Summer 2012

MARYLAND
Historical Magazine

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The Journal of the Maryland Historical Society

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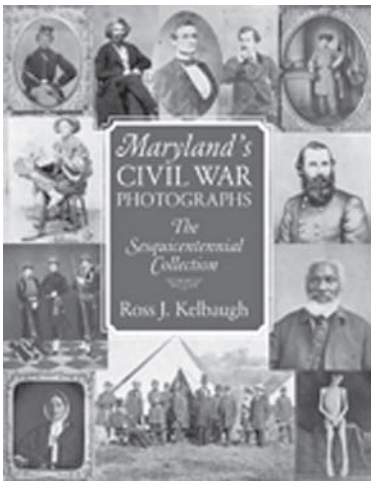

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Maryland Chintz-Appliquéd and Pieced Quilt, c.1835.

Catherine Mitchell (1775–1847) stitched this quilt at Mitchell's Garden on the Choptank River, Dorchester County. Patterned after English decorative bed coverings, the style was exceptionally popular in the antebellum South. Fabrics often included bits of expensive imported chintz, plain and printed cottons. The pieced central square and repetitive border motifs are seen frequently in Maryland quilts. Mitchell's descendants donated the quilt to the Maryland Historical Society in the mid-twentieth century with the following note: "Made by Catherine Mitchell, born about 1775, died 1847. Her last quilt finished after she was seventy years of age." (Maryland Historical Society, 1950.56.1.)

A Maryland Jesuit in Eighteenth-Century Europe

PAUL H. MATTINGLY

The Jesuit contribution to the history of Maryland began long before the colony's actual founders departed England's shores in 1633, and within Calvert's proprietary Jesuits sustained themselves through resources that extended far beyond the settlement's legal boundaries. Their influence in Maryland drew great energy from a preoccupation with and resistance to Britain's commandeering of Roman Catholic property and spiritual authority in the sixteenth century. Seminaries and colleges established to train individuals, missionaries, and ordinary leaders in the re-conquest of the British Isles and its possessions had far-reaching global implications. Not only did the Jesuit network knit together a chain of schools in the Netherlands, Spain, and Italy, it produced a training history that became the basis of a formidable influence on the imperial designs of all the involved countries. The monetary investment in the Maryland *Dove,* plus payment for a multitude of servants on that and later ships, enabled Jesuits to become large landowners. With their spiritual influence, Maryland Jesuits wove their Chesapeake outpost into a transatlantic network that resisted British anti-Catholic policies.[1]

From the sixteenth to the eighteenth century the Jesuits compiled an impressive record of missionary and educational work. Their service to the papal agenda went far toward implementing the priorities of the Counter-Reformation and the Council of Trent. Such a history made many envy their seeming invulnerability in the face of worldly vicissitudes. Not surprisingly, during the eighteenth century the order acquired enemies with highly material ambitions. The Bourbon royalty of France and Spain felt the Jesuit presence, particularly in South and Central America, where their vocal opposition to the exploitation of native populations threatened the Bourbon rulers' lucrative mining and trading operations. The Bourbons then pressed the pope to curb Jesuit activity internationally and, increasingly, to suppress the entire order.[2]

Colonial issues aside, the dynamics that led to the French Revolution also gave birth to more anti-Jesuit animus, and, even preceding the Revolution, in 1762 the French brought pressure on many Catholic institutions. One casualty, the esteemed Jesuit college at St. Omer in Flanders, had since 1593 served as a training ground,

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not just for priests, but for individuals denied religious instruction in other nations. St. Omer's College had originated as the idea of Reverend Robert Parsons, S.J., to counter the English Penal Laws that forbade training in the Roman Catholic religion and precluded Catholics from hearing mass, holding political office, etc. Ultimately, Parsons wanted to send a steady stream of missionaries and lay gentry back to England to engineer the re-conversion of Britain and to emulate his old friend, martyr Edmund Campion. In the face of the failed 1588 Spanish Armada, King Phillip II of Spain became a supporter of the school.[3]

St. Omer, named after Bishop Audomere who spread Christianity in Flanders in the seventh century, held strategic ground for nearly two centuries (1593–1762). Situated thirty-four miles from the English Channel and Calais¸ the town was a safe distance from the predations of warring nations' privateers. Protected by extensive marshland, it became a market center. In the twelfth century the town built an imposing cathedral, an emblem of permanence and solidity in response to the mercurial allegiances of its citizens—some to Protestant England, some to Catholic Spain, some with multiple French ties and still others with local Netherland priorities, to mention only the obvious influences. In the seventeenth and eighteenth centuries, as Britain applied its system of mercantile taxation on continental goods, coastal smuggling became widespread in territory abutting the English Channel as merchants sought to evade duties on sugar, tea, and particularly tobacco. French taxation of tobacco also drew enterprising fishermen, sailors, and merchants into the illegal practice. St. Omer used the River Aa to connect its market to coastal Gravelines on the Channel and this thriving trade. The town offered strategic protection to merchandise in transit, and roads provided convenient access to customers in Paris.[4]

Papal intrigue, imperial manipulations, transoceanic trade, licit and illicit, set the context for what became Maryland's crucial place in eighteenth-century economic and cultural traffic. The colony had functioned since the seventeenth century as a proprietary, officially under the aegis of British authority but with the distance across the Atlantic presenting opportunities for many local initiatives. For example, although officially observant of the Penal Laws with respect to suppressing Roman Catholics, Marylanders waxed and waned in their application. Indeed, proprietor Cecil Calvert, had long before (1649) declared that there should be religious tolerance in the colony, as much to protect the practice of Catholicism as to encourage the influx of laborers whatever their religious persuasion. Catholic Marylanders kept a low profile in the colony, and their priests, predominantly Jesuit, were careful to conduct themselves in public as gentleman planters. They rode their circuits and administered the sacraments privately, while outwardly maintaining a secular face. Their guise as farmers deceived few, but their subterfuge also meant few public records existed to document their contribution to Maryland's national and international presence.[5]

The public deception extended to schooling the children of affluent Catholic farmers. Maryland Catholic "gentlemen" may have attended Anglican services (to

avoid the fines) and allowed their children to be baptized in the local Anglican church, but religious schooling was another matter and one they could not assume the already overburdened Jesuits could assume. St. Omer's, with its excellent educational reputation and known position due to its tobacco smuggling role, proved an increasingly attractive option for Chesapeake shippers. The greater part of the tobacco processed in St. Omer's was by the 1740s the prized Chesapeake leaf, and the town became central to Maryland's Catholic marketers. In the course of the late seventeenth and into the eighteenth centuries, 130 North American youths made the ocean voyage to St. Omer's to take advantage of Catholic schooling unavailable in British-controlled colonies. Most were from Maryland and the Chesapeake region.[6]

The Special Jesuit Influence

John Baptist Mattingly, a third-generation colonist, was born in 1745 in St. Mary's County, Maryland, baptized in St. Andrew's Anglican Church, and sent to St. Omer's in Flanders for his education, as were John (St. Omer's 1748–1753), Charles (St. Omer's 1748–1754) and Daniel Carroll (St. Omer's 1742–1748) along with many other prominent colonials. The school boasted a forceful, humanistic education for the North American gentry class and for English Catholic aristocrats willing to circumvent the British Penal Laws. The centerpiece of Jesuit instruction, *Ratio Studiorum*, powered an adaptable mode of pedagogy emphasizing philosophy and belle-lettres without excluding mathematics, history, and navigation and laid a broad foundation, well beyond traditional seminary indoctrination. The college-level instruction followed the English grammar and post-grammar level, and those graduates who did not go on to advanced seminary training were then ready for supposedly more advanced instruction such as that Charles Carroll pursued at the College of Louis Le Grand and later at Britain's Inns of Court. This education within an undercover esprit was in step with Maryland's and St. Omer's own history of smuggling Chesapeake tobacco and other goods past British ports that claimed the right of loading and taxing ships bound for the continent and the Chesapeake.[7]

The surreptitious nature of St. Omer's trade and instruction kept documentation of their activities to a minimum in both Britain and Maryland. However, the biographical profile of select individuals opens a window to these historic experiences and offers insight into their experience before and after the 1773 papal suppression of the Jesuits. From age fourteen to seventeen John Mattingly studied at St. Omer's (1759–1762) until pressure from the French government compelled the college to relocate. In 1762 the community moved as a whole to Bruges, where the local bishop gave assurances of safety, assurances that were quickly breached. John Mattingly was working as one of the school instructors when the Council of Brussels, with imperial permission (Austrian empress Maria Theresa was cultivating the French Dauphin, husband of her daughter, Marie Antoinette) seized the community's property and two colleges. One of the colleges was a new endeavor to train ordinary boys; the

other offered an elite experience and was an extension of St. Omer's. John Carroll, S.J., later the first American bishop and founder of Georgetown College, gave an account of this seizure to which he and his close friend and later mission superior in London, Rev. Charles Plowden, S.J., were also witnesses.[8]

In 1762, when they moved their school from St. Omer's to Bruges, the Jesuits bought a building, the House of the Seven Towers on Hoogstraet Street near the center of town and St. Walburgakerk. In Bruges, John B. Mattingly had lived and studied not far from the Church of St. Walburga. St. Walburga was a Devonshire-born abbess of the seventh century called to Germany by St. Boniface, her mother's brother. The Jesuit base in Bruges operated for a decade until the papal suppression of 1773. Mattingly almost certainly visited these precise environs, however briefly, and mulled over the fate of his order and the contingency of his vocation and career.[9]

Mattingly, not yet ordained a Jesuit priest, left Bruges the same year (1762) for the English College at Valladolid on Calle Don Sancho, presumably for advanced theological training. Five years later the Spanish Bourbons suppressed the college and Mattingly, sensing a repeat of the expulsion from St. Omer's, left Spain. With the suppression of the Jesuits in Spain the following year, he took himself to Liege, where remnants of his order were once again promised refuge and support for a school. He studied theology from 1767 to 1771 in a locus that is now a part of the University of Liege along the Meuse River. In 1770 he was likely ordained at Liege and then became the professor of Polemical Theology and Prefect of Studies at the Venerable English College in Rome (1772–1773), an institution Pope Gregory XIII had founded two centuries earlier. The continual intrusion of political pressures upon papal power and Jesuit priorities must have given Mattingly's outlook a special historical viewpoint, at once accepting and taking advantage of the spiritual-material interaction.[10]

Mattingly's outlook became manifest in an illuminating document he wrote under the cloud of papal suppression. On September 6, 1773, he complied with a request from the Sacred Congregation for the Propaganda of the Faith following papal suppression of his order. Reverend John B. Mattingly, S.J., wrote a "Relation," an account of the Maryland landscape during the time he lived there (1745–1759). Was this an accurate presentation of the Jesuit condition and property in the North American colony or an edited version drawn from Mattingly's fears that colonial properties would be seized as had those in St. Omer's, Bruges, and Valladolid? The issue is complicated because the Propaganda of the Faith had the authority to implement Jesuit suppression. Historian Emmett Curran points out the omissions in this document. For example, mention of St. Inigoes and Newton but not of the main facility, St. Thomas Manor, where the mission superior resided, nor of the Eastern Shore properties at Bohemia Manor and St. Joseph's, Tuckahoe. Nor is there mention of the Jesuit holdings at White Marsh (present-day Bowie, Maryland), their largest farm.[11]

The Propaganda relied on local bishops to execute the actual acquisition of property, which is probably why Mattingly emphasized the absence of a bishop in his document. Most tellingly, he described nothing of the colonial applications of the British Penal Laws, another form of suppression akin to the one he now faced in 1773 from his co-religionists. The most pressing of these codes was the Anglican resistance to Catholic schooling. It was this that gave rise to the Maryland traffic to St. Omer's in the first place and its manifest efficacy in Mattingly's "Relation" demonstrated a disciplined training:

> In the year 1764 there were 17 missionaries in Maryland; in the year 1770 there were 23; currently there are but 20. Their principal residence is at Portobacco, in Charles County, where there are three in the community.
>
> A second residence is Newtown, located in St. Mary's County, where there are likewise three on a regular basis; from there on Sundays and feast days they go to minister to various stations, called "congregations," at a distance of 10, 15 or even more than 20 miles, all widely scattered. In this manner in each station at least once a month they celebrate mass, administer the sacraments, and preach the word of God; in the main stations they do this two or more times a month, given the numbers and tend to the needs of the faithful. This is the schedule they ordinarily follow at the stations: From very early in the morning until 11 o'clock, they hear confession. Then they celebrate mass, and distribute holy communion. At the end of mass there is a sermon, in which the priest explains Christian doctrine. All these ministries are conducted willingly by the ministers and are free of charge. No obligations are incurred or gifts accepted for this work.
>
> Among the various works of this evangelical ministry that they undertake, not the least is attending to the sick and dying. For since the people do not live in towns or trading places but in widely separated farms, day and night, summer and winter, it is necessary to go on long and arduous journeys to bring consolation to them. As much as their ministries allow, they lead a life quite detached from the world and knowledge of it. You will not find them at public spectacles or other worldly gatherings. For this commitment they are greatly respected, not only by Catholics, but even by non-Catholics. In order to cultivate such an ordered life removed from the temptations of this world, it is absolutely necessary that those sent on this mission be men of great virtue.
>
> There has never been a bishop in these parts, to administer the sacrament of Confirmation to the faithful, so absolute a necessity, given the enormous dangers of reprisal in these parts. It should be especially noted that the dominant religious group there are the various Puritan sects who wage a constant war with the Episcopal order; they have made certain that no Anglican bishop has ever dared to erect a see there. In this opposition to the establishment of

> a hierarchy the Catholics have decided to imitate their Protestant neighbors' example, in order not to give them any occasion to stir up a persecution of the Catholic church.
>
> At the two residences or communities noted above, there are huge farms which supply all their material needs. They have held these properties since the very beginning of the colony, a gift of the proprietor himself, the nobleman, Cecil Calvert, Lord of the Irish estate Baltimore, to whom Charles I, King of England, gave this colony as a gift, and by whom the Jesuits were invited to labor in this vineyard.
>
> The Jesuits there have houses in other colonies, where they live at great distances from each other and for long periods, and, if I am not mistaken, they possess sufficient lands to sustain themselves in a variety of ways. Finally some Jesuits dwell with lay families, where they serve the role both of chaplains as well as missionaries.
>
> The farms and fields, which they have, if operated in a proper manner, would be sufficient to sustain the majority of the missioners there. But, because of the shortage of priests and brothers as well as the constant call of ministerial duties, they tend not to give sufficient attention to the farms, with the result that they are either badly cultivated, or a large part of the harvest goes to ruin.[12]

The fate of the suppressed Jesuits became both an immediate and a long-term problem for the Church. In the near term, a number of them shifted into non-Jesuit priestly roles under various Church authorities. In part, Mattingly's "Relation" might well be considered his contemplation of just such a fate and a return to his native Maryland, not a compelling option. Bishop Richard Challoner (1691–1781), the vicar apostolic in London, communicated the papal suppression to the Jesuit community as well as, ironically, the Propaganda's appreciation of their history. His ambivalence may have fired Jesuit hopes of a reversal of the papal decision. In Russia, Catharine the Great refused to comply with the papal bull and sanctioned Jesuits who came into her territory. Indeed she also allowed Jesuits not in Russia to ally themselves formally with the Russian community. Jesuits who chose to remain within the Society's culture retained this option, while they plied their time praying for redemption. Not every suppressed Jesuit chose this path. Some, such as Rev. John Carroll in America, put themselves under the aegis of non-Jesuit religious authorities, however much their education and spiritual values reflected their Jesuit training. Mattingly seems to have entertained a comparable idea, but papal authorities denied a return to his native Maryland. In retrospect, his eventual role under suppression became more crucial to the order than his missionary return to the Chesapeake.[13]

On August 15, 1773, Pope Clement XIV, reportedly much against his personal inclination, suppressed the entire Jesuit order. His decree affected priests and their

extensive holdings everywhere. For example, the finances of the Venerable English College in Rome became extremely complex, obscuring its sources, some coming from rental properties belonging to Liege Academy and some from the (Jesuit) Missions Fund. There were residual ties also to the (English) vicars apostolic, who were initially responsible for sending youth to the English colleges and financing them but were often hostile to Jesuit control of the seminaries for returning priests. For the most part the vicars were Douai men, not only anti-Jesuit but anti-Italian in terms of curriculum and collegiate controls.[14] During this scrutiny of Jesuit finances, papal control via the Protector (a Cardinal appointed by the Pope) tried to insure efficient management and continuance of the English colleges through the Napoleonic unpleasantness (1798–1814). Interestingly, the British Relief Act of 1791 eliminated the old Penal Laws but still forbade the creation of Catholic colleges and seminaries. This law signaled a rapprochement between the British king and the pope, in large part because the British Empire had expanded to include Catholic holdings in the Caribbean and Canada, not to mention the American colonies where in Maryland John Carroll became bishop on August 15, 1790.

The elevation of Carroll to the first American Catholic bishopric reaffirmed the strength of the long-standing missionary network. He was consecrated in Britain at Lulworth Castle, which was owned by Carroll's patron Lord Stourton, aka Edward Weld, a former student at St. Omer's, and later his son, Thomas Weld, a student of Carroll's at Liege whom Carroll escorted on his European tour in the 1760s. The service was expedited by Carroll's old St. Omer's friend, Rev. Charles Plowden, S.J. Carroll's Jesuit training and the model of St. Omer's would continue to apply back in his native Maryland as he contemplated the first Catholic institution of higher learning in America, Georgetown College, and the educational values for Catholics in a Protestant land.[15]

Though far from his native Maryland, and regardless of the suppression, Mattingly invested himself in revealing issues that affected his country. In 1784, Francois Barbe Marbois (1745–1837), the French charge d'affairs to the new United States, plotted to have a vicariate created for the U.S. and for a French prelate to sit in this new seat of power. Plowden wrote to Benjamin Franklin, the American ambassador to Versailles. Franklin received similar letters of support from Rev. [Nicholas] Sewall and Mattingly, to argue against Marbois that the American Jesuits were not anti-revolutionary, i.e. reflexively pro-British.[16] Sewell and Mattingly also argued that John Carroll should fill any new centralized office. Franklin was surprised, not realizing that the French were manipulating him. From this time forward he became an advocate for John Carroll whom he had known since their secret 1776 service to persuade Canadians against joining the British during the Revolution. That unsuccessful episode included John Carroll's cousin and fellow St. Omer's student, Charles Carroll of Carrolton, the only Catholic signer of the Declaration of Independence. Their 1784 letter-writing attests not only to the international political and cultural

knowledge among the old Jesuit network but also to the value of their long-standing resistance to British policies. That tradition of resistance to British policies made such individuals very attractive to patriots such as Franklin.

Those relationships also argue Mattingly's strategic place in the emergent, underground leadership clique of priests working undercover for Britain's re-conversion and the restoration of the Jesuit order. Several times in his correspondence with Plowden, John Carroll inquired whether Father Joseph Semmes or John Mattingly could be spared for work in the American colonies. Plowden, for unspecified reasons, doubted it was a possibility. Clearly, Semmes and Mattingly filled roles beyond teaching and tutoring.

After Liege, Mattingly traveled in Europe, ostensibly mentoring the sons of English nobles on their Grand Tour. In 1782, Mattingly was in Florence and the Plaza di Spagna, Durham in 1793, Garswood (Lancashire) in 1795, in Hooton (Cheshire) 1802–1803, and serving as chaplain to the Stanley family. He was in Bath 1803–1804 and Dublin 1805. In 1806 he was back in Crosby (Lancashire). A fraction of these activities related to education; the rest, like administrative duties in keeping with the Jesuit mission, were analogous to the missionary activity described in his "Relation."[17]

The Jesuits, once masquerading as gentlemen farmers in Maryland under the Penal Laws, came alive under papal suppression. Unlike his friend, Reverend John Carroll, Mattingly did not return to the United States. Historian James Hennessey, S.J. claims that, though he was then twenty-eight, Mattingly did not embrace the secular priesthood but settled for a pension to be a traveling tutor to the English gentry. Under ambiguous authority, Mattingly worked with English Catholic families such as Sir William Gerard's and the Stanleys in Hooton in Cheshire (1802–1803). In a 1787 letter from Charles Plowden (titular head of suppressed Jesuits in London) to John Carroll in America, Mattingly is one of several individuals mentioned as potential candidates for the first presidency of newly founded Georgetown College (f. 1789) in Washington. The international Maryland network became a continuous and direct contributor to its colony and state in spite of imperial and papal intrigues.[18]

Sacred Subterfuge

Much of an English missionary's life passed in non-clerical garb, as he presented an inconspicuous face while in the retinue of an English aristocrat or gentleman. Was John Mattingly present at Lulworth Castle on August 15, 1790, when John Carroll was consecrated the first bishop of the American colonies? A 1791 letter from Mrs. Catherine Douglas of Edinburgh, Scotland, to Robert Brent of Virginia notes that "Mr. Mattingly told me he met with Bishop Carroll in England, he also mentioned several young gentleman of family from Maryland that he met with abroad while he was with Sir Robert Gerald [*sic*], and during his stay at Liege some of them were under his care." Mattingly certainly must have had financial and other connections

with the Weld family at Stourton for many years, but his "suppressed" status may have made him an inconspicuous bystander at Carroll's consecration, a seminal event for the entire British and American Catholic community. The Weld family eventually would donate land for Stonyhurst College, the direct heir of the St. Omer's remnants, which Mattingly undoubtedly visited in his English sojourns, if only to reconnect with his fellow Marylander and Stonyhurst faculty member (and earlier a St. Omer's student), Joseph Semmes (1743–1809).[19]

In his missionary work throughout England, there is every likelihood that Mattingly's "polemical" instructions followed those of Bishop Richard Challoner's popular work, *The Garden of the Soul*, first published in London in 1740. There, mindful of the Penal Laws, the emphasis was less on the mass and congregational worship and more on private meditations, prayer, and devotions, which were tolerated in private houses. There was also a self-conscious appreciation of secular activity and a modification of the stark division of secular and spiritual worlds. At all points Catholics in England were instructed to cultivate civility and avoid confrontation in registering differences, which comported with their ambiguous place in a suspicious, Protestant nation. The ensuing appreciation of pluralized responses to faith and morals probably had much to do with the eventual English Jesuit and Catholic tradition of church-state separation, so central to Roman Catholic practice in the United States.

Only near the end of his life did Mattingly finally reveal the clear nature of his role under suppression. In 1805, Mattingly penned a note from Kerne's Hotel, Dublin, stating that he had already deposited debentures in Thomas G. Wright, Esq. and Co., London bankers, in the amount of £31,750, a king's ransom. The amount indicates that his duties included that of courier for the suppressed order's treasury and that he felt himself sufficiently ill and unable to continue responsibility for the money.[20]

Reverend John B. Mattingly, S.J., died on November 23, 1807, at the age of sixty-two, while living with the [John?] Grainger family in Caucestown near Slane, Ireland, County Meath. Given the pall of the Penal Laws, however modified, it is unlikely that his grave ever had a marker, and current sources have failed to locate the site.[21]

The families of St. Omer's students became units of Father Mattingly's itineraries. For example, the Graingers placed sons at St. Omer's. John studied there in 1773 and then in Liege the following two years. Charles, William, Thomas, and John Stanley Massey (whose family members married into the Weld family), all received their educations at St. Omer's in the late 1760s. The Gerard family sent twenty-six sons to St. Omer's during its history, all from Lancashire. It would not have been lost on the entire British and American network that Rev. Andrew White, S.J. (1579–1656) who arrived in Maryland with the *Ark* and the *Dove* and said the first English mass on colonial soil, was himself a St. Omer's graduate. The extended alumni network trailed out from the seventeenth into the nineteenth century and interlaced itself into the social and educational fabric of both the English and American gentry.[22]

Lastly, Mattingly's importance to the Jesuits under suppression proved more

effective than if he had been given an official position of authority. His itineraries bound together the society's network, maintained communication, and strengthened the administration of sacramental graces among Jesuits and the strategic residences within the gentry that anchored the Catholic community. His actual career bore no small similarity to the work of Maryland missionaries described in his 1773 "Relation," in that all required extensive knowledge of international politics, languages, and cultures, clandestine identities in a world of multiple hostilities, and a spiritual focus that overrode material circumstances. This underground work and international outreach alters the previous view of the Jesuits under suppression as quiet and deferential during this ambivalent era. It also illuminates the transatlantic role of Maryland itself, not only in its overseas economy and participation in international institutional networks but in the individuals it exported and the multiple and surprising transnational dividends they returned to the Chesapeake. As in most eras, particularly in the suppression years (1773–1814), the Jesuits demonstrated an ingenious ability to adapt and worked assiduously to sustain their original global commitments to their society, their religion, and each other.

NOTES

1. John Bossy, "Reluctant Colonists: The English Catholics Confront the Atlantic," in *Early Maryland in a Wider World,* David B. Quinn, ed. (Detroit: Wayne State University Press, 1982), 149–64.
2. It would not be the first or last time that questions were raised about the spiritual or material motivations of the papal policy. See Thomas M. McCoog, S.J., ed., *Promising Hope: Essays on the Suppression and Restoration of the English Province of the Society of Jesus* (Rome: Institutium Historicum Societatis Jesu, 2003); Garry Wills, *Why I Am a Catholic* (Boston: Houghton Mifflin, 2002), 182–85.
3. http://www.newadvent.org/cathen/11611c.htm; Stephen Greenblatt, *Will in the World* (New York: W. W. Norton and Co., 2005), chap. 3; Evelyn Waugh, S*aint Edmund Campion: Priest and Martyr* (1935; reprint, Manchester, N.H.: Sophia Institute Press, 1946); Garrett Mattingly, *The Armada* (Boston: Houghton Mifflin, 1962), esp. chap. 6.
4. Simon Schama, *The Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age* (New York: Alfred A. Knopf, 1987); Jacob Price, *France and the Chesapeake in the 18th Century* (Ann Arbor: University of Michigan Press, 1973), 454, 499; Gavin Daly, "English Smugglers, the Channel and the Napoleonic Wars, 1800–1814," *Journal of British Studies,* 46 (2007): 30–46; Gavin Daly, "Napoleon and the City of Smugglers, 1810–1814," *The Historical Journal,* 50 (2007): 333–521; Arthur Pierce Middleton, *Tobacco Coast: A Maritime History of the Chesapeake Bay in the Colonial Era* (1953: repr., Baltimore: Johns Hopkins University Press, 1984); John J. McCusker and Russell R. Menard, *The Economy of British America, 1607–1789* (Chapel Hill: University of North Carolina Press, 1985), especially chap. 4.
5. James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: University of North Carolina Press, 1994); Thad W. Tate and David L. Ammerman, eds., *The Chesapeake in the Seventeenth Century* (New York: Norton and Co., 1979).

6. It was but one of many lucrative ports of call along the English Channel, which quickly enabled Glasgow to surpass London in the command of the tobacco trade. "In 1739–1740 almost 1.5 million pounds of Virginia tobacco were shipped annually from Dunkirk to St. Omer alone. By 1750, there were seventeen tobacco workshops in St. Omer, and twenty-eight by 1789, at which time some 450 hands were employed at that trade. The output of St. Omer was consumed locally and exported to Germany, the Low Countries, and further afield, but from the earliest days of the [French] monopoly, much of it was smuggled into the territories of the farm." Price, *France and the Chesapeake,* 494, 500–506. See also Richard Walsh and William L. Fox, eds., *Maryland: A History, 1632–1974* (Baltimore: Maryland Historical Society, 1974), 37, 57; Geoffrey Holt, S.J., *St. Omer's and Bruges Colleges, 1593–1773: A Biographical Dictionary* (London: Catholic Record Society, 1979); Geoffrey Holt, "Scholars from America," *The English Jesuits in the Age of Reason* (Tunbridge Wells, Kent: Burns and Oates, 1993), 81–87; Hubert Chadwick, S.J., *St. Omer's to Stonyhurst* (London: Burns and Oates, 1962); James Hennessey, S.J., "Several Youth Sent from Here: Native-Born Priests and Religious of English America, 1634–1776," in Nelson Minnich et al., eds. *Studies in Catholic History in Honor of John Tracy Ellis* (Wilmington, Del.: Michael Glazier, Inc., 1985). The 130 St. Omer's students, largely from Maryland, represented 41 percent of American colonials educated abroad in the pre-Revolutionary period. Another large contingent went to the University of Glasgow for its medical expertise but also because of the city's pre-eminence in the tobacco trade. See James McLachlan, "Education," in *Scotland and the Americas, 1600 to 1800* (Providence, R.I.: John Carter Brown Library, 1995), 65–75.

7. Msgr. Herman Mattingly, *The Mattingly Family in Early America* (private printing, 1975), 236–41. John B. Mattingly was a blood kinsman (great, great grandson) of Robert Cole, who serves as the synthesizing person for the highly informative study, Lois Green Carr, Russell R. Menard and Lorena S. Walsh, *Robert Cole's World: Agriculture and Society in Early Maryland* (Chapel Hill: University of North Carolina Press, 1991), see especially 247. Christopher Hill, "The Inns of Court," *History of Education Quarterly*, 12 (1972): 543–50; R. R. Palmer, "Free Secondary Education Before and After the Revolution," *History of Education Quarterly*, 14 (1974): 437–52; R. R. Palmer, *The School of the French Revolution: A Documentary History of the College of Louis-Le Grand and its Director Jean Francois Champagne, 1762–1814* (Princeton: Princeton University Press, 1975). In his introduction Palmer asserts (p. 18) that the expulsion of the Jesuits from their colleges was "the great event of French education in the eighteenth century." See also Barnett Singer, "Elite Schooling during the French Revolution," *History of Education Quarterly*, 17 (1977): 335–43. These well-oiled smuggling routes paved the way for traffic to and from St. Omer's deservedly renowned Jesuit education from 1593 to 1762, when French parliaments took it upon themselves to close the school.

8. Chadwick, *St. Omer's to Stonyhurst*, chap. 13; Thomas O. Hanley, S.J., *The Papers of John Carroll: Vol. I, 1755–1796* (South Bend, Ind.: Notre Dame University Press, 1976); Ronald Hoffman, *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500–1782* (Chapel Hill: University of North Carolina Press, 2000).

9. Chadwick, *St. Omer's to Stonyhurst*, 320. St. Walburga's biography of St. Winibald, her uncle, and presiding over both of their monasteries after his death established her as the first major female author in the English and German traditions. The church, built in 1647 in the Gesu style, was the first Jesuit church formally dedicated to St. Francis Xavier.

10. In 2006 Rev. Peter Harris of St. Edmund's Church, the Isle of Dogs, London assured me that John Mattingly was not ordained at Vallodolid but sometime after, in 1770, probably at Liege. Michael E. Williams, *St. Alban's College Vallodolid: Four Centuries of English Catholic Presence in Spain* (New York: St. Martin's Press, 1986), chaps 4–7. For a broader educational

context see Carla Rahn Phillips, "Education in the Service of the Spanish State," *History of Education Quarterly,* 17 (1977): 3345-51; Michael E. Williams, *The Venerable English College Rome: A History, 1579-1979* (Dublin: Cahill Printers, 1979).

11. "Documents: 'The Jesuit Missions in 1773,'" *The Catholic Historical Review*, 2 (1916): 316–20, contains the full text of this document in Latin. The original resides in the Vatican Archives. A selection of this document appears in Thomas Hughes, *A History of the Society of Jesus in North America* (1917), 554–56. Cf. Rev. William Treacy, *Old Catholic Maryland and Its Early Jesuit Missionaries* (Swedesboro, N.J.: privately published, 1889), 167–83. The college thrives today on Via Monserrato. Email from Emmett Curran to author, August 17, 2009. In his history of Georgetown University, Curran is very sensitive to the St. Omer's influence on the early years of Georgetown College and the creation of a distinct prototype of Jesuit education in America. See his article, "John Carroll, Georgetown Academy, and the Origins of Catholic Higher Education," *U.S. Catholic Historian*, 7 (1988): 359–74. See also John M. Daley, S.J., *Georgetown University: Origin and Early Years* (Washington, D.C.: Georgetown University Press, 1957), chap. 2.

12. "The 1773 Relation of Rev. John Mattingly, S.J.," translated by Emmett Curran and Paul H. Mattingly.

13. http://en.wikipedia.org/wiki/Richard_Challoner; John Bossy, *The English Catholic Community, 1570–1850* (New York: Oxford University Press, 1976); Daniel Schlafly, "True to the *Ratio Studiorum?* Jesuit College in St. Petersburg," *History of Education Quarterly*, 34 (1997): 421–34.

14. Douai was originally an educational center modeled on the University of Louvain and staffed by exiled English, especially Oxford academics in 1569. Initially it was financed by the Spanish king, Phillip II, and favored Jesuit instruction. However, by the early 18th century the French king, Louis XIV, had managed to take control and qualified Jesuit influence. His protection extended to Jansenist instruction, which favored a darker view of the human soul than did traditional Jesuit teaching. In addition, in its more severe forms, Jansenism leaned toward predestination, a shift toward a reliance on divine grace over the role of human will and good works. Their late eighteenth-century influence in the Douai educational establishment tended toward a hostility to Jesuit influences. Some consider this theological dispute a mask for other political competitions. http://en.wikipedia.org/wiki/University_of_Douai; http://en.wikipedia.org/wiki/Catholic_Encyclopedia_(1913)/Douai; Phillip Hughes, *A Popular History of the Catholic Church* (New York: Macmillan Co., 1951), 241; Manfred Bartel, *The Jesuits: History and Legend of the Society of Jesus* (New York: William Morrow & Co., 1984), 218–19; Notker Hammerstein, "Relations with Authority," in Hilde de Ridder-Symoens, ed., *A History of the University in Europe,* vol. 2 (Cambridge: Cambridge University Press, 1996), 146.

15. The record noted that Carroll was consecrated a bishop by a Benedictine, Bishop Charles Walmesley, O.S.B. (1722–1797) who was assisted by Rev. Charles Forrester, S.J., chaplain to the Arundels of Wardour Castle, an event that would have taken place in Paris had the Revolution not been in full swing. Williams, *Venerable English College Rome*, 77; Hanley, ed., *The Papers of John Carroll*, 1:50, and letter to Antoine Dugnani, September [3], 1790, 455–57; Holt, *St. Omer's and Bruges*, 275. (The Walmesley family had sent eight sons to St. Omer's over the years.)

16. http://en.wikipedia.org/wiki/Francis_Barbe-Marbois. Marbois remains best known to Americans as Napoleon's agent in the sale of the Louisiana Territory to the United States.

17. Hanley, ed., *Papers of John Carroll*, 1:167, letter of February 27, 1785; letter of June 29, 1785, 1:191–92; letter of January–February 1787, 1:242, also in a letter to Joseph Edenshink, a

teacher at Leige Academy, April–June 1785, 1:185–86; letter to Leonard Neale, a fellow Marylander at St. Omer's and later president of Georgetown University and Carroll's successor as Archbishop of Baltimore, June 17, 1785, 1:189; Msgr. Herman Mattingly, *The Mattingly Family in Early America,* 236–41. Mattingly has the place of death of Rev. John B. Mattingly as Causetown, a misspelling.

18. Hennessey, "Several Youth Sent from Here," 24; Emmett Curran, *The Bicentennial History of Georgetown University: From Academy to University, 1789–1889* (Washington, D.C.: Georgetown University Press, 1993), 3–4. The first president of the new Georgetown College, Robert Plunkett, was also educated at St. Omer's and Bruges 1763–1768, as was his successor, Robert Molyneux, in the years 1751–1757.

19. Sir Walter Scott, *Redgauntlet* (1814) contains one of the few literary profiles of a Jesuit missionary in England. His account makes clear that the smugglers' routines for Flemish Jesuits extended to other areas of the British Isles as well. Writing about southwestern Scotland and western Cumbria in the 1760s, Scott's character, Father Buonaventure, is presented with empathetic detail. "He was a man of middle life, about forty, or upwards; but either care or fatigue, or indulgence had brought on the appearance of premature old age, and given to his fine features a cast of seriousness or even sadness. . . . He was handsomely, though gravely dressed in secular habit, and had a cockade in his hat; a circumstance which did not surprise Fairford, who knew that military disguise was very often assumed by the seminary priests, whose visits to England, or residence there, subjected them to legal penalties." A bit later in the narrative Scott adds "He [Fairford] could not indeed help being sensible that the whole deportment of these persons differed much from his [Protestant] preconceived notions of a priest and devotee. Father Buonaventure, in particular, had more natural dignity and less art and affectation in his manner, than accorded with the idea which Calvinists were taught to entertain of that wily and formidable person, a Jesuitical missionary." The paths of Scott's character followed completely in the slipstream of coastal smugglers along the Firth of Solway, with their hiding places, secret passwords and clandestine means of transport. See *The Waverly Novels by Sir Walter Scott, Bart.,* vol. 36, *Redgauntlet II* (Philadelphia: J. Lippincott and Co., 1861), 193; "Letters [from the Virginia State Archives] 1689–1846," *Virginia Magazine of History and Biography*, 22 (1914), 274. The letter's author, Mrs. Catherine Douglas, was writing to her father, Robert Brent of Virginia. She had married a Scottish merchant, James Douglas, of Dumfries, Virginia, who owned an estate, Rose Hill, near Glasgow. James Douglas had died in 1767 and Catherine, his wife, in 1819. There are eight Brent students on the St. Omer's list, some from England (Gloucestershire and Lancashire) and some from Maryland. The Brent family had married into the Carroll family and as one of the most prominent Catholic families in Virginia's Northern Neck clearly remained familiar with the Carrolls and Bishop John Carroll in particular. Sir Robert Gerald is likely a misprint for Sir Robert Gerard, a distinguished English Catholic family member and graduate of St. Omer's (class of 1741); Chadwick, *St. Omer's to Stonyhurst*.

20. Bossy, *The English Catholic Community,* chap. 15; John Courtney Murray, S.J., *We Hold These Truths: Catholic Reflections on the American Proposition* (New York: Sheed and Ward, 1960). See also the informative analysis of Murray in Peter McDonough, *Men Astutely Trained: A History of the Jesuits in the American Century* (New York: Macmillan, 1992), 226–39; Geoffrey Holt, S.J.'s letter to author, London, May 28, 1981; Rev. John B. Mattingly's letter, Jesuit Archives, London. His letter was acknowledged by La Touche on July 10, 1805, Dublin. English bankers in the late eighteenth century were ubiquitous, over six hundred, and locally driven on short-term loans. The only long-term network operated out of the Bank

of England with its international connections. T. G. Wright, who later served as banker to Charles Plowden and John Carroll, was based in London and probably had both local and international properties, but this has not been confirmed.

21. Thomas Morrissey, S.J.'s email to author, October 12, 2005, notes that the town of Mattingly's death is Caucestown near Slane, County Meath, rather than Causetown as it is sometimes written. Morrissey also noted that the Grainger family was generally associated with County Kildare but may have had a branch in Meath in the eighteenth century. Slane is near the site of the tragic battle of the Boyne (1690) where William III of Orange defeated his father-in-law, the former James II (Stewart), the Catholic claimant for the English throne. If he was in this area, Rev. John B. Mattingly most certainly haunted these sites and pondered what might have been.

22. Holt, *St. Omer's and Bruges Colleges,* 285.

All for a Sword: The Military Treason Trial of Sarah Hutchins

JONATHAN W. WHITE

Gettysburg is perhaps the most famous battle in American history. On the first three days of July 1863, some 160,000 Union and Confederate troops engaged in a bloody contest that is sometimes called "The High Watermark of the Confederacy." Upward of 51,000 Union and Confederate soldiers were killed, wounded, or missing. Piles of amputated limbs littered the field, and bodies lay strewn across the land awaiting burial. More than 160 field hospitals were hastily set up in tents, homes, barns, churches, and other buildings throughout the area. At a building known as the College Edifice at Pennsylvania College (now an administrative office building at Gettysburg College), some nine hundred wounded rebel soldiers lay awaiting medical attention. One student who returned to the college to look after his personal belongings was shocked by what he saw: "All rooms, halls, and hallways, were occupied with the poor deluded sons of the South," he wrote. "The moans, prayers, and shrieks of the wounded and dying were heard everywhere."[1]

In the aftermath of the battle, the U.S. Christian Commission—an organization founded in 1861 by the YMCA and dedicated to caring for the spiritual and physical needs of Union soldiers—called for civilian volunteers to go to Gettysburg to nurse the sick and wounded back to health and to care for those who were dying. Many women heeded the call, including a number of ladies from Baltimore. A young, "energetic" woman named Sarah Hutchins was one of those who traveled north across the Mason-Dixon Line. Within days of the battle, Sarah found herself at a field hospital set up at Mark's German Reformed Church (also known as White Church) nursing a wounded Confederate soldier from the 1st Maryland Battalion. Private Leonard W. Ives had been shot below the left knee on July 3. As Hutchins attempted to comfort him, Ives's brother, William, entered the room. William J. Ives had hurried down from New York City, and when he saw Sarah caring for his brother, he felt a deep sense of gratitude. When Private Ives died on July 14, William knew this was a moment he would never forget.[2]

Six months after the battle, in December 1863, William Ives and his wife traveled to Baltimore to visit Sarah. At the Hutchins home they met Sarah's husband,

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Thomas Talbott Hutchins, a thirty-four-year-old lawyer with degrees from Dickinson College and Harvard. Thomas Hutchins was a man on the rise in Baltimore. By the age of twenty-four he had been elected as a Democrat to the Maryland legislature, and he was known in Baltimore as "an affable gentleman, social in disposition" and "an able and eloquent advocate of conservative Democratic principles." The Iveses played with the Hutchins's little daughter, also named Sarah. It was "a very short visit," Thomas later recalled, "merely a visit of thanks" to Sarah for her attentions to William's brother. The two couples did not talk about politics or the war. "I think the conversation was merely in regard to the death of your brother, entirely, as well as I recollect."[3]

As Ives and his wife were preparing to leave, Sarah made a special request. She told William that she "desired to make a present to a young friend." She did not say who the friend was or where he lived. She simply said that she wanted to buy him a sword. The problem, as William later testified, was "that the supply was so limited in the city of Baltimore that she could not obtain . . . an article sufficiently elegant," so she asked William to see what he could buy in New York.

Ives returned home and went shopping—at Tiffany's and all of the shops on Broadway. He researched the quality of the different designs and weighed the benefits and detractions of each. On December 8, 1863, he sent Sarah Hutchins a detailed letter about the various swords she could buy, but months passed and she never answered.

Finally, in August 1864, Sarah was ready to act. She renewed her correspondence with Ives and let him know she was ready for him to purchase a sword. Over the ensuing month the two corresponded several times. In one letter, Ives revealed his antiwar Copperhead views when he described the mood in New York City after the fall of Atlanta. "The flags and rags are flying in all directions this morning," he wrote caustically on September 3. "My impression is when the full truth is known, the flags & rags *will all be taken in again*."[4]

On August 15, Ives went to the store of Messrs. Schuyler, Hartley & Graham, arms dealers on Maiden Lane (now owned by the U.S. Fire-Arms Manufacturing Co. of Hartford, Connecticut), and purchased a sword for seventy-five dollars. Ives followed Sarah's instructions and sent the sword to the home of Noah Walker, a clothing merchant in Baltimore. From there it was transported to the home of Frederick Bernal, the British consul in Baltimore. Bernal was a man of known Southern sympathies but his official status made his home a safe haven for contraband goods. Sarah rightly believed the sword would be "perfectly safe" there because "Bernal's house would not be inspected" by the federal military.[5]

While all this was being done, William Ives had no idea for whom the sword was intended. He had simply acted out of gratitude to help a lady who had shown kindness to his dying brother. But Sarah wanted the sword for Harry Gilmor, a dashing young Confederate cavalry officer from Baltimore. Cavalry raiders frequently

achieved something of celebrity status during the Civil War. Their daring exploits became the subjects of ballads and songs; their heroic deeds were the stuff of legend. Indeed, the actions of J. E. B. Stuart, John Hunt Morgan, John Singleton Mosby, George Armstrong Custer, Phil Sheridan, and many others remain well known today. In Civil War Maryland, Gilmor shared nearly the same legendary status.

Born in 1838 in Baltimore, Gilmor was a child of affluence. During the secession crisis, he served in a Maryland state militia unit, the Baltimore County Horse Guards, whose most famous member, John Merryman, made national headlines when he was arrested for treason and confined at Fort McHenry in May 1861. Once the war began, Gilmor went to Virginia to join the rebel cavalry. He spent much of the war as a guerrilla fighter in Virginia, West Virginia, and Maryland. Known for making dashing and daring raids, he captured innumerable federal soldiers and supplies, several railroad cars, valuable information, and in July 1864 panicked Baltimore with rumors that he would sack the Monumental City. Gilmor was wounded four times, was twice arrested by the federals, was court-martialed (and acquitted) by the Confederates for allegedly robbing a train, and throughout the war rose from the rank of private to colonel because of his military prowess.[6]

Cavalrymen such as Gilmor could have a powerful effect on the women at home. With their dashing presence, charming demeanor, handsome looks, and legendary daring, these men on horseback resembled knights of old. Indeed, one Union soldier referred to Gilmor as "the beau ideal of [the] 'blue blood' ladies" of Baltimore. This was the man Sarah Hutchins sought to honor with a sword. Unknown to most observers at the time, Sarah also had a familial connection to Gilmor. Her mother had been adopted by a member of the Gilmor family in the 1830s. Sarah and Harry were thus second cousins by adoption.[7]

On the evening of Wednesday, November 2, 1864, Sarah Hutchins called a poor, almost illiterate black man named Joseph Baker to her home. Baker had previously done odd jobs for Hutchins on several occasions. Following the Battle of Gettysburg she had paid him to bring the bodies of four dead rebels to Baltimore, and she had once paid him to send "two negroes from the Rebel army" through the military lines and back into the South. Baker had taken them to a Union recruiting station instead. "I took them away & Enlisted them in the United States Army," he boasted, "& then told Mrs. Hutchins that I had *put them all Right*." Sarah knew nothing of that, and she now sought Baker's help for a very special venture. She offered him ten dollars to carry four letters and the decorative sword into Virginia.[8]

The next day, November 3, Hutchins and Baker each took steps to prepare for the secret mission. Baker went to the office of the Union provost marshal, where he procured a pass to cross the lines into Virginia. Baker used an alias on the pass so it would be harder for Union authorities to follow his tracks. Meanwhile, Hutchins took a stroll to Augusta Bernal's house at 88 Franklin Street. Bernal gave Sarah

Postwar photograph of Col. Harry Gilmor (1838–1883). (Maryland Historical Society.)

the sword, which she tucked under her dress. The two women, joined by a third—perhaps Sarah's daughter—then walked back to the Hutchins home. "I enjoyed our walk yesterday," Augusta told Sarah. "How little our friend dreampt of the weapon you carried or she might have been proud." Union authorities later believed that "by walking close to Mrs. Hutchins" the two companions "protected her from suspicion & enabled her to hold on to the saber, which she undoubtedly carried under her

dress without anyone being able to detect that one of her hands was engaged." When Sarah got home she hid the sword in a wardrobe.[9]

Joseph Baker returned to the Hutchins home at 132 Park Street that evening. He showed Sarah the pass he had procured and "she smiled" when she saw it. "Mrs. Hutchins admired my good judgment in having a wrong name put in my pass," he later recalled.

Baker waited patiently as Hutchins sat down to write a few letters. The first was a letter of introduction to a Mrs. Eglandy at Duffield's Station, a small railroad depot in West Virginia near Shepherdstown. Baker was to present this note to Mrs. Eglandy and she in turn would point him in Gilmor's direction. At one point Thomas Hutchins walked into the room and "asked what was the matter." Sarah quickly changed the topic of conversation. She had called Baker to the house "to fix some flowers &c in the Cemetery," she told her husband, probably nervously. Standing off to the side, Baker believed that Thomas was completely unaware "of what his wife is guilty of."

When Thomas left the room Sarah went back to her writing. She finished the letter to Mrs. Eglandy and signed it. She then wrote out a sentimental note to Gilmor:

> Dear Harry
>
> I hope you will receive this with our love, the bearer will inform you concerning it. You can judge him by his deeds, he is true. We have been very unhappy about your wounds, but hear you are better. All are well and hopeful. The Boys are well. The -------- will return, send us a letter by him.
>
> This is a token of our appreciation for your noble deeds & daring bravery. Accept it with the heartfelt anxiety & regard of Your[10]

Sarah did not sign the letter; to put her name on a piece of correspondence to a rebel soldier was to risk arrest. She then walked to her wardrobe and retrieved the saber. In handing the sword and letters to Baker, she told him "to tear up the letter that had her name on [it]" if Union troops detained him. She also gave Baker two letters that a Baltimore neighbor wanted delivered to relatives in the South. She told Baker to head to Duffield's Station to look for Mrs. Eglandy and from there to find Colonel Gilmor, handed Baker ten dollars for his trouble, and sent him on his way.[11]

Sarah Hutchins believed Baker to be "true" and never suspected his cunning. When Baker had gone to the Union provost marshal's office earlier that day, November 3, he had revealed Hutchins's plan to the authorities. The provost marshal purposefully gave Baker the forged pass and arranged to arrest him at Camden Station as he prepared to board a B&O train toward Washington. That night, as Baker approached the train, "a tall gentleman with side whiskers" approached him and placed him under arrest. It was Lucius F. Babcock, a military detective. Babcock confiscated the sword and the correspondence and took Baker to the provost marshal's office where Baker gave a sworn statement describing Sarah's plot.[12]

Lt. Colonel John Wooley (1824–1873). (From Smith, Between the Lines: Secret Service Stories Told Fifty Years After *[New York: Booz Brothers, 1911].)*

Lt. Col. John Woolley, the federal provost marshal in Baltimore, now had some valuable information at his disposal. Woolley dispatched his head detective, Lt. Henry Bascom Smith of the 5th New York Heavy Artillery, to Duffield's Station in hopes of finding and arresting Gilmor. He also thought he might "learn something of the Route by which contraband trade & correspondence is carried on between the Rebels in the City [of Baltimore] & those in Virginia."[13] In his 1911 memoir, Smith recounted how he took the train to Duffield's Station and found Mrs. Eglandy's home. Duffield's Station was teeming with Confederate sympathizers, and Smith worried that he and his men would be spotted by local civilians. "Duffield was a small way station, and any stranger alighting there, especially in those days, would be noted. . . . To give no chance for warning [to local rebel sympathizers], we waited until just after the train started up, and then we dropped off, on the far side, covering view of us until the train was again under headway." Smith then separated from his men and "went ahead, across fields, until I was so far away as to apparently have no connection with my men, who were following." From the station they walked three or four miles to the Eglandy home.[14]

Upon arriving, Smith went to the door while his men hid a safe distance away. When Mrs. Eglandy opened the door, Smith produced Sarah's letter of introduction, intended for Joseph Baker, and identified himself as a "hack driver at Barnum's Hotel." Mrs. Eglandy read the note. "The bearer of this is a friend, an *exception*—do for our sakes take him under your wing and advise him as he is executing an important & responsible duty." Smith told his hostess he had a sword he wished to deliver to Harry Gilmor. Mrs. Eglandy replied that Gilmor had been in the vicinity recently but had since gone down the Shenandoah Valley. They then sat down for supper. "They treated me very nicely," Smith later recalled, and "prepared a good meal for me with true Virginia hospitality."

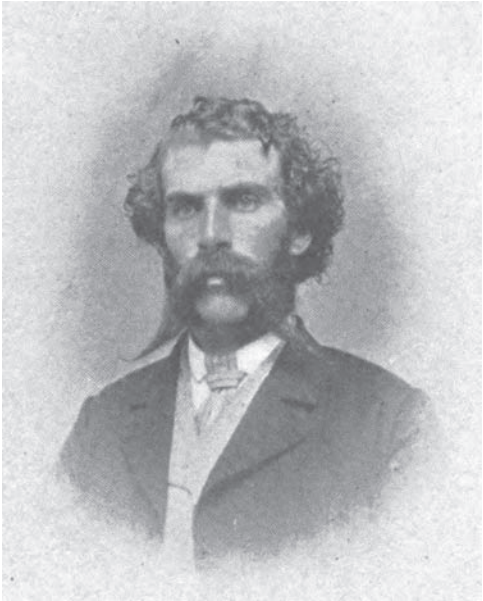
When Smith left the house he found his comrades "extremely anxious to get away from that section." A local Confederate sympathizer had happened upon them

Lt. Henry Bascom Smith. (From Smith, Between the Lines: Secret Service Stories Told Fifty Years After *[New York: Booz Brothers, 1911].)*

while they'd been hiding and asked if they were "deserters from the Yanks." The soldiers had lied and said that they were, so the rebel offered to help them escape farther south and told them that "some of Mosby's men were just over on the road." That made the federals even more nervous. "My boys were not really hungry to go South," Smith recalled, "but wanted to start across the country for Harper's Ferry without delay." Smith and his men made it to Halltown, West Virginia, where, much to their relief, they were captured by federal pickets. They had learned Gilmor's whereabouts but had been unable to capture him. Provost Marshal Woolley later described the expedition as a debacle. "The result was the near capture of my men causing them to destroy their papers and to walk 18 miles in order to get out of the scrape."

On Monday, November 7, Woolley ordered the arrest of Sarah Hutchins. His officers, under the command of Lieutenant Smith, searched her home and found correspondence from William Ives and a receipt for the purchase of the sword. They also found letters from Confederate prisoners of war who were being held in northern camps. Woolley believed these letters showed "that she has an extensive correspondence with them & that her whole heart & soul is enlisted in their behalf." Sarah's correspondence with Confederate prisoners of war on Johnson's Island led Woolley to conclude that she "is a whole 'Ladies Aid Society' of herself & the tenacity she exhibits in trying to effect exchanges is only another evidence of the devotion of woman when the heart is enlisted."[15]

Fifty years after the war, Smith recalled the arrest of Sarah Hutchins: "She resided in the ultra fashionable neighborhood, not far from Monument Square. After I had searched her house, she accompanied me to the sidewalk, but absolutely refused to enter my carriage. I informed her that it would be much more agreeable to ride than



Lucius F. Babcock (1837–1910). (From Smith, Between the Lines: Secret Service Stories Told Fifty Years After *[New York: Booz Brothers, 1911].)*

to walk, but still she refused. I then told her that I would be gentlemanly if allowed, but I insisted that she must get into the carriage. She finally complied."[16]

Smith brought Hutchins to the provost marshal's headquarters and took her upstairs to his office. A short while later, Woolley climbed the stairs and entered Smith's office to question Sarah.

> I asked Mrs. Hutchins in regard to two letters that were taken from this man Baker, one of which was addressed to Mrs. Eglandy and she acknowledged to me during the interview I had with her that she wrote those letters. . . . I stated to her I knew all about this sabre, that it was intended by her for Harry Gilmor, and that it came from her house and that I knew she wrote the letter.

Sarah initially lied and said that she had not written the letter, but she quickly changed her story. She "acknowledged to the writing of the letter and acknowledged that the sabre was for Harry Gilmor," Woolley stated. She also confessed that she had contributed one dollar toward the purchase of the sword. Sarah then begged Woolley to release her "upon her taking the oath of allegiance," and cried that she "would do anything to get out of this."[17]

After the interrogation, Woolley sent Hutchins to the Baltimore City Jail. About a week before Sarah's arrest, the warden had contracted with the U.S. military to provide federal prisoners with "good, wholesome and sufficient cooked food for their proper maintenance and comfort" and to give them "good and comfortable quarters," but Hutchins apparently did not fare well at the prison. On November 10, 1864, Dr. J. F. Powell wrote to the military commander at Baltimore: "Mrs. Hutchins,

a prisoner in the city jail is suffering from the change in her mode of living and the excitement caused by her arrest. . . . I believe she would be benefited by permitting her friends to furnish her one meal a day."[18]

With Hutchins securely imprisoned in Baltimore, Woolley decided to widen his dragnet. He telegraphed Gen. Benjamin F. Butler in New York to arrest William Ives and ordered the arrest of Baltimore merchant Noah Walker. He also contemplated arresting Augusta Bernal, the wife of the British consul.[19] Meanwhile, on the day after Hutchins's arrest, November 8, 1864, Abraham Lincoln was reelected president of the United States. Much of the nation breathed a sigh of relief, while many Southerners believed the election was a significant nail in the coffin of the Confederacy.

Sitting in the Baltimore City Jail, Sarah Hutchins had little time to reflect on the gravity of her actions. Within a week she was arraigned before a military tribunal. On Sunday, November 13 she learned the charges against her, and the trial began the following morning at 10 A.M. Her prosecutor (called a judge advocate), was a cavalry officer from Delaware. The tribunal consisted of eight military officers from various northern states. She faced three charges: 1. "Holding unauthorized intercourse with the enemies of the United States in a place under martial law"; 2. "Violating the laws of war as laid down in paragraph 86 of the General Order No. 100, from the War Department April 24, 1863" (which prohibited "all intercourse between the territories occupied by belligerent armies, whether by traffic, by letter, by travel, or in any other way"); and, 3. "Treason under the laws of war."[20]

These were grave charges. Hutchins procured the services of two noted Baltimore attorneys, Jonathan Meredith and William Schley. At eighty-one, Meredith was one of the most distinguished members of the Baltimore bar. He had grown up in Philadelphia and had memories of sitting behind President George Washington in church in the 1790s. After joining the Baltimore bar in 1805, he had argued cases before the U.S. Supreme Court, the highest courts in Maryland, and even an impeachment trial before the U.S. Senate. Meredith was very near retirement, but he likely agreed to take Hutchins's case because he had known her family for many years.[21] (For more on Schley, see "A Letter to Secretary of State William H. Seward Regarding Civil Liberties in Maryland," on pages **171–74.**)

When the trial opened at 10 A.M. on Monday morning, November 14, Hutchins's attorneys immediately asked for more time to prepare for the case. The judge advocate replied that "the Accused and her counsel had enjoyed as much time as himself in the preparation of the case and he therefore objected to any postponement." The military commission agreed and ordered the case to proceed.

The first witness called by the prosecution was none other than Joseph Baker, the courier who had betrayed Hutchins to the authorities. Hutchins immediately "objected to the competency of this witness." Under Maryland law, her lawyers argued, "a colored person is not a competent witness in any case, against a white person, much less in a case where one of the allegations, charged against the accused, is

treason and where the punishment of treason may be inflicted." Any court sitting in Maryland was bound to follow local law and custom, they claimed. Allowing Baker to testify "would set the precedent."[22]

The judge advocate replied that in military courts throughout the nation African Americans "were now universally admitted . . . as competent witnesses." The commission agreed and decided to allow him to testify. Recounting as he did his meetings with Sarah, Baker's testimony was damning. When he had finished, she refused to cross-examine him "on the ground of his incompetency to testify."[23]

Lucius F. Babcock, the military detective who had arrested Baker, and Provost Marshal Woolley also testified. The one new piece of evidence from Woolley was that Hutchins had contributed a dollar toward the purchase of the sword. The defense chose not to cross-examine either of these witnesses, and after Woolley testified the prosecution rested its case. Hutchins and her lawyers then asked for more time to prepare their case. The court adjourned until noon the next day.[24]

Hutchins's attorneys prepared a learned legal defense, which she read to the court when it reconvened on November 15. She essentially admitted to all she was accused of doing, but she maintained that the charges against her were defective and illegal and that a military court could not have jurisdiction over a civilian when and where the civil courts were open.

Hutchins made several important legal points. First, she claimed that she had not actually corresponded with Gilmor because she had not successfully delivered the sword and letters to him. "At the utmost, it was an attempt, in pursuance of a purpose, to send the letter and sword; and may be properly characterized as an *attempt* to hold intercourse; but no intercourse was, in fact, held; because the attempt was frustrated." Using the crime of murder as a metaphor, she pointed out that "homicide means an *actual* killing, not a mere ineffectual *attempt* to kill." Thus, she claimed that she had been charged with the wrong crime; even if a treasonable intention could be proved, she claimed that she had committed no overt act.[25]

Second, she argued that the charge of "Treason under the laws of war" was not a proper charge for a U.S. citizen. Treason is the only crime defined in the Constitution. Article III, section 3 states:

> Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The requirement for an "overt Act" precluded judges or politicians from declaring that conspiracy, words, or thoughts might be deemed treason, and the requirement that there be two witnesses or a confession in open court sought to prevent convictions based on false testimony by a single witness. In defining treason narrowly, the

Jonathan Meredith (1783–1872).
(From Baltimore: Past and Present with Biographical Sketches of the Representative Men *[Baltimore, 1871].)*

Founding Fathers hoped to depoliticize a crime that for centuries had been partisan in nature.[26]

Hutchins argued that if she were charged with treason she must be charged according to the constitutional definition. "Now what is meant by '*Treason* under the laws of war'?" she asked rhetorically. This was a wholly new and unprecedented concept in American law. But even if she was charged with treason "under the laws of war" rather than under the Constitution, she maintained that she must be charged with an overtly treasonable *act*. As she had already demonstrated, she had not actually accomplished any treasonous act. Moreover, each witness had testified to different actions, and none of them had given corroborating evidence of the same act of treason. "The proof, that I contributed money to buy the sword, is found, only, in the evidence of Col. Woolley, who says that I acknowledged that I had contributed one dollar, towards the purchase of the sword," stated Hutchins in her defense. "No other testimony is offered on this point; & even viewed as a confession, on my part, of the overt act of contributing one dollar towards the purchase of the sword, it is not a confession in open court; & the law is well settled, that the confession of the accused, *out of court*, is not sufficient to dispense with the required proof of two witnesses to the same overt act, . . . [or] a confession *in open court*."[27]

Finally, Hutchins claimed that a military commission was not the proper venue for her trial. The Constitution requires that treason trials, like all criminal trials, must be civil proceedings. "The trial of all crimes, except in cases of impeachment, shall be by jury," states Article III, "and such trial shall be held in the state where the said crimes shall have been committed." The Fifth Amendment further requires that "No person shall be held to answer for a capital, or otherwise infamous crime,

unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger." Accordingly, members of the military may be tried by military courts, but civilians must be tried in civil courts. Finally, the Sixth Amendment states: "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."[28]

Hutchins concluded her defense by quoting from the Articles of War to remind the military court of its own governing principles. "As martial law is executed by military force, it is incumbent upon those, who administer it, to be strictly guided by the principles of justice, honor and humanity—virtues adorning a soldier even more than other men." She admitted to having committed an "act of imprudence and folly," but she denied that she had committed treason. She asked for mercy on behalf of her children, her husband, her widowed mother, her "suffering Aunt," and "the many near and dear friends who deeply sympathize with me." There she rested her case.

The court adjourned to deliberate and quickly arrived at a verdict: She was found guilty of all charges and was sentenced to imprisonment for five years at labor and a $5,000 fine. Gen. Lew Wallace, the military commander at Baltimore, ordered her sent to Fitchburg Prison in Massachusetts. According to the Boston *Journal*, she "bore her imprisonment in a remarkably quiet manner, and was evidently determined to make the best of her situation."[29]

Newspapers throughout the nation reported on Hutchins's trial and sentence. Some roundly praised the verdict while others called for clemency. In western Maryland, a Union League club unanimously adopted a resolution "expressing their satisfaction" with the outcome of the trial, which they sent to General Wallace. "We can assure you that even the Southern sympathizers in this vicinity cannot find arguments with which to vindicate the conduct of so traitorous and disloyal a person as she has proved herself to be," they told him. "Copperheads here acknowledge the decision as just & merited." The Union League "hope[d] the example now set by our military authorities will prove a salutary lesson to others who might have engaged in similar treasonable actions, had not our military officers been so prompt in meting out justice to an open & avowed enemy to this country." The members of the league hoped that their letter would be an encouragement to Wallace to persist in the work of rooting out disloyalty in the North.[30]

On November 9, William Ives was arrested in New York and brought to Baltimore for trial. Like Hutchins, Ives was tried before a military commission. He, too, was charged with "violation of the laws of war" and "treason under the laws of war" for working with her to procure the sword for Gilmor. Like Hutchins, Ives pleaded not guilty.

Ives's trial lasted from November 28 until December 6. Ives asked for permission to take Hutchins's testimony in a deposition, but the court refused to allow

it. In a moment of great irony, the judge advocate argued that "Mrs. Hutchins was tried and convicted of an infamous crime and her testimony was not admissible." The members of the military commission agreed. A black man could testify, but a traitor could not.

The only testimony against Ives came from Provost Marshal Woolley, who briefly recounted how Ives's correspondence had been seized at Sarah Hutchins's home. Ives then called a number of witnesses, including Thomas Hutchins, who established that Ives was loyal, although he was a Peace Democrat. Witnesses then testified that Ives barely knew Sarah Hutchins, that he did not know the sword was for Gilmor and only bought it for Sarah out of gratitude to her for comforting his dying brother, and that he was innocent of any treasonable actions or intent. On December 5, Ives's attorneys made two long statements. They, too, challenged the jurisdiction of the military tribunal and argued strenuously that Ives had no intimate relations with Hutchins or any other rebel sympathizers in Baltimore. On December 6, the commission found Ives "not guilty." Five days later, General Wallace ordered his release from prison.[31]

Things quickly took a turn for the better for Sarah Hutchins. In late December, President Lincoln pardoned her, and the War Department informed the warden at Fitchburg Prison that she was to be released "upon making acknowledgement of her wrong and giving her parole of good behavior." The *Boston Daily Advertiser* reported that prior to her release she had "made a written statement acknowledging the wrongfulness of her conduct, the justness of her sentence, and affirming her determination to hereafter conduct herself in a loyal manner." On New Year's Eve she walked out of prison a free woman.[32]

Some doubted that Hutchins really felt remorse for her actions. William Wilkins Glenn, a Maryland journalist with Southern sympathies, made several caustic observations in his diary. "As soon as she was arrested, she broke down utterly. She went on her knees and offered to sign any parole or take any oath that was required. She urged that she was 'enceinte,' which was not so, and on her return from prison while at New York made a joke of having used this pretense in order to obtain her release." But more importantly, Glenn blamed Hutchins for "so foolishly" endangering Marylanders "who were really serving the South." Attempting to send a sword to Gilmor "and to be so foolish as to entrust it to a negro, who, she might be sure would betray her, was so very silly as to disarm suspicion." Hutchins's actions following her release also struck Glenn as bizarre. When she returned to Baltimore she apparently invited her jailor to dinner. A bemused Glenn wondered in his diary, "I would like to know if she allowed him to make love to her while she was in jail."

As the war came to a close in the spring of 1865, the Hutchins case faded from public memory. Once the dust had settled, General Wallace presented the sword intended for Gilmor to Lieutenant Smith.[33]

On the cold, snowy morning of Sunday, February 5, 1865, federal officers under Gen. Philip Sheridan captured Harry Gilmor as he slept in a house near Moorefield, West Virginia. Gilmor was brought through his hometown of Baltimore on his way to prison at Fort Warren in Boston Harbor. While at the provost marshal's office, Gilmor and Smith finally met face to face. Gilmor did not record the meeting in his memoir, but Smith did. "Gilmor said to me, if he had had the sword, he would have killed many a Yank with it. A safe enough proposition under the circumstances." Smith recalled his first impression of the rebel hero. "Gilmor in appearance was attractive, as a soldier, tall, fairly stout, but he had one defective eye and was rather course in manners."[34]

Gilmor was held in a casemate at Fort Warren until July 24, 1865, when President Andrew Johnson ordered the release of lower-ranking Confederate officers. Gilmor was indicted for high treason in the federal court in Baltimore, but the charges were dismissed in November 1866. That same year he published his celebrated memoir, *Four Years in the Saddle*. The following year he returned to Baltimore.[35]

In 1873, Governor William Pinkney Whyte appointed Gilmor a cavalry officer in the Maryland National Guard. The former rebel's thoughts hearkened back to that sword he had never received in 1864. Using several connections Gilmor acquired Lieutenant Smith's address in New York, and on June 15, 1873, sent his old antagonist a letter. "My object in writing is to know whether or not you still have in your possession the sword which the ladies of Baltimore intended for me, but which fell into your hands. If you have the sword still, and would be willing to dispose of it, will you say what you will take for it, as I would like very much to own it, if it did not cost too much." Gilmor explained that he had recently been "elected to the Command of a Battalion of Cavalry in this city, composed of men who were on both sides during the 'late unpleasantness,' and am very anxious to make a fine battalion of it."

Smith mulled over Gilmor's request. "At that time," he recalled, "everything was being done to 'heal the wound' and I was disposed to do my little part. I was disposed to present the sword to him, first getting General Wallace's approval. But on conferring with Union people of Baltimore, I concluded not to; they thought any ostentatious display of the sword would help keep the wound open."[36]

NOTES

1. Gregory A. Coco, *A Vast Sea of Misery: A History and Guide to the Union and Confederate Field Hospitals at Gettysburg, July 1–November 20, 1863* (Gettysburg, Pa.: Thomas Publications, 1988), 30. I thank Professor Tim Orr of Old Dominion University for answering several questions about Gettysburg.
2. This version of the article corrects a mistake I made in Prologue. I thank Kenneth M. Ives for pointing out that William J. Ives's brother was Leonard W. Ives of the 1st Maryland Battalion, not Walter C. Ives of the 61st Virginia Infantry. Ken is currently completing a manuscript entitled "Ives Soldiers of the American Civil War," which I thank him for shar-

ing with me. Leonard W. Ives had been born in New York. Some of his Civil War letters are held in the Joseph Christmas Ives Collection, Manuscript Division, Library of Congress. Information about his mortal wound at Gettysburg is available in the National Archives microfilm publication M347 (Unfiled Papers and Slips Belonging in Confederate Compiled Service Records), reel 200, and in the *New York Herald,* July 19, 1863. For information on the field hospital at White Church, see Coco, *Vast Sea of Misery*, 83. For the diary of a Baltimore woman who traveled to Gettysburg to nurse wounded soldiers, see the diary of Virginia Furlong, MdHS.

3. *Biographical Cyclopedia of Representative Men of Maryland and [the] District of Columbia* (Baltimore: National Biographical Publishing Co., 1879), 231; Testimony of Thomas T. Hutchins at the military commission trial of William Ives, December 4, 1864, in Court-Martial Case file NN-3080, RG 153 (Records of the Judge Advocate General [Army]), National Archives and Records Administration, Washington, D.C. (hereinafter NARA).

4. Ibid.; statement by Ives's lawyers that he read in court, November 28, 1864; Ives to Hutchins, September 3, 1864, both in ibid.

5. John Woolley to Lew Wallace, November 8, 1864, RG 94 (Records of the Adjutant General's Office), microfilm M619 (Letters Received by the Office of the Adjutant General, 1861–1870), reel 280, NARA.

6. For a modern biography of Gilmor, see Timothy R. Ackinclose, *Sabres and Pistols: The Civil War Career of Colonel Harry Gilmor, C.S.A.* (Gettysburg, Pa.: Stan Clark Military Books, 1997). See also Kevin Conley Ruffner, "'More Trouble than a Brigade': Harry Gilmor's 2d Maryland Cavalry in the Shenandoah Valley," *Maryland Historical Magazine,* 89 (1994): 389–411.

7. Henry Bascom Smith, *Between the Lines: Secret Service Stories Told Fifty Years After* (New York: Booz Brothers, 1911), 227. I thank Lance Humphries for helping me discern the familial connection between Sarah and Harry. See also Lance Lee Humphries, "Robert Gilmor, Jr. (1774–1848): Baltimore Collector and American Art Patron" (Ph.D. diss., University of Virginia, 1998).

8. Statement of Joseph Baker, in Woolley to Wallace, November 8, 1864, RG 94, reel 280.

9. Woolley to Wallace, November 8, 1864, RG 94, reel 280.

10. Ibid. The letter to Mrs. Eglandy is Exhibit A in Woolley's letter, Hutchins to Gilmor is Exhibit B.

11. Testimony of Baker, in Court-Martial Case file NN-3028.

12. Ibid. Some of the recollections in Smith's memoir conflict with the records held at the National Archives. Most significantly, Smith did not credit Joseph Baker with his indispensable role in the capture of Sarah Hutchins.

13. Woolley to Wallace, November 8, 1864, RG 94, reel 280.

14. Smith, *Between the Lines*, 229–30. Smith calls her Mrs. Inglenby; at least one record at the National Archives refers to her as Mrs. Egland.

15. Ibid., 230; Woolley to Wallace, November 8, 1864, RG 94, reel 280 NARA.

16. Smith, *Between the Lines*, 231. The neighborhood is actually Mount Vernon Place.

17. Testimony of Woolley in Court-Martial Case file NN-3028.

18. Frederick Gaede, "Military Prisoners in the Baltimore City Jail, 1864," *Maryland Historical Magazine,* 89 (1994): 467–68; Powell quoted in Thomas P. Lowry, *Confederate Heroines: 120 Southern Women Convicted by Union Military Justice* (Baton Rouge: Louisiana State University Press, 2006), 44.

19. Woolley to Wallace, November 8, 1864, RG 94, reel 280.

20. Court-Martial Case file NN-3028.

21. *Baltimore: Past and Present, with Biographical Sketches of its Representative Men* (Bal-

timore: Richardson & Bennett, 1871), 371–72. Correspondence between Jonathan Meredith and Sarah Hutchins' father, John McPherson Brien, can be found in the Jonathan Meredith Papers (MS 1367), MdHS; Court-Martial Case file NN-3028.
22. Court-Martial Case file NN-3028.
23. Ibid.
24. Ibid.
25. Ibid.
26. U.S. Constitution, art. 3, sec. 3 (1787); Jonathan W. White, *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman* (Baton Rouge: Louisiana State University Press, 2011), 53–54.
27. Court-Martial Case file NN-3028.
28. U.S. Constitution, art. 3, sec. 3 (1787); 5th and 6th amendments (1791).
29. Court-Martial Case file NN-3028. Military regulations made it quite clear that women, as well as men, would be held accountable for disloyal acts. "The law of war, like the criminal law regarding other offenses, makes no difference on account of the differences of the sexes, concerning the spy, the war-traitor, or the war rebels," stated the famous Lieber Code of 1863. See General Orders No. 100, "Instructions for the Government of the Armies of the United States in the Field," April 24, 1863, in O.R., ser. 3, vol. 3, p. 159; *Boston Journal,* quoted in the *New Orleans Daily Picayune,* January 15, 1865 (accessed through American Historical Newspapers database). Wallace later wrote the now-classic *Ben Hur*.
30. H. F. Perry to Wallace, December 1, 1864, in RG 393 (Records of United States Army Continental Commands), Pt. 1 (Middle Department and 8th Army Corps), Entry 2343 (Middle Department, General Records, Correspondence, Letters Received, 1863–1866), Box 6, NARA.
31. Court-Martial Case file NN-3080.
32. Lincoln's pardon of Hutchins was widely reported in newspapers both North and South. See, for example, *Boston Daily Advertiser,* January 10, 1865; *Montgomery (Alabama) Daily Mail,* January 6, 1865; *Philadelphia Daily Evening Bulletin,* December 24, 1864 (all accessed through American Historical Newspapers database).
33. William Wilkins Glenn, diary entry for February 22, 1865, in Bayly Ellen Marks and Mark Norton Schatz, eds., *Between North and South: A Maryland Journalist Views the Civil War* (Rutherford, N.J.: Fairleigh-Dickinson University Press, 1976), 159–60; Smith, *Between the Lines,* 21–24.
34. Smith, *Between the Lines,* 233. See also John Bakeless, "Catching Harry Gilmor," *Civil War Times Illustrated,* 10 (April 1971): 34–40.
35. For a letter Gilmor wrote from prison, see Harry Gilmor to Hoffman Gilmor, May 23, 1865, Harry Gilmor Papers (MS 1288), MdHS; RG 21 (Records of the U.S. District and Circuit Courts for the District of Maryland), Baltimore Division, Records of the U.S. Circuit Court, Criminal Docket (1864–1903), vol. 1, p. 22, National Archives at Philadelphia; Harry Gilmor, *Four Years in the Saddle* (New York: Harper & Brothers, 1866).
36. Smith, *Between the Lines,* 234–35.

A Letter to Secretary of State William H. Seward Regarding Civil Liberties in Maryland

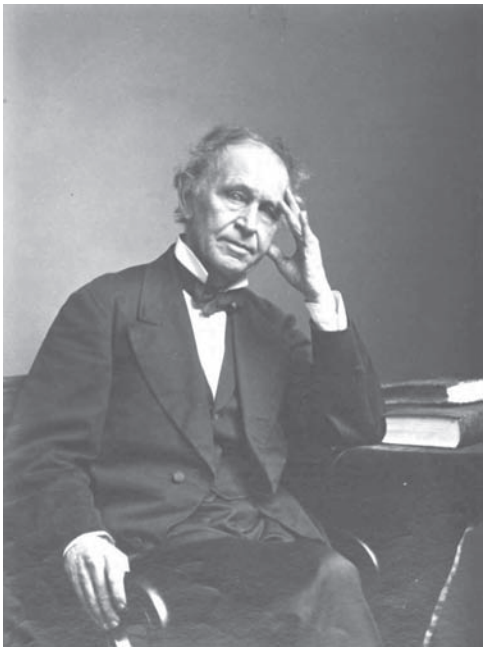
Edited by Jonathan W. White

The civil liberties issue during the Civil War often placed Maryland politicians and lawyers in a tenuous position. U.S. Senator Reverdy Johnson, for example, supported Lincoln's habeas corpus policies in 1861 but then became a vocal critic of them.[1] Similarly, Governor Augustus W. Bradford was elected to office in 1861 with the assistance of the Union military presence in Maryland but then criticized the military's role in subsequent elections.[2] Lawyers, in particular, might find themselves on both sides of the civil liberties issue, depending on their clientele. A previously unknown letter by Baltimore attorney William Schley highlights this aspect of the legal profession in Maryland during the Civil War.[3]

William Schley was born in Frederick, Maryland, on October 31, 1799. He graduated with honors from the College of New Jersey (now Princeton University) in 1821 and was admitted to the bar three years later. In 1836 he was elected to the Maryland state senate. While serving, he challenged U.S. congressman William Cost Johnson to a duel because he had heard that Johnson had made imputations against his character. The duel took place in Alexandria on February 13, 1837, and both men were wounded by the first shots. A nineteenth-century historian recounts what happened next: "After the exchange of shots, . . . Mr. Johnson in the handsomest manner, and of his own accord, stated that he was aware of the inaccurate report which had been made of his language to Mr. Schley, and that the latter was perfectly justified in basing his challenge upon such a report, and that he regretted that he had not felt at liberty, upon receipt of the challenge, to deny having uttered a single word reflecting upon or in any way impugning Mr. Schley's motives. The parties were reconciled upon the ground and remained warm friends thereafter."

In 1837, Schley moved to Baltimore and resigned from the state senate. His law practice flourished and he argued numerous cases in local courts and the Maryland Court of Appeals and at least one before the Supreme Court of the United States. As was typical in the nineteenth century, Schley mentored aspiring lawyers in his law office. One of those young men in the 1850s was Thomas Talbott Hutchins.[4]

An antebellum Whig in politics, Schley was selected as a Democratic member of the electoral college in 1864. Partisanship did not determine the cases he accepted during the war—he represented clients on both sides of the treason and civil liberties issues. He defended accused traitor Hazel B. Cashell in the U.S. circuit court in Baltimore as well as Sarah Hutchins when she was tried for treason before a military



William Schley. From Baltimore: Past and Present with Biographical Sketches of the Representative Men *(Baltimore, 1871).*

commission in 1864. He likely took the latter case because of his longtime acquaintance with her husband. During that same period, Schley also took several cases defending Union military commanders who had overseen the arrest and detention of "disloyal" civilians in Maryland. Many of those arrested, such as the Baltimore City police commissioners and John Merryman of Baltimore County, sued the Union generals who had overseen their arrests and incarcerations, claiming wrongful arrest, assault and battery, or illegal search and seizure. Schley vigorously defended Union generals George Cadwalader and John E. Wool in state and federal courts, claiming that they were authorized to arrest disloyal civilians in Maryland.[5]

Despite Schley's willingness to take cases on both sides of these issues, he had strong feelings about Lincoln's use of the military to arrest civilians, as is evident in the following letter to Secretary of State William H. Seward, probably written in September 1861. The letter also reveals the tensions in the minds of many conservative Maryland Unionists who opposed secession but doubted the propriety of Lincoln's actions to win the Civil War.

My dear Sir,

Whilst I am devoted to the Union, & would, if it were necessary, give my life for its preservation; yet, in my political creed, the Union and the Constitution mean one & the same thing. The Union grows out of, and is radically founded on, the Constitution.

When, therefore, the people of the South put forth the heresy of secession, I denounced it, as treason; & I hold all their subsequent acts, as plain rebellion. As a dry legal question, I have never considered, & do not now consider, the Confederate States, as a Government *de facto*; nor the war, in which they engaged, as a revolution.

It is, merely, a rebellion.

Until recently, I was much disposed, (if any one had devised a practicable compromise,) to recognize the southern confederacy, as a separate nation; and I tried hard to devise, myself, some plan, just to the loyal states, & satisfactory to the States in rebellion, but I found it *impossible*. I have come to the solemn & stern conclusion, that Peace can only be conquered by War—by war, if necessary, to the knife, & by the knife to the hilt.

As I have many personal friends in the Southern army—some of them near kindred & connections—I have felt, undoubtedly, very sad, at the conviction, that, sooner or later, they must all be sacrificed to the safety of the Union.

I have become reconciled to this solemn conviction. I am *for* the Union, & *with* the Union, irrespective of all personal sympathies or affections.

But why should the Government set at naught the Constitution? Why arrest, from day to day, citizens, who have done no overt act of wrong—I will not say of treason;—but, at the utmost, have expressed their disunion sentiments? Freedom of thought, & liberty of speech, is the birthright of every citizen; & there are enough in Maryland to overcome & put down *all* disunion sentiments, if they were not put in the condition of defending the arrests of their neighbours & friends, made, apparently, without cause. I came home, this evening, & heard of the arrest of many prominent citizens, all of them acquaintances, most of them personal friends, & some of them highly esteemed friends. My first impulse was to run over to Washington, & to see *you* & others in authority, & to *beg* that these proceedings may be stopped. In a personal interview, I could give satisfactory reasons; but it is impossible to do so, in the compass of a letter. I will only say, that, in my judgment, every arrest, (except in cases of overt acts,) has done tenfold more harm, than the arrested parties, if at large, could have done. It has heated the enemies, and cooled the friends, of Government.

I do not go, this evening, to Washington, because I learn that the persons, recently arrested, have been removed; and because I have not the remotest notion of the grounds of their arrest. But I propose to go over to Washington, on monday evening, if in my power, or on tuesday evening, at farthest; & I will call upon you; &, if you are at leisure, & willing to converse with me for half an hour, I should be glad to have a full & frank conversation with you, respecting these arrests. I fear that unfounded suggestions and representations have been made to the administration; & that, from a sincere desire to maintain the constitution & laws, unintentional violations of the constitution & laws have been committed.

I am not unmindful of the high and solemn obligation, which the President & cabinet have to discharge; & I am one of those who insist, that a generous and open confidence should be given, by every loyal man, to the efforts to put down this wicked rebellion. But, consistently with this confidence, I think it is not merely allowable, not merely excusable; but a plain duty, on the part of those, who truly love their

country, to defend the constitution from assaults, even if the assaults are made by friends; and to approach those in authority, lest, peradventure, they may have been misled and deceived, by unreliable information.

It has occurred to me, as very probable, that the arrest, of members of the Legislature, was made, in consequence of apprehended proceedings for the passage of a secession Ordinance. When I came home, from my summer residence in the mountains, I was told of such apprehension. *On my own responsibility*, I undertook to ascertain the facts; & I was satisfactorily assured, and *convinced*, (as I am now,) that such a proceeding was not contemplated; but would not even be *suggested* in the Legislature.

Should I see you, when I call, I will explain fully.

faithfully & truly,

your friend

Wm. Schley

NOTES

1. See Jonathan W. White, *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman* (Baton Rouge: Louisiana State University Press, 2011), 84–87, 150n74.
2. See Augustus W. Bradford to Abraham Lincoln, October 31, 1864, Abraham Lincoln Papers, Manuscript Division, Library of Congress; Lincoln to Bradford, November 2, 1863, in Roy P. Basler et al., eds., *The Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick, N.J.: Rutgers University Press, 1953–1955), 5:555–58. For an overview of the elections in Maryland, see Charles L. Wagandt, "Election by Sword and Ballot: The Emancipationist Victory of 1863," *Maryland Historical Magazine,* 59 (June 1964), 147–51.
3. This letter is printed with the permission of the owner, who wishes to remain anonymous.
4. *Baltimore: Past and Present, with Biographical Sketches of its Representative Men* (Baltimore: Richardson & Bennett, 1871), 445–48; *Biographical Cyclopedia of Representative Men of Maryland and [the] District of Columbia* (Baltimore: National Biographical Publishing Co., 1879), 231; Ballard v. Thomas, 19 How. 382 (1857). Schley died in 1872. See George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (Baltimore: Kelly, Piet & Co., 1876), 68.
5. *Baltimore: Past and Present*, 447; White, *Abraham Lincoln and Treason*, 92–93, 120, 152n7.

Playing Fair: The Fight for Interracial Athletics in Baltimore

SARA PATENAUDE

In the fight against segregation, there were two main courses of action: grassroots protest in the form of sit-ins, boycotts, and demonstrations, and use of the courts to challenge the legality of Jim Crow. The effort to desegregate Baltimore's public parks employed both methods, often with grassroots organizers bringing in legal aid from the National Association of Colored People. In the end, when the legal struggle failed, only public demand for integration made desegregation possible. The actions of everyday people often set the agendas for institutional organizations such as the NAACP and demonstrated how such efforts could create social change.

The civil rights movement affected all areas of people's lives—not just where they worked, lived, and went to school but where they congregated and played. Studying public parks illuminates the civil rights movement in Baltimore and broadens the picture throughout the United States. Public spaces are important as areas of voluntary interaction and mingling. In a school, where attendance is compulsory, those in charge can impose integration, but in places where attendance is voluntary integration requires a societal change. Without public support of integration, parks would have remained effectively segregated, even after discriminatory policies were removed.

The late 1940s and early 1950s saw numerous protests throughout Baltimore. Some, like a 1947 interracial youth basketball game, led to the cancellation of programs. Others, such as the continued complaints about the unequal golf courses, resulted in systems of staggered play with alternate days for black and white players. Concessions were won in fits and starts, depending on the facility, the members of the park board, and the amount of public attention and support the protesters attracted. The struggle culminated in the park board's 1955 decision to integrate all park and playground facilities.[1]

Rules and Regulations

Unofficially in place since the 1860 dedication of Druid Hill Park, "Rule #1" of the Public Parks Rules and Regulations stated: "The public parks being the property of the people shall be open to all persons upon absolutely equal terms. . . . These rules and regulations shall . . . apply to all parks and squares, roads, boulevards, . . . or

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places of any kind which now or hereafter may be under the jurisdiction or care of the Board."[2] Even with this seeming endorsement of equality, the Department of Recreation and Parks maintained separate golf courses, tennis courts, and other playfields for whites and blacks. Unsurprisingly, the black facilities were fewer in number and poorly maintained compared to those designated for whites, leading to decades of complaints, protests, and legal actions by community organizations and the Baltimore branches of the NAACP, the Urban League, and the Progressive Citizens of America.

No desegregation effort in Baltimore was plagued with more frustration than integrating the golf courses. The city maintained four of them, Mount Pleasant in the north, Hillsdale in the northwest, Clifton Park in the northeast, and Carroll Park in southwestern Baltimore. Three were full, eighteen-hole links, with grass greens, field houses, and locker rooms. The fourth, Carroll Park, had only nine holes, "greens" made of packed sand, and no field house. Opened on July 4, 1924, Carroll Park attracted residents of south and southwest Baltimore, and by 1931 plans were being made to construct a field house to bring it more in line with the other three.[3] All of the courses were reserved for whites only.

By the early 1930s, black golfers had begun to complain about the lack of available facilities, and as the number of complaints grew the Board of Recreation and Parks began making plans for a black golf course.[4] Due to the budgetary constraints imposed by the Depression, the development of a new course was not possible; instead, the board chose to reserve one of the existing courses and determined Carroll Park, with only nine holes, no field house, and a lower visitor rate, to be the "natural choice." In August 1934, the board announced its plans to convert the Carroll Park golf course to a black facility.[5]

The announcement produced an immediate uproar, and opponents, including a dozen area residents and three city councilmen, packed the September 18 board meeting.[6] The protesters emphasized "the unwillingness of the residents and property owners in the southwest section to have a negro golf course 'saddled' on them." Councilman William J. Murphy thought that a black course would be contrary to the "established traditions" of the area, that "traditions would be broken down if any play by colored people were permitted, and . . . the objection of his people was to their playing at any time," and called the Carroll Park area a historically "lily white neighborhood." Others feared declining property values, increasing violence as African Americans came into the neighborhood to use the park, and even miscegenation, pointing out that "girls played golf and . . . mixed play would be very objectionable on that account." [7]

Board members attempted to explain to the bristling crowd that the continued lack of a golf course for African Americans in Baltimore was simply not an option. Board president David W. Jones proclaimed that the city's black population (17 percent) had needs as well, to which Councilman Murphy replied that "the people in

his section were not interested in that problem, and that Carroll Park belonged to the citizens in the southwest section, who were not concerned about parks in other sections." President Jones then appealed to the practical side of the issue, pointing out that if the black golfers took their complaint to the courts, it would look bad for the city to have no black golfing facilities whatsoever.[8]

In the end, the board partially capitulated to the Carroll Park residents. Rather than changing the course to an all-black facility, they established a system of staggered play. Black golfers had exclusive use of the course on Mondays, Wednesdays, Fridays, and the first and third Sundays of each month, with all other days reserved for white players. The black golf community complained that they had been given the "least desirable of the municipal courses" and even then, only part time. Additionally, the golfers believed that "the fact that the Carroll Park course has but nine holes, of sub-standard length; is not provided with the customary sand-traps, water and other hazards, and has sand greens, rather than grass ones, was . . . evidence that, even as a jim crow course, it does not represent equal accommodation."[9]

Another two years passed before the board re-considered its policy at Carroll Park. At 2:30 in the afternoon on April 29, 1936, attorney Dallas F. Nicholas of the black Monumental Golf Club, along with another black man, attempted to purchase tickets for Mount Pleasant Golf Course. The cashier, clearly flustered, called the course's golf professional and asked him to confirm that the two men standing before him were black. Mr. Schreiber, the golf pro, phoned the General Superintendent of Parks and a park commissioner for instructions, but neither was available.

When a police officer arrived and told the men that Carroll Park was available several days each week for black players, Nicholas pointedly asked the cashier if she was refusing to sell him a ticket. She replied, "This is just as embarrassing to me as it is to you, I'm sorry." Nicholas then asked "Who around here has authority to say that I cannot play on this course?" Schreiber answered, "Until I receive instructions, I'm sorry." After getting the names of those involved, Nicholas said "That is all we want to know," and both men left.[10]

Nicholas's actions prompted the board to examine the 1935 season statistics out of concern that he might be setting up a test case against golf course segregation. They found that white use of the course had dropped significantly since the implementation of the staggered play schedule, leading one commissioner to suggest that they "might as well grant exclusive use to blacks." Again, the Carroll Park course was reserved for African Americans and the members agreed "it would not be equality of treatment to continue the part time use of the Carroll course by Negroes while granting full time use to white players at other courses."[11]

For the remainder of the 1930s and into the 1940s, the Board of Recreation and Parks received a steady stream of demands for improvements to the Carroll Park Golf Course. In May 1936, the board reported hearing rumors that black golfers were planning to demand the field house, promised five years earlier when Carroll was

reserved for whites. Additional requests were met with the response that facilities at Carroll Park were proportionate to the other courses based upon the number of golfers using them.[12] In 1938 and 1939 the board agreed to the improvements to the course in theory but blamed a lack of funds for their inability to implement them.[13]

By 1942 black golfers had had enough. The summer before, attorney Nicholas, representing the black Monumental Golf Club, advised the General Superintendent of Parks that, "unless an eighteen-hole course, with grass greens, was made available for colored players they would assert their constitutional right to play upon the courses in Clifton, Mt. Pleasant, and Hillsdale Parks." At the May 6, 1942, meeting, a delegation of black golfers from the Monumental and the Cosmopolitan Golf Clubs appeared before the board to propose a compromise: remove the ban on selling greens tickets to black golfers at the other links and the group would voluntarily restrict themselves to playing the Mount Pleasant course only on weekdays, would not use the locker facilities, and would refrain from publicity. Board president Frank H. Durkee said "as he viewed the situation all citizens were taxpayers together and entitled to equal benefits flowing from the expenditure of tax funds." Accordingly, the board instructed the General Superintendent to pass along word to the white golf courses "not to refuse colored golfers, who might apply for greens fee tickets, at any course."[14]

The white Clifton Park golfers association quickly noticed the change and rallied together with other white golfers in protest. Though President Durkee "thought the colored golf clubs had been most patient and considerate under the circumstances," others on the board thought the problem was being "over-magnified." The voluminous complaints were not individually detailed in the minutes, but:

> The sum of all the arguments against Negroes on the white courses was that white golfers would be driven off; professionals and caddies would not serve; physical clashes between whites and blacks was a possibility; neighborhood property values would be depreciated; eighteen holes and grass greens were not required to make the Carroll course substantially equivalent to the white courses within the meaning of Court decisions, and that while the colored golfers might resort to legal proceedings the protestants would be without redress if the Board decided against them.

Commissioner Armor also sided with the black golfers, stating the obvious that he "did not see how a nine hole course with sand greens could be considered equal to an eighteen hole course with grass greens," to which Commissioner Baker suggested the black golfers simply play the course twice.[15]

The fervor against this "secret integration" was so great as to require a closed meeting at which the board examined ticket sales to black golfers at the Mount Pleasant golf course. On May 29, only four greens fee tickets had been sold to black players,

African American golf group, Baltimore, undated. (Maryland Historical Society.)

and the highest was thirteen on June 9. In total, they estimated that no more than a dozen individual golfers had played on the course since integration. Ignoring the fact that black golfers may not have felt safe using the white courses, the board used low attendance numbers as "substantial proof that a nine-hole course was adequate for them." As quickly as it had come, the integration of the golf courses was gone, and the black golfers of Baltimore were ordered to return to Carroll Park.[16]

In 1940 one of the most famous black men in the country came to visit his friends in Baltimore. Joe Louis, the world heavyweight boxing champion, was also an avid golfer and enjoyed playing the game with one of the city's wealthiest African Americans, William L. "Little Willie" Adams. Outraged at the situation, Louis encouraged Adams and others to bring the case to court in 1942. True to their word, the black golf community filed a suit against the city.[17] Judge Eugene O'Dunne heard the case in the Superior Court where when testifying the board attempted to plead ignorance of the inequality of the course at Carroll Park. Under Nicholas's questioning about the physical components of the Carroll course, Commissioner J. V. Kelly stated, "I'm sorry I do not know what bunkers or hazards are as I do not play golf." President of the board Durkee also claimed, "This business about 'bunkers' is all Greek to me." Commissioner Alfred E. Cross brazenly added, "If I went over there I wouldn't know the facilities if I saw them." The thirteen black golfers who took the stand, however,

clearly articulated the inequality of the course. D. Arnett Murphy explained to the judge that Carroll "has sand greens, no facilities for washing balls, no hazards, no shelters or drinking fountains and the grass is filthy from the soot of passing trains." On July 1, 1942, O'Dunne issued a writ of mandamus commanding the Department of Recreation and Parks and all its employees "sell greens fee tickets at every said golf course [Mount Pleasant, Hillsdale, Clifton, and Carroll] to all who might apply, irrespective of race, creed, or color." [18]

But again, the integration of municipal golf courses was short-lived. In early 1943, the Maryland Court of Appeals found the writ of mandamus to be invalid by reason of "trial errors." As with so many other spurned attempts to integrate public facilities, the appellate court claimed that "segregation is a normal condition of public life in Maryland," and the board was therefore within its rights to segregate golfers.[19] The court did agree, however, that the Carroll Park facilities were not currently equal and demanded that renovation must be made to bring the black course up to par with the white courses. In the meantime, the black golfers were allowed to use the other three links and they did so, without incident, until Carroll Park Golf Course's improvements were complete in 1945. [20]

Dallas F. Nicholas again appeared before the board, this time to plead that the current integration be allowed to continue. "Inasmuch as the use of all the park golf courses by colored golfers during the reconstruction of the course in Carroll Park had not resulted in any disorder or untoward incidents," he argued, "there was no sound reason for again confining colored golfers to the use of the new nine-hole course in Carroll Park." Unconvinced, the board stated they "had complied to the letter with the requirement that the Carroll Park course be extended from 2,300 yards to 3,200 yards; that grass greens be substituted for sand greens, and that traps and bunkers be added" and became upset at the thought that the $50,000 spent to update Carroll Park would be wasted, as the "sole purpose" had been to allow the segregation of golfers.[21]

Again the black golfers brought suit, and four black Baltimoreans proved particularly vital to the effort—"Little Willie" Adams, William B. Dixon, Dr. Arnett Murphy, and Charles Law.[22] The group first asked the Baltimore NAACP to take the case but branch president Lillie Mae Carroll Jackson refused, saying, "if you fellows are wealthy enough to play golf . . . you're wealthy enough to pay your lawyers yourself."[23] And they did, paying $500 each to retain Charles H. Houston. Others in the community contributed the balance.[24]

The defendants named in the suit included Mayor Thomas D'Alesandro Jr., the city council, and the Board of Recreation and Parks. In responding to the complaint, the board stated that Carroll Park was adequate enough for the black golfers and the city was "not obligated to provide 'championship golf courses.'" Further, the board emphasized that they were simply abiding by the agreement made with the Monumental Golf Club prior to the repairs at Carroll Park. Judge W. Calvin Ches-

nut disagreed, pointing out the nine-hole design and the industrial-area location compared to the suburban settings of the other courses.[25] The newspapers deemed his view "accurate: putting and the noise of railroad switch engines do not mix," and further explained, "the superiority of the white golf courses over that at Carroll Park is roughly comparable, in the field of railroad transportation, to that of the Pullman car with the day coach." Chesnut was not taking issue with the validity of *Plessy v. Ferguson*, explaining that it was fully within the board's rights to segregate golfers, "but so long as the City furnishes golfing facilities the quality must be substantially equivalent for the two races." Black golfers would have to be allowed to play on other municipal courses.[26]

The *Baltimore Sun* predicted that "with Negro golfers so few in number, the effect of Judge Chesnut's ruling is likely to pass about without notice, unless the Park Department allows itself to become embroiled in an unnecessary controversy over what hours the Negroes may use the formerly all-white courses." That is exactly how the board proceeded. President Robert Garrett opposed integrating all of the golf courses, in the belief black golfers would completely abandon Carroll Park and white golfers would abandon the other courses. He failed to admit to the irony inherent in his statement that Carroll Park was so undesirable that, given other options, no one would play there, and maintained with the rest of the board that the course was equal to the others.[27]

With Chesnut's decree, Director R. Brooke Maxwell felt the need for immediate action. When the board failed to muster a quorum, and after consulting with the city solicitor, he "determined to permit Negro golfers to use all of the public courses without restrictions as to days or hours, pending final action by the Board at its next regular meeting." But, disregarding the fact that there had been no incidents of violence or problems during the many brief periods of integration, the board at its meeting on July 20, 1948 instead created a complicated schedule of segregated days to include all four courses. On Tuesdays, Mount Pleasant was reserved for blacks, as was Clifton on Wednesdays and Hillsdale on Thursdays. During those days that these courses were reserved for black players, Carroll Park was reserved for whites.[28]

The press ridiculed the new play schedule. "Instead of simply opening the four courses to Negroes and whites alike," the *Baltimore Sun* reported, "the board inaugurated a complicated system of exclusively white and exclusively colored days, with rather absurd results." Another article stated that "the new policy is extravagant, then, in two ways. It cuts down the income on which the Park Board depends for the maintenance of the course. And it severely restricts the use of these expensive recreational facilities."[29]

The major point of contention was the lack of players to fill the links on "black" days. According to the *Sun*, "On every 'colored' day on what had been a white course, and on every 'white' day on what had been a colored course the city collected only an infinitesimal portion of the normal greens fees." The press mocked the board

with headlines such as "Baltimore's Golf Courses are Ultra Exclusive" and "A Public Golf Course Reserved for 2.4 Players." On the first day reserved for black players at Clifton Park after the new schedule went into effect, fourteen golfers used the course, compared to 195 white golfers the previous Wednesday. The *Sun* scoffed, "By operating Baltimore's four public golf courses on a segregated basis of 'white' and 'colored' days, the Board of Recreation and Parks has undoubtedly won for the city the distinction of having the most exclusive golf courses in the country. Where else could one find an excellent eighteen-hole course maintained for the use of only three players a day?"[30]

Others pointed out that the schedule was discriminatory to whites as well as blacks, leading to white players being turned away when they came on the "wrong" day.[31] In a roundabout way, then, the black golfers came out ahead. At that time, Joe Louis was stationed at Fort Meade and continued to come to Baltimore and play golf, but instead of being relegated to the Carroll Park golf course he was now able to use all of them on the designated days. Willie Adams remembered, "Joe was a good golfer and liked to play the best courses. . . . We would go out there and have the whole golf course to ourselves." The situation annoyed white golfers, one of whom commented "My God, if there is any sport that blacks and whites could play together it would be on the golf course."[32] Even so, the policy remained in effect.

"Nothing in the Rules"

On December 17, 1947, a youth basketball game played out at School No. 42, Garrison Junior High, with the Fulton Progressive Citizens of America (Fulton PCA) Juniors playing the Cahill Center team.[33] Most of the details from that game have been lost to public memory—no one knows who won, the final score, or the name of the point guard. In most respects, it was an uneventful game—uneventful, that is, until the next day when the game's referee called upon Harold S. Callowhill, the Superintendent of Recreation and asked if the bureau allowed white and black players to play on the same team. Thus the news came out that the Fulton PCA Juniors had two black players on the team and had allowed them to play the previous day. Callowhill immediately suspended all of the Fulton team's future games and brought the matter to the attention of the Board of Recreation and Parks. The board supported Callowhill's decision and requested a meeting with team coach and manager Philip Boyer, at which time they issued a blunt ultimatum—drop the two black players or withdraw from the Amateur League.[34]

Boyer refused to do either, and in an interview with the *Sun* the next day stated the demands were "contrary to our basic democratic principle on which our Government is founded, and because it is contrary to the most elementary rules of fair play. Furthermore, such a directive has no basis in law, nor in the rules and regulations of the [Recreation] department." The Bureau of Recreation and Parks admitted that it had no written rule against black and white youth playing on teams together. Cal-

lowhill, however, pointed to the position of Supervisor of Negro Amateur Sports as proof of segregation, and the board ordered the team's games postponed until the full Board of Recreation and Parks could reach a decision. [35]

The first hearing occurred on January 14, 1948, without a quorum, which upset those who had come to testify. Representatives from the Fulton Progressive Citizens of America, the Baltimore Industrial Union Council, the Urban League, the Baltimore Interracial Fellowship, the National Lawyer's Guild, and the local chapter of the NAACP testified for the team. Boyer and Dr. John E. T. Camper, president of the sponsoring PCA Club, spoke to the team's legitimacy, emphasizing that the players had registered with the Bureau of Recreation, paid the required fees, and played according to the rules. They also noted that "there was nothing in the rules saying that a Chinese, Negro or person of any other race could not be registered for play." Dr. Camper too stated that the team followed bureau regulations and called the postponement an injustice. [36]

Others attending the meeting used the opportunity to provide testimony against the general policy of segregation. Samuel Schmerler, secretary of the Baltimore Industrial Union Council, read from a prepared statement. "The Baltimore CIO and its affiliated local unions have in the past challenged the Baltimore Department of Recreation's segregation policy. We say today 'Jim Crow must go!'" Joseph Allen of the Urban League encouraged the board to reverse the segregation policy for the greater good of race relations. "Relationships are improved by multiplying contacts, wherein persons get to know each other as persons and not as groups." Lillie Mae Carroll Jackson, President of the Baltimore NAACP, expressed shock and dismay at Callowhill's actions, saying that African Americans in Baltimore had thought he was on their side and hoping his action was a "mistake." She also asked the board "not to turn wheels of progress backward in view of the fact that no segregation exists in Maryland Law School, Hopkins University and Loyola College" and that they instead "encourage the democratic spirit of the young people."[37]

Two of the white Fulton Juniors also testified at the meeting. James Barrett was happy with the team's racial makeup, while Donald Fiol stated that if he was the manager he "would not judge a player by his race, color, or religion but by his ability to play," and that the two black players were "clean sports and act fairly, and should be allowed to remain and compete in athletics." Local resident Henry Beitscher ended the testimony by plainly stating that "the loss in this case is all on the side of the boys."[38]

A second hearing, January 20, 1948, attracted more than one hundred people, who crowded the room and spilled into the corridor. At least seventy-five supported the Fulton team.[39] Much like the January 14 meeting, discussion focused on overall segregation policy and Jim Crow. One refrain in particular stood out, that of the "Double V Victory." Dr. Camper of the PCA recalled, "We fought two wars for democracy and racial discrimination still exists." Hy Gordon, the mem-

bership director of the Fulton PCA proclaimed that "bullets on the war fronts did not discriminate." Finally, Nixon Camper, son of Dr. Camper, stated that he was a member of a black basketball team while serving in the armed forces that had played against a white squad from Duke University with no negative repercussions. A meeting to bar interracial athletics, he opined, was "quite stupid." No one spoke in favor of segregation.[40]

The board retreated into executive session, closing off the proceedings from the public. The minutes from that meeting are available, however, and reveal board president Garrett's complaint that protesters did not understand the true meaning of democracy. A ruling to end segregation in the parks "would involve an element of dictatorship." Disregarding the inherent contradiction, he quoted from the *Murphy v. Durkee* (1942) ruling: "Separation of the races is normal treatment in Maryland." The board did have the authority to segregate, and protestors, said Garrett, were merely puppets for the Communist Party.

Dr. Bernard Harris, the only black member of the Park Board, took umbrage. The people at the hearing were, he said, "good Americans" who were following the form of government allowable by the Constitution. Garrett did not realize that the outcome would affect interracial relationships and policies beyond youth athletics. "Whites and Negroes should mix," Dr. Harris said, "and there is nothing wrong with that because Whites have Negro cooks, maids, and others in whom they place great trust." He warned the group that even if they suspended the rest of the Fulton team's games, the black and white boys on the team would continue to play together. "It is easy," he said, "for Whites to be satisfied with present policies regarding segregation because they can go where they please and do what they want socially, but the things Negroes cannot do are legion. The health of my people reflects itself on the health of the White race."

Before putting the matter to a vote, one last member of the board spoke up. "If we are truly Americans we would be inclined favorably," Mrs. Howard W. Ford asserted, adding that she supported allowing the team to continue playing with both black and white members. J. Marshall Boone moved "That the policy of the Department of Recreation and Parks of not allowing interracial athletics be continued until further study by this board." Though she had supported the Fulton team minutes before, Mrs. Ford abstained from voting, leaving Dr. Harris alone voting against the motion—and the board maintained its policy.[41]

Not all white Baltimoreans agreed with the decision. Angela Boyer, possibly the daughter of team manager Philip Boyer, wrote to the *Afro-American*:

> I am a white girl attending the seventh grade of School No. 49, and have spoken to many of my classmates about the decision of our Board of Recreation and Parks concerning the Fulton PCA Juniors.
>
> They are very indignant about it and think that color should not interfere

> with the playing of basketball. In our history class, we have been studying the Constitution. It says one thing and the Board of Recreation says another.[42]

Regardless, the Fulton team remained banned from league play.

Tennis, Anyone?

On July 17, 1943, the Baltimore Board of Recreation and Parks received a letter from Dallas F. Nicholas on behalf of the all-black Baltimore Tennis Club. In no uncertain terms, Nicholas requested an end to segregated tennis courts at Druid Hill Park. Either in a fit of willful misrepresentation or complete ignorance, the General Superintendent stated that it was "a misstatement to say that the tennis courts assigned to negro players were inferior to those assigned to the whites, and that if anything the colored courts were being better cared for." As with most other implementations of "separate yet equal," all present knew the general superintendent's assertion rang false but went along with the charade.[43]

Druid Hill's segregation policy consistently agitated the board. In 1860, Mayor Thomas J. Swann dedicated the park to "the whole people."[44] Originally the estate of the Buchanan and Rogers families, the city bought the property amid controversy. Swann used funds garnered from a tax on the streetcar lines to purchase the land, which was outside the boundaries of the city at the time.[45] As the surrounding Jewish and African American communities grew, the site functioned increasingly as a neighborhood park. Two of the biggest synagogues in Baltimore, Chizuk Amuno and Shaarei Tfiloh, were located along its edge. Jewish youth often used the playgrounds, tennis courts, and open spaces where they saw firsthand the lesser quality of the areas reserved for blacks.[46]

Druid Hill Park's tennis courts, among the most popular attractions, were open to black and white tennis players in different areas of the park, with the black courts near the black "No. 2" pool. As with the golf courses, separate facilities were unequal. African Americans played on concrete courts in need of repair, rather than the well-maintained clay surfaces reserved for whites. By 1946, the neighboring black community complained to the board that the facilities no longer met their needs.[47]

In 1947, the Baltimore Tennis Club planned a September tournament and asked the board's permission to use the clay courts. Board president Garrett immediately objected, predicting "unfortunate repercussions" for the white residents, both those in the immediate area and others in the city who disapproved of African Americans using white facilities. Superintendent of Parks Maxwell informed the board that planned construction of new courts at Druid Hill would not be completed in time for the tournament. He suggested that the board offer the Baltimore Tennis Club use of four clay courts at Carroll Park, noting that they were isolated from white players and had no shower or toilet facilities. Commissioner Ford insisted that, were the board to choose to offer the Carroll Park courts, it should be made clear that

they were "not setting a precedent." In the end the board chose to ignore the request altogether, prompting a complaint from the Baltimore Tennis Club. Upon receiving the complaint, the board decided that "since the Tournament was already held no further action was required."[48]

Druid Hill Park's tennis courts again came to the board's attention the following summer, in 1948. On July 11 a group of young people from the Progressive Citizens of America and the Baltimore Tennis Club held an interracial tennis match to protest segregation in the parks. Many of the white members of the PCA were also Jewish, perhaps influenced by their first-hand knowledge of conditions at Druid Hill Park. In the days before the match, the groups put up posters advertising the protest and drumming up support for their cause. Fliers urged readers to, "Kill Jim Crow! Demand your rights! Organize to smash discrimination in recreational facilities."[49] The fliers also pointed out that there was no actual law in place to segregate the parks. A delegation from the group appeared before Superintendent Maxwell to ask if they would be permitted to hold the match. They emphasized that they were not asking permission of the board because the board had no authority to enforce the discriminatory policy. Superintendent Charles A. Hook told them that their application for court permits would be denied and thought the matter ended.[50]

Instead, several white PCA members applied for court permits but failed to indicate that they were for an interracial match. As the time approached, a crowd began to gather on the hill next to the tennis courts. Blankets were laid out on the grass, and picnic baskets opened. The scene was described as being "very, very upbeat."[51] At two o'clock, the two foursomes of black and white players, one group of men and one of women, stepped onto the courts in front of five hundred spectators. The players were met by Superintendent Hook and the captain of the park police and when the players refused to leave the courts the police began to make arrests. The male foursome sat or lay down on the ground refusing to move, forcing the police to physically carry them off. Spectators jeered, "This is a free country!" and, "Read the Declaration of Independence!"[52]

In a matter of minutes, twenty people were arrested, including all the players and several spectators. Four additional men were arrested later that day as they protested in front of the police station where the others had been taken. Seven of those arrested were women, two of whom were under the age of sixteen. Thirteen of the twenty-four were African Americans. Most of the charges were for failure to obey a park policeman, though seven protestors received disorderly conduct charges and one, Charles M. Swan, was charged with resisting arrest. They were taken to the Northern Police Station, where a total of $800 bail was posted by the PCA and other private citizens. The next morning a hearing was held before Judge Caplan, during which all those arrested asked for a jury trial. Immediately, several groups issued statements condemning the actions of the board and the park police.[53]

Coverage of the resulting trial remained in the news that fall and into the fol-

lowing year. The demonstrators were accused of unlawful assembly, conspiracy to riot, obstruction of free passage, interference with the police, and a host of other charges. In late October, the court under Judge Moser began hearing testimony from the policemen involved in making arrests.[54] By all reliable accounts, spectators to the tennis protest had jeered as the police made arrests; police testified that protestors first sang "My Country 'Tis of Thee," then turned to the socialist anthem "Internationale."[55]

Because they disobeyed police by sitting down on the courts rather than leaving, the demonstrators faced charges of resisting arrest and failure to obey a policeman. The conspiracy to riot charges stemmed from the fliers distributed before the protest because the fliers referred to staging a demonstration and made it clear police would be involved. Defense lawyers insisted that the case was not about the details of one protest at Druid Hill Park but the larger history and continuing issue of segregation. Attorney I. Duke Avnet argued, "No matter how much the state tries to hide it, the real issue is what are the rights of our people, and whether discrimination such as this is legal under the constitution of the Federal government and the State of Maryland. What is on trial here is persecution. What is involved are the rights of colored people."[56]

Judge Moser agreed in part with the defendants. As the prohibition against interracial athletics was only a policy, not a rule, Moser dropped the charges of violating a park rule against seventeen of the demonstrators. Seven white defendants were convicted of unlawful assemblage and conspiracy to riot. They were fined, given suspended jail terms, and placed on probation for two years.[57] Moser felt the protestors had acted distastefully and fundamentally disagreed with their actions:

> The evidence was quite clear. This was a carefully planned, competently executed conspiracy to violently disturb the peace. That it did not culminate in all the fury contemplated was not the fault of the conspirators, but due entirely to the good common sense of the police in handling the arrests.
>
> As to the plea that the participants were only motivated by a desire to redress a wrong and establish equality of treatment under the Constitution, it is interesting to note that no attempt has been made to mandamus the Park Board, nor in any other way to test the situation, although sufficient time had elapsed for this matter to have been finally adjudicated by our Court of Appeals; and nothing that happens in this case could possibly change the Park Board ruling.
>
> It is clear to the Court these defendants were endeavoring to make political suckers out of a large group of our population. May this court remind those who were sought to be stirred up that there are movements in this world which offer equality, but offer it in exchange for freedom, offer the kind of equality that exists in a penitentiary or concentration camp.[58]

Moser suspended the prison terms of those convicted to avoid any "marytr-like exhibition of alleged wounds." The consequences for those who were not convicted were divided sharply upon racial lines. Most of the black participants, several of whom worked at the post office, lost their jobs for their involvement. The white participants did not.[59]

Appeals were denied by the Maryland Court of Appeals. "Whether or not [the defendants'] convictions were justified," the court ruled, "Judge Moser and other judges of the Baltimore Supreme Bench who reviewed the evidence 'acted in good faith and in the exercise of an honest judgment, even if we were disposed to disagree with their conclusion.'"[60] The Supreme Bench of Baltimore further upheld the conviction of conspiracy to riot, stating, "With the unmistakable facts before him, Judge Moser was fully justified in finding that these defendants joined with the others in a common design to accomplish an unlawful purpose, or a lawful purpose by unlawful means, and that all of them were guilty of the charge of conspiracy." Even so, two on the bench voted to overturn the convictions: "The basic fact is that there was no law, rule or regulation of the Park Board prohibiting interracial events; there was only a minute in its records adopting a 'policy' of segregation."[61] For these two justices, the goal of the demonstration, protesting an unfair policy, was more important than the means.

Even after the trial made clear that the segregation of Baltimore's public tennis courts was not a rule or based in law, the tennis courts remained segregated. In 1950 and 1951 the Baltimore Tennis Club requested permission from the Board of Recreation and Parks to hold a Baltimore Open Tennis Tournament in Druid Hill Park. The tournament was granted use of the white tennis courts, the very same ones the Young Progressives had attempted to integrate, only upon guarantee that there would be no interracial play during the tournament. Dr. Robinson, one of the park commissioners, stated that though he was in favor of reviewing the board's segregation policy, he was "against permitting this tournament to be used as a testing ground of public feelings as to mixed use."[62]

A compromise was finally reached on June 23, 1951. At that meeting of the board, President James C. Anderson proposed, "Separate tennis courts will be maintained for white and Negro patrons, as in the past, but in addition certain other courts will be designated on which interracial play will be permitted."[63] Though it was an imperfect solution, Anderson's proposal had the support of Dr. Harris on the board and the Baltimore Tennis Club. In an appropriate turn of events, the younger brother of one of the original protestors played in the first official integrated match at Druid Hill Park.[64]

Court Challenges

The fights against the segregation of golf, basketball, and tennis came together in the 1949 case of *Boyer v. Garrett*. The suit against the director, superintendent, and

members of the Board of Recreation and Parks, the municipal police, the mayor, and the city council alleged that segregation of athletic facilities was a violation of constitutional rights. Twenty-one plaintiffs were involved in the case, including the interracial Fulton PCA Juniors basketball team, the Druid Hill Park tennis court protestors, and two Clifton Park Golf Course golf players. Together, they asked for $500,000 in damages and an injunction to end the board's policy of segregation in parks and other athletic facilities.[65]

The first complaint of the case was brought by Philip Boyer and James Crockett, managers of the Fulton PCA Juniors basketball team (by that time known as the Easterwood Progressive Party basketball team). The second revolved around the Druid Hill Park tennis protest organized by members of the Young Progressives and the Baltimore Tennis Club. The third was based on two occurrences at the Clifton Park Golf Course. One occurred when a white man was refused admittance to the course because it was a day reserved for black players; the other occurred when a black golfer was refused admittance on a day reserved for whites. The fourth and fifth complaints alleged violations of the plaintiffs' constitutional rights and deprivation of equal protection under the law.[66]

The case was heard by Judge William Calvin Chesnut. The city and board moved to dismiss the suit, claiming, "it is settled law that a State or a municipal branch of the State may lawfully adopt and enforce a policy or rule of segregating white person and Negroes." Attorneys for the plaintiffs viewed the suit as a test case and argued that segregation as defined by *Plessy v. Ferguson* had become "outmoded." Stating that the suit differed from an ordinary test case, "in that the latter is generally brought to establish some new point of law, while the present case seeks to disestablish presently existing law," Judge Chesnut reminded the plaintiffs that Maryland had an established legal history of racial segregation, including the cases of *Williams v. Zimmerman* and *University of Maryland v. Murray.* [67] In the first, the Maryland Court of Appeals ruled that "separation of the races is normal treatment in this state," and in the second, though it ultimately desegregated the University of Maryland's law school, the Court of Appeals ruled that "equality of treatment does not require that privileges be provided members of the two races in the same place. The state may choose the method by which equality is maintained."[68]

In rendering his opinion, Chesnut found that the plaintiffs' "principal argument . . . [is] against the legal doctrine that segregation is within the police power of the separate States. . . . This argument seems to me to be addressed to the wisdom of State policy rather than to the existence of State power." The policy of segregation was not a law, but because it had historically and consistently been enforced by the board neither was it a matter of conspiracy against any particular people. In the end, the case came down to the constitutionality of *Plessy v. Ferguson*. Chestnut wrote: "The complaint does not question the existence of the rule but on the contrary asserts it and denies its constitutional validity." Additionally, "the complainants made

Clifton Park pool, c.1920. (Maryland Historical Society.)

no contention that the facilities afforded for the separate races are not substantially equal." The city had not violated the "separate but equal" provisions under *Plessy*. "If it can be assumed that the policy was unnecessary or unwise and the result of mistaken judgment, it was nevertheless official action authorized by legislation." Accordingly, Chesnut ruled in favor of the defendants.

The plaintiffs appealed the case to the Fourth Circuit Court of Appeals in Richmond and stated they wished the case to reach the Supreme Court.[69] The case was argued before the appellate court on June 30, 1950, and a decision was handed down on July 17. The court dismissed the complaint for the same reasons Judge Chesnut had, noting that the plaintiffs were not alleging that the city had provided unequal facilities, but that segregated facilities were fundamentally unconstitutional. Like Chesnut, the appellate court found that due to *Plessy v. Ferguson*, the legality of segregation could not be questioned. As to the arguments that *Plessy* was "outmoded," the court stated: "It is for the Supreme Court, not us, to overrule its decisions or to hold them outmoded."[70]

With that ruling, any hope of integrating parks would appear to have been fading, but by June 1951 the Board of Recreation and Parks was becoming tired of the constant complaints. President Anderson groaned that "the Board has devoted more

attention to the segregation problem than to other matters," and "has also worked hard on many other problems relating to park and recreation work, the complexity and volume of which is not often generally realized by the public." The board was, he said, working to find the best course by which to govern the park and recreation system, and at the end of the meeting he announced a plan to "eliminate friction" among users of the park facilities. This was to be a series of partial steps toward integration of all the parks and facilities with the important exception of swimming pools and public beaches. Anderson emphasized that this was the result of the board's "earnest searching for right answers" that would be at once "in the interest of all the people of the City and with due regard for the past practices and changing conditions." Certain tennis courts, athletic fields, and playgrounds would be used on an interracial basis, though most were to remain segregated. Municipal golf courses would be completely integrated.[71]

Like many other efforts at desegregation during the Cold War, events like those at Druid Hill Park in Baltimore were viewed by U.S. policy makers as a national security issue. A central theme in the Cold War was that "the liberal, democratic, and capitalist order of the U.S. represented a more open and humane society than that of Communist states."[72] Every time an incident of racial discrimination and hostility reached the international stage, it put the government's tenuous courtship of the Third World at stake. Although that was not enough to change the behavior or beliefs of all Americans, it did ultimately affect presidential action and support arguments for wide-reaching desegregation. As Eisenhower stated during the events at Little Rock High School in Arkansas, "at a time when we face grave situations abroad because of the hatred that Communism bears toward a system of government based on human rights, it would be difficult to exaggerate the harm that is being done to the prestige and influence, and indeed to the safety, of our nation and the world" because of continued subjugation of non-whites in the United States.[73]

A common slur against civil rights supporters was to call them communists, and the same was said in Baltimore. In 1948, when the Young Progressives of Maryland, a group of college-aged men and women, joined with the black Baltimore Tennis Club to stage a protest of Druid Hill Park's segregated tennis facilities, cries of communism were immediate. The interracial game was planned and advertised but stopped by police before any actual play could take place. All of the players were arrested, along with several spectators who were heard to yell, "This is Nazi Germany! Why can't they play? They're American citizens!" The protestors began singing songs like "America, the Beautiful," "My Country 'Tis of Thee," and the Negro National Anthem.[74] That did not stop police officers from later claiming that the protestors were singing the "Internationale" in an attempt to discredit the patriotism of those arrested. Under oath, police testified to hearing references to Russia coming from the crowd, including, "Wait until the Russians take over."[75]

The resulting press coverage also included many references to communism. Charles Sitter claimed that incidents of racism and discrimination "play right into the hands of America's enemies." Most influential was a column in the *Baltimore Sun* by H. L. Mencken. On November 9, 1948, Mencken undertook to answer what he termed the underlying question from the incident: "Has the Park Board any right in law to forbid white and black citizens, if they are so inclined, to join in harmless games together on public playgrounds?"[76] His answer was a ringing defense of the rights of any person to associate with anyone of their choosing, regardless of color. If the tennis courts were desegregated, "any white player could say yes or no to a colored challenger, and any colored player could say yes or no to a white. But when both say yes, why on earth should anyone else object?" He concluded:

> I expect confidently to hear the argument that the late mixed tennis matches were not on the level, but were arranged by Communists to make trouble. So far as I am aware this may be true, but it seems to me to be irrelevant. What gave the Communists their chance was the existence of the Park Board's rule. If it had carried on its business with more sense they would have been baffled. The way to dispose of their [communists'] chicaneries is not fight with them when they are right.

Another political group, the Progressive Citizens of America, sponsored the Young Progressives. Supporting presidential candidate Henry Wallace, the PCA was a constant lightning rod of communist accusations. When the Fulton PCA Junior's basketball team allowed black youths to play in a game, Park Board president Garrett was quick to blame the entire PCA party, "with leanings on the subversive and communistic side," of "spearhead[ing] this entire issue." He went on to read from a report by the House Committee on Un-American Activities, which accused the PCA of advocating the socialization of railroads and coal mines, opposing President Truman's hard line foreign policy with regard to Russia, and opposing the government's efforts to oust communists from federal offices. These sins, in Garrett's mind, left no question as to the true intentions of the PCA, and by extension every member of the basketball team. Dr. Harris argued that those involved in the protest, as well as all African Americans, were good Americans. "No Negro wants to overthrow the Government of the United States because it is the only Government he knows and loves." Further, he added, "the best way to spread communism is to deprive people of their rights."[77]

A 1950 article in the *Baltimore Afro-American* by Mae Medders summarized many of the charges leveled against Baltimore activists. They included: a group of black and white people asking the Mayor to end segregation in recreation facilities, to which he replied by asking how many in the group advocated overthrow of the government by force; the Park Board claiming the Fulton PCA Junior's basketball

team protest was "Communist inspired;" the State's Attorney shouting the tennis protestors were "revolutionists" during their trial; a city councilman decrying an attorney as "radical" when he was told it was illegal to give money to an art institution that barred colored students; and the Ober Law which forced all city and state employees to sign loyalty oaths or be fired. Medders concluded, "Baltimore anti-liberals have made it a practice to holler 'red' or 'Communist' whenever any project aims to end segregation or discrimination."[78]

No event can be properly understood apart from its historical context. The American civil rights struggle reached far beyond the borders of the United States. The Cold War and the civil rights movement were self-reinforcing, each propelling the other forward. Even the smallest events of the civil rights movement, like an interracial youth basketball game in Baltimore, became indicative of a larger struggle not only for civil rights in the United States, but for diplomacy in the Third World and ideological supremacy across the globe.

Segregation Meets Its Match

In 1950, several African American adults and children arrived at Fort Smallwood and attempted to purchase tickets for the public beach. The first cashier told them, "We don't sell tickets to colored people." Another cashier, Kenneth Cook, explained that the beach was white-only, in accordance with the same 1951 board decision that had desegregated the municipal golf courses. One black man who had arrived in advance of the main group had been allowed to purchase a ticket, but Cook said he had only been allowed onto the beach was because "the cashier had not been informed to refuse colored persons since none had attempted to use the park or its facilities before then." In a stunning example of duplicity, Superintendent of Parks Charles A. Hook explained to the *Afro-American* that Fort Smallwood's grounds were open to all citizens, in accordance with Park Rule #1, even though the beach was segregated.[79] African Americans could pass through the gates of the park but could not gain entrance to the bathhouse and were barred from the sand.

Linwood G. Koger Jr., a lawyer for the NAACP, took the case to court. The city's main defense was that "the park, with the exception of the beach, had always been open to Negroes and that prior to last August no Negroes had asked to use the beach." In March 1951, Judge William Calvin Chesnut, the same judge who had heard the case on golf segregation in Baltimore, ordered that the Fort Smallwood beach must be opened to African Americans since no comparable facility was available to them. Again, the board implemented a segregated schedule similar in spirit to the staggered days for black and white golfers on the city links. The schedule left the beach white-only for the first twenty days of June, July and August, and reserved the remainder of each month for African American use. Outraged, Koger asked Chesnut to re-open the case and "rule that all persons must be admitted to all facilities at the park at all times without discrimination on account of race or color." Instead,

the case came before Judge Roszel Thomsen in 1954.[80] In its answer to the suit, the board contended, "the recreational facilities afforded people of the Negro Race for swimming in the parks of Baltimore City are substantially equal to the facilities afforded people of the White Race," and therefore not in violation of any Fourteenth Amendment rights.[81]

Before the arguments began, the U.S. Supreme Court issued its landmark ruling in *Brown v. Board of Education,* ruling that "separate educational facilities are inherently unequal" and overturning *Plessy v. Ferguson*. But rather than accept that the Court's decision applied to all public facilities, Judge Thomsen regarded *Brown* as the exception and maintained segregation as the rule. Attorneys representing the board argued that pool segregation must be allowed to continue because of the "intimate contact" between men and women that could occur there.[82] Tucker D. Dearing, an assistant NAACP attorney in the case under Thurgood Marshall, contended, "it wasn't a question of whether or not segregation was constitutional while they had equal but physical facilities. . . . Segregation itself . . . was per se unconstitutional because it violated the Constitution and was contrary to the ways of a free people in a democratic society."[83] Another NAACP attorney, Jack Greenberg, attempted to make the argument that "any segregation based on race is psychologically damaging" but was stopped by Thomsen, who questioned his premise.[84]

Thomsen ruled in favor of the defense and in favor of continued segregation at the public beaches and pools. In regard to the *Brown* decision, Thomsen believed it applied "with greatly diminished force, if at all, in the narrow field of public bath and swimming facilities." He added, "the degree of racial feeling or prejudice in this State at this time is probably higher with respect to bathing, swimming and dancing than any other interpersonal relationship except direct sexual relationship." He believed it was "quite possible that the end of segregation in education will weaken racial feeling to a point where it will no longer be appropriate to continue segregation in these facilities. But at this time I cannot say that the regulations are unreasonable." At some point the Supreme Court might issue a ruling "to destroy the whole pattern of segregation," he concluded, "but it has not done so yet."[85]

The Afro-American was particularly harsh in its criticism of Thomsen's ruling. One editorial proclaimed, "any other interpretation of the High Court's May 24 ruling [than complete desegregation] is a failure to understand the English language." Another compared the two decisions:

> Chief Justice Earl Warren, using language an eighth grade child could understand, took only 11 pages to write the decision abolishing segregation in public education. Newly appointed Judge Roszel C. Thomsen, in an effort to narrow that historic May 17 decision, takes 31 pages of tortured, legalistic verbiage to conclude that the doctrine of "separate but equal" still applies to public recreation. But the more he unwinds it, the more he winds it up.

Thomsen, the *Afro* editorial went on to say, asserted that "it was not the intention of the United States Supreme Court to destroy the whole pattern of segregation. . . . We are just as firmly convinced that it was."[86]

The NAACP quickly appealed Thomsen's ruling in the Fourth Circuit Court of Appeals.[87] This time the court ruled that with *Brown* the Supreme Court had "swept away" the separate but equal doctrine. The Court of Appeals then specifically addressed the previous Maryland segregation decisions of *Durkee v. Murphy* and *Boyer v. Garrett*, which had given the Board of Recreation and Parks permission to segregate golf, tennis, and basketball facilities in Baltimore. In a far cry from the earlier refrain that "separation of the races is normal treatment in Maryland," the court stated, "It is now obvious . . . that segregation cannot be justified as a means to preserve the public peace merely because the tangible facilities furnished to one race are equal to those furnished to the other." Although Thomsen had refused to entertain the argument that segregation was psychologically damaging to the black children of Baltimore, the Circuit Court ruled:

> The Supreme Court expressed . . . that it must . . . also take into account the psychological factors recognized at this time, including the feeling of inferiority generated in the hearts and minds of Negro children, when separated solely because of their race from those of similar age and qualification. With this in mind, it is obvious that racial segregation in recreational activities can no longer be sustained as a proper exercise of the police power of the State; for if that power cannot be invoked to sustain racial segregation in the schools, where attendance is compulsory and racial friction may be apprehended from the enforced commingling of the races, it cannot be sustained with respect to public beach and bathhouse facilities, the use of which is entirely optional.[88]

In essence, explained Dearing, "it was more detrimental to the heart, mind, and soul psychologically of a kid who looks through a fence when the thing was voluntary than when it was compulsory."[89] Thomsen's decision was reversed.

The case next went to the Supreme Court.[90] There, with one simple word—"Affirmed"—the Court effectively ended the legal basis of all segregation in public parks. NAACP executive Roy Wilkins was encouraged, predicting that "these latest rulings . . . are the handwriting on the wall spelling out the ultimate doom of all Jim Crow and vindicate[ing] our claim of moral leadership among the free nations of the world."[91] Northern newspapers also reacted with excitement. The *New York Post* editorialized, "Jim Crow, a decrepit fellow whose years are clearly numbered, has taken another rough beating at the hands of the U.S. Supreme Court," and the New York *Herald Tribune* agreed. "In banning segregation from all publicly supported facilities the Supreme Court logically took further steps against segregation." The news was not as welcome in the South, where the *Richmond News Leader* opined,

"The lengthening hand of Federal judiciary tyranny stretches across our lives, our customs, across the whole fabric of dual society in the South."[92]

Even as the first Fort Smallwood case was awaiting a verdict, the Board of Recreation and Parks was debating its segregation policy in light of *Brown v. Board of Education*. Rev. Wilbur H. Waters, who had replaced Dr. Harris as the only African American member of the board, wanted to hold a meeting to discuss possible changes to the policy, but Commissioner Maxwell believed the group should wait until someone requested the board reconsider the matter. Commissioner Wise favored discussing the policy before a complaint was lodged, stating, "[the Board] should not make a decision forced upon it by public opinion or pressure groups but should rather use its own best judgment in working out the best possible solution." In July 1954, the board received assurance from the deputy city solicitor "that the Supreme Court decision did not compel the Board to make any changes to its policy at this time."[93]

Reverend Waters's position as the only black board member placed him at an awkward crossroads of interest in the court cases. Like Dr. Harris before him, Waters was a staunch proponent of equal rights and advocated for desegregation of all park facilities. Even so, in the case of Fort Smallwood and its subsequent application to municipal pools, Waters decided to hold with the rest of the board in following the legal advice of City Solicitor Biddison. After Waters's motion to accept Biddison's counsel, Commissioner Shriver praised him for doing so and for "his desire to go along with the Board in this respect." Board president Anderson was also patronizing, saying "that it was a privilege to serve with all the Board Members whose views were always in the best public interest, and especially with Rev. Waters who is a high class gentlemen trying to do a job for all the people in the best manner possible. He told Rev. Waters that he has the utmost respect and appreciation for him."[94]

Waters's patience soon paid off. With the Supreme Court affirmation of the appeals court ruling, the board prepared to desegregate. At an executive session on November 18, 1955, Waters was given the honor of moving "that the policy of this Board be the operation of all park and recreational facilities under its jurisdiction be henceforward operated on an integrated basis." The motion was symbolically seconded by all the members present and carried unanimously. At the full board meeting after the executive session, Anderson announced the decision with no discussion of the matter. The executive session had "thoroughly considered the effect of such a decision and has unanimously decided that the parks and recreational facilities will henceforward be operated on an integrated basis." Waters then moved again to integrate park facilities, and all voted unanimously. In closing, Anderson asked for "the cooperation and understanding of everyone in carrying this policy through without unpleasantness."[95] The *Afro-American* was in full support:

> After 50 years of segregation, the Baltimore Park Board took only five minutes Friday to open this city's parks, swimming pools and recreation facilities to everybody. . . .
>
> The ruling thus makes Baltimore's recreational facilities open to all, just as they were 50 years ago when the development of park sites began.[96]

NOTES

1. Official Minutes, Baltimore Board of Recreation and Parks, 1946–Present. Baltimore City Archives, Baltimore, Maryland, January 20 and July 20, 1948, and November 18, 1955. [Hereinafter Minutes BBRP].
2. Barry Kessler and David Zang, *The Play Life of a City: Baltimore's Recreation and Parks, 1900–1955* (Baltimore: Baltimore City Life Museums, 1988), 31.
3. "Golf Course Opens at Carroll Park," *Baltimore Sun*, July 5, 1924; "New Field House to be Built at Carroll Park Golf Course," ibid., December 27, 1931.
4. This is perhaps partially in response to a July 26, 1930, article in the *Baltimore Afro-American* entitled "Few Negroes Now Play Golf, Physical Educator Asserts." The article emphasized the benefits of outdoor activities such as golf, stating, "Colored men and women should go in for golf. Segregation has forced the Negro to live closer together and to mill about within the congested limits of his restricted environment for most of his enjoyment. . . . Unlike the confining recreation of a night of cards, the companionship of the links in a two or three mile jaunt from green to green with good comrades makes for a broader, happier life."
5. Minutes BBRP, September 18, 1934; "Negro Golf Order Revised by Board," *Baltimore Sun*, September 19, 1934.
6. "Negro Golf Order Revised by Board."
7. Minutes BBRP, September 18, 1934; "Negro Golf Order Revised by Board."
8. Several protestors from the Carroll Park neighborhood suggested that a golf course be instead established in Druid Hill Park, where "the greater portion of the Negro population" lived. This solution was impossible, due to the topography, roads, and other features of the park. (Minutes BBRP, September 18, 1934; "Negro Golf Order Revised by Board.")
9. "Negro Golf Order Revised by Board"; "Jim Crow Golf Irks Baltimore: Liberalized J.C. Displeases Golfers," *Baltimore Afro-American,* May 16, 1936.
10. On March 11 of that year, Nicholas, acting on behalf of the Monumental Golf Club, had sent a letter to the board maintaining that the current arrangement was unacceptable, and that Carroll Park's facilities were inherently unequal. He therefore requested permission for black golfers to play at all the municipal courses. The letter was never answered. (Minutes BBRP, April 30, 1936.)
11. Minutes BBRP, April 30, 1936.
12. Minutes BBRP, May 5 and November 24, 1936.
13. The lack of funding and the possibility of applying to the WPA for labor was discussed during the Board of Recreation and Parks meetings of May 11 and November 2, 1937; April 5, June 7, July 19, and September 20, 1938; and January 10 and February 14, 1939. In one of the meetings in which the lack of funding for improvements to Carroll Park was discussed, the minutes show that the Board decided to take a recess. The minutes state, "The recess was extended indefinitely, by reason of which 'de facto' adjournment resulted. The adjournment

was followed by a trip in the President's speed boat on the Magothy, and by a bountiful shore dinner, with the President as host." (Minutes BBRP, July 19, 1938.)

14. Minutes BBRP, June 4, 1941 and May 6, 1942.

15. Kessler and Zang, *Play Life of a City,* 36; Minutes BBRP, June 3, 1942.

16. Kessler and Zang, *Play Life of a City,* 36; Minutes BBRP, June 9, 1942.

17. William L. "Willie" Adams, interview by Charles Wagandt, August 4, 1977, OH 8210, Theodore R. McKeldin—Lillie Mae Jackson Civil Rights Era Oral History Project, Maryland Historical Society; *Durkee v. Murphy*, 181 Md. 259, 29 A.2d 253, 255 (1942).

18. "3 on Board Refuse to Compare Links," *Baltimore Sun*, June 27, 1942; Minutes BBRP, July 8, 1942.

19. Minutes BBRP, March 17, 1943; "Negro Golfing Case Up Anew," *Baltimore Sun*, January 12, 1943.

20. In the May 14, 1943 board meeting, Commissioner Cross asked if the ruling meant that Carroll Park would have to be extended into an eighteen-hole course. President Durkee explained "that the law seemed to require only that grass greens and tees be equal in kind and not in number." At the next meeting, Commissioner Cross declared that his question of the previous month "was not germane to the subject and should be omitted," and the minutes were approved only with that "correction." (Minutes BBRP, May 14, 1943; Minutes BBRP, June 9, 1943.) "Negro Golf Dispute Ends," *Baltimore Sun*, April 22, 1943.

21. Minutes BBRP, June 5, 1945.

22. *Law v. Mayor and City Council of Baltimore et al.*, Civil Action No. 3837 (1948). Before filing the lawsuit, the golfers first approached the board. Attorney Charles E. Houston appeared at a hearing during which he "stated that there can be no equality as to golfing facilities unless all courses are open to all golfers without regard to race, creed, color or national origin. He further maintained that Carroll Golf Course was not adequate or equal. He told the Board that past use by Negroes of the courses without incident would guarantee future use without incident. He requested of the Board that it open all Municipal Golf Courses to all golfers." Dr. Harris called for a vote on the matter after several weeks of delay by the board. In the motion to open all the municipal golf courses to all players, Harris and Commissioner Ford voted in favor; Commissioners Hammerman, Scrimger, and Boone voted against; and Commissioners Garrett and Marsheck did not vote. (Minutes BBRP, October 1 and 31, 1947.)

23. Later, journalist H. L. Mencken also bemoaned the fact that golf, played by people with significant monetary means, was at all supplemented by taxpayers. His suggestion was to close all of the municipal golf courses, and everybody could then create their own golf clubs and buy their own links. "It would be hard to imagine anything more ridiculous," he thought, than a rich man who, upon being supplemented by the city government to play golf, was then allowed to exclude others. (H. L. Mencken, "Equal Rights in Parks," *Baltimore Sun*, November 9, 1948.)

24. William L. Adams interview.

25. Minutes BBRP, February 3, 1948. Though location may seem less important than number of holes, it was an important aspect of Chesnut's opinion. "Separately considered, Carroll Park is now a reasonably good nine-hole course but it is situated in an unattractive part of the city for a golf course, being bordered by an active industrial branch of the B&O Railroad and surrounded by commerce and industry rather than in a suburban or country district. It has little attraction from the landscape point of view. The land, while not completely level, has a comparatively uniform terrain and does not present the attractive varied conditions of ground or landscaping which exist to a much greater extent in the other municipal courses." (Chesnut opinion, *Law v. Mayor*, 1948.)

26. "Judge Chesnut on Negro Golfing Rights," *Baltimore Sun*, June 20, 1948; Chesnut opinion, *Law v. Mayor*, 1948.
27. "Judge Chesnut on Negro Golfing Rights"; Minutes BBRP, June 29, 1948.
28. Minutes BBRP, July 20, 1948.
29. "Baltimore's Golf Courses are Ultra Exclusive," *Baltimore Sun*, November 16, 1948; "How the New Golf Policy is Working Out," ibid., July 30, 1948.
30. "A Public Golf Course Reserved for 2.4 Players," *Baltimore Sun*, April 27, 1950; "How the New Golf Policy is Working Out"; "Baltimore's Golf Courses are Ultra Exclusive."
31. "Separate Golf Costly to City," *Baltimore Afro-American*, September 24, 1949.
32. Adams interview. It took until the white golfers were the ones inconvenienced for them to begin to advocate for integration.
33. Full name—the Fulton Progressive Citizens of America Juniors. The team was sponsored by the Progressive Citizens of America, who became involved in many desegregation efforts.
34. "Racial Question Halts Athletics," *Baltimore Sun*, January 7, 1948; Boyer testimony at board meeting, Minutes BBRP, January 14, 1948. Boyer later stated this was the first he had heard of any problem with the players on his team. Minutes BBRP, January 6, 1948.
35. "Racial Question Halts Athletics"; Minutes BBRP, January 6, 1948.
36. Boyer testimony before board, Minutes BBRP, January 14, 1948. Dr. Camper pointed to two occurrences of interracial teams from other cities being hosted in games at the Baltimore Memorial Stadium as apparent hypocrisy in the board's stance. Camper testimony, Minutes BBRP, January 14, 1948.
37. Testimony of Schmerler, Joseph Allen, and Lillie Mae Jackson, Minutes BBRP, January 14, 1948.
38. Testimony of James Barrett, Donald Fiol, and Henry Beitscher, Minutes BBRP, January 14, 1948.
39. "Interracial Game Ban to Continue," *Baltimore Sun,* January 21, 1948; Minutes BBRP, January 20, 1948.
40. Testimony by Dr. J.E.T. Camper, Hy Gordon, and Nixon Camper, Minutes BBRP, January 20, 1948; "Interracial Game Ban to Continue."
41. The motion made by Boone was seconded by S. Lawrence Hammerman. In favor were Garrett, Boone, Hammerman, and R. Wilbert Marsheck. Dr. Harris voted against. Mrs. Ford abstained. Minutes BBRP, Executive session, January 20 1948.
42. "Afro Readers Say," *Baltimore Afro-American,* February 7, 1948.
43. Minutes BBRP, August 11, 1943.
44. Mayor Thomas J. Swann, Dedication of Druid Hill Park, October 19, 1860.
45. Reportedly, Mayor Swann declared that the streetcar tickets should cost five cents so that workers could afford to use them. Of the five cents, one penny from each fare went directly to the fund used to purchase the Druid Hill estate. (Lecture by Anne Draddy, Druid Hill Park 150th Anniversary Celebration, Friends of Druid Hill Park and the Maryland Historical Society, October 14, 2010.) The third oldest of the large public parks in the United States, after Central Park in New York and Fairmount Park in Philadelphia, Druid Hill Park was originally considered a "destination."
46. Lectures by David Terry and Barry Kessler at the Druid Hill Park 150th Anniversary Celebration, October 12 and 14, 2010.
47. Minutes BBRP, August 14, 1946.
48. Minutes BBRP, July 28, August 18, and September 10, 1947.
49. The full text of the fliers as read by protester Mitzi Swan in a 2004 interview was as follows: "Kill Jim Crow! Demand your rights! Organize to smash discrimination in recreational

facilities. No law has ever been passed by the City Council stating that Negro and white citizens must use separate park facilities. On Sunday, July 11th at the Druid Hill clay tennis courts near Auchentoroly Terrace and Bryant Avenue (near the hot house) promptly at 2 P.M. Negro and white citizens are going to insist on their lawful rights to use these courts! Be present to lend your support! Sponsored by the Young Progressives of Maryland, 328 North Charles Street. . . . Jim Crow in America has got to go." Mitzi Swan, Interview by Anita Kassof and Barry Kessler, October 24, 2004, OH 658, Oral History Collection, Jewish Museum of Maryland.

50. Minutes BBRP, July 20, 1948. The PCA did not have good standing with the Board of Recreation and Parks in other matters, either. In August 1947 its state director sent a letter to the board requesting permission to hold a meeting in Johnson Square. The request was denied because of the "apparent nature and purposes of this organization," with Maxwell adding that the organization was "a mixed group of colored and white with communistic tendencies." (Minutes BBRP, August 14, 1947.)

51. Swan interview.

52. "Police Stop Interracial Tennis and Arrest 24," *Baltimore Sun*, July 12, 1948. These were just a few of the exclamations. Others were reported to include: "Is this America or Nazi Germany?" "Hitler tactics," "We all pay taxes," and "We fought a war for democracy."

53. "24 Defy Jim Crow Law, Arrested," *Baltimore Afro-American,* July 17, 1948; Minutes BBRP, July 20, 1948. Of course, others were on the side of the police. In the official recounting of the incident in the board minutes, it was resolved "that Messrs. Maxwell and Hook used excellent judgment in the handling of this very difficult interracial tennis problem." All the commissioners except Dr. Harris agreed. (Minutes BBRP, July 20, 1948.)

54. Criminal Court of Baltimore under Judge J. Moser, 1948. Moser's opinion was upheld in *Winkler et al. v. State*, 194 Md. 1; 69 A.2d 674 (1949).

55. "Riot Charged in Tennis Case," *Baltimore Sun,* September 4, 1948; Swan interview.

56. "Verdict in Tennis Case is Upheld," *Baltimore Sun,* March 4, 1949; Swan interview.

57. Swan interview. Those convicted included attorney Harold Buchman, director of the Young Progressives of Maryland Stanley Askin, and Charles M. Swan. ("Retrial Sought by Players in Mixed Tennis Matches," *Baltimore Afro-American,* November 13, 1948.) Askin and Buchman were both fined $50 each; the others were fined $10 each.

58. As quoted in "7 Tennis Match Defendants Fined," *Baltimore Sun*, March 23, 1949.

59. "7 Tennis Match Defendants Fined." Part of the reason for fewer consequences for white participants was the inclusion of many college students, but it would not be accurate to say this was the only reason. The whites who worked at the same post office kept their jobs, the blacks lost theirs. Swan interview.

60. *Winkler et al. v. State*, 194 Md. 1; 69 A.2d 674 (1949); "Interracial Case Appeals Denied," *Baltimore Sun*, November 18, 1949.

61. "Verdict in Tennis Case is Upheld," *Baltimore Sun*, March 4, 1949.

62. Minutes BBRP, July 1, 1950 and May 12, 1951.

63. A columnist with the *Afro-American* had this to say on the board's decision: "The Baltimore (Md.) Park Board, which supervises city-operated recreational plants, for many years countenanced interracial basketball and football and track, but frowned on mixed tennis and golf and swimming . . . last week, the Board, to save face on the national scene, approved integrated golf and tennis, but promptly decided it could do without its face if it meant doing away with its jim-crow policy with regard to swimming." ("From A to Z with Sam Lacy," *Baltimore Afro-American*, July 7, 1951.)

64. David Freishtat, younger brother of Mitzi Swan, had attended the original protest. As Mitzi was arrested, David was chasing the police car and crying. Swan interview.

65. Chesnut opinion, *Boyer et al. v. Garrett et al.,* 88 F. Supp. 353 (1949); "Half Million Dollar Suit Demands End of Jim Crow," *Baltimore Afro-American*, September 18, 1948.
66. "Interracial Rule Sought," *Baltimore Sun*, July 27, 1948; "Half Million Dollar Suit"; Chesnut opinion, *Boyer v. Garrett* (1949).
67. Chesnut opinion, *Boyer v. Garrett* (1949).
68. *Williams v. Zimmerman*, 1937, 172 Md. 563, 192 A 353, 355; *University of Maryland v. Murray*, 1935, 169 Md. 478, 182 A. 580, 592, 103 A.L.R. 706; Chesnut decision.
69. *Boyer et al. v. Garrett et al.*, 183 F.2d 582 (1950); "Segregation Case Appeal is Denied," *Baltimore Sun,* January 3, 1951; "Appeal Set in Park Case," *Baltimore Afro-American*, January 7, 1950.
70. U.S. Court of Appeals Opinion, *Boyer v. Garrett* (1950).
71. Minutes BBRP, June 25, 1951. The complete provisions in regards to the proposal:

    1–TENNIS: Separate tennis courts will be maintained for white and Negro patrons, as in the past, but in addition certain other courts will be designated on which interracial play will be permitted.

    2–ATHLETIC FIELDS: Separate facilities will be maintained for white and Negro patrons, as in the past, but in addition certain other facilities will be designated on which interracial play will be permitted upon application and upon availability of such facilities.

    3–GOLF: The present schedule covering the use of Municipal Golf Courses will be discontinued. Interracial play will be permitted at all times on all Municipal Golf Courses effective July 10, 1951.

    4–PLAYGROUNDS: The use of playgrounds will continue as at present, except that supervised mixed play will be permitted on certain playgrounds to be announced at an early date.

    5–SWIMMING POOLS: The use of Swimming Pools will continue as at present.

    6–FORT SMALLWOOD BEACH: The use of Fort Smallwood Beach will continue in accordance with the schedule announced by the Board on May 12, 1951.

72. Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge: Harvard University Press, 2001), 2.
73. Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000), 132.
74. "Moser Delays Verdict in Tennis Case," *Baltimore Sun*, October 26, 1948; "Defendants Blame Police," *Baltimore Sun,* October 23, 1948; Swan interview.
75. "Called Names at Park Game, Police Charge," *Baltimore Sun*, October 22, 1948; "Defendants Blame Police."
76. "Interracial Tennis Match Defendants Ask Jury Trial," *Baltimore Sun,* July 13, 1948. Though it was not known at the time, "Equal Rights in Parks" was to be Mencken's last column.
77. Minutes BBRP, January 20, 1948, executive session; Committee on Un-American Activities, House of Representatives, dated July 21, 1947, 152, quoted in Minutes BBRP, January 20, 1948.
78. The piece was accompanied by a political cartoon which showed a Sherlock Holmes–styled figure labeled "Anti-Liberals" peering through his magnifying glass to a boy playing with a bucket and pail. The inspector proclaims "Uh-mmm yes I believe it's RED!" Mae Medders, "'Red' Charges Hurled at Many Leaders of Civil Rights Projects in Baltimore," *Baltimore Afro-American,* April 29, 1950.
79. "Group May Sue to Open Park."
80. *Dawson v. Mayor and City Council of Baltimore*, 123 F. Supp. 193 (1954).

The case of Fort Smallwood was heard in conjunction with the case of segregation at Sandy Point State Park. Francis X. Gallagher, Assistant Baltimore City Solicitor said the decision on the case "will be capable of application to all public swimming facilities." ("Cases Set Today on Segregation," *Baltimore Sun*, January 11, 1955.)

81. "City Opens Smallwood to Negroes," *Baltimore Sun*, May 25, 1951; "Ft. Smallwood Bathing Beach Policy Decried," *Baltimore Sun*, May 26, 1951; Minutes BBRP, September 22, 1953.

82. *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954); Tucker D. Dearing, interview by Susan Conwell, August 11, 1976, OH 8159, Theodore R. McKeldin—Lillie Mae Jackson Civil Rights Era Oral History Project, Maryland Historical Society; Wiltse 156.

83. Dearing interview.

84. Thomsen opinion, *Dawson v. Mayor* (1954). Thomsen complained that in its *Brown* decision, the Supreme Court was citing from sociology books, which he considered "extralegal." The only book which Thomsen also took judicial notice of in his decision was Gunnar Myrdal's *An American Dilemma*. ("Federal Court Asked to End Segregation in City's Pools," *Baltimore Sun*, June 23, 1954.; "Court Rules Segregation for Bathers," *Baltimore Sun*, July 28, 1954.)

85. Thomsen opinion, *Dawson v. Mayor* (1954).

86. "NAACP to Appeal Thomsen's Ruling," *Baltimore Afro-American*, August 7, 1954; "Unconstitutional: How We Took Defeat on Beach Cases Last July," *Baltimore Afro-American*, March 26, 1955.

87. *Dawson v. Mayor and City Council of Baltimore*, 220 F. 2d 387 (1955).

88. U.S. Court of Appeals opinion, *Dawson v. Mayor* (1955).

89. Dearing interview.

90. *Mayor and City Council of Baltimore City v. Dawson*, 350 U.S. 877 (1955).

91. "Wilkins Sees Court's Rulings as 'Handwriting on the Wall,'" *Baltimore Afro-American*, November 19, 1955.

92. As reported in "Daily Press Eyes Beach Ruling," *Baltimore Afro-American*, November 19, 1955.

93. Minutes BBRP, June 10 and July 17, 1954.

94. Minutes BBRP, April 15, 1955.

95. Minutes BBRP, November 18, 1955; "Action Gets Unanimous O.K. Twice," *Baltimore Sun*, November 19, 1955.

96. "'Swim Anywhere,' Rules Park Board," *Baltimore Afro-American*, November 26, 1955.

From Basement to Blog

JENNIFER A. FERRETTI

Over the past several years the Department of Imaging Services has prioritized creating inventories and reference images of the Peale/Baltimore City Life Museum's most popular and important photograph collections. The Peale/BCLM files¸ which have been in the care of the MdHS since 1998, hold thousands of images from c.1848 to the 1980s, including daguerreotypes, paper prints, glass plate negatives, and film negatives and is particularly strong in documenting Baltimore's architecture, the harbor, and the first half of the twentieth century. Although some of these pictures have been previously published or displayed, thousands more have not, prompting staff to figure out how to put these treasures out to the wider community. Digital technology and social media offered an efficient, practical, and ultimately award-winning solution.

In addition to the highly-publicized Paul Henderson collection, the core of the February 2011 "Seen & Heard" program, staff is working on additional Peale/BCLM images. A newly created inventory of the photographic prints holds detailed information on almost three thousand city views. The film and glass negatives, created c.1895–1930, are among the oldest in the collection, but in their current state it is difficult to gather all the information they hold. Faced with the goal of making the negatives accessible to the public under a limited budget, staff devised a new method of dissemination: the reference photograph. In order to actually see and understand what we have, the negatives had to be positive images. Each glass negative was placed on a light table and photographed with a digital SLR camera. Then the digital files were brought into Photoshop and inverted to appear as positives. This simple, archaic method of photographing a photograph reduced handling each glass negative and proved revolutionary for creating inventory lists. The reference photograph project has produced more than one thousand positive digital files of glass negatives, many of which have not been viewed since the year they were shot.

Social media has allowed MdHS to share these photographs with the public through a free blog, MdHS Photographs Tumblr http://mdhsphotographs.tumblr.com that has introduced hundreds of photographs to an online community that did not know the pictures existed. Uploading photographs to our Tumblr blog demands providing as much detailed information as possible in a short period of time, and all members of the library staff enthusiastically participate in identifying photos. Sharing photographs internally and with a new audience helps all of us learn more about the treasures under our roof.

Centre Theatre.
10 East North Avenue,
Baltimore.

Photograph by
an unidentified
photographer, c.1939.

Triangle Sign
Company Collection.

Maryland Historical Society,
1982.2.47.

Our Tumblr reaches over 13,500 unique visitors per month. Eighty percent of our visitors reside in the United States, followed by Brazil, the United Kingdom, Russia, and many other countries around the world. The blog has received two awards: "Best Tumblr Feed," *Baltimore Magazine* 2011; Rated #5 in "The Year in Intertubes," *Baltimore City Paper* 2011. Over nine thousand people follow the blog and it has been featured in Tumblr's "History Spotlight" section along with *LIFE* magazine's and New York Public Library's Tumblr.

The MdHS Photographs Tumblr is updated Monday through Friday (with some exceptions) by Jennifer A. Ferretti, formerly Curator of Photographs. All photographs are part of the Baltimore City Life Museum Collection.

Auditorium Theatre. 516 North Howard Street, Baltimore. Photograph by Julius Anderson, c.1925. Julius Anderson Collection.

Maryland Historical Society, 1994.42.42.

Harlem Theatre. 616 North Gilmore Street, Baltimore. 2½ x 2¼-inch negative by A. Aubrey Bodine, not dated.

Maryland Historical Society, B1617-1.

Baltimore City Hall. 100 Holliday Street, Baltimore. 6x8 glass negative by an unidentified photographer, not dated.

Maryland Historical Society, MC2116.

Shepherd George Standish McCleary (AKA Mr. Mac) with dog. Druid Hill Park, Baltimore. 5x7-inch glass negative by an unidentified photographer, c.1900.

Maryland Historical Society, MC2133.

Man demonstrating scissor grinder (bicycle-powered sharpener) for spectators. Baltimore. 5x7 glass negative by unidentified photographer.

Maryland Historical Society, MC2152.

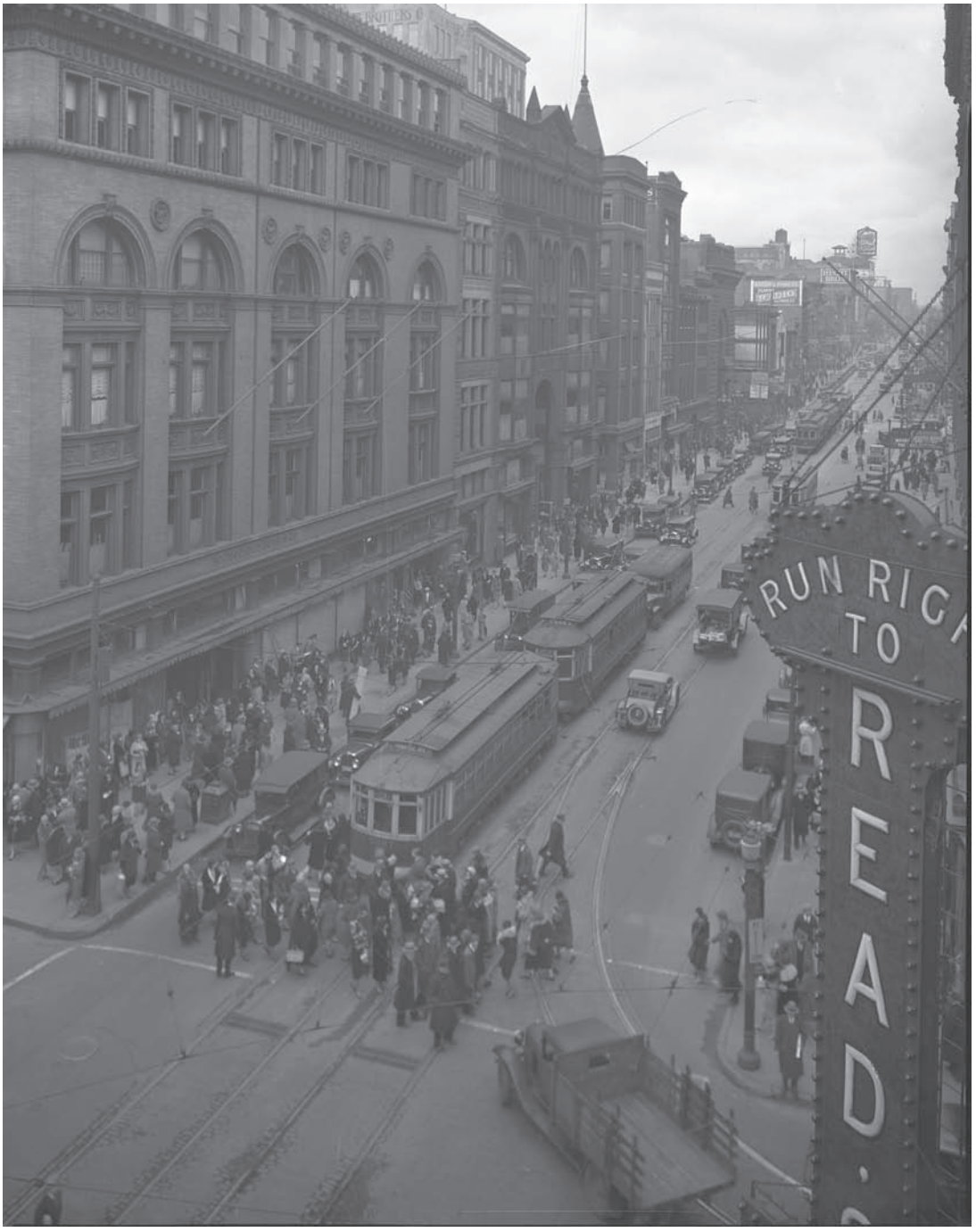
Lexington Market, Baltimore. Photograph by unidentified photographer, 1921.
Maryland Historical Society, MC4240-3.

Baltimore after Great Fire of 1904. Calvert Street and Guilford Street, Baltimore. 8x10-inch glass negative by unidentified photographer, 1904.
Maryland Historical Society, MC4709.

A crowd follows the 1912 World Series (Boston Red Sox/New York Giants) score posted outside the Sun Building. Charles at Baltimore Street, Baltimore. 8x10-inch glass negative by unidentified photographer, 1912. Maryland Historical Society, MC4711.

Street scene. Baltimore Street, east from Calvert Street, Baltimore. 8x10-inch glass negative by unidentified photographer, c.1904.

Maryland Historical Society, MC4742.



Street scene. 400 block, Howard Street, Baltimore. 8x10-inch film negative by an unidentified photographer.

Maryland Historical Society, MC6186.

National Bank of Commerce. 26 South Street, Baltimore. 8x10-inch glass negative by the Hughes Company, c.1905.
Maryland Historical Society, MC7042.

City Post Office. Calvert and Fayette Streets, Baltimore. 8x10-inch glass negative by Hughes Company, c.1915.
Maryland Historical Society, MC6488.

Oppenheim-Obendorf & Company shirt factory, interior view. 112–114 West Fayette Street, Baltimore. 8x10-inch glass negative by the Hughes Company.

Maryland Historical Society, MC7089.

J. F. Wiessner and Sons Brewing Company building. 1700 North Gay Street, Baltimore. 8x10-inch glass negative by the Hughes Company.

Maryland Historical Society, MC7104.

Canton rowhouses. Canton, Baltimore. Photograph by the Hughes Company, c.1905.
Maryland Historical Society, MC7319.

Maryland Institute Hall (AKA Centre Market Building or the Great Mechanics' Hall) burning during the Great Fire of 1904. Baltimore Street and Centre Market Space (opposite Harrison Street), Baltimore. Photograph by Andrew Bayer, 1904.
Maryland Historical Society, MC7610.

Street scene. 500 block, West Lombard Street, Baltimore. 5x7-inch glass negative by John Dubas, July 4, 1912.

Maryland Historical Society, MC9103C.

African American woman with small children, interior of home. 5x7-inch glass negative by John Dubas, March 4, 1916.

Maryland Historical Society, MC9451.

Unidentified saloon, interior view with bartender. Photograph by John Dubas, November 1, 1908.
Maryland Historical Society, MC9205.

Electric streetcar number 2067, to Orleans Street. Baltimore.
5x7-inch glass negative by John Dubas, c.1908.
Maryland Historical Society, MC9459-3.

Gayety Tavern, interior view with customers. 403 East Baltimore Street, Baltimore. 8x10-inch acetate film negative by John Dubas, c.1935.
Maryland Historical Society, MC9518.

Maryland History Bibliography, 2011: A Selected List

ANNE S. K. TURKOS and JEFF KORMAN, Compilers

From 1975 on, the *Maryland Historical Magazine* has published regular compilations of books, articles, and doctoral dissertations relating to Maryland history. The following list includes materials published during 2011, as well as earlier works that have been brought to our attention.

Bibliographers must live with the fact that their work is never finished. Please notify us of any significant omissions so that they may be included in the next list. Send additional items to:

Anne S. K. Turkos
University Archives
2208 Hornbake Library
University of Maryland
College Park, MD 20742

Previous years' installments of the Maryland History Bibliography are now searchable online. Please visit http://www.lib.umd.edu/dcr/collections/mdhc for more information about this database and to search for older titles on Maryland history and culture.

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Book Reviews

Jane Wilson McWilliams, *Annapolis, A City on the Severn: A History* (Baltimore: The Johns Hopkins University Press, 2011. 512 pages, 164 halftones, 5 line drawings. Cloth $44.95.)

At the tip of a narrow peninsula on Chesapeake Bay's western shore sits the port of Annapolis, Maryland. Today the city is typically associated with the numerous sailboats in its harbor and the historic buildings that line its streets. Often overlooked is its important place in Maryland's history. Despite calls by local historians for a comprehensive history of the state capital, until the recent publication of *Annapolis, A City on the Severn* there has not been since the 1880s a monograph on the city that attempted to fully capture the port's history. Jane Wilson McWilliams admirably fills this gap with a book that nicely captures the richness of Annapolis's past.

Throughout its history, disparate newcomers, including white retirees and striving Hispanic immigrants, have been drawn to Annapolis by its "location, its culture, or its economic possibilities" (373). Although the book discusses the city's politics and economy in detail, McWilliams's primary focus is on the town's land use and development. In great detail she maps the growth of the port from a small English outpost settled in the mid-seventeenth century to the bustling state capital it is today. Starting as a Calvert desire for commerce at designated seaports rather than at individual plantations, Annapolis's growth resulted from political and economic rivalries. Competition between political factions, and between Annapolis, its neighbors and state and federal governments are vividly described. Eighteenth-century battles over the governor's mansion, the establishment and expansion of the U.S. Naval Academy, and the twentieth-century annexation of nearby suburbs illustrate how the city grew. The establishment of the United States Naval Academy led to Annapolis's becoming a "Military Town" in which the academy's operations shaped the lives of many residents. McWilliams persuasively argues that without strong land use regulation and the vigorous advocacy of local preservationists such as Anne St. Clair Wright the town might look very different today. McWilliams effectively employs voluminous illustrations, maps, and census tables to give readers a strong visual sense of the port's growth from a "finished" city fully contained within a mile square to its current, more sprawling character.

One strength is the inclusion of short essays by other historians. These sidebars, on such topics as eighteenth-century working women, the *Maryland Gazette*, the African American alderman William H. Butler, and the Annapolis Convention of 1786, offer interesting insights into issues not fully explored elsewhere.

Throughout this chronologically organized nine-chapter volume, McWilliams probes deeply into the institutional and political life of Annapolis and its roles as a

port, capital, and educational center, giving each full consideration. For anyone interested in understanding the development of the Old Line State's capital, *Annapolis, A City on the Severn* now serves as the starting point.

Where the book is lacking is in not connecting Annapolis' history to larger national and global issues. This is most noticeable in the discussion of race. Although McWilliams tells us that Annapolis went from a city that in 1860 gave only one vote to Abraham Lincoln to one that cast almost half of its votes for the tall Midwesterner in 1864, she does not describe why this change occurred or how it might have been part of a larger national pattern. Similarly, although she describes the Democrats regaining control of Annapolis's government in 1875, this significant political realignment is not situated within the larger movement by Southern whites to reclaim political power at the expense of blacks. When blacks were largely disenfranchised during the Jim Crow era, did Annapolis black women, like those in Wilmington, North Carolina, create new methods of political activism? Consideration of such larger national questions would have made for a more compelling narrative.

Notwithstanding its local focus, the book is a useful addition to the Maryland historiography and a welcome addition to the histories of port cities.

Charles R. Foy
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Southern Character: Essays in Honor of Bertram Wyatt-Brown Edited by Lisa Tenrich Frank and Daniel Kilbride (Gainesville: University Press of Florida, 2011. Notes, index. Cloth, $74.95.) Part of the *Southern Dissent Series.*

This eclectic series of fifteen essays honors Bertram Wyatt-Brown, a distinguished American historian whose evocation of southern life and culture has influenced students since, in 1982, the publication of his definitive study *Southern Honor: Ethics and Behavior in the Old South*. In fact these essays began as presentations at a lively conference organized by his graduate students to honor Wyatt-Brown's retirement from the University of Florida history department in 2005. Dubbed then a BertFest—the name suggesting the collegiality that Wyatt-Brown established with, and among, his students—the volume under review might be recognized as a "BertSchrift," that is a collection of essays entitled *Southern Character* celebrating the significance of a beloved professor whose scholarship has been only a part of his influence on students.

In the first essay, a brief biography of Wyatt-Brown, Charles Joyner makes clear the connection between Wyatt-Brown, the person—only, we learn, an accidental Yankee—and Wyatt-Brown, the historian of the South. In *Southern Honor* Wyatt-Brown developed the concept of honor as an interpretative tool that explained southern life in the nineteenth century, from gender relations to hospitality to behavior toward rivals. Most of the subsequent essays in *Southern Character,* either

explicitly or implicitly, employ this concept, more so in the earlier efforts than those focusing on the post–Civil War era. But all fifteen manifest aspects of Wyatt-Brown's influence, the broad range of his interests, his interdisciplinary approach, and his indefatigable research.

Andrew Fraser's "What Then Makes an Indian?" answers the question of identity for the Muskogee Indians who defined themselves in terms of kinship and allegiance rather than by Western notions of race and residency. Christopher Morris's "The Strange Career of Gideon Gibson" offers the kind of braided narrative Wyatt-Brown espoused, especially in his biography of the Percy family. Morris unravels the history of Gideon Gibson and his family as they dealt with their mixed blood identity in communities where whiteness and honor were indivisible. Daniel Kilbride, a coauthor of the volume, considers the differences and similarities between northern and southern attitudes toward the European Revolutions of 1848, while Christopher Olsen fastens masculinity to honor and argues for the importance of both in the deep South's emerging political culture.

Essays by A. Glenn Crothers and Randall Stephens focus on alternative communities of southerners—in this case the religious outsiders of Quakers and Methodist abolitionist missionaries in an increasingly hostile pre–Civil War South. Two essays consider the significance of honor during the Civil War: Daniel Stowell evaluates the diminishing importance of the practices and attitudes of southern honor to Abraham Lincoln as he moved from the male culture of New Salem to the meritocracy of the law and politics, even though as president he maintained a sense of national honor that prevented any retreat from his war aims of Union and emancipation. Lisa Frank, a coeditor of *Southern Character,* argues that the mere presence of Union soldiers in women's bedrooms during Sherman's march assailed southern ideals of ladyhood. This connection is a welcomed gendered extension of a concept that is often applied only to male behaviors.

The essays that cover the period after the Civil War are less explicitly focused on honor, although all reveal the Wyatt-Brown demands for good, clear writing, a defendable thesis and attention to how, where, and why southerners found their identity. Stephanie Cole's "Neither Matron nor Maid" probes the significance of interracial marriages of whites and Chinese that display the fissures in Jim Crow Texas in the 1890s and the limits of the white supremacist system. Jeffrey Anderson's "Voodoo in Black and White" presents a historiographical deconstruction of two classics of voodoo history, and we learn much about voodoo as well as the essential relativism of history.

The last four essays consider disparate subjects; two focus on southern conservatives. According to Benjamin Houston in "Donald Davidson and the Segregationist Intellect," the famed writer Donald Davidson exemplified a strain of segregationist thinking based on the attraction of an imagined South that opposed *Brown v. Board of Education* as federal interference. Davidson provided the link from earlier raw

expressions of white supremacist thought to the conservative revival of the 1950s and 1960s. Mel Bradford, the subject of an essay by John Langford, was part of that later revival. Focusing on Bradford's failed nomination to head the National Endowment for the Humanities, Langford explores the tensions within the conservative movement. Three authors—Chris Beckman, Steven Noll and David Tegeder—have coauthored an essay on the Cross Florida Barge Canal that reveals the power of a grassroots campaign to stop what some Floridians believed an environmental catastrophe for the state. Finally Andrew Moore connects the Civil Rights movement, the Catholic Church and southern Baptists to explain the shift that not only moved the church into reproductive politics but also accounted for the Baptists joining the Catholics in the antiabortion campaign.

As a traditional festschrift, *Southern Character* is outstanding in the range and originality of its subject matter, the use of evidence, and the suggestiveness of the necessarily brief essays.

Jean H. Baker
Goucher College

The Empire Reformed: English America in the Age of the Glorious Revolution. By Owen Stanwood. (Philadelphia: University of Pennsylvania Press, 2011. 227 pages. Endnotes, index. Cloth, $45.00.)

Owen Stanwood provides a momentously important study of British North America in the final decades of the seventeenth century by demonstrating that the Glorious Revolution in England created "a new imperial political culture" that in turn "usher[d] in the age of Empire in North America" (206). According to Stanwood, the inception of a centralized British imperial polity in North America manifested not only out of the reinvigoration of Protestantism and renewed faith in the English monarchy with the ascension of William and Mary to the throne, but even more "overwhelmingly out of fear" (4). As Stanwood explains, English colonists' anxieties over a Catholic conspiracy to undermine British and Protestant power in the new world pervaded colonial political developments throughout the late seventeenth century, enabling Great Britain to consolidate its imperial authority over the North American colonies. From the incessant everyday fears of French-instigated Indian raids and warfare to the concerns with the geopolitical ramifications of James II's Catholicism, British colonists exuded a "popular fear [that] allowed England . . . to build an empire" (4–5).

Additionally, Stanwood stresses that the process of empire-building in the aftermath of the Glorious Revolution hinged upon the "contingency" of local developments. In short, colonial assemblies and politicians influenced and even redirected imperial administrations to protecting the political liberties of their legislative bodies, which seemingly legitimated the British North American colonies as "partners in

an imperial, Protestant coalition" rather than as simply subordinate subjects on the periphery of empire (206). Consequently, this negotiated unity between colonial leaders and elites with imperial officials revolved around "making anti-Catholicism a state ideology," that persisted throughout the eighteenth century and contributed directly to a British imperial mentality of a "Protestant, anti-French imperialism [that] held the empire together" until the American Revolution (215). Therefore, Stanwood's positioning of the Glorious Revolution as both a local and trans-Atlantic phenomenon offers a "view [of] local events in global terms," illustrating that the transnational processes of empire-building and imperial conflict defied uniformity and involved colonial, or local, negotiations and contestation of these broader, global developments (42).

Stanwood's analysis of the collapse of the "Dominion of New England" as "almost entirely due to worsening relations with Indians" is particularly compelling (79). As English colonists in North America increasingly waged frontier warfare with French-allied Indians within the northern borderlands between New England and New France, the inability of Edmund Andros to diffuse this violence and his subordination of the colonies to James II's imperial rule generated intense hostility from colonial elites. Ultimately, devolving British-Indian relations in addition to colonists' concerns with Andros's efforts to create a Catholic English Empire provoked colonial antipathy culminating in the "rebellions of 1688–1689." These localized yet trans-Atlantic manifestations of the Glorious Revolution fostered "closer coordination between colonies and metropole" through a shared Protestantism, mutual respect for imperial authority and colonial political liberties, and "a common fear of Catholic[s]," all of which contributed to the genesis of a Protestant British Empire divested of James II's Catholicism and in opposition to Catholic France (86).

Further to his credit, Stanwood engages brilliantly with the existing historiography pertaining to seventeenth-century British North America, English empire-building, British identity-formation, the power of rumor and conspiracy, and the role of the imperial periphery in the construction of empire. In particular, he provides a broader historical context for the anti-Catholic and anti-Indian conspiratorial fears that pervaded seventeenth- and eighteenth-century North America, which features prominently in the works of Mary Beth Norton (*In the Devil's Snare: The Salem Witchcraft Crisis of 1692* [2003]) and Jill Lepore, (*New York Burning: Liberty, Slavery, and Conspiracy in Eighteenth-Century Manhattan* [2006]). In addition, Stanwood's use of these conspiratorial fears as the foundations of a British identity in North America expands upon Linda Colley's (*Britons: Forging the Nation, 1707–1837* [1992]) pioneering study of British identity-formation by demonstrating that this process unfolded not only in Great Britain, but also throughout the English Empire and as early as the seventeenth-century. Similarly, Stanwood positions his study as an antecedent to Brendan McConville's (*The King's Three Faces: The Rise and Fall of Royal America, 1688–1776* [2007]) narrative for the "royalization" of British North

America in the aftermath of the Glorious Revolution. Furthermore, Stanwood channels the investigations of Peter Silver (*Our Savage Neighbors: How Indian War Transformed Early America* [2008] and Gregory Evans Dowd (*War under Heaven: Pontiac, the Indian Nations, and the British Empire* [2002] and "The Panic of 1751: The Significance of Rumors on the South Carolina-Cherokee Frontier," *William & Mary Quarterly,* 53 [1996]: 527–60) into the power of rumor and conspiracy on the fringes of empire in influencing imperial policy and geopolitics.

The trans-Atlantic and even global scope of Stanwood's study at times conflicts with the centrality of the New England and New York colonies to his analysis. Although he routinely examines the Chesapeake colonies of Virginia and Maryland with even less attention given to the Caribbean, these sites of British empire-building and identity-formation feature far less prominently than New England or New York. Although Stanwood attributes this to the proximity of the northern colonies to New France while also constituting the main site of British imperial construction in North America during the seventeenth and eighteenth centuries, this may inhibit the very comprehensive trans-Atlantic and global narrative that Stanwood envisions. Despite this minor detraction, Stanwood's work should be considered absolutely vital to historians' understandings of British empire-building and identity-formation, particularly by positing these processes as unfolding as early as the late seventeenth century, influenced by the pervasive religious fears and political anxieties of the era, and characterized by trans-Atlantic negotiations between the metropole and its colonial extensions.

Bryan Rindfleisch
University of Oklahoma

With Zeal and Bayonets Only: The British Army on Campaign in North America, 1775–1783. By Matthew H. Spring. (Norman: University of Oklahoma Press, 2010. 408 pages. Maps, illustrations, notes, bibliography, index. Paper, $19.95.)

1781: The Decisive Year of the Revolutionary War. By Robert Tonsetic. (Philadelphia: Casemate Publishers, 2011. 268 pages. Illustrations, notes, bibliography, index. Cloth, $32.95.)

Historians have long been examining the events of the American Revolution to better understand how political, military, and diplomatic efforts enabled a group of poorly funded and loosely confederated colonies to gain their freedom from the one of the wealthiest and most powerful empires in the western world. These two works examine what brought about British defeat from the perspective of British military operations and the events of 1781 respectively.

In *With Zeal and Bayonets Only*, Matthew Spring examines how the British Army in America operated against Rebel forces (his term for the Continentals). From a casual observation, the American Revolution seems to be an anomaly in British

military history. During the Seven Years' War and again during the Napoleonic Wars, the British Army deployed one of the premier fighting forces in Europe able to defeat professional French armies, yet between those two conflicts they were defeated by a relatively ragtag army of amateurs. Spring notes that for too long the British army has been portrayed in history and Hollywood as marching and fighting like a near-robotic machine. Revolutionary War reenactments and amateur historians have led to a better understanding of the dress and equipment British forces used than to an accurate interpretation of how the armies actually operated. In an expansion of his doctorial thesis, Spring looks at the British army by using actual accounts of those involved in infantry engagements of over 1,000 troops. As he states, "In reality, as I hope to show in the course of this work, the King's troops won the vast majority of their battlefield engagements in America because they tailored their conventional tactical methods intelligently to local conditions—very much as they had done in similar circumstances during the French and Indian War (1754–1763)" (xii). This leaves us with the question—if they won the battles how did they lose the war?

With Zeal and With Bayonets Only reads like an intelligence analysis, focusing on the grand strategic topics and tactical constraints that affected the King's troops in the field. Operations in America were different from anything the British army had experienced. Instead of trying to wrest control of territory from an aggressor force to either add or return to British control, it was faced with putting down a local political revolt and dispersing the organized Rebel armies. Spring shows how at the start of the war British military and political leaders believed that the revolutionaries comprised but a minority in the population and that if authority could be enforced the population would return to the crown. Once hostilities began, though, it quickly became apparent that the prevalent strategies would not work in America.

Spring regularly puts British military operations in America within context of established eighteenth-century European battlefield practices. In particular, he regularly refers to *The Manual Exercise, as Ordered by His Majesty, in 1764* to compare how British infantry adapted to fight in America compared to the training they received. As he notes, "Just as modern narratives of the North American campaigns tend to ignore the global conflict in which Britain was embroiled from 1778, much of what might be called the 'battle history' of the American War has been penned by authors with a limited understanding of how eighteenth-century linear warfare was conducted in Europe (198)." From the start of the war American military leaders were unwilling to allow their troops to fight in established linear battle formation in open fields. Instead, Americans made use of the topography, which lent itself to the defensive style of fighting at which they excelled. Topography also affected logistics and maneuvering. On European battlefields armies had the necessary horseflesh to move all of the requisite supplies, ammunition, and artillery, and the manpower to establish garrisoned depots before continuing on. Forces on the march in America had to operate with what might be termed a mobile depot. The limited availability

of horses dictated how much a force could carry and how long it could operate. The limited availability of trained British regulars made it impossible to establish depots in the American countryside, and influenced how British generals engaged Rebel forces. Engagements with American riflemen behind cover resulted in higher casualties that could not be easily replaced. Early in the war the British dispersed Rebel formations with the shock tactics of the bayonet instead of firepower, to conserve their own manpower. Against untrained militia this proved effective, but as Continental regulars gained battlefield experience they were able by 1781 to stand toe to toe against Redcoats on equal terms. Spring also examines the factors that motivated the British troops sent to America, as well as the views of Hessian soldiers. From the beginning of the war in 1775, Crown forces looked upon Rebel militia with contempt and disdain, views that by the end of the war would have negative consequences.

Spring has produced a well-researched scholarly work that contributes much to understanding how the military forces operated during the American Revolution. For too long historians have focused on the transformation of the United States forces from volunteer militia into trained Continentals; ignoring the adaptation of the British Army in the conflict. Readers without a casual understanding of the American Revolutionary campaigns and the armaments used might be at a bit of a loss in reading this work. But for the student of the war, *With Zeal and With Bayonets Only* is a welcome addition to the historiography.

Robert L. Tonsetic's *1781: The Decisive Year of the Revolutionary War* chronologically examines the events of that year, from the mutiny of the Pennsylvania Line in New York in January to the surrender of General Charles Cornwallis's army at Yorktown in October. "Like the years 1776, 1865, and 1945, the year 1781 changed the course of American and, indeed, world history (vii)."

Tonsetic begins by setting the stage at the end of 1780, when the Revolutionary cause seemed in danger of collapse. With the start of 1781 he examines how three primary players—George Washington, Lord North, and Charles Gravier Comte De Vergennes—spent New Year's Day reflecting on the state of the conflict and the potential for disaster each faced. Washington was the first to face the danger of collapse when soldiers of the Pennsylvania Line and the New Jersey Brigade mutinied for grievances that included lack of pay and disagreement over terms of enlistment. Disaster was averted by the efforts Washington, Anthony Wayne, and Robert Morris.

From events in the New York area, Tonsetic turns to the southern theater and the strategic situations Cornwallis and Nathaniel Greene faced. British strategy focused on moving out from the costal regions into the backcountry of the Carolinas to establish garrisons and bring the American southern army to a decisive engagement. Greene and his generals bloodied the British at Cowpens, Guildford Courthouse, and Eutaws Springs, and kept the army together as they drew Cornwallis away from his depots. Greene's eventual success in drawing Cornwallis into Virginia had a profound impact on the direction of the war. Cornwallis left the Carolinas in American

control, while operations in Virginia held no strategic value and instead brought more recruits to the American cause.

As events transpired in the South, they affected the Washington and the Comte de Rochambeau's decision as to whether the first Allied campaign should be in New York or the South. Washington preferred to attack General Henry Clinton in New York; Rochambeau saw a campaign against the British southern army as holding the most potential for success. In the end, Lafayette's bottling of Cornwallis's Army at Yorktown decided the course of events; as the Allied army marched from New York to Virginia to engage in the siege that led to American victory.

1781 is a well-written popular history of events during the last major campaign of the American Revolution. Tonsetic nicely weaves his narrative, making use of the many published primary sources and secondary literature written about the war over the past two centuries, particularly many of the latest works. While not an overly analytical work, *1781* does provide a concise history for the casual reader who is interested in the how the American military was able to go from the verge of collapse to victory in a year's time.

Joseph-James Ahern
University of Pennsylvania

The Founding Fathers Reconsidered. By R. B. Bernstein. (Oxford University Press: New York, 2011. 238 pages. Notes, bibliography, index. $14.95 (paperback).

This well-researched, concise synthesis of the men who helped to create the framework of the new nation shows how trends in the discipline have evolved and why they are important—which dovetails perfectly with his goal to "form a more pragmatic sense of who [the founding fathers] were, what they did, and failed to do and why we care" (x). Organized into four parts, the book's first 3 chapters focus on the eighteenth century, and demonstrate that the founding fathers were flesh-and-blood men rather than heroes to be worshiped or villains to be denigrated. The last chapter deals with how succeeding generations struggled with their perceptions of the founders, and how the contributions of the founders continue to shape American society—because of what they created and what they failed to accomplish.

In chapter 1, "Words, Images, Meanings" Bernstein explores the various understandings of who the "founding fathers" were. Regardless of the fact that definitions vary wildly—some scholars focus on those who took part in the 1787–1788 ratification controversy; others include individuals from John Winthrop to Senator Ervin—at its center the term refers to "those who by word or deed, helped to found the United States as a nation and a political experiment" (7). More than simply focusing on Franklin, Washington, Adams, Jefferson, Jay, Madison and Hamilton, Bernstein suggests that, "the term includes those who sat in the Congress that declared American independence. . . . It also encompasses others who fought on the American side in

the war, or played important roles (as framers, ratifiers, opponents, or effectuators) in the origins of the Constitution of the United States and the system of government it outlines" (7–8).

Throughout chapter 2, "Contexts: The History that Made the Founding Fathers," Bernstein illustrates how geography, culture, politics, and intellectual currents shaped the founding fathers and helped to define their goals and expectations. Here Bernstein masterfully shows how these factors at once drove the founders toward the decision for independence and presented difficulties in unification. For example, not only were they on the fringes of the empire, separated from the mother country (and its prevalent culture) by an Atlantic "moat" (which contributed to driving the Founders toward separation from Britain), they also had to overcome internal regionalism that threatened efforts at creating a united country. This chapter well establishes their identity, how they saw themselves and how they were perceived by their European counterparts.

Chapter 3, "Achievements and Challenges: The History the Founding Fathers Made," depicts their failures, flaws and successes in the creation of a new system of government and explains how they overcame difficulties despite their idiosyncrasies, character issues, and distinct personalities. This "allows the founding fathers to step down from the pedestals to which they have been elevated by a worshipful succession of later generations, . . . also it allows later generations to stop abasing themselves before the idols of the founding fathers. Their humanity, with its complementary components of human greatness and human frailty, allows us to reclaim our humanity as well" (114).

Most insightful is chapter 4, "Legacies: What History Has Made of the Founding Fathers," which promises to be very helpful to students of Revolutionary America. Here Bernstein traces how the founding fathers have been viewed at different periods in American history. Not stopping with saying that they have been viewed differently at various points in American history, Bernstein takes this one step further and explains why historiographical changes occurred in each given period. For example, in his discussion of the 1930s, Bernstein writes that the Roosevelt administration's "experiment with creative uses of government power to remedy the damage that the Great Depression wreaked on the American economy, to tend to the needs of the American people, and to guard against a future catastrophic economic collapse collided with the fierce opposition of conservative politicians and scholars who insisted that these experiments violated the original intent of the Constitution" (132). In response, scholars and others began offering interpretations that stressed "the founding fathers' creative experimentation, which they sought to foster in the new nation." (132).

Overall, this is a very smart, well-supported synthesis that shows the humanity of the founding fathers and explains their motivations and choices. It also shows how future generations tried to make use of their contributions, or dealt with the

aftermath of issues left unfinished—such as slavery. The real strength of Bernstein's work is the expansiveness and depth of his research, refined in such a way that it is accessible to students of the American Revolution at all levels, from undergraduate to researcher.

Amanda Lea Miracle
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A Most Magnificent Machine: America Adopts the Railroad, 1825–1862. By Craig Miner. (Lawrence: University Press of Kansas, 2010. 354 pages. Illustrations, bibliography, notes, index. Cloth, $34.95.)

Much of the vast literature on railroads focuses on them as engines of economic progress. Their expansion in the nineteenth century to span the United States from the Atlantic to the Pacific Ocean made possible unprecedented growth in commerce and manufacturing. The railroads' need for iron, steel, and other industrial products kept factories busy and employed, at least in part, people who had left the farm for what they hoped would be a better life in the city. While affirming their economic dynamism, the late Craig Miner emphasized the social and cultural developments that accompanied the early history of railroads. Miner traced the origin of the railroad to seventeenth-century lines near Newcastle, England, though the cars were surely drawn by animals, the locomotive being a later innovation. The idea of building a railroad in the United States crystallized in 1808, with the formation of railroad companies beginning in the 1820s.

A Most Magnificent Machine is unified less by a thesis—unless it be that railroads transformed all aspects of American life—than by an abundance of detail about the development of railroads in antebellum America and the reactions they elicited from ordinary people. As impressive as his research was—Miner culled information from 400,000 articles from 185 newspapers and more than 3,000 books and pamphlets—his treatment was selective. He did not try to describe every railroad, only those that were important or representative of a trend. Almost from the outset the railroad contrasted with its near contemporary, the canal. Competition revealed the obsolescence of the canal, though in Pennsylvania the Portage Railroad connected portions of the state's canal system and so coexisted with canals. Another connection came via labor. As they had worked on the canals, so the Irish labored on railroads in the North, leading one to wonder how similar working and living conditions were between the two systems of labor, a subject well made for a book on social and cultural history. In the South matters were different. Planters with surplus labor rented or sold slaves to railroad companies. A Charleston railroad in South Carolina, for example, used slaves to lay tracks. Railroad promoters believed that the labor of building and maintaining track, locomotives, and cars would absorb large numbers of slaves, enlarging their sphere of work and preventing them from

stagnating in agriculture. Far from threatening slavery, railroads would open new opportunities to exploit slaves. Slaves also worked in the passenger trains, serving food to white passengers. One racist wrote that free blacks who did not wish to go to Africa should be employed by railroads to keep them out of trouble. Once under the thumb of the railroads, blacks would have little intercourse with the public. Black passengers who tried to board a white car in the South were ejected. The North had no consistent practice. Some used segregated cars, others boarded blacks and whites together, especially, Miner noted, as racial attitudes softened in the 1840s.

The student of Maryland history will be drawn to the chapter "Baltimore Looks West." Miner carefully traced the B&O Railroad from its inception in 1827 with the aim of laying track to the Ohio River, to its progress amid the hand-wringing of merchants who feared that a railroad might scare away shoppers. This preoccupation with the partisans of railroads, who envisioned only progress, and the critics, who saw only pitfalls and problems, is an important theme in this book. The partisans of progress saw the railroad as a greater achievement than Egypt's pyramids or Rome's arches. Riders enjoyed the experience. Some were so enthralled that they wrote books on the subject. But the experience was catastrophic for others. Accidents frightened the public, and newspapers only stoked this fear by printing lurid details of mangled bodies and close calls with death.

Perhaps the most innovative chapters in the book treat the rivalry between North and South. Northerners were sure that the South was primitive. Thomas Jefferson had envisioned the United States as an aggregate of farms, a label the North pinned on the South, but Miner demonstrated the falsity of this view. Maryland, Virginia, Kentucky, North Carolina, South Carolina, and Georgia were early promoters of railroads. Georgia had among the finest railroads in the United States and by 1849 may have ranked third in railroad mileage in the country and was first in the South. If southern railroads adhered to a slower schedule than in the North, they did not incite chaos at the boarding station. Southerners had time to leisurely disembark, or board a train without fear of missing it should they be a few minutes late.

A Most Magnificent Machine might have benefited from a chronology of railroad startups to match the railroads Miner discussed. Moreover, for a book on social and cultural history, the text is entangled in economic data. Otherwise there is much to recommend it. The coverage—between North and South, blacks and whites, and laborers and financiers—is balanced. The tendency to see the railroad as a revolution in transportation, if unoriginal, is accurate, but perhaps more importantly, social and cultural history has ample space in A Most Magnificent Machine. The insights of ordinary Americans are at its core. In 354 pages, Miner has provided an engrossing history of railroads in antebellum America.

Christopher Cumo
Canton, Ohio

The American Slave Narrative and the Victorian Novel. By Julia Sun-Joo Lee. (New York: Oxford University Press, 2010. 192 pages. Illustrations, notes, works cited, index. Cloth, $65.00.)

In this slender volume, Julia Sun-Joo Lee traces the influence of the American slave narrative on the British literary imagination and convincingly demonstrates that African-American literary production had a profound impact on Victorian novels, including such revered, canonical texts as Charlotte Brontë's *Jane Eyre*. Long before slavery caused a cataclysmic war in the United States, firsthand narratives exposing the horrors of slavery sent tremors through the textual Atlantic in a process Lee describes as "genre-tectonics": the shifting, colliding, and mixing of distinct literary forms. As English novelists engaged in transatlantic abolitionist networks, they began to integrate elements of the slave narrative into their writing, exploring themes of oppression, emancipation, the transformative power of literacy, and the ethics of resistance. They borrowed the experiences and ideas of fugitive slaves and implanted them into a fictional Victorian context, creating textual "contact zones" that both reflected and reenacted the literal networks in which slavery operated.

The chronological scope of the study is the interabolition period, the decades between the British Abolition Act of 1833 and the Emancipation Proclamation in 1863. After eradicating slavery in their own empire, British activists directed their attention to slavery in the United States and worked closely with their American counterparts. Slave narratives functioned primarily as propaganda for the abolitionist movement, so it is hardly surprising that it was during this era of intense antislavery activity and international cooperation that the genre assumed its unique, characteristic form and reached the pinnacle of its popularity. At a time when books rarely sold more than a few hundred copies, slave narratives were printed and sold in the tens of thousands. Because slave narratives and abolitionism saturated Anglo culture, Lee argues, English authors encountered antislavery rhetoric in magazines and pamphlets, attended lectures featuring fugitive slaves on tour, and read the narratives of Frederick Douglass, Moses Roper, and Harriet Jacobs, among others. Through these experiences, English novelists learned and co-opted, parodied, or revised literary representations of fugitive slaves in their own work.

For Lee, nothing symbolizes the existence of a black transatlantic culture better than the fugitive slave, who circulated around the Atlantic world in both a physical, embodied sense (since many former slaves fled to the relative safety of the British Empire) as well as a textual, metonymic sense (as printing presses produced and reproduced slave narratives). Their experiences lay at the heart of the American slave narrative in the form of the fugitive slave chronotype, a cultural-historical literary expression that is "attached to experiences of suffering and violence, of familial and natal alienation, of unfreedom and terror . . . [and is] above all . . . affiliated with pursuit, with geographic instability, with homelessness and the fear of capture" (116). In their literal and nar-

rative manifestations, fugitive slaves disseminated abolitionist discourse through the transatlantic and metonymic networks in which British writers moved.

Organized by author, with chapters for Charlotte Brontë, W. M. Thackeray, Elizabeth Gaskell, and Charles Dickens, the study also includes a short epilogue featuring Fanny and Robert Louis Stevenson in the context of the decline of the slave narrative. In each chapter, Lee cites personal papers to draw connections between the author and his or her exposure to slave narratives and/or the abolitionist crowd. She then turns to the novels—Brontë's *Jane Eyre* (1847), Thackeray's *Pendennis* (1848–1850), Dickens' *Great Expectations* (1861), and so on. Each text is systematically examined for evidence of the fugitive slave chronotype, which she finds in remarkable abundance and deconstructs with precision. Most interesting is how Lee lucidly explains the varied ways the novelists reimagined the fugitive slave chronotype in the context of their fiction.

Lee easily establishes that the texts in question share certain core characteristics and narratological themes with slave narratives in general, but her effort to link specific novelists to specific narratives is on shakier ground. To cite one example, she maintains that Elizabeth Gaskell's "The Grey Woman" was heavily influenced by Harriet Jacobs' *Incidents in the Life of a Slave Girl*, in that both emphasize sexual victimization, the danger of escaping, and the paralyzing fear of being caught. The textual evidence is persuasive but the timeline is not. Gaskell published "The Grey Woman" in January 1861, but Jacobs' narrative was not published in America for several more months—and it was not published in England until 1862. Lee suggests that Gaskell had access to Jacobs' unpublished manuscript in 1859, when Jacobs' visit to the Duchess of Sutherland "likely overlapped" with a visit by Gaskell (79). The evidence is tenuous at best, and while it does not diminish the textual parallels it does point to some shared literary influence outside of slave narratives. Because Lee is primarily interested in establishing the interplay between the two titular genres, she minimizes the influence of other genres such as the conversion narrative or the gothic romance. "Genre tectonics" is a compelling metaphor, but for it to function appropriately it must push beyond a dualistic paradigm in order to grapple with the down-the-rabbit-hole multiplicities of intertextuality.

In order to appreciate the nuances of the study, it is useful to have a working knowledge of literary criticism and its jargon; there is also an implicit assumption that readers are familiar with the work of Mikhail Bakhtin, the literary critic whose ideas provide the theoretical framework for Lee's arguments. The book does not deal explicitly with the history of Maryland (though Frederick Douglass was enslaved in the state), but *The American Slave Narrative and the Victorian Novel* is a smart and well-written study recommended for anyone with a serious interest in nineteenth-century Anglo-American fiction. Lee brings a fresh perspective and makes a compelling case for the influence of transatlantic black authors on English culture.

Amanda Quakenbush Guidotti
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Gleanings of Freedom: Free and Slave Labor along the Mason-Dixon Line, 1790–1860. By Max Grivno. (Urbana: University of Illinois Press, 2011. 282 pages. Illustrations, notes, index. Cloth, $50.00.)

All too often, historians view slavery as an "either/or" system: either employers depended upon slave labor, or they did not. Max Grivno goes far in exploding this conception of the labor system in north-central Maryland during the antebellum era. Slave labor existed alongside free labor in Maryland, Grivno argues, and employers developed their own unique labor systems based on ready funds, seasonal work, and slave and worker restiveness. As the book's introduction declares, "Treating the workforce as a single, unified whole illuminates not only how laborers and labor regimes interacted but also how they evolved" (8). Such a dynamic, all-inclusive conception of labor re-creates workforce stratification in the era of the early republic. This allows us to vizualize several interrelated and muddled segments of the labor population, as opposed to the more traditional free-or-slave, white-or-black models with which many readers have become comfortable. Rural employers in antebellum Maryland negotiated with the various forms of labor, creating relationships far different from those found in other regions of the slave South. Eventually, emancipatory reform in neighboring Pennsylvania, the need to manage the growing free landless population, and the quick profits made by selling slaves to the burgeoning slave markets in the Cotton South all lead to slavery's slow stagnation along the Mason-Dixon line. Slavery in Maryland weakened and died from demographic changes, not the dramatic contest of the Civil War.

During the 1790s, northern Maryland experienced an agricultural boom never before seen in the state. Farmers trundled wheat from Carroll, Washington, and Frederick counties along rutted dirt roads to regional and international markets in Baltimore and Philadelphia. Slavery already existed in Maryland at the time of the wheat explosion, but it had not become entrenched as it had on the Chesapeake shore. Excess slaves from the slowly depleted soils of the bay region did, in fact, begin to fill the new demands for slave labor in the state's central counties. Wheat farmers did not need a large annual workforce, though, but instead gauged labor requirements on seasonal and harvest cycles. While the use of slave labor did increase somewhat during the turn of the nineteenth century, far more growth occurred in the transient, free population. The expanding population of landless whites filtered into the Maryland interior and found jobs building new canals and railroads when not working for white landowners during the harvest season. Employers found themselves mixing and matching labor systems depending on the time of year, the tasks that had to be completed, and the availability of slave and free labor pools. Farmers might depend on slavery year-round for general farm upkeep and management of crop growth, or even rent slaves to towns or neighbors to accomplish odd jobs or other tasks. But when the time came to reap

the wheat harvest, these same slaveholding farmers hired free white and black laborers to meet the immediate labor need, then terminated the employment at the end of the harvest season.

The decline in wheat prices that began in 1819 continued throughout the 1820s, drastically reconfiguring the agricultural market in north-central Maryland. Successful farms at the end of one harvest season may not have had enough capital available to purchase seeds and labor the next season, let alone maintain a perpetual slave institution. Grivno charts the fracturing in the labor hierarchy this downturn created by analyzing farmers' attempts to control the restive slave population and create codes of morality for the under-hired free workers. Emancipation in nearby Pennsylvania enticed many Maryland slaves to flee north. At the same time, slave owners frequently resorted to "hiring-out," the practice of renting slave labor, to increase funds depleted by financial woes in the wheat market. The proximity of legal freedom and newfound geographic mobility put pressure on the master-slave dynamic. Grivno admits that some steps toward gradual manumission did occur but recognizes that the practices of allowing slaves to buy their freedom and selling slaves further south into the booming cotton industry were far more common. In the case of free labor, Maryland farmers began to enact temperance regulations during the 1820s to control the transient labor force. "The attempts to root out harvest drinking were part of a larger campaign to strip farmwork of its disruptive, premodern features and to discipline both free and enslaved workers in a setting where employers' and slaveholders' authority was often compromised" (113). Controlling laborer morality and providing for the poor came to typify Marylanders' attempts to rationalize wage labor and maintain social stratification.

Grivno's work recasts our perception of slave and free labor in antebellum Maryland. Most importantly, he creates a model of free market expansion and the inauguration of rural wage labor. The genius of *Gleanings of Freedom* is that he is able to situate this model on the "tattered edge of slavery," north-central Maryland. As a concession, one may question his work's representativeness. Grivno examines a small sliver of the slave economy. His claim to focusing on six counties in Maryland seems somewhat specious, with the bulk of his study revolving around the three central, agricultural counties of Washington, Frederick, and Carroll. However, Grivno's book should incite a new discussion of the interrelationship between wage and slave labor in the antebellum era, and future historians should look closely at their works and keep his model of agricultural market maturation in mind.

Andrew J. Forney
Texas Christian University

Freedom by the Sword: The U.S. Colored Troops, 1862–1867. By William A. Dobak. (Washington, D.C.: U.S. Army Center of Military History, 2011. 569 pages. Illustrations, tables, maps, bibliography, notes, index. Cloth, $58.00.)

In 1863, special agent of the United States Treasury Department Edward L. Pierce asked the question that rested on the minds of civilians and soldiers alike: would people of African descent fight for their freedom? William A. Dobak takes this question seriously in trying to add to the muddied history of black soldiers during the Civil War and Reconstruction era. The aptly titled *Freedom by the Sword* expands upon the growing interest in the service and symbolism behind black individuals in the Union ranks. These soldiers attempted to affirm the claims of their advocates and demonstrate to skeptics that black troops could effectively and simultaneously restore the Union and alter their own future. In addition to dealing with expected topics like race relations, Dobak also examines the military actions often ignored or devalued by other historians—how the USCT (U.S. Colored Troops) protected supply lines, assaulted fortresses, enticed other blacks to flee their masters, encouraged enlistment, and generally adapted to Union soldier life. At the same time, Dobak challenges the existence of a schism between white and black federal soldiers by implicitly suggesting that there were indeed many similarities between them. Although black soldiers had to overcome additional challenges, such as faulty or dated munitions and lower wages, Dobak lumps them under a universal category of soldier life: common in their cause, sharing victories and defeats, and living through the daily activities of marching, drilling, and surviving. Indeed, while the flag and the blue uniform symbolically united them with their white comrades, it was the experience of war (from suffering from scurvy and malnutrition to obeying the commands of their officers) that arguably made them unofficial equals on the battlefield. To illustrate these points, Dobak masterfully examines a colossal collection of military materials including *The War of Rebellion: Official Records of the Union and Confederate Armies*, which are at the heart of this successful work.

In his effort to link soldiers together beyond matters of race and status, Dobak also distinguishes the black soldier as an individual who garnered honor and even respect for his dedicated service. Often Dobak ends an account of a mission or battle that involved the USCT with an officer's praise for their courageous and gratifying efforts (87, 149). These sometimes surprised reactions illustrate how blacks proved themselves as competent soldiers, an idea that initially inspired revulsion and disbelief among white Union troops, some of whom initially equated their black comrades to draft animals (5–6). Showing that their service continued after Appomattox, Dobak takes the reader through the early Reconstruction Era, up to the time when black regiments were mustered out one by one. Until they were, these soldiers served as sentinels and mediators, trying to rebuild the South while also revealing the racial problems that inevitably surfaced against a backdrop of military occupation, especially because a number of blacks were dressed in the victor's uniform. As the goals of the Union changed and the duration of the war extended, Dobak leaves the reader with a clear understanding that it was the black soldier who represented and led the fight toward freedom. Ultimately, while white officers and statesmen supervised

war and peace, the victories of emancipation rested upon the common, unyielding desire of black soldiers to actually guarantee freedom for their race. In making this argument, Dobak suggests that the decision to enlist blacks in the Union army was necessary not just or fighting a long, ever-changing war; it was a necessity for transforming a postwar, slavery-free America.

Dobak's work ingeniously follows the march of the federal armies into the South, allowing the reader to view the black wartime experiences in various geographic theaters stretching from Key West, Florida, to the Border States and even the Rio Grande. Each chapter could surely stand alone. Individual case studies, defined by environments, battles, civilians, and soldiers involved, illustrate how the army initially mustered these men to form effective fighting units and eventually discharged them. Together these fifteen chapters provide a flowing narrative of literally how these soldiers adopted the Union cause while representing the dynamic nature of the emancipation movement. Given his work's grand scale and abundance of primary sources, Dobak makes Maryland's role understandably brief to stress more traditionally studied locations like Georgia and Louisiana. For example, he mentions only in passing Gen. William Birney's recruiting efforts in Maryland in 1863, preferring to concentrate instead on Birney's efforts as a commander beyond the state's borders. Consequently, the large gaps in the military history of the state remain unfilled. The fact that *Freedom by the Sword* is a lengthy, military history does not limit its possible audience or value. Dobak allows those involved in the war tell their own stories, through private and public correspondence and reports. In so doing, he provides the reader with a fresh history of the black soldier, as well as of the war itself. That being said, and acknowledging Dobak's own admission, it is unfortunate that the available sources force historians to tell the story of the black soldiers almost exclusively through the eyes of white observers. The black soldier alone could provide the most accurate account of his own personal trials and tribulations in the Union army, but social restraints worked against his education and ability for expression. This limits the number of sources from their demographic, possibly forever leaving behind an incomplete history of not only the black soldier, but also of the black individual.

Freedom by the Sword is the most complete and impressive story of the black soldier's experience during the Civil War to appear in some time. Dobak's work surely supports the claim put forth by Lincoln and Union officers that the efforts of the black soldier (officially beginning in 1863) proved to be a decisive factor in the war's resolution. Dobak's book indeed addresses Edward L. Pierce's question of 1863: Would African Americans fight to gain their freedom? After reading this book, scholars interested in military, African American, and Civil War history will most certainly agree that they did.

Brian Dunne
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Intellectual Life and the American South, 1810–1860: An Abridged Edition of Conjectures of Order. By Michael O'Brien. (Chapel Hill: University of North Carolina Press, 2010, 395 pages. Notes, index. Cloth, $39.95.)

Though but one-third the length of the original, Michael O'Brien's abbreviated rendering of his earlier *Conjectures of Order: Intellectual Life and the American South, 1810–1860* (2004) is concise and complete. Broadly speaking, this narrative explores the transition in Southern intellectual circles from the late Enlightenment to the beginnings of realist sensibilities, permeated by the pervasive Romantic period, which, according to O'Brien, was "an age that mingled gentility with self-absorption" (132). He suggests that one can most effectively "comprehend" antebellum Southern intellectualism by understanding that Southern intellectuals were "national, postcolonial, and imperial, all at once, and partly invented their culture in the tense encounters among these conditions" (1). O'Brien wastes no time exposing what he considers outdated historiographical conceptions of the "Mind of the Old South." This tired, inaccurate storyline recounts how late antebellum Southerners preferred isolation and were predominately backward-looking, defensive, and occasionally paranoid. O'Brien takes great pains to suggest that Southern intellectuals were instead diverse, innovative, and regular contributors to contemporary scholarship.

O'Brien asserts that only a small percentage of antebellum Southerners' intellectual traditions were produced indigenously; their post-colonial worldview was shaped by a preoccupation with Europe, and Southern identity was in a steady state of change, unsure of itself. "The South was a moving target, a thing in progress, never what it had been ten years before, never what it would be ten years later" (3). Building a nascent republic and promoting a prosperous democracy were unusually challenging tasks for this group of early nineteenth-century Southerners, especially since they drove this momentous project forward while enslaving millions of black Americans. The great majority of Southern intellectuals were "caught in middle" of the pronounced tensions that swirled between the opposing "worlds" created by slaveholders and non-slaveholders. This duality of identity created a "cultural anxiety of stark proportions"; ambition and disillusionment were constant companions for those who lived year after year amid this concoction of irreconcilable principles (11). Southerners wrestled with their consciences and relied on an assortment of mental gymnastics when attempting to rationalize the thorny issue of slavery. The most racist of these proslavery thinkers allayed their consciences by admitting the humanity of the slave while simultaneously dehumanizing the concept of slavery into an abstract metaphysical problem of human nature (247).

O'Brien focuses on social history in the first half of this abridgement, establishing a contextual framework in which he places Southern intellectuals within the

broader societal patterns that surrounded them. The second half of the book moves beyond social history to analyze a core group of men and women who embodied the Southern intellectual tradition. Southerners were quick to absorb and define themselves with eclectic blends of science, theology, and natural history. O'Brien openly acknowledges the tension that exists for today's intellectual historian when attempting to combine social and intellectual histories. While social histories, on the whole, tend to be "localistic" (based on a certain state or country), intellectual histories encompass ideas and concepts easily cross frontiers. The intellectual historian, he argues, must have a "license to roam" and eagerly follow the paths of freely flowing ideas among intellectuals unconcerned by cultural, geographical, or chronological barriers (15).

The book overflows with stories of curious young men like Maryland's George Henry Calvert and South Carolina's Richard Henry Wilde, eager to travel abroad, rummage about historical sites, and study with the brightest European scholars. Upon returning from extended stays in Goethe's Germany, Calvin's Geneva, or Livy's Rome, Southern intellectuals might speak to state historical societies, undertake geological surveys, and even lead state Bible societies. According to O'Brien, the Maryland Historical Society stands out among the other state historical societies founded during the first half of the nineteenth century. By 1858, the society boasted a membership of five hundred and was "unusually popular" in part because of its "active and eclectic lecture program" (153).

Southern intellectuals were also "deeply committed to the idea of differentiation, hierarchy, and rank." Yet, though they produced "reams" of print on the topics of race, gender, politics, and religion, they wrote very little about social structure. A notable exception was Daniel R. Hundley's *Social Relations in Our Southern States,* which divided white Southern males into seven categories, including Southern Yankees, Cotton Snobs, Southern Bullies, and Poor White Trash (94, 96). O'Brien suggests that Southerners grew up with biography as an "intellectual staple." Washington, Jefferson, and Patrick Henry were ideally suited for biographies, which often inspired readers to mirror the selfless character of these Southern icons (161). Black autobiography, on the other hand, existed primarily in the specialized form of the emancipated or fugitive slave narrative by mid-century (165).

The epilogue, entitled "Cool Brains" after an 1861 entry from Mary Chestnut's diary, reiterates O'Brien's conclusions with precision and insight. He maintains that on the eve of the Civil War, Southern intellectuals had largely concluded that the "blending of mind and emotion was the essence of life," and that "freedom was insecure and mastery incomplete, but necessary." Furthermore, Southern intellectuals were perspicacious and increasingly accepted the stark realization that "the world moved on—to survive, Southerners needed to move with it" (315). *Intellectual Life in the American South, 1810–1860* will be the standard for Southern intellectual

history for the foreseeable future. This book is well written and comprehensive yet short enough to assign to undergraduates. It will be of great interest to students of antebellum Southern intellectual and cultural history, but the themes emphasized here will enhance the historical perspective for any student of nineteenth-century American history.

Stephen W. Eldridge
Texas Tech University

Halls of Honor: College Men in the Old South. By Robert F. Pace. (Baton Rouge: Louisiana State University Press, 2011. 164 pages. Map, photo, bibliography, notes, index. Paper, $17.95.)

Robert F. Pace seeks to "understand the culture of being a college student in the Old South" (4). That culture, he argues, was shaped by the tension between adolescent immaturity and the quest to acquire and maintain honor. In this transitory phase between childhood and adulthood, young men primarily looked to the evaluations of their peer group to establish honor. The book is completely focused on a highly selective cohort that was almost exclusively white and male, between the ages of fifteen and twenty, and typically from wealthy families. As students navigated this turbulent time, adolescent behavior frequently, and at times unexplainably, varied from childhood immaturity to a responsible rationalism expected of adults. Pace refers to Bertram Wyatt-Brown's influential *Southern Honor: Ethics and Behavior in the Old South* to explain how young college men sought to establish an honorable "public mask" (13). For Pace, the code of honor established the basic rules of engagement for all social and intellectual interactions. His book is organized around highly descriptive topical chapters covering class instruction, student violence, campus environments, diversions and entertainment, and finally Southern colleges and universities during the Civil War. His organization and approach produces an entertaining and easily accessible account that can be enjoyed by readers of any level. Students traveling to and from school, complaining over accommodations and food, suffering from homesickness, and griping about mathematics classes reflect sentiments with which most readers can empathize. Student readers may even be envious of their historic counterparts' exploits when reading how they hid textbooks or played pranks on university faculty and staff. Pace is at his best in the final chapter which deals with the effects of the Civil War on the young men's collegiate experience. Many have pointed out the difficulties Southern colleges experienced as students enlisted in the army and the war crashed onto campuses, but Pace provides numerous individual experiences as students debated the prospects of enlistment and how schools dealt with dwindling enrollments.

Some scholars will find *Halls of Honor* frustrating. Pace gives preference to description over analysis of campus incidents. At times, he seems to move through

his chapters retelling tales from the archives only marginally connected by broad chapter themes with no attempt to provide deeper scrutiny. He relies heavily on the students' pursuit of public notoriety as motivation and explains inconsistencies as a consequence of adolescent immaturity when those behaviors fall short of honorable. Many scholars will also cringe at Pace's unquestioned use of Wyatt-Brown's assessment of honor. Pace presents a uniform, inflexible understanding of honor among students across the Old South regardless of region or time. A student at Virginia's Hampden-Sidney College in 1805 is presented as encountering the same cultural struggles and tensions as a member of the junior class at South Carolina College in 1850 (86–87). Institutions appear uniform despite the fact that there were at least three distinct types: state colleges, religious institutions, and military schools. Pace also seems unaware of relevant works such as Rod Andrew Jr.'s 2001 examination of southern military schools, *Long Gray Lines: The Southern Military School Tradition, 1839–1915* that present important differences among varying institutional models. Aside from the Civil War, Southern college students appear to have been isolated from contemporary regional events such as the Nullification Crisis, the Mexican-American War, or Indian affairs. It is also unclear how Pace selected the institutions for this study. Readers can perhaps infer that he chose schools from states that became part of the Confederacy, but this raises questions as to why he excluded Arkansas and Florida and included Kentucky and Maryland. Fascinating stories concerning the presence of slaves on campus or expectations of sexuality among young Southern men lack explicit analysis. These issues may discourage academic readers, but the approach will likely entice undergraduate students and amateur historians.

F. Evan Nooe
University of Mississippi

At the Precipice: Americans North and South during the Secession Crisis. By Shearer Davis Bowman. (Chapel Hill: University of North Carolina Press, 2010. 379 pages. Illustrations, bibliography, notes, index. Cloth, $30.00.)

At the Precipice is the third volume published in the Littlefield History of the Civil War Era series. In this book, Shearer Davis Bowman asked when did the secession crisis begin? He did not locate the origin in December 1860 when South Carolina withdrew from the Union, but in the sectional antebellum psyches. He argued, "Sectional partisans on each side had come to see their opponents in terms of antislavery or proslavery conspiracies intended to degrade the interests, rights, and honor of citizens of the other region"(3).

Bowman established a reputation as a comparative historian with *Masters and Lords: Mid-19th Century U.S. Planters and Prussian Junkers* (1993). With this in mind, the Littlefield series editors identified him as a strong candidate to examine the secession crisis from North and South. He organized most of his chapters with

two subjects with differing perspectives on common themes. For instance, in chapter five, he juxtaposed Mississippi's planter-politician Jefferson Davis as a scion of the Old South's society and economy with Yankee-born Virginia merchant Horace Kent as an example of evolving Southern "business, cultural, and social connections with the Northeast" and latent "Unionist sentiment" (177).

Bowman's execution of the comparative approach suffers in this work for several reasons. First, he sometimes neglects to establish a framework for what he is attempting to demonstrate in each chapter. For example, chapter 7 abruptly transitions between profiles of two disparate women in Keziah Goodwyn Hopkins Brevard and Sojourner Truth with only the chapter's subtitle, "Faith, Race, and Gender" tying their stories together. Often there is inadequate contextualization for the historical characters. Is the reader to understand that Truth's life, experiences, and views on secession were representative of African American women? If so, it is misleading because Truth was more the exception than the norm.

Bowman's decision to profile eleven, white, professional and political men from different parts of the country, one white woman, and one black woman is a rather limited sampling that neglects important perspectives of many common Americans. Bowman believed he had remedied this. He wrote, "I have made extensive use of several unpublished manuscript collections when they provided testimony regarding important experiences and perspectives." He invoked as examples Kentuckian Henry Waller, Iowan Michael Luark, Virginian Robert Granniss, and New Yorker E. N. Tailer, but his writing and notes show that these sources were consulted far too infrequently.

Bowman's lack of primary source research is the greatest weakness of this book. When he does quote a nineteenth-century figure, the quotation often comes from a secondary source. His attribution of Lincoln quotations to secondary sources is particularly frustrating, especially since *The Collected Works of Abraham Lincoln* edited by Roy Basler is freely available online. In one instance, he misquoted Lincoln, "There are white men enough to marry all the white women, and enough black men to marry all the *white* women" and Bowman concludes the paragraph with several other jesting quotations from Lincoln regarding miscegenation (217, italics mine). What Lincoln actually said was "enough black men to marry all the *black* women." This mistake which substantively changed the historical meaning of a quotation reflects poorly on the researcher.

Bowman's overreliance on secondary sources is also obvious in his constant invocation of other historians. Bowman admitted upfront, "I take what I have learned from generations of scholarship . . . and mold it into a coherent and accessible interpretation of Americans north and south during the secession crisis" (9). Yet, the other historians' voices are too loud and intrusive in the book and drown out any original interpretations Bowman may have posited.

For all its faults, *At the Precipice* does have one positive for this reviewer. Chapter

3 entitled "Honor and Degradation: Section, Race, and Gender" was an informative synthesis of recent historiography concerning antebellum manhood and honor. These themes provided a helpful interpretive framework to understand one point of the author's argument for why secession happened. Southerners, Bowman argued, "had no choice but to secede . . . to preserve the interests, rights, and honor of peers in their states and section" (79). Conversely, honor for Republicans and others in the North meant "taking a clear and firm political stand against slavery and slaveholders" (83).

It is important to note that Bowman died almost a year before this book was published. One gets the sense from reading the volume that the manuscript may not have been fully revised and vetted before the author's death. It is uncertain if this book would have been better had the author lived to see the publication process through, but the acknowledgements provide hints that the author himself had reservations about his ability to "treat accurately and fairly both southern secessionists and northern Unionists on the eve of the Civil War" (357).

For a book whose subtitle purports to be about "Americans North and South during the Secession Crisis," the examinations of the subjects are limited socioeconomically, ethnically, racially, and in some ways politically and regionally. A reader looking to this book for a substantive, informative, and readable narrative of the events of the secession winter will be disappointed. A researcher looking for a summary of recent historiography on the period may find that this book suits their needs.

S. Chandler Lighty
The Papers of Abraham Lincoln

God's Almost Chosen Peoples: A Religious History of the American Civil War. By George C. Rable. (Chapel Hill: University of North Carolina Press, 2010. 586 pages. Illustrations, notes, bibliography, index. Cloth, $35.00.)

George C. Rable's latest work, one of the most recent volumes in *The Littlefield History of the Civil War Era*, provides a welcome addition to the intersecting fields of religious and military history. In this well-researched and eloquently written tome, Rable has undertaken the ambitious task of weaving together politics, military campaigns, denominational competition, benevolent societies, and personal piety (or the lack thereof) into a grand religious history of the Civil War. Although the title suggests the ambivalence religious Americans in the Union and the Confederacy felt about the war and the mixed feelings soldiers and political leaders had about faith, the subtitle reminds us of the explicitly religious context of the war and the religious struggles that surrounded it.

The book begins in the 1850s and concludes with Lincoln's assassination and Confederates' attempts to deal with their losses, but sensibly it does not attempt to

extend into the beginning of Reconstruction. The narrative forms an arc—the rise of civil religion, which threatened at the height of the war to replace individual piety, followed by its slow collapse—killed in the South by the defeat of the Confederacy and in the North by Lincoln's death. Moving at times at a glacial pace, in sixteen chapters plus a prologue and an epilogue, Rable marches his readers through the war, month by month, and year by year. Each chapter also deals with a topical theme such as the role of clergy, African American Christianity, and changes in benevolent societies. At times blending chronological and topical structures results in an awkward fit, but on the whole Rable's graceful writing leaves the reader with a sense of plunging along with the nation into the depths of war and despair and emerging on the other side.

Rabel calls on his fellow historians to put aside assumptions about the weakening of religion or the shattering of millennial hopes and to realize that "religious faith itself became a key part of the war's unfolding story for countless Americans"(5). Observing that many of the "grand and sweeping narratives" of the war have overlooked the role of religion, an omission that would have puzzled those living through it, he seeks to restore the balance. Although claiming to write "a" not "the" religious history of the Civil War, he provides a welcome addition to the work of historians such as Mark Noll who have focused more on theological issues and less on lived religion. One of the greatest strengths of this work is Rable's decision to move back and forth from battlefields and encampments to churches and homes, showing how differently religious beliefs and teachings played out for those who fought versus those who waited and prayed.

The excellent coverage of the experiences of Roman Catholics and Jews, and to a much lesser extent other often neglected religious groups such as the Mormons, sets this book apart. Catholics and Jews emerge as strong actors, not just victims of bias and persecution, although the written and physical attacks they suffered also merited substantial discussion. The comparison of the Roman Catholic and Episcopalian Churches, both of which remained united throughout the war, is particularly intriguing and portrays the division between Protestants and Catholics in a new light.

The archival research underlying this book is impressive, perhaps most notably for the inclusion of the papers of the laity, women as well as men, and those looking for further avenues of research will appreciate the exhaustive bibliography as well as extensive notes. This is not a work for those new to religious history or unfamiliar with the political and military history of the war—Rable assumes considerable background knowledge in many places. And scholars of Maryland history will find relatively little specific discussion of Maryland, but that in no way detracts from this fine work that is intentionally national in scope. Those seeking a nuanced, complex treatment of how religion evolved during the Civil War need look no further.

Elizabeth Georgian
The Charles Carroll of Carrollton Papers

Schooling the Freed People: Teaching, Learning, and the Struggle for Black Freedom, 1861–1876. By Ronald E. Butchart. (Chapel Hill: University of North Carolina Press, 2010. 336 pages. Illustrations, bibliography, notes, index. Cloth, $39.95.)

Ronald Butchart's latest book combines extensive research and clear, compelling prose to set the record straight on the education of southern slaves during and after the Civil War. Who took on the tasks of teaching the newly emancipated? What was their intent and motive? Butchart answers those questions, offering a much more complex view of freedmen's education than previous scholars.

Taking aim at the notion that Yankee schoolmarms—young, white, reform-minded women from New England—were responsible for the "schooling of the freed people," Butchart revises the existing narrative by revealing, first, that legions of African Americans were the most involved in educating their own people, and second, that scores of southern whites also became involved in this work. He devotes three of six chapters to analyzing the corps of teachers, but first he starts with the freed people themselves. He shows convincingly that former slaves took responsibility for their own learning and took the first important steps to establish schools. Education, for them, was central not only to emancipation, but to establishing their own sense of economic, political, and social security in a hostile, depressed region. They poured what little they had into building schoolhouses, buying books, and hiring instructors. Butchart finds that a remarkably large number of freed people of all ages attended the schools as often as they could; they remained committed to learning and valued the practical benefits that literacy gave them as laborers, businessmen, church-goers, and voters.

To whom did the recently emancipated look for help with their education? Butchart argues that it was those of their own race, who "were the most important of those who entered the black classrooms." He finds that in the first generation of southern black schools, black teachers from both the north and the south "outnumbered northern white teachers four to three" (19) and that they taught longer than northern and southern white teachers did. This is impressive, given that African Americans constituted only 12 percent of the nation's population in the postwar years. Black teachers from the north came with more education than their southern counterparts, but, as Butchart shows with admirable human detail, they faced significant logistical and financial challenges in their work and were overlooked by northern aid organizations. Southern blacks, who constituted a significant majority of the black teachers, were even more impoverished, and though some had been literate and/or free for years, many were just a few steps ahead of their students. Given their commitment to racial uplift, it is not surprising that blacks involved in freedmen's schools made teacher training and "normal schools" a high priority, grooming their most promising scholars for success as the next generation of educators.

Butchart gives substantial attention to the white teachers who worked in freed-

men's schools, offering new discoveries about them as well. Southern whites were by no means absent from the education of the region's former slaves. In fact, Butchart suggests that they may have constituted the largest group of teachers. They certainly outnumbered the more famous northern white teachers, and, as Butchart demonstrates in Chapters 3 and 4, they differed from their northern counterparts in a number of interesting ways. Most of these southerners were middle-aged men who did not have a background in education. Instead, they were primarily planters or farmers who took teaching jobs out of financial necessity. They were not committed to the enterprise, nor did they remain teachers for very long. Some southern whites viewed their work among former slaves as a way to mitigate the positive effects of schooling for blacks, limiting their potential within a society that aimed to keep them subordinate. Butchart's examination of white teachers from the north reveals that most had considerable education and teaching experience and that the majority of them were single women, whose religious beliefs motivated them to venture south. Almost all could be characterized as anti-slavery, but that distinction did not mean that these teachers were committed to equal rights. In fact, Butchart finds relatively few strident abolitionists among the northern teachers. Though a handful of reformers devoted decades of their lives to the former slaves as part of a campaign for racial equality, many Yankee schoolmarms considered their teaching jobs as missionary work. They seemed more focused on the battle for souls rather than on securing of any real advances for the freed people socially, economically, or politically, and most of them returned home once the institutional support from the Freedmen's Bureau and the freedmen's aid societies dried up in the early 1870s.

Butchart also moves beyond the teachers, devoting an entire chapter to student learning by examining the curriculum and the pedagogy used in freedmen's schools. He finds both traditional and modern aspects of schooling at work among the freed people, but he counters earlier critics of the teachers' modern, urban teaching methods, arguing that the nation's newest citizens—even those destined to remain rural manual laborers—deserved the right to participate fully in American democracy and that only a modern, expansive, systematized educational approach could empower them to do so. Unfortunately, as he demonstrates in the last chapter, that chance and the freed people's larger hopes for significant educational advancement were cut short as political Redemption began across the region. Readers interested in Maryland history will find numerous examples of white backlash against black schools there.

Butchart's work stands above the rest on this topic not only because his study is richer and more complex, but because it is based upon impressive research. While most earlier scholars shaped their findings around the records of a particular institution, the American Missionary Association, for example, Butchart has pursued every lead on every teacher in every archive and has amassed an outstanding amount of information on them, compiled in a database called the Freedmen's Teacher Proj-

ect. This fantastic book is now the prevailing word on freedmen's education. It is informative, engaging, and a useful model for teaching students the importance of historiography and exhaustive primary research.

Amy Feely Morsman
Middlebury College

No Higher Law: American Foreign Policy and the Western Hemisphere Since 1776. By Brian Loveman. (Chapel Hill: The University of North Carolina Press, 2010, 552 pages. Illustrations, maps, tables, appendices, bibliography, notes, index. Cloth, $35.00.)

When an author takes a British diplomat's nineteenth-century statement that the expansion of the Monroe Doctrine to Hawaii, two thousand miles out, is a "jehad," then ties it to the Obama administration and the jihad of the twenty-first century (161), he opens himself to charges of presentism, wrenching the past from its own context to make a statement about current affairs. Although Loveman denies it, presentism is in this work, and rightly so.

Loveman contends that from the beginning United States foreign policy has rested not on the idealistic isolationism of the City on the Hill as a model for corrupt Europe but on a keen sense of self-interest resting on a messianic sense of superiority. The United States was aggressively militaristic, particularly in its Latin America and its Caribbean, and nothing has changed from the invasions of Florida to the current presidential disregard for checks and balances, the other two branches in general, and domestic and international law. The pertinent example of past replicating present is the shenanigans of Madison, Monroe, and Jackson in Florida, not dissimilar to a CIA run amok, Abu Ghraib prisoner abuse, and extraordinary rendition.

American self-interest has long been defined in secrecy by a small group or an individual, customarily within the executive and without advice or consent from the Congress or judicial review. Jefferson sent Lewis and Clark and Pike into Spanish territory with secret instructions as well as official missions. Madison and Monroe overthrew governments and waged unilateral war against Spain in Florida. The U.S. flag followed its citizens around the world, and often the Marines followed the flag at the president's request. American foreign policy, perhaps because of America's mythological exceptionalism but assuredly because of America's determination to forge a path of its own regardless of the desires and needs of others, has always involved taking whatever measures desired or necessary, regardless of domestic or international law. Those who believe otherwise should look at the record.

Loveman tackles his massive survey of American foreign policy in Latin America in straight chronological fashion. Probably it would prove overly difficult to lay out a topical series of chapters, but the result is a sometimes tedious slog through American treatment of Latin America, with occasional extensions of the argument to settings elsewhere in the world.

Periodically Loveman inserts a table—nineteenth-century foreign deployments of American forces, American occupations of Latin American nations in the early twentieth century, coups and other CIA interference with nascent democracies during the cold war, and so on—and these charts reinforce the narrative and provide a visual aid for the reader struggling to keep the chronology straight.

There is nothing for Loveman of a city on a hill, a model for the world, a shining example, a noble experiment. Rather, he reads self-interest from the onset. There is no true humanitarian intervention, no reluctant breaking away from isolationism, and, most important of all, no particular regard for law, be it domestic or international.

Given the structure and the purpose, this work will not have a wide audience. Its readability is quite low because of the way any survey of foreign affairs necessarily plods methodically from one diplomatic episode to the next with only occasional breaks to update the domestic scene, increasingly dismal as industrialization turns to military-industrial or naval-industrial in the era of Alfred Thayer Mahan and American imperialism through naval might. It seems Loveman is determined to find no uplifting message or action in any case; he routinely dismisses as peripheral or window dressing the occasional invocations of the higher calling, and he finds government and industry abuse of the people whenever he provides a domestic context for a foreign policy. It is a hard message, but it has merit. American foreign policy, like foreign policy in general, rests on realism if not cynicism, and the world is not exactly friendly to idealists.

That said, Loveman is doomed to failure. His audience will be small, given the scholarly nature of the work. He will reach those who have already come to terms with Andrew Bacevich and the others who have documented the end of American exceptionalism in the rise of the military state in the decades after World War II, and he will probably convince them that Bacevich's interpretation doesn't extend far enough back into history. But he will not reach the true target, those outside academia who still believe all the founding myths. After this book is remaindered, the myth of American exceptionalism will remain strong, defining political candidacies, justifying the worldwide missionary militarism that is the reality of today. After all, even the realist Chicago politician Barack Obama is pandering to the exceptionalist masses who keep the myth of exceptionalism right next to their Confederate flag and misremembering of the Alamo.

John H. Barnhill
Houston, Texas

The Myth of Southern Exceptionalism. Edited by Matthew D. Lassiter and Joseph Crespino. (Oxford: Oxford University Press, 2010. 348 pages. Introduction, preface, index. Paper, $24.95.)

This collection of incisive essays has two goals. The first is to understand

whether the historical experience of the twentieth-century South proved distinct in any way; the second is to engage how notions of a seemingly inherent and exceptional uniqueness shaped southern historiography from 1950 onward. The result is a collaborative work as significant as it is provocative, particularly given the increasingly broad visions of the Global South and the historical experience of the post-industrial American South within this context.

The editors being by describing the intellectual foundations of the work first envisioned at a March 2006 conference at Emory University entitled "The End of Southern History? Integrating the Modern South and the Nation." Although it would be interesting to note Professor Cobb's thoughts on the myths of southern exceptionalism, particularly in light of his most recent *The South and America Since World War II* (2010), the content in this anthology shows that it is indeed time, as the editors pose, "for a distinctive southern history and historiography to end" (v). In sustaining myths of American exceptionalism rooted in the hubris of an "American Way," southern exceptionalism exerts increasingly less influence on scholarship about the South and other regions of the United States. Four sections of the book describe northern influence on the twentieth-century South, visual and sensory perceptions of the South, social change and the power of the transformative within the region, and the political realignment (if not reconstitution) of the South since the Great Depression. If pressed to choose a thematic high point, the essays of Part III ("Border Crossings") might be it. James Sparrow's essay on Norfolk, the Pentagon, and the nationalization of the Metropolitan South from 1941 through 1953 highlights how the encompassing social experience of war mobilization led urban areas of Virginia and Washington, D.C. to become more centrally located within the national consciousness. Karl Frederickson's piece on Cold War military installations in South Carolina shows how local southern business and political leaders forged alliances with the federal government and in turn, how the modernization of society and culture accompanied the militarization of the southern economy. As Andrew Wiese makes clear, African American suburbanization in the late twentieth century extended, rather than eroded, historic patterns of spatialized racial inequality in the U.S. Wiese shows how, both within and outside of the South, the majority of new black home-seekers in the post–World War II period settled in existing city and suburban enclaves increasingly vacated by whites. Racial inequality in the selection, placement, and promotion of black neighborhoods was never merely a *southern* issue. Mary Odem's assessment of Latin American immigration and the new multi-ethnic South stands firmly alongside Odem and Lacy's *Latino Immigrants and the Transformation of the U.S. South* (University of Georgia Press, 2010). As Odem makes clear, the rapid growth of immigrant populations in southern cities and states is part of a larger shift in the geography of immigration within the United States. Although the South may indeed prove *unique* in the amount or volume of immigrants moving there from Central and South America, the region is certainly not *exceptional* in its own

contemporary experience. Nancy MacLean's examination of the South's role in the "odd metamorphosis" of American politics since the 1960s provides a strong ending to this work. MacLean highlights how southern politics (and the history written on them) have been defined by the Right and its dependence on mythical and romantic notions of historical continuity within the region. Neo-confederacy and its appeal represented a counter-reaction to mandated economic, political, or social equality, and provided a philosophical defense for a nation that worshipped opportunity. The author points out that the metamorphosis of the Republican Party has made the questions of southern history even more consequential to the nation's future.

Although none of the essays specifically engage topics of Maryland's history, *The Myth of Southern Exceptionalism* is an important work, and one that is sure to be called upon by professors and scholars, public historians, and a general audience. In demonstrating how mythical notions of an exceptional South have distorted our understanding of American history, the work is both weighty and accessible. In simultaneously extending beyond and engaging in the local, essays edited by Lassiter and Crespino represent a crucial stage in the progression of scholarship on a region still unique but not necessarily exceptional in its historical experience within the United States.

Robert Krause
Prince William County Historic Preservation Division

Letters to the Editor

Dear Sir,

I disagreed with the conclusion of "Who Burned Cokesbury College" when it was published in "The Aegis" newspaper.

I am flabbergasted that the Md. Historical Magazine Editorial Board allowed the article to be published.

There is, in my opinion, no factual evidence to come to the conclusion that M's McCubbin did. There were no witnesses to the burning, apparently Asbury was in N.C. at the time of the burning and if so, he could not have been a witness?

If there are any O'Kelly descendants they must be livid about the "jumping to the conclusion that this article did."

Common sense would question why O'Kelly a Virginian would have taken the time and gone to the expense of coming to Md to burn a college that could have had a person acting as watchman.

In my opinion, someone living near the college, would have been a more likely suspect.

I wonder what a lawyer's conclusion about this article is?? Fact or fiction?

Students who had been expelled or students who had been "let go" because of the financial difficulties could have been suspects as well as O'Kelly!

Salem Witchcraft trials and Joe M's political trials resulted in innocent suspects being railroaded. Was O'Kelly put on a train?

I am disappointed that a Religious Leader would concluded that a suspect is guilty without adequate proof?

The crime was committed in Md., the letter from Asbury was while he was in N.C.? and the letter was written to someone in N.Y.? The letter does not accuse O'Kelly and how McCubbin reached her conclusion is a mystery?

If Dr. Archer failed to answer the question of "Who Burned Cokesbury" it was because of lack of evidence?

C.A. Pace
Joppa, Md.

Editor:

In response to Mr. Pace's letter (17 April 2012), I would like to first state that the article printed in the Winter 2011 issue of the *Maryland Historical Magazine*, entitled, "Who Burned Cokesbury College," is a much-abridged version of my research. The original research and project was conducted as a historical archaeology thesis, not a historical paper. As such, the research methods and processes for coming to conclusions are different than those used in standard history. I have never claimed that I

agree or disagree with the claim that Rev. James O'Kelly burned Cokesbury College. Rather, I have always maintained that I believe I discovered a riddle in a letter by Rev. Francis Asbury that claimed that Asbury knew who burned the College. I state that "this paper examines the evidence and offers *one* answer to this centuries-old mystery" (405, emphasis added).

I agree with Mr. Pace that there has never been a published eyewitness account. The local newspapers carried the story, and there are accounts about that evening in publication and circulation (414). Rev. Asbury was indeed in North Carolina at the time of the burning, making the circuit of the churches in that region. However, he did receive news of the fire very soon afterwards, and was in communication with the denominational leaders (415). I have never claimed that Rev. Asbury was a witness to the burning. I do believe that he heard from Mr. Everett, the chaplain to the College, as well as local inhabitants, about their accounts of the fire and its aftermath. Rev. Asbury had given his own money and most of his personal library to Cokesbury College. It is logical that he would want to find out as much as he could about the events of 7 December 1795 and those events that proceeded and followed that day.

The question of why a Virginian would come to Cokesbury plagued me as well. However, it is well-documented in the early minutes of the meetings (called "conferences") of the Methodist Church that after meeting in Baltimore, the "clergy retreated to the Harford County school to refresh themselves in the air of the country" (414). Additionally, the schism between Francis Asbury and James O'Kelly has been studied by many scholars before me, and it is agreed that the two men did not get along. One of the frequent topics of their correspondence and disagreement was Cokesbury College. It is also documented that James O'Kelly had been to Cokesbury College before—after one of the Baltimore conferences. Therefore, "James O'Kelly knew the location and the building and had a clear motive for burning down the prestigious symbol of American Methodism" (414). I sought in my research a journal or account from James O'Kelly from around this time. I could not find one, and the reason, as I later discovered, is because,

One of the difficulties encountered in any study of the O'Kelly movement is the paucity of documents. One reason for this lies in the early leaders' odd habit of burning their minutes immediately after the conclusion of general meetings. O'Kelly's widow, tiring of the unending dissension, gathered together his records and burned them up. He left an incomplete manuscript account of his life, which survived until it in turn was burned up in a house fired by Union soldiers in the Civil War. (Frederick Abott Norwood, "James O'Kelly—Methodist Maverick," *Methodist History* IV.3 (April 1966)).

Additionally, the boarding school had been disbanded the prior year due to financial difficulties, and only a day school was kept (414). The day school was on recess at this time, so there was no reason to have anyone as a "watchman," as Mr. Pace suggests, working at the time of the fire.

To answer the question of distance, these men were itinerant (traveling) preachers. Francis Asbury rode over 5,000 miles per year on horseback (424, note 1). It is not outside of the realm of possibility that James O'Kelly, the leader of a denominational faction, would ride 150 miles to rid the Church of something he believed was conceived in "vain glory and lucrative motives" and later went on record, rejoicing at the destruction of the College, saying, "but alas, the glory of Cokesbury is consumed by the devouring fire, and in one hour ruined!...Whether those losses are occasioned by the malice of the enemy, or directed by Divine Providence, I dare not say" (418-9). O'Kelly was not going to incriminate himself—after all, Governor John Stone had a large reward out for information or arrest of an arsonist (415). However, given his statements and positions, it is possible that he believed burning the College was something he was called by God to do; or that perhaps God had otherwise ordained the burning.

In my research, I did explore the suggestion by Mr. Pace that students could also be suspects in an arson case. However, I came to the conclusion that there was absolutely no evidence of this in any of the newspaper accounts, journals, letters, or conversations that I could find. There was no suspicion of these persons for the 1795 fire; even though there had been a fire set in a closet in December 1788 that was extinguished, and students were the suspects. These suspicions were never proven. The successor to Cokesbury College in Abingdon was a Cokesbury in Baltimore. This school also burned down—a year to the day after the first fire. This fire, that also burned the adjacent church where a funeral was being conducted, was attributed to a student in the woodshop who lost control. The Methodists had no issue accusing students in other fires. Therefore, it would not make sense for them to shield students from blame in the 1795 fire. Additionally, there is other evidence that suggests a different conclusion.

In response to Mr. Pace's question, "I wonder what a lawyer's conclusion about this article is?? Fact or fiction?" I maintain that I have proven my case by a preponderance of evidence, but not beyond a reasonable doubt. There is very little today that can help scholars determine the causes of a historical fire (415). Clues from newspapers, private correspondences like letters, knowledge of the area, the history of the people involved, and archaeology can provide insight into the past. Many of my conclusions in regards to arson are based on the artifacts themselves. The site was excavated in 1967, and archaeology as a scholarly discipline was still in its infancy at that time. There were different standards for excavation then as well, and the records are not as complete or thorough as I would have wished. The late Dr. Dewey Beegle, the archaeologist, was trained in biblical archaeology, not American archaeology. However, I extensively interviewed others who worked on the project as well as those who had worked with the artifacts previously.

There were people who knew who the arsonist was, as evidenced by an article, "Some Account of Cokesbury College" in the *Methodist Quarterly Review* (April

1859): "There are those still living who were personally conversant with the whole affair, and who do not hesitate to name the person or persons guilty of the wanton deed [of burning the school]." I sought to research and bring to the attention of the general public the situations and history surrounding this early institution. I believe I found a riddle in a letter, and solved the riddle to discover who the author of the letter believed the arsonist was. My conclusions for this original research project were drawn from scholarly research in a cross-disciplinary approach, under the guidance and mentoring of several faculty at St. Mary's College of Maryland. My methodology is sound, and my research is thorough. While Dr. Archer claimed that "So far as I know, his name has not been transmitted to posterity," I believe that over time, with new research that was not available to him, the name has now been transmitted to posterity (416). I hope that the discussion and research into this venerable institution continues, and that one day, even more evidence may come to light about Cokesbury College, and expand upon my research.

Bonnie McCubbin

Correction

The author would like to make two corrections to his account, "'Our Woods Are Full of Mine Hunters': The Fountain Company in Colonial Maryland, 1744–1764," published in the summer 2011 issue. The Mineral Hill (Scotts Mine) site is presently located in modern day eastern Carroll County, not Baltimore County as cited, although from 1755 until January 19, 1837 (when Carroll County was created) the mine was located in what was then Baltimore County. Additionally, the community which is near the mine is not Louisburg, as attributed, but Louisville. I apologize for these oversights and hope it has not caused too much confusion.

Jeffrey William Nagy

Joseph L. Arnold Prize

for Outstanding Writing on Baltimore's History in **2012**

Submission Deadline: February 1, 2013

Thanks to the generosity of the Byrnes Family in Memory of Joseph R. and Anne S. Byrnes the Baltimore City Historical Society presents an annual Joseph L. Arnold Prize for Outstanding Writing on Baltimore's History, in the amount of $500.

Joseph L. Arnold, Professor of History at the University of Maryland, Baltimore County, died in 2004, at the age of sixty-six. He was a vital and enormously important member of the UMBC faculty for some three and a half decades as well as a leading historian of urban and planning history. He also played an active and often leading role with a variety of private and public historical institutions in the Baltimore area and at his death was hailed as the "dean of Baltimore historians."

Entries should be unpublished manuscripts between 15 and 45 double-spaced pages in length (including footnotes/endnotes). Entries should be submitted via email as attachments in MS Word or PC convertible format. If illustrations are to be included they should be submitted along with the text in either J-peg or TIF format.

There will be a "blind judging" of entries by a panel of historians. Criteria for selection are: significance, originality, quality of research and clarity of presentation. The winner will be announced in Spring 2013. The *BCHS* reserves the right not to award the prize. The winning entry will be posted to the *BCHS* webpage and considered for publication in the *Maryland Historical Magazine*.

Further inquiries may be addressed to: baltimorehistory@law.umaryland.edu, or call Suzann Langrall at 410-706-4529.

16th National War of 1812 Symposium

In Full Glory Reflected:

The Beginning of the War of 1812

Maryland Historical Society, 201 West Monument Street
Baltimore, MD 21201
Saturday, October 6, 2012, 10:00 AM - 5:00 PM

Including an opportunity to tour the new MdHS exhibit
"In Full Glory Reflected: Maryland During the War of 1812"
http://www.mdhs.org

Speakers:

- Faye Kert, Canadian maritime historian, on "International Maritime Law, Art and War: A Legacy of 1812."
- Jerry Crimmins on "Leadership: The Fall of Detroit and Chicago, and the Successful American Defense of Fort Wayne and Fort Harrison"
- Charles P. Neimeyer, Ph.D., Director, USMC History, on "'Shall I Board Her?': Boarding Parties, Bladensburg Races and the U.S. Marines in the War of 1812"
- David Taylor, co-author of The War of 1812 and the Rise of the U.S. Navy, on "Three Profiles: The Navy Going into the War of 1812"
- William Connery on "Baltimore Privateers in 1812: The City's 'Navy' Takes on the British Navy"
- Glenn F. Williams on "The U.S. Army on the Eve of the War of 1812"

Price of registration and lunch for the day is $50.00 per person with checks made out to the War of 1812 Consortium, Inc., and sent to Charles P. Ives III, 802 Kingston Road, Baltimore, MD 21212.

Payment is due by *Friday, September 28, 2012*. In writing for tickets, please specify at which speaker's roundtable you would like to be seated as well as any special dietary needs, if applicable.

The Sixteenth National War of 1812 Symposium
is co-sponsored by the Council on America's Military Past (CAMP-USA)

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Society of the War of 1812 in MD

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Exceptional Genealogical Publication

In celebration of the Bicentennial, the Maryland Society has compiled a complete compendium of our Society's members since Member #1. It includes the ancestry of each member back to the Military Patriot. The work includes information of over 10,000 individuals and hundreds of old Maryland families. Each entry includes not only the complete hereditary line from member to Patriot but also contains the patriot's rank, unit and commanding officer. Many lines include their Revolutionary War Patriots and their SAR Member number. This 8x11-sized 520-page work is beautifully hardbound in blue and gold. Copies sell for $55 which includes postage and handling. If interested, copies may be ordered from the Society's Registrar by mailing a check made payable to the War of 1812 Society in MD to: C. Louis Raborg Jr., 714 Chestnut Hill, Rd, Forest Hill, MD 21050. If you have questions, please feel free to contact the 1812 Registrar at raborg1989@verizon.net.

War of 1812 Society Bicentennial

The War of 1812 Society in MD is looking forward to the celebrations over the next 3 years to honor the memory of the heroes of 1812 that saved America from capitulation, who defended Baltimore after Washington DC was burned and who routed the British who just defeated the great Napoleon. Americans stood firm uttering the words: "We will never disband". Our Society is the living proof of that promise! Come join us!

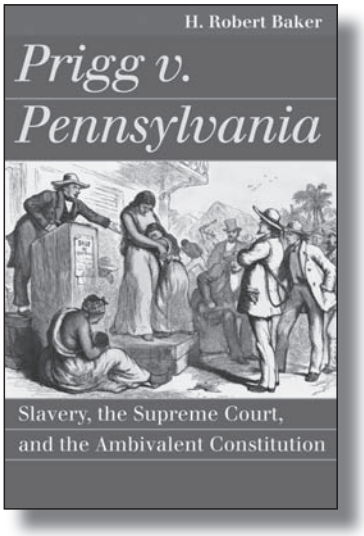
If interested in membership in the War of 1812 Society, please contact the President Christos Christou, Jr. at 303 Nicholson Rd, Essex MD 21221-6609 or at 410-574-5467 and cchristousoc@gmail.com.

Landmark Law Cases and American Society

Prigg v. Pennsylvania

Slavery, the Supreme Court, and the Ambivalent Constitution

H. Robert Baker



"Until *Dred Scott* came along, *Prigg* was the most important slave case decided by the U.S. Supreme Court. Jurisprudentially it is perhaps even more important than *Dred Scott* and it's wonderful to have a book on the case that helps explain it and places it in historical context."
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"*Prigg v. Pennsylvania* is about much more than slavery. With crisp, engaging prose Baker reveals the critical connection between this landmark case and battles fought today over federalism, the ambiguity of the U.S. Constitution, and how important, though differing, regional priorities become embedded in the law."
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"An important study that provides us with the first book-length treatment of *Prigg*. I particularly like how Baker situates the fugitive slave decision in Pennsylvania against the backdrop of the state court's treatment of slavery in other contexts."
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