although he was constitutionally eligible, and the Judiciary Committee reported favorably upon his credentials, he was refused his seat by a vote of 27 to 20. By this act a gross outrage was perpetrated upon the people of Maryland by a body which usurped despotic powers, and exercised them for purely partisan purposes. He was arbitrarily refused permission to enter the Senate Chamber, simply because his political views were not in accord with those of the radical members of that body, who were bent upon retaining control of the government. As the United States Senate refused to permit ex-Governor Thomas to assume the position to which he was legally entitled, the Legislature of 1868 thought it advisable to fill the vacancy created by his non-admission; and on the 6th of March elected Hon. George Vickers, of Kent County. A large minority of the members were in favor of re-electing Mr. Thomas, and thus expressing their sense of the indignity put upon the State; but the majority thought otherwise. There were three ballots taken before a choice was effected, as follows:

	First vote.	Second vote.	Third vote.
Vickers	37	47	59
Thomas	31	30	41
Earle	..	..	8
Swann	32	24	..
McCullough	1	..	..
Handy	2	..	..
Total	101	101	109

Mr. Vickers having done, on the third ballot, received 59 votes, and there being but 43 for all others, the presiding officer announced that he was duly elected.

The great presidential contest which had so much absorbed the interest of the country in 1868 was decided on November 3d, with the following result: The candidates were General Ulysses S. Grant, republican, for Presi-

[1] Hon. Philip Francis Thomas was born in Easton, Talbot County, and was educated at Easton and Dickinson College, Carlisle, Pennsylvania. He studied law, and was admitted to the bar in 1831. He was elected as a democrat to the House of Delegates in 1836; was a representative in Congress from 1839 to 1841; was subsequently judge of the Land Office Court of the Eastern Shore of Maryland; in 1843 and 1845 was elected to the House of Delegates; and in 1847 was elected governor of Maryland, and served a term of three years, retiring in 1851. In 1851 he was nominated and elected comptroller of the treasury, an office created by the constitution of 1851. He resigned that office in 1853, and accepted the office of collector of customs of the port of Baltimore, under the administration of President Pierce, and served during that presidential term. Mr. Thomas was offered the position of Governor of Utah Territory during the Mormon War by President Buchanan, but declined to accept it. Subsequently he was offered the office of Treasurer of the United States by President Buchanan, vice Cobb, deceased, but declined it. In the early part of 1861 he was appointed by President Buchanan Commissioner of the Patent Office, and on the resignation of Howell Cobb, as Secretary of the Treasury, in December, 1860, he was appointed Secretary of the Treasury, in Mr. Buchanan's cabinet. He resigned the office in January, 1861, and resumed the practice of his profession. In 1865, he was again elected to the House of Delegates, and during the session of that year, as we have seen, was elected to the United States Senate, but was refused admission, and finally rejected, February 16, 1866, for alleged disloyalty. He was elected to the XXXVIth Congress and served through that term. In 1867, he was again elected a member of the House of Delegates from Talbot County.

dent, and Schuyler Colfax, for Vice President; and Horatio Seymour, democrat, for President, and Francis P. Blair, Jr., for Vice President. Messrs. Richard B. Carmichael,[1] J. Thomson Mason, Albert Constable, Walter T. Allender, Henry Clay Dallam, Charles B. Roberts and George Peter, the Seymour and Blair electors, were elected by the following vote, as compared with Governor Bowie's:

	PRESIDENT. 1868		GOVERNOR. 1867	
	Seymour's Dem.	Grant's Rad.	Swann's Rad.	Bowie's Dem.
Allegheny	2,721	2,493	2,584	2,775
Anne Arundel	1,670	324	1,905	1,701
Baltimore City	21,563	9,103	19,911	4,846
Baltimore County	1,877	2,385	4,154	1,311
Calvert	635	67	581	9
Caroline	907	494	1,001	231
Carroll	2,007	2,703	2,810	3,401
Cecil	2,191	1,715	2,513	1,789
Charles	1,100	38	1,273	7
Dorchester	1,415	477	1,772	341
Frederick	3,713	3,803	4,185	3,705
Harford	2,818	1,175	2,847	836
Howard	1,012	490	1,310	336
Kent	1,388	268	1,420	138
Montgomery	1,745	389	1,975	320
Prince George's	1,264	184	2,056	72
Queen Anne's	1,612	275	1,767	93
St. Mary's	1,182	80	1,519	42
Somerset	980	421	1,315	187
Talbot	1,252	457	1,273	138
Washington	3,134	3,056	3,322	2,918
Wicomico	1,484	621	1,570	280
Worcester	1,810	580	1,407	137
Total	63,208	33,284	68,294	32,050
	30,486		22,050	
Seymour's maj.	31,715	Bowie's maj.	41,544	

In the electoral college, Grant and Colfax received two hundred and fourteen votes, and Seymour and Blair, eighty. Seymour received the votes of New York, New Jersey, Delaware, Maryland, Georgia, Louisiana, Kentucky and Oregon. Virginia, Mississippi and Texas not having accepted the terms of the reconstruction Acts prescribed by Congress, were not allowed to vote.

At the same election, Messrs. Samuel Hambleton, Stevenson Archer, Thomas Swann, Patrick Hamill and Frederick Stone were elected members of the Forty first Congress, from Maryland.

[1] At the meeting of the Electoral College at Annapolis, on the 2d of December, all the members were present except Mr. Carmichael, when George M. Gill of Baltimore City, was appointed to fill the vacancy, under the Act of 1802, which empowers the Electoral College to fill by election any vacancies that exist on the assembling of the college to cast the vote.

Upon the formation of his cabinet, on the 4th of March, 1869, General Grant appointed John A. J. Creswell, of Cecil County, postmaster-general.

On July 24th, 1868, there was an extraordinary fall of rain all over the State, producing at many points disastrous floods. Scarcely a bridge was left standing on any considerable stream; and many houses, mills, and other buildings were swept away. The Patapsco river rose with unprecedented rapidity, and in about twenty minutes became a swollen and furious torrent sweeping everything before it. Trees, masses of timber and other debris were swept down with tremendous force. So rapid was the rise of the water that many persons barely escaped from their houses on the high banks in time to see their dwellings carried away by the rush of waters and the impact of the floating masses of wreck. Others were seen on the roofs of their tottering houses, making piteous signs of supplication for the help which no mortal arm could render, until the rushing waters swept them away. Children perished in the sight of their parents, and wives before the eyes of their husbands.

At Ellicott City, on the right bank of the Patapsco, the flood was most destructive. Thirty-two buildings were here swept away, and forty-three lives lost.

The flood at Baltimore rose to a height never known before;[1] although owing to the topography of the Patapsco and Jones' Falls basins, it is partic-

[1] On July 30, 1754, Baltimore was visited with a heavy freshet, which swept away all the bridges in the town and county, and left the roads almost impassible. There was scarcely a mill left in Baltimore or Kent County. On October 5, 1786, Baltimore was again devastated by another alarming flood, which exceeded anything within the recollection of the "oldest inhabitant." Houses, mills, wharves, bridges, merchandise and other valuable property were carried out in the irresistible flood, inflicting a damage upon the scattered population of over $500,000. The German Calvinist Church, which stood on the northwest corner of Baltimore and Front streets, had its gable end wall swept away. In this terrible disaster a number of persons were drowned. On July 25, 1785, Baltimore was again visited by another storm of wind and rain, which deluged all the lower section of the city, "presenting a scene of devastation and horror never before known." At this time, over forty vessels were washed ashore at Norfolk, Virginia. On the 8th of August, 1817, there was another freshet, which inflicted greater damage than any which had preceded it. All the bridges were washed away, or damaged to such an extent as not only to be rebuilt, except the one that crossed Jones' Falls, at Baltimore-street. Harrison and Frederick streets were overflowed to the depth of from ten to fifteen feet, and "Market Space" to more than six feet. In Harrison street, several frame houses were lifted from their foundations and floated down the stream, together with horses, cattle, hogs, carts, drays, furniture, and, in several instances, human beings were mingled in tremendous confusion by the irresistible force. The flood which happened on the 5th of August, 1837, was without parallel in the history of Baltimore, until that of 1868. That began, like the one of 1868, with dark and heavy clouds, accompanied by vivid flashes of lightning and continuous peals of heavy thunder. The period, however, at which the flood of 1837 came on was night; between nine and ten o'clock the rain began to fall fast, the breezes in currents, and continued till past one in the morning. At that time, Jones' Falls overran its banks. The force of the waters carrying away the second bridge which crossed it, reinforced by large quantities of drift-wood and fragments of dislodged buildings, brought up against the bridge on Gay street—so damming up the flood above it, that the water burst from its bank and immediately inundated all that section of the city then known as the "Meadow." The elements of the hour and the darkness of the night combined to render the calamity more destructive of life than the disaster of 1868; seventy-two people were drowned in the city and vicinity; in one case a man, his wife and three children, living at the corner of Holliday and Saratoga streets, were drowned in their beds; the loss of property was estimated at not less than $2,000,000. Baltimore was visited, on August 24, 1852, July 23, 1852, June 12, 1858, and May 11, 1891, with severe floods, the principal sufferers being those who resided or did business on Harrison, Frederick and Saratoga streets, and the east side of Centre Market.

larly liable to inundations. Jones' Falls coming from the hilly country to the northwest, runs for miles on its winding course through the very centre and heart of Baltimore, from its northwestern to its southwestern limits; and whenever the narrow banks are swollen by sudden freshets, becomes incapable of retaining its boundaries, and widens out in the low lands into small lakes, submerging the cellars of stores and dwellings, whilst some of the streets in its neighborhood are converted into rivers, with water enough in places to float schooners and steamboats.

On July 24th, the rain poured down in torrents from early in the morning, and about mid-day the Falls rose with great rapidity, soon overflowing walled banks, backing into numerous contiguous streets, and penetrating dwellings, stores and basements, creating great alarm and damaging and sweeping off property, carrying away bridges, etc. One of the city passenger railway cars in passing from Gay street bridge, filled with passengers, was caught by the flood when opposite Harrison street, and was lifted by the force of the current from the track and carried down the street. As it swept along, all the passengers but one were rescued and the car finally lodged against the front of the Maryland Institute, a total wreck.

To one standing at the corner of Frederick and Baltimore streets about two o'clock, the scene was truly distressing. The flood had now swollen into an angry torrent that rushed furiously down the beds of Harrison and Frederick streets. At the corner of Harrison and Baltimore streets, the water was within one foot of the top of the street lamp. From time to time masses of timber and wood, boxes, barrels, railroad ties, articles of household furniture, fencing, trees, wagons, out-houses, and in short, all manner of debris from the wreck and ruin along the line of the Falls came sweeping down the fearful current, and piling up in front of the Maryland Institute, in this way a sort of creek-water was formed, protecting that building against the battering of the surge that swept down Harrison and Frederick streets. The water soon after this was seen to dash over the bed of Baltimore street bridge, driving the people assembled there in wild confusion toward High street. About this time word came that Gay street bridge was seriously threatened, and in attestation of this report there was soon a flood of water pouring down Gay street, and shortly thereafter the backwater came in large volumes down Holliday street also. Language is almost inadequate to describe the scene that was now witnessed. The surface of the angry flood was fairly covered with every description of material, telling sadly and painfully of the immense loss, destruction and distress that this disaster was occasioning. Now the porch of a house, now the contents of some store, now the timbers of the bridges and warehouses, would come down dashing along with fearful force, driving up against buildings, crashing window-glass in the first floor and bursting in doorways.

The effects of the flood were very severely felt on North street, and from the high ground near the city hall excavation, just south of Lexington street,

the water covered the whole extent of the street northward towards Eager street, flooding every building. In some places, from near Pleasant street northward, the water was fully ten to twelve feet deep. The residents of the small dwellings in the neighborhood were obliged to take refuge in the upper stories of their dwellings and some made very narrow escapes. Holliday street also came in for a large share of the overwhelming flood. The water extended the whole length of this street, even across the elevated portion of it at Fayette street, and thence passing down into Baltimore street. In front of the theatre the water rose above the sills of the doors, and thence extended in a broad sheet across the street to the new city hall excavation, which was quickly filled, the water rushing into it with great volume, presenting the appearance of a mill-dam. Northward, the whole length of the street was like an angry river, and the occupants of the small houses above Saratoga street were in no little peril. Some of these were rescued from the upper windows by persons in boats. The whole appearance of this region was so changed by the action of the water that even one tolerably familiar with the locality could scarcely recognize it.

On the opposite or eastern bank of the Falls many of the small dwellings had completely disappeared, and on the west side those that were left standing as the water subsided, were in ruins, as though an earthquake had shattered them. Just above Bath street bridge, which disappeared at an early stage of the flood, a frame dwelling on the west side of the Falls was lifted bodily from its foundations and carried out into the stream with all its contents, and soon became a wreck, its shattered fragments joining the mass of madly rushing timbers, boxes and household goods continually passing down the current. Near where the above-mentioned house stood was a whiskey distillery, which was also entirely destroyed, nothing being left of the establishment but a mass of ruins. All the whiskey in the stills and in the bonded warehouse was swept down the Falls. The Centre Market, under the Maryland Institute, was completely swept out, scarcely a box or a stall being left in the whole building. The blocks of the upper market, except those that were swept out into the basin, were piled up upon those in the lower markets, presenting a scene of confusion. The stores upon both sides of the market were in a terrible condition, the water having reached the ceilings, and a large portion of their stock was utterly destroyed. On the west side of the market and on Second street the pavements were torn up, and in some places the earth washed out to the depth of three or four feet. At the foot of the market on Pratt street, the earth caved in at the head of Long dock, taking with it half of the bed of Pratt street. Five dead bodies were fished out of the Falls and along the streets.

The immense body of water that poured with such terrific force down Marsh Market Space, Frederick street and Gay street into the wharves at the south side of Pratt street, can scarcely be described. The bed of this street was uprooted and carried away, the enormous stones forming the coping at

the edge of the wharves torn up as if they were mere pebbles, and tossed on edge and transversely so that the water pouring over them formed a cataract the width of the streets, and swept downward into the docks with a roar that could be heard a considerable distance. This was especially the case at the foot of Centre Market Space, where, from Dugan's wharf on one side, and McElderry's wharf on the other, the torrent of angry turbid water rushed onward with a force that carried down huge beams and rafters, barrels of whiskey, beef and pork, and where it poured over the head of the destroyed dock was converted into a cataract that can be likened to nothing but a miniature Niagara. Down this stream there came a number of slaves, probably twenty-five thousand; a short distance further down the dock they caught against some huge pieces of lumber that had become fixed across it. In this way a strong boom was formed, and as the piled up mass of debris grew greater, it made a bridge on which a person could cross dry-shod from shore to shore.

It was supposed at first that all the bridges over the Falls had been swept away, but fortunately this was not the case, though the few that were left standing were all greatly damaged. The stone bridge at Eager street stood firm, but the flood undermined the eastern abutment so dangerously, that a policeman was stationed there to warn all persons to cross quickly, as the bridge might yield at any moment. The Charles street bridge was swept entirely away, the abutments having yielded to the force of the torrent. The structure was soon dashed to pieces, and came down with the mass of debris against the Monument street bridge. The pressure of debris and its damming of the flood at Monument street, soon caused the water to rise and flow over the bed of that structure, and in a few minutes after it floated from its abutments and was dashed into fragments. The Madison and Centre street bridges, the Hilton street and the Swann street bridges soon after gave way and were swept down the current, the abutments and approaches to those fine structures being entirely destroyed. The Belvidere bridge was not injured, it having withstood all the floods for fifty years. The fine iron bridge at Fayette street was also swept off. The abutments gave way about half-past one o'clock, and the iron superstructure crumbled into a thousand fragments. The three principal bridges in the centre of the city, those over Gay street, Baltimore street and Pratt street, were all badly damaged, and were only in a condition for foot passengers to cross.

The scene at Gay street bridge after the water subsided was of the most appalling character, and showed the cause of such an immense flood having forced its way into Harrison and Frederick streets. When the flood was at its height the debris from the five bridges that were washed away above Gay street massed itself against the north side of the Gay street bridge, and was piled up to the height of fifteen feet above the floor of the bridge, and massed back to the extent of fifty or sixty feet. The bridge itself was raised

from its abutments on the north side, and the railings on both sides carried away. The water, when at its height was nearly a foot over the railings, and it is singular that the structure retained its position. Baltimore street bridge also caught a large portion of the floating timber, and was badly damaged, though it was made passable the next day. Pratt street bridge was also in a critical condition, and could not be used except for foot-passengers. The bridge over Eastern avenue was not injured in the least, and this and the Eager street bridge were the only two serviceable for travel. The flood had pretty nearly subsided, and the water was confined to the banks of the Falls about six o'clock in the evening, and many thousands of persons were wading through the mud left in the streets, nearly ankle deep, to witness the scenes for two or three squares on either side of the Falls, extending over a distance of fully two miles. Hundreds of vehicles were in use for the same purpose, though it was difficult at times to thread a way through the rubbish left by the receding water. A horse and wagon, the latter containing some fifteen persons, was crossing Baltimore street near the west side of Market Space, when the pavement caved in and the whole party were thrown into a hole eight feet deep. They all managed to struggle to shore, and the horse was cut loose in time to save himself.

The destruction of property was immense, being estimated at about $3,000,000.[1] The Maryland Legislature and City Council of Baltimore adopted measures of relief for the sufferers, and large contributions were made by many liberal citizens.[2]

The election for members of both branches of the City Council took place in Baltimore on the 27th of October, 1859. In some of the wards there was a spirited contest, there being three tickets, as well as independent candidates in the field; but it resulted in the election of the entire democratic conservative ticket. The whole number of votes cast, including scattering votes, was about 18,000, of which about 12,000 were cast for the democratic candidates, 6,120 for the republican, and seven hundred and fifty for the workingmen's candidates. The democratic majority over the republicans was about 6,880, and about 5,130 over both republican and workingmen's candidates. The whole number of registered voters in the city at this time was 44,211.

As there had been nothing in the history of the last two years calculated to change the opinion of the people of Maryland upon questions of Federal politics, it was not remarkable that the election of State officers and members of the Legislature on the 3d of November, 1859, should record no apparent change in the relative position of parties in the State. Like its predecessor,

[1] See *Chronicles of Baltimore*.

[2] Mr. George W. Childs, the proprietor of Philadelphia *Ledger*, a gentleman of great enterprise and energy of character, and whose benefactions have made his name a synonym for philanthropy and charity, dispensed his bounty with a liberal hand to the sufferers. Mr. Childs is a native of Baltimore, and left that city when quite a young man, locating in Philadelphia, where he has been eminently successful in business. Though resident of a metropolitan city, he still entertains a lively interest in all that appertains to his early home, the home of his nativity.

elected two years before, the Legislature was unanimously democratic conservative. The election on the general ticket was for comptroller. The candidates were Levin Woolford, the democratic nominee, and William A. McKillip, republican. The majority for Woolford was about 28,000.

The Legislature met on the 5th of January, 1870, and was organized by the re-election of Barnes Compton, of Charles County, as president of the Senate, and the election of Ferdinand C. Latrobe (now, 1879, Mayor of Baltimore), speaker of the House of Delegates. Immediately after organization, Governor Bowie sent in his message, which was an unusually full and comprehensive document.

In March, the Legislature passed a law incorporating the town of Towsontown, the county seat of Baltimore County, and on April 4th, an election was held for five commissioners to serve one year. Under the Fifteenth Amendment to the Federal Constitution, it was the first occasion on which colored men were allowed to vote in Maryland since 1802. They were impressed with the importance of the occasion and cast a full vote. They cast their vote for the Republican ticket, which was elected by a large majority. At the town elections in different parts of the State the colored people voted during the spring and summer, and at the fall election for members of Congress, about 36,000 voted for the first time. The candidates of the two parties were as follows:—

Dem.	*Indt.*	*Rep.*
"1st District	Samuel Hambleton.	H. H. Torbert.
"2d District	Stevenson Archer.	Wm. M. Marine.
"3d District	Thomas Swann.	Wash. Booth.
"4th District	John Ritchie.	John E. Smith.
"5th District	William M. Merrick.	Jos. A. Gary.[1]

This election in Baltimore City on the 2d of November, 1870, passed off with remarkable quiet, considering the excitement of the campaign and the feverishness engendered from the apprehension of trouble, the knowledge of troops being held in readiness, and the unusual proceeding of constituting United States Marshals conservators of the peace where there was already ample provision for the protection of all voters under the laws of the State. The election, however, was attended by no disorder whatever, and the result showed a larger vote than was ever known in the city before. The introduction of the new element in the exercise of suffrage, and the bringing into operation of the new enforcement act and supervision of elections by Congress, aroused a general feeling of interest among all classes of voters, and brought out nearly the whole of what is termed "the quiet vote."

[1] The result in the several districts in Maryland in 1868, when all the democratic nominees were elected, was as follows: First district—Samuel Hambleton, 17,809; Henry H. Torbert, 4,000; Hambleton's majority, 9,200. Second district—Stevenson Archer, 12,883; John T. Ensor, 6,877—Archer's majority, 6,026. Third district—Thomas Swann, 13,096; General Adam E. King, 5,807—Swann's majority, 7,449. Fourth district—Patrick Hamill, 12,259; Daniel W. Gist, 11,051—Hamill's majority, 688. Fifth district—Frederick Stone, 10,128; William J. Albert, 2,744—Stone's majority, 7,384.

All the colored voters appeared at the polling places at an early hour and the day seemed to be almost a holiday with them. United States deputy marshals appeared at the polling places. There was no need for their presence, as the day passed off without any disturbance of any kind, or anything to justify the extraordinary agencies and precautions which were invoked under the color of the Act of Congress for the purpose of preserving the public peace and protecting the rights of voters. Maryland nobly proved, as she always has done, at all periods of her history, that she is abundantly able to enforce her laws, and to do justice to all men within her borders, without volunteer protection or assistance from without. She needed no Act of Congress to compel her to recognize and secure the rights which by the fifteenth amendment were enforced upon all persons, without distinction of race, color, or previous condition. Although her Legislature had disapproved of that amendment in the manner and under the circumstances under which it was submitted to the States for their adoption or rejection, no sooner was its ratification proclaimed by the proper authority than she conformed her legislation to the altered requirements of the constitution. Her registration and election laws, framed after a painful experience of the abuses to which the right of voting is at times subject, particularly in large cities and in crowded precincts, were adapted to secure the fullest and amplest protection to all, and to throw every possible safeguard around the purity of elections. The ability and disposition of her police authorities, charged with the enforcement of those laws, to carry them into execution in letter and in spirit, were beyond question. Above all, the spirit of her people gave the best guaranty that the laws would be obeyed, and that neither force nor fraud would be permitted to deprive any man of his rights. It was undoubtedly the suspicion cast upon her good faith, and the slight offered to her dignity by the legislation of Congress and the extraordinary measures of precaution, which are supposed to find their justification in that legislation, which contributed, in part at least, to the result of Tuesday, November 2d, 1870. The following vote of her people was a protest against Federal interference in elections:

Counties.	Gov.	Atty.
Anne Arundel	2,015	2,709
Allegany	2,843	1,980
Baltimore City	33,990	16,249
Baltimore County	5,814	3,701
Calvert	967	1,060
Caroline	1,891	1,343
Carroll	2,966	2,565
Cecil	3,710	2,142
Charles	1,745	1,762
Dorchester	2,084	1,744
Frederick	4,733	4,062
Harford	3,000	1,674
Howard	1,188	1,156
Kent	1,874	1,089

Counties.	Dem.	Rep.
Montgomery	2,436	1,591
Prince George's	2,240	2,231
Queen Anne's	3,631	1,822
St. Mary's	1,671	1,413
Somerset	2,510	1,547
Talbot	1,760	1,900
Washington	2,760	3,284
Wicomico	1,344	813
Worcester	1,952	1,109
Total	70,780	57,789
	57,789	
Democratic Conservative majority	13,001[1]	

For the negro voters, the result also had its moral. They had been flattered by those who had sought to use and control their votes with the idea that they held the balance of political power in their hands. They had been promised, as the reward of their blind, unquestioning devotion to our political party, a large share in the offices and patronage which by their joint efforts they were to secure. The idea proved illusive, and the promises were not fulfilled, and from this time they have refused, to a great extent, to recognize any right of property in their votes in any political party or to accept any set of politicians as their natural and infallible guides.

At the municipal election in Baltimore on the 25th of October, 1871, for Mayor and City Council, the entire vote cast on the Mayoralty ticket was 39,159, of which Joshua Vansant, the democratic conservative candidate, received 18,157 votes, and Charles Dunlap, the national reformer's candidate 11,068, showing a majority of 7,089 for Vansant. In the State election for governor, comptroller, attorney-general and members of the Legislature, held on the 7th of November, the democrats were also successful. On the State ticket the democratic candidates were: For Governor, William Pinkney Whyte, Baltimore City; Attorney General, A. K. Syester, Washington County; Comptroller, Levin R. Woolford, Worcester County. Republican candidates: For Governor, Jacob Tome, Cecil County; Attorney General, Alexander Randall, Anne Arundel County; Comptroller, Lawrence J. Brengle, of Frederick. The election resulted in the success of the Democratic State ticket, as well as the democratic candidates for the Legislature and county officers in a large majority of the counties, though the colored voters, assisted by dissensions in the democratic ranks, enabled the republicans, in some instances, to break through the hitherto solid democratic front of the Legislature. In the congressional election of 1870, the republicans had carried

[1] The result in the several congressional districts was as follows: First district—Hambleton, dem., 17,302; Talbert, rep., 15,326—Hambleton's majority, 1,774. Second district—Archer, dem., 14,922; Marine, rep., 8,062—Archer's majority, 6,860. Third district—Swann, dem., 15,187; Goodz, rep., 10,474—Swann's majority, 4,723. Fourth district—Ritchie, dem., 14,804; Smith, rep., 12,186—Ritchie's majority, 1,818. Fifth district—Mercer, dem., 15,291; Gary, rep., 14,437—Mercer's majority, 1,784.

Anne Arundel, Calvert, Charles and Prince George's Counties, by small majorities, which they lost this year, but were compensated in gaining a foothold on the bench and in both branches of the Legislature, and by carrying Frederick County wholly, in addition to partial successes in Alleghany, Cecil and Washington Counties. The Legislature stood politically as follows: Number of delegates, eighty-two; Democrats seventy; republicans twelve. The total vote of the State was 132,728 against 134,510 at the congressional election in 1870. The total number of votes cast for Governor Whyte was 73,908; for Tome, 58,320; Whyte's majority, 15,088.

The Legislature assembled on the 3d of January, 1872, and perfected its organization on the next day, by the election of Henry Snyder of Baltimore City as president of the Senate, and Hon. Arthur P. Gorman (now, 1878, president of the Chesapeake and Ohio Canal), speaker of the House of Delegates. Governor Bowie's farewell message was delivered to the Legislature on the 5th, and William Pinkney Whyte, the governor elect, was formally inaugurated in the Senate chamber on the 10th. At this session, Hon. George R. Dennis was elected to the United States Senate to fill the vacancy occasioned by the expiration of the term of office of the Hon. George R. Vickers, on March 4th, 1873.

The National Democratic Convention met at Baltimore, on July 9th, 1872, at Ford's Opera House. Every State in the Union, and nearly every Territory, was fully represented. The spacious parquette and orchestra-circle were filled with the delegates, ranged according to their States, in regular order. The stage was occupied by the officers of the Convention and representatives of the press; and from this point, the *coup d'œil* was most striking. The house, brilliant with banners and flags, with the escutcheons of thirty-seven States pendant from the balconies, and with guidons designating the places of the respective delegations, was crowded from stage to dome with eager spectators; while the blended day-light and gas-light shed a soft and mellow lustre over the animated scene.

James R. Doolittle, of Wisconsin, was chosen permanent president, with a long list of vice-presidents and secretaries. On July 10th, the Convention completed its work by adopting the platform of principles put forth by the Cincinnati Convention of Liberal Republicans, and by indorsing the candidates for the presidency and vice-presidency—Horace Greeley, of New York, and B. Gratz Brown, of Missouri—nominated by the same body.[1]

The democrats opposed to the Greeley movement, or "New Departure," as it was called, held a convention of about sixty delegates at the Maryland Institute Hall, Baltimore, on July 9th, for the purpose of nominating

[1] The whole number of votes cast was 732, of which Horace Greeley received 686; Jeremiah S. Black, of Pennsylvania, 31; James A. Bayard, of Delaware, 15; William Groesbeck, of Ohio, 2; and blank, 8. All the delegations except Delaware afterwards changed their votes to Greeley. The vote for vice-president was: B. Gratz Brown, 713; John W. Stevenson, of Kentucky, 6; and blank, 13. Mr. Brown's nomination was then made unanimous.

"straight-out" democratic candidates. They, however, confined their action to issuing an address, and recommending a convention to be held at Louisville on September 3d. The choice of this party for president, was Charles O'Conor, of New York, with John Q. Adams, of Massachusetts, as vice-president. Mr. O'Conor, however, declined the nomination.

In Maryland, the election this year, was for members of Congress, as well as for president. The Greeley, or "New Departure Ticket"[1] was carried by a small majority, as compared with that given for Governor Whyte, in 1871:

	PRESIDENT. 1872.		GOVERNOR. 1871.	
	GREELEY. (D. L.)	GRANT. (Rep.)	WHYTE (Dem.)	ROSS (Rep.)
Allegany	2,695	3,301	2,711	3,541
Anne Arundel	2,210	2,526	2,704	2,413
Baltimore City	24,094	19,523	23,974	14,703
Baltimore County	1,173	8,771	5,806	8,254
Calvert	893	1,070	1,079	909
Caroline	1,680	1,108	1,263	1,195
Carroll	2,526	3,587	3,365	3,058
Cecil	3,103	2,515	2,586	3,073
Charles	1,270	1,591	1,575	1,200
Dorchester	1,757	1,872	2,050	1,561
Frederick	4,005	5,120	4,071	6,009
Harford	1,957	2,117	2,553	1,881
Howard	1,196	1,300	1,207	1,163
Kent	1,023	1,058	1,307	1,386
Montgomery	2,127	1,949	2,267	1,840
Prince George's	1,631	3,374	2,287	2,131
Queen Anne's	1,801	1,674	2,046	1,630
St. Mary's	1,389	1,338	1,512	1,451
Somerset	1,122	1,615	1,731	1,611
Talbot	1,921	1,661	1,919	1,529
Washington	3,261	3,664	3,750	3,031
Wicomico	1,470	1,051	1,652	1,006
Worcester	1,784	1,103	1,664	728
	27,697	28,730	74,908	68,262

Majority for Greeley, 827. Whyte's majority, 10,058.

In the general result Grant and Wilson received two hundred and eighty-six votes in the electoral college. Horace Greeley died on November 29th, before the meeting of the college, and the majority of his votes were cast for Thomas A. Hendricks, of Indiana, who received forty-two, and B. Gratz Brown eighteen, Charles J. Jenkins two, and David Davis one, by the States of Georgia, Kentucky, Maryland, Missouri, Arkansas, Tennessee and Texas, sixty-three. The Maryland electoral college met at Annapolis on the 4th of December, and cast the vote of the State for Hendricks and Brown, and adopted a series of resolutions to the memory of Hon. Horace Greeley.

[1] The electors on this ticket were Augustus W. Bradford, Frederick Raine, Philip D. Laird, James Black Groome, John M. Carson, James A. Buchanan, James T. Briscoe and William Wilson.

The candidates for Congress were:

Dist.	Democrat.	Independent.
1.	Ephraim K. Wilson.	Thomas A. Spence.
2.	Stevenson Archer.	A. M. Hancock.
3.	William J. O'Brien.	Robert Turner.
4.	Thomas Swann.	Elias Griswold.
5.	William M. Merrick.	William J. Albert.
6.	John Ritchie.	L. Lowndes, Jr.

In the congressional districts the result was as follows:

1st District.	Wilson, Dem.	12,494.	Spence, Independent	11,826
2d "	Archer, "	10,601.	Hancock, Republican	10,309
3d "	O'Brien, "	9,275.	Turner, Independent	8,746
4th "	Swann, "	13,148.	Griswold, Ind. Democrat	20,856
5th "	Merrick, "	10,900.	Albert, Republican	1,405
6th "	Ritchie, "	28,515.	Lowndes, "	14,278

In the fifth and sixth districts, the republican candidates were elected.

In the municipal election, in Baltimore, on October 22d, 1873, Joshua Vansant, democrat, was re-elected, receiving 22,751 votes to 19,657 cast for David Carson, the reform candidate.

The Legislature assembled on January 7th, 1874, and elected John Lee Carroll, of Howard County, president of the Senate, and Jesse K. Hines, (now State Insurance Commissioner,) of Kent County, as speaker of the House of Delegates. On the 20th, Governor Whyte was elected United States Senator, for the term beginning March 4th, 1875, and, on the 27th, resigned the office of Governor, his resignation to take effect on the 4th of March. James Black Groome, a member of the House of Delegates from Cecil, resigned his seat on February 4th, and was elected governor to fill the unexpired term of Governor Whyte.[1]

The election for mayor of Baltimore, in October, 1875, was a very spirited contest, and resulted in the choice of Ferdinand C. Latrobe, democrat, over Henry M. Warfield, the candidate of the reform party. The total vote cast was 53,808, of which Latrobe received 28,238 and Warfield, 25,571.

[1] Hon. William Pinkney Whyte was born in Baltimore, August 9, 1824. He received his education through private instruction and at the Baltimore City College. After serving eighteen months as a clerk in the banking house of George Peabody, he entered the law school of Harvard University, and was admitted to the Baltimore bar in 1846. He served in the Legislature of Maryland in the session of 1847-8. In 1848, he was Judge-advocate of a court martial at the Naval Academy. In 1851, he was the democratic candidate for congress in a whig district, but was defeated. He was elected Comptroller of the State in 1853, and in 1857 he was the democratic nominee for Congress against the Know-Nothings, but was defeated by a small majority. In 1860, he was a delegate to the New York National Democratic Convention, and at the appointment of Reverdy Johnson as United States Minister to Great Britain, he was appointed to the United States Senate by the governor to fill the vacancy thus occasioned. He served in the Senate from July 21, 1868, until March 4, 1869. In November, 1871, he was elected governor of Maryland, and resigned the office to enable the legislature to elect his successor, on his having been elected to the United States Senate. He took his seat in the Senate March 1, 1875, and his term of service expired in 1881.

The general election on November 2, for Governor, Attorney General, Comptroller of the Treasury, and members of the Legislature, was one of the most animated political contests ever known in Maryland. The democratic candidates were: John Lee Carroll, for Governor; Charles J. M. Gwinn, for Attorney General, and Levin Woolford, for Comptroller. The opposition reform candidates were: J. Morrison Harris, of Baltimore County, for Governor; S. Teackle Wallis, of Baltimore City, for Attorney General, and Colonel Edward Wilkins, for Comptroller. The total vote cast in the State was 157,981, of which Carroll received 85,454, and Harris 72,580. In the counties, Harris received 50,637 votes, and Carroll 48,496; but this majority for Harris was overcome by the vote in Baltimore City, which stood 36,958 for Carroll, and 21,863 for Harris. Great frauds were alleged, and the election was contested before the Legislature of 1876, which decided that the democratic candidates were duly elected.

In this year, Maryland elected six United States Representatives, by the following vote:

1st District.	Henry, Democrat	15,387		Spence, Reform		11,304
2d "	Roberts, "	15,088		Harris, "		11,365
3d "	Kimmel, "	14,351		Goldsborough, Republican		8,563
4th "	Swann, "	15,250		Butler, Reform		12,188
5th "	Hoekle, "	14,436		Sellman, "		11,646
6th "	Walsh, "	15,727		McComas "		15,712

At the presidential election on November 7, the democratic electors were elected by 19,799 majority, the vote for Messrs. Samuel A. Tilden, of New York, and Thomas A. Hendricks, of Indiana, being 91,780, against 71,981 for Messrs. R. B. Hayes, of Ohio, and William A. Wheeler, of New York, the republican candidates.

The year 1876 was marked in Maryland by the formal opening, on February 22d, of the Johns Hopkins University. This institution, destined to take rank with the foremost educational foundations in the country, owes its existence to the bounty of a single citizen. Johns Hopkins, the founder, who for many years had been a prominent merchant and banker of Baltimore, and acquired great wealth, some years before his death planned, and secured a charter for a university to bear his name. By his will he devised to this institution his beautiful country seat, "Clifton," near Baltimore, containing three hundred and thirty acres, and endowed it with a fund of more than $3,000,000. He directed that the buildings of the university which were to be erected from the income, and the principal of his bequest—should be built at Clifton, preserving the park, gardens and conservatories as far as possible. Liberal provision was made for instruction in all branches of learning, for fellowships and scholarships: and the execution of his plans was confided to a board of

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trustees selected by himself, and thoroughly in harmony with the far-seeing and liberal spirit of the founder. The trustees selected Prof. Daniel C. Gilman as president of the university, and he accepted the position, resigning the presidency of the University of California. Scholars of eminent attainments were invited from Europe as well as America, to fill the various chairs; a building was enlarged and fitted up for provisional occupation, and on October 3d, 1876, classes were formed and the work of the university began.

Mr. Hopkins also provided for a hospital, on a similar scale of liberality. His plans for this were as follows: On a lot of thirteen acres, in the city, bounded by Wolfe, Monument, Broadway, and Jefferson streets, the needful buildings for a hospital were to be erected, one part to be devoted to the reception and care of sick, poor white persons, another to that of sick, poor colored persons, and still another to that of a limited number of patients able to make compensation for the care and attention they require, the moneys received from these pay-patients to go to the enlargement of the relief afforded to the other classes. The plan adopted for the main building was to be one that would admit of symmetrical additions till accommodations for four hundred patients should be reached, while in construction and arrangement it must compare favorably with any other institution of like character in America or Europe. For the service of the hospital, physicians and surgeons of the highest character and greatest skill were to be secured, and a training-school for female nurses was to be established in connection with it, that women competent to care for the sick in the hospital and be of service to the community at large might be constantly in course of preparation. The grounds surrounding the hospital, it was directed, should be inclosed with iron railings and be so laid out and planted with trees and flowers as to afford solace to the sick and be an ornament to the section of the city in which the institution was located.

On other ground, and entirely separate from the hospital, the same trustees were charged with the duty of erecting suitable buildings for the reception, maintenance, and education of from three to four hundred orphan children of the colored race, including among these, at their discretion, those who have lost one parent only, or even such as, though not orphans, may be in circumstances requiring the aid of the instituted charity.

In addition to the gift of thirteen acres for a site, Mr. Hopkins dedicated to the hospital and home an amount of real estate and bank stock estimated by him to be worth $3,000,000 at the moment, with a productive income of at least $180,000. This income he directed the trustees to apply, first, to the erection and completion of the buildings, and afterward to the maintenance of the two institutions, in the proportion of $160,000 for the hospital to $20,000 for the home. In the management of both, he wished to have the same rule hold as in the university, respecting the prevalence of a religious influence devoid of sectarian disturbance or control.

Having made these provisions deliberately and wisely, and taken means to have them fully executed, he watched for a few months the progress of his plans, and died on December 24d, 1873.

The hospital, now nearly completed, is to form ultimately a part of the medical school of the Johns Hopkins University, and will, at the death of a surviving sister, come into possession of about $200,000, in addition to the $2,000,000 given it. Nor did his judicious liberality stop here, for after providing generously for his relations, friends and servants, he left, at his decease, to the Baltimore Manual-Labor School for indigent boys, the sum of $20,000; to the Maryland Institute for the promotion of the mechanic arts, for the use of its school of design, $10,000; to the Home of the Friendless, $10,000, and to the Baltimore Orphan Asylum, $10,000; all of which, with

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his gifts to the university and hospital, including the value of the grounds bestowed, may be held to make his contributions for these noble objects nearly or quite $6,000,000, *Monumentum ære perennius.*[1]

We have shown that St. John's College, at Annapolis, was chartered in 1784, and began operations in 1789, with an endowment of $32,000 and an annual grant from the State of £1,750, current money.[2] The main reliance of the college was the annual grant from the State, which was to be applied to the payment of salaries, and which the State, in the charter of the institution, solemnly guaranteed should be forever continued. In the conflict of

[1] *Report of United States Commissioners of Education for 1874*, p. 714.

[2] See vol. ii., p. 317.

political struggle, the State government passed into the hands of a new party; the clamor against the college was high, and it was not to be expected that men who had mounted on the whirlwind should control the storm of political disfavor. Several propositions to withdraw the funds from St. John's College were introduced in the one House and defeated in the other. Finally, the General Assembly, in 1806, in violation of its pledge, not only withheld the annual stipend, but passed an act assuming formally to repeal and annul the contract stipulating for its payment and contained in its charter. At that time the clause of the constitution of the United States prohibiting the enactment by States of laws to impair the obligation of contracts, had not been judicially interpreted. The idea generally prevailed that State sovereignty could undo what it had done. Fortunately for the collegiate and scientific institutions of the country, the question was presented in the well-known Dartmouth College case. The Supreme Court of the United States, through Chief Justice Marshall, decided in that case that the charter of the college could not be modified by the Legislature without the consent of said college, and that the clause in the Constitution protected State as well as individual contracts.

Under this decision, the Legislature of New Hampshire restored to the college the privileges it had previously enjoyed. In the meantime, however, the Legislature of Maryland, in 1821, restored to St. John's College an annual donation of $1,000. In 1832, this was enlarged by the addition of $2,000, provided the visitors and governors would accept the same "in full satisfaction of all legal or equitable claims which they might have, or be supposed to have, against the State." The arrearages of the annuity at this time amounted to about $100,000, but the visitors and the governors, pressed by the pecuniary necessities of the college, accepted the proposition, and executed the release. Believing afterwards, that there was nothing in that compromise which barred the ancient claims of the college, the case was taken to the Court of Appeals, which decided at its December term, in 1859, that the compromise was binding, and effecting a surrender of all further claims on the part of the college. In 1866, the Legislature restored the arrearages of the $3,000, which had been suspended during the war, and appropriated to the college $12,000 annually, on and after the first day of June, 1868, for the term of five years. This was renewed by the Act of 1872, with an additional sum of $10,000 for fifty scholarships. The session of 1878 reduced the scholarships one-half, and made an appropriation for two years.

At the close of the Revolutionary War, Rev. John Carroll formed the design of establishing a seminary and academy at Georgetown, now in the District of Columbia, but then in Maryland. The first house for the future Georgetown College was built in 1789, and the institution opened in 1791. The first student was the distinguished Judge William Gaston, of North Carolina. Archbishop Carroll had great difficulties to contend with in giving

life and energy to the college, the greatest of which was the selection of a proper president and teachers. Rev. Richard Plunkett was installed as the first president, towards the close of 1791. He was followed by the Rev. Robert Molyneux, and the next in succession was the Most Rev. Louis Dubourg, Archbishop of Besancon, in France, and the founder in 1815, at Lyons, of "The Association for the Propagation of the Faith." After presiding over the college for three years, Mr. Dubourg was succeeded in 1799 by Rev. Leonard Neale, afterwards the second Archbishop of Baltimore. During his presidency the institution assumed a regular collegiate form.

On the 1st of May, 1815, the college was raised by Congress to the dignity of a university, with the right to confer degrees. Shortly after this period, in 1817, the Society of Jesus took formal control of the new university under the direction of Bishop Fenwick, of Boston. Under the charter granted by Congress, departments of law and medicine have been organized, in addition to the classical department. The classical department, to which is joined a preparatory school, is under the direction of ecclesiastics, but no religious tests are required of students entering. The medical and law departments of the university occupy extensive buildings in the city of Washington.

St. Mary's College, of Baltimore, the twin sister, as it is sometimes called of Georgetown College, was established under the auspices of the Very Rev. Mr. Emery, Superior General of the Sulpicians of France. On the 10th of July, 1791, the Rev. Charles Nagot, having under his jurisdiction Rev. Messrs. Garnier, Tessier, Delavan, Londois, and five young seminarians landed in Baltimore, after a very stormy voyage of three months. By the advice of Bishop Carroll, they established at first, only a kind of preparatory school which increased into an academy, afterwards grew into a college, and in 1806, by an Act of the Legislature, was raised to the degree of a university. In 1852 the collegiate department was closed, and the ecclesiastical studies continued in the institution under the name of Seminary of St. Sulpice.

When St. Mary's College was closed, the Jesuit Fathers opened a day-school, which was attended by nearly all the students of the late college; and this school was chartered as a college by the Legislature in the following year. In September, 1853, the corner-stone of the new college, called Loyola College, and that of St. Ignatius' Church were laid by Archbishop Kenrick, attended by the clergy of the city, and it is now in a flourishing condition.

The Rev. John Dubois, afterwards Bishop of New York, was the founder of St. Mary's College. He was born in Paris, on the 24th of August, 1764, and was elevated to the priesthood in 1787. He arrived at Norfolk, Virginia, in July 1791, and soon after was appointed by Bishop Carroll to take charge of the Roman Catholic congregations, of which Frederick town, in Maryland, was the central point. From 1794 to 1808, he was continually employed in passing from one station to another in the cause of religion, and instructing the young. By his exertions, the first Roman Catholic Church at Frederick was erected, and from that point he visited once a month, and alternately, the

church in the village of Emmitsburg, and a chapel at the base of the mountain, about two miles distant from the town. In 1830, the two congregations began the erection of Mount St. Mary's brick church, which was completed in 1807. While engaged in building the church, the Rev. Mr. Dubois, conceived the project of establishing in its immediate vicinity a school for the purpose of educating youth for the priesthood, and a school for this purpose was erected near the church. Mr. Dubois, having in 1809, become a member of the society of St. Sulpice, to his care were transferred the pupils of the preparatory seminary near Abbottstown, Pennsylvania, the object of which was to train professors for St. Mary's College, and students for the seminary at Baltimore. The delightful situation, however, induced many parents to solicit admission for their children, though not aspirants to the priesthood.

In 1830, the college was chartered by the State, and invested with the powers and privileges of similar institutions. The college has severed its connection with the society of St. Sulpice, and has under the present president, Rev. John McCaffrey, D.D., been greatly enlarged in buildings and usefulness.

The establishment of the Sisters of Charity, at St. Joseph's, near Emmitsburg, was commenced soon after Mount St. Mary's. It was founded by Mrs. Eliza Ann Seaton, who was born in the city of New York, August 28th, 1774. She was the younger of two daughters, the only children of Dr. Richard Bayley. Though educated in the Episcopalian faith, in 1805, she became a convert to the Roman Catholic doctrines. In 1809, she removed to the vicinity of Emmitsburg, where a school was founded by herself and other ladies, who assumed the conventual habit and adopted the rules of the "Daughters of Charity," (an order founded by St. Vincent de Paul,) Mrs. Seaton being the Mother Superior.[1] In 1817, the Sisters of Charity, as they were called, were incorporated by the Legislature. The order now (1870) has one hundred and six establishments in the principal cities of the United

[1] At the time of the establishment of Mrs. Seaton's Convent, in Baltimore, in 1808, there were only three similar institutions in the United States—the Ursuline Convent at New Orleans, the Carmelite Convent in Charles County, and the Visitation Convent at Georgetown, D.C. The Ursuline Convent at New Orleans was founded in 1727, and the Carmelite Order of the Reform of St. Teresa was established in this country in 1790, by the Rev. Charles Neale, who brought with him from Europe four nuns, three of whom were Americans and one an Englishlady. They took possession of their house, near Port Tobacco, Charles County, on the 15th of October, 1790. On September 18, 1813, they removed to Baltimore, and opened a school for the education of the female sex. The Visitation Convent at Georgetown owes its origin to a circumstance, to the Rev. Leonard Neale, afterward Archbishop of Baltimore. In the year 1797, Miss Alice Lalor assembled herself with two other ladies in Philadelphia, for the purpose of forming a religious community; but, the two companions having been carried off by the yellow fever, Miss Lalor went, in 1798, to Georgetown, where she hoped for a school that would be a community of Poor Clares, who were then established in that place. With the aid of two other ladies, she purchased a small frame building, and opened a school for girls. The provisional rules of the house were those of the Visitation (first established by St. Francis of Sales); but it was not until the year 1816, that the Sisters were recognized by the Pope at Rome as a community of the Visitation rules. Several establishments have risen from the Georgetown institution, at Baltimore and Catonsville, in Maryland, St. Louis, Mobile, Wheeling, Frederick, Washington, etc., which are under the direction of the Sisters of the Visitation.

States, with 3,376 orphans, 1,780 infants, 125 widows, 17,537 patients in their various hospitals, 1,035 insane and 7,383 school children. The society numbers in America 1,170 sisters. There are 25,030 Sisters of Charity employed in works of charity throughout the world. Mother Seaton lived to see the offspring of her good work flourishing, and died on the 4th of January, 1821, in the forty-seventh year of her age.

The Roman Catholics also have in the State, among others, St. Charles' College, near Ellicott City, for the education of priests, besides the seminaries of Mount St. Clement, Chichester, and Woodstock College, Woodstock, Baltimore County. In 1865 Rock Hill College, at Ellicott City, conducted by the Christian Brothers, was incorporated.

Besides the institutions of learning previously mentioned, the State has the Western Maryland College at Westminster, Carroll County, New Windsor College, Frederick College, Baltimore City College, institution for the deaf and dumb, institution for the instruction of the blind, Manual Labor School, Maryland Agricultural College, Frederick Female College, Brookville Academy, McDonogh Institute, State Normal School, and many others.

Two medical schools exist in Baltimore, those of the University of Maryland and the Washington University, as also the Maryland College of Pharmacy. The College of Dental Surgery is the oldest in the world. The University of Maryland was chartered by the Legislature of the State in 1807, and in 1810 conferred the first degrees of Doctor of Medicine. On the 7th of April, 1811, the foundation stone of the University of Maryland was laid by Colonel John Eager Howard.

In the same year, 1812, a fund arising from the incorporation of several banks and turnpikes was appropriated to the establishment of free schools throughout the State. This is a noted event in the history of Maryland education, as it is the first permanent provision made for the support of free schools in the State. In 1816 an Act was passed appointing nine school commissioners in each county, who were to distribute the funds arising from the Act of 1812, and for other purposes. The present public school system was not established until 1825. The primary school bill of 1825 was framed by a committee composed of Messrs. Tuckle, Brook, McCulloch, Goldsborough, Duvall, Emmit and S. R. Smith. At the same session an Act was passed authorizing the establishment of public schools in the City of Baltimore by the Mayor and City Council. On the 27th of January, 1827, an ordinance was adopted by the city, approving and accepting the Act of the General Assembly, and on the 8th of March, 1828, another ordinance was adopted, creating a board of commissioners of public schools, and investing them with the power to establish schools. By its provisions six commissioners were to be elected by the two branches of the City Council annually in the month of January, who should constitute a board, of which the mayor was the president *ex-officio*. They were directed to divide the city into six school districts, and to establish one school in each district on the monitorial plan;

each school to be divided into two departments, one for males and the other for females, and every child should pay one dollar per quarter, unless excepted therefrom by the commissioners.

From various causes, nothing was done towards opening the schools until July 21st, 1829, when the board determined to establish four schools—two in the eastern and two in the western section of the city. On the 21st of September, 1829, the first public school in Baltimore City was opened in the basement of the Presbyterian Church, then on the east side of Eutaw street, between Saratoga and Mulberry streets, and was placed under the charge of William H. Coffin, who was the first public school teacher in Baltimore. On the 28th of September, 1829, two other schools were opened on Bond street, near Canton avenue—the one for boys and the other for girls. The fourth school was not opened until the next year.

On the 7th of April, 1830, an ordinance was adopted reducing into one the several ordinances relating to public schools, and by which the powers and duties of commissioners were increased. During that year a tax of twelve and a half cents on every hundred dollars worth of assessable property was levied for the support of the schools, which gave some assurance to the commissioners that their work was appreciated and that their future efforts would be sustained.

The schools were conducted on the monitorial plan until 1839, and were designated simply public schools, there being no distinct separation between the primary and grammar schools. The schools for boys were taught entirely by male teachers until nearly twenty years after their establishment, at which time female assistants were introduced with great success. Since then female teachers have been appointed in every department of the schools, and they now constitute seven-eighths of the whole number, there being 820 teachers, of whom 704 are females.

The number of pupils during the first year was 269, with three teachers, which increased until 1835, when it was 867, with eight teachers. During the next three years the number declined to 675, and there seemed to exist the necessity for some additional stimulus for the public mind, which was furnished in 1839, when a reaction occurred, and the number of pupils commenced to increase rapidly, so that during the next ten years the number increased to 6,758, under the charge of 167 teachers.

During that year, by resolution of the City Council adopted March 7, the Male High School (now Baltimore City College) was established, in which the higher branches of English and classical literature were to be taught.

The Male High School was opened on the 20th of October, 1839. The establishment of this school had a wonderful influence in increasing the efficacy, popularity and patronage of the system. By ordinance adopted March 9th, 1866, the name of this school was changed to Baltimore City College, and the board was authorized to confer diplomas on the graduates. In 1844, the City Council authorized the board to establish two high schools

for girls, and during that year the Eastern and Western Female High Schools were established—being the first schools of that grade ever organized as a part of any public school system. In 1848, primary schools were engrafted on the system as a distinct department and grammar schools. In 1851 the normal schools were established. In 1855, the City Council authorized the board to establish a floating school for the education of sailors, with the purpose of benefitting the merchant service. It was organized under the joint control of the Board of Trade and the Board of Commissioners of public Schools, and was successfully continued for several years, but during the late war it began to decline, and in 1865 its operations were entirely suspended and have never been resumed.

Previous to 1867 no provision had been made by the city for the education of colored children in the public schools, but during that year and 1868 ordinances were adopted directing the establishment of separate schools for colored children, and a liberal appropriation was made for their support. Under those ordinances twelve schools have been in successful operation, containing 3,500 pupils, receiving instruction in the primary and grammar grades.

In 1873 the City Council directed the board to inquire into the expediency of introducing the study of the German language into the schools, and after an examination of the subject and a favorable report, several schools were organized for the study of English and German together. From their small beginning in 1830, the public schools in Baltimore have grown in 1879, to number over 800 teachers, and nearly 40,000 pupils.

The United States Naval Academy is located at Annapolis. In 1845, the United States Navy Department determined to established an institution for the instruction of midshipmen in the United States Navy, and a board, of which Commodore Isaac Mayo was president, was ordered by Hon. George Bancroft, Secretary of the Navy, to select a site for the Naval School. After examining several places, Annapolis was finally chosen, and on the 10th of October, 1845, the academy was formally opened by Commodore Franklin Buchanan, of Maryland.

As the school at this time was little more than a school of practice, and afforded comparatively slender mental training on board ship, it was on July 1st, 1850, re-organized under the title of "The Naval Academy," as a training school for midshipmen, in all the theoretic and practical branches of instructions that could fit them for their profession. The course of study was materially enlarged, and the institution placed under the charge of the Bureau of Ordnance and Hydrography. The next year, a four-years' course of instruction was adopted. Under the administration of John P. Kennedy, who was appointed Secretary of the Navy in 1852, the institution greatly prospered. When the war between the States broke out, in 1861, the academy was removed to Fort Adams, at Newport, Rhode Island; but at the close of the war, it was restored to Annapolis. In March, 1867, it was

placed under the care of the Secretary of the Navy; but its administration continued to be mainly conducted under the supervision of the Bureau of Navigation, which had been formed and put in charge of it in July, 1862. Since March, 1869, the supervision of the Secretary over it has been without this intervention. On March 3, 1873, a law was passed extending the course of study to six years, the rule applying to all classes admitted after the passage of the act, but not to those which had previously entered. Since 1861, classes of naval constructors, or civil and steam engineers, called cadet engineers, have been permitted to be educated at the academy, the number of such being limited to fifty, and the course for them being two years at the school, and now also two years on board ship.

JOHN P. KENNEDY.[1]

The State Normal School, for the educating and training of teachers for the public schools, was founded by the Legislature in 1865. It was organized in January, 1866, and held its first session at Red Men's Hall, on Paca street in Baltimore. It was afterwards removed to the Union Club building, at the corner of Charles and Fayette streets, and finally to the spacious building that was erected by the Legislature for the school opposite Lafayette Square.

For more than ten years, a great part of the industries and general business of the country had been much depressed, from causes which we have already, to some extent, indicated, being the inevitable reaction from the extravagant expenditure and fallacious prosperity brought about by the war. As a natural consequence, the burden fell heaviest on the working classes, among whom there was much privation, and consequent discontent. And there were not wanting those, who, for selfish purposes, or worse, stimulated those irritated feelings, and encouraged the workingmen in the idea that they were the victims of the oppression of "capitalists." A deep tide of ill-feeling and rancor was aroused by these pernicious teachings.

The great lines of railroad shared in the general depression, and did what they could to lighten it. To enable the manufacturing and other interests that depended upon their transportation to keep in operation and give

[1] John Pendleton Kennedy, LL.D., statesman and politician, was born in Baltimore, October 25, 1795, and died at Newport, Rhode Island, August 18, 1870. He graduated at Baltimore College, in 1812, and the degree of LL.D. was conferred upon him by Harvard University in 1848. In 1814, he was a volunteer in the battles of Bladensburg and North Point; practiced law in Baltimore from 1816 to 1838; was a member of Congress in 1837 and 1841-5, and a prominent leader in the whig party; member of the Maryland House of Delegates in 1820 and 1824, and Speaker in 1820; and was Secretary of the United States navy in 1852. In 1861, he was a delegate to the Convention of Friends of the Constitutional Union, and was one of a committee to draught an address advocating a protective policy. He commenced his literary career by the publication, in fortnightly numbers, of the *Red Book* in 1818-19. Among his various speeches, reports, addresses, etc., are *A Review of the Cambridge Free Trade Report by Mycklebiddles*, 1830; *Report on United States Commerce and Navigation*, 1832; *Report on the Warehouse System*, 1843; *Defence of the Whigs*, 1844; also, author of the novels *Swallow Barn*, 1832; *Horse-Shoe Robinson*, 1835; *Rob of the Bowl*, 1838; and *Quodlibet*, 1840; *Memoirs of William Wirt*, 1849; and many historical and literary essays, reviews, etc.

employment to workmen, these roads reduced their local freight charges to the lowest point ever known, and moved the heavy products of manufacture at rates scarcely above the actual cost of transportation.

At this time the roads were employing a larger force of hands than their volume of business required or even justified. In 1877, the revenues of the great through-lines had fallen to such a point as to compel their managers to consider the question whether the absolutely necessary reduction in expense should be effected by discharging a large number of hands, or by retaining the existing force at lower rates of wages. The former plan would probably have been most advantageous to the roads: but the managers knew that such a proceeding would entail great hardships upon the families of the men who should thus be turned adrift with no possibility of other employment. The latter plan was thus adopted by the Baltimore and Ohio Railroad Company, whose heads thought that the homely adage, "half a loaf is better than no bread," would be generally conceded as true, and that it would be better to divide among six hundred firemen the work that could be performed, and wages that might be earned by two hundred, than to throw four hundred men out of work altogether. The same motive governed them in reference to the other train hands.

It had been generally supposed, and we believe with truth, that the employees of the great railroads form a body of men of intelligence and information above the average; and on their common sense it was thought reliance might be placed in a matter that touched them so nearly. It was believed that they would at once see that they could not expect to escape their share of the common suffering; that the managers of the road were anxious to make the burden as light for them as they could, and that they would patiently endure, as other workingmen did, the inevitable necessity of the time. It was not imagined that they would allow themselves so to be blinded, that they would undertake a contest, not only with the company, but with all law, and the very existence of society; a contest in which success was not only impossible, but, even if attained, would have been more ruinous to them than any defeat. Yet such, unfortunately, was the case.

On July 11th, the following circular was issued by the Baltimore and Ohio railroad:

"To the officers and employees of the Baltimore and Ohio Railroad company:

"At a meeting of the Board of Directors of the Baltimore and Ohio Railroad company, held this day, the following preamble and resolutions were adopted:

"*Whereas*, The depression in the general business interests of the country continues, thus seriously affecting the usual earnings of railway companies, and rendering a further reduction of expenses necessary; therefore, be it

"*Resolved*, That a reduction of ten per cent. be made in the present compensation of all officers and employees of every grade in the service of the company, where the present received exceeds one dollar per day, to take effect on and after July 16th, instant.

"*Resolved*, That the said reduction shall apply to the main stem and branches east of the Ohio River, and to the Trans-Ohio division, and that it shall embrace all roads leased or operated by the Baltimore and Ohio Railroad Company.

"It is hoped and believed that all persons in the service of the company will appreciate the necessity of and concur cordially in this action.

"The board postponed action until some time after its great competitors, the Pennsylvania, New York Central and Hudson River, and New York and Erie companies had made general and similar reductions in pay, with the hope that business would so improve that this necessity would be obviated. In this they have been disappointed.

"The President, in announcing the decision of the board, takes occasion to express the conviction and expectation that every officer and man in the service will cheerfully recognize the necessity of the reduction and earnestly co-operate in every measure of judicious economy necessary to aid in maintaining effectively the usefulness and success of the company.

"JOHN W. GARRETT, *President.*"

As soon as this circular appeared, there were mutterings of discontent among the brakemen and firemen of the freight trains at the proposed action of the company, and on the 16th, evidently by a preconcerted arrangement, these men refused to work along the entire line of the road. When this fact became known in Baltimore others made immediate application to fill the vacant positions, and the company had no difficulty in filling the places with experienced men who had been some time out of employment. Attempts were made by some of the superseded hands to intimidate those who were willing to work at the reduced wages, but with the aid of the police the freight trains were run regularly from the city. The passenger trains arrived and departed throughout the day without any irregularity. At Martinsburg, West Virginia, however, the trouble was more serious. This was one of the Company's principal relay-stations, where the freight engines and train hands were changed, and its population was largely composed of dependents of the road. On this same day, the 16th, the firemen on all the freight trains abandoned them at this point. They were promptly replaced by others, but the strikers dragged them from their engines, extinguished the fires, and openly avowed their determination to resist by force the passage of freight trains until the resolution reducing their wages should be rescinded.

JOHN W. GARRETT.

The local authorities of Martinsburg being unable to cope with the strikers, Mr. John King, Jr., the first vice-president of the road, telegraphed to Governor Matthews at Wheeling, informing him of the state of affairs, and requesting the aid of the militia of West Virginia to suppress the riot, and enable the trains to resume running. The Governor replied:

"*Wheeling, W. Va., July 16th, 1877.*

"Mr. John King, Jr.:

"There are two companies at Martinsburg supplied with ammunition. I have telegraphed to my aide-de-camp, Colonel C. J. Faulkner, Jr., to aid the civil authorities with these companies in the execution of the laws of the State, and to suppress the riot. I will do all I can to preserve the peace, and secure safety to your trains and railroad operatives.

"HENRY M. MATTHEWS."

Acting upon these orders, Colonel Faulkner called out the Berkeley Light Infantry Guards, and made an attempt to restore order; but most of his command being in sympathy with the strikers, it was impossible to obtain from them the assistance necessary to move the vast accumulation of freight and cars, and restore the traffic of the road. Governor Matthews then, after consultation with the officers of the road, sent the following despatch to President Hayes:

"*Wheeling, W. Va., July 18.*

"To His Excellency, R. B. Hayes, President of the United States:

"Owing to the lawful combinations and domestic violence now existing at Martinsburg and at other points along the line of the Baltimore and Ohio Railroad, it is impossible with any force at my command to execute the laws of the State. I therefore call upon your Excellency for the assistance of the United States military to protect the law-abiding people of the State against domestic violence, and to maintain the supremacy of the law. The Legislature is not now in session, and could not be assembled in time to take any action in the emergency. A force of from 200 to 400 should be sent without delay to Martinsburg, where my aide, Colonel Dekaplaine, will meet and confer with the officers in command.

"HENRY M. MATTHEWS, *Governor of West Virginia.*"

To this the President replied:

"*War Department, Washington, D. C., July 18.*

"To Governor Henry Mathews, Wheeling, West Virginia:

"Your despatch to the President asking for troops is received. The President is averse to intervention unless it is clearly shown that the State is unable to suppress the insurrection. Please furnish a full statement of facts. What force can the State raise? How strong are the insurgents?

"GEO. W. McCRARY, *Secretary of War.*"

In reply to this Governor Matthews gave the following explanation:

"Hon. George W. McCrary, Secretary of War:

"The only organized force in the State consists of four companies. Two of them are at Martinsburg, and in sympathy with the rioters, who are believed to be eight hundred strong; another company is thirty-eight miles from the railroad, and only one company of forty men at Grafton. There are no organized militia in the State. I will send Colonel Dekaplaine to see the President, if desired. He is at Martinsburg. I have been reluctant to call on the President, but deemed it necessary to prevent bloodshed.

"HENRY M. MATTHEWS."

In the meantime, John W. Garrett, president of the Baltimore and Ohio Railroad, sent the following telegram to President Hayes:

"*Camden Station, Baltimore, July 18, 1877.*

"To his Excellency, R. B. Hayes, President of the United States, Washington:

"I am informed that Governor Matthews, of West Virginia, has telegraphed your Excellency that, owing to unlawful combinations and domestic violence now existing at Martinsburg, and at other points along the line of the Baltimore and Ohio railroad, it is impossible for any force at his command to execute the laws of the State, and has therefore called upon the Government for assistance of the United States military in this great and serious emergency. I have the honor to urge that the application of Governor

Mathews be promptly granted; it is impossible for the company to move any freight train, because of the open intimidation of strikers and the attacks that they have made upon men in the service of the company who are willing to work, unless this difficulty is immediately stopped.

"I apprehend the greatest consequences not only upon our line but upon all the lines in the country which, like ourselves, have been obliged to introduce measures of economy in these trying times for the preservation of the effectiveness of railway property.

"May I ask your Excellency, if the application of Governor Mathews be granted, to have me immediately advised through the Secretary of War the points from which the troops will be sent, in order that no delay may occur in their transportation.

"If I may be permitted to suggest, Fort McHenry and Washington are points nearest to the scenes of disturbance, and from which the movement can be made with greatest promptness and rapidity.

"It is proper to add that from full information on the subject I am aware the Governor of West Virginia has exerted all the means at his command to suppress the insurrection, and that this great national highway can only be restored for public use by the interposition of United States forces.

"From an imperative sense of duty I am compelled to join in asking immediate action in order to prevent the rapid increase of the difficulties in the way of lines between Washington City and Baltimore and Ohio river.

"JNO. W. GARRETT, *President Balto. and Ohio R. R. Co.*"

Upon receiving the statement of Governor Mathews, and the appeal of President Garrett, the president decided to order Federal troops to their assistance. He first issued, however, the following proclamation:

"*By the President of the United States.*

"A PROCLAMATION.

"WHEREAS, It is provided in the Constitution of the United States that the United States shall protect every State in this Union, on application of the Legislature, or the Executive, when the Legislature cannot be convened, against domestic violence; and

"*Whereas*, The Governor of the State of West Virginia has represented that domestic violence exists in said State, at Martinsburg, and at various other points along the line of the Baltimore and Ohio Railroad, in said State, which the authorities of said State are unable to suppress; and

"*Whereas*, The laws of the United States require that in all cases of insurrection in any State, or of obstruction to the laws thereof, whenever it may be necessary, in the judgment of the President, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time.

"Now, therefore, I, Rutherford B. Hayes, President of the United States, do hereby admonish all good citizens of the United States, and all persons within the territory and jurisdiction thereof, against aiding, countenancing, abetting or taking part in such unlawful proceedings; and I do hereby warn all persons engaged in or connected with said domestic violence and obstruction of the law to disperse and retire peaceably to their respective abodes on or before 12 o'clock noon of the 19th day of July instant.

"In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the City of Washington on this 18th day of July, in the year of our Lord 1877, and of the Independence of the United States the one hundred and second.

"R. B. HAYES.

"By the President: F. W. SEWARD, *Acting Secretary of State.*"

This proclamation was printed in hand-bill form and distributed among the employees at all points of the road, and at conspicuous places in Baltimore. At the same time eight companies of artillery serving as infantry, under the command of General French, from Fort McHenry and Washington, were despatched to Martinsburg, and reached there early on the morning of the 19th. Their presence in the town overawed the strikers, and if men could have been found to run the engines, all the trains that were blockading the track at that point could have been moved away without any hindrance. But the company's employees were so completely intimidated by the strikers that they were afraid to return to work, even when the soldiers were standing by to protect them. Only two trains were started from Martinsburg on July 19th; the eastward bound train arrived safely at Baltimore about midnight, while the westward bound train arrived at Keyser, where it was stopped by the strikers.

The strike had now extended to the Ohio Railroad, and it was feared that the employees on the Pan Handle route would also join the strikers. The news from the Pittsburg and Fort Wayne and Chicago Road was not of a reassuring character, while ominous despatches came as to the temper of the men connected with the Lake Shore and Michigan Southern Road. Strikes were also apprehended on the Ohio and Mississippi, and the Cincinnati, Hamilton and Dayton Roads. The western division of the Pennsylvania Railroad was blockaded, and on the Erie Road business was seriously interfered with. Troops were being called out in both Pennsylvania and New York. In this alarming state of affairs no freight trains went from or arrived at Baltimore, and thousands of dollars were lost every hour by the sudden paralysis of trade. Some of the cars were loaded with perishable goods, others with merchandise which the company was under contract to deliver promptly, and not a few with cattle, sheep and hogs, which were perishing of hunger and thirst. The effect upon the revenues of the Baltimore and Ohio Railroad and the business of the towns through which the road passed was disastrous; but the greatest sufferers were the misguided men who had taken this method of resisting the execution of an order by which they alone profited.

From the day the order went into effect, nothing of a malicious design happened in Baltimore until the 20th of July, excepting the wrecking of a freight train on the 17th, in the southern suburbs of the city, by a misplaced switch. The running of trains being stopped, the brakemen and engineers had an opportunity to meet and confer with the striking firemen, with whom they were in full sympathy. The number of train-hands thus thrown out of employment in consequence of the strike, numbered in Baltimore about two hundred and fifty. A large portion of these were faithful to their duties, and stood ready to resume their work as soon as they were relieved from the intimidation to which they were subjected by the rioters and their leaders. In justice to the railway employees, it must be said that it was not their whole body, but only the dissatisfied and unreasonable element which consented to

View of Cumberland from the North-East.

acts of violence, such as stopping trains and forcing the men from them. But around this body of men gathered a host of the idle, the vicious, and the criminal, whom they would not curb, and who, not discountenanced by them, ventured on acts of violence and destruction, which paralyzed for awhile a great part of the industry of the country.

To permit this state of affairs, was to consent to the overthrow of social order and government, and as the disturbances assumed dangerous proportions in Maryland, they caused universal alarm. At Cumberland, where a large number of freight trains had collected, loaded with goods of a perishable nature, a mob gathered and dragged the hands from the trains, broke open the cars, uncoupled the engines and did other violent acts. The authorities were powerless to suppress the disorder, and the rioters were joined by reinforcements from Martinsburg, and the canal boatmen and miners, who threatened the jail and railroad property at this point. When the news reached Baltimore that the strike at Cumberland threatened to assume a dangerous aspect, Governor Carroll held a consultation with the officers of the Baltimore and Ohio Railroad, and, from all the information received, he became convinced that the presence of the militia at Cumberland, was necessary for the preservation of peace and order. Upon this he sent for General James R. Herbert, commanding the first Brigade M. N. G., and after a short interview with him, at 3:30 P. M., issued the following order:

"*Executive Mansion, Baltimore, July 20, 1877.*

"Brigadier-General Herbert, Commanding First Brigade M. N. G.

"SIR:—You will proceed at once with the Fifth regiment of your command to the City of Cumberland to aid in the suppression of riot and lawlessness on the line of the Baltimore and Ohio Railroad in this State, and there await further orders.

"Yours, &c., "JOHN LEE CARROLL, *Governor.*"

Almost simultaneously with this order, the Governor issued the following proclamation, which was ordered to be printed and distributed in Cumberland and other points in the State, along the line of the Baltimore and Ohio Railroad.

"WHEREAS, It has come to the knowledge of the Executive that combinations of men have been formed at various points along the line of the Baltimore and Ohio Railroad in this State, and that a conspiracy exists, the object of which is to impede the traffic and interfere with the legitimate business of the said railroad company; and

"*Whereas*, various acts of lawlessness and intimidation to effect this purpose, have been perpetrated in this State by bodies of men with whom the local authorities are, in some instances, incompetent to deal; and

"*Whereas*, It is of the first importance that good order should everywhere prevail, and that citizens of every class should be protected;

"Therefore, I, John Lee Carroll, Governor of Maryland, by virtue of the authority vested in me, do hereby issue this my proclamation, calling upon all citizens of this State to abstain from acts of lawlessness, and to aid the lawful authorities in the maintenance of peace and order.

"Given under my hand and the great seal of the State of Maryland, at the City of Baltimore, this 20th day of July, 1877. "JOHN LEE CARROLL, *Governor.*

"By the Governor: R. C. HOOPER, *Secretary of State.*"

Immediately upon receipt of his orders, General Herbert sent for Captain Zollinger, the commanding officer of the 5th regiment, and directed him to assemble his men, and be ready to march from his armory at six o'clock. Colonel Clarence Peters, of the 6th regiment, was also notified to call his regiment together, and hold it ready for any emergency. As the men were slow in gathering at their armories, General Herbert, seeing the necessity for prompt action, about six o'clock gave an order to J. F. Morrison, the Superintendent of the City Police and Fire Alarm Telegraph, to strike the military call, 1-5-1, on the City Hall and fire bells, and soon after the alarm was sounded. Merchants and others returning from their offices, and the streams of workingmen just then being dismissed from factories and warehouses, knew what it meant; and soon men and boys of all ages and conditions congregated in front of the armories, and their conduct and actions showed that the majority were in sympathy with the strikers, and determined, if possible, to prevent the soldiers leaving the city for the scene of the disturbances.

General Herbert gave orders that the men should march from their headquarters direct to Camden Station, the depot of the Baltimore and Ohio Railroad. These were the 5th regiment, with two hundred and fifty men, and three companies of the 6th, numbering one hundred and fifty men, with five thousand rounds of ammunition and one day's rations.

The 5th regiment filed out of their armory over the Richmond market into Garden street, about 7 o'clock, and thence moved up Madison to Eutaw street, and proceeded to Camden Station. As they left the armory, they were received with rounds of applause, but when near Lombard street, they were met by an excited crowd of several hundred men, who hooted and jeered them as they passed along. At the intersection of Eutaw and Lombard streets, great crowds had collected on the sidewalks and at the corners, who threw volleys of bricks and stones into the ranks, which was repeated until the soldiery reached the corner of Pratt street. Notwithstanding the annoyance of this rain of missiles, Captain Zollinger ordered his men, who were perfectly cool, collected and resolute, not to fire. At the junction of Camden and Eutaw streets, a solid mass of rough-looking men blocked the passage of the soldiers, who halted a moment, by order, and fixed their bayonets. Drawing his sword, Captain Zollinger shouted to the mob to give way that his regiment might pass. He was answered with another volley of stones and bricks, by which a dozen of his men were struck. In an instant, he ordered his command to charge into the depot, which they did at a double-quick, amid a storm of flying missiles and the hoots and yells of the mob.

During this exciting march about twenty-five of the soldiers were more or less injured. As soon as the 5th regiment entered the depot, they proceeded to get into the cars there in waiting for them, while the mob proceeded to tear up the tracks leading out of the station, destroying the switches, and otherwise injuring the company's property.

The armory of the sixth regiment, on the northwest corner of Fayette and Front streets, at about 7 o'clock was surrounded by a mob numbering at least two thousand persons. This crowd was reinforced by fresh arrivals until about half past seven, when an impenetrable mass of men and boys extended along Front street, all the way from Baltimore to Gay on the north and south, and High street and the Fayette street bridge, on the east and west. The rioters at intervals threw volleys of stones and bricks at the windows of the building, accompanied by shouts and hurrahs from the crowd. In the midst of this, Colonel Peters ordered the guards who were stationed at the door to enter the building for protection. This movement the mob regarded as an indication that the military were afraid to face them, and the stoning of the armory was continued with renewed activity. Many of the officers and men of the regiment in attempting to reach their command were attacked by the crowd, knocked down, kicked and otherwise maltreated. The windows of the armory were shattered by stones, and every moment the mob became bolder and more reckless. A large force of police arrived, but after viewing the crowd they declared that they were unable to preserve the peace. At this critical moment Company J, Captain Wm. H. Tapper; Company F, Captain J. C. Fallen, and Company B, Captain J. F. Duffy, who had been detailed for duty, determined to face the crowd and march to Camden Station at all hazards. The men were ordered to load their muskets and present a bold front to the mob in case of attack. They marched down the stairs but upon their appearance at the door they were greeted with a storm of stones, brickbats, pieces of iron and other missiles. The assault upon them was so furious that the soldiers were compelled to withdraw again into the building. After various attempts they ventured out again, and were met by another storm of stones and bricks, by which several of the soldiers were severely hurt. Unable to proceed in the face of this attack, and finding that they were in danger of being overpowered, the men then fired upon the mob, which recoiled and allowed them to pass. Company J and F proceeded to Camden Station by way of Front and Baltimore streets while, Company B went by way of Front and Gay streets.

In the march towards Camden Station, companies I and F were repeatedly attacked by the mob who followed them from the armory to Baltimore street, and from this point to Light street the firing from the members of the 6th was brisk. The sharp rattle of musketry, the popping of small arms mingled with the yells of an infuriated mob, echoed through the streets, while the scene was fitfully illuminated by the vivid flashes from the soldiers' guns. At various points lay wounded and bleeding men, and here and there a corpse pierced by a musket ball.[1]

[1] The following persons were killed: Thomas V. Byrne, William Hazzard, Patrick Gill, Cornelius Murphy, Lewis Zwanowich, John H. Frank, George McDonald, Otto Manecke, John Hinchman, Mark J. Dowd; and about twenty-five wounded. On the part of the militia, the 5th Regiment, which was assailed with stones and other missiles and used no firearms, five officers were wounded by stones, etc., and the 6th Regiment, twelve similarly wounded.

Soon after the arrival of the military at Camden Station, Governor Carroll and Mayor Latrobe succeeded in entering the depot, when the Governor issued the following order to General Herbert:

"Brigadier General James R. Herbert, Maryland National Guards:

"SIR: I have just received the following communication from His Honor Ferdinand C. Latrobe, Mayor of Baltimore:

"'*Baltimore, July 20, 1877.*

"'His Excellency John Lee Carroll, Governor of Maryland:

"'DEAR SIR:—In view of the condition of affairs now existing in this city and the violent demonstration that has taken place within the last hour, I would suggest that neither of the regiments of military be ordered to leave Baltimore this evening. I make this suggestion after consultation with the commissioners of police.

"'Very respectfully,

"'FERDINAND C. LATROBE, *Mayor of Baltimore.*'

"In consequence of the above request, the order to proceed to Cumberland with the 5th regiment is hereby revoked, and you will hold the men under command ready to aid the city authorities in case they should be required in preserving order throughout the city.

"JOHN LEE CARROLL, *Governor.*"

In the meantime the crowd surrounding the depot continued to swell its numbers, and kept up continuous vociferation of the names of leading railroad officials, with cries of "hang them," "shoot them," "burn them out," etc. In front of the depot on Camden street the police, under Commissioner Gilmor and Marshals Gray and Frey, at great risk, did their duty gallantly in keeping back the furious mob. Police were also stationed at all the streets around the fencing enclosing the depot yard. At the Lee street end of the passenger shed, the people were crowded together in a compact body, filling the streets for several blocks. The militia were on the platforms in the passenger sheds, fully aware of their critical situation, and determined to sell their lives dearly if they were attacked by the mob.

About ten o'clock the crowd probably numbered about fifteen thousand persons. They had destroyed several railroad engines and burned three passenger cars attached to an engine. At the same time the enraged populace set on fire the south end of the passenger platforms. The fire alarm was struck, but it was believed that the mob would not allow the fire to be extinguished, and the alarm in the company's offices was very great. The fire engines hurriedly arrived on the ground, laid out their hose and started their pumps to put out the flames. A number of the engines were driven off by the mob, while others had their hose cut; but the police came to their rescue, driving back the crowd at the muzzles of their pistols, and the firemen, who had stood gallantly at their posts of danger, finally extinguished the burning depot. A good portion of the roof and the train-despatcher's telegraph station on the platform was destroyed. Three passenger cars, a passenger locomotive and the switchman's house at Lee street were also burned. The fire created a great blaze, and excited much alarm, the apprehension being general that the mob intended to burn the depot, and other property of the

railroad company, while many even feared that they would burn the city. Just as the fire at Camden Station was subdued, the bells rang out a second alarm, when it was discovered that some cars and a switch-house at Bayley's round-house, south Baltimore, was on fire. The fire engines quickly responded, and after some trouble and resistance, put out the flames. Some shots were fired by the police and mob, and several were wounded.

Governor Carroll, knowing that the slender force at his command was incompetent to protect the city, while the Camden depot was surrounded by a menacing mob, and the building itself on fire, telegraphed the following message to President Hayes:

"*Camden Station, July 20.*

"His Excellency, R. B. Hayes:

"SIR—An assemblage of rioters that cannot be dispersed by any force at my command, has taken possession of the Baltimore and Ohio Railroad depot here, set fire to the same, and have driven off all the firemen who attempted to extinguish the flames, and it is impossible, with the force at my command, to disperse the rioters. Under the circumstances, as Governor of the State of Maryland, I call upon you, as President of the United States, to furnish the force necessary to protect the State against domestic violence. The Legislature of the State is not in session, and cannot be convened in time to meet the emergency.

(Signed) "JOHN LEE CARROLL, *Governor of Maryland.*"

The President immediately responded to this call, as follows:

"*Soldiers' Home, Washington, D. C., July 21, 1877.*

"To Governor John Lee Carroll, Baltimore, Md.:

"The President directs me to say that he will aid you to the extent of his power. Available troops will be sent, but a call upon neighboring States will probably be necessary. Communicate with me here, and I will advise you more definitely in a short time.

(Signed) "GEORGE W. McCRARY, *Secretary of War.*"

The same night, the telegraph was employed by the Secretary of War, and General Thomas M. Vincent, Acting Adjutant General, to summon troops from various points in adjoining States. The Secretary of War, a short time after he sent his first dispatch, telegraphed the following:

"*Soldiers' Home, July 21.*

"To Governor John Lee Carroll, Camden Station, Baltimore:

"General Thomas M. Vincent, Acting Adjutant General, has been ordered to send to your aid any available force, especially artillery, from Fort McHenry, which it is hoped may prove very useful. If General French can be spared from West Virginia he will be sent to your aid. Address any further communication to-night to General Vincent, who has full authority. "GEORGE W. McCRARY, *Secretary of War.*"

At the same time, the Secretary of War sent the following to General Vincent:

"*Soldiers' Home, July 21—1:45 P. M.*

"General Vincent, A. A. G., Washington:

"You will order any troops now at Fort McHenry to respond to the call of the Governor of Maryland to aid in suppressing riot in Baltimore. Also order any artillery at the Fort to be used for the same purpose, under the governor's orders.

"Also direct General Pennell to use in his discretion, for same purpose, any troops under his command not needed in West Virginia. The president directs that all possible aid be extended to State authorities, and you may use discretion in ordering any force in reach to be sent to the governor.

(Signed) "GEORGE W. McCRARY, *Secretary of War.*"

Troops were ordered from Fort McHenry, Fortress Monroe, Fort Columbus, New York harbor, and the marines from the Washington navy yard, to report to Major General Hancock at Baltimore, "to act under the orders of Governor Carroll in quelling the riot at that point."

During the night, however, the mob dispersed from Camden Station, and it became apparent that such order was restored to the city that the State authorities and the civil administration could maintain the public peace. Therefore, about 3 o'clock on Saturday morning, July 21st, Governor Carroll forwarded the following dispatch to Washington:

"*Camden Station, Md., July 21.*

"To Hon. George W. McCrary:

"Order has been restored for the present, and I hope we may be able to restrain violence with our military and the police. There is increasing lawlessness at Cumberland, and as I will not be able to send a force from here I may be obliged to ask the government for aid. I will communicate again in the morning. Please convey my thanks to the President for promptly responding to my request.

"JOHN LEE CARROLL."

The receipt of this intelligence by the Federal authorities produced a modification of their orders; yet, on Saturday afternoon, the following dispatch was received from Washington:

"This morning the Secretary of War ordered five hundred marines from Norfolk and four companies of infantry, now stationed at Fort Monroe, Va., to proceed immediately to this city and Baltimore, that they may be on hand to promptly quell any further disturbance. About one half of this force will be quartered in Washington, and the other half at Fort McHenry, near Baltimore. There is also a light battery at the last-named fort ready for service at a moment's notice."

General Winfield S. Hancock, commander of the military division of the Atlantic, with his staff, reached Baltimore on Sunday morning from New York, and made Barnum's Hotel his headquarters. On Saturday and Sunday, nearly two thousand United States troops were concentrated in Baltimore, in addition to about six hundred marines. In addition to this force, the 5th and 6th Maryland regiments were ordered to recruit to their maximum of one thousand men each, and two new regiments and one battery of artillery were organized and equipped within a very few days. The 7th regiment was commanded by Colonel James Howard, and the 8th by Colonel Charles E. Phelps. The 1st Maryland artillery was commanded by Captain Thomas S. Rhett. And to aid in the preservation of the peace of the city, Messrs. E. Wyatt Blanchard, James H. Barney, John Donnell Smith, and J. Thomas Scharf, were appointed by the police commissioners, under the direction of their secretary, Marriott Boswell, to select five hundred special

policemen. The bar-rooms and drinking establishments of the city were also ordered to be closed for several days. At the request of Hon. John L. Thomas, collector of the port, General Barry, in command of Fort McHenry, sent a guard to protect the United States bonded warehouses, the custom house and postoffice. The United States revenue cutter, *Rodney*, under Captain A. A. Fenger, with a gun battery and a squad of infantry from the fort, also protected the Baltimore and Ohio Railroad elevators, at Locust Point.

On Saturday, Baltimore was quiet, but there was no lack of defensive activity and energetic effort to restore the sway of law and order. Business was suspended, and the streets were thronged with people, but the disorderly element for the time had disappeared. Governor Carroll occupied quarters in the governor's room of the City Hall, and in connection with Attorney General Gwinn, Mayor Latrobe, the police commissioners and other civil and military authorities, was active and energetic in preparations for any emergency which might occur. In the afternoon the governor issued the following:

"PROCLAMATION!

"*Baltimore, July 21.*

"WHEREAS, The riotous demonstration that took place in this city last evening evinces a spirit of lawlessness, which, if not suppressed, must end in the ruin of wide interests and the destruction of large amounts of the property of our citizens. Now, therefore, I, John Lee Carroll, Governor of Maryland, do hereby issue this, my proclamation, calling upon all law-abiding citizens of Baltimore to aid in the maintenance of quiet, and I hereby command all persons not to assemble for purposes of violation of law, but to retire forthwith peaceably to their respective homes, warning them that a persistence in these violent proceedings will compel resort to the strongest measures for the re-establishment of order in our midst. "JOHN LEE CARROLL, *Governor.*"

Shortly after this was issued, the following was circulated in hand-bills throughout the city:

"*Office of Board of Police Commissioners, July 21.*

"In the present excited state of the public mind it is important that no opportunity should be afforded for any disorder. All peaceable citizens are therefore requested to abstain from gathering in crowds, and to pursue their usual occupations, in order that the constituted authorities may maintain the peace of the city without difficulty or conflict. "JOHN LEE CARROLL, *Governor.*

"WM. H. B. FISSELBRANCH, *President Board of Police.*

"HARVEY GILDEROY, JAMES K. HOWARD, *Commissioners of Police.*"

At night the city was feverish and excited, and the frequent alarms sounded by the fire department occasioned much apprehension. Early in the evening an unsuccessful attempt was made to burn one of the Baltimore and Ohio transportation barges, at Fell's Point; and almost simultaneously, a building was burned in west Baltimore. About midnight, a train of oil cars was burned on the track of the Baltimore and Ohio road, a short distance beyond the city limits; and about daylight on Sunday morning, a large lumber-yard and sash factory in the southeastern section of the city, was

entirely consumed. In the midst of this excitement, apprehension pervaded the community of another outbreak at Camden Station, which, as the sequel showed, was not without foundation, and, but for the strong measures for protection, would no doubt, have resulted in arson and greater bloodshed. About ten o'clock, a mob several thousand strong had collected on Eutaw and Camden streets, and were assuming threatening attitude. Police Commissioner Gilmor, determined to have the crowd dispersed and sent for a large police force, under Deputy Marshal Frey. The police arriving on the ground, Commissioner Gilmor, and Marshals Grey and Frey at the head of their force, advanced upon the mob under a heavy fire of pistol-shots and a storm of missiles, and captured many of the rioters. These were taken into the depot and placed under the guard of the 5th regiment. In the station the military reserve were under arms and in readiness to repel an attack. Other charges were made by the police upon the crowd in quick succession, and the mob dispersed in all directions. Many of the rioters made violent resistance, and the scenes in the depot were most exciting. About two hundred were arrested, composed of the most lawless element of the city, and from all portions of it, and nearly all were more or less intoxicated. No railroad men were among them. By direction of A. Leo Knott, State's Attorney, they were all committed to jail without bail.

This cool and determined action of the police, dispersed the crowd around the depot and suppressed the railroad riot in Baltimore. About midnight, a special train having on board a battalion of 120 officers and men of the United States marine corps from the navy yard at Washington, under Colonel Charles Haywood, arrived at Camden Station, and at daylight on Sunday morning, General Barry sent a battery of three rifled pieces of artillery, under Captain J. T. Ramsay, to the same point. On Saturday afternoon, President Hayes issued the following proclamation:

"Whereas, It is provided in the Constitution of the United States that the United States shall protect every State in the Union on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence; and whereas, the Governor of the State of Maryland has represented to the that domestic violence exists in said State at Cumberland and along the line of the Baltimore and Ohio Railroad in said State, which the authorities of said State are unable to suppress; and whereas, the laws of the United States require that in all cases of insurrection in any State or of obstruction to the laws thereof, whenever in the judgment of the President it becomes necessary to use the military force to suppress such insurrection or obstruction to the laws, he shall forthwith by proclamation command such insurgents to disperse and retire peaceably to their respective abodes, within a limited time;

"Now, therefore, I, Rutherford B. Hayes, President of the United States, do hereby admonish all good citizens of the United States, and all persons within the territory and jurisdiction of the United States, against aiding, countenancing, abetting or taking part in such unlawful proceedings; and I do hereby warn all persons engaged in or connected with said domestic violence and obstruction of the laws, to disperse and retire peaceably to their respective abodes on or before twelve o'clock noon, of the twenty-second day of July instant. In testimony whereof I have hereunto set my hand and caused the seal

of the United States to be affixed. Done at the City of Washington this 21st day of July, in the year of our Lord 1877, and of the Independence of the United States of America the one hundred and second.

"By the President:— "R. B. HAYES,

"WM. M. EVARTS."

The strike, which had been in progress in Maryland for a week, had run its course by Monday, July 23, although the troubles spread all over the country. It had stirred up the vicious and criminal classes and furnished them with an opportunity for rioting and pillage. The train-men on the Pennsylvania railroad had struck, and the moving of freight trains was suspended, while the passenger trains were run by the sufferance of the strikers. But it was at Pittsburg that the riot assumed the most formidable proportions, and the devastation there was terrible. All the depots and shops of the Pennsylvania company and of the roads connecting with it were burned; one hundred and twenty-five locomotives were destroyed, and hundreds of cars broken into, rifled of their contents, and then pushed into the burning sheds, where they were quickly consumed. A regiment of Pennsylvania militia, which was hurriedly despatched from Philadelphia on the night of July 20th to protect the company's property, after a sharp skirmish with the mob on the afternoon of the 21st, in which many persons were killed on both sides, was driven into an engine-house, where it remained until the building was set on fire. It cut its way out and retreated across the Allegheny river, pursued by the rioters. After retreating ten miles from the city it encamped on a hill, threw up fortifications, and so remained until relieved. The loss of the Pennsylvania Railroad Company at Pittsburg was estimated at three millions of dollars. To suppress the riot in Maryland it cost the State nearly $85,000.

Through the personal exertions of Mr. John W. Davis, the general agent of the Northern Central Railroad, and George C. Wilkens, superintendent, there was no disturbance among the men of the Northern Central, though a strong pressure had been brought to bear by strikers on other roads, and threats and promises had been made to induce the company's firemen and other employees on the road and in the shops to strike. On this road the wages had been cut down ten per cent., on the 16th of June, some weeks before the reduction went into effect on the Baltimore and Ohio Railroad.

On the 28th of July, the strike being over in Baltimore, and all perceptible danger of disorder having disappeared, freight trains were despatched from Camden Station and the regular traffic resumed. Governor Carroll issued a proclamation commanding the sheriff of each county through which the Baltimore and Ohio Railroad runs, to summon a posse and proceed to the points at which any interference with the running of the trains was likely to occur, and to secure free passage therefor. The military were also on hand to assist them, in case their services were needed. There was no interruption of the business of the road, as the better sense of the men had

overcome their obstinacy. On the Chesapeake and Ohio Canal an attempt was made by the boatmen to interfere with the coal trade, but through the energetic efforts of President A. P. Gorman, with the assistance of the 5th regiment which was sent to the scene of the troubles, the riotous boatmen were dispersed.

For the efficient services rendered by the military and police during the railroad riots of July, 1877, Governor Carroll paid them well-merited tributes. To the latter he addressed the following letter of recognition and commendation for their services, which was read to the police accompanied by the letter of the police commissioners:

"To the Honorable Board of Police Commissioners of Baltimore City:

"Gentlemen—I take this early opportunity to convey to you my sincere admiration of the efficient manner in which the police under your control have been managed during the trying and critical times of the past few days.

"Our citizens are taught to rely upon the energy of the civil power for the protection of their lives and property, and fortunately on this sad occasion it has been clearly shown that their confidence was not misplaced.

"The untiring activity of the men, and their bold assaults upon the lawless crowds assembled, have excited the admiration and gratitude of our citizens, and have carried conviction to the minds of all that peace and order will be restored without the effusion of blood. Allow me to thank you for the readiness with which you have responded to every call which, as the representative of the State, I have made upon you.

"JOHN LEE CARROLL."

The police of Baltimore, during this trying scene, gave full evidence of their discipline and efficiency. Two-thirds of the 600 officers of the regular force were on their feet forty-eight hours without any rest whatever, and in this condition they successfully fought down hordes of rioters outnumbering them by thousands. It was largely due to their firmness that the first outbreak of mob violence on Friday evening, July 20th, was kept within bounds, so that the governor was able to telegraph to President Hayes at 3 o'clock on Saturday morning, that the riot was subdued, and that the military assistance which he had asked for earlier in the evening, would probably not be needed at Baltimore. On Saturday evening, they effectually quelled the incipient riot, which was beginning to gather around Camden Station, by the vigorous measures which they took to disperse the crowd, and by the promptness and number of the arrests they made. Altogether, they merited the hearty commendation of the community by the fidelity and courage with which they performed their duties, and demonstrated their ability, when their efforts are properly directed, thoroughly to restrain the evil-disposed and lawless elements in Baltimore.

The 5th Maryland regiment fully sustained the high reputation it had gained for discipline and courage. The 6th regiment had also done its duty, but in deference to a false sentiment was disbanded.

A kind of sequel of the railroad riots was the formation of a so-called "Workingmen's Party" in Baltimore, which placed candidates in the field at

the fall elections for mayor and members of the Legislature. The democratic nominee was George P. Kane; that of the "Workingmen," Joseph Thompson, and of the "Reformers," Henry M. Warfield. The municipal election passed off very quietly, in October, 1877, and resulted in the election of George P. Kane and the entire regular democratic nominees for both branches of the City Council by overwhelming majorities. Kane carried all the wards of the city excepting the 13th and 20th, in which Thompson had small majorities. The total vote of the city was 51,021, of which Kane received 33,188, Thompson 12,367, and Warfield 536. Mayor Kane died on June 23d, 1878, and a new election was ordered to fill the vacancy, which resulted in the election, on July 11th, of Ferdinand C. Latrobe, democrat, by a majority of 13,211, over R. Henry Smith, candidate of the "Greenback" and "workingmen's" parties. The total vote was 16,002, of which Latrobe received 14,608, and Smith 1,394.

The political complexion of the Legislature of 1878, was as follows: Delegates, sixty-five democrats to seventeen opposition; Senate, eighteen democrats to seven opposition. On the 18th of January, the Hon. James Black Groome, of Cecil, was elected United States Senator for the term of six years, beginning March 4th, 1879.[1] Hon. Barnes Compton was re-elected treasurer, and Hon. George Colton was elected State printer. John Milroy was elected Police Commissioner for Baltimore City.

The Legislature was organized by the election of Edward Lloyd, of Talbot County, as president of the Senate, and Ferdinand C. Dobbin of Baltimore City, as speaker of the House.

Among the many important measures passed at this session of the Legislature, was the following resolution introduced in the House of Delegates, by Hon. Montgomery Blair:[2]

[1] The result of the election in the several congressional districts was as follows: First district—Henry, dem., 11,479; Graham, rep., 10,033—majority for Henry, 1,081. Second district—Talbot, dem., 13,814; Williams, ind., 4,344; McCombs, green'k, 1,971—majority for Talbot over all, 1,845. Third district—Kimmel, dem., 11,674; Thompson, Workingmen's, 4,005—majority for Kimmel, 6,708. Fourth district—McLane, dem., 12,084; Holland, rep., 6,071; Quigley, labor green'k, 827; Giffings, ind. dem., 218—majority for McLane over all, 3,368. Fifth district—Hemphill, dem., 11,534; Urner, rep., 9,970; Cutler, green'k, 771—majority for Hemphill, 1,706. Sixth district—Peter, dem., 12,477; Urner, rep., 12,108; Resley, green'k, 1,107—majority for Urner over Peter, 1,731.

[2] This resolution was a substitute both for its original memorial and a previous set of resolutions which had been introduced by Mr. Blair, in advocacy of which he spoke in the House. The resolution was without the qualifying clause—"in case Congress shall provide for expediting the action." These words were added by the Judiciary Committee of the House. The writer of this, as chairman of the Committee on Federal Relations, to whom the original memorial and resolutions of Mr. Blair were submitted, reported same unfavorably, and, in support of his report, said: "The prayer of the petitioners, memorial of the gentleman from Montgomery is, that no additional legislation may be enacted to assist [Mr. Hayes], judicially, who was elected President at the recent election, and to give effect to the will of the people." After several consideration which the grave importance of the subject demanded, a large majority of the Committee on Federal Relations, on the 7th of February, reported their unfavorably. Although differing from the distinguished author of the memorial as to the character of the action which Congress ought to be called upon to take in the premises, nevertheless, as the matter is before me, I have not to consideration. In my judgment, whatever influence this State may claim to exercise upon Congress ought to be brought to bear more effectively than by instructing for legislation to try the title of Mr. Hayes or Mr. Wheeler

"*Resolved by the General Assembly of Maryland*, That the Attorney General of the State be, and he is hereby instructed, in case Congress shall provide for expediting the action, to exhibit a bill in the Supreme Court of the United States, on behalf of the State of Maryland, with proper parties thereto, setting forth the fact that due effect has not been given to the electoral vote cast by this State on the 6th day of December, 1876, by reason of fraudulent returns made from other States, and allowed to be counted provisionally, by the Electoral Commission, and subject to judicial revision; and praying said court to make the revision contemplated by the act establishing said commission; and upon such revision, to declare the returns from the States of Louisiana and Florida, which were counted for Rutherford B. Hayes and William A. Wheeler, fraudulent and void, and that the legal electoral votes of said States were cast for Samuel J. Tilden, as president, and Thomas A. Hendricks, as vice-president; and that, by virtue thereof, and of 181 votes cast by other States, of which eight were cast by the State of Maryland, the said Tilden and Hendricks were duly elected; and praying said court to decree accordingly."

In pursuance of the resolution, Mr. Kimmel, of Maryland, introduced in the House of Representatives a bill to provide a form of action and mode of proceeding by which the title to the office of president and vice-president may be tried before the Supreme Court upon a bill filed for the purpose in the name of any of the States of the Union. The bill was a general one, and the provision which it proposed to make was for all future time, so that the

to the Presidency or Vice-Presidency of the United States. If the object is to secure the creation of some special tribunal, there is no reasonable ground for believing that any such tribunal organized by the present Congress would, so far as the impartiality and freedom from partisan bias of its members is concerned, be any improvement upon the Electoral Commission. Besides, I consider that it would be as unsettled for me as for the General Assembly of Maryland to commit itself to the proposition that, under existing law, there is no adequate legal remedy now open to Mr. Tilden, to contest upon its merits the title of Mr. Hayes to the Presidency of the United States. It is very clear that the General Assembly would distinctly commit itself to such a proposition by formally saying, in the language of the memorial, 'that the present legislation may be adopted to ascertain, judicially, who is elected President.' To assert that legislation is needed to give a remedy, is to admit that, under existing laws, there is no remedy. And the question as to whether, under existing law in the District of Columbia, there is not such a remedy, is still an open question. That it is so, and was so considered by Congress, is clear from the terms of the Act establishing the Electoral Commission, quoted in the very memorial, which provides that no decision of the President's election, under that Act, should preclude a judicial decision of the question. If this question should happen to be judicially raised, by the appropriate form of proceeding, in the proper court of the District of Columbia, its determination might, and probably would be found to depend, in part, upon the laws of the State of Maryland in force at the date of cession. The judicial interpretation of those laws should, in that event, be encountered by a subsequent legislative interpretation volunteered by this General Assembly. Such an expression of opinion as would be implied in the adoption of this memorial, would not, of course, be binding upon the courts, but it would furnish a specious and dangerous argument against the remedy. It would be said that the legislature of the very State whose judicial laws are invoked to redress doubts that any redress is given by those laws. So strong a way present against the successful consummation of a stupendous fraud by which the constitutional majority were defeated by the minority, a result never likely to occur in any free country without imminent danger of domestic violence and civil war, and only averted by the moderation and patriotic forbearance of the insulted majority) can avail, the voice of Maryland has already been heard through her representatives in Congress, in the resolutions passed by the House of Representatives, on the 31st of March, 1877, declaring, after a recital of the facts in the case, that, as the sense of the House, Samuel J. Tilden and Thomas A. Hendricks were duly elected President and Vice-President of the United States, for the term of four years, commencing on the 4th of March, 1877.

title of any President could be litigated before the Supreme Court upon the application of any single State. The bill, however, failed to become a law, and thus the matter ended.

In the political campaign of 1879, the contest was narrowed down to a mere struggle between the democrats and republicans. The municipal election for Mayor and City Council in Baltimore City, on the 22d of October, resulted in the re-election of Mayor F. C. Latrobe, by a majority of 5,809 votes, and the election of eighteen democratic and two republican members of the First Branch of the City Council, and nine democratic and one republican member of the Second Branch. Mayor Latrobe, the democratic nominee, received 25,739, William J. Hooper, the republican nominee, 19,830, and Mathiot, the greenback nominee polled 95 votes. The democratic majority was smaller than it had ever been since 1856, in a straightout political contest between democrats and republicans; the contest in 1875, being a fusion of reform democrats and republicans.

The election for Governor and other State officers on the 4th of November, resulted in the election of the entire democratic State ticket by very heavy majorities. The issues of the campaign were above the level of personal altercations or attacks upon individual character as there was no personal objection against either of the candidates for governor. Hon. William T. Hamilton,[1] the democratic nominee for governor, had been long and favorably known to the people of Maryland, and in every position of public trust that he had occupied he had proven himself to be not only a man of high ability, but of the strictest personal honor and integrity. Mr. James A. Gary, the republican nominee, was known to the people of the State principally as a large manufacturer, and an eminently respectable gentleman. The issues of the campaign were distinctively conservative, and the response proved "that our citizens have not forgotten the past, and have no intention of returning to its disorders and its general discreditableness." The democrats elected Hon. Wm. T. Hamilton for Governor; Thomas J. Keating, Comptroller, O. J. M. Gwinn, Attorney General, and Spencer C. Jones, Clerk of the Court of Appeals, and a large majority in both Houses of the Legislature.

WILLIAM T. HAMILTON.

[1] William T. Hamilton was born in Hagerstown, Washington County, September 8, 1820. His parents were residents of Boonsboro, in which town, under the tuition of James Brown, Esq., former surveyor of Washington County, the foundation of his education was laid. His mother died when he was six years of age, and his father, Henry Hamilton—some two years afterward. He was adopted by his maternal uncle, and his education was continued at the Hagerstown Academy, and completed at Jefferson College, Canonsburg, Pennsylvania. Upon his return to Hagerstown, he studied law under the Hon. John Thomson Mason, and was admitted to the bar of Washington County in 1841. In 1845, he was nominated and elected to the House of Delegates by the democratic party. He supported Governor Pratt in the payment of the interest on the State debt, and in 1847 he was again nominated upon the democratic ticket for the House of Delegates, but was defeated by the whigs, although he ran largely ahead of his

The democrats carried for governor Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Dorchester, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's, Talbot, Washington, Wicomico and Worcester Counties, and Baltimore City. Mr. Hamilton received 90,830 votes, and Mr. Gary, 68,612 votes.

Governor Hamilton's majority was 22,208, showing a large increase over the vote for Governor Carroll in 1875 of 9,394 votes.

There is no country, however insignificant, whose history is not instructive; there is no history, however feebly written, if it be but a faithful record of facts, but is fraught with profitable lessons. And whatever may be the defects of the present work—and the writer is conscious that they are many—the mere events that it recites are full of warning, of encouragement, and of admonition. Many considerations of this kind have been pressed upon the writer's mind during the performance of his task, but he has forborne to dwell upon them, leaving the thoughtful reader to make his own reflections. One point alone will be touch.

It has been often said that history repeats itself; and this has been unquestionably the case in the History of Maryland. More than once or twice, in her two centuries and a half of existence, has an unscrupulous faction arisen, stimulated by hostile external influences, has trampled on the rights of the people, and, for a while at least, exercised arbitrary and oppressive power. In every case the proceeding has been the same: first, the disfranchisement of the great body of the citizens, and, secondly, an eager haste to lay the

Coke in the county. In 1845, he was placed upon the Whig electoral ticket for his congressional district, and in the year 1849 he received from the democratic party his first nomination for Congress, and was elected in a close and very exciting contest, although the district had, the year before, given a large majority for General Taylor. During his first term in Congress, Mr. Hamilton gave steady support to the compromise measures of 1850, introduced by Mr. Clay. In 1851, he was re-elected to Congress for his second term. In 1853, Mr. Hamilton declined to withdraw from public life, and declined to be a candidate. But at the urgent solicitation of prominent gentlemen throughout the district, he was, for the third time, nominated a candidate for Congress by the regular democratic nominating convention, and was elected over the Hon. Francis Thomas, who ran as an independent candidate against him. This was one of the most principled and exciting contests ever had in the district, involving joint discussions between the candidates in every county, and resulting in a majority of upwards of one thousand for Mr. Hamilton over his eloquent and veteran competitor. In 1855, Mr. Hamilton again determined to withdraw from public life, but the American or know-nothing party having come into power, he was once more induced to bear the standard of the democratic party, but was defeated. From that time to the adoption of the constitution of 1867, Mr. Hamilton persistently declined all nominations to office, including that of Governor in 1861, and devoted himself exclusively to his profession. During his congressional career, Mr. Hamilton had associated with him in the practice of the law, the Hon. Richard H. Alvey, who (1870) was chief judge of the Circuit Court of Washington County, and judge of the Court of Appeals. After his retirement from Congress, and up to his election to the United States Senate on the 4th of March, 1869, he applied himself to his profession, in the prosecution of which he has been signally successful, and very soon became one of the leading members of the bar of Western Maryland, which, in point of ability, is not exceeded by any in the State. His practice has of late years frequently carried him to the Court of Appeals in the trial of important cases, where his standing as a lawyer has been as clearly defined as at home. His term of office, as United States Senator having expired in 1875, Mr. Hamilton, in that year, was a prominent candidate for governor at the democratic convention, and came within a few votes of receiving the nomination. On August 5, 1878, however, he was rewarded with the nomination by the unanimous voice of his party, and was elected by a majority of 22,208 votes over his competitor, James A. Gary.

rights, liberties, and franchises of Maryland itself at the feet of some external power. Chalkerne and his party handed the province over to Parliament; Cooke and the Associators handed it over to King William. And wisely they did so, for they knew that so long as Maryland was self governed and independent, there was no hope of success for their schemes.

So now, in the freedom, sovereignty and independence of his State, lies the chief bulwark of every citizen against arbitrary power, the only guaranty of his personal freedom. Every attempt to impair these, or to weaken the general attachment to them, should be resisted to the utmost, unless, indeed, in the very madness of folly, we are willing to sell our birthright for a mess of poisonous pottage, and fling away what our ancestors prized so inestimably, and for which they paid so dear a price.

No man is better known in Maryland than Mr. Hamilton, and none certainly more respected for high courage, rectitude of principle and thorough honesty. He is at all times and in all places, fearless and outspoken, and into all the offices which he has deservedly honored, he has carried the same unyielding devotion to what he believes to be just and upright. As a member of the Legislature, Congressman and United States Senator, his governing principle has been to perform the duties that were devolved upon him, and, entering the office without stain, he should leave it at the end of his term without reproach. Sincere, frank and generous, he combines in most unusual harmony the dignity, grace and reserve of a thoroughbred gentleman, with that winning good humor, that generous approachableness and that cheerful courtesy, which are so needed in a governor, and yet so seldom witnessed.

APPENDIX.

MEMBERS OF CONSTITUTIONAL CONVENTIONS.

FIRST STATE CONSTITUTION IN 1776.

MATTHEW TILGHMAN, *President*; GABRIEL DUVALL, *Secretary*.

St. Mary's County.—Richard Barnes, Ignatius Wemwick, George Plater, Jeremiah Jordan.

Charles County.—Robert T. Hanes, John Dent, Thomas Semmes, John Parnham.

Calvert County.—Benjamin Mackall, Charles Grahame, Wm. Fitzhugh, John Mackall.

Prince George's County.—Walter Bowie, Benj. Hall, Osborn Sprigg, Luke Marbury.

Anne Arundel County.—John Hall, Brice T. B. Worthington, Edwin Hammond, Samuel Chase.

Frederick County (Lower District (now Montgomery County).—Thomas Sprigg Wootton, Jonathan Wilson, William Bayley, Jr., Ephr. Williams.

Frederick County (Middle District.—Adam Fleshes, Upton Sheredine, Christopher Edelin., David Schriver.

Washington and Allegheny Counties (Upper District.—Samuel Beall, Samuel Hughes, John Stull, Henry Schnebly.

Baltimore County.—Charles Ridgely, Thomas Cockey Deye, John Stevenson, Peter Shephard.

Harford County.—Jacob Bond, Henry Wilson, Jr., John Love, John Archer.

Cecil County.—Joseph Gilpin, Patrick Ewing, David Smith, Benjamin Ewing.

Talbot County.—Peregrine Edmondson, John Oliver, Matthew Tilghman, James Lloyd Chamberlaine.

Caroline County.—Nathaniel Potter, William Richardson, Richard Mason, Henry Dickinson.

Dorchester County.—Robert Goldsborough, Jas. Murray, John Eccalls, Jas. Ecralls.

Somerset County.—Gustavus Scott, George Scott, William Hussey, Henry Lowes.

Worcester County.—Samuel Handy, Peter Chaille, Smith Bishop, Joshua Mitchell.

Kent County.—Thomas Ringgold, William Ringgold, Joseph Clark, Thomas Smyth.

Queen Anne's County.—Turbut Wright, James Kent, William Bruff, Solomon Wright.

Baltimore Town.—John Smith, Jeremiah T. Chase.

Annapolis.—William Paca, Charles Carroll, of Carrollton.

RATIFICATION OF THE UNITED STATES CONSTITUTION.

STATE CONVENTION OF 1788.

GEORGE PLATER, *President*; WILLIAM HARWOOD, *Secretary*.

Annapolis.—Nicholas Carroll, Alexander Contee Hanson.

Baltimore Town.—James McHenry, John Coulter.

Anne Arundel County.—Jere. T. Chase, Saml. Chase, Jno. F. Mercer, Benj. Harrison.

St. Mary's County.—Geo. Plater, Richard. Barnes, Chas. Shelton, Nicholas H. Sewell.

Kent County.—William Tilghman, Donaldson Yates, Isaac Perkins, William Granger,

Calvert County.—Joseph Wilkinson, Charles Graham, Walter Smith, John Chesley.
Charles County.—Zeph. Turner, Gustavus R. Brewer, Michl J. Stone, Wm. Craik.
Somerset County.—George Gale, John Stewart, John Gale, Henry Waggaman.
Talbot County.—Robert Goldsborough, Edw. Lloyd, Jno. Stevens, Jeremiah Banning.
Dorchester County.—Robt. Goldsborough, Nich. Hammond, Jas. Shaw, Danl Sullivane.
Baltimore County.—Charles Ridgely, Charles Ridgely of Wm., Edward Cockey, Nathan Cromwell.
Cecil County.—Henry Hollingsworth, James G. Rowe, Joseph Gilpin, Wm. Evans.
Prince George's County.—Fielder Bowie, George Digges, Osborn Sprigg, Benj. Hall.
Queen Anne's County.—Jos. Tilghman, 3d, Jas. Hollyday, Wm. Hemsley, Jno. Seney.
Worcester County.—John Done, Peter Chaille, William Morris, James Martin.
Frederick County.—Thos. Johnson, Thos. Sim Lee, Richard Potts, Abraham Faw.
Harford County.—Luther Martin, William Penn, William Pinkney, John Love.
Caroline County.—Wm. Richardson, Jos. Richardson, Mark Dixon, Peter Edmondson.
Washington County.—John Stull, Moses Rawlings, Thomas Sprigg, Henry Shryock.
Montgomery County.—Benjamin Edwards, Richard Thomas, Thomas Crumpton, William Dorsett, Jr.

STATE CONSTITUTIONAL CONVENTION OF 1851.

Hon. JOHN G. CHAPMAN, *President*; GEORGE G. BREWER, *Secretary*.

St. Mary's County.—Geo. C. Morgan, Wm. J. Blackistone, J. F. Dent, J. R. Hopewell.
Kent County.—James B. Wound, John Lee, Ezekiel F. Chambers, Jos. T. Mitchell.
Anne Arundel County.—Thos. Donaldson, Thos. B. Dorsey, George Wells, Alexander Randall, James Kent, John S. Sellman.
Calvert County.—George W. Weems, J. J. Dalrymple, John Bond, A. R. Sollers.
Baltimore County.—Benjamin C. Howard, Jas. M. Buchanan, Ephraim Bell, Thomas J. Welsh, H. J. Chandler, James L. Ridgely.
Charles County.—George Brent, John G. Chapman, Wm. D. Merrick, Daniel Jenifer.
Talbot County.—Edward Lloyd, S. P. Dickinson, C. Sherwood, M. O. Collet.
Somerset County.—John Dennis, Jas. U. Dennis, J. W. Crisfield, J. J. Dashiell, Wm. Williams.
Dorchester County.—Thomas H. Hicks, John N. Hodson, Wm. T. Goldsborough, J. R. Eccleston, Francis P. Phelps.
Cecil County.—Albert Constable, R. B. Chambers, Wm. McClellough, John M. Miller, Louis McLane.
Prince George's County.—Thomas F. Bowie, Wm. H. Tuck, Samuel Sprigg, John M. S. McCubbin, J. D. Bowling.
Frederick County.—Francis Thomas, Edward Shriver, Wm. Cost Johnson, John D. Gaither, Daniel S. Biser, Robert Annan.
Washington County.—George Schley, Lewis P. Pory, Alexander Neill, Jr., John Newcomer, Thomas Harbine, Michael Newcomer.
Montgomery County.—J. M. Kilgour, Allen Bowie Davis, Washington Waters, John Brewer, James W. Anderson.
Baltimore City.—Charles J. M. Gwinn, David Stewart, Robert J. Brent, George W. Sherwood, Benjamin C. Presstman, Elias Ware, &c.
Worcester County.—L. L. Dickinson, S. S. McMaster, E. Hearn, Jas. M. Pecks, Curtis W. Jacobs.
Hartford County.—John Sappington, W. B. Stephenson, R. McHenry, Samuel M. McGraw, James Nelson.
Allegheny County.—Wm. Weber, Wm. M. Holliday, John Elder, James Fitzpatrick, Samuel P. Smith.

Queen Anne's County.—Wm. A. Spencer, Wm. Grason, Enoch George, H. H. Wright.

Carroll County.—Andrew G. Yoe, M. G. Corkey, Joseph M. Parke, Jacob Shower, Elias Brown.

Caroline County.—R. C. Carter, John Thawley, Thos. R. Stewart, Edward Hardcastle.

OFFICERS.—*President*, Hon. John G. Chapman, of Charles county; *Secretary*, George C. Brewer, of Annapolis; *Assistant Secretary*, Washington B. Chichester, of Montgomery county; *Sergeant-at-Arms*, Richard Booth, of Carroll county; *Door-Keepers*, Samuel J. Lankdin and S. C. Herbert; *Committee Clerks*, J. W. Rider, Geo. S. King, J. Moritz, S. Pancoast, Wm. Hall.

This Convention assembled at Annapolis, November 4th, 1850, and adjourned May 13th, 1851. The Convention was ratified by the people on the first Wednesday of June, and went into operation July 4th, 1851.

STATE CONSTITUTIONAL CONVENTION OF 1864.

HON. H. H. GOLDSBOROUGH, *President*: WILLIAM M. CULL, *Secretary*.

St. Mary's County.—Chapman Billingsley, John F. Dent, George W. Morgan.

Kent County.—Ezekiel F. Chambers, David C. Barkdoll, George S. Holliday.

Anne Arundel County.—Wm. B. Bond, Eli J. Henkle, Oliver Miller, Spragg Harwood.

Calvert County.—James T. Briscoe, John Turner, Charles S. Parran.

Charles County.—John W. Mitchell, Richard H. Edelen, Peregrine Davis.

Baltimore County.—John S. Berry, James L. Ridgely, William H. Hoffman, Edwin L. Parker, David Kerr, Wm. H. Moore, Silas Lamb.

Talbot County.—Henry H. Goldsborough, James Valliant, John F. McElfish.

Somerset County.—Isaac D. Jones, James C. Dennis, William H. Gale, Andrew J. Crawford, John C. Horsey.

Dorchester County.—Thomas J. Hodson, Alfred Johnson, Washington A. Smith, Thos. J. Dail.

Cecil County.—Thomas P. Jones, George Earle, Joseph B. Pugh, David Scott.

Prince George's County.—Daniel Clarke, Samuel H. Berry, Edward W. Bolt, Ferdinand Marbury.

Queen Anne's County.—John Lee, Peter Wilmer, John Brown.

Worcester County.—William T. Purnell, Thos. B. Smith, Wm. H. W. Parnell, Francis T. Murray.

Frederick County.—Samuel Keefer, Frederick Schley, David J. Markey, Andrew Airman, Henry Baker, B. A. Cunningham, Peter C. Schlosser.

Harford County.—John A. Hooper, Wm. Galloway, George H. McComas, Thomas Russell.

Caroline County.—Robert W. Todd, James H. Carter, Twiford S. Noble.

Baltimore City.—Samuel T. Hazle, Joseph H. Audoun, Henry Stockbridge, William Brooks, John Barron, Joseph M. Cushing, John L. Thomas, Jr., Ralls H. Kennard, Edwin A. Abbott, Archibald Stirling, Jr., Wm. Daniel.

Washington County.—Peter Negley, Henry W. Dellinger, James P. Mayhugh, John H. Searry, Lewis H. Nyman, Joseph E. Davis.

Montgomery County.—Edmund P. Duvall, Thomas Lansdale, George Peter.

Allegheny County.—Alfred C. Green, Hopewell Hoge, Jasper Hutchens, George A. Thurston, Jacob Wickard.

Carroll County.—John F. Smith, James Ecker, John Swope, Wm. S. Worden.

Howard County.—Joel Hopkins, George W. Sands, James Sykes.

STATE CONSTITUTIONAL CONVENTION OF 1867.

HON. RICHARD B. CARMICHAEL, *President*; MILTON Y. KIDD, *Secretary*.

Allegheny County.—Thomas Perry, Alfred Sykes, William Welch, J. Philip Roman, Jacob Hobbitzell, Thomas J. McKaig.

Anne Arundel County—James R. Hodkison, Thomas I. Hall, E. G. Kilbourne, Luther Giddings.

Baltimore City—1st Legislative District. Lindsay S. Morris, Ezra Whitman, John H. Burns, Isaac S. George, Joshua Vansant, Edward F. Flaherty, James A. Henderson.

Baltimore City, 2d Legislative District. George K. Gill, George Wm. Brown, Bernard Carter, Albert Brobie, Henry T. Garey, George W. Dobbin, J. Hall Pleasants.

Baltimore City—3d Legislative District. Isaac R. Brewer, John Berry, J. Montgomery Peters, John Franck, Joseph P. Merryman, J. M. Duncan, Walter S. Wilkinson.

Baltimore County. Charles A. Buchanan, John Wetherell, Ephraim Bull, Anthony Kennedy, Samuel W. Starr, Charles H. Nicols, Robert C. Berry.

Calvert County. John Parran, Charles S. Parran, John F. Ireland.

Caroline County.—R. E. Hankinson, Charles T. Tarr, Tilghman H. Hubbard, W. H. Watkins.

Carroll County.—John K. Longwell, George W. Munro, Sterling Galt, Benjamin W. Bergen, Thomas F. Cover, William N. Hayden.

Cecil County.—Benjamin R. Chambers, George R. Howard, James B. Greene, James O. McCormick, E. E. Cosgrove.

Charles County.—Walter Mitchell, Vivian Brent, John T. Goddard.

Dorchester County.—James Wallace, William T. Goldsborough, George E. Austin, Levin Hooken.

Frederick County.—William P. Maulsby, Frederick J. Nelson, Harry W. Dorsey, Caterbridge Jewett, William S. McPherson, John B. Thomas, Dewitt C. Johnson.

Harford County.—Henry D. Fernandis, Henry W. Archer, John Evans, Evans S. Rogers, Henry A. Silver.

Howard County.—Wm. M. Merrick, Jas. Mackubin, Henry O. Devries, Jas. Morris.

Kent County.—Joseph A. Wickes, Richard W. Ringgold, G. H. B. Massey, William Jarvis.

Montgomery County.—Greenbury M. Watkins, Nicholas Brewer, Samuel Riggs of R., Washington Duvall.

Prince George's County.—J. F. Lee, J. B. Brooke, Randall Marbury, Elbert G. Francis.

Queen Anne's County. Richard B. Carmichael, Thomas J. Keating, Washington Finley, Stephen J. Bradley.

St. Mary's County. Robert Post, John F. Post, Baker A. Jarrison.

Somerset County.—Purnell Toadvine, Thomas P. J. Rider, James L. Horsey, Isaac D. Jones, Henry Page.

Talbot County.—William Goldsborough, Richard C. Hollyday, Henry F. Bateman, Otho D. Hammond.

Washington County.—Andrew K. Syester, Richard H. Alvey, Joseph Murray, S. S. Cunningham, William Motter, George Pole.

Worcester County.—J. Hopkins Tarr, Littleton P. Franklin, Thomas P. Parker, Samuel S. McMaster, George W. Covington.

DELEGATES TO THE COLONIAL CONGRESS IN 1765.

William Murdock, Thomas Ringgold, Edward Tilghman.

SIGNERS OF THE ARTICLES OF CONFEDERATION.

John Hanson, Daniel Carroll.

SIGNERS OF THE DECLARATION OF INDEPENDENCE IN 1776.

Samuel Chase, Charles Carroll, of Carrollton, William Paca, Thomas Stone.

SIGNERS OF THE UNITED STATES CONSTITUTION IN 1787.

James McHenry, Daniel Carro..., Daniel of St. Thomas Jenifer.

DELEGATES TO THE CONTINENTAL CONGRESS.

Robert Alexander, 1775–77; William Carmichael, 1778–80; Charles Carroll, of Carrollton, 1776–78; Daniel Carroll, 1780–81; Jeremiah T. Chase, 1789–84; Samuel Chase, 1774 to 1778 and 1784 to 1785; Benjamin Contee, 1781–83; James Forbes, 1778–80; Uriah Forrest, 1780–87; Robert Goldsborough, 1774–75; John Hall, 1776–76 and 1780–84; John Hanson, 1781–83; William Harrison, 1781–87; William Hemsley, 1782–83; John Henry, 1778–81 and 1784–87; William Hindman, 1784–87; John E. Howard, 1781–89; Daniel of St. Thomas Jenifer, 1778–89; Thomas Johnson, 1775–77; Thomas Sim Lee, 1781–84; Edward Lloyd, 1782–84; Luther Martin, 1784–86; James McHenry, 1783–86; William Paca, 1774–79; George Plater, 1778–81; Richard Potts, 1781–82; Nathaniel Ramsay, 1785–87; Richard Ridgely, 1785–86; John Rodgers, 1775–76; David Ross, 1780–87; Benjamin Rumsey, 1776–78; Gustavus Scott, 1784–85; Joshua Seney, 1787–89; William Smith, 1777–78; Thomas Stone, 1775–76 and 1784–85; Matthew Tilghman, 1774–77; Turbut Wright, 1781–82.

PRESIDENTIAL ELECTORS.

FIRST PRESIDENTIAL ELECTION—GEORGE WASHINGTON, *President*, 1789.

John Rogers,	Philip Thomas.	
1. George Plater,	3. William Tilghman,	5. Alexander C. Hanson,
2. Robert Smith,	4. William Richardson,	6. William Matthews.

SECOND PRESIDENTIAL ELECTION—GEORGE WASHINGTON, *President*, 1792.

Alexander C. Hanson,	Joshua Seney.	
1. John E. Howard,	4. William Smith,	7. William Richardson,
2. Levin Winder,	5. Richard Potts,	8. Donaldson Yates,
3. Thomas Sim Lee,	6. Samuel Hughes.	

THIRD PRESIDENTIAL ELECTION—JOHN ADAMS, *President*, 1797.

John E. Howard,	John Archer.	
1. Francis Deakins,	4. John Roberts,	7. Gabriel Duvall,
2. John Gilpin,	5. John Lynn,	8. John Done,
3. George Murdock,	6. John Rochester.	

FOURTH PRESIDENTIAL ELECTION—THOMAS JEFFERSON, *President*, 1801.

Edward Lloyd,	Francis Deakins,	
1. George Murdock,	4. Perry Spencer,	7. Nicholas R. Moore,
2. John Gilpin,	5. Gabriel Duvall,	8. Littleton Dennis.
3. Martin Kershner,	6. William M. Robertson	

FIFTH PRESIDENTIAL ELECTION—THOMAS JEFFERSON, *President*, 1805.

John Purviance,	Tobias E. Stansbury.	
1. Joseph Wilkinson,	4. William Cleaves,	7. John Tyler,
2. John Gilpin,	5. Edward Johnson,	8. Ephraim K. Wilson,
3. John Johnson,	6. Perry Spencer,	9. Jeremy Tilghman.

SIXTH PRESIDENTIAL ELECTION—JAMES MADISON, *President*, 1809.

John B. Colvin,	Tobias E. Stansbury.	
1. Robert Bowie,	4. Richard Tilghman,	7. John Tyler,
2. Thomas W. Veazey,	5. John Johnson,	8. Henry James Carroll,
3. Edward Johnson,	6. Earl Perry Spencer,	9. Nathaniel Rochester.

SEVENTH PRESIDENTIAL ELECTION—JAMES MADISON, *President*, 1813.

Henry H. Chaptico,	Tobias E. Stansbury.	
1. Edward H. Calvert,	4. Thomas Worrell,	7. Henry Williams,
2. Thomas W. Veazey,	5. John Stephen,	8. Littleton Dennis.
3. Edward Johnson,	6. Edward Lloyd,	9. Daniel Kyzer.

EIGHTH PRESIDENTIAL ELECTION—JAMES MONROE, *President, 1817.*

	William D. Bond,	George Winner.
1. Joseph Kent,	4. Benjamin Massey,	7. John Buchanan,
2. William C. Naller,	5. John Stephen,	8. Ludwell Denny,
3. Edward Johnson,	6. Thomas Emmala,	9. Lawrence Brengle.

NINTH PRESIDENTIAL ELECTION—JAMES MONROE, *President, 1821.*

	James Forrest,	Elias Brown.
1. Robert W. Bowie,	4. William R. Stuart,	7. William Galey,
2. John Howard,	5. A. McKim,	8. Joshua Prideaux.
3. John Stephen,	6. John Boon,	9. Michael C. Spriggs.

TENTH PRESIDENTIAL ELECTION—JOHN Q. ADAMS, *President, 1825.*

	Henry Brewer,	William Brown.
1. John C. Herbert,	4. Samuel G. Osborn,	7. William Tyler,
2. Thomas Hope,	5. Dennis Claude,	8. Littleton Dennis,
3. George Winchester,	6. James Sangston,	9. Thomas Post.

ELEVENTH PRESIDENTIAL ELECTION—ANDREW JACKSON, *President, 1829.*

	William Pitzhugh, Jr.	Benjamin F. Forrest.
1. William Tyler,	4. Thomas Emory,	7. Elias Brown,
2. James Sewall,	5. Benjamin C. Howard,	8. Littleton Dennis,
3. John S. Sellman,	6. T. R. Lockerman,	9. Henry Brewer.

TWELFTH PRESIDENTIAL ELECTION—ANDREW JACKSON, *President, 1833.*

	R. H. Goldsborough,	William Price.
1. J. S. Smith,	3. William Frick,	6. C. S. Heath,
2. William B. Tyler,	4. Albert Constable,	6. John L. Steele,

THIRTEENTH PRESIDENTIAL ELECTION—MARTIN VAN BUREN, *President, 1837.*

	Elias Brown,	David Hoffman.
1. J. B. Ricaud,	4. J. M. Coale,	7. T. Barcheval,
2. George Howard,	5. Anthony Kimmel.	8. Thos. G. Pratt.
3. William Price,	6. Roger W. Bowie,	

FOURTEENTH PRESIDENTIAL ELECTION—WM. H. HARRISON, *President—1841.*

	David Hoffman,	John P. Kennedy.
1. J. G. Kerr,	4. Richard J. Bowie,	7. W. T. Wootton,
2. George Howard,	5. Jacob A. Preston,	8. Thos. A. Spence.
3. Theo. R. Lockerman,	6. James M. Coale,	

FIFTEENTH PRESIDENTIAL ELECTION—JAS. K. POLK, *President—1845.*

	William M. Gaither,	William Price.
1. James B. Ricaud,	3. Thomas S. Alexander.	5. H. E. Wright.
2. C. K. Steward,	4. A. W. Bradford,	6. Sam'l. Handleton.

SIXTEENTH PRESIDENTIAL ELECTION—ZACHARY TAYLOR, *President—1849.*

	William M. Gaither,	A. C. Edge.
1. Jos. S. Cottman,	3. J. M. S. Causin,	5. R. C. Wicks,
2. J. D. Ramon,	4. J. M. Starris,	6. J. D. Derickson.

SEVENTEENTH PRESIDENTIAL ELECTION—FRANKLIN PIERCE, *President—1853.*

	R. M. McCune,	C. Humphries.
1. J. Parren,	3. Carroll Spence,	5. J. A. Wickes,
2. R. H. Alvey	4. C. J. M. Gwinn,	6. E. K. Wilson.

EIGHTEENTH PRESIDENTIAL ELECTION—JAMES BUCHANAN, *President*—1857.

J. D. Rouse,	James Wallace.	
1. R. Goldsborough,	3. C. L. Leary,	5. F. A. Schley,
2. E. H. Webster,	4. Thomas Swann,	6. A. K. Sellers,

NINETEENTH PRESIDENTIAL ELECTION—ABRAHAM LINCOLN, *President*—1861.

E. Louis Lowe.	James L. Martin.	
1. Elias Griswold,	3. Joshua Vansant,	5. John Ritchie,
2. John Brooke Boyle,	4. T. Parkin Scott,	6. Jas. S. Franklin,

TWENTIETH PRESIDENTIAL ELECTION—ABRAHAM LINCOLN, *President*—1864.

William J. Albert,	H. H. Goldsborough.	
1. W. H. W. Farrow,	3. William Smith Reese,	5. R. Stockett Matthews.
2. Isaac Nesbit,	4. George W. Sands,	

TWENTY-FIRST PRESIDENTIAL ELECTION—U. S. GRANT, *President*—1868.

George M. Gill.	J. Thomson Mason.	
1. A. Constable,	3. R. Clay Dallam,	5. George Peter,
2. W. T. Alexander.	4. Charles B. Roberts.	

TWENTY SECOND PRESIDENTIAL ELECTION—U. S. GRANT, *President*—1872.

Augustus W. Bradford,	Frederick Raine.	
1. Philip D. Laird,	3. John M. Carter,	5. William Walsh.
2. James B. Groome,	4. James A. Buchanan.	

TWENTY THIRD PRESIDENTIAL ELECTION—R. B. HAYES, *President*—1877.

Richard B. Carmichael.	Frederick Raine.	
1. James U. Dennis,	3. Wm. Shepherd Bryan,	5. Frankli Mallory,
2. Richard J. Gittings,	4. Charles G. Kerr.	6. Frederick J. Nelson.

MARYLAND UNITED STATES SENATORS.[1]

SENATORS FROM THE WESTERN SHORE.

1789, March 4th	Hon. Charles Carroll, Carrollton.
1792, January 10th	" Richard Potts, Frederick County.
1796, November 23th	" John Eager Howard, Baltimore County.
1803, March 4th	" Samuel Smith, Baltimore County.
1816, January 24th	" Robert G. Harper, Baltimore County.
1819, December 20th	" Alex. Contee Hanson, Baltimore County.
1819, December 21st	" William Pinkney, Baltimore City.
1822, December 16th	" Samuel Smith, Baltimore County.
1833, March 4th	" Joseph Kent, Prince George's County.
1838, January 4th	" William D. Merrick, Charles County.
1841, March 4th	" Reverdy Johnson, Baltimore City.
1845, December 8th	" [2]David Stewart, Baltimore City.
1851, January 10th	" [3]Thomas G. Pratt, Prince George's County.
1863, January 10th	" Thomas H. Hall, Prince George's County.
1867, March 4th	" Anthony Kennedy, Baltimore City.
1868, March 4th	" Reverdy Johnson, Baltimore City.

[1] Where the date of the election of senators by the General Assembly is given, the term of office commences on the 4th of March ending the term of their predecessors, except where elected or appointed to fill unexpired terms. The term of office is six years.

[2] Mr. Stewart was appointed by the governor until the meeting of the next Legislature to fill place of Hon. Reverdy Johnson, resigned to become Attorney-General of the United States.

[3] Governor Pratt was elected to fill the unexpired term of Mr. Johnson.

1868, July 14th	Hon.	Wm. Pinkney Whyte,[1] Baltimore City.
1868, January 13th	"	William T. Hamilton, Washington County.
1874, January 27th	"	Wm. Pinkney Whyte, Baltimore City.

SENATORS FROM THE EASTERN SHORE.

1789, March 4th	Hon.	John Henry, Talbot County.
1797, December 11th	"	James Lloyd, Talbot County.
1800, December 15th	"	William Hindman, Talbot County.
1801, November 19th	"	Robert Wright, Talbot County.
1806, November 30th	"	Philip Reed, Kent County.
1810, May 31st	"	Robt. H. Goldsborough, Dorchester County.
1816, December 21st	"	Edward Lloyd, Talbot County.
1826, January 24th	"	Perkin P. Chambers, Kent County.
1837, January 13th	"	Robt. H. Goldsborough, Dorchester County.
1839, December 31st	"	John S. Spence, Dorchester County.
1841, January 5th	"	John Leeds Kerr, Talbot County.
1843, March 4th	"	James Alfred Pearce, Kent County.
1863, March 4th	"	Thos. Holliday Hicks, Dorchester County.
1865, March 9th	"	[2]John A. J. Creswell, Cecil County.
1867, January 25th	"	[3]Thomas Swann, Baltimore City.
1869, March 12th	"	[4]Philip F. Thomas, Talbot County.
1868, March 8th	"	George Vickers, Kent County.
1872, March 3d	"	George R. Dennis, Somerset County.
1873, January 18th	"	James Black Groome, Cecil County.

JUDGES OF THE GENERAL COURT

FROM 1777 TO 1808.

Those first appointed on the establishment of the State government, under the Act of the General Assembly, passed at the February session in 1777, were Charles Carroll, barrister, chief judge, Solomon Wright and John Beale Bordley. The latter declined, and Benjamin Rumsey was appointed in his place. And of these gentlemen declined. Mr. Carroll was a member of the State Senate, and Mr. Rumsey a member of Congress.

On the 18th of February, 1778, William Paca, who was a member of the State Senate, but who resigned on the 17th of March, was appointed chief judge. He resigned on the 8th of October following. Henry Hooper, appointed 12th February, 1778, declined and was succeeded on the 9th of March, by Nicholas Thomas, a member of the House of Delegates. Alexander Contee Hanson, appointed 12th February, 1778. Nicholas Thomas died in 1781, and Robert Goldsborough, Jr., on the 8th of January, 1784, was appointed to fill the vacancy. Robert Hanson Harrison, was appointed chief judge on the 10th of March, 1781, to fill the vacancy occasioned by the resignation of William Paca. Judge Alexander Contee Hanson, having accepted the position of chancellor, was succeeded on the bench on the 5th of October, 1789, by Jeremiah Townley Chase. Chief Judge Harrison died in 1790, and was succeeded on the 20th of April, 1790, by the late Governor Thomas Johnson. Chief Judge Thomas Johnson, having accepted the appointment of an associate justice of the Supreme Court of the United States, resigned his seat on the bench of the General Court, and was succeeded on the 7th of October, 1791, by Samuel Chase. Chief Judge Chase resigned to accept the position of associate judge of the United States

[1] Governor Whyte was appointed to fill the unexpired term of Mr. Johnson, who was appointed minister to Great Britain.

[2] Mr. Creswell was elected to fill the unexpired term of Governor Hicks, deceased.

[3] Governor Swann declined to accept the senatorship, March 1, 1867.

[4] Governor Thomas was not admitted on account of alleged disloyalty.

Supreme Court and was succeeded on the 2d of April, 1790, by Robert Goldsborough. He was promoted to chief judge, and Gabriel Duvall, on the 2d of April, 1790, was appointed associate. Chief Judge Goldsborough died in 1799, and was succeeded as chief judge on the 8th of February, by Jeremiah Townley Chase, one of the associate judges; and the vacancy occasioned by his promotion was filled on the same day by John Done. Gabriel Duvall having been appointed Comptroller of the United States Treasury, Richard Spriggs was appointed on the 20th of December, 1802, to fill the vacancy.

JUDGES OF THE ADMIRALTY COURT.

Benjamin Nicholson was appointed judge of this court and remained in office until it was abolished by the adoption of the Federal Constitution.

JUSTICES OF THE COUNTY COURTS.

The following is a list of the Justices of the Peace who formed the County Courts at the first organization of the State government in 1777:

St. Mary's County.—Jeremiah Jordan, John Reeder, Jr., Henry Greenfield Sotheron, Richard Barnes, Henry Rosier Vernon Hebb, Ignatius Taylor, Henry Tubman, Bennett Briscoe, Hanson Briscoe, John Shanks, John Ireland, Ignatius Fenwick, Nicholas Lewis Sewell, Robert Watts, Robert Armstrong.

Kent County.—Thomas Smyth, Robert Comiskunky, John Eccleston, Wm. Ringgold, Jr., Richard Frisby, James Anderson, John Maxwell, Emory Sudler, Jas. Hynson, Joseph Nicholson, Richard Graham, Thomas Vandyke, Isaac Spencer, John Scott, Wm. Buckley, Jeremiah Nichols, Robert Maxwell, John Page, John Veazies, William Geddis, James Claypoole, John Wilmer, Charles Groome.

Anne Arundel County.—John Burgess, Samuel Chew, Henry Ridgely, Richard Harwood, Thomas Watkins, Nicholas Worthington, Thomas Watkins, Jr., Elisha Robopow, George Watts, John Dorsey, Thomas Dorsey, Samuel Swan, John Weems, Thos. Brook Hodgkin, John Brice, William Wilkins, Allen Quynn, Thos. Harwood, Chas. Alexander Warfield, Reubin Merriwether, Richard Cromwell, Wm. Brogden, Thomas Henry Hall, Samuel Harrison, Jr., Samuel Harrison of Richard, Thomas Gassaway son of Nicholas, Nicholas Dorsey, Jr., son of Henry.

Calvert County.—Charles Grahame, Wm. Allnut, Samuel Chew, John Bond, Richard Parran, Edward Johnson, Wm. Allein, Wm. Ireland, Walter Smith, Daniel Rawlings, Jr., Isaac Clare, Samuel Hance, James Helgbe, Richard Lane.

Charles County.—Walter Hanson, Samuel Hanson, Daniel Jenifer, George Dent, Josias Hawkins, John Dent, James Craik, Gerard Richard Brown, Philip Briscoe, Robert Young, Warren Dent, Richard Bruhor, Kenelm Truman Stoddart, John Chapman, Wm. Harrison, James Forbes, John Barnham, Walter Hanson Jenifer, Thos. Harris, John Lancaster, Joseph Anderson, Joshua Sanders.

Somerset County.—Levin Gale, William Winder, John Adams, Thomas Williams, Levin Dashiell, William Fleming, William Dorsey, George Dashiell, Peter Waters, Thomas Brett, John Spain Conway, John Stewart, Levin Wilson, Robert Dashiell, Gilly Polk, John Williams, Joseph Daniels, William Stevens, William Moore, Isaac Coleburn.

Dorchester County.—William Ennalls, John Dickenson, James Muir, Joseph Richardson, Henry Steele, James Murray, Joseph Ennalls, Major Robert Harrison, John Sewell, Edward Noel, Thomas Jones, Benjamin Keene, Henry Leeke.

Baltimore County.—Andrew Buchanan, John Moale, Benjamin Rogers, William Buchanan, William Spear, Thomas Sellers, John Beale Howard, Jas. Calhoun, Hercules Courtney, George Goldsmith Presbury, Isaac Vanbibber, Peter Shepherd, John Goodwin, Edward Corbin, John Merryman, sen., Henry Stevenson son of Edward, Jeremiah Johnson, Charles Ridgely son of Wm., William Goodwin, John Robert Holliday, Wm. Lux,

Nicholas Merryman, Philip Rogers, Christopher Owings, Nicholas Jones, Isaac Hall son of Joshua, George Lindenberger, Thos. Philip, Abraham Anderson, Christopher Vaughan, Frederick Decker, Jesse Bussey, Robert Lemmon, Richard Cromwell.

Cecil County.—Joseph Gilpin, John Veazey, Jr., Elisha Hall, John Leach Knight, Tobias Rudolph, Stever Hyland, George Johnson Thos. Hughes, John Dockery Thompson, David Smith, Amos Alexander, Thomas Bouldin, Joshua Clayton, Timothy Kirk, John Ward, John Ward Veazey, James Evans, Joseph Baxter, Richard Beard, Samuel Glenn, John Cox.

Prince George's County.—Joshua Beall, William Lock Wiems, David Crawford, John Read Magruder, William Beans, Jeremiah Magruder, Thomas Clagett, Luke Marbury, Tennent Skinner, Alexander Howard Magruder, Rudam Henderson, Thomas Gantt, Jr., Thomas Truman, Richard Duckett, Jr., Osborn Sprigg, Robert Darnall, Fielder Bowie, George Ley, Jonathan Slater, Humphrey Bell, Benjamin Hall, son of Francis Thomas Williams, Thomas Magill, Thomas Boyde, William Lyles, William Berry, Notley Young, James Mullikin, James Beck.

Talbot County.—John Goldsborough, John Bracco, John Gibson, Henry Bantlay, Christopher Barkhead, William Tripp, Joseph Bowley, Peregrine Tilghman, Lewis Goldsborough, Joseph Bruff, Samuel Thomas, Thomas Gordon, Thomas Hardisan.

Queen Anne's County.—Furbath Wright, John Browne, Thos. Wright, John Thompson, James Kent, John Seney, John Kerr, James Bordley, William Hemsley, Jonathan Hall, Griffin Ford Lecky, James O'Bryan, Aquila Brown, Jacob Ringgold, Richard Carmichael, John Fisher, Henry Nichols, John Register Emory, Samuel Ridgeway.

Worcester County.—John Dennis, John Selby, Benton Harris, Nehemiah Holland, Elemeal Handy, William Morris, Samuel Handy, Thomas Purnell [Snowhill], Thomas Purnell [Walley's Neck], William Hopewell, Isaac Houston, Joseph Scott, James Selby, Joshua Townsend, Nathaniel Miller.

Frederick County.—Norman Bruce, William Bish, Upton Sherefine, William Beatty, Joseph Wells, Jacob Young, George Scott, Christopher Jolcher, James Johnson, William Murdock Beall, Carleton Tannehill, William Tuckett, Jr., John Lawrence, Basil Dorsey, David Shriver, Jos. Wood, jr., Ephraim Howard, John Thos. James Flemming, Charles Warfield.

Harford County.—Aquila Hall, Thomas Bond [son of Thomas], Benedict Edward Hall, William Webb, Aquila Paca, John Love, William Smithers, John Archer, William Bond, William Smith [Bay side], Abraham Whitaker, George Patterson, James Lythe, Joseph Cromwell, Ignatius Wheeler, John Barclay, Jas. McComas, Samuel Grumbsburn.

Caroline County.—Charles Dickinson, Richard Mason, Joshua Clark, Benton Stockton, Nathaniel Potter, Matthew Driver, Henry Downes, Jr., William Edmondson, Peter Richardson, Thomas Hardcastle, Hugh McBryde, Henry Capen, Jr.

Washington County.—Samuel Beall, John Stull, Joseph Sprigg, Samuel Hughes, Henry Schnebely, Joseph Chapline, John Rainer, Richard Davis, Andrew Ihrie, Andrew Resch, William Yates, Samuel Barret, Thomas Crumphin, Christopher Crone, John Colter.

Montgomery County.—Charles Jones, Thomas Sprigg Wootton, David Lynn, Edward Burgess, Amos Campbell, William Hopkins, Henry Griffith, Elisha Williams, Joseph Williams, Sam Wade Magruder, Robert Owing, Francis Deakins, James Offutt, Thomas Crumphin, Richard Beall, Gerard Briscoe, Allen Bowie, Charles Greenbury Griffith, Elias Harding, Richard Thompson.

REGISTERS OF THE LAND OFFICE.

Western Shore.—Silas George Peale.

Eastern Shore.—Winchel Downes.

JUSTICES OF THE ORPHANS' COURTS.

St. Mary's County—Henry Greenfield Sothoron, Richard Barnes, Henry Rucker, John Rucker Jr., Vernon Hebb.

Kent County—Thomas Smyth, Robert Quickshanks, John Nicholson, William Ringgold, Jr., Richard Frisby.

Calvert County—Charles Grahame, William Allnutt, Samuel Chew, John Boyd, Richard Parran.

Anne Arundel County—John Brice, Allen Quinn, John Burgess, Nicholas Worthington, George Watts, Richard Harwood, Jr., Henry Ridgely, Elijah Robeson.

Charles County—Sam'l. Hanson, Dan'l Jenifer, Geo. Neal, Josias Hawkins, John Dent.

Somerset County—Levin Gale, William Wircher, P. Lanier Williams, John Ackmans, Levin Dashiell.

Dorchester County—William Ennalls, John Dickinson, James Muir, Jos. Richardson, Henry Stocks.

Baltimore County—Andrew Buchanan, John Moale, Benjamin Rogers, William Buchanan, William Spear, Thomas Sollers, John Beale Howard.

Cecil County—Joseph Gilpin, John Veazey, Jr., Elihu Hall, John Leach Knight, Tobias Rudolph.

Prince George's County—Joshua Beall, Christopher Lowndes, William Lock Weems, David Crawford, William Beans, Jeremiah Magruder, Thomas Claggett.

Talbot County—John Goldsborough, John Gibson, Henry Banning, Christopher Hirckhead, William Tripp.

Queen Anne's County—Tarbett Wright, Joan Brown, John Thompson, James Kent, John Lowrey.

Worcester County—John Dennis, John Selby, Nehemiah Hubard, Ebenezer Handy, William Morris.

Frederick County—Normand Bruce, William B. Lair, Cyler Shreeding, William Beatty, Joseph Wells.

Harford County—Aquilla Hall, Thomas Bond of T., Edward Hall, William Webb, Aquilla Dues.

Caroline County—Chas. Dickinson, Richard Mason, Joshua Clarke, Benson Stainton, Nathaniel Porter.

Washington County—Samuel Bell, John Stull, Joseph Spriggs, Samuel Hughes, Henry Schnebely.

Montgomery County—Charles Jones, Thomas Sprigg Wooter, David Lynn, Edward Burgess, James Campbell.

SURVEYORS.

St. Mary's County—Jesse Lock; *Kent County*—Ebha Wicks, Jr.; *Anne Arundel County*—Basil Burgess; *Calvert County*—Peter Hellen; *Charles County*—Thomas McPherson; *Somerset County*—Arnold Elzey; *Dorchester County*—Jonathan Partridge; *Baltimore County*—George Goldsmith Presbury; *Cecil County*—Thomas Maffit; *Prince George's County*—John Beall; *Queen Ann's County*—Basil Wardell; *Worcester County*—Joshua Mitchell, Jr.; *Frederick County*—John Hanson, Jr.; *Harford County*—Daniel Scull, son of Aquilla; *Caroline County*—William Fitch; *Washington County*—Thomas Brook; *Montgomery County*—William Bayley, Jr; *Talbot County*—Wm. Davis.

NAVAL OFFICERS.

First District—Elisha Lock; *Second District*—George Biscoe; *Third District*—John Davidson; *Fourth District*—Thos. Sellers; *Fifth District*—Robert Dennis; *Sixth District*—Zachariah Campbell; *Seventh District*—Jeremiah Banning; *Eighth District*—William Geddes.

THE CHANCELLORS OF MARYLAND.

The following is a complete list of the Chancellors of the State: Richard Sprigg, appointed April 3d, 1777, resigned March 20th, 1778; John Rogers, appointed 20th of March, 1778, died 1784; Robert Hanson Harrison, appointed October 1st, 1760, declined; Alexander Contee Hanson, appointed 30 of October, 1789, died 1806; Gabriel Duvall, appointed 29th of January, 1806, declined; Robert Sewell, appointed January 23d, 1806, declined; William Kilty, appointed January, 26th 1806, died 1821; John Johnson, appointed October 15th, 1821, died 1824; Theodorick Bland, appointed August 13th, 1824, died 1840; John Johnson, appointed December 31st, 1846, office expired by the constitution of 1851 on the 20th of March, 1864

REGISTERS OF WILLS.

St. Mary's County—Jeremiah Jordan; *Kent County*—Jos. Nicholson; *Anne Arundel County*—Ellis Valliant; *Calvert County*—Ninian Johns; *Charles County*—Walter Harrison; *Somerset County*—Isaac Bailey; *Dorchester County*—John Cale Harrison; *Baltimore County*—Thomas Jones; *Cecil County*—John Veazey, Jr.; *Prince George's County*—Samuel Tyler; *Talbot County*—John Bracco; *Queen Anne's County*—Thomas Wright; *Worcester County*—Benton Harris; *Frederick County*—George Murdock; *Harford County*—John George Bradford; *Caroline County*—Joseph Richardson; *Washington County*—Thomas Sprigg; *Montgomery County*—Samuel West.

CORONERS.

St. Mary's County—James Mills, [Chaplin] Stephen Tarlton, John Ottaway Clark, Thomas Greenfield, Mackelery Hammett.

Kent County—Saint Tedger Ewell, Christopher Hall, John Bolton, John Moore, Jr.

Anne Arundel County—Allen Quynn, Joseph Hatton, James Howard, Morgan Jones, Richard Jacobs, John Marsden.

Calvert County—Richard Ireland, Young Cox, Robert Lyler, Michael Tawney, Charles Smith Hamilton, Moses Hubbard, William Sloan, Richard Edes, John Sanders.

Somerset County.—Levin Woolford, Joseph Piper.

Dorchester County.—James Shaw, John Anderson.

Baltimore County.—Jesse Bussey, Thomas Gist, Zachariah Maccubbin, Jr.

Cecil County.—Chas. Ramsey, Samuel Miller, John Noble, John Ward, (son of Jno).

Prince George's County.—Benjamin Brooks, Barton Duvall, Jos. Beck, Edw. Bolton.

Talbot County.—Daniel Sherwood, Woolmore Gibson, 3d, Robert Carnihan.

Queen Anne's County.—Nathaniel Wright, Jas. Hacket, Rezin Rolle, Chas. Downes.

Worcester County.—John Scarborough, John Purdey, Benj. Solomon Schoolfield.

Frederick County.—Benjamin Ogle, Leonard Smith, Van Swearingen, Wm. Dobbs.

Harford County.—Levin Matthews, Jacob Bose, Jr., James Scott, (son of Francis).

Caroline County.—Peter Richardson, Zadock Potter.

Washington County.—James Waring, William Baird.

Montgomery County.—Walter Beall, Simon Nichols, Archibald Allein, Henry Gaither.

MARYLAND OFFICERS AND PRIVATES IN THE REVOLUTIONARY WAR.

John C. Jones' Company of the 7th Maryland Regiment, Colonel John Gunby, as it stood June 1st, 1778.[1]

John C. Jones, captain; William Latour, first lieutenant; William Adams, second lieutenant; George Ford, sergeant; Richard Bryan, sergeant; James Johnson, corporal; Richard Harrison, fifer.

[1] William T. R. Saffell's unpublished *Records of the Revolutionary War.*

Privates.—Benjamin Fitzgerald, Charles Ramsey, Joseph Hart, James McClark, Alexander Ross, Benjamin Annis, Richard Dixon, John Jones, William Parker, Ignatius Wheeler, William Love, Walter Maddox, William Barrett, Samuel Purnell, Thomas Wright, Joseph Finch.

Captain William Brown's 1st Company of Maryland Artillery, as it stood from November 22d, 1777, to February 5th, 1778.

William Brown, captain; commissioned November 22d, 1777. James Smith, captain-Lieutenant; commissioned November 22d, 1777. James McPherson, first-lieutenant; commissioned November 22d, 1777. Clement Skerritt, second-lieutenant; commissioned February 5th, 1778; appointed quartermaster December 6th, 1779.

Non-commissioned Officers who joined the Company November 22d, 1777.

Sergeants for Three Years.—Thomas Collins, John Staples, James Adams, Henry Slack, Thomas Barber, Patrick Corcoran.

Corporals for Three Years.—Thomas Carpenter, Charles Setter, Charles Steward, William Roebuck, Hans Adams, William Brady.

Drum and Fife for Three Years.—James Brooks, John Carroll.

Bombardiers for Three Years.—Arthur Carnes, Thomas Fanning, John Radcliff, Geo. Baker, Turner Spencer, Meredith Adams.

Gunners for Three Years.—Michael Hawkins, William Jones, William Bright, Thomas Crondall, James Simmons, Michael O'Bryan.

Matrosses for Three Years.—John Evans, Thomas Smith, Darby Speby, William Hickinson, Philip O'Brian, Michael Hughes, James Mott, John Fennell, Robert Campbell, Francis Popham, John Dixon, Jonathan Gill, John Brigham, Joseph Pegne, Daniel Harvey, Peter Lawrence, Patrick Conway, Henry Higgs, Benj. Parmers, Jno. Vaughn, Jerrard Tippett, Mays Neville, John Burke, John Connelly, James Carwin, John Rieder, Joseph Heide, John Slack, John Saunders, Francis Johnson, Ignatius Butler (negro), William Johnson, Reuben Scott, James Welch, Ignatius Griffin, James Cole, Charles Dewde, James Whaling, Thomas Carter, James Royston, James Compton, Hugh Champlain, David Young, Timothy Connolly, John Reynolds, Isaac Burton, William Dyer, John Walker, Charles Greame, William Connolly, Robert Smith, Mark Geddesbaugh, John Fitzgerald, Sr., John Fitzgerald, Jr., Charles Murat, James Ford, William Davis, John Lynch, Thomas Wilson, John Folks, John Head, Joshua Lovely, James Taylor, Edward Jefferson, Daniel Frazier, James Clark, John Turner, Dennis Miner, Richard Page (deserted January 4th, 1778).

Captain William Brown's Company of 1st Maryland Artillery, as it stood on the High Hills of the Santee, August 1st, 1781.[1]

William Brown, captain; on command at Camden. Superintending the hospital since July 19th, 1781. James Smith, captain-lieutenant; James McPherson, first-lieutenant; Clement Skerritt, second-lieutenant; on furlough to Maryland. John Carson, second-lieutenant; commissioned May 1st, 1779. Transferred to Captain Singleton January 1st, 1781.

Sergeants.—Henry Slack, Charles Steward, John Slack, John Vaughn, Thomas Barber.

Corporals.—Michael Hawkins, Thomas Crondon, James Royston, John Radcliff, Thos. Fanning, Lemuel J. Nelmes, Turnelin Spencer.

[1] Captain Brown's company was located at Valley Forge until June, 1778; at White Plains, July, 1778; at Fort Schuyler, August and September, 1780; at High Hills of the Santee, 0. August, 1781; at Colonel Scurvins, January, 1782; and at Bacon's Bridge, South Carolina, in April, 1782.

Bombardiers.—Michael O'Brian, Philip O'Brian, William Jones.

Gunners.—James Welch, James Morel, James Whalen.

Drum and Fife.—Peter Maynor, James Brooks.

Matrosses.—Thomas Brown, Isaac Burton, Arthur Carnes, John Fitzgerald, Jr. Jonathan Gill, Henry Higgs, Daniel Lacey, Francis Johnston, Robert Livingston, Joshua Lovely, John Reynolds, Peter Lowrence, James Clark, John Evans, Joseph Pogue, Robert Myers (from January 1st, 1781); John Sellman (from January 30th, 1781); Wm. Walker, Robert Smith, David Young, Reuben Scott, Timothy Connally, William Davis, Charles Gaudon, John Read, Charles Morel, Thomas Smith, Charles Semon, James Simonds, Peter Robinson, Benjamin Patmore, James Nash, Mays Nevin, William Murat, Edward Hennessy, John Fitzgerald, Sr., James Henry, (joined January 13th, 1781); John Girton, (joined January 15th, 1781); Ignatius Butler, Francis Popham, (killed at Augusta); Thos. Stanley, cadet, (died August 6th, 1781.)

Captain Richard Dorsey's Company of 1st Maryland Artillery, as it stood at Valley Forge, June 1st, 1778.

Richard Dorsey, captain; commissioned November 24th, 1777. Ebenezer Finley, captain-lieutenant; commissioned November 24th, 1777. Robert Wilmott, first-lieutenant; commissioned November 24th, 1777. Nicholas Ricketts, second-lieutenant; commissioned December 31th, 1777. Young Wilkinson, second-lieutenant; commissioned Feb. 14th, 1778.

Sergeants for One Year.—Samuel Thompson, John Howard, David Walsh, John Wheeler, James Rice, Robert Thompson.

Corporals for One Year.—Thomas Nelson, Philip Jones, David White, William Delaney, Thomas Smith, John Wilkins. Drummer, Henry Kelliker.

Bombardiers for One Year.—John Pierson, David Mayoney, Alexander McMullan, John Clarke.

Gunners for One Year.—Timothy Donovan, Daniel Donegue, John Turner, Thomas Grainger, John Brady, John Ackerly.

Matrosses for One Year.—Dennis Flannigan, Edward Coughland, James Berry, Patrick Shoughness, John Bryant, John Jellouse, John Sandall, Howell Lewis, William Grimes, William Read, William Day, William Wade, Frederick Pike, Andrew Shrink, Roger O'Donald, Robert Britt, John Fitzpatrick, Hugh McDowell, Richard Wilkinson, Daniel Holden, Freeman Newnam, Mathew Kelly, Daniel Neil, James Jack, Thomas Randall, Michael Connor, Thomas Pleas, Mathew McMahan, John Taylor, Stephen Ferral, John Handlin, William Forbes, Bryan Ferrel.

Captain Richard Dorsey's Company of Second Maryland Artillery, as it Stood in "Camp Old Sorrels," June 2d, 1782

Richard Dorsey, Captain—prisoner of war, on parole in Maryland; James Smith, captain-lieutenant—joined from Captain Brown's company, December 24th, 1781; Ebenezer Finley, captain-lieutenant; Robert Wilmott, first-lieutenant—on furlough in Maryland; James Bacques, first-lieutenant—on furlough in Maryland; Nicholas Ricketts, second-lieutenant—on furlough in Maryland; Young Wilkinson, second-lieutenant—sick in hospital at Bacon's Plantation; Isaac Rawlins, second-lieutenant—on furlough in Maryland; John Cheever, second-lieutenant—on furlough in Maryland.

Sergeants for the War.—Jesse Thompson, William Rawlins, James Hutton, William Cornwall, Samuel Carter, Richard Lewis, William Morgan.

Corporals for the War.—James Hammond, William Hutton, Rawleigh Spinks.

Bombardiers for the War.—Dennis McCormack, William Huber, William Dixon. John Clark, gunner.

Drum and Fife.—Thomas Williams, Elisha Redman, Thomas Patten, Peter Davis.

Matrosses for the War.—Peregrine Askew, Michael Connor, Thomas Gleeson, Cornelius Luring, John Inglass, Philip Masterson, James Neale, Michael O'Farrell, John Payne, Thomas Payne, Thomas Bowler, John Compton, Philip Jones, John Clark, John Frost, Thomas Holman, Thomas Randall, Henry Bayley, Andrew Skirick, John Randall, Edward Berry, Benedict Johnson, John Stanley, John Smith, Daniel Redden, Hugh McDowell, John Owens.[1]

THIRD COMPANY OF ARTILLERY.

Samuel Sadler, captain-lieutenant, commissioned September 3d, 1779; Jacques Barque, first-lieutenant, commissioned September 3d, 1779; Isaac Rawlings, second-lieutenant, commissioned September 3d, 1779; John Chever, second-lieutenant, commissioned September 3d, 1779.

Commissions of the Officers of the Five Regiments of Maryland, as they Stood June 1, 1781.

FIRST REGIMENT.

Otho H. Williams, colonel, commissioned January 1st, 1777; John Stewart, lieutenant-colonel, commissioned February 13, 1781; John Eccleston, major, commissioned December 19, 1776.

Captains.—Jonathan Gellman, commissioned January 10th, 1777; Edward Teal, commissioned June 10th, 1777; William Reily, commissioned October 16th, 1777; John Sprigg Bell, commissioned December 15th, 1777; Christian Orendorf, commissioned April 1st, 1778; Richard Bird, commissioned June 12th, 1780; George Armstrong, commissioned February 11th, 1780; Lloyd Beall, commissioned February 20th, 1781; Thomas B. Finge, commissioned June 19th, 1781.

Lieutenants.—William Lamar, commissioned November 16th, 1777; James Ewing, commissioned May 20th, 1778; Jos. John Skinner, commissioned September 18th, 178; Isaac Duvall, commissioned April 10th, 1779; John Hamilton, commissioned June 1st, 1779; William Woolford, commissioned September 11th, 1779; William Brison, commissioned January 26th, 1780; Joshua Burgess, commissioned March 11th, 1780; Hezekiah Ford, commissioned August 16th, 1780; John J. Lowe, commissioned January 26th, 1781; Edward M. Smith, commissioned February 19th 1781; Samuel Edmiston, commissioned March 24th, 1781; John Truman, commissioned March 16th, 178; Richard Pindell, Surgeon; Hezekiah Hayne.

SECOND REGIMENT.

John Gunby, colonel, commissioned April 17th, 1777; John Eager Howard, lieutenant-colonel, commissioned March 11th, 1779; John Dean, major, commissioned March 11th, 1779.

Captains.—Alexander Frazier commissioned January 1st, 1777; Jonathan Morris, commissioned April 14th, 1777; Walker Muir, commissioned June 10th, 1777; William Wilmot, commissioned October 15th, 177; John Jordan, commissioned December 20th, 177; Thomas Mason, commissioned June 8th, 1779; John Gassaway, commissioned April 21st, 1780; Adam Hooper, commissioned March 16th, 1781; Samuel McPherson, commissioned April 25th, 1781.

Lieutenants.—Edward Dyer, commissioned September 13th, 1750; John A. Hamilton, commissioned February 1st, 1774; Christopher Richmond, commissioned May 27th, 1778; William Adams, commissioned June 8th, 1779; Nicholas Gassaway, commissioned ——; Arthur Harris, commissioned October 26th, 179; Thomas Price, commissioned February 11th 1783; William Murdock, commissioned April 1st, 1780; Zedekiah Morse, commis-

[1] The Maryland artillery, under Captains Brown and Dorsey, were joined to Colonel Harrison's regiment in 1778, and continued on duty in Va's regiment to the close of the war. These companies are given in a former place.

sioned September 10th, 1780; Mark McPherson, commissioned January 1st, 1781; Jacob Crawford, commissioned February 20th, 1781; William Smoot, commissioned March 16th 1781; James Adair, commissioned ——; Walter Warfield, Surgeon.

THIRD REGIMENT.

Peter Adams, lieutenant-colonel, commissioned August 1st, 1779; Henry Hindman, major, commissioned 28th, 1779; Thomas Lansdale, major, commissioned February 10th, 1781.

Captains.—Henry Dobson, commissioned January 15th, 1777; Joseph Marbury, commissioned January 1st, 1777; Lilburn Williams, commissioned April 16th, 1777; Robert Chesley, commissioned June 10th, 1777; John Smith, commissioned November 9th, 1777; James W. Gray, commissioned December 25th, 1777; Edward Sprigg, commissioned May 20th, 1779; Benjamin Price, commissioned July 1st, 1779; Richard Waters, commissioned April 7th, 1779.

Lieutenants.—Francis Revelly, commissioned April 15th, 1777; James Gerald, commissioned March 14th, 1778; James Winchester, commissioned May 27th, 1778; Philip Reed, commissioned October 13, 1778; John Hartshorn, commissioned May 21st, 1779; Reguel Hillary, commissioned July 26th, 1779; Philip Hill, commissioned ——; William Pendergast, commissioned October 29th, 1779; Henry Baldwin, commissioned February 11th, 1780; David Lucker, commissioned April 7th, 1780; Walter Dyer, commissioned September 5th, 1780; Nathan Wright, commissioned January 1st, 1781; John Boone, commissioned April 12th, 1781; Levin Denwood, Surgeon.

FOURTH REGIMENT.

Thomas Woolford, lieutenant-colonel, commissioned October 29th, 1779; Levin Winder, major, commissioned April 17, 1777; Alexander Boxburg, major, commissioned April 7th, 1780.

Captains.—John Lynch, commissioned January 1st, 1777; Jacob Brice, commissioned January 1st 1777; Henry Guilber, commissioned April 17th, 1777; John C. Jones, commissioned September 20th, 1777; Richardson Anderson, commissioned November 15th, 1777; George Hamilton, commissioned January 25th, 1778; David Lyon, commissioned May 29th, 1779; John Mitchell, commissioned July 15th, 1778; Jonathan Gibson, commissioned May 1st, 1780.

Lieutenants.—Nicholas Maugers, commissioned April 15th, 1779; James Sinclair, commissioned May 27th, 1778; Peter Hartsetts, commissioned September 14th, 1778; Benjamin Gurnett, commissioned October 15th, 1780; William Stoddert, commissioned May 21st, 1779; Lavasha De la Van Brunne. (His widow was pensioned under the act of July the 4th, 1836, and died in 1836.) Nathan Smith, commissioned September 15th, 1779; Hiram Chandler, commissioned February 15th, 1780; Joshua Rutledge, commissioned May 1st, 1780; John Brevet, commissioned September 20th, 1780; John McCoy, commissioned January 1st, 1781; Robert Batherston, commissioned April 25th, 1781; Henry Gassaway, commissioned May 12th, 1781; William Kelly, Surgeon.

FIFTH REGIMENT.

Benjamin Ford, lieutenant-colonel, commissioned ——; John Davidson, major, commissioned January 12th, 1781; Benjamin Brooke, major, commissioned March 16th, 1781.

Captains.—William D. Beall, commissioned January 1st, 1777; John Smith, commissioned January 1st, 1877; Edward Oldham, commissioned May 20th, 1777; Horatio Clagett, commissioned October 10th, 1777; John Gale, commissioned December 10th, 1777; Perry Benson, commissioned March 26th, 1778; James Somerville, commissioned June 1st, 1778; William Bruce, commissioned August 1st, 1779; Edward Edgerly, commissioned September 13th, 1778.

Lieutenants—James Bruff, commissioned October 7th, 1777; Gassaway Watkins, commissioned September 14th, 1778; Jacob Norris, commissioned November 30th, 1778; John Lyon, commissioned June 1st, 1779; Samuel Hanson, commissioned August 1st, 1779; Thomas Rouse, commissioned ——, ——; Robert Denny, commissioned January 8th, 1780; Benjamin Tickle, commissioned February 19th, 1780; Roger Nelson, commissioned July 5th, 1780; Thomas Boyd, commissioned January 1st, 1781; John Sears, commissioned January 1st, 1781; Henry Clements, commissioned April 25th, 1781; Adam Lenheim, commissioned June 1st, 1781.

Colonel Josiah Carvil Hall, of the 4th regiment, Lieutenant-Colonel Nathaniel Ramsay, of the 3d regiment, and Lieutenant Colonel Edward Tillard, of the 4th regiment, became supernumerary on the 1st of January, 1781.

Officers of the Maryland Part of the German Battalion.

Ludowick Weltner, lieutenant-colonel; commissioned August 9th, 1777. Charles Baltzell, captain; commissioned May 10th, 1777. Christopher Myers, captain; commissioned March 12th, 1778. Michael Beyer, captain; commissioned May 25th, 1778. Martin Sypert, lieutenant; commissioned May 30th, 1778. Jacob Cornell, lieutenant; commissioned January 4th, 1779. David Morgan, lieutenant; commissioned April 8th, 1778. Jacob Raybold, ensign; commissioned July 9th, 1778. Alexander Smith, surgeon; commissioned August ——, 1778.

Maryland Rifle Companies under Lieutenant Col. Moses Rawlings, as they stood May 31st, 1777.

First Company.—Alex. Lawson Smith, captain; William Bradford, lieutenant; John Thompson, sergeant; Matthew Alexander, sergeant; Joshua Saunders, sergeant; Isaac Ross, corporal; John Howe, corporal; Thomas Lively, fifer.

Riflemen.—William Andrews, Josias Kimball, Samuel Power, John Cropper, Patrick McCann, John Delraler, Charles Baker, John Colbrun, Thos. Smith, Abraham Watson, James Dennison, Henry Rowlin, Wm. Cattrill, John Lewister, Wm. Pritchard, John Jones, Wm. Cooper, Jesse Corbitt, Thos. Dearmott, Reuben Ross, John Crocket, Patrick Quinn.

Second Company.—Philip Griffith, captain; Adamson Tannehill, lieutenant; Elijah Evans, lieutenant.

Riflemen.—John Carr, Joshua Barton, John Johnston, Peter Dyche, Patrick Lennan.

Third Company.—Richard Davis, captain; John McBride, drummer; Patrick Kirby, private; John Berk, private; Jonathan Shephard, private.

Fourth Company.—Thomas Bull, captain; John Ford, sergeant; Jarvis Ferguson, corporal; Bryan Davenport, private; William Bulton, Peter Trust, Patrick Collins.

OFFICERS OF THE MARYLAND BATTALION AND INDEPENDENT COMPANIES, 1776.

Colonel, William Smallwood; Lieutenant Colonel, Francis Ware; Major, Thomas Price; Major, Mordecai Gist; Chaplain, Rev. Daniel Sayre; Quartermaster, Joseph Mayberry; Adjutant, Jacob Brice, Surgeon, Dr. Charles Fred. Weisenthal; Surgeon's Mate, Dr. William Dashiell.

Captains.—John Hawkins Stone, Patrick Sim, Barton Lucas, Daniel Bowie, Nathaniel Ramsay, Peter Adams, John Day Scott, Samuel Smith.

First Lieutenants.—John Kidd, Benjamin Ford, William Starrett, Joseph Butler, Levin Winder, Nathaniel Ewing, Thomas Harwood of Thos., James Campbell.

Second Lieutenants.—John Beames, Alexander Roxburgh, Joseph Baxter, Alexander Murray, David Plunkett, Thomas Goldsmith, Joseph Ford.

Ensigns.—Benjamin Chambers, Henry Gaither, William Riggely, Edward Praul, Walker Muse, John Jordan, James Peale, Bryan Philpot.

LIGHT INFANTRY.

Captain, George Stricker; First Lieutenant, Thomas Smyth, Jr.; Second Lieutenant, James Ringgold; Ensign, Hatch Dent.

OFFICERS OF THE SEVEN INDEPENDENT COMPANIES.

Captains.—Reuel Brasco, John Gorsby, Solomon Long, James Hindman, John Allen Thomas, Thomas Woodford, Edward Veazy.

First Lieutenants.—John Hollingsworth, Uriah Forrest, Ely Dorsey, Asah Anderson, John Steward, John Eccleston, William Harrison.

Second Lieutenants.—Thomas Beale, Wm. Bowie, Dixon Calmes, Edward Hindman, John Davidson, Hooper Hudson, Samuel S. Wright.

Ensigns.—Colmore Williams, Benjamin Brooke, Wm. Frazer, Henry Neale, Lilburn Williams, Edward DeCourcy.

ARTILLERY.

Captain, Nathaniel Smith; First Lieutenant, William Woolsey; Second Lieutenant, Alexander Ferrier; Ensign, George Keeport.

OFFICERS OF THE RIFLE COMPANIES.

Captains.—Mich. Cresap, Thos. Price, Philemon Griffith, Richd. Davis, John Smith.

First Lieutenants.—Thos. Warren, Otho Holland Williams, Thos. Hussey Luckett, Daniel Cresap, James M. Lingan.

Second Lieutenants.—Joseph Cresap, John Ross Key, Adamson Tannehill, Nicholas Tannehill, Roger Davis.

Ensigns.—Richard Doyle, Henry Bedman, Elijah Evans.

GERMAN BATTALION.

Lieutenant Colonel George Stricker, Major Ludowick Weltner,

Captains.—William Krieg, Henry Fisher, Philip Greyhill, William Reeports.

First Lieutenants.—George Lotz, Charles Baltzell, Jacob Kolb, Samuel Gelbach.

Second Lieutenants.—Christian Meyers, Michael Beyer, Adam Smith, Wm. Biller.

Ensigns.—Martin Shugart, Jacob Crumrath, Paul Christman, John Landenberger.

OFFICERS MARYLAND FLYING CAMP IN 1776.

Brigadier General Rezin Beall.

First Battalion.—Frederick County.

Colonel Chas. Greenberry Griffith, Lieutenant Colonel Henry Shryock, Major Peter Martz, Quartermaster Richard Thompson.

Captains.—Edward Burgess, Leonard Deakins, Benjamin Spiker, Philip Mooney, Jacob Good, Eneas Campbell, John Reynolds, Henry Hardman.

First Lieutenants.—John Gaither, Thomas Nuwland, Greenberry Gardner, Elisha Beall, John Bayliss Thompson, Adam Crosh, Clement Holliday, Moses Chapline, David Stull.

Second Lieutenants.—Thaddeus Beall, Elisha Williams, Richard Anderson, John Hellen, John Ghiselline, Peter Adams, John Coons, Jones, Christian Orndorf, Peter Coutee Hanson.

Ensigns.—Thomas Edmonson, John Griffith, Nicholas Seybert, William Beatty, Jr., John Smith, John Richardson, David Lynn, Nathan Williams, John Rauch.

Second Battalion—Baltimore and Harford Counties.

Colonel, Josias Carvil Hall; Lieutenant Colonel, William Hyde; Major, John Cruddock; Quartermaster, Isaac Guest.

Captains.—Zachariah McCubbin, John Eager Howard, John Stevenson, Jas. Young, Aquila Rose,[1] Bennet Bussey.[1]

[1] Baltimore Companies.

First Lieutenants.—Thomas Yeates, Thomas Lansdale, Edward Oldham, Jas. Bond, John B. Hall, Josiah Miles.

Second Lieutenants.—John Christie, Wm. Riley James Oglesby, John Smith, Richard Gilbert, Azchel Hitchcock.

Ensigns.—Thomas Lingan, Robert Morrow, Joseph Lewis, James Tool, John Patterson, Aquila Adams.

Third Battalion—St. Mary's, Charles, Calvert, Prince George's, and Anne Arundel.

Colonel, Thomas Ewing; Lieutenant-Colonel, John Addison: Major, James Eden; Surgeon, Dr. John Dorsey; Quartermaster, Wm. Parran.

Captains.—Uriah Forrest, Thomas Hanson, Rezin Posey, John Brooke, John Hawkins Lowe, Robert Bowie, Alexander H. Magruder, Edward Norwood, Edward Tilliard, Daniel Dorsey, James Disney, Thomas Hammond.

First Lieutenants.—Wm. Bond, George Dent, Henry Boarman, Frederick Skinner, John M. Burgess, Benjamin Brooks, Wm. Sprigg Bowie, Samuel Gorman, Samuel Lloyd Chew, Joseph Burgess, Henry Ridgely, Thomas Mayo.

Second Lieutenants.—Moses Tubb, Samuel Jones, John Forbes, Nathaniel Wilson, Wm. Duvall, Wm. Dent Neill, Benjamin Cooter, John W. Dorsey, John Sprigg Bell, John Lovell, Jonathan Selman, Joshua Merrikin.

Ensigns.—Edward Mattingly, Wm. Adams, Gerard Fowke, James Somerville, Horatio Clagett, Wm. Shindle, Alexander Freeman, Richard Tabor, John Riley, Michael Burgess, Edward Spurrier, Andrew Hammond.

Fourth, Eastern Shore Battalion—Cecil, Kent, Queen Anne's, Talbot, Caroline and Dorchester.

Colonel, William Richardson; Lieutenant-Colonel, Joseph Kirk; Adjutant, Robert Campbell; Major, Wm. Hopewell; Quartermaster, Samuel Edmondson.

Captains.—Joshua George, Walter Alexander, Isaac Perkins, Thomas Smyth, John Dean, John Dames, Greenbury Goldsborough, Zadock Potter, Philip Feddeman, Thomas Burk.

First Lieutenants.—Wm. Veazy, Andrew Porter, Jr., Andrew Falconer, James Williamson, John Hawkins, Thos Lane Emory, Woolman Gibson, of John, Thomas Wyer Lockerman, Henry Downes, Jr., Beazil Fabian.

Second Lieutenant.—John Stockton, Harmon Arnatt, Jesse Cozden, Nathaniel Kinnard, John Neville, Samuel Wright Thomas, John Thomas Jr., Levin Handy, John Reynolds, John Lynch.

Ensigns.—Richard Bird, George Handlton, Jas. Henry, Josiah Johnson, Sam'l Earle, John Jackson, Perry Benson of James, Philip Ousson, Thos. Mason, Jas. W. Gray, 81 Lt.

Two battalions were subsequently added—but the men were incorporated with the above.

COMPANIES OF MATROSSES OR CANNONEERS—AT ANNAPOLIS.

Captains.—John Fulford, Thomas Watkins.

First Lieutenants.—Thomas Goldsmith, Levin Lawrence.

Second Lieutenants.—Nicholas Moore, Thomas Todd.

Third Lieutenants.—W^m Pue Campbell, John Ijams, Jr.

AT BALTIMORE.

James Smith, first-lieutenant; Larkin Dorsey, second-lieutenant; Robert Willmott, third-lieutenant.

OFFICERS OF THE SEVEN MARYLAND BATTALIONS (REGULARS), MARCH 27TH, 1777.

Brigadier General William Smallwood.

FIRST BATTALION.

John H. Stone, colonel; Patrick Sim, lieutenant-colonel; Thomas Woolford, major.

Captains.—William Sterrett, Levin Winder, Nathaniel Ewing, Thomas Harwood, John H. Bouros, Alexander Roxburg, Alexander Murray, Joseph Ford.

First Lieutenants. Hatch Dent, Henry Gaither, William Ridgely, Edward Dyer, Walker Muse, John Jordon, James Peale, William B. Cox.

Second Lieutenants.—James Fernandes, Peter Brown, John Gassaway, William Cooke, John Mitchell, William Bacon, Richard Waters, Charles Smith.

Ensigns.—Samuel McPherson, Thomas McKeel, James Sevrage, Rignal Hillery, William Marshall, Samuel Hanson, William Laymon, Jonas J. Skinner.

SECOND BATTALION.

Thomas Price, colonel; John Gantly, lieutenant-colonel; Benjamin Ford, major.

Captains.—John Stewart, Archibald Anderson, John Earlestein, Ely Dorsey, Solomon Long, John Davidson, Samuel T. Wright, Henry Neale.

First Lieutenants.—Hooper Hudson, Thaddeus Beale, John Cole, Benjamin Price, William Bromfield, Robert Chesley, Richard Gaeo, Lilburn Williams.

Second Lieutenants.—Samuel Smith, Edward Edgerly, John Gray, Edward Dyer, James Winchester, Ignatius Semmes, John Hardman, Edward Duvall.

Ensigns.—Archibald McAlister, James Ewing, John Read, William Wheeler, John Blackistone, Robert Dalton, Henry Trent.

THIRD BATTALION.

Morrison Gist, colonel; Nathaniel Ramsey, lieutenant-colonel; Uriah Forrest, major.

Captains.—John H. Lewe, Henry Ridgely, Benjamin Brooks, Joseph Marbury, Samuel Chew, Edward Hindman, Samuel Griffith, Jarvis Brice.

First Lieutenants.—Horatio Clagett, John Smith, Wm. Willmott, Samuel Jones, George Armstrong, Robert Perkins, John Bailey, Henry Lyles.

Second Lieutenants.—Francis Revelly, William Mollohon, Peter Clarke, Ezekiah Forster, Nicholas Munger, John Denver, Charles Griffith, James Allison.

Ensigns.—John James, Jno. Tracy, Isaac Duvall, Thomas Gordon, Gassaway Watkins, Osborn Williams, Samuel Turner, Peter Cooley.

FOURTH BATTALION.

Julius Carvill Hall, colonel; Samuel Smith, lieutenant-colonel; John Eager Howard, major.

Captains.—Edward Norwood, Daniel Dorsey, Thomas Yates, Thomas Langdale, John Briggs, Samuel Gorsuch, William S. Bowie, Jonathan Sellman.

First Lieutenants.—Wm. Duvall, Edward Spurrier, Edward Gilpin, William Scandiff, John S. Belt, William Riley, William Adams, James Smith.

Second Lieutenants.—John Little, S. Shelmerdine, Thomas Cromwell, Charles Sewel, John Lewis, Richard Talbott, Jeremiah Crutch.

Ensigns.—Joseph Britton, John Hamilton, Nathaniel Twining, John Bowen, Joseph Warfield, Nicholas Dorsey, David Ferguson, Edward Edwards.

FIFTH BATTALION.

Wm. Richardson, colonel; Jas. Dinalmon, lieutenant-colonel; Thos. Smyth, major.

Captains.—John Dean, John Hawkins, Richard Emory, Jesse Cordon, Levin Handy, John Lynch, James Henry, Josiah Johnson.

First Lieutenant.—William Frazier, Mark Benton, Gideon Emory, Andrew Porter, Perry Benson, James W. Grey, George Hamilton, William Alexander.

Second Lieutenants.—Thomas Mason, Thomas Garnett, William Stinson, Smith Moore, Jonathan Gibson, Thomas Skinner, Richard Bird, Thomas Brogden Hays.

Ensigns.—Thomas Jones, James Gould, Levin King, Henry Truslock, John Wilborn Watts, Phillip Reed, Samuel Sinnett, Jacob Jones.

SIXTH BATTALION.

Otho Holland Williams, colonel; Henry Smyrck, lieutenant-colonel, Edw. Tillard, major.

Captains.—Andrew Hynes, Robert Harris, Moses Chapline, Levin Lawrence, Henry Dobson, W. D. Boyle, Alexander Trueman.

First Lieutenants.—Isaac McCracklin, B. Scott, Stephen Steward, Jr., John Smith, Christopher Orndorff, Joshua Miles, Alexander Parop, Paul Parker.

Second Lieutenants.—John Jeremiah Jacobs, Robert Morgan, Lambert Boyer, Nathan Williams, James Brett, William Stewart, James Sommerville, George Ireland.

Ensigns.—John McCreary, John Geisheyser, John Markell, George Jacob, Edward Lloyd Wailes.

SEVENTH BATTALION.

Peter Adams, lieutenant-colonel; D. I. Adams, major.

Captains.—John Reynolds, Henry Hardman, Benjamin Spyker, Adam Brown, Daniel Still, Elisha Williams, Montjoy Bailey, Frederick Deans.

First Lieutenants.—Greenbury Gaither, John Counts Jones, Richard Anderson, John Stockton, John Griffith, Jonathan Morris, William Penny, James Poole.

Second Lieutenants.—Nicholas Bojeet, Edward Downes, Dennis Griffith, Edward Clayton, Van Sweringen, David Lyon, Lloyd Beall, William Clark.

Ensigns.—William Mandridge, Zephaniah Beall, Edward Wright, John Drain, Peter Hardcastle, William Lamar.[1]

INDEPENDENT COMPANIES IN 1777.

FIRST COMPANY.

Captain Gassy, now lieutenant-colonel, 3d battalion; Lieutenant Ellicomber, resigned; Second Lieutenant Waters, killed; Third Lieutenant Emory, resigned.

SECOND COMPANY.

Captain Hindman, lieutenant-colonel to Colonel Richardson's battalion; First Lieutenant Anderson, captain 4th company, 3d battalion; Second Lieutenant Hindman, lieutenant 1st company, 3d battalion; Third Lieutenant Fendall, resigned.

THIRD COMPANY.

Captain Thomas, major 2d battalion; First Lieutenant Stewart, captain 3d company, 3d battalion; Second Lieutenant Davidson, captain 7th company, 2d battalion; Third Lieutenant Neil, lieutenant 8th company, 2d battalion.

FOURTH COMPANY.

Captain Woolford, captain 1st company, 2d battalion; First Lieutenant Enderson, captain 5th company, 2d battalion; Second Lieutenant Hutton, first-lieutenant 8th company, 2d battalion; Third Lieutenant Williams, first-lieutenant 7th company, 2d battalion.

FIFTH COMPANY.

Captain T. Veazy, killed; First Lieutenant Hartlen, resigned; Second Lieutenant Wright—prisoner, captain 8th company, 3d battalion; Third Lieutenant Gourey—prisoner, first-lieutenant 3d company, 2d battalion.

SIXTH COMPANY.

Captain Reno, killed; First Lieutenant Patterson, resigned; Second Lieutenant Rich, now first-lieutenant 4th company, 3d battalion; Third Lieutenant Williams, first lieutenant 8th company, 3d battalion.

SEVENTH COMPANY.

Captain Long, captain 2d company, 2d battalion; First Lieutenant Dorsey, captain 6th company, 2d battalion; Second Lieutenant Quinton, first-lieutenant 6th company, 2d battalion; Third Lieutenant Grain, second-lieutenant 2d company 2d battalion.

[1] Lieutenant Colonel Stone resigned the 21st regiment 1st August, 1779. Colonel Richardson, of the Fifth regiment, 22d October, 1779. Lieutenant Colonel Peter Adams succeeded Colonel Stone, and Lieutenant Colonel Thomas Woolford, Colonel Richardson.

SMALLWOOD'S BATTALION, JANUARY 18, 1777.

Colonel Smallwood, promoted a general officer; Lieutenant Colonel Ware, promoted colonel of 1st battalion; Major Price, promoted colonel of the 3d battalion; Major Mordecai Gist, promoted colonel of 3d battalion.

FIRST COMPANY.

Captain John Hopkins Stone, lieutenant-colonel 1st battalion; First Lieutenant Kidd, resigned; Second Lieutenant Chambers, resigned; Ensign Fernandis, promoted second-lieutenant 6th company.

SECOND COMPANY.

Captain Burton Lucas, resigned; First Lieutenant Sterett—prisoner, promoted captain of 3d company; Second Lieutenant Ridgely—prisoner, promoted first-lieutenant of 5th company; Ensign Brown, promoted second-lieutenant of 6th company.

THIRD COMPANY.

Captain Nathaniel Ramsay, promoted lieutenant-colonel 3d battalion; First Lieutenant Winder, promoted captain of 4th company; Second Lieutenant Plunkett, promoted lieutenant 1st company; Ensign Gassaway, promoted second-lieutenant 6th company.

FOURTH COMPANY.

Captain Peter Adams, promoted major 1st battalion; Lieutenant Nathaniel Ewing, promoted captain 6th company; Second Lieutenant Walker Muse—prisoner, promoted lieutenant 5th company.

FIFTH COMPANY.

Captain Scott, killed; Lieutenant Marshall, promoted captain 6th company; Second Lieutenant Goldsmith, promoted lieutenant 3d company; Ensign Peal, promoted second-lieutenant 1st company.

SIXTH COMPANY.

Captain Samuel Smith, promoted major 3d battalion; Lieutenant Roxborough, promoted captain 7th company, 1st battalion; Second Lieutenant Peal, promoted lieutenant 3d company; Ensign Philpot, resigned.

SEVENTH COMPANY.

Captain Patrick Simms, promoted captain 1st company; Lieutenant Murray, promoted captain 8th company; Second Lieutenant Gaither, promoted second-lieutenant 4th company; Ensign Cox, promoted second-lieutenant 1st company.

EIGHTH COMPANY.

Captain Bowie, killed; Lieutenant Butler, killed; Second Lieutenant Peale—prisoner, promoted lieutenant 6th company; Ensign Owen, promoted second-lieutenant 3d company.

LIGHT INFANTRY.

Captain Peale, promoted captain 2d company; Lieutenant Beans, resigned; Second Lieutenant Dent, promoted lieutenant 7th company; Ensign Jordan, resigned.

OFFICERS OF THE FOURTH REGIMENT IN 1777.

Thos. Woodford, lieutenant-colonel commanding, Vavin Winder, major; Alexander Roxburgh, major; William Kilty, surgeon.

Captains.—John Lynch, Jacob Hiter, Henry Gaither, Richard Anderson, George Hamilton, David Lynn, John Mitchell, Jonathan Gibson.

Lieutenants.—Nicholas Hangers, James Sterne, Peter Hardcastle, Benjamin Garner, William T. Sadler, Levache de Nothon, Nathan Smith, Edmund Compton, Joshua Rutledge, John Bowett, John McCoy, Robert Holkerson, Henry Gassaway.

OFFICERS OF THE FIFTH REGIMENT IN 1777.

Benjamin Ford, lieutenant-colonel commanding; John Davidson, major; Benjamin Brooks, major.

Captains.—William Dent Beall, John Smith, Edward Oldham, Horatio Clagett, John Cole, Perry Benson, James Somervell, William Bruce, Edward Edgerly.

Lieutenants.—James Brue, Gassaway Watkins, Jacob Norris, John Lyon, Samuel Hanson, Thomas Bourne, Ruth. Dorsey, Benjamin Pekkle, Roger Dodson, Thomas Boyce, John Sears, Henry Clements, Adam Jamison.

ARRANGEMENT OF THE FOUR MARYLAND RIFLE COMPANIES BELONGING TO COLONEL RAWLINGS REGIMENT IN 1780.

Moses Rawlings, lieutenant-colonel, 1st July 1776—resigned April, 1779. Otho H. Williams, major, 1st July 1776—promoted 10th December, 1778 colonel. Philip Griffith, captain, 12th July, 1775—promoted 12th December, 1776, to major, in place of Major Williams, promoted. Richard Davis, captain, 14th July, 1776—resigned June, 1777. Alexander L. Smith, captain, 18th July, 1776 promoted 1778, to major, in place of Major Griffith, resigned. Thomas Beall, captain, 25th July, 1776. Thomas H. Luckett, first-lieutenant, 11th July, 1776—promoted 12th December, 1776, to captain, in place of Captain Griffith, promoted. Daniel Cresap, first-lieutenant, 11th July, 1776—promoted June 10th, 1777, to captain, in place of Captain Davis, resigned—resigned December, 1778. William Bradford, first-lieutenant, 8th November, 1776—resigned April, 1778. Peter C. Hanson, first lieutenant, 13th July, 1776—killed 30th November, 1776. Adamson Tannehill, second lieutenant, 11th July 1776—promoted 30th November, 1776, to first-lieutenant, in place of Hanson killed—captain, 1778—Captain Cresap, resigned. Ninian Tannehill, second-lieutenant, 11th July, 1776—killed 16th November, 1776. James M. Lingan, second-lieutenant, 16th July, 1776 promoted 10th December, 1776, to first-lieutenant, in place of Luckett, promoted—captain, August, 1776—Smith promoted. Reason Davis, third-lieutenant, 18th July, 1776—promoted 16th November, 1776, to second-lieutenant, in place of Ninian Tannehill, killed 17th June, 1777—Cresap promoted. Elijah Evans, third-lieutenant, 8th August, 1776—promoted 30th November 1776, to second-lieutenant, in place of Adamson Tannehill, promoted first-lieutenant, April 10th, 1778—Bradford, resigned. Richard Dorsey, third-lieutenant, 18th July, 1776—resigned, December, 1777. Josiah Tannehill, adjutant, 11th July, 1776—promoted 16th November, 1776, to third-lieutenant, in place of Doyle, promoted—second lieutenant 10th December, 1776—Lingan, promoted first-lieutenant, December 17, 1776—A. Tannehill, promoted.

MARYLAND OFFICERS IN THE REVOLUTIONARY ARMY,

Who were either killed in service, became supernumerary, or served to the end of the war, and acquired the right to half-pay, commutation, and bounty land under the Acts of Congress.

Adams, Peter, first-colonel.
Adams, William, lieutenant.
Anderson, Richard, captain.
Arthurs, ——, maj., killed at Guilford C. H., March 15, 1781.
Armstrong, Mark, captain, killed at the siege of "Ninety-Six," June 18, 1781.
Beatty, Wm., capt., killed at Lobkirk's Hill, April 24, 1781.
Bayley, Monat'by, captain.
Beall, William L., major.
Brown, William, &c.
Brooks, Benjamin, major.
Bell, John Spriggs, captain.
Brice, Jacob, do.
Beall, James, do.
Benson, Perry, do.
Beall, Lloyd, do.
Boyer, Michael, do.
Bakwell, Charles, do.
Bruce, William, do.
Bonham, Malachi, lieut.
Burgess, Hezel, do.
Brilton, Joseph, do.
Burgess, Joshua, do.
Beal, Samuel, do.
Boyd, Thomas, do.
Barnes, James, do.
Beatty, Thomas, lieut.
Baldwin, Henry, do.
Baker, Henry, do.
Brevill, John, do.
Carson, Jno., lieut., killed September 13, 1781.
Chidsey, Richd., captain.
Carlisle, John, do.
Clagett, Horatio, do.
Coates, John, do.
Campbell, William, do.
Charmer, John, lieutenant.
Clements, Henry, do.
Cross, Joseph, do.
Chapman, Henry H., do.
Compton, Edmund, do.

Carey, John D., lieutenant.
Crawford, Jacob, do.
Davidson, John, major.
Dorsey, Richard, captain.
Dyson, Thomas A., lieut.
Davis, Resin, captain.
Denny, Robert, lieutenant.
Derwood, Levin, surgeon.
Donovan, Richard, adjutant, killed, at Camden, August 16, 1780.
Dobson, Henry, captain, killed September 8, 1781.
Darall, Edward, lieut., killed at Camden, Aug. 16, 1780.
Eccleston, John, major.
Edgerly, Edward, captain.
Ewing, James, do.
Evans, Elijah, do.
Elbert, John L., surgeon.
Edmiston, Samuel, lieut.
Forrest, Uriah, lieut-colonel.
Furnival, Alex., captain.
Finley, Ebenezer, do.
Fickle, Benjamin, lieutenant.
Ford, Mezekiah, do.
Ford, Brad., lieut-colonel, killed at McKirk's Hill, April 25, 1781.
Gist, Mordecai, brig-general.
Gamby, John, colonel.
Gibson, Jonathan, captain.
Gassaway, John, do.
Gaither, Henry, do.
Gist, John, do.
Gale, John, do.
Gray, James W., do.
Gary, Robert, lieutenant.
Gassaway, Nicholas, do.
Gassaway, Henry, do.
Goldsborough, Wm., do.
Gromick, Jacob, do.
Hall, Josiah Carvel, colonel.
Howard, Jno. Eager, do.
Hardman, Henry, major.
Hardy, Ezekiel, surgeon.
Heaps, Adam, captain.
Hugo, Thomas B., do.
Hamilton, George, do.
Hamilton, John A., do.
Hardy, George, do.
Hanson, Isaac, lieutenant.
Hanson, Samuel, do.
Hanson, William, lieutenant.
Hill, Philip, do.
Harris, Arthur, do.
Hamilton, John, do.
Hawkins, Henry, do.
Hartshorn, John, do.
Halkerstone, Robert, do.
Hamilton, Edward, do.
Hardman, John, captain, killed Sept. 1, 1780.
Jenifer, Daniel, surgeon.
Jordan, John, captain.
Jones, John C., do.
Jamison, Adam, lieutenant.
Kidd, Charles, do.
Kirby, William, surgeon.
Kirby, John, captain.
Keene, Samuel Y., asst. mate.
Lansdale, Thomas, major.
Linkel, Thos. H., do.
Lynch, John, do.
Lingan, James M., captain.
Lamar, Abraham, do.
Lamar, William, do.
Lynn, David, do.
Lowe, John T., lieutenant.
Lynn, John, do.
Mason, Caleb, ensign, killed at Camden, Aug. 16, 1780.
Norris, Jacob, lieutenant.
Oldham, Edward, captain.
Pratt, Edward, do.
Price, Benjamin, do.
Price, Thomas, Jr., lieut.
Pendergast, Wm., do.
Pindell, Richard, surgeon.
Ramsey, Nathaniel, colonel.
Rawlings, Moses, lieut-col.
Richmond, Christr, capt.
Roxburg, Alexander, do.
Reed, Philip, do.
Revelly, Francis, do.
Rudolph, Michael, do.
Reily, William, do.
Ricketts, Nicholas, lieut.
Reybold, Jacob, do.
Rawlings, Isaac, lieut.,
Rutledge, Joshua, do.
Rain, Wm. do.
Rouse, Thos., ensign.
Smallwood, Wm. maj-gen.
Stone, John H. colonel.
Smith, Samuel, lieut-col.
Swan, Jno., maj. dragoons.
Sothoron, Jonathan, maj.
Smith, Joseph, captain.
Spurrier, Wm., do.
Smith, John, do.
Somerville, Jas., do.
Smith, James, do.
Smith, John, do.
Smith, Alex., surg. mate.
Shugart, Martin, lieut.
Sears, John, do.
Smith, Edw. M., do.
Smoote, Wm., do.
Skevitt, Clement, do.
Stoddard, Wm. T., lieut.
Sewell, Clement, ensign;
Ogburn, Enoch, lieut-col.
Tillard, Edward, do
Tillotson, Thos., surgeon.
Tannehill, Adamson, capt.
Freeman, Alexander, do.
Truman, John, lieutenant.
Towson, Wm., do.
Van Bibber, John De La, lieut., Md.; killed Sept. 12, 1781.
Williams, Otho H., brig-gen.
Woltner, Ludowick, colonel.
Woolford, Thos. do.
Winder, Levin, lieut-col.,
Williams, Lydiana W. capt.
Watkins, Gassaway, do.
Winchester, Jas., do
Waters, Richard, do.
Warfield, Walter, surgeon
Wilkinson, Young, lieut.,
Ware, Francis, do.
Wilmot, Robert, do.
Wright, Nathan, do.
Winchester, Geo. do.
Waring, Basil, do.
Wilmott, William, captain, Maryland, Killed by a British foraging party in skirmish on John's Island, S. C. Nov. 14, 1782. The blood of Captain Wilmott was the last spilled in battle in the Revolution.
Williams, Nathan, lieutenant. Maryland, killed at Camden, Aug. 16, 1780.

OFFICERS IN THE MARYLAND PART OF THE RIFLE CORPS.

Captains.—Thomas Hussey Luckett, Adamson Vanderhill, James H. Lingan, Rezin Davis, Lieutenant Elijah Evans—not electing a captaincy.

OFFICERS IN THE MARYLAND PART OF COL NATHANIEL GIST'S REGIMENT.

Major Nathaniel Mitchell.

Captains.—John Gist, Joseph Smith, Joseph Biddle.

REGULARS AND MILITIA FURNISHED BY MARYLAND DURING THE REVOLUTION.

1776, regulars, 350; 1778, regulars, 1,754; militia, 8,393. 1777, regulars 2,033; militia, 1,536. 1778, regulars, 807; 1779, regulars, 2,249; 1780, regulars, 3,035; militia, 1,289 1781, regulars, 970; 1782, regulars, 1253; 1783, regulars, 974. Regulars, 13,228; militia, 5,407. Grand Total, 23,886.

JUDGES OF THE COURT OF APPEALS,

FROM 1775 TO 1806.

The General Assembly, at its February session, 1777, passed a resolution, under which the Court of Appeals was to be composed of five judges. The General Assembly, at its October session, 1778, made the following appointments of judges, who were commissioned by the governor, December 22d, 1778:

Benjamin Rumsey, Chief Judge. Benjamin Mayhall, Allen Thomas Jones, Solomon Wright, and James Murray, Judges. The governor, under his power to fill vacancies, appointed October 10th, 1801, William Cooke to fill the vacancy occasioned by the death of Judge Wright, but he declined, and on the 20th of the same month and year, Littleton Dennis was appointed in his place. Richard Potts was appointed on the 12th of October, 1801, to fill the vacancy occasioned by the death of Judge Murray. The General Assembly of Maryland, by the Act of 1804, chapter 35, confirmed by the Act of 1805, chapter 16, abolished the Court of Appeals and the General Court. The General Assembly also reorganized the Court of Appeals, and the county courts in the several judicial districts. The following appointments of judges were made by the governor under the above Acts:

Jeremiah Townley Chase, chief judge, appointed January 16th, 1806; Gabriel Duvall, Robert Smith, James Tilghman, John Thomson Mason and William Pinkney, judges, appointed respectively on the 16th, 17th, 18th, 19th and 20th days of January, 1806. The following were their successors in office:

Richard Spriggs was appointed judge January 27th, 1806, in place of Mr. Duvall, who did not accept; John Buchanan was appointed judge January 28th, 1806, in place of Mr. Mason, who did not accept; Joseph Hopper Nicholson was appointed judge March 26th, 1806, in place of Mr. Smith, who did not accept; John Mackall Gault was appointed March 27th, 1806, to succeed Judge Spriggs, deceased; Richard Tilghman Earle was appointed May 20th, 1809, to succeed Judge Tilghman, deceased; John Johnson was appointed March 25th, 1811, to succeed Judge Gault, deceased; John Done was appointed December 14th, 1813, to succeed Judge Pinkney, deceased, William Boyd Martin was appointed December 30th, 1814, to succeed Judge Done, who resigned; Walter Dorsey was appointed March 14th, 1817, to succeed Judge Nicholson, deceased; John Steven, Jr., was appointed a judge of the Court of Appeals December 20th, 1821, to succeed Judge Johnson, who was appointed Chancellor; Chief Judge Chase was prevented from attending the court at June term, 1823, owing to indisposition, and resigned June 18th, 1824; Stevenson Archer was appointed judge August 30th, 1823, to succeed Judge Dorsey, deceased; Chief Judge Buchanan acted as chief judge of Court of Appeals during June term of 1824, on the vacancy above, under the 8th section of Act of 1805, chapter 65, in place of Chief Judge Chase, resigned; he was commissioned chief judge July 27th, 1824; Thomas B. Dorsey was appointed judge July 24th, 1824, to fill the

vacancy occasioned by the resignation of Chief Judge Chase; R. F. Chambers was appointed judge August 7th, 1834, to succeed Judge Earle, who resigned June 6th, 1834: Associate Judge Spence was appointed judge May 20th, 1835, to succeed Judge Martin, deceased.

COURTS OF OYER AND TERMINER FOR BALTIMORE COUNTY AND CITY.

The Acts of 1791, chap. 63, and 1798, chap. 87, ordered a commission to be issued to a person of integrity, experience and sound legal knowledge, to be styled "Chief Justice of Court of Oyer and Terminer and Gaol Delivery for Baltimore County," and to four other persons of integrity, experience and knowledge, as associate justices of said court, for the trial of all offences committed in said county. The Act of 1794, chapter 65, directed that two persons of integrity, experience, etc., should be commissioned as associate justices of Baltimore County Court, who together with the chief justice were to hold courts for the trial of all offences committed in the county. The Acts of 1797, chapter 121, and 1798, chapter 96, appointed the criminal business of the county and city, and established Baltimore City Court for the trial of all offences committed within the city or precincts, and the Act of 1797, chapter 121, directed that two, and the Act of 1798, chapter 65, that three persons of integrity, etc., should be commissioned as associate justices of said court, to act in conjunction with the chief justice of the third district, to transact the business of the court. The Act of 1799, chapter 65, directed that a commission of Oyer and Terminer and Gaol Delivery for the trial of all felonies, etc., committed in Baltimore County and City, should issue to one person of integrity, etc., of sound legal knowledge as chief justice, and to two other persons of integrity, etc., as associate justices of the court. At December session, 1810, a new court called Baltimore City Court, was established. Samuel Chase was appointed chief justice, January 27, 1789, and went out of commission under the operation of the Act of 1794, chapter 65. Walter Dorsey was next appointed February 9th, 1802, and was commissioned under the Act of 1730, chapter 58: John Scott was appointed April 5th, 1808, to succeed Chief Justice Dorsey, who resigned. Luther Martin was appointed August 12th, 1813, to succeed Chief Justice Scott, deceased. At December session, 1816, a new court, called the Baltimore City Court, was organized in place of the court of Oyer and Terminer, which changed the judges without changing the jurisdiction. Nicholas Brice, Chief Judge, appointed February 5th, 1817; William McMechen and Alexander Nisbett, Associate Judges, appointed February 5th, 1817. W. C. D. Worthington, appointed Associate Judge, February 2d, 1838, to succeed Judge McMechen, deceased.

THE ATTORNEYS GENERAL,

FROM 1777 TO 1879.

Thomas Jennings, appointed February, 1777, declined. James Tilghman was appointed Attorney General August 7th, 1777, but did not accept. Benjamin Galloway, appointed January 8th, 1778; did not accept. Luther Martin, appointed February 11th, 1778, who accepted. William Pinkney, appointed December 21st, 1805, to succeed Mr. Martin, who resigned. John Thomson Mason, appointed July 12th, 1806, to succeed Mr. Pinkney, who was appointed minister to Great Britain. John Johnson was appointed October 18th, 1806, to succeed Mr. Mason, who resigned. John Montgomery, appointed April 29th, 1811, to succeed Mr. Johnson, who was appointed Chief Judge of the First Judicial District. Mr. Montgomery went out of office on the change of the Constitution by Act of 1812, chapter 247, and confirmed by Act of 1817, chapter 69. Luther Martin, appointed February 11th, 1818, under the Act of 1817, chapter 161. Nathaniel Williams was appointed Assistant Attorney General, January 13th, 1830, to confine in office during the indisposition of the Attorney General. Thomas B. Dorsey was appointed February

18th, 1822. Thomas Kell was appointed August 7th, 1824, to succeed Mr. Dorsey, resigned. Roger B. Taney was appointed September 3d, 1827, to succeed Mr. Kell, resigned. Josiah Bayley was appointed July 22d, 1831, to succeed Mr. Taney, resigned. George R. Richardson was appointed to succeed Mr. Bayley, resigned, and took the oath of office June 25th, 1845. Robert J. Breat was appointed February 18th, 1851, to succeed Mr. Richardson, deceased.

The office of Attorney General was established by the Constitution of 1851, which by Article 5, Section 32, provided that no law should be passed creating the office of Attorney General.

The office of Attorney General was reestablished by the Constitution of 1864: the officer to be elected by the people every four years.

Alexander Randall, of Annapolis, was elected November, 1864. Isaac D. Jones was elected November, 1867, under the new Constitution of that year for four years. Andrew K. Syester, of Washington County, was elected November, 1871. Charles J. M. Gwinn, of Baltimore City, was elected November, 1875, and re-elected November, 1879.

JUSTICES OF THE SUPREME COURT.

Roger B. Taney, chief justice, March 15th, 1836, died in 1864. Associate justices: Robert H. Harrison, September 26th, 1789, resigned; Thomas Johnson, August 5th, 1791, in recess of Senate, but again appointed and confirmed November 7th, 1791, resigned; Samuel Chase, January 27th, 1796, died; Gabriel Duval, November 18th, 1811, died. Benjamin C. Howard, was the reporter of the decisions of the Supreme Court from 1848 to 1861.

JUSTICES OF THE UNITED STATES DISTRICT COURTS, 1789—1883.

Theodorick Bland, Hugh T. Bond, William F. Giles, John Glenn, Upton S. Heath, James Houston, Thomas Johnson, William Paca, James Winchester, Thos. J. Morris.

CABINET APPOINTMENTS.

Maryland has received the following Cabinet appointments in the successive administrations of the government: Washington's administration—secretary of the war and navy, James McHenry, January 27th, 1796. Washington's second administration—James McHenry, continued in office. Secretary of the navy, Benjamin Stoddert, May 31st, 1798. Jefferson's administration—Benjamin Stoddert, continued in office until January 26th, 1802, when Robert Smith was appointed to the position. Madison's administration—secretary of state, Robert Smith, March 6th, 1809; attorney-general, William Pinkney, December 11th, 1811. Monroe's administration—attorney-general, William Wirt, December 15th, 1817. Jackson's administration—attorney-general, Roger B. Taney, 1831, and secretary of the treasury, 1833. Harrison's administration—attorney-general, John Nelson, January, 2d, 1841. Tyler's administration—secretary of the navy, John P. Kennedy, 1853—attorney-general, Reverdy Johnson, March 7th, 1849. Buchanan's administration—secretary of the treasury, Philip F. Thomas, December, 1860. Lincoln's administration—postmaster-general, Montgomery Blair, March, 1861. Grant's administration—postmaster-general, John A. J. Creswell, March 5th, 1869.

MARYLAND LEGISLATIVE DISTRICTS.

Each of the twenty-three counties in Maryland constitutes a Legislative district. Baltimore is divided into three districts—the first composed of the first, second, third, fourth, fifth, sixth and seventh wards; the second, of the eighth, ninth, tenth, eleventh, twelfth, nineteenth and twentieth wards; and the third, of the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth wards. The apportionment of delegates is

ne Gilbert; Allegheny 4, Anne Arundel 8, Baltimore County 8, Baltimore City, (six in each district) 18, Calvert 2, Caroline 2, Carroll 4, Cecil 3, Charles 2, Dorchester 3, Frederick 6, Harford 2, Harford 3, Howard 3, Kent 2, Montgomery 3, Prince George's 3, Queen Anne's 2, St. Mary's 3, Somerset 3, Talbot 2, Washington 4, Wicomico 2, Worcester 2. Each county and each of the three legislative districts in Baltimore City is entitled to one senator.

MARYLAND CONGRESSIONAL DISTRICTS.

I. Worcester, Somerset, Wicomico, Dorchester, Talbot, Queen Anne's, Caroline and Kent Counties. II. Cecil, Harford and Carroll Counties, and the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth election districts of Baltimore County. III. The wards of Baltimore City, from the first to the ninth, both inclusive. IV. The tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, Eighteenth, Nineteenth and twentieth wards of Baltimore City. V. St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, with the City of Annapolis, and Howard Counties, the first and thirteenth districts of Baltimore County, and the seventeenth ward of Baltimore City. VI. Allegheny, Garrett, Washington, Frederick and Montgomery Counties.

BARONS OF BALTIMORE AND LORDS PROPRIETARY OF MARYLAND.

George Calvert, First Lord Baltimore.

LORDS PROPRIETARY.

1632. Cecilius Calvert, Second Lord Baltimore.
1675. Charles Calvert, Third Lord Baltimore.
1715. Benedict Leonard Calvert, Fourth Lord Baltimore.
1716. Charles Calvert, Fifth Lord Baltimore.
1751. Frederick Calvert, Sixth and last Lord Baltimore.
1771 to 1778. Sir Henry Harford, last Proprietary.

GOVERNORS OF MARYLAND.

PROPRIETARY GOVERNORS.

1633. Leonard Calvert.
1647. Thomas Greene.
1648. William Stone.
1654. Bennett and Matthews, Commissioners under Parliament.
1658. Josiah Fendall.
1661. Philip Calvert.
1662. Charles Calvert.
1687. Charles, Lord Baltimore.
1689. Thomas Notley.
1692. Charles, Lord Baltimore.
1695. William Joseph, *President of Majesty.*
1689. Convention of Protestant Associations.

ROYAL GOVERNORS.

1691. Sir Lionel Copley.
1693. Sir Edmund Andros.
1694. Francis Nicholson.
1699. Nathaniel Blakiston.
1703. Thomas Tench, *President.*
1704. John Seymour.
1709. Edward Lloyd, *President.*
1714. John Hart.

PROPRIETARY GOVERNORS.

1715. John Hart.
1720. Charles Calvert.
1727. Benedict Leonard Calvert.
1732. Samuel Ogle.
1733. Charles, Lord Baltimore.
1742. Thomas Bladen.
1747. Samuel Ogle.
1752. Benjamin Tasker, *President.*
1753. Horatio Sharpe.
1769 to 1774. Robert Eden.

THE REVOLUTION.

1774-5-6. Convention and Council of Safety.

STATE GOVERNORS.

Elected Annually by the Legislature, with an Executive Council.

1777.	Thomas Johnson.	1811.	Robert Bowie.
1779.	Thomas Sim Lee.	1812.	Levin Winder
1782.	William Paca.	1815.	Charles Ridgely, of Hampton.
1785.	William Smallwood.	1818.	Charles Goldsborough.
1788.	John Eager Howard.	1819.	Samuel Sprigg.
1791.	George Plater.	1822.	Samuel Stevens, Jr.
1792.	Thomas Sim Lee.	1826.	Joseph Kent.
1794.	John H. Stone.	1828.	Daniel Martin.
1797.	John Henry.	1829.	Thomas King Carroll.
1798.	Benjamin Ogle.	1831.	Daniel Martin.
1801.	John Francis Mercer.	1831.	George Howard, —(Acting.)
1803.	Robert Bowie.	1832.	George Howard.
1806.	Robert Wright.	1834.	James Thomas.
1806.	Edward Lloyd.	1885.	Thomas W. Veazey.

Elected under the Amended Constitution of 1864, for Three Years.

William Grason, of Queen Anne's County.....1838.
Francis Thomas, of Frederick County.....1841.
Thomas G. Pratt, of Prince George's County.....1844.
Phillip F. Thomas, of Talbot County.....1847.
Enoch Louis Lowe, of Frederick County.....1850.

Elected under the Constitution of 1851, for Four Years.

Thomas Watkins Ligon, of Howard County.....1854.
Thomas Holliday Hicks, of Dorchester County.....1857.
Augustus W. Bradford, of Baltimore County.....1861.

Elected under the Constitution of 1864, for Four Years.

Thomas Swann, of Baltimore City.....1865.
Lieutenant Governor, C. C. Cox, of Baltimore City.....1865.

Elected under the Constitution of 1867, for Four Years.

Odon Bowie, of Prince George's County.....1867.
Wm. Pinkney White, of Baltimore City.....1872

Elected to the United States Senate on the 20th of January, 1874, and on the 27th resigned the office as Governor, to take effect on the 4th of March following.

James Black Groome, a member of the House of Delegates from Cecil County, resigned his seat on the 4th of February, 1874, and on the same day was elected Governor to fill the unexpired term of Senator White.

John Lee Carroll, of Howard County.....1875.
William T. Hamilton, of Washington County.....1879.

OFFICERS OF THE STATE TREASURY.

FROM ITS RE-ORGANIZATION UNDER THE CONSTITUTION OF 1851.

COMPTROLLERS.

Philip Francis Thomas, of Talbot County, from 13th December, 1851, to 20th April, 1858; Henry E. Bateman, of Talbot County, appointed from 20th April, 1853, to 11th January, 1854; William Pinkney White, of Baltimore City, from 11th January, 1854, to 4th January, 1858; William Henry Purnell, of Worcester County, from 9th January, 1858, to 8th May, 1861; Dennis Claude, of Annapolis, appointed 8th May, 1861, to 17th

July, 1861; Abram Lingan Jarrett, of Harford County, from 17th July, 1861, to 8th January, 1862; Samuel Sinwelle Maffitt, of Cecil County, from 8th January, 1862, to 13th January, 1864; Henry Hollyday Goldsborough, of Talbot County, from 13th January, 1864, to 20th November, 1864; Robert K. Jump, of Caroline County, from 28th November, 1864, to January 9th, 1867; William J. Leonard, of Worcester County, from January 9th, 1867, to January 17th, 1870; Levin Woolford, of Dorchester County, from January 17th, 1870, to January 1872; Thomas J. Keating, of Queen Anne's County, from January, 1875.

THE LAWYERS.

James S. Owens, of Anne Arundel County, from 24th February, 1853, to 24th February, 1854; Henry Claude, of Annapolis, from 24th February, 1854, to 14th February, 1860; Sprigg Harwood, of Anne Arundel County, from 14th February, 1860, to 4th February, 1862; Robert Fowler, of Baltimore County, from 4th February, 1862, to February 10th, 1870; John Merryman, of Baltimore County, from February 10th, 1870, to February 10th, 1872; John W. Davis, of Mt. Union City, from February 10th, 1872; Barnes Compton, from February, 1874.

ORIGIN OF THE NAMES OF COUNTIES, WITH DATE OF FORMATION, ETC.

Counties.	Origin of Name.	Date of Formation.	Area in Square Miles.
St. Mary's	The earliest; called in honor of Queen Henrietta Maria	1634	330
Anne Arundel	After the Lady Anne Arundel, wife of Cecilius, second Lord Baltimore	1650	360
Kent	After the English county of that name, by settlers from said county	1650	240
Calvert	After the family name of the Proprietary	1654	270
Charles	From Charles, Lord Baltimore	1658	450
Baltimore	From the Proprietary's Irish barony (Celtic *Baltimore*, i. e., the large town)	1659	600
Talbot	After Lord Talbot, uncle of Lady Baltimore	1660	280
Dorchester	After the Earl Dorset, a family friend of the Calverts	1668	600
Somerset	After Edward Somerset, husband of Maria Calvert, daughter of Lord Baltimore	1666	300
Cecil	After the forename of the 2d Lord Baltimore	1674	350
Prince George's	From Prince George of Denmark	1696	400
Queen Anne's	After the reigning sovereign of Great Britain	1706	400
Worcester	In commemoration of the Stuart proclivities of the Palatine's family	1742	450
Frederick	After Frederick, Prince of Wales	1748	680
Caroline	After Caroline Harford, a niece of the Proprietary	1773	270
Harford	After Henry Harford, a nephew of the Palatine, Governor of the Province	1773	430
Montgomery	After General Montgomery, killed at Quebec	1776	525
Washington	After General Washington	1776	525
Allegheny	After the great Indian tribe of the Alleghans	1789	430
Carroll	After Carroll of Carrollton, a signer of the Declaration of Independence	1836	425
Howard	After Colonel John Eager Howard, the elder	1850	240
Wicomico	After the river of the same name	1867	310
Garrett	After John W. Garrett	1872	670

MAYORS OF BALTIMORE CITY.

Hon. James Calhoun	1797	Hon. James O. Law	1848
" Thoroughgood Smith	1805	" Jacob G. Davies	1847
" Edward Johnson	1809	" Elijah Stansbury	1848
" George Stiles	1817	" J. H. T. Jerome	1851
" Edward Johnson	1819	" John Barlt. Hutchin	1853
" John Montgomery	1821	" Samuel Hinks	1855
" Edward Johnson	1823	" Thomas Swann	1857
" John Montgomery	1825	" Geo. Wm. Brown	1861
" Jacob Small	1827	" John Lee Chapman	1862
" William Stewart	1830	" John Lee Chapman	1865
" Jesse Hunt	1833	" Robert T. Banks	1867
" Gen. Samuel Smith	1836	" Joshua Vansant	1871
" S. C. Leakin	1839	" Ferdinand C. Latrobe	1875
" Samuel Brady	1841	" George P. Kane	1877
" Solomon Hillen, Jr	1842	" Ferdinand C. Latrobe	1875

COUNTY SEATS IN MARYLAND.

Allegheny, Cumberland; Anne Arundel, Annapolis; Baltimore County, Towsontown; Calvert, Prince Frederick; Caroline, Denton; Carroll, Westminster; Cecil, Elkton; Charles, Port Tobacco; Dorchester, Cambridge; Frederick, Frederick City; Garrett, Oakland; Harford, Belair; Howard, Ellicott City; Kent, Chestertown; Montgomery, Rockville; Prince George's, Upper Marlborough; Queen Anne's, Centreville; St. Mary's, Leonardtown; Somerset, Princess Anne; Talbot, Easton; Washington, Hagerstown; Wicomico, Salisbury; Worcester, Snow Hill.

LIGHT HOUSES IN MARYLAND.

Seven Foot Knoll, Thomas' Point, Fort Carroll, North Point, Lazaretto, Pool's Island, Fishing Battery, Havre de Grace, Sandy Point, Turkey Point, Greenbury Point, Point Lookout, Sharpe's Island, Cove Point, Gaulins Point, Hawkin's Point, Love Point (Kent Island), Craighill Channell (Inner Beacon and Outer Beacon).

POPULATION OF MARYLAND.

Year.	Whites.	Negro Slaves.	Free Blacks.	Total.
1634	The first colony,	about		200
1638				700
1660				12,000
1665				16,000
1671				20,000
1701				30,000
1712	37,643	8,392		46,035
1715	40,000	9,000		50,000
1748	94,000	36,000		130,000
1750	107,398	43,235		151,189
1775	About			320,000
1782	170,485	83,382		254,050
1790	208,649	103,036	8,043	319,726
1800	222,402	107,398	10,587	341,548
1810	235,575	111,502	33,409	380,540
1820	261,305	107,398	38,739	407,350
1830	291,224	102,878	52,038	447,040
1840	317,775	90,020	61,035	470,010
1850	417,943	90,368	74,723	583,034
1860	515,918	87,189	83,942	687,049
1870	605,497		175,391	780,504

POPULATION OF MARYLAND BY COUNTIES.

WHITE.

COUNTIES.	1870	1860	1850	1840	1830	1820	1810	1800	1790
Total	605497	515918	417845	318204	291108	260223	235117	216326	208649
Allegheny	37879	272 5	21033	14863	9309	7004	6170	5703	4150
Anne Arundel	13725	11704	13542	14030	13272	15458	12280	11050	11064
Baltimore	228215	203242	174853	105331	103529	72833	57283	43053	50915
Calvert	4582	3991	3955	3653	4748	3771	3980	3898	4271
Caroline	8813	7804	9006	7481	8241	7141	6835	6150	7025
Carroll	26444	22525	18007	15221					
Cecil	21880	19091	15472	13328	13478	11950	9652	8542	10055
Charles	8478	7790	8663	9023	6789	6514	7348	9063	10124
Dorchester	11502	11074	10747	10029	10858	10095	10115	9416	10010
Frederick	30030	28931	23614	22975	30705	31067	27054	24178	26957
Harford	17052	17071	15418	12041	11811	12217	11808	10058	12784
Howard	10673	9051							
Kent	8879	7817	7618	7016	8044	8315	8225	8511	8744
Montgomery	13125	13440	9435	8703	12163	9062	9731	8505	11670
Prince George's	11068	9650	8901	7859	7097	7806	6477	5940	10004
Queen Anne's	9575	8417	8033	6152	9650	7820	7820	7315	8171
Saint Mary's	7318	6108	6222	6072	6087	6052	6178	6075	8210
Somerset	10810	10533	10383	11283	10871	10364	9102	9510	9252
Talbot	9171	8106	7081	6033	6291	7847	7210	7070	7231
Washington	31874	28835	26030	24724	21977	19247	15701	13 08	14479
Wicomico	11158								
Worcester	10550	10442	10401	11766	11811	11435	12100	11523	7820

FREE COLORED.

COUNTIES.									
Total	175891	83942	74723	62078	52938	49780	38927	19587	8043
Allegheny	1160	407	412	215	229	198	113	101	12
Anne Arundel	11732	4804	4032	5093	4070	3982	3538	1858	805
Baltimore	47021	29011	23076	21153	17988	12489	7209	4307	927
Calvert	1533	1811	1060	1474	1213	994	858	307	138
Caroline	3768	3753	2758	1780	1632	1396	1061	622	421
Carroll	3171	1123	971	888					
Cecil	4012	2918	2021	2551	2249	1784	917	575	183
Charles	5319	1008	913	879	851	761	412	577	405
Dorchester	7536	4084	3849	3697	3030	2408	2601	2395	588
Frederick	7573	4057	3701	2997	2216	1777	753	473	218
Harford	4505	3945	2777	2120	2008	1687	2231	1344	777
Howard	3271	1805							
Kent	7783	5511	5118	5401	5260	5087	4679	4788	3955
Montgomery	7414	1752	1311	1313	1216	922	677	263	204
Prince George's	9780	198	1138	1050	1202	1046	4125	845	734
Queen Anne's	6503	3373	3278	2541	2490	2138	2745	1023	618
Saint Mary's	7720	1206	1563	1305	1175	884	880	422	343
Somerset	7371	4571	3453	2040	2235	1954	1075	750	268
Talbot	6990	2004	2553	2040	2483	2294	2003	1581	1078
Washington	2585	1677	1528	1180	1085	837	488	342	64
Wicomico	4106								
Worcester	7689	3271	3014	3078	2480	1638	1054	449	18

POPULATION OF MARYLAND BY COUNTIES.

SLAVE.

COUNTIES.	1870	1860	1850	1840	1830	1820	1810	1800	1790
Total	.....	87189	90368	89737	102994	107397	111502	105635	103036
Allegheny	.....	666	724	512	518	705	620	409	253
Anne Arundel	.....	7482	11240	9819	10847	10337	11648	9780	13139
Baltimore	.....	5402	6718	7585	13070	11077	11389	9673	7133
Calvert	.....	4000	4486	4170	3890	3648	3907	4101	4305
Caroline	.....	730	809	782	1117	1674	1520	1305	2057
Carroll	.....	752	975	1132	.....	.....	.....	.....	.....
Cecil	.....	950	844	1352	1737	2842	2487	2103	3407
Charles	.....	6668	8386	9182	10189	9410	12435	9565	10095
Dorchester	.....	4123	4282	4237	5021	5188	5002	4560	5397
Frederick	.....	8243	8013	8445	6370	6086	6671	4773	3611
Harford	.....	1800	2108	2048	2947	3320	4187	4261	3417
Howard	.....	2478	.....	.....	.....	.....	.....	.....	.....
Kent	.....	3502	3927	3737	4131	4071	4349	4274	5433
Montgomery	.....	5497	5145	5377	6445	6390	7573	6285	8093
Prince George's	.....	12479	11610	12069	11586	11126	9189	12191	11179
Queen Anne's	.....	4174	4273	3990	4512	5088	6481	6517	8874
Saint Mary's	.....	6548	6812	6781	6588	6947	6800	6390	6965
Somerset	.....	6085	6585	6377	6570	7211	6975	7432	7970
Talbot	.....	3725	4134	3957	4173	4768	4879	4776	4771
Washington	.....	1436	2002	2540	2309	3351	3066	2200	1286
Wicomico	.....	.....	.....	.....	.....	.....	.....	.....	.....
Worcester	.....	3848	4112	3589	4038	4451	4427	4095	3930

AGGREGATE.

COUNTIES.									
Total	780894	687049	583034	470019	447040	407350	380546	341548	319728
Allegheny	33586	28345	23709	15000	10689	8854	6022	6609	4800
Anne Arundel	24457	23000	33000	20032	28895	27105	26068	22028	23758
Balto. County and City.	360741	366363	215546	184570	180570	96901	75810	59380	35497
Calvert	9560	10417	9641	9330	9300	8778	8057	8247	8052
Caroline	12121	11225	9682	7806	9070	10108	9453	9220	9604
Carroll	33619	24533	20078	17241	.....	.....	.....	.....	.....
Cecil	25874	23862	18903	17282	15182	13045	12066	9315	13825
Charles	25739	16517	16103	18033	17750	16503	20247	15178	20618
Dorchester	20488	20481	18977	18843	18080	17709	18708	16846	17875
Frederick	41572	40651	40087	36406	26780	40458	34187	31523	30791
Harford	22057	23110	18858	17130	16218	15021	21258	17026	14570
Howard	14156	13888	.....	.....	.....	.....	.....	.....	.....
Kent	17102	18287	14380	13842	10501	11469	11450	11771	12855
Montgomery	26603	25832	25580	25476	25516	25460	27090	25062	28068
Prince George's	21132	20339	21543	20630	20474	22215	20520	21183	21324
Queen Anne's	16171	17061	14284	12033	11897	14052	16048	14857	15404
Saint Mary's	14944	17213	13895	13234	13459	13974	12794	13080	13544
Somerset	18193	21062	22568	24508	20168	19579	17245	17354	16010
Talbot	16137	14787	13811	12080	12317	14089	14530	13438	13094
Washington	24713	21417	20548	23850	25208	23075	18700	19069	16922
Wicomico	15803	.....	.....	.....	.....	.....	.....	.....	.....
Worcester	18413	20001	18269	18877	18276	17431	16971	15870	14650

POPULATION OF BALTIMORE TOWN AND CITY.

Baltimore Town and City.	1870	1860	1850	1840	1830	1820	1810	1800	1790
Total	267,639	212,418	169,064	102,313	80,625	62,738	46,555	26,514	13,503

ASSESSMENT OF PROPERTY IN THE STATE OF MARYLAND.

The Counties and Baltimore City.	Ass'd value of property in 1867.	Ass'd value of property in 1876.	Ass'd value of property in 1877	Ass'd value of property in 1878.	Tax Levy for 1878.
Allegany	$10,764,975	$8,190,111	$50,858,940	$10,644,042	$19,557 52
Anne Arundel	10,951,288	8,706,800	10,207,590	9,037,009	18,519 39
Baltimore City	218,142,981	203,145,707	386,160,585	239,713,161	434,336 36
Baltimore County	43,804,134	41,571,707	68,101,703	45,121,170	92,702 18
Calvert	2,251,564	2,131,388	2,145,800	2,070,200	3,852 12
Caroline	4,579,268	4,147,818	3,780,176	3,795,648	7,116 85
Carroll	17,178,907	16,416,331	16,410,521	15,870,141	30,381 52
Cecil	14,664,318	13,140,691	14,201,432	12,888,258	24,154 33
Charles	3,874,219	3,185,002	3,650,[illegible]4	3,301,945	6,191 12
Dorchester	6,171,277	5,427,168	6,041,873	6,042,593	11,329 80
Frederick	27,880,049	24,207,105	27,176,892	24,670,891	45,974 88
Garrett	3,901,005	3,183,920	3,958,177	3,690,108	6,745 92
Harford	13,912,265	11,981,431	12,872,773	11,448,431	21,540 78
Howard	7,468,696	6,550,782	8,218,768	7,435,225	14,334 70
Kent	7,387,737	7,177,390	7,484,452	7,861,910	15,578 93
Montgomery	7,840,877	7,685,224	8,257,130	7,954,743	14,915 32
Prince George's	8,800,778	8,265,883	9,273,993	9,090,771	17,244 82
Queen Anne's	8,475,117	8,213,500	8,563,203	8,581,129	15,250 51
Saint Mary's	3,765,975	2,791,208	3,351,170	2,871,002	5,284 35
Somerset	8,504,084	8,620,345	1,075,507	3,892,427	7,348 30
Talbot	7,556,930	7,011,324	8,388,783	8,396,181	15,709 19
Washington	18,769,330	19,300,287	17,497,028	20,361,878	41,118 14
Wicomico	4,891,892	4,434,725	4,835,717	4,487,979	8,921 81
Worcester	4,699,579	4,664,585	4,300,064	4,142,388	7,798 04
Totals	$409,969,472	$423,112,115	$547,241,271	$464,426,790	$873,788 30

END OF VOLUME III.

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