











DR. S. MILLINGTON MILLER AND THE MECKLENBURG DECLARATION

e disperse la constitución de la

Bx

A. S. SALLEY, JR.,

AND

WORTHINGTON C. FORD

REPRINTED FROM THE

American Historical Zeview

VOL. XI., No. 3

APRIL, 1906

amer. Hist. Rec.

DR. S. MILLINGTON MILLER AND THE MECKLENBURG DECLARATION

[In the exposure of Dr. Miller's interesting fabrication there have been two marked stages. In the period from the time of its publication to December 30, 1905, the leading part in the attack was taken by Mr. A. S. Salley, Jr., Secretary of the Historical Commission of South Carolina, who assailed it in the Columbia State of July 30, and in the pamphlet mentioned below. From December 30 on, in consequence of Dr. Miller's exhibition of his document on that day, the leading part naturally fell to Mr. Worthington C. Ford, Chief of the Division of Manuscripts in the Library of Congress. At the request of the managing editor, these two gentlemen have kindly furnished the Review with accounts of the first and second acts of the comedy respectively. The ancient question of the Mecklenburg Declaration, it is perhaps needless to say, remains where it stood before, except that Dr. Miller's efforts have resulted in awakening renewed interest in it and in eliciting some new bits of evidence. Our thanks are due to the editor of Collier's for permission to reproduce the original photograph first printed in their pages (plate 1., post)1; to Mr. Salley for plate 11.; to the authorities of the Public Record Office, Messrs, B. F. Stevens and Brown of London, and Mr. Alexander Graham of Charlotte, North Carolina. for plates III. and IV.—ED.]

Ī.

Ox April 30, 1810, the Raleigh Register and North Carolina Gazette,² of Raleigh, North Carolina, published a set of resolutions that were alleged to have been passed in Mecklenburg County, North Carolina, by a convention, on May 20, 1775, and that had been rewritten from memory by John McKnitt Alexander, terming them a "Declaration of Independence". A controversy over their genuineness was immediately started and has never ended. The latest attempt to prove them genuine was made by "S. Millington Miller, M.D." in an article on the Mecklenburg "Declaration" which he contributed to the issue of Collier's for July 1, 1905. It was an elaborate but vain attempt to deceive the public by a fac-

¹ We regret to find that the reduction in size has entailed some loss of clearness.

²On file in the Library of Congress.

THE

CAPE FEAR PAGE S MERCURY;

IRIDAY, June 288, 17 1. ME. 204

The second of th

CAPE-FEAR

J.MERCURY:

make a first in the taction in the highly left amunition too

IRIDAY, November 14, 1769. , No. 7.

the true of the ten of the

Block of the fire from I have be

film, 151 Excelling nor your hart grant is

paper orienty ... ble s pedigate . The are a which you whalpt is t

The making provision of power and lead for his maje wis service and in close finite of this give names, as the time, when we are any maje the body of the service and great to strong the fairness as where the source upon one falls final when we are any maje the body of the service, and greathers of the body of the money part in to home a rank for the money part in to home a rank of the body of the money part in the home and of the money part in the home appeters, so you no means one flow, as when the service of the body of the money part in the home of purely appeters, and nature of the body of the home of the h peace, permit in fir, titay, me to by a apprehend, so you mans need to you man men to be to you for your contributions on the part of the fraction of the man of the peace of the man of the peace of th

nuvantagenus to ti e To be Exercised William Tron, 1. The flar of a republic terminal to the community of the control of a republic terminal to the community of the control of a result of a result of the control of a result of the control of the contro

at objective of the second of

trational menting of age remerited and a second control of the second

the properties

in my tyoren, had been hurre-WILLIAM TRYON.

respect to non-disting public at No 2 flavoria, Newton, 09 sp. 1769 of the second state of transections R countries by a Excellency true as the second state of the se forming and pri wear violation of the state of the state

Tirrable film the werz lo∂_me r et pink me lately pitt.

the read of the re

manufacturer counted the number of weeks, not the number of Fridays (inclusive), and numbered his paper wrong. He numbered it 294. It should have been 295 to have the correct number of Fridays. But the history of the Cape-Fear Mercury shows that it was not issued continuously every Friday from October 13, 1769, to June 2, 1775. The following extract from the journal of the Wilmington Committee of Safety for January 30, 1775, shows that the paper had suspended publication at some time prior to the latter date:

Mr. Adam Boyd, having applied for encouragement to his newspaper (some time ago laid aside), it was resolved that the committee . . . would support him on the following terms: That he, Mr. Boyd, should weekly continue a newspaper, denominated the Cape Fear Mercury, of 2t inches wide, 17 inches long, 3 columns on a page, and of the small pica or long primer letter, and in return receive his payment at the following periods, viz: ten shillings at the delivery of the first number, ten shillings at the end of every succeeding six months thereafter.

It now appears, though the fact was doubtless unknown to Miller as to most others, that there are five copies of the *Cape-Fear Mercury* in London. Of these, that of nearest date to Friday, June 2, 1775, is dated Friday, July 28, 1775, exactly eight weeks later, and yet it is number 200 (plate iv.). The three papers of later date in 1775 accord with this in dating and numbering. All five are of two columns to the page, not three.

But the wrong date and the wrong number are not the only evidences of spuriousness on the face of the facsimile of this paper. There are three distinct shades to the paper, marked by clearly defined lines, showing that the cut was made from a photograph of at least three distinct and separate pieces of paper put together. The heading undoubtedly came from a genuine Cape-Fear Mercury. but not one of "June 3kb, 1775". A comparison of the cut of the genuine paper in the American Antiquarian Society's library (plate II.) with that in Collier's of the spurious paper (plate I.) will show that the latter bears exactly the same stains, specks, typographical defects, etc., as the former, and that the heading of this spurious paper is in fact an altered copy of the genuine one. For instances: the right upper horn of the little ornament over the parenthesis before "Friday" is broken off in both; just to the right of the same parenthesis is a speck that appears on both cuts; just under the "F" is another; inside of the "U" in "Mercury" is another;

⁴S. B. Weels, The Press of North Carolina in the Eighteenth Century (Brooklyn, Hist. Printing Club. (891), 33.

and so on all over the heading. Some apparent effort has been made to remove the larger stains from the altered copy, with the result that the altered copy is blurred or scratched at every single point where these stains show up clearly in the unchanged copy. It is well known to several people in Worcester that S. Millington Miller was in Worcester a short time before this article appeared in *Collier's* and that he visited the library of the American Antiquarian Society, and it is also known that the Society's copy of the *Cape-Fear Mercury* was photographed for him prior to the appearance of his article in *Collier's*. The following letter will throw some light on the matter:

Photographers' Association of New England Office of the First Vice-President

Mr. A. S. Salley, Worcester, Mass., Nov. 13, 1905.

My Dear Sir:--

Your inquiry of the 11th inst, to hand. I did make a copy of the Cape Fear Mercury for S. Millington Miller, but for some reason he wanted a reverse negative made—and in doing this there might have been a slight deviation from the exact size, but in your copy I feel quite sure that the dimensions are exactly the size of the original, as I was very particular about the size. I thank you for giving me cr. for the copy in your reproduction.

Very truly yours,

J. Chester Bushong No. 6 Elm St.

The metal in the electroplate loaned the writer for his pamphlet by *Collier's* shows up brighter where the erasures were made on Mr. Bushong's photograph or negative. The next photograph and the equally faithful half-tone made therefrom and the electroplate made from that all preserve the truth quite plainly.

That the date of the genuine paper was altered for the reproduction is quite evident. "June 3RD" is not in the usual type used for printing the months in the Mercury's date-line; it is not in the same type as "November 24" in the genuine paper. The "J" and "une" are not in the same relative proportion as the "N" and "ovember". The "RD" is in small capitals, which were seldom or never used in date abbreviations in the body of a newspaper then and are not used now—always lower-case letters—and it was not the style of the Cape-Fear Mercury to use figures followed by "rd" or "th" in the date-line; a comma was all that was used, but the

¹ The dimensions given by Miller in Collier's are 814 by 1334.

² Mr. E. M. Barton, the librarian of the American Antiquarian Society, confirms Mr. Bushong. The writer has a letter from him stating that the photograph made by Mr. Bushong for the writer was made the exact size of the paper, namely, 83% by 13¹4.





11.1-.

wod verum alque DECENS curo

MERCI MERCURY.

-- 4085

et rogs, et smais in noc beits

W E D N E S D A Y, DECEMBER 29, 1773. Numb. 204.

A LONG BALL

WEDNESS DAY, DECEMBER 29, 1773. Numb. 200.

THE WARD number with warself had moved means to the process on encountry that the process of the

Indicate and the Ages wagaing ys.

CAPEFEAR MERCURY.

FRIDAY, JULY 28, 1775

[No. 2/6.

A CIRCULAR LETTER

To the COMMITTEES of SOUTH-CAROLINA.

Charlefficwn, Jane 204 1775-

FELLOW-CITIZENS,

1118 year will be a grand epocha in the habors of mankind. In this compictions in lever-incurs able year, America has been assisted, and Borrom has on-

offs very general Vingo has two songers, a constant when the conference and the constant weekens and the conference and the con

voted early would dearer up their ain to be well i permatthe iso to the electron to two, with the effects. They directed upon in 327. Build a arms-shadow this day, they are in them tall is achief the capitalistics, dethind in capitally, percently enduring the ediminies of

Fills were will be a ground epochas in the habors of markini. In this compension in lever-memory bir year, America has been a wired, and the time has one greated hereful, in an una simpled manner. All the most of all the largest minimizes of floor, from the region of the Fifth Williams, to the condition of the late we, does and equal the guilt that British immiliers have no care dense the part of th However, the war of America thus refundes the communical office this unustrual man, about cognition in a name of the original office of the original of the original office of the original office of the original origi

the control was voluntarial to the second and the



"RD" in small capitals appears to have been used in this case to fill up an awkward space. The "Friday" and the "1775" occupy exactly the same positions on this paper that they do on the Antiquarian Society's paper. "June 3." is not so long as "November 24." and would leave an awkward space which the "RD" in small capitals, followed by the comma, helps to fill up for the sake of appearance. Besides, the appearance of the electroplate indicates that a change was made on the original photograph or the negative thereof before being reproduced. This does not show in the print as it does on the electroplate made from previous reproductions. The "75" in "1775" is also in a different type from the "17"; the "5" is awry; and the "2" in "204" is in a different type from the "9" and the "4".

Another significant fact is that the copies of the Cape-Fear Mercury that are in London, issued in 1775 (c. g., plate IV.), are without the royal arms of Great Britain and the Latin motto that appear on the heading of the paper issued in 1700 that is in the library of the American Antiquarian Society. The same types were used for the title, however.

Again, the types in the first two columns appended to this heading are different. The type of the Mecklenburg "Declaration" in the first column are apparently modern type, and are smaller and trimmer than the type of the second column, which are the clumsylooking type of the Revolutionary period. The second column was apparently taken from a paper published just after the Lexington and Concord fights, in April, 1775, giving the casualties of those fights. The small piece of this column preserved in the cut in Collier's is exactly—punctuation and all—like the account of those fights published in Almon's Remembrancer. But the names are in italies in the Remembrancer, and its account was doubtless copied from an earlier paper; and it was probably from that earlier paper that Miller cut the account and used the first of it to fill up his first column below his Mecklenburg "Declaration" and continued it on his second column. We are uninformed as to what constituted his third column, for the editors of Collier's cut off from their photograph all but the heading, the "Declaration" and four lines of its alleged list of signers, and the small piece of the second column shown in the cut. Another striking coincidence is that when Miller was in Charlotte in the spring of 1905 he was shown a copy of Almon's Remembrancer containing this account of the Concord and Lexington fights, and tried to buy it.

The first column, which contains only the first three of the five resolves of the alleged Mecklenburg "Declaration" of May 20, with

the names appended of the chairman, secretary, and others of the alleged members of the convention, was evidently set up for the especial purpose of making this very column, and was then printed off on a well "doctored" piece of paper. It was set in modern type, and as the font evidently contained no old-fashioned long "s" (which resembles an "f"), a modern "f" was used in lieu thereof. The difference is apparent. The bar at right angles to the perpendicular extends from the left across to the right of the perpendicular in the "f"; it stops at the perpendicular of the old-style "s." This alleged contemporary print of the Mecklenburg "Declaration" faithfully follows in capitalization, punctuation, spelling, and the arrangement of the names of the alleged signers of the "Declaration" (save that the lines of the Chairman and the Secretary are reversed, while they retain their proper positions on those lines) a broadside printed in Joseph Johnson's Traditions and Reminiscences of the Revolution in 1851, which did not pretend to be a copy from the original "Declaration", but is now known to be a copy of another broadside of the "Declaration", manufactured about 1825, and presenting a list of the alleged signers. Mr. Alexander's memory could not possibly have been so accurate as to have enabled him to remember the very spelling, capitalization, punctuation, and arrangement of a paper he had not seen in many years; and it is also a significant fact that when Miller was in Charlotte in the spring of 1905 he was presented with one of these broadsides.

These several pieces of paper were placed in juxtaposition and photographed, and the first and second columns were not so placed as to make their perpendicular lines of type exactly parallel.

If the controversy over the Mecklenburg "Declaration of Independence" is ever settled, it will have to be done by genuine contemporary documents and not by spurious ones like this.

A. S. Salley, Jr.

П.

Being asked by a member of the North Carolina Historical Commission to give my opinion of the Cape-Fear Mercury of June 3, 1775, which Dr. S. Millington Miller was holding for sale, I went to Baltimore on the morning of December 30 under an arrangement with the three gentlemen representing North Carolina, namely, Dr. George W. Graham, Mr. Alexander Graham, and Mr. R. O. Alexander. Under a plea of an important engagement Miller left the city before I arrived, but agreed to "endeavor to secure" my opinion "by a direct written request upon him [me] within five days of this date." The committee reported that Miller showed to them a two-

columned paper (that reproduced in *Collier's* being one of three columns, see plate 1.), and specified that the word "Medford" was printed in the third line from the top of the second column in Miller's sheet, whereas the Collier facsimile gave the second syllable of the word, "ford", as the first word of the second column. Further, to Mr. Waldo G. Leland, who accompanied me to Baltimore, and who has shown a keen and intelligent interest in the subject, the committee gave definite points upon the water-mark of the paper, the repairs upon it, and the general appearance of the sheet, which formed the basis of questions to Dr. Miller in my talks with him.

On December 30, Dr. Miller wrote that he would see me on one of three days be named, and I at once named Friday, January 5. I was with him for an hour and a half on Friday and nearly two hours and a half on Saturday, with his Cape-Fear Mercury before me. My questions were all framed with an idea to show how and when he obtained this paper. I was obliged to conclude that his statements are entirely unreliable, and that he was offering a paper which he knew to be a forgery, and of which he was presumably the forger. The most puzzling feature in the matter, however, lav in the definite statement of the three gentlemen from North Carolina that he showed to them in Baltimore a two-columned paper. It was a threecolumned paper that I saw, and the water-mark, the repairs, and the location of the word " Medford " all corresponded to what the committee saw. Even if they had told Miller what points they thus especially noted, and they assure me that they did not, it was a physical impossibility for him to have manufactured a new sheet in the interval of five days, with like points. Inasmuch as Miller in all probability had taken the copy of the Cape-Fear Mercury at Worcester (plate (i.) as his model (a three-columned paper), there was no reason for his submitting a two-columned sheet. The committee did have in their possession photographs of two-columned Mercurys for 1773 and 1775, obtained from London (plates 111, and 18.), and may have confused their impressions of what they did see. In justice to them it may be said that all three reiterated their statement of a two-columned paper in Miller's hands when by telegraph I called attention to the discrepancy.

I repeat the description of the paper itself which I made to the North Carolina Commission:

The paper itself is a three-columned paper, printed on one side of a sheet of paper. The width of the three columns of type is about eight inches, the length of the type-column (exclusive of heading) is about ten inches. I preferred taking these measurements, as the columnlength would not vary from week to week so much as would the sheet of paper. The sheet was an entire sheet without wire-marks, but did have a water-mark toward the top and lying about half-way between the two side edges of the sheet. This water-mark is of a lozenge shape with crown, fleur-de-lis, and spear or arrow shaft, without letters or figures. The paper was thinner than was usually employed in newspaper work of that day, and had been folded twice, once lengthwise and once across. These folds had weakened the paper so as to call for mending. This repair work consists of two strips of tissue-paper pasted along the folds, and a third one on the right-hand or outer edge of the paper where signs of wear were obvious. The left or inner edge had the appearance of having been taken from a bound volume, and was ragged, with a tendency to be uniformly torn on the upper and lower halves. The type-line was not broken or injured, showing little beyond the effect of a fold. The repair work had been done by Dr. Miller himself. The ink was fair in appearance, the impression not rough enough for an example of medium press (hand) work of that time, not black enough for a good example. The columns were not crowded but were spaced and made-up fair. Altogether it is a paper which is a really fine specimen of the forger's art, and well calculated to pass for a genuine issue of the printing-press of that day. I lay no stress on the spots or discoloration which appear on the sheet, as they belong to the most vulgar processes of the imitator's art; but would add that Dr. Miller is well-informed of the effects produced in ink and paper by certain chemical treatment,

Some of the information obtained by me was as follows:

I. In Collier's Miller states that the Mercury was "discovered among some papers of Audrew Stevenson, U. S. Minister to the Court of St. James's". He told me that, more than a year before, he had bought about two or three thousand of the papers of Andrew Stevenson, among which were only two or three letters of Stevenson himself. In one of these he found the Mercury folded. This particular letter was written by Stevenson in February, 1837, to "B. B. Thatcher, now at Brighton". It had been opened by another Thatcher and returned to Stevenson at London. No mention of a newspaper was given in the letter, and the word which Miller read as "newspaper" was "permission". Inasmuch as it was not until August, 1837, that Stevenson saw the papers in the Public Record Office, this letter could have no connection, direct or indirect, with the alleged Mcrcury of June 3. Miller afterward denied that he had purchased the papers of Andrew Stevenson, but said that he had obtained a collection of two or three thousand autographs, some four or five Stevenson letters being among them. In one of these the Mercury was found. As he had indicated the stains on the Mercury which had come from the seal of this particular Stevenson letter, he still maintained that the paper had been found with it. But other

 $^{^3}$ I. c., in characterizing the forgery as well executed. AM, HIST, REV., VOL. XI.—37.

evidence proved beyond any question that there could have been no possible connection between the two.

2. Miller denied having seen the Cape-Fear Mercury of 1769 in the American Antiquarian Society at Worcester. He did try, he said, to obtain a negative, but it came to him broken, and he returned it at once, without taking an impression. By the courtesy of Mr. J. Chester Bushong, of Worcester, who made this negative, I learn that "it was returned to me broken in many pieces, but I had no information from Mr. Miller as to its being received by him in that condition. On the contrary his letter stating and complaining that the plate was not exact size and that he was compelled to have it rephotographed, for which expense he took the liberty to deduct from my bill, would I think very much contradict his statement to you."

Before passing from these two points I may add that to Collier's on June 13, 1905, Miller wrote: "I do not yet own the Adams letter and the Cape Fear Mercury, so I could not let you have them if I would. They are many hundred miles away at present, altho I hope to own both soon." In a postscript to this same letter he wrote: "I have just recd. (June 14th, a.m.) the print of 'Cape Fear Mercury', They had no facilities at all for making an $8^{7} \pm x \times 12^{7} \pm \text{neg.}$ (the orig. size) but were forced to make several smaller negatives and piece them together." Why did Miller, who had found the Mercury in Stevenson's papers more than "a year ago" and therefore six months before his letter to Collier's, state that he did not own it? and why, if he had it in his possession, did he find it necessary to have it photographed in Worcester, Massachusetts? Mr. Bushong says that Miller ordered the negative about May 15, it was sent to him about June 8, and was returned in pieces about June 21. The original letters of Miller to the photographer have been destroyed, but these dates, given independently of any suggestion from me, correspond with sufficient closeness to that of the letter to Collier's to carry conviction.

In this same letter to Collier's he began by saying: "I hand you herewith the Proclamation of Gov. Montfort Stokes (original) and a reduced print of the first page of the Cape Fear Merenry for June 3rd, 1775." So that on that date he did have a "reduced" photograph of a Mercury (presumably made by the use of the Worcester photograph), and he speaks of a "first page" as though there were other pages to this issue. As stated, the paper shown to me was a single sheet printed only on one side.

3. Miller showed a good knowledge of the chemistry of producing blots, old ink-stains, and paper discolorations—too good a knowl-

edge to be entirely safe, as it must be admitted that his *Mercury* as such is an excellent bit of manufacture.

- 4. He had obtained from Dr. Graham a copy of the broadside which was printed in facsimile in Johnson's *Traditions and Reminiscences*, the wording of which and its list of signers are those of his *Mercury*. At Baltimore he stated voluntarily that he had "lost" this paper. To *Collier's* in June he described it as in his possession, and to me he showed it framed.
- 5. He described a package of papers bearing upon the Mecklenburg Declaration which, though boxed, had been stolen from a storage warehouse. Among these papers was the letter from John Adams to Jefferson reproduced in *Collier's*, and there stated to have once been in the possession of Hon. Jefferson M. Levy, who sold it. The letter is, of course, not an Adams autograph (for the original is in the Library of Congress), but a contemporary copy or a later manufacture; and Mr. Levy writes: "I have not seen the Jefferson letter [i. c., Adams to Jefferson] therein referred to and regret very much to say am not the owner of it. Had I been, no one in the world could have bought it."
- 6. The internal evidence is also against its authenticity. The paper contains the so-called Mecklenburg Declaration of Independence; the list of the killed and wounded at Lexington, Mass., the news being dated Salem, May 25, [1775] (the word "Medford" appears in the third line from the top of the second column); some news items from Philadelphia, dated May 5; an item on the New Jersey Assembly; and a resolution of the Continental Congress at Philadelphia, May 15, on the attitude to be taken by the good people of New York toward the British troops. This resolution is headed New York. It is dangerous to undertake to explain the vagaries of a colonial newspaper, but the contents become important, as Dr. Miller seeks to explain any difference that may exist between this Cape-Fear Mercury and any other issue of the same paper by claiming this issue of June 3, 1775, to be a "supplement" to the regular issue of the paper. The explanation thus put forward must be rejected. There is nothing except the Mecklenburg Declaration and the list of killed and wounded at Lexington to demand a supplement, and the columns would have been spaced out by advertisements, and not with regular news items. A paragraph from Philadelphia announces the arrival of the "worthy Dr. Benjamin Franklin" and his election to represent Pennsylvania in the Continental Congress. Another states that no official list of the British loss at Lexington had been published. These two items are assigned to Philadelphia, May 5. Franklin did land on the fifth, and he was

chosen to the Continental Congress on the morning of the sixth. The Philadelphia paper (Pennsylvania Journal) of May 10 announced the arrival of Franklin, but made no mention then or thereafter, so far as I have discovered, of his election to Congress. The Virginia Gazette of May 20 announced his arrival under Philadelphia news, of May 5, but made no mention of his election. The same issue gave the list of provincial loss at Lexington. But the resolve of the Continental Congress of May 15 was not printed in the Virginia Gazette until June 3—the very day on which it appeared in the Cafe-Fear Mercury. It is difficult to explain why this resolve should have travelled so much more rapidly than the more important list of loss at Lexington. The two items may be compared in their travels through the press.

"Loss at Lexington": started at Worcester May 3; appeared in Pennsylvania Journal May 24; in Cafe-Fear Mercury June 3.

"Congress Resolve": started from New York May 18; appeared in New York Gazette May 22; in Pennsylvania Journal May 24; in Virginia Gazette June 3; in Cape-Fear Mercury June 3.

The official list of British killed, wounded, and missing was printed in the *Pennsylvania Journal* of May 10, yet the *Cape-Fear Mercury* says no such list had been published. It required apparently two full weeks to get the Franklin and Lexington items from Williamsburg, Virginia, to the *Mercury*, and the Congress resolve appeared at Williamsburg and in the *Mercury* on the same day. The *Mercury* cannot be a supplement, and on its face it is not a regular issue.

WORTHINGTON CHAUNCEY FORD.



•















