

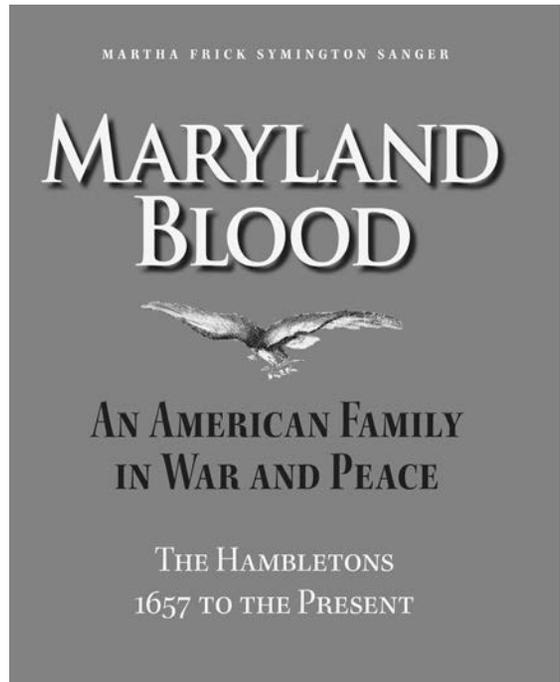
MARYLAND  
*Historical Magazine*

SPRING/SUMMER 2017



***Maryland Blood:***  
*An American  
Family in War  
and Peace, the  
Hambletons 1657  
to the Present*

Martha Frick Symington Sanger



AT THE DAWN OF THE seventeenth century, immigrants to this country arrived with dreams of conquering a new frontier. Families were willing to embrace a life of strife and hardship but with great hopes of achieving prominence and wealth. Such is the case with the Hambleton family.

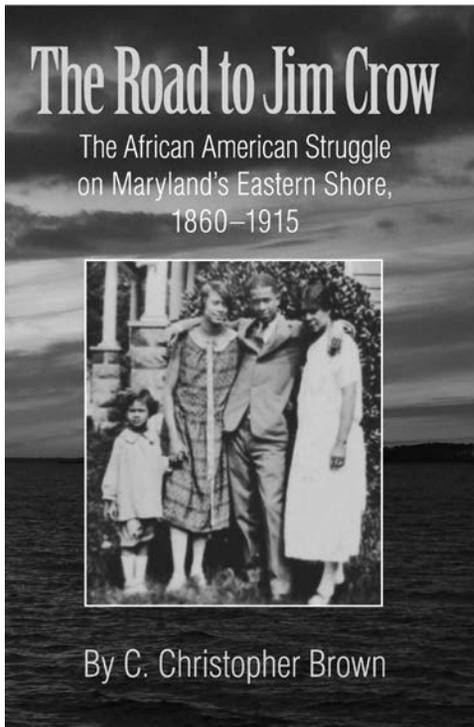
From William Hambleton's arrival on the Eastern Shore in 1657 and through every major conflict on land, sea, and air since, a member of the Hambleton clan has participated and made a lasting contribution to this nation. Their achievements are not only in war but in civic leadership as well. Among its members are bankers, business leaders, government officials, and visionaries.

Not only is the Hambleton family extraordinary by American standards, it is also remarkable in that their base for four centuries has been and continues to be Maryland. The blood of the Hambletons is also the blood of Maryland, a rich land stretching from the shores of the Atlantic Ocean to the tidal basins of the mighty Chesapeake to the mountains of the west, a poetic framework that illuminates one truly American family that continues its legacy of building new generations of strong Americans.



**Martha Frick Symington Sanger** is an eleventh-generation descendant of pioneer William Hambleton and a great-granddaughter of Henry Clay Frick. She is the author of *Henry Clay Frick: An Intimate Portrait*, *The Henry Clay Frick Houses*, and *Helen Clay Frick: Bittersweet Heiress*.

# Friends of the Press of the Maryland Historical Society



In our latest offering, *The Road to Jim Crow: the African American Experience on Maryland's Eastern Shore, 1860-1915*, C. Christopher Brown has broken new ground and filled a long overlooked gap in Maryland history. Here is the story of African Americans on Maryland's Eastern Shore, from the promise-filled days following the end of slavery to the rise of lynch law, segregation, and systematic efforts at disenfranchisement. Resisting, as best they could, attempts of the Democratic "White Man's Party" to render them second-class citizens, black communities rallied to their churches and fought determinedly to properly educate their children and gain a measure of political power. Cambridge, guided by savvy and energetic leaders, became a political and cultural center of African American life.

The Maryland Historical Society continues its commitment to publish the finest new work in Maryland history. Next year, 2017, marks twelve years since the Publications Committee, with the advice and support of the development staff, launched the Friends of the Press, an effort dedicated to raising money to be used solely for bringing new titles into print. The society is particularly grateful to H. Thomas Howell, past committee chair, for his unwavering support of our work and for his exemplary generosity. The committee is pleased to announce the following new title, funded in part through the Friends of the Press.

The Press's titles continue the mission first set forth in 1844, of discovering and publishing Maryland history. We invite you to become a supporter and help us fill in the unknown pages of Maryland history. If you would like to make a tax deductible gift to the Friends of the Press, please direct your donation to Development, Maryland Historical Society, 201 West Monument Street, Baltimore, MD 21201. For additional information on MdHS publications, contact Patricia Dockman Anderson, Director of Publications and Library Services, 410-685-3750 x317 or [pdanderson@mdhs.org](mailto:pdanderson@mdhs.org).

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# MARYLAND

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*Charles and Elizabeth Phoebe (Key) Howard’s children, c.1845–1851. Standing, Edward Lloyd Howard; left to right seated, Charles Howard, Mary Lloyd Howard, Alice Howard; kneeling, McHenry Howard with the family dog “Pinch.”* (Bequest of Julia McHenry Howard, 1959. Maryland Historical Society.)



IN MEMORIAM  
JOHN BAILES WISEMAN  
(1938–2017)

PROFESSOR EMERITUS at Frostburg University and former regional editor of the *Maryland Historical Magazine*, John Bailes Wiseman passed away on January 23, 2017.

John was born in Alliance, Nebraska and spent his early years in the western part of the country hunting, fishing, and playing baseball before graduating from Linfield College in McMinnville, Oregon. In 1960, John traveled east to join a Masters and Doctoral program combined with a teaching assistantship in US History at the University of Maryland, College Park. In 1988 John's dissertation, *The Dilemmas of a Party out of Power: The Democrats, 1904–1922* was published as part of the Garland Series, *Modern American History*. His teaching career spanned forty years, early work at Morgan State University in Baltimore where he accepted a one year teaching position, followed by a postdoctoral fellowship in Black Studies. He then went to Frostburg State University where he taught African American History, Twentieth Century World, Maryland History and elective courses such as Baseball in American Life and was chosen to develop the university's first history internship program. Dr. David Dean, FSU colleague and friend reflects that, "When the department opted for an internship program, he was the perfect person to create and run it. He was so at ease with picking up the phone to talk to folks." Gregory Wood, current Associate Professor of History at FSU, recalls that "John was proudest of the fact that he placed students at the Babe Ruth Birthplace and Museum, as well as the Sports Legend Museum in Baltimore. He was also very proud of the fact that he helped students secure internships at Fort Necessity in Pennsylvania, the National Museum of Civil War Medicine in Frederick and Maryland's C&O Canal site." Tim Baker, a former student and current Maryland State Archivist, remembers that "John took particular interest in state and local government internship opportunities for history majors." John's work lives on in every intern he placed and those the university continues to place in their ongoing history internship program.

CAROLINE WISEMAN BRADY  
(John's daughter)

## Editor's Notebook

### *Summer in Maryland: it's Not the Heat, it's the Humidity*

Heat waves typically ripple across Maryland from May through September. As of this writing, the temperatures are topping out at 100°, the air thick with humidity that clogs the pores and limits all but the most reckless to a more moderate level of outdoor activity. Meteorologists up the numbers to include the heat index, the “real feel” temperature of the number on the thermometer and the relative humidity. Will this be the day for a new record high, bypassing the string of 100°–104° days for late July and early August 1930? Weather experts keep us informed but also overload audiences with dramatic facts and images. In that context, we offer the following perspective.

The majority of seventeenth- and eighteenth-century settlers wore heavier clothing. Most could not afford cotton cloth until Eli Whitney's cotton gin made mass production of the fabric possible in the closing years of the eighteenth century. Summer insects invaded homes and businesses through open windows until the first advertisements for “wove wire for window screens” appeared in 1830s catalogues and were factory-produced by the 1870s. Until then, regardless of the heat, most people covered one or two windows with cheesecloth or simply kept them closed. Waves of deadly epidemics such as cholera ravaged cities and towns across the country, ultimately killing thousands. Countless others suffered and died of food poisoning due to lack of refrigeration. Electric fans did not become staple household or business appliances until the early twentieth century.

Media reference to the summer of 1930 sparked memories of my grandmother talking about that season, the first year of the Great Depression when my grandfather lost his engineering job. The family moved to his mother's house in Lauraville, Baltimore City where they had a third floor bedroom, no electric fans, and their baby daughter developed diaper rash. To the end of her life, my grandmother could not tolerate summer heat. Eighty-seven years later, from our air-conditioned and shade-drawn offices on Monument Street, the summer weather is not so oppressive.

P.D.A.

## Errata

In the last issue of the magazine author Ralph Frasca inadvertently wrote that Charles Pise “was the first, and to date, the only Catholic priest to serve as Congressional chaplain.” Per reader Len Lazarick, House of Representatives chaplains for the past seventeen years have been Catholics. Father Pise was the only Catholic chaplain of the Senate. Also in the last issue, the photograph of Chief Engineer George Horton on page 196 is incorrectly credited to the author. The image belongs to the Box 414 Association. Lastly, in the Spring/Summer 2016 issue, Dennis Halpin's author identification should have included “co-winner of the 2014 Joseph L. Arnold Prize for Outstanding Writing on Baltimore's History. We regret the errors.



*Supreme Court Chief Justice Roger Brooke Taney (1777–1864) authored the shocking and controversial Dred Scott decision in 1857. (PVF, Maryland Historical Society.)*

# Sculpting Memories of the Slavery Conflict: Commemorating Roger Taney in Washington, D.C., Annapolis, and Baltimore, 1864–1887

COREY M. BROOKS

IN THE WAKE OF THE TRAGIC JUNE 2015 Charleston, South Carolina massacre of nine African American worshippers by a Confederate flag-waving white supremacist, the American public inaugurated perhaps their most sincere collective soul-searching yet on the question of how to remember the Civil War, slavery, and their legacies. Such examination of Civil War memory has for several decades captured the attention of professional historians. Their probing analyses have repeatedly shown how nostalgia for the Confederacy and public monuments commemorating supposed heroes of the Confederate “lost cause” emerged in concert with widespread post-bellum efforts to shore up white supremacy. In 2015, this scholarly discourse, along with deep-seated African American frustrations with the profusion of Confederate monuments across the “Old South,” finally erupted into mainstream national consciousness. Longstanding calls to reevaluate Confederate icons were suddenly, finally being heard, as exemplified in the lowering of the Confederate battle flag at the South Carolina State House in Columbia.<sup>1</sup>

In the former Union slave state of Maryland, Republican governor Larry Hogan announced that the Old Line State would cease to offer Sons of Confederate Veterans “vanity” license plates. In the same brief July 2015 press conference, Hogan insisted, however, that the state would go no further in responding to calls to tear down Confederate monuments, jettison the pro-secession state song “Maryland, My Maryland,” and remove the monument to Roger Taney outside the Maryland state legislature in Annapolis. Hogan characterized such demands as “going too far” and “political correctness run amok.” And thus immediately after protestations of his desire “to be sensitive to people’s feelings,” Hogan denigrated those seeking reevaluation of Maryland monuments as aiming to take “every Civil War person out of our history books” and proposing that “we have to pretend as if there wasn’t a Civil War.”<sup>2</sup>

*Corey M. Brooks is Associate Professor of History at York College of Pennsylvania and author of Liberty Power: Antislavery Third Parties and the Transformation of American Politics (Chicago: University of Chicago Press, 2016).*

The state's largest city, overwhelmingly Democratic and majority-African American Baltimore, by contrast, took more seriously activists' demands to reshape at least the city's Civil War memorial landscape. Democratic Mayor Stephanie Rawlings-Blake appointed a Special Commission to Review Baltimore's Public Confederate Monuments, including the Confederate Soldiers and Sailors Monument, Confederate Women's Monument, and Stonewall Jackson and Robert E. Lee Monument. Added to these three, the commission also was tasked with reviewing a fourth monument which is not technically a monument to the Confederacy, but struck many Baltimoreans as equally offensive: the 1887 statue of Supreme Court Chief Justice Roger Taney (1777–1864) in the northern gardens of the city's Mount Vernon Place, a monument thoroughfare where prominent Marylanders are ensconced in sculpture on pedestrianized green spaces below a 180 foot-high 1829 monument to George Washington. To many activists and public officials, inclusion of Taney's statue for special scrutiny alongside the Confederate memorials made perfect sense.<sup>3</sup>

With over forty years of public service, and over twenty-eight years as Chief Justice of the Supreme Court, Taney stands as one of the two highest federal officeholders (alongside former Vice President Spiro Agnew, who resigned in disgrace in 1973) to hail from Maryland. And yet, Taney remains today, as he was for many in the postbellum period, best remembered for his controversial ruling in the 1857 *Dred Scott* decision. In his lengthy majority opinion, Taney went out of his way to unequivocally reject black citizenship and forbid congressional prohibition of slavery in any federal territory.

By early 2016, the large bronze sculpture of Taney in Baltimore and the analogous one in Annapolis had come under such heavy fire that they may well be removed in the near future. In response to increasingly vocal protests against memorials to the Confederate cause—protests intertwined with the April 2015 Baltimore unrest and the Black Lives Matter movement's activism against institutionalized racial injustice—the Special Commission to Review Baltimore's Public Confederate Monuments recommended in January of 2016 the removal of Taney's statue (along with the mid-twentieth-century statue of Confederate generals Jackson and Lee). And in February 2016, Democrats in Annapolis sponsored legislation to similarly remove (or in one version, even destroy) the Taney statue adorning the State House grounds, though the bill did not pass in 2016 and was not revived in the legislature's 2017 session. In Baltimore, Rawlings-Blake took no action on her commission's report for most of 2016, and then in her final month in office, the lame-duck mayor authorized a new plaque for the site of the Taney statue (as well as for the Confederate monuments reviewed by the Baltimore commission). The modest plaque, presented as a temporary, and affordable, response to the commission's recommendations, alludes briefly to the statue's history in helping "to promote white supremacy in Baltimore." In the early months of her tenure, current mayor Catherine Pugh avoided the question of additional steps regarding the Taney and the Jackson and Lee monuments, but in May of 2017, in response to New Orleans Mayor Mitch Landrieu's newsworthy removal of that city's Confederate monuments, Pugh spoke

publicly of her commitment to “tackle” the question of what to do with the monuments, averring, “The city does want to remove these.” Nevertheless, as of this writing both the Baltimore and Annapolis Taney statues’ ultimate fates remain unresolved.<sup>4</sup>

Revisiting now the history of how the city of Baltimore, the Maryland state government in Annapolis, and the national government in Washington originally came to memorialize Taney offers a valuable vantage point from which to reconsider the crafting of public memory that undermined Civil War-era reformers’ ambitions of building equality on the ruins of slavery. The deeply dispiriting, and often explicitly racist, conciliatory cultural work done by widespread public memorialization of Confederate soldiers, sailors, women, and military and political leaders has been carefully and thoughtfully explored by numerous historians. A related body of work has examined how the often undignified or emasculating portrayals of ex-slaves in postbellum statuary further contributed to late nineteenth- and twentieth-century romanticizing of antebellum slavery as a benevolent and peaceable racial order. A less prominent, but still important, component of America’s memory of the Civil War era, however, has not received the same consideration: the question of how American society used public memorials to make meaning of not just the war itself, but also of the conflicts that produced the sectional division in the first place.<sup>5</sup>

At this time of heightened attention, both nationally and in Maryland specifically, as to how we commemorate the Civil War and slavery, postbellum memorialization of Roger Taney seems particularly ripe for investigation. Historicizing the origins of the noted nineteenth-century sculptures of Roger Taney in Annapolis and Baltimore, along with his Supreme Court chamber bust in Washington, D.C., can help us better appreciate the real-time fashioning of a pro-Southern public memory of not just the war itself but also of the conflicts over slavery that had precipitated it. That these efforts to immortalize Taney came so quickly on the heels of abolition and Reconstruction further underscores the breakneck speed at which the South, and indeed the nation, was retreating from the Civil War-era Republican Party’s most egalitarian aims, even in putatively moderate Maryland.

In a slave state that had sided with the Union, commemoration of Roger Taney offered the potential to ennoble and exculpate the pre-Civil War slaveholding generation in much the same way that celebrations of Confederate military and political leaders such as Generals Lee, Jackson, and Nathan Bedford Forrest, or Confederate president Jefferson Davis did for former Confederate states like Virginia or Mississippi. That such memorializations also served to undercut the most revolutionary potential implications of Confederate defeat, wartime emancipation, and radical Reconstruction was an essential, if sometimes unspoken, component of their appeal. In the years just after Appomattox, memory-making efforts in the former Confederacy often stressed the individual integrity and manly character of Confederate soldiers and commanders, who were cheered for their honesty, vigor, and bravery. Many Maryland celebrations of Taney incorporated a parallel tack of emphasizing personal virtues like his moral-

ity, impartiality, and incisive legal mind. Often supportive, or at least tolerant, of the *Dred Scott* decision's racism, if not always its promotion of slavery expansion, Taney's posthumous champions sometimes left implicit their acceptance or even approbation of his racist ruling, much as defenders of Confederate leaders often avoid discussing slavery's role in secession by fixating instead on personal character traits. It is notable, though, that in the earliest days of commemoration, while debates over the South's racial reconstruction still raged, some prominent admirers did in fact openly praise Taney's racist and proslavery judicial record.

In *Race and Reunion*, David Blight develops a useful framework for digesting post-bellum efforts to honor and remember events, personalities, and conflicts of the recent war. Blight frames his analyses around a trichotomous classification identifying most such public remembrance as guided by either a "white supremacist vision" focused on solidifying racial hierarchy; an "emancipationist vision" celebrating the war as centered around destroying slavery and promoting racial equality; or a "reconciliationist vision" seeking to bind up the nation's wounds by venerating shared sacrifice and papering over core ideological conflicts. All three of these visions of Civil War memory coexisted and competed in postbellum America, but, as Blight shows, by the turn of the twentieth century, the reconciliationist vision had clearly come to dominate national Civil War memory. Those (white) Americans who most vigorously endorsed reconciliation ultimately won the day in part by making peace with, and incorporating aspects of, the white supremacist vision that infused much of southern "Lost Cause" ideology. In the process, the most radical elements of the emancipationist vision largely became marginalized outside of African American circles.<sup>6</sup>

In studying the rarer memorialization of a figure associated with antebellum political conflict rather than wartime combat, this article uncovers a similar story. After Taney's death in 1864, versions of Blight's three visions competed as the federal Congress, then the Maryland state government, and still later the city of Baltimore approached the question of how to best remember Roger Taney. But ultimately reconciliation, inflected with a good deal of white supremacy, won out here too. First in the United States Senate, radical Republicans assailed the prospect of memorializing the author of *Dred Scott* as inconsistent with an emancipationist vision of the ongoing war. Just a couple years later in Annapolis though, the handful of Republicans remaining in the Maryland legislature fought a doomed battle to preserve such an emancipationist vision in the Old Line State. Instead, plans for a taxpayer-funded grandiose bronze statue to commemorate the former chief justice won the backing of both legislators openly touting a white supremacist embrace of the *Dred Scott* decision's defense of racial inequality and others espousing reconciliationist views downplaying the infamous case. Two decades later, when the city of Baltimore installed a copy of the Annapolis Taney monument, a reconciliationist vision had clearly captured the hearts and minds of most white Marylanders and had overwhelmed any meaningful emancipationist resistance. Reexamining early commemorations of Roger Taney helps illuminate, perhaps even better than the more widespread and widely studied

Confederate remembrances, the powerful messages about Southern, and American, race relations sent by postbellum memory-making that minimized, excused, or even defended the region's and nation's historic commitment to racial slavery.

## **Taney's Life, Death, and the Radical Reaction**

Roger Brooke Taney, a gifted Maryland lawyer who had inherited but gradually freed several slaves, gravitated towards the Jacksonian Democratic Party in the 1820s. He was tapped by President Andrew Jackson first in 1831 for U.S. Attorney General, a job he had previously held at the state level; then for Secretary of the Treasury in 1833, though his recess appointment was overturned by the Senate several months later; and ultimately for Chief Justice of the United States Supreme Court, for which his appointment was confirmed in 1836 and where he presided for twenty-eight and a half years. The court issued a number of landmark rulings, establishing a pattern of jurisprudence that afforded greater deference to the authority of state legislatures than the preceding Marshall Court (1801–1835) but nonetheless rejected state law deemed to infringe on constitutional powers delegated exclusively to the federal government. Likewise, the Taney Court, while vesting great confidence in the sovereignty of popularly elected legislatures, still strove to support the burgeoning market economy through enforcement of legally executed contracts, including state-issued corporate charters. Taney and his fellow justices did not often rule on cases focused primarily on slavery or race, but when they did, he consistently sought to protect slavery, often by guarding state authority over the institution. And while Taney had not ruled directly on the question of black citizenship before 1857, as attorney general his unpublished 1832 brief on South Carolina's Negro Seamen Act requiring imprisonment of free black sailors made clear that he viewed black men as inherently inferior and ineligible for federal citizenship, prefiguring *Dred Scott* a quarter century prior.<sup>7</sup>

By far the most famous and controversial of Taney's decisions, in our time and in his own, was his 1857 majority opinion in *Dred Scott v. Sandford*, a case in which Missouri slave Dred Scott had sued for his freedom based on prior residence in a federal territory where slavery had been prohibited. Taney's ruling famously denied the possibility of black citizenship, asserting that Scott had no standing to file federal suit because black Americans, whether free or slave, possessed "no rights which the white man was bound to respect." But equally controversial in the context of the fraught sectional politics of the late 1850s was Taney's ruling that Congress lacked authority to prohibit slavery in any federal territory. Such a prohibition, Taney argued, was equivalent to taking a slaveholder's property and thus violated Fifth Amendment protections against denial of life, liberty, or property without due process of law. Not only had Taney issued a stringent rule of racial demarcation in the American legal system, but in his territorial slavery ruling, he had also attempted to impose an extreme proslavery resolution of the most contentious issue in national politics and to eliminate the *raison d'être* of the

new Republican Party, already the leading party in most northern states. The decision and Taney himself thus became anathema to antislavery northerners.<sup>8</sup>

Heated debates over how to remember Roger Taney began almost immediately after his death, even before the outcome of the Civil War had been fully determined. The octogenarian chief justice's passing in October of 1864 elicited a flood of widely varying emotions from across the political spectrum of the Union states. In Baltimore, where Taney had practiced for several years, distinguished lawyers gathered in the "largest [meeting] ever held in the city of the members of the legal profession" to pay their respects. The committee selected by the Baltimore bar, led by Severn Teackle Wallis, praised Taney's legal ability, and opined that "of the moral qualities which gave weight to his intellect and force and greatness to his long and eminent career, no praise could be exaggeration." Senator Reverdy Johnson, a former Whig who had argued the proslavery side of the *Dred Scott* case before Taney's court, spoke of how some former Whigs had opposed Taney's nomination to the high court for partisan reasons, but Johnson emphasized that he had never doubted the nominee's integrity. In touching on the controversial *Dred Scott* decision, Johnson characterized the case as "involving a question of exciting interest—one that is now arraying section against section, brother against brother, in a civil war of unparalleled magnitude and terrific character." "This," Johnson noted "is not the occasion to examine that opinion," before proceeding anyway to defend Taney "against the gross injustice" that had been done by critics who assailed the chief justice's language about African Americans possessing "no rights which the white man was bound to respect."<sup>9</sup>

Already in the opening days of the memorial outpouring, what would become one of the standard defenses of Taney's memory was being articulated by a sitting United States senator. Apologists for the chief justice long maintained that his unequivocal ruling for racial inequality stood as a statement not of his own personal prejudices, but simply of historical and legal facts. Most such arguments, however, have tended to elide, as Johnson did, the fact that Taney's reading of the historical record was hardly objective or neutral, but rather seemed deliberately geared towards supporting the decision's codification of racial inequality. Moreover, the statement on African American rights and citizenship can only be fully appreciated alongside the stunning and controversial decision requiring the federal government to permit slavery in all federal territories. Johnson's claim that the language about black rights had been misconstrued soon came to be routinely coupled in typical apologias for Taney with references to his manumission of eleven inherited slaves between 1817 and 1824 and to his 1819 courtroom defense of antislavery preacher Jacob Gruber against charges of attempting to incite insurrection. Those who have sought to absolve Taney of proslavery predilections and excuse his ruling in *Dred Scott* as evidence of an objective, formalistic legal mind have in most cases downplayed or overlooked both the sweeping proslavery implications of *Dred Scott* and the broader proslavery legal and political record Taney amassed in the four and a half decades between the 1819 *Gruber* case and his death in 1864.<sup>10</sup>

Convening after his death, members of the Supreme Court bar in Washington, like the lawyers of Baltimore, similarly expressed their “profound sense of this national calamity” and paid tribute to Taney’s “spotless and benevolent life.” And while it could hardly be surprising that the U.S. Supreme Court adjourned to mark the death of its chief magistrate, it is perhaps notable that courts across the North followed suit to pay similar respects. In New York City’s Superior Court, for example, Tammany Hall Democratic Judge John McCunn waxed eloquent about how “perhaps since the establishment of this Republic, no greater loss had befallen the country than the death of Chief Justice Taney” before adjourning in recognition of his “erudition, integrity of purpose, and fidelity in his discharge of the duties of the high office.” A week later when the federal circuit court convened in the Empire City, Supreme Court Associate Justice Samuel Nelson entered into the minutes a commendation of Taney’s “patience and devotion in the pursuit of right and justice.” Likewise, in Boston, the U.S. First Circuit Court’s bar passed formal resolutions lauding not just Taney’s “pre-eminent abilities” and “profound learning,” but also his “incorruptible integrity.” More striking still was the statement delivered by Benjamin Curtis, a former Supreme Court Associate Justice who had resigned in disgust after a personal and political spat with Taney brought on by their disagreement in the *Dred Scott* case. Despite the fierce feuding in their past, when marking Taney’s death, Curtis eulogized his former colleague’s learning, administrative skill, and personal character, never once acknowledging the acrimonious *Dred Scott* decision that had prompted Curtis to abandon his post on the Supreme bench.<sup>11</sup>

Mainstream Republican outlets were more willing to couple notices of Taney’s death with criticisms of the infamous decision that had sought to debar the early Republican Party’s preeminent policy goal of prohibiting slavery’s westward expansion. In its initial reporting on his death, the moderate Republican *New-York Times* matter-of-factly noted that “his name will be chiefly associated with the famous decision in the case of ‘DRED SCOTT.’” While this (relatively) conservative voice within the Northern Republican ranks noted Taney’s “pure moral character” and suggested that the “unfortunate Dred Scott decision” came not “from a corrupt or malignant heart,” the paper concluded that the decision’s “complete yielding to the full desires and demands of Slavery” stood as “an act of supreme folly” that had helped galvanize the proslavery rebellion and whose “shadow will ever rest on his memory.”<sup>12</sup>

In Taney’s own border region, though, Republican voices were more ambivalent, reflecting perhaps an early manifestation of a proto-reconciliationist public memory of the deceased judge. For example, John W. Forney’s *Washington Chronicle* reflected briefly on “Taney’s eminent legal qualifications . . . dignity, impartiality and integrity . . . with one notable exception. . . . That exception was the Dred Scott decision, which, owing to the important political questions it involved, could not fail to provoke comment and dissent.” Striking a similar tone, Baltimore’s main Union Party (a Republican-led alliance that incorporated pro-war Democrats) newspaper asserted that Taney’s “decisions were cautious and sensible, and, with one notable exception,

sound.” Though evincing the widespread acceptance of black racial inferiority, this Southern antislavery newspaper assailed Taney’s opinion as “repulsive to the moral sense of the nation” in its “attempt to nationalize Slavery, by insisting . . . upon the recognition by the Constitution of the right of property in an inferior race.” This Republican editor, however, hastened to add that Taney had nonetheless been “an upright as well as a learned man, and this case only proves, as in thousands of other instances, the benighting influence of a continual contact with Slavery upon individual as well as national character.”<sup>13</sup>

More radical Republicans and abolitionist activists concerned themselves little with Taney’s purported personal probity and impressive intellect. Abolitionists were fighting to ensure an emancipationist war effort, and soon fought to preserve an emancipationist memory of the war. William Lloyd Garrison’s famously combative *Liberator* thus reported, almost gleefully, “The intelligence of the decease of the historically infamous author of the Dred Scott Decision . . . is received by the entire loyal, liberty-loving portion of the country with perfect resignation. It was a mockery of all law, and a disgrace to the nation, to have such a man at the head of the Supreme Court.” Taney, the evangelically oriented New York *Independent* similarly concluded, had been “swift to do” the “bidding” of the “Slave Power” and thus had contributed immensely, as had nearly “all [persons of] authority” in antebellum America, “from the President downward,” to the great “conspiracy against liberty, white as well as black.” In the most scathing postmortem rebuke, an anonymous pamphleteer smeared the deceased “*Unjust Judge*” as “conspicuously false and malignant.” In his “zeal in behalf of an unnatural and demoralizing institution,” the chief justice had “succeeded in welding to his own, the name of his intended victim and the memory of the injustice and cruelty he designed toward him and four millions of his race . . . and their endless posterity,” leaving after “a judicial career of seven and twenty [*sic*, actually twenty-eight] . . . but one memory behind.” The author condemned Taney as “next to Pontius Pilate, perhaps the worst that ever occupied the seat of judgment among men.”<sup>14</sup>

Abolitionists also had pragmatic reasons beyond mere vindictiveness for cheering Taney’s death. With Robert E. Lee’s Army of Northern Virginia besieged in Petersburg and most other Confederate forces on the run, it seemed quite possible that the long war might soon come to a close without any constitutional amendment to extend freedom beyond those practically emancipated under President Lincoln’s emergency war powers. And many Republicans feared also that once the soldiers had laid down their arms, federal courts might even strike down the Emancipation Proclamation and demand re-enslavement of hundreds of thousands the war had freed. As one abolitionist wrote to the *Liberator*, “The slave who is yet debarred from them [the Union army], may sleep more soundly now that Judge Taney is no more. The constant peril of a decision from the Supreme Court which might invalidate the Proclamation is now at an end. . . . The change is as good as a battle gained.”<sup>15</sup>

When President Lincoln formally appointed radical Republican and political abolitionist Salmon Chase to replace the former champion of the Slave Power, antislavery voices reveled in the contrast. The New York *Tribune* reflected, "The chasm that separated the late from the present incumbent of that station is wider than that spanned by the twenty years' sleep of Rip Van Winkle." And in another sweet irony, abolitionists gloated about how Marylanders had cast the votes that ratified the emancipationist state constitution on the very day of Taney's death. Thus, "the death of Judge Taney," the *Tribune* continued, "during the night following the popular vote whereby Maryland was made a Free State marked the close of an era; the accession of Judge Chase marks the commencement of another." William E. Matthews, one of Maryland's leading black advocates for legal equality, had similarly celebrated the "singular coincidence, that Chief Justice Taney should breathe his last on the very day that the [new Maryland] Constitution [abolishing slavery in the state] was ratified by the voice of the people."<sup>16</sup>

Both emancipationist disdain for Taney's proslavery rulings and the conflicting reconciliationist desire among Democrats and even many conservative or moderate Republicans to pay respect to a man who had chaired the high court for nearly three decades were on full display in the U.S. Senate in early 1865. About four months after Taney's death, Illinois Republican moderate Senator Lyman Trumbull reported favorably on a bill for a \$1000 appropriation (which the House had passed a few weeks prior with little incident) for a marble bust of the former chief justice to be placed in the chamber alongside those memorializing his predecessors. The ensuing exchange exemplifies the tone that would characterize many future, indeed perhaps even our current, battles over how to remember Roger Taney. Those particular senate deliberations also demonstrated antislavery radicals' clear appreciation that debates over Taney's legacy must necessarily be debates over slavery. It would be impossible, they understood, to honor Taney without also tacitly overlooking, or even honoring, his proslavery legal career, including its capstone opinion in *Dred Scott v. Sandford*.<sup>17</sup>

Voicing the radical critique of the proslavery intransigence that had helped produce the crisis of the Union, Charles Sumner, the renowned Massachusetts firebrand, immediately and sharply rebuked the notion "that now an emancipated country should make a bust to the author of the Dred Scott decision." Trumbull (a former Democrat who may have been inclined to sympathize with Taney on legal issues unrelated to slavery) responded that the chief justice's service of "more than a quarter of a century" had "added reputation to the character of the judiciary of the United States throughout the world." Trumbull reminded Sumner condescendingly, "No man is infallible." Sumner, livid at the idea of celebrating the author of *Dred Scott*, insisted "that the name of Taney is to be hooted down the page of history." Maryland Senator Reverdy Johnson (who had argued the case against Scott in Taney's Court and had lauded Taney at the aforementioned 1864 Baltimore bar meeting) quickly joined the debate to express his "astonishment."<sup>18</sup>

Sumner would not relent. "If a man," Sumner continued, "has done evil during his life he must not be complimented in marble." Claiming, perhaps disingenuously, "I do not seek this debate," Sumner nonetheless insisted that "the Power which Taney served was none other than that Slave Power which has involved the country in war." "I speak," Sumner said self-righteously, but compellingly, "what cannot be denied when I declare that the opinion of the Chief Justice in the case of Dred Scott was more thoroughly abominable than anything of the kind in the history of the courts." "It is not fit, it is not decent," Sumner reiterated "that such a person should be commemorated by a vote of Congress; especially at this time when liberty is at last recognized. If you have money to appropriate in this way, let it be in honor of the defenders of liberty." (Sumner suggested former antislavery congressmen like Joshua Giddings or John Quincy Adams II, for example.) Moreover, Sumner actually relished the idea of "a vacant space in our court-room" that would "speak in warning to all who would betray liberty."<sup>19</sup>

After Sumner initiated the opposition to Trumbull's bill, two other Senators who had, like Sumner, been among the leaders of the antislavery Free Soil Party in the early 1850s, joined in attacking the proposal. New Hampshire's John P. Hale opposed the bust precisely because Taney would "be known to posterity" and "to the world by the Dred Scott decision." "In future ages," Hale predicted, "when the history of this time and of the controversy in which we are now engaged, and through which we have gone, shall go down to posterity, Judge Taney and the Dred Scott decision will go together; the name of Dred Scott will bring up Roger B. Taney, and the name of Roger B. Taney will bring up Dred Scott. There they are for evil or for good, and thus associated they will live through all coming time."<sup>20</sup>

Sumner's Massachusetts colleague Henry Wilson boisterously concurred, labeling the *Dred Scott* decision the "blackest crime against men in our history" and suggesting that it would shock and appall the "loyal millions of the nation who were horrified eight years ago" to now see the Senate "voting honors to the author of the judicial usurpation that enthroned the dark spirit of slavery from which the slave-masters leaped into this bloody rebellion." Perhaps hyperbolically, Wilson characterized Taney as "the man who did more than all other men that ever breathed the air or trod the soil of the North American continent to plunge the nation into this bloody revolution." Wilson also chided Taney for the reticence of his alleged wartime loyalty: "He sank into his grave without giving a cheering word or a helping hand to the country he had vainly sought to place forever by judicial authority under the iron rule of the slave-masters." And when Reverdy Johnson challenged the radicals, Wilson stood his ground in defiance: "I am asked to forget the great crime, the crime of our history, to comply with a customary usage . . . For twenty-nine years I have never given a vote or uttered a word to sustain slavery . . . Slavery is rapidly sinking into the grave of dishonor, to rise no more forever. I have neither eulogies to utter nor statues to erect to the memory of its apologists or champions."<sup>21</sup>

Ohio's Benjamin Wade echoed his radical colleagues in reminding the Senate that the *Dred Scott* decision "was a political case" and that in its ruling, "not only did it [the Taney Court] trample down the negro, but your court intended to trample down the rights of freemen in the Territories forever." Laying on the invective thickly, Wade claimed that his antislavery constituents in Ohio "would pay \$2,000 to hang this man in effigy rather than \$1,000 for a bust to commemorate his merits." At the conclusion of this four-headed antislavery outburst, the Senate adjourned for dinner. The bill was briefly reconsidered that evening, but given the fierce opposition from the Senate's most radical ranks, neither moderate Republicans like Trumbull nor border state Unionists like Johnson seemed to possess the appetite for rejoining the conflict, and the bill died that day, leaving Taney absent from the Supreme Court's marble lineup of former chief justices.<sup>22</sup>

In their vocal assaults on the proposed bust, radical Senators reflected sentiments that were endorsed by Republicans elsewhere, who opposed "paying honor to the infamous memory of Roger Taney," as "little better than robbery on the National Treasury." Racist northern Democratic papers, however, dissented vigorously from Sumner's attack on Taney, often in considerably more rabid language than that employed by Senator Trumbull, or even Senator Johnson. The New York *World*, for example, lambasted the "arrogant imbecility of men like MR. CHARLES SUMNER" and "vehement malignity of men like Senator WADE." Their speeches, the *World* wrote, stood as "the most disgraceful remarks ever uttered in an American legislative chamber" and were indicative of their narcissistic belief that "every duty of decency performed toward a political opponent is an attack upon the worship of themselves." At least, though, the *World* concluded, they had provided posterity the "finest" possible "auto-photo-graph of the men who have played the basest and blackest part in the sad drama of our times."<sup>23</sup>

Meanwhile, newspaper reports of the debate appearing in the tottering Confederacy mocked Sumner's "touching tribute" in the "Yankee Congress" and defended Taney against the "malignity and hate of the abolitionists," extolling the Marylander as "one of the purest and best men of his day" and the *Dred Scott* ruling as a necessary "decision against the mad and destructive schemes of [antislavery] fanaticism." Similarly, in the months before his passing, the racist Copperhead New York City monthly, *The Old Guard* had included a paean to Taney, predicting that "the Dred Scott decision will be a monument of lasting fame to its author, and live on the brightest page of American history, long after its ignorant and deluded defamers shall be consigned to that ignominy and disgrace to which they are justly entitled."<sup>24</sup>

Thus the defeat of the Taney bust appropriation in Washington inspired his supporters to even more passionately advocate some other commemoration to the proslavery Democratic hero. In Taney's home state, Democrats went out of their way to ensure that Maryland would honor him at the earliest possible moment. Taney's opinion in the *Dred Scott* case retained the admiration of many among the racist, and in some cases still proslavery, leaders of the Maryland Democratic Party. In a direct rebuke to

the emancipationist rejection of a federal memorial, Maryland Democratic legislators seized the very first available opportunity to secure funding for a far more impressive tribute to Taney's memory than the proposed Supreme Court bust. Democrats in Maryland, however, couldn't find their opening until they regained control of the state government in 1867.

### **Celebrating the Author of *Dred Scott* in Annapolis**

Under Maryland's 1864 Constitution, best known for abolishing slavery in the state and ratified in an exceedingly tight vote—the constitution's unconditional Unionist backers only achieved a 375-vote majority out of about 60,000 with the aid of Union soldiers' absentee votes—many former supporters of the Confederacy had been disfranchised through a stringent new loyalty oath. Additionally, the lower house of the state legislature had been reapportioned according to white population to weaken the power of the proslavery southern counties, which would have otherwise received added representation based on large, but disfranchised, formerly enslaved black populations. These constitutional provisions initially limited the electoral prospects of the state's Democrats and left even deeply conservative Unionists, like former Know Nothing Thomas Swann, who was elected governor in 1864, to remain within the Union Party as the only viable vehicle for achieving statewide political power.<sup>25</sup>

After the war had concluded, though, racial backlash mounted. Many Marylanders despised federal Freedmen's Bureau's activities in Maryland and Republican Reconstruction policies in the conquered South more generally. Black Marylanders' reinigorated push for equality, especially in their failed campaign for suffrage and their successful agitation to end the unjust apprenticeship of black children whose parents allegedly could not support them, further discomfited Democrats seeking to preserve strict racial hierarchy. Within this political context, conflict over racial issues wracked the Maryland Union Party, and in the spring of 1866, Governor Swann and many like-minded conservatives bolted to join the Democrats. While Unionist legislators in 1865 had attempted to ensure their party's control of the state by passing a registry act allowing state registrars to evaluate potential voters' loyalty, and thus their electoral eligibility, the power to appoint registrars had been vested in the governor. By the time of the 1866 legislative elections, Governor Swann had abandoned the Union Party, and his appointees controlled the voter registration processes that had been established to limit ballot access to unconditional Unionists only. Unsurprisingly, enforcement of the loyalty oath was incredibly lax—so much so that Republicans mounted an ultimately unsuccessful federal contestation, claiming that Democratic conduct of the 1866 elections had essentially denied Maryland its constitutionally guaranteed “republican form of government.” Numerous Democrats who had been formerly disenfranchised for their Confederate sympathies returned to the polls. The

party swept control of the Maryland House and put the state senate firmly back in the hands of the planter class, with Democrats controlling overwhelming majorities in both chambers. Democrats quickly drafted a new constitution in 1867, which further solidified the Maryland Democratic Party's dominance (which persisted even after the Fifteenth Amendment to the U.S. Constitution enfranchised black Marylanders and helped make the Republican Party competitive in some southern Maryland locales with large black electorates).<sup>26</sup>

With the Democrats back in control in Annapolis by 1867, the first Democratic postwar legislature, evincing both reconciliationist and white supremacist tendencies, made quick work of appropriating substantial funds to memorialize Taney in statuary. In the days before the new legislative session opened, a "movement," led by Frederick City's Hugh McAleer, began seeking numerous small donations (\$1 to \$25) to fund a monument to Taney, "an honor to his State and nation," who McAleer's circular also praised for the "unsullied purity of his character." But many felt that the state owed *public* support for such an effort to commemorate Taney's life and career. "An opportunity," the *Annapolis Gazette* editorialized, was "now offered to the citizens of the State to commence and carry out the design corresponding with their cherished wish, so often expressed, and believed to be general." Thus, in the opening weeks of the Democratic legislature's 1867 session, state senator George Fred Maddox reported a bill that would cover the cost of erecting a monument over Taney's remains, which were buried in Frederick, a proposition that won that city's Democratic paper's proud approbation: "It is really refreshing to learn the zeal substantially manifested by some of Maryland's noble sons, in testimony of their estimate of the worth of the late eminent jurist, Roger B. Taney."<sup>27</sup>

When that bill came up for debate a few weeks later, the state senate amended the proposal so that the proposed location would be selected by an appointed committee from among three options: at the gravesite in Frederick, or in Annapolis, either within the State House itself, or at a prominent position in the State House yard, where it ultimately was placed and still stands. In response to this change, two radical Republican state senators fiercely objected, echoing the concerns for promoting an emancipationist memory that radicals in Washington had voiced two years earlier. Like their U.S. Senate colleagues, Maryland radicals railed against the implicit endorsement of the *Dred Scott* decision that public commemoration of Taney would convey. Republican state senator James Billingslea led the way in fighting for rejection of "any such embodiment of the Democratic party set up for admiration and emulation." Given the proximity of the U.S. Naval Academy to the State House grounds, Billingslea particularly noted that "he did not want to have our young men, whom the [federal] Government was training here for its defence [*sic*], to be reminded by any such personification of the Dred Scott decision—that political heresy." "The author of the Dred Scott decision," Billingslea continued, "had done more than anything else to involve this country in a war, the most dreadful and terrible that history records."<sup>28</sup>

Democrats quickly retorted that they did not “want the proposed monument erected in some out of the way place” but rather preferred “that the youth of Maryland may visit it as a shrine and learn to admire and emulate the virtues of the great man.” Billingslea in turn clarified that “he certainly did not mean to say that he did not respect the memory of the late Chief Justice. What he objected to was, that gentlemen through erecting a monument to him seemed to seek honor and help to resurrect the Democratic party, a party which he was glad to know was no longer in the ascendancy in this country [meaning at the national level].” Taking a page out of Sumner’s book, the bill’s opponents also proposed to amend the bill to furnish names of alternative illustrious Marylanders the state might enshrine, such as radically antislavery Maryland Congressman Henry Winter Davis (who had died about a year after Taney) or former Supreme Court Associate Justice Samuel Chase (1741–1811). Suggestion of the latter produced a comical exchange in which one state senator rambled “at some length” about his opposition to honoring the current Supreme Court Chief Justice Salmon Chase, a radical Republican abolitionist. Though the misunderstanding was soon cleared up, the Republican counterproposals unsurprisingly failed anyway.<sup>29</sup>

The bill’s advocates instead celebrated that “Maryland endorsed” Taney “as her representative man,” and while some conceded “that the Dred Scott decision had better have not been made,” others staunchly defended Taney’s *entire* record, staking out a continued commitment to the notorious decision’s insistence on permanent racial inequality. In the view of Barnes Compton, a prominent Democratic leader who would go on to be elected president of the next three state senates, Taney’s “eminent virtues, his pure character, his unequalled abilities and unrivalled attainments were worthy of all emulation and all honor.” And while a radical Republican “Senator had spoken of the Dred Scott decision as a dire calamity that flooded the land with disaster,” Compton denounced such “slander on the chief justice.” Compton defiantly declared his support for Taney’s exclusionary racial rule: “The decision in the Dred Scott case was not only just, righteous and right, but endorsed by the State of Maryland to-day.” Two days later, the bill passed by a 16 to 5 vote in the state senate; it was later ratified by the House of Delegates, 47–13, with both votes falling sharply along party lines.<sup>30</sup>

The durability of legislative enthusiasm for this project was on display again in 1870, when the legislature summarily appropriated an extra \$1500, bringing the total state expenditure to \$10,000, to cover mounting expenses for sculptor William Henry Rinehart, the famous Maryland native commissioned to craft Taney’s likeness in his Rome workshop. As the scheduled unveiling approached in 1872, five-and-a-half years after the original legislation, leading Marylanders excitedly awaited the festivities.<sup>31</sup>

Intimately connected with the state’s celebration of Taney’s life and legacy was the long-planned release of an authorized biography just months before the statue’s grand unveiling. A decade before his death, Taney had begun drafting memoirs of his early years, which he then passed on, along with copious personal papers, to his friend Samuel Tyler (who served as a pallbearer at Taney’s funeral) to fashion into a combined

memoirs and biography, which finally hit the presses in October of 1872. So highly anticipated was this book, which stretches beyond 500 pages in length including an opening chapter written by Taney himself, that the *Baltimore Sun* was promoting it nearly three years before its release (while announcing the arrival of Rinehart's model for the Annapolis statue). The *Sun* noted that Tyler "indicates" that the "personal papers" he received from Taney would "furnish a complete refutation of the divers [*sic*] slanders which unscrupulous politicians have cast upon the distinguished jurist while living, and continued since his death." In particular, the *Sun* explained, Taney's contention that "a black man had no rights in this country which a white man was bound to respect," would be clarified to be "the logical deduction of legal and historical inquiry," which had only been misconstrued because of opponents' "wanton omission of the context." "Although," the *Sun* asserted, "Judge Taney was a pro-slavery man, and the greater part of his patrimony was in slaves, he manumitted every one he had when a young man . . . So far from his being cruel and tyrannical, as has often been represented, says Mr. Tyler, 'there will be facts cited in this book to show that he was a man of extraordinary kind heart and gentle nature.'"<sup>32</sup>

When the book finally appeared in print, it confirmed expectations that it would provide an extended encomium for the deceased chief justice. Lauding nearly every aspect of Taney's life and career and specifically and combatively rebutting antislavery criticisms of Taney's work, the biography clearly evinced Tyler's adulation for his former friend and lingering sympathies for Taney's constitutional defense of slavery. Over thirty pages are dedicated to explaining, defending, and celebrating Taney's decision in the *Dred Scott* case, whose opponents, "the panders of the Free-soil [Republican] party," Tyler castigates as having "caught the fanatical spirit of the abolitionists." By contrast, Tyler pontificated, Taney's decision and the further explanations he published a year later, represented "the most comprehensive and best-reasoned politico-judicial opinion ever pronounced by any tribunal."<sup>33</sup>

Notwithstanding Tyler's vehement language, which at times bordered on explicit vindication of slavery and secession, the book was well received, even in some mainstream northern outlets. Considering the volume as a whole, the *New-York Tribune's* reviewer concentrated largely on the new insights provided about Taney's private life and personal habits, rather than on his political and judicial career, reflecting perhaps that paper's departure from its racially progressive stands of the previous decades amidst editor Horace Greeley's 1872 Liberal Republican insurgency. The *Tribune* review thus addressed the *Dred Scott* decision portion of Tyler's biography briefly and charitably, stating that "even though the validity of his argument will not fail to be called in question by the intelligent lovers of freedom," nonetheless, "the grounds taken by the biographer are stated with ability and earnestness." And anyhow, "the occasion which gave rise to the decision of the Chief Justice has happily passed away."<sup>34</sup>

The *North American Review* was more critical of Tyler's "indiscriminate eulogy" and of his tome's length. While noting that "Mr. Tyler's opinions, both of law and history, are

colored by his evident sympathy with the slavery party,” even this pillar of New England literary culture seemed to excuse Taney’s decision in *Dred Scott*, claiming that Taney wished to see slavery ended and simply disagreed with his Republican adversaries on the best possible means. This reviewer concluded with respect for Taney, “whose public and private life afford so admirable an example to the profession of which he was the head,” alongside a backhanded compliment for Tyler: “The story of such a life is elevating and encouraging, and we can pardon the author much bad logic and much political heresy for the pleasure and profit we have got from its perusal.” Even among many in the North it was becoming clear, that while the *Dred Scott* decision still remained unpopular, much of the anger at Taney, and the Slave Power more broadly, was fast dissipating.<sup>35</sup>

Not long after the release of Tyler’s heralded biography, many Marylanders exuberantly greeted the Annapolis statue’s long-planned unveiling date. Most Maryland courts shut down for the day, and notables from around the state made the trip to Annapolis, by train or by boat, to attend the ceremony, even despite the freezing weather. A Naval Academy band, Naval Academy officers, the mayor of Baltimore, presidents of both branches of the Baltimore City Council, several legislators, representatives of the Taney family, respected clergy, leading Washington bankers William W. Corcoran and George W. Riggs, and numerous other members of the “leading classes of society” turned out for the unveiling ceremony, which began in the state senate chamber, decorated with flowers and plants plucked from the official senate conservatory. “Of course, the ladies graced the occasion,” an Annapolis newspaper remarked. Reflecting the important cultural purchase and respectability that women’s participation in postbellum memorial events conferred, the paper underscored, “What would that or any other celebration be without the light of their eyes, the radiance of their beauty to add lustre [*sic*] and brilliancy to the scene.”<sup>36</sup>

The keynote speaker was Severn Teackle Wallis, the lawyer who had previously delivered the memorial eulogy for Taney before the Baltimore bar in 1864. A leading legal mind, scholar, and orator, provost of the University of Maryland, and a friend of the former chief justice, Wallis, though not a regular officeholder, had long been an active Baltimore political leader, as a Whig first, a Know-Nothing later, and a Democrat by the time of the Civil War. A strong Confederate sympathizer, Wallis, while serving his single term in the state legislature, had been imprisoned without charges by the Union military for fourteen months as a result of his opposition to coercing seceded states back into the Union.<sup>37</sup>

In his dedicatory address at Annapolis in 1872, Wallis professed the state’s “grateful reverence and pride” for “a life, than which few greater, and none loftier or purer, shall dignify the annals of our country.” Celebrating Taney as a “worshipper and champion” of “free institutions,” Wallis opined, “Whatever might be the right of the people to change their Government, or overthrow it, he believed that the duty of the judges was simply to maintain the Constitution, while it lasted, and if need were, defend it to the death.” “And yet,” Wallis lamented, in reference to radical Republican U.S. senators’ 1865 denial of the customary courtroom bust for Taney, “he died, traduced and ostracised [*sic*], and

his image was withheld from its place in the chamber which was filled already with his fame.” Thus, Wallis boasted, the Annapolis statue stood as “a protest in the living bronze.” Governor William Whyte, a Baltimore Democrat, who had been “accustomed, almost



*Roger Brooke Taney, by William Henry Rinehart. (Courtesy Maryland State Art Collection, Maryland State Archives.)*

from the cradle, to revere the name of Taney as the synonym for all that is just and good,” offered a brief reply accepting on behalf of the state the “memorial of molten bronze, an enduring tribute of affection and regard for her own illustrious son, upon whose shoulder the judicial ermine lay, stainless as the virgin snow.”<sup>38</sup>

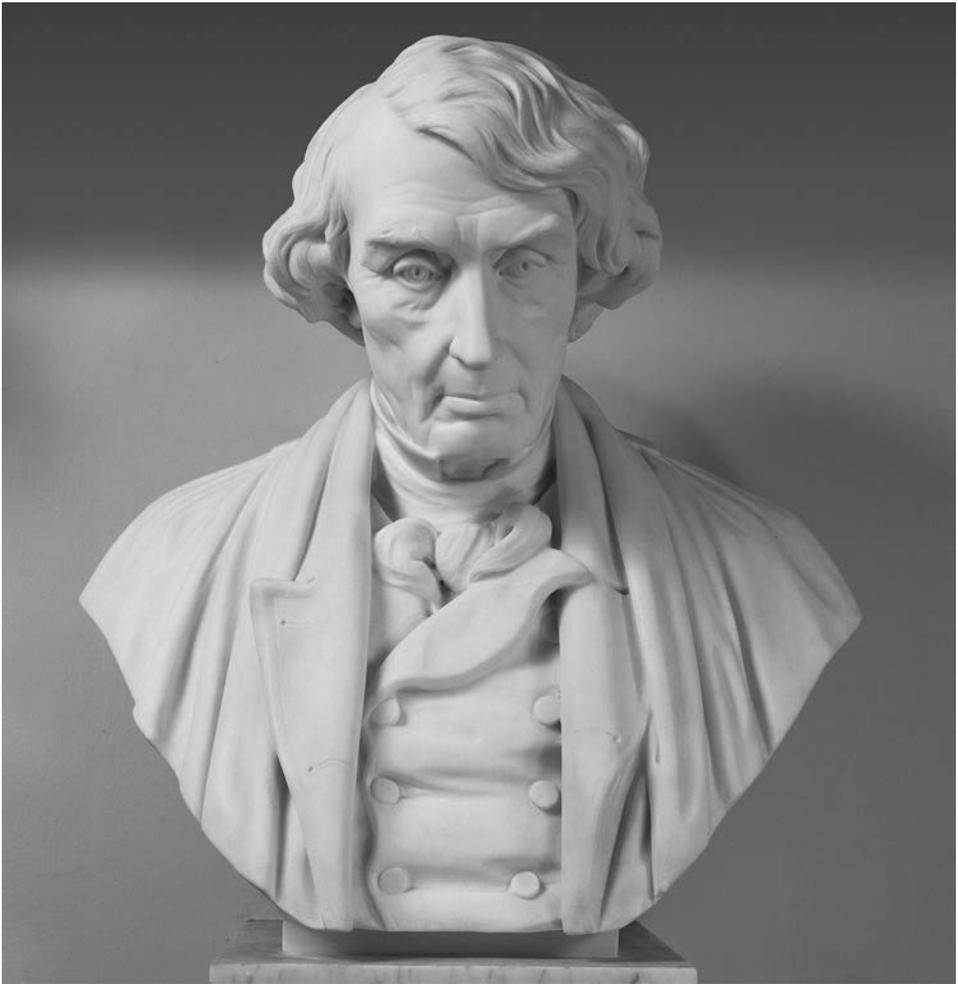
Following Wallis’s address and the governor’s response, the indoor portion of the program concluded. The naval band struck up the secessionist (still unofficial) state song “My Maryland” as the crowd moved outside for the unveiling of the actual statue. As the cover came off the bronze figure, the crowd cheered boisterously, while the band now performed the “Star Spangled Banner.” Offering an image of Taney during his years as chief justice, Rinehart depicted his subject in a dignified seated pose, donning his judicial robe and holding a scroll in one hand and a book inscribed “Constitution” in the other. The monumental bronze sculpture was of “heroic size” (meaning larger than life size), seven and a half feet in height, equivalent to portraying Taney as nine-foot tall if standing, and perched atop a six-and-a-half-foot high square granite base. “Every beholder,” an observer commented, “expressed feelings of admiration and measured plaudits” for Rinehart’s “magnificent triumph in so perfectly delineating the great jurist, statesman, and lawgiver, thus transmitting, in exact likeness, his noble form and features to coming generations.” “No event,” one Annapolis newspaper reflected, had “ever occurred” in that capital city “in which a deeper and more general interest has been felt,” and another concurred in characterizing the unveiling as “the most pleasing event which has taken place in our Ancient City of many years past.”<sup>39</sup>

Maryland newspapers were also quick to celebrate the “exquisite style and taste” of both Wallis’s and White’s speeches, and one writer noted that Wallis’s address was “thought to be the best ever delivered” by the famed orator. “This splendid production,” another predicted, “must live in admiration, co-extensive with the immortal memory of the great deceased jurist.” Even Baltimore’s Republican paper, the *American*, praised Wallis’s “eloquent address, eulogizing the character of the deceased jurist,” noting that “the memory of the great Chief Justice, whose fame adds lustre [*sic*] to his State, was duly honored.”<sup>40</sup>

While few Maryland commenters seemed to find it notable that Wallis’s address avoided explicit mention of the *Dred Scott* decision, even as he condemned Washington politicians who had rejected the Taney bust there on expressly those grounds, the Baltimore *Sun* elsewhere used this opportunity for further reflection on Taney’s legacy fifteen years after *Dred Scott*. Offering a brief biography of Taney in its announcement of plans for the Annapolis ceremony, the Democratic *Sun* defended Taney’s controversial decision at length and alluded to the increasingly standard apologies for Taney that emphasized his antislavery achievements earlier in his life, including especially his argument in the aforementioned 1819 *Gruber* case. Attributing the fierce reaction against Taney’s ruling in *Dred Scott* to “partisan passion” that had “since been reversed by a great civil war and its stern logic,” the *Sun* contended that the perceived “barbarous sentiment” attributed to Taney’s “garbled passage” that “negroes had no rights which white men were bound to respect,” had been taken out of context, thanks to Republican “imagination and fraud.”<sup>41</sup>

## **Reconciliation and Commemoration of the Chief Justice, Nationally and in Baltimore City**

As time passed, greater tolerance for Taney became evident nationwide, even among many Northerners who had participated actively in the antislavery crusade during the years of Taney's chief justiceship. By 1874, Senator Sumner was the lone remaining congressional resister to the proposed courtroom bust. After the 1873 death of Taney's antislavery successor Salmon Chase, the U.S. Senate revisited the question of commemorating Taney in marble. Early in the next congressional session, Kentucky Democrat and former Confederate sympathizer John Stevenson introduced a bill to provide for busts of both Chase and Taney in the Supreme Court chamber, while Sumner instead offered a proposal that only mentioned Chase. The ailing Massachusetts radical, how-



*Roger Taney bust, sculpted by Augustus Saint-Gaudens for the Supreme Court Chamber. (U.S. Senate Collection.)*

ever, was unable to attend the Senate's Saturday deliberations on January 16, 1874, and Stevenson's bill to honor both Chase and Taney thus slid through without incident. By 1877 renowned sculptor Augustus Saint-Gaudens had completed the twenty-six inch high marble bust of Taney, commissioned to be a copy of the head, neck, shoulder, and chest portions of the Rinehart statue in Annapolis, though Saint-Gaudens made some adjustments for a more realistic portrayal of Taney's facial lines.<sup>42</sup>

Few were left who seemed to still object, and many by this point likely saw Stevenson's bill as hardly noteworthy at all, though some Democratic commentators did take extra joy in overcoming Sumner's "medieval spite." Even Northern reflections on Taney's *Dred Scott* decision tended to defend Taney against the rage still simmering in some quarters at Taney's pronouncement that black men held no legal rights in America. Democratic apologists were, for example, quick to explain that Taney was expounding on the nation's racist history in the century prior to 1857 rather than pronouncing his own preferences. More stunning still was that some old antislavery voices seemed to join in this exculpatory chorus. For example, essayist Mary Abigail Dodge (alias Gail Hamilton), who had once written for antislavery newspapers and had served as governess for the children of leading Free Soil Party editor Gamaliel Bailey, avowed in the *Independent* that, although Taney's name was still "held in abhorrence" by the "apostles and disciples of freedom," it was "unjust that he should bear the reproach of words that he did not speak and sentiments that he did not feel." Nearly a decade after his death, Dodge firmly rejected depictions of Taney as "inhuman" or "dishonorable." When the Republican *Chicago Tribune* echoed these sentiments excusing Taney's most infamous phrasing, one southern Democratic newspaper concluded smugly "that the rights, duties, obligations, and capabilities of both the white and black man will be hereafter weighted in the balance of Truth and Justice."<sup>43</sup>

Black civil rights activists took different lessons from reexamination of Taney's decision. In describing his 1876 tour of Annapolis for the Philadelphia black newspaper the *Christian Recorder*, African Methodist Episcopal minister Reverend Harvey Johnson, for example, surmised that the scroll depicted in Taney's right hand must have represented the opinion "in which the Devil inspired him to say — 'A Negro has no rights which a white man is bound to respect.'" When Frederick Douglass delivered a deeply political call for racial equality in his 1883 speech to celebrate the twenty-first anniversary of Washington, D.C. emancipation, the old abolitionist stalwart alluded to Taney's oft-quoted line about how African American men "had no rights which white men felt bound to respect." Douglass himself agreed that Taney "had only uttered an historical truth" about early America. But in Douglass's view, "the trouble" was that that "truth" had been "uttered for an evil purpose, and made to serve an evil purpose." "When they assumed that slavery was right," Douglass remembered, slaveholders thus "easily saw that everything inconsistent with slavery was wrong." What so many other commentators seemed willing to overlook was the intensely and controversially proslavery thrust of the *Dred Scott* decision, in whose context Taney's infamous line

must be read. Black activists in Maryland also associated Taney's career with the goals of strengthening slavery and stigmatizing African Americans. Stansbury Boyce's fierce letter to the *Baltimore Sun* opposing an interracial marriage ban asserted: "As slaves, the opinion uttered by Judge Taney that a black man had no rights that a white was bound to respect may have held good, but now as citizens . . . such distinction is invidious." Among the black political community, North and South, Taney's name remained a watchword for the sorts of racial hierarchy, inequality, and inequity that remained all too powerful across the American nation, and especially in the post-Reconstruction South. Even in Maryland, where race relations seemed far milder than deeper South, the 1880s were marked by increasing inequality and violence. Indeed by the mid-1880s, Baltimore African American leaders had organized the Mutual United Brotherhood of Liberty to fight against Baltimore African Americans' unequal public education opportunities, the lack of positions for black teachers in the city, the denial of black jury service and of black lawyers practicing in the city's courts, discrimination on modes of public conveyance, and "the frequent *lynching* of colored men in Maryland and other Southern states."<sup>44</sup>

But much of white America had clearly accepted such racial inequality and had made peace with, or had even forgotten, Taney's proslavery judicial record. In the city of Baltimore, Taney was a figure who was not just accepted, but remained worthy of especial and continued veneration. In the early 1880s a citizen group, lamenting that the so-called "Monumental City" lacked a suitable monument to their adopted citizen Taney, petitioned the City Council to name a portion of the city's North Avenue "Taney Place in honor and memory of Chief Justice Taney." Within two months, the blocks had been so renamed with the hearty approval of leading Baltimoreans. A great champion of Taney's career and character, the *Baltimore Sun* even managed the next year to hold up Taney as a "model" when advocating for non-partisan judges, seemingly ignoring that Taney had reached his high post through bitter partisan controversy and in part precisely because of his intense party loyalty to President Jackson.<sup>45</sup>

Amidst leading Baltimoreans ongoing adulation for the former chief justice, fifteen years after the unveiling of Rinehart's Taney statue in Annapolis, an exact copy was installed on Baltimore's Mount Vernon Place. The city's best-known patron of the arts, William Walters, who had financed much of the late sculptor's career in Italy, funded the casting of a replica and gifted it to the city in 1887. The unveiling itself proceeded with far less fanfare than the Annapolis events of a decade and a half prior, though this was due in no way to lack of interest in honoring Taney, who seemed to have remained as popular as ever among white Marylanders. Rather, the unveiling event became embroiled in an intraparty political squabble that rent the Baltimore City Democratic Party in the state's most strongly Democratic jurisdiction. While the monument dedication plans initially called for a grand ceremony with Democratic Mayor Ferdinand Latrobe in attendance alongside U.S. Secretary of State Thomas Bayard and Supreme Court

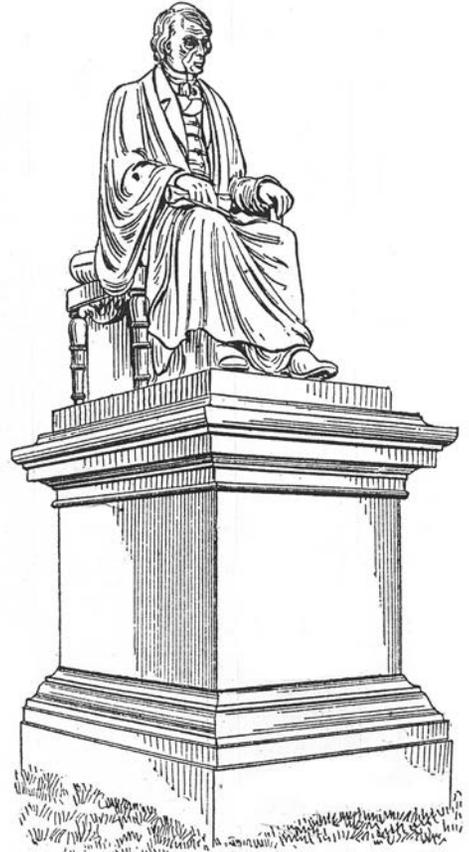


*Roger Taney statue in Baltimore, recasting of Rinehart's Annapolis statue. (Daderot, July 2008.)*

Chief Justice Morrison Waite, in the days just before the unveiling Latrobe withdrew in protest against the selection of Severn Teackle Wallis to once again deliver a Taney sculpture dedication keynote address. During Latrobe's previous mayoral campaign, Wallis had been a leading spokesman for the Independent or reform wing of the city's Democratic Party, which had joined forces with local Republicans and nearly unseated

the dominant Democratic machine. Latrobe, still miffed, refused to share a platform with Wallis, which in turn left Walters irate that his event was being snubbed by the mayor. Walters thus scrapped the original ceremony scheduled for November 10, and a more restrained affair was held instead on November 12.<sup>46</sup>

The controversy between Latrobe and Wallis (and Walters) that had preceded the unveiling was reflective of the previous few years of political conflict in Baltimore (little of which had significantly benefitted the city's black community). Wallis became one of the leading spokesmen of a reform faction that opposed regular Democrats' support for increased corporate taxes and property reassessment and assailed the regulars as dominated by corrupt party bosses (like longtime city court clerk Isaac Freeman Rasin and his Howard County ally U.S. Senator Arthur Pue Gorman). The reformers ran their own candidates as early as the mid-1870s and helped lead the fusion Democrats and the Citizens' Ticket in 1883 and a similar pro-reform alliance with city Republicans in the heated fall 1887 mayoral contest that preceded the Baltimore monument unveiling. But when it came to celebrating and valorizing Taney, both regular Democrats and good-government reformers like Wallis were equally effusive. Mayor Latrobe, for example, despite the controversy over his decision not to formally participate in the planned ceremony, went out of his way in a message to the City Council to show reverence for Taney, "one of the great men of the country," and for the statue as "an ornament and an honor to our city." Latrobe ultimately decided to attend the more modest unveiling as a spectator to "testify his respect to the memory of Taney" and "his high appreciation of the noble gift made by Mr. Walters." No matter the ongoing political conflicts in the Democratic ranks, thirty years after *Dred Scott*, white Marylanders could still put aside their differences and come together to honor the notorious decision's author. Even Baltimore's Republican newspaper, notwithstanding its tendency to support black voting rights, lauded Walters's "handsome" donation, and ran praiseworthy letters, including one reader's poem honoring Walters's "fit monument of Justice" to the "cultured jurist."<sup>47</sup>



CHIEF JUSTICE ROGER B. TANEY.

*Contemporary sketch of Roger Taney statue in Baltimore, "Recasting of Rinehart's Annapolis Statue." (Baltimore American, November 12, 1887.)*

The afternoon ceremony on Saturday November 12, 1887 was ultimately attended by a large crowd, including various “prominent citizens,” among them numerous officeholders, Baltimore’s Catholic cardinal, and “many ladies.” With less fanfare or formality than originally envisioned, nine-year-old Roger Brooke Taney Anderson pulled a drawstring to reveal his great grandfather’s likeness in a near-exact duplicate of the statue installed in Annapolis in 1872. With “clear, delightful weather” all the next day and evening, a great many more Baltimoreans streamed past the new installation to gaze admiringly at the lifelike sculpture of the *Dred Scott* decision’s author.<sup>48</sup>

The story of these efforts to memorialize Roger Taney in Annapolis, Baltimore, and Washington D.C. are emblematic of how the memory-making process reflected a particular political impulse that reached beyond the former Confederacy and worked to reframe the conflicts over slavery and race that had precipitated the crisis of the Union. The fact that opponents of Reconstruction, Republicanism, and racial equality went to such great lengths to commemorate Taney and to rebuke those who criticized his ruling in *Dred Scott* underscores the degree to which postbellum commemorations of the Civil War era served to honor and rehabilitate the proslavery cause.

Because many Marylanders had fought long and hard before, during, and after the Civil War, not just on battlefields, but also in courtrooms and legislative halls, for the proslavery and racist project that had animated so many southern secessionists, they readily embraced public commemorations of Roger Taney that consciously undermined the radical potential of Union victory. By reexamining debates over memorials to lightning-rod antebellum figures like Taney, we can better appreciate the extent to which many white Americans in the postbellum decades endorsed, and many more elided or forgot, the proslavery demands that had rent the Union. That these sorts of memorials, including those furnished at considerable public expense, were supported so heartily, emphatically, and widely among white Marylanders and overlooked, accepted, or even honored by most white Americans elsewhere provides clear evidence of the state’s and nation’s hardening racial climate. In that America, over the dissent of only a handful of increasingly marginalized white radicals and disfranchised African Americans, Taney’s sins could be forgiven by most and openly celebrated by many. And from a modern perspective, those who endeavored to absolve Taney of the obvious racism of the *Dred Scott* decision seem to strike a similar chord with, and perhaps foreshadow, the twenty-first century’s so-called “colorblind racism” which rejects overt bigotry while tolerating or defending racially biased institutions that consistently produce racially disparate outcomes.

Today’s current reconsideration of the Taney statues is thus long overdue, but in the process of reviewing and perhaps removing these sculptures, we must be careful not to forget why, after his death, so many Americans so proudly honored him. Revisiting *that* history too will teach crucially important lessons about the lingering legacies of the proslavery, anti-egalitarian legal tradition and cultural climate that Taney’s judicial work had so powerfully reinforced.

## NOTES

For feedback on earlier drafts of this article, the author thanks many friends and colleagues, especially Miriam Kingsberg, Peter Levy, Stephen Feeley, Elizabeth Kelly Gray, Matthew Rainbow Hale, Lawrence Peskin, and Andrew Keogh, as well as *Maryland Historical Magazine* editor Patricia Anderson and the journal's anonymous readers.

1. David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass: The Belknap Press of Harvard University Press, 2001); William Alan Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865–1914* (Chapel Hill: University of North Carolina Press, 2004), builds on Blight by further examining how partisan politics shaped both white and black Civil War commemorations in Virginia during the decades after Appomattox; Caroline Janney's differentiation between the concepts of "reunion" and "reconciliation" shares many of Blight's conclusions but presents a more contested picture of the national memory-making process in final third of the nineteenth century. Caroline E. Janney, *Remembering the Civil War: Reunion and the Limits of Reconciliation* (Chapel Hill: University of North Carolina Press, 2013). For some other important examples of scholarship on Civil War memory-making and the South's "lost cause," see Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost Cause* (Second edition, Athens: University of Georgia Press, 2009); Anne E. Marshall, *Creating a Confederate Kentucky: The Lost Cause and Civil War Memory in a Border State* (Chapel Hill: University of North Carolina Press, 2010); and various essays in *The Myth of the Lost Cause and Civil War History*, ed. Gary W. Gallagher (Bloomington: Indiana University Press, 2000), especially Alan T. Nolan, "The Anatomy of the Myth," 11–34; Richard Fausset and Alan Blinder, "Era Ends as South Carolina Lowers Confederate Flag," *New York Times*, July 10, 2015.
2. This July 9, 2015 press conference can be found under the title "Governor Larry Hogan's Position on Confederate Symbols" on youtube.com.
3. For more on this commission, see [baltimoreplanning.wix.com/monumentcommission](http://baltimoreplanning.wix.com/monumentcommission), accessed July 21, 2016; The Washington monument height listed above is an approximation. The monument officially stands at 178 feet and 8 inches, see the Mount Vernon Place Conservancy, [mvpconservancy.org](http://mvpconservancy.org), accessed July 21, 2016.
4. In April 2015, the death of twenty-five-year-old African American man Freddie Gray from a spinal cord injury sustained while in police custody touched off weeks of heated protests, whose peak was marked by a night of arson and property destruction concentrated in the West Baltimore neighborhood where Gray had resided. This unrest, also labeled riots by some and an uprising by others, seemed to amplify public concern over the racial implications of Baltimore's Confederate monuments and Taney statue; Luke Broadwater, "Baltimore City commission recommends removal of two Confederate monuments," *Baltimore Sun* (hereinafter cited *Sun*), January 14, 2016; Michael Dresser, "Bill calls for Roger Taney statue to be removed from Maryland State House grounds," *Sun*, February 24, 2016. It is worth noting that another plan for the Annapolis Taney statue has gained growing popular support. This proposal, championed by Annapolis architect Chip Bohl, would rotate the Taney statue ninety degrees and install a new sculpture of a standing Frederick Douglass facing the seated Taney. For more on this proposal, see Phil Davis, "Frederick Douglass' descendant backs bid for statue on State House grounds," *Annapolis CapitalGazette*, February 24, 2017 and Bohl's website, [frederickdouglass-robertaney.com](http://frederickdouglass-robertaney.com), accessed April 10, 2017; For the text of the new plaque, see the "Roger Brooke Taney Monument" page on the commission's website, [baltimoreplanningwixsite.com](http://baltimoreplanningwixsite.com), accessed April 10, 2017; For an article noting

- the Taney statue question as one among many outstanding issues Rawlings-Blake passed on to Mayor Pugh, see Luke Broadwater, "Catherine Pugh inherits issues left unresolved by Baltimore Mayor Stephanie Rawlings-Blake," *Sun*, December 5, 2016; On Pugh's more recent response, see Broadwater, "Pugh to explore removing Confederate monuments in Baltimore," *Sun*, May 28, 2017.
5. See note 1 above for some examples; For example, see Kirk Savage, *Standing Soldiers, Kneeling Slaves: Race, War, and Monument in Nineteenth-Century America* (Princeton: Princeton University Press, 1997); One exception is Thomas J. Brown, "The Monumental Legacy of Calhoun," in *The Memory of the Civil War in American Culture*, ed. Alice Fahs and Joan Waugh (Chapel Hill: University of North Carolina Press, 2004), 130–56.
  6. Blight, *Race and Reunion*.
  7. Don E. Fehrenbacher, *The Dred Scott Case: Its Significance in American Law & Politics* (New York: Oxford University Press, 1978), 226–34; Paul Finkelman, "Hooted Down the Page of History: Reconsidering the Greatness of Chief Justice Taney," *Journal of Supreme Court History* 19 (December 1994), 83–102; Timothy S. Huebner, "Roger B. Taney and the Slavery Issue: Looking beyond—and before—*Dred Scott*," *Journal of American History* 97 (June 2010), 17–38; Austin Allen, *Origins of the Dred Scott Case: Jacksonian Jurisprudence and the Supreme Court, 1837–1857* (Athens: University of Georgia Press, 2006). Allen's erudite analysis of the intellectual underpinnings of Taney's and his courtmates' jurisprudence sheds new light on how the desire to preserve corporations' ability to access federal courts through diversity jurisdiction as quasi-citizens influenced the majority's approach to the rejection of Scott's right to file suit in federal court. Allen, however, is not fully convincing in suggesting that precedents the Court had established practically necessitated precisely the ruling Taney issued.
  8. The classic work on the *Dred Scott* case is Fehrenbacher, *Dred Scott Case*; Countervailing perspectives are offered in Allen, *Origins*, and in Marchk A. Graber, *Dred Scott and the Problem of Constitutional Evil* (New York: Cambridge University Press, 2006). Graber argues forcefully, but I believe not entirely convincingly, that Taney's decision represented a more plausibly accurate reading of the law, Constitution, and American history than the interpretations proffered by his antislavery critics; On how Democratic Party political maneuvering shaped the timing, and possibly the content, of Taney's decision see Michael Todd Landis, *Northern Men with Southern Loyalties: The Democratic Party and the Sectional Crisis* (Ithaca, NY: Cornell University Press, 2014), 166–70.
  9. *Sun*, October 15, 1864.
  10. Huebner, "Roger B. Taney and the Slavery Issue," offers an excellent analysis that elucidates the ambiguity of Taney's views on slavery over the course of his life. Huebner gives due credit to Taney's seemingly genuine ambivalence about slavery through the mid-1820s, while also clearly highlighting Taney's profoundly proslavery record as a Democratic politician and Supreme Court justice in the second half of his life.
  11. *Sun*, December 8, 1864; *New-York Times*, October 14, 21, 1864; *Notice of the death of Chief Justice Taney: in the Circuit Court of the United States for the First Circuit* (Boston: Wright and Potter, Printers, 1864), 4–10; After Curtis published his dissent in *Dred Scott v. Sandford*, an embittered Taney refused to share his written opinion with Curtis, who feared, perhaps correctly, that Taney had delayed its release so that he could augment the oral decision he had read from the bench in ways that would more effectively counter Curtis's dissent without giving him an opportunity to reply. An extended and testy exchange, in which Taney's communications conveyed increasing disdain for his junior colleague precipitated Curtis's resignation from the high court in September 1857. Fehrenbacher, *Dred Scott Case*, 314–21.
  12. *New-York Times*, October 14, 1864.

13. *Washington Chronicle*, quoted in *Baltimore American and Commercial Advertiser*, October 14, 1864; *Ibid.*, October 18, 1864.
14. *Boston Liberator*, October 21, 1864; *New York Independent*, October 20, 1864; *The Unjust Judge: A Memorial of Roger Brooke Taney, Late Chief Justice of the United States* (New York: Baker & Godwin Printers, 1865), quotes from 43, 5, 65, 68; There has been some debate over who wrote this blistering pamphlet. Walker Lewis, "The Unjust Judge—Who Wrote it? *The American Bar Association Journal* 50 (October 1964), 932–37, suggests that Sumner may have been the author, but David Donald, *Charles Sumner and the Rights of Man* (New York: Knopf, 1970), 193 n.8, forcefully refutes Lewis's unsubstantiated claims. Cornell University's Samuel J. May Antislavery Collection lists Republican New York state senator and Cornell University co-founder Andrew Dickson White as the author, see [ebooks.library.cornell.edu/m/mayantislavery](http://ebooks.library.cornell.edu/m/mayantislavery), accessed July 22, 2016.
15. Leonard L. Richards, *Who Freed the Slaves: The Fight over the Thirteenth Amendment* (Chicago: University of Chicago Press, 2015), 1, 72–73; M. Du Pays to "Editor of the Liberator," October 20, 1864, in *Liberator*, October 28, 1864.
16. *Tribune*, quoted in *New York Evangelist*, December 15, 1864; Wm. E. Matthews to William Lloyd Garrison, November 6, 1864, in *Liberator*, November 11, 1864.
17. *Congressional Globe*, 38th Congress, 2nd Session, 666.
18. *Ibid.*, 1012–13.
19. *Ibid.*
20. *Ibid.*, 1013–14
21. *Ibid.*, 1014–15.
22. *Ibid.* 1016–17.
23. *Cleveland Daily Leader*, February 17, 1865; *Meadville Republican*, quoted in *ibid*; *New York World*, February 28, 1865.
24. *Richmond Daily Dispatch*, February 28, 1865; *Charlotte Western Democrat*, March 14, 1865; *The Old Guard, A Monthly Journal Devoted to the Principles of 1776 and 1787*, C. Chauncey Burr, ed., Volume II, 1864, New York, 114.
25. The Know Nothing, or American, Party achieved significant electoral success in several Northern and Upper South states in the mid-1850s on an anti-immigrant and anti-Catholic platform, but then rapidly disintegrated. The party won many victories in Maryland and retained its vitality, in part by appealing to pro-Union sentiment, through the end of the December ade, much longer than elsewhere. On the Know Nothing movement in Maryland, see Jean H. Baker, *Ambivalent Americans: The Know-Nothing Party in Maryland* (Baltimore: Johns Hopkins University Press, 1977).
26. On the constitutional and legislative history described in this paragraph and the one above, see Richard Paul Fuke, *Imperfect Equality: African Americans and the confines of White Racial Attitudes in Post-Emancipation Maryland* (New York: Fordham University Press, 1999), 24–25, 28–29, 32–34, 78–82, 150–61; Margaret Law Callcott, *The Negro in Maryland Politics, 1870–1912* (Baltimore: Johns Hopkins University Press, 1969), 11–18, 33–34; and Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century* (New Haven: Yale University Press, 1984), 152–56. The protest of Maryland's Republican legislators against the conduct of the 1866 election, and against the 1867 state constitution proposed afterwards can be seen in "Affairs in Maryland. Memorial from the General Assembly of Maryland, asking The immediate consideration by Congress of the condition of public affairs in that State," in *The Miscellaneous Documents of the House of Representatives for the First Session of the Fortieth Congress* (Washington: Government Printing Office, 1867), Mis. Doc. No. 27. Some of the most significant U.S. House debates over

- Maryland's "republican form of government," can be followed in *Congressional Globe*, 40th Congress, 1st Session, 415–20, and *Ibid.*, 2nd Session, 230–32.
27. *Annapolis Gazette*, January 10, 1867; *Sun*, January 10, 1867; *Frederick Union*, quoted in *Sun*, January 25, 1867.
  28. *Proceedings and Acts of the General Assembly, 1867, Archives of Maryland, Legislative Records, Proceedings, Acts and Public Documents of the General Assembly* (Annapolis: Henry A. Lucas, 1867; Annapolis: Archives of Maryland, 2000), 147–48, 171, *Archives of Maryland Online*, 133: 147–48, 171; *American and Commercial Advertiser*, February 5, 1867.
  29. *Ibid.*
  30. *Ibid.*; *Sun*, February 5, 7, 1867; *Proceedings and Acts of the General Assembly, 1867, Archives of Maryland Online*, 133: 171, 2531–32. The votes in both houses were almost, though not quite, strictly partisan. In announcing the party alignment of members of this legislature, the *Sun*, January 1, 1867, still used the designations of "radical" and "conservative," though the dissolution of the Union Party coalition had by 1867 effectively made those terms shorthand for Republican and Democrat. All voting members listed by the *Sun* as radicals voted to reject the proposed Taney statue, excepting a single "radical" senator and a single "radical" delegate, both representing Taney's adopted home and final resting place, Frederick County. The other radicals voting against the appropriation were joined by only one member listed by the *Sun* as a "conservative," Dorchester County state senator William Frazier, though Robert W. Todd, *Methodism of the Peninsula, Or, Sketches of Notable Characters and Events in the History of Methodism in the Maryland and Delaware Peninsula* (Philadelphia: Methodist Book Rooms, 1886), 110, describes Frazier as "a leading Whig, and afterward a Republican," so it's possible that the *Sun* simply mislabeled him.
  31. *Proceedings and Acts of the General Assembly, 1870, Archives of Maryland Online*, 188: 3368–69.
  32. *Sun*, January 28, 1870; Tyler's participation as a pallbearer at Taney's funeral is noted in Middletown (Md.) *Valley Register*, October 21, 1864.
  33. Samuel Tyler, LL.D., *Memoir of Roger Brooke Taney, LL.D.: Chief Justice of the Supreme Court of the United States* (Baltimore: John Murphy & Co., 1872), quotes from 360–61, 373.
  34. *New-York Tribune*, October 1, 1872.
  35. *North American Review* 116, January 1873, 194–203.
  36. *Sun*, December 11, 1872; *Anne Arundel Advertiser*, December 12, 1872; On the role of women in Confederate memorial work, see Caroline Janney, *Burying the Dead but Not the Past: Ladies Memorial Associations and the Lost Cause* (Chapel Hill: University of North Carolina Press, 2008); W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2005), Ch. 1; and Blair, *Cities of the Dead*, Ch. 4.
  37. Wallis himself would later be honored too with a Baltimore statue, erected in 1906, not far from the Baltimore Taney statue, discussed further below.
  38. *Address of Mr. S. Teackle Wallis, Chairman of the Committee, With the Reply of His Excellency, Governor Whyte, Delivered in the Senate Chamber, at Annapolis At the Unveiling of the Statue of Chief Justice Taney, December 10th, 1872*, (Baltimore: John Murphy & Co., 1872), quotes from 13–16, 18; It is worth noting that the back cover of the pamphlet version of Wallis's remarks contains numerous advertisements for works emblematic of early "Lost Cause" history and literature, including several celebrating the recently deceased Confederate general Robert E. Lee.
  39. The song, formally titled "Maryland! My Maryland!," was officially made the state song in 1939, though for years prior it had commonly been used as such, notwithstanding, or perhaps in part because of, its basis in native Baltimorean James Ryder Randall's wartime pro-secession poem, which quickly became a popular Confederate anthem. New efforts

- to revise or replace the state song picked up steam in 2015, and the Maryland State Senate passed legislation in early 2016 to replace the offending pro-Confederate verses, but the House of Delegates did not act upon the bill before the session expired, and it remains likely that the current governor Larry Hogan, who has sharply criticized efforts to alter the song, would veto any such bill that might win approval from a future legislature. The original 1939 legislation can be found at *Laws of the State of Maryland Made and Passed At the Session of the General Assembly Begun and Held in the City of Annapolis on the Fourth Day of January, 1939, and Ending on the Third Day of April, 1939* (Baltimore: King Bros., Inc., State Printers, 1939), 969–72; The most recent political maneuvering around replacing or revising the lyrics of the official state song can be followed in numerous Maryland-area newspapers from the winter of 2015–2016. For example, see Ovetta Wiggins, “Maryland’s state song is way off-key, panel says,” *Washington Post*, December 27, 2015; Michael Dresser, “Maryland Senate votes to change state song,” *Sun*, March 17, 2016, and Danielle E. Gaines, “State song bill won’t pass this year, key committee chairman says,” *Frederick News-Post*, March 30, 2016; *Sun*, December 10, 11, 1872; “Roger Brooke Taney, (sculpture).” Art Inventories Catalog, Smithsonian American Art Museum, Smithsonian Institution Research Information System (SIRIS), accessed July 19, 2016; *Anne Arundel Advertiser*, December 12, 1872; *Baltimore American and Commercial Advertiser*, December 11, 1872; *Annapolis Maryland Republican and State Capital Advertiser*, December 14, 1872.
40. *Anne Arundel Advertiser*, December 12, 1872; *Baltimore American and Commercial Advertiser*, December 11, 1872; *Maryland Republican and State Capital Advertiser*, December 14, 1872.
  41. *Sun*, December 10, 1872.
  42. *Congressional Record*, 43rd Congress, 1st Session, 77, 607, 694–95; *New York Times*, January 17, 1874; “Roger B. Taney by Augustus Saint-Gaudens (1848–1907),” Senate Art, United States Senate, [www.senate.gov/artandhistory](http://www.senate.gov/artandhistory), accessed July 17, 2016; John H. Dryfhout, *The Work of Augustus Saint-Gaudens* (1982; repr., NH: University Press of New England, 2008), 80.
  43. *Indiana Sentinel*, January 17, 1874; March Abigail Dodge [pseud., Gail Hamilton], in *New York Independent*, July 2, 1874; “March Abigail Dodge (‘Gail Hamilton’),” *The Chautauquan*, October 1896, 94–95; *Austin Weekly Statesman*, February 12, 1874.
  44. Rev. J.H.A. Johnson, D.D., “The Capital of Maryland,” *Philadelphia Christian Recorder*, December 21, 1876; Frederick Douglass, quoted in *Washington Bee*, April 21, 1883; Stansbury Boyce, quoted in *Sun*, March 2, 1887; *Christian Recorder*, October 7, 1875, November 22, 1883; “Our Baltimore Letter,” March 15, 1883, in *Washington Bee*, March 17, 1883; *Ibid.*, December 29, 1888; *St. Paul Western Appeal*, April 2, 1887; W. M. Alexander, *The Brotherhood of Liberty: Or Our Day in Court, Including the Navassa Case* (Baltimore: Printing Office of J. F. Weishampel, 1891).
  45. *Sun*, November 20, 1880, January 19, 20, 25, 1881, August 9, 1882.
  46. *Washington National Republican*, November 10, 1887; *Sun*, November 10, 12, 1887; On Baltimore City being the state’s strongest Democratic constituency, see Callcott, *Negro in Maryland Politics*, 33–34.
  47. *Sun*, October 15, 17, November 3, 1883; Callcott, *Negro in Maryland Politics*, 43–50; Robert J. Brugger, *Maryland, A Middle Temperament: 1634–1980* (Baltimore: Johns Hopkins University Press, 1988), 386–89, 398–99; *Sun*, November 15, 1887; *Ibid.*, November 14, 1887; *Baltimore American*, October 17, 27, November 10, 13 1887; Poem by A. E. Lord, Mrs. Charles Lord, in *Ibid.*, November 12, 1887.
  48. *Sun*, November 14, 1887; “Roger B. Taney, (sculpture),” Art Inventories Catalog, Smithsonian American Art Museum, Smithsonian Institution Research Information System (SIRIS), accessed July 19, 2016.



*General Amos Walter Wright Woodcock (1883–1964) shown here as president of St. John's College in 1935. The Salisbury resident rose to national prominence as a successful lawyer, Director of the Bureau of Prohibition, and Special Assistant to the U.S. Attorney General. He gained international respect for his service during both World Wars. (Courtesy of Greenfield Library, St. John's College.)*

# General Amos W. W. Woodcock of Salisbury, Maryland: Gentleman, Soldier, Scholar, Good Citizen

STEPHEN C. GEHRICH

GENERAL AMOS WALTER WRIGHT WOODCOCK (1883–1964) played a significant role in major events in the first half of the twentieth century as a Maryland National Guard and U.S. Army officer, school board president, Assistant Attorney General of Maryland, U.S. Attorney, Director of the Bureau of Prohibition, and college president. As a devout Methodist, Woodcock accepted John Wesley’s teaching that duty is crucial for a respectable life. He also strove to follow Abraham Lincoln’s maxim to apply to every problem “direct, honest, and courageous thought and action.”<sup>1</sup>

Woodcock’s friend, Salisbury historian Richard Cooper, described Woodcock as “a very lonely person” but “sentimental” and “romantic.” His broad romanticism related not only to a love of classical literature, music, and art, but also to his “appreciation and affection for young ladies.” Nonetheless, paradoxically, Woodcock remained a lifelong bachelor.<sup>2</sup>

Other Salisbury residents, who did not know him well, or only by reputation, recall the general as “formidable,” “crusty,” “straight-laced,” “stern,” and “unbending.” Cooper admitted that Woodcock “made no attempt to endear himself to the public at large; he stood up for what he felt was just and right, often contrary to the current mood.” The *Baltimore Sun*, though, saw in Woodcock “a disconcerting habit of forming opinions and holding to them like grim death regardless of political exigencies.”<sup>3</sup>

Nonetheless, despite the perception that Woodcock was old fashioned and set in his ways, he understood human nature, and on numerous occasions demonstrated a strong sense of compassion and understanding, combined with a pragmatic approach to human behavior. In his defense of a nervous sentry during World War I, and in subsequent legal cases, he emphasized the importance of looking at the situation from another point of view. He was willing to give people a second chance, as evidenced by his defense of a drunken college student, his desire to allow students who had failed at one college to enroll in another, and give them the opportunity to change their ways. As a prosecutor in Japan after World War II, he was determined to see that Japanese

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war criminals were not punished out of revenge, but instead held accountable to existing international laws. In another example, he befriended the family of a Salisbury area minister who had been charged with homosexuality and ostracized. These acts of compassion were not the actions of an overly rigid, narrow-minded individual. Rather, Amos Woodcock was a man who lived by the maxim that “human judgment is not so infallible that it should pass sentence for ever more” on someone who had failed one time.<sup>4</sup>

Woodcock has been described as “a gentleman and a scholar.” In addition to the law degrees he received from the University of Maryland and Harvard Law School, he was awarded an honorary Doctor of Laws degree from Washington College, an honor previously conferred on President Franklin D. Roosevelt.<sup>5</sup>

As a lifelong, avid reader of Latin, in a 1930 interview Woodcock named Virgil and Horace as his two favorite authors. When he lost a small wager with fellow officers at Camp Ritchie regarding the source of the Shakespearean quotation, from Julius Caesar, “the evil that men do lives after them,” it was noted by the *Washington Post*. In his inaugural remarks at St. John’s College, he proclaimed that “the study of history [is] the surest road to wisdom.” At one time, he had plans to write a biography of British General Edward Braddock (1695–1755), killed during the French and Indian War, and he continued to be an active member of the Wicomico County Historical Society. He had a great love of historic buildings and artifacts, and was first president of the Company for the Restoration of Colonial Annapolis (CRCA), founded in 1935 and dedicated to preserving that city’s colonial heritage.<sup>6</sup>

## Family Background and Education

Woodcock’s father, Amos Wilson Woodcock, was a watchmaker and jeweler who moved to Salisbury with his wife, the former Sallie H. Cannon of Bridgeville, Delaware, in 1851. Sallie Woodcock died sometime in the period between 1858 and early 1862, and the jeweler married a second time, to Julia Anna Harris Wright, on August 27, 1862. The couple had four children—Sallie, Julia, Elizabeth, and Amos, born October 29, 1883.<sup>7</sup>

The family homes were twice destroyed by fire; once in 1885, and the second time in the great Salisbury fire of 1886. Following the 1886 fire, Woodcock’s father purchased a lot on Main Street and built a three-story building (now 210 W. Main St.); his jewelry store was on the first floor, and the family lived on the upper floors. In addition to this building, he owned a large tract of land south of town between Middle and South Boulevards, stretching from the railroad tracks in the east to River Road in the west, adjacent to the Wicomico River.<sup>8</sup>

Two of the daughters, Sallie and Julia, were considerably older than Amos and Elizabeth, and were already married when Amos was age ten. As a result, much of young Amos’ home life was spent in the company of his mother and Elizabeth. Amos wrote little about his father, who died in 1906, although he later recalled that “My



*Amos Woodcock and his sister Elizabeth* (A.W.W. Woodcock, *Elizabeth W. Woodcock of Chatillon, A Story of A Good Life* [Salisbury, Md.: *The Salisbury Advertiser*, 1947].)

father was as fine and devoted a family man as I ever knew,” “strict and punctual in all his habits,” “a devout Methodist,” and that “[while] stern and puritanical, . . . he was an honest man with it all.”<sup>9</sup>

In 1899, at age 15, Woodcock graduated from Wicomico High School in Salisbury, and that fall matriculated at St. John’s College, Annapolis. St. John’s was, and still is, a private institution and although the college no longer has a military atmosphere, it did

when Woodcock was a student. The students were organized into military-style units with students serving as officers, and they conducted military drills. St. John's had a strong emphasis on academics, and students were educated in a classic liberal arts curriculum.<sup>10</sup>

An insight into Woodcock's character is provided by a photograph in the 1901 St. John's College student yearbook, *Rat-Tat*, showing him seated with hands neatly folded and legs uncrossed, looking distinctly proper. He earned the nickname "Saint," presumably because of his behavior and moral attitudes. Moreover, he is quoted as saying, "I want to be a great man in college, the president of the YMCA," a popular campus organization. Most of the students came from well-to-do backgrounds, and Woodcock found himself teased to be from "the barren wastes of the Eastern Shore." The pages of the yearbook give the impression of a quiet and aloof "goody two-shoes." Indeed, classmates described qualities of "goodness, mumness, and oneness."<sup>11</sup>

The perception of Woodcock as a high-minded loner who was not "one of the boys" would endure, but nevertheless he was filled with ability and ambition. An additional quality was his willingness to adopt an unpopular position and argue strongly for it. The 1902 *Rat-Tat*, on which Woodcock worked as associate editor, notes that Woodcock lost a debate on whether the United States should retain the Philippines, which the Americans had acquired as a result of the Spanish-American War (1898–1902). He argued against the United States keeping the Philippines. In the same yearbook, he appears in a class photo looking small and tight lipped. The class historian wrote about "little Amos Woodcock. . . [a] sad picture of homesickness and insignificance." Nevertheless, the historian saw that even as a freshman "in him lay the qualities of mind and character that have made him such an honor to our class."<sup>12</sup>

By Woodcock's senior year, his qualities of mind and character had made him a stand-out in his class. The 1903 *Rat-Tat* rhapsodized him as "A man among men, a boy among boys; But swings his tongue with a mighty noise." He served as adjutant of the battalion and class valedictorian, and was described as one "of our most respected and honored classmates" and a "staunch, high-minded youth, whose devotion to duty and to unwavering consistency as a Christian has placed him high upon the altar of our affection and esteem."<sup>13</sup>

Woodcock worked an associate editor of the school paper, *The Collegian*, and he was a member of the Philomathean Society (a "secret" literary society), the Cotillion Club, Glee Club, and Mandolin Club. Although evidently not much of an athlete, he served as manager of the football and basketball teams, and, as he had dreamed as a freshman, he became president of the YMCA. In the class photograph, while his classmates sit slouched in their chairs, Woodcock sits bolt upright with his trademark tight-lipped smile.

Despite his academic achievements, Woodcock later admitted that he "had no very definite plan" concerning what he intended to do after graduation. In summer 1903, he worked for the Ohio Railroad Company in West Virginia, but felt that his education had prepared him for something more than writing down numbers of boxcars. That fall, he traveled to Peekskill, New York, to join the faculty at Worrall Hall Military

Academy, where he taught mathematics, English, and history. He also coached the football team and was chapel organist.<sup>14</sup>

## Teaching at St. John's College

After only a year at Worrall Hall, Woodcock returned to St. John's as instructor in mathematics and Latin. He was promoted to assistant professor the following year, remaining on the St. John's faculty for the next seven years. However, earning faculty status did not protect him from student jibes. In the 1910 *Rat-Tat*, the editors spelled out the names of the two math professors, highlighting specific letters to express their opinion of Woodcock's personality: **AMOS** WALTER **WRIGHT** AND **WADDELL!** The 1911 *Rat-Tat* poked fun at Woodcock in a brief poem that refers to him as "Amos, the love-sick guy."<sup>15</sup>

During Woodcock's teaching days at St. John's, his most notable achievement may have taken place outside the classroom. In 1909, a fire broke out in McDowell Hall, one of the oldest buildings on campus and home to the college's King William collection of 17th century books. It was reported that Woodcock "formed a bucket brigade, rushed into the burning building, [and] saved the King William books." This quick action, in the face of "considerable discomfort and some danger" made Woodcock a hero at St. John's.<sup>16</sup>



*"Chatillon," undated, home to Amos Woodcock and his sister Elizabeth. (Woodcock, Elizabeth W. Woodcock)*

While teaching, Woodcock continued his own education; he caught the train from Annapolis to Baltimore to take law classes at the University of Maryland. In 1910, he received a Bachelor of Laws degree from that university. Moreover, in 1911, at his sister Elizabeth's urging, he left St. John's to spend a year at Harvard University and earn a Masters of Arts in Law.

In December 1912, U.S. Senator Isidor Rayner of Maryland died and Salisbury politician William P. Jackson was selected by the state governor to fill the vacancy. Woodcock went to Washington, D.C., as secretary to Jackson, a position he held until summer 1914 when he returned to Salisbury and began the law firm of Woodcock and Webb. In spring 1915, as his law practice began to flourish, Woodcock purchased his first automobile. With his new-found mobility, he began to consider building a new home outside of Salisbury, and that year construction began on a new house, later to be named "Chatillon," on the family land along the Wicomico River south of town. Woodcock, his mother, and sister Elizabeth moved into their new home in time for Christmas.<sup>17</sup>

## Early Military Service

"[Woodcock] has never taken a position in the rear, whether in military or civil life."<sup>18</sup>

Woodcock's military experiences undoubtedly played a major role in shaping his character. Indeed, in later life, he identified the military as one of the things that had guided his life. His notions of authority and duty were reinforced, strengthening his belief that those in positions of leadership should demonstrate, encourage, and demand good behavior. Likewise, he felt it incumbent on people to obey rules and moral obligations. Although not always in agreement with the decisions of his superior officers, he held the opinion that it helped to be practical. "It is so much simpler to have authority decide for you rather than to make a town meeting of it," he reasoned. During his military service, and while in other positions of authority, he felt entitled to make decisions by which other people should abide.

Salisbury was home to Company I of the 1st Maryland Regiment, a unit of the state National Guard. When Woodcock joined Company I in summer 1904 it was an informal organization more like a social club than a military unit. The guardsmen were unpaid other than when the company was away for summer training camp, and, even then, the pay was one dollar per day (to be raised later to \$1.25 per day). By virtue of his experience at St. John's College, Woodcock was given the rank of sergeant by Capt. Louis P. Coulbourn, who owned a Salisbury clothing store across the street from the Woodcock jewelry store. Woodcock immediately distinguished himself during exercises in Manassas, Virginia, in summer 1904.<sup>19</sup>

Woodcock trained with the company during the 10-day summer camps of 1904–1915. Here, the guardsmen trained with soldiers of the U.S. Army, giving the civilian soldiers the advantage of training with professionals. Moreover, during these times,

Woodcock met many of the officers with whom he later served in World War I. He respected and admired the regular officers, and learned from observing them. Although Company I was often relegated to a minor role in maneuvers, and he admits to the company's "unprofessional" nature, he developed a great love for the National Guard, its officers, and men. Likewise, his men apparently recognized his leadership skills. In fall 1906, they elected him first lieutenant (since the Civil War, National Guard units elected their own officers). In spring 1915, after completing law school and returning to Salisbury to begin his law practice, Woodcock was elected captain, in time for the company's move to its new armory on the corner of S. Division and Camden Streets (now site of the Wicomico County Public Library).

On May 7, 1915, a German U-Boat sank the Cunard liner *Lusitania* increasing the likelihood that the United States would be drawn into World War I, which had been raging in Europe since August 1914. This gave that summer's training a special air of urgency. The soldiers learned to dig trenches and were taught about the nature of the fighting on the Western Front. However, the United States would not enter the war until nearly two more years passed.

In summer 1916, Company I, commanded by Woodcock, was ordered into action on the Mexican border. On March 9, 1916, Pancho Villa's rebel army had attacked the town of Columbus, New Mexico in retaliation for President Woodrow Wilson's support of General Venustiano Carranza's Constitutionalist Mexican government. Fifteen Americans and over two hundred of General Villa's army were killed in the attack. Wilson authorized the formation of a "Punitive Expedition" under the command of General John J. Pershing to track down and disperse Villa's rebels. The U.S. Army was too small to pursue Villa and simultaneously guard the entire border, so National Guard units were mobilized and sent to join the U.S. Army on the border. Company I departed Salisbury in June for Eagle Pass, Texas, on the Rio Grande. Despite intense last-minute recruiting efforts, the company only numbered about 60 men. Like many National Guard units, Company I was poorly equipped and largely untrained when it left for the border. During its four-month service on the border, the company guarded bridges on the Rio Grande and participated in training exercises. In addition to assuring they fulfilled their military role, Woodcock sought to make the company "a school for right living" and specifically "Christian living."

Villa's army continued to elude Pershing, and although General Carranza appreciated the support of the United States, the presence of U.S. forces south of the border angered many Mexicans, who perceived it as an example of "gringo imperialism." The expedition was recalled, and Company I returned to Salisbury in October 1916. Woodcock had learned much about soldiering in the field, with regard to tactics, discipline, and logistics. He later recalled that "the border [service of Company I] was the best possible training for war."

In February 1917, Germany renewed its unrestricted submarine warfare, and Woodcock was aware that this "would bring us into the war." The revelation of the

Zimmermann telegram finally banished Wilson's hopes for neutrality and on April 6 the United States declared war against Germany. Although Woodcock understood the gravity of the declaration of war, he recalls the period as "the most stirring, and, in some ways, the most delightful of my life." He was confident in his ability as a leader of men and he longed to put his training to the test. Indeed, as with many of his men, he shared "the dream of going to France to fight in the Great War."<sup>20</sup>

The United States had to build up the size of its army before it could make a positive contribution to the Allies' cause. In early 1917, at only approximately 130,000 men, the U.S. Army was still extremely small, compared with the armies of Britain, France, Germany, Austria-Hungary, and Russia, each of which had more than 4 million men. In addition to the regulars, the National Guard had 180,000 men—80,000 men in federal service and 100,000 in state guard regiments. Company I was federalized on July 25 in a brief ceremony at the Salisbury mill dam. In the wave of patriotism that followed the declaration of war, the size of Company I was increased to a strength of around 150 men. On September 9, the company marched from the armory to the Salisbury train station, and boarded a train bound for Camp McClellan, Alabama.<sup>21</sup>

Pershing decided that to effectively fight on the Western Front, the U.S. Army should undergo a major reorganization in which combat units that would be much larger than the traditional size. This led to the formation of the "square" division of approximately 28,000 men, once accessory elements such as headquarters staff, signalers, artillery, and machine gunners were added. A division would consist of four regiments, each made up of three battalions with four companies per battalion. Each company would contain about 250 men, making the total strength of a regiment approximately 3,800 officers and men.

In the reorganization, traditional National Guard units were broken up and the three Maryland regiments were combined to form the 115th Regiment, which became a part of the 29th Division. Because this division was made up of soldiers from both the North and South, it was nicknamed the "Blue and Gray" Division and had as its symbol a blue and gray yin-yang design, a motif that continues to this day. The pre-war Company I became part of the 3rd Battalion of the 115th Regiment. The reorganization reduced the number of officers required, and in most cases the National Guard officers were replaced with U.S. Army officers. Woodcock suffered a few "anxious days" during which he feared the "everlasting disgrace" of losing his command. He said it was with "joy and contentment in my heart" that he soon learned that he had been appointed captain of the new Company I, which was supplemented with men from elsewhere in Maryland to reach a strength of 250 men.

Woodcock threw himself into the role of commander of the revamped company. He accompanied them on long hikes and slept alongside them on the ground, in order to "toughen up" with his men. Probably for the first time, Woodcock wrote of being "in pride of my own strength" boasting that he was "able to stand the physical strain" as well as any man. But he was always the intellectual, and it is doubtful that many of

his men understood him when he addressed them with a short speech that included the Latin quotation “*tros tyriusque nullo mihi discrimine agetur*” (“Trojan and Tyrian will be treated no differently by me”) from Virgil’s *Aeneid*, which promises that all men will be treated equally.

The increased company size posed a challenge to Captain Amos Woodcock, who now commanded not a hometown company but a much larger group of men, many of whom he did not know. He used the nine months at Camp McClellan to instill into them an air of professionalism. Discipline was much more stringent than in pre-war days, and the entire division was brought to a high level of efficiency. Training included long days of marching, hours of practice on the rifle range, and drills with the use of bayonet and gas mask. In all aspects, Woodcock emphasized “perfection in detail” and “pride in carrying out an order.”

By early June 1918, the 115th had completed training and left Camp McClellan by train bound for Hoboken, New Jersey, the port of departure for much of the American Expeditionary Forces. Company I boarded the Italian ship *Dante Alighieri*, part of an Atlantic convoy that zigzagged across the Atlantic to avoid German submarines. The ship finally arrived in the port of Brest, France, on June 27. There, the men boarded the infamous French “Forty-and-Eights,” small railroad cars designated to carry 40 men or 8 horses (“*40 hommes ou 8 chevaux*”). For three days, they traveled across France, finally reaching the Alsace region of eastern France.

Along with other American officers, Woodcock attended officer training school, where French and British officers tried to impart lessons that they had learned through bitter experience to the newly arrived “Yanks.” The school Woodcock attended was in the town of Chatillon-sur-Seine (he later borrowed the name “Chatillon” for the new



*Men of the 29th Division in training at Camp McClellan, Alabama, undated. (SVE, Maryland Historical Society.)*

Salisbury family home built two years earlier). After several weeks of training, Woodcock rejoined Company I, posted to a sector of the front in Alsace that both the Allies and Germans recognized as “quiet.” Nonetheless, the area received sufficient enemy small arms and artillery fire to keep everyone alert. Although still a captain, Woodcock was placed in charge of the 3rd Battalion, comprising companies I, K, L, and M.

While in this sector, Woodcock had the opportunity to utilize his legal skills. He defended a soldier who had been on night guard duty and had shot a fellow American who stepped from an illuminated army hut into the darkness. Woodcock successfully argued that the nervous sentry had merely followed orders by shooting at all lights, and therefore was not guilty of murder. The incident served him well later: it convinced him that questions of guilt or innocence should include consideration of the circumstances in which the incident occurred. He would use this approach in later legal arguments.

On September 12, 1918 the U.S. Army began its first major offensive of the war—the reduction of the St. Mihiel salient southeast of Verdun. The 29th Division did not play a role in the operation, and it was still in reserve on September 26 when U.S. forces launched the Meuse–Argonne offensive, the largest operation undertaken by the U.S. Army during the war. For a week, over a million U.S. soldiers slowly advanced against the entrenched Germans along a narrow front between the Meuse River in the east and Argonne Forest in the west. The advance was hindered by German artillery fire from wooded hills east of the Meuse, and the Americans suffered heavy casualties. Pershing decided to halt the advance until the German artillery could be nullified. Part of the task of driving the Germans off the hills fell to the 29th Division.

The plan was for the three battalions of the 115th to cross the Meuse between the villages of Regneville (west bank) and Samogneux (east bank), with the 1st and 2nd in the lead, and the 3rd commanded by Woodcock following in reserve. After passing through the village of Samogneux, the 1st and 2nd were to advance to their objectives, and the 3rd would later “pass through” their lines and continue the attack against the German positions to the north. The three battalions crossed the Meuse at 5:00 AM on the morning of October 8, but the Germans spotted them and began to shell the river crossing. One of the German shells landed in the midst of Company I just after it had crossed the bridges, killing four soldiers and wounding several others. Despite these losses, the advance continued, and although there was poor communication among the advancing battalions, they reached their objectives by nightfall.

During the advance, Woodcock helped to knock out a German machine gun nest with a 37 mm (“one pounder”) gun, earning him a War Department citation for gallantry in action. As his battalion attempted to advance on the morning of October 9, they were met with heavy German machine gun fire from Richene (or Rechene) Hill. Woodcock called for an intense 15-minute bombardment, after which the 3rd Battalion captured the hill without a single casualty. The battalion remained on the hill for the next few weeks, making a few modest advances, but generally just holding the line. When the 3rd was finally relieved on October 28 (Woodcock’s 25th birthday), many of

his soldiers were suffering from the cold weather, influenza, and exposure to mustard gas. Of the 800 men of the 3rd Battalion who had crossed the Meuse on the morning of October 8, only 400 remained. The rest had either been killed or wounded, or were sick with the flu. On November 1, Woodcock was promoted to the rank of major.<sup>22</sup>

News of the Armistice arrived on November 11, and Woodcock recorded that his men took the news “very calmly” and that he spent that evening “very quietly thinking.” The men of the 29th Division were not able to leave for home right away, and it was not until May 1919 that the 115th Regiment finally sailed home. During the six-month wait, the men drilled, were entertained by YMCA performers, watched movies, and held sporting events. Woodcock took the opportunity to travel to Nice, Paris, and London. Just before sailing for home, Woodcock was promoted to lieutenant colonel. After arrival in Newport News, the regiment proceeded to Fort Meade. They participated in a big victory parade in Baltimore, after which Company I returned to Salisbury by train, and each man returned to civilian life.

## **Woodcock and the American Legion**

The American Legion was organized in Paris by U.S. veterans soon after the Armistice of 1918. On May 24, 1919, when the national headquarters chartered the Department of Maryland, Woodcock was appointed a member of the state executive committee. That fall, when Wicomico Post No. 64 was organized in Salisbury, he was named a charter member and served as first post commander. Woodcock also served as the state Legion’s First Vice-Commander, 1920–1921, and Commander, 1921–1922.<sup>23</sup>

Although the Legion’s patriotic and humanistic goals in many ways reflected Woodcock’s beliefs, he was not entirely in lockstep with the organization. He preferred to emphasize the Legion’s role in keeping alive the memories of the past, and was not comfortable with the jingoistic slogan “one hundred percent American.”<sup>24</sup>

In 1921, during Woodcock’s term as state American Legion commander, French Marshal Ferdinand Foch, Allied Supreme Commander during World War I, visited the United States as guest of the Legion and began a nationwide tour. On November 22, Marshal Foch attended the groundbreaking for the Maryland War Memorial Building on North Gay Street in Baltimore, and Woodcock was among the distinguished members of the welcoming party.<sup>25</sup>

## **The American Legion, the Bonus Movement and Prohibition**

The American Legion played an important role in two major socio-political issues of the 1920s and 1930s: the effort to urge Congress to pay a “bonus” to World War I veterans and Prohibition, the movement to ban the public sale of liquor. Amos Woodcock strongly supported both endeavors, variously earning the respect or denigration of fellow Marylanders.



*Bonus Army camped at Anacostia, Washington D.C., 1932. (Library of Congress.)*

In the years following the war, veterans began to push for a cash bonus, and although many Americans sympathized with their plight—especially during the Depression when veterans made up a disproportionate percent of the unemployed—it was considered too expensive to provide a bonus to the millions of veterans. As early as May 1920, Congress was considering bonus bills (also known as “adjusted compensation bills”). Later the same year, a bonus bill was passed in the House of Representatives, but its \$2 billion price tag doomed it in the Senate. With strong support from the Legion and the Veterans of Foreign Wars, a new bill was introduced in 1921. As commander of the Maryland branch of the Legion, Woodcock spoke in favor of this Adjusted Compensation bill. After passing in both the House and the Senate, the bill was vetoed by President Harding, and an override fell four votes short in the Senate. In 1924, Congress passed the World War Veterans Act despite President Coolidge’s veto. The act promised the payment of a bonus to veterans, but because of tight fiscal conditions payments were to be delayed until 1945, or whenever the veteran died. President Herbert C. Hoover vetoed an “immediate payment” bill in 1931, but finally in 1936 a bonus bill was approved over President Franklin Roosevelt’s veto. The act allowed veterans to receive immediate compensation (averaging \$583) for the lost wages they had incurred as a result of their war service.<sup>26</sup>

In 1931, at the American Legion Convention in Detroit, veterans weighed in on the two issues of the Bonus and Prohibition. While they agreed to give up their demands for an immediate bonus payment, the members expressed their opposition to Prohibition

in a vote of 1,008 to 394.<sup>27</sup> Clearly, Woodcock was at odds with the consensus among his fellow Legion members, and he must have felt a degree of ambivalence in denying the wishes of his fellow veterans in deference to his duty to enforce the law. In keeping with the Legion's strong patriotic and anti-Communist agenda, Woodcock supported a proposal to require Maryland's public school teachers (at any institution receiving state aid) to take an "oath of allegiance" to the United States. Despite Woodcock's personal plea, the bill was vetoed by Governor Harry W. Nice.<sup>28</sup>

### **Assistant Attorney General for Maryland (1920–1922) and U.S. Attorney for Maryland (1922–1931)**

Although he had an active law firm in Salisbury, Woodcock clearly felt the tug of state politics. In 1919, he ran for state comptroller on the same Republican ticket as gubernatorial candidate Harry W. Nice and state attorney general candidate Alexander Armstrong. Both Nice and Woodcock lost to their Democratic opponents (Nice to Albert C. Ritchie and Woodcock to E. Brooke Lee), but Armstrong was elected new state attorney general. Despite the fact that Woodcock was a "dry" and Armstrong a "wet," Woodcock must have made a favorable impression on Alexander because less than a year later, on September 1, 1920, Woodcock was appointed assistant attorney general for Maryland, joining a team of three other assistants under Armstrong. Woodcock served as counsel to the state's Conservation Commission and appears to have represented the state in all cases and proceedings on the Eastern Shore and around the state, other than Baltimore City. Among his duties, Woodcock wrote legal opinions that expressed the interpretation of Maryland laws, particularly on matters of conservation.<sup>29</sup>

In 1922, Woodcock was given more substantial cases, among them the prosecution of a Prohibition officer named Lawrence W. Gerth who was accused of shooting an African American named Horace Brown during an arrest. Gerth claimed Brown was in violation of the Volstead Act and was acquitted later that year. Although the other state assistant attorneys dealt primarily with Baltimore cases, Woodcock was responsible for all of the Department's litigation elsewhere in the state. As with the earlier cases Woodcock handled, many of these dealt with fish and game laws, particularly oyster harvesting, hunting, crabbing, and pollution. Woodcock was kept busy due to the fact that "more rulings were given this year to the Conservation Commission and the State Game Warden than to any other Department of the State Government."<sup>30</sup>

A case that must have struck a chord with Woodcock involved a bonus payment to World War I veterans. In 1922, the Maryland legislature passed a bill that authorized a bonus payment to all Maryland residents who had served in the war, but it was decided that the issue should be made a statewide referendum on the November ballot. The referendum was immediately challenged, and although a lower court denied the complaint, the Court of Appeals ruled the referendum to be unconstitutional, and Maryland never authorized a bonus for its veterans.<sup>31</sup>

The name that Woodcock made for himself in the state legal and political arena caught the attention of the Harding administration. President Harding chose Woodcock to become the new U.S. Attorney in Baltimore; Woodcock resigned from the State Attorney General's office effective October 1, 1922 and was sworn in as U.S. Attorney in Baltimore the next day. Now that most of his work would be in Baltimore, Woodcock was concerned about keeping his close affiliation with the Eastern Shore. He initially had the intention of learning to fly as a way to travel around the state. His scheme never came to fruition, and instead while residing in Baltimore he continued to make frequent trips to Salisbury by rail and ferry.<sup>32</sup>



*Andrew J. Volstead (1860–1947), author of the “dry enforcement law” and former chairman of the House Judiciary Committee, 1923. (Library of Congress.)*

Although Woodcock was a lifelong Republican, he never allowed party affiliation to affect his sense of justice, and he applied the law strictly and equally to all. As a U.S. attorney, Woodcock was involved in cases involving patent violations, financial disagreements, anti-trust violations, and violations of the White Slave Traffic Act (also known as the Mann Act), which made it illegal to transport a woman across state lines for immoral purposes. Woodcock aggravated fellow Republicans by prosecuting Clarence P. Gasch, a Prince George's County Republican Party leader, for embezzlement, despite a threat by Gasch's friends that they would "get" Woodcock for this apparent breach of party loyalty.<sup>33</sup>

Notably, in a foreshadowing of his later efforts as director of the Bureau of Prohibition, and no doubt because of his straight-laced Methodist background and beliefs, Woodcock became notorious for his zealous—some said overzealous—enforcement of anti-alcohol laws.

After years of pressure from organizations such as the Women's Christian Temperance Union (WCTU) and the Anti-Saloon League, Congress ratified the Eighteenth Amendment in January 1919. The terms by which the amendment was to be enforced were spelled out in the National Prohibition Act—generally referred to as the Volstead Act, for its author, Republican Congressman Andrew Volstead of Minnesota, passed by Congress (over President Wilson's veto) in October 1919. The amendment took effect in January 1920, making it illegal to manufacture, sell, or transport intoxicating liquors in the United States. Thus began the period known as Prohibition, which was to last until December 1933 when the Twenty-first Amendment was ratified, repealing the Eighteenth Amendment.

The mechanism by which the amendment was to be enforced was open to interpretation. The second section of the amendment stated that "Congress and the several States shall have concurrent power to enforce this article by appropriate legislation." The "concurrent power" phrase was used to appease Southern legislators who were opposed to possible federal infringement on what they considered to be a states' rights issue, but it also left open the possibility that some states might not enforce the amendment. The writers of the amendment assumed that states would enforce the law, but some states, such as Maryland, did not pass enforcement legislation or increase funding for police to investigate violations. Even U.S. Attorney General William DeWitt Mitchell had to admit that there was "no legal way of compelling state legislatures to enact enforcement statutes or to compel state authorities to aid in enforcement." Maryland Governor Albert C. Ritchie was adamant in his claim that although citizens were obliged to obey the federal law, the states were under no obligation to enforce the law. In early 1930, the Commissioner of Prohibition complained to Congress that "we have no cooperation in the state of Maryland other than the sheriffs of some counties." As a result of state inaction, enforcement was left in the hands of the weak federal enforcement agency (initially part of the Internal Revenue Service), prosecution was left to the federal courts, and convicted violators ended up in federal prisons.<sup>34</sup>

As a U.S. attorney in Maryland, Woodcock was in the unenviable position of trying to enforce a federal law that was neither supported by any state law, nor strictly enforced by any state agency. Because Prohibition generally had little support, it fell upon the U.S. attorneys to “set the pace and establish the quality of criminal prosecution under federal law.” If they did not actively garner the support of state agencies, or pressure



*Amos Woodcock, with H.M. Lucious, president of the Automobile Club of Maryland and Ernest M. Smith, vice president of the Automobile Club of America, 1930. (Library of Congress.)*

them to enforce the law, Prohibition was a dead letter (as it proved in many localities). Despite the lack of state support for enforcement, Woodcock used his power as U.S. Attorney to prosecute violators. Reflecting his belief that the law applied equally to all citizens, Woodcock prosecuted all violators; from the small-scale farmer-bootleggers to Congressman John Philip Hill of Maryland (who was ultimately acquitted).<sup>35</sup>

In addition to enforcing Prohibition, Woodcock was often called on to defend the actions of Prohibition agents. A common complaint against federal prohibition agents was their “too free use of firearms” and in fact, almost one hundred people had been killed (and at least 75 injured) by agents in the first six years of Prohibition. The same period saw the deaths of 45 agents and injury to 75 others. On three occasions, Woodcock was called to defend agents accused of murder in the deaths of presumed bootleggers in Maryland. In each case, Woodcock earned acquittals for the accused agents, and in the process gained a perspective on the inadequate training and pay that the agents received, problems he would shortly rectify as director of the Prohibition bureau.<sup>36</sup>

## **Director of the Bureau of Prohibition**

“Has the individual any rights which organized government, in order to promote the general welfare, may not take away?”

—AMOS W. W. WOODCOCK, 1930<sup>37</sup>

Considering his background and his determination to enforce strict adherence to the law and military discipline, Woodcock may have been the perfect choice to enforce Prohibition. In keeping with the early 20th century tendency to “oppose national decline with various moral crusades” in hopes of achieving “rational control of society,” Woodcock clearly believed that the state had the authority to take away an individual’s rights for the betterment of society. This brand of “social-control progressivism” was exemplified by President Hoover, who appointed Woodcock to serve as the director of the Bureau of Prohibition in 1930. Despite the general unpopularity of Prohibition, Woodcock was determined to enforce the law to the best of his ability, and his assumption of the directorship marked a transition in the bureau from apathetic to zealous enforcement. In his later years, Woodcock looked back on his life of service and commented ruefully, “My reputation as a dry seemed to eclipse everything else I did.” This apparent lament expressed his frustration that he was more remembered for his role in the failed Prohibition movement than for any of his other contributions.<sup>38</sup>

During the 1920s, enforcement of Prohibition was under the jurisdiction of the Internal Revenue Service (IRS), part of the Treasury Department. The prohibition agents, often referred to as “revenueurs,” were not required to pass civil service examinations, received little training, and were often guilty of corruption and civil rights violations. By 1926, a total of 752 agents had been dismissed, of which 141 had been convicted of crimes. Public outcry against Prohibition and the modes of enforcement



*"Hooch Hound," the Bureau trained dogs to detect liquor, 1922. (Library of Congress.)*

continued, and in 1927 the federal government reorganized its efforts; instituting civil service examinations for potential agents and appointing Dr. James Doran as the new Prohibition Commissioner.<sup>39</sup>

When Hoover was elected president in fall 1928, he initiated a thorough overhaul of the federal criminal justice system. In response to complaints about the heavy-handed enforcement policies of the past (it was claimed that between 200 and 1,500 prohibition agents and private citizens had been killed in the first ten years of Prohibition), Hoover appointed an eleven-man commission under the direction of George W. Wickersham to look into all aspects of crime and law enforcement, and particularly the enforcement of Prohibition. The commission was officially known as The National Commission on Law Observance and Enforcement, but is generally known as the Wickersham Commission. The reports of the commission verified the well-known fact that Prohibition was being ignored by many Americans, and also revealed the widespread corruption and abuse by prohibition agents and police. Many people thought the results of the commission's investigation supported the need to repeal the Eighteenth Amendment, but, possibly perversely, the commission recommended that enforcement be stepped up and the law more strictly enforced, although it also recommended better training for agents and police, and called for an end to corruption and use of the "third degree."<sup>40</sup>

Even before the commission completed its work, Hoover had decided to move prohibition enforcement from Treasury to the Department of Justice. He announced

his intention to make this change in his inaugural March 1929 speech, and the switch was one of the first recommendations of the Wickersham report.<sup>41</sup>

Woodcock had worked with the Wickersham Commission from 1929–1930, “making a study of the enforcement of Federal and State Prohibition laws.” He had apparently made a favorable impression on Chairman Wickersham, and among the papers in the Hoover Presidential Library is a memo stating that “. . . Mr. Wickersham suggests that Amos W.W. Woodcock be relieved of his duties as U.S. Attorney in Baltimore to take over the job [as Director of Prohibition].” Wickersham’s suggestion was apparently received favorably; Woodcock was appointed as the first Director of Prohibition, and he began his duties on July 1, 1930. The *Washington Post*’s Strickland Gillilan suggested a humorous reason for the transfer of prohibition enforcement from Treasury to Justice: Prohibition director Woodcock plus Treasury secretary Andrew Mellon would surely be referred to as “Amos and Andy.”<sup>42</sup>

In a many ways, Woodcock was an unlikely choice for the post. First, he came from Maryland, which in 1930 was the only state that had not enacted a law to enforce the federal prohibition against alcohol. Second, Governor Ritchie (whom Woodcock later described as his “friendly enemy”) was a well-known “wet” who believed that the state was “under no duty to help relieve the Federal government of the burdens and cost” of enforcing Prohibition. And, third, Maryland residents largely ignored Prohibition, the state being referred to as “sopping Maryland” and Baltimore as “wringing wet.” Even Woodcock’s hometown, Salisbury, was in favor of the repeal of Prohibition. Some have even claimed Maryland’s nickname, “Free State,” is a result of the state’s opposition to Prohibition.<sup>43 44</sup>

Numerous magazines and newspapers printed articles to introduce Woodcock to the public, and although many described him favorably they also expressed little confidence in the likelihood of his success in what was considered by some to be “the most difficult job under the government” and “not only thankless but downright impossible.” One described him as “personally dry, but by no means a fanatic on the subject of Prohibition,” and Woodcock himself stated that he had not sought the position of Director, and would have preferred to remain in Baltimore as a U.S. attorney.<sup>45</sup>

As might be expected, Woodcock received both praise and criticism for his efforts. He was commended for his readiness to “listen to both sides of a question” while at the same time being “vigorous and fearless in prosecution of offenders.” One reporter was obviously impressed, describing Woodcock’s personality as “so winning, so persuasive, so manifestly honest and honorable. . .” and going so far as noting several similarities between Woodcock and Abraham Lincoln. But not all journalists were as complimentary about Woodcock or his mission. He was derided as being “the most naïve and unsuspecting official at the Capital” and as having a “friendly smile, but hardly a trace of humor.” At the very least, his acceptance of this new position was considered to be the kiss of death for any future political aspirations he may have had.<sup>46</sup>

Despite his reticence to accept his new role, Woodcock immersed himself in his duties, the *Literary Digest* going so far as to comment that “His hobby seems to be

work. . .” A summer heatwave hit Washington during his first month on the job, and with temperatures soaring to 103 degrees Fahrenheit. The *Washington Post* noted, “Practically all government departments suspended business for the afternoon”—yet, despite the heat, “the office of Col. Amos Woodcock, prohibition director, was kept open with a complete staff until 4:30 o’clock.”<sup>47</sup>

One of Woodcock’s first actions was to inform the American public about his philosophy regarding Prohibition and his strategy for its enforcement. Within months of his appointment, the Department of Justice published a small booklet by Woodcock titled *The Value of Law Observance*. Harking back to Hoover’s inaugural address, he placed heavy emphasis on the duty of citizens to obey the law. If citizens did not like the law they should work for its repeal, but in the meantime it was their duty as citizens to obey the law, and the federal government would proceed with its “vigorous enforcement.”<sup>48</sup>

Woodcock tried to bolster the moral case for abstention with scientific support, so in addition to its appeal for law observance the booklet presented tables of data on alcohol consumption and alcohol-related deaths in the United States. The text describes the data as showing that prior to 1920 the consumption of alcohol was “increasing rapidly” and that there was a “marked increase” in alcohol-related deaths and cirrhosis of the liver in the U.S. (although such a trend is not obvious from the actual data). The data actually show that alcohol-related deaths and cirrhosis were *decreasing* in the period 1913–1920, and that there was an increase in alcohol-related deaths and cirrhosis in 1921–1928. In this case, Woodcock seems to have let his enthusiasm for Prohibition override his “scientific” interpretation of the data. The book went on to explain how Prohibition was no different than other laws (such as requiring vaccinations, regulating food safety, and outlawing gambling and prostitution) that serve to protect the public welfare at the cost of some “personal liberty.” Ultimately “the price paid for the advantages of the community of living is the immediate loss of perfect and full personal liberty.”<sup>49</sup>

On August 4, 1930, Woodcock made a broadcast on the NBC radio network. He repeated his promise to enforce the law “fairly, honestly, earnestly, and lawfully.” He also outlined his plans to improve selection and training of prohibition agents.<sup>50</sup>

In keeping with the Hoover Administration’s penchant for “scientific” studies and data gathering prior to making policy decisions, Woodcock embarked on a tour of the United States to meet with enforcement agents and learn about the problems they faced. The trips took him to New England, the South, Wyoming, California, and Hawaii. (Note that although at the time Hawaii was a U.S. territory, it was nevertheless subject to Prohibition.) Woodcock was convinced that a “scholarly, scientific study [of Prohibition’s] effects” would be “much more reliable than opinions formed upon partial observation or prejudice.” Prohibition administrators were required to submit a daily report of their activities. The data were then summarized to provide a day-to-day view of the campaign against alcohol.<sup>51</sup>

To improve the performance of federal agents, Woodcock instituted a training program to instruct agents in modes of surveillance and the rules of legal search. The

hope was that this training would help to avoid violations of citizen rights to privacy but also result in prosecutions that might hold up in court. One political humorist mocked the training scheme along with the futility of Prohibition. "Amos Woodcock is out after young and intelligent dry agents. Why doesn't [Woodcock] try college boys? They know where to find the liquor." Another commentator made tongue-in-cheek complaints that Woodcock was trying to make the Prohibition agents into a bunch of "polite and well-mannered boys" when their natural tendency was to "wield hatchets and axes and cut up the furniture and trample all over the place." Still others doubted that Woodcock would be able to reform a system, and its agents, that had been developed over the years by a group of "ignorant and venal men."<sup>52</sup>

Within a year, Woodcock initiated several important changes in the prohibition effort. On July 7, 1931, he made a 15-minute radio broadcast on CBS to describe the achievements of the bureau to the American public. Woodcock reported that of 58,173 cases prosecuted in federal courts, all 58,173 had been "terminated," resulting in 50,334 convictions. In the process, 21,321 stills were destroyed and \$5,497,566.40 collected in fines. New agents were being selected based upon "intelligence and character," and were being trained in the techniques of investigation and the laws of evidence, with an emphasis on "brains and not brawn." He said that a sense of professionalism and *esprit de corps* was developing among the agents, and "complaints of bad conduct upon the part of the agents have almost ceased."

Woodcock reiterated his intention to focus the bureau's efforts on the "commercial violator" and to "leave the purely private violator to his own conscience. . ." He also emphasized that despite the fact that private consumption of alcohol was illegal (and that government was responsible for creating the market in illegal liquor), it was important to respect the individual's right to privacy guaranteed by law.<sup>53</sup>

Woodcock's background undoubtedly played a role in shaping his approach to the enforcement of Prohibition. His Methodist upbringing reinforced his belief that alcohol consumption was harmful. He praised the "rare depth of spirituality" in the prohibition movement that he believed was accepted as "a matter of faith among millions today." He believed that educating the public about the dangers of alcohol, and the need to obey the law, would help bring about compliance. He formed a committee of educators, the Prohibition Advisory Research Council, to develop a program by which graduate students would be encouraged to address questions regarding Prohibition in their graduate work. Under Woodcock, the reorganized Bureau of Prohibition was referred to as being "almost a military organization." He modeled the schools for agents on the officer training schools set up by General Pershing during the war, and began a system of promotions similar to the U.S. Army.<sup>54</sup>

One of the most contentious issues regarding the enforcement of Prohibition was the use of wiretapping to catch bootleggers. Wiretapping, the secret listening to suspects' telephone conversations, had long been considered "ungentlemanly." During the war, it had been outlawed by Congress despite its obvious usefulness in catching and

prosecuting spies. Although wiretapping was against federal policy, it was sometimes used to apprehend criminals. The contradiction between policy and practice came to a head in 1925 when Seattle bootlegger Roy Olmstead was arrested together with his wife and a number of associates on the charge that they had smuggled liquor from Canada.

The evidence against the Olmstead gang included transcripts of conversations that federal agents had obtained by wiretapping Olmstead's telephone. Despite claims by defense attorneys that the wiretap evidence was obtained in violation of federal policy and the Fourth Amendment's protection of the right to privacy, a U.S. District Judge in Seattle refused to suppress the wiretap evidence, and Olmstead and his associates were found guilty of violating the Volstead Act. Appeals took the case to the U.S. Supreme Court in which former president (and strong supporter of Prohibition) William Howard Taft was Chief Justice. In June 1928, the Court upheld Olmstead's conviction in a 5-4 vote, with Taft writing the majority opinion and Louis Brandeis writing for the dissenters.

Now that the Supreme Court had approved the use of evidence obtained through wiretapping, the door was open for federal agencies to make wider use of it in criminal investigations, despite the fact that it had previously been against their policies to do so. In an appearance before Congress five months after he was appointed as director, Woodcock expressed his belief that wiretapping was legal and that he intended to continue using wiretaps to catch bootleggers. During his congressional appearance, he displayed a rare sense of humor. When introduced to "wet" Representative George H. Tinkham of Massachusetts, a hunter, Woodcock joked that the congressman "ought not to waste his time hunting a woodcock." Tinkham was indeed wasting his time, and the justice's efforts to cut funding for wiretapping were defeated. To clear up any lingering confusion regarding the admissibility of wiretap evidence, Attorney General William Mitchell issued an order in 1930 that authorized the use of wiretapping only after the bureau chief and the assistant attorney general in charge of the investigation had granted permission. Somewhat surprisingly, given Edgar Hoover's later reputation for overzealous prosecution, Hoover's Bureau of Investigation, renamed in 1935 the Federal Bureau of Investigation (FBI), continued to consider use of wiretapping "unethical" and seldom allowed its agents to use it.<sup>55</sup>

It was not congressional pressure but public opinion that brought Prohibition to an end, and, as a result, Woodcock's career as "dry czar." In the 1932 election, Democrat Roosevelt's platform included a promise to repeal Prohibition and this (along with discontent over the worsening Depression) helped him capture 57 percent of the popular vote to Hoover's 40 percent. Even before Roosevelt took office, Congress passed the Twenty-first amendment that repealed Prohibition, and it was ratified by two-thirds of the states on December 5, 1933. With Prohibition over, Woodcock was out of the job he had never really wanted, but had done his best to perform. Even though Prohibition did not officially end until December, Woodcock's term as director terminated on April 1 when Roosevelt became president; he would, as we will see, immediately take up another position in the federal service. Although he was widely praised for his

rational and efficient enforcement of Prohibition, the *Baltimore Sun* could not resist expressing satisfaction that Woodcock's resignation "relieves Maryland of the embarrassment of having one of her citizens acting as the chief of the spies, snoopers, and *agents provocateurs* of Volsteadism."<sup>56</sup>

## Woodcock and Mencken

As a prominent "dry" from Maryland, it was almost inevitable Woodcock would run afoul of that arch foe of Prohibition *Baltimore Sun* columnist H. L. Mencken, described by Edward Behr as "the prolific and uncompromising . . . scourge of other people's prejudices." Marion Elizabeth Rodgers has described Mencken as the "foremost spokesman" against Prohibition. Certainly there existed a stark contrast between Woodcock and the German-American newspaperman. Compared to the dapper, reserved colonel, a strict Methodist with a high sense of moral conduct, Mencken was a loud and combative curmudgeon, an agnostic with a taste for beer and cigars. Mencken described the role of the Director of Prohibition as "the most august and puissant post in the government." Moreover, another possible bone of contention between the two men, was that, in 1931, Mencken wrote a blistering editorial criticizing the people of the Eastern Shore, and Salisbury in particular, following the December 4, 1931, lynching of African-American laborer Matthew Williams. The writer referred scathingly to Salisburians as "poor white trash" and "brutish imbeciles" with "ignorant and ignoble minds."<sup>57</sup>

Surprisingly, ardent "dry" advocate Amos Woodcock and H. L. Mencken got along well. Following his termination as Prohibition director, the men met to discuss prohibition and other areas of common interest. Woodcock, who was planning to write a book about his time as head of the bureau, asked for the meeting to elicit Mencken's advice about writing the book. The former director carried a letter of introduction from Raymond S. Tompkins, a *Sun* war correspondent who had covered the activities of Maryland soldiers in France.<sup>58</sup>

Mencken invited Woodcock to join him and wife Sara for lunch on July 10, 1933. Mencken recorded the visit in his diary, describing Woodcock as a "small, neat, smooth-shaven, baldheaded fellow." According to the newspaperman, Woodcock expressed his belief that Prohibition would be repealed and his frustration that Hoover had been unwilling to modify the 18th Amendment as Woodcock had recommended. Mencken also recognized that it was clear Woodcock disliked President Hoover. Six weeks after the meeting, Woodcock mailed Mencken two chapters of his nascent book to obtain his opinion. Woodcock apparently already had a commitment from Alfred A. Knopf to publish the book, and Mencken may even have assisted Woodcock in obtaining the contract. Knopf and the Baltimore journalist were old friends and Knopf published the *American Mercury* which Mencken co-founded and edited.<sup>59</sup>

Woodcock's book on Prohibition, like his planned biographical sketch of British General Braddock, never came to fruition. However, in 1937, Mencken resurrected

their correspondence when he was writing a history of the University of Maryland. The journalist sought Woodcock's help in trying to understand the relationship between St. John's College and the University of Maryland. Their correspondence took place at the time of Woodcock's resignation as head of St. John's, and Mencken sent a note in which he apologized for troubling him at this time. He also expressed his opinion that St. John's difficulties were a result of it being located so close to the larger schools of Johns Hopkins and the University of Maryland. He added that he hoped Woodcock would visit him again.<sup>60</sup>

Woodcock and Mencken shared a strong sense of fairness, and although both might have been considered narrow minded, they were objective in their judgment of people and events. In 1939, Mencken wrote an editorial in which he expressed his admiration for Japan's military prowess in its expansion into China. He decried the anti-Japanese "propaganda" in the American and British press, and expressed his view that Japan had as much right to "clean up China, as the United States ever had to clean up Cuba." Presumably he wrote the editorial before the West became aware of the Japanese atrocities in Nanking that occurred from December 1937 to February 1938. Woodcock, on military maneuvers at the old Bull Run battlefield in Virginia, wrote to Mencken to express his "complete approval" of the editorial. He mentioned his own surprise regarding the negative perception of the Japanese by Americans, and his belief that it was a result of British propaganda. Mencken replied that although he doubted the editorial would change opinion, he was pleased to have his protest "supported by men like you."<sup>61</sup>

## **Special Assistant to the U.S. Attorney General**

On the same day that his stint as head of the Prohibition bureau ended, April 1, 1933, Woodcock was appointed Special Assistant to Homer S. Cummings, the new Attorney General in the Roosevelt administration. He thereby became a member of the new president's "Little Cabinet." In this position, which he held until 1945, Woodcock was called upon to represent the United States in a variety of specialized legal cases, several of which he prosecuted while he was also serving as President of St. John's (1934–1937).<sup>62</sup>

In late 1933, Woodcock travelled to Texas to prosecute several individuals who were engaged in fraudulent investment schemes. Oil companies such as the General Minerals Company and the Big Indian Oil Company were using the mail to defraud investors by claiming that they had discovered vast quantities of oil in various locations in Texas. Woodcock obtained convictions against several of these individuals. While in the southwest Woodcock was asked to help resolve the case of a Mexican citizen who had escaped to Mexico after jumping bail in Texas, and was then "kidnapped" and brought back to the U.S. by a Texas policeman and a U.S. Marshal. The Mexican government wanted to extradite the Americans to face kidnapping charges in Mexico. In 1935, Secretary of State Cordell Hull intervened, and both the Mexican and the

Texans were released from U.S. jails, and a bill of \$1,061.48 was sent to the Mexican government for costs. Residents of Laredo were not happy about what they perceived as Woodcock's efforts to help the Mexicans against Texas lawmen. For his part, Woodcock was pleased to report to U.S. Assistant Attorney General George B. Keenan that it was "the most interesting case in which I have been concerned."<sup>63</sup>

Notable cases that Woodcock prosecuted included federal tax evasion charges against several of Huey Long's associates; the prosecution of Kentucky coal mining companies, their owners, and local sheriff's deputies on charges of conspiring to stop pro-union activities in the coalfields; and several contractors accused of overcharging the federal government for construction projects.<sup>64</sup>

He also helped to prosecute Puerto Rican Nationalist Party leader Pedro Albizu Campos and associates. Puerto Rico was acquired by the United States during the Spanish-American War, and now the people of the Caribbean island were seeking independence. In October 1935, four Puerto Rican radicals were killed by police during a protest in an incident later known as the Rio Piedras Massacre. In retaliation, two Puerto Rican nationalists assassinated Chief of Police Colonel E. Francis Riggs, a retired U.S. Army officer. The two men were summarily executed by the police. Albizu was arrested and charged together with seven other radicals with "attempting to overthrow the U.S. government by force, fomenting violence, and trying to recruit an army of independence." The case resulted in Albizu being found guilty and sentenced to ten years in prison.<sup>65</sup>

## President of St. John's College

"As the college did so much for me, I regret that I could do so little for it."

—AMOS W. W. WOODCOCK<sup>66</sup>

In summer 1934, 23 years after leaving St. John's, Woodcock was invited back to Annapolis to serve as college president. This presented him with a dilemma. Woodcock had been under consideration for appointment as a federal judge at least twice, but in both cases had been passed over. Finally in 1934 a seat opened in the First Judicial Circuit Court of Maryland, a jurisdiction that included the Eastern Shore. Although Woodcock had always hoped to serve as a judge, and he had "some vague ambition about being a candidate," he now felt that the opportunity to run his beloved St. John's was more inviting, and he withdrew his candidacy for the judgeship.<sup>67</sup>

St. John's was happy to welcome back its distinguished alumnus. Woodcock was described in the yearbook *Rat-Tat* as "a man who is experienced in the science of education" and who "will not permit financial considerations to wrongly influence academic policy." The editors of *Rat-Tat* expressed optimism for his presidency. But trouble was on the horizon. The reference to "financial considerations" was a veiled hint to the fact that the College was in serious financial difficulty, and in fact, as soon became



*Amos Woodcock, inaugurated as president of St. John's College, 1934.* (Courtesy of Greenfield Library, St. John's College.)



*Amos Woodcock*  
*St. John's College, 1903.*  
(Courtesy of Greenfield Library,  
St. John's College.)

brutally clear, it was an “insolvent institution.” Just before the stock market crash of 1929, the college Board of Visitors and Governors had mortgaged some of St. John's properties to invest in Annapolis real estate, anticipating a colonial renaissance in Annapolis similar to that seen in restored colonial Williamsburg. The scheme was promoted by New York financier Francis P. Garvan. After Garvan lost a fortune in the Wall Street Crash, the Annapolis renaissance failed to occur, and the college was unable to pay its expenses.<sup>68</sup>

In order to make up this shortfall the college had invited men to join the board who it was hoped would make financial contributions to the institution. Woodcock expressed criticism of the policy, and complained that the decision was made “to bring into the college men who were believed to have money to the exclusion of those who really knew St. John's.” His appointment as president was followed by the sudden resignation of board members William Woodward and Sylvester W. Labrot. Woodward had been one of the college's greatest benefactors,

and had contributed one-third of the College's entire endowment fund. Although it is unclear whether the resignations were a result of Woodcock's appointment, it seems likely that the men were offended by Woodcock's stated hope of restoring St. John's College and "its traditions, its interests in scholarship, and character" rather than putting an emphasis on "endowments and fine buildings."<sup>69</sup>

Unfortunately, the Annual Reports from the time that Woodcock served as President of St. John's have been lost, and few details are available regarding the events of his presidency. Nevertheless, it seems that Woodcock's three years as president were characterized primarily by financial troubles and his efforts to maintain traditional standards of education and student behavior in the face of the increasing forces of "progressive education."<sup>70</sup>

On their arrival at St. John's, students were exhorted by Woodcock to "study hard, be gentlemen, [and] not use liquor in any form." One of Woodcock's first initiatives was to restore the weekly chapel services that had been suspended since his days as a student, although a concession was made that attendance be voluntary. Despite his hopes that four years at St. John's would not only serve to "train the mind and body but to make gentlemen and good citizens," Woodcock had to intervene on several occasions to curtail "ungentlemanly behavior" among the student body. Also during his presidency, Woodcock came to the legal defense of a student charged with robbery. Woodcock entered the rather creative plea of *dementia collegorum* ("insanity caused by being a college student"). The student was found guilty of drunkenness and carrying a concealed weapon. Once more, the case demonstrated Woodcock's willingness to adjust his sense of morality to the circumstances, although it has to be admitted that he also wanted to protect the image of the College and its student body.<sup>71</sup>

Woodcock was perplexed by the new generation of students. He was shocked by the mores that existed among the student body, and felt as though "a new generation of students must have arisen in the land." He was struck especially by their apparent "assurance and conceit" and their tendency "to dress more nearly in the garb of tramps than of gentleman." The tranquil academic atmosphere of former times had been replaced by radios blaring from dormitories, and dances often featured "alcohol-induced gaiety" and "something that was called music. . . swing music." Although he complained about the students' apathy and lack of discipline, he recognized that "tastes had changed in the 25 years that had passed" since he was a student, and that his own sense of decorum and morality was "in step with the first decade of the century—not the third." As an army officer and federal administrator, he had become used to people following his directives, but the students were not so easily commanded. Woodcock accepted some of the blame for poor student performance, saying things might have been different if he "had the power to lead them, or the magnetism to draw them toward the scholarly ideal."<sup>72</sup>

In May 1936, St. John's lost its accreditation with the Association of Colleges and Preparatory Schools of the Mid-Eastern States (now the Middle States Association of

Colleges and Secondary Schools) as a result of a review by the Commission on Institutions of Higher Education. Although the college's continuing financial problems played an important role in the loss of accreditation, the immediate cause was the turmoil caused by Woodcock's decision to award a degree to Westfield, New Jersey student the faculty deemed unqualified for graduation.<sup>73</sup>

After a February 1936 visit to St. John's, commission Chairman Dr. Wilson Farland wrote a report that criticized the college's financial situation, its weak admissions standards, and what he deemed to be "a most serious mistake" — the awarding of a degree to a student he characterized as:

a student who had failed badly in his final Comprehensive Examination in English, his major subject, and who by a practically unanimous vote of the faculty was not granted his diploma [but then] on the recommendation of the President. . . [was] awarded his diploma by the Trustees.

The commission concluded that Woodcock's action "was largely due to his lack of academic experience." This was a stinging rebuke for Woodcock, who prided himself on his high moral purpose, along with his sense of fairness and justice.<sup>74</sup>

The report claims that after discussion of the situation with Woodcock, he "said that he had made a mistake and that it would not occur again." In a letter dated May 23, 1936, he was informed that the commission had "unanimously voted to strike the name of St. John's from the accredited list" primarily as a result of the college's "precarious financial condition and the continued failure to enforce satisfactory standards of scholarship."<sup>75</sup>

In spring 1936, rumors began to circulate that Woodcock was under pressure to resign, although he told the *New York Times* that was not his intention. Despite the college's ongoing troubles, the students continued to support Woodcock. They dedicated the 1936 edition of the *Rat-Tat* to "He Whom We Honor; Colonel Amos Walter Wright Woodcock; In Appreciation of Personal Integrity." The loss of accreditation was a serious blow to St. John's reputation, and several parents wrote angry letters threatening to withdraw their sons.<sup>76</sup>

On July 13, 1936, at a meeting of the board, the chairman, Walter H. Buck, charged that "President Woodcock has, so far, made no serious effort to obtain funds for the College." On April 12, 1937, Woodcock met with the board to make two recommendations: make St. John's a co-educational institution and place at least three faculty members on the board. After proposing these rather odd recommendations, he told the board that if it declined to accept them he would resign. In fact, Woodcock had been advised a week earlier that the board was considering his termination and that perhaps he should resign. It seems likely that he chose to make the recommendations, aware that they would be denied, as a dignified exit strategy. The board accepted his resignation effective June 30, 1937, but publicly announced that Woodcock's resignation had been requested as a result of his "repeated and prolonged absence from his duties at the college" rather than due to any disagreement over school policies. His termination was a heavy emotional blow, and

in his final commencement address Woodcock stated that he doubted that there was a “sadder person in all the world than he who speaks to you.”<sup>77</sup>

Although Woodcock’s term as president came after years of financial and academic decline at St. John’s, he is often blamed for the entire period of failure and loss of accreditation. Virginia liberal Democratic politician Francis Perkins Miller was particularly harsh, even vindictive, in his criticism. Miller described the “evil days” of Woodcock’s presidency. He accused him of assuming “a role of unctuous piety” during his appearances before the board and charged that “under Woodcock’s benevolent rule, the college had become practically bankrupt.” He claimed that he urged the board to fire Woodcock because the colonel refused to resign. To further disparage Woodcock’s character, Miller said that when the president’s rooms in Brice Hall (which he misspelled as “Bryce”) were cleared out, his furniture consisted of an army cot and a pile of empty tin cans.<sup>78</sup>

In fall 1937, Drs. Stringfellow Barr and Scott Buchanan were invited, according to Miller at his instigation, to take over the “all-but-bankrupt college” and together they initiated the “Great Books” program that is still used at St. John’s “and the College was saved.” In reality, enrollments did not begin to increase until after World War II, in response to the postwar economic prosperity and the large numbers of veterans on the GI Bill. St. John’s College finally became co-educational in 1951.<sup>79</sup>

## **Woodcock’s Interwar and World War II Military Roles**

Woodcock continued to be an active participant in veterans’ affairs in the interwar years, attending various reunions and memorial services. A significant event in Woodcock’s military career occurred on November 21, 1936 when he attended a parade and ceremony in Salisbury for the unveiling of a bronze honor roll of members of Company I. The plaque contains 174 names of officers and enlisted men of the company and was formally received by Woodcock on the company’s behalf.<sup>80</sup>

At the dedication of the plaque, Woodcock received the commission of brigadier general from Governor Harry W. Nice. He was put in command of the 58th Brigade of the 29th Division, a position he would hold until 1942. In this new role, leading up to America’s entry into World War II in December 1941, Woodcock participated in ceremonial activities, training exercises, and war games. Once, when he appeared on the parade ground, the regimental band played “How Dry I Am,” in respectful, mocking homage to his Prohibition work. During war games in 1939 and 1940, Woodcock was “captured” by the opposing forces. Not surprisingly, as the likelihood of U.S. involvement in the war increased, both the training and war games became more intense. Woodcock and fellow officers learned about new tactics and technologies that had been developed, such as tanks, flamethrowers, air support, and paratroops.<sup>81</sup>

Following the December 7, 1941 Japanese attack on Pearl Harbor, Woodcock was appointed acting commander of the 29th Division. No doubt he had hopes of becoming division commander in Europe, but instead, to his disappointment, the army

chose Major General Leonard T. Gerow. On March 1, 1942, Woodcock was assigned to command the New York Metropolitan Military District. Then on August 25 he was placed on the army's inactive list. Expressing rare emotion on being rendered inactive, Woodcock wrote, "I think I have never been so disappointed or felt so utterly beaten." The 29th Division under Major General Charles Hunter Gerhardt was among the first to land at Omaha Beach on June 6, 1944, and suffered high casualty rates in fighting its way across France and Germany.<sup>82</sup>

## **Tokyo War Crimes Trials**

Woodcock's legal knowledge and personal beliefs were put to the test when he was chosen to help draft the charter to form an international commission to try Japanese war criminals following Japan's defeat in World War II. Despite the fact that he was a member of what was considered to be the prosecution, Woodcock's attitude and statements gradually began to sound more like those of a defense attorney, and he left the trials with a new respect for the Japanese people and a renewed dedication to respect the rights of the accused. He came to believe that the Japanese "were not different from us," and that they had "the same capacity for good and evil with which other people are endowed." As in many other cases, Woodcock was not afraid to adopt an unpopular cause and defend it.<sup>83</sup>

At the final "Big Three" conference held in Potsdam in July 1945, Churchill, Truman, and Stalin met to discuss the fate of post-war Europe and to make plans for what they hoped would be the final months in the war against Japan. While at the conference President Truman learned of the successful test of the atomic bomb in the Nevada desert, information that he shared with Churchill and Stalin. The knowledge that the Allies possessed this new and extremely powerful weapon gave the Allies the confidence to issue a July 26 proclamation demanding that Japan surrender or face "prompt and utter destruction." Included in the proclamation was the warning that "stern justice shall be meted out to all war criminals."<sup>84</sup>

It was only later, at the Nuremberg trials of accused Nazis, that the term "war criminals" was more clearly though not absolutely defined. Article VI of the London Charter of the International Military Tribunal, often referred to as the Nuremberg Charter, established three categories of crimes for which individuals could be held responsible: crimes against peace, war crimes, and crimes against humanity. Crimes against peace included "planning, preparation, initiation, or waging of a war of aggression." War crimes included the ill treatment or killing of civilians or prisoners of war, deportation of slave labor, and wanton destruction. Crimes against humanity consisted of cases in which civilians were persecuted on the basis of political, racial, or religious affiliation, or any other atrocity not covered in the other categories.<sup>85</sup>

On August 14, 1945, President Truman designated General Douglas MacArthur to be the Supreme Commander for the Allied Powers (SCAP) in Japan, giving MacArthur

“complete command and control” in Japan. Following the September 2 surrender of Japan, MacArthur quickly set about preparing for the prosecution of Japanese war criminals. Although other nations would play a role in the occupation of Japan and the war criminal trials, the United States would have by far the dominant role, a *de facto* situation formalized by the Allies at the Moscow Conference of Foreign Ministers in December 1945. On November 30, Truman appointed Joseph B. Keenan chief prosecutor. On December 6, Keenan and his team of “22 lawyers recruited by the U.S. Department of Justice” including Woodcock and various aides and clerical staff landed at Tokyo’s Atsugi Airport. The Salisbury man had been invited to join the team by John A. Darsey, Jr., Department of Justice liaison on the team.<sup>86</sup>

Prior to the group’s arrival, little preparation had been done to facilitate the prosecution of the Japanese war criminals. There was no list of who the “criminals” were, little evidence had been collected, and there were no specific crimes with which to charge anyone. One of the prosecution team later admitted that, “Rarely has any group of men undertaking a project of similar size and scope been less prepared for their task. . .”<sup>87</sup>

In addition to its acknowledgement of U.S. dominance in post-war Japan, the Moscow Conference of Foreign Ministers also resulted in the formation of the Far Eastern Commission (FEC), made up of the eleven countries most affected by the war with Japan: Australia, New Zealand, Canada, the Netherlands, France, the United Kingdom, the United States, the Soviet Union, China, the Philippines, and India. Each of these countries was invited to send a judge and a prosecution team to Tokyo to join the war crimes trial. By mid-January 1946, no country had sent such representatives, so on January 19, MacArthur issued a declaration that formally established the International Military Tribunal for the Far East (IMTFE), notifying the other members of the FEC that the trials would soon begin, and they better send their legal representatives if they wanted to be part of the proceedings.<sup>88</sup>

Shortly after his arrival in Japan, Woodcock was appointed to chair a committee to draft a charter for the tribunal. Despite the fact that the Nuremberg Principles had been promulgated (and the Nuremberg trials themselves underway since mid-November 1945), Woodcock and his committee of lawyers struggled with many of the same legal questions that had faced the Nuremberg jurists, e.g., was planning and launching an aggressive war really a criminal act; could individuals be held accountable for the actions of the government; what sort of legal proceedings are appropriate for a military tribunal? The charter of the IMTFE (as pronounced by MacArthur on January 19, 1946 and ultimately approved by the tribunal on April 26) borrowed heavily from the Nuremberg Charter. Among the most significant of the 17 articles were:

ARTICLE 4: declared that a simple majority was sufficient for a quorum, and a majority vote would carry all decisions including convictions and sentences.

ARTICLE 5: spelled out the same three categories of war crimes as in the Nuremberg Charter (i.e., crimes against peace, war crimes, and crimes against humanity).

ARTICLE 9: assured that each of the accused would be provided with a copy of the indictment and that they could each choose a defense attorney (or have one appointed by the tribunal).

ARTICLE 13: ruled that the tribunal would not be “bound by technical rules of evidence.” This allowed any documents (both official and unofficial), letters, diaries, and statements made by the accused to be used as evidence against them.

ARTICLE 16: allowed for the tribunal to impose the death penalty.

ARTICLE 17: designated General Douglas MacArthur (in his role as SCAP) as the final arbiter; all sentences were to be approved by him, and could be reduced (but not increased) by him alone.<sup>89</sup>

The IMTFE ultimately tried only “class A” war criminals: the 28 military and political leaders who were charged with crimes against peace for planning and starting the war. Japanese charged with “conventional war crimes” and crimes against humanity were tried by U.S. military tribunals in Yokohama. William Webb, the prosecutor from Australia, was appointed by MacArthur to be president of the IMTFE, chief judge, and deciding vote in the case of a tie among the other ten judges. Keenan served as Chief Prosecutor, with the prosecutors from the allied nations designated associate prosecutors. The trials began in Tokyo on May 3, 1946 and lasted until April 1948. Judgments were handed down in early November, and after waiting 10 days for appeals to be presented, all of which MacArthur denied, seven defendants were hanged on December 23, 1948, while other defendants began sentences that ranged from seven years to life.<sup>90</sup>

Woodcock’s letters to his sister reveal much about his legal work on behalf of the IMTFE and also describe the people and events that shaped the trial. Although he returned to the United States before the trials began, his observations of the early months of the IMTFE and post-war Japan are enlightening, and tell us much about Woodcock himself.

Woodcock was 62 years old when he went to Tokyo in December of 1945, and although he was no older than many of the other men on the legal team, he seems to have been a bit of an outsider. Although he made several short sightseeing trips in and around Tokyo, much of his free time seems to have been spent in his hotel room, writing letters and reading *Hamlet* and the *New Testament*. At one point, several of the other men invited Woodcock to move into a house they were renting, rather than remain in the hotel. Woodcock declined their offer, writing to Elizabeth that he preferred to

live alone because “I dread intimacies of living.” Woodcock was also troubled by the party-like atmosphere that seemed to prevail among some of the men, and he wrote that “I know there will be much drinking and card playing. I have no inclination, or ability, for either.” He stayed in the hotel for the entire time he was in Tokyo.

Once again, as evident from his student days onward, Woodcock proved to be a loner. Everywhere he looked, he saw a breakdown of the strict morality that formed such an important part of his life. After a Christmas party hosted by Keenan, he wrote that although he enjoyed the carol singing, the occasion was “somewhat alcoholic” and “The girls . . . generally were very awful. They seem to have completely changed as I knew them of old.” Woodcock found Japanese girls to be much better behaved than the American WACs or the Red Cross girls: “their manners are so much more reserved and they do not smoke.” A teetotaler his whole life, he was shocked by the amount of alcohol consumed by the officers, remarking, “The world of prohibition I knew is upside down.” The slovenly appearance of many of the men was another source of irritation. Having served in the military at a time when a soldier was expected to wear a crisp uniform and polished shoes, Woodcock found that many officers had the appearance of “office workers dressed up in uniforms.” In a moment of retrospection, though, he recognized that “perhaps it is I who am out of joint with the times.”

Much more troubling to Woodcock than the loose morality that he felt pervaded the American enclave was the ultimate question of the Japanese war crimes. Although he believed the Japanese had committed “simple assault and murder” by attacking Pearl Harbor, his strong sense of justice caused him to question the legality of the war crimes trials. As he sought a legal precedent for the trials, he recalled the Kellogg–Briand Pact of 1928, which outlawed war as a national policy. Yet, the pact did not prescribe any penalty for countries that violated the agreement and certainly did not suggest any individual accountability. Woodcock was forced to go back a hundred years to Napoleon’s exile to find a case in which a country’s leader had been punished for initiating a war. He wondered how the Japanese military and political leaders could be accused of war crimes when “making war was never before considered a crime” and he was deeply concerned about “the application of an *ex post facto* law,” which would be “most distasteful to Americans.”<sup>91</sup>

Within weeks of his arrival in Japan, he wrote, “Doubts are arising in my mind as to the wisdom and legality of the whole business.” And “Thus far, I’m not convinced that there is legal basis for trying anybody. . .” On January 19, 1946 he wrote “I am slowly coming to the conclusion that we have no right under the law to prosecute these leaders of Japan for making war. Certainly it has never been done before.”

Much of his doubt had to do with the lack of physical evidence about the planning of the war, a reality that was compounded by the Japanese having been busy destroying incriminating documents since the surrender. Still, Woodcock was not convinced that any single person or group of people could be held accountable for something as monstrous as a *world war*, writing, “[N]o man or group of men were responsible

[for the war]. Certain conditions develop forces that become irrepressible.” But, if the prosecution had to go forward, Woodcock was at least hopeful that by defining the conditions that led to the war and by determining responsibility for starting the war, future wars might be prevented. As a student of history, Woodcock believed that “thorough knowledge of the past will be helpful in the future.”<sup>92</sup>

Woodcock developed a sense of compassion and respect for the Japanese people. Every day on his way to and from his office he encountered “merchants who simply crouch on the sidewalks and display their pitiful wares” and he saw lines of people waiting for food, dressed in shabby clothes even in the harsh winter. Yet he never felt afraid walking the streets and the Japanese always greeted him with respect. He marveled at the well-behaved (and quiet) Japanese babies, was on friendly terms with the young Japanese boys who cleaned his hotel room and ran errands (despite the fact that neither could speak the other’s language), and he found the young Japanese women to be “rather attractive.”

He even came to understand the plight of pre-war Japan as a result of America’s embargo on oil and steel, which began in August 1941. He wrote, “This does not condone the attack on Pearl Harbor but, as in so many other situations, there is another side.” He disliked the hateful attitude toward the Japanese that many American officers harbored, commenting, “On many faces [of American officers] I see nothing but brutality and stupidity.” Although he served on the side of the prosecution, as he did almost throughout his legal career, he criticized the narrow-mindedness of many of the American attorneys, remarking, “It is a happy faculty to be able to see only one side. Actually there are always two sides.” In contrast to those who had a vengeful attitude, he felt that the Japanese should be shown leniency, and wrote, “I do not like the talk about ‘hanging people.’” He recognized “education in tolerance and understanding as the surest preventive of war” and believed that rather than occupy and rule over the defeated Japanese, the American troops “should be sent home as soon as possible.”

As his time in Tokyo wore on, Woodcock became increasingly disenchanted. He was getting worn down by the long workdays, which often saw meetings running late into the evening, and although his health remained good he was very tired by the end of the week. This was coupled with his continued uncertainty regarding the validity of the prosecution’s case. As late as February 5, 1946, he wrote:

As I have indicated before, I am coming slowly to the conclusion that their leaders have committed no crime for which they should be tried under ordinary standards of justice. Fate has made me a prosecutor in many cases. That role requires a certain amount of moral arrogance, or at least conscious rectitude. The saving justification has always been that I believed the accused had broken a law existing at the time he did the act. That condition does not seem to exist at present as to these cases. If I come definitely to that conclusion, I shall ask to be relieved. I do no (*sic*) see how I could do otherwise.

Woodcock also remained worried about his sister Elizabeth's health—she had cancer. She had surgery two months prior to his departure for Japan, and he was concerned about her recovery. Although her letters to him have not been saved, it appears that she was not forthright about her condition. He continually asked how she was feeling, and complained that he had heard little about her health; making the matter worse, her letters often took several weeks to reach him in Japan. When he received a letter telling him that she required another operation slated for February 9, 1946, he immediately began making arrangements to return to the United States. It took several days to get a flight. When he finally arrived at Doctor's Hospital in New York on March 3, he found her resting comfortably. His intention was to go back to Japan after Elizabeth's health was restored, and if the prosecution team wanted him to return. Elizabeth never fully recovered, and died later that year. Whether the prosecution wanted him to return is unknown, but his devotion to his sister precluded his return to Tokyo.<sup>93</sup>

## **Amos Woodcock's Last Years and Will**

Although his duties often took him far from the Eastern Shore for prolonged periods of time, and his vacations often involved trips to Europe and Asia, he always maintained a great fondness for his home. In an interview following his appointment as Director of Prohibition, the journalist commented that it was not possible to understand Woodcock without understanding "how deeply rooted he is in Maryland soil."<sup>94</sup>

Elizabeth planted many bushes and flowers on the grounds of Chatillon, and over the years several fountains were installed. In 1931, Captain J. W. Robertson of Whitehaven, Maryland tapped an artesian well that was nicknamed "Old Faithful" because of the 6–8-foot high plume of water that gushed from it. Woodcock had a marble tablet inscribed and placed alongside the well to commemorate the captain's achievement. In the late 1950s, the city of Salisbury wanted to build a new road (Riverside Drive) along the Wicomico River; a road that would pass through the Woodcock estate. Woodcock agreed to grant the right-of-way if the city promised to protect the fountain, so the plan for the road was modified so as not to disrupt the water and a low, semi-circular stone wall was built around the fountain. For a sum of \$1.00 and the promise to preserve the fountain the city gained the right of way.<sup>95</sup>

Among Woodcock's activities in Salisbury was his involvement in Asbury Methodist Church. Once when asked when he had first joined the church, he replied, "Why, I can't remember. I was born in the church." In addition to being a lifetime member of the church, he taught the Men's Bible Class for over ten years. The story was told by church members of the Sunday morning that Woodcock arrived in church to find someone else sitting in "his" place; he abruptly turned on his heel and left. He dedicated three stained glass windows in memory of his parents and sisters Elizabeth and Sallie. These windows are still on display as lighted panels in the hallway of Asbury Methodist Church in Salisbury.<sup>96</sup>

As Salisbury's preeminent military man, Woodcock participated in many of the local ceremonies honoring veterans. One Salisbury resident recalls that as a young Cub Scout in the 1950s he attended annual Memorial Day services at Parsons Cemetery. At these services, General Woodcock "would give the same speech every year," and it always seemed to the young scout that the speech would last for an hour as he sat in the hot sun.<sup>97</sup>

In 1951, Woodcock was appointed to the Wicomico County Board of Education by Republican Governor Theodore R. McKeldin, and the members of the board elected him president of the board. In this capacity, Woodcock often visited the schools, and would occasionally go into the classrooms to personally evaluate a teacher's performance. As a strict academician, Woodcock opposed establishment of vocational-technical programs in the schools, but in the end recognized the need for such training and the board voted to fund these programs. Despite his love of music and art, Woodcock felt that schools should focus on academics, and he criticized modern trends in education such as the need for "band practice and singing."<sup>98</sup>

During Woodcock's tenure as county school board president, the Supreme Court handed down its ruling in the case of *Brown vs. the Board of Education* (1954), which overturned the previously accepted philosophy of "separate but equal" educational opportunities. The public schools of Maryland were racially segregated at this time, and there was much discussion regarding the implications of the ruling. Woodcock believed that as long as the school board "does not discriminate against any person because of his race or color, our Board need make no move toward desegregation." It was therefore decided that there would be no effort to "mix the races at this time." However, when he visited a local "colored" school, he found that the students did not have "equal facilities" compared to the white schools, and he recommended that the county find money "and quickly" for a new school for colored children. This initiative led to the construction of the Cooper Mill School near Sharptown.<sup>99</sup>

Woodcock served as school board president until 1959. His term was supposed to last until 1963, but he resigned when he failed to be re-elected. His failure to get re-elected occurred because new Governor J. Millard Tawes selected fellow Democrats to serve on the board, and they elected one of their own as president. Woodcock considered the vote to denote disapproval of his presidency. In a brief parting statement, Woodcock admonished the board to plan for the construction of new schools to keep up with population growth in the county, and to follow his "workable and fair interpretation of the 14th Amendment." Presumably he was referring to the amendment's equal protection clause, and his belief that separate but equal educational facilities were not only achievable, but beneficial to both African American and white students. He took pride in his efforts to improve the quality of the "colored" schools.<sup>100</sup>

In early January 1964, Woodcock, now age 80, became seriously ill with leukemia and was so weak that he had difficulty speaking. He was transported to Johns Hopkins Hospital in Baltimore for treatment, but after ten days asked to return to Salisbury. It

must have been clear to him that he was dying, and he wanted to be home at Chatillon. He died on January 17, 1964. His funeral service at Chatillon was attended by friends and dignitaries, and obituaries appeared in many prominent newspapers. He is buried in Parsons Cemetery, Salisbury, alongside his father, mother, and sisters Sarah and Elizabeth.<sup>101</sup>



*Cooper Mill School, Wicomico County, Maryland, 1960. Woodcock served as president of the Wicomico County school board during the implementation of the Brown v. Board of Education decision. (Courtesy of Salisbury University.)*

Woodcock's simple one-page will left various amounts of money, jewelry, and furnishings to his relatives, \$1,000 and free rent to his housekeeper for the remainder of her life, and a \$1,000 bond to St. John's College to provide an annual prize in mathematics. He requested that the remainder of his estate be called the "Estate of Elizabeth W. Woodcock," and that income from the estate "be enjoyed in her memory" by the various descendants of his parents. Fourteen years after Woodcock's passing, his house, Chatillon, was moved approximately 100 yards; the current address is 712 Riverside Road. The estate grounds were sold and condominiums built on the site (801 Riverside Drive). At that time, "Old Faithful," the fountain once the centerpiece of the family garden was covered with heavy steel plates. On June 20, 2008, the restored fountain was reopened in a ceremony attended by city officials and Woodcock descendants. The marble tablet commemorating Captain J. W. Robertson is still present, although time and weather have made it difficult to read.<sup>102</sup>

## **Conclusion**

In his long career in the military, in Maryland and federal government and in the areas of justice and education, General Amos W. W. Woodcock proved an important if controversial figure. Although stereotyped by many for his conservative, Methodist-influenced moral attitudes, perspectives, and his early twentieth century values, a close examination of his life reveals a large number of paradoxes. Woodcock's innate sense of justice led him to reach some surprising decisions and opinions as a soldier, prosecutor, and college president. He displayed fairness and flexibility in dealing with soldiers, military and civilian prisoners, and students, even if he felt that his career was overshadowed by his stint as Director of the federal Bureau of Prohibition in the 1930s. Hopefully this consideration of the man will help provide a more balanced view of his life and career.

## NOTES

1. A. W. W. Woodcock [hereinafter "Woodcock"], *Lincoln's Birthday Address*, February 12, 1949.
2. Letter from Richard Cooper to Dee Middleton, March 28, 1997. Cooper noted that Woodcock "was always able to sidestep any intrusion into his bachelorhood."
3. Cooper, *Salisbury In Times Gone By* (Baltimore: Gateway Press, 1991), 109. "The New Boss of the Dry Army," *Baltimore Sun*, July 6, 1930, 20.
4. Woodcock, "Memories of St. John's College," *Evening Capital* (Annapolis), July 8, 1949, 6.
5. "A Gentleman and a Scholar," *Salisbury Times*, January 18, 1964, 4, and letter from Cooper to Middleton. "College to Honor Two Marylanders," *Washington Post*, May 4, 1934, 12.
6. "Buys Drinks: Woodcock Loses Wager on Source of Quotation from Shakespeare," *Washington Post*, August 3, 1933, 22. "Inauguration: Remarks of Colonel A. W. W. Woodcock, October 20, 1934," Maryland State Archives [hereinafter MSA], MSA-SC 5698-7-87, Location 3/47/7/22 (copy on file at the Edward H. Nabb Research Center for Delmarva History & Culture, Salisbury University, Salisbury, Md.), 8. "Woodcock Plans Braddock Sketch," *Washington Post*, July 27, 1931, 2. "The First Report of A. W. W. Woodcock, President, The Company for the Restoration of Colonial Annapolis," *Proceedings and Minutes of the CRCA* (Annapolis, Md.: Historic Annapolis Foundation Archives, 1935).
7. William Lee Woodcock, *History of the Woodcock Family from 1692 to September 1, 1912* (Microfilm. Salt Lake City, Utah: Filmed by the Genealogical Society of Utah, 1978). Sallie (known to the family as "Sarah" or "Lala") married Rev. Thomas E. Martindale; after his 1917 death and that of their only child, she came to live with Woodcock and Elizabeth (known to the family as "Wilsie" or generally "Auntie"). Julia (known as "Rosa") married Dr. George W. Todd and they had four children. Neither Elizabeth nor Amos ever married, and they shared the home that Amos had built in 1915 with their mother (until her death in 1925) and Julia (from 1917 until her death in 1944). Amos remained devoted to sister Elizabeth throughout his life, and after her death in 1946 he wrote a biography of her.
8. A fourth story was added to the building sometime after 1916.
9. "New Prohibition Head Big Small Town Man," *Washington Post*, June 29, 1930, M11.
10. A total of 442 St. John's graduates served in World War I, 90% of them as commissioned officers including Woodcock; 25 of the graduates were killed in the war. *Rat-Tat* (1934), 21.
11. *Rat-Tat* (1901), 80. The Young Men's Christian Association was a popular organization on campus.
12. *Rat-Tat* (1902), 104.
13. *Rat-Tat* (1903), 69, 72.
14. Woodcock, "Memories of St. John's College," *Evening Capital*, June 21, 1949, 3. Biographical sketch of Woodcock written by nephew Nevins Todd, Sr., March 21, 1964.
15. *Rat-Tat* (1910), 35, and *Rat-Tat* (1911), 174.

16. "Second Youngest and Third Oldest," *Time*, May 9, 1932, 34, 36. St. John's College was founded in 1696 by Governor Francis Nicholson. It is the third oldest college in the United States after Harvard University in Boston and William and Mary College in Williamsburg, Virginia. Woodcock, "Memories of St. John's College," *Evening Capital*, June 23, 1949, 9; June 24, 1949, 7.
17. Charles B. Clarke, *The Eastern Shore of Virginia and Maryland: Personal and Family History*, Col. 3 (New York: Lewis Historical Publishing Co., 1950), 1; Woodcock, "Memories of St. John's College," *Evening Capital*, June 28, 1949, 7. Jackson had purchased the lot on which stood the first Woodcock home before it burned in 1885, and subsequently built his own mansion there (site now occupied by the rectory of St. Francis de Sales Church).
18. "Captured by Tanks," *Washington Post*, August 17, 1939, 8. At the time of his departure for Japan in 1945, the general was referred to as being "as lean and straight as though he had just come from a training campaign." Woodcock, "Memories of St. John's College," Woodcock, *Evening Capital*, June 8, 1949, 3. Each morning at his Salisbury home, he began the day with a flag-raising ceremony, often attended by neighborhood children, whom he taught to salute. "Gen. Woodcock to Prosecute Jap Leaders," *Washington Post*, December 2, 1945, M3. Information in this section from Woodcock, *Golden Days* (Salisbury, Md.: *Salisbury Advertiser*, 1951), unless otherwise noted.
19. Coulbourn later claimed that "The military training of First Sergeant A.W. Woodcock, who joined the company this summer made it possible for him to be of special service to me and to the company." "In Times of War," *Salisbury Advertiser*, September 17, 1904, 1.
20. The Zimmermann telegram was a secret diplomatic communication sent to Mexico by German Foreign Secretary Arthur Zimmermann on January 19, 1917. In the communication, the Germans proposed a military alliance between Germany, Mexico, and Japan in the event that the United States entered the war against Germany. In exchange for joining that alliance, Mexico would be given Texas, Arizona and New Mexico, see Barbara W. Tuchman, *The Zimmermann Telegram* (New York: Random House Trade Paperbacks, 1985).
21. Edward M. Coffman, *The War to End All Wars: the American Military Experience in World War I* (Lexington, Ky.: The University Press of Kentucky, 1998), 18; *115th Infantry USA in the World War*, claims that the U.S. Army had 85,000 officers and men, while the National Guard had around 368,000 officers and men at the time war was declared.
22. "At Bois de Consenvoye, France, October 8, 1918, while in command of the 3rd Battalion, 115th Infantry. On the evening of October 8, when the battalion had reached the normal objective of the brigade, further advance into the open ground beyond was prevented without heavy loss by an enemy machine gun located in a sunken road, which machine gun could not be reached by fire from the cover of the woods. Captain Woodcock, while endeavoring to find a way to silence the gun, located a 37-millimeter gun and two members of its crew, which gun and crew had become separated from the battalion to which it had been originally attached. Captain Woodcock personally led the men and assisted them in carrying the gun in the face of the fire of enemy machine guns from the woods to a place in the open field, where the enemy gun in the sunken road could be reached by enfilading fire. He directed the laying of the gun and encouraged the gunner until the enemy machine gun was silenced, thereby allowing his battalion to resume the advance." Quoted in *Maryland in the World War*,

- 1917–1919: *Military and Naval Service Records*, Vol. 2 (Baltimore, Md.: Maryland War Records Commission, 1933), 2314–15. Brief descriptions of these attacks are given in *Operations of the 29th Division East of the Meuse River, October 8th to 30th, 1918* (Ft. Monroe, Va.: Printing Plant Coast Artillery School), 190 passim. Detailed descriptions are provided in American Battle Monuments Commission, *29th Division Summary of Operations in the World War* (Washington, D.C.: U.S. Government Printing Office [hereinafter USGPO], 1944), 6–27 and *115th Infantry USA in the World War*. Woodcock, *Golden Days*, 206.
23. Walter F. Richardson, *History Department of Maryland: The American Legion, 1919–1934* (Baltimore, Md.: Weant Press, 1934), 10–11, 18–23, 110.
24. Woodcock, *Diary of Trip to Europe*, 1927, p. 21 (an unpublished diary, copies from Woodcock's grand-nephew, Dr. Nevins Todd, Jr. of Salisbury). The purposes of the American Legion, described in the Preamble to its Constitution, are: "To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our association in the Great War; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness." Richardson, *The American Legion*, 3.
25. "Great Ovation Given Foch by Huge Crowds" *Baltimore Sun*, November 23, 1921, 24, 26.
26. Jennifer D Keene, *Doughboys, the Great War, and the Remaking of America* (Baltimore: Johns Hopkins University Press, 2001), 173. Paul Dickson and Thomas B. Allen. *The Bonus Army: An American Epic* (New York: Walker & Co., 2004), 21–24, 28–29, 37, 262. "Displeased by Colonel Woodcock's Opposition to the Bonus" letter to the editor, *Baltimore Sun*, November 18, 1921, 10; "Colonel Woodcock Explains to a Critic What He Said About the Bonus in his Address at Fort McHenry," letter to the editor, *Baltimore Sun*, November 21, 1921, 6.
27. Dickson and Allen, *The Bonus Army*, 48–49; Keene, *Doughboys*, 185.
28. "Nice to Hear Battle Today on Oath Bill," *Washington Post*, April 10, 1935, 15; "Nice Will Sign 325 Measures, Veto 80 Others," *Washington Post*, April 17, 1935, 15.
29. "Crowd Sees Races at Rockville Fair," *Washington Post*, August 28, 1919, 3. The written legal opinions of the Maryland attorney general's office appeared over the attorney general's name, but were usually written by his assistants. It is thus impossible to know which opinions were written by Woodcock. However, it is likely that he wrote all those dealing with conservation and the Eastern Shore. For example, in 1920, there were opinions regarding the lawfulness of the use of an anchored or drifting boat to hunt ducks in the Wicomico River, the location of duck blinds, the possession of live skunks out of season, and other questions regarding hunting and fishing. Alexander Armstrong, *Annual Report and Official Opinions of the Attorney General of Maryland, 1920* (Annapolis: State of Maryland, 1921), 58–61, 66–67.
30. Armstrong, *Annual Report and Official Opinions of the Attorney General of Maryland, 1921* (Annapolis: State of Maryland, 1922), 19–20, 23, 30.

31. Neils H. Debel, Bonus Legislation and the Referendum in Maryland, *The American Political Science Review*, Vol. 17, No. 1 (February 1923), 85–89.
32. Woodcock, *Elizabeth W. Woodcock*, 49; “Prosecutor Learns to Fly,” *Washington Post*, November 29, 1922, 3.
33. “Radio Case Appealed in Baltimore Court,” *Washington Post*, November 7, 1924, 3; “Sues for a German Bank,” *Washington Post*, August 19, 1925, 9; “Fertilizer Inquiry,” *Washington Post*, April 19, 1926, 13; “Man is Acquitted of Attack on Girl,” *Washington Post*, October 2, 1929, 26; “Republican Leader Guilty,” *New York Times*, March 27, 1928, 31.
34. “Dry Transfer,” *Time*, July 7, 1930; “Ritchie and State Prohibition Enforcement,” transcript of a speech by Gov. Albert C. Ritchie (Ritchie Citizenship League, 1929); Laurence F. Schmeckebier, *The Bureau of Prohibition: Its History, Activities, and Organization* (Washington, D.C.: The Brookings Institute, 1929), 3, 43, 66–67; Richard F. Hamm, *Shaping the Eighteenth Amendment* (Chapel Hill: University of North Carolina Press, 1995), 227–71; Jack S. Blocker, “Did Prohibition Really Work?” *American Journal of Public Health* 96, (February 2006), 23. By taking advantage of the “concurrent power” clause in the 18th Amendment, “wet” states such as Maryland were not only able to largely evade Prohibition, but also avoided having to pay for its enforcement.
35. “Indictment of Hill Sought in Baltimore,” *Washington Post*, October 4, 1923, 1; “United States vs. Hill,” <http://web.lexis-nexis.com/universe/form/academic>; “Not Guilty,” *Time*, November 24, 1924, p. 5.
36. Schmeckebier, *The Bureau of Prohibition*, 53; “Prohibition Group Cleared of Murder in Baltimore Trial,” *Washington Post*, March 6, 1927, 19; “Dry Agent Cleared by Jury in Killing of Farmer in Raid,” *Washington Post*, February 18, 1928, 1; “Woodcock Accepts Post as Prohibition Enforcement Chief,” *Baltimore Sun*, June 24, 1930, 1–2. As U.S. Attorney, Woodcock was involved in many legal cases. In the Wicomico Historical Society Collection, Nabb Research Center, Salisbury University, two scrapbooks, presumably compiled by Woodcock’s sister Elizabeth, contain hundreds of newspaper clippings reporting on these cases. Unfortunately few provide a citation.
37. Woodcock quoted in “New Dry Chief Faces a Difficult Task,” *New York Times*, June 29, 1930, 50.
38. On the early twentieth-century tendency to “oppose national decline with various moral crusades. . .,” see T. H. E. Travers, “Technology, Tactics, and Morale: Jean de Bloch, the Boer War, and British Military Theory, 1900–1914,” *Journal of Modern History*, 51, 2 (June 1979), 264–86. On President Hoover, see Joan Hoff Wilson, *Herbert Hoover: Forgotten Progressive* (Boston: Little, Brown and Co., 1975), 39. On Woodcock’s regrets, see “Amos W. W. Woodcock, Soldier and Prosecutor,” *Washington Post*, January 18, 1964, B2, and “Gen. Woodcock, War Hero and Volstead Sleuth,” *Washington Post*, January 19, 1964, B11.
39. Walter F. Murphy, *Wiretapping on Trial: a case study in the judicial process* (New York: Random House, 1965); Richard M. Abrams, *The Burden of Progress* (Glenview, Ill.: Scott Foresman and Co., 1978), 146.
40. The commission was officially known as the National Commission on Law Observance and Enforcement, but is generally known as the Wickersham Commission. Andrew Sinclair, *Prohibition: The Era of Excess* (Boston: Little, Brown and Co., 1962), 188; Clifford

James Walker, *One Eye Closed, The Other Red: the California Bootleg Years* (Barstow, Calif.: Back Door Publishing, 1999), 483. The “third degree” may be defined as “the employment of methods which inflict suffering, physical or mental, upon a person in order to obtain information about a crime.” Such methods included physical brutality, protracted questioning, threats and methods of intimidation, lack of sleep, and refusal to allow access to legal counsel. National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement* (Washington, D.C.: USGPO, 1931).

41. James D. Calder, *The Origins and Development of Federal Crime Control Policy: Herbert Hoover's Initiatives* (Westport, Conn.: Praeger Publishers, 1993), 100–1; the commission completed a preliminary report in October 1929, and it was released by Hoover to the public in January 1930. “Proposals to Improve Enforcement of Criminal Law of the United States,” Hoover’s Message to Congress, January 13, 1930 in William Starr Myers, ed., *The State Papers and Other Public Writings of Herbert Hoover*, Vol. 1 (New York: Doubleday, Doran and Co., 1934), 1070; “Prohibition Control Switched,” *The Literary Digest*, vol. 105, May 31, 1930, 8; Herbert C. Hoover, Inaugural Address, March 4, 1929. Available at <http://odur.let.rug.nl>, accessed April 20, 2017.
42. Woodcock worked with the commission in 1929–1930, “making a study of the enforcement of Federal and State Prohibition laws”; “Colonel Woodcock, Our New Dry Czar,” *The Literary Digest*, Vol. 106 (July 12, 1930), 8; Albert E. Sawyer, “Report on the Enforcement of the Prohibition Laws of the United States,” *Michigan Law Review*, Vol. 30, No. 1 (November 1931), 7–37. Woodcock made a favorable impression on Wickersham; among the papers in the Hoover Presidential Library is a memo that states, “Mr. Wickersham suggests that Amos W. W. Woodcock be relieved of his duties as U.S. Attorney in Baltimore to take over the job [as Director of Prohibition]”; “Woodcock Accepts Post as Prohibition Enforcement Chief,” *Baltimore Sun*, June 24, 1930, 1–2; “New Test for Prohibition,” *New York Times*, July 13, 1930, 7–8; “Woodcock Orders Dry Drive Centered on Big Violators,” *New York Times*, July 31, 1930, 1; “Washington Wash,” *Washington Post*, August 31, 1930, 4.
43. Ritchie as Woodcock’s “friendly enemy” in Woodcock, “Memories of St. John’s College,” *Evening Capital*, June 29, 1949, 7. For Ritchie’s belief that Maryland was “under no duty to help relieve the Federal government of the burdens and cost” see *Ritchie and State Prohibition Enforcement* (transcript of a speech by Gov. Albert C. Ritchie [Ritchie Citizenship League, 1929]), 15; “From a Senator’s Diary,” *Washington Post*, July 6, 1930, M9. Irving Fisher, *The “Noble Experiment”* (New York: Alcohol Information Committee, 1930), 302–4; “New Dry Chief Faces a Difficult Task”; “Marylanders Recall Day That Prohibition Ended,” *Salisbury Times*, December 5, 1963, 30. “Prohibition Poll Shows City ‘Wet’,” *Salisbury Times*, July 1, 1930, 1.
44. This is a misconception, the truth being that the term is of Civil War vintage and tied to the abolition of slavery. The Maryland State Archives states that the name “Free State” dates to November 1, 1864 when the Maryland Constitution of 1864 took effect. “By its provisions, slavery within the State’s borders was abolished, and Maryland, indeed, became a free state.” There is, nonetheless, a tie-in with Prohibition: “Much later, the nickname “Free State” was used in a different context by Hamilton Owens, editor of the *Baltimore Sun*. In 1923, Georgia Congressman William D. Upshaw, a firm supporter of Prohibition, denounced Maryland as a traitor to the Union for refusing to pass a State enforcement act. Mr. Owens thereupon wrote a mock-serious editorial entitled “The Maryland Free State,” arguing that Maryland should secede from the Union rather than

- prohibit the sale of liquor. The irony in the editorial was subtle, and Mr. Owens decided not to print it. He popularized the nickname, however, in later editorials.” Maryland State Archives, “Maryland at a Glance. Nicknames” [msa.maryland.gov](http://msa.maryland.gov), accessed April 20, 2017.
45. The “most difficult job” in “New Dry Chief Faces a Difficult Task”; “not only thankless” in “He Got the Job,” *Outlook and Independent*, 155 (July 9, 1930), 374–75; Woodcock is described as “personally dry” in “The Man Who Becomes the Nation’s Dry Chief,” *Salisbury Times*, June 24, 1930, 1; Woodcock’s preference in Woodcock, “The Problem of Prohibition,” *Current History*, Vol. 34 (April 1931), 7–11; “Onetime Prohibition Head Recalls Days of Speakeasy,” *Salisbury Times*, December 5, 1963, 1. Woodcock was praised U.S. attorney for his fairness and efficiency in prosecuting prohibition violators; 8,000 of 11,000 violators were convicted; in one year, Woodcock and his staff prosecuted about 1,500 cases, whereas his predecessor prosecuted only one. “Colonel Woodcock, Our New Dry Czar,” *Literary Digest*, Vol. 106 (July 12, 1930), 8; “Woodcock to Quit Dry Post in Fall,” *Washington Post*, July 8, 1932, 9.
  46. Woodcock would “listen to both sides of a question” in “New Dry Chief Faces a Difficult Task”; “vigorous and fearless. . .” in “Mr. Woodcock’s Promotion,” *Baltimore Sun*, June 25, 1930, 12; “Woodcock Chosen Dry Bureau’s Head,” *Washington Post*, June 24, 1930, 2. Reporter who compared Woodcock to Lincoln in “New Prohibition Head Big Small Town Man,” *Washington Post*, June 29, 1930, M11; On Woodcock being “naïve” with “hardly a trace of humor” in “Backstage in Washington,” *Outlook and Independent*, Vol. 156 (December 3, 1930), 531; “Mr. Woodcock Sees America” *Outlook and Independent*, Vol. 158 (July 22, 1931), 363; for “kiss of death” see “From a Senator’s Diary,” *Washington Post*, July 6, 1930, M9.
  47. “Colonel Woodcock, Our New Dry Czar,” *Literary Digest*, Vol. 106 (July 12, 1930), 8; “Break in Heat Predicted for Capital Today,” *Washington Post*, July 22, 1930, 1, 3.
  48. Woodcock, *The Value of Law Observance* (Washington, D.C.: Department of Justice, 1930. Honolulu: Reprinted by the University Press of the Pacific, 2003).
  49. Woodcock, *The Value of Law Observance*, 42.
  50. “Our Plan to Enforce Prohibition.” Transcript of radio address by Director of Prohibition, National Broadcasting Company, Washington, D.C., August 4, 1930; “Woodcock Summons the Casual Drinkers to Help New Drive,” *New York Times*, August 5, 1930, 1; “Woodcock Asks Aid of Citizens,” *Washington Post*, August 5, 1930, 8.
  51. A “scholarly, scientific study” in Woodcock, “The Problem of Prohibition”; John S. Gregory, “Mr. Woodcock Sees America”; James D. Calder, *The Origins and Development of Federal Crime Control Policy*, 15. For critics, see “New Prohibition Policy,” *Washington Post*, July 10, 1930, 6.
  52. “Dry Agent College Opens This Mornin [sic],” *Washington Post*, September 2, 1930, 2; “School for Sleuths,” *Time*, September 8, 1930, 18; Untitled editorial, *Washington Post*, May 11, 1931, 6; “The Listening Post,” *Washington Post*, January 24, 1931, 3. “Woodcock’s Tough Job,” *Washington Post*, September 6, 1930, 6.
  53. Woodcock, “The First Year of the Bureau of Prohibition under the Department of Justice,” Transcript of radio address by Director of Prohibition, Columbia Broadcasting System, Washington, D.C., July 7, 1931. Woodcock resisted attempts by politicians to have cronies

- installed as Prohibition administrators, but he was willing to bend the rules to retain “agents of long standing, who, for some technical reason, could not pass the former Civil Service examination.” Memo from Woodcock to Walter H. Newton, secretary to Hoover, September 27, 1930, Herbert Hoover Presidential Library-Museum, West Branch, Iowa.
54. Woodcock, “The Problem of Prohibition”; “Aid of Education Leaders Asked in Prohibition Study,” *Washington Post*, May 11, 1931, 1; “Woodcock’s War,” *Time*, August 11, 1930; “Woodcock Starts Dry Offensive on July 1,” *Washington Post*, April 5, 1931, M1.
  55. Joke about congressman who “ought not to waste his time hunting a woodcock” in “From a Senator’s Diary,” *Washington Post*, December 14, 1930, M21; Murphy, *Wiretapping on Trial*, 128–30. Walter F. Murphy, *Wiretapping on Trial: a case study in the judicial process* (New York: Random House, 1965). This little book (176 pages) is all about the Olmstead case, but the page numbers given here and in the next citation are specifically about the Olmstead “gang”, and the Justices’ opinions.
  56. “Gen. Amos Woodcock Dies at 80 On Shore,” *The Evening Sun (Baltimore)*, January 17, 1964, B24; “Amos Is Free Again!” (undated, Woodcock family scrap book).
  57. That Woodcock was bound to “run afoul of H. L. Mencken” described in Edward Behr, *Prohibition: Thirteen Years that Changed America* (New York: Arcade Publishing, 1996), 238. For Mencken as the “foremost spokesman” against Prohibition, see Marion Elizabeth Rodgers, *Mencken: The American Iconoclast* (Oxford: Oxford University Press, 2005), 214. On the contrast between Woodcock and Mencken, see Rodgers, *Mencken*, 45, 126–27, 159, 362. H. L. Mencken [hereinafter “Mencken”], “The Eastern Shore Kultur,” Editorial, *Baltimore Evening Sun*, December 7, 1931. To an extent, given that he was himself an intellectual, Woodcock probably agreed with Mencken’s low opinion of the intellectual and moral character of the Eastern Shore. On the lynching of African American laborer Matthew Williams, see Henry Culvyhouse, “Vigil marks 1931 Salisbury lynching of Matthew Williams” at delmarvanow.com, accessed April 21, 2017.
  58. Mencken, “Another Martyr to Service,” *Baltimore Evening Sun*, June 30, 1930; Raymond S. Tompkins, *Maryland Fighters in the Great War* (Baltimore: Thomas & Evans Printing Co., 1919).
  59. Tompkins to Mencken, June 6, 1933; Woodcock to Mencken, June 7, 1933; Woodcock to Mencken (telegram), June 9, 1933; Woodcock to Mencken, June 17, June 28, and July 5, 1933. Woodcock–Mencken correspondence, Enoch Pratt Free Library, Baltimore, Md. Charles A. Fecher, ed., *The Diary of H. L. Mencken* (New York: Alfred A. Knopf, 1989), 58–59.
  60. Mencken to Woodcock, May 10, 1937; Woodcock to Mencken, May 11, 1937; Mencken to Woodcock, May 12, 1937.
  61. Mencken, “A Word for the Japs,” *Baltimore Sun*, August 13, 1939; Woodcock to Mencken, August 13, 1939; Mencken to Woodcock, August 21, 1939.
  62. “Woodcock Out as Dry Chief; Gets New Post,” *Baltimore Sun*, April 1, 1933, 1; “Woodcock Is Appointed to Little Cabinet,” *Salisbury Times*, April 1, 1933, 1.
  63. Fraudulent investment schemes case in Box 9208, file 36-73-76 and Texas kidnapping case in Box 14037, file 95-100-97, National Archives, College Park, Md.

64. "Col. Woodcock to Prosecute Aids of Long," *Washington Post*, July 27, 1935, 4; "Shushan to Trial," *Time*, October 21, 1935; "Civil Rights Act Invoked to End Mine Terrorism," *Washington Post*, September 22, 1937, 6; "24 Mine Executives, 23 Deputies Indicted as Harlan Terrorists," *Washington Post*, September 28, 1935, 1; "Camp Meade Case Hearing Begun," *Washington Post*, July 12, 1934, 5; "Ex-Prohibition Chief to Retire," *New York Times*, May 29, 1945, 16.
65. "Puerto Ricans Wait Trial of 8 in Revolt Plot," *Washington Post*, July 13, 1936, 3; "Pistols, Rifles, Bullets," *Time*, August 10, 1936; Frederico Ribes Tovar, *Albizu Campos: Puerto Rican Revolutionary* (New York: Plus Ultra Educational Publications, 1971), 56–64.
66. Woodcock, "Memories of St. John's College," *Evening Capital*, July 11, 1949, 3.
67. "Appointment of Judge Urged by Woodcock," *Washington Post*, March 19, 1927, 4; "Member of Court to be Named Chief," *Washington Post*, March 6, 1930, 1; "Salisbury New Chief of Enforcement," *Salisbury Times*, June 24, 1930, 1, 4; Woodcock, "Memories of St. John's College," *Evening Capital*, June 28, 1949, 7; "Woodcock Holds Hat Ready to Hurl into Judgeship Ring," *Washington Post*, July 11, 1934, 6; "Every Noble Life," *Washington Post*, July 15, 1934, B4.
68. *Rat-Tat*, 1934, 26 and 1935, 11; Woodcock, "Memories of St. John's College," *Evening Capital*, June 29, 1949, 9; J. Winfree Smith, *A Search for the Liberal College: The Beginning of the St. John's Program* (Annapolis: St. John's College Press), 1983, 5–6.
69. "New St. John's Chief Elected; 2 of Board Quit," *Washington Post*, February 19, 1934, 4; "New Presidents," *Time*, March 5, 1934, 49; "A Novel Selection," *Washington Post*, February 19, 1934, 8.
70. Ellis W. Hawley, *The Great War and the Search for a Modern Order, a History of the American People and Their Institutions, 1917–1933* (New York: St. Martin's Press, 1979), 142–44.
71. "Study hard, be gentlemen" in "Soundoffs," *Time*, October 5, 1936, 35; "train the mind and body" in Woodcock, "Memories of St. John's College," *Evening Capital*, June 29, 1949, 9; "ungentlemanly behavior" in "Inauguration: Remarks of Colonel A.W. W. Woodcock, October 20, 1934"; "At the Universities," *Time*, October 29, 1934, 41; "College 'Dementia' Made Defense Plea," *New York Times*, May 22, 1936, 3.
72. Woodcock, "Memories of St. John's College," *Evening Capital*, June 29, 7; July 1, 3; July 5, 7; July 8, 1949, 6.
73. Chairman of Commission on Institutions of Higher Education to Woodcock, May 23, 1936 (St. John's College archives); "St. John's Revival," *Time*, July 19, 1937, 35–37; "McLaren Denies Faculty Meant to Deny Degree," *Washington Post*, June 8, 1935, 18; Smith, *A Search for the Liberal College*, 7; Charles A. Nelson, *Radical Visions: Stringfellow Barr, Scott Buchanan, and Their Efforts on Behalf of Education and Politics in the Twentieth Century* (Westport, Conn.: Bergin & Garvey, 2001), 3; Emily A. Murphy, *A Complete and Generous Education: 300 Years of liberal arts—St. John's College, Annapolis* (Annapolis: St. John's College Press, 1996), 74; "Old College Taken Off Accredited List," *New York Times*, March 19, 1937, 17.
74. Letter to Professor H. W. Tyler (presumably from Farrand), May 23, 1936.
75. Report on St. John's College by Dr. Wilson Farrand, 1936; Letter to Woodcock, from the Chairman (Farrand), May 23, 1936, (St. John's College archives).

76. "Denies He Will Quit College," *New York Times*, June 23, 1936, 28; *Rat-Tat*, 1936, 6.
77. Minutes of the Board of Visitors and Governors, St. John's College, July 13, 1936 and April 12, 1937, MSA. Confidential report from Richard Cleveland to Farrand, April 24, 1937; Woodcock, "Memories of St. John's College," *Evening Capital*, July 11, 1949, 3; "Woodcock Out June 30," *New York Times*, May 12, 1937, 25; "Another Change at St. John's," *Washington Post*, May 13, 1937, 8; "Woodcock 'Asked' To Give Up Place As St. John's Head," *Washington Post*, May 13, 1937, 13; "To Name a New Head of St. John's Soon," *Baltimore Sun*, June 10, 1937, 4.
78. Francis Pickens Miller, *Man From the Valley: Memoirs of a 20th Century Virginian* (Chapel Hill: The University of North Carolina Press, 1971), 145–46; letter to author from Mrs. Rebecca Wilson, March 22, 2007.
79. Miller, *Man From the Valley*, 146.
80. "Veterans of the 29th Map Reunion Plans," *New York Times*, August 23, 1931, N2; "Honor Roll Tablet To Old Company I To Be Unveiled At Armory On November 21," *Salisbury Times*, November 11, 1936, 1; "Plans Complete for Unveiling of Co. I Tablet," *Salisbury Times*, November 18, 1936, 1; "Woodcock Named Militia Brigadier," *Washington Post*, November 22, 1936, M15. In the early 1960s, the armory was partially demolished to make room for the new Wicomico County Library, and the plaque was moved to the new National Guard Armory at Route 50 and Booth Street west of Salisbury.
81. "Old Company I of War Record Paid Tribute," *Salisbury Times*, November 23, 1936, 1; *Maryland in World War II, Vol. I, Military Participation* (Baltimore: War Records Division, Maryland Historical Society, 1950), 9, 32, 280; "Md. Militia Parade Before Gen. Woodcock," *Washington Post*, July 20, 1937, 4; "Captured by Tanks," *Washington Post*, August 17, 1939, 8; "Blitz Defense Hurls Back U.S. 'Invader,'" *Washington Post*, August 21, 1940, 1; "Second Corps Will Exhibit Modern War," *Washington Post*, August 19, 1941, 1, 9.
82. "Reckord to Head 3d Corps Area; Pratt to Get New Command," *Washington Post*, January 6, 1942, 5; "Gen. Gerow To Command 29th Division," *Washington Post*, February 20, 1942, 6; *Maryland in World War II, Vol. I, Military Participation*, 280; "Chief of 29th Transferred To 2d Corps," *Washington Post*, March 3, 1942, 2; letter of January 5, 1946 in *Diary of Brigadier General Amos W. W. Woodcock, Trip to Tokyo, Japan*, 90. "Gen. Woodcock to Prosecute Jap Leaders." Woodcock left Maryland on December 1, 1945 and would not return until early March 1946. During his absence, he wrote one hundred letters, one each day, to sister Elizabeth in Salisbury, numbering each letter and giving date and time in Tokyo and Salisbury; each begins "Dear Sister" and closes with "Devotedly, A.W.W.W." or "Devotedly, Your brother." The letters also often include a greeting to the family dog, Jerry Flay. Woodcock's grand-niece, Julia Cramer Brown, assembled transcriptions of the letters in a binder which she made available to the present author. Unpublished, copies in the Edward H. Nabb Research Center for Delmarva History and Culture, Salisbury University, Salisbury, Md.; Joseph Balkoski, *Beyond the Beachhead: The 29th Infantry Division in Normandy* (Harrisburg, Pa.: Stackpole Books, 1989).
83. Woodcock, "Some Thoughts upon the International Prosecution in Tokyo," Paper Read Before the Barristers' Club of Baltimore, May 28, 1946, 2.
84. The United Kingdom, United States, and China issued the proclamation. The Soviet Union had not yet declared war on Japan, but would do so on August 9, three days after

- the bombing of Hiroshima, at which time they joined in the proclamation. Solis Horwitz, "The Tokyo Trial," *International Conciliation*, Vol. 465, 1950, 474–584.
85. Robert E. Conot, *Justice at Nuremberg* (New York: Harper and Row, 1983); Nuremberg Trial Proceedings, Vol. 1, Charter of the International Military Tribunal, [www.avalon.law.yale.edu](http://www.avalon.law.yale.edu).
  86. Philip R. Piccigallo, *The Japanese on Trial: Allied War Crimes Operations in the East, 1945–1951* (Austin: University of Texas Press), 1979; *Tokyo War Crimes Trial: International Military Tribunal for the Far East*, Vol.1. (Tokyo: The Oriental Economist, 1948); Arnold C. Brackman, *The Other Nuremberg: The Untold Story of the Tokyo War Crimes Trials* (New York: Quill, 1987); "100 Japs Face Trial for Roles in Starting War," *Washington Post*, December 1, 1945, 3.
  87. Horwitz, "The Tokyo Trial."
  88. Brackman, *The Other Nuremberg*; Richard H. Minear, *Victors' Justice: The Tokyo War Crimes Trial* (Princeton: Princeton University Press, 1971).
  89. The IMTFE charter is quoted in Appendix I in Minear, *Victors' Justice*. In a February 7, 1946 letter, Woodcock wrote that although he did not think the accused Japanese leaders had to be advised that statements they make could be used against them, he thought it would be "a fairer practice" if they were so warned.
  90. Brackman, *The Other Nuremberg*.
  91. Woodcock, "Some Thoughts Upon the International Prosecution in Tokyo," 5.
  92. Piccigallo, *The Japanese on Trial*; Woodcock, "Some Thoughts Upon the International Prosecution in Tokyo," 10–11.
  93. "Sister Ill, Woodcock To Return From Tokyo," *Washington Post*, February 26, 1946, 7; "Miss Woodcock Is Dead at 65; Md. Educator," *Washington Post*, November 16, 1946, 4.
  94. "New Prohibition Head Big Small Town Man."
  95. Woodcock, *Elizabeth W. Woodcock*, 43–44; Agreement between Woodcock and City of Salisbury, April 10, 1958; "Deed of Easement: Amos W. W. Woodcock to the City of Salisbury," March 20, 1959, Liber 468, 411–13; Philip C. Pete Cooper, *The Engineer in War and Peace: From Guadalcanal to Main Street* (Baltimore, Md.: Gateway Press, 1996), 147–48.
  96. "New Prohibition Head Big Small Town Man"; "Lenten Study Course To Be Opened by Amos W. W. Woodcock," *The Asburian* (Salisbury, Md.), Vol. 6, No. 6 (February 1963), 1; "Gen. Woodcock Gives Second Window in Memory of Sister," *Salisbury Times*, March 29, 1947, 8.
  97. Phillip Hotton, "Remembering Memorial Day Celebrations of Past," *Daily Times*, May 29, 2007, A6.
  98. "Grave Shortage Seen of Md. Teachers," *Washington Post*, May 17, 1951, B2; On Woodcock's school visits, Letter from Richard Cooper to Dee Middleton, March 28, 1997; Mary L. Nock, *It Was a Joy and a Pleasure* (Md.: privately printed, 1979), 40. "Gen. Amos Woodcock Dies at 80 On Shore," *Baltimore Sun*, January 17, 1964, B24.

99. Minutes of Wicomico County Board of Education, June 14, 1955, Vol. 11, 163 and March 27, 1956, Vol. 12, 18. New segregated high schools opened in 1954; the county did not begin integration of its public schools until 1964.
100. Minutes of the Wicomico County Board of Education, May 12, 1959, Vol. 13, 67–68; “Woodcock Quits School Board in Shake-Up,” *Salisbury Times*, May 13, 1959, 1; “To the Victors Belong the Spoils,” *Salisbury Times*, May 14, 1959, 6.
101. Nevins Todd, Sr., letter to Roselda and Katharine Todd (Woodcock’s nieces), January 7, 1964; Biographical sketch of Woodcock written by Nevins Todd, Sr.; “Gen. Woodcock Rites to Be Held Here Sunday,” *Salisbury Times*, January 18, 1964, 1; “Amos W. W. Woodcock Is Dead; Headed Prohibition Enforcement,” *New York Times*, January 18, 1964, 23; “A Gentleman and a Scholar,” *Salisbury Times*, January 18, 1964, 4; “Amos W. W. Woodcock, Soldier and Prosecutor”; “Gen. Woodcock, War Hero and Volstead Sleuth,” *Washington Post*, January 19, 1964, B11; Resolution from the Faculty and Students of St. John’s College expressing sympathy to the Woodcock family, January 18, 1964.
102. Woodcock’s will, June 22, 1956 (copy to the author from Dr. Nevins Todd, Woodcock’s grand-nephew] “A Golden Era Ends As ‘Chatillon’ Is Moved,” *Daily Times*, April 12, 1978, 1; “County Makes Good on Fountain Pledge,” *Daily Times*, June 19, 2008, B1.



*Playground Athletic League, Easter Egg Rolling, Druid Hill Park, ca. 1922–1936. (1966.3.213, Baltimore City Life Museum Collection, Maryland Historical Society.)*

# “Happy Play in Grassy Places:” Baltimore’s Playgrounds in Photographs, 1911-1936

DAMON TALBOT

Happy hearts and happy faces,  
Happy play in grassy places;  
That was how in ancient ages  
Children grew to kings and sages.<sup>1</sup>

AS THE NINETEENTH CENTURY gave way to the twentieth, the nation’s park system underwent a radical transformation. The park as a bucolic escape from the buzz and bustle of urban life defined the ideal of public parks in the United States from their emergence in the mid 1800s. When Druid Hill Park, Baltimore’s first public park and the third in the nation, opened in 1860, city residents could enjoy 600 acres of sylvan refuge in which to stroll, picnic, and rejuvenate the spirit. By the end of the century, this notion was being supplanted by progressive era ideas of public park spaces as sites for recreation, education, and moral uplift, particularly for the nation’s youngest citizens. Reformers pushed the “strenuous life” and organized recreation as a tonic for the ills of the city’s poverty-stricken children: poor health, poor education, and poor morals. This applied to both white and African-American residents, in parallel but hardly equal ways. The rise of the recreation movement coincided with the Supreme Court legalization of “separate but equal” in 1896 and the city’s formal adoption of subsequent policies that governed the nation’s stance on race for the next half century.

In the spring of 1897, a group of civic-minded feminists inaugurated the park movement in Baltimore. Founded by Eliza Ridgely and Eleanor Freeland, the United Women of Maryland sought to bring together “the women of Maryland of all classes and denominations, to interest themselves more earnestly in the affairs of their own sex.”<sup>2</sup>

The organization also took on the cause of uplifting and educating underprivileged youth. Inspired by the success of programs in Boston and New York, the women established the Children’s Playground Association (CPA), and quickly gained permission from the City School Board to set up playgrounds in public school yards. In July, the first playground was erected at Eastern Female High School on Aisquith Street. Two more parks

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followed that summer, one in South Baltimore and a “colored” facility at the Waesche Street School Yard in West Baltimore. Over 10,000 children attended that first year. The new park program grew rapidly — ten years later, the CPA reported attendance of 180,037 at twenty school playgrounds and eight others located in parks, including Druid Hill, Carroll, and Patterson Park. Six of the school playgrounds, and one park playground, Druid Hill Park No.2, were designated for African American children (Druid Hill Park No.1 was for whites only). In neighborhoods where access to parks or schools was limited, “Guilds of Play,” supervised play areas in the street, were created.

CPA volunteers, almost all women, organized activities designed to develop the mind and body and foster good moral character. These ranged from sports including dodgeball, baseball, basketball, and swimming, to doll shows, puppetry, marbles, folk dancing, and block building. Playground activities and athletics were balanced with instructional classes on cooking, gardening, wood carving, and sewing. By 1906 there were libraries at six playgrounds. Children learned basic health practices, the importance of regular bathing, and how to properly brush their teeth. Future mothers received classes in infant care. The children were required to follow only two rules: “to be kind to one another and to have clean faces, hands and feet.”<sup>3</sup>

In 1908, the city began appropriating funds for the CPA; the next year the group received half of its funding from the city. That same year the association was joined by another private organization dedicated to providing recreational outlets for the city’s youth. Founded by Robert Garrett, the 1896 Olympic discus champion and scion of the railroading family, the Public Athletic League stressed rigorous exercise and energetic competition primarily for boys over the age of fourteen:

“We have formed an organization that aims to draw into healthful forms of exercise under proper supervision an appreciable proportion of the juvenile population of Baltimore and its suburbs, and it has been formed because we perceive and frankly acknowledge that it will go hard with the city in future years if we do not take better care of this juvenile population; for its vitality and vigor and its morals are being sapped by the conditions with which it is surrounded . . . In our schools the brain is the all-important thing – the rest of the child’s make-up is neglected or forgotten. It doesn’t seem to matter whether Johnnie’s body is warped or his morals are irregular . . . a bright mind may be worse than useless unless it is supported by a strong moral character and a sound, vigorous body.”<sup>4</sup>

The League sponsored track and field meets, basketball tournaments, baseball games, and all manner of “the social, vigorous, fighting plays of youth” throughout Baltimore’s parks and across the state. In 1922 the two organizations merged forming the Playground Athletic League (PAL). By the mid 1930s, there were 100 PAL-sponsored playgrounds around the city with attendance of over one and a half million a year.<sup>5</sup>

From the beginning, the park system maintained separate but far from equal facilities for African Americans. In 1911, most of the eight park playgrounds designated for whites were open from 9 am to as late as 9 pm; Druid Hill Park’s Playground No.2, was

only available from 2 pm to 5 pm. Baltimore’s oldest park offered a single, rundown playground for African-Americans, while white park-goers had access to ten well-maintained play areas. The library centers were located in white-only playgrounds. In southwest Baltimore, Carroll Park remained off limits to African American residents, whose only option was a “Guild of Play” on Bayard and Ward Street. By the 1930s, most of the 21 playgrounds designated for black children fell far below the standards of those for their white counterparts.

The photographs on the following pages, showing activities of the Children’s Playground Association, Public Athletic League and the Playground Athletic League, span the years 1911 to 1936. In 1937, the city ended the Playground Athletic League’s jurisdiction over Baltimore’s parks and playgrounds. Three years later PAL and five other private recreation organizations were consolidated and absorbed into a new Department of Public Recreation. Over the next few decades another fundamental shift in the park system occurred as, brick by brick, the walls of segregation slowly crumbled. Activists in the 1940s began protests and legal assaults that led to the desegregation of the city’s public golf courses and tennis courts. In 1947, Mayor Thomas D’Alessandro appointed the first African American, Bernard Harris, to the Park Board. Within a few years, three segregationists on the Board, including Robert Garrett, resigned amidst unrelated corruption charges. Finally in 1955, a year after the *Brown v. Board of Education* decision abolished segregation in public schools, the Park Board voted to end the practice in Baltimore’s park system, although resistance to the ruling continued for decades.



*City Springs, Pembroke Memorial Playground, Pratt and Eden Streets, 1912–1913, unidentified photographer. (1966.3.001, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*The Rocking Boat, City Springs, Pembroke Memorial Playground, Pratt and Eden Streets, ca. 1913, unidentified photographer. (1966.3.002, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*Carroll Park - Player Apparatus, ca. 1911-1936, Harry B. Leopold. (1966.3.009, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*Recreation Pier, now the Sagamore Pendry Hotel, was built in 1914 as a commercial wharf. The Children's Playground Association organized folk dancing, roller skating, sports, and other "healthful activities" on the 315' x 132' open deck area. The large interior ballroom hosted dances, a children's library, and educational classes." (ABOVE: 1966.3.415, Baltimore City Life Museum Collection, Maryland Historical Society.); (BELOW: 1966.3.018, Baltimore City Life Museum Collection, Maryland Historical Society.)*





*Wading Pool, Carroll Park Playground, July 1913, unidentified photographer. (1966.3.796, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*Hochschild Kohn and Company Play Day, Druid Hill Park Playground No. 2, 1936, Paul Henderson. (1966.3.513, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*Volleyball, Druid Hill Park Playground No.2, ca. 1915, Harry B. Leopold, (1966.3.111, Baltimore City Life Museum Collection, Maryland Historical Society.)*



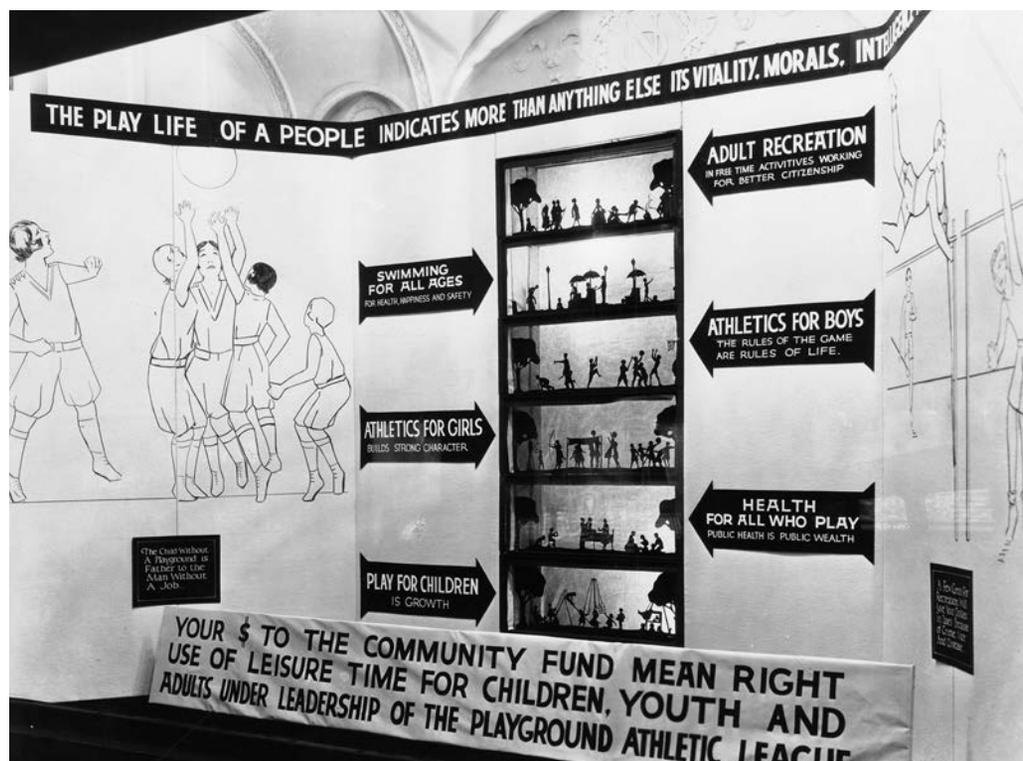
*Colored Playground, Druid Hill Park, ca. 1915, Harry B. Leopold, (1966.3.105, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*Druid Hill Park, July 5, 1915, Harry B. Leopold. (1966.3.129, Baltimore City Life Museum Collection, Maryland Historical Society.)*

*Acting a Fairy Tale, Guild of Play, Bayard and Ward Street, ca. 1911–1936, Irene T. Freburger. (1966.3.112, Baltimore City Life Museum Collection, Maryland Historical Society.)*





*Playground Athletic League advertisement, O’Neills Department Store, ca. 1922–1936, Hughes Co. (1966.3.237, Baltimore City Life Museum Collection, Maryland Historical Society.)*

*One hundred children waiting their turn for a bath at one of the public baths, Patterson Park – “Ain’t I ever going to get in” August 1916, Harry B. Leopold. (1966.3.454, Baltimore City Life Museum Collection, Maryland Historical Society.)*





*"Six of the six thousand who have not yet learned to bathe. They say it's nice but I have not tried it yet," Patterson Park, August 1916, Harry B. Leopold. (1966.3.785, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*"Five of the two thousand who have taken daily baths during July and August - We don't mind the heat, I feel cool all over," Patterson Park, August 1916, Harry B. Leopold. (1966.3.786, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*“Modern Health Crusade,” 1916, Clay Art Studio. (1966.3.459, Baltimore City Life Museum Collection, Maryland Historical Society.) “Health Department of the Children’s Playground Association. The school nurse giving a practical lesson to the little mothers of Latrobe Park Playground.”*



*Brushing Teeth, ca. 1911–1936, Harry B. Leopold. (1966.3.473, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*"He has not yet learned to use a toothbrush – O! O!," Patterson Park, August 1916, Harry B. Leopold. (1966.3.458, Baltimore City Life Museum Collection, Maryland Historical Society.)*

*City Festival, Baltimore Municipal Stadium, 1929, unidentified photographer. (1966.3.374, Baltimore City Life Museum Collection, Maryland Historical Society.)*

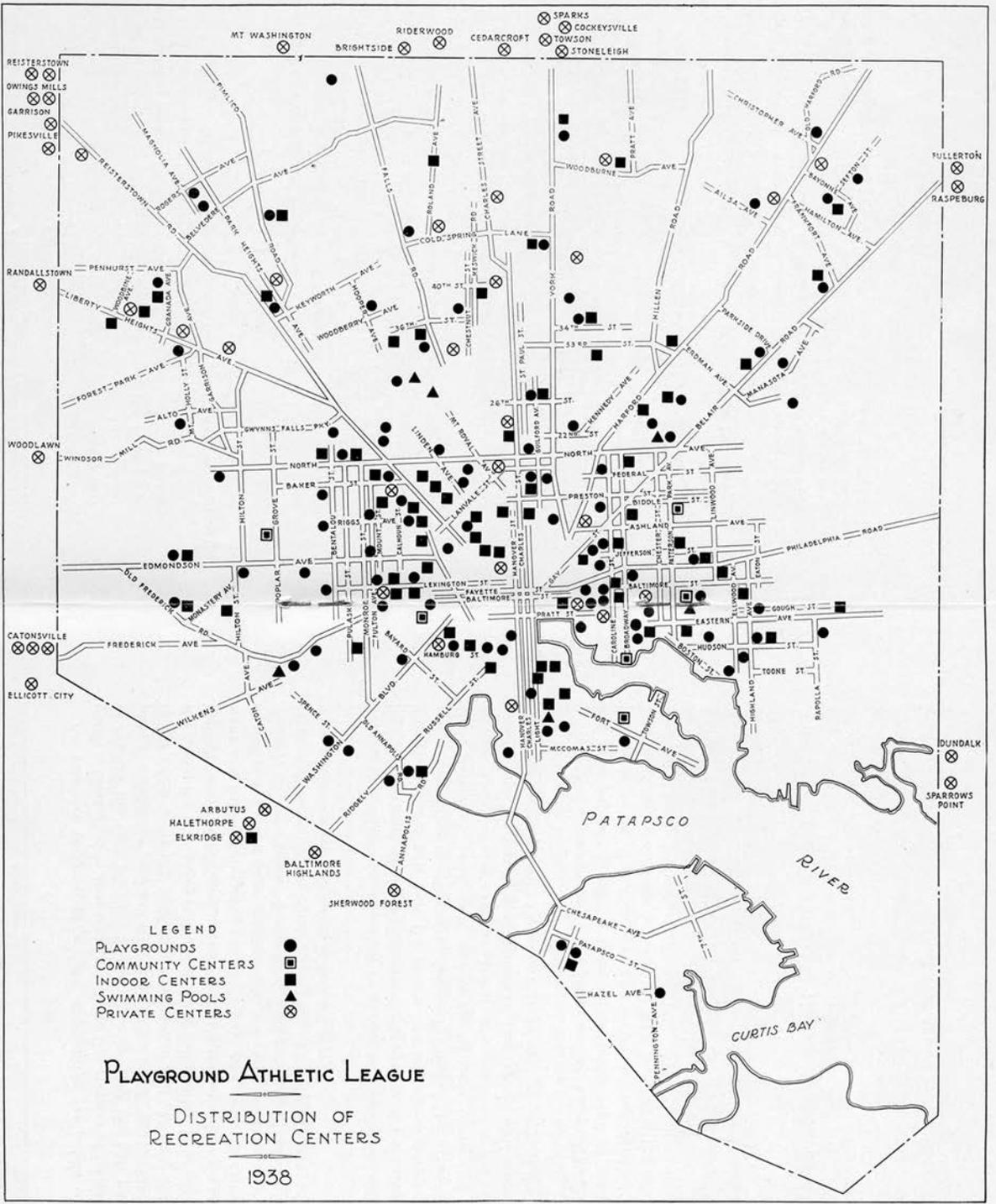




*City Festival, Baltimore Municipal Stadium, 1929, unidentified photographer. (1966.3.371, Baltimore City Life Museum Collection, Maryland Historical Society.)*



*"Patience" ca. 1911–1936, C.G. Patterson. (1966.3.131, Baltimore City Life Museum Collection, Maryland Historical Society.)*



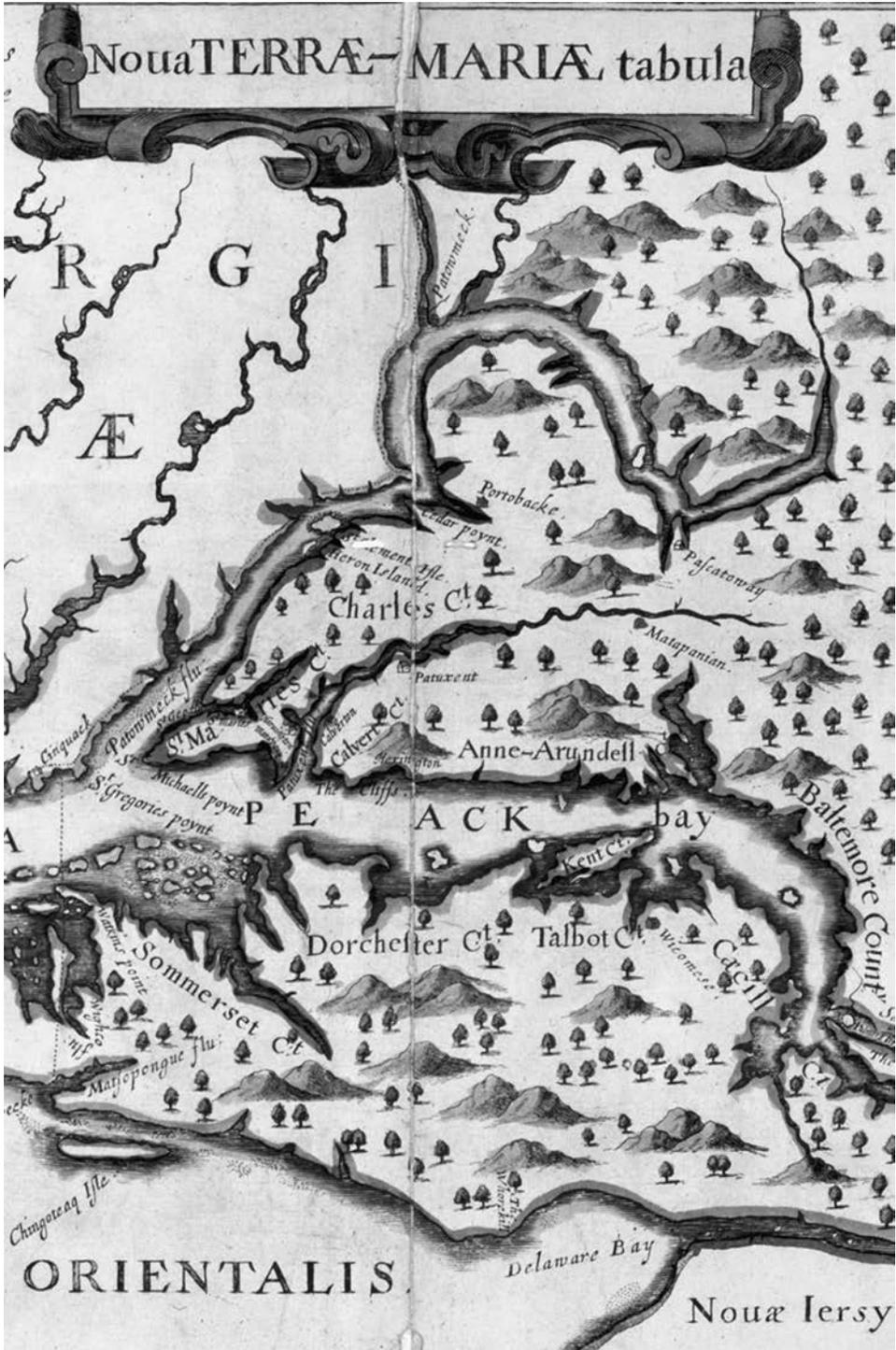
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*Men outnumbered women in the colonial Chesapeake from first settlement until the closing years of the eighteenth century. The women who made up this minority faced additional challenges, such as the unpredictable relationships between servants and mistresses. (Detail, John Ogilby, *Noua Terræ-Mariæ tabula*, 1635. [1671 edition, *Maps and Atlases*, Maryland Historical Society].)*

# A Prickly Pairing: Mistresses and Maidservants in the Colonial Chesapeake

ALEXA B. SILVER

IN 1652 THE KENT COUNTY COURT, on Maryland's Eastern Shore, met to investigate the death of an indentured maidservant named Alse Lutt. Miss Lutt died under the care of her master, local physician Thomas Ward and his wife, Elizabeth. The court testimony uncovered a particularly vicious encounter between the servant and her mistress. "Mistress Ward did whip her with a peach tree rod & after she was done, she took water and salt, and salted her, and when she was adoin the same the maid cried out, and desired her Mistress to use her like a Christian, and she replied and said: 'Oh! Ye you. . . Do you liken yourself like a Christian?'" Despite this harsh treatment, the Wards were not deemed responsible for her death. A local jury did, however, comment that the beating was "unreasonable considering the weak estate of body" and imposed a small fine of 300 pounds of tobacco for "unreasonable and unchristianlike punishment."<sup>1</sup>

It is difficult to know exactly what really went on in the Ward household. Was Alse Lutt a lazy and difficult servant, unwilling to do her job and running away at every opportunity? Were the Wards unreasonable employers, asking more of their maidservant than was tolerable? Was Mistress Ward simply a cruel woman with a bad temper? Although accounts are incomplete, the evidence suggests that mistresses and maidservants in the seventeenth-century Chesapeake colonies of Maryland and Virginia shared an intense and frequently grueling experience, and their relationships often reflected the strain. Women, usually single, immigrated to the region in much smaller numbers than men during the seventeenth century and usually came as indentured servants. While promotional tracts promised that women would not be put to work in the fields, such was rarely the case. Women faced the same hardships of disease, strenuous labor, and harsh living conditions that men did, yet women faced additional problems because of their gender. Subject to the tedious labor of tobacco cultivation like men, women were also responsible for households, attending to the multitude of daily tasks required for basic maintenance. As women were outnumbered by men and legally subservient to them, their opportunities were limited for marriage and the quality of their husbands.

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Single women faced sexual abuse and most women who survived faced the trials of childbirth and child rearing. And, as immigrants to the seventeenth-century Chesapeake, they faced ever-present death, widowhood, and an almost constant threat of poverty and destitution for themselves and their children in the struggling colonies.<sup>2</sup>

One of the more interesting and elusive relationships one finds in the early Chesapeake was that between mistresses and their servants, especially maidservants. Women often shared a common background and experience in the young colonies, but their relationships could be filled with tension and conflict. Obviously, Elizabeth Ward must have been extremely angry to go to such lengths in the punishment of her maidservant. For many mistresses the presence of servants, especially female servants to assist them with household tasks and offer them companionship, must have been a welcome relief. In this role, however, mistresses had enormous power over others often not much younger than themselves. They also had the onerous responsibility of controlling unruly servants, which sometimes erupted in violent encounters. Few written records regarding the inner thoughts of these women exist, primarily because illiteracy rates were especially high among women and seventeenth-century accounts are rare. Add to that the fluidity of these relationships, with high mortality and frequent servant turnover, and it quickly becomes apparent that unearthing these private relationships is especially difficult. Colonial court records are one of the few available resources from which to learn about these relationships and to help elucidate the shared experience of women. These stories reveal the gaps caused by differential power relations in this rigorous environment but also offer a glimpse into more positive connections and mutual support.<sup>3</sup>

The female presence in the seventeenth-century Chesapeake colonies was scattered and uneven. Men migrating to the Chesapeake focused primarily on their economic goal, to make their fortune through the cultivation of tobacco. Thus, in the earliest years especially, the vast majority of settlers were men. Officials of the Virginia Company discussed the need for women in that colony as early as 1614 with the hope that women would transform potentially disruptive young workers into more manageable and committed family men. By 1619 the Virginia Assembly changed the land grant system to encourage marriage, granting men shares of land for their wives. Similarly, in Maryland, the land grant system awarded first one hundred and later fifty acres of land for every adult over sixteen who migrated to the colony. Although this award did not distinguish between men, women, and servants, free men benefitted most because they laid claim to the land in return for transporting their families and servants to the colonies. In an effort to protect the Virginia Company's investment in the colony the treasurer, Sir Edwin Sandys, proposed:

a fitt hundred might be sent of woemen, maids young and uncorrupt to make wives to the inhabitants and by that meanes to make the men there more settled and lesse moveable who by defect thereof (as is credibly reported) stay there but to get something and then to returne for England, which will breed a dissolution, and so an overthrow of the plantation.

In 1620 ninety women were shipped to the Virginia colony with another fifty-seven arriving within the next year, but their cost, at 120 lbs of tobacco, made them six times as expensive as a young male servant. The goal of creating a stable family-oriented community appears to be misguided, as were the early dreams of finding gold — death rates, Indian attacks, and the disease environment took their toll on most. By 1624 women were outnumbered by men by four to one and the proper courting of women turned into “an atmosphere of cutthroat competition that featured masters stealing each other’s female servants, male and female servants fornicating and running away together, and, on at least one occasion, the kidnapping of a young woman by a man who wished to marry her.” In Maryland’s earliest years, women were outnumbered six to one, but over time it lessened to two to three men for every woman. Experimentation in bringing “wives” to the colonies quickly devolved into the transportation of maidservants to the Chesapeake to work as indentured servants.<sup>4</sup>

Early households in the Chesapeake colonies reflect this gender imbalance, as most consisted of single men working and living with a few indentured servants. The records of William Claiborne’s settlement on Kent Island, the first English settlement in Maryland, show only six women, all employed in the kitchen and dairy, among the list of eighty-one workers between the years 1631 and 1636. Despite disputes between Claiborne and the Calverts over control, the settlement grew slowly but steadily through the 1630s and 1640s as farmers, traders, and some craftsmen took up land. Of the one hundred and thirty-seven individuals identified on Kent Island in the 1640s, one hundred and fifteen were men and only twenty-two were women. Of the men, thirty-three owned property, twenty-two were servants, and another forty-three can only be identified as not owning property, probably because they were either servants or free men who had yet to file claims to land. These numbers undoubtedly underestimate the number of women in the county because most of the women listed are wives or daughters of freemen. Given what is known about the imprecise data on servant immigration, there were probably more women in the county, but not enough to dispute the contention that these households were primarily made up of men.<sup>5</sup>

Why would young single women be willing to undertake such an arduous and perilous endeavor? In the seventeenth-century Chesapeake women had no difficulty finding husbands and, in a burgeoning colony that offered potential comfort if not immediate wealth, women hoped for a better life than they faced in their homeland. Lois Green Carr and Lorena Walsh explain, “Until the 1660s, and to a lesser degree to the 1680s, the expanding economy of Maryland and Virginia offered opportunities well beyond those available in England to men without capital and to the women who became their wives.” The majority of women who immigrated, primarily as indentured servants, were between eighteen and twenty-five years, with at least half falling into the range of twenty to twenty-two years. The youthful age at which they left home represents a natural time of transition for women, the age at which they typically left their parents’ home to work or to marry. The search for a husband in the young

colony was not difficult. The small number of women immigrants combined with the fact that indentured servants were not able to marry until freed, usually in their early to mid-twenties, limited the number of available marriageable women. Some records show that men purchased the remaining time on maidservants' indentures in order to marry them. These circumstances, especially the disproportionate number of male to female immigrants, would be among the most decisive factors in determining the nature of the emerging Chesapeake society and culture. Because servants were unable to marry while in service and women immigrated to the colony in smaller numbers than did men, family formation and the growth of a native population came slowly. Most servants did not achieve their freedom until they were in their early to mid-twenties, marrying late and reducing their childbearing capacity. The combination of high mortality rates, skewed sex ratios, and late marriage discouraged family formation and population growth during much of the seventeenth century.<sup>6</sup>

Once married, women took on many important and difficult roles. They not only became wives, but fellow laborers on small farms and/or mistresses to servants on larger ones. They faced the travail of childbirth and the formidable task of child rearing in a society plagued by death and uncertainty. Female responsibilities in the household were extensive and relentless. On small plantations with few, if any, additional workers women labored in the fields in the intensive tobacco growing routine. Despite John Hammond's 1656 promotional tract promising that "Women are not (as is reported) put into the ground to worke, but occupie such domestique employments and houswifery as in England, that is dressing victuals, righting up the house, milking, employed about dayries, washing, sowing, etc. . . ." women were not free from strenuous farm labor. They also faced a multitude of daily household chores including maintaining vegetable gardens and orchards, milking cows and attending other livestock, grinding corn, washing, sewing, and repairing clothing, cooking, cleaning, and child care. During periods of intense agricultural activity, they were also to be found laboring beside men in the fields.<sup>7</sup>

Women's role as managers of indentured servants could be particularly difficult and complex. One might presume that women who arrived in the colony primarily as servants would feel compassion for those in their former position. But most of the available records reveal problematic issues that arose between mistresses and their servants. This negative emphasis is inevitable because court records more often reflect tension and conflict within colonial communities and only more subtly reflect positive interactions. The types of conflict that arose fall into several categories; disputes over the nature and period of service, servants who fled their contracts by running away, sexual interactions gone wrong and mistresses' abuse of power.

Disagreements over expectations regarding the nature and/or intensity of work and length of service arose most frequently. In Maryland almost half of the 168 cases listed regarding indentured servants heard in Kent County and the Provincial Court between 1652 and 1685 addressed the problem of being held beyond one's service period

or being unfairly sold to another master. Servant willingness to pursue these allegations in court and their general success in doing so attest to their recognized rights as British citizens. Despite their subservient positions, the urgent need for workers gave them power and explains the willingness of masters, mistresses and the courts to listen to their complaints. Of ninety-two cases brought by servants between 1652 and 1720, eighty-six percent were decided in the petitioner's favor.<sup>8</sup>

A second major problem exposed in the court records and in the legislation passed by the Maryland and Virginia assemblies was the high incidence of servants running away from their indentures seeking freedom. Servants ran away frequently, and the close proximity of the Pennsylvania and North Carolina frontiers encouraged flight. The earliest laws in Maryland were extremely harsh, threatening death for servants who ran away. In an effort to encourage servant migration the laws were eased over time and finally, in 1669, settled upon servants serving ten extra days for every day that they were absent from their masters. In 1662 the Maryland legislature also passed a law outlawing servants from travelling more than two miles from their master and mistress' plantation without a written pass and by 1669 they had also established a colony-wide pass system. Disagreements over contracts and servants fleeing often occurred together.<sup>9</sup>

A high level of tension between servants and their masters and mistresses was particularly obvious in the household of Captain Thomas Bradnox and his wife, Mary, on the north end of Kent Island. Their management of their servants makes clear that the servants resented them and felt little loyalty to them. Among the most problematic was a maidservant named Sarah Tailor who was brought to court because she ran away multiple times. Once she was found eating trash in the woods and another time was discovered hiding under the bed of the Bradnox's neighbor. When asked why she ran, she reported that her master had beaten her for spoiling a batch of bread and, on another occasion, for reading a book. Another servant, Tobias Wells, reported that "he saw Sarah Tailor stript and on her backe he saw severall blacke spots and on her arme a great blacke spot about as broad as the hand." Sarah was later freed by the Kent County Court for "the inveterate malice of hur master and mistress toward hur," but the Provincial Court reversed that decision upon Mary Bradnox's appeal.<sup>10</sup>

Mrs. Bradnox's poor relations with her servants extended to others as well. When a male servant attempted to prove that he was being held beyond his agreed upon period of service, Mrs. Bradnox complained that they had been tricked when purchasing the servant's contract by "a young knave and an ould knave." When another Bradnox servant named Thomas Watson died, several servants, including Sarah Tailor, testified that before he died he told them that cruelty of both his mistress and master had caused his death. His "bad usage which was not fitt for a Christian" included being struck over fifty times with a hickory stick and being denied food and water which resulted in his drinking his own urine. Watson told Sarah that Mrs. Bradnox had struck him with a cowl staff causing an abscess on his back which he believed poisoned him. Mrs. Bradnox later denied these claims, reporting that Watson had died of scurvy. When

the case reached the Provincial Court the testimony of these servants was refuted. One servant was accused of being “an idle Runaway and of noe Credit” and Sarah Taylor’s testimony was undermined when another servant reported that Sarah said “if she should not gett the Upper hand or day of her Mrs . . . she would Run a Knife into her Mistres Bowells.” Mrs. Bradnox was found not guilty in Watson’s death, her husband escaping this scrutiny only because of his own death. Clearly, these servants had little regard for their mistress.<sup>11</sup>

Another case of a mistress cruelty can be found in Charles City County, Virginia. In 1678 indentured servant Thomas Hellier took an axe to murder his master, mistress and an unfortunate maidservant who wandered in upon the scene after what he claimed was months of harsh labor and, more importantly, relentless verbal abuse by his mistress. He reported,

And though my labour at the Howse was very irksome, and I was however resolved to do my utmost endeavor at it; yet that which embittered my life, and made every thing I took in hand burdensome to me, was the unworthy Ill-usage which I received daily and hourly from my ill-tongued Mistriss; who would not only rail, swear and curse at me within doors, whenever I came into the house, casting on me continually biting Taunts and bitter Flouts: but like a live Ghost would impertinently haunt me which I was quiet in the Ground at work. And although I silently wrought as fast as she rail’d, plying my labour, with so much as muttering at her, or answering any thing good or bad; yet all the silence and observance that I could use, would not charm her vile tongue.<sup>12</sup>

Part of Hellier’s frustration grew from the fact that he originally thought he was being hired to work as a tutor to teach the Williamson children. When he discovered he would be put to work in the fields his resentment grew. The pressure and taunts of his mistress obviously got to him. His statement that “like a live Ghost [she] would impertinently haunt me” shows the persistence of her abuse or at least of his perception of it. He was executed for his crime, but not before sharing his tale of woe with a local minister who later published it in a pamphlet.<sup>13</sup>

Trouble also erupted in colonial households because of sexual impropriety, and servants were often either witnesses to or participants in the problem. In 1657 a young woman named Jane Palldin appeared before the Provincial Court of Maryland charged with having an illegitimate child. Testimony revealed that Palldin, the indentured servant of John and Elizabeth Norton, was pregnant with Norton’s child, that the maidservant and her master were “in love,” and that Norton had expressed a desire to be rid of his wife, Elizabeth. Testimony from several neighbors and their servants revealed that Palldin only reluctantly admitted the truth of her condition to a neighbor, Mrs. Dorrington, first claiming she was impregnated by a stranger. It also appears that Elizabeth, Norton’s wife, may have reported her husband. After Palldin told the local court that she was pregnant by her master, Norton approached his wife, “drew his knife, and Called his

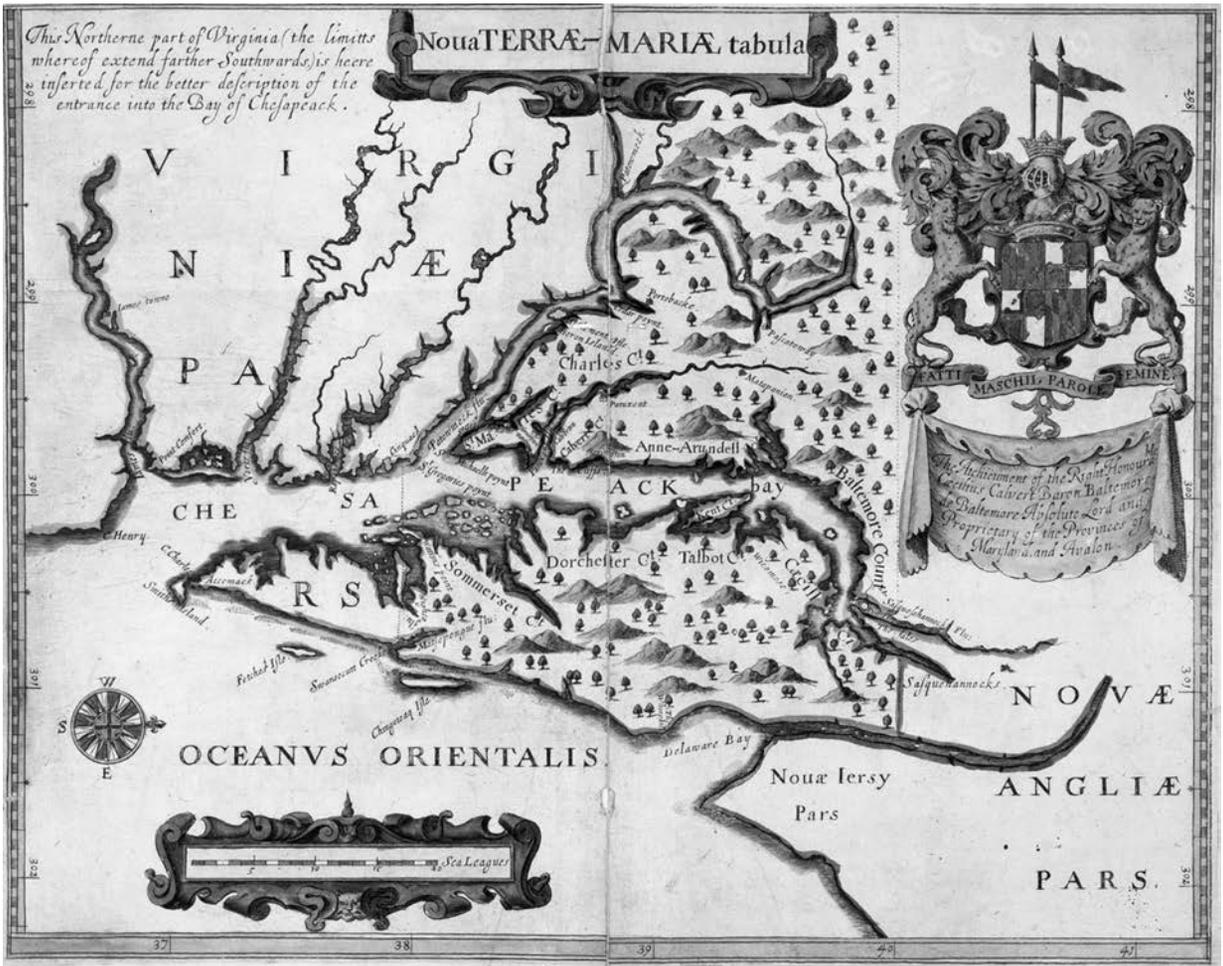
wife Damned whore, and Sayed I thought you were my Bosom friend, and have you betrayed me? Gods wounds I will run my knife through you.” Mr. Dorrington stopped him from harming his wife. Dorrington’s servant, Mary Hebborne, also testified that, when two bachelors offered to buy Palldin and free her, Norton responded that he “loved her So Dearly, that he would not part with her; and for any man that should buy her the said Palldin before her time were Expired . . . would be the death of him.” Norton also expressed the wish that “perchance before the Said Palldin’s time were Expired his wife mought (might) die.” Clearly, an intense emotional triangle existed in the Norton household, which Palldin’s pregnancy exposed.<sup>14</sup>

Servant testimony against the Bradnoxes also included sexual scandal. Servants Ann Stanley and Thomas Snookes were the primary witnesses in a case between local planter John Salter and Thomas Bradnox. A fight broke out between the two men after Salter reportedly had sex with Mary Bradnox quite publicly in her home, with her husband in an adjacent room. Not only were these servants present at the time of the adultery and subsequent fight, but Bradnox intentionally called upon his maidservant to act as a witness to the cause of his fight with Salter. Ann Stanley testified that Bradnox “my Mr coming forth of his owne chamber heareing some disturbance in the Hall finding John Salter with his wife in the Hall calling of yor depnt (deponent) for witnessse . . .” Thomas Snookes added that he too had called Stanley to witness the adultery and “theare she stood & her Maister coming forth of his owne roome wincks upon the maid . . .” Clearly Bradnox, while angry about Salter’s behavior, had the presence of mind to note that there were witnesses to the offense and that servant witnesses were trusted in court. Ann Stanley’s testimony in the Salter-Bradnox case supports this point. While she had reported Salter’s transgression against Bradnox, she also testified that Salter grabbed Bradnox by the throat after he accused Bradnox of sleeping with his own wife, Jane. Snookes reported the same. While Snookes had no reason to protect Bradnox’s reputation, Stanley might have. But by including such detail, we can see that she felt no compulsion to protect her master’s reputation. For Stanley this may have been an opportunity to humiliate her master, a desire easily explained by the history of conflict in the Bradnox household. In 1638 maidservant Margaret Harrington willingly slandered her mistress, the wife of a local court justice in court, claiming she had slept with a neighbor. Her testimony was refuted by another witness who recounted that “Margaret sa[id] that her mistress had often misused her But now she would be even with her.” Given the great power that masters and mistresses were legally entitled to over their workers, servant willingness to openly avow their anger and resentment and act upon it certainly gives proof to the intensity of these emotions.<sup>15</sup>

Beyond the poor relationships that developed between servants and their mistresses, it is important to note the more positive connections. Despite their subservient legal and social status women, whether mistresses or maidservants, participated in servant contract negotiations. In 1663 Richard Dod of Charles County, Maryland traded maidservants with Goodie Michell. When Dod discovered that the maidservant he had

given to Michell had longer to serve than the one he had gained, he asked her to pay to make up the difference. Goodie Michell held firm and refused, and the agreement stood. In 1661 William Marshall negotiated to buy a maidservant from James Neale. Despite describing her as a “whore and a thiefe,” Neale insisted that the maidservant had to agree to the sale. He also optimistically stated that he thought if Marshall “...Could breake her of thos faults she woold bee an excellent good sarvant.” This independence was more prevalent during the seventeenth century when the dearth of women gave them a bit more leverage in negotiations.<sup>16</sup>

Seeking out evidence of compassion and support between mistresses and their maidservants can be quite difficult primarily because these private relationships rarely appear in the public record. But you can discover cases of protection and care offered to maidservants by the women in their communities. When Frances Shembrooke was brought to court in Kent County for having an illegitimate child, she was sentenced



Ogilby, *Noua Terræ-Mariæ tabula*, 1635. (1671 edition.)

to twenty lashes, the standard punishment for young women. Her master and several women in the community appealed to the court to spare her the punishment. Shembrooke was then able to produce witnesses who testified that her masters, Henry Bishop and Robert Palmer, had physically abused her, and she even won a small settlement of 100 pounds of tobacco.<sup>17</sup>

In 1659 the Maryland Provincial Court heard a case in which Joseph Wickes sued Richard Owens because a maidservant, Anne Gould, purchased from Owens was very ill and later died. Wickes asserted that Owens “ingaged himselfe unto yor Petr (Petitioner) to deliver him a Servant sownd & in perfect health” but instead he got a maidservant who was sick and required nursing for six months until her death. Although the case appeared in court because Wickes felt cheated, the story reveals much about how the community handled this sick young woman. Several days after she arrived at Wickes home, she complained to a neighbor, Ann Hinson, that she was “very sick & ill, & soare in her boanes, & in her head & neck, & all over her body.” She struggled to get to the local doctor, Thomas Ward, who resolved she had the “French pox” or syphilis. Gould told Ward’s wife, Elizabeth, that her former master had attacked her after arranging to sell her to Wickes, that Owens “did make use of her body, after a very inhumane manner, & keepe her downe uppon her face, tht shee could noe wayes help her selfe.” Anne Hinson and Elizabeth Ward persuaded Thomas Ward “to administer something out of pittty to her, th[at] might give her some ease or moderate the payne shee endured.” When Wickes “came home & understood of her disease; hee used all lawfull wayes & meanes to gett her cured.” That the community showed such concern for this young woman is heartening, but that should be balanced with the concern they showed about the well-being of the household and community. Several commented at the trial on the danger this young woman might have posed to everyone’s health. Elizabeth Ward reported that “the s[aid] servant was in a very loathsome, stinking; & perishing condicon, & was very offensive loathsome & dangerous unto all the s[aid] Wicks ffamily & might have proved very contagious unto their health. . . . Seeing shee had the ordering & dressing of all their provision, & washing their linnen.” Anne Gould’s position as a maidservant in the Wickes household brought her into intimate contact with others. Hopefully the concern shown by her female neighbors reached beyond self-preservation to compassion.<sup>18</sup>

Women’s legal status as dependents limited their public participation and is most obviously reflected in the limited number of contracts, wills and inventories that surface in the court records. Although cases of men rewarding servants for their loyalty and service through gifts and bequests can be found, this is rarely the case for women as they could not dispose of property independently. Disborough Bennett of Kent County included a provision in his will that his two servants, Thomas Harris and Susannah Hartley, each be left a two year-old heifer. Thomas Harris must have been a good servant and a good neighbor because five years later another resident, Thomas Boone, left his entire estate to Harris’ wife. Boone also bequeathed cows to his servants, “. . . to be

divided between them at the end of their service." It would be helpful to know whether Thomas Harris or his wife worked as servants for Boone but, regardless, the HARRISES obviously inspired a certain level of trust and appreciation in those with whom they came into contact. Sadly, evidence of these more positive relationships is much more difficult to come by than the more scandalous and violent ones.<sup>19</sup>

Women's status in the seventeenth century was an anomalous one. Although they were legally subservient and dependent upon the men in their households and communities, they were able to exert some power as mistresses and negotiate for some advantages as maidservants. Their relationships with those around them reflect this inconsistency. Similarly, the grueling nature of early colonial life created great tension and pressure within these households and communities. Sometimes that tension appeared in violent outbursts and cruel treatment. But the harsh environment and suffering it wrought also produced compassion for and protection of young servants. It is worth noting that the same Elizabeth Ward who so viciously attacked Else Lutt also showed great kindness toward the pox-ridden Anne Gould.

In the Name of God Amen. I Disborough Bennett of y<sup>e</sup> County of Kent in y<sup>e</sup> Province of Maryland, taking into Consideration y<sup>e</sup> Certainty of Death, & y<sup>e</sup> Uncertainty of y<sup>e</sup> Time when it shall happen: Cometh in y<sup>e</sup> to God's Health & Memory God be praised, Do make & testify this my last will & Testament in Maner & forme following: That is to say: First I bequeath my Soule into y<sup>e</sup> hands of Almighty God, trusting to receive Remission of Sinnes by y<sup>e</sup> Meritorious blood of y<sup>e</sup> Holy Christ, Next my Body to remaine from whence it was taken to be Christianly buried according to y<sup>e</sup> direction of my Exequutions hereafter made And for what worthy estate the Lord hath sent me: After all my just debts payed & satisfied I give & bequeath as hereafter followeth, y<sup>e</sup> y<sup>e</sup> of y<sup>e</sup> give & bequeath unto William Richards y<sup>e</sup> one hundred white harts in all her furniture inventory & y<sup>e</sup> one hundred & thirty shillings And for my other goods Chattells, in shall remaine after my just debts payed as aforesaid in may appear by writing hereon inserted, to be equally divided betwixt the other four Children of my deceased wife, Mary: To w<sup>it</sup>: Sarah & John: w<sup>it</sup>: except y<sup>e</sup> two year old Kiffar, which I bequeath unto my servant Thomas Harris, & one two year old Kiffar, unto my woman servant Shigmal Hartsler: to be delivered to them within six months after my decease: Lastly I give & bequeath unto my dear & loving wife: Mary: my Plantations, beinge one hundred acres called Flower Lodge: as also one hundred & fifty acres of land lyinge unto y<sup>e</sup> former called Bennetts divided the one land & Plantations byt in Courtyes Cooks, on y<sup>e</sup> mouth of Chester River in Talbot County: the one land I give unto my loving wife, & her Heires, for ever to be enjoyed of as she shall think most meet & convenient: Whome I also make for Exequutions of this my last will & Testament, hereby becoming, & makinge null all former wills, Grants, or Gifts whatsoever, An writing whereof I have hereunto sett my hand & Seal this 10<sup>th</sup> day of April, the one year one M<sup>o</sup> C<sup>o</sup> 10<sup>o</sup> 10<sup>o</sup>: Aed

Sealed & Signed in  
Presence of  
John Harris  
his  
Walterine V. Sutcliffe  
marks

Disborough Bennett

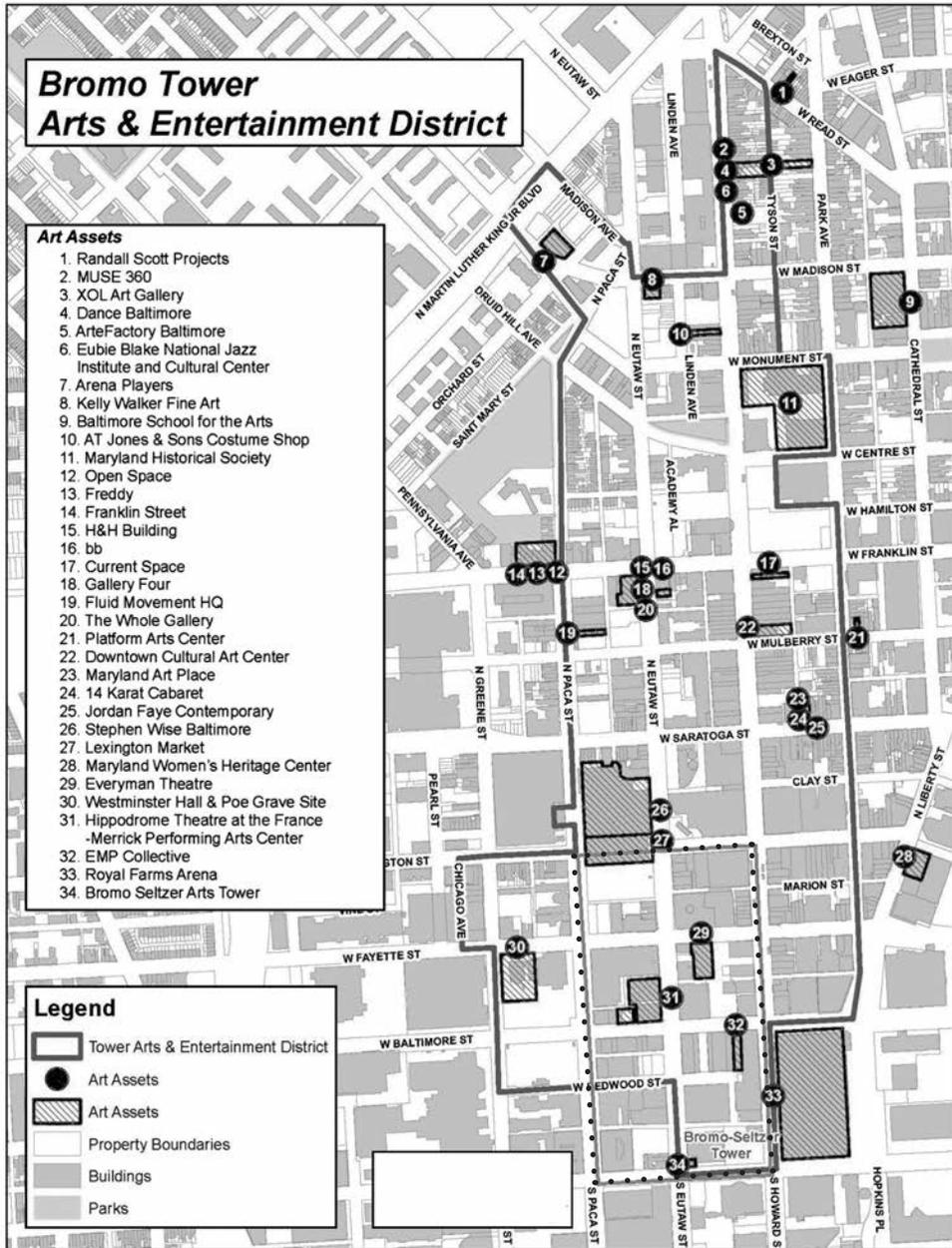
Disborough Bennett named two of his servants beneficiaries in his will. (MS1550, Maryland Historical Society.)

## NOTES

1. Thomas Ward is referred to as a "chirurgion" in several records. There are also accounts of his suing for payment for his services in healing local citizens. William Hand Brown et al., *Archives of Maryland*, (Baltimore, 1883–) Volume 10: "Judiciary and Testamentary Proceeding of the Provincial Court," 235 (hereinafter *Archives of Maryland: Provincial Court*) and Volume 54 "Proceedings of the County Court of Kent, Talbot and Somerset" 32, 36 (hereinafter *Archives of Maryland: Kent County*). I have left quotes in their original form. In cases where the spelling of a word made it unrecognizable, I have indicated a modern spelling. I have also changed u's to v's where appropriate; *Archives of Maryland: Kent County*, 54: 9–10.
2. We can speculate that Thomas Ward had a cruel side in that he was accused in a slander case of saying Henry Clay's wife was "a burnt Arse whore and had the Pox." *Archives of Maryland: Provincial Court*, 10: 234. Registration lists can be found for approximately 10,000 servants leaving Bristol in the years 1654–1686, London 1682–1686, Middlesex 1683–1684, and Liverpool between 1697 and 1707. Men far outnumbered women on all of these lists, especially in the first two decades of settlement. The number of women immigrants, primarily servants, rose between the 1630s and 1650s, a time of peak emigration, but slowed thereafter. See A.E. Smith, *Colonists in Bondage: White servitude and Convict Labor in Colonial America, 1607–1776*. (Chapel Hill: University of North Carolina Press, 1947), 3–4; David Souden, "Rogues, Whores and Vagabonds? Indentured Servant Emigrants to North America, and the Case of Mid-Seventeenth Bristol," *Social History* 2 (1978), 24–25; Mildred Campbell, "Social Origins of Some Early Americans," in *Seventeenth-Century America: Essays in Colonial History* James Morton Smith, ed. (Chapel Hill: University of North Carolina Press, 1959), 168; David S. Galenson, "'Middling People' or 'Common Sort?': The Social Origins of Some Early Americans Reexamined," with a rebuttal by Mildred Campbell *William and Mary Quarterly*, 35 (1978), 500 and James Horn, "Servant Emigration to the Chesapeake in the Seventeenth Century" in *The Chesapeake in the Seventeenth Century: Essays on Anglo-American Society*. Thad W. Tate and David Ammerman, eds. (New York: W.W. Norton & Co., 1979), 53–54. Any discussion of the female experience in the colonial Chesapeake must acknowledge a debt to important works such as Lois Green Carr and Lorena S. Walsh, "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland," *Maryland Historical Magazine*, 34 (1977): 542–71; Debra Meyers, "The Civic Lives of White Women in the Seventeenth-Century Chesapeake," *Maryland Historical Magazine*, 94 (1999); Daniel Blake Smith, "Mortality and Family in the Colonial Chesapeake," *JAH*, VIII (1978) 403–28; Lorena Walsh, "Marriage and Family" in *The Chesapeake in the Seventeenth Century*; Lorena S. Walsh "'Til Death Do Us Part': Marriage and Family in Seventeenth Century Maryland" in *The Chesapeake in the Seventeenth Century* and Lorena S. Walsh "The Experiences and Status of Women in the Chesapeake" in Walter J. Fraser Jr., R. Frank Saunders, Jr., and Jon Wakelyn, eds., *The Web of Southern Social Relations: Women, Family and Education* (Athens, Ga.: University of Georgia Press, 1985).
3. There has been relatively little study of the role of women as employers of indentured servants, but much more attention has been paid to the role of white women as managers of black slaves, both male and female. Among the useful studies are Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988); Julia Cherry Spruill, *Women's Life and Work in the Southern Colonies* (New York, W.W. Norton & Co., 1972); Debra Meyers, *Com-*

- mon Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland* (Bloomington: Indiana University Press, 2003); and Carole Shammas, *A History of Household Government in America* (Charlottesville: University of Virginia Press, 2002). Works that focus on the troubled nature of these relations and the complexities of power relations between master and servant and men and women include Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race and Power in Colonial Virginia*. (Chapel Hill: University of N.C. Press, 1996); Christine Daniels, "'Liberty to complain': Servant Petitions in Maryland 1652–1797," in *The Many Legalities of Early America*, Bruce Mann and Christopher Tomlins, eds. (Chapel Hill: University of North Carolina Press, 1999); Mary Beth Norton, "Gender and Defamation in Seventeenth-Century Maryland" *William and Mary Quarterly*, 44 (1987); Mary Beth Norton, *Founding Mothers and Fathers: Gendered Power and the Forming of American Society*. (New York, A.A. Knopf, 1996); Terri L. Snyder, "As If There Was Not Master or Woman in the Land' Gender, Dependency, and Household Violence in Virginia, 1646–1720" in *Over the Threshold: Intimate Violence in Early America*, Christine Daniels and Michael Kennedy, eds. (New York: Routledge, 1999).
4. Brown, *Good Wives, Nasty Wenches and Anxious Patriarchs*, 80; William Hand Brown et. al, *Archives of Maryland*, (Baltimore, 1883– ) Volume 1: "Proceedings and Acts of the General Assembly," 97 (hereinafter *Archives of Maryland: General Assembly*); Volume 3: "Proceedings of the Council of Maryland, 1637–1667," 47–48 (hereafter *Archives of Maryland: Council of Maryland*); Brown, *Good Wives, Nasty Wenches and Anxious Patriarchs*, 81–82; Russell R. Menard, "Population, Economy and Society in Seventeenth-Century Maryland" *Maryland Historical Magazine* 79 (1982), 72.
  5. Erich Isaac, "Kent Island: Part I: The Period of Settlement" *Maryland Historical Magazine*, 52 (1957), 106–10; Much of the information regarding the Kent County settlement is drawn from Alexandra Silver Cawley, *Community and Household: Kent County, Maryland, 1631–1676*. (Ph.D. dissertation, American University, 2004). These women represent seven families; those of Thomas Bradnox, Francis Brookes, Edwin Commins, William Cox, George Crouch, Robert Huett, and John Smith. Only one maidservant, Alse Lutt, is included.
  6. Carr and Walsh, "The Planter's Wife," 545–46, 549; Carr and Walsh note that at least half of these women left their homeland without a written contract for service. They extrapolate, "Servants who were not only very young but had arrived without the protection of a written contract were possibly of lower social origin than were servants who came under indenture." Green and Walsh, "The Planter's Wife," 549; Menard, "Population, Economy and Society in Seventeenth-Century Maryland." 72.
  7. A St. Mary's Commission Inventory Project which analyzed 1735 inventories in four lower Western Shore counties (St. Mary's, Calvert, Charles, and Prince George's Counties) estimated that the bottom fifth of married decedents lived in households too poor to afford bound labor. Before 1680, this is estimated to be 17 percent of the married decedents in those counties. Unfortunately the Kent County wills and inventories that do exist are too sporadic for such analysis. Carr and Walsh, "The Planter's Wife," 562, note 63 and 65; Clayton Colman Hall, ed. *Narratives of Early Maryland 1633–1684* (New York: Charles Scribner's Sons, 1910), 290; See James G. Gibb and Julia A. King, "Gender, Activity Areas, and Homelots in the Seventeenth-Century Chesapeake Region" *Historical Archaeology*, 25:109–31 for an archaeological survey of home lots in southern Maryland. The study highlights the gendered division of labor and the location of those activities on home lots of Maryland plantations in the seventeenth century.

8. Christine Daniels, "Liberty to complain," 227–31.
9. *Archives of Maryland: General Assembly*, I: 451. See Alexa Silver Cawley "A Passionate Affair: The Master-Servant Relationship in Seventeenth-Century Maryland." *The Historian*, 61 (1999), 751–63.
10. *Archives of Maryland: Kent County*, 54: 168–69, 179, 224 and 234.
11. *Archives of Maryland: Kent County*, 54: 191–92; A cowl staff is a long pole from which a tub can be hung and carried by two people; *Archives of Maryland: Provincial Court*, 41: 500–506.
12. Breen, T.H., James H. Lewis, and Keith Schlesinger, "Motive for Murder: A Servant's Life in Virginia, 1678." *William and Mary Quarterly*, 40 (1983), 112.
13. Breen, Lewis and Schlesinger, "Motive for Murder, 106–107.
14. *Archives of Maryland: Provincial Court*, 41: 15–17.
15. *Archives of Maryland: Kent County Court*, 54: 116–17; Brown, *Good Wives*, 102.
16. *Archives of Maryland* Vol. 53: "Proceedings of the County Court of Charles County," (hereinafter *Archives of Maryland: Charles County Court*) 168–70, 392.
17. *Archives of Maryland: Kent County Court*, 54: 291–92.
18. *Archives of Maryland Provincial Court Proceedings*, 41: 270–74.
19. *Kent County Wills, 1669–1770*, 15–17, 79–80.



Map of the Bromo Tower Arts and Entertainment District, 2016, with boundaries and contributory properties labeled. Approximate area of the former German-American Music District is indicated as a black dotted box. (Author.)

# The Bromo Tower Arts and Entertainment District: Then and Now

JACKSON GILMAN-FORLINI

WHAT CAN GOVERNMENT DO to support artists and encourage investment in urban economies? One answer lies at the heart of Maryland's Arts and Entertainment (A&E) District Program, a special districting initiative between state and local government that creates financial benefits for artists who live and invest in geographically defined urban areas. These benefits are quite generous, and include income tax incentives for independent artists and property owners of commercial buildings used for art-related activities. In creating these districts and incentives, it is the goal of the state to stimulate the health of these neighborhoods in ways that have historically occurred when groups of artists have taken residency in weak economic areas. Since creation of the program in 2001, the state of Maryland has established twenty-four of these districts statewide and estimates that the associated tax incentives have contributed to the creation of six thousand new jobs and \$571 million in state GDP. Based on the numbers, the program appears to be successful at financially supporting local artists and revitalizing urban economies.<sup>1</sup>

Yet, as a place-making initiative, the practice of designating these districts raises questions over their authenticity. How are their boundaries determined? Can cultural centers really be created by drawing lines on a map? Is there a heritage to these areas that imbues them with the qualities that attract the creative class?

In Baltimore, the most recently designated A&E district is the Bromo Tower Arts and Entertainment District. Officially designated in 2012, this one hundred seventeen-acre district in downtown Baltimore was the product of advocacy from local city officials, artists, and businesses. Bounded by Park Avenue on the east, Lombard Street on the south, Paca Street on the west, and Martin Luther King Jr. Boulevard and Read Street on the north, this area contains approximately two thousand residents and hundreds of properties. The location of the Bromo Arts District was selected, ostensibly, for its density of cultural resources. No fewer than thirty-four such contributory properties have been identified along with a rich architectural legacy. However, this cannot be the sole justification for designation since there are other neighborhoods in Baltimore with

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at least the same number of such resources. It seems reasonable that the secondary motivating factor in designating this district was to spur investment in the local economy.<sup>2</sup>

The Bromo Arts District was created from the remnants of Baltimore's once elegant, but now decaying, downtown retail district. The vacant storefronts and crumbling facades found throughout the area are sobering evidence of the blight that has resulted from sixty years of economic decline. Despite this blight, the A&E district designation has facilitated a few multi-million dollar redevelopment projects such as the Hippodrome Theatre rehabilitation.<sup>3</sup> Meanwhile, the Baltimore Development Corporation—a quasi-public agency that facilitates public-private business development—is actively seeking proposals that promise investment in the vacant city-owned properties within the district. These potential projects could signal a rebounding economy, but also draw into question the district's ultimate impact on independent artists. If the city's leadership is perceived as solely deriving the district's rationale in terms of large-scale economic development, then the credibility of its incentives is severely weakened among artists. Another equally problematic and ironic facet of the A&E district is that it may encourage the eventual displacement of those artists it attempts to attract. If economic conditions improve in the district, growing real estate markets will facilitate gentrification of the neighborhood and price out many of the artists whose work improved it in the first place. To be sure, even without official district designation, this phenomenon could occur anyway, as it has in cities across the country. However, the codified financial incentives of the A&E district may make gentrification all the more likely (or at least appear that way), thus discouraging settlement in the district by artists who are wary of this unsustainable arrangement. In short, without trust and cooperation between artists, government, and the business community, the concept of the A&E district falters and its *raison-d'être* is reduced to merely granting tax breaks to developers.<sup>4</sup>

For these reasons, it is easy for some to label A&E districts as artificial places, created for the monetary expediency of the local business community and the political cachet of city officials. Yet such thinking undermines the purpose of these districts and fosters negative perceptions that are ultimately unproductive. If these negative perceptions can be replaced with alternative—yet entirely authentic—narratives, then the legitimacy of the district will be enhanced. Depending on the narrative's ability to build consensus, it may even have the ability to forestall those portions of gentrification that are detrimental to artists and move the A&E district concept closer to reaching its full potential.

Beyond tax incentives, most artists want to feel connected to their environment in a way that is emotionally and intellectually meaningful to them. Therefore, A&E districts need to exhibit meaning that goes beyond economic convenience. Ideally, the district should already show physical evidence of an established artist enclave prior to its designation. But it may also be possible to look to temporal evidence for cultural validity and precedent. Thus, positive perspectives on A&E districts can be encouraged by demonstrating the historical authenticity of the district—if that history is articulated and accessible.

The Bromo Arts District provides a compelling example of how history can provide alternative narratives that are relevant and validating for today's artists. In essence, the Bromo Arts District is not composed of arbitrary lines on a map. It is a twenty-first century inheritor of a forgotten nineteenth century district centered on the arts and entertainment. The origins of the Bromo Arts District can be traced back to the 1840s when a large wave of German immigrants moved into the United States following a series of political upheavals in Germany. Some of these immigrants moved west upon arrival, populating America's frontier. Still others decided to stay in their city of arrival and settled in separate ethnic enclaves.

The German Americans of Baltimore during the second half of the nineteenth century underwent a sociological phenomenon of voluntary isolation from existing American culture. The American nativist movement that had reached a fever pitch among the Know-Nothing party just prior to the Civil War had much to do with this. A great deal of anti-immigrant sentiment was directed at the Germans and the Irish during this period. Through political lobbying, negative press coverage, and physical violence, the Know-Nothings terrorized these minority immigrant populations. In Maryland, German immigrants reacted by determinedly cutting themselves off from the established society and stubbornly reaffirming their German identity. As a result, German Americans founded their own German-language institutions including churches, schools, newspapers, and cultural societies. A steady stream of new immigration into the Port of Baltimore from Germany continued throughout the nineteenth century. Meanwhile, established German American families achieved great financial and public success. Their leadership coupled with the replenishment of the language and traditions from Europe via new immigration made Baltimore a place where German American culture persisted and thrived for generations. By the 1880s, an estimated one third of Baltimore citizens spoke German and the public school system maintained bilingual schools in English and German until 1904. This pattern of cultural preservation lasted for over seventy years, until 1917 when World War I ushered in a period of strong anti-German sentiment and forced most German American families into strict assimilation.<sup>5</sup>

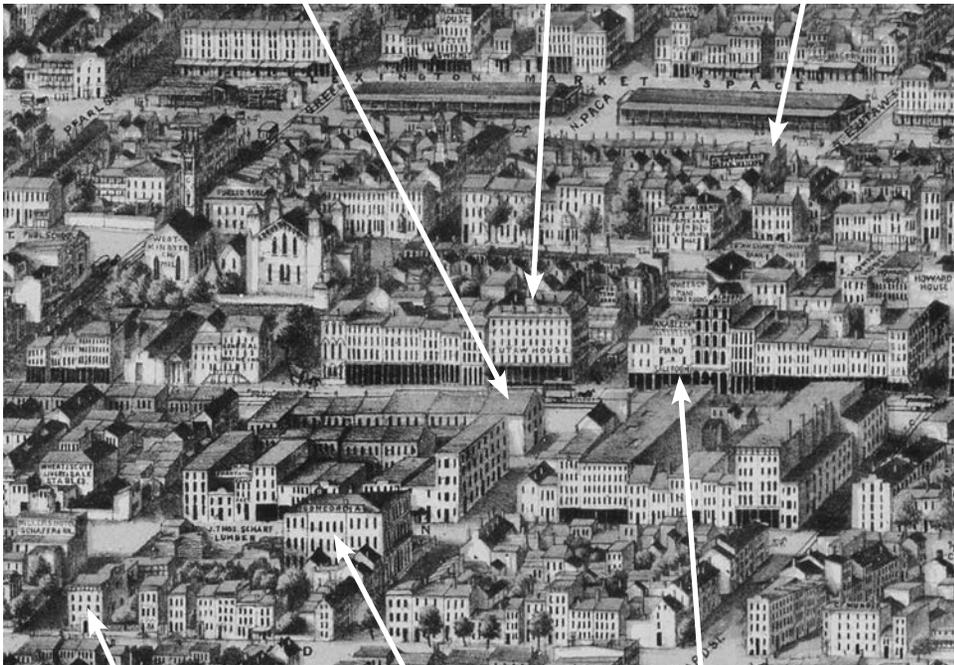
Among the many means by which nineteenth century German Americans accomplished cultural and linguistic preservation was through shared participation in music. During this period, musical performance became a fundamental and ubiquitous part of their experience. German immigrants brought with them "a tradition of music in everyday life and contributed to a musical culture that flourished in Baltimore for much of the nineteenth century." Singing societies appeared in great numbers in addition to amateur orchestras, bands, and various ensembles. Musical societies were fun for members but they also served the very important task of maintaining language and cultural ties to Europe. Although initially a means of building solidarity between recent immigrants, as time went on these groups functioned as cultural and social centers for first- and second-generation families. German song lyrics were not only poetic but also didactic, preserving the language among offspring who had never known their

ancestral home. In response to the growing number of performers, concert halls were constructed and skilled craftsmen found work manufacturing musical instruments.<sup>6</sup>

After the Civil War, German musical culture coalesced around a geographic area within the heart of the city. This area, located along Eutaw Street from Lombard Street up to Lexington Street, could accurately be described as the “German American Music District,” a forgotten and completely unstudied urban network of musical ensembles, instrument manufacturers, and performance venues. This district sat in the same location of Baltimore that today forms the southern portion of the Bromo Tower Arts and Entertainment District.

The best primary source evidence we have for the German-American Music District is the celebrated 1869 *Bird’s Eye View of the City of Baltimore*, a map printed by the prominent lithographer Edward Sachse. This stunning record is among the largest and most detailed panoramic maps ever made in nineteenth century America. Measuring approximately five and a half feet by twelve feet, the map is comprised of twelve panels that display the city of Baltimore as it was in the 1860s. The elevated three-dimensional depiction of every street and building from a height of three hundred feet is unparalleled by any other map of the city from this time. In fact, the cost of labor for producing

*Heinekamp Piano Factory*      *Eutaw House Hotel sat across from Knabe Hall (Present location of the Hippodrome Theatre).*      *Gaeble Piano Factory*



*Germania Männerchor Hall, 1888–1912 (Approximate Location)*

*Concordia Opera House (AKA Concordia Hall)*

*The Knabe Complex: Warehouse, Salesroom, and Knabe Hall*

*The German American Music District, 1869.* (Detail, E. Sachse & Co.’s *Bird’s Eye View of Baltimore*, Lithograph, printed in colors, Maryland Historical Society.)

this map was so great that it eventually forced Sachse out of business. Himself a German immigrant, Sachse dedicated special attention to detailing German businesses and institutions on the map. In this way, the map documents the ethnically oriented existence that German Americans led within American society.<sup>7</sup>

A careful observer will notice several buildings depicted on the Sachse map that relate to the manufacture and use of musical instruments. A closer look reveals that these same buildings form a cluster of institutional anchors grouped around the corner of Eutaw and Baltimore Streets, forming the German American Music District. One of these anchors, and perhaps the most desirable concert venue in Baltimore, was the Concordia Opera House located on Eutaw Street between Baltimore Street and German Street (now Redwood Street). Built in 1864, the Concordia was operated by the Concordia Society, a German society founded in 1847 with the goal of furthering the performing arts. Throughout the three decades following its construction, the Concordia was the most prominent and widely used performance space for German-Americans in Baltimore. The space was rented out to non-Germans as well. In 1868, Charles Dickens delivered one of his last readings in America from the stage of the Concordia. The building could seat one thousand five hundred people. Interior furnishings included marble floors, winding staircases, high-backed oak chairs, paintings depicting scenes from Europe, and fifteen large chandeliers.<sup>8</sup>

Venues such as the Concordia catered to the various independent musical ensembles that formed the heart and soul of German American musical culture. Singing societies

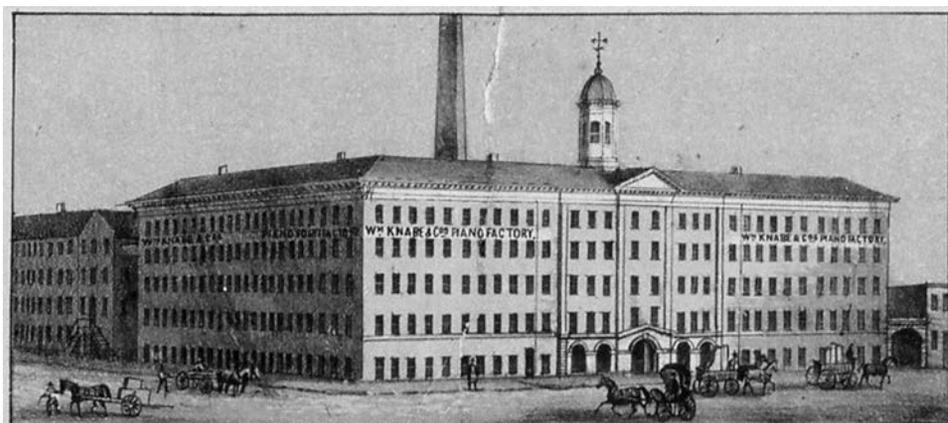


*Concordia Opera House, 1865, stood on the southwest corner of Eutaw and Redwood Streets. (A. Hoen & Co., Lithograph, Maryland Historical Society.)*

in particular were made popular by the low financial burden that they placed on their members. The earliest of these singing societies in Baltimore (and only the second in the United States) was the *Liederkrantz*. Founded in 1836, the *Liederkrantz* was widely successful among middle-class German Americans as a community building organization. In addition to vocal performances, the group also had an instrumental division and performed a large range of music including symphonies, oratorios and operas by Haydn, Beethoven, and Mozart. Singing societies were not limited to classical music. The second singing society in Baltimore, *Harmonie*, founded in 1853, placed a greater emphasis on German folk songs. Although singing societies were initially seen as a working class pastime, the wealthy elite eventually founded the *Germania Männerchor* in 1856. Even this society, boasting members from the top of the socio-economic ladder, incorporated German folk music into its performances, suggesting a shared passion for this repertoire between the classes. As was typical of the larger and more established singing societies, the *Germania Männerchor* maintained its own hall for rehearsals, performances, and community events. By 1890, German American singing societies had become such ubiquitous fixtures in the community that Baltimore boasted no fewer than forty of these organizations.<sup>9</sup>

The popularity of the singing society and of musical performance in general, among Baltimore's growing German population, resulted in an increased demand for the production of musical instruments—particularly those made by fellow German Americans. In 1870, there were at least ten to fifteen musical instrument manufacturers in Baltimore producing almost \$700,000 worth of goods, or approximately 1.35 percent of the city's GDP. According to the 1880 census, Baltimore was the third most prolific musical instrument-manufacturing city in the country after New York and Boston. The principal instrument of the time was the piano, contemporaneously known as the "piano-forte." Pianos grew in popularity at the beginning of the nineteenth century just as German immigration to the United States was becoming more frequent. The rise of consumer culture as a result of industrialization, coupled with a middle-class desire to build a more cultured society, established a demand for well-made and affordable pianos. The piano especially became a favorite instrument among the American middle class because of its versatility, practicality, and association with "sitting-room culture." Few piano manufacturers existed in the U.S. prior to 1830 and most pianos were expensive European imports. As the piano became a middle-class status symbol in American homes, more people wanted pianos than the distant European market could provide. In the northern parts of the country, early companies such as Chickering and Steinway filled this demand. However, southern consumers felt a great deal of hostility towards northern manufacturers and preferred to patronize Baltimore, then considered a southern city. Thus, this demand gave rise to the success of the largest and most successful piano manufacturer in Baltimore, German immigrant William Knabe (1803–1864) and his sons.<sup>10</sup>

In the second half of the nineteenth century, Knabe was a household name for excellence in pianos. William Knabe and Company was known throughout the world



*William Knabe & Company, Eutaw Street at the approximate location of Camden Yards. (Detail, Sachse Bird's Eye View.)  
The salvaged cupola from the Knabe factory currently sits on the property of the Baltimore Museum of Industry.*

as one of the finest American piano manufacturers and its pianos could be found from the humblest concert halls all the way to the White House. A notable endorsement of Knabe pianos came from composer Peter Tchaikovsky, who said in a letter to the company in 1891, “It gives me much pleasure to tell you how much I have been delighted with the beautiful Knabe Grand which I had for my private use. It combines with great volume of tone, rare sympathetic and noble tone color and perfect action.” Their fine product and economic success launched the German American music community into international recognition. Not surprisingly, the Knabe retail showrooms and warehouse formed the epicenter of the German American Music District on the corner of Baltimore and Eutaw Streets. Next door to the showroom was “Knabe Hall,” a performance venue built by the Knabe company as a public hall for community use and as a way of showcasing its pianos, similar in concept to the famous Steinway Hall in New York.<sup>11</sup>

Throughout its existence, the Knabe company was closely tied to its German heritage. The Knabe family supplied pianos for the singing societies and amateur orchestras of Baltimore. Additionally, a Knabe piano sat on the stage of the Concordia Opera House. Every year, starting in 1855, the Knabe family would treat the German employees of the factory to a picnic. At these events, the factory workers “loudly applauded recited poems honoring pianos, lager beer, and Limburger cheese.”<sup>12</sup>

Another piano manufacturer in the district was William Gaehle, the son of Henry Gaehle, a German immigrant and an early partner of William Knabe. Immediately following the death of his father in 1855, William Gaehle opened his own business at the northeast corner of Eutaw and Fayette Streets. Gaehle’s business failed by 1859, but was then re-chartered in 1864 as a joint stock company. Like many similar businesses, Gaehle and Company offered repairs of instruments as well as tuning, and lauded itself as having “no superior.” In addition, Gaehle and Company leased space in their building to a German American musical instrument repairman named Theodore Schmidt.<sup>13</sup>



*Gaehle's Piano Manufacturing Company, at the northern end of the music district. (Detail, Sachse Bird's Eye View.)*

Wilhelm Heinekamp (1828–1903), another German immigrant and former associate of Knabe founded his own smaller piano factory at the southwest corner of Baltimore and Eutaw Streets in the 1850s. Heinekamp was largely successful and produced a fine product before his death in 1903. These three companies—Knabe, Gaehle, and Heinekamp—formed a triumvirate of instrument manufacturers within the music district and provided the economic foundation for associated arts and culture to thrive.<sup>14</sup>

The German American Music District consisted of approximately eight city blocks and exhibited the following special relationship between the aforementioned anchor institutions: the Knabe showroom and warehouse on Baltimore Street formed the hub. Around the corner on Eutaw Street was Knabe Hall. One block to the north between Fayette and Lexington Streets was the William Gaehle factory. A half block to the west along Baltimore Street was the Heinekamp factory. Exactly one block south of the Knabe showroom was the Concordia Opera House. One block south of the Concordia, at 410 W. Lombard Street, was the headquarters of the singing society, the *Germania Männerchor*, from 1888 to 1912. Owing to the high status of this society, it would seem plausible that other smaller societies also populated the district, establishing the nucleus of the German American musical community in this small area of the city.<sup>15</sup>

Business districts in the nineteenth century formed valuable networks of commerce that ensured the mutual success of their members. What makes the German American Music District particularly interesting is that it was more than just a business district. The presence of Knabe Hall, The Concordia Opera House, and the Germania Männerchor Hall defined this area as a confluence of art, entertainment, and commerce. The manufacturing of instruments supported the performance of music and the patronage bestowed upon

musicians supported the manufacturing of instruments. The ample supply of both supported performance venues, which lent visibility and legitimacy to the entire culture. Thus, the symbiotic relationship between consumption and production worked together in support of the arts in a tight-knit geographic area and a localized economy centered on cultural preservation. This image is not dissimilar to the ideals of today's arts and entertainment districts and offers us an informative precedent for ongoing efforts.

For this reason, knowledge of the German American Music District is significant not only for a historical understanding of Baltimore but also for how we perceive that same area today. Since 1914, the corner of West Baltimore Street and Eutaw Street has been the location of the Hippodrome Theater. The Hippodrome now sits on the site where the Eutaw House Hotel once stood in 1869 and is a principle contributory building to the Bromo Arts District. When it was built, the Hippodrome was originally used for silent movies and vaudeville. To provide accompaniment for these shows, the Hippodrome was equipped with a piano, custom organ and employed a full orchestra. The need to employ musicians coupled with the desire to attract theatergoers suggests that the Hippodrome was purposely built in the former German American Music District. It would seem likely that the location of the Hippodrome was chosen at least in part due to the neighborhood's musical legacy through the second half of the nineteenth century.<sup>16</sup>



*Heinekamp Piano Factory at the corner of Baltimore and Eutaw Streets, 1869. (Detail, Sachse Bird's Eye View.)*

## Conclusion

Through the Hippodrome, we can map a connection between the current Bromo Tower Arts and Entertainment District and the German American Music District depicted in Sachse's 1869 map. Admittedly, an exact comparison between the Bromo Arts District and its predecessor would be inaccurate. Nineteenth century America—

so heavily focused on urban growth and manufacturing—was shaped by very different forces than today’s information-based economy. In the twenty-first century, manufacturing has largely moved out of American urban cores. Further, the business community within the Bromo Arts District does not draw cohesion from ethnic or linguistic bonds in the same way that the German American Music District did. Nevertheless, the latter does give us a realistic and historically-based visualization of a time and place where commerce existed in synchrony with the arts. That this visualization shares location and lineage with our own time and place heightens its significance. Current and future residents of the neighborhood should take pride in recognizing that their A&E district is the latest reincarnation of a tradition that spans over one hundred fifty years.

As things currently stand, when artists are successful at turning around the economic health of depressed areas, their success often makes their own presence



*Eutaw House Hotel sat across from Knabe Hall at the present location of the Hippodrome Theatre. (detail, Sachse Bird's Eye View.)*

unsustainable. The German American Music District shows that, on a symbolic level, this need not be the case. This narrative reveals a historical minority group that was able to preserve its cultural identity by building a community of organizations and businesses that supported the arts. Those who attempt to develop innovative solutions for contemporary problems may consider starting with a careful examination of the past. The symbolic value of the German American Music District can set a positive example for those individuals who have the power and influence to make the A&E system function better. For today's artists, this precedent has the ability to change perceptions and encourage further settlement in the neighborhood by demonstrating the historical authenticity behind the A&E designation. In short, the geographic and cultural connectivity between the Bromo Tower Arts and Entertainment District and the German-American Music District solidifies both as key facets of Baltimore's past, present, and future.



*Hippodrome Theatre, 2014* (Courtesy of James Singewald.)

## NOTES

1. For discussion, see Richard Florida, *The Rise of the Creative Class* (New York: Basic Books, 2002); Maryland State Arts Council, "Arts & Entertainment Districts," [msac.org/programs/arts-entertainment-districts](http://msac.org/programs/arts-entertainment-districts).
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4. Emily Bregel, "BDC opens up Superblock site to redevelopment," *Baltimore Business Journal*, August 31, 2015; Colin Alexander, "A creative solution to Baltimore's vacants problem," *The Baltimore Sun*, November 14, 2015; For discussion on this phenomenon see Sharon Zukin, *Naked City: The Death and Life of Authentic Urban Places* (Oxford: Oxford University Press, 2011); also see Neil Smith, *The New Urban Frontier: Gentrification and the Revanchist City* (London: Routledge, 1996); In one revealing case-study from 2015, a developer, without market competition, was able to take advantage of A&E tax incentives with a proposal more aimed at retail than the arts. See Kevin Litten, "City approved sale of former fire house in Bromo Arts and Entertainment District," *Baltimore Business Journal*, February 25, 2015.
5. Dieter Cunz, *The Maryland Germans: A History* (Princeton: Princeton University Press, 1948) 320; Katherine Cowan, "Germania Maennerchor Collection Finding Aid," (Baltimore: Maryland Historical Society 1999).
6. Laura Rice, *Maryland History in Prints* (Baltimore: Maryland Historical Society, 2001), 175–79.
7. A high resolution and interactive image of the map is available via the Library of Congress; Patrick E. Dempsey, "Panoramic Maps of Cities in the United States and Canada," Library of Congress; Enoch Pratt Free Library, "Sachse's Bird's Eye View of City of Baltimore 1869."
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11. W. S. B. Mathews, ed. *Music: devoted to the Art, Science, Technic and Literature of Music*, Volume I (1892) 522; William Knabe & Co., *William Knabe and Company: manufacturers of grand, square and upright piano-fortes* (Baltimore: Stork, Phipps & Co., 1880); *The Stranger's Guide to the City of Baltimore* (Baltimore: Van Arsdale & Company, 1875) 77.

12. "William Knabe in *Baltimore*": *Past and present, with Biographical Sketches of its Representative Men*, (Baltimore: Richardson & Bennett, 1871) 352; Robert Brugger, *Maryland: A Middle Temperament, 1634–1980* (Baltimore: Johns Hopkins Press, 1988), 357.
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*Marianne Caton Patterson (1788–1853), chose Richard, 1st Marquess Wellesley (1760–1842) as her second husband. (unknown, oil on canvas, after Sir Thomas Lawrence, after 1825, BCLM 1991.66.1, Maryland Historical Society.)*

# Marianne Caton Patterson and those Wellesley Brothers: a Surprising Maryland Reference in Shaw's Most Famous Play

JESSE M. HELLMAN

IT IS NOT UNCOMMON FOR STAGE COMEDY to reference a person or event completely irrelevant to its plot. In George Bernard Shaw's 1893 play *Mrs. Warren's Profession*, for example, Mrs. Warren, defending herself to her daughter Vivie, says of her girls, "Some of them did very well: one of them married an ambassador." This is clearly a reference to Emma Hart, who went on to marry Sir William Hamilton, British ambassador to the kingdom of Naples. Emma, who became famous as Lady Hamilton and subsequently as the lover of Horatio Nelson, was thought to have once been a prostitute.<sup>1</sup>

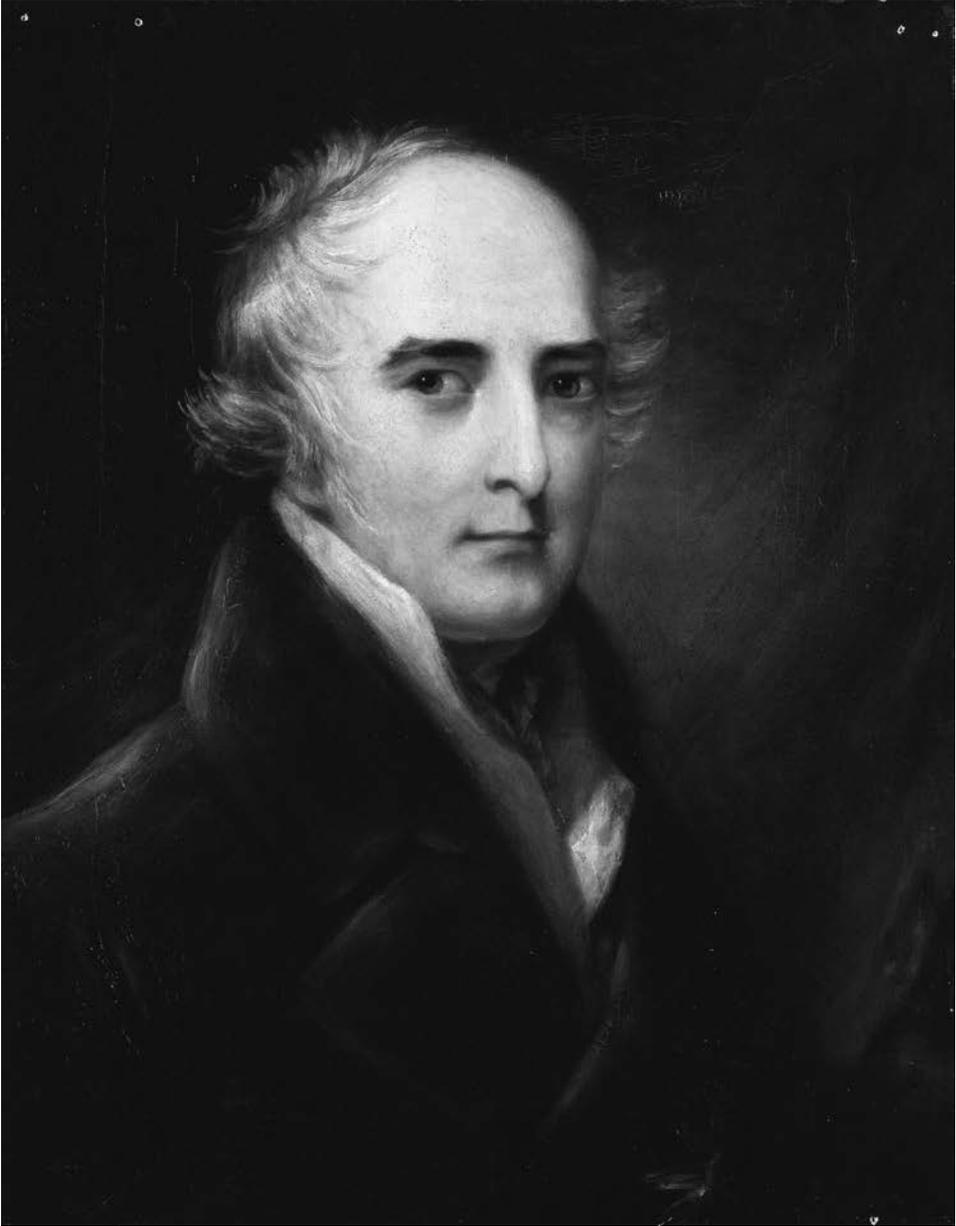
Are Emma and Sir William similarly implied by "ambassador" when Eliza Doolittle asserts in *Pygmalion*, "I will marry Freddy" and Henry Higgins retorts, "Rubbish! You shall marry an ambassador?" Higgins continues, "You shall marry the Governor-General of India or the Lord-Lieutenant of Ireland, or somebody who wants a deputy queen." The general understanding of this exchange is that Higgins is suggesting three different men and a status that Eliza could now attain, and consequently the position she could hold. As Higgins makes quite clear, he does not want his masterpiece thrown away on Freddy!

It appears, however, that Higgins is making a specific historical allusion. There was in fact *one man* who had held *all three* of these posts, and while his wife had not literally served as a deputy queen, her position had been so described. He was an important member of the Protestant Ascendancy in Ireland. Richard, 1st Marquess Wellesley (1760–1842), had become Governor-General of India in 1797, Ambassador to Spain in 1809, and Lord-Lieutenant of Ireland in 1821. He was an able and admired scholar, orator, and administrator.

In 1825, Marianne Caton Patterson (1788–1853) a Catholic, became Richard Wellesley's second wife. On December 24, 1885 *The Maryland Journal* was quoted

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in *The New York Times* “It is a queer thing to think of, but an American woman had the honor of representing Queen Victoria, acting as a Deputy Queen, and none other but a Maryland woman — Miss Caton, as the Marchioness of Wellesley, whose husband was at one time Lord-Lieutenant of Ireland. His wife, by virtue of that station, was a semi-representative of her sovereign at that time, and had also been lady in waiting to Queen Adelaide.”



*Richard, 1st Marquess Wellesley (1760–1842), was nearly thirty years older than Marianne. (John Pope Davis, oil on canvas, c. 1835–1860, National Portrait Gallery, London.)*

Can it be just coincidence that the three positions Shaw mentions are the very ones Marquess Wellesley held, his wife Marianne having served as “deputy queen” (although not in an official capacity, nor for Victoria, despite it having been so stated in the *The Maryland Journal*)? In 1816, Marianne Caton and her husband Robert Patterson, with Marianne’s two younger and unmarried sisters, had arrived in England from Baltimore, Maryland. They were granddaughters through their mother Mary Carroll Caton, of Charles Carroll of Carrollton, the only Catholic signer of the American Declaration of Independence and at the time of the Revolutionary War the richest man in the United States. Robert Patterson, Marianne’s husband, was himself from a prominent Baltimore family.

In May 1816 Robert, Marianne (also called Mary), and her sisters Elizabeth and Louisa had sailed for England. Marianne suffered from asthma, made worse by the insufferably hot Baltimore summers, and thought the English climate would be to her benefit. Englishwoman and pre-Raphaelite painter Anna M. W. Stirling describes what next happened in “A Transatlantic Invasion of 1816,” which appeared in 1909 in James Thomas Knowles’s journal *The Nineteenth Century and After*. She wrote, “Not many weeks had they been in this country before a rumor of their marvelous beauty began to be spread abroad. Soon, just as the great Washington had admired their mother, Mary Carroll, so the great Duke of Wellington acknowledged himself fascinated by her daughter. The conqueror of Napoleon was himself conquered. He personally presented Mary Patterson to the Regent at Court, and the First Gentleman in Europe, who considered himself no mean connoisseur in beauty, is said to have exclaimed in amazement, ‘Is it possible there can exist so beautiful a woman?’ . . . the American Graces became the rage . . . Byron in the midst of his ceaseless intrigues saw the beautiful Mary and made her the model for his Zuleika in his poem *The Bride of Abydos*. It is believed to be her image that inspired him when he wrote ‘the might—the majesty of loveliness!’

Such was Zuleika—such about her shone  
The nameless charms unmark’d by her alone;  
The light of love, the purity of grace,  
The mind, the music breathing from her face,  
The heart whose softness harmonized the whole—  
And oh! that eye was in itself a soul!”

Stirling goes on, “For such was the discreet and dignified behaviour of all three sisters that no breath of scandal ever tarnished their fair frame.”<sup>2</sup> Stirling’s view of the sisters is exceedingly romantic and admiring, and while she more accurately might have written that Marianne reminded Lord Byron of Zuleika, as he published *The Bride of Abydos* in 1813, she accurately reflects the great good favor and admiration gained by all three sisters. As we will see, “A Transatlantic Invasion of 1816” may well have been read by Bernard Shaw.

As the Duke of Wellington and Marianne's interest in each other grew, they exchanged portraits painted by Sir Thomas Lawrence (the Duke's portrait hangs today in Apsley House, London). Both were married, but they "remained lifelong friends." The duke kept his portrait of Marianne ever afterwards in his study, and at his death he had on him a small locket with her image. He was more than considerably distraught and anguished when, following the death of her husband Robert in 1822, on October 29, 1825, Marianne married his older brother, Richard, Marquess Wellesley.<sup>3</sup>

The thirty-seven-year-old Marianne's marriage to the sixty-six-year-old marquess led to sarcastic observations from her former sister-in-law in Baltimore, Elizabeth Patterson Bonaparte. Elizabeth had in 1803 married the brother of Napoleon, Jerome Bonaparte. She had with him a son and incurred the enmity of the French emperor, who had the marriage annulled. Elizabeth Bonaparte wrote of Marianne, "She has made the greatest match that any woman ever made, and I suppose now people will see that Mrs. Caton was right in starving herself to keep her daughters in Europe . . . There is not a woman in Europe who would not prefer a man of rank without money to the richest man in the world without a title . . . I can only say if Jerome were a girl and had made such a match, I am convinced I should have died with joy."<sup>4</sup> Anna Stirling then adds about Elizabeth Bonaparte that "the cynicism of Elizabeth's commendation surpassed even that of her malice . . . Mary was to be the only reigning queen in the British Isles, for the queenless Court of George the Fourth would lack the lustre of the Irish court presided over by the beautiful American of Irish ancestry."<sup>5</sup> Stirling's description of the American Graces is kind and sympathetic, yet even she struggled to understand how Marianne, beautiful and wealthy, could marry a sixty-six year old man without ambition being the driving force.

Such matches are far from rare, and there are numerous examples of much younger women who made them without ambition being the motive. Perhaps the best-known in the United States today is the beautiful, brilliant, and creative artist and heiress Gloria Vanderbilt, who came out of a marriage she had made at seventeen to a physically abusive man and within weeks married, at twenty-one, the conductor Leopold Stowkoski, then sixty-four.

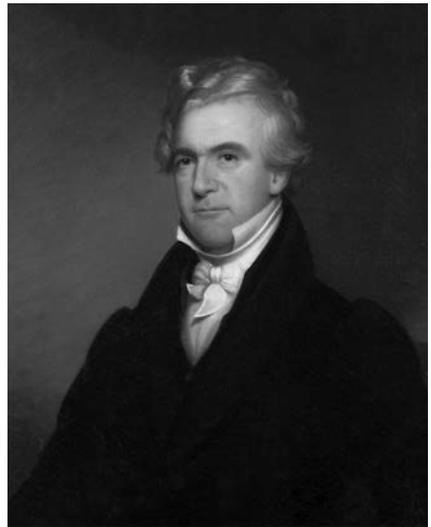
In the Rotunda of the United States Capitol in Washington is an eighteen-foot-wide painting by John Trumbull of George Washington resigning his commission. It was an important moment in American history, as Washington was on his way to retirement at Mount Vernon. He rejected aristocracy and royalty and embraced simple citizenship. On the right one can see Mary (Molly) Carroll, wife of Charles Carroll of Carrollton, with her two young daughters, Mary and Catherine. The painting was placed in the Rotunda in 1826, by which time ironically Mary's daughter Marianne had become Lady Wellesley. The irony was not missed by the editor of Baltimore's *Niles' Weekly Register*. In 1827, Hezekiah Niles wrote, "It is a singular circumstance, that one hundred and forty years after the first migration of her ancestors, this lady should become the vice-queen of the country from which they fled, at the summit of a system which a more immediate



*George Washington Resigning His Commission in the State House in Annapolis, Maryland, 1783, by John Trumbull, 1824. At right are Charles Carroll of Carrollton and his daughters Catherine and Mary, age 13, mother of Marianne. (BCLM CB2859, Maryland Historical Society.)*

ancestor had risked everything to destroy; or, in the energetic and poetical language of the bishop of England that today that ‘in the land from which his father’s father fled in fear, his daughter’s daughter now reigns as queen.’”<sup>6</sup>

Catholic Bishop John England of Charleston, who was born in Cork, Ireland, made his famous toast to Charles Carroll of Carrollton on July 4, 1827. It was exactly one year after both John Adams and Thomas Jefferson had died, leaving Carroll the only surviving signatory of the Declaration of Independence. Contrary to how it is reflected in *Niles’ Weekly* (which refers to “the bishop of England”) Bishop England’s toast is a distinctly positive reference to Marianne. Catholic Emancipation in England was an important issue; Bishop England was referencing the acceptance of a Catholic woman holding a position of promi-



*Hezekiah Niles (1777–1839). His newspaper, Niles’ Weekly Register carried national and international stories and commentary, including those relating to Marianne’s marriage. (Oil on canvas, John Wesley Jarvis, c. 1827, gift of William Jedlick, 1986.98, Maryland Historical Society.)*

nence and who publicly attended Mass. Jehanne Wake relates in *Sisters of Fortune*, “Almost immediately, ‘Protestant’ Mrs. [Harriet] Arbuthnot was writing: ‘Lord Wellesley is married; he had a most extraordinary set of low people present at the ceremony... He had the *Catholic Archbishop of Dublin* to perform [it]...which I think a scandal as his assuming that title is contrary to law.’”<sup>7</sup> Marylanders such as Hezekiah Niles understandably regarded Marianne in a critical way. The Star Spangled Banner was written by Francis Scott Key after watching the bombardment of Baltimore’s Fort McHenry by the British in September, 1814. Today in Baltimore, while Charles Carroll of Carrollton and Betsy Patterson remain eminent figures of early Maryland, Marianne, Elizabeth, and Louisa are virtually unknown.

In 1794, thirty-one years before his marriage to Marianne, Richard Wellesley had married Hyacinthe-Gabrielle Roland, a French actress with whom he was living, after having with her five illegitimate children. Lady Caroline Lamb, who had an affair with Lord Byron, received the following letter from her aunt Elizabeth Lamb, Viscountess Melbourne, warning her about her relationship with Hyacinthe: “. . . it may be some Satisfaction to you to know that you are the only woman who has any pretension to Character who ever courted Lady Wellesley’s [Hyacinthe Roland] acquaintance, that I never before saw any person sup in her party, or brave the World so much as to appear in it belonging to her Society . . . a Married woman should consider that by such levity she not only compromises her own honor and character but also that of her Husband.”<sup>8</sup> Hyacinthe died in 1816, Robert Patterson in 1822. Marianne was then free to remarry and Richard Wellesley proposed to her three years later.

It seems most likely, then, that “You shall marry an ambassador” was, on Shaw’s part, a conscious and witty allusion not only to Emma Hamilton but to both Hyacinthe and Marianne, an allusion to three women who broke customary boundaries, women whose names were considerably more familiar to an audience in Shaw’s day than they are now. It is the type of topical allusion that gets lost with the passage of time, but that likely led to some knowing smiles in Shaw’s audience. He was referring to a historical record that was, and would continue to be, quite spectacular. Hyacinthe-Gabrielle Roland and Richard Wellesley, through their daughter Lady Anne Bentinck, are third great-grandparents of Queen Elizabeth II.

Marianne’s two younger sisters also married into the nobility, the three sisters being the first of the wealthy American heiresses to marry titled Englishmen. Louisa fell in love with and married Sir Felton Hervey-Bathurst, the aide-de-camp of the Iron Duke. After Sir Felton’s early death she married Francis Osborne, Marquess of Carmarthen, who then became the seventh Duke of Leeds (Jenny Jerome’s father wrote to her that her coming marriage to Lord Randolph Churchill would be the “greatest match any American has made since the Duchess of Leeds”).<sup>9</sup> And Elizabeth married Sir George Jerningham, eighth Baron Stafford.

Anna Stirling, born in 1865, was an author and founder of the De Morgan Centre for the Study of 19th Century Art and Society. She was involved in social issues

such as women's suffrage. Her sister Evelyn, a pre-Raphaelite painter, married author William De Morgan, brother of Mary De Morgan, herself an author of fairy tales; all were friends of the famous textile designer and social activist William Morris. Mary is described warmly in Bernard Shaw's *William Morris as I Knew Him*. Shaw humorously begins his description by saying that he "had heard that she must be the most odious female then alive" and is spoken of as "a devil incarnate" but goes on that "I made up my mind to fascinate Mary."<sup>10</sup> *William Morris as I Knew Him* was written in 1937, and Shaw's description of Mary appears in it just before that of his "Mystical Betrothal" with May Morris. Shaw's relationship with Morris and his circle makes it quite likely that he had read "An American Invasion of 1816," or elsewhere in the widely recounted adventures of the American Graces.

That Higgins's admonition to Eliza references the history discussed above may make one wonder what additional allusions Shaw made which today are unrecognized. Is there somewhere in Shaw's work a family gathering—completely disguised—of Baltimore's Pattersons, with their daughter married to the brother of Napoleon, and their son's wife now remarried to the Duke of Wellington's brother?

#### NOTES

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2. "A Transatlantic Invasion of 1816" by A. M. W. Stirling, in *The Nineteenth Century and After*, Vol. LXVI, July-December 1909, pp. 1058–75.
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7. Wake, *Sisters of Fortune*, 203.
8. Jonathan David Gross, editor, *Byron's "Corbeau Blanc": The Life and Letters of Lady Melbourne* (Houston: Rice University Press, 1997) p. 107. Letter from Lady Melbourne to Caroline Lamb, April 13, 1810.
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# “underbelly”: from the Deepest Corners of the Maryland Historical Society Library

THE LIBRARY’S BI-MONTHLY BLOG, “underbelly,” is among the society’s most popular online features. Launched in September 2012 staff, historians, and research fellows contribute articles inspired by treasures found in the rich and textured collections of manuscripts, photographs, prints, books, and ephemera in the library’s holdings. As of this writing there are close to 200 posts on the website, some of which will be featured here in coming issues. Doctoral candidate Richard Hardesty contributed this work in 2014 and now teaches sports history at Anne Arundel Community College. For more baseball stories, and access to the full archive, visit [www.mdhs.org](http://www.mdhs.org) and follow the “blogs” link on the home page.

## Lost City: The Burning of Oriole Park

RICHARD HARDESTY

ON THE EVENING OF JULY 3, 1944, the International League Baltimore Orioles squared off against the Syracuse Chiefs at Oriole Park on 29th Street and Greenmount Avenue. The Orioles entered the game with a slim first place lead over the Montreal Royals, while the Chiefs were fighting to stay out of last place. Nonetheless, the Chiefs jumped out to a 4-1 lead. The Orioles scored two in the sixth and one in the seventh to push the game into extra innings. However, the Chiefs would then erupt for seven runs in the tenth inning, sparked by a grand slam from seventeen-year-old shortstop Bob “Orb” Carson.<sup>1</sup> The Orioles still maintained their hold on first place, but the game became known for another reason. Unknown to any of the participants at the time, the game would be the last one played at Oriole Park.

The park’s wooden structure left it vulnerable to fire. After every game the grounds crew, consisting of Mike Schofield and Howard “Doc” Seiss, watered down the stands in order to extinguish all cigar and cigarette butts. They followed the same procedure

after the Chiefs' victory on July 3. However, in the early morning hours of July 4, a fire started by the third base grandstand. The flames quickly engulfed the stadium, a result of the creosote used to protect the wooden structure from decay. Schofield described the scene as a "sheet of fire." The heat became so intense that it cracked windows in nearby houses, damaged cars and businesses, and melted the asphalt on 29th Street. In all, the fire forced fifteen hundred people to evacuate the neighborhood and caused \$150,000 in damage. Along with the park, the Orioles lost the physical evidence of their history, as the fire destroyed photographs, trophies, and documents.<sup>2</sup>

The "sheet of fire" that burned Oriole Park provided a symbolic dividing line in Baltimore's sporting history. The destruction of Oriole Park marked the beginning of the end to Baltimore's minor league heritage. Yet, the fire's aftermath showed Baltimore's potential as a major league town. The city rallied around the Orioles as they pushed for the International League title. Facing off against the American Association's Louisville Colonels in the Junior World Series, the Orioles and Baltimore gained national attention when one home game outdrew the Major League World Series taking place in St. Louis. Baltimore no longer represented a minor league city, but a city with major league potential that would not be fulfilled until the St. Louis Browns arrived ten years later.

Known initially as Terrapin Park, the stadium had ironically been built in 1914 to mark Baltimore's return to the major leagues. The city had a brief major league history. The Baltimore Orioles joined the American League in 1901. However, after the 1902 season, the team left for New York, becoming the Highlanders and then the Yankees.



*Lost to fire. Old Terrapin Park a.k.a. Oriole Park, the fifth, 1938, unknown photographer. (Subject Vertical File, Maryland Historical Society.)*

For twelve years, Baltimore lacked a major league team, though the International League Orioles filled the void admirably. In 1914, major league baseball returned to the city with the creation of the Federal League's Baltimore Terrapins.<sup>3</sup> The Federal League stood as an "outlaw" league that competed against the established American and National leagues. For two seasons, the Terrapins played in the new stadium, but interference by the American and National leagues led to the dissolution of the Federal League after the 1915 season.<sup>4</sup>

The Terrapins cut into the gate receipts of the minor league Orioles who played across the street.<sup>5</sup> Their arrival forced the Orioles to make several financial decisions. In the summer of 1914, as the Terrapins played their first season in Baltimore, Orioles owner Jack Dunn sold the contract of Babe Ruth to the Boston Red Sox. Ruth, who had won 22-games with the Orioles and the Providence Grays that year, would go on to have a storied major league career with the Red Sox and the Yankees.<sup>6</sup> Dunn also sold the contracts of eleven other players to major league teams, and then moved the team itself to Richmond in order to make payroll. When the Federal League folded after the 1915 season, Dunn sold the team to Richmond-area investors. He then purchased the Jersey City Skeeters and moved them to Baltimore, playing games in the new stadium – now renamed Oriole Park.<sup>7</sup>



*Damn Yankee was once our very own. George Herman "Babe" Ruth Jr. bats in Oriole Park V. "Babe Ruth at bat,"* (Robert Kniesche, 1931, PP79.40, Maryland Historical Society.)



*"Frederick 'Fritz' Maisel at old Oriole Park," Robert F. Kniesche, ca. 1931. (Maryland Historical Society, PP79-18.)*

For the next twenty-eight-and-a-half seasons, the Orioles made Oriole Park their home, and played some of Baltimore's best baseball. The Orioles won 100 games in 1919, and went on to win seven-straight International League titles. In the process, they made six-straight Little World Series appearances against the American Association champion, and won three of them. Oriole Park provided the venue for such players like Frederick "Fritz" Maisel and Robert Moses "Lefty" Grove. A speedster known as the "Catonsville Flash," Maisel hit .336 in 1919 and stole sixty-three bases. Grove, a left-handed pitcher, won 108-games with the Orioles in five seasons before advancing to the majors, where he won 300-games in a Hall of Fame career with the Red Sox and Philadelphia A's. The period from 1919 to 1925 represented one of the most impressive periods of baseball in Baltimore. While subsequent Oriole teams did not enjoy the same success, they did come close to winning the International League in 1936, 1937, and 1940.<sup>8</sup> The Orioles appeared headed for the post-season in 1944 when the fire destroyed Oriole Park.

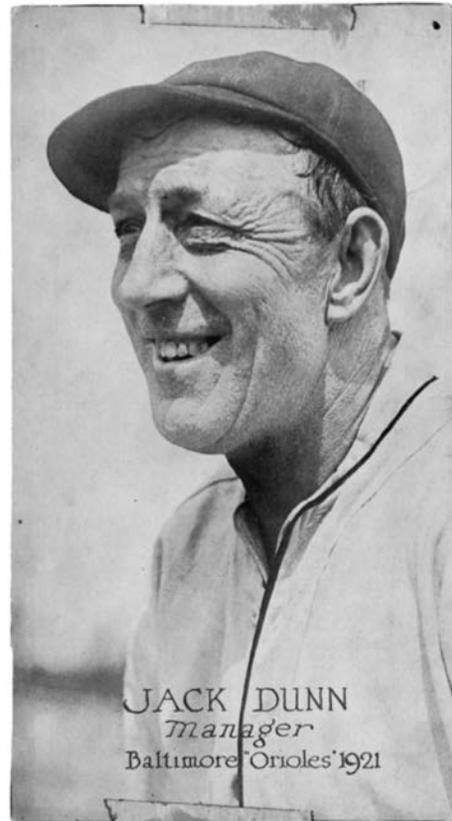
The fire had a significant logistical impact on the team. When the fire struck, the Orioles were in the midst of a home stand, and held a slight first-place lead over the Royals. They had been slated to play an Independence Day double-header against the Chiefs. The fire cancelled the double-header, and, by night fall, the Royals gained first place. In the fire's aftermath, the city agreed to give the Orioles use of its football field,

the 65,000-seat Municipal Stadium. The grounds crew, though, needed time to adjust the field for baseball use. Consequently, the Orioles went on the road to complete their home stand against the Bears and the Jersey City Giants. On July 16, the Orioles returned to their new home to play a double-header against the Giants. The Orioles resoundingly won both games in front of 13,000 people.<sup>9</sup>

At the same time, the fire had a significant impact on the community and its relationship with the Orioles. Writer Jacques Kelly noted that "Oriole Park was one of those classic urban ball fields. The property seemed to be scissored out around rowhouses, a florist's greenhouse, streetcar tracks and the village's Episcopal church, St. John's Huntingdon."<sup>10</sup> The park defined a significant part of Greenmount Avenue, and the Orioles defined an important part of Baltimore as a whole. As a result, the city rallied around the team after the fire, turning out in large numbers at Municipal Stadium. Orioles General Manager Herb Armstrong estimated that 118,500 fans came out to the team's first twelve home games in the new stadium. As the Orioles heated up for the stretch run, winning eighteen of nineteen games at one point, attendance rose. Columnist John Steadman noted that the Orioles played in front of 20,000 to 40,000 people. Those crowds would not have been possible in old Oriole Park, which seated approximately 11,000.<sup>11</sup>

The Orioles ultimately won their division on the last day of the 1944 season, and they went on to face the Newark Bears for the International League's Governor's Cup. In a series that went a full seven games, the Orioles won their first International League title since 1925, defeating the Bears in front of 14,747 drenched fans at Municipal Stadium.<sup>12</sup> The victory set the stage for the Junior World Series against the American Association champion Louisville Colonels. Beginning the series in Louisville, the Orioles took two of three on the road, including a then-record 14-inning contest in game three. The series shifted to Baltimore, where the Orioles and Colonels played before a crowd of 52,833 fans in game four. The Colonels won the game 5-4, but the Orioles rebounded by winning games five and six to win the Junior World Series.<sup>13</sup>

The fire to Oriole Park and its aftermath showed the nation Baltimore's poten-



*Jack Dunn, Baltimore Orioles manager, 1921.*  
(PVE, Maryland Historical Society.)

tial as a major league city. In Municipal Stadium, Baltimore had a facility where teams could play in front of large crowds. Game four of the Junior World Series highlighted Baltimore's potential. Playing in front of 52,833 fans, the Orioles and Colonels actually outdrew a major league World Series game between the St. Louis Browns and St. Louis Cardinals, which drew fewer than 35,000 fans. In doing so, Baltimore received nationwide attention. Shirley Povich of *The Washington Post* noted how game four left the baseball world "gasping," but, more importantly, the game helped mark "the resurgence of Baltimore as baseball town."<sup>14</sup> That resurgence could not have happened but for the fire that destroyed Oriole Park in July 1944.

The "sheet of fire" that destroyed Oriole Park provided a major turning point in Baltimore's quest for major league status. In the fire's immediate aftermath, Rodger H. Phippen of the *Baltimore News-Post* predicted that "what appears to be a baseball tragedy, may turn out to be a blessing in disguise. Baltimore rose from the ashes of its great fire in 1904 to be a bigger and better city. Our Orioles will come through just as soon as war conditions permit, with a bigger and better place for their games."<sup>15</sup> Municipal Stadium showed off Baltimore's potential as a location for major league teams seeking a new city. Using this potential, city officials even looked into measures to make Baltimore even more attractive, including plans to build the first-ever domed stadium in the United States. The domed stadium never materialized, but that did not prevent the Browns from moving to Baltimore in 1954 to become the Orioles.<sup>16</sup> Symbolically, the "sheet of fire" burned down Baltimore's minor league image, allowing the city to rise from the ashes as a major league town.

RICHARD HARDESTY



*Baltimore Municipal Stadium, not dated. Photograph by the Hughes Company, (MC7082, Maryland Historical Society.)*

With all the stadium hopping and league swapping, tracking the places we've called Oriole Park over the decades has never been an easy task for baseball fans much less historians. This handy chronology will either completely clear things up or cause your head to spin like a Gregg Olson curveball.

# AN ORIOLE PARK CHRONOLOGY

- I**

**Name:** Oriole Park a.k.a. Huntington Avenue Park, American Association Park  
**Team:** American Association Baltimore Orioles  
**Location:** Present-day East 25th St. (to the North) and Greenmount Ave. (to the East)  
**Dates:** 1883-1889  
**Notes:** Oriole Park I was a multi-purpose stadium that housed football and lacrosse games.
- II**

**Name:** Oriole Park II  
**Team:** Atlantic Association/American Association Baltimore Orioles  
**Location:** Present-day East 29th St. (to the North), East 28th St. (to the South), Barclay St. (to the West), and Greenmount Ave. (to the East)  
**Dates:** 1890-1891  
**Notes:** The Orioles switched to a new stadium for the 1890 season, moving four blocks north to the second Oriole Park. The Orioles began the 1890 season with the Atlantic Association, but, when the Brooklyn Gladiators folded halfway through the season, the Orioles rejoined the American Association.
- III**

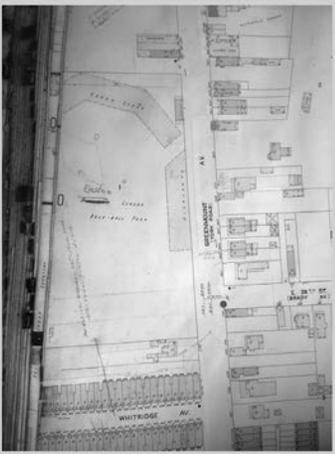
**Name:** Oriole Park III a.k.a. Union Park  
**Team:** American Association/National League Baltimore Orioles  
**Location:** Present-day East 25th St. and Barclay St.  
**Dates:** 1891-1899  
**Notes:** After barely a season in Oriole Park II, the Orioles moved to Union Park (known by some as Oriole Park III). We're not sure why the team switched parks, other than to give people greater accessibility to the stadium. According to the Baltimore Sun, "[t]he greatest advantage of the club's new situation will be its accessibility by horse car lines." When the American Association folded after the 1891 season, the Orioles joined the National League in 1892. The Orioles went on to win the National League in 1894, 1895, and 1896, and the Temple Cup in 1896 and 1897. After the 1899 season, the National League contracted, leading to the dissolution of the Orioles.
- IV**

**Name:** Oriole Park IV a.k.a. American League Park  
**Team:** American League Baltimore Orioles/Eastern League Baltimore Orioles  
**Location:** Present-day East 29th St. (to the North), East 28th St. (to the South), Barclay St. (to the West), and Greenmount Ave. (to the East)  
**Dates:** 1901-1914  
**Notes:** With the dissolution of the National League Orioles after the 1899 season, the Orioles returned to the majors as part of the American League. The team played in Oriole Park IV, which was built on the site of Oriole Park II. From 1901 to 1902, the Orioles played in the American League, producing two uninspired seasons. They moved to New York in 1903 to become the Highlanders. In 1913, the Highlanders became the Yankees. The departure marked Baltimore's return to the minor leagues. The minor league Orioles returned in 1903 as part of the Eastern League. In 1912, the Orioles moved to the International League. With the arrival of Federal League baseball in 1914, the Orioles moved to Richmond and became the Climbers.
- V**

**Name:** Oriole Park V a.k.a. Terrapin Park  
**Team:** Federal League Baltimore Terrapins/International League Baltimore Orioles  
**Location:** Present-day East 30th St. (to the North), East 29th St. (to the South), Barclay St. (to the West), and Greenmount Ave. (to the East)  
**Dates:** 1914-1944  
**Notes:** Major League baseball returned to Baltimore in 1914 with the creation of the Federal League. With a team already named the Orioles, Baltimore's Federal League team would become known as the Terrapins. The stadium, aptly named Terrapin Park, stood directly across the street to the north of Oriole Park IV. With the Terrapins in town, the Orioles moved to Richmond after the 1914 season. The Federal League's dissolution in 1915 marked another return of minor league baseball to Baltimore. The new minor league Orioles would take up residence in Terrapin Park, which was then renamed Oriole Park. In the early morning hours of July 4, Oriole Park burned down, forcing the team to move to Municipal Stadium.



Oriole Park III. Detail from *Atlas of the City of Baltimore*. G.W. Bromley & Company, 1896.



Oriole Park IV. Detail from *Insurance Maps of Baltimore Maryland* Vol. 3. Sanborn Map Company, 1902.



Oriole Park V. Detail from *Atlas of the City of Baltimore*. G.W. Bromley & Company, 1906.

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Special thanks to Bernard McKenna for assistance with this article.

## **Sources and further reading:**

Baltimore's Lost Ballparks

"Oriole Park Fire Left Mark on Able," *The Darkroom*

## NOTES

1. Carson's home run would be the only one he hit during the 1944 season. C. M. Gibbs, "Orioles Lose in Tenth, 11-4," *Baltimore Sun*, July 4, 1944; "Orb Carson," *Baseball Reference*.
2. With inflation, the \$150,000 in damage is the equivalent of \$2,009,043.10 in 2014 money. "Fire Destroys Oriole Stadium In Baltimore," *The Washington Post*, July 5, 1944; "Oriole Ball Park Destroyed By Fire," *New York Times*, July 5, 1944; John Steadman, "Old Oriole Park fire burns imprint on sports in the city," *Baltimore Sun*, July 1, 1994; Mary K. Zajac, "All Fired Up," *Baltimore Style*, June 14, 2011.
3. "It's 'Terrapin Park': Baltimore Federal Magnates Decide Upon Name for Their Home," *Baltimore Sun*, March 18, 1914; "Work Progressing at Terrapin Park," *Baltimore Sun*, March 29, 1914.
4. The Federal League represented a third major league, but gained its status as an "outlaw" league due to avoiding the reserve clause that guided the American and National leagues. The reserve clause allowed teams to control the contract rights of a player in perpetuity, even though players signed one-year contracts. By controlling the contract rights of a player, management could dictate the amount of money they paid out, which meant they usually paid the player below market value. Players could not change teams unless they were traded or outright released. In short, the teams owned the players. The Federal League did not adhere to the reserve clause, and thus created fierce competition between the three leagues. As a result, player salaries increased significantly and demonstrated the market potential of baseball players for the first time. In 1914-1915, the Federal League owners brought a lawsuit against the American and National leagues for violating antitrust

laws. The judge hearing the case, Judge (and later first commissioner) Kenesaw Mountain Landis, let the case sit, urging both sides to negotiate. By 1915, several Federal League owners faced financial distress. The American and National leagues bought out several of these franchises. The Baltimore franchise rejected their buyout and unsuccessfully sought to bring a major league team to the city. When the Federal League lawsuit went to trial, the U.S. District Court sided with the Federal League. However, the Court of Appeals reversed the lower court's decision, and the Supreme Court upheld the decision. In doing so, the Court of Appeals and Supreme Court held that major league baseball was not subject to the Sherman Antitrust Act. See *Federal Base Ball Club of Baltimore, Inc. v. National League of Professional Base Ball Clubs et al.*, 259 U.S. 200 (1922); Daniel R. Levitt, *The Battle That Forged Modern Baseball: The Federal League Challenge and Its Legacy* (Lanham, Maryland: Ivan R. Dee, 2012).

5. The stadium across from Terrapin Park was known as Oriole Park. Given that several Oriole Parks existed at various times, the stadium across from Terrapin Park became is usually referred to as Oriole Park IV.
6. C. Starr Matthews, "The Rise of Babe Ruth," *Baltimore Sun*, July 10, 1914; "Babe Ruth," *Baseball Reference*.
7. Bill Weiss and Marshall Wrights, "1919 Baltimore Orioles," *Minor League Baseball*.
8. The International League and American Association did not play a Little World Series in 1919. Maisel had an impressive major league history before joining the Orioles. In 1914, Maisel stole an American League record seventy-four bases, which stood for seventy-one years until Rickey Henderson broke it with eighty. His son was Bob Maisel, who served as sports editor of the *Baltimore Sun*. By the 1930s, the International League moved to a playoff format, where the league's two top teams played each other for the Governor's Cup. The winner would then move on to face the American Association champion in the Little World Series. The Orioles lost to the Buffalo Bisons in the 1936 International League playoffs, and then to the Newark Bears in 1937 and 1940. Ibid.; "Lefty Grove," *Baseball Reference*.
9. "Fire Destroys Oriole Stadium In Baltimore," *The Washington Post*, July 5, 1944; "Oriole Park," *Baltimore Sun*, July 6, 1944; Gibbs, "Orioles Win 2 From Jerseys," *Baltimore Sun*, July 17, 1944; "Jersey City Loses Two," *New York Times*, July 17, 1944; Jesse Linthicum, "Sunlight On Sports," *Baltimore Sun*, July 17, 1944.
10. Jacques Kelly, "July Fourth is burned into memories of neighbors of old Oriole Park," *Baltimore Sun*, July 4, 1995.
11. John F. Chandler, "Flatbush Air Hits Baltimore as Orioles Continue Streak," *Baltimore Sun*, August 1, 1944; Steadman, "Old Oriole Park fire burns imprint on sports in the city," *Baltimore Sun*, July 1, 1994.
12. "Orioles Oust Bears," *The Christian Science Monitor* (Boston), October 5, 1944.
13. The Little World Series changed to the Junior World Series in 1932. "14-Inning Tilt Breaks Mark," *Baltimore Sun*, October 9, 1944; David Howell, "The 1944 Junior World Series," *Baltimore Sun*, October 12, 1994.
14. Shirley Povich, "This Morning," *The Washington Post*, October 18, 1944.

15. Steadman, "Old Oriole Park fire burns imprint on sports in the city," *Baltimore Sun*, July 1, 1994.
16. The International League Orioles would go on to win the 1950 Governor's Cup over the Rochester Red Wings. Eventually, the Red Wings would serve as the Triple-A affiliate of the major league Baltimore Orioles. The International League Orioles stayed in Baltimore until 1953, and then moved to Richmond and became the Virginians from 1954 to 1964. In 1965, the Virginians moved to Toledo to become the present-day Mud Hens. "New Stadium May Have Roof Held Up By Air Pressure," *The Christian Science Monitor*, May 2, 1945; "Baltimore Plans Inclosed Stadium for Grid, Baseball," *The Washington Post*, May 2, 1945; "Air-Pressure Roof Support Involves No New Principle," *Baltimore Sun*, May 2, 1945; "Stadium Put At \$7,000,000," *Baltimore Sun*, May 3, 1945; "Stadium Proposal To Go To Council," *Baltimore Sun*, July 24, 1945; "Council Gets Stadium Plan From War Memorial Group," *Baltimore Sun*, October 23, 1945; Mike Klingaman, "Baltimore first put lid on dome debate in 1945; Martin's idea predated Astrodome by 20 years," *Baltimore Sun*, February 27, 1996.

# Classics Corner

In 1918, McHenry Howard (1838–1923) wrote that he was “Born under the shadow of the Washington Monument and have lived all my life not far from it.” Grandson of two legendary Marylanders, John Eager Howard and Francis Scott Key, he was the youngest son of Charles Howard and Elizabeth Phoebe Key. His older sister Mary married Edward Lloyd Jr. of Wye, Talbot County and on several visits during the 1880s Howard took these photographs and compiled a detailed description of the Lloyd cemetery at his sister’s home. Editor Louis Henry Diehlman published the work in 1922 [*Maryland Historical Magazine*, 17 (1922): 20–33], a year before McHenry Howard’s death at his summer home in Oakland at the age of eighty-four. He is buried at St. Thomas Episcopal Church, Baltimore County. Mary Howard Lloyd (1831–1923) died the same year and is buried in the family cemetery at Wye.

The images in Howard’s article are those published in 1922. The photographs taken in Oakland, also by McHenry Howard, feature the family summer home, his wife and children. Youngest daughter Julia McHenry Howard (1886–1959) left her father’s photo albums and the daguerreotype shown on the cover to the Maryland Historical Society in 1959.



*Four generations of the Howard Lloyd family, c. 1896. Elizabeth Phoebe Key Howard (1803–1897), Charles Howard Lloyd (1859–1929), Joanna Leigh Lloyd (1895–1972), and Mary Lloyd Howard Lloyd (1831–1923). (Private Collection.)*

# Lloyd Graveyard at Wye House, Talbot County, Maryland

MCHENRY HOWARD

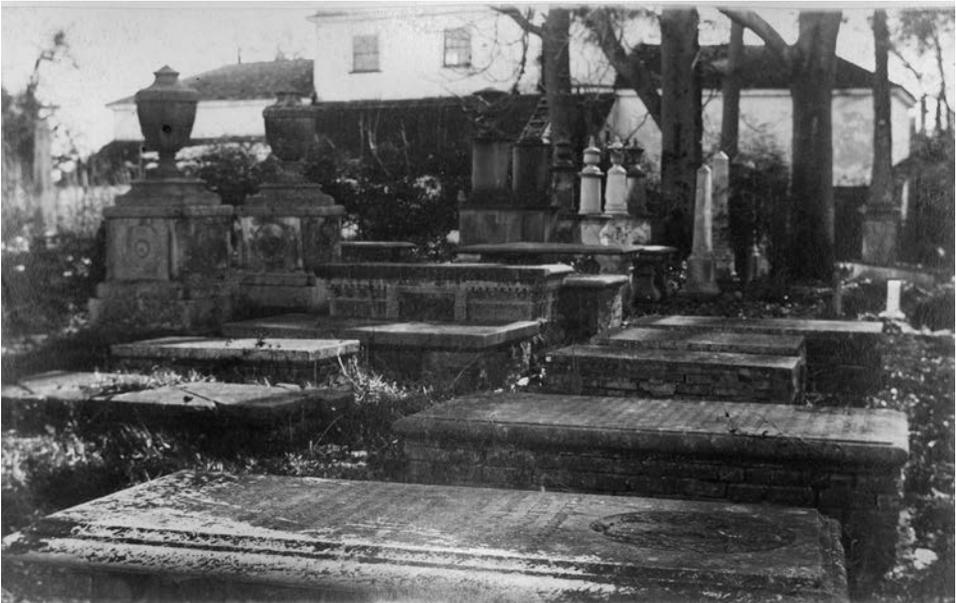
**T**HIS IS PROBABLY THE OLDEST AND LARGEST—in the sense of number of interments—and certainly is the most interesting old family burying place in Maryland. It is on a patented tract of land on the south side of Wye River, near its mouth, called “Linton,” surveyed for the first Edward Lloyd November 5, 1658 and which has descended in the direct line of the Lloyds of Wye House to the present time. The graveyard is situated at the back of the garden of 3 or 4 acres which is filled with a profusion of box and other shrubbery, with grassy and graveled walks, the entrance from the garden at a side of the “Greenhouse” being through an archway in a pointed brick wall of old English type. The graveyard itself, of about a quarter of an acre is surrounded by a line of tall shrubbery, with trees.



*“Entrance to Grave Yard, Wye,” December 3, 1882 (PP171, Album 1, No. 30, Maryland Historical Society.)*

The first Edward Lloyd came to Virginia and settled in old Lower Norfolk County, taking out a patent for land on the Elizabeth River March 31, 1636.<sup>1</sup> In 1649 or 1650 he removed to Anne Arundel County, Maryland, where in 1650 and 1659 he patented two tracts on the north side of Severn River, "Pen Lloyd" (Lloyd's Head, probably referring to his head or immigrant right to land), and "Pendenny." After some years he may have moved across the Bay to Talbot County, where, besides "Linton," he took out patents for large tracts, giving them also Welsh names, "Heir Deir Lloyd" (Lloyd's Long Land) 3,050 acres, &c., and bought land adjoining "Linton." In 1668 he went back to England to live and "very aged and infirm," died in 1696 in London, as the parish register of St. Mary's, White Chapel records. He was survived by a 3rd or 4th wife but appears to have had only one son, by his first wife, Col. Philemon Lloyd, who died before him and who was the first of the family buried at Wye House if there are no unmarked early graves. Some years ago a small hole appeared near the north line of the graveyard which seemed to go down into a grave, and in recent years in sounding for a place for a burial in the center of the graveyard the iron rod seemed to strike brick vaulting. But, as will be seen, the family from earliest times appears to have well marked the resting places of its dead.

The following copies of inscriptions were carefully taken by me between 1880 and 1890. Many of the earliest stones are a hard flinty marble, although now dark from lichen, and the letters, figures and other markings are nearly as distinct as when freshly cut—except where marred by breaks or cracks. The inscriptions are here given in the order of death dates, except towards the last. Perhaps no family in the country has had



"Grave Yard, Wye," December 2, 1882, N.E. corner (PP171, Album 1, No. 26, Maryland Historical Society.)

such a remarkable succession to public offices from the early colonial time. But the earliest gravestone, although only by a few months, is that of a stranger apparently, and is off from the others, at the northwest corner of the graveyard:

[Shield with Arms] / Here lyeth Interred the Body of Capt / JAMES STRONG of Stepney in ye / County of Midd: Mariner second son / of Capt Peter Strong / Departed this life ye 8 day of Janr / 1684 / A (?) year 2 moneths xi dayes / Le(?) one Son (?) on Daught / the memory of y(?) st is Blessed [skull and crossed bones]

The arms, largely displayed on the shield, are on a fess between six crosses crosslet fitchées three escallop shells. The large slab, 7.5 by 3.5 feet, broken into five pieces (1886), is near the ground. Capt. James Strong may have been a ship captain who died here. An abstract of his will, made the day before his death, devising to his wife, son and daughter and appointing Col. Philemon Lloyd one of his Executors, is in Baldwin's *Calendar of Maryland Wills*.<sup>2</sup>

Colonel Philemon Lloyd's tomb is about the center of the graveyard:

[Shield]

Here li's Inter'd The Body Of Coll / Philemon Lloyd, the son of E. Lloyd / & Alice his wife, who died the 22d of June 1685 in the 39th year of his age, leaving 3 sons & 7 daughters / all by his lovely wife Henrietta Maria / [No] more than this the Author says / But leaves his life to speak his praise [skull]/ Memento mori

The shield has faint marks of a lion rampant but which appears to be turned back, to the (heraldic) left, instead of to the other way as usual, probably an error of the stonemason from a seal. The slab, 6.5 by 3.5 feet and raised about fifteen inches on brickwork, is broken into three pieces (1886). Col. Philemon Lloyd held many positions, civil and military, in the colony and from 1678 until his death in his father's lifetime was Speaker of the Lower House of Assembly. Had he lived he would doubtless have been a Member of the Council as his father had been and as his descendants of Wye House were to the end of the provincial period — almost it seemed hereditarily. Back of the tomb of Col. Philemon Lloyd are the graves of three of his children:

[Skull and Crossed Bones] / Here lyeth interred / ye body of ELIZABETH / the fourth daughter of / Coll. PHILEMON LOYD / of Maryland & HENRIETTA / MARIA his wife, who / departed this life ye / 18th of May in yeare of / our Lord God 1694 / in ye 17th yeare of her age

[Skull and Crossed Bones] / Here Lyeth intomb'd / ye body of MARY fourth / daughter of COLL / PHILEMON LOYD late of / Maryland Gent and of / HEN: MA: LOYD his

wife / who departed this life / ye 21 of Sept 1690 Aged / 10 yeares 6 months & / 21 dayes

[Skull and Crossed Bones] / Here lyeth inter'd ye / body of Jane the daugh / -ter of  
Coll Philemon / Lloyd and Md Hen: Ma / Lloyd his wife who / departed this life ye 18  
/ day of Septemr in / ye year of our Lord 1690 / aged 5 yeares & six / Months

It will be noticed that the tombstones of Elizabeth and Mary Lloyd both say “fourth daughter,” and on page 203, Volume 8 of the *Maryland Historical Magazine* it is said that they were twins, born in November 1678. But this is contradicted by their ages; and even if they had been twins the order of their births would probably have been noted. It is probably an error of the stonemason or a slip in the instructions to him. These three stones are soft and disintegrating marble and in 1886 the full inscriptions had to be studied and made out under different conditions of light. The slabs are raised on brick work about fifteen inches above the ground, those of Mary and Jane being about 4.5 by 2 feet and Elizabeth’s 6 by 2 feet. Next to the tomb of Col. Philemon Lloyd, on its left as one looks to read them, is that of Henrietta Maria, his wife:

SHEE that now takes her Rest within this t[omb] / had Rachell’s face and Lea’s fruitefu[ll  
womb] / Abigail’s wisdom Lydea’s faithful[ll heart] / with Martha’s care and Mary’s  
be[tter part] / Who died the 21st day of M(?) / Dom 1697 Aged 50 Yeares (?) / Months  
23 dayes / To whose memory Richard [Bennett] / Dedicates this tomb

This beautiful marble box shaped tomb of Henrietta Maria (Neale-Bennett) Lloyd, wife of Col. Philemon Lloyd, erected by Richard Bennett, her son by her first husband, is much damaged by falling branches of trees in frosty weather and missing parts of the top slab are now replaced by brick work, and side slabs, which doubtless had inscription are also gone. The arms in the oval shield in the upper (heraldic) right corner (left as one looks down on it from the foot) of the slab are those of Bennett, three demi lions rampant, and Neale, a fess between two crescents in chief and a bugle horn in base, impaled; and the arms in the other corner are those of Lloyd, a lion rampant, and a remnant of the same Neale arms, impaled. But these Neale arms seem to be in error, for they are the arms of Neale of Warnford, Hampshire, whereas Captain James Neale, father of Henrietta Maria, was almost certainly of the Neales of Wollaston, Northamptonshire whose arms were different.<sup>3</sup> Some years ago, with Mrs. Jane Baldwin (Cotton), author of Baldwin’s *Calendar of Maryland Wills*, I examined the wax seal to Captain James Neale’s original will at Annapolis, but in the course of time it had become too much smoothed and cracked to distinguish any arms. The tomb is 6.5 by 3.5 and about 2.5 feet high. (Richard Bennett’s tomb is on the north side of Wye River, opposite Wye House.)



*“Graveyard Wye from N.W. corner back of Greenhouse and Billiard Room above, December 2, 1882.”*  
(PP171, Album 1, No. 21, Maryland Historical Society.)

[Arms in an oval shield a lion rampant]

Here lieth interr'd / the Body of EDWARD LLOYD / Eldest Son of Hon C / EDWARD LLOYD and S / his wife who depar / the 14 day of Feb ua / Aged two years five Mo / And three Days

The grave of this infant son of Colonel Edward and Sarah (Covington) Lloyd lies next to that of Col. Philemon Lloyd and the slab (broken) is 4.5 by 2.25 feet and raised on brick fourteen inches. Another son was named Edward, as will be seen presently.

Here Lieth ye Body / of the Honourable Collnl / EDWARD LLOYD Eldest son of / COLNL PHILEMON LLOYD and HENRIETTA MARIA his Wife / was born ye 7th of Feb 1670 and /(di)ed March ye 20th 1718 He had by / his Wife Sarah 5 Sons and one Daughter, all Living Except one / Son He served his Countrey / in severall Honourable Stations / both Civil and Military and was / Pr(eside)nt of ye Council many years

This Col. (and Major General) Edward Lloyd, as President of the Council, was in fact Governor of Maryland from 1709 to 1714. His wife, Sarah (Covington) Lloyd, married 2nd, Colonel James Hollyday and after his death went to England to live with her daughter, Mrs. William (Rebecca Lloyd) Anderson. She died April 4, 1755 and her tombstone is at West Ham, Essex, near London. Col. Edward Lloyd's slab, much broken, is 7 by 3.5 feet and raised on brick about 1.25 feet. The tomb is at the side of

that of his infant son Edward and at the north end of this row of tombs. Another son of Col. Edward and Sarah (Covington) Lloyd is buried behind the tomb of his father, being in a line with those of Elizabeth, Mary, and Jane Lloyd. It is one of the only two in the graveyard which have verses:

Here lieth interr'd the Body of PHILEMON LLOYD / second Son of Coll / EDWARD LLOYD and SARAH his Wife / Who died March the 5th 1729 Aged 20 / Years 11 Months and 5 days /

When Parents by their tender care and pains / Have rais'd their Offspring to Maturity / And then expect to reap the Joyfull Gains / Of their Assistance and posterity / Grim death Appears and crops ye blooming flowers / And turns their joyfull hopes to Sudden Grief / Against this frail uncertain State of ours / What thought can Shield or give us Some relief / Why only this that God's entirely good / And governs all things by his providence / Then all that happens must be understood / His goodness and his wisdom did dispens / Tho we frail Creatures cannot comprehend / The great designs of his Eternall Will / Yet we may Certainly on this depend  
That all is for our good and nothing ill

As oldest surviving son of Col. Edward (and Sarah Covington) Lloyd this Philemon was for nearly eleven years the owner of Wye House, but dying just under age it passed to his brother, another Col. Edward Lloyd. The slab, 6.5 by 3.25 feet, is elevated on brick two feet.

[Large oval shield with lion rampant]

Here lieth interr'd the Body of / PHILEMON LOYD Esq: son of Coll: / PHILEMON LOYD and HENRIETTA / MARIA his wife who departed this life / the 19th of March 1732 in the 60th /  
Year of his Age / He was one of the Council and Secretary / of this Province

Secretary Philemon Lloyd owned the "Great Island" in Wye River. With him sat in the Council for many years his brother Colonel Edward Lloyd and after him his other brother James Lloyd. His brother James and 3 sisters married and are buried elsewhere. He left no son but through his daughter are descended Chew, Dulany, Paca, Bordley and other well known families. The tomb is at the left side (as looked at from the foot) of that of his mother, Henrietta Maria (Neale-Bennett) Lloyd, and the slab, 6.5 by 3.25 feet, is raised on brick about 2 feet. Next in the order of death date is the tomb of another (third surviving) son of Col. Edward and Sarah (Covington) Lloyd. It is some feet to the right of that of his brother Philemon:

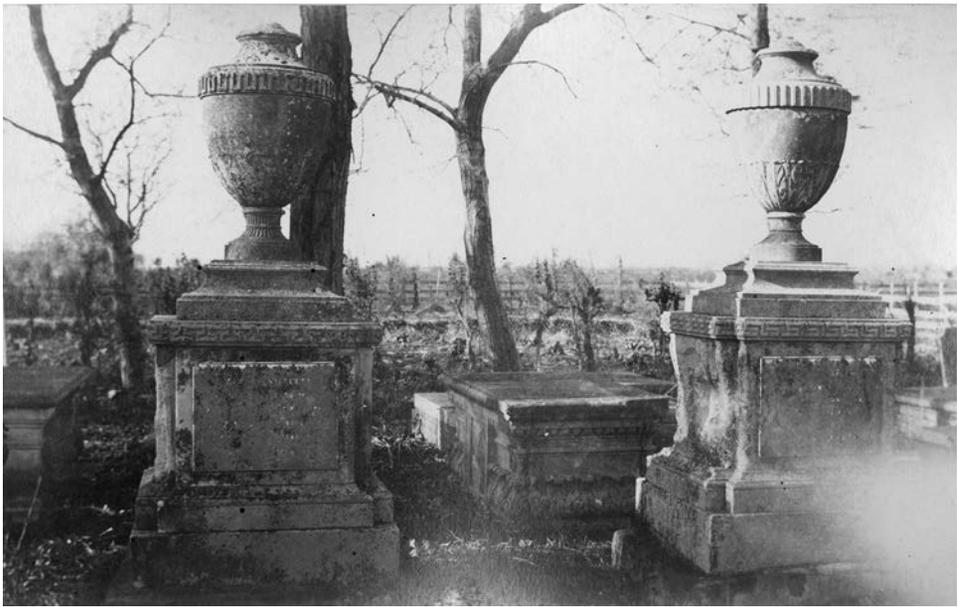
[Within a much ornamented oval a shield with arms]

Here Lyes Interr'd the Body of / Mr JAMES LLOYD who was / born August the 14th

1715 Died / September the 14th 1738 / If Youth and Beauty Virtue and good sense /  
Could guard against the fatal stroke of Death / He'd longer lived and not Departed  
hence / Till far in Age and Nature wanted Breath / But so it is, that human Life was  
giv'n / To make a short Probation here on Earth / That we might qualife ourselves for  
heaven / And there Enjoy a new Eternall Birth / Then he who soonest near Perfection  
Draws / And fitts himself for Vast Eternity / Is soonest eased from human Natures Laws  
/ And in Eternall Bliss is Ever Free

The arms are a lion rampant; crest, on a torse on a helmet in profile, a lion couchant gardant. But there is no other authority for the couchant lion crest and the crest shown a little later and on old silver is different. The slab, 6 by 4 feet, is elevated 1.25 feet on brick. The two tombs next in date are the beginning of a new row of monument tombs of successive Col. Edward Lloyds of Wye House and their wives, that of Mrs. Ann Lloyd being at the foot of the tombs of Col. Philemon and Henrietta Maria Lloyd, and her husband's being on her left (as looked at). The inscriptions are on the front (east face) of the monument:

Here lie interred the remains of the Hon. Col. Edward Lloyd who departed this life the 27th of January 1779 aged 59 years / Here Lie interred the remains of Mrs. Ann Lloyd, wife of Col. Edward Lloyd who departed this life the 1st of May 1769 aged 48 years.



*"Graveyard Wye," December 3, 1882, monuments of Colonel Edward Lloyd and Ann (Rousby) Lloyd. (PP171, Album 1, No. 27, Maryland Historical Society.)*

It may well be doubted if there are more beautiful tomb monuments than these in the country of the colonial period. About 8.5 feet high and square in outlines, except the surmounting urns, they are of exactly the same dimensions but the fine carvings are not the same. The lower half of the urn on the wife's is covered with delicate palm leaves, on the husband's with fern. The bordering fret work is of different classic patterns and all the other ornamentation, while of the same character, is always made unlike in detail. On the back of each monument, within a broad oval, are arms, a lion rampant for Lloyd, impaling for Rousby on a bend cotised three crosses crosslet. Crest, a demi lion rampant gardant holding in the paws an arrow in pale the point down. Mrs. Ann Lloyd was a daughter of John Rousby, of "Rousby Hall," Calvert County, member of the Council. Col. Lloyd was a member of the Council 1743–1770 and held many other high offices. His large possessions were greatly added to by the will of his great uncle Richard Bennett in 1749, said to be the richest man in the Colonies, which, after specific devises of about fifty farms and plantations and much other property and releasing nearly 200 persons from indebtedness, made him his residuary devisee. Unfortunately, the monuments have been damaged by falling tree branches. Partly interrupting the row of monuments of the successive Col. Edward Lloyds and their wives by projecting from it is a flat tomb:

Here lieth intered the remains of / Captain RICHARD LLOYD / who was born the  
13th of August 1750 / And departed this life Septr 22d 1787

The slab, 3 by 6.5 feet, is elevated on pillars at the corners. Captain Richard Bennett Lloyd, second son of Col. Edward and Ann (Rousby) Lloyd was educated, with his older brother Edward, in England and became a Captain in the Coldstream Guards and married Joanna Leigh, daughter of John and Amelia Leigh of North Court in the Isle of Wight. In the Revolutionary War he resigned from the British Army and with his wife and children came to Maryland, where he had large possessions. At the end of the war his family returned to England, but he died at Wye House. The two older of the four children, Edward and Richard Bennett Lloyd were sent back to Maryland, Richard Bennett being drowned at Bladensburg July 4, 1789 and Edward settling at or near Alexandria, Virginia, and leaving descendants. The two younger children, Henry and Emily, remained in England, Henry dying unmarried a major in the India Army, and Emily marrying Dean George Gifford Ward of Lincoln and leaving descendants.

Mrs. Joanna (Leigh) Lloyd married, 2nd, Francis Love Beckford, of Basing Park, Hampshire; letters from her, before and after her 2nd marriage, to her brother in law Col. Edward Lloyd are preserved at Wye House. Her portrait, cutting Richard Bennett Lloyd's name on a tree, by Sir Joshua Reynolds, is now in Baron Rothschild's gallery. Captain Richard Bennett Lloyd's portrait in scarlet and white uniform and with the Horse Guards in the background, by Benjamin West, is at Wye House, another—probably by Charles Wilson Peale, who certainly painted one in 1770 at Annapolis—is in possession of Mr. Josias Pennington of Baltimore—a Lloyd in descent.<sup>4</sup>

The row of monument tombs of Col. Edward Lloyds and their wives now continues to the South:

Here lieth interred the remains of the remains of ELIZABETH LLOYD who was born the 17th of March 1750 and departed this life the 17th of Feby 1825 / Here lieth interred the remains of Colonel EDWARD LLOYD who was born the of 15th November 1744 and departed this life the 8th of July 1796

These two imposing monuments are exactly alike, 10 feet high, with sub base, base block with inscription, base for column—each square—round column with inverted torch carved on front and surmounted by urn (half covered with fern) and flame. It was this Col. Lloyd who built, or at least completed, the so-called Chase house in Annapolis for a town residence and it was so used by the family for many years. He was also the principal, if not the sole collector of the old library of near a thousand folios (such as the *Boydell Shakespeare*), quartos and octavos. In writing to England for two small cannons for his yacht he desires such as will make “a thunderous report” they are still at Wye House.<sup>5</sup> He was a Member of the Council and filled many other high positions, before, during and after the Revolution. Mrs. Elizabeth Lloyd was a daughter of Col. John Tayloe of “Mt. Airy,” Richmond County, Va.

Here lieth the remains MRS SALLY SCOTT LLOYD Wife of Col. EDWARD LLOYD She was born the 30th of Oct 1775 and departed this life the 9th of May 1854 / Here lieth interred the remains of Col. EDWARD LLOYD who was born the 22d of July 1779 and departed this life the 2d of June 1834

These two monuments, while much like the preceding, are two feet less in height and smaller in other dimensions and differ from them in details. Col. Lloyd was Governor of Maryland 1809–1811, U. S. Senator 1819–1826 and held other positions. Mrs. Lloyd was a daughter of Dr. James Murray of Annapolis.

Here lieth the remains of MRS ALICIA LLOYD who was born the 5th day of March 1806 and departed this life the 8th day of July 1838 / Here lie the remains of EDWARD LLOYD who was born the 27th day of Dec. 1798 and departed this life the 11th day of Aug. 1861

These two monuments, 8 feet high, are nearly, but not exactly, like the two preceding. (Col.) Edward Lloyd, eldest son of Col. Edward and Sally Scott (Murray) Lloyd, while preferring private life and the cultivation of his many thousands of fertile acres with hundreds of “servants,” answered calls to public service and was President of the Maryland Senate 1851–1852 and a Delegate to the Constitutional Convention of 1850. Mrs. Alicia Lloyd was daughter of Mr. Michael McBlair of Baltimore.

The row of monuments having now reached the southern line of the shrubbery enclosing the graveyard, a new row begins in front of and reversing it. And opposite to the graves of his father and mother is the monument, like theirs, of Col. Edward Lloyd, son of Colonel Edward and Alicia (McBlair) Lloyd, born October 22, 1825 and died October 22, 1907. Besides filling other public positions, he was President of the Maryland Senate in 1878, again in 1892. There are many other monuments and graves, going back to the early part of the 19th century, as well as recent. The grave of Admiral Franklin Buchanan, whose wife was a daughter of Governor Edward Lloyd, has a large upright headstone, as has that of Commodore Charles Lowndes, U. S. Navy, whose wife was another daughter and whose mother also was a Lloyd. Brigadier General Charles Sydney Winder of the Stonewall Brigade in the Confederate States Army and whose death at Cedar Run, August 9, 1862, was specially regretted by Stonewall Jackson, has a monument over his grave; his mother and his wife were Lloyds. And the grave of another Confederate soldier, Charles Tilghman Lloyd, a private in Murray's Company in the 2nd Maryland Infantry Regiment, who fell at Gettysburg, July 1863, when more than one-half of the Company of nearly one hundred were killed or wounded, also has a monument. Besides Captain James Strong, only one other stranger to the family appears to be buried in the graveyard; a head and foot-stone mark the grave of "Joel Page, Esquire, who died December 10th, 1831, aged 47 years." The grave is a long one and he is said to have been a tall man. He was a tutor at Wye House and from New England. Some distant kinsmen may be interested to know that his burial place is well marked in this old graveyard. (A brother of the poet Longfellow was also a tutor at Wye House, but he is not buried here.)

McHENRY HOWARD, Western Maryland



"Summer home," September 23, 1882. (PP171, Album 1, No. 3, Maryland Historical Society.)



*"Porch Oakland," Elizabeth Gray Howard (1868–1957); Charles McHenry Howard (1870–1942); Julia D. Coleman Howard (1842–1908); May Howard (1874–1943), September 7, 1883. (PP171, Album 2, No. 53, Maryland Historical Society.)*



*Howard family dog  
"Wye," April 1884.  
(PP171, Album 2, No. 56,  
Maryland Historical  
Society.)*



*"Returned from Elk River," July 1886, McHenry Howard, left, with his cousin Dr. James McHenry. (PP171, Album 2, No. 88, Maryland Historical Society.)*



"Oakland, from near Court House," July 1888 (PP171, Album 1, No. 44, Maryland Historical Society.)

## NOTES

With particular thanks to Senior Reference Librarian Francis P. O'Neill for compiling the glossary of heraldic terms used in this article. Definitions below are from Henry Gough and James Parker, *A Glossary of Terms Used in Heraldry: A New Edition with One Thousand Illustrations* (London, 1894, reprint Gale Research Company, 1966) unless otherwise cited to the *Oxford English Dictionary*.

Arrow in Pale: with the arrow pointing downward, falling

Base: the bottom one third of a shield

Bond: a diagonal strip extending from the upper left to the lower right corner of a shield

Bugle horn: crescent shaped horn, sometimes suspended on strings

Chief: a horizontal stripe across the top of a shield

Cotised: an ornamental border on both sides of a bend

Crescent: half-moon with the horns at the top

Crosslets: two or more crosses on the same coat [of arms]

Crosslet fitchées: a plain cross having the lower member pointed

Crest: "a figure or device . . . placed on wreath, cornet, or chapeau and borne above the shield and helmet in a coat of arms," (OED)

Demi: when applied to an animal, generally the upper half

Fess: a horizontal stripe across the center of a shield

Impaled: two coats of arms, or more, side by side on the same shield

Lion couchant gardant: lying down, heads erect

Lion rampant: the most common, signifies rearing, most natural for a lion

Scallop shell: the badge of a pilgrim

Torse: "the twisted band or wreath by which the crest is joined to the helmet," (OED)

1. W. G. Stanard, "Abstracts of Virginia Land Patents," *Virginia Magazine of History and Biography*, 5 (1897): 212.
2. Jane Baldwin Cotton, ed., *Calendar of Maryland Wills*, Volume I (Baltimore: Kohn & Pollock, Inc., 1904), 156.
3. Christopher Johnston, "Neale Family of Charles County," *Maryland Historical Magazine*, 7 (1912): 202.
4. Of the paintings described in this passage, the Joanna Leigh Lloyd by Joshua Reynolds is at Waddesdon Manor; the Richard Bennett Lloyd by Benjamin West remains at Wye House; and the Edward Lloyd IV family by Charles Willson Peale is at Winterthur with a copy at Wye House.
5. Editor's Note: McHenry Howard wrote:

"There are also copies or draughts of many letters to his merchants in London with lists of articles to be sent over, from a chariot, with horses and a groom, to clothing, jewelry, wine, &c. He always adds a note about the wine that it be of the best, that there was no use sending any but the very best, and it is not surprising that in ordering the chariot he directs that it be easy going and low hung, 'for I am a gouty man.' The groom he presently sends back, finding he is of intemperate habits. On March 13, 1781 the house was plundered by a landing party of British of much silver, jewelry and other valuables, but the wine appears to have been removed to 'a place of safety.' It is sometimes stated also that the house was burned, but there is evidence to the contrary."

In the ninety-five years since Howard penned this article, the Tilghman and Lloyd families have placed many of their family papers in the care of the Maryland Historical Society.

# Maryland History Bibliography, 2016: A Selected List

ANNE S. K. TURKOS and ELIZABETH CARINGOLA, 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 2016, as well as earlier works that have been brought to our attention.

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*Wye Cemetery, 2010. (Courtesy, Arthur Bowie.)*

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