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   by Lucy Maddox

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The Journal of the Maryland Historical Society
In 1803, Elizabeth “Betsy” Patterson, daughter of Baltimore merchant William Patterson and Dorcas Spear Patterson, married Jerome Bonaparte, Napoleon’s younger brother. The furious emperor recalled Jerome to France and annulled the marriage, leaving Betsy alone to raise their son. Remembered more for her beauty, wit, scandalous clothing, celebrity marriage, and divorce, this talented and tenacious child of an enterprising and successful Irish merchant also spent decades working to secure the imperial title for herself and her son. What’s more, through the remaining seventy years of her life, she transformed the annuity from Napoleon into a fortune that totaled over one million dollars—upwards of twenty-three million dollars today. (Elizabeth Patterson Bonaparte, by George D’Almaine after Gilbert Stuart, 1856, Maryland Historical Society.)
Friends of the Press
Friends of the Maryland Historical Society

The Publications Committee continues its stalwart support of Maryland Historical Society books with the funding of two titles during this season of commemorating the sesquicentennial of the Civil War and the bicentennial of the War of 1812.

Ross J. Kelbaugh, *Maryland's Civil War Photographs: The Sesquicentennial Collection*, is a vast photographic record of the people, places, and events surrounding the war. It is also the largest collection of original Maryland-related Civil War photographs ever published.

Donald R. Hickey's *187 Things You Should Know About the War of 1812* is a concise and informative introduction to the often complex issues surrounding that conflict. Presented in an engaging question-and-answer format.

These books are numbers five and six of the Friends of the Press series, continuing the society's mission to bring forth the best new Maryland history. We invite you to become a supporter. To follow the path first laid out with the society's founding in 1844, help us fill in the unknown pages of Maryland's past.

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Maryland Historical Magazine

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M A R Y L A N D
Cecil Meeting House, Kent County, Maryland, photographed c.1900–1910. Eastern Shore Quakers aided runaway slaves and protected free blacks as fear and tension escalated following passage of the Fugitive Slave Act. (Maryland Historical Society.)
The history of the Underground Railroad on the Eastern Shore of Maryland is closely identified with the name of Harriet Tubman—for good reasons: she was an extremely effective agent, an intriguing person, and by now a figure of almost mythical status. As her most recent biographer notes, “We all believe that we know Harriet Tubman.” Her notoriety, however, has probably drawn attention away from others who were active on the Eastern Shore at the same time. Tubman was very likely assisted in her initial fight to freedom by Quakers in Caroline County, and it is becoming clear that the Quaker presence across the Eastern Shore was crucial to the success not only of Tubman’s subsequent trips to the region but of the Underground Railroad in general. In Kent County, a small group of Quakers put their lives in danger to aid runaway slaves and abused freedmen, and there is strong evidence that they shared their work with another intriguing black woman named Harriett, whose tracks are every bit as hard to follow as Tubman’s.

Lucy Maddox

University of Connecticut

Lucy Maddox is a retired professor of English and American Studies at Georgetown University. She now lives in Chestertown, Maryland.
Maryland's northern border is the Pennsylvania line, a geographic advantage for fugitive slaves. Henry S. Tanner, *Virginia, Maryland, and Delaware*, 1839. (Maryland Historical Society.)

Slaveholders in Kent County had already formed a "Mutual Protection Society" in 1846 to insure themselves against financial loss from runaways. In September 1849, an antislavery newspaper in Ohio reported on the large number of slaves who had recently fled from Maryland and Delaware. The paper noted that the county's "safety" was "indefinable" and that the effects of the Underground Railroad remained very visible property while the federal government's "Panama, Maryland, and Delaware," newspapers reported on the increasing number of runaways from Maryland and Delaware. The paper expressed alarm rather than complacency. The "chicken" expressed a belief that "the underground railroad extends a considerable distance down the State, and that branches have even reached Maryland." Nothing that slave property was "indefinable" in light of these events. A correspondent wrote that the report of a large number of runaways from Maryland and Delaware was "very significant." The paper noted that the "chicken," a proslavery newspaper in Delaware, also expressed alarm. The paper concluded that soon "we shall not have a slaveholder in Kent County," a reference to the " Panic of 1849."
Kent County Quakers and the Underground Railroad

Kent County, Maryland, bottom center, less than sixty miles from the free state of Pennsylvania.

As long as the institution of slavery existed in the United States, there were Kent County slave owners who had never been within many miles of the northern limits of the state, and who had sold slaves to other owners in the state. No such experience is lacking in the state of Pennsylvania, which is a free state.

The fact that there were slave owners in the county whose property was valued at more than $60,000 is an indication of the number of escapes from Maryland. The number of escapes from Maryland did not decrease after the passage of the Fugitive Slave Act of 1850; in fact, it is likely that the number increased. In October 1855, the Kent News reported “another stampede” of eighteen slaves from Kent County in a single day and concluded, “if this underground railroad is not put a stop to, we advise [slaveholders] to ship their negroes to the South. “ By 1858 the News was registering the serious ramifications of the runaway problem in the county:

It is well known that this county, for some years, has suffered severely from the loss of slaves, and that this number has been so great that in some sections of the county the loss of slaves, and that this number has been so great that in some sections of the county, the number of escapes from Maryland is not as great as the number of escapes from Kent County. In the year 1852, the Kent News reported “another stampede” of eighteen slaves from Kent County. In October 1852, the News reported that the number of escapes had increased. In October 1853, the News reported that the number of escapes was still increasing.

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It is not surprising that slaves frequently ran away from Kent County. The county’s proximity to the free state of Pennsylvania and to the active Quaker communities in Delaware and Pennsylvania encouraged escapes. There were also a large number of free blacks in the county—3,100 in 1850, as compared to 2,625 slaves—who were available to help escapees. Slaves also helped other slaves. In 1855, Thomas Garrett wrote to William Still of George Wilmer, a Kent County slave, that he “was a true man, and forwarder of . . . some twenty-five [slaves] within four months.” In addition, slaves in the county had before them the prospect of being sold by owners who no longer needed them, or feared losing their investment if a slave ran away, or preferred to hire seasonal workers who would not need to be cared for when they could no longer work. Newspaper advertisements from slave dealers, such as Chestertown’s John Denning, regularly ran advertisements in Kent County (and in surrounding counties) offering to buy Eastern Shore slaves and sell them farther south through the Baltimore markets. If Kennard was right, or even close to being right, about the number of runaways...

The consternation caused by these “stampedes” of slaves from Kent County was not limited to owners who saw profitable assets disappearing. The anger and especially the anxiety and fear that spread across the Eastern Shore in the antebellum period affected most of the population—slaveholders, slaves, free blacks, and antislavery whites, including those who were not willing to declare themselves abolitionists. The extent of the nervousness and fear, and some indication of its causes, are indicated by a letter written from Kent County by Kate Kennard on the first day of October 1855, three weeks before the Kent News reported on the flight of eighteen slaves. Kate was the daughter of Thomas Kennard, a physician from Still Pond who was listed in the 1850 census as owning nineteen slaves. Kate was extremely disturbed by the flight of these slaves, and some indication of her concerns are indicated by the language she used to describe the situation. She wrote to her brother Tom in St. Louis:

Kate Kennard, letter to Tom, October 1, 1855.

I suppose John told you about the negro excitement; fifty-odd left in less than a week, and also of Mr. Newman’s shooting at Mr. Wm. Spry, because he had induced the woman to go to a well. John Comegys is broken up by the flight of his slaves. His farm is now let in less than a week and also of Mr. Newman’s shooting at Mr. Wm. Spry, because he had induced the woman to go to a well. It must be very painful to lose old family servants, but I do not know what else.

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Kent County Quakers and the Underground Railroad

William Still (1821–1902), member of the Pennsylvania Anti-Slavery Society and author of *The Underground Railroad*, an account of the society's work containing detailed information of the Underground Railroad, is among the figures who have left descriptions and records of Quaker involvement in the abolitionist movement. In his account, Still remarks on the safety and success of Quaker operations along the Underground Railroad, noting that trouble was often encountered in passing through Quaker settlements, but that in general, Quaker operations were well regarded and provided a network of safe houses for escapees.

Runaways from the Chesapeake could count on finding help among the Quakers of Maryland, Delaware, and Pennsylvania, who communicated with one another regularly and had a well-known network of safe houses and conductors. William Still of Philadelphia remarked that "Underground Railroad operations were always pretty safe and prosperous where the line of travel led through Quaker settlements." The identities of some of the busiest Quaker conductors, such as Thomas Garrett and John Hunn in Delaware, were well known during their lifetimes, and their network of safe houses was used by runaways from the Eastern Shore and beyond.

Around 1856, the Kent News estimated that sixty people had escaped from Kent County in less than a week, while the U.S. census reported only 279 escapees from Maryland for the year ending June 30, 1850. Whether the estimate was accurate or not, the letter describes a pattern that was common across the Eastern Shore: reports of the flight of a large number of slaves, the abandonment of plantations, and the anticipation of financial loss among slaveholders. The slaves' fear of being sold to unknown owners in unknown places, and the general atmosphere of perplexed anxiety, were common in such situations.

Quaker conductors such as Thomas Garrett and John Hunn in Delaware, and their network of safe houses and conductors, provided a critical support system for runaways from the Eastern Shore. While there was a network in place, the identities of most of those who were actually involved have remained obscure, as much of their work was conducted in secrecy and only the most famous conductors, such as Garrett and Hunn, are well known. In Wilbur Siebert's 1898 list of Underground Railroad conductors, for example, over 350 names from Pennsylvania are included, as compared to only five names from Maryland, none of whom were from Kent County.
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Cecil Meeting in Kent County provided at least two men who left evidence of their involvement in the Underground Railroad, especially during the 1850s and early 1860s, when the number of runaways was greatest. James Lamb Bowers and Richard Townsend Turner were both descended from strong Maryland Quakers—the Bowers family in Kent County and the Turners in Baltimore. Richard Townsend Turner's father, Joseph, a successful merchant in Baltimore, served as clerk of the Lombard Street Meeting in the city. His mother, Rebecca, remained in Baltimore after her husband's death in 1850, was a minister among Friends at the Lombard Street Meeting, one of the founders of Swarthmore College, and a founding member of the Friends Association in Aid of Freedmen. During the Civil War, she spent most of her days at the headquarters of the association to help with the rush of sometimes desperate former slaves who had been set free with no resources and no place to go.

Richard married Elizabeth Betterton, who came from an established Philadelphia Quaker family. Shortly after his father's death, Richard moved his family from Baltimore to a place on the Chesapeake Bay in Kent County, which he named Betterton after his wife and ran a profitable business from there, selling lumber and shipping grain to Baltimore, Philadelphia, and New York. He and his mother corresponded and visited often. A Turner family member later remembered Rebecca as a woman of vast energy, powerful constitution, and fine capability—emphatically a 'Flame, the Bonaparte of her race.' The same family member recalled Richard, with somewhat less veneration but in ways that are borne out by his public actions, as "a free thinker, readily won over by kindness, made a strong friend of, or as much an enemy."

James Bowers had strong Baltimore connections as well. His sister Mary Ann married John Needles, a prominent Quaker furniture-maker and activist in Baltimore who was a president of the Friends Association in Aid of Freedmen and a founding member of the Baltimore Association for the Moral and Intellectual Improvement of the Colored People. In the brief autobiography Needles wrote late in his life, he described putting antislavery materials into the drawers of furniture he made and using it for packing material when shipping furniture to buyers in the south, many of whom, reportedly, were not pleased. Mary Ann Bowers Needles was appointed a traveling minister by Cecil Meeting in 1847. John Needles joined her in her travels after his retirement from his furniture business. The memorial produced by Baltimore Monthly Meeting after John Needles's death emphasized his "cautious integrity" as an abolitionist living in a city with a busy slave-trading port. He would go to the slave pens and ask permission to go through to look for those legally entitled to their freedom, and through his efforts many were set at liberty, to their great joy and his satisfaction. Ellwood, the house that Richard Townsend Turner built at Betterton, contained at least one piece of furniture built by John Needles. James Bowers, who was a president of the Friends Association in Aid of Freedmen and a founding member of the Baltimore Association for the Moral and Intellectual Improvement of the Colored People, used a house called John Bowers's House to hide runaway slaves. He was later arrested and imprisoned for his efforts. When released, he returned to Betterton and continued his work. He later moved back to Baltimore and continued his abolitionist activities. His house was later used by other abolitionists, including John Brown, as a place of refuge for runaway slaves.
Kent County Quakers and the Underground Railroad

In 1853, when Bowers, a former slave, was charged with helping a slave to escape by forging a pass for him, the slave, who belonged to a Dr. Davidson in neighboring Queen Anne's County, was captured and subsequently named Bowers as the one who had signed Davidson's name to the pass. In what now seems a nice irony, the slave was not able to testify against Bowers since Maryland law decreed that no black person could testify against a white person in a court of law. No white witnesses could be found to confirm the handwriting on the pass convicted Bowers, and the case was abandoned, although as subsequent events made clear, it was not forgotten by many in the county. Five years later, an anonymous letter to a newspaper in neighboring Cecil County from "a Citizen of Kent" claimed that Bowers had been "emboldened" enough by his escape from the law in the Davidson case to have "again and again obtruded his opinions insolently upon men, even after many warnings as to what might be the result.... He declared upon all occasions his abolition proclivities until they became intolerable."

One sign of the extent of the continuing anger against Bowers, and the nervousness induced by the explosive atmosphere in the county, appears in a letter sent to the Kent News in January 1856 by a neighbor of Bowers, J. W. Corey. Corey explained that he was writing to refute rumors that he had been complicit in the recent escapes of several slaves, rumors based on the fact that he had left Kent County for a few days, during which time some of the escapes took place, and that he had visited James Bowers on his return. Corey explained that he visited Bowers in an effort to collect a debt and assured readers that his views on slavery, while really no one's business, were "not materially at variance with those entertained by slaveholders generally of this county."

A particularly horrific outcome of the slaveowners' panic occurred in June 1856, when a white resident of the county was killed by a black man, probably a free black. A month earlier, county officials had responded to the "stampede" of slaves by authorizing a special police force to patrol the borders of the county, especially the northern border, and instituting a schedule of bounties for the capture of runaways: anyone who captured an escaping slave within the county was entitled to 20 percent of the sale price of the slave; if the capture occurred outside the county but within the state, the bounty was 50 percent; if the capture occurred outside the state, the bounty was 100 percent. Vansant and another white man, apparently in response to the county's new policies, were patrolling in Head of Sassafras (now Sassafras) when a black man carrying a scythe approached. Vansant accosted the man and tried to arrest him. An altercation ensued and the black man struck Vansant with the scythe, nearly severing his head. The black man fled, and no arrests were made in the case until after the governor of Maryland offered a two hundred dollar reward for the apprehension of the killer. A free black named Albert Reed was arrested in late June and charged with murder. The reward for his conviction went unclaimed; however, since the statement
of charges against Reed was so riddled with errors that the case finally had to be dismissed, after several changes of venue and at least one effort at a retrial.15

Te anger directed specifcally against James Bowers had resulted in at least one court case, in 1857, when John Biddle, a slaveholder, was fned fve dollars and costs for injuring Bowers by throwing a pitcher at his head.16 On a night in June of 1858, local anger against Bowers turned much more violent, with results that had far-reaching efects on whites and blacks, slave and free, within the county and beyond. In reporting on the events of that night, the Kent News cited the Davidson case as a source of the troubles:

Since then, suspicion has been directed against [Bowers], and possibly it may have been confrmed, from the fact that his immediate neighborhood has suf-fered to a considerable extent from the loss of [slave] property. Reports say that the proceedings of Wednesday night had its origin in recent preparatory consultations and arrangements of sundry slaves to abscond, their arrest, and the developments made by them, connected with various antecedents of a similar character.

In his account of the same night, the “Citizen of Kent” similarly implied that Bowers had brought all his problems on himself: “Te present time, several negroes were caught in the act of running off, and they laid the blame upon Mr. Bowers. Finding that he could not be detected, and being fully satisfed that he was an incendiary amongst our community, a number of gentlemen waited upon him and gave him ample time to leave, but Bowers disregarded all their admoni-
tions and threats.

On June 20, the “Gentlemen” returned to Bowers home; this time determined to supply the Kind of justice they had not been able to secure elsewhere. They found him, and gave him ample time to leave, but Bowers disregarded all their admoni-
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Kent County Quakers and the Underground Railroad

The slaveholders of Kent County, who were eager to rid the county of any blacks as possible, even the law-abiding ones, were especially militant on being off the Plantation. Their line of march on Bowers spread rapidly in the county, and a day or two after the event, several free blacks had been taken from their homes by a party of disguised ruffians. The slaveholders of Kent County, who were eager to rid the county of any blacks as possible, even the law-abiding ones, were especially militant on being off the Plantation. Their line of march on Bowers spread rapidly in the county, and a day or two after the event, several free blacks had been taken from their homes by a party of disguised ruffians.

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part of the slaveholders themselves, condemn it. "The Citizen of Kent" who wrote to the
Cecil Democrat took a more sanguine and less political view of events, attributing
the uproar in Chestertown to the effects of "wine and some misunderstanding."

The proslavery forces, led by Dr. Thomas Kennard, U.S. Senator James Alfred
Peace, and Ezekiel Chambers, chief judge of the Second Judicial District, met in
Chestertown on July 17 to plan, consolidate their forces, and make a public state-
ment about the legality and morality of their position. The inclusion of a judge and
a senator in the leadership must certainly have given encouragement to any who
had qualms about the legality of the actions against Bowers. The meeting, held just
over a month after Abraham Lincoln's "House divided" speech, echoed the Illinois
senatorial candidate's characterization of the country as dangerously split on the
issue of slavery. Rather than issuing a call for unity, however, as Lincoln had done,
it issued only a call to take sides and stand tough. Attendees at the
meeting endorsed a declaration that "in such a contest there can be no neutrality;
he that is not for us must be regarded as against us." Judge Chambers had begun
the proceedings by declaring that, even if one disapproved of the methods used to
restrain James Bowers, he had to be restrained, given his "criminal and mischie-
vous intercourse with our slaves." It was now the duty of all law-abiding citizens to
align themselves against the abolitionists, who were surely under the influence of
"religious fanaticism or political organizations." The alternative, in Chambers's eyes,
was to submit to being "gradually stripped of our property by the great machinations
of those who operated in the dark and only in communion with blacks, who could
not legally testify against them, and to threats and assaults of their adherents,"
not accidentally, in all the press coverage of the entire Bowers affair, the proslavery papers
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Senator Peace spoke next, breaking the judge's high moral tone to declare Bowers a
"perfidious scamp—an enemy of the community in which he lived, and dangerous
to its peace and security." Interestingly, Chambers's mention of "religious fanaticism"
was a reminder that Bowers was Quaker, and "perfidious scamp." It was now the duty of all law-abiding citizens to
align themselves against the abolitionists, who were surely under the influence of
"religious fanaticism or political organizations." The alternative, in Chambers's eyes,
was to submit to being "gradually stripped of our property by the great machinations
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The posse that originally went after James Bowers was also in search of Har-
riet Tillison, whom they knew by name. It is therefore fair to assume that she had
been working with Bowers in aid of runaway slaves, or at least that the posse had
reason to suspect her. It can hardly be coincidence, then, that three days after the
posse was formed, on July 20, a circuit court judge required the sheriff of Kent
County to detain a woman named Harriet Lee and to hold her under whatever
name she shall be called. It is possible that Harriet Lee and Harriet Tillison were
the same person, that the judge's stipulation recognized her history of using different
names. It is also possible that Harriet Lee was the freedwoman who had helped
Bowers escape over a month after Abraham Lincoln's "House divided" speech, echoed the Illinois
senatorial candidate's characterization of the country as dangerously split on the
issue of slavery. Rather than issuing a call for unity, however, as Lincoln had done,
it issued only a call to take sides and stand tough. Attendees at the
meeting endorsed a declaration that "in such a contest there can be no neutrality;
he that is not for us must be regarded as against us." Judge Chambers had begun
the proceedings by declaring that, even if one disapproved of the methods used to
restrain James Bowers, he had to be restrained, given his "criminal and mischie-
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Kent County Quakers and the Underground Railroad

Harriett Tillison and Harriett Lee were indeed the same person. She left a deeply fascinating but frustratingly obscure trail that leads at least through Baltimore and on the Eastern Shore in Kent County.

Shortly after Harriett Lee's reported arrest in Chestertown, the Baltimore Sun reported on the breaking-up by police of a meeting at the Zion Independent A.M.E. Church at Howard and Montgomery streets in Baltimore, where an estimated five hundred people had come to hear an unnamed "colored woman, said to be uncommonly intelligent and with very marvellous power of eloquence." The woman who spoke was Harriett Tillison, or at least that was the name on the by the newspaper's reports. The second meeting was broken up before Tillison could speak, on the grounds that it violated an 1831 Maryland law forbidding blacks to hold a religious meeting without a white person in charge. The excitement and indignation of the black multitude ran high, and the police finally had to disperse them. For the Cecil Democrat, the event was one more disturbing bit of evidence of the increasing "excitements" among "the sons of Ham." In these parallel stories, Harriett Tillison and Harriett Lee seem to be the same person.

As if sorting out the identity of Harriett Tillison/Lee (or the identities of Harriett Tillison and Harriett Lee) were not confusing enough, the Sun had reported in February 1857 on a meeting at the same Zion Independent Church at Howard and Montgomery streets, where an estimated five hundred people had come to hear an unnamed "colored woman, said to be uncommonly intelligent and with very marvellous power of eloquence." This time the meeting was disrupted, apparently deliberately and maliciously, by shouts of "Fire!" that sent the audience into a frantic scramble for the exits and resulted in several injuries and serious damage to the building.

In their various reports, which of course drew on one another for information, the newspapers may well have made mistakes in printing the last name of this woman named Harriett, perhaps confusing Harriett Tillison and Zarena Lee, an itinerant black preacher who had preached widely in Baltimore and on the Eastern Shore in the 1840s (but was probably no longer living by the mid-1850s). More likely, Harriett Tillison changed her name, probably more than once, to help hide her identity and her whereabouts. Her presence in Kent County at a time when slave escapes and her disappearances. Her presence in Kent County at a time when slave escapes and her disappearances.
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were frequent enough to send slaveholders out with their buckets of tar, suggests that she was probably one of a number of free blacks who were actively working with area Quakers in assisting runaways to make it out of the county. A letter to the *Cecil Democrat* published on September 11, 1858, spoke of the numbers of free blacks coming and going around Elkton who might well be enticing away local slaves. The letter went on to say, tantalizingly, that one of the roving free persons "is believed by many here to be the agent of the 'underground railroad' at this point, but of this there is as yet no positive proof, though abundance of circumstantial evidence can be adduced."

Her subsequent history is even more elusive than her history in the 1850s. Shortly after the attack, the antislavery *Delaware Republican* reported that the woman who was tarred and feathered had died "in consequence of the shock given to her system on that occasion." The *Cecil Democrat* was quick to declare the story a "gross falsehood" perpetrated by abolitionists. A "colored woman named Harriett Tillison" reappeared in Elkton much later, in 1879, when she reportedly saved an elderly man by pulling him out of the way of a train. According to the newspaper account, the man was a boarder at Tillison’s house. The 1880 census lists Harriett Tillison, widow, age 50, living in Elkton and running a boarding house, and Cecil County documents record the death of a Harriett Tillison, "colored," in 1884. She was buried somewhere in Cecil County, her goods and chattels sold for $67.94.

James Bowers left the county after the attack on him in June 1858, but only after pressing charges against the eight men in the mob that he was able to recognize. He returned in mid-October to testify against them, bringing his wife and staying at his sister’s house, where he gave birth to a child immediately. The news of his return re-energized the local proslavery faction, many of whom had, under the leadership of Chambers and Pearce, virtually pledged to do their duty, whether they owned slaves or not, in helping to rid the county of lawbreaking abolitionists. This time, power was in the hands of Chambers and Pearce, virulently pledged to do whatever was needed to maintain control. Their actions were immediately reflected in the local press, with the *Cecil Democrat* running an article on October 10, 1858, "on the leading news of the day, viz: the trial of the five white men who were tried for the infamous murder of James Bowers, colored, in Cecil County."

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This time from his father, Thomas Kennard. "Last week we had some excitement created by the return of James Bowers to our County, from which he was expelled last spring, after receiving a coat of tar and feathers, and a promise never to return, in consequence of his complicity in the underground railroad scheme for assisting our Negroes to run away from their owners. "

Doctor Kennard recounted the mob kidnapping of Bowers and his forced journey to Philadelphia, "with the distinct and full understanding it would be the last time he would ever leave in safety. " He then supplied the information, which was absent from the newspaper accounts, that a prominent local lawyer, Leeds Barroll, had attracted trouble to himself by encouraging Bowers to return to Chestertown when the court met. "Leeds denies his complicity in his return, " Kennard wrote, "but is not believed, and a strong feeling is excited against him for his conduct throughout and threats are common to subject him to the same ordeal as Bowers. "

The threats against Barroll were, apparently, more common that serious, since he escaped any retribution. The Cecil Democrat reported rather gleefully on the expulsion of Bowers and noted that he was lucky not to suffer serious injury, since:

"we are assured the whole county was in motion, fights occurred between the Bowers and anti-Bowers men, culminating in knock-downs, black eyes and bloody noses. In every direction bloodshed was reported. In his case, as to the leaders of the party effecting so happy a riddance, it is enough to say they were made to feel the first time in so hopeful a truce. It is doubtful if any their men have fought their first fight in a cause so holy as this one. As to the leaders of the party effecting Bowers's expunction, it is enough to say they were men of wealth and men of intelligence, who, after suffering for years under injuries inflicted by underground railroad agents, came to the conclusion, sometime ago, to exceed summary vengeance for any who ventured to interfere with their schemes. They were among the first men in the community, who, after years of suffering and receiving new injuries, again arose to protect the community from further injuries. "

After this second assault, Bowers remained away from Kent County for several years. The 1860 census lists him as living in Camden, New Jersey, in 1865. In 1865 his sister Mary Ann and her husband John Needles sold Bowers three tracts of land in Kent County near the village of Worton—the same three tracts of land that Bowers had sold to Worton. It is not known what happened to Bowers or what became of his property.

There is no evidence that the family of Richard Townsend Turner was ever disturbed by the kind of midnight mob that attacked Bowers, although his activities did cause him to leave Kent County and move to Pennsylvania. In April 1857 he had taken the bold step of securing a cook for Ellwood, a young free black woman named Hannah Houston who had recently been released from the penitentiary in Baltimore. When
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Quaker abolitionist Richard Townsend Turner wrote to his mother Rebecca, "[slavery] . . . is a local question—as well as one of general nature and common humanity."

she was eighteen or sixteen. Houston had been convicted of setting fire to the barn of Judge Ezekiel Chambers. She served a five-year sentence, was released, and then apparently remained in Maryland for at least two months. Under a law first instituted in 1826 and still in effect in 1857, all free black persons who served a prison term in Maryland were banished from the state when released. Those not leaving the state within sixty days could be apprehended and sold as slaves for the term of their original sentence. Turner apprehended Houston—presumably by prearrangement and with her cooperation—and was awarded ownership of her for five years. Turner immediately sold her for a nominal price to another Quaker abolitionist, William Kelley, from Caroline County. Turner wrote ofen to his mother, Rebecca, in the prewar years, speaking plainly to her about his fears in increasingly pessimistic terms. At the end of 1858 he wrote to her about his concern that he was becoming tiresome with his constant talk of slavery. For him, the problem was everywhere and inescapable. "With me it is a local question—so well as one of general nature and common humanity."

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Kent County Quakers and the Underground Railroad

Richard Turner explained the family's departure more specifically in a letter to

William Powers, a Quaker cousin of James Powers:

Kent County was not as content to just wait and watch as his letter indicates. In April 1860 he wrote to Rebecca about his response to the latest machinations of the pro-slavery faction in the county. This time, a grand jury had instructed local postmasters to cease delivery of antislavery newspapers, thus hindering any anti-slavery sentiments in the county. Turner and his family were determined to fight back:

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I dare say you have heard through the fles in Philadelphia of our flight from

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I expect it took thee and many of our friends by surprise, when you heard of our departure. The fear of impressment into the military service determined me early on 5th day morning. I thought there was a plot on hand to get possession of some 2 or 3 of us in that way, and thus under guise of military law, every description of evil could be practiced. I had no fears for the rest of the Republicans—and I think you may, if you do not, rest in peace.

Turner and his family did not stay out of Kent County very long after their flight to Delaware. The flight, however, and the fear that produced it, seem to have made him even more disheartened about the prospects for any reasonable resolution of the conflicts he saw in his neighborhood as well as in the nation as a whole. He wrote to his mother in September 1861 that “I am so inoculated with abhorrence to slavery that most of the time I feel but little joy and less hope in the Union cause. I fear it will but strengthen the Bonds instead of loosening them.” For the slaves in particular, he wrote, “I see no relief from bloodshed.” By March 1862 he had become even more despondent and despairing of his own ability, or anyone else’s, to end slavery. As he wrote to his mother in September 1862, “The virus of slavery is too thoroughly impregnated throughout the body politic and moral to admit of [reform]. No, the judgments alone of Providence will be required to remove it.”

At the end of the war, Richard Turner once again became embroiled in disputes with his neighbors over racial matters, and once again he turned to his mother for advice and aid. This time, the trouble arose over the indenturing of black children to their former owners or to other whites. Since Maryland had not seceded from the Union, the state’s slaves were not freed by the Emancipation Proclamation but by a new state constitution that did not go into effect until November 1, 1864. The new state constitution provided that all black children—whether owned or not—would be indentured as apprentices to white masters unless their parents were present at the indenture hearing and agreed to the indenture. Former slaveholders rushed to take advantage of this new law, which allowed them to secure cheap labor for their farms and plantations. In practice, of course, the indentures were clandestine agreements that were never recorded in the county’s records.

In November and December of 1864 alone, 153 children were bound out as apprentices in Kent County. Although Turner had long been a staunch supporter of the Union, he now felt that the war had only worsened the conditions for blacks in the county. In a letter to his mother, he wrote, “I have lost most of my interest in the war. . . . The virus of slavery is too thoroughly impregnated throughout the body politic and moral to admit of [reform]. No, the judgments alone of Providence will be required to remove it.”
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In the spring of 1864, Judge Henry A. Chambers, the local Confederate courthouses and penitentiaries, began to see an increase in the number of freed slaves appearing before them. Many of these slaves were black children who had been indentured, or bound, to former slaveholders. This practice of indenture had been common in Kent County, where many former slaveholders were eager to take advantage of the new freedom of their former slaves. However, the Friends Association in Aid of Freedmen, led by Richard Turner, began to take action to help these children.

Turner wrote to the Friends Association in November 1864, expressing concern about the situation he was seeing. He described how the slaveholders, led by Judge Chambers, were bringing the children of former slaves before the Orphans Court and binding them to their former masters without regard for the laws of the land. Turner asked for help in providing places of refuge for these children until homes could be found for them.

The letter found its way into the possession of Turner's mother's friend, John Needles, who forwarded it to General Lew Wallace, the head of the Freedmen's Bureau in Maryland. Wallace was already aware of the indenture problem and responded by requesting that the Orphans Courts in the state suspend the practice immediately and turn over the names of all black children who had been indentured since the adoption of the new state constitution.

In response, the Orphans Court suspended the indenture practice, but the suspension did not last long. On December 17, 1864, the Kent News published an editorial in support of the practice of indenture, insisting that its purpose was to provide support and training for the children involved. The practice of indenture continued, and the Orphans Court continued to turn over the names of children to the slaveholders.

One of the former slaveholders who took advantage of this situation was Sewell Hepbron, who had been listed in the 1860 census as owning ten slaves. Hepbron successfully indentured nine black children on December 27, 1864. The sequence of events from this point on is unclear, as is the extent of Richard Turner's involvement in them. However, his involvement was at least enough to lead Hepbron to file a lawsuit against him.

The Kent News reported on January 7, 1865, that Sewell Hepbron had just returned from Baltimore, where he had purchased a group of freed slaves. The newspaper expressed surprise at the disposition of some black parents to hold on to their children, even in cases where they had no visible means of supporting them. However, Hepbron was not the only one to take advantage of the situation. The Orphans Court continued to turn over the names of children to the slaveholders, and the slaveholders continued to indenture them.
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Former slaveholder and southern sympathizer Sewell Hepbron indentured black children through the Orphan’s Court following Maryland’s 1864 decision to abolish slavery.

Kent News, January 7, 1865. had been held by military authorities until he was released after taking an oath of allegiance and paying a two-thousand-dollar bond. (Since 1861, the federal troops who were occupying much of Maryland had been allowed to arrest Confederate sympathizers in the state and to require loyalty oaths as a condition of release.) The conflicts over the issue of apprenticeship continued in the newspapers and in the courts for the next two years. The effort to keep indentures legal was led in the courts by the Orphans’ Court of the county. "Legal" bound to them by the Orphans Court of this county."

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State of Maryland, nor anywhere is he more kindly treated, even by those monsters, their former masters. Their absence of dates from the story is perplexing, since the diaries of Rebecca Turner suggest that Turner and Hepbron had somehow settled their differences by the spring of 1866. Rebecca's entry for April 15 of that year includes a note that she has received a letter from Richard "giving an account of a satisfactory settlement of a difficulty between one of his neighbors and himself, on account of a boy being claimed by the person who was former master." Unfortunately, Richard's letter has not survived, nor are court records available to indicate the outcome of the suit. It is possible that either the Philadelphia Press or the Chestertown Transcript had resur-rected a year-old story, for its own reasons; it is also possible, although not likely, that Turner was involved in two very similar incidents, or that Turner and Hepbron settled their "difficulty" but that for some reason Hepbron was allowing the suit to go forward in the courts.

Turner made the local news again in 1866, when he represented the "Unconditional Union Men of Kent County" at a meeting in Baltimore. Of the six delegates from the county, three were Quakers, members of Cecil Meeting (the others were Bartus Trew and Tomas E. Norris). The name of the group called attention to its platform of unconditional support of the federal government's reconstruction policies; since these policies included black suffrage, the local press was quick to publicize the names of the members and assure readers that it was quite a small organization.

Turner died at his home in Kent County in 1892; the memorial contributed by Cecil Monthly Meeting was revealing but appropriately modest and understated:

It is due to his devotion to the principles of George Fox and his untiring attendance that Cecil Monthly Meeting has been kept up... His sympathy for the downtrodden and oppressed led him into more political prominence than was pleasant, but believing it to be his duty to maintain all testimonies of the Society at any cost, he maintained a steadfast friend of the slave—never in disguise—but openly and with great courage.

Cecil Monthly Meeting was revealing its appreciation of Richard Turner's dedication by naming one of the members and assure readers that it was quite a small organization.

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suggest that Bowers’s last years in Kent County must have been years of financial struggle, and they seem to have been lived in quiet isolation.46

The work of Kent County’s Quaker families on behalf of slaves and freedmen was an important component of the mission of Cecil Meeting, and while the violence of the conflicts over race in the county may have frightened away some Quaker families, those conflicts may also have kept the Meeting alive and energized. The conflicts over race in the county may have reinforced some Quaker family’s commitment to the Underground Railroad and their mission of helping slaves find freedom. Head Quaker Trimm (former head Quaker of Caroline County and one of the few who remained in the county) and Quaker F. J. Turner were among those who helped slaves escape. He said: “We have had many cases where the slaves have been conveyed on the Underground Railroad—going to the North instead of the South.”

NOTES


6. The anti-slavery Delaware Republican observed in 1853 that the number of reported runaways from Delaware was being skewed by the fact that some slaves were being kidnapped and sold. “From all we have heard, we have not the least doubt that a great many slaves who have the credit of running away from this State, have been conveyed on the Underground Railroad—going to the South instead of the North.” Reprinted in the National Intelligencer, February 2, 1853.


8. Cited in the Cecil Democrat, August 28, 1858; Still, The Underground Railroad, 485; Siebert, The Underground Railroad from Slavery to Freedom. Two of the men Siebert named were Quakers from Caroline County, and one was a Quaker from Baltimore. The fourth man was a free black man from Caroline County.

9. Two other Quaker meetings in Kent County declined earlier than Cecil Meeting: Head Quaker Trimm (former head Quaker of Caroline County and one of the few who remained in the county) and Quaker F. J. Turner were among those who helped slaves escape. He said: “We have had many cases where the slaves have been conveyed on the Underground Railroad—going to the North instead of the South.”

been the person who implicated Bowers in his escape.  

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Further accounts of the Bowers story can be found in Freda, Shaler and Freedom on the Eastern Shore.
Kent County Quakers and the Underground Railroad

27. Evelyn Depression. "Hiding the Light: A History of Quakers in Kent County, Chestertown, Maryland."


29. Memorial to Richard Townsend Turner, Rebecca Sinclair Turner Papers, Elizabeth Chandlee Turner

30. Richard Townsend Turner to Rebecca Turner, April 14, 1866; Rebecca Sinclair Turner Papers.

31. Richard Townsend Turner to Rebecca Turner, September 4, 1866; October 16, 1861; May 17, 1862; Rebecca Sinclair Turner Papers.

32. Richard Townsend Turner to Rebecca Turner, November 10, 1864; Rebecca Sinclair Turner Papers.

33. Frank Snowden Hopkins, "The Hepburn Family of Kent County, Maryland (1665–1932)," Kent County Historical Society; Kent County, November 11, 1865.

34. Kent County, December 3, 1864.


40. Chestertown Transcript, September 21, 1867.

41. Memorial to Richard Townsend Turner, Rebecca Sinclair Turner Papers.

42. Chestertown Transcript, September 21, 1867.

43. Memorial to Richard Townsend Turner, Rebecca Sinclair Turner Papers.

44. Chestertown Transcript, September 21, 1867.

45. Chestertown Transcript, September 21, 1867.

46. Chestertown Transcript, September 21, 1867.

47. Chestertown Transcript, September 21, 1867.

48. Chestertown Transcript, September 21, 1867.

49. Chestertown Transcript, September 21, 1867.

50. Chestertown Transcript, September 21, 1867.
Campaign ribbon, 1860. Abraham Lincoln’s election to the presidency polarized Maryland’s political leaders. Through the winter of 1860–1861, secessionists urged Governor Thomas Holliday Hicks to call a special session of the legislature or a sovereign state convention. (Maryland Historical Society.)
“Te Susquehanna Shall Run Red with Blood”: Te Secession Movement in Maryland

TIMOTHY R. SNYDER

Abraham Lincoln’s election to the presidency in 1860 and the subsequent debate in Maryland on whether the state should secede from or remain in the Union and the resulting special session of the General Assembly have received a great deal of attention and interpretation. Some who considered aligning this border state with the Confederacy pushed Governor Thomas Holliday Hicks toward convening a special session of the legislature or a sovereign convention to consider the question. This essay analyzes the six public meetings called during the winter and spring of 1860–1861, the attendees and their speeches, resolutions, and published proceedings, in an attempt to identify the moment at which the secession movement emerged, its place in the national discussion, and ultimately why this faction failed to lead the state into alignment with the south.

During the third week of December 1860, Mississippi’s legislature had passed an act to establish a sovereign convention that was to convene on January 7, 1861. Pettus instructed Handy to urge Maryland’s governor to call a meeting of the General Assembly “for the purpose of counseling with the constituted authorities of the State of Mississippi.” Maryland’s legislature met biannually and was not due to meet again until 1862. On December 18, Handy met with Hicks and later left a letter for him in Annapolis. The next day Hicks declined Handy’s request. “Our state is unquestionably identified with the Southern States in feeling and by the traditions and habits which prevail among us,” he wrote. “But she is also Conservative, and above all things devoted to the union of these States.”

Lincoln had garnered very little support in Maryland, less than 3 percent of his vote. The next day a letter from the editor of the Baltimore Sun announced, “As we cannot offer to the readers of Te Sun one word of congratulations upon so inauspicious a result, we are disposed to do no more than announce the fact this morning, and await the developments that may ensue.”

Mississippi’s legislature had passed an act to establish a sovereign convention that was to convene on January 7, 1861. Pettus instructed Handy to urge Marylanders to press for a convention that would meet on December 18. Handy met with the Maryland legislature’s president pro tempore, John J. Pettus, who was also a Marylander, to discuss the possibility of convening a special session of the General Assembly. Handy’s urging fell on deaf ears in Maryland, and the session was never called.

During the third week of December 1860, Mississippi’s governor, John J. Pettus, appointed Alexander Hamilton Handy, judge of that state’s High Court of Errors and a former Marylander, to visit his native state. Handy’s request was to meet with the constituted authorities of the State of Mississippi and to establish a sovereign convention that would meet on December 18. Handy’s letter was accompanied by a letter from Pettus, who was also a Marylander, urging Marylanders to press for a convention that would meet on December 18. Handy’s request fell on deaf ears in Maryland, and the session was never called.

A movement in Maryland

Red with Blood: The Secession Movement in Maryland

Timothy R. Snyder
In the six weeks between Lincoln's election on November 6 and the secession of South Carolina on December 20, a number of groups and local organizations called for Hicks to convene the General Assembly; yet there was no unity among the organizations that sought to influence him. On November 21, a number of current and former state officials led by former governor and ex-U.S. senator Thomas G. Pratt, suggested that Hicks convene the legislature to consider "the present momentous crisis and the responsibility of the South." Hicks promptly replied that he had "no personal prejudice against the personal liberty laws," but was concerned about the response of Congress, which was due to reconvene on January 3, 1861.3

One of the earliest local meetings occurred in Leonardtown in St. Mary's County on November 22, 1860. Although it ultimately passed a resolution urging Hicks to call the General Assembly to consider "what steps it is right, proper, and necessary for Maryland to take," there was much disagreement, "exciting debate, motions to adjourn, object, &c." The first man nominated to chair the meeting declined, stating that he preferred Maryland take no action until after Pennsylvania, Virginia, and North Carolina had acted and until after the state's more populous counties had spoken. Another attendee opposed the resolution on the grounds that it might be construed as a prelude to secession, preferring that the General Assembly defend Maryland's rights within the Union first. The meeting adjourned after appointing a six-member delegation to deliver its final resolution to the governor.4

On November 27, the same day Hicks wrote to Pratt, John Contee of Prince George's County wrote Hicks suggesting that he assemble the legislature. The governor, who received the letter a day or so later replied that since his reply to Pratt and his associates "nothing has occurred to alter my convictions of my duty." But Hicks also gave hope to those who foresaw the state's destiny lying with the South, by suggesting that if, as a result of the election of Abraham Lincoln, Maryland were to secede, he would be "utterly opposed to this precipitate action by one or two of the Southern States." He cautioned that, due to its long border with the free states, within ten years it would be "utterly impossible to defend Maryland's rights within the Union, first and foremost." The meeting adjourned after appointing a six-member delegation to deliver its final resolution to the governor.5

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The Secession Movement in Maryland

John Carroll LeGrand (1814–1861), chief judge of the Maryland Court of Appeals, presided over the first of six secessionist meetings. Although LeGrand argued that after his inauguration, the Union would send armed troops into the South, he believed the Union was more moderate than its opponents. He also addressed the meeting and it is important to note that both of these meetings were held in Baltimore.

The most significant catalyst to an organized secession movement in Maryland was the December 20, 1861 secession of South Carolina. Two days later, a meeting took place from which an incipient Maryland secession movement emerged. A number of prominent professional men gathered at the Universalist Church, at the corner of Calvert and Pleasant Streets in Baltimore. John Carroll LeGrand, chief judge of the Maryland Court of Appeals, presided and addressed the meeting, declaring that the Union was to consider the necessity of calling the legislature, put the state in a position to act in concert with the other Southern border states.

LeGrand declared that Maryland would not secede, but rather, it would act in concert with the other Southern border states. The Union, he warned, could force the South to obtain its constitutional rights within the Union. Failing that, the South might be forced to form a more perfect Union, but not “until after the last constitutional effort shall have been made in the Union.”

State senator Coleman French and William Henry Norris, both Baltimore attorneys, also addressed the meeting and it is important to note that both of these future Confederate officers spoke with moderate voices. Although French predicted that after his inauguration, Lincoln would send troops into the South, abolish the Constitution, and reverse the Dred Scott decision, he did not call for Maryland’s secession. However, the Union was more moderate than its opponents. The meeting was held in Baltimore, at the Universalist Church on Calvert Street.

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State senator Coleman Yellott and William Henry Norris, both Baltimore attorneys, also addressed the meeting and it is important to note that both of these future Confederate officers spoke with moderate voices. Although Yellott predicted that after his inauguration, Lincoln would send troops into the South, abolish the Supreme Court, and reverse the Dred Scott decision, he did not call for Maryland’s secession. However, the Union was more moderate than its opponents. The meeting was held in Baltimore, at the Universalist Church on Calvert Street.

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O.H. Langford, in Personalities in the Wisconsin Historical Magazine, says, "The agitation to convene the General Assembly, including Cenoman yection, gave rise to a conservative reaction in Baltimore. On December 27, a "Meeting of the Friends of the Union" was held at the Law Buildings on the corner of Lexington and St. Paul Streets. The attorneys, politicians, and other prominent Baltimoreans expressed their desire that the General Assembly be convened. Hicks responsive terms that the state constitution created a separation of powers among the three branches of government, and implied that it was in the discretion of the governor to convene the legislature. The issue was a matter of opinion on the part of the political leaders, with some arguing that the governor had the authority to convene the legislature and others opposing it. On December 29, the legislature was called to meet, but the governor refused to convene it.

Perhaps not coincidentally, on the same date, an "informal" meeting was held at Barnum's Hotel in Baltimore "for the purpose of conferring together upon the position of Maryland in the national crisis, and her relations to the South. Prominent attendees were associated with the Maryland secession movement, perhaps not coincidentally.

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The Secession Movement in Maryland included William Henry Norris and Severn Teackle Wallis. A committee was appointed to select and invite citizens from all of the counties to a future conference, to ascertain the views of citizens in other parts of the state, and to consider “the propriety of convening the Legislature.” Tose invited “were not selected without regard to party, but with such consideration of it as to make the conference one including representative men of both parties.

Again, perhaps not coincidentally, both groups planned larger meetings for January 10, 1861, but several developments occurred before they were held. On January 3, Hicks wrote a widely published letter to “The People of Maryland” in which he addressed the issues raised by those who had urged him to convene the legislature and explained his reasons for not doing so. Disunion would inevitably lead to civil war, and Maryland’s location—bordering the North and enveloping the national capital—would make it a battleground. His easiest path, and “the most certain to find favor with the floating mass of noisy politicians, who can only breathe with comfort in an atmosphere heavy with discord and excitement,” would be to convene the General Assembly, but he was communicating with other border state governors and was hopeful that discussions would avert secession and armed conflict. Hicks also presented another reason why he had refused to convene the legislature, one that reflected his conservatism: “I have been forcibly impressed with the fact . . . that every Disunionist in Maryland . . . is an earnest advocate for the immediate call of the Legislature.”

Hicks then disclosed that he was privy to secret information. He had been “repeatedly warned” that “secession leaders in Washington” had determined that the border states, especially Maryland, would be “precipitated into secession” with the Cotton South before March 4. They have resolved to seize the Federal Capital, and the public archives, so that they may be in a position to be acknowledged by foreign governments as the United States, and the assent of Maryland is necessary, as the District of Columbia would revert to her in case of a dissolution of the Union. . . . The plan contemplates forcible opposition to Mr. Lincoln’s inauguration, and consequently civil war, upon Maryland soil, and a transfer of its horrors from the States which are to provoke it.

The voices of those who favor this scheme are unanimous for a special session, and every effort has been made, and will be made, to influence the public opinion in this State, to force me to convene that body.”
Several days earlier, the governor had given the Baltimore American an extract from a December 25, 1860 letter, whose anonymous author had warned the governor of this conspiracy to force Maryland into secession by disreputable means. Published on January 1, the letter would put Maryland’s secession movement on the defensive. Through the spring its leaders repeatedly and pointedly disavowed any knowledge of or support for such plans. Many claimed they were not secessionists at all and only wanted Maryland in a position to respond to events in concert with Virginia and other border slave states. Some used rhetoric suggesting the label “secessionist” was an insult.14

Another significant development occurred when Congress reconvened on January 3. Hicks hoped it would propose a compromise measure providing a way out of the secession crisis. Four days later, Virginia’s legislature met in special session, adding a sense of urgency to those who felt that Maryland’s legislators should be called into session so that the two states could act together. On January 9, the Star of the West, an unarmed U.S. steamer sent by Washington to resupply the garrison of Fort Sumter, was fired upon off the South Carolina coast, further heightening tensions. That same day, Mississippi became the second state to secede from the Union.

On January 10, the same day reports of Mississippi’s action and the Star of the West appeared in Baltimore’s newspapers,15 the Friends of the Union met at the Maryland Institute. Presiding officer Archibald Stirling Jr., an attorney and former member of the House of Delegates from Baltimore, stated that the purpose of the gathering was to “preserve and perpetuate the Union” and to arrest “the progress of secession.” Maryland’s future governor, Augustus W. Bradford, proposed that since conservative men in the North were pressuring their legislatures to repeal the personal liberty laws, conservatives in Maryland and the upper South should match their efforts by confronting the “southern revolutionaries” who, during the 1860 presidential campaign, had denied that secession was their aim but who now, just fifty days later, were in open defiance of their own principles. The consequences in Maryland and the upper South should make clear that the progress of secession was to be resisted and prevented. The Union and the Constitution were at stake. Bradford proposed that members of the House of Delegates from Baltimore, acting as the representatives of the state, call a special session of the legislature to discuss the situation. Although Bradford’s proposal was not adopted, its spirit was reflected in the resolutions that appeared in Baltimore’s newspapers. The Friends of the Union and the state of the West.

Another significant development occurred when Congress reconvened in June. The Confederacy was now an ally of the South Carolina secession, further heightening tensions. Some noted the supposed “southern consent” and other southern states, aware of their influence over Congress, refused to support any such plans. Many claimed they were not secessionists at all and only wanted to remain in a position to respond to events in concert with Virginia and other states. Through the spring, the state legislature passed several measures designed to prevent any plan of secession. On January 10, the state would pass an amendment to the state constitution that prohibited any attempt at secession. From a December 25, 1860 letter by a prominent southern leader, it appeared the governor had given the Baltimore American an extract...
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which had been passed years earlier. He further maintained that Lincoln was only opposed to the expansion of slavery in the territories, his views were conservative, and that there was no need for alarm. Johnson found it particularly troubling that because some in the South feared the president-elect might institute policies that would destroy the Union, the South would destroy it first.18

Although Johnson laid most of the blame for the crisis on the North, the South also bore responsibility. He joined those calling for compromise proposals like those being discussed in congressional committees, which would satisfy the South and permit seceded states to rejoin the Union. In the event that Congress failed to find a solution, he called for a border state conference to effect a settlement.19

Clearly trying to emphasize Maryland's bond with the Union, the assembly adopted a series of resolutions, the first four of which were taken from George Washington's Farewell Address of 1796. They emphasized the Union as the founders' cherished legacy and warned that all should watch for and discourage threats to it—a unified government was essential for its longevity and success. Other resolutions called for a repeal of northern personal liberty laws, a check on abolitionist "aggressions," compromise and conciliation, and praise for Congress's work toward a settlement.20

A "Conference of the Counties," on the other hand, that met over two days at the Law Buildings in Baltimore, had a different agenda. According to the Sun, delegates representing the city and all of the counties had been selected "by invitation of some gentlemen of this city." The published purpose of the meeting was to discuss the national difficulties and to urge Governor Hicks to convene the legislature, which, in turn, would pass a law authorizing a sovereign state convention. But the first day's proceedings revealed a split within the ranks. The majority proposed resolutions that would establish a committee to visit Hicks and discuss calling an election of delegates to a convention by proclamation, thus bypassing the need for the General Assembly. The disagreement, the group recommended the issue be referred to the people of Maryland for a vote. If Hicks refused both recommendations, the conference planned to ask the people of Maryland to elect delegates to a convention unsanctioned by the government.21

A spokesman for the minority, A. B. Hagner of Anne Arundel County, noted that the meeting was "only a conference, and had no delegated powers, and as such it was proper that moderation should be used. If the majority only put forth the resolution asking Hicks to call an election in which the voters would decide whether to form a convention, the minority intended to withdraw its report. The minority proposed secession as too extreme and dangerous and maintained that the Constitution contained remedies for all grievances. Until those powers had been utilized, the minority opposed secession as too extreme and dangerous, and maintained that the Constitution contained remedies for all grievances. Until those powers had been utilized, the minority opposed secession as too extreme and dangerous. A. B. Hagner of Anne Arundel County, noted that the meeting was "only a conference, and had no delegated powers, and as such it was proper that moderation should be used. If the majority only put forth the resolution asking Hicks to call an election in which the voters would decide whether to form a convention, the minority intended to withdraw its report. The minority proposed secession as too extreme and dangerous, and maintained that the Constitution contained remedies for all grievances. Until those powers had been utilized, the minority opposed secession as too extreme and dangerous. A. B. Hagner of Anne Arundel County, noted that the meeting was "only a conference, and had no delegated powers, and as such it was proper that moderation should be used. If the majority only put forth the resolution asking Hicks to call an election in which the voters would decide whether to form a convention, the minority intended to withdraw its report. The minority proposed secession as too extreme and dangerous, and maintained that the Constitution contained remedies for all grievances. Until those powers had been utilized, the minority opposed secession as too extreme and dangerous.
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The Secession Movement in Maryland

On January 25, 1861, Hicks wrote to General Winfield Scott, expressing his concern about the potential for civil war and requesting two thousand muskets in case of emergency, specifically in anticipation of Lincoln’s upcoming March 4 inauguration. He added, “I do not know what the minority of desperate men in Maryland may work out. You may notice by the papers that our Secessionists are straining every nerve to get up agitation here; so far it is a poor effort."

A Secession Movement Is Born

The next meeting of Marylanders from which a secession movement would emerge took place on February 1, but before that, several significant events occurred. Between January 10 and January 26, Florida, Alabama, Georgia, and Louisiana seceded. On January 14, Virginia’s General Assembly established a constitutional convention to consider its response to the secession crisis. Ten days later, on January 19, Virginia’s legislature issued a call for each state to send delegates to a conference in Washington, D.C., which would meet on February 4, 1861, to consider possible solutions to the crisis.

A formal Maryland secession movement emerged out of the February 1 meeting at the Maryland Institute in Baltimore. Prior to it, the goal of the loosely organized group was to compel Hicks to convene the General Assembly or call a convention, to work for a compromise measure with other border slave states, and to be in position to respond in some undefined manner should negotiations fail. While still giving a nod to a potential compromise measure, the meeting’s leaders were now more focused: if a settlement could not be reached, Maryland should act in concert with Virginia, which was expected to secede. They dismissed any potential alignment with the North as beyond the realm of possibility. Moreover, the rhetoric revealed their contempt for the governor and his actions.

Since those who opposed Hicks’s actions could not circumvent the constitutional language that gave him discretion, many turned for support to the state constitution. Maryland’s Declaration of Rights was a set of principles that preceded the constitution proper and encapsulated the values that underlie it. Article 2 of the Declaration of Rights, for example, highlighted the role of the people, who “ought to have the sole and exclusive right of regulating the internal government of the United States, and of excluding from the same every form of illegal influence.” Article 4 proclaimed:

“Tat all persons invested with the legislative or executive powers of government are the trustees of the public, and as such accountable for their conduct; whenever the ends of government are perverted, and public liberty manifestly endangered by violation of constitutional rights, the people are appealed to by their right of revolution.”

A Secession Movement Is Born

The papers that had been circulated were alarmist, but General Winfield Scott, who had also received these documents, reassured Hicks that there was no imminent danger of military action. He hoped Hicks would steady himself with the Union. On January 27, he wrote to Hicks:

The next meeting of Marylanders from which a secession movement would emerge
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endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old or establish a new government; the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

Resentful that Hicks was making decisions they believed the people should make through their elected representatives, Article 6 also seemed to apply: “That the legislative, executive and judicial powers of government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said departments shall assume or discharge the duties of any other.” Although the Declaration of Rights delineated no powers, the Baltimore Sun reported that the call for a “people’s convention was being made “as authorized by the bill of rights.

Te secession of five more states and the formation of Virginia’s state convention seemed to give the February 1 conference a sense of urgency, a fear that Maryland was being left behind. Baltimore physician Alexander C. Robinson chaired the meeting.

William Henry Norris predicted that the Union was about to receive a “fatal blow,” that it was on the eve of “dismemberment,” and claimed that Hicks had been elected by fraud akin to “submission to black republicanism”—a reference to widespread violence and fraud in Baltimore during the 1857 election. Baltimore’s congressmen, he added, were elected by fraud, their commissions “stained with blood.” With Hicks thwarting all efforts to convene the General Assembly or call a convention, Norris proposed that citizens could still represent themselves in “primary assemblies” provided for by the “bill of rights.”

Robert M. McLane, West Point graduate, attorney, former member of the House of Delegates, and a two-term congressman, informed the gathering that the Republican Party intended to adhere to its Chicago platform and enforce federal laws in the South. That, he said, would require military force and amounted to despotism. McLane, known to be an exceptional orator, soared to new rhetorical heights for a movement that heretofore had spoken in moderate, if not conservative, tones. “By the living God, fellow countrymen, the Susquehanna must be the boundary. They had spoken of the Potomac, but the Susquehanna shall run red with blood before it shall be crossed... I will pledge my life and heart to march with you to the Sangamon."

Severn Teackle Wallis devoted most of the speech to predicting Hicks’s reply: “intended that Maryland shall be kept inert and silent” until after Lincoln’s inauguration, at which time the citizens would be rallied to support the Union and therefore the Republican Party. When the citizens would be enabled to support the Union and therefore the Republican Party, he declared, Marylanders will never “submit to the North,” mean anything to the Republican party. “He de-
The Secession Movement in Maryland

Governor Tomas Holliday Hicks (1798–1865) ultimately committed Maryland to the Union. (Maryland Historical Society.)

Washington Peace Conference—particularly Reverdy Johnson and Augustus W. Bradford—were particularly influential in the movement to avoid secession. As a result, Maryland did not join the Confederacy when it seceded from the Union in April 1861.

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to the Washington Peace Conference, and called for the formation of paramilitary organizations in Baltimore to resist any attempt to coerce the seceded states. The meeting established a process by which Baltimore and the counties would elect delegates to a convention that would meet without official sanction on February 18. Localities were to select delegates to countywide and citywide meetings, which in turn, would select delegates to a convention that would meet without official sanction on February 18.

Hicks was not without support during these dark days of acrimony and mockery. Attorney William Price, for example, wrote of the February 1 meeting: “They censure Gov. Hicks in round terms because he declines to give up his own judgment and take theirs, and that on a great subject which the Constitution confides to his discretion.” Price’s letter was published in the Baltimore American of February 5, 1861 and then as a pamphlet. State senator Anthony Kimmel of Frederick County was an ally from the American Party who on January 26 assured the governor that seven-eighths of Marylanders approved of his course. Baltimore attorney William H. Collins spoke before the January 10 “Friends of the Union” meeting and wrote two addresses that advocated the Unionist position and were first published in newspapers and then in pamphlet form. Local and county meetings in other parts of the state—particularly in western Maryland—passed numerous resolutions commending the governor’s stance.

The Conference Convention met in Baltimore on February 18–19 at the Universalist Church. Opening the meeting to delegates from across the entire state subjected it to moderating influences. A Worcester County meeting first elected delegates sympathetic to the goals of the February 1 meeting, but after that meeting adjourned another was held that elected delegates sympathetic to Hicks. Both slates of delegates arrived at the convention expecting to be seated, but the committee on credentials turned away the Hicks supporters. In something of a surprise, the convention elected Ezekiel F. Chambers of Kent County as president. Chambers was an avowed conservative, a War of 1812 veteran who had served in the state and U.S. Senate and as an appeals court judge and had been a delegate to the state constitutional convention of 1850. After the explosive rhetoric of the February 1 meeting perhaps the delegates hoped to gain credibility with his selection.

Chambers tried to put to rest any notion that this was a secession convention by asserting that there were “no more Union loving” people than those present and that his ultimate goal was to arrange for the election of delegates to a convention with official sanction, which he defined as one elected by a majority of Maryland’s legal voters and requiring some action by Hicks. He also informed the assembly that he had recently been in contact with men close to Hicks and had learned that the governor was awaiting the outcome of the conference. Hicks, it seems, was not without support during these dark days of acrimony and mockery.

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action Congress might take, after which he would call an election to determine if Maryland voters supported the idea of a convention to decide on secession. In a letter to Dr. Joseph J. Duvall, published on February 9, Hicks had written that if attempts at compromise failed he would "go to the people as asked by the Committee sent by the Counties' Convention." Chambers proposed that the Conference Convention delay any action until the Peace Conference had concluded its business, and that any action should be directed toward adding weight to Hicks's anticipated announcement. Out of respect for Chambers, or perhaps believing that Hicks had finally relented to its demands, the delegates went along with this suggestion.39

The Conference Convention then proclaimed that the "aggression of the non-slaveholding states" had caused the secession crisis, that Maryland should act in concert with Virginia "to associate with her in confederation with our sister States of the South," and that Maryland "should not permit its soil to be made a highway for federal troops, sent to make war upon our sister States of the South." It also announced its approval of the governor's "alleged" intention to issue a proclamation calling for a state convention. To allow time for Hicks to act, it adjourned until March 12 unless Virginia seceded before that date, in which case, if the governor had not yet called for a convention, the Conference Convention would reassemble upon the call of President Chambers.40

Enoch Louis Lowe read an address that had been prepared by the convention's business committee. Why the committee chose Lowe, who had previously proposed revolt and the governor's assassination, is unclear, but the address rejected accusations that Maryland's Southern Rights men were secessionists and disunionists as unjust. Lincoln's election, however, had brought to power a party whose principles violated the constitution and the honor and equality of the slaveholding states, it proclaimed, and had Maryland and the other border slave states convened conventions earlier, the crisis might have been averted. A border slave state conference held in November or December, for example, might have controlled the actions of the cotton states by presenting the Crittenden Compromise to the North as an ultimatum, after which northern public opinion might have forced its leaders to yield. Had efforts to reach this middle ground failed, the address concluded, then Maryland should act in concert with Virginia to reconstruct the Union in its former condition. If the Peace Conference failed, the address continued, then the Conference Convention would "call on the people of Maryland, with those of Virginia and the South," to act according to the will of the people of Maryland, and to associate with Virginia in this effort to save the Union. Out of respect for Chambers, the address concluded, the Conference Convention "would express the profound regret of its non-secessionist members."
Kent Countian Ezekiel F. Chambers (1788–1867), elected president of the Conference Convention, declared unfailing support for the Union, unless Maryland's honor was disgraced. (Maryland Historical Society.)

Although they thought “the cotton States had acted with undue haste and precipitancy,” the convention’s members were “almost unanimous for resistance to Black Republican rule, and determined to co-operate with the seceding States in the event that Virginia should determine to withdraw from the Federal Government.”

Robert McLane, who at the February 1 meeting had called for marching to a sovereign convention, gave him the authority to call for a vote that would establish or declare the state’s separation. As the governor explained the following December, the state constitution did not give him the authority to call for a vote on a sovereign state convention, news of which he had expected to find in the papers. He had recently begun in contact with men close to the governor, though, and informed the assembly that Hicks had changed his mind.

Ezekiel Chambers called the sparsely attended convention to order and explained that so many delegates were absent because the governor’s call for a vote on a sovereign state convention came too late. Hicks would call for a vote on a convention that would establish a sovereign state, and_MULTIMEDIA_ that so many delegates were absent because the governor’s call for a vote on a sovereign state convention came too late.

When the Conference Convention reconvened on March 12 at the Universalist Church in Baltimore, Lincoln had been inaugurated. All efforts to resolve the crisis through Congress and the Washington Peace Conference had come to naught. Virginia, despite expectations, had not seceded. Delegates were divided regarding their next step, and the Baltimore Sun questioned why they had assembled at all. Their next stop, and the behavior that confronted them, had no precedent. Delegates were divided regarding their next step, and the Baltimore Sun questioned why they had assembled at all. Their next stop, and the behavior that confronted them, had no precedent.

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The Secession Movement in Maryland

it in conflict with state or federal authority. Clearly, since Virginia had not seceded, "it would be madness in Maryland to do so." He recommended that the state adhere to the Union so long as its constitutional rights were protected.

Dr. John Hanson Tomas then presented a resolution criticizing the inaction of Congress and Governor Hicks, as well as the "dilatory action of the State of Virginia.

The next day McLane rose again, this time to decry any right of the federal government to bring the seceded states back into the Union by force. Although some, such as the Governor, argued against the Johnson resolutions because they departed from the "conservative course" of the conference and would declare Maryland out of the Union, McLane explained that whether secession was a right was immaterial because the withdrawal of seven states was an "accomplished revolution" and the right to revolution was a right no less sacred and "forever vested in the American people."

He repeated his recommendations of the day before, suggesting that Maryland fight for its rights within the Union as long as possible, but when the border slaveholding states could no longer defend their rights within the Union, they would be found at their side, whether it be to revolt or to secede.

The Conference Convention soon began to divide into opposing camps. Like McLane, Judge Chambers took a conservative position. Delegate and future Confederate general Bradley T. Johnson of Frederick County proposed that federal attempts to retake forts or other property in the South be interpreted as an act of war on the South. He also proposed that the commencement of war between the federal government and seceded states would dissolve the compact between the remaining states and the Union. Chambers argued against the Johnson resolutions because they would declare Maryland out of the Union and the Conference Convention being seen as a body of secessionists. McLane also opposed Johnson's resolutions because this was not a Sovereign Convention but a "Conference Convention" and as such possessed no authority to commit the state to secession.

William Henry Norris, on the other hand, preferred that Maryland leave the Union and apologize to Virginia for doing so, as in the Revolutionary period. A border state conference would only protract the crisis and bring economic stagnation.

The next day McLane rose again, this time to decry any right of the federal government to bring the seceded states back into the Union by force. Although some—particularly Secretary of the Treasury William H. Seward—would be made to secede, he recommended that the state adhere to the Union, since Virginia had not seceded.
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for the border slave states to convene legislatures and establish sovereign conventions. Once all of the slaveholding states were out of the Union, they would be in a position of greater strength and could present terms to the North that might lead to reconstruction. Norris’s conjecture may have appeared a little odd, since none of the seceded states had expressed a desire to rejoin the Union, but only if Virginia opposed annexation by the deep South, he said, should Maryland participate in a border state convention.48

Despite the discord among attendees, the Conference Convention passed four resolutions. Adhering to their February 18 resolutions, they voted to take no action until Virginia settled the question then being debated in its state convention of whether to call a convention of border slave states. Another resolution expressed Maryland’s support for the proposed border slave state convention and arranged for a delegation to deliver the news to the Virginia convention. A late resolution recommended to Virginia that if it authorized a border slave state conference, delegates should be chosen by popular election or in a state convention rather than appointment by the governor or legislature. With that, the meeting adjourned to await any action by Virginia or Chambers’s call to reconvene.49

The six-member delegation authorized by the Conference Convention—minus Enoch Louis Lowe, who was home ill—arrived in Richmond on March 15. The next day they were given seats and informed the Virginians that Maryland would accept an invitation to a border slave state convention but would prefer the border state delegates be chosen by popular election or in a state convention.仍是愤怒过 Hicks’s choice of delegates to the Washington Peace Conference and uncertain of their own legislature’s intentions, they informed the Virginia convention that should “any existing department” of Maryland’s government attempt to select delegates to a border state conference the action would “undoubtedly be resisted by the people.” To avoid such a conflict, they recommended that the Virginia convention stipulate that those delegates “should be elected either directly by the people of the State or diversely by the agency of a sovereign State Convention.”

Although their message was ultimately printed and made a part of the Virginia convention’s proceedings, the Marylanders must have had some misgivings when Delegate Samuel McDowell Moore of Rockbridge County questioned their authority to act on behalf of the state, which highlighted their lack of credibility outside of their own supporters. The Virginia convention was already “annoyed enough by the proceedings of conventions from other States” and considered the border state convention a “manifestation of insubordination” and a “serious annoyance.” They warned the Virginians that Maryland would accept an invitation to a border state convention only if it were on terms that the people were given the right to vote. The six-member delegation authorized by the Conference Convention to communicate with Virginia’s convention—minus Enoch Louis Lowe, who was home ill—arrived in Richmond on March 15. The next day they were given seats and informed the Virginians that Maryland would accept an invitation to a border state convention but would prefer the border state delegates be chosen by popular election or in a state convention. They urged the Virginia convention to specify that those delegates “should be elected either directly by the people, or through the agency of a sovereign State Convention.”50

Despite the discord among Marylanders who opposed convening a border slave state convention, the Conference Convention passed four resolutions on that subject. The first resolution stated that the proposed border state convention should be elected by popular election or in a state convention. The second resolution expressed Maryland’s support for the proposed border slave state convention and arranged for a delegation to deliver the news to the Virginia convention. The third resolution recommended to Virginia that if it authorized a border slave state conference, delegates should be chosen by popular election or in a state convention. The fourth resolution opposed convening a border slave state convention by the deep South, but Maryland, as one of the border states, should participate in a convention of greater strength and could present itself to the North in a position that would be more favorable. Once all of the slaveholding states were out of the Union, they would be in a position to advance their interests and establish sovereign conventions for the border slave states to convene legislatures and establish sovereign conventions.
The Secession Movement in Maryland

On March 28 he wrote Secretary of State William H. Seward: "I am not a Republican, but a Union man and supporter of your Administration as far as it may be wise and proper, and thus far I have no fault with it."

He offered to provide advice on the proper course to be taken in the border states and to sustain the policy of the administration as much as possible.

The next day, before the States’ Rights meeting could take place, the Northern Central Railroad delivered troops to Baltimore. Some were U.S. Army regulars, who subsequently marched to Fort McHenry. Three ununiformed companies from Pennsylvania also marched through town to the Mount Clare Depot. They were verbally assaulted and a few bricks were thrown, but, under police escort, there were few casualties. That evening, Dr. Alexander C. Robinson, who had served as president of the raucous February 1 meeting, was elected to chair the States’ Rights meeting. This gathering was not affiliated with the Conference Convention, although its membership and goals certainly overlapped. In fact, the meeting on April 18 appears to have been an amalgamation of two distinct groups. When published, its resolutions were described as being a product of the State Rights and Southern Rights Convention, although its members had served at the raucous February 1 meeting.

The resolutions included the following:

1. "The question of the administration as much as possible."
2. "We are a Republican, but a Union man and supporter of your Administration as far as it may be wise and proper, and thus far I have no fault with it."
3. "If Virginia secedes, on March 28 he wrote Secretary of State William H."

Soon after, the people from the free states in the South, in the District of Columbia, the Maryland people from the free states in the North, and the good officers and property in the South.

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Tat day, too, Hicks and Baltimore mayor George William Brown issued proclamations urging Marylanders to remain calm and to observe existing laws. Hicks informed the populace that officials in the Lincoln Administration had assured him that any Maryland troops sent in response to the call for volunteers would only be utilized to defend Washington. But in closing Hicks surely angered and frustrated those who had urged him repeatedly to convene the General Assembly or to arrange for a sovereign state convention. Despite all that had occurred—the failure of reconciliation in the Washington Peace Conference and Congress, the outbreak of hostilities at Fort Sumter, and Lincoln's call for troops—he advised further delay. Lincoln had called for a special session of Congress to address the national crisis. The election of congressmen would not occur until June, but Hicks assured Marylanders that it was in that election that they finally would have an opportunity to "express their devotion to the Union, or their desire to see it broken up."

The next day, April 19, violent rioting broke out in Baltimore when citizens clashed with the 6th Massachusetts Volunteers, who were marching along Pratt Street between train stations on their way to Washington. Published resolutions by the Conference Convention that had protested against any passage of U.S. troops over Maryland soil, and one by the States' Rights and Southern Rights convention that called for citizens to "repel . . . any invader," and the creation of paramilitary organizations such as the Southern Volunteers and the National Volunteers, only increased the likelihood of confrontation. Such rhetoric and military activity, championed by prominent men, made bloodshed almost inevitable.

The evening after the Pratt Street riot, an impromptu meeting took place in Baltimore's Monument Square. Attorney John L. Tomas Jr. of Baltimore, later a Unionist delegate to the 1864 state constitutional convention and in 1865 a member of the U.S. House of Representatives, was present at Mayor Brown's office when the governor decided to go to Monument Square. The governor told those there that he was vexed with the Conference Convention's refusal to recognize the Confederate government and the passage of U.S. troops over Maryland soil. He called for citizens to "repel . . . any invader" and for the creation of paramilitary organizations. The Conventions Convention wasissant to the passage of U.S. troops through Maryland. The evening's events took place in Monument Square, not far from where attorney John L. Tomas Jr. of Baltimore was present.

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Hicks told the governor that he had done his duty and that he needed to leave to deal with the British. Hicks's, in his absence, creating uncertainty and tension in the city.
The Secession Movement in Maryland

Among those affiliated with the Maryland secession movement who spoke at Monument Square were Alexander C. Robinson, Senator Teackle Wells, and Robert M. McLane. McLane told the crowd that his "heart was with the South," and that he was "ready to defend Baltimore." Governor Hicks, under the influence of strong pro-southern sentiment, again took an equivocal position: "I am a Marylander and I love my State, and I love the Union, but I will suffer my right arm to be torn from my body before I raise it to strike a sister State."

The next day Maryland militia units burned six railroad bridges north of Baltimore to prevent the arrival of more northern troops. Hicks later denied having authorized the bridge burning, although others such as Enoch Louis Lowe and Mayor Brown later said that he had. John L. Thomas Jr. was at Brown's office when the decision was made to burn the bridges, and he supported Hicks's denial of complicity in the act.

To restore order in Baltimore, Hicks had activated the Maryland Militia in Baltimore, which was commanded by George Henry Steuart. Volunteer surgeons were requested to report with their instruments to Dr. Alexander C. Robinson's office at the corner of Charles and Saratoga streets. The police board enrolled volunteers in un-uniformed companies, said to total 15,000 men, and asked Isaac Ridgeway Trimble to take command of them. Steuart and Trimble would both become generals in the Confederate army. As a result, those in sympathy with the South had control of the city. Trimble appointed five prominent citizens to become members of the militia's council of war. The mayor was already in the city, and he had been appointed by Governor Hicks. The council of war was to advise him on military matters.

One of the resolutions of the last meeting of the Maryland Conference Convention held for its reassembly at Richmond called for an extra session of the General Assembly to meet in Annapolis on April 30. Governor Hicks finally relented to pressure of events and called for an extra session of the General Assembly to meet in Annapolis on April 26.
Two days later, with U.S. troops in control of Annapolis, he changed the location to Frederick in central Maryland, an area more sympathetic to the Union. The governor later explained that his previous refusal to convene the General Assembly had been designed to buy time for the “zealots” to moderate their opinions but that the Pratt Street Riot had shown him how much he had miscalculated. As a result of Hicks’s decision to call out the legislature, on April 24 Chambers cancelled the scheduled meeting of the Maryland Conference Convention. It would not meet again.

On April 26, the same day Bullets were arrived in Washington, the General Assembly convened in extra session at Frederick in a written address to the body, Governor Hicks—as usual giving a nod toward the possibility of secession—now advocated neutrality:

I cannot counsel Maryland to take sides against the General Government, nor toward the possibility of secession—now avoided neutrality. Governor Hicks—was usual advice a mood toward the possibility of secession—now advocated neutrality.

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The Secession Movement in Maryland

The Secession Movement in Maryland attempted to establish a sovereign convention, probably because it would have taken too long to arrange for elections, conduct a campaign, and subsequently deliberate the issue, all while the North and South were preparing for war. Instead, using the General Assembly as its vehicle, secessionists and their allies attempted to pass the Public Safety Bill, introduced in the senate by Coleman Yellott in a secret session, which would have taken control of the Maryland Militia from Hicks and delivered it to Southern Rights men prepared to act in concert with the South. Such an unconstitutional tactic quickly drew the disapproval of many citizens, legislators, and newspaper editors, and the bill died with the May 14 adjournment of the first session of the General Assembly's extra session.

Casual observers of the secession crisis tend to view the loyalties of those who lived through it as simply for the Union or for secession, but close examination of the writings and speeches of significant Marylanders reveals that theirs was a more nuanced and conditional response. In many cases, the views of those who eventually would favor secession and those who would throw their allegiance to the Union had much in common through March 1861. Most favored some sort of compromise, including major concessions from the North. The most significant difference was over the necessity of convening a special session of the General Assembly in order to make such concessions from the Union a reality. The secession movement in Maryland devolved into dissension and factionalism, and came under the influence of conservative men as winter turned to spring. Now it sought delay of its own to await Virginia's secession, the establishment of a convention, and the falling of more states to the South.
border state conference, or some action by the governor. Two prominent men—future Confederate officers Bradley T. Johnson and William Henry Norris—publicly called for Maryland's secession under certain conditions. Although at least one recent writer has attributed the failure of Maryland's secession movement to a lack of leadership and formal structure, it possessed both. What it lacked was legal standing to act on behalf of all Marylanders as a result of Hicks's intransigence. Without that, the secession movement lacked consensus and credibility with a significant segment of the population and with other southern states as well. Even a number of its leaders, such as Ezekiel Chambers and Robert M. McLane, publicly recognized the secession movement's lack of official authority to act on behalf of Maryland. The Conference Convention and earlier meetings arranged by Southern Rights supporters did, however, establish a formal structure led by prominent men that gave it status and respect from its supporters and which served to discourage extralegal expressions of Southern Rights sentiment.

After the firing on Fort Sumter, Lincoln's call for volunteers, and Virginia's secession, sentiment in favor of the South could no longer be contained or adequately expressed within the Conference Convention but erupted in the streets in the form of the Pratt Street riot and in subsequent paramilitary activity. Hicks, realizing that the dynamics had changed, quickly called for an extra session of the General Assembly, which served to purge some of the excessive pro-southern mania by calling for an attempt to reorganize the Maryland Militia, which would have permitted Maryland to quickly cooperate with the South militarily.

It can be argued that Governor Hicks almost single-handedly thwarted the secession movement in Maryland. Although Maryland's constitution gave him the exclusive authority to summon the legislature at his own discretion, and his inaction helped "save" Maryland for the Union, it must also be acknowledged that he denied the average Marylander a voice during a time of great national crisis. There is no certainty that a Maryland state convention, if convened at an early date, would have followed the course promoted by Hicks, who sought neutrality and tentative compromise. In light of momentous events that were taking place in the nation, however, allies of the secession movement in the General Assembly abandoned what they had called for all spring—a sovereign convention to vote on the state's course—in favor of an attempt to reorganize the Maryland Militia, which would have permitted Maryland to quickly cooperate with the South militarily.

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The Secession Movement in Maryland

with the North than did Virginia. In addition, Virginia was much more invested in the slave economy than was Maryland; nearly 13 percent of its population was enslaved, compared to 3 percent in Maryland.

Ultimately, Maryland's decision to secede or not may have turned on how representation in a statewide convention would be determined. If based on a county's representation in the General Assembly, the southern Maryland counties would have been over-represented and Baltimore under-represented. If based on total population, Baltimore would have had more influence. If the state's free blacks and slaves counted like white citizens in determining representation (as they did in determining representation in the General Assembly), Southern Maryland would have had the most in common with the southern slave economy.

Despite widespread fraud and intimidation in Baltimore, the 1859 election resulted in Democratic control of forty-five seats in the House of Delegates, while the American Party won only twenty-nine seats. In the state senate, Democrats held twelve of twenty-two seats. Since that election took place only weeks after John Brown's raid on Harpers Ferry had heightened fears of slave insurrection and raised mistrust against northern abolitionists, certainly most of the Democrats elected were, or were inclined to sympathize with, Southern Rights supporters. Stephen A. Douglas's poor showing in the 1860 presidential election also illustrates the weakness of the northern wing of the Democratic Party in Maryland. These things together may be why Hicks was so mistrustful of, and reluctant to convene, the General Assembly. Despite widespread fraud and intimidation in Baltimore, the American Party's representation in the General Assembly was won with a significant majority, and the American Party's showing in the state senate, twelve seats, was impressive. As a result of the composition of the General Assembly, it would be reasonable to expect that, if convened, Southern Rights Democrats would have sought to establish representation in a sovereign state convention that would have maintained their majority status. With so much at stake, certainly there would have been a great deal of angry debate across the state over how each county was represented in a convention that would determine the allegiance and fate of Maryland.

Yet another question comes to mind: If a Maryland convention voted to secede, would it have submitted its decision to popular referendum, as did Virginia? If so, the political labels "Southern Rights" and "Union" might have been replaced with "Union" and "Southern Rights." The ghost of corruption and fraud attached to the American Party would have subsided and improved the Union's showing. But would referendum have been conducted free of political and military interference? Given Baltimore's history of violent and fraudulent campaigns in the previous decade, and the presence of U.S. volunteers in the state beginning in April, there is no certainty that a fair election would have been conducted. Whatever decision was made about representation would have determined the allegiance and fate of Maryland.
the Government of the United States upon the people of the Confederate States, as the Government of the State on behalf of the House of Delegates. Declaring the war “waged by virtue of resolutions on Federal Relations, charged by seven Legislative houses published a number of resolutions on behalf of the House of Delegates, chaired by Sevier Teackle Wallis, published a number of resolutions on behalf of the House of Delegates. Declaring the war “waged by virtue of resolutions on Federal Relations, charged by seven Legislative houses.

When the first session of the General Assembly adjourned on May 14, the Com-

and a referendum, given what was at risk there almost surely would have clouded our view of Maryland’s ultimate allegiance.

Union flag on a Lafayette Street store front in Baltimore, 1861. (Maryland Historical Society.)
The Secession Movement in Maryland

unconstitutional, one resolution called for the recognition of the Confederacy as an independent nation. The final resolution acknowledged the defeat of the aims of the secession movement: "That under existing circumstances, it is inexpedient to call a convention to take any measure for the immediate establishment of an independent nation."

NOTES

1. Handy to Hicks, December 18, 1860, and Hicks to Handy, December 19, 1860, Governor (Letterbook) MSA SC M3169: 152–155, Maryland State Archives, Annapolis.

2. Baltimore Sun, November 7, 1860.

3. Ibid., November 29, 1860.

4. Ibid., November 24, 1860.


7. Ibid.


11. Ibid., December 28, 1860; ibid, January 2, 1861.

12. Hagerstown Herald of Freedom and Torch Light, January 16, 1861; Baltimore Sun, January 2, 1861.


15. See, for example, the Baltimore Sun, January 10, 1861.

16. Proceedings and Speeches at a Public Meeting of the Friends of the Union, the City of Baltimore, Held at the Maryland Institute, on Thursday Evening, January 10, 1861 (Baltimore: John D. Toy, 1861), 4, 12, 13, 17, 19, 24–28, 46–49.

22. One piece of the Compromise of 1850 legislation, passed to enforce article 4, section 2 of the Constitution, required the return of those "held to Service of Labour in one State" who had fed to another state.

23. Ibid.

24. Ibid., January 12, 1861.

25. Among the most significant proposals was one that re-established the Missouri Compromise line to the Pacific Ocean, below which slavery would be allowed. Another amendment would prohibit Congress from repealing or altering any of the amendments once they had passed, which would serve to guarantee the legality of slavery in the South for all time.

26. Ibid.

27. Ibid., January 15, 1861.

28. Hicks to Scott, January 25, 1861, Governor (Letterbook) MSA SC M3169: 177, Maryland State Archives.

29. Texas voted to secede on February 1, subsequently approved by referendum.


31. "Baltimore Sun," February 2, 1861. When the February 4, 1861, "Baltimore Sun" printed articles 2, 4, and 6 from the Maryland constitution's Declaration of Rights, it referred to them as the "Bill of Rights." In his speech, Norris, an attorney, was probably referring to the U.S. Constitution's Bill of Rights, of which the First Amendment guarantees the right to peaceful assembly.


33. Speech of S. Teackle Wallis, Esq. as Delivered at the Maryland Institute, on Friday Evening, February 1st, 1861 (Baltimore: Murphy & Co., n.d.), 4, 9–10, 12, 15.

34. Testimony of Enoch Louis Lowe, February 1, 1861, Report No. 79, "Alleged Hostile Organization," 2:97–103; "Baltimore Sun," February 2, 1861. In the February 2, 1861, transcription of Lowe's speech, the former governor's threat on Hicks's life was direct: "We only ask one thing, just and true, that we shall be permitted to decide the question at the ballot-box. If an arbitrary Governor should refuse our request, and with his power endeavor to prevent the exercise of these rights, then we will raise the banner of revolt against him... If a Governor of Maryland dare to assume that power, we will..."


36. William Price, The Position of Maryland. Letter of William Price, Esq. of Baltimore (Murphy & Co., 1861); Kimmel to Hicks, January 26, 1861, MS 1313, Tomas Holliday Hicks Papers, 1860–62, Maryland Historical Society, Baltimore. William H. Collins, An Address to the People of Maryland (Baltimore: James Young, 1861); William H. Collins, Second Address to the People of Maryland (Baltimore: James Young, 1861); William H. Collins, An Address to the People of Maryland (Baltimore: James Young, 1861).


38. Ibid.

39. Address and Resolutions Adopted at the Meeting of the Southern Rights Convention, Held in the Universalist Church in the City of Baltimore, February 18th and 19th, 1861: Together with the Address Delivered by the President of the Convention, Hon. Ezekiel F. Chambers, at Taking His Seat (Baltimore: J. B. Rose, 1861), 6–9.

40. Address and Resolutions Adopted at the Meeting of the Southern Rights Convention, 10.

41. Ibid., 10–12.
The Dream Deferred: The Assassination of Martin Luther King Jr. and the Holy Week Uprisings of 1968

PETER B. LEVY

"If riots come, ask the question: Who is responsible: those who have been drawn to desperation or those who drive them to desperation."
— Rev. Henry J. Offer, Baltimore, Maryland

As the sun began to set on Saturday, April 6, 1968, Robert Bradby, a twenty-one-year-old black steelworker, was relaxing at his girlfriend's house, when a crowd of black men and women began to congregate about a mile away on Gay Street in East Baltimore. Two days earlier, Martin Luther King Jr. had been assassinated in Memphis, Tennessee, and the black communities in Washington, D.C., and Chicago had erupted. But Baltimore, in the words of government officials, remained "calm." Concerned about the safety of his girlfriend's children, Bradby set out to find them. After learning that the children were safe, Bradby stopped for beer at Club Federal, a local hangout at the corner of Federal and Gay Street. To his surprise, gunshots rang out, nearly hitting him. Presumably, the shots were fired either by the owner of Gabriel's Spaghetti House, John Novak, or by Clarence Baker, a forty-seven-year-old white bartender, both of whom feared that the crowd was about to ransack their business. Bradby responded by concocting an improvised Molotov cocktail and throwing it into the restaurant. A small fire erupted. It was about to go out when another man threw a bigger firebomb into the building. As a result, the fire spread. By the time firemen arrived, much of the building had been destroyed. Unbeknownst to Bradby, Louis Albrecht, a fifty-eight-year-old white resident of Baltimore, who had sought refuge in the restaurant, died in the blaze. Around the corner another dead body, that of James Harrison, an eighteen-year-old black man, was later located. A crowd of black men and women began to congregate about a mile away on Gay Street in East Baltimore. Two days earlier, Martin Luther King Jr. had been assassinated in Memphis, Tennessee, and the black communities in Washington, D.C., and Chicago had erupted. But Baltimore, in the words of government officials, remained "calm." Concerned about the safety of his girlfriend's children, Bradby set out to find them. After learning that the children were safe, Bradby stopped for beer at Club Federal, a local hangout at the corner of Federal and Gay Street. To his surprise, gunshots rang out, nearly hitting him. Presumably, the shots were fired either by the owner of Gabriel's Spaghetti House, John Novak, or by Clarence Baker, a forty-seven-year-old white bartender, both of whom feared that the crowd was about to ransack their business. Bradby responded by concocting an improvised Molotov cocktail and throwing it into the restaurant. A small fire erupted. It was about to go out when another man threw a bigger firebomb into the building. As a result, the fire spread. By the time firemen arrived, much of the building had been destroyed. Unbeknownst to Bradby, Louis Albrecht, a fifty-eight-year-old white resident of Baltimore, who had sought refuge in the restaurant, died in the blaze. Around the corner another dead body, that of James Harrison, an eighteen-year-old black man, was later located.

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Maryland Historical Magazine

Albrecht and Harrison were two of Baltimore's six fatalities during the Holy Week uprising of 1968.4

At about the same time that Bradby left to search for his girlfriend's children, Joe DiBlasi, a student at the University of Baltimore, was returning from a National Guard drill session in Parkville, Maryland, one of the nearby suburbs. Though he witnessed a few kids throwing rocks at cars, he did not expect such juvenile pranks to escalate into a riot. No sooner had he returned home than he received a call from the National Guard ordering him to report to the federal armory as quickly as possible.

Subsequently, DiBlasi was placed in charge of a squad of twelve men and given orders to take up a position at the corner of North and Pennsylvania Avenues, near the historic center of the African American community in Baltimore. From his post, DiBlasi witnessed looting, burning buildings, and defiant crowds. By the time he returned to civilian life five days later, Baltimore had suffered more than $12 million in damage and over 10,000 troops (Maryland National Guardsmen and federal forces) had encamped in the city. Looking back, DiBlasi emphasized the surreal nature of the event. "You would just look around and say, 'how can this be happening?'"5

The Pats' sisters, Sharon and Betty, in their teens in 1968, together with their parents Sid and Ida, had gone to bed on the night of Saturday, April 6, just about the same time that looting broke out at the corner of North and Pennsylvania Avenues. Earlier in the day, a black woman from the neighborhood had warned their family that they "better get out." And Sharon Pat [Singer] later recalled that things had been tense in the neighborhood ever since King's assassination. Nonetheless, when the Pats girls awoke on Sunday morning, they felt secure enough to drive to Hebrew School and to go shopping. Not until Sharon spotted the flames did they realize that things had begun to spiral out of control.

Eager to help, the Pat sisters quickly packed up the rest of their family and drove away. You would just look around and say, 'how can this be happening?'

The Pat sisters' home and business were looted. A day later their building was burned to the ground. It "was the end of [our] life as we knew it."9

Louis Randall, one of the first African American graduates of the University of Maryland Medical School, three years after the Brown decision, was delivering a baby at Provident Hospital in West Baltimore when he heard the sounds of windows being broken. From his hospital window, he could smell the acrid smoke from stores being burned. As soon as he could, Randall rushed home and then dashed off to his office building, which he had recently opened with several other black doctors. Like many buildings which had recently opened with several other black doctors, the office building was soon at the sound of a gunshot. From the hospital, he could smell the acrid smoke from broken windows and proceed to another hospital. In West Baltimore, where the riots had started, the sounds of windows being broken and the smell of smoke were omnipresent. "Nothing was left untouched," DiBlasi later said.

While the Pat sisters were able to escape relatively unscathed, the Pat family business was almost completely destroyed. In 1969, the city's Board of Education, in an effort to improve the educational opportunities for African American students, had announced a plan to desegregate the city's schools. The Pat family business was one of the few remaining businesses in the neighborhood, and its destruction was a blow to the community. The Pat family was forced to close their business, and their home was damaged in a fire that broke out in the neighborhood.

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The Holy Week Uprisings of 1968

Other African American business owners, Randall placed a "Soul brother" sign on his door to make clear to would-be looters that his was a black-owned business. Still, not trusting the sign alone, Randall vigilantly stood guard, shotgun in hand, hoping he would not have to shoot anyone in order to preserve what he had worked so hard to achieve.9

These four stories provide a glimpse at the riots or uprisings that erupted across America in the wake of Martin Luther King Jr.’s assassination. Each one hints at the challenges historians face in trying to reconstruct the past. Whose story do we tell and which ones do we leave on the cutting board? How do these stories fit into the established understanding of the times? And what do they tell us about the causes and consequences of the urban or racial disorders of the 1960s?

While this article focuses on Baltimore, it is important to remember that the uprising was widespread. Between the evening of April 4, when James Earl Ray shot Martin Luther King Jr., and Easter Sunday, April 14, 1968, 196 cities in thirty-six states plus the District of Columbia experienced looting, arson, or sniper fire.10 Fifty-four cities suffered at least $100,000 in property damage, with the nation’s capital and Baltimore topping the list at approximately $15 and $12 million, respectively. Thousands of small shopkeepers saw their life’s savings go up in smoke. All told, forty-three men and women were killed, approximately 3,500 were injured, and 27,000 were arrested. Not until over 58,000 National Guardsmen and regular Army troops joined local police and state forces did the uprisings cease.11 Put somewhat differently, during Holy Week 1968, the United States experienced its greatest wave of social unrest since the Civil War.

In spite of the magnitude of the Holy Week uprisings, historians have virtually ignored them.12 With the exception of Ten Blocks from the White House, collectively written by the reporters of the Washington Post in the immediate wake of King’s assassination, little has been written about the riots that followed King’s death.13 A survey of twenty texts on postwar America or the 1960s reveals scant discussion of the King uprising. In contrast, most of these same works spend a considerable amount of time discussing student-centered disturbances, even those that took place during the summer of 1967 and 1968.14

It is said, even before the spring of 1968, scholars and laymen already had developed detailed analyses of why “rioting” or “disorders” were taking place. A large cluster of them concluded that the riots were rooted in the conditions of the ghetto. As the Kerner Commission declared, the nation’s failure “to make good the promises of American democracy to all citizens,” stood as the central cause of the disorders. Another cluster of scholars and laymen strongly disagreed. They argued that the riots were the byproduct of radical agitators or “riotmakers,” to borrow the words of Eugene Methvin. In some cases, this school of analysis also blamed liberals for "molly-coddling the militants, either directly or indirectly."

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Put somewhat differently, one school cast the disorders as rational political events, as a form of protest against unjust circumstances, while the other school contended that the riots represented the irrational actions of individuals who were “seeking the thrill and excitement occasioned by looting and burning.” In addition to providing a broad overview of the Baltimore uprising, the following analysis allows us to test prevailing explanations of the rioting permissive values that allowed individuals to shirk their responsibilities.16

Map A: Race, Residence, and Rioting. Created by Peter Levy and Kathryn Kulbicki.
The Holy Week Uprisings of 1968

Based on multiple sources, including police logs and the U.S. Army's "After Action Report," the "initial disturbance" took place on the 400 and 500 blocks of North Gay Street in the heart of East Baltimore, between 5:15 and 5:20 p.m. on Saturday, April 6, two days after King's assassination. As orders were issued for all police to report to their respective districts, crowds grew in size and after bombs were thrown into a vacant house. According to one source, policemen on the scene were commanded to withdraw rather than confront the crowd, but this claim cannot be confirmed. There is no question, however, that about an hour later, two new fights broke out at the Ideal and Lewis furniture stores on the 700 block of Gay Street, and crowds continued to gather in East Baltimore.18

By some reports, the crowd quickly grew to over 1,000 men and women. Like a slow-moving wave, it rode its way up Gay Street and spilled over to Harford Road and Greenmount Avenue. Quickly, Police Commissioner Donald Pomerleau ordered K-9 units to deploy downtown, and state police set up posts around the state office building. Just before 8 p.m., Governor Spiro T. Agnew declared a state of emergency. A couple of hours later he signed executive orders that established an 11 p.m. to 6 a.m. curfew and banned the sale and distribution of alcoholic beverages. In the same time period, Maryland National Guardsmen began to report to duty and to deploy around the city.19

"Situation Reports" that flowed into the White House provided a keen sense of the speed with which circumstances changed in Baltimore. Whereas one report issued on the afternoon of the sixth relayed that a peace rally had taken place in Baltimore "without incident," a separate report, issued about six hours later, stated that twenty fires had erupted, that freemen were being pelted with bricks and stones, and that stores were being "ransacked." By 4 a.m., the seventh situation report noted that Baltimore had recorded five deaths, three hundred fires, and four arrests. Just as important, the uprising began to spread to the Pennsylvania Avenue corridor in West Baltimore. Eventually, thirteen distinct neighborhoods and at least a half-dozen commercial districts experienced at least twenty incidences of looting, vandalism, or arson. Every major black section of the city, with the exception of Cherry Hill in Southwest Baltimore, was affected. Areas that were predominantly white and the downtown business section remained relatively unaffected. Faced with this escalating situation, President Lyndon B. Johnson authorized the use of federal forces, commanded by General Robert York, to join Maryland National Guard units that had already deployed. All told, 10,956 troops deployed in Baltimore; an additional 610 were held in reserve. (See Map A.)

One tense moment occurred on the afternoon of April 9 due to miscommunications between federal and local authorities. Md., about two hundred men and women began to assemble at Lafayette Square in West Baltimore. Unknown to federal officers, Maryland National Guard commander General George Gelston had given his approval for such a rally. When General York, who was in charge, discovered the crowd, he ordered them to disperse and charged them with violating curfew orders. A couple of hours later the National Guard set up a roadblock at the east end of the Pennsylvania Avenue corridor. By some reports, the crowd quickly grew to over 1,000 men and women. Like a slow-moving wave, it rode its way up Gay Street and spilled over to Harford Road and Greenmount Avenue. Quickly, Police Commissioner Donald Pomerleau ordered K-9 units to deploy downtown, and state police set up posts around the state office building. Just before 8 p.m., Governor Spiro T. Agnew declared a state of emergency. A couple of hours later he signed executive orders that established an 11 p.m. to 6 a.m. curfew and banned the sale and distribution of alcoholic beverages. In the same time period, Maryland National Guard began to report to duty and to deploy around the city.19

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instructed commanders that no permit to assemble had been issued, federal forces began to disperse the crowd. Local commanders requested the right to unsheathe their bayonets should the crowd resist. As the crowd proceeded to march down Pennsylvania Avenue, tensions and the chance for a confrontation peaked. Fortunately for all involved, Major William “Box” Harris, the top black police officer in the city, appeared. After fending off a barrage of jeers, Harris announced, to cheers, that the rally would be allowed to take place after all.23 One other tense situation involved a white mob that assembled near Patterson Park. Vowing to have it out with blacks, it dispersed only after federal troops and National Guard units made clear that they would not allow the whites to cross into the black section of town.

Some looting may have been augmented by organized crime. Intelligence sources reported that seasoned criminals paid children to help them steal valuable items. Young looters did this by creating diversions, serving as lookouts, and quickly fencing larger goods to adults who parked pickup trucks in back alleys behind appliance, furniture, and other stores. At the same time, one of Baltimore’s best known criminals, “Little Melvin,” helped quell the uprising. With the permission of General Gelston, on April 8, Melvin, along with Clarence Mitchell III, called upon people in the community to “cool it.” As he recalled, “I . . . stood on a . . . a car hood or roof and said that: ‘You have taken all there is to take out of this black community. You’ve taken the heart out of your own area. But more importantly, I’ve been told by this General [Gelston] that in the event that you cross Howard and Franklin Streets . . . they are going to kill you all. You will be killed.”24 Ironically, Melvin was arrested two weeks after helping to cool things down by alertly pointing a machine gun at a police officer.25

The number of incidents dropped on the ninth of April, allowing the Baltimore Orioles to play their opening game on April 10, one day later than originally scheduled. One final casualty of the uprising was a concert by the “king of soul,” James Brown. Scheduled to perform at the Civic Center on Friday, April 12, Brown had to cancel his appearance in part because the venue was still being used to house an overflow crowd of riot-related arrestees. Fortunately, the decision to allow Brown to go ahead was made after the crowd had dispersed to perform at the Civic Center on April 12. Brown had narrowly escaped an attack by a white mob near his hometown and was forced to leave the area. But more importantly, Brown’s presence in the community helped to calm the situation, as he urged people to stay calm and peaceful. His message, “Let love conquer hate,” resonated with the community, and his performance helped to bring about a sense of normalcy.

Even though the media called these events “race riots,” there were only a couple of confirmed acts of violence between blacks and whites. Baltimore experienced few fatalities, especially in comparison to the “riots” of 1967 and/or to those earlier in the century. Six individuals were killed, five blacks and one white. In contrast, thirty-four and forty-three men and women were killed in Watts and Detroit, respectively. Somewhat along the same lines, even though they had to face large and unruly crowds, most often with unloaded weapons, few National Guardsmen or federal troops suffered serious injuries. And while close to 1,000 businesses were affected and hundreds were ransacked or torched, public and community buildings were protected and largely untouched. The city appeared after the rioting, after rebuilding a burned-out district, a new playground built in what had been a burned-out area. Police and National Guard units made clear that they would not allow the rioters to cross Howard and Franklin Streets.

Instructed commanders that no permit to assemble had been issued, federal forces
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including symbols of the establishment, such as schools, government buildings, and churches, were largely spared. Indeed, the greatest difference between the riots that took place during Holy Week 1968 and those that took place between 1965 and 1967 was the substantial decrease in fatalities. This was not due to luck. Rather, the decrease in fatalities grew out of decisions that federal authorities made following their study of the disorders of the summer of 1967. More specifically, based upon recommendations put forth by Cyrus Vance, the federal government developed detailed procedures for responding to urban disorders and then proceeded to train law enforcement officers across the nation, branches of the military, including the National Guard and Army, did the same. The most significant change was to deploy troops with orders that they were not to load their weapons and that they were to refrain from shooting looters. This decision garnered much public wrath and, as we shall see, contributed to the conviction of many. However, it also saved hundreds of American lives.

This analysis should not divert us from recalling the pain suffered by many merchants, especially in Baltimore's case, and by many Jewish merchants. Close to 80 percent of all establishments that suffered damages were owned by whites, a disproportionate number by Jews. Some of these Jewish merchants were Holocaust survivors. Others had fed Russian pogroms earlier in the century or descended from those who did. A number of commentators explicitly compared what had happened to Jewish merchants during the riots to what had happened during the Russian pogroms. Still, those who vandalized, looted, and torched buildings did not, with rare exceptions, attack white men and women themselves. Reports of sniper fire were vastly exaggerated and no one was killed by snipers, actual or supposed. The week's events show the need for better training for police, better planning, and better coordination between the police and other law enforcement agencies. This lesson is one we should not forget. The next time a similar situation occurs, the police and other law enforcement agencies should be better prepared.

Over the course of the week, 5,512 men and women were arrested. Ninety-two percent of the arrestees were black; 85 percent were males. The plurality of arrestees were over the age of thirty. Sixty-three percent of all of the arrestees were charged with curfew violations and an additional 7 percent with disorderly conduct. The plurality of arrestees were charged with larceny. Over 80 percent were charged with larceny. Over 20 percent were charged with disorderly conduct. This paper will not survey the strains that the uprising put on the criminal justice system. Suffice to say, authorities resorted to extraordinary measures, ranging from holding many of the arrestees in the city's largest indoor arena to getting defendants to accept pleas to lesser charges in exchange for higher sentences.

Unlike riots in the early decades of the twentieth century, when whites attacked blacks in black neighborhoods, the Holy Week uprising remained a very local affair. Surveys showed that the vast majority of those imprisoned were arrested within ten blocks of where they lived. A map of the area where the riots took place shows that the bulk of the violence occurred within a very small area. Unlike those in the early decades of the twentieth century, when whites attacked blacks in black neighborhoods, the Holy Week uprising remained a very local affair. Surveys showed that the vast majority of those imprisoned were arrested within ten blocks of where they lived. A map of the area where the riots took place shows that the bulk of the violence occurred within a very small area.
vandalism took place almost exclusively in black neighborhoods. One reason this was the case, as suggested above by Little Melvin, was because state troopers quickly cordoned off parts of downtown. When viewed from a metropolitan perspective, the magnitude of the shift appears to have been dramatic. In 1950, less than 40,000 blacks lived within city limits, compared to 350,000 in 1968. Some of these changes were likely due to industrialization and suburbanization, but there is no doubt that the riots of 1968 had a significant impact on the city’s population. The Baltimore Community Relations Commission’s report on the riots highlighted the continued segregation of residents by race, with white residents concentrated in the city’s downtown area and black residents concentrated in the surrounding suburbs. This segregation was exacerbated by the city’s housing policies, which favored white residents and excluded black residents from certain neighborhoods. As a result, many black residents found themselves trapped in a “long and desolate corridor with no exit signs.” This was a reality that Martin Luther King Jr. likely understood when he delivered his famous “Letter from Birmingham Jail” in 1963, in which he argued that the entrenched segregation and inequality in American society were holding back the hopes and dreams of many black residents. In contrast to the “One America” that King described, the “other America” was characterized by poverty, unemployment, and lack of opportunity. The city of Baltimore was no exception, with high rates of poverty, unemployment, and crime. This was a reality that King likely recognized when he delivered his speech in Baltimore in 1967, in which he argued that the American dream was not available to all citizens. As King would have said, “In this America, little boys and little girls grow up in the sunlight of opportunity. In contrast, in the other America, we see something that drains away the beauty that exists.”
change, as entire sections of the city went from being virtually all white to all black in a very short span of time. About the only change that did not take place was that whites did not move into predominantly black neighborhoods.

City-wide, the infant mortality rate stood at 28.4 out of 1,000 live births in 1965. Yet in census tracts targeted by the Model City Program, which were largely black and poor, infant mortality rates often exceeded 50 per 1,000. The same areas had twice the crime rate as the city as a whole, which was at least twice as high as the state average. Not only did blacks and whites live in separate neighborhoods, they inhabited qualitatively unequal homes. Nearly 50 percent of homes in inner-city neighborhoods were rated as “very poor,” whereas 20 percent of homes in suburban communities were rated as “very poor.” White professionals and politicians who lived in nearby upper-middle-class neighborhoods often remarked that blacks were victimized by crime at a campaign slogans, we need to remember that blacks were victimized by crime at a time when concentrations of poverty and crime, especially drug dealing and murder, were found in predominantly black neighborhoods. While skyrocketing crime rates alarmed whites, many black residents of these neighborhoods saw crime as a form of protest against a system that oppressed them. The Model City Program, which was designed to address the needs of these communities, failed to do so. In fact, it often exacerbated the problems it was meant to solve. The program was funded by the federal government and was intended to improve the lives of black residents by providing them with better schools, housing, and job opportunities. However, many of the program’s initiatives had negative effects on the communities they were meant to help. For example, the program often resulted in the displacement of black residents who were forced to leave their homes to make way for new developments. This was particularly true in the case of the New Communities Project, which was designed to create new mixed-income communities in inner-city neighborhoods. The project was a failure, and many of the new developments were eventually abandoned. In the end, the Model City Program was unable to address the fundamental problems of poverty and inequality in inner-city neighborhoods.
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far greater rate than whites, making it harder and harder for them to experience the American dream.42

Concomitantly, the city began to experience considerable economic pain. Long a blue-collar town, synonymous with work on the docks, garment shops, and steel mills, an increasing percentage of Baltimore’s workforce found employment in the service sector, such as in the health care industry and in the public sector. Since blacks in Baltimore disproportionately depended on work in manufacturing, this economic shift had a greater impact on them than it did on whites. During the 1960s, the number of men and women employed in manufacturing in Baltimore City increased 11 percent, the vast majority in sectors of the economy with the lowest rates of black employment. During the same period, in Baltimore County, where few blacks lived, the number of jobs grew a whopping 245 percent.43

Unemployment statistics illustrated the disparate world that blacks and whites of the Baltimore region occupied. Nationally, the unemployment rate in 1968 was less than 4 percent, suggesting a booming economy. Yet, in Baltimore, the rate for blacks was more than double this and in some inner-city census tracts unemployment hovered just below 30 percent, or at Great Depression rates.44 Even in segments of the labor market where things looked bright for blacks on the surface, such as at Bethlehem Steel Corporation, they appeared gloomy beneath it. As a report by the U.S. Civil Rights Commission observed, blacks were “virtually unseen in office work and ... virtually nonexistent in construction.”45

Although headline stories catalogued breakthroughs that blacks made in the public sector, from the first black police sergeant in 1947 and the first black housing inspector in 1951, to the “assignments” of seventy-eight black firemen in 1954 and appointment of the first black judge in 1957, overall, blacks remained underrepresented in government jobs and even more underrepresented on construction sites and in government offices where blacks remained underrepresented. Between 1945 and 1968, the total number of jobs in Baltimore City increased 11 percent, the vast majority in sectors of the economy with the lowest rates of black employment. During the same period, in Baltimore County, where few blacks lived, the number of jobs grew a whopping 245 percent.43

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Tis said, it needs to be remembered that in contrast to political leaders in the Deep South, where whites formed Citizens Councils to resist challenges to their way of life and rallied behind calls for "segregation forever," Baltimore's elite sought to address the racial divide. As noted above, Baltimore complied with the Brown decision. A decade later, it actively pursued various "War on Poverty" funds. (Ironically, the city's grant applications provide some of the best documentation on the distress of the city's inner-city neighborhoods.) One such program that won funding was Baltimore's Community Action Commission or CAC. Headed by Parren Mitchell, who went on to become Baltimore's first black congressman, Baltimore's CAC established job training and Head Start programs that sought to revive the dream of a better life. Moreover, there was some evidence that Baltimore's police department, unlike those in other cities, was making strides toward overcoming the racial divide. In March 1968, Reader's Digest specifically contrasted Baltimore's police to those of many other cities. The department had developed a "new image of police" that included the "expansion of a police station with a community relations department." Baltimore's police chief, Major William "Box" Harris, the article continued, had become a folk hero in the black community. Under Harris's direction, the police even sought to open lines of communication with the black community. One way of another—either over the barricades with the bombs falling about their ears or in the offices of the black community's leaders—had become a fact of life in the city. For example, Parren Mitchell wrote to Mayor Harris that the police had been "very helpful" in his efforts to involve the black community in the planning of the city's new community action programs. Moreover, there was some evidence that Baltimore's police department, unlike those of the rural south, was making strides toward overcoming the racial divide.

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Of course, critics of the Kerner Commission, like Spiro Agnew and William F. Buckley, were quick to retort that the riots were not caused by "poverty or frustration" but rather by radicals, who incited them. Mayor D’Alesandro proclaimed that he was “an apostle of the view that this thing was planned and well-organized.” Similarly, Judge Liss, who oversaw the murder trial of Robert Bradby, blamed agitators for planning the riots and getting Bradby to do their dirty work. These people, Liss indignantly concluded, “are walking away scot-free.” Nonetheless, lamenting that the law tied his hands, Liss sentenced Bradby to life in prison.

But if the “riots” were planned, why were authorities so unsuccessful in identifying and prosecuting a single instigator? Certainly, not for lack of trying. Believing that militants hoped to cause riots, authorities carefully monitored their movements from the moment King was shot and quickly placed them under arrest whenever the slightest suspicion about their actions arose. For instance, Stuart Weschler and Danny Grant of CORE, U-JOIN leader Walter Lively, and SNCC activist Robert Moore were carefully monitored or arrested during the uprising. All charges against them were subsequently dropped.

Nor can those who contend that the uprising was planned explain how radicals knew King was going to be assassinated on April 4. Rather than acknowledge this faw, some FBI officials, including Edgar Hoover, even followed up on a lead from an anonymous source that contradicted their own claims that black radicals had assassinated King. Moreover, the FBI and other government agencies had information that contradicted their own claims concerning the planning of the riot. Mayor D’Alesandro proclaimed that he was “an apostle of the view that this thing was planned and well-organized.” Similarly, Judge Liss, who oversaw the murder trial of Robert Bradby, blamed agitators for planning the riots and getting Bradby to do their dirty work. These people, Liss indignantly concluded, “are walking away scot-free.” Nonetheless, lamenting that the law tied his hands, Liss sentenced Bradby to life in prison.
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by social scientists to explain the disorders of the era help us understand why this was the case. Put somewhat simply, Cherry Hill suffered from essentially all of the same socioeconomic woes as East and West Baltimore. It did not stand out in terms of educational achievement, family income, poverty rates, or homeownership. While I cannot prove a counterfactual, in other words why something did not take place, three key factors appear to explain why Cherry Hill did not, as Langston Hughes put it, "explode." First and foremost, the residents of Cherry Hill did not feel that the American dream was within reach. Cherry Hill was established in the wake of World War II as a new enclave for blacks in Baltimore. Rather than build desegregated public housing in white communities, the government developed the previously largely uninhabited section known as Cherry Hill into an all-black neighborhood. It built public housing and nurtured the construction of private homes. As a result, by the mid-1950s, over 20,000 African Americans lived there, in a mixture of public and private housing. In a short period of time, a library, shopping center, movie theater, and recreational associations, all of which served to reinforce a sense of community or common destiny, arose. This sense of pride, reinforced by a strong tradition of civic activism, persisted up to King's assassination.

Second, Cherry Hill was cut off or isolated from the rest of the city. This isolation acted as a buffer. Whereas looting and vandalism tended to spill over from one black neighborhood in the inner city to another, it could not spread to Cherry Hill because of its spatial isolation. To do so, it would have had to jump over the inner harbor or through adjacent white neighborhoods and physical barriers.

Third, Cherry Hill's commercial establishments were spatially different from those in other sections of the city. In most of Baltimore's neighborhoods, merchants lined specific shopping streets or roads, such as Pennsylvania Avenue or Gay Street. In contrast, Cherry Hill's clothing stores, small supermarket, and pool hall were clustered in a shopping center. Up through at least the mid-1960s, Cherry Hill's residents gathered at this shopping center on Friday nights and treated it as their village square. The perception of the shopping center as a sort of modern-day commons mitigated against vandalism and looting as well. Cherry Hills' actions or lack thereof during the uprising averted vandalism in the aftermath of the King uprisings. A major debate erupted over whether authorities had responded properly to the rioting in Cherry Hill. City officials, noting that Cherry Hill's all-black neighborhood, was isolated from the rest of the city, advised against getting involved. In contrast, Cherry Hill's residents gathered at this shopping center on Friday nights and treated it as their village square. The perception of the shopping center as a sort of modern-day commons mitigated against vandalism and looting as well.

Cherry Hill's actions or lack thereof during the uprisings helped us understand why this was the case. Put somewhat simply, Cherry Hill suffered from essentially all of the same socioeconomic woes as East and West Baltimore. It did not stand out in terms of educational achievement, family income, poverty rates, or homeownership.
The riots at Cherry Hill appeared to have been the best defense against lawlessness. Shootings and boycotts appeared to have been the best defense against lawlessness. Yet, as the case of Cherry Hill suggests, the use of force did not directly correlate to a lack of rioting. No federal troops or National Guardsmen were rushed into the neighborhood. Nor did police or state troopers increase their presence. On the contrary, Cherry Hill remained out of sight and out of mind during the uprising. Put another way, Cherry Hill appeared to have been a bee’s nest of community activism and engagement, not a nest of lawlessness. Yet, as the case of Cherry Hill suggests, the use of force did not directly correlate to a lack of rioting. No federal troops or National Guardsmen were rushed into the neighborhood. Nor did police or state troopers increase their presence. On the contrary, Cherry Hill remained out of sight and out of mind during the uprising. Put another way, Cherry Hill appeared to have been the best defense against lawlessness.

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For instance, in a comprehensive study of the Jewish business district on Lombard Street, Deb Weiner shows that merchants did not desert the area in the wake of the uprising, even though many suffered considerable damage at the time. Rather, Lombard Street's Jewish business district, known as Corned Beef Row, died a slower death, due in part to white suburban perceptions that the neighborhood was not safe, in part because of the gradual rise of shopping malls and chain stores, which began to encroach on Corned Beef Row's commercial area, and in part because of the reconfiguration of Lombard Street that commenced in the early 1970s—the widening of Lombard Street made the neighborhood less accessible to patrons who no longer lived in the neighborhood because of the availability of new public transportation systems.

Put somewhat differently, the Baltimore uprising was an extraordinary event in the city's history but more so for what it symbolized than for what it did. It was both cause and effect, or perhaps more precisely effect and cause. Much of the social distress that we assume was the outcome of the uprising was well-entrenched prior to April 1968, from white flight to weaknesses in the traditional urban economy. The uprising consolidated these trends but it did not cause them. Or to borrow Howie Baum's words, the uprisings produced a "gestalt shift," whereby developments that had been in the background now appeared in the foreground and were perceived as significant events in the city's history.

But if the impact of the Holy Week uprising on the local level has been exaggerated in the community's collective psyche, its affect on the national scene has been underappreciated—in part, as suggested above, because historians have disproportionately focused on other major events of the year such as the Vietnam War, civil rights, and the election of Lyndon Johnson. Yet, there can be little doubt that the Holy Week uprising was one of the most significant events of the year, comparable to the upheaval in the late 1960s.

One way Baltimore achieved this was through the rise of Spiro T. Agnew as a national spokesperson for the New Right. Agnew symbolized both the rightward shift of many moderates and urban ethnics away from liberalism and toward more conservative policies in response to the New Right's agitation and activism. In turn, these changes reinforced trends already taking place in the city and contributed to the development of a regionalist political culture that emphasized localism over national concerns.

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Ironically, as the 1968 campaign got underway, Republican leaders pondered how they could retake the White House. One option, long forgotten, was the idea of reaching out to black voters, to bring them back to the party of Lincoln. When Richard Nixon ran as Dwight Eisenhower's running mate, in fact, Republicans won about half of the black vote. And one could interpret Johnson's landslide victory over Goldwater as proof that the Republicans could not win without regaining black support. Instead of trying to revive the party of Lincoln, Nixon chose to pursue a southern strategy. Rather than reaching out to blacks he decided to try to convince southern whites that their natural home was in the Grand Old Party. His nomination of Agnew signaled this decision. The fact that Agnew had been a moderate Republican and was from a border state legitimized the Republicans' turn away from blacks, the Great Society and its commitment to urban America.66

Even if the Democrats had won the 1968 presidential election, the United States probably would have turned away from the ideals of the Great Society. Even before King's assassination, LBJ had refused to publicly endorse the findings of the Kerner Commission. Neither Jimmy Carter nor Bill Clinton placed the urban agenda at the center of their agendas. Carter pledged to bring integrity back to the political arena and Bill Clinton empowered some of his most prominent predecessors, who had pushed middle-class, so-called soccer mom's, home ownership. It is important to remember that King's assassination played a pivotal role in these developments, both by ending the life of one if not the most prominent progressive spokesmen of the era and sparking a nationwide uprising which in turn gave birth to the new right. It is equally important to recognize that the Holy Week uprisings grew out of long-term urban ills, and that our re-examination of them provides us with the opportunity to focus our attention on the need to address these issues that grew out of long-term urban ill, and that our re-examination of them provides us with the opportunity to focus our attention on the need to address these issues.

NOTES


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8. Ibid.

Contemporaries employed various terms, ranging from riots and civil disorders to rebellions and revolts. This paper favors the term uprising because of the magnitude and widespread nature of the incidents.


Among other hard-hit cities were (est. damage in parenthesis): Washington, DC ($15 mil.), Chicago ($8.5 mil.), Pittsburgh ($2 mil.), Kansas City ($500,000), Trenton ($560,000), Wilmington, Del. ($500,000), Newark ($500,000), Memphis ($400,000), New Orleans ($400,000), Richmond ($400,000), Nashville ($300,000), Savannah ($300,000), Cincinnati ($200,000), Durham ($100,000), Dallas ($100,000), Raleigh ($100,000), and High Point, N.C. ($100,000). Additional cities are listed in Warren Christopher Papers, Civil Disturbances, 1968, #3. One other way to measure the severity of the Holy Week uprising is by the number of National Guardsmen called to duty. From 1945 to 1960, 33,539 troops were called into service to help restore order; from 1960 to 1965, 65,867 were; in 1967, 43,300 were ordered to help restore order; in 1968 a record 150,000 were. See: National Guard Association of the United States, “Use of National Guard During Civil Disorders in 1968,” January 1, 1969, National Guard Files, Civil Disturbances, 1968 July/December.

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12. One example of the limited nature of the coverage of the Holy Week uprising can be found in the “comprehensive” two-volume Encyclopedia of American Race Riots. Though the encyclopedia contains a separate entry on King’s assassination, this entry provides little detail on the riots and vastly underestimates the number of incidents. Only Washington, D.C.’s riot rated a separate entry, even though much more criticism in U.S. history. This lack of coverage reflects the prevailing knowledge, or lack thereof, on the uprisings. See: Walter Rucker and James Nathaniel Upton, eds., Encyclopedia of American Race Riots (Westport, Conn.: Greenwood Press, 2007). After this essay was written, a book devoted to the post-King riots was finally published. See: Clay Risen: A Nation on Fire: America in the Wake of the King Assassination (Hoboken, N.J.: John Wiley & Sons, 2009).


14. For instance, in his popular text The Sixties, Terry Anderson writes that following King’s murder “rioting swept the nation. Blacks poured out onto the streets of over a hundred cities, venting their frustration. Sections of Boston, Detroit, and Harlem sank into chaos, but the worst was Washington, D.C. Over 1,000 people, third of them black, were arrested over the weekend.”
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on America to live up to its promise. " That's it. In contrast, Anderson spends four pages on Columbia, and five on the demonstrations in Chicago.


16. Eugene Methvin, The Riot Makers: The Technology of Social Demolition (New Rochelle, N.Y.: Arlington House, 1970). Methvin's view that "riot makers" caused the riots was also published in Reader's Digest and the National Review. In addition, a film, with the same title, was widely distributed by the FBI to police departments across the nation.


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29. Papers of Warren Christopher, Box 11, Civil Disturbances 1968 [1 of 2 and 2 of 2], Lyndon B. Johnson Library, Austin, Texas.


34. King’s “Te Other America” speech is quoted at length in Baltimore Community Relations Commission, “Tenth Annual Report, 1966: A Decade of Progress,” 39–42.

35. Ibid.


40. United States Commission on Civil Rights, “Staff Report.”

41. Te United States Commission on Civil Rights, “Staff Report.”


43. Te United States Commission on Civil Rights, “Staff Report.”
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44. U. S. Commission on Civil Rights, "Staff Report.
46. On strides made by blacks, see:
48. Ibid.
51. Baltimore Sun, April 9, 1968, pp. 9, 10.
60. Ibid.
61. On the Daley-Clark dispute, see: Ramsey Clark Papers, especially Boxes 50 and 60, Lyndon Johnson Library.


Lieutenant Colonel Robert Hanson Harrison (1745–1790), aide-de-camp to General George Washington, is pictured here as the mounted figure behind Washington's outstretched hand. (Detail from John Trumbull, The Capture of the Hessians at Trenton, December 26, 1776, painted 1786–1828. Oil on canvas. Courtesy Yale University Art Gallery.)
This paper analyzes and interprets documents and records of Robert Hanson Harrison, one of President George Washington's original appointees to the United States Supreme Court. Although few of his personal papers survive, it is possible to gain an understanding of a man whose nation, state, and family held in high esteem. Through his letters, family information, and examination of positions accepted and declined, a richer portrait of a Maryland son emerges.

Washington asked Harrison to serve as an associate justice of the U.S. Supreme Court because of his exemplary service he had rendered in several areas. His qualifications included legal training and practice, an even temperament, and professional service to Washington prior to and during the Revolutionary War. He held his position as Chief Justice of the Maryland General Court all of whose distinguished roles positioned Harrison as most qualified to hold high federal office, but events in his personal and family life affected his career. Despite the urging of state and federal officials, conflict between family needs and those of an emergent nation seeking service by its finest men moderated his accomplishments.

Robert Hanson Harrison was born in 1745 near "Walnut Landing," his family's home in Charles County along the Potomac River. His parents were Richard Harrison and Dorothy Hanson Harrison, a marriage that brought together two distinguished Maryland families. Harrison's seven children were Robert, William, Charles, John, Frederick, Walter, and Mary. His family's tax records indicate that by 1776 the family owned nearly 2,000 acres. In 1779 his youngest brother, Walter Hanson Harrison, was elected to the Maryland Assembly. His family's service to the Maryland General Court, to which he had been elected in 1775, continued until 1784. He held a seat in Charles County during the Revolutionary War. The family had settled in the home in Charles County during the Revolution. This family's service to the nation included legal training and practice, an even temperament, professional positions, and significant service to the community. The war's end and its impact on the national economy also affected his career.

Washington asked Harrison to serve as an associate justice of the U.S. Supreme Court, a position he accepted and held until 1796. He declined several other high federal positions. His acceptance of the position allowed him to continue his legal practice and to serve his community.

This paper analyzes and interprets documents and records of Robert Hanson Harrison, a Maryland son.
Robert Hanson Harrison’s preparation for the bar was first recorded on August 22, 1765, when examiners for the Fairfax County Court sought to confirm his character in preparation for service. Scant records exist for his law practice during the next few years, but his name did appear in the June 18, 1767, *Virginia Gazette* regarding a hundred acres of his land to be taken in execution by one John Price of London. The nature of this unpaid debt is unknown. By 1769 George Washington paid the young lawyer £11.11.0 for the disposition of a suit brought by Warren Dent of Charles County against William Shilling. Harrison also drafted a document that arranged for the indenture of Washington’s slave, Nat, to Peter Gollatt for three years to learn blacksmithing. In a letter dated October 7, 1769, George Washington paid Harrison £0.12.0 for his opinion and continued sending Harrison his personal business. Journal entries show that Washington paid Harrison £3.0.0 for his services on this case.  

Washington turned to Harrison in a matter involving a neighbor who would be adversely affected by diverting a stream flowing through Mt. Vernon. In a letter dated April 5, 1770, Harrison quoted precedent, including *Blackstone’s Commentaries on the Laws of England*, and advised Washington that he would be vulnerable to future legal action as well. Washington paid Harrison £0.6.0 for his services. The nature of these services is unknown. His professional relationship continued through 1773 and included lawsuits, land leases, and “Sunday opinions,” probably legal matters, a case of particular interest and different in the profession. He scored together as a second cousin, Alexander Contee Hanson, of Durham parish. Extended family members also served their country with distinction, notably Alexander Contee Hanson, a second cousin. He and Robert Hanson Harrison are known about Robert Hanson Harrison’s family, an extended family, and served their country with distinction.
Robert Hanson Harrison

Robert Hanson Harrison involved a suit that Washington brought in a Maryland court for nonpayment. In a letter dated February 12, 1773, Harrison advised his client how best to proceed in the state court system. Thomas Johnson, future governor of Maryland and Supreme Court justice, litigated the case in the Virginian's favor.

Their working relationship expanded as relations with Great Britain devolved and the men of Alexandria sought a response to the Crown's harsh treatment. Men of sound judgment, legal acumen, and writing skill were essential to the cause, and the Virginia patriots known as the Fairfax Committee chose Harrison as their clerk and instructed him to formulate a strong response. George Washington chaired a committee opposed to the Stamp Act and, on July 18, 1774, put forth the Fairfax County Resolves. Harrison served as clerk of the committee, and was intimately involved in this written assertion of the rights of Virginia, a role that let him display his skills among influential men, notably George Mason, Patrick Henry, and Richard Henry Lee. Harrison served another group, the Fairfax Independent Company, in practical ways. He wrote to Washington requesting "a pair of colours, two drums, two fifes and two Halberts."

Tension between Great Britain and the colonies continued to escalate, and on January 17, 1775, the Fairfax County Committee resolved to form a militia, as Maryland had done, in lieu of establishing a paid army. Harrison wrote on behalf of the company to congratulate Washington on becoming its commander in chief, assuring him that it was being "disciplined and prepared" if needed in conflict. Washington probably took this assurance in a more literal way than Harrison intended. On September 28, 1775, he wrote his distant cousin, Lund Washington, who was managing his affairs at Mount Vernon, asking him to "sound out" Harrison about becoming an aide-de-camp. Lund reported back that Harrison seemed conflicted between the needs of his two young children and service to Washington. Harrison had hesitated in joining the army but said in hindsight that he might as well have joined during the previous summer, as conflict was inevitable. Discussion completed, Harrison delivered land Washington's orders from Cambridge to "Robert Hanson Harrison, Esq." and Washington's written responses. When Washington was managing the army at Mount Vernon, asking him to "sound out" Harrison, he also posted in the local paper the decision of the December 19 meeting, directing that the profits from the sale of goods on a recently arrived Irish ship be used to aid the suffering poor of Boston. Tension between Great Britain and the colonies continued to escalate and on January 17, 1775, the Fairfax County Committee resolved to form a militia, as Maryland had done. In lieu of establishing a paid army, Washington wrote on behalf of the company to congratulate Washington on becoming its commander in chief, assuring him that it was being "disciplined and prepared" if needed in conflict. Washington probably took this assurance in a more literal way than Harrison intended. On September 28, 1775, he wrote his distant cousin, Lund Washington, who was managing his affairs at Mount Vernon, asking him to "sound out" Harrison about becoming an aide-de-camp. Lund reported back that Harrison seemed conflicted between the needs of his two young children and service to Washington. Harrison had hesitated in joining the army but said in hindsight that he might as well have joined during the previous summer, as conflict was inevitable. Discussion completed, Harrison delivered land Washington's orders from Cambridge to "Robert Hanson Harrison, Esq." and Washington's written responses. When Washington was managing the army at Mount Vernon, asking him to "sound out" Harrison, he also posted in the local paper the decision of the December 19 meeting, directing that the profits from the sale of goods on a recently arrived Irish ship be used to aid the suffering poor of Boston.

Harrison met Washington's original criteria for selecting the men who would serve in his wartime family—highly capable and well-connected prominent politicians in their respective colonies. Such men included Joseph Reed, highly valued but whose family and legal affairs kept him busy in Pennsylvania and Virginia. Edmund Randolph also served but was often away on family matters. Alexander Hamilton, nicknamed "the little lion," served in spite of his inclination to stay in New York.
Robert Harrison's wartime service followed a path similar to his legal duties in Virginia. His early letters as aide-de-camp communicated Washington's orders on military matters, such as sending letters of thanks, the need for additional soldiers, and the necessity for quarantines to prevent the spread of smallpox. Harrison became involved in larger issues over time, most notably the British attempt to infect American troops with smallpox, an "unheard of and abominable scheme."


Harrison himself left camp for a trip home in the days following, and wrote to
Robert Hanson Harrison

Washington to inquire whether his return to service could be dispensed with. In a letter to Joseph Reed, dated January 23, 1776, Washington alluded to "an occurrence in Virginia which I fear will compel Mr. Harrison to leave me, or suffer considerably by his stay." This seems to indicate that a serious health issue had begun, but Harrison returned to Washington's service promptly, writing letters for general publication through October 1776, some of which included firsthand descriptions of battles.

Harrison returned home late in 1776, and he corresponded with Washington from Charles County through mid-January 1777. Rather than speaking to Harrison as though he were ill or an invalid, Washington sought his advice and assistance on several military matters, including arranging for a new aide-de-camp, coordinating the commissioning of officers, prisoner exchanges, and communication with Congress on military matters. A more personal tone appeared in some letters, with Washington speaking to Harrison as an "affectionate friend." In addition to discussing military problems and the superior British forces, Washington asked Harrison to "advise and direct" efforts to keep smallpox from spreading in the army and encouraged him to employ radical measures. One wonders if Harrison had survived a bout with smallpox himself, as Washington was "exceedingly glad to hear he was doing better. It is likely that he recognized Harrison as particularly qualified to work on this problem." Washington also wrote that a Doctor Cochrane was being sent to assist him in preventing the spread of the disease.

Harrison returned to Washington's service a short time later, and newspapers printed several notices on his behalf, dealing with limited amnesty for deserters from the Continental Army, the treatment of traitors, and the like. Local papers also carried postings on military action from Harrison to Washington, including one dated September 11, 1777, concerning the progress of fighting at Chadds Ford, Pennsylvania, and the possibility of additional conflict. Washington joined the troops at Valley Forge, and enemy troop strength was discussed. In October 1777, Harrison joined the troops at Valley Forge. He had developed considerable military insight and Washington discussed with him the board's purpose was to oversee the actions of Congress in prosecuting the war. It was determined that an additional two members should be added who were not members of Congress, and when Harrison was appointed, his two new colleagues were also members of Congress. The board was finally established in York, Pennsylvania, and became the Department of War on February 2, 1781. Despite Washington's confidence in his abilities, Harrison declined the position and continued as Washington's personal secretary, a promotion that made room for Alexander Hamilton to serve as aide-de-camp. Hamilton and Harrison began a friendship that would last for many years, with Hamilton referring to his senior as the "old secretary." Their relationship was free of tension, even though ten years apart in age, and a fondness developed between the men that would serve them during trying times.

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Jealousy, a remarkable feat when one considers the position and ability of each. In a letter dated December 12, 1778, and in a follow-up letter as well, they worked as a team to facilitate the exchange of commissioned prisoners-of-war with the British army using proper military decorum to accomplish this end. Other instances in life gave Harrison and Hamilton reason to express their affection for one another, including Hamilton’s desire to see Harrison prior to leaving the general’s service.

In previous years, Harrison went home to Charles County during the late fall–early winter of 1780. Unfortunately, this trip would include his need to settle the estates of both his father and mother-in-law, who died during the period. These demands on him, as well as his desire to meet the needs of his motherless daughters, delayed his return to Washington’s headquarters. Perhaps the letter gave Washington an indication of Harrison’s inability to serve any longer, for the general sent him a “Certificate of Services” on March 25, 1781, saying that Harrison was a man marked by the “strictest integrity, and the most attentive and faithful services.”

On March 26, 1781, Harrison came to New Windsor, New York, to bid farewell to both Washington and Hamilton. Not finding Hamilton there, Harrison wrote him a lengthy letter expressing respect and affection: “Tomorrow I am obliged to depart; and it is possible that our separation may be forever. But be it as it may, it can only be in respect to our persons; for as to affection, mine for you will continue to my latest breath.” He confided to Hamilton that among his reasons for leaving the army, financial needs were the most urgent. Harrison needed to attend to the settlement of his father’s estate, pay related taxes and debts, and complete a family settlement required by the Maryland General Court in 1781, for his appointment to the chief judgeship of the Maryland General Court. He described the difficulties found in military life, both physical and financial. He described enemy activity in Virginia and the need to complete the settlement of two estates before his return, which he expected to happen in the next few days. Perhaps the letter gave Washington an indication of Harrison’s ability to serve any longer, for the general sent him a “Certificate of Services” on March 25, 1781, saying that Harrison was a man marked by the “strictest integrity, and the most attentive and faithful services.”

In response to this, Harrison wrote a letter to Washington, dated January 9, 1781, expressing his desire to see Hamilton prior to leaving the general’s service. Harrison included military information in his letter, specifically British commanding general Lord Cornwallis’s retreat and the valiant fighting of Maryland troops. He also delayed his return to Washington’s headquarters. As family lawyer, Harrison performed legal transactions needed to complete his father’s wishes, including his receiving a third of his father’s property, amounting to some 598 acres. Harrison reported the movement of British ships on the Chesapeake Bay, political changes in Maryland, financial struggles, and inquired about which military associates he might visit while staying in the area.

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Robert Hanson Harrison

Ill health and family responsibilities forced Harrison to resign from Washington’s service before the American victory at Yorktown. (Charles Willson Peale, George Washington and His Generals at Yorktown. Oil on canvas, c.1781, Maryland Historical Society.)

Despite Harrison’s decision to serve on the Maryland General Court was a good fit for Robert Hanson. The court was created by the ratification of the Maryland Constitution in 1776, with judges beginning service in 1778. The court first met in Easton, then Annapolis, and continued to ask Harrison to recommend able men for his service as well. Peale Washington continued correspondence on a variety of subjects, including Cornwallis’s surrender, and the need to maintain military readiness. The court strove to maintain order and stability, and those found guilty were usually lightly fined and released. Washington gave Harrison a voucher for full use of the facilities to be found in Bath, a restorative resort town now known as Berkeley Springs, West Virginia. Harrison had shown capability and a moderate temperament during his career, and these characteristics were essential for success in Maryland, a state in transition. The state courts asserted their authority gradually and carefully, cases included civil and criminal matters, the latter involving treason, insurrection, and rioting. The court strove to maintain order and stability, and those found guilty were usually lightly fined and released. This was important to the court’s gaining acceptance of its authority.
Harrison replaced William Paca as chief judge, despite the presence of his second cousin, Alexander Contee Hanson, on the bench. He brought unity to the court rather than division. The docket of cases was relatively light, covered in a single volume of records by the court clerk. By 1787, Harrison was receiving £150 per quarter for his services, a considerable sum at the time. This did much to restore his depleted fortunes of earlier years.

Harrison’s exemplary service garnered attention from those who wanted to take advantage of his abilities in other venues. On March 9, 1785, a legal notice was posted in the Connecticut Journal, appointing Harrison to serve at a federal court meeting in Williamsburg to settle a dispute between New York and Massachusetts. Among the lawyers appointed with him were future Supreme Court Justices Thomas Johnson, John Rutledge, and William Patterson. Harrison declined the appointment. On April 23, 1787, the Maryland legislature selected five delegates to assist in revising the Articles of Confederation, including Harrison, Charles Carroll of Carrollton, Thomas Stone, James McHenry, and Thomas Sim Lee. Harrison received the highest number of votes, but again declined to serve.

Maryland sought to make Harrison chancellor, succeeding John Rogers, and nominated him on October 1, 1789. The office was modeled after a position in the British king’s court, and those who served acted as a conscience to the judiciary and people of Maryland. Harrison’s response was swift. He sent his regrets to Governor John Eager Howard within a few days. The nature of the position necessitated a move to Annapolis, and his home life would have suffered.

President Washington nominated Harrison as an associate justice of the Supreme Court on September 24, 1789, placing him among the finest characters to expound the law and dispense justice among the states. Harrison, like other nominees, knew the realities of accepting such a position and the effect it would have on his personal health and family life. He posted a letter of regret within the month, thanking the president for his esteem and trust but declining nonetheless.

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Yet this time, Harrison reconsidered and wrote to James McHenry, a valuable aide to the president, within a few weeks. McHenry relayed Judge Harrison's change of position to Washington, and wrote of Harrison's high value, character, and dedication to the president. That prompted Washington to return the commission to Harrison with mention of the likelihood that riding circuit would be eliminated from the position's responsibilities shortly. He also informed Harrison that all other commissions had been accepted. Alexander Hamilton wrote to Harrison regarding the matter as well, expressing concern about his health and hoping for a change in circumstances. The health of the president was more than meeting Harrison's demands. Yet the president was not amenable to the idea of Harrison's return. He did not apply for a military pension during his lifetime. The task of defending his position and manner, Harrison did not establish a legacy.

Harrison began the long trip to New York on January 14, 1790, but his health began to fail during the early part of his journey and caused him to spend several days in Alexandria before attempting to reach New York. Yet by the time he arrived in Bladensburg, he knew he could not continue and wrote to Washington to tell him of his inability to serve on the court. He returned home, and died on April 2. His death notice appeared in the Maryland Gazette a few days later.

Harrison's death was difficult for his family. His daughters sought to complete his worldly affairs without the benefit of a will, aided by their father's cousin, Robert Hooe of Alexandria, and their uncle Walter H. Harrison, who was acting as administrator. Sarah Easton and Dorothy Storer divided their father's 672 acres equally, as well as the balance of his estate, which included more than forty slaves and a library with two hundred volumes, dominated by books on the law. With the help of Sarah's husband, John Easton, Harrison's daughters began a long process of pleading with the state of Maryland and Congress for compensation owed from their father's service. They eventually received a federal land bounty of six hundred acres in Virginia on February 3, 1817. Their petition for additional land and owed pension money was first read by Congress on March 19, 1822, and granted on June 18, 1824.

Though a favorite son of his state and nation, Harrison did not establish a legacy for several reasons. He did not apply for a military pension during his lifetime. The number of acres left to his daughters was quite similar to the number he inherited from his father's estate, and no will exists for his reference. His personal papers were lost or destroyed after his death, and his place of burial is unknown. His descendants often petitioned to be buried in the U.S. House of Representatives for a seat in the House of Representatives for his services. The president's service to the nation was recognized by his daughters, and his reputation endured for many years after his death. Many letters do exist that speak of his service from men whose legacy is well known, including George Washington, Lafayette, James Monroe, James Madison, and others.
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15. Ibid., 831–32.

16. Petition of Sarah Easton and Dorothy Storer, 11–12.

17. Ibid., 13.


Review Essay

Of Laws and Land: The Doctrine of Discovery in History and Historiography

JOSHUA J. JEFFERS

"Narratives of discovery and claims of possession go hand in hand."

Joshua J. Jeffers is a doctoral candidate at Purdue University.

O n February 28, 1823, Chief Justice John Marshall handed down a unanimous Supreme Court ruling in Johnson v. McIntosh that ended nearly a half-century of litigation over the validity of the land purchases made by the United Illinois and Wabash Land Companies. His appeal to the Doctrine of Discovery as the fundamental legal principle on which United States land title was based gave legal approval to a prevailing ideology with devastating consequences for Native Americans. In his thirty-three-page opinion, Marshall declared that "the Indian inhabitants are to be considered merely as occupants" and that the "discovery" of America had given "exclusive title to those who made it." This opinion set the precedent on which the limited Native "occupancy" rights and European/American title have since been based. This case therefore marked a turning point. A new legal relationship, not totally severed from its historical antecedent, but wielded in a new manner, had been established. It marked the beginning of a new era in the relationship between the federal government and American Indians, with the "occupancy" concept being used to establish a superior legal right to American lands and lãen to the idea that Native American land rights were ephemeral, transient, and subject to the control of the federal government. By asserting a new kind of land right—"occupancy"—Marshall revolutionized the idea of discovery as a fundamental legal principle on which the legality of land ownership was based. This new legal concept declared that "Indian inhabitants are to be considered merely as occupants" and that the "discovery" of America had given "exclusive title to those who made it." This opinion set the precedent for the legal principle of discovery, which has been consistently applied by the federal government to justify the taking of Native American land and resources.

...
through law, Marshall's codification of occupancy rights redefined the land and reconfigured discovery ideology. Both a legal principle and the historical and cultural perspective in which the long history of European contact and Native dispossession has been set, the Discovery Doctrine has informed Western perceptions of American lands and peoples since Europeans first arrived in the fifteenth century. Though its appeal has fluctuated and its meaning evolved, the Doctrine, ever in the background, has emerged at particular times in the past when title to America, or parts of it, were not clearly defined. During such times, discovery ideology emerges but is never employed in quite the same way or with quite the same nuance. Its application reflects the ideological milieu of its historical context, and looking at such moments may help us to understand the direction and impulse of current historical and historiographical trends. The recent resurgence of questions concerning "how the Indians lost their land" reveals an increased emphasis on the historical linkages between the history of Indigenous land loss and the expansion of Western legal systems in the New World. The tone and direction of this recent scholarship suggests that we may currently be on the cusp of a new era in discovery law.

As one of the earliest examples of international law, the discovery doctrine, which dates back to the medieval period when the Roman Catholic Church began to claim worldwide papal jurisdiction, has roots stretching back well into the medieval period, when the Roman Catholic Church began to claim worldwide papal jurisdiction. Pope Innocent IV was interested in the expansion of European exploration during the fifteenth century, Pope Alexander VI issued a papal bull in 1493 that would become the foundation for the Doctrine of Discovery. Pope Alexander VI issued a papal bull in 1493 that would become the foundation for the Doctrine of Discovery.
The Doctrine of Discovery in History and Historiography

The Doctrine of Discovery is a historical concept that asserts that the Amerindian lands and territories were discovered by European explorers and thus became the property of the European nations that claimed them. This doctrine has been used as legal justification for the colonization and exploitation of the Americas and is a central issue in debates about indigenous rights and sovereignty.

In the early sixteenth century, European explorers, such as Christopher Columbus, discovered the Americas. This led to the establishment of European colonies and the subsequent exploitation of the local populations. The Doctrine of Discovery was used to justify the colonial powers' claims to the Americas and to assert their right to claim and exploit the resources of these newly discovered lands.

The doctrine was first formally articulated in the 1493 papal bull Inter Caetera, issued by Pope Alexander VI, which confirmed the Spanish and Portuguese claims to the Americas. This decision was based on the assumption that the lands were empty and therefore available for discovery and colonization. Later, the Doctrine of Discovery was expanded to include the idea that a country could claim a territory by simply establishing a presence in it, regardless of whether the territory was inhabited or not.

In the late sixteenth century, other European nations, such as England and France, began to assert their own claims to the Americas. The English and French colonists used the Doctrine of Discovery to justify their occupation of the Americas and to assert their right to claim and exploit the resources of these newly discovered lands.

The Doctrine of Discovery has been a central issue in debates about indigenous rights and sovereignty, and it has been used by indigenous peoples and human rights organizations to challenge the legitimacy of the colonial powers' claims to the Americas. The Doctrine of Discovery remains a controversial issue, and it continues to be studied and debated by historians, legal scholars, and indigenous peoples.
the Discovery Doctrine as an ongoing discourse through which the institutions of law, power, and property are defined and negotiated and look to historical context as they attempt to establish the intellectual origins and historical vicissitudes of Discovery ideology.

During the early twentieth century, the ethnocentrism inherent in the Doctrine was well received by scholars. One significant exception was George Bryan, whose 1924 book, *The Imperialism of John Marshall: A Study in Expediency*, cast the decision as a "morally wrong...[a] bow to expediency rather than right." Although heavily criticized, the work presaged critiques by later scholars, such as Vine Deloria Jr., James Youngblood Henderson, and Robert Williams, who initiated a re-examination of the Johnson decision and the property rights it created, the rejection of the Doctrine, and the nature of the property claims it created, the rejection of the Doctrine as an application of jurisprudence is all but universal. The Johnson decision is viewed in the legal profession as a repudiation and clarification of the basis of the Doctrine, as well as a rejection of the legal principles that underlie the Doctrine.

While modern scholars continue to disagree on positions regarding Johnson, the idea of indigenous people having a "right of possession" rather than the Crown possessing sovereignty and property over all land is gaining momentum among scholars and practitioners. Kent McNeil's *Common Law Aboriginal Title* exemplifies the ascendency of the critical scholarly discourse suggested by George Bryan sixty-five years earlier. McNeil reads like a legal brief that utilizes the legal rules of the colonizers to demonstrate that "indigenous people did—and in some cases no doubt still do—have a right of possession of the lands they occupied.

While modern scholars continue to disagree on Johnson's underlying rationale, the effects of the decision, and the nature of the property rights it created, the rejection of the Doctrine as an application of jurisprudence is all but universal. The Johnson decision is viewed in the legal profession as a repudiation along the lines of *Dred Scott*, the glaring difference being that *Dred Scott* is no longer a binding legal precedent. Recent research, however, suggests that the legalities created by the Johnson ruling are under attack at both the national and international levels as Indigenous intellectuals make themselves heard in increasingly, though at times

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Discoveries and Obsessions: The Intellectual Foundations and Historical Context of the Discovery Doctrine as an Ongoing Discourse through Which the Institutions of Law, Power, and Property Are Defined and Negotiated and Look to Historical Context
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begrudgingly, sympathetic legal systems. A new generation of scholars, led most famously by Vine Deloria Jr. and Robert Williams Jr. have pushed beyond McNeil and brought to bear a critique that borders on criminal indictment, most forcefully (and comprehensively) exemplified by Williams's characterization of Discovery ideology as inherently racist discourse and the Johnson ruling as a foreordained outcome of "the inescapable framework" in which history had set "Marshall's legal discourse." Johnson's is one of the most thoroughgoing and disparaging critiques, presenting Discovery ideology as fundamentally a marriage of racial, legal, and imperial discourses.

Harvard Law School graduate and member of the Lumbee Indian Tribe of North Carolina, Williams, in his seminal work *Te American Indian in Western Legal Thought: Te Discourses of Conquest* (1990), meticulously maps, from the medieval period through the Johnson ruling, the legal epistemology that informed the status of Indigenous peoples and their lands in Western legal thought. The core precedent of this legal framework—the Doctrine of Discovery—took its origins from a "systematically elaborated legal discourse on colonization" that Williams labels "the Medieval Discourse of Crusade." The discourse of crusade was grounded in the idea that "normatively divergent non-Christian peoples could rightfully be conquered and their lands could lawfully be confiscate[d] by Christian Europeans." From here, the expansion of colonialism in the New World, and as Williams argues, the legal and colonial justification for legal recognition of the "New" World, evolved in response to the crisis in legal thought that followed the "discovery" of the New World. The expansion came when the legal regime for non-Christian peoples shifted away from a religiously defined "natural law" and moved toward a vision in which property, particularly land, conceive[d] legal discourse and was grounded in the legal and colonial justifications for the conquest of the Americas. In this way, a religious mandate to subjugate "infidels" and "subdue, replenish, and improve" any "Vermont Indian" land was transformed into a legal discourse of conquest that imposed and legitimated the Western "Will of God" over the entire non-Christian world.

Over the course of the early modern period, the legal justification for dispossession evolved to meet the needs and desires of the imperial enterprise. With the expansion of colonialism in the New World, the Doctrine of Discovery developed into a legal discourse of conquest that imposed and legitimated the Western "Will of God" over the entire non-Christian world. The legal justification for dispossession evolved to meet the needs and desires of the imperial enterprise. Williams lays out the intellectual genealogy linking papal jurisdiction over "heathen" lands to Renaissance-era legal theorists. In doing so, he highlights an important expansion in the Western legal dominion and of the "conceptual boundaries of the West's will to empire over the entire non-Christian world." This expansion came ultimately in response to the crisis in legal thought triggered by the "discovery" of the "New" World, and as changing legal and colonial circumstances dictated, the Discovery Doctrine was continually brought to bear and proved to be a pliable legal precedent useful to the needs and desires of the imperial enterprise.

Over the course of the early modern period, the legal justification for dispossession evolved to meet the needs and desires of the imperial enterprise. With the expansion of colonialism in the New World, the Doctrine of Discovery developed into a legal discourse of conquest that imposed and legitimated the Western "Will of God" over the entire non-Christian world. The legal justification for dispossession evolved to meet the needs and desires of the imperial enterprise. Williams lays out the intellectual genealogy linking papal jurisdiction over "heathen" lands to Renaissance-era legal theorists. In doing so, he highlights an important expansion in the Western legal dominion and of the "conceptual boundaries of the West's will to empire over the entire non-Christian world." This expansion came ultimately in response to the crisis in legal thought triggered by the "discovery" of the "New" World, and as changing legal and colonial circumstances dictated, the Discovery Doctrine was continually brought to bear and proved to be a pliable legal precedent useful to the needs and desires of the imperial enterprise. Williams lays out the intellectual genealogy linking papal jurisdiction over "heathen" lands to Renaissance-era legal theorists. In doing so, he highlights an important expansion in the Western legal dominion and of the "conceptual boundaries of the West's will to empire over the entire non-Christian world."
"Truth, Power, Knowledge"—continually evolve along with and in response to the means and methods of Western imperial ambitions. Thus, Marshall's appeal to the Discovery Doctrine in 1823, while being used to deal with a different set of problems than it had during the Crusades or the "Age of Discovery," or the colonial period, was nonetheless, according to Williams, simply the continuation of an ongoing discourse of European racism and colonialism directed against non-Western peoples. So that Marshall's appeal to the Discovery Doctrine in 1823, while drawing on a long history of Western legal precedent, was an attempt to deal with a different set of legal and imperial issues. The newness of these problems hinged on who the claims of discovery were intended to inform—other European nations or Indigenous populations. Following the Seven Years War and particularly after the American Revolution, the Founders ultimately compromised, vesting in the federal government sovereignty over "frontier lands" and the exclusive right to extinguish Native occupancy claims. The Johnson ruling forty years later became the textual precedent for United States land title and one of the basic principles of federal Indian law. Thus, the appeal to the Discovery Doctrine in the Johnson ruling represents, for Williams, a point of closure as much as a point of origin in Western colonizing discourse. The Doctrine of Discovery, then, in Williams' view, was and remains the basis for a "discourse of conquest," in which law is the instrument of empire. The judicial rulings of the Supreme Court of the United States are the law's "discourse of conquest," and any Indigenous peoples through a racist, colonizing rule of law. Furthermore, the legal theory underlying the treatment of Native Americans rests on the idea that the "discovery" of vacant land or land occupied by non-Christian populations from Native populations. The new set of issues this introduced, Williams argues, prompted the recalibration of the ongoing racist discourse. Following the American Revolution, the focus of the European/American sovereign shifted from defending sovereignty and property claims against other European to stripping such claims from Indigenous populations. The new set of legal and imperial issues. The newness of these problems hinged on who the indigenous peoples were intended to inform—other European nations or Indigenous populations. Following the Seven Years War and particularly after the American Revolution, the focus of the European/American sovereign shifted from defending sovereignty and property claims against other European to stripping such claims from Indigenous populations. The new set of legal and imperial issues. The newness of these problems hinged on who the indigenous peoples were intended to inform—other European nations or Indigenous populations.
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In the context and jumping off point for the two central questions of this essay: How has the Doctrine of Discovery been employed as a "discourse of conquest," and what can the recent flowering of scholarship concerning the Discovery Doctrine, the Johnson ruling, and the history of Indigenous property tell us about the current state of the Doctrine as an ideological tool in the ongoing struggle between Western legal systems and Indigenous land rights? Aside from the recent impetus provided by international interest in recognizing Indigenous rights, the volumes reviewed here highlight contemporary anxieties about how Native peoples were dispossessed, how Native lands were acquired, and how those processes affected Native peoples. Though they emphasize (and implicate) the law as the "structuring-structure" by which property and sovereignty were defined and recognized in the Americas, these works complicate Williams's analysis of the Discovery Doctrine as the "perfect instrument of empire" while nevertheless emphasizing and repudiating the "universalized, hierarchical . . . , and archaic, medievally derived legal discourse" and the disconnect between "natural" and civil law that it entails. In doing so, they stand as evidence of a changing metrics for how we perceive the history of Native land rights and the future relationship between land and law.

After more than twenty years of negotiation and advocacy by Indigenous peoples, the 2007 United Nations Declaration on the Rights of Indigenous Peoples passed the UN General Assembly with only four votes against. Those four votes, perhaps not surprisingly given their relationships with Indigenous Peoples, were cast by Australia, Canada, New Zealand, and the United States. All four have large Indigenous populations and similar histories of subverting and obscuring the rights and histories of these groups. The similarity reflects the common English social, legal, and cultural systems that shaped these countries in their recent edited collection, Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies (2010), Indigenous legal scholars Robert Miller, Jacinta Ruru, Larissa Behrendt, and Tracey Lindberg argue that the Doctrine of Discovery stands as "a more basic and invidious" explanation for why those four countries voted against the declaration. The common legal and cultural heritage of these four countries, they argue, has heavily influenced how they have interpreted Native land rights and implemented Discovery doctrine. The Doctrine, in their view, much like Williams, is grounded in an invidious, racial understanding of human cultures and methods of land use that has provided the legal justification for appropriating Native lands and has nucleated the relationship in these countries between Native land and settler law since the arrival of Europeans. Discovering Indigenous Lands brings to bear the work of four Indigenous law professors who represent part of the emerging work of a first generation of Indigenous legal scholars. These scholars highlight the irony and incoherence of "allegedly 'liberal' countries" with "domestic legal regimes that aspire to incorporate broader human rights concerns" wielding the Discovery Doctrine to incorporate broader human rights concerns, wielding the Discovery Doctrine...
According to the authors, the Discovery Doctrine did not gain its validity by discovery per se—all four countries acknowledged the previous occupants of the land as such—but under the pretense of marking the first civilized people to occupy the land. They compellingly demonstrate that the issue was not a question of discovery—who occupied the region when—but how the landscape was utilized by those occupants. Thus, the idea of “discovery,” and by extension ownership, was grounded in assumptions about cultural superiority (“European society is at a more advanced stage of development”), racial ascendancy (“Europeans are at a more advanced stage of human development”), and the appropriateness of these hierarchies (they are inherent in the natural order). Moreover, the land was perceived as empty—terra nullius—and the Natives as a fleeting presence.

One of the significant strengths of this book is that it shows that, on some level, this framework is not only still with us, but is regularly cited by the legal systems that promote the universal sanctity of private property and liberal jurisprudence. Initially developed from a policy attempting to mediate among European nations concerning their claims in the “New World,” the discovery evolved into an ideology of legal conquest and Indigenous dispossession. The completeness of this transition can be glimpsed in the normalization of Indigenous displacement and removal in settler colonial histories and in the incredulous shrugs that one gets when asking the question: “If the Indians had ‘discovered’ Europe, which they did at least once in 60 BCE, could they have claimed ownership by appealing to a Doctrine of Discovery?”

Tough people today would likely not appeal to blatant racism like “Native methods of land use and social organization categorized them as intrinsically uncivilized and thus unable to own or exercise sovereignty over their lands,” their explanation would probably contain appeals to technological advancement and intensive land use or conquest. But, as Williams and others have shown, the ideology of discovery preceded actual conquest and was part of a broader legal-colonial discourse of conquest that evolved along with the imperial project. Thus, rather than a natural outcome of force (might makes right), the idea of discovery and Indigenous dispossession is the product of the historical pursuit of empire for which land and law were and continue to be the primary instruments of wealth, power, and control.

The most significant contribution of Discovering Indigenous Lands is that it demonstrates the presence and persistence of the Discovery Doctrine in contemporary international law, bringing the Doctrine full circle, as the Treaty of Tordesillas was in many ways the origin of modern international law. It makes clear that the Doctrine of Discovery is not just an esoteric and interesting relic of our histories but is regularly cited by the very legal systems that promote the universal sanctity of private property and liberal jurisprudence.
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part of an ongoing discourse concerning the lands, laws, and peoples of the “New” World. With this in mind, the book provides insight into the current state of the Doctrine as both a legal principle and an ideology of conquest, how changing interpretations of the past have informed its evolution, and how the historical deconstruction of this “discourse of conquest” may help to inform a de-colonizing discursive shift. Though the Doctrine is at the ideological core of the Western legal and cultural perspective, its force waxes and wanes in response to the changing power dynamics between Western and Indigenous peoples. Thus, if we are to effectively historicize not only the Doctrine but also the current state of Western-Indigenous relations, then we must attempt to contextualize discursive changes wherein power relations are reconfigured and map those changes on to surges in the force of Discovery ideology. One effective way of doing so, as Stuart Banner demonstrates, is to think in terms of continuums rather than binaries.

In *How the Indians Lost Their Land: Law and Power on the Frontier* (2005), Banner frames the history of Native American dispossession in terms of a “spectrum bounded by poles of conquest and contract.” For Banner, the exchange of land was never simply the result of conquest, nor strictly the outcome of voluntary exchange. Rather, it existed along a continuum, with fluctuating elements of law and power structured contractual relationships. In his examination of the means and methods by which land was transferred from Native to European hands on the frontier of British North America and the early United States, Banner finds that land exchanges became more coercive over time as British legalities were increasingly imposed on Native lands and peoples, making the power relationships ever more lopsided. The relationship between law and power, Banner suggests, is definitive. Power defined the social relations of cultural exchange on American frontiers and helped to explain the outcomes of cultural contact as well as the continued purchase of Discovery ideology. Williams recognized this connection as well, writing that “the English war for America was launched by an invasion of the Indians lost their land” was more a story of the diminishing ability of Natives to maintain authority over their lands as those lands were increasingly incorporated into an expanding legal system instead of a premeditated discourse of superiority, conquest, and domination.

As power relations became lopsided, legal ideology grew in importance, which increased power, leading to more legal control and more power and so on. Banner challenges the historiographical convention suggesting that the English justified the Doctrine as both a legal principle and an ideology of conquest, how changing interpretations of the past have informed its evolution, and how the historical deconstruction of this “discourse of conquest” may help to inform a de-colonizing discursive shift. Though the Doctrine is at the ideological core of the Western legal and cultural perspective, its force waxes and wanes in response to the changing power dynamics between Western and Indigenous peoples. Thus, if we are to effectively historicize not only the Doctrine but also the current state of Western-Indigenous relations, then we must attempt to contextualize discursive changes wherein power relations are reconfigured and map those changes on to surges in the force of Discovery ideology. One effective way of doing so, as Stuart Banner demonstrates, is to think in terms of continuums rather than binaries.
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their claim to North America by right of conquest. Instead, he argues that, although early English settlers equated land ownership with culturally defined notions of appropriate land use, namely intensive agriculture and permanent habitations, they nevertheless recognized Native American horticulture, settlement, and government as legitimate indicators of ownership. Banner is at pains to demonstrate that attempts to "claim property rights by conquest virtually died out among the English after the

seventeenth century." Citing numerous colonial officials, he successfully discredits the notion that in the minds of English colonists "discovery abolished Native land title. In a "superb demystification of conquest," Banner highlights how changing political circumstances influenced interpretations of the meaning of discovery, and he is right to emphasize that claims affirming the validity of Indian land title more accurately reflect the avenues for obtaining legal title and the goals of the imperial enterprise. While Britain wanted to prevent settlement on Native lands, at least west of the Appalachians, and to promote the Indian trade in order to channel profits to the metropole, the new United States sought to expand settlement. Banner goes to great lengths to show that the exchanges that led to dispossession are most accurately understood within the context of a continuum containing both deliberate conquest and willing transactions. Though his approach is promising, his strict interpretation of what constitutes conquest puts Banner at odds with much recent scholarship on Indian removal. Although he is right to emphasize the complexity of Indian policy, which, for him, was the product of well-meaning whites with the shared goal of protecting Indians, as well as racism and cultural chauvinism, his approach is open to considerable criticism. His strict interpretation of what constitutes conquest fails to address the genocidal implications of those policies as well as the racially laden ideology from which they developed. Any discussion of law and power must engage the assumptions—racist, imperialist, or otherwise—in

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which power relations and legal ideologies are grounded. By failing to do so, he elides the fact that if Indians were seen as a problem, whether by assimilationists, segregationists, or eliminationists, then that “problem” was part and parcel of the racialized hierarchy that had come to characterize the political and socio-economic structures of U.S. society. Nevertheless, Banner’s work ultimately sheds a discerning light on the role of power in determining the force of Native land title and the legal salience of the Discovery Doctrine. Even if seventeenth-century English colonists had insisted on the Discovery Doctrine as the basis for European land title, the power and leverage maintained by the Indians at that time would have made any such insistence irrelevant. Te only other means to acquire Native land was to acknowledge Native title and purchase it, but as Native power diminished, particularly after the Revolution, Discovery became an increasingly attractive means of validating past and future land grabs. Although Marshall’s ruling inJohnson, mirroring the Doctrine’s original intent, was intended to indicate the legitimate purchaser—only the federal government can purchase Native lands, not private individuals—for states, settlers, and speculators it provided the legal mechanism to pursue a relatively new, race-based vision of America’s future.

In his epilogue, Banner explains that by the latter half of the twentieth century, the transfer of Native lands to non-Natives was considerably curtailed and Natives have had some success in regaining land or compensation. Te shif, he argues, reflects a “change in the relative political power of Indians and whites.” By conforming to the American legal system and using its avenues to pursue Native agendas, Native groups in some instances have been able to gain compensation or extract legislative settlements, particularly through federal agencies such as the Indian Claims Commission. Nevertheless, many suits of cessation, termination, and “termination” have failed, and the Indian Claims Commission’s power to award money to Indian groups in some instances has been belied by the American legal system and the relative success the Native groups have had on a national level. In some respects, the American legal system and the Native claims process have been more effective in gaining Native compensation or legislating settlements.

In this epilogue, Banner explains that the relative power of the Western Native tribes, which has historically been based on the federal government’s recognition of Native sovereignty, has diminished significantly in the United States, Canada, and Australia. Nevertheless, the Doctrine of Discovery remains a central pillar of Western legal and political systems, and its legacy continues to shape the treatment of Native peoples around the world. Banner is correct to point out that Native gains in the twentieth century reflect a change in relative power, not jurisprudence. Te change also informs the current face (or faces) of the Discovery Doctrine. As something associated with historical claims of racial and cultural superiority, the Doctrine is disparaged as a “colonial-era legal doctrine of conquest and colonization” that “legalized presumption of Indian racial inferiority.” Nevertheless, as described by Miller et al., continues to be cited in legal proceedings as the basis not only of U.S. land title, but also that of Australia, Canada, and New Zealand.

In 2005, for example, the Supreme Court citedJohnson and the Discovery Doctrine in City of Sherrill, New York v. Oneida Indian Nation of New York (2005), ruling that
and Williams make clear two major turning points in the history of Native American dispossession—the establishment of American sovereignty following the American Revolution and the convenient legal distinction between rights of ownership and rights of occupancy. The legal creation of an inferior type of ownership right allowed the “limited possessor” idea of Native property rights to be projected into the past, validating British ownership and buttressing American claims following the Revolution. While Banner suggests that “much more land was obtained by purchase than by conquest,” the formation of the United States and the creation of a graduated scale for defining ownership rights laid the groundwork for the federal policy of Native American dispossession.31

Some fundamental differences among scholars of Native American dispossession are largely a function of the strong activist component inherent in the historiography of Native American–Euro-American relations. Like Williams and Miller, et al., Indigenous scholars such as David E. Wilkins, K. Tsianina Lomawaima, Vine Deloria, and others see removal and allotment as a continuous, intentional, and premeditated process. Banner, who does not seem to share this activist impulse, sees a great deal of contingency as well as continuity in the history of Native American dispossession but contends that the process for the most part was neither as simplistic nor as vindictive as these scholars suggest. While Banner’s muted analysis of the role of ideologies of conquest in the dispossession of the Indigenous population of North America is doubtless troubling to some, his theoretical framework for analyzing the process of dispossession seems especially promising. Other scholars have taken Banner’s analysis to heart in emphasizing contingency and the unintended consequences of dispossession.

In Conquest by Law: How the Discovery of America Dispossessed Indigenous Peoples of Their Lands (2005), Lindsay Robertson skillfully situates the resurgence and redeployment of the Discovery Doctrine following the American Revolution in legal history. Through a meticulous contextualization of the details of the Johnson case, Conquest by Law maps the emergence of the Discovery Doctrine as the legal basis for Euro-American property (not simply sovereignty) rights over the land and U.S. claims of legitimate title to Indian lands. Although Robertson believes the Johnson ruling was made with other, more benign ends in mind, he argues that the Johnson case is a discursive process wherein legal precedent and historical circumstances converged to establish the legitimacy of U.S. citizens’ property rights. This subtle shift ultimately allowed for the Indian removals of the 1830s and provided a major turning point in the history of Native American dispossession—following the American Revolution and the convenient creation of an inferior type of ownership right, allowing the “limited possessor” idea of Native property rights to be projected into the past, validating British ownership and buttressing American claims following the Revolution. While Banner suggests that much more land was obtained by purchase than by conquest, the formation of the United States and the creation of a graduated scale for defining ownership rights laid the groundwork for the federal policy of Native American dispossession.31

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In his book, Robertson explores the Doctrine of Discovery, a legal precedent that allowed European nations to claim lands for new settlements. The Doctrine of Discovery, he argues, was more about contingency and immediate circumstances rather than a vindictive pursuit of dispossession and genocide.

Robertson's book is the first history of the Doctrine of Discovery and its implications. The legal precedent, he explains, was an important factor in shaping colonial policies and had profound implications for indigenous peoples.

According to Robertson, the Doctrine of Discovery was not merely a legal tool used by Europeans, but a reflection of the broader colonial ideology. The story these papers tell, he argues, is unsettling, as it reveals how the doctrine was used to justify the dispossession of indigenous peoples.

Robertson's work challenges the traditional narrative of colonial expansion, emphasizing the complexity and unintended consequences of colonial policies.
Johnson v. M'Intosh is "a story of unintended consequences.\" By looking at Chief Justice John Marshall and analyzing his ruling, Robertson highlights not only the legal dispossession of eastern Natives but also the ability for people to manipulate the young American legal and political systems "for private aims.\" This is a story of the legal origins of Removal legislation that also provides a window into the scheming, uncertainty, and manipulation of a legal system attempting to find its role in the republican experiment.

With a flourish of his pen, Marshall codified an invidious understanding of land rights and property ownership, and the impact of the case was swift. Johnson and the Discovery Doctrine were increasingly cited as legal justification for removal of Native peoples. With its legal system still struggling to define its powers and interpret other laws, England in its legal system did not recognize or enforce the land claims of Native peoples. Even Chief Justice John Marshall, who wrote the seminal ruling in Johnson v. M'Intosh (1823), placed the case on the periphery of early American legal development.

Johnson v. M'Intosh represents the crystallization of an ideology that projects into both the past and future. As Robertson argues, "by illuminating in detail the history of the case's prosecution and placing its resolution in legal and political contexts" and "establishing just what was on the minds of the participants in the case," we can begin to gain a sense of how such legal interpretations were conceived and understood at the time and the changing role of those interpretations in the present day. For Robertson, the conquest of America was a discursive process, and one in which land rights were legally constructed in order to validate certain ownership claims and invalidate others. With the legal system still struggling to define its powers and interpret other laws, England in its legal system did not recognize or enforce the land claims of Native peoples. Even Chief Justice John Marshall, who wrote the seminal ruling in Johnson v. M'Intosh (1823), placed the case on the periphery of early American legal development.

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racial hierarchy—from one claiming sovereignty over land to one claiming property in land. Rather than delineating which European power has the right to exclude the territorial governing ambitions of other European powers, the Doctrine became an instrument for validating what David Nichols succinctly labels the "ethnic cleansing of the eastern United States." This reflected, among other things, the changed balance of power between the colonizing European entity—at this point the young United States—and the Native Americans beyond the Appalachian Mountains.

In *Buying America from the Indians*, Blake Watson traces the rich and convoluted history that led up to the *Johnson* decision and skillfully weaves together the historical context, legal proceedings, and rich biographies of those involved in the case. In doing so, he highlights not only the political and legal history of the Illinois and Wabash land company and the lands Watson enforces the history of the Illinois and Wabash land company and the lands in question, notably the influence of the *Johnson* ruling and the power that it continues to exert in American property law. Watson suggests that the later decisions in *Cherokee Nation v. Georgia* (1831) and *Worcester v. Georgia* (1832), when Marshall attempted to temper the *Johnson* ruling, were "stillborn" in state and federal courts. Although *Worcester* remains the starting point for any discussion of tribal sovereignty, it has had a much weaker influence on the historical trajectory of Native land rights. Indeed, Marshall's statements about the limited effect of the colonial charters "have never been quoted in subsequent Supreme Court decisions."

Thus, it is *Johnson* which, according to the leading decision on Native land law, "is the leading decision on Native property rights in the United States." Yet this book is much more than a history of *Johnson v. M'Intosh*. Indeed, the history of the case itself consists of only four chapters. The scope and heart of the book is really "the divergent views of Native land rights" and the changing political, legal, and military contexts that contributed to the culminating decision in *Johnson*.

Watson weaves together Native American and frontier history and the history of early American law and politics into a compelling and highly readable account of the mechanisms by which "the root of title for most real property in the United States" was established. Using biography as an engaging narrative device, Watson employs the history of the Illinois and Wabash Land Company and the lands it purchased as a window into the legal construction of Native land rights and the simultaneous manipulation of that construction for private gain. In this, the most comprehensive historical and legal overview of the history of *Johnson v. M'Intosh* to date, Watson tells a wider story of the origins of the *Johnson* ruling and its impact on federal Indian law and Native land rights.

The history of Native land law and Native land rights is indeed a wider story of the origins of the *Johnson* ruling. The leading decision on Native property rights in the United States—*Johnson v. M'Intosh*—is the leading decision on Native property rights in the United States.
manifestations of Truth. Thus, Johnson served (continues to serve) as a short-hand rationale for declaring that Native title to land was inferior to that of European title. As Watson points out, one of the glaring ironies of this story is that no Natives were present when this ruling was made and the land in question had not been inhabited by Natives for nearly two decades.

Watson does an exemplary job of presenting the many people, motives, and unintended consequences of the case and provides a thorough account of the Illinois and Wabash Land Companies, the purchases they made, and the dispute over Indian land rights that culminated in the Johnson decision. Utilizing the social, political, and legal history of these land purchases as strands linking the history of Native land rights with that of Euro-American expansion in the United States, he demonstrates the central role played by land speculation and the debate over the nature of Native American land and sovereignty and property claims. The answer seems to lie in the historical and legal coincidence of the invocation, but also the continuing implications of legal conquest. These works reveal a considerable expansion in historiographical emphasis to include not only the changing nuances of the Doctrine of Discovery and the nature of the Indian Land Claims Act, but also the intertwined role of American expansion, racism, and nation-building.

These works reveal a considerable expansion in historiographical emphasis to include not only the changing nuances of the Doctrine of Discovery and the unintended consequences of its invocation, but also the continuing implications of legal conquest. These works reveal a considerable expansion in historiographical emphasis to include not only the changing nuances of the Doctrine of Discovery and the unintended consequences of its invocation, but also the continuing implications of legal conquest.
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**Established Permanence**

The Doctrine of Discovery is an example of this phenomenon. As Daisy Ocampo writes, the internalization of superiority in society and law has not only “laid the foundation for the hegemonic societies as we know them today,” but has also allowed for the imagined separation of the racial, legal, and imperial discourses proposed by Williams.

**Persistence of Native Americans**

The persistence of Native Americans has put the lie to the assumption of their racial inferiority as well as the “savage as wolf” theory that Indians, like wolves, will retreat before the advance of civilization. In 1825, when Henry Clay expressed the general consensus among Americans that Indians were “impossible to civilize” and “destined to extinction,” a ruling based on the Doctrine of Discovery might have seemed appropriate. But since Natives have not vanished in the nearly two hundred years since, it becomes increasingly difficult to ignore the assumptions on which the Doctrine maintains its continued purchase; hence the bifurcation of the Doctrine into the repudiated assumptions of racial hierarchy and the traditionally grounded (and backed with the threat of violence) validation of American land claims. So the current face of the Doctrine is one validated by the assumption that continuity establishes legitimacy—“we’re sorry we took the land, but we can’t give it back now.” Unfortunately, this newest variation rests on racist principles just as the older renditions had, for if the Doctrine is used simply as a means of upholding the sanctity of private property, and the denial of Native property rights violates that principle now just as it did in 1823 or 1500, then the Doctrine is simply an expression of racialized assumptions about Native Americans, whether the Doctrine’s claim to a pretense of legitimacy is rooted in a racist past.

**Johnson Ruling**

The Johnson ruling has come to stand in a euphemistic way for the ideology of discovery and the Doctrine and has allowed for the decoupling of the property claims inherent in the ruling from the racism and ethnocentrism for which the Doctrine has historically stood. Courts can appeal to the Doctrine without having to overtly indicate the ethnocentric assumptions underlying its rationale of Indian racial inferiority. This latest evolution in Doctrine ideology allows the Doctrine to stand for the property rights established by the Doctrine while divorcing or simply ignoring the racist reasoning out of which the Doctrine originated. This sleight of hand permits American law and the legal systems of other British settler-colonies to maintain a pretense of legality covering the illegitimacy of their property claims.

**Discovery Doctrine’s Inconsistency**

Part of the Doctrine’s inconsistency is also a result of its historical evolution, how it has changed not only in terms of law, but also culturally, intellectually, and as social commentary. Initially grounded in the assumption of a Christian/non-Christian and civilized/savage hierarchy, its rationalization of the Doctrine of Discovery into the established assumptions of racial hierarchy and the Railroad Funded tradition of American law have become increasingly difficult to ignore the assumptions on which it is based. The assumption that continues to underlie the Doctrine is the belief that Native Americans have no rights, and the fact that it has become increasingly difficult to ignore these assumptions has forced the Doctrine to adapt in order to maintain its legitimacy. The case of the Hopi Nation provides a particularly illuminating example of how the Doctrine has evolved in response to these assumptions.

**Conclusion**

The Persistence of Native Americans has made it clear that the assumption of their racial inferiority is not just a relic of the past. The Doctrine of Discovery remains a powerful force in American law and policy, and its continued existence highlights the ongoing struggle to redefine the relationship between Native Americans and their homelands.
The discussion of the Discovery Doctrine being a moving target, constantly re-conceptualized in light of social, political, and legal developments. During the sixteenth century, it was born largely out of the twin imperatives of parceling out the New World to European interlopers and spreading Christianity to “heathen” populations. By the end of the seventeenth century, the understanding was that Indians possessed their lands outright and legal title must be purchased from them. Thus, the Discovery Doctrine still by and large consisted in differentiating rights among European entities. In this case, indicating what nation has sovereignty over a specific place and whose subjects have the right to purchase lands from the Indians living there. While diminishing the price that Natives might have received for their land on the open market, the intention of restricting Native sales to a single European entity was initially more about limiting the access of other European empires to Native lands. Although it ultimately had this effect, the creation of a new lesser form of land title. Ironically, the problem for Great Britain and later the American government with regard to land purchases by their own subjects.

Following the American Revolution, land speculators fought to have their pre-Revolution land purchases validated. But as Eric Kades has pointed out, by granting an exclusive right to the federal government to buy Indian lands, Johnson created a system of monopsony, which averted a bidding war between settlers and enabled government purchases of land at the lowest possible cost. Moreover, with sovereignty now reflected in the rights conferred by the fee-simple ownership of land by individual citizens, the establishment of the United States triggered another revolution land purchases by the federal government, and the Discovery Doctrine was no longer to serve the interests of the imperial powers. Instead, it was turned into a tool for the acquisition of Native American lands at the lowest possible cost. As Johnson had done in the sixteenth century, it was now used to acquire Native American lands at a minimum cost. How could it not be? The idea of hierarchy continues to hover in the background. How could it not? Thus, the continuity of legal precedent means for claiming the land demanded a greater emphasis on the legalities of title in the present—the emphasis being on the validity and virtue of the socio-economic system rather than the underlying assumptions of fixed racial hierarchy. The Doctrine endures and continues to mediate disputes over land claims independent of the underlying racial assumptions from which it originated. The elimination of overt racism as a valid means for claiming the land demanded a greater emphasis on the legalities of title in the present. The emphasis on the validity and virtue of the socio-economic system rather than the underlying assumptions of fixed racial hierarchy. The Doctrine endures and continues to mediate disputes over land claims independent of the underlying racial assumptions from which it originated. 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The transition marks the completion of the Doctrine’s shift from a declaration governing inter-European relations to one concerning Western-Indigenous relations. It was this shift that John Marshall ultimately codified through the legal notion of “occupancy title,” inadvertently providing the legal justification to remove Native populations and setting the trajectory for Native property rights and land title up to the present day.

The codification of the Discovery Doctrine in Johnson became part of the intellectual foundation of Manifest Destiny—the idea that American citizens had a God-given right (and obligation) to possess and populate all the land between the Atlantic and Pacific oceans—and the Johnson decision continues to be cited with approval by the U.S. Supreme Court. Scholars, however, have outpaced the legal establishment in calling for a new relationship between law and land that not only takes responsibility for the wrongs of the past but seeks a better understanding of how a trans-national or a fully “globalized” future might look. Some have pursued international organizations as sources of legal protection for Indigenous rights, as exemplified in 2007 by the U.N.’s Declaration on the Rights of Indigenous Peoples, which asserts that Indigenous peoples “have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.”

The more than five-hundred-year legacy of European influence in America has made clear the extent to which law is political and ideological and subject to forces beyond legal theory and the judicial system. It has also revealed the power that made clear the extent to which law is political and ideological and subject to way of exchange in land. This transition marks the completion of the Doctrine’s shift from a declaration governing inter-European relations to one concerning Western-Indigenous relations.
The works reviewed here reflect the assumptions that have long validated Western titles to Native lands and help us to better understand not only how Natives lost their lands but the effects that process continues to have on Native peoples today. By fully understanding the historical events, motives, and unintended consequences that shaped the Doctrine of Discovery and codified it in American and international law, these works make clear how the Doctrine of Discovery instituted rules for the occupation and acquisition of "discovered" land and established an intellectual paradigm that informed how Indigenous peoples and cultures were to be viewed and treated. By examining how legal decisions, such as Johnson, shaped the history of Native land rights, these authors have forcefully highlighted the "jurisprudential legacy" of a conquest by law. In an era of de-colonization the legal claims to Indigenous lands must be validated in a way that satisfies our current understanding of what we might consider "natural law." The works examined here explore not only the history of Native land rights and the assumptions inherent in the Doctrine of Discovery but also the unsustainability of a legal property regime built on the assumptions of Indian law and established an intellectual paradigm that informed how legal decisions such as Johnson were to be viewed and interpreted. The works reviewed here, as well as the historiographical trend of which they are a part, force us to question the assumptions that have long validated Western titles to Native lands and help us to better understand not only how Natives lost their lands but the effects that process continues to have on Native peoples today. 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Te process hinges on the Doctrine of Discovery, which is the core intellectual link between the fifteenth- and sixteenth-century papal bulls regarding the "New World" and the Johnson ruling some three hundred years later. Te central question is not, "Is the Discovery Doctrine a racist ideology of conquest?" Te authors to one degree or another agree on that point. Te elephant in the room is how do we move forward, beyond the Doctrine of Discovery. Te house of cards built atop it is so layered and complex that any drastic responses may lack desirability as much as feasibility. So, how do we bring an embarrassing outdated legal discourse in line with an intellectual discourse that not only rejects fundamental racial difference but also increasingly recognizes law as more of a hegemonic institution than a baseline for morality and justice? Perhaps our best options lie with understanding what this historical precedent tells us about ourselves and the dynamic relationship between our cultural and legal systems.

February 8, 2012, marks the 125th anniversary of the 1887 General Allotment Act in which the U.S. government attempted to assimilate Indian peoples into mainstream white culture by converting Native land trust into individually owned allotments through the US Court of Appeals for the District of Columbia upheld a 2010 congressional settlement for 3.4 billion between the US government and hundreds of thousands of Native American plaintiffs whose land trust royalties were mismanaged by the Department of the Interior. Whether such developments represent a changing discourse or the latest extension in Discovery ideology is difficult to tell but the future must be one in which jurisprudence attempts to come to terms with both the historical legacy of Discovery ideology and the value of difference in American culture.
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Maryland Historical Magazine

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In Lotions, Potions, Pills and Magic, Elaine Breslaw meticulously details medical behavior and health conditions in America from the arrival of the Pilgrims in 1620 until the third quarter of the nineteenth century. Rather than portraying the development of modern American medicine as having constantly progressed and advanced, her monograph provides a more complicated and nuanced history that was shaped by professional struggle, fluctuating levels of public faith in orthodox medicine, competing medical philosophies and perspectives, and the existence of complex power relations between physicians, the American public, and native populations. As well as making use of a remarkably extensive timeframe, Breslaw offers a study that is thematically comprehensive. Commencing with the catastrophic outbreaks of smallpox among native populations in the 1600s (a disease from which they had no biological immunity), Breslaw proceeds by exploring themes including nutritional well-being, medical behavior during the American Civil War, the development of institutionalized psychiatric health provision, shifting childbirth practices, and public health.

The precept that orthodox medicine was often dangerous, ineffective, and lethal, at least until around 1890, is pivotal to Lotions, Potions, Pills and Magic. In response, Breslaw maintains, the public routinely looked for alternative forms of cure and prevention ranging from traditional folk healers to botanical and water cure methods and native varieties of medicine. Regardless of this development, and despite an easily discernible incapacity to provide cure, members of the orthodox medical profession stubbornly strove to maintain their monopoly over health and healing, as well as the forms of knowledge that structured medical thought and practice. Breslaw seeks to construct a multifaceted portrait of medicine and health in early America that incorporates a wide range of encounters across the social spectrum.

A critical problem with the ambitious scope of Lotions, Potions, Pills and Magic is that Breslaw’s various themes are not explored with the degree of depth normally expected in an academic monograph focusing on medical history. Breslaw has undeniably produced a strong introductory overview to America’s medical past, but one that is not consistently rigorous enough to most medical historians. The reader learns that native populations were devastated by diseases carried across the Atlantic Ocean by European settlers, that early modern physicians clung steadfastly to classical theories about the human body and its ailments, and that the eighteenth-century transformation of midwifery into a male domain had few practical benefits. The reader gains a broad understanding of American medical history, but is left wishing for more detailed analysis of specific topics.

The development of institutionalized psychiatric health provision, along with that of other forms of care, was often dangerous and ineffective, as evidenced by the history of asylums and other mental institutions. Breslaw provides a rich description of the struggles between medical professionals and the public over the definition and implementation of institutional care. Her analysis of the history of childbirth is similarly nuanced, exploring the shifting role of midwives and the rise of obstetricians, as well as the impact of new technologies and medical knowledge on childbirth practices.

In conclusion, Lotions, Potions, Pills and Magic is an important contribution to the history of medicine in America, providing a comprehensive and multiglance view of medical behavior and health conditions from the Pilgrims to the end of the nineteenth century. Breslaw’s work is a valuable resource for students and scholars interested in the history of medicine, public health, and the relationship between medicine and society.

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for women; that the nineteenth century saw the widespread institutionalization of insanity; that public health emerged in its modern form from around the 1840s, and so on. These are hardly new themes. Furthermore, Breslau, for the most part, fails to situate these already well-analyzed developments in the specific context of early America in a way that invites the reader to consider what was truly unique about medicine in the specific geographical context under analysis.

Breslau’s key thesis is that medicine was in a constant state of decline, not advancement, until at least the 1890s primarily due to the lack of empirical knowledge shared by orthodox medical men coupled with a persistent desire to make a profit despite having little to genuinely offer in the form of curative mechanisms. To a certain extent this precept holds true. However, by focusing upon such an overly simplistic dichotomy, little room is left for discussion, for instance, of the nineteenth-century rise of medical professionals who were themselves opposed to older methods based on theory and who actively sought to re-establish medicine as a predominantly middle-class profession anchored in empiricism, observation, and therapeutic care. Indeed, this middling group sought to improve medicine’s public reputation. One would expect Breslau to have used the important concept of medical reform to add complexity to her thesis to enable a fuller exploration of the inherent intricacy of past medical behavior.

In addition, recurring discussion of what physicians did not know in past contexts about disease aetiology and transmission (prior to the discovery of germs) and how they nonetheless publicly presented their services as effective, persistently distracts from what could have been a more fruitful discussion of what physicians once thought that they knew or of the ideas that informed pre-germ theory medical behavior. These ideas, after all, structured the day-to-day work of physicians and cannot be too easily condensed under the simplistic rubric of “ignorance.” In summary, Lotions, Potions, Pills and Magic presents a portrait of ignorance in the medical world of early America that, although not entirely unjustified, inadequately reduces the intricacies of medicine and health care across an extensive timeframe. A tighter focus would have allowed for a more persuasive study.

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Since the 1970s historians have emphasized the stories of those long overlooked: women, Native Americans, the working class and African Americans. A recent trend in the crafting of social histories has been an increased number of biographies and micro-histories. Biographies and micro-histories provide the depth and detail of
lived experience often lacking in other historical works and can shed interpretive light on broader forces of social and cultural transformation. Works such as Randy Sparks's *Two Princes of Calabar* and the Gilder Lehrman Center's "Priscilla's Homecoming" project (http://www.yale.edu/glc/priscilla/doc.htm) have offered vivid depictions of the lives of enslaved peoples in the Americas. A recent addition to this burgeoning social history of enslaved peoples in the Atlantic is James Johnston's *From Slave Ship to Harvard*, the story of an African enslaved in Maryland and that of his ancestors.

On the morning of June 4, 1752 more than one hundred Gold Coast Africans who survived the Middle Passage anxiously awaited being transported ashore at Annapolis. As group the Africans on the *Amistad* were remarkable; their voyage to America was not a story of valiant resistance such as that of the Africans on the *Amistad*, nor was their passage across the Atlantic more deadly than the typical slaving voyage of the era. And as true for most of the more than two hundred thousand Africans coercedly transported to North America during the eighteenth century, details of their individual lives remain largely uncovered.

Among the Africans on the *Elijah* and sold in Maryland that fateful day in 1752 was Yarrow Mamout. Although much of *From Slave Ship to Harvard* is concerned with slavery and its legacy, Mamout's life is known not from any event during his enslavement. Instead, Mamout became part of the historical record due to the fact that his portrait was painted while a free man in the early nineteenth century by the preeminent artist Charles Willson Peale and the little known James Alexander Simpson. Johnston has painstakingly excavated every possible detail on Mamout's life and that of subsequent generations of his family. By doing so, he has provided a rare depiction of a black family from the Middle Passage to the present.

In constructing the story of Mamout and his ancestors Johnston faced significant challenges. Most slaves of the eighteenth century were illiterate and there are few contemporaneous writings by enslaved peoples of the period. Thus, as is true for most enslaved peoples in the colonial era, the factual record of Mamout's life is incomplete. Johnston employs the experiences of other individuals to provide likely scenarios for the unknown portions of Mamout's life. He contextualizes Mamout's life prior to enslavement by comparing it to that of Ayuba Suleiman Diallo, another Fula Muslim enslaved in Maryland. The 1734 published account of Diallo's life on *Diary of a Slave Ship* provides an effective framework for Johnston's analysis of Mamout's transition from freedom in Africa to enslavement in Maryland. Yarrow's sale and subsequent life in Maryland are also well considered through a comparison to known facts of other Maryland are also well considered through a comparison to known facts of other enslaved people in the colonial period.

Johnston stresses that Mamout was "more than a statistic" and that his life often the written record alone would have revealed.
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did not conform to modern stereotypical images of enslavement. Slavery in Maryland was more diverse than modern images of plantation life. Johnston argues that the intertwined lives of black and white Marylanders were integral to the development of the state. His book allows us to experience Richard's life as he knew it. Johnston has written a compelling portrait of a complex John

The book is constructed in three sections. The first focuses on Yarrow Mamout's life, the second considers the lives of his sister, niece and son; and the third delves into the family of Mamout's daughter-in-law Polly Turner and her offspring, one of whom graduated from Harvard. Johnston employs Richard's portrait in the first section of the book to discuss abolitionism and racism in nineteenth-century Maryland. The movement from slavery to freedom is portrayed as one based on a strong emphasis on family, education, and economic independence, elements that would characterize Mamout's ancestors. In the middle portion of the book Johnston uses a contest over a loan Mamout made to a family member to illustrate how free blacks employed the law in antebellum Maryland to establish economic independence. The third section with its focus on the Turners extends the story of the family from the Antebellum era up to the early 20th century, stressing the importance of education and economic independence.

By providing a multi-generational history of Mamout's ancestors Johnston provides a valuable service, that of providing readers a framework to consider the long history of African Americans and connect their experience in slavery to the larger American narrative in the post–Civil War era. In doing so, this book fits within the burgeoning interest in the roots of the African American experience.

**Charles R. Foy**

Faison Libraries University


David Johnson offers a riveting portrait of an equally acerbic and eloquent figure. By providing a multi-generational history of Mamout's ancestors Johnston provides a valuable service, that of providing readers a framework to consider the long history of African Americans and connect their experience in slavery to the larger American narrative in the post–Civil War era. In doing so, this book fits within the burgeoning interest in the roots of the African American experience.

John Randolph is a complex figure, whose volatile emotions and political ambition damaged relationships and kept him trapped within his eccentricities. Johnston's portrait of a complex John Randolph allows us to experience his lives as he knew them. Johnston has written a compelling portrait of a complex John Randolph. Johnston's portrait of a complex John Randolph allows us to experience his lives as he knew them. Johnston has written a compelling portrait of a complex John Randolph.

The book is constructed in three sections. The first focuses on Yarrow Mamout's life, the second considers the lives of his sister, niece and son; and the third delves into the family of Mamout's daughter-in-law Polly Turner and her offspring, one of whom graduated from Harvard. Johnston employs Richard's portrait in the first section of the book to discuss abolitionism and racism in nineteenth-century Maryland. The movement from slavery to freedom is portrayed as one based on a strong emphasis on family, education, and economic independence, elements that would characterize Mamout's ancestors. In the middle portion of the book Johnston uses a contest over a loan Mamout made to a family member to illustrate how free blacks employed the law in antebellum Maryland to establish economic independence. The third section with its focus on the Turners extends the story of the family from the Antebellum era up to the early 20th century, stressing the importance of education and economic independence.

By providing a multi-generational history of Mamout's ancestors Johnston provides a valuable service, that of providing readers a framework to consider the long history of African Americans and connect their experience in slavery to the larger American narrative in the post–Civil War era. In doing so, this book fits within the burgeoning interest in the roots of the African American experience.
Emerging from a lineage of power and privilege, Randolph began his lifelong career of government service at the young age of twenty-six. He was a proponent of national debt reduction and small government: a true Jeffersonian. According to Johnson, when Randolph was in Congress his views were clear, and unusually controversial: he continually conveyed a general distrust of government. The election of 1800 clarified the problem at hand: Should the republic be left to Jefferson, who was potentially a simple pie-in-the-sky French Enlightenment thinker, or to Adams, with his lack of restraint and possible monarchist leanings? Despite Jefferson’s statement that “we are all republicans, we are all federalists” (53), serious concerns raised during the raucous election of 1800 would impact American politics—and John Randolph—for decades to come.

Following the republican triumph, Randolph’s star continued to rise. At the age of twenty-nine Congressman Randolph chaired the House Ways and Means Committee. Later, he was House Majority Leader. As Johnson points out, Randolph’s strategic—and volatile—views and friendships were important in his rise to power. Fearing northern mercantilist attempts to subjugate the South just as much as he did the untenable system of human subjugation that defined southern agriculture and economic activity, Randolph was torn in nearly every direction. For example, he feared federal encroachment into sovereign state affairs and yet was repelled by the corruption that sometimes shamed and tarnished the political elite. With the rise of the Whig Party, Randolph was caught in the middle between the new nation and the beleaguered southern states that sought to preserve their autonomy. He understood that he was a pariah among his peers, Randolph stood for all things controversial and yet clung to deep moral principles that only became clear later in his life. Even at the age of twenty-nine, Randolph was already writing wills that granted freedom to all of his slaves, an ill-organized attempt to flee to England, and peripatetic wandering in the early morning hours in the countryside.

In this paper, Johnson explores the many complex factors that contributed to the rise of John Randolph. He was a great orator whose influence shaped the political discourse of his time. Randolph was a key figure in the development of the Whig Party and played a significant role in the political landscape of the early republic. His views on government and politics were controversial, and his relationships with other politicians were often strained. Despite these challenges, Randolph continued to serve in various political roles, and his influence on American politics was significant. Johnson’s analysis highlights the complexities of Randolph’s political career and the impact he had on the development of the nation.

Although he was an unwilling delegate to Virginia’s constitutional convention and continued to serve in various political roles, what had once been eloquent oratory turned into frenzied and frenetic activity in later years: a hastily written will that granted freedom to all of his slaves, an ill-organized attempt to flee to England, and peripatetic wandering in the early morning hours in the countryside. The sour note of southern discord that Randolph so clearly sounded in the early years of the republic was not quelled but simply ignored as his counterparts continued to serve in various political roles. What had once been eloquent oratory and organized action turned into frenzied and frenzied activity in later years: a hastily written will that granted freedom to all of his slaves, an ill-organized attempt to flee to England, and peripatetic wandering in the early morning hours in the countryside.

In this paper, Johnson explores the many complex factors that contributed to the rise of John Randolph. He was a great orator whose influence shaped the political discourse of his time. Randolph was a key figure in the development of the Whig Party and played a significant role in the political landscape of the early republic. His views on government and politics were controversial, and his relationships with other politicians were often strained. Despite these challenges, Randolph continued to serve in various political roles, and his influence on American politics was significant. Johnson’s analysis highlights the complexities of Randolph’s political career and the impact he had on the development of the nation.
The advent of photography has been changing the art landscape for decades. Where the counter’s art and culture into abstraction and composition, photojournalism and related essay films from the war’s omnipresent killing grounds sound familiar. War paintings and photography. The presence of shooting horse. A brilliant man with a tragic character defect, Randolph spent his later years in self-imposed exile, battling health demons likely neurological and psychiatric in nature and perhaps connected to an inability to sire ofspring. Nonetheless, whether fueled by an internal drive for righteousness, an “eager desire” for anything strange and peculiar (190), or a fundamental distrust of all others, Randolph made a distinct impression on American government. In so many ways, Randolph, who was distrustful of the government he felt compelled to serve, is a man of our times. Tus, in order to understand America today, it imperative that we understand John Randolph of Roanoke. Tis must-read book not only adds to our understanding of American politics but provides needed and critical insight into southern politics.

Elizabeth Bissell Miller
University of Missouri


Visitors to the 150th Anniversary Civil War Exhibit at the Maryland Historical Society pass a distinctive introduction that pays homage to the importance of photography between 1861 and 1865. Next, they are confronted with a giant, idyllic 1863 "Autumn, Harpers Ferry" painting by Augustus Weidenbach. While a war-torn Harper’s Ferry was gaining distinction as one of the most fought over towns in the Civil War, Mr. Weidenbach was portraying a mythical landscape with no hint of trouble. Tis painting, a romantic marquee for the gritty tragedy of divided 1860s “Union. Harpers Ferry” painting by Augustus Weidenbach, while a war-torn Harper’s Ferry was gaining distinction as one of the most fought over towns in the Civil War, Mr. Weidenbach was portraying a mythical landscape with no hint of trouble. Tis painting, a romantic marquee for the gritty tragedy of divided 1860s “Union. Harpers Ferry” painting by Augustus Weidenbach, while a war-torn Harper’s Ferry was gaining distinction as one of the most fought over towns in the Civil War, Mr. Weidenbach was portraying a mythical landscape with no hint of trouble. Tis painting, a romantic marquee for the gritty tragedy of divided 1860s “Union. Harpers Ferry” painting by Augustus Weidenbach, while a war-torn Harper’s Ferry was gaining distinction as one of the most fought over towns in the Civil War, Mr. Weidenbach was portraying a mythical landscape with no hint of trouble.
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The first victims were itinerant folk portrait painters put out of business by photo studios. In 1861, war brought millions to the colors of both sides and profit-seeking photographers flocked to the armies to record soldiers and scenes of war. Frederic Edwin Church, Sanford Giford, and other students of the Hudson Valley School were suddenly faced with an emergency. How should they respond to Americans who no longer flocked to see their giant canvasses of unspoiled wilderness? In 1861, Church had success with a ghostly American flag flying in space after Fort Sumter but then turned to volcanoes in South America. Other young artists like Winslow Homer and Eastman Johnson went to the armies to document the war for newspapers. Haunting and unforgettable paintings emerged of mundane life in the sprawling army camps. Homer was forever imprinted by the experience. No one can look at a veteran returning home to attack a wheatfield with his scythe and not think that PTSD, or what our ancestors called “soldier’s heart,” might be at work. Still others, soldiers like Virginian Conrad Wise Chapman, left vivid, colorful impressions of war’s landscape. As the fighting ground on, both Eastman Johnson and Winslow Homer took on images related to Emancipation and the end of slavery. One of the only sets of artists not featured here are the newspaper sketch artists embedded with the troops, Edwin Forbes and Alfred Waud among them, who left behind thousands of drawings that bring the camps and battlefields to life.

This is too big a subject to be covered in a short review or even a large book. Most will probably not read the detailed text, but everyone who opens this heavy volume will probably not read the detailed text, but everyone who opens this heavy volume and peruses the Lincoln Prize-winning exhibit that documents America’s greatest tragedy, brought on itself, not only snuffed out over 600,000 lives and created a new industry of death—it also permanently altered how Americans looked at their country and the creative arts that described it. This is an important legacy of the groundbreaking exhibit that it documents.

Burton K. Kummerow

University of Kansas Press, 2014. 444 pages. Illustrations, map, notes, index. Cloth, $34.95.


In 2012, Gettysburg College and the Gilder Lehrman Institute of American History awarded the Lincoln Prize, for the best scholarly work on Lincoln or the Civil War, to Elizabeth Leonard’s Lincoln’s Forgotten Ally: Judge Advocate General Joseph Holt of Kentucky, and to William C. Harris’s Lincoln and the Border States: Preserving the Union, which is under review here. Harris’s book is an informative work that comprehensively assesses the political history of Maryland, Kentucky, and Missouri during the Civil War. In this review, Professor Burton K. Kummerow of the Maryland Historical Society comments on the book.

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The History of the American Civil War

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Lincoln and the border states offers insights into the president's leadership and the unique and daunting problems he faced in the Civil War. Governor Thomas H. Hicks, and many of his constituents, resisted Lincoln's call for troops. Military arrests of John Merryman and Baltimore officials challenged Lincoln's suspension of the writ of habeas corpus. Maryland's General Assembly also debated whether to remain with the Union or not. Seemingly in spite of these uncertainties and threats to civil liberties, Marylanders overwhelmingly voted unionist Augustus W. Bradford as governor in late 1861. In Bradford's January 1862 inauguration speech, he denounced secessionism, but cautioned that Lincoln's push for emancipation in Maryland could reverse the Old Line State's unionist sentiments.

Lincoln's push for emancipation in the border states is Harris's overriding theme. Late in 1861, Lincoln concluded that "emancipation could achieve the twin objectives of suppressing the southern insurrection and ending slavery" (162). After Congress failed to adopt legislation for gradual, compensated emancipation in Maryland and Missouri in March 1863, the fight transitioned back to state politics. In Maryland, emancipation divided Unionists. Pro-emancipation Unionists like Henry Winter Davis fought against anti-emancipationists such as Montgomery Blair. The conflict between the factions reached its conclusion when Maryland's constitutional convention in 1864 led to slavery's end. While Lincoln installed political general Lew Wallace to maintain order during the Maryland elections of constitutional delegates and ratification, the success of the legislation appears to have been more about the credit and private opinion in Maryland and Missouri (but not Kentucky and Delaware) he denounced secessionism, but cautioned that Lincoln's push for emancipation in Maryland could reverse the Old Line State's unionist sentiments.

Harris's book does an excellent job of analyzing and narrating the political exchanges between Lincoln and the elected representatives of the border states, even though most of the facts in his narrative are common in Civil War secondary literature. Harris focuses almost exclusively on Maryland, Kentucky, and Missouri. He dismisses Delaware because of its small size and relative unimportance and he entirely omits West Virginia from his study (9). These are two notable omissions because Delaware was the first border state to successfully transition from slave to free. Although it was not the only state to experience emancipation in Delaware, it is significant that Harris omitted such information in his narrative. The focus of his book is on Maryland, where emancipation legislation did not pass that ultimately led to emancipation. Harris should have included more detail on Maryland's role in the Civil War, particularly regarding the economic and social implications of emancipation. He should have also explored the thoughts and actions of lesser-known citizens in the border states as they responded to Lincoln's policies of habeas corpus suspension, military mobilization, and recruiting black soldiers.
Although this volume treats an important subject, the author’s sources might limit the book’s long-term value. Harris’s footnotes show a reliance on overused primary sources. His primary sources consist of the War of the Rebellion, Collected Works of Abraham Lincoln, and a few published compilations of Civil War newspaper editorials. His only use of archival manuscript sources are the Lincoln Papers at the Library of Congress. If he had wanted to add something new to his research, for instance, he could have consulted the Papers of Lew and Susan Wallace from the Indiana Historical Society to give a better account of Wallace’s actions in Maryland instead of relying on Wallace’s sometimes problematic Autobiography.

As for his use of secondary sources, only a handful of his citations are to books published since 2001. One important secondary source he omitted was Brian McKnight’s Contested Borderland: The Civil War in Appalachian Kentucky and Virginia (University of Kentucky, 2006). The secondary literature on the border states has been rapidly changing during the past few years, and Harris’s choice not to interact with recent journal articles, books, and dissertations about the subject limit his book’s value for students, but especially scholars. Despite these criticisms, general readers might find the well-written, political narrative in Lincoln and the Border States an informative supplement to the events depicted in Steven Spielberg’s Lincoln.

Two new books treat the orphan field of industrial history in Maryland counties. Catoctin Furnace, the site of a large business even in colonial times and it was owned by wealthy and well connected business men in colonial times and it was owned by wealthy and well connected business men. The furnace story of Catoctin Furnace is the other story of the small furnaces, one is covered by four books of Catoctin Furnace, Portrait of an Iron-Making Village by Elizabeth Yourtee Anderson; Catoctin Furnace, Portrait of an Iron-Making Village by Elizabeth Yourtee Anderson; Papers of Abraham Lincoln; S. Chandler Lighty.
The furnaces were filled with the names of the slaves and poor white people who worked the furnace, cast the pig iron, cut the timber to burn into charcoal, and cast the kettles and small iron items. There was an entire village of whitewashed dwellings as well as a fine house for the ironmaster and a splendid house for the owner. Oral histories and inventories list the wretched possessions of the workers and the elegant furnishings of the owners. Mrs. Anderson covers the technology of iron smelting, ore digging, and charcoal burning but also covers the people, their living conditions and their religious affiliations. Many workers were Germans who settled via Pennsylvania. Some of the earliest church services were out-of-door meetings, even using the cemetery as a gathering place, conducted by Moravian clergy from nearby Graceham. These German-speaking ministers also preached to the slaves who once tearfully stated that they had to work seven days a week and could only attend the service between castings of molten metal. Later, Hariett Chapel was established by the Episcopal Church, and it struggled along with only a resident deacon or an itinerant priest/poorest parish in the Diocese of Maryland. Catoctin Furnace carried on through the nineteenth century with newer and better equipment, a new furnace stack, and railroad spurs that made it easier to ship the output. Iron was needed for railroad cars and wheels in mid-century. When the furnace could no longer compete with the efficient new plants of Bethlehem Steel and Carnegie, the product was used for barrel staves cut from the company's vast acreage on the mountain. Catoctin Furnace survived through the 1920s because of its religious services, the presence of the cemetery, and the fine buildings for the workers who once hoped to build better lives in the United States.

For thirty years Mike Dwyer was park historian for the National Capital Park and Planning Commission which bought him in contact with the steam valleys of Montgomery County, where the rural gristmills flourished starting in the late eighteenth century. Montgomery County once had its own city, Georgetown, which despite its name, was an intact neighborhood. The mills were small neighborhood services that used water power to pound name, was intact and flourished in a large frame building on the Northwest Branch. The mills were small neighborhood services that used water power to pound the grain, and members of the community often worked alongside the miller. The mills were a critical part of the local economy and played a role in shaping the community. They were not just places for grinding grain, but also served as social hubs for the community. The mills were a testament to the hard work and ingenuity of the people who built them and operated them.

The smaller mills had been going out of business well before the 1920s, but the larger ones continued to operate. Many of them survived into the age of photography and there are numerous historic views of mills, large and small. Some were given tax breaks and were able to remain open. The WPA historic recording project in the Great Depression helped preserve many of these sites for future generations. The smaller mills had been going out of business well before the 1920s, but the larger ones continued to operate. Many of them survived into the age of photography and there are numerous historic views of mills, large and small. Some were given tax breaks and were able to remain open. The WPA historic recording project in the Great Depression helped preserve many of these sites for future generations.
Refocusing Jim Crow: Southern Politics and State in the Age before Brown.


Kimberley Johnson refutes widely held historiographical conceptions of the Jim Crow era. She finds that, while black and white southern Progressives, cognizant of the region’s modernization efforts, carefully implemented social, political, and educational reforms within the region’s racial caste system, they also created the conditions which eventually led to southern segregation’s demise in postwar America. She contends that these white and black reformers, working to improve public order and stability within southern governments and the Jim Crow order, established critical precedents that subtly transformed the South’s racial and class dimensions in the early twentieth century.

John McChesney

Professor of History, University of Virginia
the South's racially divisive socioeconomic, political, and legal frameworks, but also the very meaning of southern citizenship. Deftly untangling the socioeconomic and legal implications behind class, race, and political relationships in the South, Johnson first examines white reformers' efforts and failures to rehabilitate state authority and power in addressing racial violence. In doing so, she observes how white reformers vigorously attempted to regulate lower-class whites' physical reprisals against blacks by instituting stricter law enforcement measures, which would effectively empower southern state officials to monitor unruly racial transgressions, especially lynching. As a result, white reformers, seeking to ameliorate blacks' inequitable social and political conditions, believed resuscitating the South's poor national reputation on race matters would require an assertive state presence to curb non-elite whites' local power over class and racial disputes. Beyond addressing matters of racial violence, Jim Crow reformers also worked in conjunction with New Deal administrators to modernize the South's beleaguered economic infrastructure, devising national policy initiatives to reform "southern stateways." Drawing on the Commission on Interracial Cooperation, Johnson further describes how African Americans, challenging the "equalization" strategies of white reformers, forcefully pursued educational improvements throughout southern states in the 1930s and 1940s, noting their persistent campaigns to equate the aspect of social citizenship and blacks' access to full political citizenship. Although Progressive ideas and New Deal policies faced innumerable hurdles within southern state regimes, Johnson appropriately notes that the democratic promise of the CIC and the southern New Deal activities could not be contained. White reformers, however, still relied on northern foundation money, especially the Rosenwald Foundation money, to broaden the South's segregated education structure in the 1920s. These white reformers, moreover, encouraged southern colleges and universities to adopt their plan for increased vertical segregation, and even convinced some middle-class blacks eager for amicable race relations in southern society. In the late 1940s, scientific solutions for racial harmony, in positions of educational prominence to embrace their social scientific solutions for racial harmony, in positions of educational prominence to embrace their social
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many African American teachers and administrators, however, vociferously pushed for racial integration in southern educational facilities and openly questioned the racial logic behind the Jim Crow reformers' ambitious designs, as they yearned for, in Johnson's estimation, "the strengthening of southern black social capital and social citizenship" (170). One infamous court case, Sweatt v. Painter (1950), effectively disestablished the "equalization" efforts of white reformers, who had rushed to create a separate law school for blacks in Texas. The Supreme Court ruled, however, that the all-black facility lacked many of the educational amenities found in the all-white University of Texas Law School, destabilizing white reformers' "equalization" platform for southern higher and primary education. For Johnson, the NAACP, which argued the Sweatt case, and its visible legal presence undermined the racial gradualism of white and black Jim Crow reformers and spurred wider campaigns to achieve full-blown racial integration and social citizenship across the South.

Johnson's tome powerfully proves how white and black reformers' actions also generated larger debates about the meaning of social and political citizenship for both whites and blacks during Jim Crow's tumultuous reign. In exposing Jim Crow's calamitous dimensions, she reveals the complexities of southern race relations, the social and economic conditions that shaped the civil rights movement, and the racial and class differences that informed the struggle for equality. In creating a dynamic storyline about the unfolding evolution of southern race relations in the early twentieth century, Johnson draws on a remarkable array of research materials, including various African American periodicals, oral history collections, and numerous government and personal manuscript files, to illustrate the social, economic, and legal components of racial reform initiatives within the Jim Crow order among southern whites and blacks. Her careful balance between white and black voices in her research demonstrates the centrality of both race and class within the broader context of Jim Crow reform. In paying close attention to the racial and class complexities of southern race relations, she unequivocally forces fellow southern scholars to reconsider the broader impulses that led to Jim Crow's demise and the civil rights movement's ascendancy in the postwar South. Johnson's research reveals how southern scholars can reconsider the broader impulses that led to Jim Crow's demise and the civil rights movement's ascendancy in the postwar South.
and friend to those who had the opportunity to work with him. This collection—written and edited by eighteen of his former advisees—pays tribute to the man who instilled in them a passion for history in general and the issue of equality in particular. More specifically, The Struggle for Equality: Essays on Sectional Conflict, Civil War, and the Long Reconstruction contains essays that explore the contested meanings of "equality" in the United States between the 1830s and 1960s. Employing the lenses of race, class, and gender, this volume considers equality from black, white, male, female, religious, political, military, agricultural, and legal perspectives. It is not a priority of the scholarly works representing this collection to resolve these divergent conceptions of equality. Rather, they illustrate the paradoxes of American equality: its power to define the nation's history while resisting definition itself and to serve simultaneously as a symbol of failure and promise.

Organized in rough chronological order and divided into three sections—sectional conflict, Civil War, and the long Reconstruction—these fresh, insightful essays introduce the reader to a diverse array of case studies embodying the theme of equality. Not surprisingly, numerous contributors—including Ryan P. Jordan, Judith A. Hunter, Ronald C. White Jr., Bruce Dain, James K. Hogue, Tom Carhart, John M. Gargiulo, P. McCray, Monroe H. Little, and Jerald Podair—examine the intersection of race and equality (or, more likely, the lack of it). For example, Jordan ascertains why the Quakers embraced a more moderate outlook on abolitionism than has been typically portrayed. Carhart reveals the fascinating story of Henry O. Flipper, the first African American graduate of West Point (class of 1877), including his unfair court-martial and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheading Flipper's pardon during the Clinton administration. 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Podair explores the failures of working-class intermarriage and McPherson's pivotal role in spearheaded
Mary Ann Harris Gay and her embrace of an existence that combined promotion of a conservative, Confederate past and greater gender equality. The volume concludes with a brief interview with McPherson, in which he discusses how events of the 1950s and 1960s shaped his interests in history, reveals his views about the significance of the Civil War to American identity, and sheds light on the role of the historian in American society.

Ultimately, *The Struggle for Equality* not only recognizes McPherson’s many contributions to the field and to society but showcases the talent and analytical nuance of his many mentees. Because the topics under consideration are so diverse, this volume—and certainly particular essays within it—will appeal to a wide range of readers, from scholars to nonspecialists alike. In addition, some essays place equality at the forefront of their analyses, while, in others, the theme of equality plays a secondary role. However, these essays are simply a reflection of the unique interests of his advisees and are not necessarily meant to be criticisms of particular individuals or their works. Finally, students of Maryland history may be a little disappointed that no essay directly addresses the state’s history. Nonetheless, and perhaps as a consolation, they can take pride in the contributions made by their home state to the larger American narrative.

Katherine E. Rohrer
University of Georgia


"So, what am I supposed to do, kiss you?" asked Supreme Court Justice Turgood Marshall while he and attorney Larry S. Gibson waited to have their photograph taken during the dedication of the Clarence M. Mitchell Courthouse in 1985. This amusing anecdote, suggesting a humorous side to the first African American Supreme Court Justice, is only one of the more surprising insights into the character of Turgood Marshall. Gibson’s recent biography, *Young Turgood: The Making of a Supreme Court Justice*, offers a fascinating glimpse into the early years of Marshall’s life and career. For those familiar only with the dark-robed Justice of Marshall’s later years—an earlier biographer refers to the Marshall of this period as a "distant figure whose voice was heard only in the legalistic language of the written opinion," Gibson provides readers with a nuanced portrait of the real Turgood Marshall. Through detailed research and analysis, Gibson sheds light on the many facets of Marshall’s personality, including his sense of humor and his love of music.

Gibson’s biography is not only a celebration of Marshall’s accomplishments but also a critique of the legal system in which he operated. Marshall was deeply committed to civil rights and fought tirelessly for justice for all. His skills as an attorney were unmatched, and his legal acumen was second to none. However, Gibson argues that the legal system was not always on the side of justice and that Marshall often had to fight against the odds to achieve his goals.

Ultimately, Gibson’s biography is a testament to Marshall’s unwavering commitment to justice and his tireless efforts to make the system work for all. It is a must-read for anyone interested in American history, civil rights, or the life of one of the most important figures in American history.
"Book Reviews: Supreme Court dissents"—the biography is illuminating. Aside from a brief glimpse of the elder Marshall in the preface, that figure doesn't make an appearance. What the book provides is exactly what is promised by the title, a portrait of the civil rights pioneer, lawyer, and future Supreme Court Justice as a young man. The author's narrative takes the reader from Marshall's birth in Baltimore in 1908 to the end of the 1930s, just prior to his emergence on the national stage as Chief Counsel of the National Association for the Advancement of Colored People (NAACP).

Gibson, a lawyer, professor, and former political advisor, has been a vocal and tireless advocate for drawing attention to Maryland's, and particularly Baltimore's, role in the early years of the civil rights movement. It is no coincidence that he chose to focus exclusively on Marshall's early life in Maryland. The book documents both the young Turgood Marshall's rise to prominence and Maryland's role in the burgeoning civil rights movement. The state's early contributions to this history are often overshadowed by the later events of the 1950s and 1960s, when the movement exploded into the nation's consciousness. How many are aware that students from Maryland colleges were conducting sit-ins years before the famous Greensboro, North Carolina, sit-in of February 1, 1960? Marshall was at the center of many of these early, pivotal events and Gibson brings both Marshall and the Baltimore of his youth and early adulthood into sharp focus.

The seeds of Marshall's later career as a lawyer and civil rights advocate, as well as his core belief in integration, can be found in his early life in Baltimore. The Old West Baltimore neighborhood of Marshall's youth was a racially diverse area of sixty blocks, where whites and blacks lived in close proximity but where schools, restaurants, and stores remained segregated. His family provided strong early role models; his maternal grandfather was an influential leader in the community, pushing for public education for African Americans. An uncle, Fearless Williams, was a respected businessman and Catholic who played an active role in fighting discrimination. Marshall joined the competitive debate team in high school. At Lincoln University in Pennsylvania, he was a member of the university debate team that in 1926 took on an Oxford University squad in the first interracial college debate.

Marshall's education as a lawyer began at Howard University. In his second year, he became Marshall's friend, mentor, and legal collaborator for the next two decades. While Gibson gives due attention to Marshall's childhood and college years, the bulk of the narrative focuses on the four-year period between 1933 and 1937. Here we see Marshall's transformation from young law school graduate into civil rights advocate, as well as his core belief in integration. The courtroom litigator was born early on with Marshall joining the competitive debate team in high school. At Lincoln University in Pennsylvania, he was a member of the university debate team that in 1926 took on an Oxford University squad in the first interracial college debate. Marshall's education as a lawyer began at Howard University in 1925, where he became Marshall's friend, mentor, and legal collaborator for the next two decades.

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Princess Anne, the last recorded lynching in Maryland, added fuel to the ultimately unsuccessful national anti-lynching campaign already in progress. A month after the Armwood lynching, Marshall lent his services to the Buy Where You Can Work Campaign, providing legal counsel and acting as the personal attorney for campaign leader Kiowa Costenie. Marshall, who came to believe the road to equality for African Americans was through the legal system rather than peaceful protest, also supervised and participated in the picketing, detail not mentioned in many prior biographies. The young lawyer could be seen walking the “line from early in the morning to dark” (165).

It is fascinating to read of Marshall’s daily struggles to juggle his commitment to the cause of civil rights with the hard reality of providing for himself and his family during the Great Depression. Despite being plagued by financial burdens—he was “fat broke” in 1936, just three years out of law school—Marshall took civil rights cases for little or no pay. His first high profile case, as a member of the team defending fellow attorney Bernard Ades, was pro bono. Ades, the lawyer for the Maryland Chapter of the American Communist Party and known for his legal work on behalf of Maryland’s African American community, faced disbarment. Marshall assisted Charles Houston with the successful defense of Ades, examining witnesses and working with the opposing counsel. Marshall’s finances became so strained during this period that he was often forced to borrow money from Houston and the NAACP to pay the bills and in 1934, took a night job as a clinic clerk at the Baltimore City Department of Health. But by 1936, he had made the decision to pursue civil rights cases “for anything in the world” (29).

Marshall also received little financial compensation for his role in Murray v. Pearson in 1936, probably his most important case prior to Brown v. Board of Education in 1954. The case, which led to the desegregation of the University of Maryland School of Law, was the first major school desegregation victory in the United States, the “first step on the road to Brown” (231). Gibson devotes an entire chapter to documenting this landmark case. It would be another fifteen years though before another African American was accepted into the university. Marshall’s connection with the school, specifically the persistent myth, advanced in biographies and media outlets, that Marshall was denied admission to the University of Maryland School of Law in 1936 was never applied, knowing full well that in the segregated Maryland of the period he would be rejected on the basis of race.

At the same time Marshall was developing the reputation that would later garner him the nickname “Mr. Civil Rights,” he was also building a fledgling law practice. As an attorney himself, Gibson devotes a large portion of the book to detailing the non-civil rights side of Marshall’s legal career. The portrait that emerges is of a man devoted to furthering the cause of civil rights but who was also a hardworking and
Dedicated lawyer who easily could have embarked on a long and successful career in private practice. Between 1933 and 1936, Marshall handled over seventy-five civil cases, from personal injury to estate and divorce cases. He also was involved in a number of criminal cases, including his first case working with Charles Houston while still a student at Howard University. Houston enlisted the budding young lawyer as a researcher for his defense of George Crawford, an African American accused of murdering two white women in Virginia in January 1933. This marked the beginning of a long collaboration that helped to bring down many of the legal barriers to integration, culminating four years after Houston's death with the Brown decision.

Gibson first met Marshall in 1975 when he and a fellow attorney arrived for a late night meeting with the Justice at his home in Virginia seeking his help on behalf of a client. For Gibson, the meeting was an eye opener, destroying "some preconceived notions [he] had acquired over the years" (11). Readers who are only familiar with the Old Turgood will likely come away with their perceptions similarly altered after reading Gibson's detailed and informative biography. While Young Turgood may not be the first Marshall biography to turn to for those seeking an introduction to the civil rights pioneer's life and career, Gibson's work is the most comprehensive examination of Marshall's formative years in Maryland to date. If not only for its examination of Marshall's formative years in Maryland, his most complete career. Gibson's work offers a rich account of the civil rights decades, a period typically overshadowed by the more prominent figures in the civil rights movement. While Young Turgood may not be the first Marshall biography to turn to for those seeking an introduction to the civil rights pioneer's life and career, Gibson's work is the most comprehensive examination of Marshall's formative years in Maryland to date. If not only for its examination of Marshall's formative years in Maryland, his most complete career. Gibson's work offers a rich account of the civil rights decades, a period typically overshadowed by the more prominent figures in the civil rights movement.
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identifies three key themes: African American historical writing in the nineteenth century was situated within "the ideological and intellectual constructs from larger, mainstream movements"; it "simultaneously reinforced and offered counternarratives to more mainstream historical discourse"; and it was shaped by "the African diaspora, especially as it relates to Haiti and Africa on the development of historical study." Using a variety of sources, Hall proves his theses by examining the complex ways in which these histories were produced, deconstructing the historical process, and scrutinizing the historians' motivations and methods.

In the first half of A Faithful Account of the Race, Hall charts the progression of the African American historical enterprise as intellectual activity in the United States moved toward professionalization in the latter part of the nineteenth century. He examines the work of two prominent African American historians of the period, William Wells Brown and William Still, and contends that their work demonstrated the movement toward national networks, modernization of book production, and aggressive marketing of historical literature. Indeed, instead of a limited readership, "the shifing nature of book production made it possible for Still's and Brown's works to appear in more than one edition." Hall demonstrates that the use of these two events in African American historical narratives signaled "the advent of a uniquely American-centered historical discourse framed around self-elevation and destiny." Hall argues that the histories that did not include their stories were not to be relied upon, and that the African American historical discourse predicated on white supremacy and dominance in an emerging American providential narrative could logically exist alongside American freedom. By the middle of the nineteenth century, African Americans were constructing historical narratives to challenge this discourse, and to actively seek to present a more holistic portrait of human history.

In his fnal chapter, Hall scrutinizes the developing black academy in the late nineteenth century. He understands the importance of giving their own faithful account of the race. In the second half of A Faithful Account of the Race, Hall charts the progression of African American historical texts created during the fnal decades of United States history. Exploring some of the earliest manifestations of textual historical production among African American intellectuals, he analyzes their efforts through providential, universal, and progressive historical lenses. These early African American thinkers were troubling the pages of historians' narratives, actively seeking to present a more holistic picture of human history. Like the "new" social historians that would come to prominence more than a century afterward, these intellectuals saw through the histories that did not include their stories. Increasingly, they began to utilize both the American and Haitian revolutions in their work, using these events to contest the idea that American slavery could logically exist alongside American freedom.

Hall demonstrates that the use of these two events in African American historical narratives signaled "the advent of a uniquely American-centered historical discourse framed around self-elevation and destiny." Regardless of circumstances in the United States, these revolutions established concrete evidence that the possibilities of a world of their own making were on the horizon. By the latter part of the nineteenth century, African American historical writing had begun to shift toward more critical histories. Instead of merely focusing on celebratory and contributionist narratives, African American historians began to utilize these events to deliberately contest the narratives that did not include their stories. Increasingly, they began to utilize both the American and Haitian revolutions in their work, using these events to challenge the consolidating of a racially exclusive historical discourse predicated on white supremacy and dominance in an emerging American providential narrative. By the fnal decades of the century, African American historical writing had begun to shift toward a more critical historical narrative. Instead of merely focusing on "celebratory and contributionist texts," their works began to more fully embody the aspirations of a people that understood the importance of giving their own faithful account of the race.
Book Reviews

in the decades to come, will certainly be a starting point for students of African American historiography.

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breathing part of the present and a hope for the future (234). A Faithful Account of
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Joseph L. Arnold Prize
for Outstanding Writing on Baltimore's History in 2013

Submission Deadline: February 1, 2014

The winner will be announced in Spring 2014. The BCHS reserves the right to not to award the prize. The winning entry will be posted to the BCHS webpage and considered for publication in the Maryland Historical Magazine.

The winner will be a “blind judging” of entries by a panel of historians. Criteria for selection are: significance, originality, quality of research and clarity of presentation. Entries should be unpublished manuscripts between 15 and 45 double-spaced pages in length (including footnotes/endnotes). Entries should be submitted via email as attachments in MS Word or PC convertible format. Illustrations are to be included in figures (including footnotes/endnotes). Submit 15 and 45 double-spaced pages of text and illustrations along with the text in either 12- or 14-point type. Entries should be submitted in 15 and 45 double-spaced pages of text and illustrations along with the text in either 12- or 14-point type.

Further inquiries may be addressed to BaltimoreHistory@law.umaryland.edu.

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

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