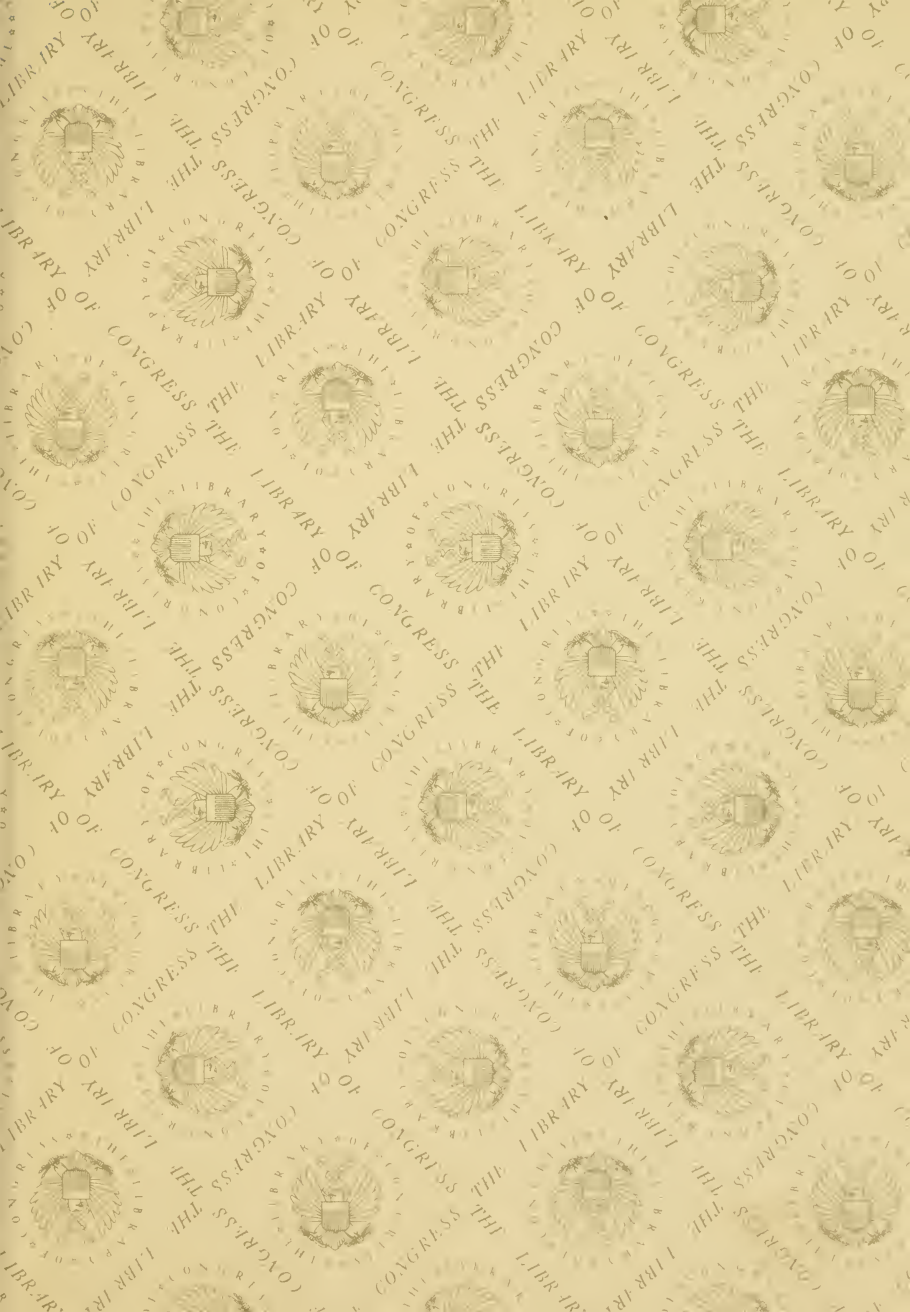




LEADING  
EVENTS  
*of*  
MARYLAND  
HISTORY  
IN MOTION















THE PLANTING

From a photograph of a painting by Fran B.





F THE COLONY

r, in the State House at Annapolis



# LEADING EVENTS

OF

# MARYLAND HISTORY

WITH TOPICAL ANALYSES, REFERENCES, AND  
QUESTIONS FOR ORIGINAL THOUGHT  
AND RESEARCH

BY

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## PREFACE TO FIRST EDITION

IT is very much the fashion nowadays to write a preface to a text-book that is really an apology for its appearance. If not an apology, at least I am willing to offer an explanation for the writing of this little book. Several histories of Maryland have been published since the Civil War for the alleged purpose of furnishing a text for schools. It cannot be denied that these books have not been altogether reliable historically, and none of them can be said to contain the features of the best modern texts in history, or to be pedagogically adapted to the uses of the schoolroom. A word on each of these phases of the subject seems necessary.

The material used in the preparation of this book includes, it is believed, the principal matter in print relating to the subjects treated, and embraces contemporary writings, letters, commissions, warrants, newspapers, etc., and the printed state archives; in addition the manuscript sources have been used. The results of exhaustive original research are not embodied in elementary text-books; and while this work is not put forth with such pretensions, it is hoped that it may justly claim to be much more than the lifeless compilations that so often masquerade as state histories (for schools).

Great pains have been taken to verify matter that seemed doubtful, while the controverted points have been carefully studied. On these points, such, for example, as the reasons for the Calvert policy of toleration, or the conduct of Captain Richard Ingle, or

the attitude of Maryland at the outbreak of the Civil War, it is impossible for all students of the subject to agree. I have tried to weigh the material carefully and intelligently, and to present as far as possible the actual facts, leaving the pupil to his own inferences.

The limitations of a book of this kind are so severe that it is a serious problem what to leave out, and of course judgments will differ as to the facts best to omit. I have endeavored to make the book as comprehensive as possible, to omit only facts of minor importance, and to treat as fully as possible the "Leading Events." At the same time there are some facts of importance which it is impossible to treat profitably in a work of this kind, owing to the great amount of explanation necessary to a young pupil. A good example is the contest between Cecilius Calvert and the Jesuits over the statute of mortmain and the bull *In Cœna Domini*, the results of which extend to the present day.

The point to which special attention has been given, and which I think is particularly the justification of a new text-book in Maryland history, is the pedagogics of the subject. The attainments and attitude of the pupil must first be considered. Many things which we take as matters of course, the young pupil does not understand; he has, for instance, but the vaguest conception of religious persecution and toleration. In most cases the pupil beginning to study Maryland history has but the slightest knowledge of United States history, and none whatever of the history of England. These facts cannot be ignored without disastrous consequences. I have given a brief explanation of religious persecution and intolerance, and have not assumed any knowledge, on the part of the pupil, of English or American history. As a rule, separate sections have been devoted to the statement of so much of this history as was necessary to an understanding of the matter in hand. While clearness and simplicity of style have

been attempted, care has been taken not to run to the extreme, and unfamiliar terms that must be met with again and again in the study of history have been freely introduced.

A few special features, hitherto neglected in Maryland histories, will need mention. The attention of the teachers using the book is particularly called to these features.

(a) *Topical Treatment*.—The treatment is strictly topical rather than chronological. No arrangement of matter has been made with reference to such artificial and arbitrary consideration as number of pages or extent of time considered. On the other hand, both chapters and paragraphs have been arranged with reference to the *grouping of events*. The chapter headings can be readily and profitably used in connection with the topical analyses for blackboard diagrams and review schemes.

(b) *Topical Analyses*.—These are arranged in the form of topics and questions. When desired, the topics can easily be converted into questions. It is a mistake for the teacher to depend very much on ready-made questions, and a greater one for pupils to study by them. It is, therefore, desirable that this material be used for definite ends under the guidance of the teacher. An excellent way of conducting the study would be, first to read the chapter in class, with discussions, explanations, readings from other works, etc., and follow this with recitation work from the topics.

(c) *Questions for Original Thought and Research*.—These have several objects. In the first place, they should discourage the extraordinary amount of rote work that is done in history. If the study is to have any value except for training the mechanical memory, it is indispensable that the pupil do some thinking for himself. Some of the questions require enough original thinking for the formation of an opinion, and nothing further. Others require some investigation, though of course

of a most elementary character. In most cases some book in use in the schoolroom, a geography, a United States history, or a work on civics, will contain the information asked; in other cases the pupil will be obliged to gain his information from his teacher, a parent, or some other person. The essential thing is that the pupil have some training in finding out things for himself, and that he be required to make some effort before he receives help. It is not intended that every pupil, nor indeed every class, shall use all this material; it must be used according to the age and advancement of the pupils. Different inquiries may be assigned to different members of the class for investigation. I am not unaware that some of the questions are too difficult for the immature student to form a really well-grounded opinion upon; but merely to show him that the question exists and to set his mind to work upon it, is to accomplish a good deal.

(d) *References.* — The references at the ends of the chapters are in most cases to books that can readily be procured at a comparatively small cost. Few of the rural schools, at least, will be able to use or even to have them all; but even a very little work with books of this kind will add wonderfully to the interest and profit of the study. An extended bibliography follows the appendix.

(e) *The Index.* — Special pains have been taken to make the index valuable. Such topics as General Assembly, Governor, Religion, Popular Privileges, etc., impart an analytical character to the index that will render it particularly valuable for topical reviews, special studies, or investigation of any particular development.

The study of history is of extraordinary value in civic training, and the teacher should constantly have in mind this fact and use his opportunities. The lessons of history should be



applied to present conditions as far as possible, though invariably in a broad and impartial way; and the pupil should be inspired with high and noble ideals. There is some danger of falling into a habit of eulogizing indiscriminately our own affairs, that must be carefully guarded against. I have tried to do so in the text, and to be everywhere fair and impartial. That attitude of mind on the part of the citizens of a state which regards everything connected with it as the best, precludes progress and improvement. Fortunately, the history of Maryland is such that her citizens may *justly* be very proud of her record.

It is now generally conceded that the illustrations in a history should be real and authentic. Of such character are most of the pictures of men, places, and things in this book. Several famous paintings are reproduced. With the exception of a few lent by the Baltimore and Ohio railroad, all the cuts were prepared from photographs made especially for this book.

In conclusion, I desire to express my thanks to all who have in any way been of assistance to me in the preparation of this book: in the search for material, in obtaining illustrations, or in reading manuscript. Especially, I have to thank Mr. George W. McCreary, librarian of the Maryland Historical Society, whose kind assistance in finding material, in obtaining illustrations, and in the reading of proof, has been invaluable.

J. M. G.

BALTIMORE, July, 1903.

## PREFACE TO REVISED EDITION

THE second edition of this book, to the number of ten thousand copies, was totally destroyed in the Baltimore fire of February, 1904, together with the plates. The republication necessary has been made the occasion of additions required to bring the narrative to date. The alterations in the body of the text are slight and mostly verbal. Mechanically, an effort has been made to manufacture a book more than usually attractive and durable. The number of illustrations has been doubled, and the best available material has been sought with small regard to trouble or expense; a reproduction in colors of the flag and great seal has been added, which, it is believed, will set a standard. An entirely new series of maps appears, including several prepared especially for this work; the map of the palatinate (p. 50) is believed to illustrate the loss of territory Maryland has suffered more graphically than any ever published.

The cuts appearing on pp. 158-161 were kindly furnished by the Baltimore and Ohio railroad.

I wish here to express my gratitude to my friend, Mr. Samuel M. North, head of the department of English in the Baltimore Polytechnic Institute, for his valuable assistance in the laborious work of reading proofs and preparing the index for this edition.

J. M. G.

BALTIMORE, Oct. 10, 1904.

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# LEADING EVENTS OF MARYLAND HISTORY

## PART I

### HISTORY OF THE PROVINCE

#### CHAPTER I

##### THE FOUNDING OF MARYLAND

1. **Introduction.** — A little more than four hundred years ago a map of the world looked very different from a map of the world to-day. The civilized peoples lived in Europe; besides their own continent they were acquainted with parts of Asia, a small part of northern Africa, and a few islands. The word "America" had never been uttered, and nothing whatever was known of the vast continent that lay beyond the western sea. To this noble country the attention of Europe was called in the year 1492, when a bold sailor named Christopher Columbus sailed bravely out upon the stormy



Christopher Columbus  
After the bust in the Capitol, Rome

Atlantic, and by and by landed on an island in the West Indies. Soon, other brave mariners followed the example of Columbus.

The mainland of America was discovered and its eastern coast explored.

Columbus was in the employ of the king and queen of Spain; and the Spaniards soon discovered rich and populous countries in the south of the new continent, and easily conquering the half-civilized inhabitants, carried away to Spain immense quantities of gold and silver.



Monument to Christopher  
Columbus, Baltimore

The first erected to him in  
America

From a photograph

**2. English Colonies.**—When the rulers of other countries heard of these things it is not strange that they desired to have a share for themselves of the wealth that seemed so abundant in the New World. Only a few years after the great voyage of Columbus most of the eastern coast of what is now the United States was explored by a sailor named Cabot, in the employ of England. Basing their claims on this voyage, the English later undertook to plant colonies in the New World. At first the English tried to imitate the Spanish; but there was no gold or silver to be had in the northern parts, while the people were a race of savages whom it was useless to

conquer, since they had nothing that was worth taking. The early attempts of the English met with misfortune and failure.

A new plan was soon tried. Companies were formed composed chiefly of merchants, whose plan was to plant colonies in the New

World for the purposes of trade. With furs obtained from the Indians, fish from the neighboring waters, or the products of the soil, these colonies were to carry on trade that should be profitable to the members of the company and indirectly to the commerce of England. The first permanent settlement was planted at Jamestown, in 1607, on the north bank of the James river, in Virginia. It was under the control of a company of merchants and others known as the London Company.

**3. George Calvert, the First Lord Baltimore.** — Among those interested in these plans for planting colonies in America, was an English gentleman named

George Calvert, who became the founder of Maryland. He received a thorough education and traveled on the Continent, as was the custom of young men of rank and wealth. After his return he became the private secretary of the famous statesman, Sir Robert Cecil. He presently attracted the favor of the king, was appointed to an office in Ireland, and in 1617 raised to the order of knighthood and became Sir George Calvert. He was liked and trusted by the



King James I

From an engraving by Roniat after the original by Crispin de Pax

king, James I, and was from time to time advanced until he became principal secretary of state, a high office in some respects like the modern one of prime minister. After a time Sir George announced to the king that he had become a convert to the Catholic religion, and requested that he therefore be allowed to resign the high office that he held and retire to private life.

4. **Religious Intolerance.** — In order that you may understand this act of Calvert's, you must know that in the times that we are now studying, not all men could freely and safely profess and practise the religion they preferred.

On the contrary, those in control of the government usually tried to force other persons to believe in *their* religion; it was a common thing for people to be imprisoned for their religious belief, and many had even been burned to death merely for disagreeing with the prevailing faith. Now at this time England was a Protestant country, and there were very severe laws in force against the Roman Catholics, who were not allowed to hold any public office. This will fully explain the action of Secretary Calvert.

King James seems to have taken the confession of Sir George very quietly, however, and did not withdraw his favor. On the



George Calvert

From a portrait in possession of the Maryland Historical Society

contrary, he retained his former secretary as a member of his council, and not long afterward created him Lord Baron of Baltimore. Soon after this event the king died and was succeeded by his son, Charles I. He also was Calvert's friend.

**5. Lord Baltimore's Plan for Founding a Colony.** — Lord Baltimore had long been interested in the schemes for the colonization of the New World. He had already received from the king a grant of land in Newfoundland; and now that he had laid aside the cares and burdens of public service, he seems to have desired to spend the remainder of his life in the work of founding a colony.

His attempt in Newfoundland was a failure, owing chiefly to the great severity of the climate. Leaving behind him the inhospitable shores of Avalon, as the Newfoundland colony was called, Calvert sailed for Virginia.

Here he found himself a very unwelcome visitor. The rights and privileges granted the company that planted Virginia had by this time been formally taken from them, thus leaving the king free to grant the country to whom he pleased. So the governor temporarily in charge (awaiting the arrival of the royal governor) contrived to be rid of Lord Baltimore, doubtless knowing of his ambitions. It is not unlikely that during his short stay he had at least a glimpse of the lovely country that lay to the north of the Potomac, a region uninhabited by white men and in the uncultivated state of nature. At any rate Lord Baltimore returned to England, and after much weary delay received a grant of land north of the Potomac river, in the year 1632. In honor of the king's wife, Henrietta Maria, or Mary, the new colony was to be called Maryland.



Henrietta Maria

From a painting by Miss Florence Mackubin, copied from the Van Dyke portrait at Warwick Castle; it is now in the State House at Annapolis

**6. Death and Character of George Calvert.** — But in April of this year Lord Baltimore, whose health had long been failing, died, before his grant had passed the great seal.<sup>1</sup>

George Calvert was, beyond any doubt, a man of high mind and honorable character. In ordinary affairs he was cautious and painstaking; as a statesman he was shrewd and intelligent; as a man, courteous, loyal, and of sterling integrity. "He had risen from obscurity to places of high honor and trust, and to hereditary rank; he had enjoyed, without abusing, the confidence and friendship of kings; he had adhered to his political and altered his religious opinions, when his constancy and his change were alike fatal to his advancement, and he died leaving a name without reproach from friend or enemy, and which, if evil tongues of a later day have attempted in vain to sully, it is because detraction, no less than death, loves a shining mark."<sup>2</sup>

**7. Cecilius, Second Lord Baltimore.** — The title and estates of George Calvert passed to his eldest son, Cecilius, and in his name the charter for Maryland was issued a few months after his father's death.

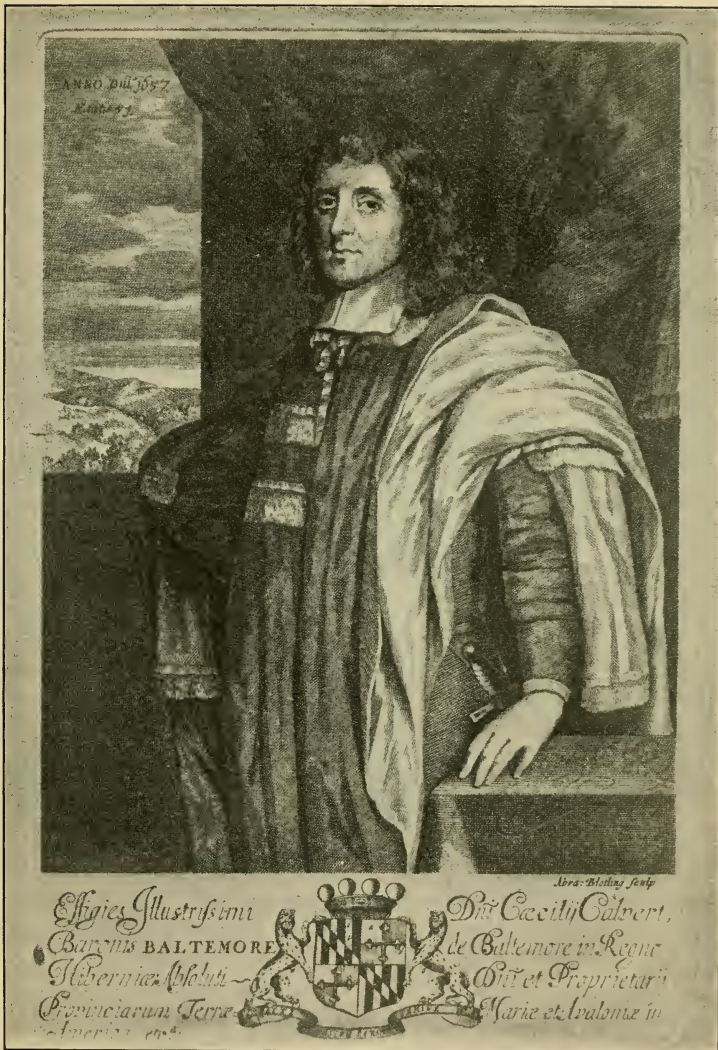
**8. The Maryland Charter.** — The charter was the document by which the land was granted to Lord Baltimore, and in which his powers and duties, and those of the people of the new colony, were established. In a word, it fixed the form of government.

There were two distinct kinds of government in the colonies. In the first, affairs were controlled by the king of England, who appointed the governor and principal officers; this was called a royal government. In the second, the people elected their governor and other officers, and in the main managed their own

<sup>1</sup> An instrument for stamping an impression upon a document to make it authentic.

<sup>2</sup> William Hand Browne's *Maryland*, p. 17.





Cecilius Calvert

From a print in the library of the Maryland Historical Society

affairs without interference from the mother country; this was called a charter government. In Maryland the land was owned by a single person, called the proprietary, or proprietor, who also appointed the governor and other officers; hence this was called a proprietary government.

The boundaries of the colony were as follows: The Atlantic ocean, the Delaware bay and Delaware river on the east; the fortieth parallel of latitude on the north; a meridian line running south from this parallel to the source of the Potomac on the west; a line running along the southern bank of the Potomac to its mouth and thence east across the peninsula to the ocean on the west and south.

The charter created, in the new colony, "an empire within an empire," and the latter was therefore called a province. The powers conferred upon the lord proprietary were the most extensive ever granted to an English subject. He could coin money, create courts of justice, appoint judges, and pardon criminals; he could make peace and war, suppress rebellion, arm and call out the militia, and declare martial law; he could create titles of nobility and found cities and towns. All laws, when agreed upon between himself and the people went into effect at once, and did not have to be confirmed either by the king or Parliament. The inhabitants continued to be Englishmen, with all the rights and privileges of Englishmen; and the laws were to be in harmony, as far as convenient, with the laws of England. And, most important for us to remember, *the people, and their lands and goods, were forever exempted from taxation by the king.*

**9. Maryland a Palatinate.** — Colonial Maryland was called a palatinate and her proprietaries earls palatine, which terms will need some explanation. In early times, when there were no railroads, steamboats, or telegraph, news of course traveled

very slowly. Hence, in fixing the powers that should be exercised by the noblemen who ruled the English counties, it was necessary that those who ruled the border counties should be much more powerful than others; for in case of sudden invasion there would be no time to notify the king, but the local ruler must take instant measures for the defense of the county. Thus Durham on the border of Scotland, Chester on the border of Wales, and Kent, where an invasion from the Continent could most easily be made, were made *palatinates*, and their rulers exercised nearly royal authority.

The county of Durham, which was still a palatinate at the time when the charter of Maryland was granted, served as a model for that colony; Lord Baltimore was granted all the powers that belonged to the ruler of Durham, with some additional ones, and was thus an "earl palatine." This made Maryland very like a limited monarchy, with the lord proprietary as king.

### TOPICS AND QUESTIONS

#### 1. Introduction.

Knowledge of the world 400 years ago.

The voyage of Christopher Columbus.

Mainland of America discovered and explored.

Conquest of the Spanish and spoils taken by them.

#### 2. English Colonies.

Voyage of Cabot and the claims of England.

First attempts of the English to plant colonies and their failure.

What sort of plan was tried next? With what success did it meet?

When and where was made the first permanent English settlement in America?

Where else were English settlements planted?

#### 3. George Calvert.

Early life of George Calvert.

He attracts the notice of the king.

Offices held by him.

Honors conferred upon him.

He becomes a Catholic.

**4. Religious Intolerance.**

Usual attitude of governments on matters pertaining to religion.

Suffering for religion's sake.

English laws at this time.

How did the king receive Calvert's confession ?

**5. Lord Baltimore's Plan for Founding a Colony.**

His interest in colonization.

The grant of Avalon ; failure of that colony.

Lord Baltimore sails for Virginia.

His reception ; rights of the Virginians.

The grant of Maryland ; in whose honor named.

**6. Death and Character of George Calvert.****7. Cecilius, Second Lord Baltimore.**

He succeeds his father, George Calvert.

**8. The Maryland Charter.**

What is meant by the charter ?

Name and define the three kinds of colonial government.

The charter boundaries of Maryland.

Character of the government.

(a) Powers of the lord proprietary.

(b) Rights and privileges of the people.

**9. Maryland a Palatinate.**

The counties of early England.

The border counties necessarily more powerful.

The three palatinates.

Maryland government modeled after that of the county of Durham.

Maryland really a limited monarchy.

**QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH**

1. What is history ? Are you interested in the history of your native state ? Think of as many reasons as you can why you should be.
2. What is a colony ? What are the chief differences between civilized and uncivilized peoples ? Is it right for the former to take land from the latter by force ? Should a colony be governed with reference to its own welfare or to that of the mother country ?
3. What is a baron ? Why did not the younger brothers and sisters of Cecilius Calvert share with him the estates of his father ? Had George Calvert been a man of more brilliant mind but of less honorable character, should we have more or less reason to be proud of him ?

4. Is it right to try to force others to believe as we do? Give reasons for your answer. Is it right to try to persuade them?
5. What is a charter? Are charters ever used for other purposes than to fix the form of a government? Discuss the relative merits of the three forms of colonial government. What corresponds to the charter in the present government of Maryland?

#### REFERENCES

Browne's *Maryland*, pp. 1-20. Browne's *Calverts*, pp. 1-38. Fiske's *Old Virginia and Her Neighbors*, Vol. I., pp. 255-271 and 275-285. Gambrall's *Early Maryland*, pp. 9-60. Mereness' *Maryland as a Proprietary Province*—see index for topics desired.

## CHAPTER II

### THE SETTLEMENT OF MARYLAND

10. Character and Plans of the Second Lord Baltimore. — Cecilius Calvert was a worthy successor of his father. Wise, just, and moderate, and possessed of great patience and unflinching tact, he was eminently qualified for the important and difficult enterprise which his father left him. Of his private life and plans we know little, but we are justified in supposing that, in founding the new colony, it was a part of his plan to create a refuge for the persecuted members of his own church. No doubt his plans comprehended many other purposes.



Now that Lord Baltimore had secured his charter, he was free to proceed with the work of founding a colony. It was his intention to accompany the early set-

tlers himself, and share with them the dangers and hardships of the enterprise; but Maryland was destined to suffer a long period of opposition and peril, and the proprietary found it necessary to remain in England to protect the interests of his infant colony. He never visited Maryland. The members of the old Virginia Company, who seem to have entertained some hopes of regaining their lost privileges, became his bitter enemies. It was not until after much opposition and many unpleasant experiences that the proprietary was able to send out his first colony.

**11. The First Colonists ; Lord Baltimore's Policy of Religious Toleration.**—The proprietary said in reference to the first band of colonists that sailed to Maryland: "There are two of my brothers gone, with very near twenty other gentlemen of very good fashion, and three hundred labouring men well provided in all things." His brother Leonard was in command of the expedition and became the first governor of Maryland. Two Catholic priests were in the company also, and one of them, Father Andrew White, wrote a narrative of the voyage.

How many of this interesting company were Catholics and how many were Protestants is a matter of uncertainty. Lord Baltimore's brothers were Catholics and probably the twenty gentlemen associated with them were Catholics also, while most of the other colonists were Protestants. This brings us to a consideration of religious freedom in Maryland, which prevailed from the start. Cecilius Calvert, as has already been said, doubtless meant to establish a retreat for persecuted Catholics. But it will be evident, if you remember the times that we are studying, that to found a purely Catholic colony, in which no other denomination was allowed, was not possible, for such a storm would immediately have been raised in England as would inevitably have cut off the colony in its infancy. This fact is so plain as to have led some writers to withhold from Cecilius due credit for his policy of toleration. He permitted freedom of worship to *all* sects of Christians under many different circumstances, and when his government was temporarily overthrown, freedom of worship ceased also, but was again restored with the rule of the proprietary. All that we know of his life and character shows him to have been a man of tolerant principles — broad-minded, just, liberal, and wise. And Maryland has the honor, through Cecilius Calvert, of being the first colony in America, as well as one of the first places in the world, where freedom of worship was permitted.

**12. The Voyage to Maryland; the First Landing.**— After many difficulties, our colonists reached the Isle of Wight, and from here, on a November day of 1633, they set sail in two small vessels, the *Ark* and the *Dove*, and stood out to sea before a steady breeze from the east. After a stormy voyage, in the course of which they stopped in the West Indies, the expedition arrived at



Chancellor's Point, the First Landing-place for the Settlement of St. Mary's  
From a photograph

Virginia, where a letter from the king procured them a friendly reception. From here they sailed for the Potomac river.

Near the mouth of the river they found a lovely little island, thickly wooded and dotted with early spring flowers, which they named St. Clement's. It is now called Blakistone's Island. Here they landed, and with solemn religious ceremonies set up a large wooden cross, about which Catholic and Protestant knelt together — March 25, 1634.<sup>1</sup>

**13. The Land of Promise.** — To what sort of country had our colonists come? Anxiously indeed must they have looked for-

<sup>1</sup> March 25 is now celebrated with appropriate exercises in the schools of the state as "Maryland Day."



ward to the time which had now arrived. They had given up their homes, and had left their native land for a widely different one — a highly civilized country for a wilderness, through which the wild beasts roamed at will and more savage men wandered unrestrained. After such anxiety, then, they must have beheld their new home, as they sailed along to the first landing-place, with feelings of intense relief and pleasure, for it was truly a noble country to which they had come.

Nothing small or mean greeted the eye. There was the magnificent expanse of the Chesapeake bay; there was the beautiful Potomac, beside which, Father White said, the Thames was

but a rivulet; there were mighty forests stretching as far as the eye could reach, unchoked by briars, and containing "strange and beautiful trees"; there were banks and groves dotted with the early flowers of spring; there were myriads of water-fowl and flocks of wild turkeys; there were

new and wonderful birds, the jay with his coat of blue, the tanager in his feathers of scarlet, and strangest of all, the oriole in a dress of black and gold, the Baltimore colors; — and this was Maryland. We may easily believe that the brave little band was filled with hope at the sight.



Catholics settling Maryland

From a drawing by Charles Copeland, based upon contemporary sources

**14. Founding of the First Capital (St. Mary's); Relations with the Indians.** — Governor Leonard Calvert at once undertook to win the friendship of the native tribes of Indians. These poor creatures were ignorant and uncivilized; they dressed in mantles of deerskins or other hides, painted their faces, and with bows and flint-tipped arrows hunted the wild animals of

the forests. Wars with the Indians, in which the most horrible and bloody deeds were committed, occurred in many other parts of America, but Maryland was spared this terrible experience. It is to the everlasting honor of Leonard Calvert and of Maryland that the settlement of the state was effected without shedding the blood of this unfortunate

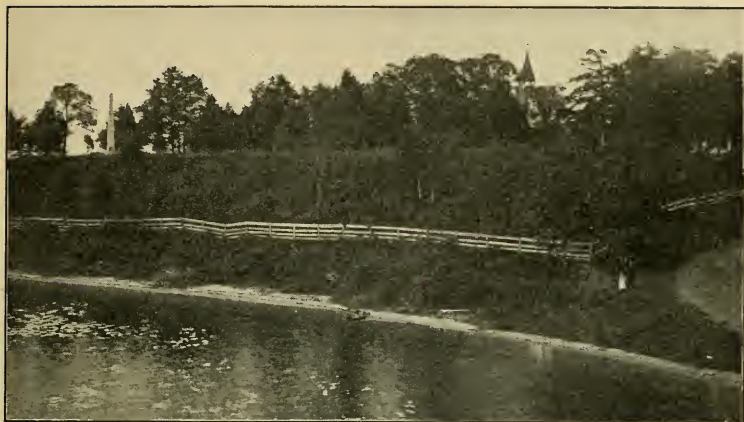


Trinity Church, Site of St. Mary's <sup>1</sup>

From a photograph

people, for in few indeed of the other colonies were settlements so made. To this end, Governor Calvert sailed up the Potomac river to visit the emperor of the Indians, and he managed the interview so well that he won the permission of the chief to form a settlement with his colony.

<sup>1</sup> Built in 1824, of the bricks of the first State House, which stood almost on the spot.



The Site of St. Mary's  
From a photograph

As the little isle of St. Clement's was far too small to accommodate the settlers, a home had now to be sought. Guided by a Virginian named Henry Fleet, they sailed into a broad and deep river, which flows into the Potomac from the north, not far from its mouth. This river, which they named St. George's, is now called the St. Mary's. Some distance up they found an Indian village, on the east bank of the river, and here they determined to make their future home. A large tract of land was purchased from the Indians and named Augusta Carolina, and it was arranged that the colonists should occupy half the village until harvest time, after which it was to be entirely abandoned to them. The terms of the treaty being fully arranged, the colonists landed with much show and ceremony. The governor took formal possession of the soil and named the new town St. Mary's. Thus was founded the oldest city of Maryland and its first capital — March 27, 1634.

The dealings of Governor Calvert with the Indians were marked by kindness, tact, and justice. The natives were paid for the land with English cloth, axes, hatchets, knives, and hoes, which was very creditable, for in other colonies purchases were often made from the Indians with worthless strings of flashing beads and bits of shining glass, in which the simple natives took a childish delight. During the joint occupation of the village



St. Mary's Female Seminary, Site of St. Mary's City

From a photograph

by the English and the Indians perfect peace and friendliness prevailed. Many of the Indian women and children dwelt with the families of the English, and learned from them some of the arts and refinements of civilization. The Indian women taught the English how to make hominy and "pone" of the corn, the Indian men hunted wild turkeys and deer for them in the forest. Thus happily did the two peoples dwell together until the harvest.

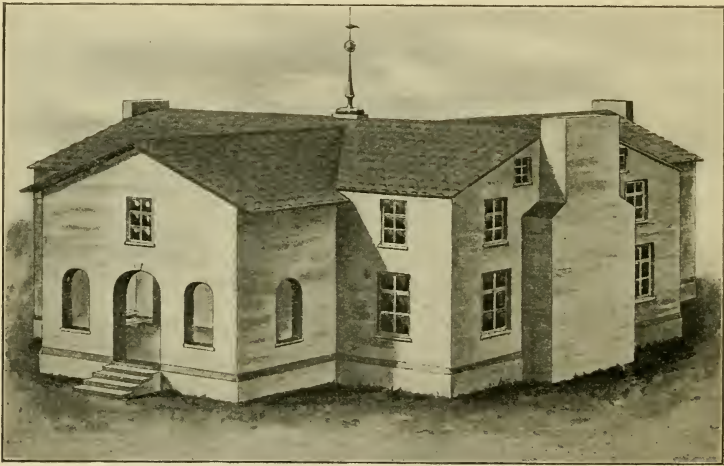
**15. The Prosperous Beginning.** — In the early history of Virginia there was a “starving time,” in the course of which the entire colony came very near being extinguished. Maryland never knew such a condition, the colony being prosperous from the start. The voyage had been so planned that the colonists arrived in Maryland in the early spring, having thus the longest possible time to prepare for the winter. A supply of food was brought from England, and corn for planting from the West Indies, while cattle and hogs were bought in Virginia. Farms were laid out, and soon the province was settled in earnest.

No scarcity of food ever existed. The bay and rivers were teeming with fish and covered with water-fowl, while the forests held multitudes of wild turkeys, deer, bears, and small game. As for the corn harvests, they were so bountiful that corn was almost immediately sent to New England, and there exchanged for salt fish and other supplies. In the proper seasons strawberries and nuts were plentiful.

**16. Legislative Assemblies; the People Win the Right to Propose Laws.** — Hardly was the colony firmly established before the people began to make laws under which to live. The first legislative assembly met at St. Mary's in February, 1635, and was composed of all the freemen of the province. Unfortunately, the records of the proceedings of this interesting assembly have been lost, but we do know that a body of laws was passed.

Now the seventh section of the Maryland charter provides that the proprietary may enact laws with the advice and consent of the people of the province or their representatives. This seems to mean that all laws should originate with the proprietary, and then be submitted to the people, who could accept or reject them as they chose. This is just a reversal of the usual method of legislation, by which the law-making power belongs

to the representatives of the people, while the ruler exercises the right of *veto* (which means, "I forbid"). But taking the ground that his charter gave him this right, Lord Baltimore refused to assent to these laws. In April, 1637, he directed Governor Leonard Calvert to call an Assembly of the people on the 25th of the following January, and inform them of his lord-



The First State House in Maryland (A restoration)

From J. W. Thomas's "Chronicles of Colonial Maryland," by permission of the author

ship's dissent to all laws previously passed by them. The issue was now openly raised.

Accordingly, the Assembly met on January 25, 1638. It was composed of all the freemen of the province, and not of representatives. Those who could not come engaged other persons to vote for them, and such a person was called a "proxy." Thus one man might have the privilege of casting ten votes, his own and those of nine other men who had empowered him to

vote for them. The proprietary sent out to the Assembly a body of laws of his own making, the bearer being John Lewger, a friend of Lord Baltimore's, and a man of much intelligence and profound legal knowledge, who was to be secretary of the province.

The proprietary might be determined to retain the right which his charter gave him, but the people of Maryland were equally determined to have for themselves the right to propose laws, which they believed belonged to them as Englishmen. They accordingly rejected the laws of the proprietary by a large majority, and then passed a new set of laws, which included many of those prepared by the proprietary. Having thus forcibly asserted the right which they claimed, they sent off the laws they had passed to the proprietary for his approval. These laws did not go into operation, and it is therefore supposed that the proprietary refused to assent to them, and the province now seemed, as a result of this unhappy dispute, in danger of remaining without any laws at all. But Lord Baltimore wisely decided to relinquish the right which his charter gave him, for the sake of the welfare and happiness of his province. Thus ended the first struggle for popular rights in Maryland—triumphantly for the people.

**17. State of Society.** — The life of the people in these early days of the colony was very rude and simple. The community was purely agricultural. Shortly after the settlement, Lord Baltimore sent out instructions about the granting of land, which were called "Conditions of Plantation." The land that a man might receive varied according to the number of persons that he brought over to settle in the colony. Thus, each of the first settlers who brought over as many as five persons received two thousand acres of land; if he brought fewer than five, he received one hundred acres for himself and for every man, one hundred for

his wife and for every servant, and fifty for every child under sixteen. The land so granted was subject to a small annual rent to the proprietary, called a "quit rent." Relations with the neighboring Indians were friendly from the beginning, Father White



Rosecroft <sup>1</sup>

From a photograph

and other good priests becoming missionaries to them and winning many converts. This fact, together with the abundance of food and the easy conditions on which land was granted and the religious toleration that prevailed, caused the popula-

tion to grow rapidly. Plantations were usually laid out along the water's edge, and the first houses were rudely built of logs and boards. Travel was almost entirely by water.

Augusta Carolina (see Sec. 14) soon became St. Mary's county, which is thus the oldest in the state. As the population increased and the settlements began to spread, the county was divided into "hundreds." Hundred was a name originally applied to a district capable of supplying a hundred men for the army. In England the county divisions were called hundreds, and the name was used in the same way in Maryland. The hundred thus corresponds to the election district of the present time. A settlement which soon grew up across the St. Mary's

<sup>1</sup> An old colonial house, altered in part, near the site of St. Mary's. It is the home that is mentioned prominently in J. P. Kennedy's romance, *Rob of the Bowl*.



river was called St. George's Hundred, and others were not long in forming.

Wheat was grown in small quantities, and a good deal of Indian corn was raised, mostly for private use. The great staple in Maryland, as in Virginia, was tobacco. This plant was not known to the inhabitants of the Old World prior to the discovery of America, but was found here by the early explorers. The Indians smoked it, and from them Europeans learned to do the same and the habit soon became widespread. This, of course, caused a large demand for tobacco, and as a result the systematic cultivation of the plant was begun and a large and profitable trade sprang up between the Old World and the New. How important tobacco became you may judge from the fact that it was used in the place of money, and public officers and others had their salaries paid in tobacco instead of in money,—gold, silver, or paper. There were no manufactures. Corn was pounded in mortars by hand, and pretty hard work it was, too. Most of the necessaries of life and all its luxuries were imported. Most of the trading was done directly with the ships, as they arrived from England. Besides the foreign trade, the Marylanders also carried on a trade with the Indians, chiefly for furs. These could be purchased, usually at very low rates, and sold in England at handsome profits.

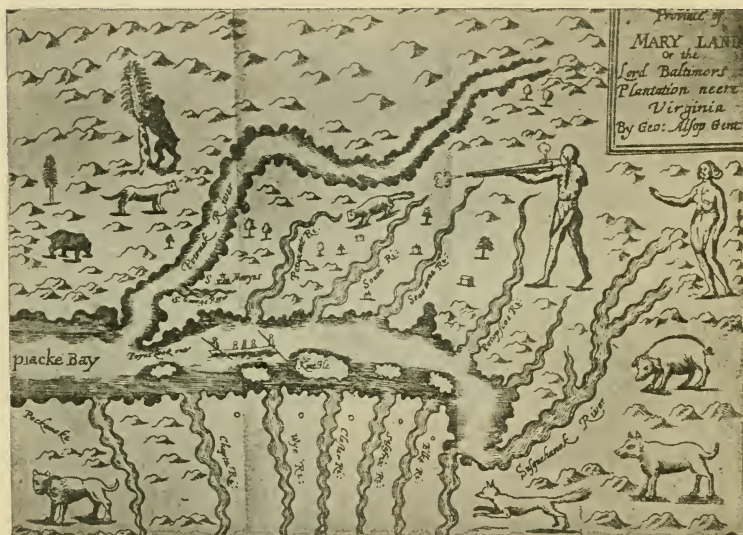
Maryland in these early days was thus a simple community of farmers, or planters, as they were called; there was nothing



A Settler's Log Cabin

From a drawing based upon  
contemporary sources

like the commercial business of large cities or older societies. But the province was as yet in its early infancy, and from these humble beginnings greater things were to come.



Alsop's Map of Maryland, 1666

From the Peabody Fund Publication 15, in the library of the Maryland Historical Society

### TOPICS AND QUESTIONS

#### 10. Character and Plans of the Second Lord Baltimore.

For what personal qualities was Cecilius Calvert distinguished ?

What can be said about his life and plans ?

Why did not Lord Baltimore accompany his colony to Maryland ?

#### 11. The First Colonists ; Lord Baltimore's Policy of Religious Toleration.

How was the first body of colonists composed ?

Who was the first governor of Maryland ?

What combination of circumstances favored religious freedom in Maryland ? Maryland's honorable record.

- 12. The Voyage to Maryland ; the First Landing.**  
 When did the first colonists sail and what sort of voyage did they have?  
 Where and when did they make the first landing? Describe it.
- 13. The Land of Promise.**  
 Describe, as fully as possible, Maryland as the first settlers saw it.
- 14. Founding of the First Capital (St. Mary's) ; Relations with the Indians.**  
 Describe the Indians and their manner of living.  
 Describe the treatment of the Indians in Maryland.  
 What visit did Governor Calvert pay immediately on his arrival?  
 How did he succeed?  
 The site of a permanent settlement is selected and purchased from the  
 Indians ; the terms of the treaty.  
 Founding of the oldest city and first capital of Maryland, March 27,  
 1634.  
 How were the Indians paid for their land ?  
 Describe the relations between the Indians and the English during  
 their joint occupation of St. Mary's.
- 15. The Prosperous Beginning.**  
 Conditions favorable to prosperity.  
 The abundance of fish, game, and other food.
- 16. Legislative Assemblies ; the People Win the Right to Propose Laws.**  
 When and where did the first legislative assembly in Maryland meet ?  
 What provision did the Maryland charter make in regard to legislation ?  
 On what grounds did Lord Baltimore refuse to assent to the laws passed  
 by the first Assembly ?  
 Meeting of the Assembly, January 25, 1638. How was this Assembly  
 composed ? Arrival of John Lewger. Rejection of Lord Baltimore's  
 laws.  
 Successful result of the first struggle for popular rights in Maryland.
- 17. State of Society.**  
 Maryland an agricultural community.  
 The "Conditions of Plantation."  
 Rapid growth of the population and its causes.  
 Political divisions.— the "hundred."  
 St. George's Hundred established.  
 Raising of wheat and corn.  
 Tobacco and its history. It becomes the staple of Maryland and is  
 used for money.  
 No manufactures ; corn pounded by hand. Most necessities and all  
 luxuries imported.  
 Trade with the Indians.  
 General character of Maryland society.

## QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. Considering the object of the expedition, do you think the first band of colonists was well composed? Find out what you can about the settlement of Virginia, and comparing this with what you know about Maryland, see if you can find reasons for the quicker success of the latter.
2. Locate accurately on the map the first landing-place of the colonists, and the situation of St. Mary's. Where is the Thames?
3. Imagine yourself a passenger on the *Ark*; how do you feel as the vessel leaves England, during the voyage, and on your arrival? If you were to sail up the Potomac now, should you behold the same scene that greeted the eyes of the first settlers? What changes have taken place and why?
4. Would the Indians have preferred to receive money for their land instead of the articles that Governor Calvert gave them? Give reasons for your answer. Name some things that you think the English likely to have learned from the Indians; the Indians from the English. Find out what you can about the relations between the Indians and the English in other parts of America, and compare with Maryland.
5. Name three differences between the first legislative assembly of Maryland and one of the present day. Was it a good provision of the charter that gave Lord Baltimore the right to originate laws? Were the people justified in taking the stand which they did?
6. Were the Conditions of Plantation liberal, and likely to attract settlers? Explain as fully as you can the causes that favored the growth of population. Was tobacco a convenient money? Why was it much less inconvenient than such a currency would be now?
7. Write an account of "Life in Early Maryland."

## REFERENCES

Browne's *Maryland*, pp. 20-26, 36-37, 41-47, 48-50, and 51-53. Browne's *Calverts*, pp. 39-62 and 83-87. Thomas' *Chronicles of Colonial Maryland*, pp. 9-28. Hall's *The Lords Baltimore*, pp. 28-42, 49-51. Fiske's *Old Virginia and Her Neighbors*, Vol. I., pp. 268-275. Mereness' *Maryland as a Proprietary Province* — see index for topics desired.

## CHAPTER III

### “LEAH AND RACHEL”—WHEREIN TWO SISTER COLONIES DISAGREE

18. A Jealous Sister; the Character and Plans of William Claiborne. — It has already been said that the charter of Lord Baltimore met with fierce opposition (see Sec. 10). The enmity of the members of the old Virginia Company was noticed, but we have now to observe that a protest was forthcoming from the Virginia colony as well, and to go back a little to notice some very interesting and important events connected with the bad feeling that for a time prevailed between “Leah and her younger sister Rachel.”<sup>1</sup> Virginia was jealous of Maryland chiefly for three reasons. First, Maryland had once been a part of the territory of Virginia; secondly, Maryland was ruled by Catholics, while Virginia was Protestant and strongly attached to the Established Church of England; thirdly, the commercial rights and privileges of Maryland were much greater than those of Virginia. Thus for a time Maryland’s sister colony and nearest neighbor unfortunately became her worst enemy.

In the protest above mentioned, the Virginians were represented by William Claiborne, their secretary of state. This man, not unjustly called the evil genius of Maryland, was the prime mover of mischief from first to last, and devoted all the

<sup>1</sup> In 1656 a book was published in London by Hammond, called *Leah and Rachel; or The Two Fruitful Sisters, Virginia and Maryland*. John Fiske uses the phrase also, as a chapter title in *Old Virginia and Her Neighbors*.

energies of his unusually determined and persevering nature to the task of ruining the Maryland colony. For twenty years his influence seriously affected Maryland history, and more than once nearly brought about her destruction.

Claiborne's opportunity came in the following manner. Coming over to Virginia in 1621 as surveyor, his force of character brought him rapidly into notice, and at the time of the settlement on the St. Mary's he was secretary of state for Virginia and a member of the governor's council. He began to engage to some extent in the fur trade with the Indians. In this he was so successful as to induce a firm of London merchants to employ him as a special agent or partner in the business of trading with the Indians. Claiborne then established a post on Kent Island, in the Chesapeake bay, for this purpose, and obtained licenses to trade; but he did not secure any grant of land. A few dwellings were erected, which were paid for by the London merchants, Cloberry and Company. To complete the claim of Virginia, it should be noted also that Palmer's Island had been occupied by traders, and trading expeditions had been conducted by Henry Fleet, John Pory, and possibly other Virginians. The Maryland charter spoke of the country as "hitherto uncultivated"; but this was descriptive merely, and not a condition of the grant, and if it had been, the traders had not settled or cultivated the country.

The instructions of the proprietary regarding Claiborne were very generous. Acting according to these instructions, Governor Calvert notified Claiborne that his post was within the limits of Maryland. He was given to understand that he would be welcome to the land he had occupied, but that he must acknowledge the authority of Lord Baltimore, and hold the land from him and not from Virginia. Claiborne, on receiving this notice, asked the Virginia council what he should do. Their answer

was, that they wondered at his asking such a question ; could there be any more reason for giving up Kent Island than any other part of Virginia? Thus Claiborne made his own cause and that of Virginia one, and feeling sure of support now, he returned an answer to Governor Calvert in which he utterly refused to acknowledge the authority of Maryland and Lord Baltimore.

**19. The Dispute Leads to Bloodshed.** — The proprietary's instructions provided that if Claiborne should refuse to acknowledge the jurisdiction of Maryland, he was to be undisturbed for a year. But trouble soon arose. The Indians, hitherto so friendly and sociable, became cold and reserved, — a change which alarmed the people greatly. On investigation, Claiborne was charged with telling lies to the Indians for the purpose of stirring them up against the Marylanders, but in justice it must be said that when the Indians were questioned in his presence they declared that he had never done anything to prejudice them against the people of Maryland.

But there was trouble of a more serious nature when a vessel of Claiborne's, under the command of Thomas Smith, was seized in the Patuxent river for trading without a license in Maryland waters. In return, Claiborne fitted out an armed vessel, the *Cockatrice*, under the command of Lieutenant Ratcliffe Warren, which he sent out with orders to capture any Maryland vessel that might be met. When news of these mighty doings came to the ears of Governor Calvert, he promptly armed and sent out two vessels, the *St. Margaret* and the *St. Helen*, under the command of Captain Thomas Cornwallis. “The two expeditions met at the mouth of the Pocomoke on April 23d,<sup>1</sup> and then and there was fought the first naval battle on the inland waters of America.” Several men were killed and wounded on

<sup>1</sup> 1635.

both sides, Lieutenant Warren being among the killed, and the *Cockatrice* surrendered. A second fight took place a few days later, in which Thomas Smith commanded the vessel of Claiborne, resulting in more bloodshed.

**20. The Capture of Kent Island.** — For a time Claiborne remained in undisturbed possession of Kent Island. But his affairs presently took on a different color, for his London partners, Cloberry and Company, became dissatisfied with his management, and sent out an agent named George Evelin to take charge of their property. Claiborne tried hard to induce Evelin to promise not to give up the island to the Marylanders, but could not succeed. He then went to England and engaged in a lawsuit with the London merchants who had employed him. Evelin went to St. Mary's, after a time, and there he heard the other side of the story, and was fully convinced of the right of Maryland's claim to the island. On his return, he called the people together and explained the situation to them, and Lord Baltimore's authority was recognized. Governor Calvert then appointed Evelin commander of the island.

But the matter was not yet settled. A number of persons were arrested for debts owed to Cloberry and Company, and Thomas Smith (the same who had already taken part against the Marylanders) and John Butler (a brother-in-law of Claiborne) used every opportunity to stir up dissatisfaction. The matter finally amounted to a rebellion, and Governor Calvert, after several warnings, proceeded to the island himself, with a body of armed men, to offer a little more forcible persuasion. The attack was a complete surprise, and Smith and Butler were captured. The governor then offered to pardon all others who would come in at once and submit themselves to the government of Maryland, "whereupon," says Governor Calvert, in a letter to his brother, the proprietary, "the whole ileand came in and



submitted themselves." Smith was tried before the Assembly on charges of piracy and murder, was convicted and sentenced to death; Butler, not being accused of crimes so serious, and having shown a better disposition, was pardoned by the governor and afterward came to hold office in the province.

In England the final blow was now struck against the cause of Claiborne. The quarrel over Kent Island had been referred to the Board of Commissioners for the Plantations (a body having charge of colonial affairs), and they decided that as Lord Baltimore had a grant from the king of England, while Claiborne had merely a trading license, the title was undoubtedly with the former. Claiborne has defenders even to-day, and possibly he really thought he was defending his rights; but his contentions were clearly illegal, and his methods, as his history shows, were by no means honorable.

**21. Changes in the Organization of the Assembly; Troubles with the Indians.** — The Kent Island affair was now closed for the time, but only to be reopened through a series of remarkable events. We have seen the struggle of the people of Maryland for the right of proposing laws, and the success which crowned their effort. That success was complete, and it was arranged that laws passed by the Assembly should go into operation at once if approved by the governor, in order to save the delay that must ensue if the colonists were kept waiting for the laws to go to England and then return after receiving the proprietary's approval. He, of course, reserved to himself the right of final veto. When the Assembly met in 1639, it was no longer composed of all the freemen of the province, but of representatives called "burgesses" from the hundreds. Many laws were proposed at this session which, like the laws of England at the time, were very severe. The penalty of death was prescribed for murder, robbery, sorcery, polygamy, perjury, and

blasphemy. Weights and measures were established and courts of justice created. But not until the following session, for some reason, were these laws finally enacted. For several years the Assembly consisted of but one House, the governor and his council sitting with the burgesses, and the governor presiding. Afterward the Assembly was organized with an Upper and a Lower House, the former composed of the governor and his council, and the latter of the burgesses elected by the people.

While the relations of the people of Maryland with the neighboring Indians remained friendly, the fierce Susquehannocks to the north and Nanticokes on the Eastern Shore were constantly troublesome and dangerous. On several occasions houses were burned and settlers were murdered. A system of signals was established by the English, and energetic measures were taken by the governor to stop the outrages.

**22. The Civil War in England and the Rise of Cromwell.** — It will be impossible to understand the allusions that follow, as well as the general course of Maryland history in the events now about to be narrated, without some understanding of the events that were occurring in England at the same time.

King James I, the same who befriended George Calvert and made him a knight and nobleman, was the first of the royal house of Stuart that reigned in England. He entertained very high notions about the rights of kings. In fact, he believed that a king ruled by "divine right" and not by authority of the people, that the authority of a king was of right absolute, and that he could not be called to account by anybody. His son Charles, the same who granted the province of Maryland to Lord Baltimore, succeeded him and became Charles I; and unfortunately he succeeded to his father's high notions about the rights of a king as well as to his kingdom.

Now the power of making laws and of taxing the people rested

with the Parliament, — the legislative body in which the English people were represented, — while the king had the power of veto. But Charles claimed the right to make laws and to tax the people without the consent of Parliament, and proceeded to act accordingly. He collected various taxes and imprisoned at pleasure those who refused to pay, and actually ruled for eleven years without calling a Parliament. Almost from the beginning of the reign of James, the people had been angry and discontented over the tyranny of the king and his claims to absolute power, and these feelings had steadily grown. After all these years a Parliament, called the Long Parliament because it continued for twenty years, met; and from the measures it passed in opposition to the king it soon became apparent that civil war was at hand.

The year 1642 found the king and Parliament engaged in actual warfare, — England’s

great civil war had begun. After a long struggle, in which first one side and then the other had the advantage, and during which the king plotted and deceived in anything but a kingly manner, the war finally ended in victory for the Parliament. Then the king was brought to trial as a “tyrant, traitor, murderer, and public enemy,” and sentenced to death. He was beheaded at Whitehall palace, London, in 1649.

One of the ablest generals on the side of the Parliament was Oliver Cromwell, and after the death of the king he soon ob-



King Charles I

After the painting by Van Dyke

tained the chief powers of the government and came to the head of the nation as "Lord Protector of the Commonwealth." His rule was firm and just, and was respected at home and abroad. At his death he was succeeded by his son Richard. But Richard



Oliver Cromwell

After the painting in the National Portrait Gallery, London

did not possess the ability of his father, and his government soon fell to pieces. The result was the restoration of the Stuarts, in the person of Charles, son of the late king, who was crowned King Charles II (1660). He reigned until his death in 1685.

**23. Maryland at the Beginning of the Civil War.** — The unhappy quarrel that now divided the mother country of course extended to the colonies, and they took one side or the other, while partisans of each side might be found in the same colony. In Maryland several happen-

ings, together with the general restlessness and discontent noticeable among the people, indicated that trouble of a serious nature might occur at any moment. Lord Baltimore's father had been a friend of the last king, and he himself was indebted for many favors to the present king; hence it was not unnaturally thought that in the present quarrel he would take the king's side. On the other hand, the principles of the king as shown in his government were entirely different from the principles of Lord Baltimore as shown in the Maryland government. The truth seems to be that Lord Baltimore did his best to preserve a neutral attitude in the struggle.

In these difficulties Governor Calvert was naturally anxious and uncertain what course it was best to pursue, so he determined

to go to England and consult his brother, the proprietary. He left the province in April, 1643, leaving Giles Brent to act as governor during his absence.

**24. The Invasion of Claiborne and Ingle; the "Plundering Time."** — "The governor of Maryland, as well as the governor of Virginia, had gone to England on business, and while the cats were away the mice did play." The province being still in the restless and uncomfortable state in which Leonard Calvert left it, there sailed into the harbor of St. Mary's, with his ship, Captain Richard Ingle, a trader who was accused of being at the same time a pirate. Ingle was a violent partisan of the Parliament, and pretty soon information was laid before the deputy-governor, Brent, that he had been making such remarks as "the king was no king," and that he was "a captain for the Parliament against the king," — all this in a very violent manner with many flourishes of his sword and threats of cutting off the heads of any who contradicted him. Thus, in the absence of the governor, Maryland was brought face to face with the issue she dreaded; for if Ingle were arrested and punished, the province was committed to the cause of the king, while if he were allowed to go free, it was committed to the cause of Parliament. The proceedings in the case were curious. Ingle was arrested by order of the governor and a guard placed on board his ship; whereupon Captain Thomas Cornwallis, commander of the militia, and Councilor Neale, took him on board his ship, ordered the guard to lay down their arms, and Ingle took command and sailed triumphantly out of the harbor. For this very serious offence Cornwallis was simply fined, and Neale temporarily suspended, so there can be little doubt that these strange proceedings were simply an ingenious device to avoid what would perhaps have raised a rebellion in the province.

At the same time Claiborne was active and doing his best to

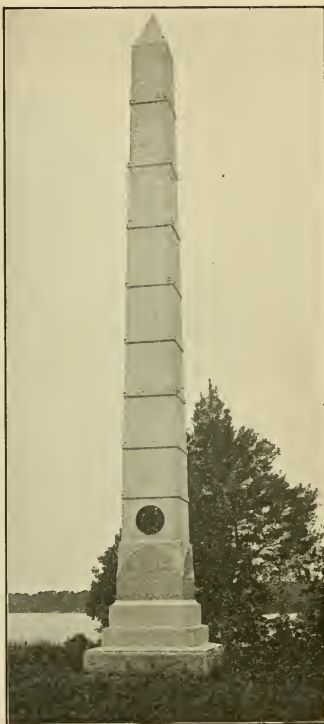
stir up the inhabitants of Kent Island. They inclining toward the cause of the king, Claiborne produced a paper of some kind which he declared was a commission from the king, which gave him the power to seize Maryland. In September, 1644, Governor Calvert returned, and found Claiborne and Ingle making ready to invade the province. This was a strange friendship indeed, since Ingle professed to act under authority of the Parliament, while Claiborne pretended to hold a commission from the king. But "Ingle with his letters from Parliament and Claiborne with his 'king's commission' were drawn together by an affinity that was stronger than either." Ingle suddenly appeared before St. Mary's in a heavily armed ship and captured the town, while Claiborne recovered Kent Island. Governor Calvert found refuge in Virginia.

For nearly two years the province was without anything like government, Ingle and his men roaming about and robbing at will. According to the accounts of Marylanders, they plundered the plantations, and carried off corn, tobacco, and everything of value, even to the locks and hinges of doors. The Great Seal (which was of silver) and the official records were stolen or destroyed, to the great loss of the province. The stations of the missionaries were broken up and the aged Father White sent to England in irons to be tried for treason, but he was acquitted. Governor Calvert watched the progress of affairs, and presently gathering a force of men he returned to Maryland, recaptured St. Mary's, and resumed the government for Lord Baltimore. The rebellion of Claiborne and Ingle was at an end, but it was long remembered by the people as the "plundering time."

Ingle has been warmly defended, and most of the charges against him have been disputed. In forming an opinion we must keep in mind the fact that his was a time of violence and immoderate partisanship, while the records are very meagre.

**25. Death of Governor Calvert.** — Peace was hardly restored when the province met a heavy loss in the death of its first governor, Leonard Calvert (June 9, 1647). Little is known of his private life, but his record shows him to have been wise, just, and kind, and well worthy of the trust reposed in him. His thirteen years of faithful service succeeded in establishing firmly the province he governed, and laying secure foundations for its future growth. He appointed Thomas Greene, who was a Catholic and a royalist, to succeed him until the pleasure of Lord Baltimore should be known.

**26. The Government Reorganized, and William Stone Appointed Governor.** — Lord Baltimore now completely reorganized his government. It was a favorite cry of his enemies that Maryland was a nest of “papists,” as the Catholics were called, and that the poor Protestants were grievously oppressed. Really the Protestants greatly outnumbered the Catholics, and perfect toleration prevailed. It was for this reason perhaps that Lord Baltimore now appointed to be governor of Maryland, William Stone, a Protestant and a friend of the Parliament, while at the same time he appointed a council of which the majority were Protestants.



Monument to Leonard Calvert,  
Site of St. Mary's  
From a photograph

The officers of the government as thus arranged were required in their oath of office to promise not to interfere with freedom of worship.

27. **The Great Seal of Maryland.** — Lord Baltimore also sent out a new Great Seal, to replace the one carried off by Ingle.



The Great Seal of Maryland (Obverse)

From a print, copyrighted by C. C. Saffell, in the library of the Maryland Historical Society

He describes it, and states that it is very nearly like the old one. On one side was a figure representing Lord Baltimore on horseback, clad in full armor and holding a drawn sword; around the edge was an inscription in Latin, meaning, "Cecilius, Absolute Lord of Maryland and Avalon, Baron of Baltimore." On the



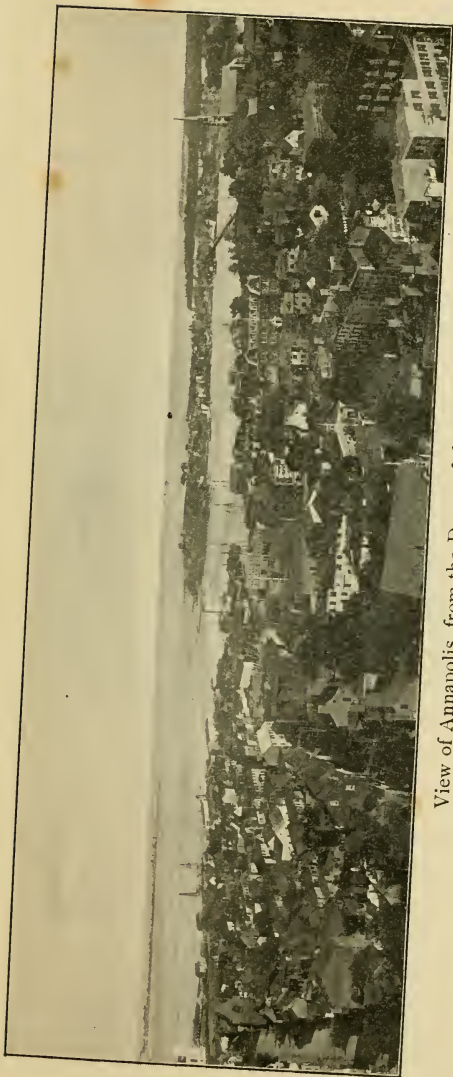
other side were engraved the arms of the Calvert and Crossland families (Alicia Crossland was the mother of George Calvert), supported on one side by a fisherman and on the other by a ploughman, and resting on a scroll bearing the inscription, *Fatti Maschii Parole Femine*. This means literally, “Deeds (are) males, words females,” but it is usually rendered, “Manly deeds, womanly words.” Above was a count palatine’s cap, surmounted by a ducal crown; behind all was a purple mantle, surrounded by another inscription, *Scuto Bonæ Voluntatis Tuæ Coronasti Nos* (Ps. v. 12). This is translated, “Thou hast crowned us with the shield of thy good will,” and is thought to refer to the kindness of the king to Lord Baltimore. In the subsequent history of the colony and state new seals were several times adopted, but the old design was restored in 1876, and “this beautiful historic device . . . still remains the seal and symbol of Maryland.”

**28. The Toleration Act.** — In April, 1649, the Assembly of Maryland passed the famous Toleration Act. It was called “An Act concerning Religion,” and may be divided into two parts, the first of which is anything but tolerant. This first part provided that persons who denied the divinity of Jesus Christ should suffer death; that persons who should call others by any names in a taunting manner on account of their religion should be fined or whipped; and that persons profaning the “Sabbath or Lord’s day, called Sunday,” should be fined and imprisoned. The last clause, on the other hand, provided that no person in Maryland should be in any way troubled or interfered with on account of his or her religion, and that freedom of worship must not be denied to any person professing to believe in Jesus Christ.

Thus was the noble policy which Cecilius Calvert had pursued from the first formally enacted into a law. “It is not likely to have surpassed his [Calvert’s] ideals, but it may easily have fallen

somewhat short of them." Indeed, it is probable that the last clause of the act was written by Calvert himself and passed without change, while the first part of the law was chiefly the work of the Assembly. But in any case it was exceedingly liberal for the times in which it was passed, and is greatly to the credit of Cecilius Calvert. The law was simply the formal statement of the policy of toleration which Calvert had adopted and maintained in Maryland from the start, and at a time when such a thing was nearly unheard of in the world. That he was not indifferent in matters concerning religion, but a sincere and devout Catholic, is proved by the fact that nearly all the attacks on his rights were aimed at his religion, and "He had only to declare himself a Protestant to be placed in an unassailable position; yet that step he never took, even when ruin seemed certain. But he was singularly free from bigotry, . . . and from the foundation of the colony no man was molested under Baltimore's rule on account of religion" (Browne). Two trifling cases that occurred in the early years of the province show the spirit that animated the government of Maryland. A Catholic named Lewis was tried before the governor for reproofing two servants for reading a Protestant book, and fined; and several years later a Catholic named Gerrard was fined for taking away some books and a key from a chapel at St. Mary's, and the fine appropriated to the use of the first Protestant minister that should arrive.

**29. The Settlement of Providence (afterward Annapolis) by the Puritans.** — The policy of toleration adopted by Maryland made her naturally the home of the persecuted. Governor Stone had promised Lord Baltimore to do his best to bring five hundred new settlers into Maryland, and to fulfil his promise he now invited a large body of Puritans to come over from Virginia and settle. The Puritans were a sect of people who desired to reform the Established Church of England by introducing certain



View of Annapolis, from the Dome of the State House  
From a photograph

changes in the mode of worship, or to “purify” the church; hence they were called Puritans. They were severely persecuted in England. A body of them that had gathered in Virginia were so bitterly persecuted that they were compelled to leave the colony, and now, on the invitation of Governor Stone, they established themselves in Maryland. By 1649, a thousand Puritans had gone over into Maryland and settled, chiefly on the beautiful river which they called the Severn. This settlement they named Providence, but it was afterward called Annapolis. The region occupied by them soon became a county, and was named Anne Arundel, in honor of Lord Baltimore’s wife, who before her marriage

was Lady Anne Arundel. The new town was destined to become the state capital, and in later times to become famous as the seat of the United States Naval Academy.

### **30. The Puritan Revolution ; the Puritan Idea of Toleration.**

—When the Puritans applied for admission into Maryland, they were informed that nothing would be required of them save obedience to the laws, the usual quit-rents, and a promise of fidelity to the proprietary. Entire freedom of worship and the right to manage their local affairs were granted to the Puritans, not to mention a large tract of fertile and conveniently located land. Yet so strongly were the Puritans imbued with the characteristic bigotry and intolerance of the times, that with all their advantages they could not rest content. They were much disturbed to be living under a government that granted freedom of worship to Roman Catholics ; and they were greatly troubled that they must take an oath of fidelity to Lord Baltimore, yet, as the sequel shows, they were not at all distressed about breaking the oath after they had taken it. “Singularly enough,” remarks Dr. Browne, “the simple remedy of abandoning lands which they could not hold with an easy conscience seems not to have occurred to them.” The conduct of the Puritans can hardly be defended, even if we make the fullest allowances for the ingrained prejudices and intolerance that undoubtedly moved them ; for they made strife from the first and did their utmost to overthrow the government that had sheltered them in their extremity, and to deny civil and religious liberty to those who had granted both freely to them.

An opportunity for making trouble was soon afforded them. Virginia was warmly attached to the cause of the king, and openly defied the Parliament and Cromwell (see Sec. 22). Accordingly, war-ships and a body of commissioners were sent out to take charge of Virginia, and receive the submission of

the governor and his colony. The name of Maryland also was included in the commission, but Lord Baltimore appeared and showed that Maryland had taken no part against the Parliament, and her name was accordingly stricken out. But his enemies managed to have inserted the words, “plantations within the Chesapeake,” which served their purpose. You will feel no surprise at this when you know that one of the commissioners was William Claiborne, the old enemy of Maryland. He had indeed been the adherent of the king, but the Parliament was now supreme, and he had gone over without hesitation. Another of the commissioners was Richard Bennett, one of the Puritans who had found refuge in Maryland and had taken an oath of fidelity to the proprietary. “As soon as Claiborne had disposed of the elder sister, Leah, he went to settle accounts with the youthful Rachel.” Proceeding to St. Mary’s, in company with Bennett, he overturned the government and removed Stone; but the latter being popular, was afterward restored, though compelled to issue all writs in the name of the Parliament instead of that of Lord Baltimore. But when Cromwell assumed the government of England as Lord Protector of the Commonwealth, the power of



Naval Academy, a New Building (Boat-house)  
From a photograph

Parliament came to an end (see Sec. 22), and Stone again issued writs in the name of the proprietary. The Puritans whom Lord Baltimore had rescued from persecution now raised a commotion, and back came Bennett and Claiborne to St. Mary's, in July, 1654. Stone was put out of office, and a council was appointed to govern Maryland, whose president, Captain William Fuller, was a prominent Puritan.

The Puritan government summoned an Assembly, — in a way never before heard of in Maryland, for no Roman Catholic could vote or hold office. “In this way a house was obtained that was almost unanimously Puritan, and in October this novel assembly so far forgot its sense of the ludicrous as to pass a new ‘Toleration Act’ securing to all persons freedom of conscience, provided such liberty were not extended to ‘popery, prelacy, or licentiousness of opinion.’ In short, these liberal Puritans were ready to tolerate everybody except Catholics, Episcopalians, and anybody else who disagreed with them!” (Fiske).

**31. The Battle of the Severn.** — When Lord Baltimore heard of these events, he wrote to Governor Stone, reproving him for having surrendered the government without a blow. The governor then gathered a little army of one hundred and thirty men and proceeded against Captain Fuller and his party at Providence.

Fuller, being informed of his coming, gathered an army of one hundred and seventy-five men and made ready for the fight. The two little armies met on the south bank of Spa creek, an inlet of the Severn, which at present forms the southern boundary of Annapolis, and the battle of the Severn opened. Fuller had more men than Stone and was a better general, and was, moreover, assisted by the fire of two ships lying in the harbor at the time. The proprietary army was defeated, and the governor surrendered on a promise of quarter. The promise was

broken, Stone and nine others being condemned to death ; four were actually executed, and the rest were saved only at the request of the soldiers and by the prayers of some good women. Stone, though spared, was treated with great cruelty.

Old records tell us that Stone carried a Maryland flag in the battle of the Severn. This flag, containing the colors and characteristic design of the Great Seal, was adopted as the legal flag of the state by the General Assembly of 1904, and ordered displayed from the State House during sessions of the Assembly.

**32. The Province Restored to Lord Baltimore ; the Sisters Become Reconciled.** — The Puritans, having thus gained complete control, seized the records of the province and the property of those who had opposed them. Vigorous efforts had been made to have Virginia restored to her old boundaries, which meant that Maryland would cease to have anything. At this time there seemed but a dark outlook for Maryland and her proprietary.

But the efforts of the proprietary's enemies to have his charter taken away came to nothing, for it was soon known that Cromwell was on his side. The Protector regarded himself as the lawful heir of the king, and therefore the charter was as strong under him as under the king. The government was surrendered to Lord Baltimore, on his promise not to bring the offenders to justice, and not to repeal the Toleration Act of 1649. The Puritans willingly accepted the toleration they had refused to grant. By March, 1658, the authority of Lord Baltimore was acknowledged by the whole province.

Thus ended the long struggle between the sister colonies of Maryland and Virginia, in the complete triumph of Maryland. In the course of that struggle every means possible had been brought to bear against Maryland, and her victory was due to the justice of her cause and the wisdom of her proprietary. The

history of Maryland and that of Virginia were always to be closely connected, but the enmity was now at an end. "Peace reigned on the shores of Chesapeake bay, the claims of Leah and Rachel were adjusted, and the fair sisters quarrelled no more."

### TOPICS AND QUESTIONS

18. **A Jealous Sister; the Character and Plans of William Claiborne.**  
 Name three reasons for Virginia's jealousy of Maryland.  
 Character of William Claiborne, and his influence on Maryland history.  
 What were the instructions of Lord Baltimore regarding Claiborne?  
 What did Claiborne do after receiving the letter from Governor Calvert?  
 Result ?
19. **The Dispute Leads to Bloodshed.**  
 Claiborne is accused of stirring up the Indians against Maryland.  
 The battle of the Pocomoke and its causes.  
 Thomas Smith defeats the Marylanders.
20. **The Capture of Kent Island.**  
 George Evelin takes charge of Kent Island for Cloberry and Company,  
 and Claiborne goes to England.  
 Lord Baltimore's authority acknowledged in Kent Island, and Evelin  
 made commander.  
 Smith and Butler stir up a rebellion. Capture of Kent Island.  
 Smith condemned to death; Butler pardoned.  
 The dispute settled in England, Lord Baltimore being sustained.  
 Why was the claim of Lord Baltimore better than that of Claiborne ?
21. **Changes in the Organization of the Assembly; Troubles with the Indians.**  
 Why did the proprietary allow the governor to approve laws?  
 In what way did the Assembly of 1639 differ from the earlier assemblies?  
 How was the Assembly further reorganized afterward?  
 What was the character of laws of this age?  
 What Indians were unfriendly to the province?
22. **The Civil War in England and the Rise of Cromwell.**  
 Notions of the Stuart kings about the "divine rights" of monarchs.  
 War breaks out between the king and Parliament; the cause.  
 Defeat of the royal cause and death of the king.  
 The rise of Cromwell; he becomes Lord Protector of the Common-  
 wealth.  
 Restoration of the Stuarts in the person of Charles II.



- 23. Maryland at the Beginning of the Civil War.**  
 What led Governor Calvert to go to England?  
 What attitude did Lord Baltimore desire to take in the Civil War?
- 24. The Invasion of Claiborne and Ingle; the “Plundering Time.”**  
 Richard Ingle arrested on a charge of treason.  
 Why did Ingle’s arrest place Maryland in a very dangerous position?  
 How was the difficulty met?  
 Claiborne plots to recover Kent Island.  
 Governor Calvert returns from England.  
 Ingle captures St. Mary’s, and Claiborne recovers Kent Island.  
 Describe the “plundering time.”  
 Governor Calvert returns from Virginia and recaptures St. Mary’s.
- 25. Death of Governor Calvert; He Appoints Thomas Greene to Succeed Him.**  
 What can you say of the character of Leonard Calvert?  
 When did he die, and whom did he appoint to succeed him?
- 26. The Government Reorganized, and William Stone Appointed Governor.**  
 Why was Stone appointed governor?  
 What promise was required of the officers of the reorganized government?
- 27. The Great Seal of Maryland.**  
 Why was a new seal sent over?  
 Describe the seal as fully as possible.
- 28. The Toleration Act.**  
 Name the chief provisions of the “Act concerning Religion.”  
 Which were tolerant and which intolerant?  
 How far was this Act the work of Cecilius Calvert?  
 Tell about the cases of Lewis and Gerrard.  
 What reasons are there for believing that Cecilius Calvert’s policy of toleration was sincere?
- 29. The Settlement of Providence (afterward Annapolis) by the Puritans.**  
 Who were the Puritans? Why did they leave Virginia?  
 In what part of Maryland did the Puritans settle?  
 What county was erected out of this territory? *Penn*
- 30. The Puritan Revolution; the Puritan Idea of Toleration.**  
 Conduct of the Puritans.  
 Parliament sends an expedition to reduce Virginia.  
 Claiborne and Bennett among the commissioners.  
 The Puritans in control; William Fuller president of the council.  
 Describe the Puritan “toleration.”
- 31. The Battle of the Severn.**  
 Describe the battle of the Severn, and tell its cause and results.

- 32. The Province Restored to Lord Baltimore ; the Sisters Become Reconciled.**  
 The province apparently lost to Lord Baltimore.  
 It is restored by order of Cromwell. Reasons for his action.  
 Conditions of the surrender of the Puritans.  
 Reasons for Maryland's triumph.

### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. Draw a sketch map of Maryland showing the principal rivers and islands, St. Mary's, and Annapolis. Point out some similarities between the geography of Maryland and the geography of Virginia. What would you expect to result from these similarities?
2. Who were Leah and Rachel? Do you think the names were suitable in speaking of Maryland and Virginia? If so, why? Were the grounds of Virginia's opposition to Maryland justly taken?
3. Was the organization of the Assembly of 1639 more convenient than that of the earlier ones? Was it more likely to do good work? [Give reasons for your answers.] Why are legislatures of two Houses better than those of one? Can you think of a special reason that applied in this case? How many Houses do legislative bodies have in the United States at the present time?
4. Discuss the motto on the Maryland seal. Is it suitable for a state?
5. Write an account of religious toleration in Maryland. Write a character sketch of Cecilius Calvert.

### REFERENCES

General — Browne's *Maryland*, pp. 27-35, 37-41, 50-54, 57-89. Browne's *Calverts*, pp. 62-82 (includes a long letter from Governor Calvert to his brother, describing the capture of Kent Island), 94-97, 127-159. Fiske's *Old Virginia and Her Neighbors*, Vol. I., Chapter IX. (pp. 286-318). Mereness' *Maryland as a Proprietary Province* — see index for topics desired.

Special — For an account of the Great Seal of Maryland, see pp. 68-69 of Steiner's *Institutions and Civil Government of Maryland*; and Chapter X. of Thomas's *Chronicles of Colonial Maryland*. For an account of the Puritan Revolution and the battle of the Severn, see Riley's *The Ancient City* (Annapolis), Chapters VIII. and IX. For a very full account of the Toleration Act, see B. T. Johnson's *The Foundation of Maryland*, Fund Publication No. 18 of the Maryland Historical Society.

## CHAPTER IV

### MARYLAND BECOMES A ROYAL PROVINCE

**33. The Maryland Constitution.** — The early history of Maryland, the period extending from the settlement of the province to the end of the Puritan Revolution in 1658, was marked by constant change and experiment in the constitution of the government. The opposition to Lord Baltimore's charter, the enmity of Virginia, the civil war in England, and the rebellion of the Puritans, resulted, of course, in serious disturbance; the colony was still very weak, and neither the authority of the governor nor the constitution of the Assembly was definitely fixed. But after the final victory of Maryland and her proprietary in 1658, the government was firmly established in permanent form.

The powers which the charter granted to the proprietary were very great, as has already been pointed out (see Sec. 8). He appointed the officers to carry on his government, and established courts. The governor was his representative, and the measure of that officer's power was fixed by the proprietary. The governor was advised and assisted by a council, also appointed by the proprietary. The Assembly was composed of an Upper and a Lower House. The Upper House was composed of the governor and his council, while the Lower House consisted of the delegates of the people, representing counties instead of hundreds, as in the early days. There was a secretary who recorded the proceedings of the council, proclamations of the governor, and grants of land, and acted as clerk of the Upper House of Assembly. There were county courts, and



The Palatinate of Maryland

there was a Provincial Court, composed of members of the council and presided over by the governor, which tried the more important cases, and to which appeals might be taken from the county courts. The officers were mostly paid in fees, — not in coin, but in tobacco. The powers granted to the proprietary seem to us dangerously large, yet they were seldom abused.

**34. The Administration of Governor Fendall, and His Rebellion.** — Before the final conclusion of peace with the Puritan rebels, Lord Baltimore appointed Josias Fendall governor of Maryland in place of Stone, perhaps because he had been very zealous in the proprietary's cause during the recent troubles. He also appointed his brother, Philip Calvert, secretary. The new governor at first seemed very active in the interest of the proprietary and the province. The Indians were threatening, and he at once organized the militia and put the province in a condition for defense. This brought the government into conflict with the Quakers, a sect who refused to fight even in self-defense. They also held other religious beliefs which brought them into conflict with the civil government, such as their idea that it was wrong to take oaths of any kind. The Quakers were not, however, very severely treated, and seem not to have been interfered with any more than was necessary for the enforcement of the laws.

Fendall, who had worked so hard to establish the authority of the proprietary, soon engaged in a treacherous plan to overthrow it again. We feel no surprise that he should secure the help of the Assembly of 1660, when we know that three-fourths of its members were Puritans, among them our old acquaintance, Captain William Fuller. His delegation consisted of seven members, instead of the four to which his county was entitled. The Lower House first declared itself the only lawful authority within the province, and refused to acknowledge the Upper

House, whose members, they said, might sit with them if they chose. Fendall then surrendered his commission from Lord Baltimore and accepted another from the Assembly. The rebellion was completed by the passage of a law making it a crime for anybody to acknowledge Lord Baltimore's authority. When news of Fendall's rebellion came to Lord Baltimore he acted promptly and decisively. Charles II was on the throne of England, and from him letters were obtained commanding all persons to acknowledge the authority of the proprietary, while the governor of Virginia was ordered to assist in restoring order if necessary. Philip Calvert was appointed governor, and on the arrival of his commission the rebellion at once came to an end. Fendall was condemned to banishment, with loss of his estates, but he finally escaped with a fine and loss of the right ever to vote or hold office. He lived to plot again against the government, and years later to be banished from the province.

**35. Charles Calvert Appointed Governor; Death of Cecilius, and Character of His Successor.** — Late in the year 1661 the

proprietary sent out his son and heir, Charles Calvert, as governor. During this period there were contests between the two Houses of Assembly, which will be mentioned later. On the whole the colony prospered greatly during his administra-



Proprietary Coins

From photographs of the originals in the library of the Maryland Historical Society

tion. One source of much trouble was the production of too much tobacco, which occasioned great distress, as the tobacco (which, remember, was nearly the sole money of the province)

was naturally cheapened. The proprietary had some coins made and sent out to the province, but the plan seems not to have been very successful, as tobacco continued to be the chief currency.

On the thirtieth day of November, 1675, Cecilius Calvert, second Lord Baltimore and first proprietary of Maryland, died. He was preëminently the founder of Maryland, and a man of noble ideals, wise, just, patient, and unselfish, of whom Maryland may justly be proud. The second proprietary possessed far less of greatness than his father. He seems to have been less tolerant, possessed of less tact and judgment, and perhaps not always so strictly just; his intentions may have been good, but he did not possess his father's extraordinary force of character, nor was he so liberal and public-spirited.

**36. Loss of Territory.** — We must here interrupt the narrative of political events to notice serious losses of territory which Maryland suffered during the period now under consideration. In 1655, a settlement of the Swedes on the west bank of the Delaware river was seized by the Dutch, who had planted a colony on the present site of New York City. The captured territory was divided into two parts, called Altona and New Amstel. The land over which the Dutch and Swedes were quarrelling did not belong to either, if English claims were good, for it was within the bounds of the province granted by the king of England to the proprietary of Maryland. Colonel Utie was sent out to notify the Dutch that they must either acknowledge the jurisdiction of Maryland or leave. The Dutch governor then sent out representatives<sup>1</sup> to confer with the governor of Maryland, but no settlement was reached, as neither side would

<sup>1</sup> One of these was Augustin Herrman, who later received a large grant of land from the proprietary in return for a map of the province. He and his family were naturalized in 1666.

give up anything and Maryland was not prepared to take forcible possession. In 1664 the Dutch colony was conquered by an English fleet, and the king granted it to his brother James, Duke of York. The duke thereupon seized the settlements to



Herrman's Map of Maryland

From a copy in the library of the Maryland Historical Society

the west of the Delaware also, which were within the limits of Maryland, and to which he had no right whatever.

Now there was in England at this time a Quaker named William Penn, to whom the king owed a very large sum of



money, and this debt the king agreed to pay by giving to Penn a large tract of land to the west of the Delaware river. The Maryland charter fixed the parallel of forty degrees as the northern boundary of the province, and it was agreed that the southern boundary of Pennsylvania, as Penn's province was called, should be a line just north of a fort that lay on the fortieth parallel. When the charter was finally issued, no mention was made of this fort, but Penn's southern boundary was to be run from a point twelve miles north of New Castle northwestward to meet the fortieth parallel, and then westward. Penn then sent a letter to some of the settlers in the northeast of Maryland, telling them that they were now in his colony and must not pay any more taxes to Maryland, and concluded with a strong hint about his "power with his superiors." He refused to locate the fortieth parallel, and did his best to have a measurement made from Watkin's Point or some other point to the south. This, as he confessed, was for the purpose of gaining several miles to each degree in order to have the head of the Chesapeake within his colony. He was a favorite of the Duke of York, and procured from him a grant on the western bank of the Delaware, not a foot of which the duke owned or had the right to confer on anybody. In 1685 the Duke of York became King James II, and Penn had no difficulty in completing the theft of Maryland's territory. In the end the boundary of Pennsylvania was pushed southward to its present position, while on the east the present state of



William Penn

After the painting owned by the  
Historical Society of Pennsylvania

Delaware passed into Penn's hands. The king cared no more for right and justice than did Penn, and there was nothing for Maryland but to submit.

**37. Affairs in England.** — In Section 22 we stopped with the accession of Charles II. The details of his reign do not concern us; it lasted until his death, in 1685, when he was succeeded by the Duke of York as James II. James had not learned the lesson



King William

After the painting by Mierevelt, Amsterdam

which his father's death should have taught him, and tried to destroy the liberties of his subjects. He was disliked by most of them also on account of his being a bigoted Catholic, and in 1688 he was driven from his throne. He was succeeded by his daughter, Mary, and her husband, William, Prince of Orange.

How this change caused the overthrow of the proprietary government of Maryland we have now to see.

**38. The Difficult Position of the Second Proprietary; Fear and Hatred of the Catholics.** — Charles Calvert became proprietary of Maryland at a time peculiarly trying. He had numerous and industrious enemies both in America and in England. The Protestant inhabitants in Maryland were greatly in the majority, yet it was charged that they were persecuted by the Catholics and in actual danger. A clergyman named Yeo complained that there was no ministry established in Maryland, to which Baltimore responded that all forms of worship were tolerated and each sect supported its own ministers.

To understand the events of this time you must realize and keep constantly in mind the cruel intolerance of the age and the bitter hatred that existed between the Catholics and the Protestants. Toleration of Catholics seems to have been regarded by the Protestants as very much "like keeping on terms of polite familiarity with the devil." Moreover, the Catholics held certain political notions which were regarded as highly dangerous, and this operated to create a fear and hatred of Catholic rule. It was assumed that if Spain or France or some other Catholic country should engage in a war with England, that the English Catholics would take part with the enemies of their country, and it was a not unusual thing to hear that the Catholics were stirring up the Indians to murder the Protestants. These and other charges equally absurd were entertained by many people, and as the country was not thickly settled and communication was slow and difficult, it was not hard to alarm the people in one part with stories of what was going on in another. Hence no matter how wise and just the rule of a Catholic lord, his Protestant subjects were certain to regard him with distrust, if not with dislike.

**39. Other Causes of Discontent.** — But there were not wanting other causes of dissatisfaction, for the proprietary's rule was not always strictly just, and certainly it was often unwise. After the arrival of Charles Calvert as governor, the chief offices of the government began to be filled with the relatives or intimate friends of the Calvert family. Persons marrying into the family in Maryland were nearly always appointed to an office, and presently the council seemed to be only a "pleasant little family party." This naturally caused discontent among the people, and the further fact that most of these officers were Catholics tended greatly to increase the feeling of dissatisfaction.

There were frequent conflicts between the two Houses of Assembly. (The Upper House, remember, was composed of the governor and council.) The Quakers asked to be excused from taking oaths when giving testimony; the Lower House granted the request, but the Upper refused to agree. The sheriffs were appointed by the governor and were possessed of dangerous powers, and there was a struggle between the Houses, in which the delegates sought to place some check on these officers. It was charged against the proprietary that taxes were illegally levied, and there was much discontent with changes which he made in the constitution of the Assembly. Many other questions were subjects of dispute between the two Houses. Sometimes the delegates were wrong, but often they were right and firm in urging their claims. Yet in spite of all this dispute we find the Assembly voting the proprietary a gift of one hundred thousand pounds of tobacco, in token of their "gratitude, duty, and affection," which he declined as being too heavy a tax for the people of the province.

**40. Murder of the King's Collectors.** — The king's collectors of the custom house duties "were apt to behave themselves . . . like enemies of the human race." Much ill feeling existed between them and the Maryland government. They charged the proprietary with interfering with the performance of their duties and thus reducing the amount of their collections; as a result Lord Baltimore was heavily fined by the king.

One of the collectors engaged in this affair was Christopher Rousby, who was unusually offensive in the performance of his duties, and was accused of being a great rogue as well. In 1684 a vessel belonging to the royal navy lay in the harbor of St. Mary's. George Talbot, a relative of the proprietary, went on board and became engaged in a quarrel with this Rousby, which ended by Talbot's drawing a dagger and plunging it into

Rousby's heart. The captain of the ship at once had him seized and placed in irons, and refusing to allow him to be tried in Maryland, by a court of his relatives, carried him off to Virginia.

Here he was imprisoned and in imminent danger of losing his life, or having to pay to the greedy governor his whole fortune as a bribe. But his brave and devoted wife, setting out from her home on the Susquehanna river one dark winter's night, sailed down the Chesapeake bay to his rescue in a small skiff, accompanied only by two faithful followers. The courageous lady managed to free her husband and carry him off safe and sound, and after more difficulties he was finally pardoned by the king.

The affair, however, was decidedly unfavorable to the cause of Lord Baltimore. Another collector was afterward killed in the province, and although this occurred in a private fight and the offenders were punished, the effect was certainly harmful.

**41. The Protestant Revolution (1689), by which Maryland Became a Royal Province.** — When William and Mary came to the throne of England (see Sec. 37), Calvert sent word at once to have them proclaimed, or publicly named, as lawful sovereigns in Maryland. Unfortunately, the messenger died on the way, and before a second could arrive the palatinate was overthrown. When the other English colonies proclaimed William and Mary, and the Maryland government remained silent, there was much discontent, and presently there was formed an "Association in Arms for the Defense of the Protestant Religion, and for asserting the Right of King William and Queen Mary to the Province of Maryland and all the English Dominions." At the head of this Association was John Coode, a man who had already been tried for plotting against the government of Lord Baltimore and who in the future was to rebel against the very government he was now working to establish. He was a thoroughly bad character, and accord-

ing to Professor Browne "seems to have renounced religion, morality, and even common decency." Owing to the causes already mentioned there were doubtless many persons dissatisfied with the proprietary government. There were many who desired to escape from Catholic control and many who favored the cause of William and Mary and were offended because the latter were not proclaimed in Maryland. In this way Coode managed to gather a large body of followers, and leading a force against St. Mary's he captured it. He then detained all ships bound for England until he had prepared a letter to the king, in which he claimed to have acted for the purpose of securing King William's right and the protection of the Protestants, and urged the king to take the government of Maryland into his own hands.

The king decided to do as he was asked, and in March, 1691, he commissioned Sir Lionel Copley the first royal governor of Maryland, without waiting for a decision against the charter in the courts. Although the proprietary was stripped of his authority as a ruler, his rights as a landowner were respected, and he was allowed to retain his quit-rents and ownership of unoccupied land. Lord Baltimore thus became a mere landlord, instead of a nearly independent monarch; while Maryland lost her position of freedom, and became subject to the control of the English king.

**42. The Royal Government; Religious Intolerance and an Established Church.** — "The thongs of their shield, their charter, chafed the arms of the colonists, and they knew not from what blows and wounds it protected them, until they had thrown it away." Having once thrown it away, however, they were not long in discovering from what it had protected them. The first act of the Assembly called by Governor Copley was to thank the king for saving them "from the arbitrary will and pleasure

of a tyrannical Popish government under which they had long groaned." They then proceeded to see that some other people should have occasion to groan.

The Church of England, the Protestant Episcopal, was established by law, and everybody was taxed for its support, whether he believed in its form of worship or not. Moreover, the rich and the poor paid the same amount, an unjust plan, which was so bitterly resented that even at the present day the Maryland Declaration of Rights declares that "the levying of taxes by the poll is grievous and oppressive" (Art. 15). Only a few of the people were Episcopalians, and the Puritans who had so earnestly labored to rid themselves of the "tyrannical Popish government" must have felt that they had rid themselves of altogether too much. To make matters as bad as possible, even under these circumstances, many of the Episcopal clergymen were soon noted as very corrupt men, some of whom were shameless gamblers and drunkards. This was because they were not responsible to the people, and is, of course, no reflection on the Episcopal church. Savage laws were passed against the Catholics. No Catholic priest was permitted to perform his service; no Catholic might take children to educate, under penalty of imprisonment for life; and if a Catholic youth on coming of age was not willing to take certain oaths (which no conscientious Catholic could take), his property was to be taken and given to his nearest Protestant relative. Protestant dissenters, or those who did not worship according to the Established Church, were, after a time, allowed to have separate houses of worship, and priests were allowed to conduct service in private houses; but everybody had to pay the tax for the support of the Episcopal church.

**43. Removal of the Capital to Annapolis; King William's School.** — Sir Lionel Copley died shortly after his arrival in

Maryland, and was succeeded by Francis Nicholson. After the latter's arrival in 1694 he summoned the Assembly to meet at Anne Arundel Town, later called Annapolis, and here the capital was permanently fixed. The people of St. Mary's were grieved and indignant, and sent an humble petition to the

Assembly to reconsider the matter. They received only a coarse and scornful refusal. The situation of Annapolis was much more convenient, but it was certainly unnecessary to address insulting language to the unfortunate people of St. Mary's. The removal of the capital proved a death-blow to the



The Old Treasury Building, Annapolis <sup>1</sup>

From a photograph

first city of Maryland; it dwindled away until little more than the name was left.

Governor Nicholson was noted for his zeal in the cause of education, and in the year 1696 he succeeded in founding King William's School at Annapolis, himself contributing liberally for that purpose.

**44. The Province Restored to the Calverts.** — During all this time Charles Calvert remained in England, secure in the enjoyment of his private rights, but deprived entirely of the rights as

<sup>1</sup> This old building, probably dating from the seventeenth century, was formerly the meeting place of the General Assembly; it later became the office of the state treasurer and is now the office of the State Board of Education.



a ruler conferred by his charter. His son and heir, Benedict Leonard, perceiving that the misfortunes of his father had come upon him as a result of his fidelity to his religion, decided in his own case to sacrifice his religion for his province, and publicly renounced the faith of his father and became a member of the Church of England. This must have been a bitter blow to his father, who died soon afterward. The plea that the government of Maryland was not safe in Catholic hands could now no longer be urged, and in 1715, with the death of Charles, the government of Maryland passed again into the hands of the Calverts. Benedict Leonard lived barely six weeks after the death of his father, but his young son, Charles, was acknowledged as fourth proprietary of Maryland, and the period of royal government came to an end.



Charles Calvert, Fifth Lord Baltimore

From a painting in the gallery of the  
Maryland Historical Society

**45. State of Society ; Manners, Customs, and Character of the People.** — The life of a people is determined to a very great degree by the geography of the country they inhabit, and this fact is remarkably well illustrated in the case of Maryland. The soil was very fertile and invited cultivation, the forests and streams abounded in game and fish, while the magnificent expanse of the Chesapeake bay, with its numberless inlets and

navigable rivers, made communication easy. Thus towns were not needed and none were built. St. Mary's and Annapolis were simply places of meeting for the courts and for the transaction of public business, and they refused to grow. St. Mary's never contained more than fifty or sixty houses, and even these were somewhat scattered. Maryland was thus wholly agricultural. Land was granted in large tracts, seldom less than fifty



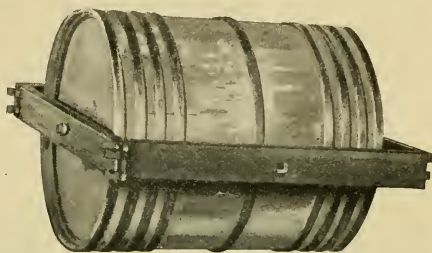
A Tobacco Field

From a photograph

acres and often embracing several thousands, and the owners, called planters, were engaged chiefly in the cultivation of tobacco. Most of the plantations bordered on the water, and each planter had his own "landing," or wharf, where vessels stopped to load his tobacco. In return for the tobacco the planters received wine, sugar, or salt fish; furniture or tools; or some other necessaries or luxuries which had to be imported, for there were no manufactures in the province. If the planter lived at a distance from the water's edge, he brought down his tobacco

over a "rolling road"; that is, an axle was fitted to the tobacco hogshead, thus making it both cart and load, a horse or an ox attached, and the tobacco thus drawn over a rough road to the landing.

Many of the houses were built of logs, but the richer planters built substantial houses of brown or chocolate-colored bricks. These bricks were not brought from England, as has been supposed by



Tobacco Hogshead Ready for Rolling  
From a model in the National Museum at  
Washington

many persons, but were made close at hand. On the Eastern Shore, near the old brick houses, we can still find, sometimes, shallow pits from which clay was taken, and the remains of an old kiln near by. Food was at hand in unlimited quantities: the forests swarmed with deer, turkeys, and other wild creatures, and the rivers and creeks were frequented by millions of ducks and geese, while fish and oysters could be taken by the boat load. Large numbers of hogs were allowed to run wild, each bearing its owner's mark. Little wheat was grown, but there was plenty of corn from which was made an abundance of hominy, hoe-cake, and pone. The corn was still pounded, as a rule, in mortars of wood, mills being very rare.

The larger planters had more servants and lived in greater style than their less fortunate neighbors, though it could hardly be said they had more money, for tobacco was practically the only currency. Gifts, fees, and quit-rents were paid to the proprietary in tobacco; the governor and other officers received a salary in tobacco; fines were paid in tobacco; and so were wages of all kinds and the salaries of clergymen. A man's

wealth was estimated in pounds of tobacco, and whether he bought food and clothing or paid a marriage fee, tobacco was the money used. Servants were of several kinds. Negro slaves had early been introduced into the colony, but up to this time not a great many were held. Many white persons were held to service in the following way. If a person wanted to come out to America but did not have the money necessary to pay his passage, he might agree with the captain of the vessel to give a



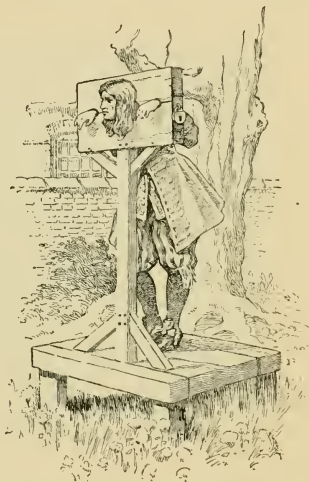
The Murray House, Anne Arundel County, Maryland  
Built in 1743

From a photograph

term of service instead. On the arrival of the vessel the captain sold the services of these persons to one of the colonists for a certain time, — two, three, or four years. These persons were called “redemptioners,” or indented servants. Their treatment was usually good, and at the

end of their term of service they received clothing and provisions, with a farm of fifty acres. Of a less desirable character were the convicted criminals, many of whom were sent out to the colonies by the English government. Here they were sold to a master and compelled to work for a term of years, generally seven or fourteen. Some of these were merely political offenders; others were real criminals, against whose coming the colonies entered frequent but vain protests.

The people seem to have been of a shrewd and thoughtful character, though few were well educated and there were as yet no newspapers in the province. In disposition they were inclined to be mild rather than hard or cruel. Few crimes of a serious nature are recorded. The laws of England at this time were very severe; for instance, if a mother stole food for her starving children, and its value exceeded a shilling, she incurred the penalty of death. The pillory and stocks were in constant use. These savage English laws were generally in force, but the sentences under them were rarely executed. Our milder people usually modified the more severe ones. It was regarded as a serious crime for a servant to run away from his master, or to "steal himself," the penalty being death or an extra period of servitude. We read of a Susan Frizell, who ran away from her master and mistress and so got herself sentenced to an extra term of service; yet when she complained bitterly of her hard treatment, the judges pitied her and declared that she should be set free. In justice, however, her master must be paid five hundred pounds of tobacco. Several kind gentlemen who were present then subscribed six hundred pounds of tobacco to prevent poor Susan from serving another master for this amount, so that she found herself "a free woman, with one hundred pounds of tobacco, so to speak, in her pocket."



A Pillory

From a drawing by Homer Colby  
based on contemporary sources

The people of Maryland were noted also for their boundless hospitality. Guests were always gladly received and royally entertained. Travel was difficult, for the roads were wretchedly poor and there were few carriages, travelers being compelled to proceed on horseback over mere paths.

**R**UN away from the Subscriber, at *Upper Marlborough*, in *Prince George's County, Maryland*, on Sunday the 14th of this Instant *July*, an *English* Servant-Man named *John Gee*, lately imported by *Mr. John Lawrence* from *Liverpool*; he has been bred to Husbandry, is about 35 Years old, middle siz'd, and well set: He had on an *Old* nabs Shirt, black Everlasting Breeches, a *German* Serge Waistcoat with yellow capp'd Buttons and no Sleeves, an old Coat, a Pair of ribb'd Hole, and a new Felt Hat. He carry'd with him two spare Shirts, the one fine, the other coarse; and is supposed to be gone in Company with a Servant belonging to *Mrs. Catherine Plesley*.

Whoever brings the said Servant to the Subscriber, shall have Twenty Shillings Reward, besides what the Law allows.

JOHN HEPBURN.

Advertisement for a Runaway Servant  
From *The Maryland Gazette* of July 19, 1745

#### TOPICS AND QUESTIONS

#### 33. The Maryland Constitution.

The government of Maryland to 1658 characterized by change and experiment; cause of these characteristics.

The government permanently organized in 1658.

State the duties of the proprietary, the powers and duties of the governor, and those of the secretary.

Describe the organization of the Assembly; the judicial system.

#### 34. The Administration of Governor Fendall, and His Rebellion.

Josias Fendall succeeds Stone as governor.

Difficulty with the Quakers, and its cause.

Fendall's rebellion.

Philip Calvert appointed governor; end of the rebellion.

- 35. Charles Calvert Appointed Governor; Death of Cecilius, and Character of His Successor.**  
 Overproduction of tobacco; the proprietary fails in his effort to relieve the situation by circulating coin.  
 Death of Cecilius Calvert; his high character.  
 Character of Charles Calvert, second proprietary.
- 36. Loss of Territory.**  
 The Swedes and Dutch in Maryland.  
 The Dutch colonies seized by the Duke of York.  
 William Penn and his schemes.  
 He succeeds in depriving Maryland of much valuable territory.
- 37. Affairs in England.**  
 James II is deposed, and succeeded by William and Mary.
- 38. The Difficult Position of the Second Proprietary; Fear and Hatred of the Catholics.**  
 What made Lord Baltimore's position difficult?  
 Absurd charges against the Catholics believed by the people.  
 His religion the most serious difficulty of Lord Baltimore.
- 39. Other Causes of Discontent.**  
 Members of the Calvert family hold the chief offices.  
 Controversies between the two Houses of Assembly.
- 40. Murder of the King's Collectors.**  
 Ill feeling between the collectors and Maryland government.  
 The murder of Collector Rousby.  
 Effects of the murder of the king's collectors.
- 41. The Protestant Revolution (1689), by which Maryland Became a Royal Province.**  
 Why were not William and Mary proclaimed?  
 Formation of the Protestant Association.  
 Who was president of the Association, and what was his character?  
 With what success did the rebellion meet?  
 Mention the probable causes of the Protestant Revolution.  
 What was the effect of the revolution on the position of Lord Baltimore?
- 42. The Royal Government; Religious Intolerance and the Established Church.**  
 The Protestant Episcopal Church established, and everybody taxed for its support. Persecution of the Catholics.
- 43. Removal of the Capital to Annapolis; King William's School.**  
 Francis Nicholson appointed governor.  
 He removes the capital to Annapolis and founds there King William's School.  
 The fate of St. Mary's.

**44. The Province Restored to the Calverts.**

How was Maryland restored to the Calverts?

Death of Charles Calvert and succession of Benedict Leonard.

Succession of Charles, fifth baron and fourth proprietary.

**45. State of Society ; Manners, Customs, and Character of the People.**

Show how the physical geography of Maryland affected the life of the people.

What was the chief occupation of the people?

How did the planters sell their tobacco and obtain their supplies?

Describe the houses of this period.

Tell what you can about the food of the people.

Describe the money in use.

Tell about the different kinds of servants held.

Generally speaking, what was the character of the Maryland people at the end of the seventeenth century?

**QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH**

1. How many of the functions of government were united in the governor's council? Show how the powers of the proprietary were dangerously large. Name the particulars in which you think the form of government in Maryland in 1658 was good, and those in which it was bad, and give reasons for your opinion.
2. What fact is shown by the prompt collapse of Fendall's rebellion?
3. Find the meaning of "nepotism." Is it a fault? Was Charles Calvert's policy in this respect right? Was it wise? Are Quakers excused from taking oaths at the present time? What did the contests between the Houses of Assembly show about the spirit of the people?
4. Explain as fully as you can the causes of the Protestant Revolution. What just cases of complaint were there against the proprietary government? What charges were groundless?  
Compare the condition of the people under the royal government with their condition under the proprietary; was the change to their advantage?

**REFERENCES**

Browne's *Maryland*, pp. 90-202. Browne's *Calverts*, pp. 160-175. Fiske's *Old Virginia and Her Neighbors*, Vol. II., pp. 139-169. Sparks' *Causes of the Maryland Revolution of 1689* (Johns Hopkins University Studies in History and Politics, Fourteenth Series, xi-xii). Mereness' *Maryland as a Proprietary Province* — see index for topics desired.



## CHAPTER V

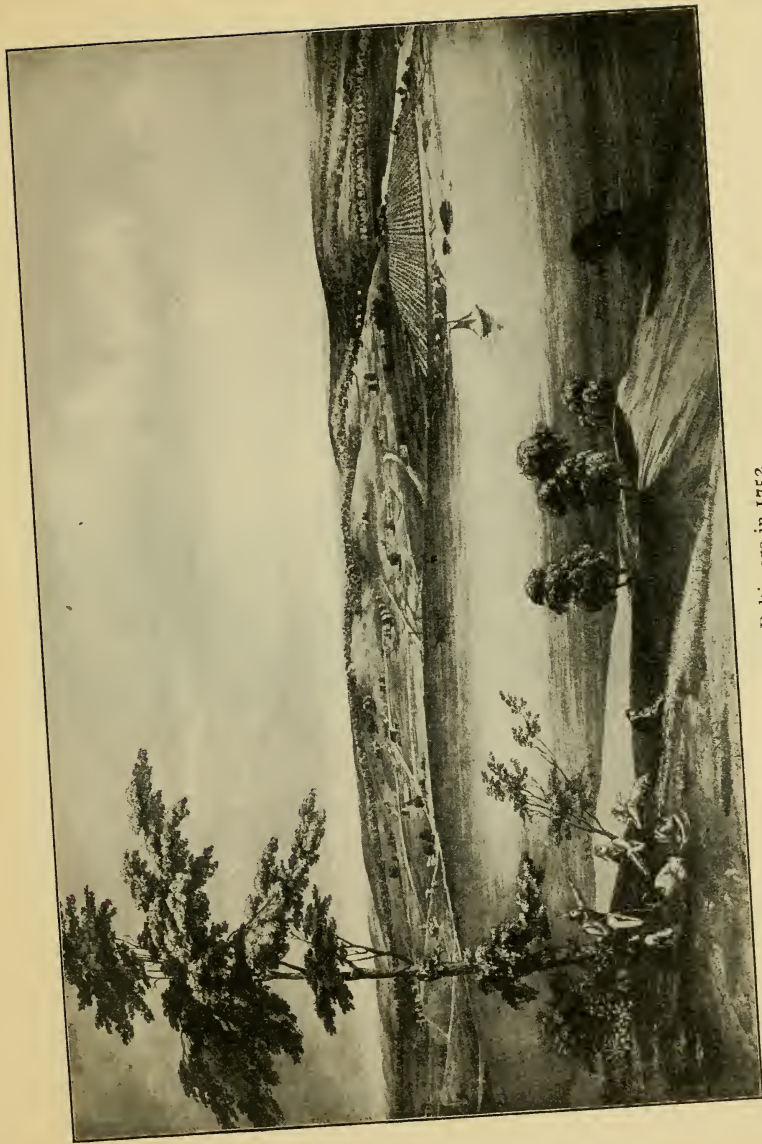
### THE PROVINCE BECOMES AN INDEPENDENT STATE

**46. Effects of the Royal Government.** — The royal government had now come to an end, and the control was again in the hands of Calvert, but you are not to suppose that the proprietary government after its restoration was like the rule of Cecilus or Charles. In name it was identical, and constitutionally it was the same, but conditions had changed vastly, and in reality the character of the proprietary government had changed with them. Religious toleration was not restored, and the people were still taxed for the support of the Episcopal church. The new proprietary was a Protestant, dependent upon the favor of a Protestant king, and there was thus no great religious barrier between him and the majority of his people. The colonists were no longer divided into classes, friendly and unfriendly to the proprietary, and the change was in many respects merely a change in name. The revolution of 1689 had given a new character to Maryland history, and it was a change that had come to stay for the life of the province.

One of the last acts of the royal government was also one of the best. The laws of the province, many of which had been enacted for limited times, while alterations and amendments had frequently taken place, had fallen into great confusion. By the Assembly of 1715 a complete revision was made, and a copy of the body of laws thus made sent to each county. So well was this work done that it laid the foundations of legislation that has lasted almost to the present day.

**47. Demanding the Privileges of Englishmen ; the Founding of Baltimore ; Coming of the Germans.** — The rule of the fourth proprietary was, on the whole, mild and just. The royal governor, Hart, was continued in office for a time. He was succeeded in turn by Charles Calvert, probably a relative of the proprietary, and Benedict Leonard Calvert, brother of the proprietary. The latter was succeeded, on his resignation in 1731, by Samuel Ogle. Lord Baltimore was present and governed personally from December, 1732, to June, 1733. The period was one of peace and prosperity, but was marked by struggles between the two Houses of Assembly, the Lower House jealously guarding the rights and liberties of the people. Highly significant was the determined stand made by the people and their representatives in Maryland for all the rights and privileges of the people of England, in particular their contention that Maryland was entitled to the benefit of the common and statute law of England. This was undoubtedly one of the far-off beginnings of the American Revolution.

The most important event of this period was the founding of the city of Baltimore. The slow growth of towns in the early times has already been mentioned. The Assembly found it useless to lay off towns and invest them with privileges ; people would not buy the lots and build houses, and so there were no towns. For ninety years the only real towns of the province were St. Mary's and Annapolis. Joppa, on the Gunpowder river, flourished for fifty years, and then dwindled away to "a solitary house and a grass-grown graveyard." Baltimore's success was Joppa's ruin. Three towns named Baltimore are mentioned before the founding of Baltimore on the Patapsco. There was a Baltimore on the Bush river, Baltimore county, in 1683 ; another in Dorchester county, in 1693 ; and a third in St. Mary's county.



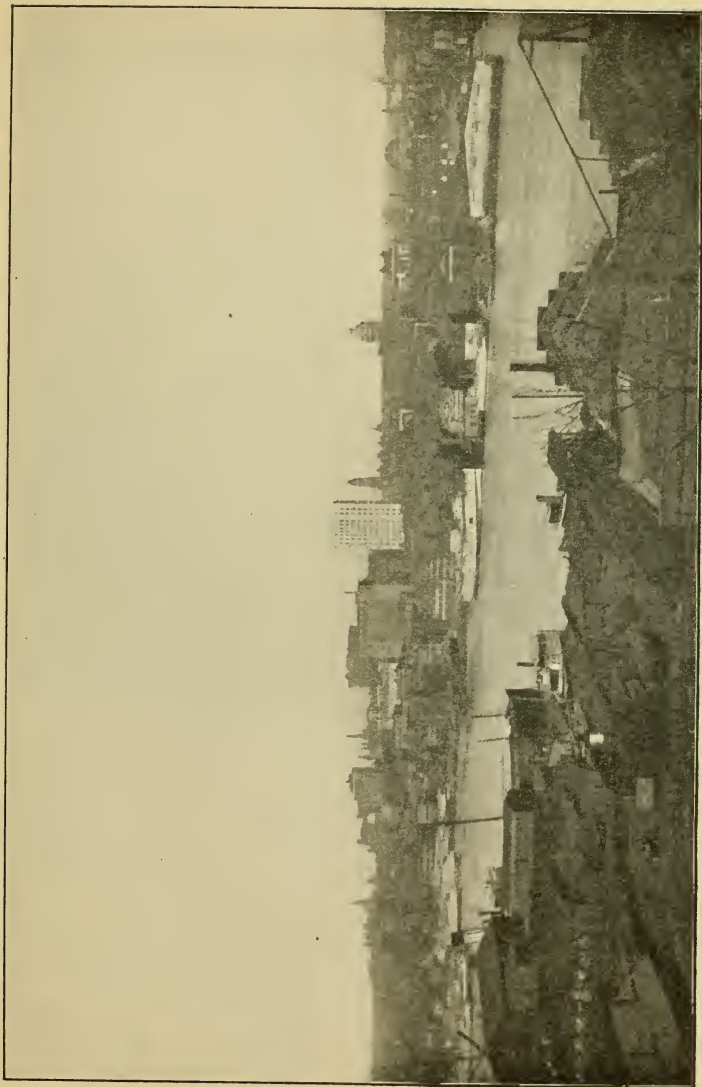
Baltimore in 1752  
From a print in possession of the Maryland Historical Society

The planters about the Patapsco being in need of a port, the Assembly passed an act in 1729 for the purchase of the necessary land, which was bought of Daniel and Charles Carroll. Settlers immediately took up the land bordering on the water. The city is possessed of an excellent harbor, and although its growth for several years was very slow, it has now come to be a leading seaport and one of the largest cities in the Union.



View of Hagerstown  
From a photograph

Important in the upbuilding of Baltimore were the Germans, who settled in Maryland in the first half of the eighteenth century. The majority of the Germans "drifted down" from Pennsylvania, but many came directly from Germany. In 1732 Lord Baltimore offered very liberal terms to settlers in western Maryland, and many Germans, with some others, took advantage of the offer. In 1735 about one hundred families came over from Germany, under the leadership of Thomas Schley, progenitor of the prominent Maryland and Georgia families of that name. The Germans continued to come, both from Germany and Penn-



Baltimore as it Appeared before the Fire of 1904  
From a photograph

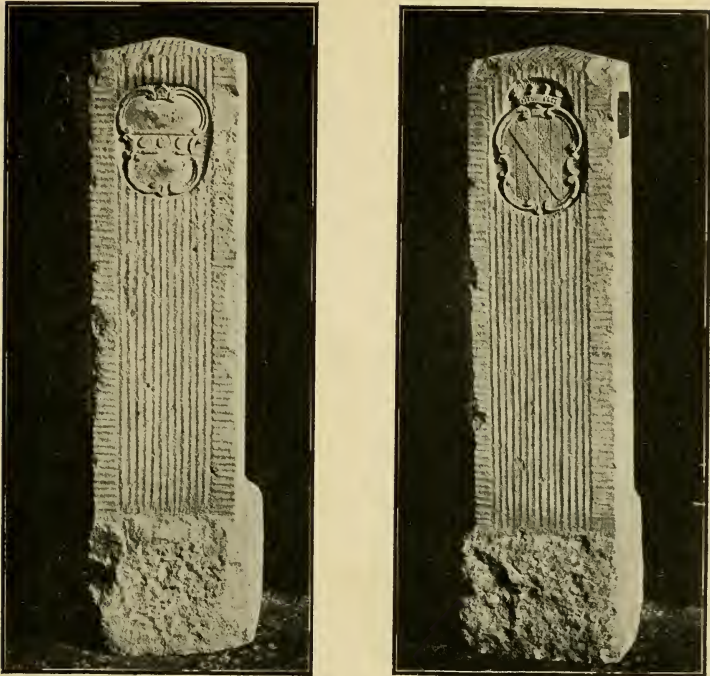
sylvania, many settling in Baltimore city and county, but more in the western counties. In 1745 the Germans founded Frederick, named either for Frederick Calvert or for the heir-apparent to the English throne. In 1762 Hagerstown was laid out by Jonathan Hager, the town being called Elizabeth at first, in honor of Hager's wife. These Germans were thrifty and industrious people; their mechanics were skillful, as a rule, and their merchants or traders enterprising and successful. The first care of the Germans when they settled a new community was a schoolhouse, and their next, a church. They have contributed a very valuable element to the population of Maryland.

Scotch-Irish immigrants also contributed to the population of western Maryland.

**48. Mason and Dixon's Line; Further Loss of Territory.**— How Maryland lost much valuable territory through the schemes of William Penn has already been related (see Sec. 36). The wicked decision by which, in 1685, Penn gained part of the Eastern Shore of Maryland (Delaware), settled the eastern boundary, but the northern boundary was not at that time established. There was no conflict between the charters, as both named the fortieth parallel as the boundary; but Penn would never agree to running a line as the charters had fixed it. Penn died in 1718, but his sons succeeded to his designs, and "by some unexplained means obtained from Charles, Lord Baltimore, in 1732, a written agreement by which he yielded all that they demanded, and presented them with two and a half millions of acres of territory to which they had not even the shadow of a claim."<sup>1</sup>

Before long, however, Lord Baltimore seems to have discovered his costly mistake, and to have made some effort to save himself. The unsettled state of affairs naturally led to a border warfare between the settlers in the disputed territory. In the course of these affrays men were roughly treated and impris-

<sup>1</sup> William Hand Browne's *Maryland: The History of a Palatinate*, p. 212.



Five Mile Stone, Mason and Dixon's Line

From photographs of the original in possession of the Maryland Historical Society

oned, houses were burned, and some lives were lost. One bold Marylander who took a leading part in the contests was Thomas Cresap. The Pennsylvanians hated him accordingly, and a party of them burned his house and carried him off to jail in Philadelphia, where he taunted them by exclaiming, "Why, this is the finest city in the province of Maryland!" The dispute after a while became so dangerous that it was necessary for the king to issue an order for the parties to keep the peace until a decision was reached in the English courts.

A settlement was not reached until 1760, when Charles Calvert was compelled to carry out the agreement of 1732. On the east the line ran from a point midway between Cape Henlopen and Chesapeake bay until it touched a circle of twelve miles' radius drawn from New Castle as a centre, then north to a point fifteen miles south of Philadelphia, and from thence due west. Even then, the Penns managed to run the line from "False Cape," twenty-three miles south of the true Cape Henlopen. The boundary line between Maryland and Pennsylvania was finally established in 1763-1767 by Charles Mason and Jeremiah Dixon, two noted English mathematicians. Milestones were set up as the surveyors proceeded, and on every fifth stone were placed the arms of Lord Baltimore and those of the Penns, on the proper sides. This line was then called Mason and Dixon's Line, and became celebrated as the boundary line between the Northern and Southern sections of the United States, — before the Civil War the dividing line between the free and the slave states.

It will be remembered that according to the charter of Maryland the boundary line ran along the south bank of the Potomac river to its source, and thence northward to the fortieth parallel. In the early days it was not certain whether the source was at the head of the north or of the south branch, and after the south branch was proved to be the true source the question of the control of the territory remained in dispute. Virginia claimed as far as the northern branch, and finally, in 1852, the Maryland Assembly, for some reason, gave up Maryland's claims, thus sacrificing about half a million acres of fertile land on the south and west, to which the state was undoubtedly entitled.

**49. Frederick Calvert becomes Fifth Proprietary.** — In 1751 Charles Calvert, fifth Lord Baltimore and fourth proprietary of Maryland, died, and was succeeded by his son Frederick, the



sixth and last of the Barons of Baltimore. Frederick was a man of exceedingly bad character. He was selfish and guilty of some of the worst vices, and seemed to care nothing for his province except to get all the money out of it that he possibly could for the enjoyment of his selfish and immoral pleasures. He never visited Maryland.

**50. Wars with the French ; the English Gain Control of North America.** — The English were not in undisturbed possession of North America. The colonies of the English extended in a long line down the Atlantic coast, but the vast region along the St. Lawrence river, the Great Lakes, and the Mississippi river had been to some extent explored and settled by the French. This territory the French took vigorous measures to retain. But the English laid claim to the whole of the continent, by virtue of the explorations of Cabot, who sailed along the Atlantic coast in 1497, and again in 1498. The natural result of the jealousy thus aroused was a great struggle between the English and the French, to determine which should be the masters of this continent. The first of the four wars that followed was King William's War, which broke out when William became king of England, and took his name. Then followed in succession Queen Anne's War and King George's War, named from the reigning sovereigns of England. In these struggles Maryland was not much involved, beyond requests for money to help to carry on the war in other parts of the continent. But we now come to the final struggle for the possession of the great prize, which lasted from 1754 to 1763.<sup>1</sup>

King George's War ended in 1748, but the peace was recognized as a mere truce, preceding the decisive conflict. The French erected forts and prepared themselves energetically. The English, especially in Maryland and Virginia, cast longing

<sup>1</sup> War was not formally declared until 1756, after two years of fighting.

eyes across the Alleghany mountains, and presently the Ohio Company was formed for the purpose of colonizing the country along the Ohio river. At the point where the Allegheny and Monongahela unite to form the Ohio, called the Gateway of the West, the English began the construction of a fort, but a stronger party of French drove them off and erected a fort for themselves, which they called Fort Duquesne. On the way to strengthen the English at this very time was a party of Virginia

troops under George Washington, then only twenty-one years of age, but destined, in coming years, to play the most important part in American history.

When matters began to grow serious, a force was sent over from England under General Braddock, an able and experienced officer. Both the English and the French made use

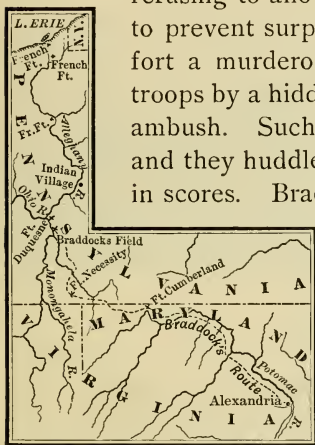


Fort Duquesne

From a drawing by Charles Copeland, based on a photograph and contemporary sources

of Indian allies, particularly the French. The war, indeed, is known as the French and Indian War. The Indians did not fight in open field like Europeans, but delighted to surprise an enemy from ambush and shoot down men while they themselves were concealed by trees and rocks. But the most terrible feature of Indian wars was the murder of families taking no direct part in the contest. Men, women, and children were not only murdered, but tortured with the most horrible cruelty. Now Braddock, in spite of his skill, knew nothing of Indian methods of fighting, and

thought that while the savages beat the colonial troops, they could be no match for his own disciplined soldiers. He accordingly marched through western Maryland, directly on Fort Duquesne, rejecting with scorn the advice of Washington and others, and refusing to allow rangers and scouts to go in advance to prevent surprise. When a short distance from the fort a murderous fire was suddenly poured into his troops by a hidden foe — he had fallen into an Indian ambush. Such warfare was new to the king's troops, and they huddled together like sheep, to be shot down in scores. Braddock was mortally wounded, and the



remnant of the army was brought off through the skill of Washington.

The frontier was now left exposed, and the savages swept down upon scattered homes, burning houses, murdering the inhabitants, and torturing and mangling horribly, without regard to age or sex. The panic extended even to the Chesapeake bay. Horatio Sharpe, an able and energetic man, had been governor of Maryland since 1753. When the news of Braddock's defeat reached Annapolis, Sharpe hurried at once to Fort Cumberland (on the present site of Cumberland city), where he found all in confusion and alarm. The governor did his best to encourage the frightened people; he caused a line of stockades, or small forts, to be built, and later a strong stone fort called Fort Frederick, near the site of the present town of Hancock. Fort Cumberland was too far west to afford much protection. Order was gradually restored, while the war was fought out in the north, but Indian outrages were long continued west of the Blue Ridge. The great strongholds of

the French were captured, and the war ended in complete victory for the English. Peace was concluded in 1763 by the treaty of Paris, and France gave up to England all territory east of the Mississippi river.



Old Fort Frederick

From a photograph

**51. Governor Sharpe and the Assemblies.** — During the French and Indian War there were many sharp disputes between the governor and the Lower House of Assembly. The Lower House resisted the demands of the king and insisted that the proprietary should pay a share of the expenses for the defense of the province by paying taxes on his estates. This was of course resisted by the governor, who was bound to protect the interests of the proprietary, but after a severe struggle he was obliged to yield. This shows the independent spirit of the people, though it must be acknowledged that the delegates seemed to grudge the expenditure of money in any cause, and so stubborn a stand as they took for this principle can scarcely be justified when we remember that it was at the cost of the lives of the people. At one time, indeed, the angry settlers of Frederick county threatened to march on Annapolis and compel the Assembly to vote supplies. While we honor their defense

of the rights of the people, therefore, we cannot but regret that they should have displayed such meanness and obstinacy.

**52. England's Oppressions, and Growth of the Spirit of Freedom.** — At this time the king of England was George III, a man of singular narrowness and obstinacy. Hard laws had long been in force, by which the commerce of the American colonies was seriously interfered with and manufactures repressed. In a word, the colonies were governed with no regard for their own welfare, but only with a view to the advantage of the mother country. But the colonists were always a sturdy and liberty-loving people, willing to give up none of their rights as Englishmen, and the result of the various oppressions of the mother country had been the growth of a strong sentiment for freedom and a determination firmly to maintain their rights.

When the French wars were over, the king and Parliament declared that the resulting advantages went to the Americans, and that they ought to pay a share of the enormous expenses that had been incurred. The colonies had paid a share, for during the progress of the wars they had furnished men, money, and supplies, and had suffered heavy losses of life and property. Yet it was not this so much that the Americans urged, as the fact that the manner of raising the money was illegal and oppressive. It was claimed that when Parliament imposed taxes on the American colonies, it violated a right of Englishmen that had been acknowledged for centuries: *that they could be taxed only by their own representatives*. This principle had prevailed in the colonies from the earliest times, where taxes were imposed by the Assemblies, composed of the representatives of the people; the colonies had no representatives in Parliament. The position of Maryland was particularly strong, since her charter expressly exempted her from taxation by the English king, which was construed to mean the English government.

**53. The Stamp Act; Maryland Asserts Her Rights.** — But the English government was determined to raise a tax in America, and accordingly, in March, 1765, Parliament passed the famous Stamp Act. This required that stamps, issued by the British government, should be bought and placed on all legal and business documents and newspapers. Everywhere throughout the colonies the highest excitement and indignation prevailed, and it was determined never to use the stamps. When Hood, the stamp distributor for Maryland, arrived, considerably more attention was bestowed upon him than he found agreeable. In several places his effigy was whipped, hanged, and burned; his house in Annapolis was torn down, and he himself obliged to flee from the province. When the British ship *Hawke* arrived, bearing the stamps, the governor did not dare to have them landed.



A British Stamp

From an original stamp

When the Assembly met, resolutions were drawn up and unanimously passed, in which the rights of the people of Maryland were emphatically asserted. It was declared that the first settlers of Maryland had brought with them from England and transmitted to their children all the rights and privileges possessed by the people of Great Britain, and it was, moreover, pointed out that these rights were expressly preserved to them in their charter, together with exemption from taxation by the king. They further declared that the right to impose taxes upon the people of Maryland rested with the Assembly, and that any tax imposed by any other authority was a violation of their rights.

When the time came for the Stamp Act to go into operation, the court of Frederick county boldly declared that its business

should be carried on without stamps,<sup>1</sup> and other courts soon followed the example. Throughout the colonies the same fierce resentment was shown against the Stamp Act. Associations called the Sons of Liberty were formed, and the people generally refused to use the stamps. Under these circumstances Parliament wisely repealed the Stamp Act, and for the moment the colonists went wild with joy.

**54. Parliament again Taxes America.**—The joy was short-lived. The very next year a bill was passed by Parliament laying a tax on tea, glass, paper, and other articles when brought into American ports. Custom-house officers were empowered to enter private houses at their pleasure in search of smuggled goods. This act aroused a fiercer opposition, if possible, than had the Stamp Act. Associations were formed whose members bound themselves not to import the taxed goods. The associators were careful to allow no forbidden goods to land, and in at least one case sent an English vessel away from Annapolis with all her cargo.

The Assembly of Massachusetts sent a circular letter to the Assemblies of the other colonies, inviting them to take measures for resisting England's violation of their liberties. Governor Sharpe asked the Maryland Assembly to treat the letter "with the contempt that it deserves." The delegates replied sharply, declaring that they would not be frightened by a few "sounding expressions" from doing what was right. They further told the governor that it was not their present business to tell him what they intended to do, and added, "Whenever we apprehend the rights of the people to be affected, we shall not fail boldly to assert, and steadily to endeavor to maintain them." The Assembly then prepared a bold and manly, but respectful

<sup>1</sup> In commemoration of this event November 23 is now celebrated (as a bank half holiday) in Frederick county as "Repudiation Day."

address to the king, and returned a favorable answer to the letter of the Massachusetts Assembly.

**55. Governor Eden; Death of Frederick Calvert.** — Governor Sharpe was succeeded in June, 1769, by Sir Robert Eden, the last proprietary governor of Maryland. The new governor, who was a brother-in-law of the proprietary, was a man of worthy character and pleasing manners, and he succeeded in winning the respect and to some extent the affection of the people of Maryland. But the spirit of the people was thoroughly aroused, and the governor was too prudent to offer much resistance.

Frederick Calvert, the last Lord Baltimore, died in 1771. By the will of his father the province fell to his sister, Louisa Browning; but Frederick left a will himself, by which he made an illegitimate son, Henry Harford, proprietary of Maryland. The latter is usually recognized as the sixth proprietary, but there was a suit in the English Court of Chancery, and before a decision was reached, Maryland had become an independent state.

**56. The Debate between Charles Carroll of Carrollton and Daniel Dulany.** — The new governor was scarcely seated before he met with opposition. There was a heated dispute between the Houses of Assembly in 1770, as a result of which the session ended without the renewal of the acts fixing the fees of officers of the government and imposing the tax for the support of the Episcopal church, these acts having expired in that year. The governor thereupon revived the old acts by proclamation, which the people regarded as an invasion of their rights, and resisted accordingly.

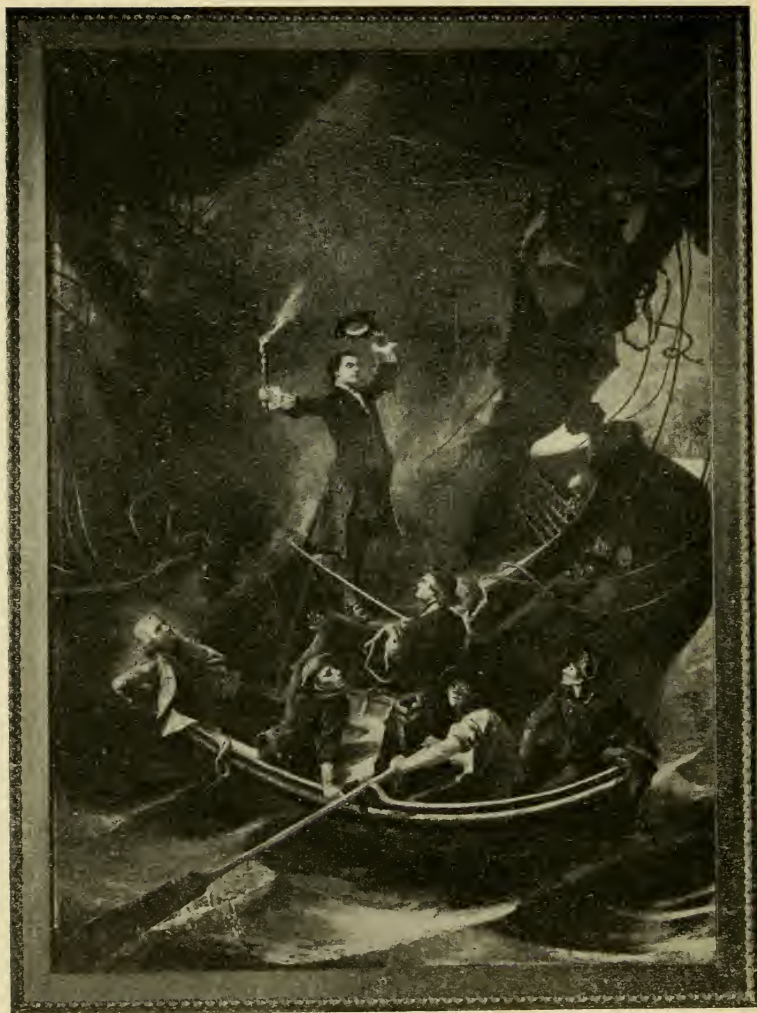
A prolonged debate took place through the columns of the *Maryland Gazette*, published at Annapolis. An article was written by Daniel Dulany, the secretary of the province and



a lawyer of great ability. The article was written in the form of a dialogue between two citizens; the First Citizen argued against the action of the governor, while the Second Citizen defended it, and was made to win the argument. But a champion of the people now appeared in the person of Charles Carroll of Carrollton, who proved a powerful antagonist. He was descended from Catholic gentlemen who, in spite of their religion, had long held offices under the proprietary. He had been educated in Paris and had studied law for seven years in England. Mr. Carroll published a series of articles as the First Citizen, whose arguments had not been properly stated in the first article, and in the popular opinion he won a complete victory.

**57. The Burning of the *Peggy Stewart*, October 19, 1774.** — In 1770 Parliament took off the tax from all the articles except tea, which was left in order to assert its right to impose a tax. But the Americans were contending for a principle, too, and although it was ingeniously arranged that the tea on which a duty had been paid should cost less than smuggled tea, yet the people stood firm. When tea was sent to Boston, the people, after other means had failed, sent on board a party disguised as Indians, who threw the cargo into the sea.

On the 14th of October, 1774, the *Peggy Stewart* arrived at Annapolis with about two thousand pounds of tea. The owner of the vessel, Anthony Stewart, paid the duty on the tea in order to land the rest of the cargo. Stewart was a member of the non-importation society, and his act aroused the most violent indignation. On the 19th of October a large meeting was held at Annapolis to decide what should be done in the case. Stewart was thoroughly frightened, and signed an abject apology, further agreeing to land and burn the tea. This satisfied the majority, but to many persons it did not seem suf-



Burning of the *Peggy Stewart*

From a painting by Frank B. Mayer, in the State House at Annapolis

ficient punishment, and the latter threatened that the vessel would be burned also. This minority assumed so threatening an attitude that Stewart, on the advice of Charles Carroll, ran the vessel aground, and with his own hands set her on fire. The crowd looked on while she burned to the water's edge. All this was done openly and publicly in broad daylight, by men who were not ashamed of what they did, and who had no fear of the consequences. The leader of the minority party that forced this extreme measure was Dr. Charles Alexander Warfield, of upper Anne Arundel, now Howard county.

**58. The Convention and the Council of Safety.** — The proprietary government gradually lost power, and ceased to rule except in name, as the people assumed control of their own affairs. A temporary government was formed. The supreme authority was in the hands of a Convention, composed of delegates from all the counties; the executive power was vested in a Council of Safety; and county affairs were controlled by Committees of Observation. In July, 1775, the Convention formally assumed the control of affairs. A declaration was drawn up in which the wrongs committed by the British government were recited, and it was declared that the choice now lay between "base submission or manly opposition to uncontrollable tyranny," and that the framers were "firmly persuaded that it is necessary and justifiable to repel force by force."



Charles Alexander Warfield  
From a print in possession of the  
Maryland Historical Society

The authority of the Convention was supreme, yet its exercise was always characterized by moderation and a respect for the forms of law. Its management of affairs was just and admirable, and we have a right to be proud of the dignified self-control which the people showed at this trying time, even in the very act of resorting to forceful extremes in the defense of their rights.

**59. War with England Begins ; Ideas of Independence.** — In June, 1776, Governor Eden was required to leave the province, and even the semblance of the proprietary government was at an end.

When it became necessary for the colonies to act in concert for the defense of their liberties, delegates were sent to represent all the colonies in a Congress which met at Philadelphia. Addresses were sent to the king, only to be treated with scorn. Soldiers were sent over to keep the Americans in awe, and hostilities soon broke out. The British general sent a body of troops to seize some military stores that had been collected at Concord, Massachusetts, and there occurred as a result the skirmish known as the battle of Lexington,—the first battle of the Revolutionary War. The battle of Bunker Hill soon followed.

Up to this time few persons entertained the idea of a *separation* from England. They were determined to fight, if necessary, for their rights, and to win them ; but for “old England” they still felt a warm affection, as the land of those very liberties for which they were contending. But as time went on, men came to see very plainly that there was no hope of coming to any understanding with George III, and that if the colonies were not willing to submit to tyranny, there was no hope for them but in independence. When this became apparent, there was no longer any hesitation. It was moved in the Congress that “these United Colonies are, and of right ought to be, free and independent states,” and on July 4, 1776, Congress adopted the immortal



Declaration of Independence. A new nation was born into the sisterhood of the world, destined to become the greatest of them all.

**60. Maryland Becomes a Sovereign State.** — After the whole people of Maryland had expressed their desire for independence, the delegates from Maryland in the Congress were instructed to unite in the Declaration of Independence which the other colonies were now ready to make in Congress assembled. The signers for Maryland were Samuel Chase, William Paca, Thomas Stone, and Charles Carroll of Carrollton. But Maryland desired to speak independently for herself, and on the 6th of July declared her own independence through the Convention. In their Declaration the people pointed out the many oppressive acts of Great Britain; they declared that a war had been unjustly commenced, and then prosecuted with cruelty and outrageous violence, and that the king had even hired foreign soldiers to fight them, while rejecting their humble and dutiful petitions with scorn. They further declared: "Compelled by dire necessity, either to surrender our properties, liberties, and lives into the hands of a British king and Parliament, or to use such means as will most probably secure to us and our posterity those invaluable blessings, —

"We, the Delegates of Maryland, in Convention assembled, do declare that the King of Great Britain has violated his compact with this people, and they owe no allegiance to him."

Thus by the united action of the colonies, and by the voice of her own citizens in convention assembled, did Maryland cast off her allegiance to Great Britain. The province became a thing of the past — Maryland a free and sovereign state.

**61. Formation of the State Government.** — The proprietary government having been abolished, it was of course necessary to form another in its place. A convention for this purpose



Charles Carroll of Carrollton



Samuel Chase



William Paca



Thomas Stone

Maryland Signers of the Declaration of Independence  
From paintings in the State House at Annapolis

met in August, 1776. A Bill of Rights and a Constitution were prepared: the former set forth in a general way the rights of the people, such as freedom of worship, the right to make their own laws, and to alter the form of their own government; the latter replaced the charter, fixing the form of government. There



The State House, Annapolis

From a photograph, showing recent improvements

were three departments of the government: the legislative, or law-making; the executive, or law-enforcing; and the judicial, which explains the laws and by applying them directly to men's actions dispenses justice. The legislative power was vested in a General Assembly, composed of two branches, the Senate and the House of Delegates. The chief executive power was vested



in a governor. The judicial power was vested in the judges of the various courts. The delegates were elected by the people, while the senators were elected by a college of electors who were chosen by the people, nine senators to be chosen from the Western Shore and six from the Eastern. The governor was elected annually by the legislature, and had no veto power; he had an executive council to assist him, and he could not serve for more than three years at a time. The judges were appointed by the governor with the advice of the Senate. A man must be worth a certain amount in order to vote, in order to be a delegate he must be worth more, in order to be a senator he must be worth still more, while to be governor he must be yet richer. These restrictions have long since been removed. Under this Constitution Thomas Johnson was elected first governor of Maryland. He was proclaimed as such at Annapolis on March 21, 1777, amid the rejoicings of the people.



Thomas Johnson

From a painting in the State House  
at Annapolis

#### TOPICS AND QUESTIONS

**46. Effects of the Royal Government.**

Permanence of the changes wrought by the royal government.  
Revision of the laws of the province.

**47. Demanding the Privileges of Englishmen; the Founding of Baltimore City; Coming of the Germans.**

The Lower House claims the privileges of Englishmen for the citizens of Maryland; significance of the claim.

Slow growth of towns in the early history of the province.

Founding of the city of Baltimore; its growth and present importance.

German settlers; towns founded by them; their character and importance.

48. **Mason and Dixon's Line ; Further Loss of Territory.**  
 The sons of William Penn dupe Lord Baltimore.  
 Border warfare; the adventure of Thomas Cresap.  
 The boundary line run by Mason and Dixon.  
 Mason and Dixon's Line the boundary between the North and the South.  
 Loss of territory on the south and west.
49. **Frederick Calvert Becomes Fifth Proprietary.**  
 Character of Frederick Calvert.
50. **Wars with the French ; the English Gain Control of North America.**  
 Conflicting claims of the English and French.  
 Four wars waged for the control of the continent.  
 Formation of the Ohio Company.  
 Fort Duquesne and the appearance of George Washington.  
 Braddock's march on Fort Duquesne and his defeat.  
 Results of Braddock's defeat; the erection of Fort Frederick.  
 The wars end in the complete triumph of England.
51. **Governor Sharpe and the Assemblies.**  
 The proprietary's estates taxed.  
 Attitude of the delegates; its merits and its faults.
52. **England's Oppressions, and Growth of the Spirit of Freedom.**  
 British restrictions on American commerce and manufactures.  
 Feeling of the mother country toward the colonies.  
 Character of the colonists.  
 Parliament attempts to tax the colonies without their consent.  
 What great privilege of Englishmen did this violate?  
 What gave the position of Maryland peculiar strength?
53. **The Stamp Act ; Maryland Asserts Her Rights.**  
 What was required by the Stamp Act?  
 How was it received by the colonies?  
 Describe the treatment of the stamp distributor in Maryland.  
 What resolutions were passed by the Maryland Assembly?  
 How did the courts of Maryland treat the Stamp Act?  
 Who were the Sons of Liberty?
54. **Parliament again Taxes America.**  
 A tax on tea, glass, paper, and other articles.  
 The Non-importation Association.  
 Reply of the Assembly to Governor Sharpe.  
 The Assembly's address to the king.
55. **Governor Eden ; Death of Frederick Calvert.**  
 Character of Robert Eden.

Death of Frederick, the last Lord Baltimore ; he wills the province of Maryland to Henry Harford.

56. **The Debate between Charles Carroll of Carrollton and Daniel Dulany.**  
 What laws expired in 1770?  
 How did the governor restore them?  
 Describe the article by Daniel Dulany.  
 Who replied to Dulany, and under what name did he write?  
 Whom did the people regard as victorious?
57. **The Burning of the *Peggy Stewart*, October 19, 1774.**  
 How tea was received in Boston.  
 The *Peggy Stewart* arrives at Annapolis, and her owner pays the duty on some tea which she carries.  
 Stewart's submission.  
 He is compelled to burn the *Peggy Stewart*.
58. **The Convention and the Council of Safety.**  
 The people assume control of their affairs.  
 How the government was administered.  
 The admirable conduct of the convention.
59. **War with England Begins ; Ideas of Independence.**  
 Departure of Governor Eden.  
 The colonies act through a Congress.  
 First battles of the war.  
 Development of the idea of independence.  
 Congress adopts the Declaration of Independence.
60. **Maryland Becomes a Sovereign State.**  
 The Maryland Declaration of Independence.
61. **Formation of the State Government.**  
 What was the purpose of the Bill of Rights? Of the Constitution?  
 Name and define the three departments of the government.  
 In whom was the chief power vested in each of these three departments?  
 What restriction was placed on the right to vote and hold office?  
 Who was the first governor of the state of Maryland? When and where was he proclaimed?

#### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. What is a code ? Point out the advantages of a code. What is the common law? The statute law? Explain the value of the English laws to the people of Maryland.
2. Explain, as fully as you can, the reason for the slow growth of towns in the early days of the colony. Point out some of the advantages of

- towns. Point out some of the harmful effects of towns. Could any of these be avoided, and if so, how?
3. What is the present population of Baltimore? How many other cities in the United States are larger? Name them in order of size. What is the present population of Maryland? Compare this with the population of Baltimore. Point out the advantages of Baltimore's position.
  4. Would it be possible for Maryland to regain her lost territory now? Would it be desirable?
  5. Write an essay on the Lords Baltimore, showing the character and influence of each on Maryland.
  6. Is war the best way of settling disputes about territory? How are such disputes usually settled nowadays?
  7. Was it right for the American people to resist by force the invasion of their liberties? What measures should always precede a resort to force? Judging from the events of this period, what was the character of the American people? Are there any respects in which it is not so admirable at the present day? Are there any in which it has improved?

#### REFERENCES

Browne's *Maryland*, pp. 203-286, 290, 292-294, 296. James' revision of McSherry's *History of Maryland*, pp. 84-161. Fiske's *Old Virginia and Her Neighbors*, Vol. II., pp. 169-173. Mereness' *Maryland as a Proprietary Province*—see index for topics desired. For a more complete account of the French wars and the struggle for the control of North America, see Elson's *History of the United States*, pp. 171-196. For a more complete account of the beginning of the Revolution, see Elson, pp. 220-242. Any other good history of the United States may be consulted for the last two points.

## CHAPTER VI

### MARYLAND LIFE IN COLONIAL TIMES

**62. Introduction.** — In the course of our narrative we have paused occasionally to notice the manner of living of the people whose history we are studying. Now that we have reached the great turning-point in that history, — the time when the hitherto subject province had become a free and independent state, — it will be well for us to pause again for a more careful and thorough inspection of the community now about to enter upon its new career. There were some characteristics common to all sections of the country, but in very many particulars the life and customs of the people of the South differed widely from those of the North. Even different parts of the two sections often differed in many respects. Maryland and her sister colony, Virginia, were very similar, but the commercial spirit was more widely diffused in Maryland, and activity and enterprise were greater; and, as we naturally expect from the character of Maryland's early institutions, there was less bigotry, religious and political, than in Virginia.

**63. Occupations.** — The population of Maryland had increased with wonderful rapidity, and at the time of the Revolution the province contained about two hundred and fifty thousand people.

Maryland was still almost wholly agricultural. Tobacco continued to be the chief crop, and at this time the province was exporting nearly fifty thousand hogsheads. It was still largely used as money, instead of coin or paper. Previous to the war, however, the planters learned that wheat might be grown in the

fertile soil of western and northern Maryland, and exported with profit. They acted upon this information, and by the time the war began Maryland was exporting six hundred thousand bushels of wheat, while the importance of tobacco rapidly declined. A good deal of corn was raised, most of which was used for private purposes on the plantations where it was grown.



“Hampton,” Baltimore County, Maryland

From a photograph

Cultivation of the land was generally of a very crude kind. Wooden forks and shovels were common, and the plow was usually of wood also, for plow-irons were imported from England and were very expensive. A much more important implement was the hoe, but not a light, thin blade of steel such as you now see in use; the hoe of this time was a large, heavy lump of dull iron (probably the rude work of the plantation blacksmith), with a thick, clumsy handle of wood. With these

the tobacco was carefully hoed by the slaves or white servants, the weeds growing close to the plant being taken out by hand, while the overseer, perhaps on horseback, watched to see the work well done. Usually, the master of the plantation rode daily over the estate to inspect and leave orders with his overseer.

While tobacco was the only product, and ships stopped at the private landing of the planter to lay in a cargo of that staple and



Hall, Hampton Residence

From a photograph

to give in return a supply of groceries and provisions, food and clothing, tools and implements, there were naturally few towns, with little commerce and no manufactures. There was no foreign trade carried on in the usual way by merchants, but the rich proprietors sometimes owned their own ships and styled themselves planters and merchants. There was often a store at the county seat, and very often the planter kept one for the

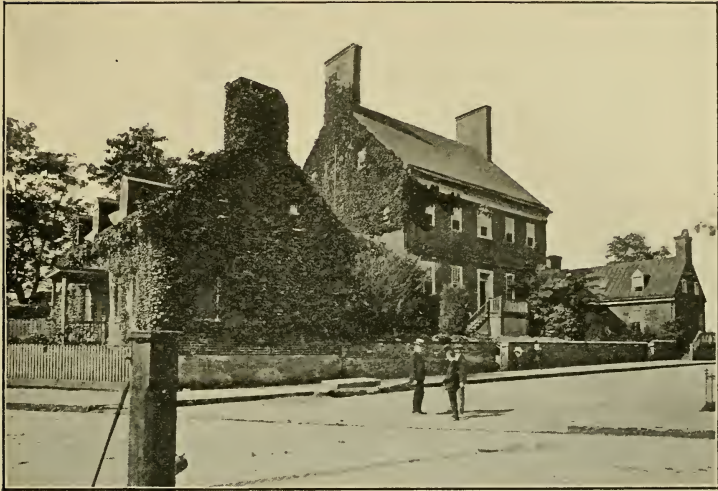
supply of his servants; and wandering peddlers were not uncommon. There were no manufactures save the rude work done privately on the plantations. But at the time of our chapter a change had already begun. Towns, which refused to grow even for an act of the legislature, began to grow freely as soon as a need for them naturally made itself felt. Annapolis improved; Baltimore, drawing trade from Pennsylvania as well as from Maryland, had acquired a large foreign trade in wheat and flour, and was now one of the largest cities of the colonies.

Copper mines had been opened some time before, while the more important industry of iron mining had become large and profitable, twenty-five thousand tons of pig iron being produced annually.

The legal system of Maryland was simple and good, and there grew up a very worthy body of lawyers—men of eminence, learning, and intelligence. Unfortunately, some of the clergymen of the Established Church were not men of so high character (see Sec. 42). The selfish proprietary appointed worthless or disreputable favorites to good livings, and these men, being supported by law and accountable only to the proprietary, could set at defiance both public opinion and the protests of the authorities in their own church. In this way they brought undeserved reproach on their worthier brethren and on the colony, which both were helpless to prevent. It was a natural result of substituting the narrow policy of intolerance for the freedom and toleration that prevailed under Cecilius Calvert.

**64. Homes: Houses and Plantations.**—In this agricultural community a plantation resembled a little village. The “great house” of the planter was sometimes a substantial structure of wood, but on the large estates, or “manors,” it was pretty sure to be of brick. As a rule the house was two stories high, with a hall running through. This hall was the living-room, and





The Brice Residence, Annapolis

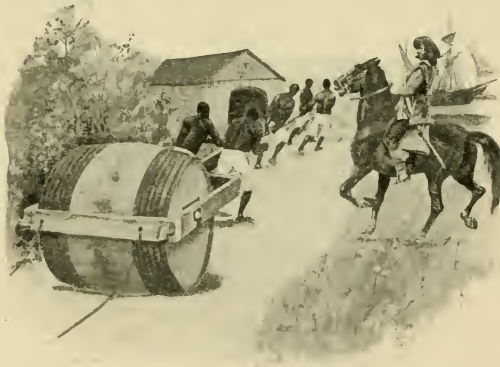
From a photograph

here the ladies sat to gossip and sew. The mistress was far from being idle, however. Upon her devolved the duty of directing the work of the women-servants in weaving linen and cotton fabrics, in knitting socks and stockings, and in making garments for the slaves. The large body of house-servants was supervised by her, and she was the friend and counselor of her dependents in time of trouble. Pewter dishes were in general use, but the wealthy planters were supplied with handsome silverware. In the early days, poor folks often used flat wooden bowls called trenchers, and wooden spoons, while forks were unknown, being first mentioned in Virginia in 1677. Glassware was sufficiently rare to be mentioned in wills, and china was not commonly used until after the Revolution. Most of the rooms opened into the hall, and the parlor was kept for use rather than

for ornament. You would find here no stoves or coal, and no lamps, except a few made of pewter, which burned whale oil. Heat was supplied from huge open fireplaces in which great logs crackled and blazed merrily on winter nights, while the room was lighted by candles, often made of myrtle-berry or bay-berry wax. The table was loaded with the food which the forest and the adjoining creek so abundantly furnished, while temperance societies were unheard of, and various wines and liquors were kept on hand and consumed in large quantities. A royal hospitality was dispensed, and every traveler was welcomed and entertained and at the same time vigorously questioned for the latest news.

The exterior of the house was likely to be bare and unadorned, but generally there was a beautifully kept lawn of several acres,

dotted with cedars, and approached by a graveled driveway and a road shaded by long double rows of locusts or beeches. A charming atmosphere of peacefulness and calm pervaded the whole. Numerous outbuildings formed the village-like settlement. There was a meat-house,



Negroes rolling Tobacco

\* From a drawing by Charles Copeland, based on a photograph and contemporary sources

a kitchen, a dairy, a granary, etc., and the "quarters" where the slaves lived; for large numbers of negroes had been imported

during the eighteenth century, and there were now nearly a hundred thousand in the province. The slaves were in nearly all cases well treated and usually were devoted to their homes, the house-servants in particular being noted for their "family pride." There was usually a windmill to grind the corn, which in earlier times had been pounded in mortars, as it was still on the smaller plantations.



Slave "Quarters," St. Mary's County

From a photograph

The houses of the townspeople were usually plain and modest, but some handsome residences were built in Annapolis. In the backwoods and newly settled regions the habitations were merely log huts.

**65. Society: Dress, Manners, and Amusements.**— Dress varied according to social position, and was to a great extent its mark. When we read of the costumes of the "best society," or at least those of the women, we are amazed that the wearers could ever have enjoyed their gay gatherings. The gentleman wore a coat of cloth or velvet of any color that he fancied, with

flaps extending nearly to the knees and bound with gold or silver lace. It had great cuffs, from beneath which protruded lace ruffles. He wore knee breeches of red plush, blue cloth, or black satin. He wore tight silk stockings, black, white, blue, or other color, and low shoes with silver buckles. His head was

covered by a wig of flowing hair, caught behind in a queue and powdered—sometimes so generously that the hat had to be carried under the arm. About the neck was a large white cravat with plenty of flowing lace, while from his side depended a sword.

The ladies dressed brilliantly and sometimes extravagantly. Dresses were made of silk, satin, or the heavy brocade; the body was held as in a vise by tightly laced stays (an old form of corset); the shoes were high-heeled. About the neck there might be a large gauze handkerchief, while a long train



Colonial Costumes

From a drawing by Homer Colby, based on contemporary sources

trailed behind the dress. On the head was built up a mountain of hair elaborately arranged with lace and satin. The women of Maryland were famous for their loveliness of person and charming manners and character, as we know from the testimony of all, from the poor servant to the courtly Mr. Eddis—the English custom house officer at Annapolis.

The dress of the poorer planters was a pale reflection of that of the richer, while the mechanics and laborers usually wore leather breeches and aprons, worsted stockings, and coarse shoes. Servants, if we may judge from advertisements for runaways, seem to have worn pretty much any sort of clothing they could lay hold of.

There were plenty of amusements, though not always of a kind approved nowadays. Fox-hunting was one of the most



The "Chase Home," Annapolis

From a photograph

popular outdoor pleasures, but horse-racing, gambling, and excessive indulgence in wine and liquors were very common and excited no remark. Some wealthy persons owned town houses in Annapolis, which was the centre of gayety and fashion.

Here, during the winter, gathered the aristocracy to enjoy a season of festivity and merry-making. Dancing was a necessary part of the education, and balls and parties were very frequent. There were clubs and theaters, Annapolis claiming, indeed, the distinction of the first theater erected in America. Our planters seem sometimes to have been men of extravagant habits, who by



Doughoregan Manor, Howard County, Maryland  
From a photograph

their reckless expenditures and neglect of their plantations involved themselves in ruin. The manners of the people were marked by courtesy and elegance, and inclined to be pompous and formal.

**66. Education and Literature ; Character of the People.** — In regard to the education of the people and the literature they read, there is not so much to be said. There were very few schools, chiefly because there were so few towns and the population was so scattered, and the teachers were in most cases the indented servants or transported convicts. The wealthier people were generally well educated, for many sent their sons to England to attend college. In this age, little or no attention was paid anywhere to the education of girls, though the wealthy planters of Maryland often had private tutors for their daughters.

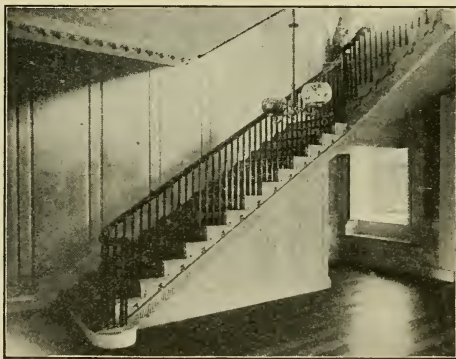
As regards literature, conditions were about the same. A few standard English books could be found, and occasionally political



White Hall Manor, Anne Arundel County

From a photograph

pamphlets were printed and read, while the wealthier planters usually had good libraries, and sometimes large ones. A newspaper called *The Maryland Gazette* was founded at Annapolis in 1727; it was soon discontinued, but was revived in 1745 by Jonas Green, and thereafter prospered. The *Gazette* claimed to publish "the freshest Advices Foreign and Domestic." These "freshest Advices" were two months old from New York and Boston, five months old from London and Paris, and six months old from Constantinople. Pretty stale



Staircase, Carvel House

From a photograph

## MARYLAND GAZETTE.

Containing the freshest Advices Foreign and Domestic.

FRIDAY, July 26, 1745.

From the ESSAYS by the DUBLIN SOCIETY.

N<sup>o</sup>. XLV. *Containing an Abstract from several Letters relating to the Dressing of FLAX.*

IN the following Directions to the Flax-Dresser, we suppose that he is properly provided with Conveniences of every Kind, 2<sup>d</sup> large Ponds of standing Water, capacious Barns, flanch Granaries, good Working Rooms, Ovens, Fining-Mills, and Instruments such as our Correspondent has described; they must otherwise be as voluminous almost as the original Instructions, and a Transcript of them rather than an Abstract.

'Tis of Importance to the Flax-Dresser to buy his Flax betimes, directly from the Field, and early in July, that he may have sufficient to dress before the Winter.

It is necessary to lay the Flax on a good Instrument of Iron on a Bench, that one may fix at either End; Let them take small Handfuls at a Time, and draw the Flax through the Ripple without Violence. Two Women are necessary to every Bench, to hand the Flax in Bundles to the Rippers, to receive it from them again, to sort it according to it's several Degrees of Length, Strength, Ripeness, Fineness, and to tie it loosely in little Sheaves.

AFTER Kipling the Seed must be carried to the Granaries, and the Flax laid down to water; if possible dispose of the whole into your Ponds together; the Summer which draws hastily towards an End is your fittest Season, and should be haulted with Care; however let nothing tempt you to use Bog-holes or running Waters, 'tis better to be delayed 'til the next Season, than discolour or damage all your Flax.

CUT your Flax, to keep it down, with the Slutch or Mire at the Bottom of your Ponds; or 'til that be gathered in sufficient Quantities, with Clay, Rabbes, Fern, or Timber. From 4 to 12 or 15 Days is the Time requisite for watering. After the 2<sup>d</sup> summer your Flax shall, and be particularly careful not to let it lie too long. 'Tis a mistake on the safer Side to draw it out too soon.

IN grafting, the shorter Turns should be prefer'd. Dry Sand banks do well. On sabbath day Flax must be turned every second Day, and generally less from a Morning to 3 Weeks.

To dry your Flax, heat your Oven thoroughly; then let it cool 'til a Maas can stand in it without Uscumens, fill it ever Night, and your Flax will be ready for the Break next Morning. The Dirt and Straws futch'd out of the Flax in one Day, will heat the Oven for the next.

WHEN you break your Flax, take Sheaf by Sheaf out of the Oven at you use 'em. As comes crisp under the Engine, works

better and more easily. 'Tis an Error to lay the Flax, as we do, as far as may be from the Joint; the nearer it is placed to the Centre of Motion in the Break, the more readily it splits, and the less Damage it receives.

IN Scutching, choose the broad round Scutch, the square and narrow one, in Use among us, cuts and destroys the Flax.

By the Time the Flax is futch'd, and about the Middle of October, it will be Time to thresh the Seed.

This may be done by driving Horses backwards and forwards on the Boles, or by drawing over them a heavy Rolling-Stone upon a smooth hard Floor.

CLEANING it requires more Nicety; so do it thoroughly it must first go through the Winnow, which separates it from the Boles; Through the Riddle next, to take out Straws, Stones, and larger Dirt; then successively through two different Sieves, the first bored with oval Holes to let through the Seed, and nothing else of greater Bulk; the second closer to retain the Seed, and afford a Passage to all smaller Bodies; And lastly through the Screen or Wire Harp, which frees it from all Dust.

WHEN the Flax-Dresser has thus cleaned his Seed, he should return to his Flax, and put it through the Fining-Mills. The Wheel in these Turns alternately from right to left, and from left to right, twice each Way; and according to the Number of these double Turns the Flax comes out the finer, the smoother, and the softer; fourscore such Turns is the most that any Flax requires, and probably as much as it will bear.

IN Hackling, Women and Children should be employ'd from Choice. They work with greater Gentleness than Men, and Care and Tenderness are the main Excellencies in this Business. For the best Flax four Sets of Hackles will be requisite, each of them of a different Fineness. Through these it may be drawn successively with proportionable Caution; The last whose Teeth are like the finest Needles, requires the utmost Skill, and should be trusted with few Hands.

THESE Directions, if they answer no other Purpose, will at least be a useful Index to our Correspondent's Letters. — We hope indeed a farther Use from them; but were it otherwise, as they have been drawn up in Compliance with the Opinion of many Gentlemen, we shall think our Trouble well bestowed in an Attempt to oblige them.

THE following Letter will conclude this Paper properly, and we shall give it to the Reader without any Alteration of Apology.

'Tis but a small Mite I have to offer to your Approbation; but I am loth it should be lost or buried without imparting the good Effects of it. It is an Invention of my Right, in the Service of the Right Hon. the Lord of Council.

The Maryland Gazette, July 26, 1745

From a photograph of the original in possession of the Maryland Historical Society



news, we of to-day are apt to think, but this was before the day of the railroad and the telegraph.

In spite of their meager resources in these respects, and some questionable amusements, the people of Maryland were industrious, shrewd, sensible, and intelligent, while, generally speaking, their morals were good. They must always be judged by the standards of their own time; our most revered statesmen of that time saw no harm in moderate gambling and what would now be considered excessive drinking. They were a generous, hospitable, courteous people, liberal-minded, but strongly independent and jealous of their rights and privileges as Englishmen. Most of their faults grew out of the peculiar conditions under which they lived, or were the common vices of the times. On the whole, we may justly be proud of them.

#### TOPICS AND QUESTIONS

**62. Introduction.**

Life in the South and in the North.  
Maryland and Virginia compared.

**63. Occupations.**

Maryland chiefly agricultural; tobacco the staple crop.  
Method of cultivating the land.  
Growth of towns in later days of the province.  
The growing importance of Baltimore.  
Mining industries.  
Character of the lawyers.  
Character of some of the clergymen, and the causes.

**64. Homes: Houses and Plantations.**

Describe the "great house" of the planter.  
Describe the dishes, fuel, and lights.  
How were guests received?  
Describe the exterior of the house, its grounds, etc.  
Tell about the outbuildings.  
What was the condition of the slaves?

**65. Society: Dress, Manners, and Amusements.**

Describe the dress of a fashionable gentleman. Of a lady. Of the poor planters. Of mechanics and laborers.

For what were the women of Maryland distinguished?

Describe the chief amusements.

For what was Annapolis noted?

Describe the manners of the people.

**66. Education and Literature ; Character of the People.**

Describe the educational condition of the colony.

What literature was read? Tell about *The Maryland Gazette*.

Describe fully the character of the people.

**QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH**

1. Find out, if you can, some particulars in which life at the North differed from life at the South, and the reasons for the difference. What differences exist between the two sections at present?
2. Compare the occupations of Marylanders of to-day with those of the colonial period. Name some improved agricultural implements now in use. Name some of the important cities and towns of the present day in Maryland, and explain the cause of their growth.
3. Name four daily newspapers published in Maryland at this time. What papers are published in your county? Name some reasons for the vastly greater efficiency of the present newspapers.
4. Name some respects in which the teaching of children now differs from that of colonial times. Try to find out what is meant by "consolidation" of rural schools.

**REFERENCES**

Goodwin's *The Colonial Cavalier*, entire book of 300 pp. Lodge's *English Colonies in America*, pp. 93-109. Fiske's *Old Virginia and Her Neighbors*, Vol. II., pp. 174-269; a description of life in Virginia, but this was so nearly identical with the life in Maryland that it is practically as good as a special description for Maryland. This is a careful and lengthy account, and will prove very valuable. Elson's *History of the United States*, pp. 197-219. See also Mereness' *Maryland as a Proprietary Province*, pp. 104-128 and pp. 129-149. If available, consult Scharf's *History of Maryland*, Vol. II., pp. 1-103; and for a good account of the manners and customs of the early settlers in western Maryland, see Scharf's *History of Western Maryland*, pp. 69-74.

# PART II

## HISTORY OF THE STATE

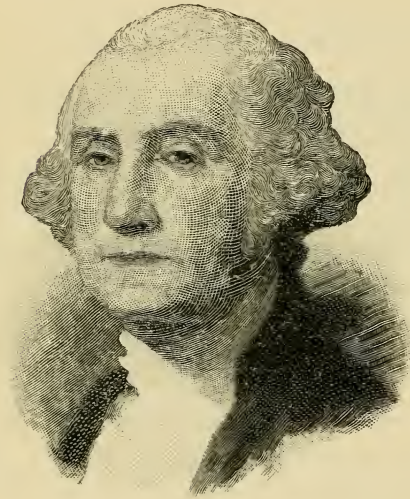
### CHAPTER I

#### THE STRUGGLE FOR INDEPENDENCE : MARYLAND IN THE REVOLUTION

67. **The Revolutionary War.**—The Declaration of Independence was the solemn statement of the colonies to all the world that they were resolved to be entirely free, and to lay the foundations of a new nation with liberty as its watchword. But that Declaration it was now necessary to make good, and the independence which they so boldly asserted it was necessary to win by brave deeds. Thus the whole situation was changed; for whereas the Americans had hitherto been contending for their rights and privileges as Englishmen, they now fought to throw off entirely the sovereignty of a government which they regarded as unjust and tyrannical.

On the nomination of Thomas Johnson of Maryland, Congress appointed George Washington commander-in-chief of the American army. (This was before the Declaration of Independence.) In the character of Washington, daring courage was strangely blended with extraordinary cautiousness and forethought. A noble and unselfish man, a true patriot, and a remarkably able general, his selection was eminently wise. Had any other been made, it is very doubtful whether independence could have been won.

In the conduct of the war the Americans had one great advantage,—they fought on the defensive. They had declared themselves independent; if the king wished to dispute their claim, his armies must occupy their country and wrest its control from them. Two distinct plans for doing this were tried, and both ended in failure. The first was to gain control of



George Washington

From the painting by Gilbert Stuart

the Hudson river; then, with the English fleets in complete control of the sea, the New England states would be cut off from the others, and each section could be overcome without being able to obtain help from the other. After the failure of this plan the second was tried, which was to send armies to the extreme south of the country; these, marching northward, were to conquer one state after another until all were regained.

We cannot give a connected account of these campaigns, for as this is a history of Maryland, we must content ourselves with a sketch of each period, and some account of Maryland's part in the great struggle. And this part, as we shall see, is one of which every Marylander may be proud; no state had a better record.

## THE WAR IN THE NORTH

**68. The Battle of Long Island.**—In the attempt to seize the Hudson the first blow of the British general, Howe, was at the city of New York. The army of Washington met Howe on Long Island, and here was fought the first great battle of the war. In this engagement, the most important and heroic part was taken by the troops of Maryland. The left wing of the American army, under General Sullivan, was surrounded and captured, and the brunt of the fighting fell upon the right under General Stirling. The Maryland troops were in this division. Their leader, Colonel Smallwood, was detained in New York, and Major Mordecai Gist was in command. The regiment was composed of young men of the best families, of fine spirit and discipline, but “who on that day for the first time saw the flash of an enemy’s guns.” Stirling gallantly maintained the fight for four hours, but, greatly outnumbered and attacked in the rear by Lord Cornwallis as well as in front by General Grant, he was obliged to retreat.



William Smallwood

From a painting in the gallery of the  
Maryland Historical Society

Behind the American army were a marsh and a deep creek to be crossed, and in order to cover the retreat it was necessary to hold the British in check for a time. For this purpose Stirling placed himself at the head of four hundred men of the Maryland regiment, and faced the immensely superior force of Lord Cornwallis. The gallant little band actually held in check

this division of the British army until the Americans had effected their escape. Animated by an unselfish and patriotic devotion, the noble young men charged the overwhelming force of the British again and again, until the great host seemed about to give way from the repeated shocks. But the struggle could not continue long; fired upon from all points and fearfully outnumbered as they were, Stirling and a portion surrendered themselves,



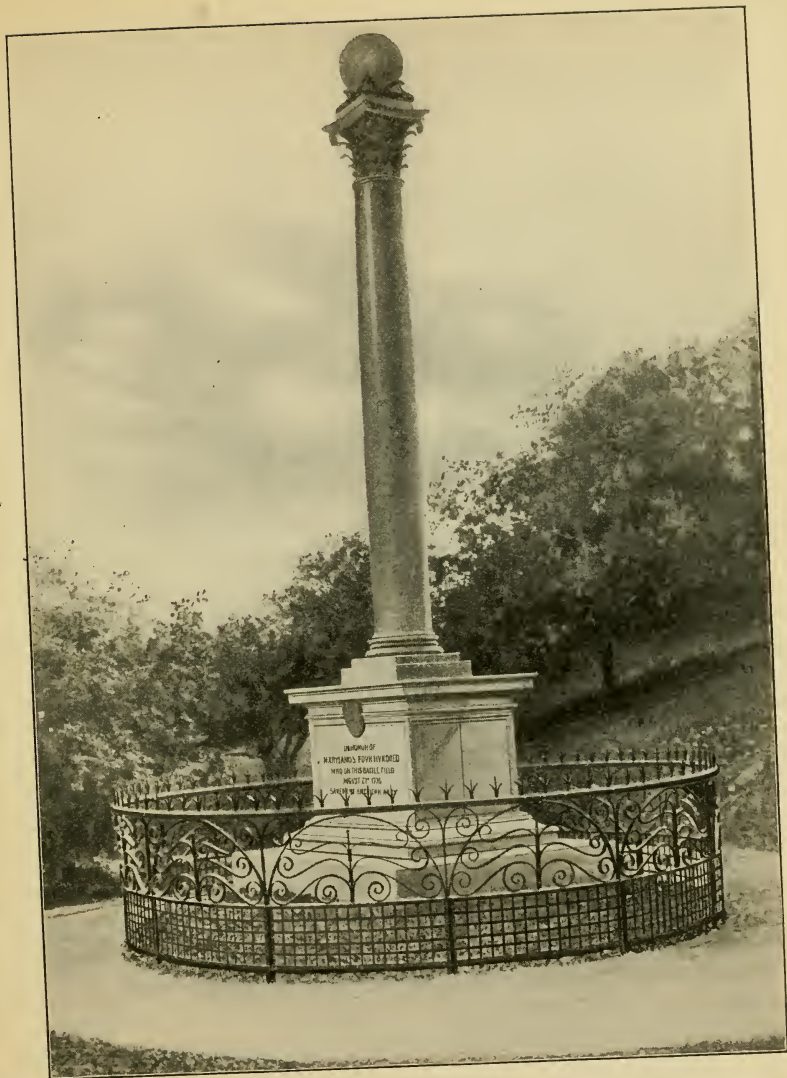
Mordecai Gist

From a painting in the gallery of the  
Maryland Historical Society

while three companies cut their way through the British and reached the marsh on the edge of the creek, whence they effected their escape. A mere handful of the gallant four hundred was left, but they had saved the remnant of the American army. "The sacrifice of their lives, so freely made by the generous and noble sons of Maryland, had not been in vain. An hour, more precious to American liberty than any other in its history, had been gained" (see Sec. 121).

In a masterly retreat Washington brought off his troops safe from Long Island, the rear being covered by the Maryland and Pennsylvania troops.

**69. From Long Island to Morristown.**—New York was almost immediately occupied by the British general. Washington retreated northward to White Plains, later falling back on North Castle, where he could not safely be attacked. The British general then moved back down the Hudson, threatening at once Fort Washington, at the other extremity of Manhattan Island, and



Monument to Maryland's Four Hundred, Prospect Park, Brooklyn  
From a photograph

Philadelphia, the "rebel capital." Washington now crossed the Hudson with a part of his force, and General Charles Lee was left in command at North Castle. Owing to disregard of Washington's orders, Fort Mifflin was captured by General Howe with its garrison and stores; while General Lee refused to march his army to the aid of Washington when ordered by the latter to do so, and later, when captured by the British, turned traitor to the American cause. (Lee's treachery was not known until many years later.) These heavy misfortunes came near bringing the war to an end, and compelled Washington to retreat through New Jersey, a movement which he executed with masterly skill, finally encamping beyond the Delaware.

The British generals, Howe and Cornwallis, determined to cross the river as soon as it should be frozen over, and in the meantime returned to New York to celebrate their success. The wretched soldiers of the American army suffered fearfully from cold and hunger, and their exposed feet often left bloody tracks upon the snow. In these terrible straits many people began to despair of the cause of liberty, but the mighty soul of Washington never wavered. On Christmas night of 1776, he crossed the Delaware river amid huge cakes of floating ice, and marched swiftly through a blinding snowstorm upon the British centre at Trenton. The post was captured with one thousand prisoners, while the Americans lost but four men. Cornwallis at once brought down his army, but Washington, by a brilliant movement, passed around him and crushed his rear at Princeton. Washington then retreated to Morristown, where he was, for the time, in safety.

Throughout the whole of this period the Maryland troops fully sustained the reputation which they had won at Long Island. Many marks of confidence were shown them by the



general, and they were frequently given posts of unusual responsibility and danger. A member of Washington's staff declares, "The Virginia and Maryland troops bear the palm." The Maryland soldiers fought gallantly at the defense of Fort Washington, and in almost every other engagement of the campaign. The soldiers of the old Maryland Line,<sup>1</sup> originally numbering fifteen hundred men, had been reduced almost to nothing.

During the retreat through New Jersey, Congress became alarmed for its safety, and removed from Philadelphia to Baltimore, which thus became for a time the capital. It was here that extraordinary powers were conferred on Washington, enabling him to conduct the war successfully. Congress met in a building on the southwest corner of Baltimore (at that time called Market street) and Sharp streets. In 1894 the site of "Old Congress Hall" was marked by a bronze tablet, through the efforts of the Maryland Society of the Sons of the American Revolution.

<sup>1</sup> The regular infantry of Maryland, as distinguished from her militia, was called the Maryland Line.



Tablet on the Site of Old Congress Hall

From a photograph

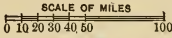
**70. Second Attempt to Conquer New York and Hold the Hudson.**—An elaborate campaign for the year 1777 was now planned by the British. An army under General Burgoyne was to march down from Canada, capture Fort Ticonderoga on Lake Champlain, and proceed to Albany; a smaller force was to march eastward from Oswego and unite with Burgoyne; while the main army under General Howe was to ascend the Hudson and meet Burgoyne at Albany.

General Howe concluded that he would have time to go down and capture the "rebel capital," Philadelphia, before starting northward to meet Burgoyne. The skill of Washington prevented his marching through New Jersey, and finally he put his troops aboard ship and sailed down the coast and into the Chesapeake. Landing his forces at the head of the bay, he began his march upon Philadelphia. Washington, though outnumbered nearly two to one, gave him battle at the Brandywine creek. The Americans were compelled to retreat, but the wonderful skill of their general detained the British two weeks on the march of twenty-six miles. Washington planned a brilliant attack on the British army encamped at Germantown, about six miles from Philadelphia, but through a mistake the battle was unfortunately lost. The morning was dark and foggy, and one American brigade, mistaking another for the enemy, fiercely attacked it. Great confusion ensued, and soon a general retreat began.

In the meantime Washington's skillful detention of Howe had borne glorious fruit in the North, for Burgoyne's army was cut off and obliged to surrender. This is regarded as the decisive victory of the war; for although the war did not end until several years afterward, yet the first and best plan of the British for conquering the colonies was defeated, while France decided to enter into an alliance with us and send ships and men to our aid.

# THE REVOLUTION

## THE MIDDLE STATES





Washington's army now went into winter quarters at Valley Forge, and not being well supplied either with food or clothing, the soldiers suffered fearful hardships. In June, 1778, General Clinton had succeeded General Howe as commander of the British, evacuated Philadelphia, and begun a retreat to New York. Washington attacked the retreating army near Monmouth. The traitor, Charles Lee, had been exchanged, and was again in command; he took advantage of his position to order a shameful retreat at the moment of victory, thus spoiling Washington's plan and nearly causing a defeat before the latter could re-form the army. For this Lee was afterward tried and removed from the army. Little further of importance occurred at the North.

In this series of battles the soldiers of Maryland served with their usual distinction. In the battle of Germantown they fought with the greatest daring, being the first troops engaged and the last to give up the struggle. Fort Mifflin, guarding the approach by water to Philadelphia, was heroically defended by Lieutenant Colonel Samuel Smith of Maryland, until it became absolutely untenable. He was voted a sword by Congress for his gallantry. At the battle of Monmouth, when Washington met the body of disorderly fugitives under Lee, he called for an officer to hold the enemy in check until he could form his troops for action. Colonel Nathaniel Ramsey of Baltimore offered himself with the words, "I will



Nathaniel Ramsey

From a painting in the gallery of the  
Maryland Historical Society

stop them or fall." Marching at the head of his troops, Ramsey held the British in check until the American army was formed for the attack ; the British were then, after a stubborn resistance, slowly pushed from the field, and again the American army owed its salvation to the troops of Maryland. During the terrible winter at Valley Forge the Maryland troops were stationed at Wilmington, where they lived in much greater comfort than their unfortunate comrades.

While the troops so liberally furnished by Maryland were thus serving with distinction in the patriot cause, the state suffered severely at home. Early in the war the people were greatly annoyed by Lord Dunmore, who had been the royal governor of Virginia. Angry at being driven out of the country, he set on foot dangerous plots, and sailing about the bay, in a British ship on which he had taken refuge, he plundered and distressed the people to the limit of his power. Other depredations of the British, and the voyage of General Howe up the Chesapeake when on his way to capture Philadelphia, kept the people in nearly constant alarm and made it necessary to keep militia on duty for their protection. The state also suffered from a dangerous rising of the Tories, as those who sided with England were called, in Somerset and Worcester counties. The insurrection, however, was promptly suppressed by a body of troops under General Smallwood and Colonel Gist.

#### THE WAR IN THE SOUTH

**71. Second Plan of Conquering the Country.**—The British now tried their second way of conquering the Americans, which was to go down to the southern extremity of the country and reduce the states to obedience, one by one. For a while it seemed as if they must be successful. Georgia was overrun and

the royal governor again placed in control. The city of Charleston, with an army under General Lincoln, was captured by the British general, Sir Henry Clinton. The whole of South Carolina was soon reduced, and Clinton returned to New York, leaving Lord Cornwallis in command.

**72. The Campaign of General Gates.**—A new army was raised, but unfortunately the command was given to General Gates, a thoroughly incapable officer. In the famous campaign which resulted in Burgoyne's surrender, he had been placed in command shortly before the crowning victory, and so had managed to reap the glory that had been won by others. After committing a great many follies, against the advice of his officers, Gates met the British general at Camden; each general had started out to surprise the other, and the armies met in the night. In the morning the battle commenced, and resulted in one of the most terrible defeats ever inflicted upon an American army.

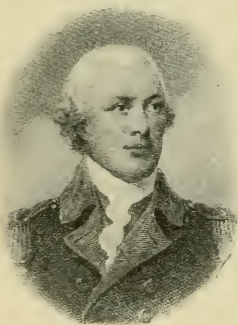
The two armies met between huge swamps that protected the flanks of each. The right wing of the American army was commanded by Baron de Kalb (a German soldier who had volunteered in the cause of American liberty); it was composed of the Second Maryland regiment and



Statue of De Kalb, Annapolis  
From a photograph

a Delaware regiment in front, and the First Maryland regiment a short distance in the rear. The left wing was composed of Virginia and North Carolina militia under Generals Stevens and Caswell. This wing, on being charged by the British right under Colonel Webster, instantly gave way, the men throwing away their guns and fleeing with hardly a shot. Gates was carried away by the panic-stricken mob, and Colonel Webster, leaving the cavalry under Tarleton to cut down the fugitives, turned upon the devoted Marylanders. Throwing his victorious column upon the First regiment, he slowly pushed it from the field, after the most determined resistance. The Second Maryland regiment, in the meantime, had repelled the attack of the British left wing under Lord Rawdon. In a splendid bayonet

charge under Major John Eager Howard, they had even broken through his lines, and were, for the moment, victorious. But they were now attacked in flank by the troops of Colonel Webster, and Cornwallis threw his whole army upon them. De Kalb fell dying from eleven wounds, and the remnant of the brave fellows made their escape through the marsh where the cavalry could not follow.



Nathanael Greene

After a painting by Trumbull

### 73. The Campaigns of General Greene.

—After the terrible rout at Camden, affairs in the South seemed desperate. But a new army was presently raised, and the command intrusted (October, 1780) to Nathanael Greene, a general scarcely inferior in skill and energy to Washington himself.

A detachment of Greene's army under General Morgan won the battle of Cowpens, after a brilliant engagement. Greene



himself executed a masterful retreat into Virginia, and having led his adversary far into a hostile country, faced about and offered him battle at Guilford Courthouse. The British managed to stand their ground, but were so badly cut up that they were obliged to retreat into Virginia. Leaving Cornwallis behind him, Greene now returned to the Carolinas, and after a brilliant campaign captured every important post. In the battles of Hobkirk's Hill and Eutaw Springs he was virtually the victor, and by September, 1781, had completely regained South Carolina with the exception of Charleston. Cornwallis, in Virginia, allowed himself to be shut up in Yorktown by Lafayette,<sup>1</sup> whereupon Washington made a wonderful march from the Hudson river to the York and, with the aid of the French fleet, compelled his surrender (October 19, 1781). This practically ended the war.



Marquis de Lafayette  
From a French print

**74. Maryland Troops in the South.**—In the southern campaigns the Maryland Line confirmed and enhanced the reputation won in the North, but they also did much more. They may fairly be said to have taken the lead, and to have played the decisive part in this concluding struggle of the war, a fact which a very slight knowledge of their services would make perfectly plain. The heroic deeds of the Maryland troops at Camden have already been described. In Morgan's victory at the Cowpens they took an even more prominent part, under the famous leader, John Eager Howard. When the force under Morgan

<sup>1</sup> The Marquis de Lafayette was a noble and unselfish young Frenchman who came to America to help the people win their independence.

was detached, Cornwallis sent out the famous cavalry commander, Colonel Tarleton, to intercept it and to capture or destroy it.

Morgan retreated before his adversary to a long, rising slope near some inclosures known as the Cowpens. Here he faced about and formed his troops for battle. In front he placed the militia of Georgia and Carolina; on the brow of a hill one hundred and fifty yards in the rear of these "he stationed the splendid Maryland brigade which De Kalb had led at Camden;" behind these on a second hill was placed the cavalry under Colonel William Washington. The militia behaved well, and after firing several deadly volleys, retired, forming again in the rear. The British now fiercely attacked the second line, under Colonel John Eager Howard. Being superior in numbers, they extended their line so as to threaten Howard's flanks, whereupon the line began to retire. Thinking them in full retreat, the British pressed on in confusion. But the Marylanders, at a word of command from Howard, suddenly faced about, poured a murderous fire into the enemy's ranks, and came down upon them in a furious bayonet charge. Taken in flank and rear at the same time by the militia and the cavalry under Colonel Washington, the remains of the British army surrendered, Tarleton himself narrowly escaping. This is regarded as the most brilliant battle of the war, for Morgan had actually surrounded and captured a superior force in open field. It is therefore a matter for great pride that the decisive part was played by the troops of Maryland and their gallant commander. When Congress voted a gold medal to Morgan, a silver medal was voted to Colonel Howard.

In the wonderful retreat of General Greene to Virginia, it was of the highest importance that a body of reliable troops, ably commanded, should protect the rear of the army, and hold the

British in check, while the main army made good its retreat. The difficult and perilous post of honor was intrusted to Colonel Otho Holland Williams of Maryland, with a body of Marylanders under Howard, and some other troops. In the performance of this difficult and dangerous duty, Williams and his troops suffered terrible hardships, but the duty was performed most successfully, and they won the highest praise for the manner in which it was accomplished. The battle came at last at Guilford Courthouse. The main line was formed of Maryland and Virginia regulars, who bore the brunt of the fight, and the chief advantage was gained by a splendid bayonet charge of the Maryland troops under Colonels John Gunby and John Eager Howard, in which the most dauntless courage was shown.



Equestrian Statue of John Eager Howard,  
Washington Place, Baltimore

From a photograph

At the battle of Hobkirk's Hill, the Maryland troops again played the most conspicuous part. While the troops were advancing to the charge, Captain William Beatty, a favorite officer, was shot dead at the head of his company. To the confusion which resulted and the order of Colonel Gunby to fall back and re-form, have been attributed the defeat of the American army.

As a matter of fact, the Maryland troops merely fell back a few rods and then rallied, while the other troops (on their right and left) had fallen into disorder about the same time, and were reformed on the line of the Maryland regiment. So far from losing the battle, therefore, the Maryland troops by their steadiness enabled Greene to make an orderly retreat. At the siege of Ninety-Six, a desperate assault was made by a party of Maryland and



Otho Holland Williams

From the painting in the gallery of  
the Maryland Historical Society

Virginia troops, in which five out of six of their number were killed or wounded. In the final battle at Eutaw Springs our gallant troops fittingly crowned their noble work. At the critical moment General Greene issued the order, "Let Williams advance and sweep the field with his bayonets." Under Williams and Howard the heroic band instantly advanced in a furious charge, and the finest infantry of England was swept from the field.

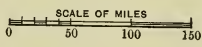
General Greene spoke of the officers and men of the Maryland Line in terms of the highest praise. In a letter to General Smallwood he writes, "The Maryland Line made a charge that exceeded anything I ever saw." In another letter he said of John Eager Howard, "He deserves a statue of gold, no less than the Roman and Grecian heroes."

**75. Naval Operations.** — During the Revolutionary War the United States never possessed a navy worthy of the name, though a few battles were fought and immense damage was inflicted upon the commerce of the enemy by American priva-



# THE REVOLUTION

## THE SOUTHERN STATES.





teers.<sup>1</sup> In this respect Maryland fully supported her military record. Baltimore fitted out more privateers than any other American city. These vessels were famous for their speed and the skill with which they were handled; they captured British vessels almost in their own harbors in England. It has been claimed with some reason that Baltimore was the most zealous and patriotic city in the country, in point of damage inflicted on the enemy.

In 1782, Lieutenant Joshua Barney of Maryland was appointed to the command of the *Hyder Ally*. He shortly afterward fell in with a British sloop-of-war, the *General Monk*, a vessel better armed and better manned than his own. Notwithstanding this fact, Barney captured the *General Monk* and carried her a prize to Philadelphia, after an engagement which has been spoken of as "one of the most brilliant that ever occurred under the American flag." Commodore Nicholson and other Marylanders also achieved distinction.



Joshua Barney

From a print in possession of the  
Maryland Historical Society

**76. Close of the War; Women of Maryland.** — With the surrender of Cornwallis the war virtually ended. By invitation of the state, Annapolis became temporarily the capital of the United States. There, in the Senate Chamber of the State House, December 23, 1783, George Washington surrendered his commission to Congress. It was a sad and impressive ceremony, as the noble and unselfish chief, after having led his country successfully through the long war to the achievement

<sup>1</sup> A privateer is a privately owned vessel which has been authorized by a belligerent government to capture ships and supplies of the enemy.

of her independence, calmly resigned his high position, and asked only to be allowed to return to the privacy and quietud of his home.

The narrative of the war would not be complete without a mention of the noble work of the women of Maryland. Washington wrote a personal letter of thanks to Mrs. Mary Lee (wife of Governor Lee of Maryland) for the efforts of the women of the state for the relief of the destitute southern army. It is said that during a ball, given in honor of Lafayette as he passed through Baltimore, the general appeared sad, and on being questioned by one of the ladies as to the cause replied, "I cannot enjoy the gayety of the scene while so many of the poor soldiers are in want of clothes." "We will supply them," was the reply of the fair querist, and next morning the ball-room was transformed into a clothing manufactory. The ladies of the city, old and young, gathered to the task, and much was done to relieve the suffering of the soldiers.

**77. Maryland's Part in the Winning of Independence.** — In the great struggle for independence Maryland had indeed borne a noble part, and one of prime importance. In proportion to size and population, she furnished far more than her just share of soldiers to the army. We have mentioned some of the important work done by the troops of Maryland, but not all such services have been mentioned, by any means. For instance, a splendidly equipped body of riflemen, under the command of Captain Michael Cresap, was raised and sent north to join the army early in the war; a large number of Marylanders joined the body of troops raised in Maryland by Count Pulaski, a Polish nobleman who had volunteered in the American cause; and in minor engagements many notable exploits were performed by the officers and men of Maryland that have not been related here.





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Washington Resigning his Commission  
From the original painting by Trumbull, Yale Gallery, New Haven

The courage and devotion of the troops of Maryland, the skill of their officers, their frequent and telling use of the bayonet, and their inestimable services to their country, have already been related. It only remains to say that the record of the state in other particulars was just as good; while she was so liberal in her supplies of troops she was equally energetic and patriotic in other respects. To the requests of Congress and of Washington for food, clothing, and other necessary supplies, the state replied as promptly and as cheerfully as to the demands for men, which is a good deal more than can be said for some of her sister states.

Thus on the part of her sons and her daughters alike did Maryland nobly play her part in the great struggle for liberty, and in the fruits of the glorious victory none was more deserving to share than she.

#### TOPICS AND QUESTIONS

**67. The Revolutionary War.**

Explain the change of affairs wrought by the Declaration of Independence.

Who was the American commander-in-chief? Describe his character. What great advantage had the Americans?

Describe the two plans of the British for conquering the country.

**68. The Battle of Long Island.**

General plan of battle; its results.

Position of the Maryland troops; their noble sacrifice.

**69. From Long Island to Morristown.**

Services of the old Maryland Line.

The capital temporarily removed from Philadelphia to Baltimore.

**70. Second Attempt to Conquer New York and Hold the Hudson.**

Plans for the year 1777. Capture of Philadelphia.

The surrender of Burgoyne.

Philadelphia evacuated; battle of Monmouth.

Describe the services of Marylanders at Germantown; Fort Mifflin; Monmouth.

Describe the difficulties of the state at home.

71. **Second Plan of Conquering the Country.**  
Success of the plan at first.
72. **The Campaign of General Gates.**  
Describe the battle of Camden, and the part taken by the troops of Maryland.
73. **The Campaigns of General Greene.**  
Greene's skill as a general ; what he accomplished.  
Surrender of Cornwallis ; its importance.
74. **Maryland Troops in the South.**  
What was the general character of the services of the Maryland troops in the South ?  
Describe the battle of Cowpens, and the part taken by Maryland soldiers.  
What important duty was assigned to Otho Holland Williams, and how was it performed ?  
Describe the services of Marylanders at Guilford Courthouse ; Hobkirk's Hill ; the siege of Ninety-Six ; Eutaw Springs.  
What did General Greene say of Maryland troops and their officers ?
75. **Naval Operations.**  
Services of the navy ; privateers sent out from Baltimore.  
The engagement of the *Hyder Ally* and the *General Monk*.
76. **Close of the War ; Women of Maryland.**  
Annapolis becomes the capital of the United States ; Washington resigns his commission there.  
Services of the women of Maryland.
77. **Maryland's Part in the Winning of Independence.**  
Describe the extent and importance of Maryland's services in the Revolutionary War.

#### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. Read the Declaration of Independence. Is it true that all men are created equal ? Explain your answer. Notice the charges against the king of England, and see if you can find any specific instance of the truth of several of them. Had the colonies any legal right to declare themselves independent ? Had they a right morally ? Is it right to disobey a bad law ? Have the people of Maryland the right, legally, to alter the form of their government to-day ? (See Maryland Bill of Rights, Art. 1.)
2. Can you think of a reason why no battles were fought on Maryland soil during the Revolution ?

3. Find on the maps all points mentioned in the text.
4. Compare the two plans of the British for conquering the colonies. Which was the better? Compare the work of the Maryland troops in the North and the South.
5. Discuss the arrangement of troops by Gates for the battle of Camden. Gates sent off four hundred Maryland regulars on other duty shortly before the battle, duty that the militia could have performed; what might he have done with these troops instead? What advantages had the Americans in the character of the field of battle?
6. Write an account of what you have learned in this chapter, under the title, "Maryland in the Revolutionary War."

#### REFERENCES

For an account of the War of Independence, see Elson's *History of the United States*, pp. 243-317, or any good history of the United States. For a fuller account, with excellent descriptions of battles and their results, consult Fiske's *The American Revolution*. For southern campaigns, see biographies of General Greene; *Maryland and North Carolina in the Campaign of 1780-1781*, by E. G. Daves, Fund Publication No. 33 of the Maryland Historical Society; A. A. Gunby's *Colonel John Gunby of the Maryland Line* (The Robert Clarke Company, Cincinnati). Many works on United States history will suggest themselves as valuable for this period.

Browne's *Maryland*, pp. 286-314. James' revision of McSherry's *History of Maryland*, pp. 162-260. If possible consult Scharf's *History of Maryland*, Vol. II.

## CHAPTER II

### FOUNDING THE NEW NATION

"The credit of suggesting, and successfully urging in Congress that policy which has made this country a great national commonwealth . . . belongs to Maryland and to her alone."

— *Herbert B. Adams.*

**78. The Articles of Confederation.** — When the thirteen American colonies declared themselves independent of Great Britain, each regarded itself as having become free and sovereign. Being so intimately associated in many ways, and compelled to act in concert to carry on the war, some sort of general government was necessary, to which certain powers were delegated by the states, while others were reserved to themselves. This was all that was aimed at, for as yet there was no strong national sentiment, and each state was very jealous of its independence. A form of government to meet the needs of the occasion was prepared by a committee of Congress, and adopted by that body late in the year 1777. This constitution, or form of government, was called the Articles of Confederation, and in the course of the next fifteen months was accepted by all the states except Maryland. Maryland's refusal to ratify the Articles, says the historian Fiske, "was first in the great chain of events which led directly to the formation of the Federal Union."

**79. The Attitude of Maryland.** — At first sight these seem to be rather surprising statements. Why should Maryland thus refuse to unite with the other states? Having done so, how could that refusal be productive of such tremendous results?

In order to understand the replies to these questions, a few words of explanation are necessary. North of the Ohio river, and extending to the Great Lakes, stretched a vast expanse of unsettled country known as the Northwest Territory. Owing to ignorance of the country and other causes, the grants of land to the various colonies by English sovereigns were in many cases conflicting, and in some cases preposterously large. Under an old charter, Virginia now laid claim to this vast territory northwest of the Ohio, while at the same time claims were made by New York, Massachusetts, and Connecticut.

Maryland declared that these claims were neither just nor wise, and until they were withdrawn she positively refused to agree to the Articles of Confederation. Her statesmen clearly showed the harm that might result to other states if the claims of Virginia were admitted, and declared that what had been won through the efforts of all should become the common property of the states, "subject to be parcelled out by Congress into free, convenient, and independent governments, in such manner and at such times as the wisdom of that assembly shall hereafter direct." Now we have further to observe, that during the stormy period which followed the war with England (hereafter to be described), it was the common interest in the Northwest Territory which was "perhaps the only thing that kept the Union from falling to pieces." As the principal influence in holding the states together, it was of course most important in the founding of the nation. With admirable wisdom and foresight the statesmen of Maryland perceived the vast importance of the Northwest Territory, and declared, in the General Assembly of the state, that the control of Congress over the western lands was "essentially necessary for rendering the Union lasting." Having thus taken her stand, on the grounds both of justice and good policy, Maryland stood firm, steadily refusing to accept the



**MAP OF THE UNITED STATES**  
 At the Close of the Revolution  
 Showing Western Land Claims of States  
 AND THE BOUNDARIES FIXED BY TREATY OF 1783.  
 See also Table of Boundaries.

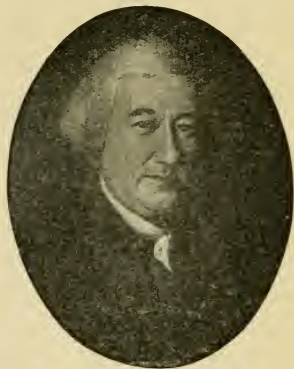
SCALE OF MILES  
 0 100 200 300 400 500 600

92 Longitude 87 West 82 from 77 Greenwich





Articles of Confederation until the states should yield their claims to the United States. The importance of Maryland's action now becomes evident. If common interest in the Northwest Territory held the states together at the close of the war, thus making a national government possible, and if Maryland alone so acted as to procure for all the states their common interest, then clearly to Maryland must come the glory of that mighty event. "Just as it was Massachusetts that took the decisive step in bringing on the Revolutionary War when she threw the tea into Boston harbor, so it was Maryland that, by leading the way toward the creation of a national domain, laid the corner stone of our Federal Union" (Fiske).<sup>2</sup> The Marylanders most prominent in this great work were

John Hanson<sup>1</sup>

After the painting in Independence Hall, Philadelphia

Daniel Carroll, William Paca, James Forbes, and George Plater.

Having practically accomplished her purpose, Maryland entered the Union, March 1, 1781; thus was the wonderfully important work of her statesmen crowned with success, at the very

<sup>1</sup> From 1781 to 1782, John Hanson of Maryland was "president of the United States in Congress assembled."

<sup>2</sup> When new states were formed from the Northwest Territory, liberal grants of the public lands were made to them to support education. It has been contended that since these lands were the common property of the Union, it is an unjust discrimination to give to some states and not to others. And by some it has been maintained that Maryland, owing to the great service explained in the text, has a peculiar claim to a share in such gifts. As long ago as 1821, the General Assembly of Maryland resolved that each state was entitled to participate in the benefits of the public lands, and that states that had not received appropriations were entitled to receive them. These resolutions were sent to every state and to the representatives of Maryland in Congress, but without effect.

moment when her heroic soldiers in the field were taking the decisive part in the final brilliant movements of General Greene.

**80. "The Critical Period."**— The practical workings of the Confederation were found to be anything but satisfactory. Congress was composed of representatives of the *states*, not of individual citizens. If its requests were not obeyed, it had no means of enforcing obedience, and it possessed no power of taxation. It has been aptly said of the Confederate government that it could declare everything and do nothing. Its weakness is shown by the fact that at one time about eighty soldiers of the Pennsylvania Line, drunken and mutinous, drove Congress out of the city of Philadelphia.

The sentiment of union among the states was sadly weak. Indeed, it is rather hard for us at this day to realize the condition of affairs at that time. There was no telegraph or telephone; there were no steamboats, no railroads; a person can now travel from Massachusetts to Oregon in less time than it took to travel from Boston to Philadelphia in 1783. Mails were very slow and postage high. As a natural consequence, the states were almost like foreign countries to one another. Manners and customs differed greatly in different parts of the country, and many very silly prejudices existed. The mutual jealousies and petty spites of the various states had been shown during the war, which indeed had at times come near to failure through lack of the sentiment of union.

Now that the war was over, and the pressing necessity for concerted action had ceased, this sentiment was of course weaker than ever. Sectional strife increased, threats of secession, or separation, were heard from both North and South, and sometimes it seemed almost as if there would be civil war. It was now that the beneficent effects of Maryland's fight for national control of the western lands was felt in its full force,

for a common interest in the valuable territory held the states together. It soon became apparent that something must be done, and done at once.

**81. Formation of the Federal Union.** — Among the chief evils of this period was the commercial war which the states waged against one another, by charging high tariff duties on goods brought into one state from another. Virginia and Maryland found it necessary to come to some agreement for the regulation of their commerce, and this was thought a good occasion for a general conference of the states on the same subject. A convention met at Annapolis in September, 1786, but only five states were represented. The convention therefore adjourned without discussing the matter, but before doing so, it issued a call for another convention to meet at Philadelphia and devise some means for the improvement of the general government.

The convention met accordingly in Philadelphia in May, 1787, and adjourned in September of the same year. George Washington was elected president of this famous body, which then proceeded to abolish the old Confederation, and to frame the system of government under which we now live. The Constitution so framed was adopted by the states, and on April 30, 1789, George Washington became first president of the United States. There was much opposition to the new Constitution, and its ratification was opposed by some of the strongest patriots. The states seemed to fear that a strong central government would after a time become an instrument of tyranny. When the people were once convinced that they were not going to sacrifice any of their liberties, but were merely going to transfer from the states to a national government those powers which it was necessary to exercise in common, they did not hesitate to adopt the Constitution. In Maryland, a convention met at Annapolis

on April 21, 1788, and seven days later ratified the Constitution by a vote of 63 to 11.<sup>1</sup>

### TOPICS AND QUESTIONS

#### 78. The Articles of Confederation.

How did the new states regard themselves?

What necessity for Union existed? What was done to meet the need?

What action was taken in this matter by Maryland? Was the act of importance?

#### 79. The Attitude of Maryland.

The Northwest Territory; conflicting claims of several states.

Maryland advances the idea that this territory should be the property of all the states, and shows both the justice and good policy of the plan.

The action of Maryland was, in effect, the laying of the corner-stone of the Federal Union.

Maryland carries her point and enters the Union, March 1, 1781.

#### 80. "The Critical Period."

How did the Articles of Confederation work when put into practical operation?

Describe fully the condition of the country under this form of government.

What held the states together?

#### 81. Formation of the Federal Union.

Why the convention met at Annapolis in September, 1786.

A new convention called for the following May to meet at Philadelphia.

The Constitutional Convention meets; George Washington elected president.

The present Constitution framed by the convention and adopted by the states.

George Washington elected first president of the United States.

Adoption of the Constitution in Maryland.

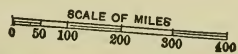
<sup>1</sup> During the period covered by this chapter there occurred an event which, while not connected with the subject of the chapter, is of too much interest to remain unnoticed. On March 14, 1786, James Rumsey of Cecil county, Maryland, made a trial trip at Harper's Ferry, in a steamboat invented by him. The vessel was eighty feet long and operated by drawing water in at the bow and forcing it out at the stern. This was more than twenty years before Fulton launched the *Clermont*. See Browne's *Maryland*, pp. 319-320.

THE NORTHWEST TERRITORY was divided into the five following states (with Minnesota east of the Mississippi): 1. Ohio, admitted 1803; 2. Indiana, admitted 1816; 3. Illinois, admitted 1818; 4. Michigan, admitted 1837; 5. Wisconsin, admitted 1848. (See note on map of U. S. 1783.)



THE NORTHWEST TERRITORY, 1787.

South Carolina ceded her western territory to the U.S. in 1787.



Longitude West from 82 Greenwich 77



## QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. How did the English gain their title to the Northwest Territory? How did the Americans gain theirs? What great states have since been formed from the Northwest Territory? What natural resources does this region contain? What facilities for trade?
2. Suppose the states of the Union to be entirely independent of one another; try to imagine some of the consequences. Is the law-making power of value without the right to attach penalties? Can a government be maintained without the right to impose taxes? Justify the term, "The Critical Period."
3. Name some of the powers which our Federal Government alone can exercise. Name some things which are managed entirely by the states. How long has our present system of government lasted? What is a republic? What is a democracy? What form of government have the states? Can one of these states change this to another form of government? Could all the states, acting together, do so?
4. Write an essay on "Maryland's Part in Founding the American Nation."

## REFERENCES

For a general account of the establishment of our Federal Union, see Fiske's *The Critical Period of American History*. The importance of Maryland's part in the great work is explained in this book. For an account devoted particularly to the part borne by Maryland, see the masterly essay of Professor Herbert B. Adams on *Maryland's Influence upon Land Cessions to the United States*; this work is published in the Johns Hopkins University Studies in Historical and Political Science, Third Series, No. i. Elson's *History of the United States*, pp. 318-340.

## CHAPTER III

### INTERNAL AFFAIRS AND THE SECOND WAR WITH ENGLAND

**82. The State Government.** — The organization of a state government in Maryland, following the Declaration of Independence and the overthrow of the proprietary government, and the election of Thomas Johnson as first governor, have already been mentioned. This new government was successful from the first. After an able administration, Governor Johnson was succeeded by Thomas Sim Lee, who in turn was succeeded by William Paca in 1782. In 1785 the noted Revolutionary officer, General William Smallwood, was elected governor of the state. Three years later he was succeeded by John Eager Howard, who will be remembered as the hero of Cowpens and a leading spirit in the many hard-fought battles in the South.

**83. The Potomac Company : Plans for Opening a Trade Route to the Western Part of the State.** — The western part of Maryland was a region of rich resources, abounding in forests of valuable timber and in rich mines, particularly of soft coal. It also possessed excellent soil and a pleasant and healthful climate, and after the Indians had ceased to threaten the frontiers its population had steadily increased. It was therefore of the highest importance to open up a trade route for the natural wealth of this region to the Chesapeake, and thence to the markets of the world.

The Potomac river would naturally suggest itself as a highway for this trade, and it is said that as far back as the campaign of General Braddock, Washington had considered this very idea,



and had come to the conclusion that the river might be made navigable as far as Fort Cumberland. In 1784 the matter was taken up by the legislatures of Virginia and Maryland; commissioners were appointed on both sides, and presently the Potomac Company was formed. George Washington was elected first president, and so deeply was he interested that he personally assisted at some of the surveys. Of course, it was the idea of the Potomac Company to open up the western part of Virginia as well as of Maryland. A great deal of money was invested in



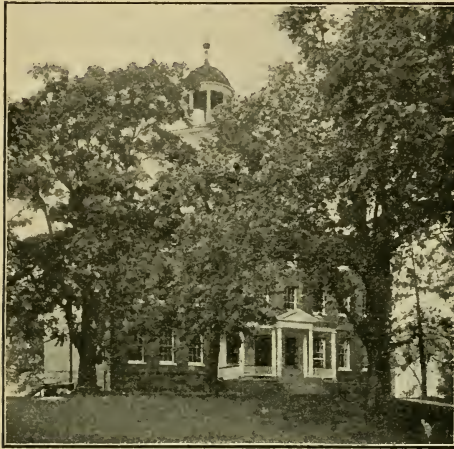
The Potomac River at Harper's Ferry

From a photograph

the enterprise, and the work was carried on at intervals for many years, but in the end the attempt had to be given up. The old Potomac Company then became merged in the Chesapeake and Ohio Canal Company. The history of this organization will be taken up further on in the course of our narrative.

**84. Interest in Education.**—Following the end of the war, much interest seems to have been taken in education. In 1782 Washington College was founded at Chestertown on the Eastern Shore, and named in honor of our illustrious first president. In 1784 St. John's College was founded at Annapolis, and in the

following year the two were united as the University of Maryland. This arrangement, however, was not completed. King Wil-



McDowell Hall, St. John's College

From a photograph

liam's School (see Sec. 43) was merged in St. John's College. These two colleges, Washington and St. John's, are still in existence.

**85. Founding the City of Washington.** — During former years Congress had moved about from city to city according to the necessities of the moment. After the establishment of a truly national government it became necessary to fix upon a permanent cap-

ital. After much discussion, Congress finally decided upon the Potomac river for its location, and Washington was asked to select a site for the future seat of government. He chose that of the present city of Washington, named for the "Father of his Country." A district ten miles square, on both sides of the river, was ceded to the United States by Virginia and Maryland. It was provided that the public buildings should be erected on the Maryland side, and the part ceded by Virginia was afterward given back to that state. Both Maryland and Virginia appropriated large sums of money to be used for the erection of these buildings. The corner-stone of the Capitol was laid by Washington on September 18, 1793, and the seat of government was removed to the new capital in June, 1800.

## THE WAR OF 1812

**86. Causes of the War.** — The Revolutionary War was fought for political freedom; the War of 1812 was fought for commercial freedom. The British found it difficult to obtain enough sailors to serve in their navy, and this want they undertook to supply by boldly stopping American vessels on the high seas and taking off seamen, under the pretense that they were deserters from the British navy. This was called impressment, and the unfortunate men so impressed were cruelly robbed of home, friends, and country without the least cause or any chance of redress. Such an act, of course, would not now be tolerated for one moment, but it must be remembered that in the beginning of the century our country was pitifully weak, and we were obliged to suffer some bitter wrongs, simply because we were too weak to help ourselves. England was mistress of the seas, with a navy nearly a hundred times as strong as ours, and for a while we suffered in silence. Nevertheless, England's conduct soon became so overbearing as to be unendurable, and in June, 1812, Congress declared war.

**87. Progress of the War; Gallant Exploit of Marylanders.** — The declaration of war was not approved by all the people of the country; most of the party known as Federalists opposed it, and in New England, where trade was interfered with, the war was denounced as unnecessary and ruinous, and threats of secession were heard. The Massachusetts Senate even declared the war to be "founded on falsehood and declared without necessity." In Maryland the Senate resolved "that the war waged by the United States against Great Britain is just, necessary, and politic, and ought to be supported by the united strength and resources of the nation, until the grand object is obtained for which it was declared." The majority of the Maryland

House were opposed to the declaration of war, yet they did not hesitate to pledge their "lives and fortunes to the public service." Baltimore proved itself one of the most zealous and ardently patriotic cities in the United States.

A newspaper of Baltimore, called the *Federal Republican*, printed an article bitterly denouncing the war and accusing the government of dishonorable and unworthy motives. The result was a riot, and before the affair was settled the office of the newspaper was torn down and several persons were killed or wounded.



Nathan Towson

From a painting in the gallery of the Maryland Historical Society

The military operations of the war were in general badly managed and very unsuccessful. An invasion of Canada was attempted, but the effort ended in failure. During this time the capture of two British vessels on Lake Erie, the *Caledonia* and the *Detroit*, was planned by Lieutenant Jesse Duncan Elliott, a young naval officer of Maryland. The capture was gallantly executed by Elliott and Captain Nathan Towson,<sup>1</sup> of Baltimore.

At sea the Americans were much more successful. The ships of our navy won a series of brilliant victories, and American privateers inflicted immense loss upon British shipping. Of these none performed services of greater value than the famous "Baltimore clippers," noted for their remarkable swiftness. If they found it necessary to fly before a stronger enemy, they had no trouble in escaping, while if the enemy fled at their approach, he had little chance of escape. Enormous damage was inflicted upon the British in this way.

<sup>1</sup> Towson, the county seat of Baltimore county, was named for Captain (afterward General) Towson.



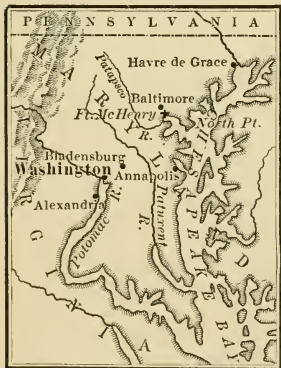
A Baltimore Clipper  
After a contemporary photograph

**88. The War in Maryland ; Capture of Washington.**— In 1813 ten British ships of war under Admiral Cockburn (Cō-burn) entered the Chesapeake. For several months the admiral and his men amused themselves by robbing the inhabitants and destroying property on both sides of the bay. Havre de Grace and other towns were sacked and burned, and Baltimore threatened. Lonely farmhouses and other private property were wantonly destroyed. The inhabitants were shamefully abused, and even women and children did not escape insult and outrage at the hands of these savages. These outrageous proceedings were the worse as they served no military purpose whatever. They simply increased the hatred of the people for the British, and aroused the state and the nation to more determined resistance.

In August, 1814, another British fleet arrived in the Chesapeake, commanded by Admiral Cockrane. On board this fleet

were three thousand veteran soldiers under General Ross. An expedition for the capture of Washington was planned at once. Sir Peter Parker was sent up the bay with several vessels to threaten Baltimore and annoy the people as much as possible. Barns and crops were burned and other property destroyed. But these depredations were not to go unpunished. Near midnight on the 30th of August about two hundred men landed under Sir Peter Parker in person, with the intention of surprising and capturing the camp of Lieutenant Colonel Philip Reed, consisting of about one hundred and seventy men of a Maryland regiment. The two little armies met on what is known as Caulk's Field, about nine miles from Chestertown, and not only were the British driven back with loss, but Sir Peter Parker himself was killed. A monument was erected on Caulk's Field in the autumn of 1902, to the memory of Philip Reed.

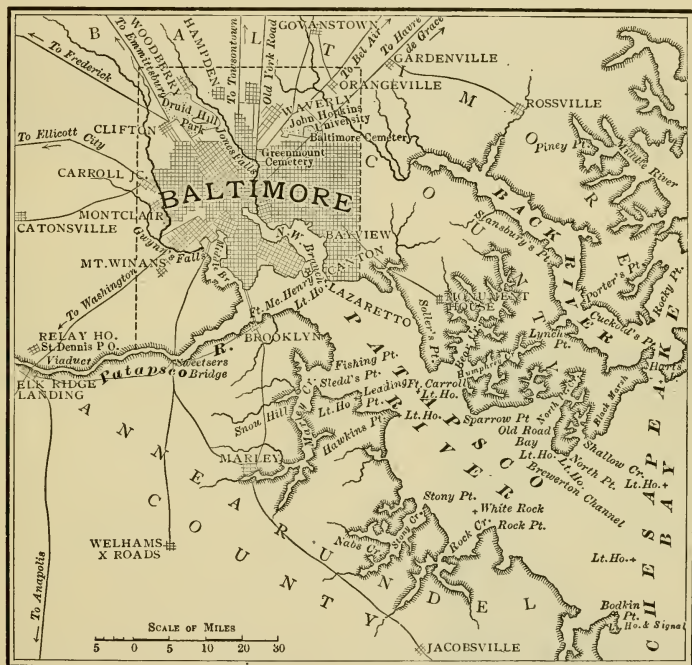
In the meantime the main body of British moved up the Patuxent river. On their approach Commodore Barney, whose flotilla



was lying in the river, ordered his vessels to be burned to keep them from falling into the hands of the enemy. He and his men then joined the force under General Winder, who was preparing to resist the attack of Ross. No adequate preparations had been made for the defense of the capital. General William H. Winder had been placed in command of this department, but his force consisted of a mere handful of regulars, the rest of his troops

being militia from Maryland, Virginia, and the District of Columbia. They were met by the British at Bladensburg and quickly routed, the militia making hardly any resistance. Indeed,

the principal defense was made by the gallant crews of Commodore Barney, the latter finally being wounded and taken prisoner. Ross now pushed on and entered Washington, where he seized or destroyed much private property and burned the Capitol and other public buildings.



**89. The Attack on Baltimore.** — The British now turned their attention to Baltimore. When it was known that they were coming, all ordinary work ceased and everybody began to drill or to work on the defenses. Breastworks were rapidly thrown up across the eastern part of the city. The approaches to the city by water were guarded by Fort McHenry, at the extremity of

Whetstone Point at the mouth of the Northwest Branch of the Patapsco; by batteries on Lazaretto Point opposite; and by batteries erected in the rear of the fort. The officer in com-



Fort McHenry  
From a photograph

mand of the army was General Samuel Smith, noted for his heroic defense of Fort Mifflin (see Sec. 70); in charge of the two divisions were Generals Winder and Stricker. The fort was commanded by Major Armistead.



Samuel Smith

From a portrait in the gallery of the  
Maryland Historical Society

By seven o'clock on the morning of September 12, 1814, about eight or nine thousand British troops had landed on North Point, at the mouth of the Patapsco. The vessels moved up the river to attack Fort McHenry. General Stricker, in command of the Baltimore militia, moved toward North Point on the evening of the 11th, and on the morning of the 12th formed a line

of battle, with his right flank resting on Bear creek and his left covered by a marsh. The British marched boldly to the attack, but the struggle had hardly commenced when General Ross him-



O say, can you see ~~through~~ by the dawn's early light,  
While so proudly we hail'd at the twilight's last gleaming,  
Whose broad stripes & bright stars through the perilous fight  
O'er the ramparts we watch'd, were so gallantly streaming?  
And the rocket's red glare, the bomb bursting in air,  
Gave proof through the night that our flag was still there,  
O say, does that star-spangled banner yet wave  
O'er the land of the free & the home of the brave?

On the shore dimly seen through the mists of the deep,  
Where the foe's haughty host in dread silence reposes,  
What is that which the breeze, o'er the towering steep,  
As it fitfully blows, half conceals, half discloses?

Now it catches the gleam of the morning's first beam,  
In full glory reflected now shines in the stream,  
'Tis the star-spangled banner — O long may it wave  
O'er the land of the free & the home of the brave!

And where is that band who so vauntingly swore,  
That the havoc of war & the battle's confusion  
A home & a Country should leave us no more?  
~~Their blood~~

Their blood has wash'd out their foul footsteps' pollution.  
No refuge could save the hireling & slave  
From the terror of flight or the gloom of the grave,  
And the star-spangled banner in triumph doth wave  
O'er the land of the free & the home of the brave.

O thus be it ever when freemen shall stand  
Between their lov'd home & the war's desolation,  
Blest with vict'ry & peace may the heav'n rescued land  
Praise the power that hath made & preserved us a nation!  
Then conquer we must, when our cause it is just,  
And this be our motto — "In God is our trust."  
And the star-spangled banner in triumph shall wave  
O'er the land of the free & the home of the brave.

### The "Star-spangled Banner"

From the manuscript in possession of Mrs. Rebecca Lloyd Shippen

self fell, mortally wounded. The inexperienced militia bravely held their ground against the superior force of trained soldiers until the attack had been thoroughly checked. They then retired to the defenses nearer the city. This engagement is known as the battle of North Point. Further fighting was postponed

until the fleet should pass Fort McHenry and be able to coöperate with the army, but this was an event that never occurred.

At sunrise on the 13th of September the British fleet opened fire on Fort McHenry, which could make no reply, the vessels of the fleet having stationed themselves out of range. Attempts were made to send vessels and troops nearer to the fort, but they were repulsed with great slaughter. All that day shot and shell rained upon the devoted fort; the sun sank and darkness fell, but the roar of cannon and the screech of



Francis Scott Key

From the painting in possession  
of Miss Alice Key Blunt of Baltimore

shell had not ceased. There was something singularly impressive and awful in the sullen silence of the fort. Now, however, the Stars and Stripes that had waved in calm defiance throughout the day were hidden by the darkness, and when the firing suddenly ceased before morning no one could tell whether the fort had surrendered or not. But the first rays of the rising sun showed that our flag was still there, floating in calm triumph in

the morning breeze. Thousands of hearts bounded with pride and joy. The attack on Baltimore was at an end and the defeated enemy in full retreat.

**90. "The Star-spangled Banner."** — The feelings excited by these stirring events were expressed by Francis Scott Key in the famous national song, "The Star-spangled Banner." Before the bombardment began, Key had gone out to the fleet to obtain the release of a friend who had been captured, and he was detained until the attack was over. Pacing up and down the deck of the vessel during that night of terrible suspense, he composed the famous song, making a few notes on the back of a letter. Soon people all over the country were singing its patriotic words. (See Sec. 121 and Appendix D.)

**91. The End of the War.** — On the 24th of December, 1814, a treaty of peace was signed, ending the war. The right of our ships to sail the seas unmolested has not been again questioned.

#### TOPICS AND QUESTIONS

- 82. The State Government.**  
Early governors of the state.
- 83. The Potomac Company: Plans for Opening a Trade Route to the Western Part of the State.**  
Give an account of the attempt, its object, and the result.
- 84. Interest in Education.**  
Tell about the first University of Maryland.
- 85. Founding the City of Washington.**  
The necessity for a permanent capital.  
Washington chooses a site on the Potomac river.  
Territory ceded by Virginia and Maryland; Virginia's part ceded back.  
Government transferred to the city of Washington, June, 1800.

#### THE WAR OF 1812

- 86. Causes of the War.**  
Explain the causes of the War of 1812.  
Why were hostilities so long delayed?

87. **Progress of the War; Gallant Exploit of Marylanders.**  
 Contrast the attitude of Maryland with that of the New England states.  
 A riot in Baltimore, causing loss of life and destruction of property.  
 Military operations unsuccessful; success of the navy.  
 Capture of the *Caledonia* and the *Detroit*.  
 Services of the privateers; the "Baltimore clippers."
88. **The War in Maryland; Capture of Washington.**  
 The depredations of Admiral Cockburn and their effect.  
 Arrival of second fleet and three thousand troops.  
 The battle of Bladensburg; Washington captured.
89. **The Attack on Baltimore.**  
 The defenses of Baltimore; generals in command of troops.  
 The battle of North Point; advance of the British checked.  
 Bombardment of Fort McHenry. Failure of attack on the city.
90. **The "Star-spangled Banner."**  
 Francis Scott Key detained on a British warship.  
 He composes the famous national song during the night of suspense.
91. **The End of the War.**  
 Treaty of peace signed, December 24, 1814.

#### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

- Trace on the map [pp. 222-223]: (*a*) the course of the Potomac river as far as Cumberland; (*b*) the route of the Chesapeake and Ohio canal; the Baltimore and Ohio railroad. Had the Potomac been made navigable to Cumberland, what effect would this probably have had on Baltimore city? How did the railroad affect the situation?
- Do Washington College and St. John's College obtain state aid at the present time? What does the state get in return?

#### REFERENCES

See Elson's *History of the United States*, pp. 394-450, or any standard history of the United States, or of the War of 1812. Browne's *Maryland*, pp. 325-338. James's revision of McSherry's *History of Maryland*, pp. 285-304. If available, consult Scharf's *History of Maryland*, Vol. III.

## CHAPTER IV

### PUBLIC IMPROVEMENTS; THE MEXICAN WAR

**92. Introduction.** — We have already considered the resources of the western section of Maryland and the need of a trade route between this part of the state and Chesapeake bay. The Potomac Company was organized to open such a route, but the scheme of opening up the Potomac to navigation proved impossible of accomplishment. Up to the time of the war the commerce of the state prospered immensely, the value of exports increasing perhaps six or seven times. The need for commercial facilities of a better kind grew constantly, and the proposed trade route between the west and the east of the state became of the highest importance to both sections. During the war, schemes of improvement were for the time laid aside, and commerce necessarily suspended to a great extent. But with the close of the war began a new era of prosperity and development, followed by the needed improvements, whose history we have now to trace.

**93. "The Monumental City."** — On the 4th of July, 1815, the corner-stone of a fine monument to the memory of George Washington was laid. The monument, built by the state of Maryland, is situated on North Charles street, in the city of Baltimore. It was completed in 1829, is built of white Maryland marble, and is in all 164 feet high. It rests on a marble base 50 feet square and 24 feet high, and is surmounted by a statue, 16 feet in height, of Washington, represented in the act of resigning his commission. This was the first worthy monument erected to the memory of the "Father of his Country."



Mount Vernon Square, Baltimore, showing Washington Monument

From a photograph

On the first anniversary of the British attack on Baltimore the corner-stone of a monument to the memory of the city's defenders at North Point and Fort McHenry was laid. This is known as the Battle Monument. A great many monuments have since

been erected in Baltimore, and on this account, as well as because the city raised the first notable monument to George Washington, Baltimore is often called the "Monumental City."

**94. The Chesapeake and Ohio Canal.** — Although it proved to be impossible to carry out the plans of the old Potomac Company for opening up the Potomac river, yet the project of establishing a trade route along that stream was far too important to be given up. It was not merely a question of providing an outlet for the rich region of western Maryland, but there was a chance to bring through the state a large and valuable western trade as well. The

next thing thought of to supply the need was a canal, and after much discussion the Chesapeake and Ohio Canal Company was formed in 1824. This company undertook to construct a canal from Georgetown,



Chesapeake and Ohio Canal

From a photograph

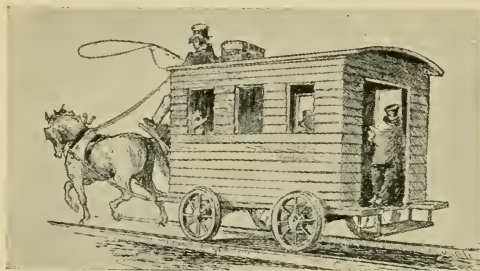
on the Potomac, to the Ohio river. From Georgetown, vessels could reach the Chesapeake by way of the Potomac river. The canal was finally completed as far as Cumberland.

There was also much talk of cutting a canal to connect Baltimore with the Chesapeake and Ohio canal, as it was feared that the western trade would pass the city by; but it was considered doubtful whether such a plan was practicable, and the proposed canal was never begun.

**95. The Baltimore and Ohio Railroad.** — The citizens of Baltimore fully realized the danger of missing the large and

profitable trade of the west, as well as its value to them in case they could get it to flow through their city. They accordingly

cast about for some means of bringing this trade to Baltimore. A committee, composed of Philip E. Thomas and other prominent gentlemen, was appointed to consider the matter, and they recommended that a double railroad be constructed from

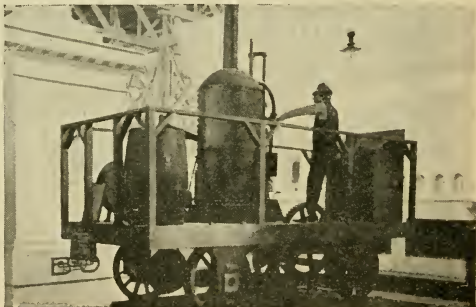


First Method of Travel on the Baltimore and Ohio Railroad, 1829

From a print

Baltimore to some suitable point on the Ohio river.

Now at first sight this may seem very simple and natural, but really the plan showed great wisdom, foresight, and progressiveness on the part of its projectors ; for at that time railroads were not in use in America, and the first passenger railroad in the world (the Liverpool and Manchester railway, in England) had been commenced but two years before and was not yet in successful



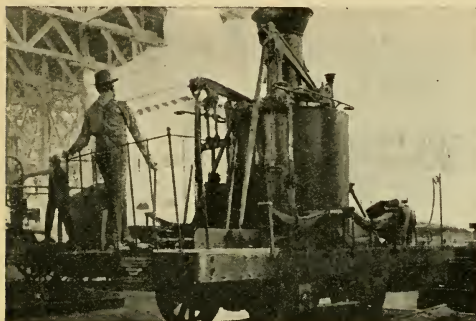
First Locomotive built in America  
Peter Cooper, Baltimore, 1830

From a photograph

operation. A company to put this plan of the committee into operation was nevertheless formed, called the Baltimore and



Ohio Railroad Company, and Philip E. Thomas was made its first president. From a discovery made in England by Mr.

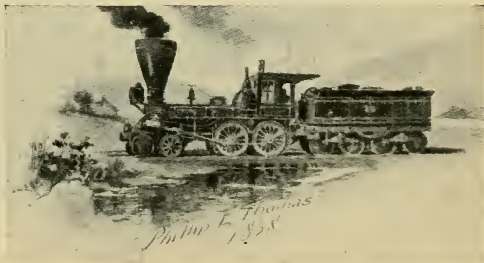


The Davis "Grasshopper" Type, 1832

From a photograph

William Gibson (formerly of the Baltimore and Ohio railroad) it appears that a representative was actually sent to England to make personal investigations. The ceremony of breaking ground was performed on the 4th of July, 1828, by the aged Charles Carroll of Carrollton, then more than ninety years of age, and the last living signer of the Declaration of Independence. "I consider this among the most important acts of my life," exclaimed the venerable patriot as he struck the spade into the earth, "second only to that of signing the Declaration of Independence, if second even to that."

Although horses were at first used to draw the cars, steam was soon applied. Peter Cooper, who owned large iron works in the vicinity

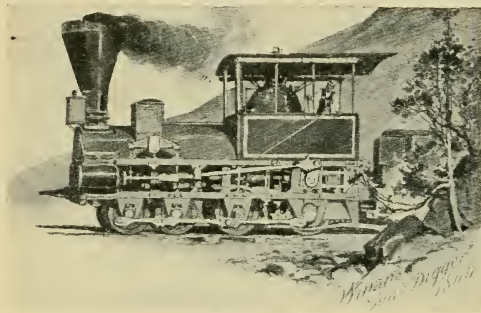


The "Dutch Wagon" Type, 1838

From a print

of Canton, near Baltimore, built a small locomotive, very little larger than an ordinary workman's handcar of the present day.

The first trip was made on August 28, 1830, from Baltimore to Ellicott's Mills (now Ellicott City), and was entirely successful. The return trip of thirteen miles was made in fifty-seven minutes. In 1852 the



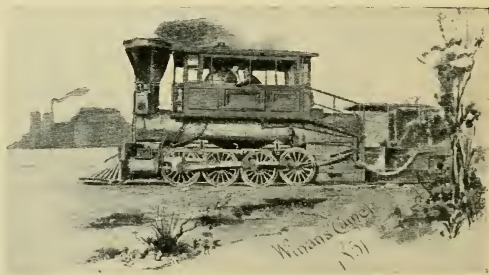
The Winan's "Mud Digger," 1844

From a print

road was completed to Wheeling, on the Ohio river, and on New Year's day, 1853, the first train passed over the road.

**96. Financial Distresses.** — The Bank of Maryland, owing to a change of policy on the part of the national government,

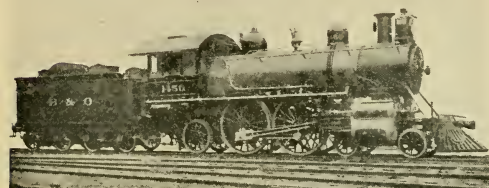
was obliged to stop business in 1834. Many of the depositors were poor persons, who naturally became much alarmed at the thought of losing the little they possessed ; but great confidence was felt in the officers of the bank, and the people waited patiently for some months. Then a violent quarrel arose among the officers of the bank, and the confidence of the depositors was quickly lost. Riots followed, in the course of which the houses of several of the directors of the bank and that of the mayor of the city (Baltimore) were



Winan's Famous "Camel Back," 1851

From a print

broken open and much valuable property destroyed. For a time the mob held absolute control, but companies of citizens were soon formed for the preservation of the peace, under the leadership of General Samuel Smith, and the troubles were promptly quelled.

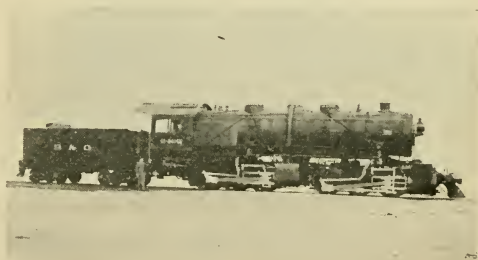


Modern Passenger Locomotive, 1904

From a photograph

to the other. Some states refused to pay the interest that was legally due on their debts. The public improvements going on in Maryland, particularly the canal and the railroad enterprises, had been repeatedly aided by the state. In proportion to the population, the expenditures had been enormous. In the desperate condition that now confronted the state, her credit and honor were preserved by Mr. George Peabody, a wealthy and patriotic merchant who had laid the foundation of

a great fortune in Baltimore. He secured a loan in London, supporting Maryland credit with his own fortune and influence, yet he nobly refused all pay for his great and important services.



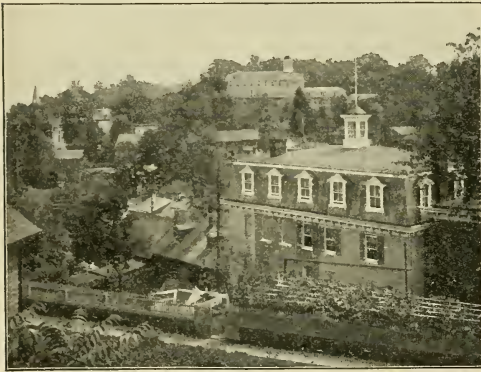
Largest Freight Locomotive in the World, 1904

From a photograph

From a photograph

**97. The First Telegraph Line.** — In 1844 the first telegraph line was built, between Baltimore and Washington. This instrument was the invention of Professor Samuel F. B. Morse and has been of the highest importance in the development of our country.

**98. Government Reforms.** — The many changes that took place after the adoption of the Constitution of 1776 (see Sec.



View of Ellicott City, First Terminus of the  
B. & O. R.R.

From a photograph

16) gave rise to much dissatisfaction with that instrument. Each county sent the same number of delegates to the Assembly — four, while Baltimore and Annapolis sent half as many — two each. At that time the counties were nearly equal in population, and Baltimore was only a moderately large town. But the

western counties soon came to have large populations, while Baltimore, which was made a city in 1797, grew to be a large and important centre. It thus happened that a minority of the people could control the state government. This came to be a great grievance, and after much effort the Constitution, in 1837, was revised. Representation was more fairly apportioned; the counties sent delegates according to population, Annapolis lost her delegates, and Baltimore sent the same number as the largest counties. The electoral college was abolished, and the election of the senators given to the people. The governor's council was abolished, and the governor elected by the people.

In 1802 the property qualification for voting was abolished, and that for holding office followed in 1810; in 1825 Jews, who before this time were not allowed to hold any public office, were placed on the same footing with Christians; and in 1846 the sessions of the General Assembly were made biennial. The old Constitution having become "a thing of shreds and patches," a new one was adopted by the people in 1851. The term of the governor and of senators was made four years, and it was provided that the judges and many other officers should be elected by the people. Imprisonment for debt was abolished. It is apparent that the general tendency of all these reform movements was to place the control of affairs more directly in the hands of the people, and to render the government more truly free and republican.

**99. The War with Mexico.** — Our present state of Texas was formerly a part of Mexico. Its inhabitants rebelled against the government of that country, and succeeded in establishing an independent republic. This republic asked to be annexed to the United States. The request being granted, a dispute ensued over the boundary between



Mexican War Monument, Baltimore <sup>1</sup>  
From a photograph

<sup>1</sup> Erected by the Association of Veterans of the Mexican War, to the memory of Maryland soldiers who perished in the Mexican War.

Mexico and Texas, which led to a war between the United States and Mexico. Congress declared war in May, 1846.

In the course of this war no officers performed their duties with more spirit, devotion, and intelligence than those of Maryland. At the battle of Palo Alto, Major Samuel Ringgold of Maryland, who commanded the artillery, was mortally wounded. His skill and bravery were of cardinal importance in winning victory for the Americans. Colonel William H. Watson of Maryland was killed while leading his regiment to the assault at Monterey. After the capture of Monterey, Captain Randolph Ridgely, who had succeeded to Major Ringgold's command, was killed by a fall from his horse. He served with distinguished skill and valor, and his death was regarded as a serious loss to the American army. Captain John Eager Howard, a grandson of the Revolutionary hero, won much honor for his courage and spirit. In this war Maryland's reputation for the personal gallantry and good conduct of her soldiers was fully sustained.

#### TOPICS AND QUESTIONS

**92. Introduction.**

Increase of Maryland's commerce.

**93. "The Monumental City."**

Describe the monument to Washington erected in Baltimore.

What does the Battle Monument commemorate?

Why is Baltimore called the Monumental City?

**94. The Chesapeake and Ohio Canal.**

Formation of the Chesapeake and Ohio Canal Company; its plans.

How far were the plans successful?

**95. The Baltimore and Ohio Railroad.**

The citizens of Baltimore decide to connect the city with the Ohio river by means of a railroad; wisdom of the plan.

Formation of the Baltimore and Ohio Railroad Company.

The work begun by Charles Carroll; his opinion of its importance.

Steam used; the engine of Peter Cooper, and the trial trip to Ellicott City.

The road completed to the Ohio, 1852.

**96. Financial Distresses.**

Failure of the Bank of Maryland.

Riots occur, and serious loss of property results; the riots quelled by General Samuel Smith.

The heavy expenditures of Maryland for public improvements.

The credit of the state saved by George Peabody.

**97. The First Telegraph Line.**

Location of the first telegraph line.

**98. Government Reforms.**

What changes were made by the amendments to the Constitution in 1837?

What other changes were made?

What changes were made by the Constitution of 1851?

What was the general effect of all these changes?

**99. The War with Mexico.**

State the cause of the Mexican War.

Give an account of the services of Marylanders in this war.

### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. Is it well to erect monuments to the memory of illustrious men? Give reasons for your answer. What is the largest monument in the world?
2. Name some other railroads in Maryland at the present time besides the Baltimore and Ohio. What is the route of each you have named? Explain in detail how a railroad benefits the country through which it is built. Name four large cities along the line of the Baltimore and Ohio railroad in Maryland.
3. State some of the advantages of the telegraph. Show how it strengthens the union of the states of our country. Express your opinion of the various changes made in the government of Maryland, as described in section 98.

### REFERENCES

James' revision of McSherry's *History of Maryland*, pp. 305-338. If available, see Scharf's *Maryland*, Vol. III. For Constitutional changes, see Steiner's *Institutions and Civil Government of Maryland*, pp. 12-15. For a full account of the Chesapeake and Ohio canal, see Dr. G. W. Ward's *Early Development of the Chesapeake and Ohio Canal Project*, in the Johns Hopkins University Studies in Historical and Political Science, Seventeenth Series, ix, x, xi. For an account of the Mexican War, see Elson's *History of the United States*, pp. 523-533, or any good history of the nation.

## CHAPTER V

### SLAVERY AND THE CIVIL WAR

**100. Introduction.** — We have now reached the saddest part of our story — the time when the people of our country were to meet on the deadly battle-field, not to repel a foreign enemy, but in bloody strife with one another. War is always terrible, even when waged against a foreign nation, and in defense of home and country; it is infinitely more terrible when a nation becomes divided in civil war, when relatives and friends are arrayed under opposing standards, and even brothers meet in deadly combat. It is therefore painful even to look back upon this unfortunate period of our history, and in studying about it we should try to free ourselves from all feeling of bitterness and prejudice. There is here simply a record of the most important points of Maryland's connection with the great struggle. The bitter feelings of anger and hatred that the war naturally excited are now practically all allayed, and our people are again united; it should be our effort to perpetuate this friendly feeling in every possible way, to look back upon the wrongs and mistakes committed by both sides in the great civil war with no other feelings than those of pity and regret, and to take care ourselves that no repetition of these sad occurrences ever be possible.

**101. Negro Slavery.** — Very early in the history of our country slaves were introduced, and gradually came to be held throughout the land. As the population increased and the condition of the various sections of the country became fixed, the people of the North engaged largely in commerce and manufac-



turing, while those of the South were occupied almost entirely with agriculture. To the people of the North slavery was of little or no use, and gradually the institution was abolished; in the South, on the other hand, slave labor was very valuable, and slavery was therefore retained.

**102. The Maryland Colonization Society.** — There were, however, many people in the South who favored the gradual emancipation of the slaves, and efforts to accomplish this end were made, particularly in Maryland. No state made greater efforts to improve the condition of the negro. In 1790 there were 8,043 free negroes in the state; by 1860 there were 83,718, only 3,470 less than the slave population. The proportion of slaves to free negroes had been reduced from 12.81 to 1.04.

Early in the century the American Colonization Society was formed for the purpose of planting colonies of free negroes in Africa. A similar organization was formed in Maryland in January, 1831, called "The Maryland State Colonization Society." Soon afterward a colony was sent out to Liberia, a piece of territory on the western coast of Africa. The following is a resolution adopted by the Society: "That the Mary-



Confederate Monument, Baltimore  
Erected by the Maryland Daughters of  
the Confederacy  
From a photograph

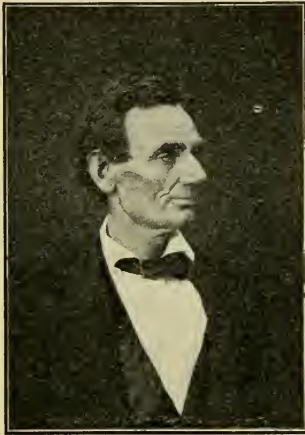
land State Colonization Society look forward to the extirpation of slavery in Maryland, by proper and gradual efforts addressed to the understanding and experience of the people of the state, as the peculiar object of their labors." This they thought could best be accomplished by colonization, and it is worth noting that the use of intoxicating liquors was forbidden, both to the employees of the Society and to the emigrants. The Society was liberally aided by the state, and succeeded in establishing a prosperous colony, which was known as "Maryland in Liberia." This colony was given a republican form of government, and finally granted independence. It was afterward united by treaty with Liberia, and became known as Maryland county.

**103. The Controversy over Slavery between the North and South.** — The regulation of slavery was not, however, left to the states to manage in their own way. A party arose in the North called Abolitionists, who declared that slavery was a great moral wrong and ought to be abolished by the national government. Other things occurred, also, to anger the people of the South, and to check the emancipation movements already in progress.

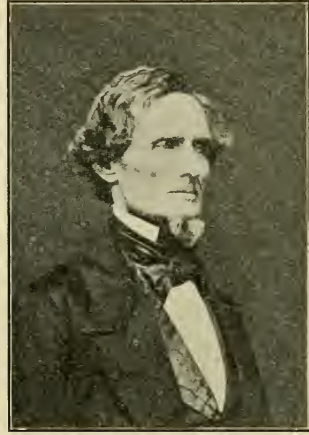
The increase of national territory was closely connected with the slavery question. At the close of the Revolutionary War our territory extended to the Mississippi; as time went on it gradually extended across the continent to the Pacific. A party was formed in the North, called the Republican, for the purpose of prohibiting slavery in the territories, on the ground that it was morally wrong. The people of the South, supported by a decision of the United States Supreme Court, claimed the right to take their slaves with them wherever they pleased, just as they could take any other property. So here were the elements of a fatal quarrel. In 1860 the Republican party nominated

Abraham Lincoln for the presidency, and he was elected. It was the election of Lincoln that precipitated the Civil War.

**104. States' Rights; Secession of Southern States.**— From the time when the Federal Union was formed there had been much difference of opinion about the powers that belonged to the general government and those which were retained by the states. Many persons believed that a state had the right to



Abraham Lincoln  
From a photograph



Jefferson Davis  
From a photograph

“secede,” or withdraw from the Union into which it had entered, while others thought that once in the Union a state was obliged to remain there. In the early history of the United States threats of secession were often heard both from Northern and Southern states. The right to secede was now claimed and actually exercised.

Many of the Southern leaders declared that the interests of the South were no longer safe in the Union after the election of

Lincoln, and shortly after that event South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas seceded from the Union. Virginia, Arkansas, Tennessee, and North Carolina, although they remained in the Union for the time, did not think the Federal government had the right to use force against a seceding state, and when compelled to choose they joined the South.

These states organized a new government, called the Confederate States of America, and Jefferson Davis was elected president. The result was the Civil War, between the North and the South, the greatest war of modern times.

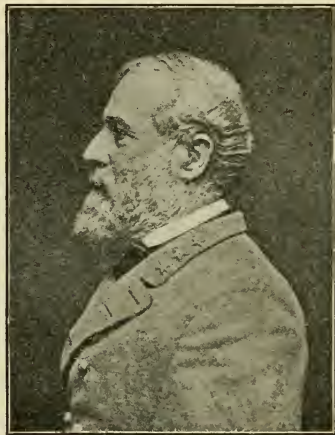
**105. The Position of Maryland.** — How did Maryland stand in the terrible struggle now about to begin? No other state occupied a more difficult position. As a Southern state, with a large population of slaves, and bound to the South by countless ties, social, political, and commercial, Maryland naturally sympathized with the South. Yet at the same time, as in all the border states, there was the greatest difference of opinion among her people. Many people were in favor of seceding from the Union and joining the Confederacy, while others were strongly attached to the Union and regarded the action of the South as treason and rebellion. Still others favored the cause of the South, but thought that prudence should restrain the state from taking that side; for Maryland was separated from the Southern states by the Potomac, while on the north she lay exposed, and her bay and rivers invited attack by the Federal fleets. More important still, the Federal capital was situated within the geographical bounds of the state. Hence the national government was certain to make the greatest efforts to prevent Maryland from taking the side of the South. Fearful suffering and perhaps ruin awaited a union with the South, and hence many Southern sympathizers were unwilling that the

state should thus endanger herself. There were still others who did not believe in the right of secession, but who thought the Federal government had no right to use force to prevent a state from seceding, while some believed in the right but did not think the conditions were such as to demand its exercise. Under these circumstances there was some effort to assume a neutral attitude, but it soon became plain that such a thing was



U. S. Grant

From a photograph



Robert E. Lee

From a photograph

impossible. The considerations of prudence, aided by the strong arm of the Federal government, prevailed, and Maryland remained in the Union.

**106. The War for the Union.** — In April, 1861, hostilities commenced with the bombardment and capture of Fort Sumter, in Charleston harbor, by the Confederates. President Lincoln immediately issued a call for seventy-five thousand men to “put down the rebellion,” and the call was promptly and

enthusiastically answered by the Northern states. The struggle which ensued between the armies of the two sections of our unhappy country was of the most desperate and terrible character. The record of the various campaigns and battles belongs to the history of the United States, and forms no part of our own narrative. General Robert E. Lee, the commander-in-chief of the Southern army, was in the end obliged to surrender to General U. S. Grant, in command of the Federal armies, and the war thus came to an end with victory for the North. We have now to note the more important points of Maryland's connection with the great conflict.

**107. First Bloodshed of the War.** — A body of Northern troops, the Sixth Massachusetts regiment, passed through Baltimore on the 19th of April, 1861, on the way to Washington. A terrible riot ensued. An excited mob surrounded the soldiers, began pelting them with stones and other missiles, and injured several. In return, the soldiers fired a number of times upon the crowd of angry people, and many persons were killed and wounded on both sides. A serious conflict was averted only by the bravery and energy of the mayor and the marshal of police, who finally, at great risk to themselves, managed to keep back the mob.<sup>1</sup>

The greatest excitement now prevailed in Baltimore city. It was known that other bodies of troops were on their way south, and it seemed evident that they could not pass through Baltimore without a bloody conflict. To prevent this the bridges to the north and east of the city were destroyed, and by request of the governor of Maryland and the mayor of Baltimore city the president ordered that troops on the way to Washington should not approach Baltimore.

<sup>1</sup> As an evidence of the present good feeling, it is worth knowing that the Sixth Massachusetts regiment received a splendid ovation in Baltimore in 1898, when passing through the city at the beginning of the Spanish-American War.

**108. Maryland occupied by Federal Troops ; Acts of Oppression.** — Maryland, though she remained in the Union and was called a “loyal” state, was in many respects treated like a conquered province. In May General B. F. Butler seized Federal Hill by night, and batteries were erected overlooking the city. Soldiers were soon stationed at important points all over the state, and the civil authorities were obliged to take second place.

The unfortunate results of a substitution of military for civil rule, of the reign of force instead of law, were now to be seen. In May Mr. John Merryman of Baltimore county was arrested by the military authorities on a charge of treason, and imprisoned in Fort McHenry. Chief Justice Taney,<sup>1</sup> of the Supreme Court of the United States, issued, at the request of the prisoner, a writ of *habeas corpus*. This famous writ is regarded as one of the



Statue of Roger B. Taney, Washington Place,  
Baltimore

From a photograph

<sup>1</sup> Chief Justice Taney was a native of Calvert county, Maryland. He was a man of high character and profound legal knowledge. Before becoming chief justice he served in Maryland as delegate and senator in the Assembly, as attorney-general of Maryland, as attorney-general of the United States, and as secretary of the treasury of the United States. In 1836 he was appointed chief justice of the Supreme Court by President Jackson.

greatest safeguards of personal liberty. When a person is arrested and imprisoned, he may apply to a court of justice and obtain a writ of *habeas corpus*. This is an order from the court, commanding the prisoner to be brought before the court, and cause for his detention shown. If there is not sufficient evidence to justify his being held for trial, the judge is bound to set him free. The general in command refused to obey the writ of Justice Taney, and when a United States marshal attempted to arrest him for contempt of court, the latter was kept out of the fort and not allowed to perform his duty. The general declared that he had been authorized by the president to suspend the writ of *habeas corpus*. The chief justice then filed in the Supreme Court an opinion in the case, declaring that under the Federal Constitution Congress alone has the power to suspend the writ of *habeas corpus*. No attention was paid by the government to this decision, however, and the prisoner was held in confinement. The General Assembly of Maryland then in session declared, "We deem the writ of *habeas corpus* the great safeguard of personal liberty; and we view with alarm and indignation the exercise of despotic power that has dared to suspend it."

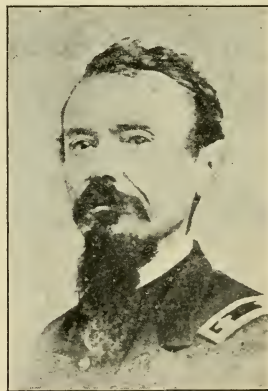
The military authorities assumed full control. In Baltimore a provost-marshal was appointed, and the commissioners of police were seized and imprisoned. They were first imprisoned in Fort Lafayette, New York, and afterward in Fort Warren, Boston harbor. In their case, as in that of Mr. Merryman, the writ of *habeas corpus* was disobeyed by the military authorities. The legislature protested against these things, and adjourned to meet in September. Before that time the members from Baltimore county and Baltimore city, together with the mayor of Baltimore city, were arrested by order of the secretary of war and sent to Fort Warren. There they were kept in confine-



ment for more than a year, without any public charge being preferred against them. All suspected persons were arrested. Some took advantage of the occasion to denounce their personal enemies, and both men and women were seized and imprisoned without any chance to defend themselves. Judge Carmichael, of Queen Anne's county, was arrested while presiding over court, dragged from the bench by soldiers, and severely wounded.

Some of these acts were doubtless necessary for the protection of Federal interests, while others were simply abuses of power. But all alike will serve to show the misfortunes that are sure to follow war and the rule of force, and their lesson to us is that every possible effort should be made to adjust difficulties in a peaceable, orderly, and lawful manner before resorting to any kind of violence. It is for us to regret such things in the past, and to prevent them in the future.

**109. Maryland Troops in the War; Invasions of the State.** — Thousands of Maryland men fought on both sides during the war, and their record fully sustained the reputation of Maryland soldiers. When the president issued his call for volunteers, there was a prompt response in Maryland, and the troops so raised were formed into a regiment under Colonel John R. Kenly. By the close of the war nearly fifty thousand men of Maryland had served in the Federal armies. These, however, were not all serving voluntarily. Volunteers came forward too slowly for the Federal government,



John R. Kenly

From a photograph in the rooms  
of the Grand Army Club of  
Maryland

and after a time a conscription, or draft, was resorted to: that is, men were forcibly put into the army. Throughout the war the Maryland soldiers acquitted themselves creditably.

Those who fought under the banner of the South were of course volunteers, and in most cases it was an undertaking of



Bradley T. Johnson

From a photograph in the Maryland Line Confederate Soldiers' Home

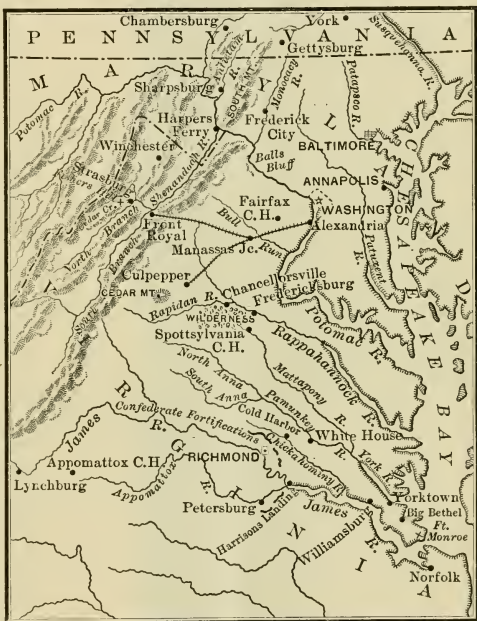
great difficulty and danger for them to reach the Southern lines. Notwithstanding this fact many thousands of Marylanders did join the armies of the South and fought with courage and devotion throughout the war. Most of these soldiers fought with the forces of other states, and so left no record as an organization, but a small command was organized, including infantry, cavalry, and artillery; this was called the Maryland Line, and was under the command of Colonel Bradley T. Johnson. The Maryland troops under Colonel Johnson were with General "Stonewall" Jackson in his remarkably brilliant campaign

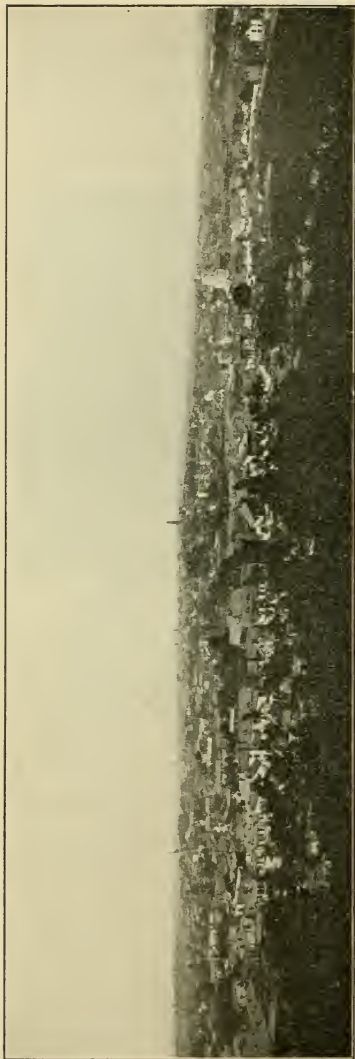
in the Shenandoah valley, and served with distinction.

At Front Royal, on the Shenandoah, the Maryland regiments of Colonels Johnson and Kenly met on the field of battle. The most determined bravery was shown by both sides, but the victory was with the Confederates, and Kenly and his men were finally defeated and captured. When the prisoners were standing in line next morning friends and relatives recognized each other, and greetings and hand-shakings were exchanged between those who a few hours before had been seeking each other's lives. Such occurrences are not extraordinary in civil war.

In September, 1862, the Confederate general, Lee, invaded Maryland and occupied Frederick. There he issued an address, inviting the people of Maryland to enroll themselves under the standard of the Confederacy. But few responded, for the sentiment of the people in the west of the state was largely in favor of the North, while many who would willingly have given sympathy or aid were restrained by considerations of prudence. Lee was attacked by the Union army under General McClellan at South Mountain, and defeated. On the 17th of September the armies of Lee and McClellan met on the field of Antietam, and in the terrible battle that followed more than twenty-five thousand men were killed and wounded. Although the Confederates were outnumbered two to one, Lee managed to hold his ground, and on the next night withdrew his army into Virginia.

In June, 1863, General Lee again entered Maryland. Private property was respected, but the Baltimore and Ohio railroad, being in the service of the Federal government, was destroyed from Harper's Ferry to Cumberland. Lee was defeated at





View of Frederick  
From a photograph

Gettysburg, in Pennsylvania, and again retreated into Virginia. During the great battle of Gettysburg, which lasted three days, the Confederate regiment of Marylanders under Colonel James R. Herbert made a splendid charge, in which three men out of five were killed or wounded.

Maryland was again invaded in 1864, by General Early. The Federal general, Lew Wallace, was defeated on the Monocacy river, near Frederick, and the citizens of Frederick and Hagerstown were obliged to raise large sums of money to prevent the destruction of the towns. General Early threatened Baltimore and Washington, and had hopes of taking the latter; but finding it too strong for him to attack, he crossed the Potomac again into Virginia.

On April 9, 1865, General Lee surrendered to General Grant, and in another month the war was over.

**110. Maryland Aids the Stricken South.** — At the close of the war the Southern people were left in a fearful condition. Nearly every industry had been paralyzed, the destruction of property had been immense, and thousands of widows and orphans were nearly destitute. This condition aroused the greatest compassion in the hearts of the people of Maryland. A "Southern Relief Association" was formed by the women of Baltimore, who opened a fair in 1866. From this fair the proceeds were more than \$160,000, and this sum was distributed to the Southern states. Mr. George Peabody, whose services to the state have already been mentioned (see Sec. 96), gave \$2,000,000 for the purpose of founding and maintaining schools in the South.



Monument to Maryland Dead at Antietam

From a photograph

In January, 1867, \$100,000 was appropriated by the General Assembly of Maryland for the relief of the destitute people of the South.

#### TOPICS AND QUESTIONS

**100. Introduction.**

Explain the peculiar horrors of civil war.

What is the proper attitude toward the American Civil War?

**101. Negro Slavery.**

Explain why the institution of slavery was abolished in the North but retained in the South.

**102. The Maryland Colonization Society.**

Southern sentiment against slavery; the efforts of Maryland in behalf of the negroes.

The Maryland State Colonization Society.

(a) When was it formed?

(b) What was its object?

(c) How did its members think this could best be accomplished?

(d) What aid did the Society obtain?

(e) With what success did it meet?

**103. The Controversy over Slavery between the North and South.**

Rise of the Abolitionists; their opinion about slavery.

Effect on the South.

Connection of territorial expansion with the slavery question.

Formation of the Republican party; its principles.

The election of Abraham Lincoln and its effects.

**104. States' Rights; Secession of Southern States.**

What differences of opinion existed about the rights of states?

What states exercised the right of secession that was claimed?

What new government was formed?

With what results?

**105. The Position of Maryland.**

Explain the peculiar difficulty of Maryland's position.

State the wide differences of opinion that prevailed.

Which side did Maryland take in the contest, and why?

**106. The War for the Union.**

Describe the beginning and general character of the Civil War.

Who were the commanding generals on each side?

How did the war result?

**107. First Bloodshed of the War.**

Attack on the Sixth Massachusetts regiment in Baltimore city.

Destruction of bridges.

The order of the president of the United States.

**108. Maryland Occupied by Federal Troops; Acts of Oppression.**

The military authorities assume control.

Arrest of Mr. John Merryman and suspension of the writ of *habeas corpus*.

The opinion of Chief Justice Taney of the United States Supreme Court.

Protest of the Maryland Legislature.

Imprisonment of the commissioners of police for Baltimore city.

Arrest of the members of the Assembly from Baltimore city and county, and of the mayor of Baltimore city.

Arrest of Judge Carmichael.

The lesson that these acts teach.

**109. Maryland Troops in the War ; Invasions of the State.**

Give an account of the services of Maryland troops on both sides in the Civil War.

Describe the successive invasions of the state by the armies of the Confederacy.

When and how did the war come to an end?

**110. Maryland Aids the Stricken South.**

The terrible condition of the South at the close of the war.

Sympathy of Maryland.

(a) The Southern Relief Society ; \$160,000 raised.

(b) Contribution of George Peabody.

(c) The General Assembly appropriates \$100,000.

**QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH**

1. What invention tended strongly to promote the growth of slavery ? Explain how. Was the idea of the Colonization Society about the abolition of slavery a good one ? Give reasons for your answer.
2. In what way would it have been a positive disadvantage to the Confederacy if Maryland had seceded ? In what way would it have been a great advantage ? Comparing the two, was it better for the Confederacy that Maryland did not secede ?
3. What was the capital of the Confederacy ? Why was this city difficult for a Northern army to capture ?
4. What provision does the Constitution of the United States make about the writ of *habeas corpus* ? What provision does the Constitution of Maryland make in regard to it ? (See Const., Art. III, Sec. 55.) Explain how an innocent person could be imprisoned indefinitely if it were not for this writ.

**REFERENCES**

For a more complete account of slavery and the Civil War, see Elson's *History of the United States*, pp. 539-776, or any standard history of the United States. See also Latrobe's *Maryland in Liberia*, Fund Publication No. 21 of the Maryland Historical Society ; Harris' *Reminiscences of April, 1861*, No. 31 of ditto ; Goldsborough's *Maryland Line, C.S.A.* ; Brackett's *The Negro in Maryland*, Johns Hopkins University Studies, Extra Volume. Browne's *Maryland*, pp. 345-362. James' revision of McSherry's *History of Maryland*, pp. 338-396.

## CHAPTER VI

### FROM THE CLOSE OF THE CIVIL WAR TO THE PRESENT

THIS period of the history of our state has been characterized by steady growth and prosperity. It began with the formation of our present system of state government, and throughout has been marked by the completion of many noble and important works of public improvement, and by the development and establishment of our present institutions and mode of life. We have now to observe the leading facts connected with these important events.



George Peabody

From a painting in the gallery of the  
Maryland Historical Society

**111. Gifts of George Peabody.**  
— The valuable services rendered the state by George Peabody have already come under our notice (see Sec. 96), and also his generous gift to the suffering South.

At this point Mr. Peabody again appears as a public benefactor. The Peabody Institute of Baltimore, endowed by this unselfish and public-spirited gentleman, was dedicated in 1866. Provision was made for a free library, a gallery of art, courses of lectures, and a school of music. To the Maryland Historical Society, also, Mr. Peabody contributed generously, and he gave many



other large sums for the diffusion of knowledge and the relief of the poor and distressed.

Though not a native of Maryland, Mr. Peabody spent some years of his life here, where he laid the foundation of the great



Peabody Institute  
From a photograph

fortune that he accumulated. He established himself in London in 1837, but he always remained a patriotic American, and always retained a warm affection for his adopted state.

**112. Formation of the Present State Government.** — In 1864, the war not yet being over, a new state Constitution was adopted, which abolished slavery. This Constitution prescribed an oath to be taken by all voters, thus deciding who should vote on its adoption and who should not; and it further provided that the vote of the soldiers absent in the Union armies should be taken in their camps. In both cases it made itself operative before it had legal existence, which, of course, it could have only after being adopted by the people, since it was submitted to them for ratification. Even then it was believed that the Constitution

was defeated, when the soldiers' vote was brought in and it was found to have been adopted by a very small majority.

When the war was over and the military authorities were removed, it was natural, under these circumstances, that a strong desire for a new Constitution should exist and make itself felt. A convention was accordingly called in 1867 for the purpose of making a new Constitution. It framed the government under which we now live, and this was adopted at an election held September 18, 1867, by a majority of twenty-four thousand.

The Constitution is composed of two parts. The first, called the Declaration of Rights, consists of forty-five articles. It is a statement of the general rights which the people of the state consider of special importance to their freedom. It is declared that the people have the right "to alter, reform or abolish their form of government in such manner as they may deem expedient." It asserts the right of every person to worship God as he pleases, and to freedom of speech, and declares that no one must be deprived of his liberty, life, or property except by "the judgment of his peers, or by the law of the land." The Constitution of the United States, and the laws enacted under its provisions, are made the supreme law of the state; but it is declared that all powers not delegated to the United States, nor prohibited to the states, are reserved to Maryland.

The second part of the Constitution is the Form of Government. The legislative power is vested in a General Assembly, composed of two Houses, the Senate and the House of Delegates. In the former, each county is represented by one member, and the city of Baltimore by three;<sup>1</sup> in the latter each county is represented according to its population, Baltimore

<sup>1</sup> A recent amendment to the Constitution divides Baltimore city into *four* legislative districts, giving the city *four* senators and *four* times as many delegates as the most populous county.

sending three times as many delegates as the most populous county. The Assembly meets biennially on the first Wednesday of January. If he deems it necessary, the governor may call the legislature together in special session. The chief executive power is vested in a governor; he is elected by the people for four years and receives a salary of \$4,500 a year. To the governor is given the appointment of many important officials, and he has the power to appoint all officials whose appointment is not otherwise provided for in the Constitution or by law. In most cases the appointments are made by and with the advice and consent of the Senate. There is a secretary of state, appointed by the governor, to keep a record of official acts and proceedings, and to have the custody of the Great



The City Hall, Baltimore

From a photograph

Seal. An attorney-general and a comptroller of the treasury are elected by the people; the former to represent and advise the state in all legal matters, and the latter to manage the money affairs of the state. A treasurer is elected by the General Assembly. For the administration of justice the state is divided into eight districts, called circuits. Baltimore, which composes the eighth circuit, has a separate system of courts. In each of the other circuits three judges are elected, — a chief and two associates. The chief judges of these circuits, together with a

special judge from Baltimore city, form the Court of Appeals, the highest court of the state.

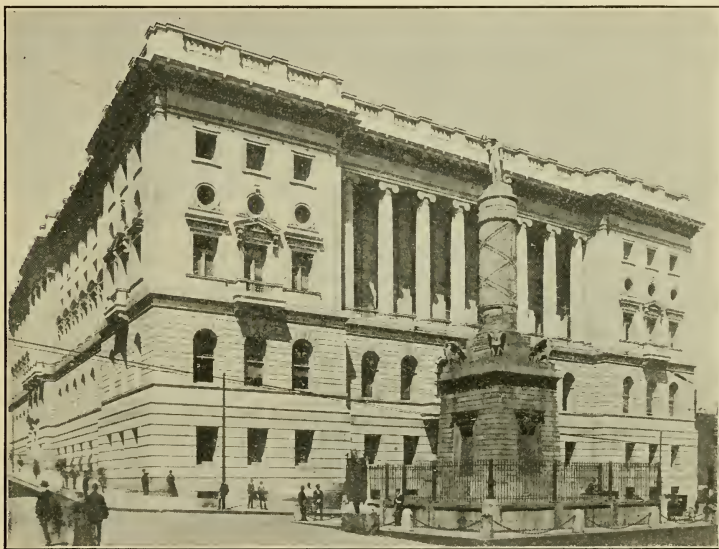
The Constitution provided that every *white* male citizen of twenty-one years should have the right to vote, but the word "white" was rendered of no effect by the fifteenth amendment to the Constitution of the United States, which extends the right of suffrage to negroes. The legislature of Maryland rejected this amendment by a unanimous vote, but it received the approval of the necessary number of states and so was adopted.

**113. Valley of the Patapsco Flooded.** — In July, 1868, a terrible flood occurred in the valley of the Patapsco river. Sudden and heavy rainfall caused a great rise of the waters of the stream, and soon houses, trees, and debris of all kinds were hurried along with the current. For several miles above Ellicott City the river flows between steep hills, and here the water acquired frightful height and velocity. When it reached the town, the water swept everything before it, — stores, dwelling-houses, bridges, and everything within reach of its deadly grasp. The rise of the waters was so rapid as to prevent the escape of many persons from its power, and thirty-nine lives were lost. The lower parts of Baltimore were flooded also, resulting in considerable loss of property.

Another destructive flood occurred in May, 1889, other parts of the country suffering at the same time.

**114. Public Buildings of Baltimore.** — In 1875 a new City Hall was completed in Baltimore which is among the finest buildings of the kind in the United States. The structure covers an area of over thirty thousand square feet. The white marble used in its construction was quarried in Baltimore county, Maryland. Near the City Hall is another large and handsome building, the Postoffice, completed in 1890 by the government of the United States. It is built of granite.

Baltimore has recently added to her public buildings a beautiful new Courthouse, a veritable palace of justice. At the front of the building are eight large monolithic columns, representing a cost of \$5,200. They were furnished from the quarries at Cockeysville, Baltimore county, Maryland. The granite of the



The Courthouse and Battle Monument, Baltimore

From a photograph

basement was also quarried in Maryland. The interior of the building is beautifully finished in hardwood and marble, and at the main entrance are two bronze doors. This fine structure is fireproof throughout, and contains 218 rooms, 8500 electric lights operated by its own plant, and four electric passenger elevators. The building was begun in 1895 and occupied January 8, 1900.

**115. Johns Hopkins University and Hospital.** — In 1876 the Johns Hopkins University was opened. Johns Hopkins was a wealthy citizen of Baltimore who, dying in 1873, left an estate of about \$7,000,000 for the purpose of founding a university and a hospital. Dr. Daniel C. Gilman, president of the



McCoy Hall, Johns Hopkins University

From a photograph

University of California, was appointed president; he resigned in 1901 and was succeeded by Dr. Ira Remsen. Since its organization, under the gifts of Johns Hopkins, other public-spirited citizens of Baltimore have contributed several million dollars to the institution. The University has enjoyed the services of many learned and devoted men, not a few of whom are world famous. The Johns Hopkins University has come to be one of the leading universities of America, and is highly respected abroad, while its influence for good in Baltimore and Maryland can scarcely be overestimated.

The Johns Hopkins Hospital was opened in 1889, and occupies an elevated site in the eastern part of Baltimore city. Its magnificent buildings occupy four squares, and cover about fourteen



Johns Hopkins Hospital

From a photograph

acres. This hospital is considered one of the finest institutions of the kind in the world. Connected with it is a school for nurses.

**116. Monument to Edgar Allan Poe.**—On the 17th of November, 1875, a monument was erected to the memory of the Maryland poet, Edgar Allan Poe. The monument was erected over the poet's grave in Westminster churchyard, corner of Fayette and Greene streets, Baltimore. Poe was born in 1809 in Boston, where his parents happened to be at that time. His father was a Baltimorean of good family, who married an actress, and the parents were fulfilling a theatrical engagement in Boston at the time of the poet's birth. Poe died in Baltimore in 1849. The monument was erected to his memory by the teachers and pupils of the public schools of Baltimore. Tributes from a number of American authors and a letter from Lord Tennyson, the poet-laureate of England, were read in the Western Female High School, adjoining the churchyard.

Poe's writings embrace poems, tales, essays, and criticisms. He possessed a brilliant, subtle, and keenly analytic intellect,



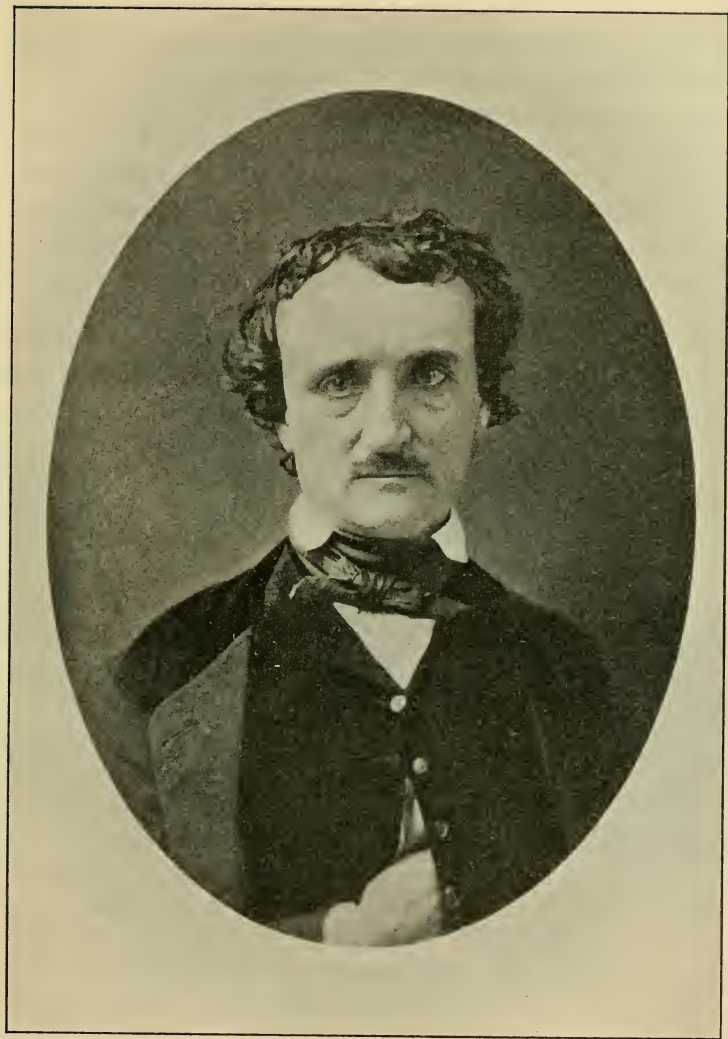
The Poe Monument, Baltimore  
From a photograph

and a poetic imagination of unusual power. His poetry is characterized by exquisite melody and a haunting, melancholy beauty; his short stories, among the greatest in the world's literature, deal with mystery, terror, horror, and the supernatural with unequalled skill and power. The Maryland poet takes very high rank among American authors, and by most foreign readers and critics is regarded as the most original genius that America has produced.

**117. Strike on the Baltimore and Ohio Railroad.** — In 1877 the Baltimore and Ohio Railroad Company found it necessary to reduce expenses, and accordingly reduced the salaries of all employees, believing that this would cause less suffering than the discharge of a number of men who were not needed. A large number of the trainmen thereupon refused to work for the reduced wages, and when the company employed other men to perform their duties, the strikers interfered forcibly to prevent it. Trains were stopped at several points along the line of the road, and in Baltimore thousands of rough and disorderly persons collected, many of whom had no connection with the railroad company.

The rioters assumed so threatening an attitude that it was found necessary to call out the militia, and bloodshed followed. The troops were attacked in Baltimore, and the Sixth regiment,





Edgar Allan Poe  
From a daguerreotype

in forcing its way through the streets, was obliged to fire repeatedly upon the crowd, while the Fifth regiment charged into Camden station at the point of the bayonet. Camden station and other property was set on fire, causing heavy losses. The governors of Maryland and West Virginia asked the president to send United States troops to the scenes of disorder. The rioters were after a time subdued. The strike extended to other railroads, but less destruction of property occurred in Maryland than in

other states, owing to the prompt and efficient services of the state militia and the police of Baltimore.

**118. The Enoch Pratt Free Library.** — In 1882 Enoch Pratt, a wealthy merchant of Baltimore, laid before the mayor and city council his plans for the founding of a public library. The necessary arrangements having been made, Mr. Pratt gave more than a million dollars for this purpose. A handsome library building was erected on Mulberry



The Enoch Pratt Free Library, Central Building

From a photograph

street, near Cathedral, and there are now seven branch libraries in various parts of the city. The library was opened in 1886, under the direction of Dr. Lewis H. Steiner, who died in 1892, and was succeeded by his son, Dr. Bernard C. Steiner. This

valuable gift of Mr. Pratt is called the Enoch Pratt Free Library. The institution has circulated a vast number of books and has been a source of pleasure and profit to thousands.

**119. The First Electric Railroad.**—“It was in Baltimore that the first electric railroad operated in America for actual commercial service was constructed and run successfully.” This was accomplished in August, 1885, the cars making a speed of about twelve miles an hour.

Thus Baltimore, which took the lead with the steam locomotive, constructed the first successful electric line, and was the scene of the first practical use of the electric telegraph.

**120. The Celebration of the Defense of Baltimore.**—In September, 1889, six days were devoted to a celebration of the seventy-fifth anniversary of the defense of Baltimore against the attack of the British in 1814, the memorable occasion that inspired the “Star-spangled Banner.” The exercises began on September 9 with a great industrial display, showing the progress of the city in manufacturing. On the 12th a sham battle took place at Pimlico to illustrate the battle of North Point. The battle was well planned and admirably executed. On the night of September 13 there was a grand representation of the bombardment of Fort McHenry; the weather was unfortunately rainy, but the affair was observed by more than a hundred thousand persons. During the celebration many distinguished persons visited the city, including the president and vice-president of the United States, with members of the cabinet, the governors of Maryland and Delaware, many army officers, and other persons of note.

**121. Monuments to Distinguished Marylanders.**—To her many distinguished citizens Maryland has from time to time erected suitable monuments. Baltimore’s popular name, the Monumental City, has already been mentioned in connection with the erection of the noble monument to Washington, and

the Battle Monument. Since that time a large number of similar testimonials have been raised; among others, one to the memory of Colonel Armistead, who commanded Fort McHenry in 1814, during the attack of the British army and fleet on the city.

On the site of the ancient city of St. Mary's a monument was raised in 1891 to the memory of Leonard Calvert, first governor of Maryland. The ceremony of unveiling was performed on the 3rd of June, and many persons of prominence were in attendance. The oration was delivered by William Pinkney Whyte, attorney-general of the state. This simple granite shaft, thirty-six feet high, suitably inscribed, and bearing the coat of arms of Maryland, marks the spot where the *Ark* and the *Dove* landed the first settlers of Maryland, nearly three hundred years ago. It is a tribute fully deserved, and the following lines, inscribed on the monument, are but a just statement of Leonard Calvert's services to Maryland in her infant days:—

By his Wisdom, Justice and Fidelity, he  
Fostered the Infancy of the Colony,  
Guided it Through Great Perils,  
And, Dying, Left it at Peace.

Three days later a granite monument, eleven feet high and bearing upon its face crossed Confederate flags, was unveiled at Loudon Park cemetery, Baltimore. This monument was raised to the memory of General James R. Herbert, a Maryland officer who fought with distinction in the Confederate army during the Civil War (see Sec. 109).

In 1892 a modest cube of Maryland granite was unveiled on the battle-field at Guilford Courthouse, North Carolina, in memory of the soldiers of the Maryland Line. The great services of Maryland troops, and the splendid charge they made at Guilford Courthouse, have already been described (see Sec. 74).

In the history of the Revolution, the heroic sacrifice of four hundred Maryland soldiers at the battle of Long Island has also been described (see Sec. 68). Here, near the spot where the brave men under Major Gist laid down their lives for their comrades, a monument has been dedicated to their memory by the Maryland Society of the Sons of the American Revolution. The ceremony took place in Prospect Park, Brooklyn, on August 27, 1895, the one hundred and nineteenth anniversary of the battle. The monument, twenty-seven feet high, consists of a beautiful column of highly polished Tennessee marble, resting upon a block of polished granite. It contains the following inscription, in raised letters of bronze:—

In Honor of  
Maryland's Four Hundred,  
Who on this Battle-field,  
August 27, 1776,  
Saved the American Army.

The same Society (Maryland Society of the Sons of the American Revolution) erected in 1898 a modest monument to the memory of General William Smallwood, the Revolutionary soldier and governor of Maryland. It is a plain granite block, five feet in height and suitably inscribed, upon his grave in Charles county.

In 1898 (August 9) a bronze statue, nine feet high, was unveiled at Mt. Olivet cemetery, Frederick, to the memory of Francis Scott Key (see Sec. 90). In its granite base rest the remains of the author of the "Star-spangled Banner," with those of his wife.

One of the most notable achievements in this direction was the erection in Mt. Royal Plaza, Baltimore, of a beautiful monument to all Marylanders who aided the cause of freedom



The Maryland Revolutionary Monument, Mt. Royal Plaza, Baltimore  
From a photograph

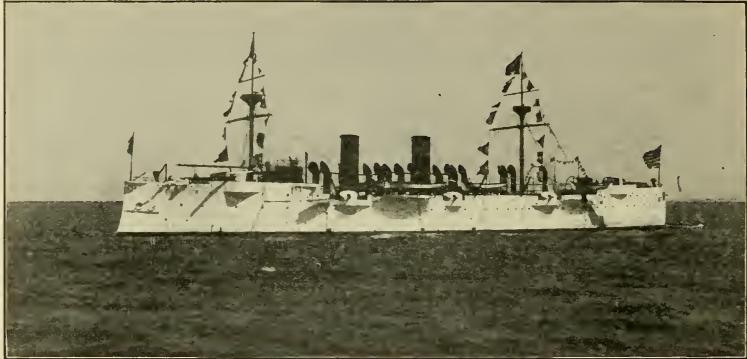
in the Revolutionary War. The monument is sixty feet six inches in height, the shaft is of Baltimore county granite and surmounted by a statue of the Goddess of Liberty, and the pedestal is suitably inscribed. The monument was erected through the efforts of the Maryland Society of the Sons of the American Revolution. The state and Baltimore city each contributed, but the attempt to obtain an appropriation from Congress failed, owing to the opposition of two successive Speakers of the House. The unveiling took place on October 19, 1901 (Peggy Stewart day). After an invocation by the Reverend Henry Branch, D.D., and addresses by Mr. Alfred Duncan Bernard, historian of the society, and Colonel William Ridgely Griffith, chairman of the committee, the monument was formally transferred to the city by the Honorable Edwin Warfield, president of the society.

On January 16, 1904, a splendid equestrian statue of John Eager Howard, brilliant soldier and governor of Maryland, was unveiled on Washington Place, Baltimore. Governor Warfield, Mayor M'Lane, many distinguished persons, and a large assemblage of citizens were present. The statue, which was the work of Emmanuel Fremiet, the leading sculptor of France, was presented to the city by the Municipal Art Society.

**122. The Spanish-American War.**— In April, 1898, Congress declared war against Spain. The war grew out of the cruel oppression of Cuba by Spain and the destruction of the United States battleship *Maine* in Havana harbor. Maryland, as usual, can claim a fair share of the honors in the war, which soon ended in complete victory for the United States.

The Pacific squadron of the United States, under Commodore Dewey, attacked and destroyed the Spanish fleet in Manila bay on May 1, without the loss of a man. In the second assault, the cruiser *Baltimore* led the line of battle, and per-

formed gallant service. Her commander, Captain Dyer, was voted a sword of honor by the city whose namesake he so ably commanded. Lieutenant Commander John D. Ford (now Rear Admiral) of Baltimore was chief engineer of the *Baltimore*, and shortly after the battle became fleet engineer.



The Cruiser *Baltimore*

From a photograph

The battle of July 3d was fought off the southern coast of Cuba. The Spanish fleet, blockaded in the harbor of Santiago by the American fleet, attempted to escape, and was totally destroyed. Acting Rear Admiral Sampson was commander-in-chief of the American fleet, and the officer second in command was Commodore Winfield Scott Schley of Maryland; the commander-in-chief was absent when the battle occurred. The American ships were ably handled and won a brilliant victory.

Admiral Sampson had left the station of the blockading fleet for the purpose of holding a conference, and was less than ten miles away when the battle opened. He had gone to the eastward,



and the Spaniards made their running fight to the westward. Sampson followed in his flagship, *New York*, with all speed, and arrived at the conclusion of the battle. These peculiar circumstances led to an unfortunate controversy as to who had been in command at Santiago and who deserved the credit for the victory. Commodore Schley wrote that the victory was large enough for all, and for a long while remained silent. The matter grew more and more serious: the navy department plainly favored the cause of Sampson, while the great majority of the public press favored Schley; the latter's friends declared that a controlling clique in the navy department was persecuting Schley, while Sampson's friends began to criticise Schley's conduct throughout the war. Finally, a history of our navy, written by E. S. Maclay, and to be used as a text-book in the Naval Academy, spoke of Schley as a "caitiff" and "coward," and the book was said to have the approval of the navy department. Great excitement followed this, and Admiral Schley asked for a Court of Inquiry to investigate his conduct during the war with Spain. The court met in Washington in September, 1901, and was composed of Admiral Dewey and Rear Admirals Ramsay and Benham; Captain Samuel C. Lemly was judge-advocate. The case for Admiral Schley was brilliantly conducted by Attorney-General Isidor Rayner of



Winfield Scott Schley

From a photograph

Stereograph copyright by Underwood & Underwood,  
New York

Maryland.<sup>1</sup> The decision was awaited with the greatest interest. Admirals Ramsay and Benham condemned Schley on every possible point except that of cowardice; Admiral Dewey, president of the Court, dissented, and gave an opinion favorable to Schley on the important points, and declared him to have been in command at Santiago. The secretary of the navy approved the findings of the majority of the Court.

As a last resort for obtaining official vindication, Admiral Schley appealed to President Roosevelt, as commander-in-chief of the navy. The president's decision was on the whole unfavorable to Schley. According to the president, nobody in particular was in command at Santiago; "it was a captains' fight."

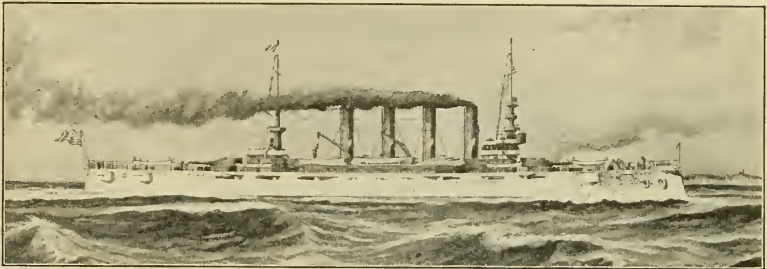
Popular sympathy, on the other hand, has shown itself unmistakably with Admiral Schley. He has received enthusiastic welcome in the various parts of the country he has visited, and public and private gifts; several state legislatures have passed resolutions declaring him the hero of Santiago, and the Maryland legislature, in 1902, appropriated \$3000 for his life-size bust to be placed in the State House.

The Maryland Naval Militia had an exciting cruise in the fine auxiliary cruiser *Dixie*, and rendered important service in the waters of the West Indies. The *Dixie* bombarded several forts and destroyed other property of the enemy, captured a number of vessels, and received the surrender of Port Ponce, Porto Rico. Two regiments of the state militia (National Guard) were mustered into the service of the United States, but took no active part in the war.

One of the notable exploits of the war was the wonderful voyage of the United States battleship *Oregon* from San Francisco,

<sup>1</sup> The Hon. Jeremiah M. Wilson of Washington, who was selected as counsel-in-chief, died shortly after the trial began. Mr. Rayner was assisted by Captain James Parker of New Jersey. In 1904 Mr. Rayner was elected United States senator from Maryland.

California, to Key West, Florida. She made the trip of 13,587 miles in sixty-six days. The *Oregon* was built by Irving M. Scott, a native of Baltimore county, Maryland.



The Cruiser *Maryland*

From a drawing furnished by the Navy Department, Washington

**123. Politics and Elections.** — At the present time there are two great political parties in the United States, — the Democratic and the Republican. To make clear the principles and doctrines of these great parties would require much explanation, and they do not belong particularly to our state history.

Chapter V contains an account of politics in Maryland during the Civil War. After the close of the war the Democrats were found to be greatly in the majority, and they won in the state elections for many years. In 1895 Lloyd Lowndes, the Republican candidate for governor, was elected, it being charged that there was serious corruption among Democrats in power. At the presidential election of 1896 the state again went Republican. This party continued to win until 1899, when John Walter Smith, the Democratic candidate, was elected governor by a majority over Lowndes of 12,000. In the presidential election of 1900 the state again went Republican, by nearly 14,000. In 1901 the Democrats elected a small majority to the legislature, and the

comptroller of the treasury by a very small majority (121) over the Republican candidate; while the Republicans elected the clerk of the Court of Appeals, by a majority over the Democratic candidate of 1,386. In the Congressional elections of 1902 the state went Republican by a plurality of 7,445. In 1903 Edwin



Edwin Warfield  
From a photograph

Warfield, the Democratic candidate, was elected governor by a majority over his Republican opponent of 12,625. These facts show that we have a large number of independent voters — men who will not vote regularly with a party, but each time decide what candidates and measures should be supported for the best interests of the state.

In early times men voted *viva voce*, or by the “living voice.” This caused so much trouble that in 1802 a law was passed in Maryland to compel voting to be done by ballot; that is, on a written or printed slip of paper. In 1890 the state adopted a plan known as the Australian ballot, by which voting might be entirely secret, and in 1896 a law was

passed to throw additional safeguards about voting. The state prints all the ballots. In March, 1901, the General Assembly, being in special session,<sup>1</sup> passed a new election law. This provides for a ballot, prepared by the authorities, on which the names of the candidates are printed in alphabetical order. No

<sup>1</sup> At the same session a state census was ordered, it being discovered that there had been frauds in connection with the national census of 1900.

symbols or party emblems of any kind are allowed. This has the effect of preventing persons who cannot read from voting, or at least of making it very difficult for them to do so.

**124. Industries.** — Though Maryland is no longer a purely agricultural community, the cultivation of the soil continues to be a leading industry.

In the west of the state excellent crops of wheat, corn, and grass are raised, and many cattle are fattened for market. On the mountain slopes are raised peaches of the finest quality, grapes, and pears. Wheat, corn, and grass are raised in northern and central Maryland, while there is much market gardening, and there are important dairy products. Southern Maryland is largely devoted to truck farming and fruit raising; tobacco has lost

its old-time importance but is still cultivated. On the Eastern Shore wheat, corn, fruits, tobacco, and vegetables are extensively raised.

The most valuable mineral product of Maryland is soft coal, of which great quantities are found west of Cumberland. No coal of the kind in the United States is superior in quality.



A Coal Mine, Allegheny County

From a photograph

The mining of iron was once an important industry, but the discovery of a better quality of iron in other parts of the country has nearly destroyed it. The same is true of copper. Excellent red sandstone is found in Montgomery and Frederick counties; roofing slate in Harford; marble in Baltimore, Carroll, and Frederick; and a fine quality of granite in Baltimore, Harford, and Cecil counties. Nearly two hundred million bricks are made annually from Maryland clay.



Tonging for Oysters

From a photograph

Maryland gives employment to greater numbers in the work of catching and preparing the products of the water than any other state in the Union. Of these products the oyster is the most important, those of the Chesapeake region being the finest in the world. Vast quantities are consumed at home, and great numbers are canned and sent all over the world. For several years there has been an alarming decline in this industry, however, and a strong and determined sentiment has sprung up for the passage of a law providing for scientific oyster culture.

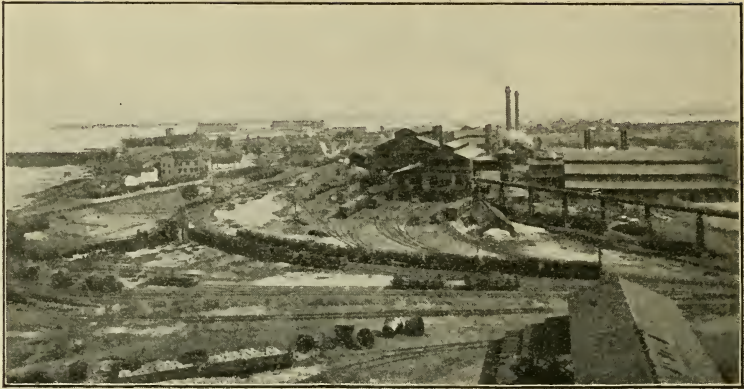
Crabs abound in practically unlimited numbers in the bay and its tributaries. The diamond-back terrapin is considered a great delicacy and brings high prices. The shad is the most important fish; a means of artificial cultivation was adopted in 1880, since which the supply has been enormously increased. Mackerel, herring, and other fish are taken in large numbers.

Manufacturing is a very important industry of the state. Baltimore is one of the great manufacturing cities of the Union; among



Oyster Packing  
From a photograph

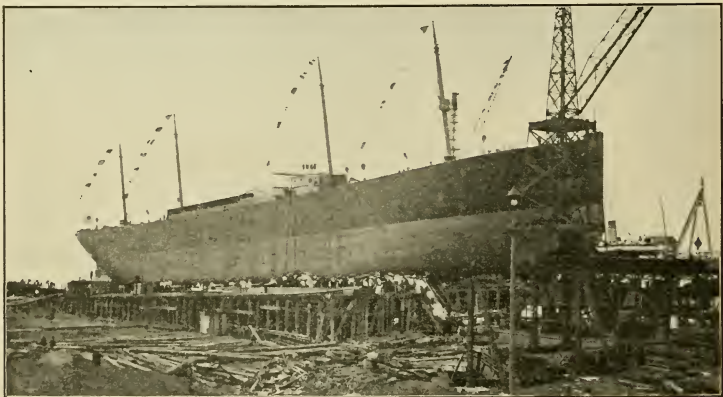
her largest industries are iron and steel, clothing, tobacco, and the canning of fruits and oysters. Baltimore is also the first city of the country in copper-refining, and the largest producer of cotton duck in the world. The great works at Sparrows Point for the manufacture of steel and the construction of steel vessels are among the largest in the world. The city has many other important manufacturing industries that cannot here be mentioned. Cumberland, also, is an important manufacturing city, the chief products being glass, cement, iron and steel, bricks, lumber, and flour. Hagerstown, a handsome and progressive city of Washington county, manufactures bicycles, flour, wagons, and agricultural implements. Frederick produces



Steel Industry, Sparrows Point

From a photograph

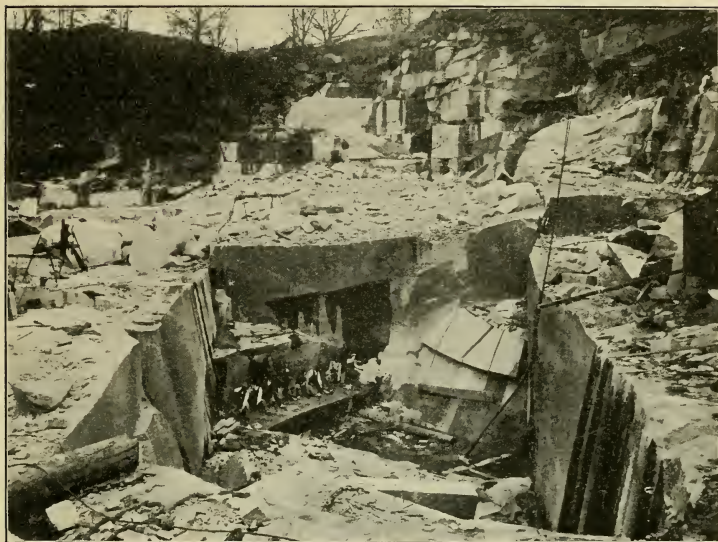
wagons, straw hats, brushes, canned fruits, and canned vegetables. Large quantities of fertilizer are manufactured in Baltimore and other cities of the state.



Ship Building, Sparrows Point

From a photograph





A Granite Quarry, Woodstock County

From a photograph

**125. Commerce and Transportation.**—The commercial center of Maryland is, of course, Baltimore, now one of the leading export cities of the United States. In grain trade it ranks second among Atlantic ports. Besides an enormous home trade Baltimore has a foreign trade worth considerably more than a hundred million dollars a year. Grain, flour, provisions, canned goods, cattle, tobacco, and copper are exported in large quantities. The chief imports are coffee, fruits, iron ore, chemicals, and tin plate (used largely in the canning industry). Baltimore is connected with foreign countries by nearly twenty regular lines of steam vessels and many sailing craft, while many lines of steamers ply between the city and the ports of Maryland and

of other states. There are more than a score of railroad lines in the state, controlled chiefly by the Pennsylvania Railroad Company. The Baltimore and Ohio, whose small beginning we have studied (see Sec. 95), has developed wonderfully since its early days; the rude engine of Peter Cooper has been replaced by the huge modern locomotive, with its driving wheel of seventy-eight inches' diameter, hauling a train of ten cars at the rate of



Mt. Royal Station, B. & O. R.R., Baltimore

From a photograph

sixty miles an hour. The road connects Chicago and the Mississippi on the west with Philadelphia and New York on the east. Through trains pass under the city through the Belt Line tunnel, a mile and a half long, which is equipped with the most powerful electric locomotives ever built. Recently the Baltimore and Ohio passed into the control of the

Pennsylvania railroad, one of the largest systems in the world.

Cumberland, an important railroad center and the western terminus of the Chesapeake and Ohio canal, is the commercial center of the western part of Maryland. Frederick and Hagerstown also are railroad centers of importance. Several lines of railroad traverse the Eastern Shore, which, with the numerous water routes of trade and travel, afford excellent commercial facilities. The Elk and Delaware rivers are connected by the Chesapeake and Delaware canal, thus opening



View of Cumberland  
From a photograph

a short and direct water route between Baltimore and Philadelphia.

**126. Education : Public School System ; Colleges and Universities.**—The lack of educational facilities in Maryland in the colonial days has already been mentioned (see Sec. 66), to-



The Easton High School  
From a photograph

gether with the reasons for the condition that existed. Until 1694 such schools as existed were private and the government did nothing for the cause of popular education. In that year Francis Nicholson, who has been called the "father of the public school system of Maryland," became royal governor of the province. He

founded King William's School at Annapolis (see Sec. 43), and he also managed to secure the passage of a law to establish schools in the other counties, although the establishment was not effected. In 1723 a system of county schools was established; pupils of all grades of learning were received and prepared for college. For about a century these were the only public schools of Maryland. An attempt was made in 1825 to reform the system, but very little was actually accomplished. The Constitution of 1867 required the legislature to establish an efficient system of public schools, which was done as promptly as possible.

Under the present organization there is a State Board of Education composed of the governor, six other persons ap-

pointed by the governor, and the state superintendent of public education, who is appointed by the governor and is secretary of the board. Each county is under the control of a Board of County School Commissioners appointed by the governor; and each school is under the control of a Board of District Trustees appointed by the county board. The county board elects a person to be secretary, treasurer, and county superintendent. The General Assembly makes an appropriation for the purchase of free text-books in the schools. There are two State Normal Schools for the training of teachers, one located in Baltimore and the other in Frostburg. The latter was established in 1902, the former in 1866.

The school system of Baltimore city is independent of that of the state. It is controlled by a board of nine commissioners, appointed by the mayor of the city. There is a superintendent of public instruction, and there are two assistants. The Baltimore City College is a high school for boys; it does not confer degrees, but its graduates are admitted to the Johns Hopkins University without examination. The Polytechnic Institute was



The State Normal School, Baltimore

From a photograph

the second institution of the kind established as a part of a public school system. Originally a manual training school, it is now a secondary technical school, which aims to teach mechanical processes, to develop manual skill in connection with the ordinary intellectual pursuits, and to prepare for advanced technical studies. There is no attempt to teach trades. The school is well equipped, and since 1899 the grade has been raised from elementary and secondary to secondary and collegiate.

In 1902 the General Assembly passed a compulsory education act, applying only to Baltimore city and Allegany county, however; it requires all children between eight and twelve years of age to attend a day school, and also those between twelve and sixteen who are not lawfully employed at some form of labor. Children under twelve years of age may not be employed in any factory (except for canned goods); nor may children more than

twelve but less than sixteen be so employed unless they are able to read and write, or attend a night school (provided a public one is available).

Of the higher institutions of learning St. John's College at Annapolis, Western Maryland College at



The Woman's College, Baltimore

From a photograph

Westminster,<sup>1</sup> and Washington College at Chestertown, receive state aid. They offer free scholarships in return. The Johns Hopkins University, an account of which has already been

<sup>1</sup> Methodist Protestant.

given, received considerable appropriations from the state in 1898, 1900, 1902, and 1904. There are many other colleges throughout the state. The Maryland Agricultural College is situated in Prince George's county, eight miles from Washington. This college also has received state aid. Besides these may be mentioned the Woman's College of Baltimore,<sup>1</sup> Mt. St. Mary's College<sup>2</sup> at Emmitsburg (Frederick county), Loyola College<sup>2</sup> of Baltimore, Rock Hill College<sup>3</sup> at Ellicott City, and New Windsor College<sup>3</sup> in Carroll county.

There are also several excellent professional schools. The Westminster Theological Seminary, near Western Maryland College, prepares ministers for the Methodist Protestant Church. For the training of priests for the Roman Catholic Church there are several prominent institutions: St. Mary's Seminary (Sulpician) of Baltimore, St. Charles College (Sulpician) near Ellicott City, Woodstock College (Jesuit) in Baltimore county, Ilchester College (Redemptorist Congregation) in Howard county. The University of Maryland, the College of Physicians and Surgeons, the Baltimore Medical College, and other schools for the training of physicians are located in Baltimore, and the Johns Hopkins University has a school of medicine. There are several excellent law schools also. The Maryland Institute of Baltimore is an excellent school of art and design, which receives appropriations from the city and the state and grants free scholarships.

Well worthy of mention, also, is the Jacob Tome Institute of Port Deposit, established in 1889 by Jacob Tome, a resident of the town. It has an endowment of several million dollars, the largest amount ever devoted to secondary education in the United States, and is admirably equipped. Tuition is free to students of Maryland.

<sup>1</sup> Methodist Episcopal.

<sup>2</sup> Roman Catholic.

<sup>3</sup> Presbyterian.

**127. Learned Societies.** — The Maryland Historical Society was founded in 1844. Its objects are the collection and preservation of material relating to the history of the state, and the arousing of an interest in historical study. The Society owns and occupies the Athenæum building on the corner of St. Paul and Saratoga streets, Baltimore. It has a very valuable library of about 45,000 volumes, and a collection of manuscripts and historic relics of great interest and value. From the income of a publication fund left by George Peabody, thirty-seven historical and biographical works have been published. In 1884 the General Assembly made the Society the custodian of the archives of the province of Maryland, and has since that time made an annual appropriation of \$2000 for their publication. Twenty-four volumes have thus been published under the supervision of the Society.

The Medical and Chirurgical Faculty of Maryland was incorporated in 1799. Its purpose is to promote and disseminate medical knowledge, and it comprises in its membership some of the most distinguished physicians of the state.

The Maryland Academy of Sciences was organized in 1863, and gathered a large collection of geological and natural history specimens, Indian relics, etc. The institution after some years transferred its specimens to the Johns Hopkins University, not having the funds to care for them properly. A few years ago Mr. Enoch Pratt presented the Society with a building, after which it was reorganized.

In the autumn of 1902 the Geographical Society of Baltimore was organized, with Dr. Daniel C. Gilman as president. The Society is one in which men of science and men of business may meet on the common ground of effort for the advancement of the interest of their home city.

**128. Public Libraries and Art Galleries.** — The State Library is in the State House at Annapolis. It contains about 50,000



volumes, and is especially strong in law books. The Enoch Pratt Free Library of Baltimore has already been mentioned in this chapter; it contains, in the Central Library, about 135,000 volumes. The Peabody Institute possesses a reference library of great value, numbering about 150,000 volumes.

In 1902 the Maryland legislature passed an act enabling any county or municipality to establish a free public library and reading-room, and provided also for the appointment of a state commission to give advice and assistance in making the plan a success.

Connected with the Peabody Institute is an art gallery containing a choice collection of paintings, sculptures, and bronzes. Among them is the beautiful statue of Clytie, the masterpiece of the famous sculptor, Rinehart. The Maryland Historical Society also possesses a gallery of paintings, which is located on the second floor of the Athenæum building, and is open to the public. In the home of Mr. Henry Walters on Mt. Vernon place, Baltimore, is probably the finest private art collection in the United States. The gallery is open certain days to the public, a small admission fee being charged and the proceeds given to the poor.

**129. The Baltimore Fire of February, 1904.** — On the morning of Sunday, February 7, 1904, a fire broke out in a large wholesale drygoods store on the corner of German and Sharp streets, Baltimore. An explosion, the cause of which is not certainly known, took place, setting fire to a number of surrounding buildings, and the high wind which was blowing at the time swept the flames rapidly to the east and north. The fire was soon utterly beyond control, and although engines and firemen were summoned from New York, Philadelphia, Washington, and other cities, the progress of the flames could not be arrested. Not until five o'clock Monday afternoon, Febru-

ary 8, was the fire pronounced under control, after having burned its way to the Basin and Jones Falls. The fire had extended over one hundred and forty acres, and had destroyed wholly or in part more than thirteen hundred buildings, including eighteen banks, all the great office buildings of so-called fireproof construction,

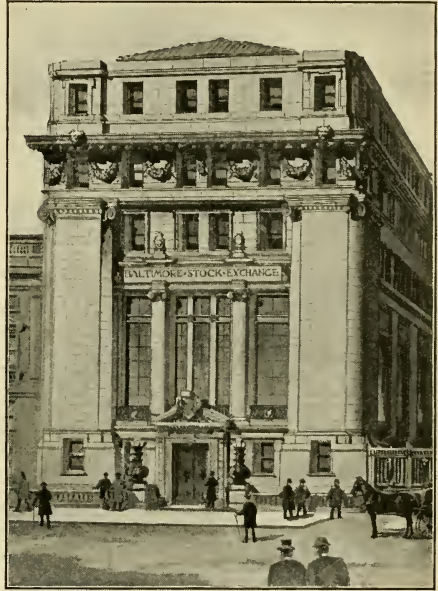


Rebuilding in the Burned District, Baltimore

From a photograph

the great newspaper offices, and hundreds of important business houses. The very heart of the business section was laid in ashes, and only a timely change of wind and the heroic efforts of municipal officials and employes saved the splendid public buildings of the city from destruction. It was at once apparent that Baltimore had been visited by one of the great conflagrations of history.

The state militia was placed on guard while the fire was still raging, and rendered splendid service. The troops were, however, under the authority of the police department; there was no disorder and no necessity for martial law. Officials of the city and state at once instituted measures of relief; the city pluckily declined the countless offers of assistance that poured in on Mayor M'Lane, and set to work with a will to build what is spoken of as "Greater Baltimore." The General Assembly authorized the appointment by the mayor of a Burnt District Commission, to give its whole time to the problems growing out of the fire. Plans have been made for the widening and grading of streets, and immensely increasing the dock facilities of the harbor. Private persons and corporations, with similar enterprise, set to work to build enlarged and improved business structures. Some large business firms were allowed the use of public buildings, and practically all secured temporary, and in some cases permanent, quarters promptly. Great as was the calamity that fell upon the city, there is every reason to believe that it will ultimately prove a great blessing.



Proposed Baltimore Stock Exchange  
From the architect's drawing

## TOPICS AND QUESTIONS

- 111. Gifts of George Peabody.**  
 Founding of the Peabody Institute; its scope. Gift to the Maryland Historical Society.
- 112. Formation of the Present State Government.**  
 Tell about the character and the adoption of the Constitution of 1864. When was our present Constitution framed?  
 What two parts has the Constitution, and what is the function of each? Describe fully the organization of (*a*) the legislative department; (*b*) the executive department; (*c*) the judicial department.  
 What provision did the Constitution make in regard to suffrage? What change was made in the effect of this provision by the fifteenth amendment to the Constitution of the United States?
- 113. Valley of the Patapsco Flooded.**  
 Loss of life and property at Ellicott City.  
 Flood of 1889.
- 114. Public Buildings of Baltimore.**  
 Describe the City Hall; the Postoffice; the Courthouse.
- 115. Johns Hopkins University and Hospital.**  
 The University: (*a*) the founder; (*b*) extent of his gift; (*c*) the presidents; (*d*) rank of the institution.  
 The Hospital: (*a*) location and extent; (*b*) rank.
- 116. Monument to Edgar Allan Poe.**  
 When and where was the monument erected, and by whom?  
 Give an account of the writings of Poe and his rank as an author.
- 117. Strike on the Baltimore and Ohio Railroad.**  
 What was the cause of the strike?  
 What were the chief incidents and results?
- 118. The Enoch Pratt Free Library.**  
 The founder and his gift; number of branches; librarians.
- 119. The First Electric Railroad.**  
 Name three great inventions in which Baltimore took the lead.
- 120. Celebration of the Defense of Baltimore.**  
 Describe fully the celebration of the defense of the city.
- 121. Monuments to Distinguished Marylanders.**  
 The Monumental City.  
 Describe the following monuments: (*a*) to Leonard Calvert; (*b*) to General Herbert; (*c*) at Guilford Courthouse; (*d*) at Prospect Park, Brooklyn; (*e*) to General Smallwood; (*f*) to Francis Scott Key; (*g*) the Revolutionary Monument in Mt. Royal Plaza, Baltimore; (*h*) statue of John Eager Howard.

- 122. The Spanish-American War.**  
 War begins in April, 1898.  
 Services of the cruiser *Baltimore*.  
 Commodore Schley in the battle of July 3d.  
 The court of inquiry; the popular verdict.  
 Cruise of the *Dixie*, Maryland troops in the service of the United States.  
 Exploit of the *Oregon*.
- 123. Politics and Elections.**  
 Name the two great political parties of this country.  
 Give an account of Maryland politics since the Civil War.  
 The independent vote.  
 Describe the Australian ballot system; it is adopted by the Assembly in 1901.
- 124. Industries.**  
 Give a full account of each of the following industries:  
 (a) Agriculture; (b) mining; (c) fishing; (d) manufacturing.
- 125. Commerce and Transportation.**  
 Give an account of the commerce and transportation facilities of Baltimore. Of other parts of the state.
- 126. Education: Public School System; Colleges and Universities.**  
 Education in colonial times.  
 Rise of the public school system:  
 (a) in the counties; (b) in Baltimore city.  
 Present organization of the public school system.  
 Higher institutions of learning that receive state aid; scholarships granted in return.  
 The principal non-aided colleges; professional schools.
- 127. Learned Societies.**  
 The Maryland Historical Society; its aims, work, library, etc.  
 The Medical and Chirurgical Faculty of Maryland.  
 The Maryland Academy of Sciences.  
 The Geographical Society of Baltimore.
- 128. Public Libraries and Art Galleries.**  
 Libraries: (a) State Library; (b) Pratt Library; (c) Peabody Library.  
 Art galleries: (a) gallery of the Peabody Institute; (b) gallery of the Maryland Historical Society; (c) gallery of Mr. Walters.
- 129. The Baltimore Fire of February, 1904.**  
 Origin, extent, duration, loss inflicted.  
 How the emergency was met.  
 Likely to prove ultimately a benefit.

### QUESTIONS FOR ORIGINAL THOUGHT AND RESEARCH

1. Find the meaning of the word "bicameral." Is the Maryland Assembly bicameral? How many delegates has your county (or legislative district of Baltimore) in the Assembly? What are their names? What is the name of your senator? What is meant by impeachment? What provision does the Constitution of Maryland make in regard to impeachment? (See Art. III, Sec. 26.) In what three ways may a bill become a law? State the principles of the chief political parties.
2. What qualifications must a man possess to be governor of Maryland? How is a vacancy in the office, occurring before the end of the term, filled? (Const. II, 6, 7.) What is meant by the governor's message? What is a "pocket veto"?
3. In which judicial circuit do you live? What are the names of the judges? Which is chief judge? What is an indictment? What is a subpoena? What is a writ? What is meant by the terms "plaintiff" and "defendant"? What are the duties of the grand jury? Find out as much as you can about the method of procedure in the trial of a criminal case? What are the powers and duties of a justice of the peace? What official of the government has the power of granting pardons? What are the duties of the sheriff?
4. Show that the governor possesses executive, legislative, and judicial power.
5. Point out the advantages of a celebration of important events.
6. Point out the various ways in which a public library will promote public improvement.
7. Explain the advantages of historical study, with special reference to local history. Explain the value of public art galleries.
8. Write an essay, as full as possible, on "The Nation's Debt to Maryland." (Read the summary on pp. 221-222 before writing.)

### REFERENCES

For a full account of the government see Steiner's *Institutions and Civil Government of Maryland*. In the same work will be found an account of the public school system, and of the higher institutions of learning, pp. 166-184; and an account of political parties and elections, pp. 188-208. For an account of Maryland industries, resources, commerce, transportation, public buildings, etc., see *Maryland: its Resources, Industries, and Institutions*, by members of the Johns Hopkins University and others in 1893. For a general reference to current events, public officers, and various statistics, the Almanacs published annually by the Baltimore *Sun* are extremely valuable.

## CONCLUSION

THE end of our story has been reached, but it will be well, before laying it aside, to look back upon the wonderful series of events we have been studying, and try to view them in their entirety. The few feeble colonies that once stretched along the Atlantic coast of our country slowly developed, threw off the yoke of an oppressive and tyrannical government, and organized a new nation. That nation gallantly fought for and won commercial freedom upon the sea, and grew steadily in wealth, power, and extent of territory until, stretching from sea to sea, it has become the mightiest nation of the modern world.

In this wonderful progress we find the part of Maryland in the highest degree important and honorable. We find the first sturdy little band of colonists that landed on our shores bringing with them the blessing of religious freedom, to be established for the first time on the virgin soil of the New World. We find their treatment of the unfortunate savages kind and just, and their dealings with men of their own race more gentle and considerate than was usual in their day. We find them steadily learning in the school of self-government until they were able, in 1776, to cast off, with the sister colonies, a cruel and unnatural mother, and to form themselves into a free and sovereign state. We see the soldiers of this state fighting beneath the banner of freedom, that their liberties and those of their countrymen might not perish, but endure to themselves and their children forever. We see these men of the old "Maryland Line" ever in the lead, and second to none in courage, endur-

ance, and self-sacrifice; and, we see this record constantly kept bright and unstained in every war in which Maryland men have taken part to this day. And, the war at an end, we see the enlightened statesmen of Maryland, by their profound and far-reaching policy in regard to the Northwest Territory, laying the corner-stone of our Federal Union, with all that this wonderful term means to us and to the world.

Independence and Union attained, our state entered upon a long period of prosperity, which, though occasionally interrupted, has not been the less steady or certain. Her resources have been developed, her commerce extended, her cities enlarged and beautified, her population increased, and her people made happier and better by the gifts of her generous and public-spirited citizens. Thus the opening of the new century finds Maryland with a record of which we, her children, may justly be proud. But we should have a care, too, that we do not let this pride make us contented. We should look about us, and perceive that our state has still many shortcomings, and realize that it is for *us* to remove them, and to continue the march of progress and improvement. May the wisdom of our statesmen and the noble self-sacrifice of the glorious old "Maryland Line" inspire us each and all with an earnest determination to make our state second to none, and our country the first in the world.



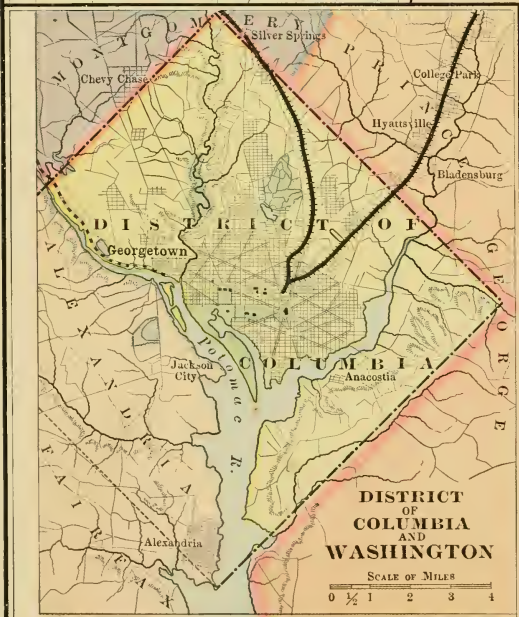
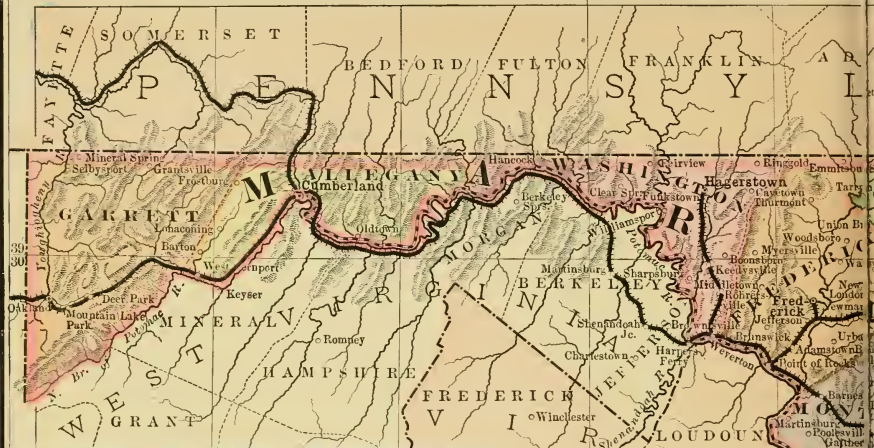


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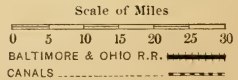
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# MARYLAND

AND

# DELAWARE



78°

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Lot



77° 76 30' 76° 75 30' 75°

77° West 76 30' from 76° Greenwich 75 30'

39° 30'

39°

38° 30'

38°

Philadelphia  
Amelia

Wilmington

LANCASTER

CHESTER

DELAWARE

GLOUCESTER

SALER NEW

CUMBERLAND

HAFFORD

BALTIMORE

KENT

DOVER

DELAWARE

BAY

ANNAPOLIS

QUEEN ANNE

PALBOT

SUSSEX

CAPE HENLOPEN

POPLAR ISLAND

WICOMICO

WICOMICO

DELAWARE

ST. LEONARDS

DRUM POINT

WICOMICO

DELAWARE

ST. INGOES

PRINCESS ANNE

PRINCESS ANNE

DELAWARE

PT. LOOKOUT

ACCOMAC

ACCOMAC

DELAWARE

OCEAN CITY



COUNTY HISTORIES  
FROM  
THE TEACHERS' MANUAL

COMPILED BY

DR. M. BATES STEPHENS  
*State Superintendent of Public Education*

ST. MARY'S



A Typical Tobacco Field

From a photograph

This "mother county" dates back to 1634, and has an area of 360 square miles. It was named in honor of the saint whom the devout colonists took as their patron. It forms the extremity of the Southern Maryland peninsula, lying between the Potomac and Patuxent rivers, its lower eastern side bordering on

the Chesapeake. Historic Point Lookout is at the wide mouth of the Potomac. St. Mary's touches no other county except Charles, the Patuxent making in between it and Calvert. There are highlands along the water-front and lowlands in the interior. Some of the soil is sandy, with a clay subsoil, and productive loam is found in parts of the county. Half the cultivated land is occupied by tenants. Forest areas abound in white and red oak, poplar, sycamore, pine, and chestnut. Farms fronting on the bay and rivers are generally large, and vestiges of the old manorial life are numerous. Tobacco growing chiefly engages the attention of the farmers, and corn, wheat, and potatoes are also grown; much live stock of an excellent grade is raised. The construction of a railroad to Point Lookout, traversing the county, is often urged. St. Mary's only railroad, the Washington City and Potomac, runs from Brandywine, on the Pope's Creek Line in Lower Prince George's, through eastern Charles and into St. Mary's as far as Mechanicsville, twelve miles from Leonardtown, the county seat, located about midway of the county. Steamboats from Washington and Baltimore touch at points on the Potomac, and the Weems Line vessels from Baltimore ply the Patuxent. Leonardtown, named after the first Governor Calvert, is one of the most interesting ancient colonial towns of Maryland. Its population is 463. The site of St. Mary's city is fourteen miles southeast of the county seat, on St. Mary's river. A seminary for girls is established there, and at the tomb of Leonard Calvert a monument has been erected. Charlotte Hall Academy, above Mechanicsville, was established by legislative enactment in 1774, and its alumni include many famous Marylanders.

## KENT



Proposed New Building for Washington College  
From the architect's drawing<sup>1</sup>

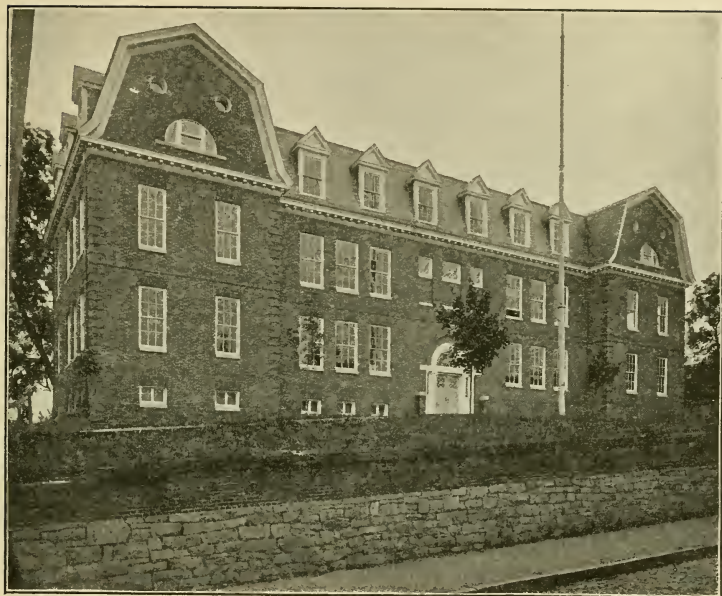
Kent, with an area of 315 square miles, was named after the English shire from whence came many of its early settlers, who saw in its smiling landscape a replica of the fairest county of England. Kent claims the distinction of being the oldest county on the Eastern Shore. The first settlement within the present limits of Maryland was made on Kent Island in 1628 by Protestants from Virginia under the leadership of William Claiborne. Calvert claimed the island as a part of his grant, and the contention was not ended until 1647, when Claiborne was dispossessed. The Maryland proprietary, having established his authority over the island, in 1650 organized Kent

<sup>1</sup> Drawing furnished by Beecher, Friz, & Gregg, Baltimore.

county, it then embracing the upper Eastern Shore. Kent is a peninsula, lying between the Sassafras and Chester rivers, its eastern border being the Delaware line, and its western boundary the Chesapeake bay. With its standing timber, fertile soil, game, fish, and many natural advantages, under the liberal policy of the proprietary, Kent soon became a flourishing colony, with a population consisting of Protestants, Catholics, and Quakers. And presently negro slaves were brought into the county. In 1864 about one-fourth of the population were colored people. The soil of Kent yields a great variety of crops, and agriculture is the leading occupation of the people; although the fishery interests are extensive. A paper mill, basket factory, phosphate factory, and other manufacturing plants are located at Chestertown, the county seat (population, 3,008). Canneries, mills, and other plants are numerous in the county. The people, though conservative, are progressive. They have promoted railroad and steamboat communication with Baltimore and Philadelphia. During the ante-Revolutionary period, Kent was active in opposition to the oppressive measures of Parliament. It is not commonly known that Chestertown, then a port of entry, had a "tea-party" of her own, a small cargo on the *Geddes*, brought into the Chester for the neighboring counties, being seized and thrown overboard by the indignant citizens. In the War of 1812 the British under Sir Peter Parker landed a force in Kent for an important military operation. The enemy was met by a body of local militia under Colonel Philip Reed (a Revolutionary officer, and United States senator 1806-1813), and driven back to its ships with heavy loss, Parker being among the killed. Washington College (founded 1782), which has a normal department, is at Chester-town. Rock Hall, Betterton, Millington, Edesville, Galena, Still Pond, Kennedyville, and other thriving towns are in Kent.



## ANNE ARUNDEL



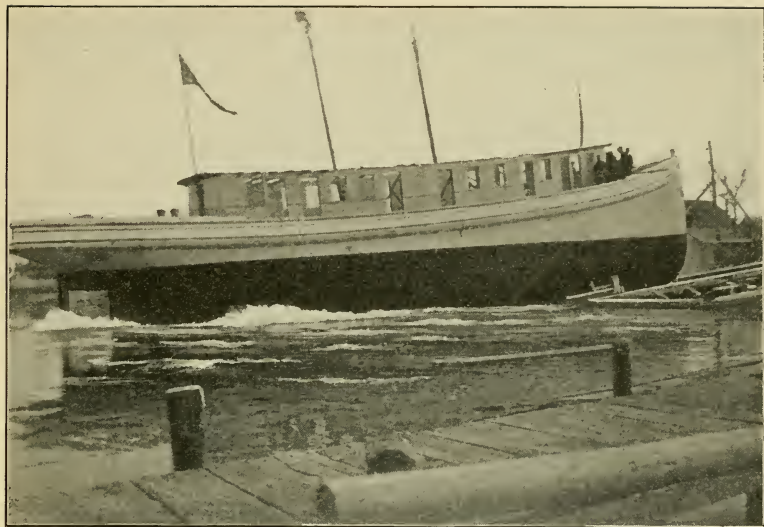
High School Building, Annapolis  
From a photograph

Anne Arundel county was erected in 1650, and has an area of 400 square miles. It was named after the Lady Anne Arundel, whom Cecilius Calvert married. It fronts eastward on the Chesapeake, and within its territory five rivers are contained — the Severn, the most beautiful sheet of water of its size in the United States; Magothy, South, Rhode, and West. On the north and northeast is the Patapsco, and Howard county lies northwest of Anne Arundel. The Patuxent separates it from Prince George's on the west, and Calvert is on the south. Annapolis, the state capital, is also the county seat. In 1694 it sup-

planted St. Mary's city as the seat of government in the colony, and grew to be the "Paris of America," the abode of wealth, elegance, and fashion. In the Senate Chamber of the historic old State House Washington resigned his commission as commander-in-chief, to the Continental Congress, at the close of the Revolution; on State House Hill, where Revolutionary troops encamped, is a heroic statue of Baron de Kalb, commander of the Maryland Line on the gory field of Camden. Near the State House is the Executive Mansion, and in the vicinity are numerous specimens of eighteenth century architecture. The city and county are rich in historical associations. Eden, the last of the colonial governors, died in Annapolis, and his grave is on the Severn. Tombs of the early settlers, bearing still familiar names, and other traces of the past preserve county history. *The Maryland Gazette*, first printed in 1745, is one of the Annapolis newspapers.<sup>1</sup> The United States Naval Academy is a government reservation adjoining the city. The population of Annapolis is 8,525. It was named after Queen Anne. Agriculture and horticulture are leading industries of the county, and its manufacturing interests are numerous, and some of them of great importance. South Baltimore, in the northern part of the county, is a manufacturing centre, with car-works and other large plants; Brooklyn has various industries; Annapolis, a port of entry, is a leading centre of the oyster industry. Tobacco, wheat, corn, vegetables, and fruits are grown, and woodland areas have heavy growths of oak, pine, and other trees. The railroads are the Baltimore and Potomac; Baltimore and Ohio; Annapolis, Baltimore and Washington; and Baltimore and Annapolis Short Line. St. John's College, the alma mater of many distinguished Marylanders, is at Annapolis. Anne Arundel institutions have been notable in the educational annals of Maryland.

<sup>1</sup> See Page 109.

## CALVERT



A Launching at Shipyards, Solomon's  
From a photograph

Calvert county has 222 square miles of territory, and is the smallest in the state. It dates back to 1654, and preserves the family name of the proprietary. The Patuxent curves around the southern and western sides of the county, and its eastern line is washed by the Chesapeake. The bayside is marked by highlands, and the "Cliffs of Calvert" attract much attention among students of geology and physiography. The soil is productive, and divided between sandy and clay loams. Tobacco and cereals are the chief crops, and a considerable number of the people are interested in fisheries. The oyster grounds of Calvert are among the best in the state. Timber is plentiful, and iron ores and silica are found in extensive deposits. Drum Point, at

the mouth of the Patuxent, has one of the finest harbors in the United States, and in time may become the location of a vast Federal or commercial maritime enterprise. Fruits and vegetables mature early on the sheltered lands, with southern exposure, along the waterways. The county seat is Prince Frederick, which is centrally located, and, like other Calvert towns, is small in population. Solomon's, in the southern part of the county, 26 miles from Prince Frederick, has a marine railway and shipyards, and Sollers', on St. Leonard's creek, St. Leonard's, Chaneyville, Lower Marlboro, Drum Point, Huntingtown, Plum Point, are among the villages of the county. In the colonial and early state history of Maryland Calvert was conspicuous. The first railroad to enter the county is the Chesapeake Beach, which was built from Hyattsville, near Washington, to the bay a few years ago, and runs for a short distance through the upper part of Calvert. A large portion of the population is colored. Among noteworthy sons of the county were General James Wilkinson and Rev. Mason Weems ("Parson Weems"), the once popular biographer, who pointed a moral with his celebrated myth of little George Washington, his hatchet, and his father's cherry tree.

## CHARLES



New Court House, La Plata

From a photograph

Charles county lies on the Potomac river, its southern and western boundary, with Prince George's on the north and St. Mary's on the east. Between the two counties, a tongue of Charles extends to the Patuxent, and it was on this, at Benedict, that Ross's army disembarked for the march to Washington in 1814. The county was organized in 1658, and given the Christian name of the second lord proprietary. Its area is 460 square miles, and its great reach of water front on the Potomac, in a huge bend of which it is situated, gives it important resources

in riparian products, — oysters, fish, water-fowl. The Wicomico river, Nanjemoy, Port Tobacco, and Mattawoman creeks are tributaries of the Potomac in this county. Tobacco is the principal crop, the average yield being 500 pounds to the acre, and corn and wheat are grown in considerable quantities. The Pope's Creek line of the Baltimore and Potomac railroad terminates at Pope's creek, on the Potomac. In the middle section of the county the land is level and in other parts its rolling surface is locally designated as "valleys." Port Tobacco, from colonial times the county seat, was succeeded a decade ago by La Plata, on the railroad. The entire village population of the county is very small. The United States Naval Proving Grounds, a government reservation at Indian Head in northwestern Charles, is where guns and projectiles for the navy are tested. Marshall Hall, nearly opposite Mt. Vernon, is closely connected with the memory of Washington, and is now an excursion resort. General William Smallwood was from Charles, and for a century his grave on the ancestral estate, near the old brick dwelling in which he and General Washington held Masonic meetings, was marked only by a walnut tree. On July 4, 1898, the Maryland Society of the Sons of the American Revolution unveiled a massive monument on the spot. This county was also the home of Thomas Stone, a signer of the Declaration of Independence; of Michael Jenifer Stone, a representative in the first Congress, who voted to place the seat of Federal government on the Potomac; of Governor John Hoskins Stone, distinguished at Long Island, White Plains, Princeton, Germantown; of Robert Hanson Harrison, Washington's military secretary, and a long list of able and brilliant men.

## BALTIMORE



Marble Quarry, Cockeysville

From a photograph

Baltimore stands at the head of Maryland counties in population, wealth, and resources, and its area of 622 square miles is exceeded only by Garrett and Frederick. When the "Belt" was annexed to Baltimore city in 1888, the county lost considerable territory, 36,000 inhabitants, and the towns of Waverly, Oxford, Woodberry, Hampden, Calverton. The eastern neighbor of Baltimore county is Harford, its western, Carroll; and it is bounded on the south by the bay, the city, and the Patapsco river separating it from Anne Arundel and Howard. The Pennsylvania state line is the northern boundary. The topography of the county is diversified and attractive, elevated and rolling, watered by numerous picturesque streams, and well timbered. The soil is strong and fertile, and a great variety of crops is grown. In mineral resources Baltimore is particularly fortunate.

From the early days of the colony its iron ores attracted capital, and from time to time numerous iron-manufacturing establishments have been in operation. Copper mines were formerly worked in the county, and from this industry grew the present large copper works at Canton, which now use copper from Montana, the mining of the county deposits being very expensive. The first discovery of chrome ore in America was made a few miles north of Baltimore city, and a flourishing industry in the manufacture of products from this ore, of wide applicability in the arts, was established. The building stones of the county have given it high rank in the industrial world. The famous Woodstock granite is found in the southwestern corner, and has been quarried since the thirties. It has been used in many of the chief buildings in Baltimore city, and in the Congressional Library and Washington Post Office. The most valuable of Maryland's limestone deposits, it is said, are the highly crystalline marbles of Baltimore county. The Beaver Dam marbles have been used in the construction of the Washington monuments in Baltimore and Washington, and Federal, state, and municipal buildings throughout the East. Gneiss and gabbro rocks are also used in building. The county is noted for its mineral waters — Chattolanee, Roland, Strontia, Lystra, etc. There are valuable deposits of serpentine and porcelain clays. Along the Patapsco and the bay are numerous pleasure resorts, and fishing and gunning shores. The Baltimore and Ohio; Philadelphia, Wilmington and Baltimore; and the Baltimore and Potomac run through its southern portion: the Northern Central extends northward through the county into Pennsylvania; the Western Maryland runs northwesterly from Baltimore city; and there are several short lines and electric roads. The county seat is Towson, named after General Nathan Towson, seven miles from Baltimore, on the Maryland and Pennsylvania railroad.



It is the terminus of a city electric car line, and is situated in the midst of a superbly developed agricultural country. It has a population of 2,500. Canton and Highland town, small cities in themselves, largely given over to manufacturing, adjoin the eastern limits of Baltimore city. Cockeysville has a large stone quarry; at Lutherville is a female seminary; Emory Grove and Glyndon are noted camp grounds; Catonsville and Mt. Washington, with Roland Park and other towns, are known for their fine residences and picturesque locations. Hundreds of industrial establishments, large and small, are located in the county, and Steelton (Sparrow's Point) is the seat of the mammoth plant of the Maryland Steel Company. The county has many fine estates and country seats, and from its formation, in 1659, has been the home of a great number of the foremost men of colony and state. The battle of North Point was fought on its soil. For years it had a congressman of its own. Baltimore was the name of the Irish estates of the Calverts. The private and sectarian educational institutions of the county are numerous, and some of them of widespread fame.



Grazing Scene, Samuel Shoemaker's Farm  
From a photograph

## TALBOT



Scene on Miles River  
From a photograph

“Talbot county was formed in 1660–61. The order by which it was created has not been found, but the Assembly proceedings first show its existence in this year. The existing records of the province have not discovered to us what were its exact limits anterior to the year 1706. In that year they were definitely settled by the existing Act of 1706, Chapter 3, which enacts that ‘the bounds of Talbot county shall contain Sharp’s Island, Chop-tank Island, and all the land on the north side of the Great Chop-tank river; and extend itself up the said river to Tuckahoe Bridge; and from thence with a straight line to the mill commonly called and known by the name of Swetnam’s mill, and thence down the south side of Wye river to its mouth, and thence down the bay to the place of beginning, including Poplar Island and Bruff’s Island’” (McMahon, *History of Maryland*). The second public school in Maryland was established in Talbot under the Act of 1723. That this school was something more than a mere elementary school is clear from the curriculum laid down in the act, namely, “Grammar, Good Writing and Mathe-

metics." There is sufficient evidence for believing that the Talbot Free School was better supplied with good teachers than the private subscription schools, which were often filled by indentured servants. Bampfylde Moore Carew, the "King of the Beggars," came to Talbot as an unwilling emigrant, and the captain of the ship that brought him over recommended him to a planter of Bayside as a "great scholar and an excellent schoolmaster." The school seems to have prospered for a long series of years and was "looked upon as the most frequented in the province." But after the year 1764 no record of it has been found. How long it flourished and when it ceased to exist is unknown. It is believed, upon tradition merely, that it continued in successful operation up to the outbreak of the Revolutionary War. Talbot people have long cherished their public schools as their most valued privilege and right. The county has an area of 285 square miles, and derives its name from Lord Talbot. It is cut up into peninsulas by the Chesapeake and its tributaries, and is famous for its landscapes and waterscapes. Agriculture, canning, and oyster-catching are its industries. It has furnished governors, United States senators, a secretary of the treasury, and numerous state and national officials and men of mark. Maryland's first historian came from Talbot, and it was the home of Robert Morris's father and the birthplace of John Dickinson. The Delaware and Chesapeake, and Baltimore, Chesapeake, and Atlantic are its transportation lines. Easton, the county seat, was the former "capital" and seat of government on the Eastern Shore, and the first newspaper on this side of the bay was established there more than a century ago. Oxford and St. Michael's are also historic.

## SOMERSET



A Part of Main Street, Crisfield

From a photograph

Somerset county was erected August 22, 1666, by an order of the provincial Council, and embraced “all that Tract of land within this our province of Maryland bounded on the South with a line drawn from Wattkin’s point (being the North point of th’t bay into wch the river Wighco formerly called Wighcocomoco afterwards Pocomoke & now Wighcocomoco againe doth fall exclusively) to the Ocean on the East, Nantecoke river on the North & the Sound of Chesipiake bay on the West”; which was erected in the name and as the act of the Lord Proprietary “into a county by the name of Sommersett county in honor to our Deare Sister the lady Mary Somersett.” The commissioners, Stephen Horsey, William Stevens, William Thorne, James Jones, John Winder, Henry Boston, George Johnson, and John White, were empowered “to enquire by the Oath of good & lawfull men of all manner of fellonies Witchcrafts inchantmts Sorceryes Magick Arts Trespasses forestallings ingrossing & extorcons” and

“all & singler other Misdeeds and offences.” The order appointed “Edmond Beachchampe Clark and Keeper of the Records,” and the council issued the same day a commission to Stephen Horsey to be “Sherriffe of Somersett.” The first effort to settle the long-standing boundary dispute with Virginia resulted in Scarborough’s line depriving Somerset of 23 square miles of territory. Like Dorset, Somerset has jurisdiction over several islands, one of which, Deal’s Island, was celebrated early in the last century for its Methodist “Parson” Thomas, who, tradition says, foretold the death of Ross in the attack on Baltimore, and preached to the British on his island. The southeastern corner of Somerset is separated from Accomac, in Virginia, by the Pocomoke river, and the division line continues through Pocomoke sound. The Western Shore is washed by Tangier sound and the bay. The area of Somerset is 362 square miles, and it heads the list of oyster counties, half its population being engaged in that industry. The value of the annual oyster yield from Somerset waters is \$2,000,000, and the packing-houses along the southern and western shores utilize from one to one and a half million bushels yearly. In summer oystermen find employment in the crabbing industry, and these shellfish are shipped in enormous quantities to city markets—250,000 dozen going from Crisfield alone in a single season. Terrapin are more plentiful in Somerset than in other counties, and “diamond-back farming” is successful. Agriculture is profitable in the interior, and truck-farming is carried on along the lines of the New York, Philadelphia and Norfolk railroad. Crisfield, near the mouth of the little Annamessex river, with a population of 3,165, is a port of entry for hundreds of vessels, and has extensive industrial and commercial interests. The county seat, Princess Anne, was founded in 1733. Other towns are Fairmount, Oriole, Mt. Vernon, and Kingston.

## DORCHESTER



Cambridge Hospital, Cambridge

From a photograph

Dorchester county is the largest on the Eastern Shore, having an area of 610 square miles, and ranks fourth in point of size in the state. The Great Choptank river and Caroline form its northern boundary, and it has a few miles of eastern border on the Delaware line. The Nanticoke flows along the southeastern border, and on the south and west arms of the Chesapeake and the bay itself inclose the county. Dorchester was formed in 1669-1670, and its name is traced to the earl of Dorset or to Dorsetshire. Various islands are included in its territory, and the Little Choptank, the northwest fork of the Nanticoke, Honga, Fishing, Blackwater, Transquaking, Chicacomico, are rivers and creeks of Dorchester. Fishing bay, Tar bay, Trippe bay, Hooper's straits, and other bodies of water add to the geographical nomenclature of the county. There is a great extent of marsh land, frequented by myriads of wild ducks, and oysters, crabs, and terrapin

abound in the county waters. Sand, clay, and marl make a diversified soil, and corn, wheat, potatoes, tomatoes, and fruits are grown. Great quantities of oysters, tomatoes, and corn are used by the packing-houses. The annual income from the oyster catch is \$1,000,000 or more, and Dorchester ranks next to Somerset in this industry. Cambridge is the home port of a vast fleet of dredging and tonging vessels, the seat of large packing-establishments, of shipyards and other manufactures. The Cambridge and Seaford and the Baltimore, Chesapeake, and Atlantic railroads traverse northeastern Dorchester, and steam and sailing vessels reach all parts of the county lying on water. Cambridge, the county seat, with a population of 5,747, has a fine salt-water situation on the Great Choptank, 18 miles from its mouth. The river here, between the Dorchester and Talbot shores, is several miles in width, and the town is built on level ground, extending to the water's edge. The streets are well shaded, and brick and stone structures predominate in the business section. East New Market is in the midst of a thriving agricultural section, has a population of 1,267, and Secretary (on Secretary Sewell's creek), Hurlock, Williamsburg, Salem, Taylor's Island, Bucktown, Linkwood, Dailsville, are some Dorchester villages. Vienna, on the Nanticoke, was long noted for its shipyards, and many swift and shapely ocean-going vessels were built there before steam and iron supplanted wood, and when the white oak forests of Dorset still afforded the best material known in former naval construction. Dorchester was harried by the British during the War of 1812. Governor John Henry, first United States senator from the Eastern Shore, and William Vans Murray were from this county.

## CECIL



Memorial Hall, Tome Institute, Port Deposit  
From a photograph

Cecil county, named in honor of the second Lord Baron of Baltimore, was erected in 1674, the tenth county in order of formation, and it is situated in the northeast corner of Maryland, on the borders of Pennsylvania and Delaware, and cut off from the remainder of the state by the Sassafra river on the south, and the Chesapeake bay and Susquehanna river on the west. It is one of the smaller counties in area — 350 square miles — much of which is, however, under water, as it is intersected by several rivers, notably the North East, the Elk, and the Bohemia.



The surface throughout is rolling, the northern portion being hilly; this gives considerable water power, which is utilized by a number of large paper, iron, cotton, flour, phosphate, kaolin, and fluor-spar mills. The third largest pulp and paper mill in the United States is located at Elkton, the county seat. In the eighteenth century the output of pig and bar iron at the Principio Company's furnaces was the largest in America. The soil generally is fertile, varying from a yellow clay in the south to a disintegrated rock in the north, producing fruits, grain, and hay in abundance. So noted has its hay crop become that the highest grade on the Baltimore market is known as "Cecil county hay." Along the Susquehanna river are several large granite quarries, affording the best building material, a stone which, when polished, as is done at Port Deposit, is excelled in beauty by no other. Kaolin is largely worked for use in the manufacture of paper and in porcelain factories, and chrome has been extensively mined. Although possessing such excellent water facilities, marsh land is almost unknown. The banks of the Susquehanna river rise abruptly to a height of from 80 to nearly 600 feet. At Port Deposit the granite banks rise almost perpendicularly 200 to 300 feet. The fisheries, as might be expected, are of much importance. Elkton, the largest town, has about 3,000 inhabitants, followed by Port Deposit, Perryville, Rising Sun, North East, Chesapeake City, and Cecilton. The scenery in places is picturesque in the extreme. That along the Susquehanna, near Conowingo, and on the Octoraro, near Porter's Bridge, attracts artists from a distance, and compares most favorably with the Wissahickon and other rugged streams so often delineated by the painter's brush. The county is about equidistant from Philadelphia and Baltimore, is intersected by the Philadelphia, Wilmington and Baltimore; the Philadelphia division of the Baltimore and Ohio, and the Baltimore Central

railroads, also by the Chesapeake and Delaware canal. Cecil county was one of the first to engage in school work. \* In 1723 the colonial legislature appointed a committee consisting of John Ward, John Dowell, Benjamin Pearce, and others, to open free schools, and they opened one. St. Stephen's Church, organized in 1692, opened a public school about 1734. The Friends' Meeting House at Calvert was organized by William Penn in 1702, and soon after opened a school. The church of St. Francis Xavier was organized in 1704, and afterward opened a school. The county in 1859 organized a system of free public schools, thus antedating that of the state six years. Among the more prominent private schools are the West Nottingham Academy, opened about 1741 by Rev. Samuel Finley, who afterward became the president of Princeton University. It is situated near Colora. The Tome Institute, most beautifully situated on the bluff at Port Deposit, presided over by Dr. A. W. Harris, with a corps of 63 teachers, and over 500 pupils, was endowed by the late Jacob Tome with several millions of dollars.

## PRINCE GEORGE'S



Maryland Agricultural College  
From a photograph

Prince George's county, named in honor of Prince George of Denmark, husband of Queen Anne, was formed in 1695, having been originally a part of Charles. The seat of local government was first established at Mt. Calvert on the Patuxent river, but it was soon removed to Upper Marlborough (named for the Duke of Marlborough, in 1706). The number of white children of school age is 6,175 and the number of colored children is 5,179. Prince George's is one of the most progressive and prosperous counties of the state. Its growth is promoted largely by its proximity to the national capital. The resources of the county are mainly agricultural. In the upper section, bordering upon the District of Columbia, trucking is followed to a large extent. In the middle and southern sections, corn, wheat, and tobacco are cultivated — the last named on an extensive scale, forming the staple product. The annual output of the county is larger than that of any other of the tobacco-growing counties. The principal towns are Upper Marlborough, Laurel, Hyatts-

ville, Bladensburg, Forestville, and Woodville. At Laurel there are cotton duck mills, and a cereal mill has recently been established at Hyattsville. Bladensburg has the distinction of having been the scene of one of the most significant battles of the War of 1812, and of many noted duels. The academy at Upper Marlborough, established in 1835, is managed by a board of seven trustees, and has always had for its principal a capable teacher of the classics. Many persons who attained eminence in public and professional life were educated at this school. Even in colonial time, Prince George's county was conspicuous for being the home of cultured and educated people; and as early as 1745 Rev. Dr. Eversfield, Rector of St. Paul's parish, established a private school near his residence which he continued until his death in 1780. He taught Greek and Latin and furnished pupils with board at \$53 per annum. The Maryland Agricultural College is in this county. The area of Prince George's is 480 square miles and its railroads are the Baltimore and Ohio; Baltimore and Potomac; Pope's Creek, and Chesapeake Beach lines. Back in the thirties the "Patuxent Manufacturing Company" was incorporated, and established the present cotton mill at Laurel, the old name of the town being "Laurel Factory." The iron industry in Prince George's dates back over a century. The Snowdens, among the original settlers of the county, established furnaces at various points in southern Maryland. The Patuxent Furnace and Forge was long a notable industry. The only iron works now in operation in the county, or in rural Maryland, is the Muirkirk Furnace, on the Baltimore and Ohio railroad, at Muirkirk. It was erected in 1847 by Andrew and Elias Ellicott and modelled after a furnace at Muirkirk, Scotland. The population of Laurel is 2,079, and of Hyattsville, 1,222.

## QUEEN ANNE'S



Threshing Scene  
From a photograph

Queen Anne's county was erected in 1706, and the bounds of the four counties above the Great Choptank were described and fixed by the Assembly of that year with definiteness.

Queen Anne's takes in the territory between the Delaware line and the bay (including Kent Island), south of the Chester and north of the Wye and Tuckahoe rivers. Kent is its northern, and Talbot and Caroline its southern neighbors. Agriculturally, the county is highly favored, the soil being very fertile, and the surface rolling. The area of the county is 376 square miles. Kent Island is opposite Anne Arundel, and its wooded shores are visible from the State House at Annapolis. Although under cultivation for two and a half centuries, the island is the delight of agriculturalists, its rich soil producing in profusion all the

staple Maryland crops. Oysters, crabs, fish, and water-fowl are plentiful in Queen Anne's waters. Practically all the arable land of the county is under cultivation. The industrial establishments are chiefly flour mills and canneries. The Queen Anne's railroad runs from Love Point, on Kent Island, through the southern part of the county to Lewes, Delaware; and the Queen Anne's and Kent railroad, of the Pennsylvania system, terminates at Centreville, the county seat (population 1,231), to which point a spur of the Queen Anne's has been extended. Steamboats bring the water-sides of the county within a few hours' trip of Baltimore city. Queenstown, on the eastern water front, was the colonial county seat, and has an interesting history. A school here attained some reputation before the Revolution. In provincial times Queen Anne's and Talbot were favorite places of summer residence for leading men of Maryland, who cultivated broad estates in these counties in the intervals between their official duties at Annapolis or participation in its social gayeties. Queen Anne's rivals St. Mary's as the favorite field of writers of historical romances.

## WORCESTER



Makemie Memorial Presbyterian Church (organized 1683), Snow Hill

From a photograph

Worcester county was formed in 1742, and originally included, with the shadowy county of Durham, all the Maryland territory lying on the Delaware from the fortieth parallel to the ocean. The center of settlement in that Worcester was "the Horekeele" — the present Lewes. Mason and Dixon's Line gave Worcester its now northern boundary. Chincoteague, Sinepuxent, Isle of Wight, and Assateague bays take up a considerable part of the county's area of 487 square miles. Its name recalls the loyalty of the proprietaries to the royal house of Stuart. Snow Hill, the county seat, was one of the "townes and ports of trade"

erected in 1686. It is at the head of navigation on the Pocomoke river, and on the Delaware, Maryland and Virginia railroad, and its manufactures are locally important. At Pocomoke City millions of baskets and crates for the fruit and vegetable trade are made annually, and the building of oyster boats and other craft is an important industry. The population of the town is 2,124, that of Snow Hill, 1,596, and of Berlin, 1,246. Smaller towns are Ironshire, Girdletree, Whaleyville, Bishopville, Newark, Box Iron, Stockton, Klej Grange. Worcester is the only county in the state which borders on the Atlantic ocean, and it has in Ocean City a thriving and prosperous seaside resort, which has been of great advantage to truckers on the mainland near there, and which has added materially to the taxable basis. The principal industries are agriculture, manufacturing of lumber, and the oyster and other fisheries. The people are chiefly of English descent. The soil varies from a light sand to a heavy clay, the majority of it being a good loam, with some clay. The principal products are cereals, fruits, truck, and timber. The lower part of the Sinepuxent bay in Worcester is one of the most fertile oyster fields to be found. During the season there are shipped from the railroad station at Girdletree about 30,000 barrels, and from Hursley about the same number, besides those that are consumed locally or are shipped by vessels. At Ocean City a fish company has been formed and annually ships thousands of barrels of the finest fish to Northern markets.



## FREDERICK



Key Monument, Frederick

From a photograph

Frederick county was organized in 1748, named after the Prince of Wales, and has an area of 633 square miles, being the second largest Maryland county. Its topography is agreeably diversified by valley, plain, rolling land, and mountain. Many of the early settlers were Germans. The county has always furnished its full quota of soldiers and sailors in wartime, from colonial days to the war with Spain. The author of "The Star-spangled Banner" was born here, and his remains rest in Mt. Olivet cemetery, in the city of Frederick, beneath the monument erected by the Key Monument Association, and unveiled August

9, 1899. On November 23, 1765, the judges of the Frederick county court repudiated the Stamp Act passed by the British Parliament, and Repudiation Day was made a county holiday in 1894. Agriculture is the leading industry, the soil being fertile and producing large crops of wheat, corn, rye, oats, and potatoes. The mountain districts still supply a good quality of oak, chestnut, walnut, hickory, and other timber. The railroads are the Baltimore and Ohio, the Western Maryland, Pennsylvania; and an electric road runs from Frederick to Myersville. Iron ore and copper are found in different parts of the county, the most extensive deposits of the former being in the northern section, near Thurmont, where a large smelting plant is located—the Catoctin Furnace, first put in operation in 1774. Near Libertytown copper mines are worked on an extensive scale. Frederick city, 61 miles from Baltimore, has a population of 9,296, and is the county seat. A female seminary, Frederick College, and other important private educational institutions are located there, as is also the Maryland School for the Deaf. Manufactured products of the county include lumber, flour, fiber brushes, fertilizer, furniture, harness, hosiery, crockery-ware, lime, proprietary articles, etc. Frederick towns include Brunswick, Emmitsburg (near which is Mt. St. Mary's College), Thurmont, Walkersville, Middletown, Buckeystown, Adamstown, Point of Rocks, Creagestown, Wolfsville, Urbana, Libertytown, New Market, Ijamsville, Sabillsville, Woodsboro, Knoxville, Mt. Pleasant, Jefferson, Graceham, Myersville, Harmony, Johnsville, Ladiesburg, Unionville, Lewistown, Attica Mills, Burkittsville.

## HARFORD



High School, Havre de Grace  
From a photograph

Harford county was formerly part of Baltimore county. After the removal of the county seat of the latter from Joppa (which is within the present limits of Harford) to Baltimore Town on the Patapsco, a petition for the formation of a new county was granted by the legislature of 1773. The proprietary of the province of Maryland at this time was Henry Harford, and from him the county took its name. The first county seat was Har-

ford Town, or Bush, but as the settlements gradually extended farther and farther from the river and bay section, the people desired a more convenient location. As the result of an election in 1782, the county seat was removed to Bel Air, where it has remained. The physical features of the county being so varied, the industries are of many kinds. From the tide-water region in the southeastern part there is a gradual elevation, the highest point being 750 feet above the sea. In the spring much fishing is done along the Susquehanna and upper part of the Chesapeake. Sportsmen come from afar to take advantage of the duck-shooting here afforded. In the upper part of the county are found quarries of slate and limestone. Rolling fields of unsurpassed fertility give the tiller of the soil first place in the industries of the county. The pasture-land in the valley of the streams makes dairying profitable, and the canned goods industry has been encouraged to such an extent by the packers and brokers that Harford ranks among the first of all the southern counties in this respect. The facilities for shipping are good, the Baltimore and Ohio and the Philadelphia, Wilmington and Baltimore railroads traversing the entire southern part of the county, the Maryland and Pennsylvania running through a great portion of the central part in a north and south direction, while just across the river along the eastern border is the Columbia and Port Deposit road. The citizens of Harford have always taken an active part in both state and national history. As the first county seat lay on the main highway between Virginia and the Northern colonies, the ideas of Washington and Jefferson and Patrick Henry were easily disseminated. More than a year before Jefferson's famous instrument was adopted, thirty-four of Harford's representative sons, duly elected by the people of the county, signed a resolution in which they heartily approved of the "Resolves and Associations of the Continental Congress and

the Resolves of the Provincial Convention," and solemnly pledged themselves to each other and to the country to perform the same at the risk of their lives and their fortunes. This is known as the famous Bush Declaration of March 22, 1775. In the courthouse at Bel Air are portraits of many of the distinguished citizens of the county who have left their impress upon the state and nation. Among them are found William Paca, signer of the Declaration of Independence and twice governor of the state; Dr. John Archer, a member of the first Constitutional Convention of the state; and Edwin Booth, one of the greatest of the world's actors. Abingdon, aptly termed the "Mecca of the Methodists," is noted as being the seat of the first Methodist College (Cokesbury) founded for higher education. Havre de Grace, named by Lafayette because of the resemblance of its location to that of the French Havre, is the largest town in the county, its population being 3,423. It figured in the War of 1812. Bel Air has a population of 961, and Aberdeen and other towns have from 100 to 800 inhabitants.

## CAROLINE



Court House, Denton

From a photograph

Caroline is one of the smaller Maryland counties, and is the most inland of those on the Eastern Shore. Wicomico alone excepted, it is the only one in that section not having an extensive bayside border. The Delaware line bounds it on the east, Dorset on the south, Great Choptank and Tuckahoe rivers on the west, and Queen Anne's on the north. The area of the county is 320 square miles, and it was named in honor of Lady Eden, and its county seat was first called Eden-Town, after

Governor Eden. It was erected in 1773. The soil is of sand and clay, adapted to a variety of crops, from wheat to berries. Fruit-growing is a prominent industry, and canneries are operated in every section of the county. A local industry is charcoal-burning. The Queen Anne's railroad has done much to develop the central section of the county and to quicken village growth. The Delaware and Chesapeake railway runs through the northwestern part, and the Cambridge and Seaford line through the extreme southeast. On the Choptank steamboats ply daily to Denton. The population of Denton is 1050. Ridgely (population 713) and Greensborough are important fruit-shipping stations, and the next largest towns. Federalsburg (population 539), on the Northwest Fork of the Nanticoke, has several local industries, and Preston, on the Baltimore, Chesapeake and Atlantic railway, which curves through southwestern Caroline; Hillsborough, Burrsville, Choptank, are progressive towns. Hillsborough Academy was noted among the classical public schools of the post-Revolutionary period. One of the first acts of the people of this county was the promulgation of the "Caroline Resolutions of 1774," pledging resistance to the arbitrary measures of Parliament. The county was distinguished in the Revolution. At Ridgely is an extensive basket and berry-cup manufactory.

## WASHINGTON



Limestone Crusher  
From a photograph

Washington county was established on the same day as Montgomery and was taken from Frederick, originally including Allegany and Garrett. It is bounded on the north by Pennsylvania, on the east by South Mountain, which separates it from Frederick; on the south and southwest by the Potomac river, dividing it from Virginia, and on the west by Sideling Hill creek, which separates it from Allegany. It is nearly triangular in shape. The county is abundantly watered by the Antietam, Beaver, Conococheague, Israel, and other creeks tributary to the Potomac. The principal products are wheat, corn, oats, hay, rye, potatoes, wool, live-stock, butter, and honey. The county seat is Hagerstown, with a population of 13,591, and an admirable location as a railroad center. It lies on Antietam creek,



86 miles from Baltimore, and a seminary of high order and other private institutions are among its educational facilities. The Baltimore and Ohio, Western Maryland, Norfolk and Western, and Cumberland Valley railroads traverse the county, and all pass through Hagerstown. The manufacturing establishments of the city are numerous, and some of their products are bicycles, gloves, organs, building materials, agricultural implements, cigars, flour, carriages, etc. Williamsport has a population of 1,472, and is a commercial and industrial center. Sharpsburg, Hancock, Clearspring, Boonsboro, Smithsburg, Leitersburg, Funkstown, Keedysville, and others, are thriving villages. The county ranks high among wheat-producing counties of the United States, and is noted for its mountain-side peach orchards. Its area is 525 square miles. The population is remarkable for intelligence, industry, and thrift. Germans, English, Scotch, Swiss, and French from the border provinces of Alsace and Lorraine were among the original settlers. A number of families were established in the county as early as 1735, and from 1740 onward the numbers rapidly increased. Washington has been the mother of a long line of distinguished men in every walk of life, who have left their impress not only upon Maryland but upon other states and the nation. The county may lay claim to no inconsiderable share in the construction of the first steamboat built in the United States (1785-1786). General Washington and Governor Thomas Johnson were patrons of the experiment of James Rumsey, and parts of his steamboat were made at the Antietam Iron Works on March 14, 1786. Sharpsburg and vicinity was the scene of the most terrible and bloody battle of the Civil War, and in the Antietam National cemetery here lie buried 4,667 Union dead. The Delaware and Catawba battle-ground at the mouth of Antietam creek, the limestone or subterranean curiosity from which Cavetown derives its name,

and old Fort Frederick, near Clearspring — the last remaining visible vestige of the French and Indian War — and Maryland Heights, rendered conspicuous in 1861–1865, together with Antietam battle-field, dotted with monuments and tablets, make the county forever memorable in song and story.



Limestone Quarry

From a photograph

## MONTGOMERY



Court House, Rockville  
From a photograph

On September 6, 1776, the county of Montgomery was formed out of the "Lower District of Frederick," and named in honor of that illustrious hero, General Richard Montgomery, killed at

Quebec the previous year. The county furnished a conspicuous part of the Maryland Line during the Revolution; also, troops in every subsequent war in which the country has been engaged. Montgomery has given the state at least nine members of the national House of Representatives, one United States senator, one Chief Judge of the Maryland Court of Appeals, four presidents of the state Senate, and has had one cabinet officer. The late United States senators Edwards, of Illinois; Davis, of Kentucky, and the brilliant commoner, Proctor Knott, of the same state, were natives of this county; and the ancestors of the southern Lamars and of Thomas H. Benton, of Missouri, were from Montgomery. The first school of any reputation in the county was a seminary for young men, established toward the close of the Revolution, and memorable as the alma mater of William Wirt. The Rockville Academy (1809) and Brookeville Academy (1814) were next chartered and liberally endowed, and have been in operation ever since their foundation. Many private institutions of learning have since been established, and those now existing are at Rockville, Sandy Spring, Darnestown, Poolesville, and Forest Glen. The Metropolitan Branch of the Baltimore and Ohio railroad runs diagonally through the county, available to nearly every section, and several electric roads enter the southeastern part, reaching various towns. The Chesapeake and Ohio canal borders on southern Montgomery, from the District Line to Monocacy. There are numerous circulating libraries, and the proximity of the county to the national capital offers the best facilities to students and information-seekers. Braddock's army encamped for a night within the present limits of Rockville. In the early history of the county corn and tobacco were the staple products of the soil, until it became so exhausted that Montgomery lost by emigration to the new country beyond the Ohio large numbers of her population.

In 1790 this was over 18,000, and fifty years later, 15,456. By the introduction of guano in 1845 by the Society of Friends, a wonderful advance was made in the growing of cereals and grass, and the value of land and farm products materially enhanced. In the last twenty-five years the fertility of the soil has been greatly increased by the use of lime and phosphates. The Great Falls of the Potomac is said to be the largest available water power, perhaps in the world, and the county has many natural advantages. Gold has been found in Montgomery in small quantities, and there are extensive deposits of granite. Rockville, the county seat, has a population of 1,110, Kensington of 477, Takoma of 756, Gaithersburg of 547. The area of the county is 508 square miles.

## ALLEGANY



Old National Bridge, Cumberland

From a photograph

Allegheny county derives its name from an Indian word—Alligewi, a tribe name, or Oolik-hanna, meaning fairest stream. Its area is 442 square miles, and it lies between Garrett and Washington, with the Potomac river separating it from West Virginia on the south. Its northern line is the Pennsylvania boundary. In this county is found the narrowest part of the state, and it is conspicuous by reason of the fact that coal-mining and manufactures give occupation and support to the great majority of its people, whose number places Allegheny next to Baltimore county in population. The coal fields cover 64,000 acres in what is known as the George's Creek (named after Washington) Coal Basin, west of Cumberland, between Dan's mountain and Savage mountain. The county is rich in other mineral deposits, also—fire-clay, cement, iron ore, Medina sandstone, etc. The George's Creek Coal Basin is a part of that greatest of all coal deposits, the Allegheny field, which extends from Pennsylvania to Alabama. In Maryland the

deposit is of a semi-bituminous variety, highly prized for its peculiar qualities and unrivalled steam-making power. The limestone and clay lands and the Potomac "bottoms," in parts of Allegany, are exceedingly fertile, and produce potatoes, wheat, corn, buckwheat, oats, and grass in large crops. Fruits, especially apples, flourish on the mountain sides. The county is very progressive, and the standard of education, particularly among the miners, is high. Vast sums of capital are invested in Allegany industries, and some of these are among the most extensive of their kind in the United States. Tin-plate, leather, cement, lumber, machinery, flour, glass, and many other products of the county are shipped far and near. Next to Baltimore, Cumberland, with a population of 17,128, is the largest city in the state, and is constantly growing in material resources and size. It is the business center of a territory which extends into Pennsylvania and West Virginia. It is 178 miles from Baltimore and 149 from Pittsburg, and is reached by the Baltimore and Ohio, West Virginia Central (of which it is the eastern terminus), and Cumberland and Pennsylvania railroads, the latter a part of the Pennsylvania system. The Chesapeake and Ohio canal extends from Cumberland to Georgetown, D.C. Fort Cumberland, where Braddock camped, was the starting-point of the present city. Incident and legend, dealing with Indian, British, French, and Civil wars, cluster about Cumberland, and the topography and nomenclature of this region are suggestive. Frostburg, 17 miles westward of Cumberland, is a city of 5,247 population, on a plateau at an elevation of 1,700 feet above sea-level. The second State Normal School is at Frostburg. Lonaconing, a mining town of 2,181 population, is in southwestern Allegany; Westernport, Midland, Barton, Mt. Savage, Ocean, Flintstone, Orleans, Pekin, are other towns.

## CARROLL



Western Maryland College, Westminster

From a photograph

Carroll county was formed in 1836 from the counties of Baltimore and Frederick, between which it lies, with Howard on the south and Pennsylvania on the north. The county has an area of 437 square miles and was named in memory of Charles Carroll



of Carrollton, who died in 1832, the last survivor of the signers of the Declaration of Independence. The surface is diversified, being level, undulating, or broken, watered by fine streams issuing from innumerable springs which make up the tributaries of the Potomac, the Monocacy, and the Patapsco. These streams furnish motive power for cotton and woolen factories, and many flouring mills. The soils being limestone, slate, and iron, are fertile and easily improved. These lands respond bountifully to the efforts of the agriculturist, and the products are corn, wheat, rye, oats, buckwheat, hay, and potatoes. In many sections grazing is fine, and dairy farming is profitable. Limestone is quarried in large quantities for lime-making; and granite, marble, and brownstone furnish excellent building material. Iron, copper, soapstone, and flint are found in quantities sufficient to be worked with profit. Ample facilities for speedy and satisfactory transaction of business are furnished by fourteen banks, in which the deposits amount to between two and three million dollars. Westminster, with a population of 3,496, is the county seat. Other towns, ranging in population from 1,200 to 500, are Union Bridge, Taneytown, Manchester, Hampstead, Sykesville, New Windsor, and Mt. Airy. Carroll was the first county in the United States to establish rural free delivery of mail. In 1899 the system went into operation, and at present four wagons and forty-six carriers distribute mail in all parts of the county. The Western Maryland, Baltimore and Ohio, and Frederick Division of the Pennsylvania, are the Carroll railroads. The Western Maryland College and the Westminster Theological Seminary of the Methodist Protestant Church are at Westminster, and New Windsor College at New Windsor.

## HOWARD



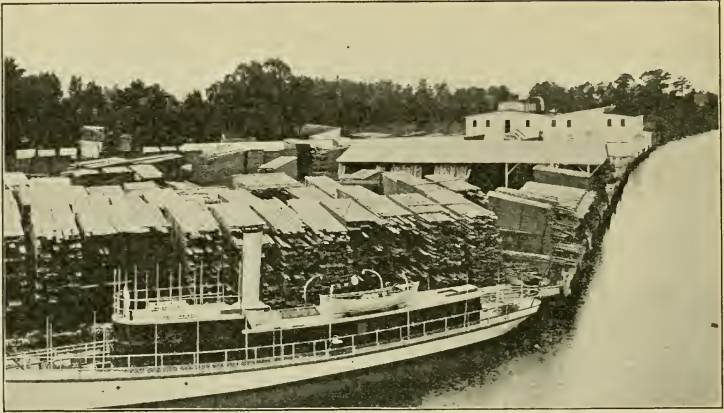
Cotton Mills (J. S. Gary & Son), Alberton

From a photograph

Howard county, organized in 1851, bears the name of John Eager Howard, one of the most illustrious soldiers of the Revolution, and afterward governor of Maryland and United States senator. It is triangular in shape, lying between Baltimore, Carroll, Frederick, Montgomery, Prince George's, and Anne Arundel counties, in the heart of the Western Shore. The Patapsco forms its northern border, and two small branches of the Patuxent extend into Howard from the Anne Arundel line. Another branch of the same river separates it from Montgomery. The main stem of the Baltimore and Ohio railroad, the section

of which from Baltimore to Ellicott's Mills was the first passenger railroad built in this country, runs along Howard's northern border, and the Washington Branch of the same road along its southern. The corner-stone of the Baltimore and Ohio was laid July 4, 1828, by Charles Carroll, then upward of ninety years old, and he said of this act that he considered it second only to his signing the Declaration, if "even it be second to that." The area of the county is 250 square miles, and its topography is hilly and broken, with heavy forests and fertile hill-sides and valleys, the arable land being especially adapted to wheat, corn, and hay. As early as 1800 the iron ore deposits of Howard led to the building of the Avalon Iron Works, and Howard ore is now the only Maryland product of the kind being smelted. In granite, marble, and building stones Howard is especially rich. Guilford and Woodstock granites are known throughout the United States. Ellicott City, the county seat, on the Patapsco river 15 miles from Baltimore, is joined to the latter by an electric road. Ellicott's Mills, as it was known from 1774 until the latter years of the past century, is noted in Maryland history. The manufacture of flour was begun here by the Ellicotts in that year, and this industry is an important one in this section of the state. The town has a population of 1,331. Rock Hill College, a widely known educational institution, is located here. Woodstock and St. Charles colleges and the Ilchester Redemptorist institution in Howard have made the county known wherever the Roman Catholic faith is preached. At Alberton and Savage are large cotton mills, operated by water power. Howard has been the birthplace or the home of many Marylanders noted in political life, on the bench, and in the arts and sciences, and on her territory was first heard in Maryland the demand for separation from the mother country.

## WICOMICO

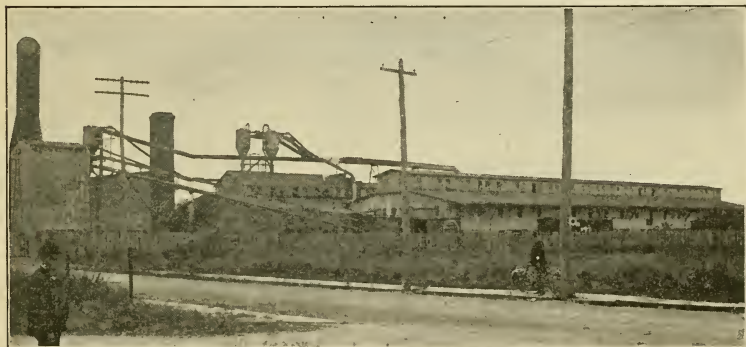


Lumber Yard, Salisbury

From a photograph

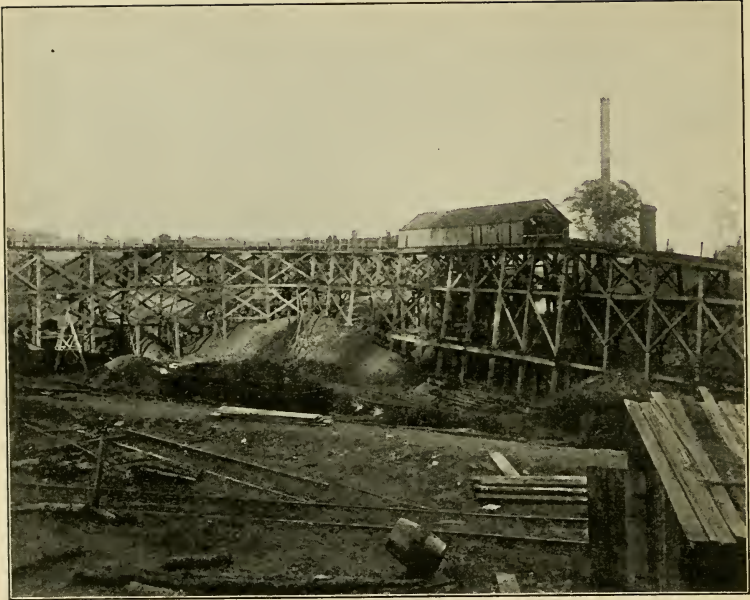
Wicomico county lies southeast of Dorset, the division line between the two being the Nanticoke river. Delaware on the north, Worcester on the east, and Worcester and Somerset on the south form the land boundaries of Wicomico, and the Nanticoke river extends along its western side, emptying into Tangier sound. The area of the county is 365 square miles, and its name is taken from the river which flows through its central section into Monie bay. Salisbury, the county seat (1732), is one of the most thriving commercial towns on the Eastern Shore, and has a population of 4,277. It is incorporated as a city, and has numerous manufactures, mostly associated with the extensive lumber interests of the county. Salisbury is noted for the beauty of its situation and its substantial business buildings and modern homes. Delmar, partly in Wicomico and partly in Delaware, is a goodly sized town, and Tyaskin, Nanticoke, Powellsville, Quantico, Pittsville, Parsons-

burg, and Fruitland are the centers of thriving communities. Agriculture is the occupation of many of the people, and fruit-growing is largely and successfully engaged in, as is also trucking. With its fine transportation facilities, Wicomico, like Somerset, although, perhaps, in a greater degree, is in competition with the truck-farmers of Virginia in the Northern markets. Light, sandy soils, overlying stiff clays, are found in Wicomico, and there are areas of gum swamp-land and of loams, the "black loam" along the edge of Delaware being very fertile. Mardela Springs, a village of several hundred inhabitants, is well known in local history as the location of "Barren Creek Springs," the fame of whose medicinal waters covers over a century. Francis Makemie established a Presbyterian church in Wicomico (then Somerset) county before the formation, in 1706, of the American Presbytery in Philadelphia, and is called the founder of the Presbyterian Church in America. The Baltimore, Chesapeake and Atlantic railway and the New York, Philadelphia and Norfolk railroad run through Wicomico.



Lumber Mill, Salisbury  
From a photograph

## GARRETT



Coal Mining, Corinth  
From a photograph

Garrett, the youngest of the counties of Maryland, was carved out of territory belonging to Allegany county, in 1872. Its first election for county officers was held January 7, 1873. John W. Garrett, then president of the Baltimore and Ohio railroad, for whom the county was named, was instrumental in its establishment. In area Garrett is the largest county in the state—660 square miles. It is largely mountainous, lying in the great plateau of the Alleghenies, and contains much uncleared land. It has rich deposits of iron ore, fire-clay, and other minerals, especially coal; but the chief industries are farming, stock-

raising, and lumbering. Oakland, its county seat, is 2800 feet above sea-level, and is noted as a summer resort. Mountain Lake Park, widely known for its Chautauqua and camp-meeting, and Deer Park are also in Garrett. The people of the county are purely American, there being few residents of foreign birth, and only a half-hundred negroes. The rivers and streams of the county abound in game fish—bass and trout; and deer, pheasants, wild turkeys, etc., make it the same sportsmen's paradise it was in the days of Meshach Browning, hunter and author. Occasionally, in the mountain fastnesses, a bear is seen. Its deer-shooting has long attracted hunters from all over the country, and the glades and uplands are yearly alive with pheasants and wild turkeys. Wheat, potatoes, corn, buckwheat, and hay are leading Garrett crops. The maple forests of the county yield annually about a quarter of a million pounds of maple sugar. Wild honey is abundant. The Baltimore and Ohio, West Virginia Central, and Oakland and State Line are Garrett railroads. The lumber industry in Garrett has long been its chief manufacturing interest. The first saw-mill—  
forerunner of the many that have leveled the primeval forests of the county—was owned by Philip Hare, and placed in operation near Grantsville about 1790. Valuable and productive farms have been made of the fertile limestone lands. Oakland is 246 miles from Baltimore and 600 from Chicago. Selbysport, Swanton, Accident, Grantsville, Friendship, Keyser, Mineral Springs, Krug, Thayersville, Finzel, are among the Garrett towns, and it is notable in physical geography as the only Maryland county having rivers flowing westward as well as eastward. The Youghiogheny rises in Garrett and is a tributary of the Ohio.





## APPENDIXES

### A

#### PROPRIETARIES OF MARYLAND

Cecilius Calvert . . . . . 1632	Charles Calvert . . . . . 1715
Charles Calvert . . . . . 1675	Frederick Calvert . . . . . 1751
Benedict Leonard Calvert . . . 1715	Henry Harford . . . . . 1771-1776

N. B.—It is well to remember that there were six Lords Baltimore and six proprietaries, but the first Lord Baltimore (George Calvert) was not a proprietary of Maryland, and the last proprietary of Maryland (Henry Harford) was not a Lord Baltimore.

### B

#### GOVERNORS OF MARYLAND<sup>1</sup>

##### COLONIAL GOVERNORS OF MARYLAND

##### *Under the Proprietary*

Leonard Calvert . . . . . 1633	William Fuller and Commis-
Thomas Greene . . . . . 1647	sioners . . . . . 1654
William Stone . . . . . 1649	Josias Fendall . . . . . 1658

<sup>1</sup> I do not know of any complete list of Maryland governors ever published that is correct. The list of colonial governors here given will be found very different from the usual lists, but in agreement with the list prepared from the archives by Dr. B. C. Steiner and others for the *Maryland Manual*, issued by the secretary of state. The list of state governors is taken from the list prepared by Mr. Edward T. Tubbs for the *Teacher's Manual* issued by State Superintendent M. B. Stephens. A comparison with the conventional list will show that the terms of most of the governors have been dated from their election instead of from their qualification.

J. M. G.

Philip Calvert . . . . .	1660	Benedict Leonard Calvert, a minor; government adminis- tered by Council . . . . .	1684
Charles Calvert . . . . .	1661	William Joseph, President of the Council . . . . .	1688
Cecilius Calvert, a minor; Jesse Wharton, deputy, and later Thomas Notley . . . . .	1676	Convention of Protestant Asso- ciation . . . . .	1689
Thomas Notley . . . . .	1676		
Charles Calvert, Lord Baltimore, in person . . . . .	1679		

*Royal Governors*

Lionel Copley . . . . .	1692	Thomas Tench, President of the Council . . . . .	1702
Edmund Andros ( <i>ad interim</i> )	1693	John Seymour . . . . .	1704
Thomas Lawrence, President of the Council . . . . .	1694	Edward Lloyd, President of the Council . . . . .	1709
Francis Nicholson . . . . .	1694	John Hart . . . . .	1714
Nathaniel Blackiston . . . . .	1699		

*Proprietary Governors*

John Hart . . . . .	1715	Samuel Ogle . . . . .	1733
Thomas Brooke, President of the Council . . . . .	1720	Thomas Bladen . . . . .	1742
Charles Calvert . . . . .	1720	Samuel Ogle . . . . .	1747
Benedict Leonard Calvert . . . . .	1727	Benjamin Tasker, President of the Council . . . . .	1752
Samuel Ogle . . . . .	1731	Horatio Sharpe . . . . .	1753
Charles, Lord Baltimore, in person . . . . .	1732	Robert Eden . . . . .	1769-1776

## Convention and Council of Safety, 1774-1777

## STATE GOVERNORS OF MARYLAND

Thomas Johnson . . . . .	1777	James Brice . . . . .	1792
Thomas Sim Lee . . . . .	1779	Thomas Sim Lee . . . . .	1792
William Paca . . . . .	1782	John H. Stone . . . . .	1794
William Smallwood . . . . .	1785	John Henry . . . . .	1797
John Eager Howard . . . . .	1788	Benjamin Ogle . . . . .	1798
George Plater . . . . .	1791	John Francis Mercer . . . . .	1801

Robert Bowie . . . . .	1803	Thomas G. Pratt . . . . .	1845
Robert Wright . . . . .	1806	Philip F. Thomas . . . . .	1848
James Butcher . . . . .	1809	E. Louis Lowe . . . . .	1851
Edward Lloyd . . . . .	1809	T. Watkins Ligon . . . . .	1854
Robert Bowie . . . . .	1811	Thomas Holliday Hicks . . . . .	1858
Levin Winder . . . . .	1812	Augustus W. Bradford . . . . .	1862
Charles Ridgely . . . . .	1816	Thomas Swann . . . . .	1865
Charles Goldsborough . . . . .	1819	Oden Bowie . . . . .	1868
Samuel Sprigg . . . . .	1819	William Pinkney White . . . . .	1872
Samuel Stevens, Jr. . . . .	1822	James Black Groome . . . . .	1874
Joseph Kent . . . . .	1826	John Lee Carroll . . . . .	1876
Daniel Martin . . . . .	1829	William T. Hamilton . . . . .	1880
Thomas King Carroll . . . . .	1830	Robert M. McLane . . . . .	1884
Daniel Martin . . . . .	1831	Henry Lloyd . . . . .	1885
George Howard . . . . .	1831	Elihu E. Jackson . . . . .	1888
James Thomas . . . . .	1833	Frank Brown . . . . .	1892
Thomas W. Veazey . . . . .	1836	Lloyd Lowndes . . . . .	1896
William Grason . . . . .	1839	John Walter Smith . . . . .	1900
Francis Thomas . . . . .	1842	Edwin Warfield . . . . .	1904

## C

## TOWNS OF MARYLAND

Having a population of more than 3,000 (U.S. Census, 1900)

Baltimore city . . . . .	508,957	Frostburg . . . . .	5,274
Cumberland . . . . .	17,128	Salisbury . . . . .	4,277
Hagerstown . . . . .	13,591	Havre de Grace . . . . .	3,423
Frederick . . . . .	9,296	Westminster . . . . .	3,199
Annapolis . . . . .	8,402	Crisfield . . . . .	3,165
Cambridge . . . . .	5,747	Easton . . . . .	3,074
Chestertown . . . . .	3,008		

## CONSTITUTION OF MARYLAND

ADOPTED BY THE CONVENTION

WHICH ASSEMBLED AT THE CITY OF ANNAPOLIS ON THE EIGHTH DAY OF MAY, EIGHTEEN HUNDRED AND SIXTY-SEVEN, AND ADJOURNED ON THE SEVENTEENTH DAY OF AUGUST, EIGHTEEN HUNDRED AND SIXTY-SEVEN, AND RATIFIED BY THE PEOPLE ON THE EIGHTEENTH DAY OF SEPTEMBER, EIGHTEEN HUNDRED AND SIXTY-SEVEN, WITH AMENDMENTS AND DECISIONS OF THE COURT OF APPEALS, TO AND INCLUDING 94 MD.

## DECLARATION OF RIGHTS

*Preamble*

*We, the people of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof declare :—*

*Origin and foundation of government. Right of reform*

Article 1. That all Government of right originates from the People, is founded in compact only, and instituted solely for the good of the whole ; and they have, at all times, the inalienable right to alter, reform or abolish their form of Government in such manner as they may deem expedient.

*Constitution of the U. S. the supreme law*

Art. 2. The Constitution of the United States, and the Laws made or which shall be made in pursuance thereof, and all Treaties made, or which shall be made, under the authority of the United States, are and shall be the Supreme Law of the State ; and the Judges of this State, and all the People of this State, are, and shall be bound thereby, anything in the Constitution or Law of this State to the contrary notwithstanding.

*Powers reserved*

Art. 3. The powers not delegated to the United States by the Constitution thereof, nor prohibited by it to the States, are reserved to the States respectively, or to the People thereof.

*State's rights*

Art. 4. That the People of this State have the sole and exclusive right of regulating the internal government and police thereof, as a free, sovereign, and independent State.

*Common law : trial by jury — English statutes — Charter of the State*

Art. 5. That the Inhabitants of Maryland are entitled to the Common Law of England, and the trial by Jury, according to the course of that law, and to the benefit of such of the English statutes as existed on the Fourth day of July, seventeen hundred and seventy-six; and which, by experience, have been found applicable to their local and other circumstances, and have been introduced, used and practiced by the Courts of Law or Equity; and also of all Acts of Assembly in force on the first day of June, eighteen hundred and sixty-seven; except such as may have since expired, or may be inconsistent with the provisions of this Constitution; subject, nevertheless, to the revision of, and amendment or repeal by, the Legislature of this State. And the Inhabitants of Maryland are also entitled to all property derived to them from or under the Charter granted by His Majesty, Charles the First, to Cæcilius Calvert, Baron of Baltimore.

*Right of reform — Non-resistance*

Art. 6. That all persons invested with the Legislative or Executive powers of Government are Trustees of the Public, and as such, accountable for their conduct: Wherefore, whenever the ends of Government are perverted, and public liberty manifestly 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.

*Right of suffrage*

Art. 7. That the right of the People to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose elections ought to be free and frequent, and every white<sup>1</sup> male citizen having the qualifications prescribed by the Constitution, ought to have the right of suffrage.

<sup>1</sup> The word "white" omitted under the 15th Amendment to the Constitution of the United States.

*Separation of the departments of government*

Art. 8. 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.

*Suspension of laws*

Art. 9. That no power of suspending Laws or the execution of Laws, unless by, or derived from the Legislature, ought to be exercised, or allowed.

*Freedom of speech*

Art. 10. That freedom of speech and debate, or proceedings in the Legislature, ought not to be impeached in any Court of Judicature.

*Seat of government*

Art. 11. That Annapolis be the place of meeting of the Legislature and the Legislature ought not to be convened, or held at any other place but from evident necessity.

*Meeting of Legislature*

Art. 12. That for redress of grievances, and for amending, strengthening, and for preserving the laws, the Legislature ought to be frequently convened.

*Right of petition*

Art. 13. That every man hath a right to petition the Legislature for the redress of grievances in a peaceful and orderly manner.

*Levying of taxes*

Art. 14. That no aid, charge, tax, burthen or fees ought to be rated, or levied, under any pretence, without the consent of the Legislature.

*Poll tax — Taxation according to actual worth — Fines*

Art. 15. That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the Government; but every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the Government, according to his actual worth in real or personal property; yet fines, duties or taxes may properly and justly be imposed, or laid with a political view for the good government and benefit of the community.

*Sanguinary laws*

Art. 16. That sanguinary Laws ought to be avoided as far as it is consistent with the safety of the State; and no Law to inflict cruel and unusual pains and penalties ought to be made in any case, or at any time, hereafter.

*Retrospective laws*

Art. 17. That retrospective Laws, punishing acts committed before the existence of such Laws, and by them only declared criminal are oppressive, unjust and incompatible with liberty; wherefore, no *ex post facto* Law ought to be made; nor any retrospective oath or restriction be imposed or required.

*Attainder*

Art. 18. That no Law to attain particular persons of treason or felony, ought to be made in any case, or at any time, hereafter.

*Right to have justice*

Art. 19. That every man, for any injury done to him in his person or property ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to Law of the Land.

*Trial of facts*

Art. 20. That the trial of facts, where they arise, is one of the greatest securities of the lives, liberties and estate of the People.

*Criminal prosecutions; indictment— Counsel and witnesses — Trial by jury*

Art. 21. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him; to have a copy of the Indictment, or Charge in due time (if required) to prepare for his defence; to be allowed counsel; to be confronted with the witnesses against him; to have process for his witnesses; to examine the witnesses for and against him on oath; and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

*Evidence against oneself*

Art. 22. That no man ought to be compelled to give evidence against himself in a criminal case.

*Freemen not to be imprisoned*

Art. 23. That no man ought to be taken or imprisoned or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the Land.

*Slavery abolished*

Art. 24. That Slavery shall not be re-established in this State; but having been abolished, under the policy and authority of the United States, compensation, in consideration thereof, is due from the United States.

*Bail and fines*

Art. 25. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted by the Courts of Law.

*Search warrants*

Art. 26. That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

*Corruption of blood*

Art. 27. That no conviction shall work corruption of blood or forfeiture of estate.

*Militia*

Art. 28. That a well regulated Militia is the proper and natural defence of a free Government.

*Standing armies*

Art. 29. That Standing Armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the Legislature.

*Military subject to civil power*

Art. 30. That in all cases, and at all times, the military ought to be under strict subordination to, and control of, the civil power.



*Quartering of soldiers*

Art. 31. That no soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, except in the manner prescribed by Law.

*Martial law*

Art. 32. That no person except regular soldiers, marines and mariners in the service of this State, or militia, when in actual service, ought, in any case, to be subject to, or punishable by, Martial Law.

*Judiciary*

Art. 33. That the independency and uprightness of Judges are essential to the impartial administration of Justice, and a great security to the rights and liberties of the People; wherefore, the Judges shall not be removed, except in the manner, and for the causes, provided in this Constitution. No Judge shall hold any other office, civil or military or political trust, or employment of any kind whatsoever, under the Constitution or Laws of this State, or of the United States, or any of them; or receive fees, or perquisites of any kind, for the discharge of his official duties.

*Rotation in office*

Art. 34. That a long continuance in the Executive Departments of power or trust is dangerous to liberty; a rotation, therefore, in those Departments is one of the best securities of permanent freedom.

*Holding offices — Presents*

Art. 35. That no person shall hold, at the same time, more than one office of profit, created by the Constitution or Laws of this State; nor shall any person in public trust receive any present from any foreign Prince or State, or from the United States, or any of them, without the approbation of this State.

*Religious liberty — Witnesses*

Art. 36. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought, by any law to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious

rights; nor ought any person to be compelled to frequent, or maintain or contribute, unless on contract, to maintain any place of worship or any ministry; nor shall any person, otherwise competent be deemed incompetent as a witness, or juror, on account of his religious belief; provided, he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor in this world or the world to come.

*Oath of office*

Art. 37. That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God; nor shall the Legislature prescribe any other oath of office than the oath prescribed by this Constitution.

*Disqualifications of Ministers and religious bodies*

Art. 38. That every gift, sale or devise of land to any Minister, Public Teacher or Preacher of the Gospel, as such, or to any Religious Sect, Order or Denomination, or to, or for the support, use or benefit of, or in trust for, any Minister, Public Teacher or Preacher of the Gospel, as such, or any Religious Sect, Order or Denomination; and every gift or sale of goods, or chattels, to go in succession, or to take place after the death of the Seller or Donor, to or for such support, use or benefit; and also every devise of goods or chattels to or for the support, use or benefit of any Minister, Public Teacher or Preacher of the Gospel, as such, or any Religious Sect, Order or Denomination, without the prior or subsequent sanction of the Legislature, shall be void; except always, any sale, gift, lease or devise of any quantity of land, not exceeding five acres, for a church, meeting-house, or other house of worship, or parsonage, or for a burying-ground, which shall be improved, enjoyed or used only for such purpose; or such sale, gift, lease or devise shall be void.

*Administering oaths*

Art. 39. That the manner of administering the oath or affirmation to any person ought to be such as those of the religious persuasion, profession or denomination, of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

*Liberty of the press*

Art. 40. That the liberty of the press ought to be inviolably preserved; that every citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects, being responsible for the abuse of that privilege.

*Monopolies*

Art. 41. That monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not to be suffered.

*Titles of nobility*

Art. 42. That no title of nobility or hereditary honors ought to be granted in this State.

*Duties of the Legislature*

Art. 43. That the Legislature ought to encourage the diffusion of knowledge and virtue, the extension of a judicious system of general education, the promotion of literature, the arts, sciences, agriculture, commerce and manufactures, and the general amelioration of the condition of the people.

*Constitutions apply in war and peace*

Art. 44. That the provisions of the Constitution of the United States, and of this State, apply as well in time of war as in time of peace; and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government and tends to anarchy and despotism.

*Rights retained by the people*

Art. 45. This enumeration of Rights shall not be construed to impair or deny others retained by the People.

**CONSTITUTION**

All Amendments are Included in Brackets and Follow the Sections as Originally Adopted

**ARTICLE I****ELECTIVE FRANCHISE***Elections by ballot — Qualifications of voters — Residence — Removal*

Section 1. All elections shall be by ballot; and every white<sup>1</sup> male citizen of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the Legislative District of Baltimore city, or of the county, in which he may offer to vote, for six months

<sup>1</sup> The word "white" omitted under the 15th Amendment to the Constitution of the United States.

next preceding the election, shall be entitled to vote, in the ward or election district in which he resides, at all elections hereafter to be held in this state; and in case any county or city shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates, or other Officers, then to entitle a person to vote for such officer, he must have been a resident of that part of the county, or city, which shall form a part of the electoral district, in which he offers to vote for six months next preceding the election; but a person, who shall have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed.

#### *Disqualifications*

Sec. 2. No person above the age of twenty-one years, convicted of larceny or other infamous crime, unless pardoned by the Governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, or a person *non compos mentis*, shall be entitled to vote.

#### *Bribery—Penalties*

Sec. 3. If any person shall give, or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any security, for the payment or the delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or person proposed, or voted for, as Elector of President and Vice-President of the United States, or Representative in Congress, or for any office of profit or trust, created by the Constitution or Laws of this State, or by the ordinances, or Authority of the Mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a Court of Law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter.

#### *Punishment for illegal voting*

Sec. 4. It shall be the duty of the General Assembly to pass Laws to punish, with fine and imprisonment, any person who shall remove into any election district or precinct of any ward of the City of Baltimore, not for the purpose of acquiring a *bona fide* residence therein, but for the purpose of voting at an approaching election, or who shall vote in any election district or ward in

which he does not reside (except in the case provided for in this Article), or shall, at the same election, vote in more than one election district, or precinct, or shall vote, or offer to vote, in any name not his own, or in place of any other person of the same name, or shall vote in any county in which he does not reside.

*Registration*

Sec. 5. The General Assembly shall provide by law for a uniform Registration of the names of all the voters in this State who possess the qualifications prescribed in this Article, which Registration shall be conclusive evidence to the Judges of election of the right of every person thus registered to vote at any election thereafter held in this State; but no person shall vote at any election, Federal or State, hereafter to be held in this State, or at any municipal election in the City of Baltimore, unless his name appears in the list of registered voters; and until the General Assembly shall hereafter pass an Act for the Registration of the names of voters, the law in force on the first day of June, in the year eighteen hundred and sixty-seven, in reference thereto, shall be continued in force, except so far as it may be inconsistent with the provisions of this Constitution; and the registry of voters, made in pursuance thereof, may be corrected, as provided in said law; but the names of all persons shall be added to the list of qualified voters by the officers of Registration, who have the qualifications prescribed in the first section of this Article, and who are not disqualified under the provisions of the second and third sections thereof.

*Oath of office*

Sec. 6. Every person elected or appointed to any office of profit or trust, under this Constitution, or under the laws, made pursuant thereto, shall, before he enters upon the duties of such office, take and subscribe the following oath or affirmation: I, —, do swear, (or affirm, as the case may be.) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of —, according to the Constitution and Laws of this State. (and, if a Governor, Senator, Member of the House of Delegates, or Judge), that I will not, directly or indirectly, receive the profits or any part of the profits of any other office during the term of my acting as —.

*New election on refusal to take oath .*

Sec. 7. Every person hereafter elected or appointed to office in this State, who shall refuse or neglect to take the oath or affirmation of office provided

for in the sixth section of this Article, shall be considered as having refused to accept the said office; and a new election or appointment shall be made, as in case of refusal to accept, or resignation of an office; and any person violating said oath shall, on conviction thereof, in a Court of Law, in addition to the penalties now or hereafter to be imposed by law, be thereafter incapable of holding any office of profit or trust in this State.

## ARTICLE II

### EXECUTIVE DEPARTMENT

#### *Governor's term of office*

Section 1. The executive power of the State shall be vested in a Governor, whose term of office shall commence on the second Wednesday of January next ensuing his election, and continue for four years, and until his successor shall have qualified; but the Governor chosen at the first election under this Constitution shall not enter upon the discharge of the duties of the office until the expiration of the term for which the present incumbent was elected; unless the said office shall become vacant by death, resignation, removal from the State, or other disqualification of the said incumbent.

#### *Time, place, and manner of electing governor*

Sec. 2. An election for Governor, under this Constitution, shall be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and on the same day and month in every fourth year thereafter, at the places of voting for delegates to the General Assembly; and every person qualified to vote for Delegates shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof under seal to be addressed to the Speaker of the House of Delegates, and enclosed and transmitted to the Secretary of State, and delivered to said Speaker, at the commencement of the session of the General Assembly next ensuing said election.

#### *Plurality to elect*

Sec. 3. The Speaker of the House of Delegates shall then open the said returns in the presence of both Houses; and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify, in the manner herein prescribed, on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

*Tie vote — House to decide all questions*

Sec. 4. If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates, and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given, shall be determined by the House of Delegates; and if the person or persons, having the highest number of votes, be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates, and the vote shall be taken *viva voce*. But if two or more persons shall have the highest and an equal number of votes, then a second vote shall be taken, which shall be confined to the persons having an equal number; and if the vote should again be equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.

*Qualifications of governor*

Sec. 5. A person to be eligible to the office of Governor must have attained the age of thirty years, and must have been for ten years a citizen of the State of Maryland, and for five years next preceding his election a resident of the State, and, at the time of his election, a qualified voter therein.

*Election by assembly*

Sec. 6. In the case of death or resignation of the Governor, or of his removal from the State, or other disqualification, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified person to be Governor for the residue of the term for which the said Governor had been elected.

*Succession — Impeachment*

Sec. 7. In case of any vacancy in the office of Governor, during the recess of the Legislature, the President of the Senate shall discharge the duties of said office, until a Governor is elected, as herein provided for; and in case of the death or resignation of the said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates. And the Legislature may provide by Law, for the impeachment of the Governor; and in case of his conviction, or his inability, may declare what person shall perform the Executive duties; and for any vacancy in said office not herein provided for, provision may be made by Law; and if such

vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

*Governor to be commander-in-chief of Militia*

Sec. 8. The Governor shall be the commander-in-chief of the land and naval forces of the State; and may call out the Militia to repel invasions, suppress insurrections, and enforce the execution of the Laws; but shall not take the command in person, without the consent of the Legislature.

*Duties*

Sec. 9. He shall take care that the Laws are faithfully executed.

*Appointments*

Sec. 10. He shall nominate, and by and with the advice and consent of the Senate, appoint all civil and military officers of the State, whose appointment or election is not otherwise herein provided for; unless a different mode of appointment be prescribed by the Law creating the office.

*Appointments during recess*

Sec. 11. In case of any vacancy during the recess of the Senate, in any office which the Governor has power to fill, he shall appoint some suitable person to said office, whose commission shall continue in force until the end of the next session of the Legislature, or until some other person is appointed to the same office, whichever shall first occur; and the nomination of the person thus appointed during the recess, or of some other person in his place, shall be made to the Senate within thirty days after the next meeting of the Legislature.

*Rejection by Senate*

Sec. 12. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate; or be appointed to the same office during the recess of the Legislature.

*Time of nomination — Term of office*

Sec. 13. All civil officers appointed by the Governor and Senate, shall be nominated to the Senate within fifty days from the commencement of each regular session of the Legislature; and their term of office, except in cases otherwise provided for in this Constitution, shall commence on the first Monday of May next ensuing their appointment, and continue for two years,



(unless removed from office), and until their successors, respectively, qualify according to law; but the term of office of the Inspectors of Tobacco shall commence on the first Monday of March next ensuing their appointment.

*Vacancy during session*

Sec. 14. If a vacancy shall occur during the session of the Senate, in any office which the Governor and Senate have the power to fill, the Governor shall nominate to the Senate, before its final adjournment a proper person to fill said vacancy, unless such vacancy occurs within ten days before said final adjournment.

*Courts martial*

Sec. 15. The Governor may suspend or arrest any military officer of the State for disobedience of orders or other military offense; and may remove him in pursuance of the sentence of a Court Martial; and may remove for incompetency or misconduct, all civil officers who received appointment from the Executive for a term of years.

*Extra sessions of Legislature*

Sec. 16. The Governor shall convene the Legislature, or the Senate alone, on extraordinary occasions; and whenever from the presence of an enemy, or from any other cause, the Seat of Government shall become an unsafe place for the meeting of the Legislature, he may direct their sessions to be held at some other convenient place.

*Veto power — Vetoed bills : how passed — Yeas and nays —  
Veto within six days*

Sec. 17. To guard against hasty or partial legislation and encroachments of the Legislative Department upon the co-ordinate, Executive and Judicial Departments, every Bill which shall have passed the House of Delegates, and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approve he shall sign it, but if not he shall return it with his objections to the House in which it originated, which House shall enter the objections at large on its Journal and proceed to reconsider the Bill; if, after such reconsideration, three-fifths of the members elected to that House shall pass the Bill, it shall be sent with the objections to the other House, by which it shall likewise be reconsidered, and if it pass by three-fifths of the members elected to that House it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each

House, respectively. If any bill shall not be returned by the Governor within six days (Sundays excepted), after it shall have been presented to him, the same shall be a law in like manner as if he signed it, unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law.

*Veto of items*

[The Governor shall have power to disapprove of any item or items of any Bills making appropriations of money embracing distinct items, and the part or parts of the Bill approved shall be the law, and the item or items of appropriations disapproved shall be void unless repassed according to the rules or limitations prescribed for the passage of other Bills over the Executive veto.]<sup>1</sup>

*Governor to examine Treasury accounts*

Sec. 18. It shall be the duty of the Governor, semi-annually, (and oftener, if he deems it expedient), to examine under oath the Treasurer and Comptroller of the State on all matters pertaining to their respective offices, and inspect and review their bank and other account books.

*Recommendations*

Sec. 19. He shall, from time to time, inform the Legislature of the condition of the State, and recommend to their consideration such measures as he may judge necessary and expedient.

*Pardons — Notice in newspapers — Reports to Legislature*

Sec. 20. He shall have power to grant reprieves and pardons, except in cases of impeachment, and in cases in which he is prohibited by other Articles of this Constitution ; and to remit fines and forfeitures for offenses against the State ; but shall not remit the principal or interest of any debt due the State, except in cases of fines and forfeitures ; and before granting a *nolle prosequi*, or pardon, he shall give notice, in one or more newspapers, of the application made for it, and of the day on or after which his decision will be given ; and in every case in which he exercises this power, he shall report to either Branch of the Legislature, whenever required, the petitions, recommendations and reasons which influenced his decision.

*Residence and salary*

Sec. 21. The Governor shall reside at the seat of government, and receive for his services an annual salary of four thousand five hundred dollars.

<sup>1</sup> Thus amended by Chapter 194, Acts of 1890, ratified by the people, November 3d, 1891.

*Secretary of State*

Sec. 22. A Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall continue in office, unless sooner removed by the Governor, till the end of the official term of the Governor from whom he received his appointment, and receive an annual salary of two thousand dollars, and shall reside at the seat of government; and the office of Private Secretary shall thenceforth cease.

*Duties of Secretary*

Sec. 23. The Secretary of State shall carefully keep and preserve a record of all official acts and proceedings, which may at all times be inspected by a committee of either branch of the Legislature; and he shall perform such other duties as may be prescribed by law, or as may properly belong to his office, together with all clerical duty belonging to the Executive Department.

## ARTICLE III

## LEGISLATIVE DEPARTMENT

Section 1. The Legislature shall consist of two distinct branches — a Senate and a House of Delegates — and shall be styled the General Assembly of Maryland.

*Election of Senators — Term*

Sec. 2. Each County in the State, and each of the three Legislative Districts of Baltimore City, as they are now, or may hereafter be defined, shall be entitled to one Senator, who shall be elected by the qualified voters of the Counties, and of the Legislative Districts of Baltimore City, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators hereafter provided for.

*Legislative districts — Election of Senators — Term*

[Sec. 2. The City of Baltimore shall be divided into four legislative districts, as near as may be, of equal population and contiguous territory, and each of said legislative districts of Baltimore City, as they may from time to time be laid out, in accordance with the provisions hereof, and each county in the State shall be entitled to one Senator, who shall be elected by the qualified voters of the said legislative districts of Baltimore City, and of the counties

of the State, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators hereafter provided for.]<sup>1</sup>

*Representation in House*

Sec. 3. Until the taking and publishing of the next National Census, or until the enumeration of the population of this State, under the authority thereof, the several counties and the City of Baltimore, shall have a representation in the House of Delegates, as follows : Allegany, five Delegates ; Anne Arundel County, three Delegates ; Baltimore County, six Delegates ; each of the three Legislative Districts of the City of Baltimore, six Delegates ; Calvert County, two Delegates ; Caroline County, two Delegates ; Carroll County, four Delegates ; Cecil County, four Delegates ; Charles County, two Delegates ; Dorchester County, three Delegates ; Frederick County, six Delegates ; Harford County, four Delegates ; Howard County, two Delegates ; Kent County, two Delegates ; Montgomery County, three Delegates ; Prince George's County, three Delegates ; Queen Anne's County, two Delegates ; St. Mary's County, two Delegates ; Somerset County, three Delegates ; Talbot County, two Delegates ; Washington County, five Delegates ; and Worcester County, three Delegates.<sup>2</sup>

*Basis of representation in House — Legislative districts in Baltimore City may be changed*

Sec. 4. As soon as may be after the taking and publishing of the next National Census, or after the enumeration of the population of this State, under the authority thereof, there shall be an apportionment of representation in the House of Delegates, to be made on the following basis, to wit : Each of the several Counties of the State having a population of eighteen thousand souls, or less, shall be entitled to two Delegates, and every County having a population of over eighteen thousand, and less than twenty-eight thousand souls, shall be

<sup>1</sup> Thus amended by Act of 1900, Chapter 469, ratified by the people at November election, 1901.

<sup>2</sup> Under the State Census authorized by the Act of 1901 (Special Session), and by the amendment to Sec. 2, the allotment of representation of the several counties in the House of Delegates is as follows : Allegany County, five ; Anne Arundel County, four ; Baltimore County, six ; Calvert County, two ; Caroline County, two ; Carroll County, four ; Cecil County, three ; Charles County, two ; Dorchester County, four ; Frederick County, five ; Garrett County, two ; Harford County, four ; Howard County, two ; Kent County, two ; Montgomery County, four ; Prince George's County, four ; Queen Anne's County, three ; Somerset County, three ; St. Mary's County, two ; Talbot County, three ; Washington County, five ; Wicomico County, three ; Worcester County, three ; and Baltimore City, twenty-four delegates. Total, 101.

entitled to three Delegates; and every County having a population of twenty-eight thousand, and less than forty thousand souls, shall be entitled to four Delegates; and every County having a population of forty thousand, and less than fifty-five thousand souls, shall be entitled to five Delegates; and every County having a population of fifty-five thousand souls, and upwards, shall be entitled to six Delegates, and no more; and each of the three Legislative Districts of the City of Baltimore shall be entitled to the number of Delegates to which the largest County shall or may be entitled, under the foregoing apportionment. And the General Assembly shall have power to provide by law, from time to time, for altering and changing the boundaries of the three existing Legislative Districts of the City of Baltimore, so as to make them, as near as may be, of equal population; but said Districts shall always consist of contiguous territory.

*Basis of representation — Legislative districts in Baltimore City may be changed*

[Sec. 4. As soon as may be, after the taking and publishing of the National Census of 1900, or after the enumeration of the population of this State, under the authority thereof, there shall be an apportionment of representation in the House of Delegates, to be made on the following basis, to wit: Each of the several counties of the State, having a population of eighteen thousand souls or less, shall be entitled to two delegates; and every county having a population of over eighteen thousand and less than twenty-eight thousand souls, shall be entitled to three delegates; and every county having a population of twenty-eight thousand and less than forty thousand souls, shall be entitled to four delegates; and every county having a population of forty thousand and less than fifty-five thousand souls, shall be entitled to five delegates; and every county having a population of fifty-five thousand souls and upwards, shall be entitled to six delegates and no more; and each of the Legislative Districts of the City of Baltimore shall be entitled to the number of delegates to which the largest county shall or may be entitled under the foregoing apportionment, and the General Assembly shall have the power to provide by law, from time to time, for altering and changing the boundaries of the existing legislative districts of the City of Baltimore, so as to make them as near as may be of equal population; but said district shall always consist of contiguous territory.]<sup>1</sup>

*Governor to arrange representation — Proclamation*

Sec. 5. Immediately after the taking and publishing of the next National Census, or after any State enumeration of population, as aforesaid, it shall be

<sup>1</sup> Thus amended by Act of 1900, Chapter 432, ratified by the people at November election, 1901.

the duty of the Governor, then being, to arrange the representation in said House of Delegates in accordance with the apportionment herein provided for; and to declare, by Proclamation, the number of Delegates to which each County and the City of Baltimore may be entitled under such apportionment; and after every National Census taken thereafter, or after any State enumeration of population, thereafter made, it shall be the duty of the Governor, for the time being, to make similar adjustment of representation, and to declare the same by Proclamation, as aforesaid.

*Election of delegates — Term*

Sec. 6. The members of the House of Delegates shall be elected by the qualified voters of the Counties, and the Legislative Districts of Baltimore City, respectively, to serve for two years from the day of their election.

*Time of election*

Sec. 7. The first election for Senators and Delegates shall take place on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven; and the election for Delegates, and as nearly as practicable, for one-half of the Senators shall be held on the same day in every second year thereafter.

*Classification of Senators*

Sec. 8. Immediately after the Senate shall have convened, after the first election, under this Constitution, the Senators shall be divided by lot into two classes, as nearly equal in number as may be. Senators of the first class shall go out of office at the expiration of two years, and Senators shall be elected on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-nine, for the term of four years, to supply their places; so that, after the first election, one-half of the Senators may be chosen every second year. In case the number of Senators be hereafter increased, such classification of the additional Senators shall be made as to preserve, as nearly as may be, an equal number in each class.

*Qualifications of Senators and delegates*

Sec. 9. No person shall be eligible as a Senator or Delegate who, at the time of his election, is not a citizen of the State of Maryland, and who has not resided therein for at least three years next preceding the day of his election, and the last year thereof, in the County, or in the Legislative District of Baltimore City, which he may be chosen to represent, if such County or Legis-

lative District of said City shall have been so long established; and if not, then in the County or City, from which, in whole or in part, the same may have been formed; nor shall any person be eligible as a Senator unless he shall have attained the age of twenty-five years, nor as a Delegate unless he shall have attained the age of twenty-one years, at the time of his election.

*Ineligibles*

Sec. 10. No member of Congress, or person holding any civil or military office under the United States shall be eligible as a Senator or Delegate; and if any person shall, after his election as Senator or Delegate, be elected to Congress, or be appointed to any office, civil or military, under the Government of the United States, his acceptance thereof shall vacate his seat.

*Ineligibles*

Sec. 11. No Minister or Preacher of the Gospel, or of any religious creed or denomination, and no person holding any civil office of profit or trust under this State, except Justices of the Peace, shall be eligible as Senator or Delegate.

*Defaulters ineligible*

Sec. 12. No Collector, Receiver or holder of public money shall be eligible as Senator or Delegate, or to any office of profit or trust under this State, until he shall have accounted for and paid into the Treasury all sums on the books thereof charged to and due by him.

*Vacancies*

Sec. 13. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county or city for which he shall have been elected, of any person who shall have been chosen as a Delegate or Senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be issued by the Speaker of the House of Delegates, or President of the Senate, as the case may be, for the election of another person in his place, of which election not less than ten days' notice shall be given, exclusive of the day of the publication of the notice and of the day of election; and if during the recess of the Legislature, and more than ten days before its termination, such death shall occur, or such resignation, refusal to act or disqualification be communicated in writing to the Governor by the person so resigning, refusing or disqualified, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner the said Speaker or President might have done during the session of the General Assembly; pro-

vided, however, that unless a meeting of the General Assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for Delegates and Senators.

*Time of meeting of Legislature*

Sec. 14. The General Assembly shall meet on the first Wednesday of January, eighteen hundred and sixty-eight, and on the same day in every second year thereafter, and at no other time, unless convened by Proclamation of the Governor.

*Limit of sessions — Compensations — Mileage — Extra sessions*

Sec. 15. The General Assembly may continue its session so long as in its judgment the public interest may require, for a period not longer than ninety days; and each member thereof shall receive a compensation of five dollars per diem for every day he shall attend the session, but not for such days as he may be absent, unless absent on account of sickness or by leave of the House of which he is a member; and he shall also receive such mileage as may be allowed by law, not exceeding twenty cents per mile; and the presiding officer of each House shall receive an additional compensation of three dollars per day. When the General Assembly shall be convened by Proclamation of the Governor, the session shall not continue longer than thirty days, and in such case the compensation shall be the same as herein prescribed.

*Books not to be purchased*

Sec. 16. No book or other printed matter, not appertaining to the business of the session, shall be purchased or subscribed for, for the use of the members of the General Assembly, or be distributed among them, at the public expense.

*Disqualifications*

Sec. 17. No Senator or Delegate, after qualifying as such, notwithstanding he may thereafter resign, shall during the whole period of time for which he was elected be eligible to any office which shall have been created, or the salary or profits of which shall have been increased, during such term.

*Freedom of debate*

Sec. 18. No Senator or Delegate shall be liable in any civil action or criminal prosecution whatever for words spoken in debate.



*Powers of each House*

Sec. 19. Each House shall be judge of the qualifications and elections of its members, as prescribed by the Constitution and Laws of the State; shall appoint its own officers, determine the rules of its own proceedings, punish a member for disorderly or disrespectful behavior, and with the consent of two-thirds of its whole number of members elected, expel a member; but no member shall be expelled a second time for the same offense.

*Quorum*

Sec. 20. A majority of the whole number of members elected to each House shall constitute a quorum for the transaction of business; but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each House may prescribe.

*Sessions to be open*

Sec. 21. The doors of each House and of the Committee of the Whole shall be open, except when the business is such as ought to be kept secret.

*Journals to be published—Yeas and nays*

Sec. 22. Each House shall keep a Journal of its proceedings, and cause the same to be published. The yeas and nays of members on any question shall at the call of any five of them in the House of Delegates, or one in the Senate, be entered on the Journal.

*Disorderly persons*

Sec. 23. Each House may punish by imprisonment during the session of the General Assembly, any person not a member, for disrespectful or disorderly behavior in its presence, or for obstructing any of the proceedings or any of its officers in the execution of their duties; provided, such imprisonment shall not at any one time exceed ten days.

*Powers of House — Grand inquest— May call for persons and papers — Contracts*

Sec. 24. The House of Delegates may inquire, on the oath of witnesses, into all complaints, grievances and offenses, as the Grand Inquest of the State, and may commit any person for any crime to the public jail, there to remain until discharged by due course of law. They may examine and pass all accounts of the State, relating either to the collection or expenditure of the revenue, and appoint auditors to state and adjust the same. They may call for

all public or official papers and records, and send for persons whom they may judge necessary, in the course of their inquiries, concerning affairs relating to the public interest, and may direct all office bonds which shall be made payable to the State to be sued for any breach thereof; and with the view to the more certain prevention or correction of the abuses in the expenditures of the money of the State, the General Assembly shall create, at every session thereof a Joint Standing Committee of the Senate and House of Delegates; who shall have power to send for persons and examine them on oath and call for public and official papers and records; and whose duty it shall be to examine and report upon all contracts made for printing, stationery, and purchases for the public offices and the library, and all expenditures therein, and upon all matters of alleged abuse in expenditures, to which their attention may be called by resolution of either House of the General Assembly.

#### *Adjournment*

Sec. 25. Neither House shall, without the consent of the other, adjourn for more than three days at any one time, nor adjourn to any other place than that in which the House shall be sitting, without the concurrent vote of two-thirds of the members present.

#### *Impeachment*

Sec. 26. The House of Delegates shall have the sole power of impeachment in all cases; but a majority of all the members elected must concur in the impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose the Senators shall be on oath or affirmation to do justice according to the law and the evidence; but no person shall be convicted without the concurrence of two-thirds of all the Senators elected.

#### *Bills*

Sec. 27. Any bill may originate in either House of the General Assembly, and be altered, amended or rejected by the other; but no bill shall originate in either House during the last ten days of the session, unless two-thirds of the members elected thereto shall so determine by yeas and nays; nor shall any bill become a law until it be read on three different days of the session in each House, unless two-thirds of the members elected to the House where such bill is pending shall so determine by yeas and nays; and no bill shall be read a third time until it shall have been actually engrossed for a third reading.

#### *Passage of bills*

Sec. 28. No bill shall become a law unless it be passed in each House by a majority of the whole number of members elected, and on its final passage

the yeas and nays be recorded; nor shall any resolution requiring the action of both Houses be passed except in the same manner.

*Style of laws — Mode of enactment — Limitations*

Sec. 29. The style of all laws of this State shall be, "Be it enacted by the General Assembly of Maryland," and all laws shall be passed by original bill; and every law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title; and no law, nor section of law, shall be revived or amended by reference to its title or section only, nor shall any law be construed by reason of its title to grant powers or confer rights which are not expressly contained in the body of the Act; and it shall be the duty of the General Assembly, in amending any article or section of the Code of Laws of this State, to enact the same as the said article or section would read when amended. And whenever the General Assembly shall enact any Public General Law, not amendatory of any section or article in the said Code, it shall be the duty of the General Assembly to enact the same, in articles and sections, in the same manner as the Code is arranged, and to provide for the publication of all additions and alterations which may be made to the said Code.

*Bills to be signed by Governor — Laws to be recorded in the Court of Appeals*

Sec. 30. Every bill, when passed by the General Assembly, and sealed with the Great Seal, shall be presented to the Governor, who, if he approves it, shall sign the same in the presence of the presiding officers and chief clerks of the Senate and House of Delegates. Every law shall be recorded in the office of the Court of Appeals, and in due time be printed, published and certified under the Great Seal, to the several courts, in the same manner as has been heretofore usual in this State.

*When laws take effect*

Sec. 31. No law passed by the General Assembly shall take effect until the first day of June next after the session at which it may be passed, unless it be otherwise expressly declared therein.

*Appropriations — Contingent fund — Financial statement to be published with laws*

Sec. 32. No money shall be drawn from the Treasury of the State by any order or resolution, nor except in accordance with an appropriation by law; and every such law shall distinctly specify the sum appropriated and the object

to which it shall be applied; provided that nothing herein contained shall prevent the General Assembly from placing a contingent fund at the disposal of the Executive, who shall report to the General Assembly at each session the amount expended, and the purposes to which it was applied. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws after each regular session of the General Assembly.

*Special laws prohibited*

Sec. 33. The General Assembly shall not pass local or special laws in any of the following enumerated cases, viz.: For extending the time for the collection of taxes, granting divorces, changing the name of any person, providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees, giving effect to informal or invalid deeds or wills, refunding money paid into the State Treasury, or releasing persons from their debts or obligations to the State, unless recommended by the Governor or officers of the Treasury Department. And the General Assembly shall pass no special law for any case for which provision has been made by an existing general law. The General Assembly at its first session after the adoption of this Constitution, shall pass general laws providing for the cases enumerated in this section which are not already adequately provided for, and for all other cases where a General Law can be made applicable.

*Debts regulated—Credit of the State not to be given—Public debt—Temporary deficiencies*

Sec. 34. No debt shall be hereafter contracted by the General Assembly unless such debt shall be authorized by a law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due, and also to discharge the principal thereof within fifteen years from the time of contracting the same; and the taxes laid for this purpose shall not be repealed or applied to any other object until the said debt and interest thereon shall be fully discharged. The credit of the State shall not in any manner be given, or loaned to, or in aid of any individual association or corporation; nor shall the General Assembly have the power in any mode to involve the State in the construction of Works of Internal Improvement, nor in granting any aid thereto, which shall involve the faith or credit of the State; nor make any appropriation therefor, except in aid of the construction of Works of Internal Improvement in the counties of St. Mary's, Charles and Calvert, which have had no direct advantage from such works as have been heretofore aided by the State; and provided that such aid, advances or appropriations shall not

exceed in the aggregate the sum of five hundred thousand dollars. And they shall not use or appropriate the proceeds of the Internal Improvement Companies, or of the State tax, now levied, or which may hereafter be levied, to pay off the public debt [or] to any other purpose until the interest and debt are fully paid or the sinking fund shall be equal to the amount of the outstanding debt; but the General Assembly may, without laying a tax, borrow an amount never to exceed fifty thousand dollars to meet temporary deficiencies in the Treasury, and may contract debts to any amount that may be necessary for the defense of the State.

*Extra compensation prohibited*

Sec. 35. No extra compensation shall be granted or allowed by the General Assembly to any Public Officer, Agent, Servant or Contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary or compensation of any public officer be increased or diminished during his term of office.

*Lotteries prohibited*

Sec. 36. No Lottery grant shall ever hereafter be authorized by the General Assembly.

*Slaves*

Sec. 37. The General Assembly shall pass no Law providing for payment by the State for Slaves emancipated from servitude in this State; but they shall adopt such measures as they may deem expedient to obtain from the United States compensation for such Slaves, and to receive and distribute the same equitably to the persons entitled.

Sec. 38. No person shall be imprisoned for debt.

*Banks*

Sec. 39. The General Assembly shall grant no charter for Banking purposes, nor renew any Banking Corporation now in existence, except upon the condition that the Stockholders shall be liable to the amount of their respective share or shares of stock in such Banking Institution, for all its debts and liabilities upon note, bill or otherwise; the books, papers and accounts of all Banks shall be open to inspection under such regulations as may be prescribed by Law.

*Compensation for property taken for public use*

Sec. 40. The General Assembly shall enact no Law authorizing private property to be taken for public use, without just compensation as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation.

*Duellists*

Sec. 41. Any Citizen of this State who shall, after the adoption of this Constitution, either in or out of this State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in any manner those offending, shall ever thereafter be incapable of holding any office of profit or trust under this State, unless relieved from the disability by an Act of the Legislature.

*Elections*

Sec. 42. The General Assembly shall pass Laws necessary for the preservation of the purity of elections.

*Wife's property protected*

Sec. 43. The property of the wife shall be protected from the debts of her husband.

*Exemption*

Sec. 44. Laws shall be passed by the General Assembly to protect from execution a reasonable amount of the property of the debtor, not exceeding in value the sum of five hundred dollars.

*Compensation of clerks and registers*

Sec. 45. The General Assembly shall provide a simple and uniform system of charges in the offices of Clerks of Courts and Registers of Wills, in the Counties of this State and the City of Baltimore, and for the collection thereof ; provided, the amount of compensation to any of the said officers in the various Counties shall not exceed the sum of three thousand dollars a year, and in the City of Baltimore thirty-five hundred dollars a year, over and above office expenses, and compensation to assistants ; and provided further that such compensation of Clerks, Registers, assistants and office expenses shall always be paid out of the fees or receipts of the offices, respectively.

*Grants from United States*

Sec. 46. The General Assembly shall have power to receive from the United States any grant or donation of land, money, or securities for any purpose designated by the United States, and shall administer or distribute the same according to the conditions of the said grant.

*Contested elections*

Sec. 47. The General Assembly shall make provisions for all cases of contested elections of any of the officers, not herein provided for.

*Corporations*

Sec. 48. Corporations may be formed under general Laws ; but shall not be created by special act, except for municipal purposes, and except in cases where no general Laws exist, providing for the creation of Corporations of the same general character, as the corporation proposed to be created ; and any act of incorporation passed in violation of this section shall be void. And as soon as practicable, after the adoption of this Constitution, it shall be the duty of the Governor to appoint three persons learned in the Law, whose duty it shall be to prepare drafts of general Laws, providing for the creation of corporations, in such cases as may be proper, and for all other cases, where a general Law can be made ; and for revising and amending, so far as may be necessary or expedient, the General Laws which may be in existence on the first day of June, eighteen hundred and sixty-seven, providing for the creation of corporations, and for other purposes ; and such drafts of Laws shall by said commissioners, be submitted to the General Assembly, at its first meeting, for its action thereon ; and each of said commissioners shall receive a compensation of five hundred dollars for his services, as such commissioner.

All Charters granted or adopted in pursuance of this section, and all Charters heretofore granted and created, subject to repeal or modification, may be altered, from time to time, or be repealed ; provided, nothing herein contained shall be construed to extend to Banks, or the incorporation thereof.

*Corporations*

[Sec. 48. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes and except in cases where no general Laws exist, providing for the creation of corporations of the same general character as the corporation proposed to be created, and any act of incorporation passed in violation of this section shall be void ; all charters granted or adopted in pursuance of this section, and all charters heretofore granted and created subject to repeal or modification, may be altered from time to time, or be repealed ; provided, nothing herein contained shall be construed to extend to banks or the incorporation thereof ; the General Assembly shall not alter or amend the charter of any corporation existing at the time of the adoption of this Article, or pass any other general or special Law for the benefit of such corporation except upon the condition that such corporation

shall surrender all claim to exemption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and any corporation chartered by this State which shall accept, use, enjoy or in any wise avail itself of any rights, privileges, or advantages that may hereafter be granted or conferred by any general or special Act, shall be conclusively presumed to have thereby surrendered any exemption from taxation to which it may be entitled under its charter, and shall be thereafter subject to taxation as if no such exemption has been granted by its charter.]<sup>1</sup>

#### *Elections*

Sec. 49. The General Assembly shall have power to regulate by law, not inconsistent with this Constitution, all matters which relate to the Judges of Election, time, place and manner of holding elections in this State, and of making returns thereof.

#### *Bribery—Punishment—Evidence—Disqualification*

Sec. 50. It shall be the duty of the General Assembly at its first session, held after the adoption of this Constitution, to provide by Law for the punishment, by fine, or imprisonment in the Penitentiary or both, in the discretion of the Court, of any person who shall bribe or attempt to bribe any Executive, or Judicial officer of the State of Maryland, or any member, or officer of the General Assembly of the State of Maryland, or of any Municipal Corporation in the State of Maryland, or any Executive officer of such corporation, in order to influence him in the performance of any of his official duties; and also, to provide by Law for the punishment, by fine, or imprisonment in the Penitentiary, or both, in the discretion of the Court, of any of said officers, or members, who shall demand or receive any bribe, fee, reward or testimonial for the performance of his official duties, or for neglecting or failing to perform the same, and also, to provide by Law for compelling any person so bribing, or attempting to bribe, or so demanding or receiving a bribe, fee, reward or testimonial, to testify against any person or persons who may have committed any of said offenses; provided, that any person so compelled to testify shall be exempted from trial and punishment for the offense of which he may have been guilty; and any person convicted of such offense shall, as part of the punishment thereof, be forever disfranchised and disqualified from holding any office of trust or profit in this State.

<sup>1</sup> As amended by Charter 195, Acts of 1890, ratified by the people November 3, 1891.



*Taxation of personal property*

Sec. 51. The personal property of residents of this State shall be subject to taxation in the county or city where the resident *bona fide* resides for the greater part of the year, for which the tax may or shall be levied, and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city or county where they are so located.

*Taxation of personal property*

[Sec. 51. The personal property of residents of this State shall be subject to taxation in the county or city where the resident *bona fide* resides for the greater part of the year for which the tax may or shall be levied, and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city or county where they are so located, but the General Assembly may by law provide for the taxation or mortgages upon property in this State and the debts secured thereby in the county or city where such property is situated.]<sup>1</sup>

*Private claims*

Sec. 52. The General Assembly shall appropriate no money out of the Treasury for payment of any private claim against the State exceeding three hundred dollars, unless said claim shall have been first presented to the Comptroller of the Treasury, together with the proofs upon which the same is founded, and reported upon by him.

*Witnesses*

Sec. 53. No person shall be incompetent, as a witness, on account of race or color, unless hereafter so declared by Act of the General Assembly.

*Counties forbidden to contract debts without authority*

Sec. 54. No County of this State shall contract any debt, or obligation, in the construction of any Railroad, Canal, or other Work of Internal Improvement, nor give, or loan its credit to or in aid of any association, or corporation, unless authorized by an Act of the General Assembly, which shall be published for two months before the next election for members of the House of Delegates in the newspapers published in such County, and shall also be approved by a majority of all the members elected to each House of the General Assembly, at its next session after said election.

<sup>1</sup> Thus amended by Chapter 426, Acts of 1890, ratified by the people November 3, 1891.

*Habeas Corpus*

Sec. 55. The General Assembly shall pass no law suspending the privilege of the Writ of *Habeas Corpus*.

*Powers of Assembly*

Sec. 56. The General Assembly shall have power to pass all such Laws as may be necessary and proper for carrying into execution the powers vested by this Constitution, in any Department or office of the Government, and the duties imposed upon them thereby.

*Interest*

Sec. 57. The Legal rate of Interest shall be *six per cent. per annum*, unless otherwise provided by the General Assembly.

*Foreign corporations*

Sec. 58. The Legislature, at its first session after the ratification of this Constitution, shall provide by Law for State and municipal taxation upon the revenues accruing from business done in the State by all foreign corporations.

*Pension system abolished*

Sec. 59. The office of "State Pension Commissioner" is hereby abolished; and the Legislature shall pass no law creating such office, or establishing any general pension system within this State.

## ARTICLE IV

## JUDICIARY DEPARTMENT

**Part I. — General Provisions***Courts—Justices of the Peace*

Section 1. The Judicial power of this State shall be vested in a Court of Appeals, Circuit Courts, Orphans' Courts, such Courts for the City of Baltimore as are hereinafter provided for, and Justices of the Peace; all said Courts shall be Courts of Record, and each shall have a seal to be used in the authentication of all process issuing therefrom. The process and official character of Justices of the Peace shall be authenticated as hath heretofore been practiced in this State, or may hereafter be prescribed by Law.

*Qualifications of Judges*

Sec. 2. The Judges of all of the said Courts shall be citizens of the State of Maryland, and qualified voters under this Constitution, and shall have resided therein not less than five years, and not less than six months next preceding their election or appointment in the judicial circuit, as the case may be, for which they may be respectively elected or appointed. They shall be not less than thirty years of age at the time of their election or appointment, and shall be selected from those who have been admitted to practice Law in this State, and who are most distinguished for integrity, wisdom and sound legal knowledge.

*Election of Judges — Term of office — Retirement*

Sec. 3. The Judges of the said several Courts shall be elected in the Counties by the qualified voters in their respective Judicial Circuits as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the City of Baltimore, on the fourth Wednesday of October next. Each of the said Judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any Judge who shall attain the age of seventy years whilst in office, such Judge may be continued in office by the General Assembly for such further time as they may think fit, not to exceed the term for which he was elected, by a resolution to be passed at the session next preceding his attaining said age. In case of the inability of any of said Judges to discharge his duties with efficiency, by reason of continued sickness, or of physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each House concurring, with the approval of the Governor, to retire said Judge from office.

*Removal of Judges*

Sec. 4. Any Judge shall be removed from office by the Governor, on conviction in a Court of Law, of incompetency, of willful neglect of duty, misbehavior in office or any other crime, or on impeachment, according to this Constitution, or the Laws of the State; or on the address of the General Assembly, two-thirds of each House concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defense.

Sec. 5. After the election for Judges, to be held as above mentioned, upon the expiration of the term, or in case of the death, resignation, removal, or

other disqualification of any Judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose tenure of office shall be the same, as hereinbefore provided; but if the vacancy shall occur in the City of Baltimore, the time of election shall be the fourth Wednesday in October following.

*Election of Judges—Appointment by Governor*

[Sec. 5. After the election for Judges, as hereinbefore provided, there shall be held in this State, in every fifteenth year thereafter, on the Tuesday after the first Monday in November of such year, an election for Judges as herein provided; and in case of death, resignation, removal or disqualification by reason of age or otherwise of any Judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next General Election for members of the General Assembly, when a successor shall be elected, whose term of office shall be the same as hereinbefore provided, and upon the expiration of the term of fifteen years for which any Judge may be elected to fill a vacancy, an election for his successor shall take place at the next General Election for members of the General Assembly to occur upon or after the expiration of his said term; and the Governor shall appoint a person duly qualified to hold said office from the expiration of such term of fifteen years until the election and qualification of his successor.]<sup>1</sup>

*Duties*

Sec. 6. All Judges shall, by virtue of their offices, be Conservators of the Peace throughout the State; and no fees, or perquisites, commission or reward of any kind, shall be allowed to any Judge in this State, besides his annual salary, for the discharge of any Judicial duty.

*Disqualifications*

Sec. 7. No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity within such degrees as now are or may hereafter be prescribed by Law, or where he shall have been of counsel in the case.

Sec. 8. The parties to any cause may submit the same to the court for determination, without the aid of a jury; and the Judge, or Judges of any Court of this State, except the Court of Appeals, shall order and direct the

<sup>1</sup> Thus amended by Act of 1880, ch. 417, ratified by the people at November election, 1881.

record of proceedings in any suit or action, issue or petition, presentment or indictment, pending in such court, to be transmitted to some other court, (and of a different circuit, if the party applying shall so elect,) having jurisdiction in such cases, whenever any party to such cause or the counsel of any party, shall make a suggestion, in writing, supported by the affidavit of such party or his counsel, or other proper evidence, that the party cannot have a fair or impartial trial in the court in which suit, or action, issue or petition, presentment or indictment is pending, or when the Judges of said court shall be disqualified under the provisions of this Constitution to sit in any such suit, action, issue or petition, presentment or indictment; and the General Assembly shall make such modifications of existing Law as may be necessary to regulate and give force to this provision.

*Trial without jury — Removal of cases*

[Sec. 8. The parties to any cause may submit the same to the Court for determination without the aid of a Jury and in all suits or actions at law, issues from the Orphans' Court or from any Court sitting in Equity, and in all cases of presentments or indictments for offences which are or may be punishable by death pending in any of the Courts of Law of this State having jurisdiction thereof, upon suggestion in writing under oath of either of the parties to said proceedings, that such party cannot have a fair and impartial trial in the Court in which the same may be pending, the said Court shall order and direct the Record of Proceedings in such Suit or Action, Issue, Presentment or Indictment, to be transmitted to some other Court having jurisdiction in such case, for trial; but in all other cases of Presentment or Indictment pending in any of the Courts of Law in this State having jurisdiction thereof, in addition to the suggestion in writing of either of the parties to such Presentment or Indictment that such party cannot have a fair and impartial trial in the Court in which the same may be pending, it shall be necessary for the party making such suggestion to make it satisfactorily appear to the Court that such suggestion is true, or that there is reasonable ground for the same; and thereupon the said Court shall order and direct the Record of Proceedings in such Presentment or Indictment to be transmitted to some other Court having jurisdiction in such cases for trial; and such right of removal shall exist upon suggestion in cases when all the Judges of said Court may be disqualified, under the provisions of this Constitution to sit in any case; and said court to which the Record of Proceedings in such Suit or Action, Issue, Presentment or Indictment may be so transmitted, shall hear and determine the same in like manner as if such Suit or Action, Issue, Presentment or Indictment has been originally instituted therein; and the General

Assembly shall make such modification of existing law as may be necessary to regulate and give force to this provision.]<sup>1</sup>

*Officers of Court; how appointed*

Sec. 9. The Judge or Judges of any Court may appoint such officers for their respective Courts as may be found necessary; and such officers of the Courts in the City of Baltimore shall be appointed by the Judges of the Supreme Bench of Baltimore City. It shall be the duty of the General Assembly to prescribe by law a fixed compensation for all such officers, and said Judge or Judges shall from time to time investigate the expenses, costs and charges of their respective Courts, with a view to a change or reduction thereof, and report the result of such investigation to the General Assembly for its action.

*Records — Fees — Visitorial power — Rules*

Sec. 10. The Clerks of the several Courts created or continued by this Constitution shall have charge and custody of the records and other papers; shall perform all the duties, and be allowed the fees which appertain to their several offices, as the same now are or may hereafter be regulated by law. And the office and business of said Clerks, in all their departments, shall be subject to the visitorial power of the Judges of their respective Courts, who shall exercise the same, from time to time, so as to insure the faithful performance of the duties of said offices; and it shall be the duty of the Judges of said Courts, respectively, to make from time to time such rules and regulations as may be necessary and proper for the government of said Clerks, and for the performance of the duties of their offices, which shall have the force of law until repealed or modified by the General Assembly.

*Election returns — Commissions*

Sec. 11. The election for Judges hereinbefore provided, and all elections for Clerks, Registers of Wills and other officers provided in this Constitution, except State's Attorneys, shall be certified, and the returns made by the Clerks of the Circuit Courts of the Counties, and the Clerk of the Superior Court of Baltimore City, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been, respectively, elected; and in all such elections the person having the greatest number of votes shall be declared elected.

<sup>1</sup> Thus amended by Act of 1874, ch. 364, ratified by the people at November election, 1875.

*Tie elections*

Sec. 12. If in any case of election for Judges, Clerks of the Courts of Law, and Register of Wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the Governor to order a new election; and in case of any contested election the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election, and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

*Style of Commissions*

Sec. 13. All Public Commissions and Grants shall run thus: "The State of Maryland, &c.," and shall be signed by the Governor, with the Seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed as heretofore, or as may hereafter be provided by law; and all indictments shall conclude, "against the peace, government and dignity of the State."

**Part II. — Court of Appeals***Chief Judge — Jurisdiction — Sessions*

Sec. 14. The Court of Appeals shall be composed of the Chief Judges of the first seven of the several Judicial Circuits of the State and a Judge from the City of Baltimore specially elected thereto, one of whom shall be designated by the Governor, by and with the advice and consent of the Senate, as the Chief Judge; and in all cases until action by the Senate can be had, the Judge so designated by the Governor shall act as Chief Judge. The Judge of the Court of Appeals from the City of Baltimore shall be elected by the qualified voters of said city at the election of Judges to be held therein, as hereinafter provided; and in addition to his duties as Judge of the Court of Appeals, shall perform such other duties as the General Assembly shall prescribe. The jurisdiction of said Court of Appeals shall be co-extensive with the limits of the State, and such as now is or may hereafter be prescribed by Law. It shall hold its sessions in the City of Annapolis, on the first Monday in April, and the first Monday in October; [on the second Monday in January, the first Monday in April and the first Monday in October] <sup>1</sup> of each and every year, or at such other times as the General Assembly may by Law direct. Its sessions shall continue not less than ten months in the year, if the business

<sup>1</sup> Term thus arranged by Act of 1886, ch. 185.

before it shall so require; and it shall be competent for the Judges temporarily to transfer their sittings elsewhere upon sufficient cause.

*Quorum — Judge below not to sit — Opinion*

Sec. 15. Four of said Judges shall constitute a quorum; no cause shall be decided without the concurrence of at least three; but the Judge who heard the cause below shall not participate in the decision; in every case an opinion, in writing, shall be filed within three months after the argument or submission of the cause; and the judgment of the court shall be final and conclusive; and all cases shall stand for hearing at the first term after the transmission of the record.

*Publication of reports*

Sec. 16. Provision shall be made by law for publishing reports of cases argued and determined in the Court of Appeals, which the Judges shall designate as proper for publication.

*Clerks — Removal — Vacancy*

Sec. 17. There shall be a Clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is duly qualified; he shall be subject to removal by the said Court for incompetency, neglect of duty, misdemeanor in office, or such other cause or causes as may be prescribed by law; and in case of a vacancy in the office of said Clerk, the Court of Appeals shall appoint a Clerk of said Court, who shall hold his office until election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person so elected shall hold his office for the term of six years from the time of election.

*Rules for Appeals — Record — Practice — Costs — Rules in Equity*

Sec. 18. It shall be the duty of the Judges of the Court of Appeals, as soon after their election under this Constitution as practicable, to make and publish rules and regulations for the prosecution of appeals to said appellate court whereby they shall prescribe the periods within which appeals may be taken, what part or parts of the proceedings in the court below shall constitute the record on appeal and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals so as to prevent delays and promote brevity in all records and proceedings brought into said court, and to abolish and avoid all un-



necessary costs and expenses in the prosecution of appeals therein ; and the said Judges shall make such reductions in the fees and expenses of the said courts as they may deem advisable. It shall be the duty of said Judges of the Court of Appeals, as soon after their election as practicable, to devise and promulgate by rules or orders, forms and modes of framing and filing bills, answers and other proceedings and pleadings in Equity ; and also forms and modes of taking and obtaining evidence, to be used in Equity cases ; and to revise and regulate, generally, the practice in the Courts of Equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made shall, when made, have the force of Law until rescinded, changed or modified by the said Judges, or the General Assembly.

### Part III. — Circuit Courts

#### *Judicial Circuits*

Sec. 19. The state shall be divided into eight Judicial Circuits, in manner following, viz. : The Counties of Worcester, Somerset, Dorchester and Wicomico<sup>1</sup> shall constitute the First Circuit ; the Counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the Second ; the Counties of Baltimore and Harford, the Third ; the Counties of Allegany, Washington and Garrett,<sup>2</sup> the Fourth ; the Counties of Carroll, Howard and Anne Arundel, the Fifth ; the Counties of Montgomery and Frederick, the Sixth ; the Counties of Prince George's, Charles, Calvert and St. Mary's, the Seventh, and Baltimore City, the Eighth.

#### *County Courts — Jurisdiction*

Sec. 20. A Court shall be held in each County of the State, to be styled the Circuit Court for the County in which it may be held. The said Circuit Courts shall have and exercise, in the respective Counties, all the power, authority and jurisdiction, original and appellate, which the present Circuit Courts of this State now have and exercise, or which may hereafter be prescribed by Law.

#### *Chief Judge and two Associates — Residence — Terms — Quorum*

Sec. 21. For each of the said Circuits (excepting the Eighth) there shall be a Chief Judge and two Associate Judges, to be styled Judges of the Circuit

<sup>1</sup> Wicomico formed since the adoption of this Constitution.

<sup>2</sup> Garrett formed since the adoption of this Constitution.

Court, to be elected or appointed as herein provided. And no two of said Associate Judges shall at the time of their election, or appointment, or during the term for which they may have been elected or appointed, reside in the same County. If two or more persons shall be candidates for Associate Judge in the same County, that one only in said County shall be declared elected who has the highest number of votes in the Circuit. In case any two candidates for Associate Judge, residing in the same County, shall have an equal number of votes, greater than any other candidate for Associate Judge in the Circuit, it shall be the duty of the Governor to order a new election for one Associate Judge ; but the person residing in any other County of the Circuit, and who has the next highest number of votes, shall be declared elected. The said Judges shall hold not less than two terms of the Circuit Court in each of the Counties, composing their respective Circuits, at such times as are now, or may hereafter be prescribed, to which Jurors shall be summoned ; and in those Counties where only two such terms are held, two other and intermediate terms, to which Jurors shall not be summoned ; they may alter or fix the times for holding any or all terms, until otherwise prescribed, and shall adopt rules to the end that all business not requiring the interposition of a Jury shall be, as far as practicable, disposed of at said intermediate terms. One Judge in each of the above Circuits shall constitute a quorum for the transaction of any business ; and the said Judges, or any of them, may hold Special Terms of their Courts, whenever in their discretion, the business of the several Counties renders such Terms necessary.

*Court in banc*

Sec. 22. Where any term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision or determination of any point or question by the Court, it shall be competent to the party against whom the ruling or decision is made, upon motion, to have the point or question reserved for the consideration of the three Judges of the Circuit, who shall constitute a Court in *banc* for such purpose ; and the motion for such reservation shall be entered of record during the sitting at which such decision may be made ; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points or questions to the Court in *banc*, and the decision of the said Court in *banc* shall be the effective decision in the premises, and conclusive, as against the party at whose motion said points or questions were reserved ; but such decision in *banc* shall not preclude the right of appeal or writ of error to the adverse party in those cases, civil or criminal, in which appeal or writ of error to the Court of Appeals may be allowed by law. The right of having questions reserved shall not,

however, apply to trials of Appeals from judgments of Justices of the Peace, nor to Criminal cases below the grade of felony, except when the punishment is confinement in the penitentiary ; and this section shall be subject to such provisions as may hereafter be made by law.

#### *Opinions*

Sec. 23. The Judges of the respective Circuit Courts of this State, and of the Courts of Baltimore City, shall render their decisions in all cases argued before them or submitted for their judgment, within two months after the same shall have been so argued or submitted.

#### *Salaries*

Sec. 24. The salary of each Chief Judge, and of the Judge of the Court of Appeals from the City of Baltimore, shall be three thousand five hundred dollars, and of each Associate Judge of the Circuit Court, shall be two thousand eight hundred dollars per annum payable quarterly, and shall not be diminished during his continuance in office.<sup>1</sup>

#### *Clerks*

Sec. 25. There shall be a Clerk of the Circuit Court for each County, who shall be elected by a plurality of the qualified voters of said County, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for willful neglect of duty or other misdemeanor in office, on conviction in a Court of Law. In case of a vacancy in the office of Clerk of a Circuit Court, the Judges of said Court shall have power to fill such vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of six years.

#### *Deputy Clerks*

Sec. 26. The said Clerks shall appoint, subject to the confirmation of the Judges of their respective Courts, as many deputies under them as the said Judges shall deem necessary to perform, together with themselves, the duties of the said office, who shall be removable by the said judges for incompetency, or neglect of duty, and whose compensation shall be according to existing or future provisions of the General Assembly.

<sup>1</sup> By the Act of 1892, ch. 388, the salary of the Chief Judges was increased to four thousand five hundred dollars, and of the Associate Judges to three thousand six hundred dollars per annum.

#### Part IV. — Courts of Baltimore City

##### *Courts*

Sec. 27. There shall be in the Eighth Judicial Circuit six Courts, to be styled the Supreme Bench of Baltimore City, the Superior Court of Baltimore City, the Court of Common Pleas, the Baltimore City Court, the Circuit Court of Baltimore City<sup>1</sup> and the Criminal Court<sup>2</sup> of Baltimore.

##### *Jurisdiction*

Sec. 28. The Superior Court of Baltimore City, the Court of Common Pleas, and the Baltimore City Court<sup>3</sup> shall each have concurrent jurisdiction in all civil common law cases, and concurrently all the jurisdiction which the Superior Court of Baltimore City and the Court of Common Pleas now have, except jurisdiction in Equity, and except in applications for the benefit of the Insolvent Laws of Maryland, and in cases of Appeal from judgments of Justices of the Peace in said city, whether civil or criminal, or arising under the ordinances of the Mayor and City Council of Baltimore, of all of which appeal cases the Baltimore City Court shall have exclusive jurisdiction; and the said Court of Common Pleas shall have exclusive jurisdiction in all applications for the benefit of the Insolvent Laws of Maryland, and the supervision and control of the Trustees thereof.

##### *Jurisdiction of Circuit Court*

Sec. 29. The Circuit Court of Baltimore City shall have exclusive jurisdiction in Equity within the limits of said city, and all such jurisdiction as the present Circuit Court of Baltimore City has; provided, the said Court shall not have jurisdiction in applications for the writ of *habeas corpus* in cases of persons charged with criminal offenses.

##### *Jurisdiction of Criminal Court*

Sec. 30. The Criminal Court of Baltimore shall have and exercise all the jurisdiction now held and exercised by the Criminal Court of Baltimore, except in such Appeal Cases as are herein assigned to the Baltimore City Court.

<sup>1</sup> Circuit Court No. 2 established by Act of 1888, ch. 194.

<sup>2</sup> Criminal Court No. 2 established by rule of the Supreme Bench, December 21, 1897. See 87 Md. 191.

<sup>3</sup> The jurisdiction of the Baltimore City Court, the Superior Court and the Court of Common Pleas was enlarged by the Act of 1870, ch. 177.

*Supreme Bench of Baltimore City—Term—Salary*

Sec. 31. There shall be elected by the legal and qualified voters of said city, at the election, hereinbefore provided for, one Chief Judge and four Associate Judges, who, together, shall constitute the Supreme Bench of Baltimore City, and shall hold their offices for the term of fifteen years, subject to the provisions of this Constitution with regard to the election and qualifications of Judges and their removal from office, and shall exercise the jurisdiction, hereinafter specified, and shall each receive an annual salary of three thousand five hundred dollars,<sup>1</sup> payable quarterly, which shall not be diminished during their term of office; but authority is hereby given to the Mayor and City Council of Baltimore to pay to each of the said Judges an annual addition of five hundred dollars to their respective salaries; provided, that the same being once granted shall not be diminished nor increased during the continuance of said Judges in office.

*Assignment of Judges*

Sec. 32. It shall be the duty of the said Supreme Bench of Baltimore City, as soon as the Judges thereof shall be elected and duly qualified, and from time to time, to provide for the holding of each of the aforesaid Courts, by the assignment of one or more of their number to each of the said Courts, who may sit either separately or together in the trial of cases; and the said Supreme Bench of Baltimore City may, from time to time, change the said assignment, as circumstances may require, and the public interest may demand; and the Judge or Judges, so assigned to the said several Courts, shall, when holding the same, have all the powers and exercise all the jurisdiction which may belong to the Court so being held; and it shall also be the duty of the said Supreme Bench of Baltimore City, in case of the sickness, absence, or disability of any Judge or Judges assigned as aforesaid, to provide for the hearing of the cases, or transaction of the business assigned to said Judge or Judges, as aforesaid, before some one or more of the Judges of said Court.

*Supreme Bench—Rules—Jurisdiction on motions*

Sec. 33. The said Supreme Bench of Baltimore City shall have power, and it shall be its duty, to provide for the holding of as many general Terms as the performance of its duties may require, such general Terms to be held by not less than three Judges; to make all needful rules and regulations for the conduct of business in each of the said Courts, during the session thereof, and in vacation, or in Chambers, before any of said Judges; and shall also have

<sup>1</sup> Increased by Act of 1892, ch. 388, to four thousand five hundred dollars.

jurisdiction to hear and determine all motions for a new trial in cases tried in any of said Courts, where such motions arise, either on questions of fact, or for misdirection upon any matters of Law, and all motions in arrest of judgment, or upon any matters of Law determined by the said Judge, or Judges, while holding said several Courts; and the said Supreme Bench of Baltimore City shall make all needful rules and regulations for the hearing before it of all said matters; and the same right of appeal to the Court of Appeals shall be allowed from the determination of the said Court on such matters, as would have been the right of the parties if said matters had been decided by the Court in which said cases were tried.

[The Judge, before whom any case may hereafter be tried, in either the Baltimore City Court, the Superior Court of Baltimore City, or the Court of Common Pleas, shall have exclusive jurisdiction to hear and determine, and the said Judge shall hear and determine all motions for a new trial where such motions arise, either on questions of fact or for misdirection upon any matters of law, and all motions in arrest of judgment, or upon any matters of law, determined by the said Judge, and all such motions shall be heard and determined within thirty days after they are made.]<sup>1</sup>

#### *Appeals from Justices*

Sec. 34. No appeal shall lie to the Supreme Bench of Baltimore City from the decision of the Judge or the Judges holding the Baltimore City Court in case of appeal from a Justice of the Peace; but the decision by said Judge or Judges shall be final; and all writs and other process issued out of either of said Courts, requiring attestation, shall be attested in the name of the Chief Judge of the said Supreme Bench of Baltimore City.

#### *Quorum*

Sec. 35. Three of the Judges of said Supreme Bench of Baltimore City shall constitute a quorum of said Court.

#### *Cases pending*

Sec. 36. All causes depending, at the adoption of this Constitution, in the Superior Court of Baltimore City, the Court of Common Pleas, the Criminal Court of Baltimore, and the Circuit Court of Baltimore City, shall be proceeded in, and prosecuted to final judgment or decree, in the Courts, respectively, of the same name established by this Constitution, except cases belonging to that class, jurisdiction over which is by this Constitution transferred to the

<sup>1</sup> Thus amended by the Act of 1870, ch. 177, as provided by Section 39, of Article 4, of the Constitution.

Baltimore City Court, all of which shall, together with all cases now pending in the City Court of Baltimore, be proceeded in and prosecuted to final judgment in said Baltimore City Court.

*Clerks — Term — Salary — Vacancies*

Sec. 37. There shall be a Clerk of each of the said Courts of Baltimore City, except the Supreme Bench, who shall be elected by the legal and qualified voters of said city, at the election to be held in said city on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible thereto, subject to be removed for willful neglect of duty or other misdemeanor in office, on conviction in a Court of Law. The salary of each of the said Clerks shall be thirty-five hundred dollars a year, payable only out of the fees and receipts collected by the Clerks of said city, and they shall be entitled to no other perquisites or compensation. In case of a vacancy in the office of Clerk of any of said Courts, the Judges of said Supreme Bench of Baltimore City shall have power to fill such vacancy until the general election of Delegates to the General Assembly to be held next thereafter, when a Clerk of said Court shall be elected to serve for six years thereafter; and the provisions of this Article in relation to the appointment of Deputies by the Clerks of the Circuit Courts in the counties shall apply to the Clerks of the Courts in Baltimore City.

*Licenses*

Sec. 38. The Clerk of the Court of Common Pleas shall have authority to issue within said city all marriage and other licenses required by law, subject to such provisions as are now or may be prescribed by Law. The Clerk of the Superior Court of said city shall receive and record all deeds, conveyances and other papers, which are or may be required by Law to be recorded in said city. He shall also have custody of all papers connected with the proceedings on the Law or Equity side of Baltimore County Court and the dockets thereof, so far as the same have relation to the City of Baltimore, and shall also discharge the duties of Clerk to the Supreme Bench of Baltimore City unless otherwise provided by Law.

*Additional Court*

Sec. 39. The General Assembly shall, whenever it may think the same proper and expedient, provide, by Law, another Court for the City of Baltimore, and prescribe its jurisdiction and powers; in which case there shall be elected by the voters of said City, qualified under this Constitution, another

Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers, as are herein provided for the Judges of said Supreme Bench of Baltimore City; and all of the provisions of this Constitution relating to the assignment of Judges to the Courts, now existing in said City, and for the dispatch of business therein, shall apply to the Court, for whose creation provision is made by this Section.<sup>1</sup> And the General Assembly may reapportion, change or enlarge the jurisdiction of the several Courts in Baltimore City. Until otherwise provided by Law, the Clerk of the Superior Court of Baltimore City, of the Court of Common Pleas, of the Circuit Court of Baltimore City, of the Baltimore City Court, and of the Criminal Court of Baltimore, shall each give Bond in such penalty as is now prescribed by Law to be given by the Clerks of the Courts, bearing the same names, under the present Constitution.

*Additional Judges*

[Sec. 39. The General Assembly shall, as often as it may think the same proper and expedient, provide by Law for the election of an additional Judge of the Supreme Bench of Baltimore City, and whenever provision is so made by the General Assembly, there shall be elected by the voters of said City another Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers as are, or shall be, provided by the Constitution or Laws of this State, for the Judges of said Supreme Bench of Baltimore City, and the General Assembly may provide by Laws, or the Supreme Bench by its rules, for requiring causes in any of the Courts of Baltimore City to be tried before the court without a jury, unless the litigants or some one of them shall within such reasonable time or times as may be prescribed, elect to have their causes tried before a jury. And the General Assembly may reapportion, change or enlarge the jurisdiction of the several Courts in said city.]<sup>2</sup>

<sup>1</sup> Under this section, the General Assembly, by the Act of 1888, Chapter 194, established the Circuit Court No. 2 of Baltimore City, conferring upon it the same jurisdiction as that possessed by the Circuit Court of Baltimore City.

<sup>2</sup> Thus amended by Chapter 313, Acts of 1892, ratified by the people November 7, 1893.



**Part V. — Orphans' Courts***Three Judges — Term — Jurisdiction — Per diem — Vacancies*

Sec. 40. The qualified voters of the City of Baltimore, and of the several counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be Judges of the Orphans' Courts of said city and counties, respectively, who shall be citizens of the State, and residents for the twelve months preceding, in the city, or county, for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the Legislature may prescribe. Each of said Judges shall be paid a per diem for the time they are actually in session, to be regulated by Law, and to be paid by the said city, or counties, respectively. In case of a vacancy in the office of Judge of the Orphans' Court the Governor shall appoint, subject to confirmation or rejection by the Senate, some suitable person to fill the same for the residue of the term.

*Register of Wills — Term — Vacancy*

Sec. 41. There shall be a Register of Wills in each county of the State and the City of Baltimore to be elected by the legal and qualified voters of said counties and city, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified; he shall be re-eligible, and subject at all times to removal for willful neglect of duty, or misdemeanor in office in the same manner that the Clerks of the Courts are removable. In the event of any vacancy in the office of the Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a Register shall be elected to serve for six years thereafter.

**Part VI. — Justices of the Peace***Appointment — Constables*

Sec. 42. The Governor, by and with the advice and consent of the Senate, shall appoint such number of Justices of the Peace, and the County Commissioners of the several counties, and the Mayor and City Council of Baltimore, respectively, shall appoint such number of Constables, for the several Election Districts of the counties and wards of the City of Baltimore, as are now or may hereafter be prescribed by Law; and Justices of the Peace and Constables so

appointed shall be subject to removal by the Judge or Judges having criminal jurisdiction in the county or city, for incompetency, willful neglect of duty or misdemeanor in office, on conviction in a Court of Law. The Justices of the Peace and Constables so appointed and commissioned shall be Conservators of the Peace; shall hold their office for two years, and shall have such jurisdiction, duties and compensation, subject to such right of appeal in all cases from the judgment of Justices of the Peace, as hath been heretofore exercised, or shall be hereafter prescribed by Law.

#### *Vacancies*

Sec. 43. In the event of a vacancy in the office of a Justice of the Peace, the Governor shall appoint a person to serve as Justice of the Peace for the residue of the term; and in case of a vacancy in the office of Constable, the County Commissioners of the county in which the vacancy occurs, or the Mayor and City Council of Baltimore, as the case may be, shall appoint a person to serve as Constable for the residue of the term.

### Part VII. — Sheriffs

#### *Election — Qualification — Term — Vacancy*

Sec. 44. There shall be elected in each County, and in the City of Baltimore, in every second year, one person, resident in said County or City, above the age of twenty-five years, and at least five years preceding his election, a citizen of this State, to the office of Sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter; shall give such bond, exercise such powers, and perform such duties as now are or may hereafter be fixed by law. In case of a vacancy by death, resignation, refusal to serve, or neglect to qualify, or give bond, or by disqualification, or removal from the County or City, the Governor shall appoint a person to be Sheriff for the remainder of the official term.

#### *Coroners, &c.*

Sec. 45. Coroners, Elisors and Notaries Public may be appointed for each County and the City of Baltimore in the manner, for the purpose and with the powers now fixed, or which may hereafter be prescribed by law.

## ARTICLE V

## ATTORNEY-GENERAL AND STATE'S ATTORNEY

**Attorney-General***Election — Term*

Section 1. There shall be an Attorney-General elected by the qualified voters of the State, on general ticket, on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven, and on the same day in every fourth year thereafter, who shall hold his office for four years from the time of his election and qualification, and until his successor is elected and qualified, and shall be re-eligible thereto, and shall be subject to removal for incompetency, willful neglect of duty or misdemeanor in office, on conviction in a court of law.

*Returns of election*

Sec. 2. All elections for Attorney-General shall be certified to, and returns made thereof by the Clerks of the Circuit Courts for the several Counties, and the Clerk of the Superior Court of Baltimore City, to the Governor of the State, whose duty it shall be to decide on the election and qualification of the person returned; and in case of a tie between two or more persons to designate which of said persons shall qualify as Attorney-General, and to administer the oath of office to the person elected.

*Duties — Opinions — Salary*

Sec. 3. It shall be the duty of the Attorney-General to prosecute and defend on the part of the State all cases which at the time of his appointment and qualification, and which thereafter may be depending in the Court of Appeals, or in the Supreme Court of the United States by or against the State, or wherein the State may be interested; and he shall give his opinion in writing whenever required by the General Assembly, or either branch thereof, the Governor, the Comptroller, the Treasurer, or any State's Attorney, on any legal matter, or subject depending before them, or either of them; and when required by the Governor or the General Assembly, he shall aid any State's Attorney in prosecuting any suit or action brought by the State in any Court of this State, and he shall commence and prosecute or defend any suit or action in any of said Courts, on the part of the State, which the General Assembly, or the Governor, acting according to law, shall direct to be commenced,

prosecuted or defended; and he shall receive for his services an annual salary of three thousand dollars; but he shall not be entitled to receive any fees, perquisites or rewards whatever, in addition to the salary aforesaid, for the performance of any official duty; nor have power to appoint any agent, representative or deputy, under any circumstances whatever; nor shall the Governor employ any additional counsel in any case whatever, unless authorized by the General Assembly.

#### *Qualifications*

Sec. 4. No person shall be eligible to the office of Attorney-General, who is not a citizen of this State, and a qualified voter therein, and has not resided and practiced Law in this State for at least ten years.

#### *Vacancy*

Sec. 5. In case of vacancy in the office of Attorney-General, occasioned by death, resignation, removal from the State or from office, or other disqualification, the said vacancy shall be filled by the Governor for the residue of the term thus made vacant.

Sec. 6. It shall be the duty of the Clerk of the Court of Appeals and of the Commissioner of the Land Office, respectively, whenever a case shall be brought into said court or office, in which the State is a party or has interest, immediately to notify the Attorney-General thereof.

### **The State's Attorneys**

#### *Election — Term*

Sec. 7. There shall be an Attorney for the State in each County and the City of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters thereof, respectively, on the Tuesday next after the first Monday in November, in the year eighteen hundred and sixty-seven, and on the same day every fourth year thereafter; and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified, and shall be re-eligible thereto, and be subject to removal therefrom for incompetency, willful neglect of duty, or misdemeanor in office, on conviction in a Court of Law, or by a vote of two thirds of the Senate, on the recommendation of the Attorney-General.

#### *Returns of election*

Sec. 8. All elections for the State's Attorney shall be certified to and returns made thereof by the Clerks of the said counties and city to the Judges

thereof having criminal jurisdiction, respectively, whose duty it shall be to decide upon the elections and qualifications of the persons returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as State's Attorney, and to administer the oaths of office to the person elected.

Sec. 9. The State's Attorney shall perform such duties and receive such fees and commissions as are now or may hereafter be prescribed by law, and if any State's Attorney shall receive any other fee or reward than such as is or may be allowed by Law, he shall, on conviction thereof, be removed from office; *provided*, that the State's Attorney for Baltimore City shall have power to appoint one Deputy, at a salary of not more than fifteen hundred dollars per annum, to be paid by the State's Attorney out of the fees of his office, as has heretofore been practiced.

#### *Fees*

[Sec. 9. The State's Attorney shall perform such duties and receive such fees and commissions or salary, not exceeding three thousand dollars, as are now or may hereafter be prescribed by law; and if any State's Attorney shall receive any other fee or reward than such as is or may be allowed by law, he shall, on conviction thereof, be removed from office; *provided*, that the State's Attorney for Baltimore City shall receive an annual salary of forty-five hundred dollars, and shall have power to appoint one deputy, at an annual salary, not exceeding three thousand dollars, and such other assistants at such annual salaries not exceeding fifteen hundred dollars each, as the Supreme Bench of Baltimore City may authorize and approve; all of said salaries to be paid out of the fees of the said State's Attorney's office, as has heretofore been practiced.]<sup>1</sup>

#### *Qualifications*

Sec. 10. No person shall be eligible to the office of State's Attorney who has not been admitted to practice Law in this State, and who has not resided for at least two years in the county or city in which he may be elected.

#### *Vacancy*

Sec. 11. In case of vacancy in the office of State's Attorney, or of his removal from the county or city in which he shall have been elected, or on his conviction as herein specified, the said vacancy shall be filled by the Judge of the county or city, respectively, having criminal jurisdiction, in which said vacancy shall occur, for the residue of the term thus made vacant.

<sup>1</sup> Thus amended by Act of 1900, ch. 185, ratified by the people at the November election, 1901.

*Duties*

Sec. 12. The State's Attorney in each county, and the City of Baltimore, shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of and pay over the same to the proper accounting officer. And the State's Attorney of each county, and the City of Baltimore, before he shall enter on the discharge of his duties, shall execute a bond to the State of Maryland, for the faithful performance of his duties, in the penalty of ten thousand dollars, with two or more sureties, to be approved by the Judge of the Court having criminal jurisdiction in said counties or city.

## ARTICLE VI

## TREASURY DEPARTMENT

*Comptroller — Salary — Treasurer — Term — Vacancies — Bonds*

Section 1. There shall be a Treasury Department, consisting of a Comptroller, chosen by the qualified electors of the State, at each regular election of members of the House of Delegates, who shall receive an annual salary of two thousand five hundred dollars; and a Treasurer, to be appointed by the two Houses of the Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of two thousand five hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for two years, and until their successors shall qualify; and neither of the said officers shall be allowed, or receive any fees, commissions or perquisites of any kind in addition to his salary for the performance of any duty or services whatsoever. In case of a vacancy in either of the offices by death, or otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy by appointment, to continue until another election, or a choice by the Legislature, as the case may be, and until the qualification of the successor. The Comptroller and the Treasurer shall keep their offices at the seat of Government, and shall take such oath, and enter into such bonds for the faithful discharge of their duties as are now, or may hereafter be prescribed by law.

*Comptroller's duties*

Sec. 2. The Comptroller shall have the general superintendence of the fiscal affairs of the State; he shall digest and prepare plans for the improvement and management of the revenue, and for the support of the public credit; prepare and report estimates of the revenue and expenditures of the State;

superintend and enforce the prompt collection of all taxes and revenue ; adjust and settle, on terms prescribed by Law, with delinquent collectors and receivers of taxes and State revenue ; preserve all public accounts ; decide on the forms of keeping and stating accounts ; grant, under regulations prescribed by Law, all warrants for money to be paid out of the Treasury, in pursuance of appropriations by Law, and countersign all checks drawn by the Treasury upon any bank or banks, in which the moneys of the State may, from time to time, be deposited ; prescribe the formalities of the transfer of stock, or other evidence of the State debt, and countersign the same, without which such evidence shall not be valid ; he shall make to the General Assembly full reports of all his proceedings, and of the state of the treasury department within ten days after the commencement of each Session ; and perform such other duties as shall be prescribed by Law.

*Treasurer's duties*

Sec. 3. The Treasurer shall receive the moneys of the State, and, until otherwise prescribed by law, deposit them, as soon as received, to the credit of the State, in such bank or banks as he may, from time to time, with the approval of the Governor, select (the said bank or banks giving security, satisfactory to the Governor, for the safekeeping and forthcoming, when required, of said deposits), and shall disburse the same for the purposes of the State, according to law, upon warrants drawn by the Comptroller, and on checks countersigned by him, and not otherwise ; he shall take receipts for all moneys paid by him and receipts for moneys received by him shall be endorsed upon warrants signed by the Comptroller, without which warrants, so signed, no acknowledgment of money received into the Treasury shall be valid ; and upon warrants, issued by the Comptroller, he shall make arrangements for the payment of the interest of the public debt, and for the purchase thereof, on account of the sinking fund. Every bond, certificate, or other evidence of the debt of the State shall be signed by the Treasurer, and countersigned by the Comptroller ; and no new certificate or other evidence intended to replace another shall be issued until the old one shall be delivered to the Treasurer, and authority executed in due form for the transfer of the same filed in his office, and the transfer accordingly made on the books thereof, and the certificate or other evidence cancelled ; but the Legislature may make provisions for the loss of certificates, or other evidences of the debt ; and may prescribe, by Law, the manner in which the Treasurer shall receive and keep the moneys of the State.

*Accounts*

Sec. 4. The Treasurer shall render his accounts quarterly to the Comptroller, and shall publish monthly, in such newspapers as the Governor may

direct, an abstract thereof, showing the amount of cash on hand, and the place or places of deposit thereof; and on the third day of each regular session of the Legislature he shall submit to the Senate and House of Delegates fair and accurate copies of all accounts by him, from time to time, rendered and settled with the Comptroller. He shall at all times submit to the Comptroller the inspection of the money in his hands, and perform all other duties that shall be prescribed by Law.

*Time of qualifications*

Sec. 5. The Comptroller shall qualify and enter on the duties of his office on the third Monday of January next succeeding the time of his election, or as soon thereafter as practicable. And the Treasurer shall qualify within one month after his appointment by the Legislature.

*Removal*

Sec. 6. Whenever during the recess of the Legislature charges shall be preferred to the Governor against the Comptroller or Treasurer for incompetency, malfeasance in office, willful neglect of duty, or misappropriation of the funds of the State, it shall be the duty of the Governor forthwith to notify the party so charged, and fix a day for a hearing of said charges; and if from the evidence taken, under oath, on said hearing before the Governor, the said allegations shall be sustained, it shall be the duty of the Governor to remove said offending officer and appoint another in his place, who shall hold the office for the unexpired term of the officer so removed.

## ARTICLE VII

### SUNDRY OFFICERS

**County Commissioners — Surveyor — State Librarian — Commissioner  
of the Land Office — Wreck Master**

*County Commissioners*

Section 1. County Commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of this State, on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven, and on the same day in every second year thereafter. Their number in each county, their compensation, powers and duties, shall be such as are now or may be hereafter prescribed by Law.



*County Commissioners*

[Sec. 1. County Commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of the State, on the Tuesday next after the first Monday in the month of November, commencing in the year eighteen hundred and ninety-one; their number in each county, their compensation, powers and duties shall be such as now or may be hereafter prescribed by law, they shall be elected at such times, in such numbers and for such periods not exceeding six years, as may be prescribed by law.]<sup>1</sup>

*Surveyor — Vacancy*

Sec. 2. The qualified voters of each County, and of the City of Baltimore shall on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and sixty-seven, and on the same day in every second year thereafter, elect a Surveyor for each County and the City of Baltimore, respectively, whose term of office shall commence on the first Monday of January next ensuing their election, and whose duties and compensation shall be the same as are now or may hereafter be prescribed by law. And any vacancy in the office of Surveyor shall be filled by the Commissioners of the Counties, or by the Mayor and City Council of Baltimore, respectively, for the residue of the term.

*State Librarian — Salary*

Sec. 3. The State Librarian shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall hold his office during the term of the Governor, by whom he shall have been appointed, and until his successor shall be appointed and qualified. His salary shall be fifteen hundred dollars a year; and he shall perform such duties as are now, or may hereafter be prescribed by Law; and no appropriation shall be made by Law to pay for any clerk, or assistant to the Librarian. And it shall be the duty of the Legislature, at its first session after the adoption of this Constitution, to pass a Law regulating the mode and manner in which the books in the Library shall be kept and accounted for by the Librarian, and requiring the Librarian to give a bond, in such penalty as the Legislature may prescribe, for the proper discharge of his duties.

*Commissioner of Land Office — Duties — Salary*

Sec. 4. There shall be a Commissioner of the Land Office, who shall be appointed by the Governor by and with the advice and consent of the Senate,

<sup>1</sup> Thus amended by Act of 1890, Chapter 255, and adopted by vote of the people November 3, 1890.

who shall hold his office during the term of the Governor, by whom he shall have been appointed, and until his successor shall be appointed and qualified. He shall perform such duties as are now required of the Commissioner of the Land Office, or such as may hereafter be prescribed by Law, and shall also be the Keeper of the Chancery Records. He shall receive a salary of one thousand, five hundred dollars per annum, to be paid out of the Treasury, and shall charge such fees as are now, or may be hereafter fixed by Law. He shall make a semi-annual report of all the fees of his office, both as Commissioner of the Land Office, and as keeper of the Chancery Records, to the Comptroller of the Treasury, and shall pay the same semi-annually into the treasury.

*State Papers*

Sec. 5. The Commissioner of the Land Office shall also, without additional compensation, collect, arrange, classify, have charge of, and safely keep all papers, records, relics, and other memorials connected with the early history of Maryland, not belonging to any other office.

*Wreck Master*

Sec. 6. The qualified voters of Worcester County shall on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and sixty-seven, and every two years thereafter, elect a Wreck-Master for said County, whose duties and compensation shall be the same as are now or may be hereafter prescribed by Law; the term of office of said Wreck-Master shall commence on the first Monday of January next succeeding his election, and a vacancy in said office shall be filled by the County Commissioners of said County for the residue of the term.

## ARTICLE VIII

### EDUCATION

*Public Schools*

Section 1. The General Assembly, at its first session after the adoption of this Constitution, shall, by Law, establish throughout the State a thorough and efficient system of free Public Schools; and shall provide by taxation, or otherwise, for their maintenance.

Sec. 2. The system of Public Schools, as now constituted, shall remain in force until the end of the said first session of the General Assembly, and shall then expire, except so far as adopted or continued by the General Assembly.

*School fund*

Sec. 3. The School Fund of the State shall be kept inviolate, and appropriated only to the purposes of education.

## ARTICLE IX

## MILITIA AND MILITARY AFFAIRS

*Organization*

Section 1. The General Assembly shall make, from time to time, such provisions for organizing, equipping and disciplining the Militia, as the exigency may require, and pass such Laws to promote Volunteer Militia Organizations as may afford them effectual encouragement.

*Adjutant-General—Duties*

Sec. 2. There shall be an Adjutant-General appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office until the appointment and qualification of his successor, or until removed in pursuance of the sentence of a court-martial. He shall perform such duties and receive such compensation or emoluments as are now or may be prescribed by Law. He shall discharge the duties of his office at the seat of government, unless absent under orders, on duty; and no other officer of the General Staff of the Militia shall receive salary or pay, except when on service and mustered in with troops.

Sec. 3. The existing Militia Law of the State shall expire at the end of the next session of the General Assembly, except so far as it may be re-enacted, subject to the provisions of this Article.

## ARTICLE X

LABOR AND AGRICULTURE<sup>1</sup>

Section 1. There shall be a Superintendent of Labor and Agriculture elected by the qualified voters of this State at the first General election for Delegates to the General Assembly after the adoption of this Constitution, who shall hold his office for the term of four years, and until the election and qualification of his successor.

Sec. 2. His qualifications shall be the same as those prescribed for the Comptroller; he shall qualify and enter upon the duties of his office on the

<sup>1</sup> This Article expired by limitation.

second Monday of January next succeeding the time of his election; and a vacancy in the office shall be filled by the Governor for the residue of the term.

Sec. 3. He shall perform such of the duties now devolved by Law upon the Commissioner of Immigration, and the Immigration Agent, as will promote the object for which those officers were appointed, and such other duties as may be assigned to him by the General Assembly, and shall receive a salary of twenty-five hundred dollars a year; and after his election and qualification, the offices before mentioned shall cease.

Sec. 4. He shall supervise all the State Inspectors of agricultural products and fertilizers, and from time to time shall carefully examine and audit their accounts, and prescribe regulations not inconsistent with Law, tending to secure economy and efficiency in the business of their offices. He shall have the supervision of the Tobacco Warehouses, and all other buildings used for inspection and storage purposes by the State; and may, at the discretion of the Legislature, have the supervision of all public buildings now belonging to, or which may hereafter be, erected by the State. He shall frequently inspect such buildings as are committed to his charge, and examine all accounts for labor and materials required for their construction or repairs.

Sec. 5. He shall inquire into the undeveloped resources of wealth of the State of Maryland, more especially concerning those within the limits of the Chesapeake Bay and its tributaries, which belong to the State, and suggest such plans as may be calculated to render them available as sources of revenue.

Sec. 6. He shall make detailed reports to every General Assembly within the first week of its session, in reference to each of the subjects committed to his charge, and he shall also report to the Governor, in the recess of the Legislature, all abuses or irregularities which he may find to exist in any department of public affairs with which his office is connected.

Sec. 7. The office hereby established shall continue for four years from the date of the qualification of the first incumbent thereof, and shall then expire, unless continued by the General Assembly.

## ARTICLE XI<sup>1</sup>

### CITY OF BALTIMORE

Section 1. The inhabitants of the City of Baltimore qualified by Law to vote in said city for members of the House of Delegates, shall on the fourth

<sup>1</sup> Under Section 9 of this article a charter was adopted for Baltimore in 1898, which changed the organization of the city government in many particulars. The election for Mayor and City Council is now held on the Tuesday next after the first Monday in May. The term of the Mayor is four years.

Wednesday of October, eighteen hundred and sixty-seven, and on the same day in every fourth year thereafter, elect a person to be Mayor of the City of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties, and have such powers as are now, or may hereafter be prescribed by Law; and the term of whose office shall commence on the first Monday of November succeeding his election, and shall continue for four years, and until his successor shall have qualified; and he shall be ineligible for the term next succeeding that for which he was elected.

#### *Mayor*

[Sec. 1. The inhabitants of the City of Baltimore, qualified by Law to vote in said city for members of the House of Delegates, shall on the Tuesday after the first Monday of November, eighteen hundred and eighty-nine, and on the same day in every second year thereafter, elect a person to be Mayor of the City of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties, and have such powers as are now, or may hereafter be prescribed by Law; and the term of whose office shall commence on the first Monday of November succeeding his election, and shall continue for two years, and until his successor shall have qualified.]<sup>1</sup>

#### *City Council*

Sec. 2. The City Council of Baltimore shall consist of two branches, one of which shall be called the First Branch, and the other the Second Branch, and each shall consist of such number of members, having such qualification, receiving such compensation, performing such duties, possessing such powers, holding such terms of office, and elected in such manner, as are now, or may hereafter be prescribed by Law.

Sec. 3. An election for members of the First and Second Branch of the City Council of Baltimore shall be held in the City of Baltimore on the fourth Wednesday of October, eighteen hundred and sixty-seven; and for members of the First Branch on the same day in every year thereafter; and for members of the Second Branch on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.

<sup>1</sup> Thus amended by ch. 123, Acts of 1898. By ch. 116, Acts of 1870, the term of Mayor was made two years; and by ch. 397, Acts of 1888, the day of election was set for the Tuesday after the first Monday in November.

*Time of elections*

[Sec. 3. An election for members of the First Branch of the City Council of Baltimore shall be held in the City of Baltimore on the Tuesday after the first Monday of November in every year; and for members of the Second Branch on the Tuesday after the first Monday of November eighteen hundred and eighty-nine, and on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.]<sup>1</sup>

*Sessions — Limitations — Extra session*

Sec. 4. The regular sessions of the City Council of Baltimore (which shall be annual), shall commence on the third Monday of January of each year, and shall not continue more than ninety days, exclusive of Sundays; but the Mayor may convene the City Council in extra session whenever, and as often as it may appear to him that the public good may require, but no called or extra session shall last longer than twenty days, exclusive of Sundays.

*Disqualifications*

Sec. 5. No person elected and qualified as Mayor, or as a member of the City Council, shall, during the term for which he was elected, hold any other office of profit or trust, created, or to be created by the Mayor and City Council of Baltimore, or by any Law relating to the Corporation of Baltimore, or hold any employment or position, the compensation of which shall be paid, directly or indirectly, out of the City Treasury; nor shall any such person be interested, directly or indirectly, in any contract to which the City is a party; nor shall it be lawful for any person holding any office under the City, to be interested, while holding such office, in any contract to which the City is a party.

*Removal of Mayor*

Sec. 6. The Mayor shall, on conviction in a Court of Law, of willful neglect of duty, or misbehavior in office, be removed from office by the Governor of the State, and a successor shall thereafter be elected, as in a case of vacancy.

*Debts*

Sec. 7. From and after the adoption of this Constitution, no debt (except as hereinafter excepted), shall be created by the Mayor and City Council of Baltimore; nor shall the credit of the Mayor and City Council of Bal-

<sup>1</sup> Thus amended by the Act of 1888, ch. 397.

timore be given or loaned to, or in aid of any individual, association, or corporation ; nor shall the Mayor and City Council of Baltimore have the power to involve the City of Baltimore in the construction of works of internal improvement, nor in granting any aid thereto, which shall involve the faith and credit of the City, nor make any appropriation therefor, unless such debt or credit be authorized by an Act of the General Assembly of Maryland, and by an ordinance of the Mayor and City Council of Baltimore, submitted to the legal voters of the City of Baltimore, at such time and place as may be fixed by said ordinance, and approved by a majority of the votes cast at such time and place ; but the Mayor and City Council may, temporarily, borrow any amount of money to meet any deficiency in the City Treasury, or to provide for any emergency arising from the necessity of maintaining the police, or preserving the safety and sanitary condition of the City, and may make due and proper arrangements and agreements for the removal and extension, in whole or in part, of any and all debts and obligations created according to Law before the adoption of this Constitution.

*Laws in force*

Sec. 8. All Laws and Ordinances now in force applicable to the City of Baltimore, not inconsistent with this Article, shall be, and they are hereby continued until changed in due course of Law.

*Changes authorized*

Sec. 9. The General Assembly may make such changes in this Article, except in Section 7th thereof, as it may deem best ; and this Article shall not be so construed or taken as to make the political corporation of Baltimore independent of, or free from the control which the General Assembly of Maryland has over all such Corporations in this State.

## ARTICLE XII

### PUBLIC WORKS

*Board — Sessions — Powers*

Section 1. The Governor, the Comptroller of the Treasury, and the Treasurer shall constitute the Board of Public Works in this State. They shall keep a journal of their proceedings, and shall hold regular sessions in the City of Annapolis on the first Wednesday in January, April, July and October in each year, and oftener if necessary ; at which sessions they shall hear and

determine such matters as affect the Public Works of the State, and as the General Assembly may confer upon them the power to decide.

#### *Duties*

Sec. 2. They shall exercise a diligent and faithful supervision of all Public Works in which the State may be interested as Stockholder or Creditor, and shall represent and vote the stock of the State of Maryland in all meetings of the stockholders of the Chesapeake and Ohio Canal; and shall appoint the Directors in every Railroad and Canal Company in which the State has the legal power to appoint Directors, which said Directors shall represent the State in all meetings of the Stockholders of the respective Companies for which they are appointed or elected. And the President and Directors of the said Chesapeake and Ohio Canal Company shall so regulate the tolls of said Company from time to time as to produce the largest amount of revenue, and to avoid the injurious effect to said Company of rival competition by other Internal Improvement Companies. They shall require the Directors of all said Public Works to guard the public interest and prevent the establishment of tolls which shall discriminate against the interest of the citizens or products of this State, and from time to time, and as often as there shall be any change in the rates of toll on any of the said Works, to furnish the said Board of Public Works a schedule of such modified rates of toll, and so adjust them as to promote the agricultural interests of the State; they shall report to the General Assembly at each regular session, and recommend such legislation as they may deem necessary and requisite to promote or protect the interests of the State in the said Public Works; they shall perform such other duties as may be hereafter prescribed by Law, and a majority of them shall be competent to act. The Governor, Comptroller and Treasurer shall receive no additional salary for services rendered by them as members of the Board of Public Works. The provisions of the Act of the General Assembly of Maryland of the year 1867, Chapter 359, are hereby declared null and void.

Sec. 3. The Board of Public Works is hereby authorized to exchange the State's interest as Stockholder and Creditor in the Baltimore and Ohio Railroad Company for an equal amount of the bonds or registered debt now owing by the State, to the extent only of all the preferred stock of the State on which the State is entitled to only six per cent interest, provided such exchange shall not be made at less than par, nor less than the market value of said stock; and the said Board is authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interest in the other Works of Internal Improvement, whether as a Stockholder or a Creditor, and also the State's interest in any banking corporation, receiv-



ing in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest ; provided, that the interest of the State in the Washington Branch of the Baltimore and Ohio Railroad be reserved and excepted from sale ; and provided further, that no sale or contract of sale of the State's interest in the Chesapeake and Ohio Canal, the Chesapeake and Delaware Canal, and the Susquehanna and Tide-water Canal Companies shall go into effect until the same shall be ratified by the ensuing General Assembly.

*Powers*

[Sec. 3. The board of Public Works is hereby authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interest in all works of internal improvement, whether as a Stockholder or a Creditor, and also the State's interest in any banking corporation, receiving in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest.]<sup>1</sup>

## ARTICLE XIII

### NEW COUNTIES

*County seats — Consent of voters — Area and population*

Section 1. The General Assembly may provide, by Law, for organizing new Counties, locating and removing county seats, and changing county lines ; but no new county shall be organized without the consent of the majority of the legal voters residing within the limits proposed to be formed into said new county ; and whenever a new county shall be proposed to be formed out of portions of two or more counties, the consent of a majority of the legal voters of such part of each of said counties, respectively, shall be required ; nor shall the lines of any county be changed without the consent of a majority of the legal voters residing within the district, which, under said proposed change, would form a part of a county different from that to which it belonged prior to said change ; and no new county shall contain less than four hundred square miles nor less than ten thousand white inhabitants ; nor shall any change be made in the limits of any county, whereby the population of said county would be reduced to less than ten thousand white inhabitants, or its territory reduced to less than four hundred square miles.

<sup>1</sup> Thus amended by Act 1890, ch. 362, and ratified by the people November 3, 1891.

*Wicomico county*

Sec. 2. At the election to be held for the adoption or rejection of this Constitution, in each election district, in those parts of Worcester and Somerset Counties, comprised within the following limits, viz. : Beginning at the point where Mason and Dixon's line crosses the channel of Pocomoke River, thence following said line to the channel of the Nanticoke River, thence with the channel of said river to Tangier Sound, or the intersection of Nanticoke and Wicomico Rivers, thence up the channel of the Wicomico River to the mouth of Wicomico Creek, thence with the channel of said creek and Passerdyke Creek to Dashield's or Disharoon's Mills, thence with the mill-pond of said mills and branch following the middle prong of said branch, to Meadow Bridge, on the road dividing the Counties of Somerset and Worcester, near the southwest corner of farm of William P. Morris, thence due east to the Pocomoke River, thence with the channel of said river to the beginning ; the Judges of Election, in each of said districts, shall receive the ballots of each elector, voting at said election, who has resided for six months preceding said election within said limits, for or against a new County ; and the Return Judges of said election districts shall certify the result of such voting, in the manner now prescribed by Law, to the Governor, who shall by proclamation make known the same, and if a majority of the legal votes cast within that part of Worcester County, contained within said lines, and also a majority of the legal votes cast within that part of Somerset County, contained within said lines, shall be in favor of a new County, then said parts of Worcester and Somerset Counties shall become and constitute a new County, to be called Wicomico County ; and Salisbury shall be the County seat. And the inhabitants thereof shall thenceforth have and enjoy all such rights and privileges as are held and enjoyed by the inhabitants of other Counties of this State.

*Provisions*

Sec. 3. When said new County shall have been so created, the inhabitants thereof shall cease to have any claim to, or interest in, the county buildings and other public property of every description belonging to said Counties of Somerset and Worcester respectively, and shall be liable for their proportionate shares of the then existing debts and obligations of the said Counties, according to the last assessment in said Counties, to be ascertained and apportioned by the Circuit Court of Somerset County, as to the debts and obligations of said County, and by the Circuit Court of Worcester County as to the debts and obligations of Worcester County, on the petition of the County Commissioners of the said Counties, respectively ; and the property in each part of the said Counties included in said new County shall be bound only for

the share of the debts and obligations of the County from which it shall be separated; and the inhabitants of said new County shall also pay the County taxes levied upon them at the time of the creation of such new County, as if such new County had not been created; and on the application of twelve citizens of the proposed County of Wicomico, the Surveyor of Worcester County shall run and locate the line from Meadow Bridge to the Pocomoke River, previous to the adoption or rejection of this Constitution, and at the expense of said petitioners.

Sec. 4. At the first general election held under this Constitution the qualified voters of said new County shall be entitled to elect a Senator and two Delegates to the General Assembly, and all such County or other officers as this Constitution may authorize, or require to be elected by other Counties of the State; a notice of such election shall be given by the sheriffs of Worcester and Somerset Counties in the manner now prescribed by Law; and in case said new County shall be established, as aforesaid, then the Counties of Somerset and Worcester shall be entitled to elect but two Delegates each to the General Assembly.

Sec. 5. The County of Wicomico, if formed according to the provisions of this Constitution, shall be embraced in the First Judicial Circuit, and the times for holding the Courts therein shall be fixed and determined by the General Assembly.

Sec. 6. The General Assembly shall pass all such Laws as may be necessary more fully to carry into effect the provisions of this Article.

## ARTICLE XIV

### AMENDMENTS TO THE CONSTITUTION

#### *Proposal — Publication — Vote>Returns — Proclamation*

Section 1. The General Assembly may propose Amendments to this Constitution; provided that each Amendment shall be embraced in a separate Bill, embodying the Article or Section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed Amendment. The Bill or Bills proposing amendment or amendments shall be published by order of the Governor, in at least two newspapers in each County, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the City of Baltimore, one of which shall be in the German language, once a week for at least three months preceding the next ensuing general election,

at which the proposed amendment or amendments shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment or amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election on said amendment or amendments, severally, were cast in favor thereof, the Governor shall, by his proclamation, declare the said amendment or amendments having received said majority of votes, to have been adopted by the people of Maryland as part of the Constitution thereof, and thenceforth said amendment or amendments shall be part of the said Constitution. When two or more amendments shall be submitted in manner aforesaid, to the voters of this State at the same election, they shall be so submitted as that each amendment shall be voted on separately.

*Convention every twenty years*

Sec. 2. It shall be the duty of the General Assembly to provide by Law for taking, at the general election to be held in the year eighteen hundred and eighty-seven, and every twenty years thereafter, the sense of the people in regard to calling a convention for altering this Constitution; and if a majority of voters at such election or elections shall vote for a convention, the General Assembly, at its next session, shall provide by Law for the assembling of such convention, and for the election of Delegates thereto. Each County and Legislative District of the City of Baltimore shall have in such convention a number of Delegates equal to its representation in both Houses at the time at which the convention is called. But any Constitution, or change, or amendment of the existing Constitution, which may be adopted by such convention, shall be submitted to the voters of this State, and shall have no effect unless the same shall have been adopted by a majority of the voters voting thereon.

ARTICLE XV

MISCELLANEOUS

*Returns of fees — Salary limit*

Section 1. Every person holding any office created by, or existing under the Constitution, or Laws of the State (except Justices of the Peace, Constables and Coroners), or holding any appointment under any Court of this State, whose pay or compensation is derived from fees or moneys coming into his hands for the discharge of his official duties, or in any way growing out of or connected with his office, shall keep a book in which shall be entered

every sum or sums of money received by him, or on his account, as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer by whom it is directed to be kept, shall be returned yearly to the Comptroller of the State for his inspection, and that of the General Assembly of the State, to which the Comptroller shall, at each regular session thereof, make a report showing what officers have complied with this section; and each of the said officers, when the amount received by him for the year shall exceed the sum which he is by Law entitled to retain as his salary or compensation for the discharge of his duties, and for the expenses of his office, shall yearly pay over to the Treasurer of the State, the amount of such excess, subject to such disposition thereof as the General Assembly may direct; if any of such officers shall fail to comply with the requisitions of this section for the period of thirty days after the expiration of each and every year of his office, such officer shall be deemed to have vacated his office, and the Governor shall declare the same vacant, and the vacancy therein shall be filled as in case of vacancy for any other cause, and such officer shall be subject to suit by the State for the amount that ought to be paid into the Treasury; and no person holding any office created by or existing under this Constitution or Laws of the State, or holding any appointment under any Court in this State, shall receive more than three thousand dollars a year as a compensation for the discharge of his official duties, except in cases specially provided in this Constitution.

Sec. 2. The several Courts existing in this State at the time of the adoption of this Constitution shall, until superseded under its provisions, continue with like powers and jurisdiction, and in the exercise thereof, both at Law and in Equity, in all respects, as if this Constitution had not been adopted; and when said Courts shall be so superseded, all causes then depending in said Courts shall pass into the jurisdiction of the several Courts, by which they may be respectively superseded.

Sec. 3. The Governor and all officers, civil and military, now holding office under this State, whether by election or appointment, shall continue to hold, exercise and discharge the duties of their offices (unless inconsistent with or otherwise provided in this Constitution), until they shall be superseded under its provisions, and until their successors shall be duly qualified.

Sec. 4. If at any election directed by this Constitution, any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered by the Governor, except in cases specially provided for by this Constitution.

*Trial by jury*

Sec. 5. In the trial of all criminal cases, the jury shall be the Judges of Law, as well as of fact.

Sec. 6. The right of trial by Jury of all issues of fact in civil proceedings in the several Courts of Law in this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.

*General election*

Sec. 7. All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur ; and the first election of all officers, who, under this Constitution, are required to be elected by the people, shall, except in cases herein specially provided for, be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven.

*Notice*

Sec. 8. The Sheriffs of the several Counties of this State, and of the City of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing Laws for elections to be held in this State, until said Laws shall be changed.

*Terms of office*

Sec. 9. The term of office of all Judges and other officers, for whose election provision is made by this Constitution, shall, except in cases otherwise expressly provided herein, commence from the time of their election ; and all such officers shall qualify as soon after their election as practicable, and shall enter upon the duties of their respective offices immediately upon their qualification ; and the term of office of the State Librarian and of Commissioner of the Land Office shall commence from the time of their appointment.

*Qualification of officers — Oath to be recorded*

Sec. 10. Any officer elected or appointed in pursuance of the provisions of this Constitution, may qualify, either according to the existing provisions of Law, in relation to officers under the present Constitution, or before the Governor of the State, or before any Clerk of any Court of Record in any part of the State ; but in case an officer shall qualify out of the County in which he resides, an official copy of his oath shall be filed and recorded in the Clerk's office of the Circuit Court of the County in which he may reside, or in the Clerk's office of the Superior Court of the City of Baltimore, if he shall reside therein.

VOTE ON THE CONSTITUTION

For the purpose of ascertaining the sense of the people of this State in regard to the adoption or rejection of this Constitution, the Governor shall

issue his Proclamation within five days after the adjournment of this convention, directed to the Sheriffs of the City of Baltimore and of the several Counties of this State, commanding them to give notice in the manner now prescribed by Law in reference to the election of members of the House of Delegates, that an election for the adoption or rejection of this Constitution will be held in the City of Baltimore, and in the several Counties of this State, on Wednesday, the eighteenth day of September, in the year eighteen hundred and sixty-seven, at the usual places of holding elections for members of the House of Delegates in said city and counties. At the said election the vote shall be by ballot, and upon each ballot there shall be written or printed the words, "For the Constitution," or "Against the Constitution," as the voter may elect; and the provisions of the Laws of this State relating to the holding of general elections for members of the House of Delegates, shall in all respects apply to and regulate the holding of the said election. It shall be the duty of the Judges of Election in said city and in the several counties of the State to receive, accurately count and duly return the number of ballots so cast for or against the adoption of this Constitution, as well as any blank ballots which may be cast, to the several Clerks of the Circuit Courts of this State, and to the Clerk of the Superior Court of Baltimore City, in the manner now prescribed by Law, in reference to the election of members of the House of Delegates, and duplicates thereof, directly to the Governor; and the several clerks aforesaid shall return to the Governor, within ten days after said election, the number of ballots cast for or against the Constitution, and the number of blank ballots; and the Governor, upon receiving the returns from the Judges of Election, or the clerks as aforesaid, and ascertaining the aggregate vote throughout the State, shall, by his proclamation, make known the same; and if a majority of the votes cast shall be for the adoption of this Constitution it shall go into effect on Saturday, the fifth day of October, eighteen hundred and sixty-seven.

*Done in Convention, the seventeenth day of August, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States the ninety-second.*

RICHARD B. CARMICHAEL,  
*President of the Convention.*

MILTON Y. KIDD,  
*Secretary.*

## BIBLIOGRAPHY

## First List

The following are suggested as forming an excellent supplementary list of books obtainable at comparatively small expense. There are definite references to most of these works throughout this book, and their use in the schoolroom would add greatly to the interest and value of the study. The prices in all cases are publishers' list; and from these, discounts can usually be obtained, either from the publishers or dealers.

MARYLAND: THE HISTORY OF A PALATINATE. Revised Edition. By William Hand Browne. Houghton, Mifflin & Co. Boston. \$1.25. pp. 292. This is the most valuable single book for the schoolroom.

MARYLAND AS A PROPRIETARY PROVINCE. By Newton D. Mereness. The Macmillan Company. New York, 1901. \$3.00 net. pp. 530. A very valuable book; contains the charter of the province and bibliography.

THE LORDS BALTIMORE AND THE MARYLAND PALATINATE. By Clayton Colman Hall. John Murphy Co. Baltimore, 1902. \$1.25. pp. 216. Six lectures delivered at the Johns Hopkins University; interesting and valuable for the schoolroom.

GEORGE AND CECILIUS CALVERT. By William Hand Browne, in series, "Makers of America." Dodd, Mead & Co. New York. \$1.00. pp. 181. An interesting and critical account of the first two Barons Baltimore.

MCSHERRY'S HISTORY OF MARYLAND. Edited and continued by B. B. James. The Baltimore Book Co. Baltimore. \$3.50. pp. 420. A very useful book for schools.

HISTORY OF THE UNITED STATES. By Henry William Elson. The Macmillan Co. New York. \$1.75.

INSTITUTIONS AND CIVIL GOVERNMENT OF MARYLAND. By Bernard C. Steiner. Ginn & Co. Boston. \$1.00. This book, having been adopted as a text by the State Board of Education, will probably be found in every schoolroom. It is very useful for reference.

OLD VIRGINIA AND HER NEIGHBORS. By John Fiske. Houghton, Mifflin & Co. Boston. \$4.00. 2 Vols. pp. 318 and 421. Valuable for its lucid and entertaining style, and for containing the history of the sister colonies, Virginia and Carolina. It is also very useful for the excellent account of the life of the people in colonial times.

MEN, WOMEN AND MANNERS IN COLONIAL TIMES. By Sydney George Fisher. The J. B. Lippincott Co. Philadelphia. \$1.80 net. 2 Vols.



pp. 391 and 393. 104 pages in Vol. II are given to an interesting account of Maryland. Like Fiske's *Old Virginia and Her Neighbors* it contains much other material useful both in the history of Maryland and the history of the United States.

THE BEGINNERS OF A NATION. By Edward Eggleston. D. Appleton & Co. New York. \$1.50. Pages 220-265 are devoted to Maryland; the author takes the less favorable view of the Calvert policy of toleration, but the account is a careful summary.

THE COLONIAL CAVALIER, OR SOUTHERN LIFE BEFORE THE REVOLUTION. By Maud Wilder Goodwin. Little, Brown & Co. Boston. \$2.00. An excellent account of the life of the people of Maryland and Virginia in colonial times. Probably no more suitable book for the schoolroom on this subject, is obtainable; it is valuable in classes studying United States history as well as in those studying Maryland.

THE SUN ALMANAC. Printed annually by the *Baltimore Sun*, contains much useful statistical matter, lists of officers, and current history. It is distributed gratuitously to subscribers, and several copies ought to be easily obtainable for any school.

MARYLAND AS IT IS. By N. E. Foard. Published by order of the Board of Public Works, 1904. *Sun* Job Printing Office, Baltimore.

#### Additional Works

For teachers and others who desire to make a more thorough study of Maryland history the following works are suggested. It is hardly necessary to say that the list is not exhaustive. Books that are out of print can sometimes be purchased from second-hand dealers, and in most cases may be consulted at the large libraries. Perhaps few will care to study the entire list, but it is extended in order that information may be readily obtained on any particular phase of the subject desired. A few useful works of fiction are included.

CHRONICLES OF COLONIAL MARYLAND. By James Walter Thomas. The Baltimore Book Co. Baltimore. \$5.00. Contains an elaborate map of St. Mary's and vicinity in the early days.

HISTORICAL VIEW OF THE GOVERNMENT OF MARYLAND. By John V. L. McMahon. The Cushing Co. Baltimore. \$2.50.

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