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In Memory of
STEPHEN SPAULDING
1907 - 1925
CLASS of 1927
UNIVERSITY OF MICHIGAN

W. H. B. 1927

191¹
C72

RECORDS
OF THE
Columbia Historical Society

WASHINGTON, D. C.

Volume 22

EDITED BY
JOHN B. LARNER



WASHINGTON
PUBLISHED BY THE SOCIETY
1919

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PRESIDENTS OF THE SOCIETY.

*Dr. J. M. Toner	1894-1896
†John A. Kasson	1897-1906
‡Alexander B. Hagner	1906-1909
James Dudley Morgan	1909-1916
Allen C. Clark	1916-

* Died July 29, 1906.

† Died May 18, 1910.

‡ Died June 30, 1915.

NOTE.

The ~~twenty-second~~ volume of the RECORDS of the Society is presented to the members and to the public with the confident hope that the large amount of unusually good historical matter in this volume will be fully appreciated and made use of. One of the objects of the Society is to disseminate as widely as possible historical data in reference to the nation's capital. In order that this may be successfully accomplished, we need the encouragement of the people of Washington. The only source of income of the Society is from membership fees. It is gratifying to note that since the publication of volume ~~twenty-one~~ the total membership has been increased from 209 to 310 members.

On October 21st the first meeting of the season was held at the Assembly Hall of the Cosmos Club, where the Society will hold its meetings until further notice.

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EARLY DAYS OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA

3- 23 3135, 132

Final report on the Survey of the State of the Nation

The early part of the year 1861 found our country in a greatly distressed condition because of the Civil War. That struggle had not then reached its high-water mark in the fierce battle of Gettysburg. President Lincoln's emancipation proclamation had just been made; there were manifest signs of union at home and abroad, and these were very largely due to the responsibility of our first and noblest military affairs of the nation for the preservation of the country and tried men in every line of the executive, legislative, and judicial.

The Circuit Court of the District of Columbia, created by the Act of February 22, 1869, was organized on March 2, 1869, by the court of general sessions of the District of Columbia, composed of three judges. The first judge of the circuit court was Judge James S. Blaine.

[illegible]

EARLY DAYS OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

By JOB BARNARD.

(Read before the Society, January 15, 1918.)

The early part of the year 1863 found this District in a greatly disturbed condition by reason of the Civil War. That struggle had not then reached its high-water mark in the fierce battle of Gettysburg; President Lincoln's emancipation proclamation had just been made; there were many foes of the administration at home and abroad; and those who were charged with the responsibility of conducting the civil and military affairs of the nation, felt the necessity of having strong and tried men in every important position, executive, legislative, and judicial.

The Circuit Court of this District established under the Act of February 27, 1801 (2 Stat. L. 103) was then the court of general jurisdiction. It was composed of three judges, Chief Judge James Dunlop, and assistant judges, James S. Morsell and William M. Merrick.

There was a separate court for the trial of criminal cases, in which Thomas H. Crawford was judge. He was sick and unable to hold court from November, 1862, to January 26, 1863, when he died. Because of his illness and death the criminal cases, of which there were then a great many, were tried by one of the judges of the Circuit Court, in addition to the cases of a civil character with which that court was then burdened. Judge Morsell had been on the bench about forty-eight years, and was practically superannuated; and there-

fore the trials of civil and criminal cases all fell upon two men, Chief Judge Dunlop and Judge Merrick.

There was no method of appeal from the judgments of this court, except directly to the Supreme Court of the United States. The condition of the personnel of the court, and the crowded condition of the dockets, became the subject of inquiry in Congress, and an act was prepared to reorganize the courts in this District; and after earnest debate, the same became a law on March 3, 1863. (12 Stat. L. 762.)

There was no charge of disloyalty to the Government made against either of the judges of the old Circuit Court, and they might have been nominated for judges of the Supreme Court of the District of Columbia, created by said act, if the President had deemed it wise to nominate them; but at that particular time he considered it of the utmost importance that there should be a court in the national capital composed of judges of national reputation, with positive and strong convictions in accord with the policies of the administration on all questions then disturbing the country. The said act abolished the Criminal Court, and the Circuit Court, and transferred all the business, and the jurisdiction of both these courts, to the new court to be organized; and the President was left in freedom to nominate such men for judges as he might deem advisable.

Under this statute, Mr. Lincoln, on March 11, 1863, sent to the Senate, then holding an extra session, the names of four men selected by him to constitute the new bench, all of whom were well known to the country to be strong, conservative, and loyal to the administration.

Three of these men had been members of Congress and one was a local man.

David K. Cartter, of Ohio, was named to be chief justice, and Abraham B. Olin, of New York, George P. Fisher, of Delaware, and Andrew Wylie, of the District of Columbia, associate justices, the statute using these titles to designate the judges, instead of the titles of chief judge and assistant judges, which were used in the act creating the old circuit court.

Chief Justice Cartter had been one of the delegates from Ohio to the Republican convention held in Chicago in 1860, and his influence and vote secured the four votes from Ohio to be changed from Mr. Chase to Mr. Lincoln, which gave him a majority on the third ballot. Before the result of that ballot had been announced, it was known by those who kept tally, that Mr. Lincoln had $231\frac{1}{2}$ votes out of a total of 465, and needed one ballot and a half to constitute a majority. While the tellers were adjusting the count, and before the announcement was made Cartter sprang upon a chair and announced a change of four votes from Ohio, from Chase to Lincoln, the Ohio delegation up to that time having voted solidly in each of the three ballots taken for Chase. This change of vote giving Mr. Lincoln a majority, other delegates announced changes of their votes, until when the result of the vote was finally announced by the chair, the number had reached 364, and as soon as the applause that followed permitted, Mr. Evarts from New York, who spoke for Mr. Seward and for the New York delegation, moved to make the nomination unanimous, which was carried with wild applause (2d volume, *Life of Abraham Lincoln*, by Nicolay & Hay, 275).

Justice Olin was a member of the 37th Congress, which expired on March 3, 1863, and had charge of the bill in the House, authorizing the draft to fill the quotas in the Army, which became a law on the last day of that

Congress. He had not only earnestly advocated that bill, but had, by his service in other matters, greatly strengthened the legislation in support of the prosecution of the war, and of the various policies of the administration.

Justice Fisher was also a member of the same Congress, and he had been active in support of important administration measures, and also in endeavoring to have Mr. Lincoln's scheme for compensated emancipation adopted by the State of Delaware, a scheme somewhat similar to that which finally became a law applicable to the District of Columbia, and which resulted in the emancipation of the slaves in this District on April 16, 1862. The Delaware legislature was to pass a law abolishing all the slaves then owned in that State, in ten annual installments, or 180 slaves a year, there being 1,800; and Congress was to pass an act giving Delaware bonds for \$900,000, without interest, payable in ten annual installments as the slaves became free, this being \$500 per head. Bills were prepared and submitted embracing this scheme, but they failed to pass.

Justice Wylie resided in Alexandria, Virginia, at the time of the election of President Lincoln, and had been known to be an avowed Republican; and he was the only man in the city of Alexandria who voted for Mr. Lincoln. His open avowal of his political principles had subjected him to threats that he would be shot if he voted for Mr. Lincoln, and after the election he was fired upon by some one while sitting on his porch, the bullet striking and breaking a glass which he held in his hand, and shortly after that he removed from Alexandria to Washington.

The following editorial appeared in the "Evening Star" of March 11, 1863, and shows the peculiar conditions then existing in this District:

“THE DISTRICT JUDICIARY.

“This forenoon the President we know sent to the Senate the nominations of the following gentlemen to compose the United States Bench for this District, viz: Hon. D. K. Cartter, of Ohio, C. J.; Hon. A. B. Olin, of New York; Hon. G. P. Fisher, of Delaware, and Judge Wylie of our late criminal court.

“In making these appointments it is evident that the President was influenced by considerations growing for the most part out of the anomalous condition of the District affairs, arising from the war, for which the country is indebted to secession.

“The nation at large never had so deep a stake in the affairs of the District of Columbia as at this time, necessarily far overshadowing any local considerations whatever in the judgment of the Executive. The country holds him responsible that the administration of justice here shall tend, past peradventure, to conserve the Government's hold upon the District and the border States, as the means of ultimately compelling the obedience of the rebellious States to the laws.

“Under the existing condition of affairs here, therefore, it is by no means strange that in making these appointments he should have sought nominees known well to the whole country having this momentous stake involved, rather than gentlemen of this community, who however well known and confided in at home, are unknown to the country in connection with the troubles of the times.

“The gentlemen nominated, with the exception of our fellow-citizen Judge Wylie, have all served in Congress, where the interests of the District never had warmer friends than they were.

“Their competence is all that our public could ask, while we may not inappropriately add that all are conservative.

“Under these circumstances we sincerely believe their selection to be the subject of congratulation to this community.

“Some of our fellow-citizens doubtless have preferred others on personal grounds, but personal considerations should not and could not safely be permitted to influence the President's

actions in such a case. It is not to be expected that those not sincerely and thoroughly loyal at heart will approve this executive action, but as that which would please them would, of course, tend to endanger the safety of the State, it matters nothing whether they are pleased or not.

“It is to be presumed that the Senate will at once confirm the nominations in question.”

These nominations were confirmed by the Senate on March 12, but the confirmation of Mr. Justice Wylie was reconsidered, and as to him, the extra session adjourned without further action.

The Senate adjourned on March 13, and on March 18 the President commissioned Mr. Justice Wylie as a recess appointment, and he was qualified with the others, and they first met in the city hall, now the United States courthouse, to organize the new court on March 23, 1863.

The first official act of the court was to appoint Return J. Meigs clerk, who gave bond as such in the sum of \$2,000, the bond being approved by the justices, and the oath of office was administered to him by the chief justice.

Thereupon they ordered all the record books, papers, and files appertaining to the old circuit, district, and criminal courts of the District of Columbia to be placed in the custody of the clerk.

They also ordered that the clerk make a roll of the proctors, solicitors, attorneys, and counsellors of the Supreme Court of the District of Columbia, embracing therein the names of such proctors, solicitors, attorneys, and counsellors, of the District of Columbia, as shall before him subscribe and take the oath that the said justices have subscribed and taken—that is to say, the oath prescribed by the act of Congress entitled, “An act to prescribe an oath of office, and for other

purposes," approved July 2, 1862. This was called in those days the "iron-clad oath."

They also ordered a special term of the court to be held on the first Monday of April, for the trial of criminal cases; and that a grand and petit jury be selected and notified to attend at that time. And thereupon their first meeting was adjourned.

A number of the attorneys took the said oath, and were entered upon the roll of attorneys of the new court on the same day.

Justice Fisher was assigned to hold the criminal court for the April term, and proceeded to the trial of numerous criminal cases that were then waiting to be heard.

On May 4, 1863, the first regular session of the court met in general term, and caused a memorandum of the meeting on March 23 to be recorded and made part of the proceedings of the court in general term, by being then approved; and on that day the court ordered that the rules of practice of the late courts of the District of Columbia be continued in force for regulating the proceedings of this court, so far as the same are applicable thereto, until further order.

In addition to the order providing a bar, made on the 23d of March, the court ordered that applicants for admission may be admitted either by special order of the court, or after examination by a committee of the bar, to be appointed from time to time; and, thereupon, Thomas J. D. Fuller and George Tucker, were, on motion, admitted to the bar.

William Redin, Joseph H. Bradley, and Michael Thompson were appointed a committee to examine applicants, and, on their report, filed the same day, Robert B. Caverly and Meigs Jackson were admitted.

The court then ordered a special term to be held,

commencing on the second Monday of May, for the trial of all such matters of a civil nature, not requiring a jury, as appertained to the jurisdiction of this court at a special term; and that a special term be held, commencing on Tuesday, the 14th day of May, for the trial of crimes and offenses arising within the District of Columbia, and for the delivery of the jail of said District, and ordered a grand and petit jury for that term; and also ordered, for the trial of all matters of law requiring a jury, and matters at law and in equity appertaining to the jurisdiction of this court, a special term to be held, commencing on Monday, June 1, and that a jury be selected and notified to attend said term.

William Redin, Joseph H. Bradley, Walter D. Davidge, R. H. Gillett, and the clerk of the court were appointed a committee to prepare rules of practice for the several courts.

Henry Baldwin, Peter H. Watson, — — Whiting, Charles Mason, Joseph J. Coombs, and the clerk were appointed a committee to prepare rules of practice in patent cases, and William Redin was appointed auditor in chancery.

The appointment of Hester L. Stevens, previously made at the special term of the court for criminal business, as commissioner in admiralty, was confirmed, and he was appointed such commissioner.

The court in general term continued to meet from day to day, admitting aliens to become naturalized as citizens, and doing such other business as came before it.

On May 8, 1863, Andrew Hall, a person of color, under the age of twenty-one, came, by his next friend, John C. Underwood, and filed a petition for a writ of habeas corpus, averring that he was unlawfully dis-seized of his liberty and imprisoned in the common jail

of the District, in custody of Ward H. Lamon, marshal, and the writ was immediately granted, requiring the marshal to have the body of said Hall before the court on the next day at 10 o'clock; and at that time the marshal produced the body, and made his return, from which it appeared that the said Hall had been arrested by virtue of a warrant issued by direction of Mr. Justice Wylie, on the petition of George W. Duvall, of George, a citizen of Prince George's County, Maryland, filed April 20, 1863, in which he had set forth that the said Andrew Hall, and two other negroes named, had absconded from him, and were fugitives from service and labor due and owing to him, and that they were then in the District of Columbia.

Thereupon the case was argued by John Dean and John Jolliffe, as attorneys for the relator, and by Walter S. Cox and Joseph H. Bradley, attorneys for the claimant, the argument lasting several days.

On the 13th, the court ordered a reargument, which was had on May 21; and on the 22d, the court announced that it was equally divided, two of the justices holding that the relator ought to be discharged from arrest, and the other two being of the opinion that he is subject to arrest and delivery to his master, under the fugitive slave law. The court therefore denied relief under the writ of habeas corpus, and remanded Hall to the custody of the marshal, to be by him safely kept until the further order of the justice who had ordered his arrest, Mr. Justice Wylie.

It appears that thereupon Mr. Justice Wylie discharged him, and his attorneys were afterwards indicted, charged with having, with force and arms, hindered and prevented said Duvall from arresting and seizing said Hall; and also charged with unlawfully seizing, carrying away, and rescuing said Hall from

the custody and control of said Duvall, his master; and with assisting and abetting said Hall to escape from the custody and control of said Duvall, they well knowing the said Hall to be a fugitive from service and labor from the State of Maryland.

This case is No. 362 on the criminal docket; but it appears that no trial was ever had, and the case was nolle prossed on February 23, 1864.


It will be remembered that the emancipation proclamation, signed by President Lincoln, on January 1, 1863, only applied to those States and parts of States that were then in rebellion against the United States, which did not include any part of Maryland.

The right to hold slaves in Maryland not having been affected thereby, slavery continued in that State until it was abolished by the new Constitution which was adopted in October, 1864.

The case of Hall was not the only one where the Supreme Court of the District of Columbia was called upon to arrest fugitive slaves from Maryland, and to restore them to their masters, there being fifteen others for which warrants were issued by direction of Justice Wylie, or Justice Fisher, from April 14 to April 20, 1863.

The Hall case, however, seems to be the first case of importance to be argued before the new court, and it was of such great interest that each of the judges delivered an opinion therein. These are reported in Volume 6, District of Columbia Reports, page 10.

Chief Justice Cartter and Justice Fisher were of the opinion that the court had power to execute the fugitive slave law; and for that reason they were disposed to remand the petitioner to the marshal, for the purpose of restoring him to his master; but Mr. Justice Olin, and Mr. Justice Wylie thought that the fugitive



slave law was not applicable to the District of Columbia, and that there was no statutory authority in this court to assist the owners of fugitive slaves in securing their property.

Being equally divided, the matter was left as it was before the argument, and Justice Wylie, entertaining the views that he did, directed the relator to be discharged. When Hall was on his way out of the courthouse, after such discharge, Mr. Duvall seized him by the collar, and his friends interfered, and he was again taken before Justice Wylie, and counsel asked to have Mr. Duvall punished for a contempt of court. Justice Wylie intimated that he could not permit Hall to be seized in the manner in which it had been represented to him that he had been seized, while in the courthouse; but there seems to have been no further action taken for the alleged contempt, and later it appears that Mr. Dean also seized Hall, holding him by the collar, to prevent him from being taken by force by Mr. Duvall.

This contention caused so much disturbance that Mr. William B. Webb, then chief of police, came to the courthouse with other officers to protect Hall, and to prevent a further conflict *vi et armis*, took him to the station house for safe keeping.

The provost marshal, Major Sherburne, sent men under the command of Lieutenant Baker to the station house for Hall, and Mr. Webb turned him over to the military authorities, and later Mr. Webb, Mr. Duvall, and Mr. Bradley went to the provost marshal to find out what had been done with him and were told that he had been sent to the contraband camp to be held there until Major-General Hitchcock, who was then commissioner for exchange of prisoners, could hear the matter next day and say what ought to be done with him.

The second grand jury, summoned for the May term, was composed of the following citizens: Henry Naylor, foreman; James S. Casparis, Thomas B. Brown, William H. Forrest, J. W. Fitzhugh, Thomas Purcell, George A. W. Randall, Robert H. Graham, Horatio E. Berry, John H. Russell, J. T. K. Plant, A. H. Paul, John D. Boyd, William Richards, John Corcoran, John A. Peake, James Wallace, A. G. Pumphrey, and R. W. Fenwick.

A special report made by them at the close of their services on June 10 (volume 1, page 242, of the Minutes of the Criminal Court), shows the bad condition of affairs existing at that time in this District. It says there were then retained indefinitely in the jail many persons by reason of witnesses having absconded, or having been sent off with the Army, or for other causes, and it suggests that a careful canvass of the jail docket be made, and that an attempt be made to obtain witnesses in every case to be brought before the next grand jury, because it says the magnitude of the evil and suffering caused in this way is so great that immediate efforts should be made to render the same better.

It also states that the number of petit cases which ought to be disposed of by the city magistrates, but which are brought up to the grand jury, is legion, and it suggests remedies for that condition.

It further states that the city is full of colored servants, who are ignorant of law, and the penalty attaching to crime, and who are committed for theft, and that the jail is not sufficient to hold the great numbers daily committed.

It suggests the necessity for a house of refuge, or reform school, to which boys can be sent; and it calls attention to other evil conditions which affected the

young and verdant soldiers from inland towns of the different States of the country.

The criminal cases, as shown by Criminal Docket No. 1, which were tried during the first months of this new court, were not different in character from those usually tried in criminal courts, save a few who were indicted for procuring soldiers to desert, for aiding and abetting rebellion, for rescuing fugitive slaves, or for treason.

The clerk began a new series of numbers for the cases in the different branches of the court, which series has continued to the present time.

Abraham Baldwin Olin, son of Gideon Olin, was born in Shaftsbury, Vermont, in 1808. He graduated at Williams College in Massachusetts in 1835; studied law, and was admitted to the bar in Troy, New York, in 1838, of which city he was recorder for three years. He was elected to Congress as a Republican from the Troy district, and took his seat December 7, 1857; and he was reelected, and continued in Congress until March 3, 1863. He remained upon the bench until January 13, 1879, when he retired. He died in Washington City, July 7 of the same year.

On the occasion of his retirement from the bench, fifty of the active and prominent members of the bar sent a letter to him; and on the occasion of his death, a meeting of the bench and bar adopted appropriate resolutions, which letters and resolutions will be found in Volume 3 of MacArthur's Reports.

The esteem in which he was held by the bar is expressed by them in these words:

"During the long term that you have been a member of the court your learning and ability, your almost intuitive perception of right, your enthusiastic love for justice, your broad and comprehensive understanding of legal and equitable prin-

ciples, and your veneration for authority and precedent have done much to give stability to the judgments of the court and have illustrated your eminent fitness for the position which you have occupied.

"During the whole of your service upon the bench our personal relations have been of the kindest character, and our respect for you as a judge has always been associated with the most sincere regard for you as a man."


The reports in which Justice Olin's opinions appear are the MacArthur Reports, 3 volumes, and the 6th and 7th D. C. Reports, prepared by Franklin M. Mackey, volume 6 embracing those cases reported from the organization of the court in 1863 to November 19, 1868, and Volume 7 containing cases decided from February, 1869, to February, 1872, inclusive.

Let me quote briefly from one of Justice Olin's opinions, *In re Poole*, 2 MacArthur, 593.

In this case he discharged a boy from custody of the marshal under a writ of habeas corpus, and made these general remarks:

"The first great canon for human conduct is, *be obedient to law, human and divine*; and the next one is, *mind your own business*. Those who are actuated by *benevolence prepense*, are sometimes as troublesome in this world, as those actuated by *malice aforethought*." (No. 11031 at Law, decided in 1876.)

George Purnell Fisher was born in Milford, Kent County, Delaware, October 13, 1817. He attended St. Mary's College, Baltimore, one year, and then went to Carlisle, Pa., and graduated from Dickinson College in 1838. He studied law and was admitted to the bar in 1841. From 1857 to 1860 he was attorney-general for the State of Delaware; and he was elected to the 37th Congress from that State, and remained there until the



close of his term, March 3, 1863. He continued on the bench until April, 1870, when he was appointed by President Grant, as Attorney of the United States, for the District of Columbia, succeeding General Edward C. Carrington.

His opinions as judge, which have been reported, are all contained in Volumes 6 and 7, D. C. Reports.

Mr. Justice Fisher sat in the trial of John H. Surratt, and during that trial, for use of language, and objectionable conduct which he held to be in contempt of court, he passed an order striking the name of Mr. Joseph H. Bradley, one of the attorneys for the defendant, and a leading member of the bar, from the roll of attorneys of the criminal court.

A bitter controversy grew out of this, and Judge Fisher was sued for damages by Mr. Bradley, the case being decided against the plaintiff, and affirmed by the court in general term, a report of which will be found in Volume 7, D. C. Reports, page 32.

The case was then taken by writ of error to the Supreme Court of the United States, and there affirmed by that court. It is reported in 80th United States (13 Wallace), page 335.

Before this case was heard in the Supreme Court of the United States, the Supreme Court of the District of Columbia, in general term, had required Mr. Bradley to show cause why he should not be disbarred from that court, and on his answer, had made an order striking his name from the roll of attorneys of the Supreme Court of the District of Columbia. He then applied to the Supreme Court of the United States for a writ of mandamus, to compel the Supreme Court of the District of Columbia to restore him to the office of attorney and counselor, from which he alleged he had been wrongfully removed by the said court, on November 9, 1867.

To that petition the Supreme Court of the District of Columbia made return and the matter was heard and the writ ordered to issue, the reason alleged in the opinion by Mr. Justice Nelson being that the alleged contempt was committed in the criminal court, which was a separate court from that of the Supreme Court of the District of Columbia, under the terms of the said act of March 3, 1863, although held by one of its judges; and that, therefore, the Supreme Court of the District of Columbia acted without jurisdiction in removing Mr. Bradley from its bar, for misconduct in the criminal court. The case is reported in 7th Wallace, 364.

Congress interposed to make the organic act more explicit, and by act of June 21, 1870 (16 Statutes at Large, 160), it was provided that the special terms of the circuit courts, the district courts, and the criminal courts, authorized by the said act of March 3, 1863, "which have been or may be held shall be, and are declared to be, severally, terms of the Supreme Court of the District of Columbia."

On receipt of the writ of mandamus from the Supreme Court of the United States, the Supreme Court of the United States, the Supreme Court of the District of Columbia passed an order (1st Minutes General Term, 323), rescinding the order striking Mr. Bradley's name from the roll of attorneys; and at the same time, by virtue of its power to make rules, adopted a rule as follows:

"No attorney or counsellor who has heretofore been or may hereafter be suspended from practice or dismissed from the bar by the order of either of the courts organized by said act (March 3, 1863), for contempt of court or professional misconduct, shall be allowed to practice in any other of said courts so long as such order shall remain in force."

Thereafter Mr. Bradley made several attempts to be reinstated, claiming that the rule was *ex post facto* as to him; and after much consideration, and by an opinion recorded in the minutes of the general term, the court indicated that his remedy would be to make an apology and seek an order in the criminal court setting aside the order disbarring him there before the court in general term would undertake to allow him to practice in the other branches of the court. He refused to pursue that course, and so the court, by express order, made the said rule applicable in his case, and his disbarment was continued for a number of years. He was reinstated in his rights at the bar on motion of Thomas J. Durant on September 28, 1874, shortly after the death of his son, Joseph H. Bradley, Jr. (2 M. G. T., 352).

Justice Fisher remained in his office of United States Attorney for the District of Columbia until he was succeeded by Henry H. Wells, and thereafter he resided in this District and in Delaware. He was First Auditor of the Treasury Department during President Harrison's administration. He died in this city on the 10th day of February, 1889, in his eighty-second year.

Andrew Wylie was born at Connorsburg, Pa., February 25, 1814. His father was president of Washington University in Pennsylvania, and when he was a lad his father moved to Bloomington, Ind., and became president of the Indiana State University.

Judge Wylie graduated at Bloomington, and then went to Lexington, Ky., where he studied law, and attended the Transylvania University. He wanted to settle in the south, but his father was opposed to having him go to a slave State, so he went to Pittsburgh, and entered the office of Walter Forward, then the leader of the bar of that city, and who was afterwards

Secretary of the Treasury. He was admitted to the bar and began his practice in Pittsburgh and was elected a member of the city council, and in 1845 was the city attorney. On March 6, 1845, he married Miss Mary Caroline Bryan, of Alexandria, Va., a relative of the Barbour family, of Virginia, and a sister of Thomas B. Bryan, of Chicago, a former Commissioner of this District. Ten days after his return from his wedding the great Pittsburgh fire occurred, which swept away about one-third of the city. He then went to Indiana, and after remaining there a short time returned to Pittsburgh, and finding business there much disturbed came to Washington City and was admitted to the bar of the old circuit court on February 19, 1849. He resided, however, in Alexandria City, Va., until after the election of President Lincoln in 1860.

Shortly before the 3d of March, 1863, through the influence of his friends, Edwin M. Stanton, Secretary of War, and Henry S. Lane, Senator from Indiana, President Lincoln nominated him for the position of judge of the criminal court, to succeed Judge Crawford. Before his confirmation by the Senate, the criminal court was abolished, and the Supreme Court of the District of Columbia provided for, and his nomination was made as one of the justices of that court.

He remained on the bench from March, 1863, until May 1, 1885, when he retired at the age of seventy-two years.

He sat in the second trial of John H. Surratt, for the murder of President Lincoln, when the defendant was acquitted.

Judge Fisher sat at the first trial, when William B. Todd was foreman of the jury, which failed to agree and was discharged.

Justice Wylie issued a writ of habeas corpus for

Mrs. Surratt, but the return was made that the writ was suspended by order of the President, Andrew Johnson; and Mrs. Surratt was executed, without having an inquiry under the writ, she having been convicted by a military court.

Judge Wylie's first commission is dated March 18, 1863; but after he was confirmed by the Senate, he received a second commission bearing date January 20, 1864 (1st M. G. T., 46).

The opinions delivered by Justice Wylie, so far as reported, are all contained in the first ten volumes of the District of Columbia Reports, ending with 4th Mackey.

The bar adopted resolutions expressive of their feelings when he resigned, and they are found in 4th Mackey.

He died August 1, 1905, at his home in Washington City, in his ninety-second year.

Memorial services were held in the old circuit court room, at which Mr. Justice Hagner presided, and Mr. Nathaniel Wilson read a sketch of his life, showing his ability and courage as a judge and the appreciation in which he was held by the bar. This paper and an account of the proceedings will be found in Volume 33 of the Washington Law Reporter, page 803.

Judge Wylie sat upon the equity bench more than any other judge during his term. He was also frequently assigned to hear appeals. His independent mind on legal matters often prevented him from being able to agree with the majority of the court when he sat in the general term, so that we find him dissenting in a number of cases. He was the last survivor of the original court, although Chief Justice Cartter remained upon the bench longer than any other.

David Kellogg Cartter was born in Rochester, N. Y.,

June 22, 1812. His father was a carpenter, and he died when David was only 10 years old. The lad learned to be a printer, beginning the trade under the instructions of Thurlow Weed. He afterwards studied law with an older brother and was admitted to the bar in Rochester in 1834. He married Miss Nancy H. Hanford, of Scottsville, N. Y., July 6, 1836. They removed to Akron, Ohio; afterwards to Massilon, and later to Cleveland, in all of which places he was engaged in the practice of the law.

He was elected to Congress as a Democrat in 1849, and remained in Congress until March 3, 1853. He was appointed by President Lincoln as Minister to Bolivia, S. A., in March, 1861.

He was chief justice of this court from March 11, 1863, until his death, April 16, 1887, in the seventy-fifth year of his age.

Resolutions adopted by the bar upon his death will be found in 5th Mackey, which is the last volume in which any of his reported opinions are found.

During his incumbency in office the Supreme Court of the District of Columbia had been increased to six members, Justice MacArthur having been appointed as the fifth justice, July 15, 1870, under act of June 21, 1870 (16 Statutes at Large, 160); and Justice Cox having been appointed as the sixth justice, March 1, 1879, under act of February 25, 1879 (20 Statutes at Large, 320). The said act of June 21, 1870, abolished the orphan's court and added its jurisdiction to the Supreme Court of the District of Columbia.

Chief Justice Cartter was a man of great strength of mind, imbued with a strong sense of justice; and he had through his life been a great reader, although in his later years he read much less than formerly. He had quaint and original ways that naturally attracted

attention. His personal appearance was remarkable. He had a leonine face, roughly marked by smallpox. He had a noticeable impediment in his speech, generally stopping in the middle of a word, which seemed to give force to his utterances rather than to detract from them.

The members of the bar who practiced before him, will no doubt readily recall many of the peculiar words of his vocabulary. The word "supervene" was one that he frequently used in his opinions.

Chief Justice Cartter had an active mind as well as an original one. He obtained several patents for inventions, one of which, obtained in November, 1876, was for a ventilating device for windows, etc. It is the device that he had put in operation in the windows of the courthouse, its object being to provide a constant current of fresh and pure air through the room without the irregular drafts and currents attendant upon open doors and windows. This device consists essentially of a ventilating chamber or casing permanently located between the frame and sash of the window, opening downward into the external air, and upward into the interior of the room, and which can be opened and closed by a rod at the side of the window.

In January, 1879, he obtained letters patent on a car-truck for street-railways, the device consisting in having an independent axle for each wheel of the railway car, journaled in a swiveling-box at the outer end, and journaled in a box mounted in curved guides at the inner end, the whole scheme being an invention to obviate the difficulties attendant upon turning curves with cars on street railways.

About the same time he also took out letters patent on an improvement in coverings for beds, the object of which was to support the coverings of a bed, so that

they would not come in immediate contact with the person, and the improvement was intended to alleviate the conditions of the sick and debilitated, so that they could be made more comfortable, and could be more conveniently treated.

Mr. James L. Norris was his attorney in securing these patents.

Chief Justice Cartter met with a sore loss while he was Minister to Bolivia, in the death of his youngest son, David K. Cartter, Jr., who was a member of the Second Ohio Infantry. He died at Fort Scott, Kans., August 12, 1862, of typhoid fever. He was a young man about twenty-one years of age, and had been with his father previously in Bolivia. This loss so affected him that it was said to be the moving cause for resigning his position as minister and his return to Ohio.

A peculiar duty which Chief Justice Cartter performed was that of administering the oath of office to the cabinet ministers. It is said that he had sworn in all of the cabinet ministers, from the time of his appointment as chief justice of his court up to and including Robert T. Lincoln and the other members of the cabinet of President Garfield in 1881.

He was on intimate terms with many of these cabinet officers, including Seward, Stanton, Fish, Chandler, and Grant, and was recognized by them as a valued adviser.

With such men as Senators Wade, and Chandler, and the war leaders of Congress, he held a close relation to Mr. Lincoln.

He was frequently called upon to preside at mass meetings of citizens in the District of Columbia, one notable occasion being the meeting at Lincoln Hall, on January 20, 1880, to consider measures for the relief of the suffering poor of Ireland. On that occasion the

hall was crowded, and among those on the platform were Senators Thurman of Ohio, Kernan of New York, Jones of Florida, Samuel J. Randall, Speaker of the House of Representatives, Representatives Benjamin Butterworth of Ohio, J. E. Kenna of West Virginia, G. B. Loring of Massachusetts, Fred Douglass, then marshal of this District, Hon. J. R. Hawley, Mr. A. M. Clapp, W. W. Corcoran, Rev. J. E. Rankin, and many other well-known citizens and officials.

As a specimen of his manner of speaking and thinking, I read his opening remarks at that meeting, as published in the *National Republican* of January 21, 1880.

"Fellow-citizens: After considering my acknowledgments in view of the compliment to myself in calling me to preside over your deliberations, and in view of the fact that the existing distress and personal suffering obtaining in Ireland are more or less complicated with political and property considerations, the relative rights of Ireland as a constituent of the British Empire, and the legal and relative rights of landlord and tenant in the disposition of titles, you will permit me to disavow, on your behalf and for myself, any purpose through the agency of this meeting to influence either of these considerations.

"With us, as a republic, it has become a principle of international action, so often published and uniformly practiced as to become a constitutional tradition, that we will not interfere with the domestic political relations of the nations of Europe nor permit them to interfere with ours. This principle, right in itself, is eminently wise when applied to our peculiar territorial conditions, made inaccessible for purposes of invasion or external violence by the two oceans which stand guard on the east and the west, and possessed between them of all the material elements of comfort. Personally and as a people we are in the condition of absolute independence, and if trouble comes to this people we must borrow it by going abroad or create it within ourselves at home.

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"Again, we have no interest in or control over the property relations of the subjects of Great Britain. They may be wrong, and, with reference to the tenure of real estate, they are wrong as viewed by us. Primogeniture and entail are inhibited by our Constitution and discouraged by the genius of all our institutions. Nevertheless, the inviolability of titles and the sacred character of contracts are watched with as much jealousy by our institutions and people as any nation on the globe, and it is eminently proper it should be so.

"The fee simple titles and a home are within the reach of every man having health, industry, and economy, and when health fails no people are quicker to rescue the unfortunate from want. These homes are indispensable among a free, self-governed people. Inside of these homes are first taught the lessons of authority and obedience, self-reliance and manhood, and in and around them are gathered the guarantees against future want—the providence of the husbandman. Without them and without the title that secures them to the owner would supervene agrarianism and communism not indigenous and as yet unnaturalized in this country.

"I have felt it proper to make this brief disavowal of the purposes of this meeting with a view of promoting its true object. We are assembled to organize the instrumentality of an instant active charity for the relief of the famishing under the supreme law of humanity, which tolerates no discrimination on account of geography, but makes every man our neighbor and brother, and in the case of the appeal now made to us we ought to come to the relief with cheerful good will. The sufferers are largely of our bone and blood, largely identified with our beginning and progress; a people constitutionally hospitable and generous; a people who, under like circumstances, would do to others as they would we should do unto them."

One who had heard him in the campaign of 1856, when he left the Democratic party and joined the Republican party, says of him that he put into the Fremont campaign all the vigor and energy he possessed.

He stumped Ohio and Pennsylvania with great effect, and was regarded as the best stump speaker in the campaign.

The author had heard him at Franklin, Pa., and again in Meadville, and says that the little impediment or stutter in his speech added greatly to the strength and charm of his words and manner.

(See an article entitled "Celebrities at Home," in *The Republic*, a weekly journal of politics and society, published in Washington, October 30, 1880.)

In 1886, at the opening of the January term of the Supreme Court of the District of Columbia, holding a general term, there were present Justices MacArthur, Hagner, Cox, James, and Merrick on the bench, when the picture of Chief Justice Cartter, painted by Mr. Charles Armor, was presented to the court by Mr. Reginald Fendall on behalf of the bar. In accepting this picture for the court, Mr. Justice MacArthur said that it was a very satisfactory likeness, the features in fine relief, the expression excellent, perhaps a little severe, as if the chief justice was in the act of smashing a frivolous motion. He also said:

"The chief justice had sat there nearly a quarter of a century, and they all knew the extraordinary ability he has shown—perhaps unparalleled—and that when in the future they should look upon this picture they would be reminded of his strong utterances."

His vigorous style of speech was evidently acquired before he came upon the bench, for in Ben Perley Poore's *Reminiscences*, Vol. 1, page 390, the author speaks of Chief Justice Cartter, then a member of Congress, and says that, in criticizing Daniel Webster's action as Secretary of State in negotiating with the Barings, Corcoran & Riggs, and Howland & As-

pinwall drafts in payment of Mexican indemnity money for 3½ per cent. premium, instead of accepting August Belmont's offer to negotiate them for 4 per cent. premium, Justice Cartter used this language:

"I want the House to understand that I take no part with the house of Rothschild, or of Baring, or of Corcoran & Riggs. I look upon their scramble for money precisely as I would upon the contest of a set of black-legs around a gaming table over the last stake. They have all of them grown so large in gormandizing upon money that they have left the work of fleecing individuals, and taken to the enterprise of fleecing nations."

His original manner of speech is illustrated by many anecdotes that are still told of him among the older members of the bar.

Here is one which appeared in the Editor's Drawer in *Harper's Magazine* for September, 1873:

"At a late term of the Circuit Court of the District of Columbia, Chief Justice Cartter presiding, the dignity of the proceedings was quite upset by the following incident:

"A suit was pending in which the plaintiff claimed full contract price for work partially performed, but not finished on account of fraud on the part of the defendant. The defense was that the plaintiff was not entitled to more than quantum meruit, because the defendant enjoyed no benefit from the work. The chief justice, who is troubled with a slight impediment of speech, speedily settled the point by stating, 'If a ma-a-an hired another ma-a-an to r-r-rub him with a br-r-ick, he's g-got to p-pay for it wh-whether he enj-j-joys it or not.'"

Another story is this: An attorney in the trial of a case before him was insisting with great earnestness that there had been an unbroken line of decisions in accordance with his contention for more than a hundred years. The authorities seemed to the chief jus-

tice to be based upon narrow or technical grounds, and not in accordance with his ideas of what was right and just under the facts developed in the case. He stopped the attorney and said to him, "You say that there has not been a decision of any of the courts contrary to your contention, for one hundred years?"

The attorney assured him that such was the fact.

Then the chief justice said: "Don't you think it is about time there was one?" and then added: "There is going to be one in about five minutes."

The attorney was so taken back by the intimation from the bench, that he suspended his argument, and the line of decisions was at once broken by the ruling of the chief justice.


On one occasion I remember to have heard him deliver a brief oral opinion in general term, in a judgment creditor's suit. The bill had been filed some twenty years before, seeking payment from the equities which the judgment defendant then had in certain real estate which was covered by mortgages or deeds of trust, securing bona fide debts greater than the value of the land. The complainant did not prosecute his suit further than to file his bill, have process served, and an answer filed, showing the actual incumbrances. The case then slept until in the course of time the mortgages were discharged, and the property had been conveyed to other parties; and when an owner, who knew nothing of the *lis pendens*, was about transferring his title, a diligent title examiner found the suit still undisposed of, and reported it as a possible objection. The solicitor for the complainant, on being reminded of the case, undertook to proceed with it, and obtained a decree which would have taken an innocent purchaser's title from him if enforced. The owner, who had been made a party defendant, took an ap-

peal, and the chief justice, in pronouncing the opinion of the court in general term, reversing the decree and remanding the case with directions to dismiss the bill, said, that "The complainant had allowed the case to sleep so long, that it would be a sin against somnambulism to wake it up now."

Another time I remember a case was being tried before him in which Mrs. Belva Lockwood was the attorney for the personal representative of a decedent. In her argument she became quite earnest, and in a high voice said, that if the court should decide contrary to the principle for which she was contending, the deceased would get up out of his grave to protest against it. At this point, the chief justice raised his hand gently, and said: "Never mind, Mrs. Lockwood, never mind; he won't get out."

It is not, however, for his strong language in speech, or his anecdotes from the bench, that Chief Justice Cartter should be best remembered. It is rather for his love of justice, as expressed in many of his opinions, his strong common sense, his fearlessness in the discharge of his duty, and his efforts to preserve individual liberty.

Among the more important cases heard by him was that of Hallet Kilbourn. Mr. Kilbourn had been summoned before a special committee of the House of Representatives in March, 1876, as a witness, and declined to answer certain questions asked him concerning certain real estate transactions in which it was thought Jay Cooke & Co. had been involved, and also declined to produce certain private papers called for. He was then brought before the House, where he again declined to answer the questions or to produce the papers called for, when he was adjudged to be in contempt and was arrested by the sergeant-at-arms by direction



of the House of Representatives and imprisoned in the jail of this District.

After Mr. Kilbourn had refused to answer questions and to produce papers before the committee the Speaker, under the provisions of sections 102, 103, and 104 of the Revised Statutes of the United States, had certified the fact to the District Attorney, who was then Henry H. Wells, and an indictment had been found against him, which was pending in this court, being No. 11,290 on the criminal docket.

Being confined in jail by the sergeant-at-arms, and awaiting trial on the indictment for the same offense, that of refusing to answer questions or produce papers, Kilbourn filed a petition, No. 11,314 on the criminal docket, for a writ of habeas corpus, and the same was issued by order of Chief Justice Cartter and made returnable before him in chambers.

The petitioner was represented by Jeremiah S. Black, Matt H. Carpenter, Walter D. Davidge, Noah L. Jeffries, Charles A. Eldredge, and Daniel W. Voorhees; and the sergeant-at-arms, or the House of Representatives, was represented by Col. Robert Christy and Samuel Shellabarger.

The arguments on both sides were very able, and lasted for several days. I was then an assistant in the office of the clerk of this court, and at the request of Chief Justice Cartter, who asked me to hear the case and give it my best consideration as a lawyer, I sat in the court room and took notes of the arguments, and prepared for him the statement of the case which appears in the record. He dictated the opinion to me, word for word, as he walked back and forth in the consultation room, and when written out it was annexed to the statement and all published as coming from him. He was not a man, however, to take the credit

for something which he did not do, and a day or two afterward, I heard Judge Shellabarger say to him, that his statement of the case, in this opinion, was a better one than he could have made himself. Chief Justice Cartter promptly disclaimed any part in making the statement, saying that it was all my work. I considered this a great compliment, coming as it did from Judge Shellabarger, whose ability in stating a case was one of the principal elements of his well-earned reputation as a distinguished lawyer.

In this case Chief Justice Cartter had to decide against the judgment of the House of Representatives, in ordering the petitioner to be confined in jail; or he had to pronounce unconstitutional or inoperative the statute which had been passed by both houses of Congress, and approved by the President, providing for the punishment for this character of contempt.

He reached the conclusion, in the able opinion pronounced by him, that the House was wrong in undertaking to punish for contempt contrary and in addition to, the method prescribed by the act of Congress; and he therefore ordered the discharge of the prisoner from the custody of the sergeant-at-arms, and the United States jail, and remanded him to the criminal court for trial.

I think the case was never tried, but Kilbourn brought suit against the sergeant-at-arms, for damages for false arrest, being suit No. 16,288 at law.

To this suit the sergeant-at-arms, the Speaker of the House of Representatives, and John M. Glover, and other members of the special committee, were made defendants.

The sergeant-at-arms justified his action under the Speaker's warrant. The other defendants pleaded the general issue, and justification in special pleas. Kil-

bourn demurred to the special pleas, which demurrer was overruled, and judgment entered for the defendants; and a writ of error was sued out to the Supreme Court of the United States. The case was heard in that court, and the judgment of the Supreme Court of the District of Columbia was sustained as to the Speaker, and other members of the House of Representatives, but was reversed as to Thompson, the sergeant-at-arms; and the speaker's warrant was held to be no defense to the action. *Kilbourn v. Thompson*, 103 U. S., 168.

The case then came on for trial in the Supreme Court of the District of Columbia, and the jury found a verdict for the plaintiff, assessing his damages at \$100,000. The court on motion set this verdict aside because of excessive damages. The plaintiff then amended his declaration and averred special damages.

The case was tried a second time before Mr. Justice Cox, when the jury returned a verdict for the plaintiff for \$60,000, and that verdict was also set aside on the ground of excessive damages.

The case was again tried and a verdict rendered for \$37,500. A remittitur was ordered to be entered of \$17,500 or stand a further new trial. The remittitur was entered and the \$20,000 remaining was paid. See *Kilbourn v. Thompson*, *MacArthur & Mackey*, 401.

During the twenty-four years that Chief Justice Cartter presided in this court there were, beside the three associate justices appointed with him, seven other associate justices, namely, Justice David C. Humphreys, appointed May 13, 1870, as successor to Justice Fisher, resigned; Justice Arthur MacArthur, appointed July 15, 1870; Justice Alexander B. Hagner, appointed January 21, 1879, to succeed Justice Olin, retired; Justice Walter S. Cox, appointed March 1,

1879; Justice Charles P. James, appointed July 24, 1879, as successor to Justice Humphreys, deceased; Justice Wm. M. Merrick, appointed May 1, 1885, as successor to Justice Wylie, retired; and Justice Martin V. Montgomery, appointed April 1, 1887, as successor to Justice MacArthur, retired.

During these twenty-four years, through the joint efforts of the bench and bar, printed reports of many of the decisions of this court were secured. The attorneys organized the Law Reporter Company, and Justice MacArthur, as a work of love, started the reports, they being, as a rule, first published in *The Law Reporter* and then in book form in the MacArthur, the MacArthur & Mackey, and Mackey's Reports.

Previous to the first MacArthur, which was published in 1875, there had been no reports of the opinions of the courts of this District since those of Judge Cranch were brought to a close in 1840, a period of thirty-five years.

If I may be pardoned for another personal remark, I will say that I had some small part in the history of this resumption of the reports. I was an assistant clerk in the court from June, 1873, to June, 1876, and wrote shorthand; and I was frequently called upon by the judges to report their oral opinions delivered in general term, and I assisted Justice MacArthur in getting together many of those which he published in the first volume. In the preface to this volume Justice MacArthur thanks the members of the bar and the clerks for their assistance, and then does me the honor to add: "My thanks are especially due to Mr. Barnard for numerous transcriptions of his shorthand notes of oral opinions."

Of all the officers connected with the court, when it was first organized, none remain except four of the

members of the old bar, namely, Wm. F. Mattingly,¹ Nathaniel Wilson, Eugene Carusi, and Samuel L. Phillips.

During these twenty-four years the court witnessed three bloodless revolutions in the government of this District, and the futile efforts of Logan U. Reavis to have the capital removed to St. Louis. It saw the last mayor and common council and witnessed the abolition of the city governments of Washington and Georgetown and of the levy court; it saw the experiment of voting for a delegate in Congress and members of the District legislature, and the administration of two governors, and it saw the beginning of the government by Commissioners. It heard the city groan under the weight of its own inertia, and then saw it spring forward toward its present beauty, and wealth, and comfort under the herculean energies of Governor Shepherd and his co-workers.

It saw the excitement and sorrow attending the assassination of two Presidents—Lincoln and Garfield; and one of its members, Justice Cox, tried the assassin, Guiteau, and he was executed under the warrant of the court.

During this time the Bar Association of this District was organized, and the accumulation of its valuable library was begun. In this time, too, the court, through the efforts of Chief Justice Cartter, secured the appropriation and had the addition or new part built to the courthouse, which is now the north half of the building.

During these twenty-four years the Supreme Court of the District of Columbia did much to advance the cause of good order and good government, not only for this District, with its steadily increasing population, but for the nation at large.

¹ Died at Washington, D. C., Oct. 7, 1918.—Ed.

Its broad jurisdiction and its location at the nation's capital, brought before its judges many important causes, such as could not have arisen in other courts, either State or Federal. It was clothed with all the common law powers of the State courts, and all the statutory powers of the United States circuit and district courts.

On the death of Chief Justice Cartter, a meeting of the bench and bar was called, at which Mr. Justice Wylie presided, and at which resolutions were adopted, expressing the esteem in which he was held. These will be found in Volume 15 of *The Washington Law Reporter*, 245-247. In the same place will also be found a record of the announcement of his death by Mr. Worthington, then United States District Attorney, in the court in general term; and the remarks of Mr. Justice Hagner at that time, from which I quote a few sentences; and they seem appropriate in closing this sketch, as Justice Hagner became the last survivor of the ten associate justices who sat upon the bench with Chief Justice Cartter.

Justice Hagner said of him, among other things, that "he possessed a mind of great breadth and vigor, and of rare acuteness; with a faculty of perceiving with rapidity and clearness those points in a cause which he considered decisive of the real questions involved. His opinions, which were always pronounced extemporaneously, were couched in language peculiarly characteristic of the qualities of his mind and disposition, original in style, frequently sententious and epigrammatic, always striking, sometimes abounding in quaint humor; there was rarely absent from his deliveries some sentence or expression that would fix itself upon the attention and be carried away in the memory of those who listened. And whatever he said

was delivered in a voice and with a manner so animated and impressive that communicated an interest to discussion that might have otherwise been dull and unattractive. Nature had bestowed upon him a massive form and striking physiognomy, a highly expressive countenance, and an aspect intelligent, almost leonine, in its strength.

“It is with Chief Justice Cartter in his sphere as a member of this court that we may appropriately speak of him. There were other relations in which, as a public man, the country at large knew him well. As a lawyer long in full practice, as a legislator in the halls of Congress, as holding a high diplomatic position, and as the associate of prominent men in trying times, he filled a conspicuous place in the history of his time. He will long be remembered in this community, where he lived so long, and especially by the members of the bar, who knew him so well, and could best appreciate his mental endowments and his great natural gifts.”

CHRISTIAN HINES, AUTHOR OF "EARLY
RECOLLECTIONS OF WASHINGTON
CITY," WITH NOTES ON THE
HINES FAMILY.

By JOHN CLAGETT PROCTOR, LL.M.

(Read before the Society, March 19, 1918.)

Christian Hines, author of "Early Recollections of Washington City," was born near Liberty, Frederick County, Maryland, in 1781, and resided in that county until 1790, as is evident by the census returns for that year. It must have been the latter part of this year, however, that he settled with his parents in Georgetown. Here, as he states, they resided at the junction of High and Market streets—now Wisconsin Avenue and Thirty-third Street—in a large two-story log house, until December, 1799, when his people moved to F Street, between Twenty-third and Twenty-fourth Streets, Northwest, Washington City. From here they moved to the block bounded by D and E and Twenty-first and Twenty-second Streets. Prior to leaving Georgetown, his father had purchased of William Thompson, Esq., a building lot on the south side of F Street between Tenth and Eleventh Streets, Northwest, opposite where is now the mammoth department store of Woodward & Lothrop, and on the most prominent thoroughfare in the District of Columbia. Here his father erected a modest dwelling in 1800, and occupied it the same year; it being the first building erected in this block. It was here, his father, John Hines, died in 1816.

Prior to the War of 1812, Christian Hines was a member of Richard S. Briscoe's Company of Militia, which was attached to the First Legion in the City of Washington. During the early part of 1813 he was ensign, or lieutenant, in the same Company, but from May 20 to August 19, of that year, he served as lieutenant under Captain Stephen Parry. As lieutenant, he participated in the Battle of Bladensburg, his battalion being commanded by Major Adam King, under Colonel Carbery. From August 9 to October 8, 1814, he was directly under Captain Briscoe and attached to the Third Regiment. At the close of the war he was elected Captain of his Company, but declined the honor.

After the capture of Washington, in August, 1814, he was elected, together with William Worthington and John Gardiner, Esq., a committee to make collections among the citizens of Washington for the purpose of employing workmen to go to Fort Washington to assist in repairing it, and he was selected to secure men for this purpose. He repaired to the fort where he and his men remained for sixteen days. It was his pleasure, upon this occasion, to meet and partake of a friendly glass of wine with the celebrated engineer, Major Pierre Charles L'Enfant, to whose credit is due the designing of the plan of the Federal Capital.

In his "Early Recollections" he gives the following men who accompanied him on that occasion: John Conly, Timothy Herrity, John Donoho, Thomas Ladan, Morgan Donoho, George Esling, Levi Shaw, Michael Greager, John Tidings, Edward Crowley 1st, Michael Herrity, Edward Crowley 2d, Samuel Duval, James Gray, John Tiernan, James Esling, Samuel Douglass, Richard Bannister, William Linkins, John Linkins, James Troth, Leonard Ellis, Michael King, Lloyd

Jones, Patrick Larner, and William Hayward. The collections from the public for this expedition not being sufficient, Christian Hines was forced to draw on his own funds for the payment of the balance of the expense incurred, which, however, was afterward returned to him.

Many years after the close of the War of 1812, he was granted a pension for his participation therein, the certificate being numbered 2661, allowing him \$8 a month from February 14, 1871. In addition to this, the record shows he was awarded bounty lands.

From 1822 to 1843, he and his brother Matthew kept a grocery store at the southwest corner of Twentieth and I streets, northwest, which property probably belonged to them as early as 1811 for in that year his niece, the writer's grandmother, was born there.

From here they moved around the corner to 822 Twentieth Street, where they conducted a furniture store until the death of Matthew Hines, in 1862, when Christian Hines continued the business alone until his death, and it was from here his funeral took place. The site is now occupied by the Kidder building, and is the home of Friendship Lodge of Odd-fellows.

His enterprises at one time covered a large field. One of his ventures, which will be especially interesting to the present generation, occurred in the spring of 1828, when he and his brother, Matthew, purchased from Ann Maria Thornton, for \$5,650, fifty-six and one half acres of land lying just outside the city limits of Washington. The property consisted of two farms, one containing twenty-two and three fourths acres and was called Mount Pleasant, the adjoining farm contained thirty-three and three fourths acres. Of the purchase price stipulated, \$1,500 was paid at the time of sale. The Bond of Conveyance is dated May 17,

1828, and was recorded November 15, 1828, in Liber W.B. 23, pp. 434-436, in the office of the Recorder of Deeds for the District of Columbia.

The principal object for the purchasing of this land was for the purpose of cultivating silkworms, and for this purpose a number of mulberry trees were planted, some of which remained growing until recent years. Here they built a home of the bungalow type—a-story-and-a-half high and about twenty-five feet square. As late as the eighties this house was a landmark in this section, surrounded by a number of June pear-trees, and facing the main highway to the west—now designated as Columbia road. These old trees, planted almost a century ago, were still growing and bearing fruit as late as 1915, when they were removed, in November of that year, to make way for the Belmont, a large apartment house, situated at the southeast corner of Belmont and Columbia roads.

In the northern part of this tract of land, some members of the Hines family were buried. As near as can be ascertained, the burial plot was located about in the rear of stores 2440 to 2444 Eighteenth street, northwest, and adjoining the southern wall of Crandall's Knickerbocker Theatre, where a few trees of the forest primeval are still standing. In trying to locate this God's acre, a letter was received from Mrs. M. L. Sands, a daughter of the late John Little, the last owner of the property before it was subdivided and who purchased it December 7, 1836. The letter is written from the "Mendota," is under date of March 30, 1915, and is in part as follows:

"The burying ground you spoke of was in an oak grove not far from the old pear trees and on the same side of the street, there are no trees left and every trace of the graves gone. There was never a stone to mark any of the graves. I only

remember hearing my parents say that the Hines were buried there. It was used for a burial place for our family servants and I think my mother had two very young children buried there. The place is entirely built over by small stores on 18th St."

After the lapse of nearly a century, it would undoubtedly prove a difficult task to locate exactly these fifty-six acres of land. The following is the description given in the Bond of 1828:

"Beginning at a stone No. 30, standing near the main road leading from the city of Washington to Mr. Johnson's Mill on Rock Creek, it being the end of the third line of a tract of land called plain dealing and running by and with said third line reversed with two and a quarter degrees west, eighty six perches to intersect the second line of a tract of land called Jame's Park then by and with the second line south eighty-nine degrees west seventy perches to the end thereof, then by and with the third line south fourteen degrees east thirty-one perches then east thirty-five perches to a stone No. 6 it being a corner stone the lands of Thomas W. Pairo and John Holmead."

In a general way, it is believed to have been bounded on the south by Florida avenue; on the east by Champlain avenue, as far north as Columbia Road; on the west by Nineteenth street, as far north as Columbia Road, and thence west to Rock Creek, which stream seems to have formed the continuation of the western boundary; Adams Mill road, from Rock Creek, eastward to Columbia Road, was probably the northern boundary line.

It is evident that the silkworm industry proved unprofitable, and from the record, one would infer that the Hines brothers had in some way defaulted, for, in 1836, this property was deeded to the John Little before mentioned.

While it belonged to the Hineses, the heavily wooded portion along Rock Creek was known as "The Cedars." Later it took the name of its new owner and was called "Little's Woods," and will be remembered by many as a popular place for Sunday-school picnics in the late seventies.

Today, this is one of the finest sections of the National Capital. It is covered with large apartment houses and many handsome and costly residences, the value of which would run well up into the millions. Indeed, one can hardly realize that this magnificent section, which houses so many of Washington's elite, was once Hines' farm.

As creditable as Christian Hines' military record may be, and however interesting his business ventures may prove, yet it is as a writer of local history that he will be ever remembered by the people of Washington. In 1866, after having jotted down for many years, as he states, numerous incidents of which he had a personal knowledge, he issued his "Early Recollections of Washington City." This little volume of 96 pages, though comparatively insignificant in appearance when compared with a number of later and more elaborately printed and bound books on the District of Columbia, contains considerable original matter, and, indeed, few subsequent historians have failed to quote it *in extenso*. One of the best writers, in particular, has seen fit to reprint ten pages of the Hines book in his own volume, in addition to making from it many quotations.

Christian Hines was not a book-maker, and had little if any experience in preparing copy for the printer, and this lot happily fell to the writer's father, John Claggett Proctor, 1st, who had married the old gentleman's grandniece, and who gave to the subject as much

time as his duties as city editor of the *National Republican* would permit. While these details were being looked after, Christian Hines was a frequent visitor to the Proctor home, and after its completion, continued, occasionally, to drop in, so long as he was able to get about. Although quite young at the time, the writer remembers, upon one of those latter visits, of seeing this venerable man, whose great age and mass of wrinkles indelibly fixed themselves on his youthful mind.

Christian Hines had a most wonderful memory, and fortunately retained his mental faculties up to the end of his life. He was frequently visited by newspaper men in quest of interesting information of events of the past, and one of these visits has been so beautifully pictured by the celebrated Civil War correspondent, George Alfred Townsend, in his "Historical Sketches at Washington," that its repeating here is deemed appropriate and proper. Mr. Townsend says:¹

"To talk with a man eighty-nine years of age, who has passed all his life on one spot, and has a good memory for all the incidents respecting it, is in itself instructive. If your acquaintance should chance to have passed all his life on the site of the Capital City, and is able to recollect distinctly events between 1797 and 1873, you will converse with him

¹ The writer apologizes for calling attention to a few inaccuracies in Mr. Townsend's excellent tribute to Christian Hines:

When "Early Recollections of Washington City" was published, its author was 85, and not 82 years of age.

Christian Hines' father had twelve, and not thirteen children.

The vessel load of emigrants referred to came from Prussia and settled in Maryland in 1773.

Thirty years before the Revolution what is now Montgomery County was Prince George's County. At that date—1746—Christian Hines' father was only two years old.

No record of the Hineses being in Maryland as early as 1755 (when Braddock marched from Georgetown to Frederick) has been found. It was no doubt subsequent to this that they left Pennsylvania.

with perhaps greater satisfaction than with the oldest denizen of any other town in America, because his experience will span the entire personal life of the nation.

“There are in Washington several old men who recollect General Washington. One of them is Noble Hurdle, of Georgetown, living at No. 176 High street, who is said to be ninety-six years old, and to have a grandchild past forty. Another, Christian Hines, I went to see a few days ago, who was eighty-nine years of age, and was an object of curiosity for relic hunters and people who wished to ask questions on old sites and points of interest. At the age of eighty-two, he published at his own expense, a pamphlet of 96 pages, entitled ‘Early Recollections of Washington City,’ but he was in very straitened circumstances, and the little book was not remunerative, so that much which he might have committed to print was allowed to go to waste. He had a clear apprehension, however, that in his remarkable old age and keen memory, Providence had left him some dignity worth living for, in being of use to the future historians. This consciousness lightened up his face and seemed to give increased tenacity to his memory, for he would sometimes make flights of reminiscence, impelled by the strong desire of giving help to literary folks, by which results were obtained as satisfactory to himself as to his hearers.

“A visit. One blustering day, I sought the old man’s tenement on Twentieth street, between H street and Pennsylvania avenue. It was the last piece of property which he retained out of a large portion of the block which had belonged to his family, and here he had attended to an old furniture and junk store as long as he was able to get about, but had finally been driven by rheumatism and increasing infirmities to the upper story, where he resided in a lonely way with his niece, who was very deaf, and who shared the solitude and gave him some little help. The lower portion of the store was filled with everything quaint under the sun, and the loft where the old man had lived consisted of three rooms without carpets or plaster, two of which were forward of a partition which divided the loft crosswise, and in one of these forward rooms

Mr. Hines slept, and in the other had his frugal meal cooked. He lived almost wholly upon his pension of a few dollars a quarter, received from the Government for his services in the War of 1812, which he entered as a private, and became a Lieutenant at the time of the Battle of Bladensburg, in which he was engaged. In the same company appeared the names of the Bealls, Millers, Milburns, Shepherds, Goldsboroughs, and many other families well known in Washington.

"Christian Hines was a fine-looking old man, and, old as he was, there was another brother aged ninety-three, residing in Washington, who, he said, was in much better health and memory than himself. This brother lived in Eleventh street near S. There were thirteen children in the family, whose common father had been an emigrant from Germany to Pennsylvania, and, by his partial knowledge of the English language was recommended to an emigrant Captain as a proper person to procure a vessel load of people to come out to Maryland. With these emigrants, the elder Hines settled in Montgomery County, Maryland, about thirty years before the Revolution. He was therefore in Montgomery County when Braddock's army marched through it from Georgetown to Frederick. Christian Hines was brought up in Georgetown, which he described as pretty much of a mud-hole before the Capitol was built on the other side of Rock Creek. . . .

"Mr. Hines' family bought a farm from Dr. Thornton, the architect of the Capitol, and had to forfeit it for want of funds to make the final payments. The farm stood out near the foot of Meridian Hill. He also invested, with his brother, \$900 in the Potomac Canal Company, and lost it. . . . The old gentleman showed me a beautiful etching of John Randolph, who had bought a lot and put up a house on the Hines property. . . .

"Such were some of the recollections of this feeble, stalwart old man, who sat before me, with a high black cravat, veins large, and feebly moving in the hands and throat; gray but abundant hair, and gray whiskers of a healthy hue. He looked poor, but not in need—poor chiefly in days, which he counted without apprehension, saying, 'The Almighty means to send for me soon.'"

When Congress convened for the first time in Washington, Christian Hines was a spectator in the House gallery, and he also witnessed the first theatrical performance in the District of Columbia, given in Blodgett's Hotel, where now stands the General Land Office. He saw all the presidents from Washington to Grant, and many of the great men who happened to reside in, or visit Washington. It was also his pleasure to be one of the early members of the Association of Oldest Inhabitants, joining that body in 1866.

He was a bachelor, and it is said his remaining unmarried was due to an affair of the heart while he was a young man.

On the morning of November 29, 1874, Christian Hines breathed his last. At that time the writer's father was city editor of the *Daily Critic*, and the item written by him at that time appeared the day after the old man's death:

"MR. CHRISTIAN HINES."

"It was only last Friday that we announced the death of Mr. Jacob Hines at the advanced age of ninety-seven years. To-day we publish the death of his only surviving brother, Mr. Christian Hines, who was in his ninety-fourth year. He died yesterday morning at his residence on Twentieth street, where he had lived probably sixty years. Mr. Hines was a bachelor, and his niece, Miss Caroline Hines, kept house for him many long years, staying with him and caring for him as faithfully as she had the power to do, up to the time of his death.

"Christian Hines was born near Liberty, in Frederick County, Md., and soon thereafter his parents and family removed to Georgetown, D. C., and resided at High and Market streets.

"When but a young man he went into a clothing store on Greenleaf's Point, as an assistant to Mr. Robert Bryson, who was there started in business by Mr. Joseph Green, of George-

town. Subsequently he learned and carried on the baking business, conducted a grocery, and engaged in other pursuits, by which he accumulated considerable property. Through adverse circumstances, however, he lost the major portion of his earnings.

"Always correct in his dealings and gentlemanly in his bearing, he was looked up to by many in the west end of Washington, and was respected by all who had his acquaintance. All of his manhood was spent in that end of the city, his father and family having moved from Georgetown in 1799, to a house on F street, between Twenty-third street and Twenty-fourth street.

"Christian Hines was once elected a member of the Board of Aldermen of this city. The number of votes cast was about 110, of which he received all except three or four votes. He had shaken hands with all the Presidents except General Grant.

"In the years 1811-1812-1813, Christian Hines was an ensign in Capt. S. Parry's District Militia. Mr. Hines was selected one of three persons to engage a company of workmen, which he raised and took to Fort Washington, down the Potomac, to throw up breastworks, etc., at which they worked for sixteen days, when they were relieved and returned to Washington. One dollar and a pint of whiskey a day was offered as an inducement for men to go down to the fort. At the close of the War of 1812, Mr. Hines was elected captain; but, by reason of the death of his father, he declined the position that he might close up his business. He was a pensioner of the War of 1812, and retained part of his uniform and equipments to the day of his death.

"Soon after the close of the war, Captain Hines and his brother Matthew concluded they would collect all the points possible relative to the early history of Washington and Georgetown, and they spent many days together in their laudable enterprise. It was not until the year 1866, however, that Mr. Hines gave this information to the public in book form. A few of these books were yet in his possession at the time of his death.

“Captain Hines died as he had lived—with malice towards none, and with an implicit faith in his Redeemer. His funeral will take place at 2 o'clock p. m. tomorrow, from Union Chapel, on Twentieth street, and his remains will be interred at Rock Creek church.”

On the same day the *Critic* item appeared *The Evening Star* gave the following account of his death:

“DEATH OF A VENERABLE CITIZEN.”

“Mr. Christian Hines, a brother of the late Jacob Hines, whose funeral was noted in *The Star* of Saturday, died at his residence in the First Ward yesterday in the ninety-fourth year of his age. He came to this District, with his brother Jacob, from Frederick county, Md., long before the city of Washington was laid out, and taking up his residence in Georgetown he learned the baker's business, which, with one of his brothers, he conducted a number of years in that city, and afterwards in the west end of Washington. In early life he joined the Methodist Episcopal church and, like his brother Jacob, was one of the early members of the Foundry church. The deceased was in early life prominent in military circles, and served in the War of 1812 as an officer of militia. He never married. The funeral will take place to-morrow at 2 o'clock p. m. from Union Chapel, 20th street.”

Christian Hines was buried in Rock Creek Cemetery, in lot 43, section A, site 2, which is close to the west wall of St. Paul's church. The grave is unmarked.

Among the papers found in Christian Hines' effects, were a copy of a letter written to a cousin in Ohio, in 1860, and a sheet of writing somewhat in the nature of a memorandum. Both are undoubtedly but rough drafts, and are strikingly similar in the text. They are not without error, yet they are deemed sufficiently important and interesting to include here. The letter reads:

“WASHINGTON, March, 1860.

“*Dear Cousin:*

“I will now endeavor to give you all the information in my power, in obedience to your request in your letter of the 5th inst., but I have to trust entirely to my memory in the statement I shall give you and all that I do know I derived from my Father in listening to him while sitting around the fire and hearing him relate his adventures while out as a militiaman in the service of his country. I know of no person who could give me any information on the subject, indeed I do not know or recollect ever to have seen more than two persons who were in the same company with my Father and your Father, and these were Mr. Mimm of Georgetown, and John Snyder of Frederick county, Md., who had his leg shot off, I believe, at the battle of Germantown,² perhaps I could have got some additional information of my Brother Philip had he lived to this time, but since his death (he being the oldest of us) I know of no source from which I could get any information except my Brother Jacob whom perhaps I may see to-morrow, there are now only two of us remaining out of a family of twelve, ten Brothers and two Sisters, viz: Jacob and myself. I will now give you the outlines of what I have treasured in my memory, the particulars I may hereafter communicate to you should my life be spared. Our Grandfather (Johannis Heintz) emigrated from Pennsylvania to Frederick Co., Md., where he bought a farm near ‘Liberty’ sometime previous to the Revolutionary war. His family consisted of himself, wife and six children, viz: John, Henry, Daniel, Philip, Rudolph, and Christena who afterward became Mrs. Ourand. John (my Father) was the oldest. Rudolph your Father I think was the youngest son. Mrs. Ourand was the youngest of all. My father being the oldest was the first of the brothers who married. He opened a tavern on the Annapolis road, about six miles from Frederick Town, generally known at that time, 1777, as the Stonewall tavern. Here the militia used to as-

² John Snyder lost a leg at White Plains; see *Archives of Md.*, Vol. 18, pp. 630, 631, and Scharf's “History of Western Maryland,” Vol. 1, p. 476.

semble to muster. The company to which he belonged was commanded by Captain Hoff, or Huff, or perhaps he spelled it Hough;³ the Lieutenant's name was Grosch;⁴ the Ensign's name I have entirely forgotten. I suppose your father was in the same company. Their uniforms were hunting shirts, and their arms mostly fowling pieces. General Smallwood commanded the brigade. My father served in two companies—first as a militiaman and next as a volunteer, and 'tis very probable your father did the same. My father's family at the time he went out consisted of himself, my mother Gertrude, my brother John, and sister Christiana Elizabeth, who afterward became Mrs. Matthew Kennedy. I suppose that neither your father or uncle Philip were married, at that time. Henry and Daniel both died bachelors. I have heard my father say that they both belonged to what was called the 'Flying Camp' or 'Minute Men.' The first skirmish my father was engaged in was the battle of Germantown; this must have been about the year 1777 or 1778 (you can see by referring to history).⁵ I take it for granted that your father must have been in that engagement—you know it proved disastrous to the American army. I recollect hearing my father often relate the particulars of a skirmish they had with a party of British and Hessians near Germantown, and I often felt a degree of interest in hearing it related by him:—when the brigade, commanded by General Smallwood, came within a small distance of Germantown, Captain Hoff's company was detailed as an advance guard; accordingly they marched on in front of the brigade with considerable rapidity, leaving the brigade moving on slowly behind them. After marching on for some time, Lieutenant Grosch observed to the Captain that he thought he was moving on too rapidly for the brigade. Captain Hoff said he would march on a short distance further and then stop awhile at a house of entertainment and get some refreshments for themselves and company; accordingly, when they arrived at the tavern the officers went in and asked the landlord if they

³ Capt. Abraham Haff.

⁴ Lieut. Adam Grosh.

⁵ Battle of Germantown was fought Oct. 4, 1777.

could get any refreshments for the company. The landlord looked very gloomy and told them, with a sad countenance, that he did not think they could, but that they might go in and see; but he did not think there was anything left as a company of British and Hessians had just been there a while before and had drank and eat up everything they wanted, and what they did not want they destroyed. The officers and men went in and found as the landlord had told them. They went into the cellar, but found nothing there except barrels with their heads knocked out. This exasperated the company very much. The landlord then told them that but a short time before a party of British and Hessians had crossed the road a little beyond with a field piece and had got into an apple orchard.⁶ The captain immediately got his men under arms, and went in pursuit of them, and found them posted in the orchard. As they came near enough, the firing commenced. The British in a great measure, screened themselves behind apple trees. Our men were more exposed, being without anything to shelter them from the fire of the enemy. The firing continued for sometime without much loss on either side, 'till at length Captain Hoff was seen to fall, having been severely wounded by a shot from the enemy. My father was not far from him, and instantly ran up and asked him, 'What's the matter Captain, are you wounded?' He said 'yes, but never mind me boys, but fight on.' He was then put on a little pony and led away. The firing still continued for sometime, 'till at length Lieutenant Grosch fell while encouraging his men, having received a ball right through his heart. He instantly died. One of the company ran up and took his watch out of his fob and the silver buckles from his shoes, saying he would deliver them to the widow upon their return. The Ensign, seeing such havoc made among his officers, was not to be found.

⁶ Referring to this skirmish, Scharf, in his "History of Western Maryland," Vol. 2, p. 324, says: "A regiment from Conway's brigade and one from the second Maryland, piloted by Captain Allen McLane, a brave Delaware officer, were in advance, and struck the enemy's pickets at Allen's house, near Mount Airy. These they soon drove in upon the main line of the enemy, who were found in their encampment in an orchard, ready to receive the Americans."

After a short time, the company having no officers to command them, retired toward the brigade, which was advancing rapidly. Upon their approach, the enemy made a hasty retreat, and thus ended this little skirmish, and the brigade joined Washington at, or near Germantown, and there the battle of Germantown was fought, in which my father and I expect your father acted a part."

The memorandum is as follows:

"In the year — John Heintz, now spelled Hines, being the oldest son of his father, immigrated from Germany to one of the then British American colonies, now known as the State of Pennsylvania. His family consisted of himself, wife, and three sons, namely, John, Henry, and Daniel, and their only child whose name was also John, who when grown to manhood, returned to visit his native country or fatherland. After visiting Germany, he returned to America, his adopted country, with a cargo of German emigrants, bringing with him such articles as the country mostly needed, such as firearms, books, etc. Firearms were then prohibited by the King, yet he contrived to bring many, each passenger was allowed to own one or more, through this means he evaded the law of England. Many of the passengers, or redemptioners, so-called, then, being his friends or neighbors, most, or all of whom, settled in Pennsylvania. Among the passengers was a young woman by the name of Deitch in company with her sister Mrs. Mordolph and family. While on their passage to America, John Hines was taken very sick, and from the attention paid to him during his illness, besides she being a likely young woman, he became attached to her and married her, and settled in Frederick county in the state of Maryland, sometime before the Revolutionary War, he being one of the first who refused to pay that unjust tax called tythe, and when the war commenced he took up arms against the King by volunteering and draft. Having then but one son, whose name was John, and one daughter, Christina Elizabeth, [he] left his wife [with] one child, and [with] another [brother] Henry, he went into the tented field to fight without a tent, his arms a fowling

piece, to put their enemies to flight. He volunteered in Captain Hoff's company, Lieutenant Grosch, Ensign ———, the whole under General Smallwood of the Maryland line. Captain Hoff and Lieutenant Grosch being mostly stout young men were selected as the advance guard. Eager to drive the tyrants and oppressors from our land, they marched too far in advance of the main army and fell in with the enemy's advance. The British being well recruited and disciplined; however, the fight commenced. It was not long before the Captain fell wounded by my father's side—he was shot with a musket ball in his thigh. When my father asked him if he was wounded, he replied 'yes, but never mind it boys, fight on.' Soon after, the Lieutenant received a ball through the body, which terminated his existence in this world; the Ensign left the ground; each man then fought for himself: When lo! my father spied a 'Redcoat' standing behind an apple tree, not far off, who fired twice, and in the act of loading again, while my father pulled trigger and burned primer twice, and while in the act of stripping a leaf to pick the touchhole, one of his comrades, an Irishman, came up and exclaimed, 'what's the matter Hines, what's the matter?' He replied, 'don't you see that Redcoat behind that apple tree?' These words were hardly spoken, when up went his piece, which also burned primer, when the Redcoat quickly decamped. By this time the two main armies came together, and a bloody battle ensued. He was in other battles and skirmishes during the war, and continued to serve the American cause in various ways during the Revolution. His father's family at the time consisted of John (himself), Daniel, Henry, Rudolph, Philip, and a sister, Christiana. Three of his brothers were also in the service of the Revolutionary War. His sister, Elizabeth Christina, was married to Jacob Ourand, and had many children; his brother Philip was an invalid; three of the five brothers were married and had children—the following are their names and numbers: John Hines had twelve, ten sons and two daughters, namely, first, John; Christiana; Henry; Daniel, who died without issue, never married; Philip; Jacob; Elizabeth; Christian; Matthew; William, who died

young; Frederick; and Abraham. The following are the number of their offspring: John had four sons and five daughters; Chritiana had seventeen children, thirteen sons and four daughters (they are the Kennedys); Henry had three children, one son and two daughters; Daniel, none, unmarried; Philip had eleven children, eight sons and three daughters; Jacob, three children, one son, two daughters; Elizabeth, two children, both daughters; Christian, none, unmarried; Matthew, none, unmarried; William, none, died two years old; Frederick, five children, two sons and three daughters; Abraham, eight, five sons, three daughters; making a total of fifty-eight children. Daniel Hines, son of the first John, died unmarried; Henry Hines, son of the first John, died unmarried; Rudolph Hines, son of the first John, married a Miss Hough, and had sons and daughters; Christiana was married to Jacob Ourand, and had many children."

And so I have told you the story of the author of "Early Recollections of Washington City," and with your indulgence I shall say just a few words regarding his family. His father, John Hines, or Johannes Heintz, was born in Dillenburg, Prussia, in 1744, and came to America in 1751. He visited his native country in 1773, and returned to the colonies, in September of that year, with a cargo of 247 German immigrants. While returning from Europe, on this occasion, he was taken ill, and was carefully nursed by a Miss Gertrude Deitch, one of the passengers. So tender were her attentions, that shortly after his recovery, she became his wife. She died at the southwest corner of Twentieth and I streets, N.W., Washington, D. C., on February 7, 1827. The announcement of her death, as recorded in the *Daily National Intelligencer*, is as follows:

"In this City on Wednesday morning, the 7th instant, in the 80th year of her age, Mrs. Gertrude Hines. The friends and acquaintances of the deceased are requested, without

further notice, to attend her funeral on Friday afternoon, at 3 o'clock, from her late dwelling, nearly opposite the Seven Buildings."

She was probably of Swiss extraction, as family tradition has it that the Hineses were of German-Swiss ancestry.

John Hines was a true patriot. On his return to this country in 1773, he brought over, for the use of the already dissatisfied colonists, forty stand of arms—the importation of firearms then being prohibited by the crown. He served throughout the Revolutionary War, and he neither asked nor received any compensation whatsoever for the arms brought over by him or for the time spent in fighting for freedom. He served mainly with the Frederick Town militia which rendered such brilliant and conspicuous service at Long Island, White Plains, Brandywine, and Germantown, and elsewhere, and he was undoubtedly a member of one of the two companies of riflemen which went to the assistance of Massachusetts after the Battle of Bunker Hill. He died at his residence on F street, opposite Woodward & Lothrop's, on October 6, 1816. The *Intelligencer* of October 10 has this notice:

"Died—On Saturday night, the 6th instant, Mr. John Hines of this city, aged 72 years, in the full triumph of faith, professing in confidence that he was not afraid to die; 'Blessed are the dead who die in the Lord!'. He was a good citizen, an affectionate husband, and father of nine sons grown to manhood, who were all present on the occasion of his death."

Of the nine sons and two daughters of John Hines, who lived to maturity, their average age at time of death was a little more than seventy years. Of these Jacob lived the longest of all, and died at the age of

nearly ninety-seven years, in 1874. The names of the other children were: John, Christina, Henry, Philip, Daniel, Christian, Ann Elizabeth, Matthew, Frederick, Abraham, and William, who died in infancy.

John Hines and his wife Gertrude have many descendants in the District of Columbia, and throughout the United States their progeny is numerous. In the Army and Navy they are abundantly represented today fighting for world democracy.

With possibly one exception, the better portion of the lives of their children were spent in Washington city, and a brief statement of them will be given:

John, the eldest, was born in 1775 and died in Lawrenceburg, Indiana, in 1857. He resided in Washington at least until 1830. According to Scharf's History of Western Maryland, he was married in Montgomery County, Maryland, July 11, 1799, to Belinda Swain, of Georgetown, D. C. His children included John, Elizabeth, Samuel, William, Julia, and Mary Ann.

The older of the two daughters, Christina Elizabeth, was born in 1776, and died in Harrison County, Ohio, in 1836. She married, in the District of Columbia, February 2, 1794, Matthew Kennedy, of Paisley, Scotland, and became the mother of seventeen children, thirteen boys and four girls. The latter, it seems, all died in infancy, but all the sons lived to manhood. Fifteen of the seventeen children were: William Carmichael, Citizen James, John L., Napoleon Bonaparte, Mary Ann, Return Matthew, David Washington, Ohio Hines, Thomas J., Philip, Elizabeth, Jacob Jackson, Abraham, Christian Hines, and Daniel Hines Kennedy.

Matthew Kennedy and his family left Georgetown, D. C., May 12, 1806, and settled in Jefferson County, Ohio. Previous to leaving Georgetown, he executed a

bill of sale to his father-in-law, John Hines. It is dated March 28, 1806; is witnessed by Philip B. Key, uncle of Francis Scott Key, author of the "Star-Spangled Banner," and is recorded in the Office of the Recorder of Deeds of the District of Columbia. It reads:

"Know all men by these presents that I Matthew Kennedy of George Town and District of Columbia have for and in consideration of one hundred dollars to me in hand paid and for the payment of five hundred dollars which I owe to John Hines the father of my wife have granted, bargain and sell to the said John Hines his executors administrators and assigns, One waggon and four horses and set of traces compleat and three feather beds all of which I have this day delivered to him as his property in presence of Elisha Crown and Daniel Hines: To have and to hold the said waggon, horses, gears and feather beds to the said John Hines forever as his own absolute property."

Thomas Kennedy, brother of Matthew Kennedy, was a poet of national reputation, was a Maryland State Senator, and it was through his efforts and persistency that a bill was finally passed by the Maryland legislature permitting the Jews to hold public office.

Henry Hines, the second son, was born in 1777 and died in 1854. He was by trade a tanner, having served his apprenticeship under Anthony Hyde. He married Nancy Cole in 1807. The *Intelligencer* of July 12, 1854, and February 12, 1855, gives these two death notices:

"On the 11th instant, at half past 9 o'clock A. M., after a long and painful illness, Mr. Henry Hines, aged about 76 years, and for the last 54 years a resident of this city.

"His friends, and the friends of the family, are respectfully invited to attend his funeral today at 4 o'clock P. M., from his late residence on H, between 18th and 19th streets, in the First Ward."

Of Mrs. Hines the notice reads:

"On Saturday, the 10th instant, after a long and painful illness, which she bore with Christian fortitude, Mrs. Nancy Hines, aged about seventy-seven years, relict of the late Henry Hines.

"Her friends and those of the family are respectfully invited to attend her funeral this (Monday) afternoon, at 2 o'clock, from the residence of her son-in-law, Mr. G. Bitner, on H, between 18th and 19th streets, First Ward."

Henry Hines had one son and two daughters, namely: David, Elizabeth, and Susan. The children of Col. Robert Boyd are descendants of Elizabeth Hines. David was an original member of the Association of Oldest Inhabitants of Washington, D. C.

Jacob Hines, the fourth child, was born in 1778 and died in 1874. April 30, 1810, he married Susanna Hines, a second cousin. Their children were: Joanna Ryland, Philip John, and Sarah Ann Rossel. Mrs. Hines' death is mentioned in the *Intelligencer* of May 2, 1835, and is here given:

"On the morning of the 30th of April, after a long and lingering illness, which she bore with Christian resignation, Mrs. Susanna, wife of Jacob Hines, in the 49th year of her age."

Speaking of the death of Jacob Hines, *The Daily Critic*, of November 27, 1874, says:

"DEATH OF AN AGED CITIZEN.—Mr. Jacob Hines, aged about 97 years, died yesterday morning at the residence of his son-in-law, Mr. Jas. W. Barker, No. 1106 H street, northwest. The father of Mr. Hines came to this country from Switzerland, and afterwards returned to his native country and brought back probably the first cases of guns that were shipped to this country for the use of the colonists in the Revolutionary War.

"Mr. Hines' father and several of his father's brothers bore arms under General Washington, and remained in the service to the close of that long and bloody contest. Mr. Hines' father never received any pay, either for his personal services or for the guns he brought from Switzerland.

"Mr. Jacob Hines was, for many years, a messenger in the First Comptroller's Office of the Treasury, and always so deported himself as to demand the respect and esteem of his acquaintances.

"His funeral will take place from his son-in-law's residence at 2 p. m. tomorrow.

"Mr. Christian Hines, a brother, three or four years younger, is still very feeble, though he has partially gained the use of the limbs that were paralyzed."

The Evening Star, of Friday, November 27, 1874, has this item:

"Mr. Jacob Hines, one of the oldest citizens of the District, if not the oldest, died at the residence of Mr. James W. Barker, 1106 H street, yesterday morning, in the ninety-seventh year of his age. The deceased was born in Frederick county, Md., in 1777 and came to the District about ten years later, before there had been any attempt at founding a city on the present site of Washington. The family settled in Georgetown, where the deceased learned the trade of tinner, and he carried on business in that town for many years.

"In the last year of the last century he was converted and joined the Methodist Church, of which he remained a member up to the day of his death.

"When the plan was adopted for the city of Washington, and settlements were commenced, he, with his brothers, removed to the first ward of this city and resided there until within a few years past. During the war of 1812 he was in the army.

"He was one of the fathers of the Foundry M. E. Church, which was built soon after the war of 1812, and for a long series of years he was a class leader there. For some time past

he had been partially paralyzed, but he was conscious until within a few minutes before he died. The funeral will take place from the residence of Mr. J. W. Barker, No. 1106 H street, tomorrow afternoon at 2 o'clock."

In the *Star* of the following day appeared this brief account of the funeral:

"The funeral of the late Jacob Hines took place today and was attended by an immense concourse of the relatives and friends of the deceased, among them being the members of the Oldest Inhabitants' Association. The funeral services were performed by Rev. Dr. Cleaveland of Foundry M. E. Church and Rev. A. W. Wilson of Mount Vernon Place M. E. Church. The pallbearers were William Bond, James C. Kennedy, Matthew Mulhker, John C. Harkness, B. H. Stinemetz and E. Stellwagen. Interment was at Glenwood cemetery."

Daniel, the fifth child, was born in 1778 and died in 1832. He never married.

Philip Hines, the sixth child, was born 1780, and died January 29, 1860. In *The Evening Star* of January 30, 1860, is this obituary notice:

"On the 29th instant, at 1½ o'clock, after a short and painful illness, Philip Hines, in the 80th year of his age. The deceased was a son of a Revolutionary soldier, who, with four brothers, took an active part in that struggle for liberty; he was one of eight brothers who bore arms in the war of 1812. May he rest in peace.

"His friends and acquaintances are respectfully invited to attend his funeral from his late residence, No. 450 Twelfth street, 2 o'clock p. m., to-morrow (Tuesday) afternoon."

As a lad, Philip Hines assisted in carrying the instruments used by the surveyors in running the lines for the street and avenues of the National Capital, and it is said he established and operated the first line of

omnibusses running between the Capitol building and Georgetown.

Philip Hines married in 1825, Julia Ann Howard, who bore him eleven children, three of whom died in infancy, the others being: William H., George W., Emma, Frances, Thomas J., Daniel, Samuel, and John Philip.

Christian Hines was the seventh child.

The younger of the two daughters, Ann Elizabeth, married Benjamin Strong, and died August 4, 1834. Her death notice, in the *Intelligencer* of August 5, 1834, is here given:

"Yesterday, at the residence of her brothers, C. & M. Hines, corner of 20th street and Pennsylvania avenue, Mrs. Elizabeth Strong, a faithful friend and a devout christian.

"The friends and acquaintances of the family are respectfully invited to attend the funeral of the deceased, from the above place, to-day, at 3 o'clock, P. M."

Benjamin Strong was by trade a hatter, and prior to 1820 was a member of the Union Fire Company. He died in Washington, July 7, 1830, and it may be that both he and his wife were buried in the Little tract, before mentioned. They had but two daughters, Julia Ann and Mary Ann. The former married Henry L. Cross and has many descendants living here. The latter married Samuel C. Davison, a grandson of Samuel Davison, Commodore of the Pennsylvania State Navy at the time of the signing of the Declaration of Independence. She, also, has many descendants living in the District of Columbia and elsewhere, including the writer of this sketch.

Matthew Hines, the ninth child, was born in 1785 and died in 1862. *The Star* of December 9, 1862, gives this notice:

“On the morning of the 8th inst., Matthew Hines, in the 78th year of his age, and a resident of this District for the last 69 years.

“The funeral will take place from his late residence, Twentieth street, near Pa. avenue, on to-morrow (Wednesday) evening, at 2 o’ clock.”

At one time he was a man of means and influence. In 1825 and 1826, he served as a member of the Common Council of the District of Columbia. He was a sergeant in the War of 1812, as well as one of the early members of the Union Volunteer Fire Company, of Washington, and for a time its treasurer. He never married. His grave is in Rock Creek Cemetery.

Frederick Hines, the tenth child, was born in 1788 and died in 1834. He was in turn a baker, police constable, and grocer, and was an early member of the Union Volunteer Fire Company, of Washington, D. C. At the time of his death he resided near Tennallytown, D. C. He married Christina Ourand, his cousin, and had two sons and three daughters, those known being, William Thomas, Rebecca Ann, and Caroline Elizabeth.

Abraham Hines, a baker, was the eleventh child. He was born in 1792 and died in 1855. He served as second lieutenant in the War of 1812, at Indian Head, Maryland, and elsewhere, under Captain Blake and General Stewart, and was also an early member of the Union Volunteer Fire Company, of Washington City. He married Elenor Bowen, of Calvert County, Maryland, and had by her five sons and four daughters, namely: Margaret, Enoch, Eliza, Abraham F., John B., Christian Matthew, Mary Ellen, Christiana Elizabeth Kennedy, and Philip H. T.

William Hines was the last of the children; he died in infancy.

GENERAL ROGER CHEW WEIGHTMAN, A MAYOR OF THE CITY OF WASHINGTON.

BY ALLEN C. CLARK.

(Read before the Society, April 16, 1918.)

Roger Chew Weightman in an old birthday book has his entry into the world recorded "Jan. 18th, 1787." He was born in Alexandria, Virginia. His father, Richard Weightman, was from Whitehaven, England;¹ his mother's maiden name was Chew. His parents likely never heard of eugenics, yet in him had an exponent.

Young Weightman came to Washington when the general government to it was moving from Philadelphia. To gain a livelihood his capital was mental and manual. He selected the printing trade and engaged himself to Way and Groff, which from 1801 had its plant in the brick house on the south side of E street between Seventh and Eighth. He became an assistant to William Duane who printed and published at the northwest corner of Pennsylvania avenue and Sixth street. Weightman, May 27, 1807, bought the Duane business. Mr. Weightman had a bookstore also on F street in 1811. He discontinued the printing and publishing branch.

Mr. Weightman was successful. He bought in 1811, 1812 and 1813 the properties opposite his first establishment fronting on Pennsylvania avenue, Sixth and C streets, designated on the official plat as lots part 8, 9, part 10, 11 and 12 in square 491. He built in 1816

¹ Died at Alexandria, February 29, 1812, aged 52. "A worthy and respected inhabitant of that place."

or before on the avenue front what was known as the Weightman buildings.² In the corner he had a store where he sold books, but more the greater essentials of life, particularized in an advertisement, October 2, 1824: "Yarns, plaid shirtings, chambrays, sattenetts, chocolate, sugar, nails." The same date, September, 1813, he relinquished his branch store on F street, near Fifteenth, adjoining Mrs. Curtis' boarding house.

In the Weightman buildings for two years prior to August 15, 1820, the Mayor and the Register had offices; then they moved to the new City Hall. The National Hotel was built, taking in the Weightman buildings. It was opened the first time by John Gadsby, Washington's birthday, 1826, with parade and ball. From 1828 to 1832, the Bank of Washington had quarters on the first floor; at the latter date, it removed to its permanent banking house. In 1849, Calvert and Co. became the proprietors of the hotel; they made many improvements.

Mr. Weightman was a defender in the War of 1812. He was First Lieutenant of the Washington Light Horse, May 30, 1812. Elias B. Caldwell was the Captain. Captain Caldwell with his cavalry was ordered

² "On the site now occupied by the National Hotel, Gen. Weightman erected the row of houses which three or four generations ago were known as Weightman's Buildings. These were a block of five or six three story bricks, arranged for dwellings, with store rooms in one or two. Gen. Weightman lived in the corner house, and conducted a book and stationery store, which was the center of the literary circle of that day. The general, being a popular officer of the militia, and prominent in municipal affairs as a member of the city councils, and in 1824 as mayor of the city, drew about him the leading citizens, and at his store many members of Congress and other government officials were wont to gather. There were located here Joseph Wood, a portrait painter of repute, and Samuel Hanson, a clerk in the land office. John Graeff occupied one of the houses as a dwelling and wine store, and in another was John Gardner, who conducted a boarding house, at which Levi Barber and John W. Campbell, of Ohio; Thomas R. Mitchell, of South Carolina, and other congressmen were quartered."—James Croggon.

"to remove and destroy forage and provisions in front of the enemy, and to impede his march as much as possible, August 20, 1814."³ The march of the enemy was that to Washington by way of Bladensburg. General Winder collected all his forces for the battle of Bladensburg and Lieut. Weightman was of the army which ran. Men of mind are not boasters. Mr. Weightman was a man of mind. Yet a lapse does not defeat the rule and Mr. Weightman in one thing did boast, and that, at the Battle of Bladensburg, he "ran as fast as the rest of them." Lieut. Weightman with the rest of them helped to prove the Hudibras sentiment:

"Hence timely running's no mean part
Of conduct in the martial art."

Among the papers of President Madison is a communication of Lieut. Weightman, with the President's endorsement on it.

COOL SPRINGS, Sept 6, 1814

"Tuesday night

"7 o'clock

"*Dr Sir,*

"Mr Carroll arrived here between 4 and 5 o'clock this afternoon while I was on the heights of Benedict, with information from Sergeant Clark that the whole force of the enemy had gone down the bay—He has himself proceeded to the mouth of the Potomac to ascertain whether they move up that river or not. I apprehend however that they will not go up the Potomac as I have just learned that the enemy's ships have passed down that river. I shall proceed to Allen's Fresh in the morning—Clark will direct to me there, if Gaither finds him, who was met by Carroll this afternoon and directed to the most likely place to get information of him.

"Respectfully Yours

"R. C. WEIGHTMAN

"Capt Caldwell—

³ "Centennial History of Washington, D. C."

“Mr. Young takes this to Piscataway and he to take it from there.

“The enemy have not been seen today from the heights of Benedict with a good glass—Carroll states they were under sail at 11 o'clock this morning.”

The communication of Lieut. Weightman has reference to the retirement of the enemy from the Potomac to appear before Fort Henry on the Patapsco.

National Intelligencer, May 7, 1814:

“Married on Thursday evening, the 5th inst. by the Rev. Mr. Gilson, Roger Chew Weightman, Esq. to Miss Serena Hanson, daughter of Samuel Hanson of Saml. Esq. all of this city.”

No other item of information is there than he gave her a silver cup⁴ with the same sentiment sung by Old Ben Jonson:

“Drink to me only with thine eyes,
And I will pledge with mine;
Or leave a kiss but in the cup,
And I'll not look for wine.”

Mr. Weightman was elected to the tenth council, as common councilman, June, 1812. He then was in his twenty-sixth year. He continued in the eleventh and twelfth councils, each council representing a year, in the same capacity. He was the President for these two councils. He was a common councilman in the eighteenth council, beginning June, 1820. He was an alderman for three consecutive councils, the nineteenth, twentieth and twenty-first, beginning June, 1821.

In the joint ballot of the Councilors, June 9, 1817, for Mayor, Mr. Weightman had support. Benjamin G. Orr was elected.

⁴ The property of Roger Weightman Jannus.

At the election for Mayor, June, 1822, the rival candidates were Thomas Carbery and Mr. Weightman. The vote was close. On the face of the returns Mr. Carbery had a narrow margin. Mr. Weightman carried the contest to the Court. There the contest continued until Mr. Carbery's term expired, which conclusion has parallel in Dean Swift's lines on Cadenus and Vaneesa:

"For sixteen years the cause was spun,
And then stood where it first begun."

Mr. Bryan's work, "A History of the National Capital," has everything in it, briefly and yet comprehensively; accurately and yet attractively told. Mr. Bryan has that at this election were two parties—the poor man's party represented by Mr. Carbery, which required no more possessions than the clothes the citizen was in, and the moneyed aristocracy represented by Mr. Weightman, which required wealth to the extent of an assessment for one hundred dollars on the tax ledgers.

At the election, June, 1824, Mr. Carbery and Mr. Smallwood angled for the suffrages of the voters for Mayoral honors. Mr. Smallwood won.

Mr. Weightman was elected, Monday, October 4, 1824, by the Board of Aldermen and Board of Common Council, in joint session, Mayor, for the term ending June, 1826, in the place of Samuel N. Smallwood, deceased.

For mayorship Mr. Carbery and Mr. Weightman, June 5, 1826, again appealed to the voters. Mr. Carbery had 331 votes; Mr. Weightman, 487. The following Tuesday, Mr. Weightman addressed the two Boards:

"In taking a second time the oath prescribed by the charter,

it shall be my pride and my pleasure to administer the office of First Magistrate of this rising Metropolis with a single eye to the public welfare. In doing this, I am persuaded that I shall best express my convictions of the kindness of my fellow citizens, in calling me to the highest office in their gift. But it is to you, gentlemen, that the city looks with confidence for the enactment of wise and salutary laws. On the wisdom of your councils mainly depends our common prosperity. Let our joint efforts prove that the confidence of our constituents has not been misplaced."

The candidates were recognized as exemplary citizens and although the editors of the *National Intelligencer* from a political standpoint favored the rivals of Mr. Carbery, yet when that gentleman, June 15, 1826, was appointed Inspector of the Revenue and Deputy Collector of the Customs they editorially congratulated the citizens.

Mr. Weightman as Mayor conjointly with the Mayor of Georgetown had charge of the inaugural programme at the inauguration of John Quincy Adams, as President, March 4, 1825. They appointed Marshals of the day, Daniel Carroll of Duddington, General John Mason and Thomas Munroe.

All was agog on Lafayette's triumphal tour of the "U. States." There was that and that, as elsewhere, in the National City to hold in mind the idolized visitor. At Pishey Thompson's bookstore, n. s. Pennsylvania Avenue between 11th and 12th Streets, were Lafayette medals and Lafayette portraits. At the Theatre was "Lafayette, or, the Castle of Olmutz"; and that the tragic might not make frightful slumber was added the musical farce, "The Devil to Pay; or Wives Metamorphosed."

Marquis de Marie Jean Paul Roch Yves Gilbert Motier Lafayette visited Washington in his sixty-

seventh year. The committee for the reception, August 20, 1824, was Samuel N. Smallwood, Mayor, William W. Seaton, President of the Board of Aldermen, Peter Force, President of the Board of Common Council, Charles W. Goldsborough and George Watterston of the Aldermen, Edward I. Lewis and William Hunt of the Common Council, Maj. Gen. Jacob Brown, U. S. A., Commodore Thomas Tingey, U. S. N., Daniel Carroll of Duddington, Richard Bland Lee. The Mayor was the Chairman of the Committee; Mr. Seaton, Secretary. Mr. Smallwood died September 30. Mr. Weightman having succeeded as Mayor succeeded automatically to the chairmanship of the committee.

To have a clearer view of the setting for the reception of General Lafayette it is recalled that the Capitol did not then have the large dome over the rotunda and that the two wings were not commenced. The eastern portico had just been completed but not the grand stairway. The Capitol Square which within a year had a sidewalk laid along its borders was enclosed by a fence. The bounds of the Square were First Street east and A Street north and A south. At the east was a central gate. The grade on the eastern bound was about six feet higher than at present. On First Street at A north was the Old Capitol; on First from A south, northward, Carroll Row. In the street, East Capitol Street, immediately east of the Square, was a public market.

During the night preceding the reception young women decorated the entrance to the Square. Over the keystone was placed an eagle. Scrolls were caught with these inscriptions: "Lafayette, the associate of Washington, and Liberty's friend." "Hail, friend of Freedom." "A grateful Nation will not forget him who generously volunteered in her defence." Dra-

peries in bright colors and garlands of green added to the effect. The decoration, a surprise, reflected credit on the taste and industry of the ladies by whom it was designed and executed and called forth "loud expressions of admiration from the multitude."

October 12, 1824. At the District line the Baltimore Committee to the Washington Committee relinquished the guest. He in an elegant landau, drawn by four greys, accompanied by Maj. Gen. Brown and Commo. Tingey, and in another, George Washington Lafayette, his son, and Col. Vassieur, his secretary, with George Washington Parke Custis, had military escort. On the arrival at the city line, artillery posted on Maryland avenue gave salute and salutes followed at the Navy Yard and the Arsenal, at the latter with pieces captured in the Revolutionary War at Bennington, Saratoga and Yorktown.

"On rising to the extensive plain which stretches eastward from the Capitol to the Anacostia river, the General found himself in front of the most brilliant spectacle which our city ever witnessed, being a body of 10 or 1200 troops, composed entirely of volunteer companies of the City, Georgetown, and Alexandria, some of them recently organized, clad in various tasteful uniforms, and many of them elegant beyond any thing of the kind we have before seen." "Brig. Gen'ls Smith and Jones were in the field with their respective field officers of the first brigade. These troops, together with the larger body of cavalry, the vast mass of eager spectators which occupied the plain, and animation of the whole, associated with the presence of the venerated object of so much curiosity, gave a grandeur and interest to the scene which has never been equalled here on any former occasion."

The entire body of troops moved along East Capitol street towards the Capitol as escort. The General alighted at the east end of the market house. The

market on the exterior with other adornments had the Declaration of Independence over which was perched a great live eagle. The General passed through the draped market and entered the eastern entrance of the Capitol Square already mentioned.

At the gate the General was met by twenty-five girls, dressed in white and bearing flags and wreaths, twenty-four representing States and one the District of Columbia. The representative of the District arrested his progress and in a short speech delivered a welcome.⁵ Each of the girls presented her hand which the General received in affectionate manner and with kind expressions. (I quote briefly from the *Intelligencer*.) "He then passed a double line of girls, properly dressed, from the schools, who strewed his way with flowers." Then lines of students from the institutes. He was conducted through the great door at the north side of the Capitol, up the grand case, into the central rotunda "which of immense size, was filled with ladies and gentlemen." He passed on to the portico through the old tent of Washington lent by Mr. Custis to the front. The introduction concluded, in the presence of many thousand spectators, the Mayor delivered this address:

"*General*: In beholding you again in our country, after a lapse of forty years, and in the Capital of our Nation, on the vestibule of this magnificent temple, dedicated to its liberty, and at the door of that tent which, for eight years, formed the principal habitation of the achiever of our freedom; that tent in which you have so often partaken of his cares, and participated in his councils, the citizens of Washington feel emotions beyond the power of utterance.

"The gratitude and admiration which have been exhibited by our countrymen, since your arrival in the land which your

⁵ Miss S. M. Watterston, eleven years of age, daughter of George Watterston, Librarian of Congress.

exertions contributed to render free, are evidences of the estimation in which we hold him who bravely and generously aided in the attainment of the blessings we now enjoy. But the admiration and gratitude already displayed cannot excel what we feel on this occasion, nor what the whole American nation must feel, in beholding the associate of their Washington, and the brave defender of their country. The splendid and disinterested actions of your youth have been deeply interwoven with the memory of the old, and transmitted to the young of the present day. Actuated by the principles of a glorious Revolution, and animated by the example of its illustrious Chief, we have rejoiced to behold you, in every condition in which destiny has placed you, the same undeviating and unchangeable friends of liberty and of man.

“We will refrain from enumerating all the disinterested and splendid services you have rendered to our country; but, permit us particularly to refer to that awful period when, commanding in chief in the commonwealth of Virginia, you foiled the most renowned Captain of our enemy, confining him to the narrow precincts of Yorktown, where he was soon compelled to surrender to the combined arms, under Washington of the United States, and of our good friend, and potent and magnanimous ally, Louis the Sixteenth, King of France; in which memorable siege you acted a leading and distinguished part.

“With these recollections, we welcome you, with our whole hearts, to the Metropolis of our Nation, created since you left us, out of a wilderness—a city especially founded by our people as the *permanent memorial* of their liberty. To render it, at the same time, the *perpetual monument* of their grateful veneration for the pure, wise, brave, and consummate leader of our armies, and founder of our Republic, they bestowed on it the immortal name of WASHINGTON; under whom you learned the art of war; under whom you became a great and mighty prop to our cause, always commanding the confidence of your chief in the hours of gloom and peril; and, after our country’s freedom and safety had crowned your united efforts with imperishable glory, enjoying his steady, sincere, and

unvarying esteem and friendship to the latest moment of his life."

General Lafayette replied:

"The kind and flattering reception with which I am honored by the citizens of Washington, excites the most lively feelings of gratitude. Those grateful feelings, sir, at every step of my happy visit to the United States could not but enhance the inexpressible delight I have enjoyed at the sight of the immense wonderful improvements, so far beyond even the fondest anticipations of a warm American heart, and which, in the space of forty years, have so gloriously evinced the superiority of popular institutions and self-governments over the too imperfect state of political civilization found in every part of the other hemisphere. In this august place, which bears the most venerated of all ancient and modern names, I have, sir, the pleasure to contemplate not only a centre of that constitutional union so necessary to these states, so important to the interests of mankind, but also a great political school, whose attentive observers from other parts of the world may be taught the practical science of true social order. Among the circumstances of my life, to which you have been pleased to allude, none can afford me such dear recollections as to my having been early adopted as an American soldier; so there is not a circumstance of my reception, in which I take so much pride, as my sharing those honors with my beloved companions in arms: Happy I am to feel that the marks of affection and esteem bestowed on me bear testimony to my perseverance in the American principles I received under the Tents of Washington, and of which I shall, to my last breath, prove myself a devoted disciple. I beg you, Mr. Mayor, and the gentlemen of the Corporation, to accept my respectful acknowledgments to you and to the citizens of Washington."

Mr. John Cox, the Mayor of Georgetown, stepped in front and said in part:

"*General:* . . . It remains but for me to say, that the elec-

tric glow which was kindled at your arrival in America has vibrated with undiminishing force among my fellow townsmen, and that they yield to none in the sincerity with which they bid you welcome. Permit me to add my individual happiness in being made the medium of their address."

The General assured the Mayor that Georgetown was an old acquaintance of his, where he had found many friends, valuable and esteemed—and with greatest delight he would visit it.

For the Revolutionary officers, John Brown Cutting, the town laureate, addressed the General, in prose and poetry:

Come then, Fayette! accept deserv'd applause,
Who fought and bled in Freedom's sacred cause;
Take well-earned praises, fervent and sublime,
Burnish'd and Brighten'd by the wing of Time;
Take from the City of that Heroe's name,
Dear to thy soul, emblazon'd with thy fame,
Honors that grateful lofty minds dilate,
Ordain'd for deeds imperishably great!

The General, in the series of replies, continued:

"While I embrace you, Sir, and make acknowledgments to those of our Revolutionary comrades, in whose name you welcome me to this metropolis, be assured that I reciprocate those kind expressions of attachment, which from them are peculiarly gratifying. And although, in doing this, it cannot be expected that I should command such beautiful language as you employ, yet I speak from the bottom of my heart, when I assure you that the associations of time and place to which you allude, exalt the interest which I shall ever feel in your prosperity, and that of every meritorious individual who belonged to the Revolutionary Army of the United States."

The guest was conducted to the door of the north wing by the Mayor. With the General, the Mayor

ascended the landau accompanied by General Brown and Commodore Tingey. The procession was resumed in the original order and moved up Pennsylvania Avenue.

“In this passage the streets were lined with spectators; but the most pleasing sight was the windows on each side of it filled with ladies in their best attire and looks, bestowing with beaming eyes, their benedictions on the beloved Chief and waving white handkerchiefs, as tokens of their happiness.”

The General in company with the Committee was received at the Executive Mansion by the Marshal of the District, Tench Ringgold. He was conducted into the drawing room, where awaited him, the President, Mr. Monroe. The General and the procession then proceeded to his quarters at the Franklin Hotel, I and Twenty-first Streets.

The dinner was at six o'clock. The toasts at that extraordinary function as in all others at that period followed endless until the bottles were wineless; but the first at the Lafayette dinner was by the Mayor: *General Lafayette*: “Honor for his bravery; love for his worth; and gratitude for his services.” The General felicitously replied. His toast was: “The City of Washington—the central star of the constellation which enlightens the whole world.”

Fireworks in the Mall and illumination of residences made the night honors.

“Thus, this, the most brilliant event, perhaps, in the history of Washington, passed away. If neither our population nor resources enabled us to approach the splendor of Eastern cities, on this occasion, we have done our utmost to show the sincerity of the homage which we are disposed to pay to the early services and exemplary virtues of Lafayette.”

Congress gave a grand banquet to General Lafayette. Two hundred guests assembled at the Williamson's, January 1, 1825, at six o'clock. Joel R. Poinsett, from South Carolina, had the management. Mr. Gaillard, President of the Senate, presided at one table; Mr. Clay, Speaker of the House, presided at the other. The President, Mr. Monroe, sat on one side of Mr. Gaillard; General Lafayette, the other. While the dinner was served, a Revolutionary soldier, eighty years of age, from the Shenandoah section, arrived at the hotel. Mr. Poinsett personally invited the veteran to come up; he presented him to the General.

Said the veteran: "General, you don't remember me. I took you off the field when wounded in the fight at Brandywine."

"Is your name John Near?" asked the General.

"It is, General."

The General embraced him and congratulated him on his strength and years. "John Near also became the guest of Congress and remained at Williamson's a fortnight, feasting upon the good cheer and retiring to bed every night in a comfortable state of inebriation." Lafayette gave him \$2,000; which he exchanged for a Virginia farm.

At the banquet, General Lafayette gave the toast: "Perpetual union among the States—It has saved us in times of danger; it will save the world."

At a town meeting in the City Hall, June 8, 1826, the citizens "to make arrangements for celebrating the fiftieth anniversary of American Independence, in a manner worthy of the metropolis of the nation" appointed a committee of thirteen, to wit: The Mayor (Chairman), Commo. William Bainbridge, Thomas Carbery, Asbury Dickens, Joseph Gales, Col. Archibald Henderson, Dr. Henry Hunt, Gen. Thomas S.

Jesup, Col. Roger Jones, Capt. John L. Kuhn, Richard Bland Lee, Thomas Munroe, Judge Buckner Thruston, Dr. Tobias Watkins (Secretary).

Daily National Intelligencer, July 4, 1826:

"The sentiments contained in the following letters are in every respect so appropriate to the occasion of this day's Celebration, that, in offering them to our readers, it would be supererogation to add a word of comment. If history is philosophy teaching by example, where could a more beautiful example be found, than in that which is afforded by the following Letters from the surviving men of the Revolution?

WASHINGTON, June 14, 1826.

"Sir: As Chairman of a Committee appointed by the citizens of Washington, to make arrangements for celebrating the Fiftieth Anniversary of American Independence in a manner worthy of the Metropolis of the Nation, I am directed to invite you, as one of the Signers of the ever-memorable Declaration of the Fourth of July, 1776, to favor the City with your presence on the occasion.

"I am further instructed to inform you, that, on receiving your acceptance of this invitation, a special deputation will be sent, to accompany you from your residence to this City, and back to your home.

"With sentiments of the highest respect and veneration, I have the honor to be, your most obedient servant,

"R. C. WEIGHTMAN

"Mayor of Washington, and Chairman of the Committee of Arrangements."

"DOUGHORAGEN MANOR, June 17, 1826.

"Sir: I was this day favored with your letter of the 14th inst.

"I am much obliged to the Committee for their invitation to attend, on the fourth of next month, the celebration of the Fiftieth Anniversary of American Independence, in the Me-

tropolis of the United States. Having received a similar invitation from the City of New York, and having declined it, I cannot with propriety attend the celebration at Washington.

"Accept, Sir, my thanks for the sentiments you have expressed to me in your letter.

"I remain, with great respect, Sir, your most humble servant.

"CH. CARROLL, of Carrollton."

"QUINCY, June 22, 1826.

"R. C. WEIGHTMAN, Esq., Chairman, jr.

"*Sir*: Col. House, of the U. S. Army, now stationed at Fort Independence in my neighborhood, has favored me with a call, and communicated your very polite letter, desiring him to offer me an escort to Washington in order to celebrate with you the approaching Fiftieth Anniversary of our National Independence.

"I feel very grateful for this mark of distinguished and respectful attention on the part of the citizens of the City of Washington, which the present state of my health forbids me to indulge the hope of participating, only with my best wishes for the increasing prosperity of your city, and the constant health of its inhabitants.

"I am, Sir, with much respect, your friend and humble Servant,

"J. ADAMS."

"MONTICELLO, June 24, 1826.

"*Respected Sir*: The kind invitation I received from you, on the part of the citizens of the City of Washington, to be present with them at their celebration of the Fiftieth Anniversary of American Independence, as one of the surviving signers of an instrument, pregnant with our own and the fate of the world, is most flattering to myself, and heightened by the honorable accompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoic-

ings of that day; but acquiescence is a duty under circumstances not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged these congratulations, personally, with the small band, the remnant of that host of worthies who joined with us, on that day, in the bold and doubtful election we were to make, for our country, between submission and the sword; and to have enjoyed with them the consolatory fact that our fellow citizens, after half a century of experience and prosperity continue to approve the choice we made. May it be to the world, what I believe it will be (to some parties sooner, to others later, but finally to all), the signal of arousing men to burst the chains, under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. The form which we have substituted restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened or opening to the rights of man. The general spread of the lights of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few, booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others; for ourselves, let the annual return of this day forever refresh our recollections of those rights, and an undiminished devotion to them.

"I will ask permission here to express the pleasure with which I should have met my ancient neighbors of the City of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse—an intercourse which so much relieved the anxieties of the public cares, and left impressions so deeply engraved in my affections, as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance, be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.

"TH. JEFFERSON."

The committee of arrangements through the Mayor invited the Ex-Presidents and he varied the communication to fit:

“MONTPELIER, June 20, 1826.

“*Dear Sir:* I received by yesterday’s mail your letter of the 14th, inviting, in the name of the Committee of Arrangements, my presence at the celebration, in the Metropolis of the United States, of the Fiftieth Anniversary of American Independence.

“I am deeply sensible of what I owe to this manifestation of respect, on the part of the Committee, and not less so of the gratifications promised by an opportunity of joining with those, among whom, I should find myself, in commemorating the events which calls forth so many reflections on the past and anticipations of the future career of our country. Allow me to add that the opportunity would derive an enhanced value from the pleasure with which I should witness the growing prosperity of Washington, and of its citizens, whose kindness, during my long residence among them, will always have a place in my grateful recollections.

“With impressions such as these, it is with a regret, readily to be imagined, that I am constrained to decline the flattering invitation you have communicated. Besides the infirmities incident to the period of life I have now reached, there is an instability of my health at present, which would forbid me to indulge my wishes, were no other circumstance unpropitious to them.

“This explanation will, I trust, be sufficient pledge that, although absent, all my feelings will be in sympathy with the sentiments inspired by the occasion. Ever honored will be the day which gave birth to a nation, and to a system of self-government, making it a new epoch in the history of man.

“Be pleased to accept, Sir, for yourself and the Committee, assurances of my respectful consideration, and of my best wishes.

“JAMES MADISON.

“R. C. WEIGHTMAN, Mayor of Washington,

“And Chairman of the Committee of Arrangements, &c.”

"OAK HALL, June 28, 1826.

"*Sir:* In consequence of my attendance in Albemarle, on important concerns of a private nature, I was deprived, until to-day, of the gratification afforded by the receipt of your invitation to unite with my fellow citizens of the Metropolis of our Union, in the celebration of the Fiftieth Anniversary of our Independence.

"Having devoted my best efforts, through a long series of years, to the support of that great cause, and a large portion of them in the Metropolis, the kindness shown me, by this invitation, is gratefully acknowledged. Many engagements which press on me at this time, render it impossible for me to leave home, of which you will have the goodness to apprise the Committee of Arrangement.

"With great respect and esteem, I have the honor to be, your very obedient servant,

"JAMES MONROE."

The account of the Jubilee, has this apropos quotation from the scriptures, Leviticus xxv—9, 17, 18, to head it.

"Then shalt thou cause the trumpet of the jubilee to sound . . . throughout all your land. And ye shall hallow the fiftieth year and proclaim liberty throughout all the land unto all the inhabitants thereof. Ye shall not therefore oppress one another; but thou shalt fear thy God—and the land shall yield her fruit, and ye shall eat your fill, and dwell therein in safety."

"The most conspicuous object in the procession was General Philip Stuart, a veteran, whose body is seamed with honorable wounds received in the war of the Revolution, habited in the military costume of the Revolution, bearing the standard of his country—supported on one side by Commodore Bainbridge, and on the other by Gen. Jesup.

"The exercises were at the Capitol. Hon. Joseph Anderson who was in battle throughout the Revolutionary War, with appropriate explanatory comment, read the Declaration

of Independence. The Metropolis's orator on all state occasions, Walter Jones, made the oration on this occasion.

"Here the Orator indulged in the most cheering anticipations, as well for this continent, as for the Old World, looking forward to the celebration of the next Jubilee—and predicting the universal freedom of all America, and the ameliorated condition of European nations."

Notice had been given by the Mayor that at the conclusion of the exercises a subscription for Mr. Jefferson would be opened. James Barbour, Secretary of War, made the appeal and Richard Rush, Secretary of Treasury, concurred in it.

It is a reasonable conclusion that the letter by Mr. Adams and the letter by Mr. Jefferson were the last written. Mr. Jefferson of his earthly end had no other solicitude than that he might not reach the Fiftieth National Anniversary. Said he: "Do not imagine for a moment that I feel the smallest solicitude about the result. I am like an old watch, with a pinion worn out here and a wheel there, until it can go no longer." He died at ten minutes before one o'clock.

The *Daily National Intelligencer* announced, July 7:

"THOMAS JEFFERSON IS NO MORE.—His weary sun hath made a golden set, leaving a bright tract of undying fame to mark his path to a glorious immortality."

Mr. Adams had the same solicitude. The day previous, the third, he mistakenly said, "*it* is the day." His already benumbed faculties roused by the trumpet's clang and cannon's roar on the Day of Jubilee, he inquired of those around his bed, the cause of those signs of rejoicing and was informed that it was in honor of the Fourth of July. He answered—"It is a Great and Glorious Day!" Last he murmured,

"Jefferson still lives"—but Jefferson had passed on; Adams survived him a few hours.

It is a wonderful coincidence that even fifty years to the day from the date of the Declaration of Independence, the work of Mr. Jefferson, and within the hours it was being declaimed, his spirit should take flight; that Mr. Adams who asked that Mr. Jefferson write the document, within the same hours should close his mortality.

At the City Hall upon the Mayor's call was a town meeting, July 8, to arrange memorial honor to Mr. Jefferson; another, July 11, for like arrangement to Mr. Adams. William Wirt, then Attorney General, was designated to deliver an oration on Jefferson and Adams. A committee with the Mayor, chairman, was appointed to wait upon Mr. Wirt.

Sir Charles Richard Vaughan was the Envoy Extraordinary and Minister Plenipotentiary to the United States from Great Britain during Mr. Weightman's mayoral reign. In high society Sir Charles was the illumination, as the sun makes a light day. For didn't Dolly Madison to her niece write: "But if Sir Charles Vaughan leaves what will we all do?" And so, the Mayor, the chairman of the committee on arrangements for the Fourth of July dinner, enthusiastically and cordially invited Sir Charles. It was too near the last disagreement for Sir Charles to relish American buncombe. He saw the spirit and was not insulted and indited a diplomatic note to the effect he thought he should be indisposed on the Fourth of July.

The citizens of that time had for the city an eighteen carat admiration; in fact, were idolators. Everything about it to them was big and beautiful. Everything which happened was a little more grand than anything that ever happened before. The women were ladies,

ever young and lovely. The men without titles in front never failed to have less than an Esq. behind. The speakers had several shades of sweetness on the honey-lipped St. Chrysostom. The sideway for three blocks newly paved with brick was as a "paved work of sapphire stone" stretching to where the heaven makes the horizon. The city was the Metropolis of the Nation whereas it was not a sure-enough city until the Civil War and may not be a metropolitan city until after the German War. When the people came out to view the parade on Pennsylvania Avenue, the best avenue for the purpose in the whole world, it was the populace, the concourse, the multitude. The description of the crowds which lined the avenue will answer for these times when there are already here four hundred thousand and materially many more when anything is to be seen, visitors from the now populous nation.

The population began with a scant 16,000 and ended with 700 more in the three years of Mr. Weightman's administration. These figures included adults and minors, males and females, white and black. And Georgetown had perhaps half as many people as Washington. For the period in question the annualist's (John Sessford) résumé for 1826 suffices:

"The improvements in the City within the year are generally of a permanent nature and very valuable, and greater than they have been for some years past, in the improvement of streets and rapid extension of paved sidewalks—ample provision is made for the poor, and the education of youth at the public expense have been productive of great benefit."

President Adams entered in his journal, July 2, 1827, that Mr. Weightman, the Mayor, and Mr. Goldsborough came as a committee from the citizens to request him unite in the Independence Day celebration by

joining in the procession and attending the oration to be delivered at Dr. Laurie's church. Mr. Adams says the oration was by Richard S. Coxe, "after this there was sung an ode or hymn." The *Intelligencer's* reporter put this feature another way: "The pleasure of the whole being much enhanced by some fine music by an amateur choir of ladies and gentlemen under the direction of Mr. McDuell, and by the excellent music of the marine band." Mr. Adams continues to say that the house was scantily filled, that he was escorted home by a cavalry troop; and that he "received visitors, that is, the whole population, from one till three."

An important lottery decision was made in the time of the Weightman mayoralty. It was in Chastein Clark against the Corporation of Washington. Congress by an act, May 4, 1812, amendatory to the charter, gave the corporation full power and authority to authorize the drawing of lotteries for effecting any important improvement of the city, which the ordinary funds or revenue thereof, would not accomplish: provided, that the amount to be raised in each year shall not exceed the sum of ten thousand dollars. The President to pass upon the question of importance.

The Corporation of Washington passed various ordinances in reference to lotteries which are set out in the final opinion. The Managers for the Corporation sold to David Gillespie of New York a lottery called the "Fifth Class of the Grand National Lottery" for ten thousand dollars to be paid before its commencement. An agreement between the Managers and Gillespie was executed of date, May 4, 1821.

Advertisements appeared in the local papers having the names of the Managers to which was appended a notice by Gillespie "as agent for the managers" for

sale of tickets at his "Fortunate office, Pennsylvania Avenue, Washington City."⁶

The lottery ticket itself is almost a complete history of the lottery.

Fifth Class.	\$100,000 Highest Prize.		For erecting two Public Schoolhouses, a Penitentiary, and Town Hall.
	William Brent	} Managers.	
	John Davidson		
	Thomas H. Gillis		
	Andrew Way, Jun.		
	Moses Young		
	Daniel Rapine		
	R. C. Weightman	No. 2929.	
National Lottery.			
<p>This Ticket will entitle the Possessor to such Prize as may be drawn to its Number, if demanded within twelve months after the completion of the Drawing; Subject to a deduction of Fifteen per cent. Payable sixty days after the Drawing is finished.</p>			
<p><i>Washington City, February, 1821.</i></p>			
<p>Thos. H. Gillis, <i>Manager.</i></p>			
<p><i>By Authority of Congress.</i></p>			

Ticket No. 2929 is reproduced. It is the one for which Chastein Clark gave "thanks to giddy chance." It is useless to repeat the number. The number now can have no fortunate significance. The wheels of the lottery have ceased to spin. The blessings of the lottery are no more. The pleasures of the imagination sweeter than the pleasures of reality were in the pos-

⁶ "David Gillespie, U. S. lottery office, Penn. av. nearly opposite Brown's hotel." "Jesse Brown, proprietor of Indian Queen hotel, n. side Penn. av. btw 6 and 7 w." Directory, 1822.

session of him who had in his wallet a ticket for the next drawing. The possessor had already the tangible things of wealth as the homage given to wealth. Before the door of his stone front was a pompous lackey; upon the walls, the talent of the masters; his handsome equipage awed the crowd; he patronized genius, bestowed charity and sat with the wise—in his mind. If yet the lottery offered golden promise we would repeat Mr. Clark's number as the golden number for those who do not accept equal chance in all the numbers and whom Addison likened to the ass between two bundles of hay; his eyes and nose equally tempted by either side, he could not violate his neutrality before he starved to death. But the discussion is without worth. The poor are welcome to their poverty. The poor man's riches, thin as the impalpable air, and for a short span, are denied. The lottery has been crushed.

Mr. Clark, happy in expectation, presented the ticket which he had bought from an agent of Mr. Gillespie in Richmond. Mr. Gillespie having disposed to his own use the proceeds or a considerable part thereof, the Corporation declined to honor the ticket or even acknowledge its liability so to do. Its defense was really repudiation under a dress of legal sophistry.⁷

Mr. Clark brought an action in the Circuit Court for \$100,000, March 31, 1823. The case was removed to Alexandria County and there tried. At the trial the case was elaborately argued. Thomas Swann, the District Attorney, and William Wirt, the Attorney General, for the plaintiff, December 7, 8, 9, 10, 1824, and Walter Jones, for the defendants, December 11. The question on which turned the decision was whether Gillespie owned and operated the lottery on his own responsibility or whether he was the agent of the man-

⁷ The Mayor by Act approved September 3, 1827, was authorized to take out letters of administration on the estate of Gillespie.

agers. Verdict for \$35,000 was given. The Court granted a new trial. On an agreed statement at the April term, 1825, the Court gave judgment for the defendant, which was appealed. Cranch, 2, 502.

The hearing before the United States Supreme Court was on January 26, 1827. Daniel Webster in the high tribunal appeared as counsel instead of Mr. Swann. The decision was for the plaintiff, Clark; the opinion by Chief Justice Marshall. The brief of Mr. Jones is in narrow distinctions. The opinion of the Chief Justice is succinct and clear. Throughout the case ticket holders are called "fortunate adventurers for prizes." The court speaks of the limitation of \$10,000 as the yearly benefit the Corporation can desire as a Congressional restriction of gaming. Wheaton, 12, 40.

The message of Mayor Weightman announcing to the Councils the decision was, of course, mournful yet it had chinks through which glimmered the rays of hope. The first paragraph:

"MAYOR'S OFFICE, March 12, 1827.

"TO THE BOARD OF ALDERMEN AND BOARD OF COMMON
COUNCIL:

"Since the last meeting of the two Boards, the most interesting subject to our constituents is the late decision of the Supreme Court, in the case of Chastain. Clarke against the Corporation, adverse to our pretensions. Their opinion, a copy of which is herewith sent, involves the City in a very heavy debt. The necessity and expediency of promptly meeting the judgment of the Court, in a manner which shall have the effect of presuming, unimpaired, our credit, with the least possible burthen upon the community, is submitted to the wisdom of the Councils. No better mode suggests to my mind, than the creation of a stock, the interest of which shall be paid out of our present Lottery resources, and the surplus pledged as a sinking fund to redeem the principal. If, in addition to

this, were added the accruing taxes upon improvements annually made, for a few years to come, the principal of the Stock thus created, might be extinguished without the necessity of any augmentation of our taxes; leaving us, at the same time, the whole of our present resources untouched, and applicable to the general improvement of the City. By the exercise of sound economy, and by limiting our appropriations to such objects only as shall promote our true interests, the abstraction of the revenue to be derived from the improvements for a few years to come, will not be felt, and the City will continue to advance in its present prosperous career.’’

The Mayor advises other recoveries for prizes drawn.

The Councils by an Act approved September 13, 1827, authorized the issue of stock at four per cent. interest payable on or before thirty years to be delivered to Clark for a “good and sufficient acquittance in law and equity.” The line had poor bait to catch Mr. Clark. The Councils tried again by an Act approved October 23, 1827, which made the stock bear five per cent. and due in ten years. It was accepted. A similar act was passed, August 19, 1828; to provide for the other prizes drawn the Corporation was requested to redeem by judgments at law. The stock created to discharge Gillespie claims, April 1, 1829, was \$198,000.^s

^s The early history of Washington reveals a very interesting feature, a system of lotteries. Lotteries with the approval of the President for improving the city were authorized in amounts of not exceeding \$10,000 in any one year by the charters of 1812 and 1820.

On November 3, 1812, the city council adopted a resolution to raise \$10,000 by lottery for building two public school houses. On August 3, 1814, a similar lottery to raise funds for the erection of a workhouse, and on May 10, 1815, one to raise funds for building a city hall were recommended. In 1816, 1817, 1818, 1819, 1820, and 1821, resolutions were adopted for raising \$10,000 by lottery with which to erect the aforementioned buildings. By act of July 24, 1815, Congress appointed seven men to manage three lotteries authorized up to that time for raising a total of \$30,000. On November 17, 1818, an ordinance was passed au-

The ten lotteries of the Corporation, 1812 to 1821, including the Gillespie affair, netted the Corporation \$100,000, if the full limitation, *i. e.*, \$10,000 at each was fully realized.

The other mention of Mr. Weightman in Mr. Adams' journal is under date, May 31, 1827. It states that Rev. William Matthews, a clergyman of the Roman Catholic Church and Mr. Weightman, the Mayor, came as a committee from the directors of the Washington Library requesting the use of a public lot on which to erect a small brick building to keep the books. Father Matthews was the President of the Library.

Mr. Weightman resigned the mayoralty, July 21, 1827, to give his undivided attention to his duties as Cashier of the Bank of Washington to which he had been just elected. He continued to be the Cashier of that institution until 1834. At the time of his selection as Cashier he was a Director in the Branch of the United States Bank, F and Thirteenth streets. Mr. Weightman ran for Mayor, June, 1850, and was defeated by Walter Lenox, by the small margin of 32 votes.

In the early times, Mr. Weightman was on about all the committees for state occasions, as Independence Day and Birth Night celebrations, May balls, inauthorizing the mayor to appoint seven citizens to manage a lottery to raise a total sum of \$40,000, as provided for by the resolutions of 1816,-17,-18.

On January 4, 1827, an ordinance authorized the sale of the three pending lotteries, as well as any future ones to be authorized under the charter provisions, the purchasers to assume the entire responsibility for the payment of the prizes. Under this ordinance David Gillespie and others took over the management of the lotteries. Gillespie defaulted with the main prize and other amounts. The managers being unable to pay the prizes, the city was subjected to judgments aggregating upward of \$198,000. No further attempts were made to raise money by the lottery method.—Harry Milloff, Educational Contest, Washington high schools, 1915.

gurations and public dinners. General William Henry Harrison, the Whig presidential candidate, was met while on the steamboat, September 20, 1836, by a committee of which was Mr. Weightman. He was the one to present the letter extending "a hearty welcome to the Metropolis of the United States," which he did "with a neat and pertinent address."

"The Washington Guide," by William Elliot, published 1837, has given thirty-nine names as "Amongst those who by their wealth, talents, or industry have contributed to the formation of an infant Metropolis. . . . Roger C. Weightman."

The Columbian Institute for the promotion of "mathematical, physical, moral and political sciences, general literature and fine arts," was organized, October 7, 1816. Of the primal organization Mr. Weightman was elected a curator. Under the Congressional charter, April 20, 1818, he was of the first board of managers. The Institute was most honorable and its participants were men of national reputation and of city celebrity.

Of the Washington National Monument Society, Mr. Weightman was of the original board of managers (1833).

With Thomas Carbery, Mayor, William Prout, George Sweeny, and John P. Ingle, Mr. Weightman was a Commissioner for Building the City Hall (1820).

With Thomas Carbery, Mayor, George Watterston, James Hoban, and Adam Lindsay, Mr. Weightman was a Commissioner for Draining Low Grounds. Under authority of the Congressional act creating it, the Commissioners sold two squares on each side of Pennsylvania avenue formerly parts of the Mall.

Mr. Weightman had judicial authority, for he was a Justice of the Peace, January 2, 1827, to January 2, 1837.

Mr. Weightman was of the managers of the Rockville and Washington Turnpike Company (April, 4, 1828).

Mr. Weightman was Chairman of the citizens' committee (1820) to coöperate with the Corporation authorities in the encouragement of the construction of the Chesapeake and Ohio Canal.

“How sharper than a serpent's tooth
It is to have a thankless child.”

Equally sharp it is to the child to be repaid in indifference and negligence for devotion and sacrifice. The Nation and the Nation's City are in relation of parent and child. In the earlier years to dress it to comport with its respectability as the Nation's City was a severe strain on the thin purse of the Corporation. The narrowness of its finances is evident in the lottery history. To realize an annual addition of \$10,000 to the revenues was attempted the hazard of the lottery then growing into disfavor on grounds of propriety. Even this amount of minor magnitude was too large for the sparse population. The Councils by Act directed the Mayor to address the State legislatures for the privilege of vending. It is a fact—it is not an assertion of recent origin—that in the earlier years the corporation of Washington paid about all the bills for improvements and the general government paid about none of the bills. Notwithstanding the devotion and the sacrifice of the Washingtonians in the care of the Nation's City, the Nation has neglected to allow them those rights which are dearest to the American bosom, common to all other Americans. Those rights are the unalienable rights of life, liberty and the pursuit of happiness secured by a government deriving its just powers from the consent of the governed. What here

is said, was eloquently said, by William Biddle Shepard, 1836, in the House of Representatives.

"In the plan originally adopted by the government for the city of Washington," said Representative Shepard, "the width and extent of the streets were upon a scale greatly beyond the necessities of any resident population which will ever be found there.

"All this was done doubtless to gratify the national pride or for the accommodation of the public; why, then, should not the nation pay for these expensive tastes?

"The United States are much the largest proprietors of real estate within the city, and yet they have paid comparatively nothing toward the improvement of the streets, while individual owners of lots have paid more than \$400,000. I can perceive no principle which can justify the government in not paying along with other properties for the improvement of streets, which add to the value of their property, particularly when the government claims the right of property in the streets, points their direction and describes their dimensions, matters over which the corporation of Washington can exercise no control, but are the passive instruments of the people of the United States.

"If the United States had paid in proportion to the property they hold within the city, as other proprietors have done, their proportion toward the expenses of the city since the year 1802 would at this time amount to more than the entire debt of the corporation.

"The citizens and the corporation of Washington have, with a public spirit which does them a great credit, effected much; they have struggled on under great disadvantages; they have built up a city for the accommodation of the people of the United States, under the most adverse circumstances, with but little aid from its wealthiest and largest proprietor, without foreign commerce or internal trade.

"The people of the District stand towards the Congress of the United States in a peculiar and unusual position; they are excluded from many of those rights which are dearest to an

American bosom; they have no voice upon this floor; to them we owe no responsibility; they can make no appeals but to our justice and humanity, and I do trust that in an American Congress that appeal will never be made in vain.

"When the government was poor and needy, individuals aided you in building up the metropolis of the nation. Now, when you are rich, when you are embarrassed with your wealth, render to those who were your friends in your hours of need a simple act of justice."

Miss Louisa S. Weightman of Gen. Weightman, January 6, 1918, writes:

"Before the death of his wife . . . the family was prominent in the social life of Washington and for many years a fancy ball they gave was talked about as one of the unique and beautiful of the social events of that time."

In this connection James Croggon has:

"Ten years later the Bank of Washington had come from Capitol Hill and bought the Stettinius property facing Louisiana avenue, 7th and C streets, on which was a spacious three-storied brick building on the site now covered by the National Bank of Washington. Gen. Weightman was then the Cashier of the bank and had his residence over the bank for a number of years. Gen. Weightman's residence became as well known as the bank itself. He was prominent in social as well as business circles, and the halls over the vaults and office were often the scenes of society functions. One of these was a fancy ball, in 1837, at which Washington's '400' turned out en masse, and this having equalled, if not surpassed, all prior affairs of this kind, 'Gen. Weightman's ball' was long in the minds of the people."

These reminiscences invite the extract from the "Life and Letters of Dolly Madison":

"Mrs. Madison's affability was in youth—throughout—and

in age. In youth she was courteous to age and in age, she was bending to youth. It is no wonder, then, that in age she was honored by youth and that youth courted her presence and withdrew every limitation that might discourage it.

“ ‘Bal Costume.’ ”

“Mrs. Weightman requests the pleasure of Mrs. Madison’s company on Thursday evening the 21st of Feb. at 8 o’clock in Fancy Costume.

“Thursday, Jan’y 31st (1839).

“My dear Madam:

“Understanding that you feel some difficulty in coming to the Fancy Ball in Fancy Costume, allow me to say that I shall be most happy to see you in your usual dress—

“I am dear Madam

“Yrs most cordially

“SERENA L. WEIGHTMAN.”

Mrs. Weightman was Louisa Serena Hanson, the youngest daughter of Samuel Hanson and Mary Kay Hanson. Mr. Hanson was collaterally related to John Hanson, a delegate from Maryland to the Continental Congress and its President. Mrs. Hanson wrote her name interchangeably, Louisa Serena and Serena Louisa. Samuel Hanson died December 16, 1830, in his seventy-eighth year. Mrs. Weightman died about the year 1839.

In Mr. Weightman’s time also was determined effort by those who care not for that which “maketh glad the heart of man” to prevent those who did from recourse to the medium of gladness. The advocates of abstinence could within the covers of the scriptures find authority so overflowing as to ignore the inquiry, “Should I leave my wine, which cheereth God and man” and Paul’s suggestion to Timothy to use a little for tonic purposes. The patriarch Noah, drunken with success as a manager of a menagerie, had toasted

himself too freely and was of the awful examples. The direness of drunkenness was preached early and late and none escaped, old or young, the warning of evil. A grandchild asked Mr. Weightman if he was ever drunk. He confessed he had been and the young ones listened for the tale of orgy and disgrace. "In Alexandria, when I was ten years old, I leaned over the vats and breathed the pungent and pleasant fumes until I reeled and fell from intoxication."

The directories disclose that Mr. Weightman lived, 1822, in Weightman Row and he had his place of business there. The Bank of Washington in 1827 was on the east side of New Jersey Avenue between B and C Streets south and Mr. Weightman over the banking rooms lived. In 1834 the bank had removed to Seventh and C and Louisiana Avenue and Mr. Weightman lived on the avenue side of the bank building. About 1850 he moved to the north side of the avenue and there he lived many years, including the period he was connected with the Patent Office. Old numbering 43.

Mr. Weightman contributed his interests in square 491 and George Calvert and others contributed theirs in the same square, October 24, 1831, to an association to own the hotel. In the association Mr. Weightman had originally sixty-eight shares of the total three hundred and fifteen. From time to time he realized on some of his shares and transferred some to members of his family. The final sale, twenty-six shares, was made, May 11, 1871, to the new formed National Hotel Company.

Mr. Weightman was the Chief Clerk of the Patent Office from June 1, 1851, to May, 1853. Under a change of administration he was changed to a second-class clerk and his duties were in the library. He experienced "the joys of librarianship"⁹ for twenty years;

⁹ "The Joys of Librarianship," Arthur E. Bostwick.

for "to the useful type of mind that delights in effecting public enlightenment this task makes a special appeal." In 1870 he was removed to the outside. Governor Shepherd, at the time Vice-President of the Board of Public Works, gave him a position with the Board, which he resigned when illness required.

Mr. Weightman ascended the military ladder and became a Colonel. The correspondence is preserved that shows Captain Force's request for the appointment of the next day for himself and his command to make a complimentary call—the Colonel's compliance with the request—with the result that the hour not being designated Captain Force and his company came when the Colonel was somewhere else. March 27, 1860, President Buchanan appointed Mr. Weightman Major General of the Militia of the District of Columbia. General Weightman had his headquarters in the Patent Office Library. He received the company lists for enlistment. He was assisted by Col. Charles P. Stone, specially in the detective department.

To the Mayor, Mr. Berret, General Weightman made this communication:

"February 1, 1861.

"*Dear Sir:* Be pleased to send me at your earliest convenience a list of the names and residences of your police force for day and for night service.

"If the assistance of the police should be required it is important to have the means of reaching them as early as practicable."

The Mayor replied that he would not relinquish an important prerogative of the Mayor's office, the virtual subordination of the civil of the city to the military of the District. That "he is not sensible of the existence of any legal provision which empowers a military of-

ficer, however high in rank, even in the presence of the most imminent danger, to assume command of the police or to make requisition upon the Mayor for its service."

General Weightman informed the Mayor that he misunderstood his request. That he simply wished to be in a position to have the services of an officer or more in an emergency. That he had no notion of interfering with the Mayoral duties.

The Mayor with elaboration adhered to his refusal. It is not improbable that the Mayor had more partisanship than principle. At any rate it created a suspicion of disloyalty which increased by his declination to take the prescribed oath as Police Commissioner. The declination made him the government's guest in a fortress in New York harbor.

General Weightman did not have to wait until Charon had him safely rowed to the far side of the Styx and his attention distracted from celestial employment, to read his own obituarial review. For three years and nearly four he could do that while yet in the land of the mortals. In *The Star* of July 1, 1872, he read:

"Gen. R. C. Weightman, one of our oldest and most estimable citizens, is lying at the point of death at his residence on 20th street between G and H. His attending physician, Dr. Maxwell of the Navy, believes that he cannot long survive."

The General must have been pleased with the recitation of his achievements and in his pleasure indulgently overlooked the slight inaccuracies of the reporter.

General Weightman died February 2, 1876, in the morning, at his residence 717½ Twentieth Street.

Official correspondence:

“(To Col. Amos Webster, Adjutant General of the D. C. militia.)

“The funeral of the late Roger C. Weightman, the Commissioners are informed, will take place next Sunday under the auspices of the Masonic societies of the city. General Weightman was major general of the District militia; and one time mayor of the city; he was also an officer in the last war with Great Britain, and for many years an influential, prominent and active citizen. It would, therefore, seem to be a proper reason for a military display as a mark of respect, and the Commissioners refer the subject to you for such decision and action as you shall consider advisable and proper in the premises.

“Very respectfully,

“WM. TINDALL, *Secretary.*

“General Orders No. 16. The companies comprising the 1st Regiment N. G., D. C. M., are hereby ordered to attend as an escort at the funeral of the late Major General Roger C. Weighman, to take place on Sunday, the 5th inst. at 2.30 o'clock p. m. from the Masonic Temple. Col. Robert I. Fleming will command and make all necessary arrangements for the prompt execution of this order.

“By order of the Commissioners,

“A. WEBSTER, *Adj. Gen. D. C. M.*”

“To BRIG. GEN. WM. G. MOORE, Commanding D. C. M.”

General Weightman's Masonic history is that he was the first candidate for membership in Lebanon Lodge, No. 7, F. A. A. M., chartered in 1811; his application dated November 14, of that year. In the Lodge he was Senior Warden; and in the Grand Lodge, Grand Master. His offices “he filled with honor to himself and satisfaction to the craft.”

Services were held at the Masonic Temple. The pallbearers were John B. Blake and Thomas M. Hanson, representing the Oldest Inhabitants; Cols. James G.

Payne and Nathaniel B. Fugitt, the militia; Past Grand Masters Charles F. Stansbury and James E. F. Holmead, the Grand Lodge of Masons; John Purdy and Nicholas Acker, Lebanon Lodge. The services were largely attended; of the prominent in attendance were the Ex-Mayors Wallach and Emery, Ex-Gov. Shepherd and his military successor, General Peter F. Bacon.

The procession moved to the Congressional Cemetery in the following order:

Detachment of mounted police.

Marine band, 55 pieces.

Battalion of First Regiment, National Guard, D. C.;
Col. Robert I. Fleming, commanding.

Washington, Columbia and De Molay commanderies
of Knight Templars. Lebanon Lodge. Grand Lodge.

The casket bore the inscription: "Roger C. Weightman, died February 2, 1876, aged 89 years."

The Star had, February 2, 1876: "He had an unsullied reputation, and possessed many traits of character which ennoble the possessor."

The *National Republican* had, February 7, 1876: "In that station (Mayor) he performed the duties in a dignified, gentlemanly manner, and by his administration of the office won the undivided confidence of the public for honesty and fidelity to the trust reposed in him."

He who follows the long life of General Roger Chew Weightman—a span of four score and ten—will find he was printer and publisher, stationer and general merchant, soldier and statesman, banker and librarian, sometimes rich and sometimes reduced; and always commendably doing. And in his days' decline, it could have been said:

“Age sits with decent grace upon his visage,
And worthily becomes his silver locks;
He wears the marks of many years well spent,
Of virtue, truth well tried, and wise experience.”
Rowe's “Jane Shore.”

The paragraphs that Miss Miller contributes to historical papers have interest conveyed in naïve charm:

“THE ROCHAMBEAU,
“January 24, 1918,

“*My dear Mr. Clark,*

“I wish I could help you with regard to Genl. Weightman and Mr. Gales, but tho' they were familiar figures in my childhood, I cannot recall anything specially worth recording. They were both very close and intimate friends of my grandfather Genl. Walter Jones and Genl Weightman succeeded him as Major General District Militia. . . . Genl Weightman's sister-in-law Miss Ann Hanson, kept house for him, and I always thought she must be a hundred years old—she seemed so to my youthful eyes—she taught music and the first lessons I ever had on the piano were from her. She was a great snuff taker and deplored having acquired the habit, said my grandfather and grandmother were so sensible when they set their faces against the custom. She died after the war a very suffering death due to a fall—her niece Miss Serena Weightman lived with her. . . . Genl Weightman as I remember him was very good looking, and always so courteous and kindly, and I most truly wish I could help you to make a suitable record of him, but I cannot. He lived you know on Louisiana avenue near 6th street, and he and Mr. Force were among my grandfather's most ardent admirers. Thank you for telling me of the records you find of my grandfather. He must have been a wonderful man and very modest with it all. I remember him with greatest affection and am very proud of him. With kind regards

“Very sincerely yours
“VIRGINIA MILLER.”

Miss Louisa S. Weightman has given enthusiastic assistance to the preparation of this paper. With other information is this by her pen, January 6, 1918:

"Gen. Weightman had a large family, six sons and two daughters. Most of them died quite young but one daughter spent her whole life in Washington and died unmarried twenty-five years ago at about the age of fifty-five.

"One son went to Louisiana, married and died there.

"The eldest son, Richard Hanson Weightman, volunteered in the Mexican war—in the 40's—returning a Major. Again during the Civil War he went to the front, this time in the Southern Army. He fought under Gen. Sterling Price and was killed at Springfield, Mo., in 1861.¹⁰

"His sons and daughters have lived most of their lives in Washington. Richard Coxe Weightman was for many years connected with *The Washington Post*.

"A second son named for the grandfather Roger Chew Weightman died in 1904 leaving a daughter and two sons who bear the family names and keep up the family reputations.

"Lieut. R. Hanson Weightman, great grandson of the old General, is in France with the Weather Bureau, sent by Gen. Pershing's request.

"The second great grandson, Lieut. Roger Chew Weightman, has been for several years in the Coast Guard Service. He is now at an Atlantic port awaiting orders to go 'Over there.'

"There are still two more great grandsons of Gen. Weightman deserving mention. Roger Weightman Jannus and Antony H. Jannus, sons of Frankland Jannus and Emmeline Carlisle Weightman Jannus. Both have made records as aviators. Antony H. Jannus was killed in Russia thro' an accident to his machine a little more than a year ago. Lieut.

¹⁰ Born in Washington, D. C., December 28, 1816. Attended the West Point military academy, 1835-'7. Dismissed for a contemplated duel near Washington. Captain Missouri light infantry in the Mexican War. Moved to Sante Fe, New Mexico. Delegate as Democrat to Congress, March 4, 1851 to March 3, 1853. Killed while commanding a brigade, C.S.A. at Wilson's Creek, Mo., August 10, 1861.

Roger Weightman Jannus is stationed at Ellington Field, Texas, to which place he is returning at this writing with his bride; having been married, Dec. 27th last, to Miss Lucille R. Taylor of Mount Clemens, Mich.

"The writer has lost touch with the Louisiana Weightmans but the loyal, patriotic old General may have grandsons and great grandsons there too serving their country in this time, when every man, and for that matter every woman, must needs do the duty at hand.

"I am aware that the information regarding Gen. Weightman is very meager but he was a man who never talked of himself, and most of the things I, his granddaughter, know have come to me from outsiders. I well remember tho' his funeral which occurred, I think, in the early 70's. He was buried by the Masons one Sunday afternoon in a drenching rain—yet excepting at Inaugurations or some such public function I have never seen a greater crowd. The avenue was lined with people, many of them of the poorer classes, drawn there, I was afterwards told, by memory of some kind act of his to them."

A brother of the General was Richard Weightman, born at Alexandria about 1792, died at Washington, October 30, 1841. He was a successful physician. It is of the Doctor, Margaret Bayard Smith, August 30, 1814, writes this White House incident:

"The day before Cockburn paid this house a visit and forced a young gentleman of our acquaintance to go with him,—on entering the dining-room they found the table spread for dinner, left precipitately by Mrs. M.— he insisted on young Weightman's sitting down and drinking Jemmy's health, which was the only epithet he used whenever he spoke of the President. After looking round, he told Mr. W. to take something to remember this day. Mr. W. wished for some valuable article. No, no said he, *that* I must give to the flames, but here, handing him some ornaments off the mantle-piece, these will answer as a memento."¹¹

¹¹ "Forty Years of Washington Society," Margaret B. Smith.

John Weightman, a brother, was a dry goods merchant in Washington. Opened June 9, 1812, next door to Davis's Tavern, Pennsylvania avenue. He emigrated to the great west and was never heard of more.

Henry T. Weightman, a brother, was cashier of the Patriotic Bank, at the southeast corner of 7th and D streets.

The Washington Post, February 18, 1914:

"Richard C. Weightman, one of the oldest and most widely known newspaper men of Washington, and for many years an editorial writer on *The Post*, died yesterday morning in his home, 1906 Sunderland place northwest. He had been ill several months with a complication of grip and heart disease. He was 70 years old. He is survived by his wife, Mrs. Laura Weightman, and one sister, Miss L. S. Weightman, of the Berkshire apartments. He had two children, who died several years ago.

"Funeral services will be held tomorrow morning at 11 o'clock at his home. Interment will be private. Mrs. Weightman's brother is expected to arrive today from New Orleans.

"Mr. Weightman was born in Washington, October 20, 1844. His father was Col. R. Hanson Weightman, of the Confederate army, and his mother was Miss Susan Coxe, also of this city. Young Weightman went to the schools of Washington and later attended a private school at Catonsville, Md.

"The Weightman family went to Kansas to live when Richard was about 13 years old, and when the war broke out the father became attached to the staff of Gen. Sterling Price, commanding the Confederate army of Missouri. He was killed at Springfield, Mo., in the first year of the rebellion.

"Gen. Price was greatly interested in the son of his intrepid colonel and offered young Richard a place as aid on his staff, which was accepted. But that sort of service was not to the liking of the youth, and he entered the ranks as a private and fought through the war, a part of the time serving with Gen. P. G. T. Beauregard. The end of the war found Weightman in New Orleans with his way to make, and he secured a position on the staff of the *Picayune*.

"After several years of distinguished newspaper service in that city, during which time he married Miss Laura Jury, one of the beauties of the old regime, he came to Washington and joined the staff of *The Post* as an editorial writer.

"A few years ago he left *The Post* and became a member of the staff of the *New York Sun*, serving in a similar capacity. A little more than two years ago he went to Staunton, Va., having become identified with a newspaper enterprise there. He returned to Washington last September.

"Mr. Weightman was a prolific writer for magazines and weekly publications, as well as newspapers. He was a member of the Metropolitan Club, and enjoyed the acquaintance of statesmen, diplomats, and the literary and art leaders of the world."

THE BIRTH AND GROWTH OF THE PATENT OFFICE.¹

By GEORGE W. EVANS.

(Read before the Society, May 21, 1918.)

The Honorable Secretary of the Interior, Franklin K. Lane, in an address before the Liberty Loan Committee of the Department of the Interior, on April 8, 1918, referring to several bureaus of that Department, said, among many other interesting things, that:

“The Department of the Interior is not as active in the War as some of the other Departments, but there is not a single bureau therein that is not doing actual war work, aside from boosting Liberty Loans, aside from your Red Cross contributions, and aside from intensive war work among the women. These things are on the side; but if you will think over the past year you will realize that the Department itself, in every bureau, is contributing in real fashion to the success that we are going to have in the end.

“Through the General Land Office we have made it possible by legislation that we have advocated, and that has gone through Congress, for the men who are on our homesteads to leave them and go into more active war work, or go into the trenches themselves. They to retain in fee simple their homesteads.

“The great work that the Bureau of Mines has been carry-

¹ The paper herewith submitted concerns the birth and growth of the United States Patent Office. It has been prepared by me after a careful and complete research of the records and files of the Department of the Interior, and the Patent Office Bureau. Also from the files of the *Washington National Intelligencer*, the semi-official newspaper of the general government, in the early period of the last century, said files now forming a part of the valuable historical collection in the archives of the Library of Congress.

ing on you are all familiar with. It is as complete and as perfect as any industrial system in the United States, and out of it will come some real things that will have their effect in the war itself. A contract has been signed for the farming of 100,000 acres of Indian lands, which one man is to take over and put into wheat for war uses.

"The Geological Survey is working throughout the country searching for the minerals that we need to make this a self-sufficient country, looking for the potash, and the nitrates, hunting out those finer, those rarer minerals that we have neglected in the past.

"The Patent Office has a bureau organization under which they are sifting out the inventions of the past twenty years to find what there may be there that our great minds have developed, that have not been properly appreciated and appropriated to war work."

The Patent Office, so often facetiously referred to as "that Constitutional Bureau," because of the provision of the Constitution under which it is established and upon which all laws affecting it are based, is probably the only bureau of the Government so established. The first provision relating thereto provides:

"That Congress shall have the power . . . to promote the progress of Science and Useful Arts by securing for limited Times to authors and Inventors the exclusive Right to their respective Writings and Discoveries."

The patent system had its origin in England and grew out of the practice of granting monopolies by the crown. These were mostly granted through pure favoritism and as rewards for services to the State. It was not until 1623, in the reign of James I, that an act was passed putting a stop to the abuse of this kingly prerogative, and this act provided that letters patent should be granted only for

"The sole working or making of any manner of new manufactures within the realm to the true and first inventor.

The United States Patent Office had its beginning under a commission composed of the Secretary of State, the Secretary of War and the Attorney General, Act of April 10, 1790. Applications for patents were discussed in cabinet meeting and but three patents were granted by this commission, each being signed by President George Washington. This commission operated under the act of 1790, the first of the patent acts, and this embodied the best features of the systems of Europe, although English theories were more specifically considered. This law limited the life of a patent to fourteen years, and there was no provision for an extension. It required that a written specification be filed with the Secretary of State, containing a description of the article desired to be patented, accompanied with draft or model and explanations and models. It also required that the specifications should be so particular and the models so exact as not only to distinguish the inventions or discovery from other things before known and used, but also to enable a workman or other person skilled in the art of manufacture whereof it is a branch, or whereunto it may be nearest connected, to make, construct or use the same, to the end that the public may have the full benefit thereof after the expiration of the patent term. The Secretary of State was also directed to furnish copies of any specification and to permit any model to be copied on application. Provision was made for the repeal of any patent obtained surreptitiously or by false suggestion, but no remedy was given for interfering applications. The law was very defective, as are nearly all initial measures, but was the starting


point of our patent system, and it has, therefore, been necessary to mention it as some length.

The tribunal of three which controlled the examination and granting of patents under this act of 1790 was absolute in its authority and there was no appeal from its decisions. The severity of its scrutiny and the strictness with which it exercised its power caused great dissatisfaction, and inventors complained that the three officers composing the board were not in sympathy with those whom the law under which they acted was designed to benefit; that, on the contrary, they were by education and interest hostile to the industrial classes.

Consequently in 1793 another act was passed which destroyed this power of revision and rejection which the first tribunal had so rigidly enforced. The general construction of this act was much the same as that of 1790, except that there was no power of rejection, and that to the Secretary of State alone was given authority to grant patents.

For twelve years, from 1790 to 1802, the entire work of the Patent Office was performed by a single clerk in the State Department and all the records did not fill over a dozen pigeonholes. No organization of a Patent Bureau occurred until May, 1802, when President Jefferson appointed Doctor William Thornton, a scientist and friend of George Washington, to have charge of the issuance of Patents. For twenty-six years Dr. Thornton exercised an autocratic control of the affairs of the Patent Office.

He used his powers of discretion to an extent that would undoubtedly be much condemned at the present state of our national progress. From such inventors as could afford to pay, he exacted the government fees, but when he found that the inventor was poor in pocket,



he remitted the fees, boldly asserting that "the patent law was made solely for the encouragement of authors and inventors, and not to collect revenue."

Although upon his death an investigation of his office showed a decided deficit between the amount which actually was, and that which should have been to the credit of the office in the Treasury, there does not appear to have been any suspicion of personal dishonesty on the part of Dr. Thornton, but was merely chargeable to his generosity and leniency toward the inventors. He took great interest in the office, making it practically his life work. His salary was \$1,400, nowadays considered as a moderate-sized clerk's salary, but undoubtedly a large one in those days. His single clerk drew \$500 per year, and his messenger was on the payroll for \$72 annually. This was his office force. Dr. William Thornton continued in office until the date of his death in 1828.

The growth of the Patent Office in the succeeding 100 years is best illustrated by comparison of these figures with those existing at present, when the office itself occupies a whole city block, employs 1,000 individuals and has annual receipts amounting to over, approximately, \$2,500,000. The amount on the books of the Treasury, January 1, 1918, credited as "Patent Office Receipts," was \$8,223,883.45.

Of Dr. Thornton a story is told that during the war of 1812, when the British captured the city of Washington and destroyed the Capitol Building, a loaded cannon was trained upon the Patent Office for the purpose of destroying it, and he is said to have put himself before the gun and in a frenzy of excitement explained:

"Are you Englishmen or only Goths and Vandals? This is the Patent Office, a depository of the ingenuity of the Amer-

ican nation, in which the whole of the civilized world is interested. Would you destroy it? If so, fire away, and let the charge pass through my body."

The effect is said to have been magical and to have saved the Patent Office from destruction.

Whether this is true or not, I have thought it best to give Doctor Thornton's statement notice as he published it at that time. From the *National Intelligencer*, of Washington, D. C. (semi-official government organ), dated September 7, 1814, appears a communication addressed to the public as follows:

"CITY OF WASHINGTON, 30th August, 1814.

"*To the Public:*

"Hearing of several misrepresentations, I think it my duty to state to you in as concise a manner as the various circumstances will permit, my conduct in the late transactions in this city.

"After securing all the public papers committed to my care, and sending them to a place of perfect safety, (leaving my own property unattended to.) I proceeded on the 23d instant to the neighborhood of the Army, and afterwards accompanied the Honorable, the Secretary of State, Colonel Monroe, with some other gentlemen in reconnoitering the country, when we only returned at twelve o'clock at night.

"The next day I removed with my family in the retreating army from the city, and beheld in deep regret, that night, the tremendous conflagrations of our public buildings, etc. Hearing next morning while at breakfast in Georgetown, that the British were preparing to burn the War Office and the public building containing the models of the Arts. I was desirous not only of saving an instrument that had cost me great labor, but of preserving, if possible, the building and all the models. I therefore left my breakfast and hastened forward, determining to request the first known democrat I should meet, to

accompany me, lest the malevolent should insinuate that I had in any manner held an improper communication with the invaders of the country. I met with Charles Carroll, Esquire, one of the most respectable gentlemen in the District, and I begged him to accompany me for the reason given; he very politely attended me.

"We arrived at the very moment when the English, Colonel Jones and his men, were proceeding to burn the War Office. Mr. Carroll had already accompanied the Mayor of Georgetown in a peace deputation and was therefore known to some of the officers; he informed Colonel Jones that I had waited on him to request permission to take out of the Patent Office a musical instrument; the Colonel immediately replied, that as it was not their intention to destroy any private property, I was perfectly at liberty to take it. After the War Office was burnt, I entreated Mr. Carroll to accompany me to the Patent Office, but he proceeded only to my house and told me he must return. He did so, and I went to the residence of the Mayor to ask him to accompany me to the building, but he was out of town. I next called on Mr. Nicholson, my model maker and messenger, and desired him to attend me; he did, and the British soldiers were then marching in two columns to burn the building. When we arrived there we found the Reverend Mr. Brown, Mr. Lyon and Mr. Hatfield near the Patent Office. Major Waters, who was then on guard and waiting the command of Colonel Jones, informed me that the private property might be taken out; I told him that there was nothing but private property of any consequence, and that any public property to which he objected might be burnt in the street, provided the building might be preserved, which contained hundreds of models of the arts, and that it would be impossible to remove them, and to burn what would be useful to all mankind, would be as barbarous as formerly to burn the Alexandrian Library, for which the Turks have since been condemned by all enlightened nations.

"Major Waters desired me to go again with him to Colonel Jones, who was attending some of his men engaged in destroying Mr. Gales printing office. I went to Penn Avenue and Sev-

enth Street, and was kindly received by the Colonel. They took their men away and promised to spare the building. I then returned, satisfied, without seeing any other British Officer, and went out of the District with my family. On Friday, the twenty-sixth, I returned to the city lest any inferior officer, not knowing of this promise, should set fire to the building; but I found the British were gone, except a few sick and wounded men and their attendants.

"Finding the Mayor not yet in the city, I, as the only Justice of the Peace, appointed a guard at the President's House and Offices, another at the Capitol to prevent plunderers who were carrying off all articles to the amount of thousands of dollars. When at the Capitol I was informed that a dreadful scene of plunder was exhibited at the Navy Yard. I went and ordered the gates to be shut and stopped every plunderer. While placing a guard there, Commodore Tingey arrived. I delivered everything up to him; and on returning was told the English sick and wounded were in want, and had no provision. I visited them and was informed by Sergeant Sinclair, of the British 21st regiment, who had the command of these men, that Doctor James Ewell had, in a most humane manner, attended them as a physician, and as far as he could, had supplied them with necessaries. Major L'Enfant, with great humanity, besides being useful in some precautionary measures, desired I would have carts sent for some of our wounded men on the commons. I understood he had engaged one, and I desired he would send as many as he thought necessary, for which I would be answerable. I have heard since they had been removed. I then waited on Doctor James Ewell, to thank him in the name of the city for his goodness towards the distressed, who, being in our power, and especially in misery were no longer enemies. He told me there was no provision for them of any kind. I appointed a Commissary, and ordered everything that the Doctor thought requisite, for which I would be responsible. The Sergeant requested my protection for all his men. I told him they would be protected, and as our people would patrol the streets in squads of six, at least, in every ward, and might meet some of them, it would be well

to send a man with each of our patrols as a guard to challenge them; and thereby prevent our people from firing on them; and if any should be found, to take them to the Sergeant, who would put them under guard for further orders. He promised to obey every order. I gave orders and he fulfilled them. Some stragglers, I understand, were taken up, and perfect order kept throughout the city.

"After I had made all the arrangements, the Mayor arrived. I informed him of all I had done, and stated that I then delivered over to him all the authority I had, from the duty of office, assumed. He, I believe, and my fellow citizens of Washington, approved of my conduct. I returned late to my family in the country. The next morning we returned to the city when we heard the British ships bombarding Fort Warburton. On the 28th instant, I learned that the people being afraid of the landing of the British seamen, who they thought were immediately bound for the city. I had desired the Mayor to wait on the President, and request permission to send a deputation—not to enter into capitulation of any kind, but to represent to the Commander of the British squadron, that it was understood, when their army destroyed the public buildings and property, no other would be molested, and to request, therefore, they would not permit their soldiers to land; but learning at the same time that the President had refused to hear of a deputation, and understanding that the people on all sides deprecated a mere show of resistance; for it was supposed our men had not generally returned, and that the few who had returned were all dispersed, I went immediately to the President, who was attended by the Secretary of State and the Attorney General, and gave my views of the situation. I represented the general feelings of the people on the above supposition, but was answered, it would be dishonorable to send any deputation, and that we would defend the city to the very last; that our men had returned, and we would have sufficient force, if called together, and I was desired to aid in rousing them to arms.

"I obeyed the call, returned, rode in all directions and called to arms. I sent for the troops from Bladensburg, and urged

them from various places. I sent to the different quarters, and gave, so far as I could, every assistance in my power to fulfill the wishes of the government.

“Respectfully,
“WILLIAM THORNTON.”

From Doctor Thornton's time up to the present, the history of the Patent Office has been one of steady growth. Two disastrous fires somewhat impeded its progress on account of the destruction of records that could not be replaced.

Although the original laws were taken from the English Statutes, many changes in the laws have been made, which have in turn, been adopted by England and other countries, until now the patent laws of most of the nations are modelled more or less directly upon those of the United States. The adoption of the search system for novelty of invention originated in the United States and was adopted by Great Britain, Germany and other nations.

It must be admitted that the patent laws of the United States, as they stand at present, have done more for the development of the nation than can be readily calculated. The advancement along scientific lines and the commercial progress of the nation are directly traceable to the patent system. When one stops to consider the myriad of inventions which have benefited mankind, all of which were fostered and encouraged under the United States Patent Laws, one ventures upon a wide field of speculation. The telephone, the sewing machine, the cotton gin, the locomotive, the trolley cars, electric lines, electric devices and appliances, the telegraph, the automobile, the wireless, the flying machines, and the submarines, agricultural machinery and appliances, all have helped to build the nation's commercial supremacy. Inventions

have helped those who dwell in cities and those who dwell in the country. Farmers own automobiles; trolley lines pass through their very farms, bringing widely scattered communities into close touch; the telephone enables the farmer to keep in touch with the market values, and the automobile enables him to haul his product to a profitable market, and the wireless to message at long distance by air currents, and flying machines to carry the mails, etc. More intelligence, more knowledge, more wealth have resulted from inventions, and the end is nowhere in sight, as the vast number of patents which are applied for each year ably testifies. There is practically no limit to the benefits to mankind which can be traced to the United States Patent System.

As before stated, Doctor Thornton, in 1821, assumed the title of Superintendent of Patents, and continued in office as such until 1828, the year of his death. The office of Superintendent of Patents was specifically provided for by Congress in 1830, in the act making appropriations for salaries for the Department of State.

By the Act of July 4, 1836, the office of Superintendent of Patents was abolished, and in lieu thereof the Office of Commissioner of Patents was created: Mr. Henry L. Ellsworth became the first Commissioner, continuing in office until May 9, 1849. By the Act of March 3, 1849, the Department of the Interior was created, to which was added, with other government bureaus and offices, the Patent Office.

The late Honorable Thomas Ewing, Sr., was the first Secretary of the Interior (March 8, 1849, to August 15, 1850). His son, the late Thomas Ewing, 2d, was a distinguished lawyer, statesman and soldier. He served gallantly throughout the Civil War in the Union Army and rose to the grade of a Major-General. His son,

Thomas Ewing, 3d, a prominent Patent Attorney of New York, filled the office of Commissioner of Patents from July 10, 1913, to August 15, 1917. He was succeeded as Commissioner of Patents by the Honorable James T. Newton, of Georgia, August 30, 1917, the present Commissioner, who for a number of years was in the Examining Corps of the office and later Assistant Commissioner of Patents.

In July, 1836, the present system of consecutively numbering patents was adopted, and up to and including February 27, 1849, 6,151 patents were granted. Patent number 6,152 was granted March 10, 1849. Prior to July, 1836, 9,957 numbered patents were issued. The first patent granted bore date of July 31, 1790, and was issued to Samuel Hopkins for his invention of a "baking pot and pearl ashes." From that date to December 31, 1917, the Patent Office has issued 1,077,760 patents, reissued patents and trade mark designs.

In July, 1800, the Department of State removed from Philadelphia to Washington. The records, etc., of the Department were landed on Lear's Wharf, at the foot of G Street. There was no building immediately ready to receive them, but in August the Department found a home in what was locally known as the "Seven Buildings," on Pennsylvania Avenue between 19th and 20th Streets, N.W.

In 1810 Congress authorized "the purchase of a building for the accommodation of the general post-office, and of the office of the keeper of the patents." The building purchased was known as Blodgett's Hotel, and stood on the site now occupied by the south front of the old General Post Office Department, E between 7th and 8th Streets, N.W. Into the east end of this building Commissioner Thornton moved the records, models, etc., of the office.

On June 15, 1836, Mr. Ruggles, as one of a committee appointed on his motion for the purpose, reported a bill "providing for the construction of a building for the accommodation of the Patent Office." On June 28, the bill then being on its last reading, a motion was made to recommit with instructions to report a bill providing for the purchase of the "old brick Capitol," fronting Capitol Square, First and A Streets, N.E. The motion was lost, and the bill as read passed the Senate, appropriating \$108,000, out of the "patent Fund" for the erection of a suitable building of brick and wood. A House amendment changed these materials to cut stone facing for the exterior walls, and also provided for fireproofing the structure within. The bill as amended became a law July 4, 1836. Late in that month the erection of the building began, under the supervision of Robert Mills, the architect and designer thereof. It was the present south front of the Patent Office Building, excluding the south ends of the east and west wings. The building was 270 feet long and 69 feet wide. The basement (what is now the first or ground floor) was to be used for storage, fuel, furnaces, etc., the first or portico floor for office rooms, and the second floor was to be one large hall; with galleries on either side, and to have a vaulted roof. This hall was designed to be used as a national gallery of the industrial arts and manufactures, and for the exhibition of models of patented and unpatented inventions. The body of the building, the center south front, is of Virginia sandstone and was afterward painted white.

On December 15, 1836, a fire destroyed the building where the Patent Office was then located, and all the models and records and the library, with the exception of one book, Volume VI of the Repertory of Arts and

Manufactures (now in the Scientific Library of the Office) which an employee of the office happened to have taken to his home before the fire. Among the records destroyed was a folio containing drawings of Fulton's first steamboat, made by his own hands.

On December 19, Mr. Ruggles asked that a committee be appointed "to report the extent of the loss sustained by the burning of the Patent Office." This committee made a report, and also at the same time submitted a bill which became the act of March 3, 1837, and in which every provision was made to restore the specifications, drawings, and models, by obtaining duplicates of them from the persons in whose possession the originals were. An appropriation of \$100,000 was made for this purpose. The whole number of models destroyed was about seven thousand, and the records covered about ten thousand inventions. It was not until 1849 that the work of the restorations was discontinued, and out of the amount allowed for the purpose \$88,237.32 was expended.

During the erection of the Patent Office Building the Commissioner found temporary quarters in the City Hall, now the United States Court House for the District of Columbia. In the spring of 1840, the south wing of the Patent Office Building was completed and the office moved into its own home, upon the building of which the sum of \$422,011.65 was expended. The Commissioner in his annual report for 1840 said: "The Patented models are classified and exhibited in suitable glass cases. The National Gallery is ready for the exhibition of models and specimens. I am happy to say that the mechanics and manufacturers are improving the opportunity to present the choicest contributions, and from the encouragement given no doubt is entertained that the hall, considered by some so spacious,

will, in a short time, be entirely filled, presenting a display of national skill and ingenuity not surpassed by any exhibition in the world."

By the Act of March 3, 1849, establishing the Interior Department, the Patent Office was attached thereto. This same act appropriated \$50,000 out of the patent fund to begin the east or Seventh Street wing. It was completed in 1852, and cost \$600,000, \$250,000 of which was taken from the revenues of the office. As soon as the wing was ready for occupancy, the Interior Department took possession.

By an act approved August 31, 1852, a librarian at \$1,200 was provided for the office. This act also appropriated \$150,000 to begin the erection of the west or Ninth Street wing. Plans for the entire building as it now stands were prepared in this year. The west wing was completed and occupied in 1856, and cost \$750,000. In the same year the work was begun upon the north or G Street wing.

In 1867 the north or G Street wing of the present Patent Office Building was finished at a cost of \$575,000. The entire cost of the building was \$2,347,011.65. It speaks for itself. It is one of the handsomest, most massive public structures in the world, and would be a credit to any age or people. The Superintendent and Architect of the three wings, constructed as above, was Thomas U. Walter, the then Architect of the U. S. Capitol Building. The 7th, 9th and G Street wings are of white marble.

September 24, 1877, a second destructive fire occurred at the Patent Office, entirely destroying the Model Halls of the north and west wings of the building, causing a loss of more than a hundred thousand models of American invention and serious damage to nearly one hundred thousand more models on exhibi-

tion in the two Model Halls. The cost of reconstructing the Patent Office, damaged or partially destroyed by the fire of September 24, 1877, was \$606,674.46.

When the city of Washington was laid out the square on which the Patent Office Building is located, known as Reservation No. 8, F to G and 7th to 9th Streets, N.W., was appropriated and reserved as National Church Square, as noted on King's Plats, Surveyor's Office, District of Columbia, recorded therein as Reservation No. 8.

The Act of July 4, 1836, authorized the construction of the south wing of the Patent Office on this Reservation, and legislation thereafter authorized the construction thereon of the East, West and North additions to the original building.

From the Department of the Interior several of its former bureaus have grown into Departments. First to lay the foundation of the Department of Agriculture was the Bureau of Agriculture; for several years prior to, and after the Civil War, it was located in the rooms on the first floor, south wing of the Patent Office Building. It was under the administrative control and supervision of Hon. Isaac Newton, the first Commissioner of Agriculture.

Second, the Census Bureau, which a few years since was transferred to and made a part of the Department of Commerce.

Third, the Bureau of Labor, afterwards made an independent bureau, and later transferred to the Department of Commerce and Labor when that Department was created.

For many years the Patent Office Building housed the Patent Office, Pension Office, General Land Office, Indian Office, Census Office, Agriculture Bureau, and Office of the Secretary of the Interior. Today owing

to its great expansion the Patent Office is the sole occupant of the entire building.

The receipts in the Patent Office for the year 1917, amounted	
to,	\$2,258,377.10
The cost of maintenance for the same period was,	2,048,173.16
Leaving a surplus of,	\$ 210,203.94

The new Interior Department Building was authorized by the Act of March 4, 1913. It was constructed under the supervision and direction of the supervising architect of the United States Treasury. The building is of a pleasing style of architecture, constructed of steel and hollow tile, with exterior walls of brick faced with limestone, and is fireproof. It is covered with a promenade tile roof, giving a recreation space of about two acres. The building has a frontage on E and F Streets of 401 feet 10 inches, and on 18th and 19th Streets of 392 feet 2 inches. It is eight stories high, and its shape is the letter "E."

The total area of the basement is 104,340 square feet; that of the first story a little more than 106,000 square feet, and the upper stories have approximately 75,000 square feet each, making a total floor space of upwards of 685,000 square feet or 16 acres. The site on which the building is located is open and the plan of construction followed has been such as to provide ample air space adjacent to practically all the rooms. The basement is surrounded by areaways, and there are two courts between the wings.

The west court of the building is used as a library for the Geological Survey and has a capacity of 250,000 volumes in addition to cases for maps and offices for librarian, clerks, etc.

In the east court is an auditorium, equipped with 319 leather-covered opera chairs, with stage, retiring

rooms, operating rooms for motion pictures, etc. At the south of the auditorium is the press room where the map printing of the Geological Survey is executed. On the top of this wing is the largest photographic laboratory in the United States, complete with dark rooms, etc.

Special rooms are provided for the chemical, analytical, physical, petroleum, and mineralogical laboratories of the several bureaus in the building.

There are 1,500 room-units in the building, 14 feet by 20 feet each, making about 1,280 rooms, and for daytime lighting there are about 4,244 windows. The building contains 52 toilets and 830 lavatories, each supplied with hot and cold water, and there are 96 drinking water fountains in the corridors in addition to lavatory fountains. The building is heated by direct radiation; and power and light are supplied from the Capitol power, heating and lighting station. The appropriations for the building and approaches, aggregated \$3,192,000.

Contracts for the complete building, including mechanical equipment, elevators, and lighting fixtures, were made in July, 1913. This Department commenced moving into the building on April 18, 1917, and the moving of the various bureaus and offices was substantially completed on June 23, 1917.

The working force of the Patent Office from 1790 to 1802 consisted of three persons. From that time to the present it has gradually increased and now numbers, approximately, 1,000 employees, classified as examiners in chief, principal examiners, assistant examiners, clerks, copyists, messengers and laborers.

In the early part of 1880 the exhibits of models of inventions were removed from the model halls of the Patent Office and stored in boxes in the basement of

the building. The reason for this was that the office had decided to do away with the regulation requiring models to be filed with applications for patents, except in special cases when necessary to have a model, and the substitution, in lieu thereof, of complete detailed drawings of the proposed invention, together with specifications in full concerning the same. The model halls were then rearranged for the use of a part of the office force, and for the location of the Patent Office Scientific Library.

It may not be known to the general public that the Patent Office is a self-sustaining bureau. Its annual receipts more than equal the cost of maintenance by an average approximating a surplus of \$100,000.

In its records, among the many noted inventors, may be recalled the names of:

Alexander Graham Bell, inventor of the telephone, etc.,
Samuel F. Morse, inventor of the telegraph, etc.,
Samuel P. Langley, inventor of the flying machine,
Thomas A. Edison, inventor of many electrical devices,
Cyrus H. McCormick, inventor of the reaping machine,

which has done so much for the cause of agriculture,
Elias Howe, inventor of the sewing machine, afterwards perfected by the Singer patents,

The Hoe Company, inventor of the Rotary Printing Press,

Robert Fulton, inventor and introducer of steam navigation, and the first steam warship and submarine torpedo,

John Ericsson, inventor of caloric engines, the screw propeller and turret war ships, one of which, the "Monitor," distinguished itself in the American Civil War and inaugurated a new era in naval warfare,

J. P. Holland, inventor of the electric submarine boat, the first of its kind being the "Nautilus."

Marconi was not the first discoverer or inventor of wireless telegraph. It is a matter of record that Prof. Silas L. Loomis, of Washington, D. C., was granted the first patent in 1878, but never was able, on account of lack of funds, to perfect his invention, and because, at that time, the public was skeptical regarding its success.

There have been many American inventors of heavy battery and field guns, and rapid firing, repeating machine guns, rifles, carbines, revolvers, and other kinds of ordnance, among whom might, in part, be mentioned Dahlgren, Gathman, Hotchkiss, Maxim, Colt, Remington and Rodman.

GENERAL JOHN PETER VAN NESS, A MAYOR
OF THE CITY OF WASHINGTON, HIS WIFE,
MARCIA, AND HER FATHER,
DAVID BURNES.

By ALLEN C. CLARK.

(Read before the Society, November 26, 1918.)

Not the forest primeval was at the time of selection the site for the Federal City. It was not wooded wilds whose solitudes were penetrated by paths unfrequently trodden. Aged fellows of the forest, "high in heaven" there were; and

"The century-living crow,
Whose birth was in their tops;"

but these were survivors of the wilderness. The streams that alone had been ruffled by the aborigines' canoes had long since been invaded by the vanquishing race and ruffled by other craft. Original nature had been broken for cultivation. A fact well known to the tribes of crow blackbirds who gave discordant praise for the planters' succulent provision provided their sagacious cousins, just crow, had not been there first. The tobacco worm gorged on the narcotic leaves and swelled with gratitude to his providence—the planter. It was, to use a simile for fertility in the time of Judge Joshua, "a land flowing with milk and honey."

Maj. Andrew Ellicott, who was the engineer first sent to run the lines, to his "Dear Sally" writes:

"This country intended for the Permanent Residence of Congress, bears no more proportion to the Country about Philadelphia and German-Town, for either wealth or fertility, than a Crane does to a stall-fed Ox!"

To make the unfavorable comparison the Major had to resort to the then metropolis of the nation and its rich environment.

To find less division of the land than there was at the time of the selection must be found a time previous to the fifth intercolonial or the French and Indian War, 1753 to 1760; a time prior to the fourth intercolonial or King George's War, 1744-1748; and even beyond the time of the third intercolonial or the Spanish War, 1739.

In the French and Indian War this particular part of His Majesty's colonies had its participation. A great rock is named in honor of General Braddock, but whether it is because he saw it or did not see it is the mooted question. The autocratic Braddock was petted by the aristocratic George Town; and the grand General recognized in it real quality and to his protégée, the celebrated actress, George Anne Bellamy, 1755, he writes:

"We folks at home have been laboring under the very erroneous idea that our friends in America were little better than the aborigines, whom they supplanted, but, my dear madam, we have all been in error, for never have I attended a more complete banquet, or met better dressed or better mannered people than I met on my arrival in George Town, which is named after our gracious majesty. The men are very large and gallant, while the ladies are the most beautiful that my eyes have ever looked upon. Indeed, madam, I know of no English town that could produce so much beauty and gallantry as I have found in George Town. The habitations of these genial folk, dear madam, are stately buildings that have no superiors in England, and the interior decorations are things of beauty, while the grounds are laid out after our English gardens, and the shrubbery and flowers are well attended to. In fact, dear madam, I might sum up everything by declaring George Town is indescribably lovely and I am loath to leave it and its hospitable people."

Before it was declared self-evident: "That all Men are created equal; that they are endowed by the Creator with certain unalienable rights," George Town had commercial importance and came to it the fashionable to buy "silks, satins, velvets and laces and other finery." It was a flurry when the planter's handsome equipage hove in with black outriders and blare of trumpets.

Miss Grace Miller from her friend Olivia received a letter dated "Philadelphia, Pa., March 22, 1775" and directed "High street, George Town." The bearer of the missive or rather commission had in his honor a party given by Miss Grace's Aunt Debby at which were the "real nice." Miss Grace's letter, dated, March 30, 1775, in part is:

"The articles you requested me to buy for you I now send by the captain, as per order & i trust that they mite meet your approbation; the silver fringe, i have not been able to procure, as it has all been sold but 3 yds. I can not find any other under two pounds a yd, and i have been to all the ships. As this tambor muslin is a yd short of your Order, you can have it for two shillings a yd. or return it and the owner will take it back. Captain Quander has a bolt of yellow China silk, which he will sell you for two Pound ten shillings. I hope that you will be down here to see us all before summer, and I remain your very dear friend Grace."

Miss Marcella Carter who lived on the Rappahannock discloses in her letter to Patricia Dodge, Bridge street near Frederick, that the gay life at Patty Polk's school for young ladies makes plantation life lonesome and concludes that "as it is too early in the Season, I would rather wait till the arrival of the Spring Ships before I get me that hat or a bonnet." And that goes to show as it is, it always was, and always will be with the female, the highest importance, the head piece.

George Town, laid out 1752, had obtained such importance that it was thought a time ripe for other towns close by; and within the bounds of the future Federal City, and antedating the Revolution were laid out Carrollsburg (1770) and Hamburg (1771).

An act for the establishment of the seat of government between the Conogocheague and the Eastern Branch was approved July, 1790; and four months thereafter the citizens of George Town owning lands adjacent thereto offered them for the Federal City. These lands or parts of them with other lands were decided upon by the President, General Washington, and the Secretary of State, Mr. Jefferson, for the city. It was a small strip on the Potomac divided by the Tiber. The other lands and indispensable to their plan included the farm of David Burnes. Mr. Jefferson made a rough drawing of the city and the Capitol was to be a little eastward of Mr. Burnes' cottage.

The President directed William Deakins, junior, and Benjamin Stoddert, prominent merchants of George Town, both large land owners and the latter proprietor of lands adjoining Mr. Burnes' farm, to negotiate for it for the public but ostensibly for themselves. The negotiations failed. By the President, Maj. L'Enfant was directed to make a survey for the city in the Eastern Branch section with the intent to give Mr. Burnes the impression he was mistaken if he thought his farm was to be included. The scheme failed.

At the conference between the President and the proprietors, Mr. Burnes accepted the public proposal. He was the second to sign the agreement. And he was of those who declined to repudiate it as soon as the President was a day's journey distant. He executed a deed in trust. It is the first recorded deed in the District.

Ninian Beall was granted in 1703 Beall's Levels, 225 acres. A part of this tract was conveyed to Henry Massey. He made conveyance to James Burnes, who for two years previous thereto occupied the land as tenant. He had a re-survey made in 1769 of the Beall and other acquired land but died before securing the patent. David Burnes, sole heir of his father, James, as the eldest son secured a patent on a re-survey in 1774.¹

David was sixteen when General Braddock crossed at George Town. Shortly before the revolt of the colonies he was the proprietor of the farm. At the call to arms David responded, as did his brother, James. David was second lieutenant in the company of which his brother-in-law, John Wightt, was captain; and James had the same rank, in the company of Captain John Perry.²

The phrase of President Washington—"the obstinate Mr. Burns"—has given David Burnes added celebrity and the addition is derogatory. The inference drawn from the phrase is unfair to Mr. Burnes. The characterization by the President was that of pleasantry and not of criticism. The negotiations for purchase with Mr. Burnes by the representatives of the President as if for themselves was a failure, as also the attempt to hoodwink him by the subterfuge of prospecting in an-

¹ Hugh T. Taggart, *RECORDS OF THE COLUMBIA HISTORICAL SOCIETY*, Vol. 11, p. 139. Probate Records, Prince George County, Maryland. David Burnes: Will dated October 5, 1737; probated October 28, 1762. Devised the farm to his widow, Ann, with reversion to their son, James Burnes. Widow renounced executrixship in favor of James Burnes. She had a son, John Fleming.

Ann Burnes: Will March 31, 1764; probated July 2, 1764. Jemima Burnes, widow of James Burnes. Will, February 10, 1779, probated December 20, 1783. Names children: David, Thomas, John, James, Alexander, Truman, wife Ann, Margaret, Elizabeth, Frederick, Burgess. Witnesses to will, Anthony Holmead, Thomas Pearce, George Pearce.

² *Maryland Historical Society Records.*

other section. When the situation of a site was openly discussed, Mr. Burnes readily acceded to the public project—the revelation of the reality and the needlessness of indirection amused the President—hence the phrase in his paragraph of exultation.

George Alfred Townsend says:

“‘The obstinate Mr. Burns’ will be the subject of portraiture often in the future, stickling for the largest equity and conditions, and paying little relative respect to the opinion of the General, whom he once declared to be of eminence chiefly on the score of having married the rich widow Custis.’”

The portraits of Mr. Burnes are numerous—mostly copies—and make the subject’s character features disagreeable. The portrait now offered will have the merit of stronger resemblance to the original.

Says Mr. Townsend:

“Could a finer subject appeal to the artist or to the municipality of Washington; the virgin landscape of the Capital, and this greatest of founders of cities since Romulus, surrounded by the two engineers, the three commissioners, and certain courteous denizens, and seeking to reason the necessities of the state and the pride of the country into the flinty soul of Davy Burns, that successor of Dogberry,—for he is said to have been a magistrate?”

Mr. Burnes was a magistrate for Prince George’s County, Maryland.³ His letters evidence a familiarity with legal phrases. It is hoped that he had “the cold neutrality of an impartial judge,”⁴ separated the conflicting statements and accurately weighed them—and listened to the arguments with patience—and without being influenced—and gave his decisions with slowness,

³ The National Portrait Gallery of Distinguished Americans.—C. Middleton.

⁴ Jean Pierre Brisset de Warville.

solemnity and soundness; and, it is hoped, at the trial times he was "as sober as a judge." For it is said that he "kept in a mellowed condition under frequent libations of good Scotch whisky"—that he tarried overtime at the Fountain Inn (Suter's) in George Town and at the Bunch of Grapes in Bell Haven (City Hotel, Alexandria). This is stated as a drawback to Mr. Burnes' character by those who are not aware that spirits give relaxation to overwrought faculties of great minds. If Mr. Burnes had any doubt on the subject, he would have been reassured from the good book of his which he frequently took from the mantel—it was, likely, the Kilmarnock edition of Robert Burns—and read under the title "Scotch Drink":

"Give him strong drink until he wink,
That's sinking in despair;
An' liquor guid to fire his bluid,
That's prest in grief an' care.
There let him bouse an' deep carouse,
Wi' bumpers flowing o'er,
Till he forgets his loves or debts,
An' minds his griefs no more."

Mr. Burnes (David Burnes) knew

"For gold the merchant ploughs the main,
The farmer ploughs the manor."

He knew he was a good farmer and kept on ploughing to the end of his days. Robert found himself no kind of a farmer—and he changed the spelling of his name which was like that of David—and they may have been kin—and changed himself also to a poet.

To be sure there is not an iota of contemporary corroboration that Mr. Burnes drank to excess or drank at all and nothing more than he was like other real men of that time and did as they did. But for a certainty

there was a mantel in the cottage and it is to be seen in the library of the Society. It did belong to Mr. Hood. On it is a silver tablet with the legend:

1790.

This Mantel

Graced the dining-room in the cottage of

David Burnes

One Of The Original Proprietors Of The Land

Whereon Is The City Of Washington.

Presented to the

Columbia Historical Society

by James F. Hood,

1915.

“GEORGE TOWN December 21th 1791

“*Dear fir*

“agreable to your request of yesterday the square on the which you like to erect a house will be marked out so as to enable you to proceed as conveniently & as immediately as you please in digging the foundation.

“Should the manufacturing of the quantity of brick you propose making require more clay than will come out of the foundation you may safely dig out of the street what quantity you want to answer your object—provided you erect all your brick kiln within the area of the square on which your building is to stand.

“this square marked, in the map, N^o 171 will border on one of the main diagonal avenues to the president palace. It will have a front on part of the square to that palace & will also view on the grand park, & on every of the principal Improvements—so that it will be worth your attention to Have the House of a proper dimention of fronts & in every respect combined conformably with the plan of Intended Improvements. because you are to confidere that this house in helping the advancement of these Improvements will accellerate the rise of

valu of your other property, and besides that its being elligibly /situated well contrived & with a convenient distribution of appartements will enable you to rent it, or dispose of it to better advantage.

“as I suppo/e it will be your wish with to reserve to your self the whole of the area of the square upon which you will builth—this will be perfectly at your option by resigning—‘in exchange’ to the publick an area of equal dimention on the opofite diagonal avenue were the Improvement this exchange will facilitate will benefit you equally as will your building on this fide.

“I should be glad Sir, to know your determination on this & if you agree to fix your House so as to make it contributive to the execution of the propo/ed Improvements I will with pleasure design for you a plan combined with thofe Improvements & will besides attend to the construction & in all part were the publick may derive some advantage from your exertions you may rest assured of being affi/ited and that what ever ornamental work will be nece//ary on the outside of your present Intended building shall be effected without Incuring you in expences beyond what you shall have fixed upon & as shall be adequate to the object you propo/e.

“I have the Honor to be

“dear fir

“Your most Hum^{bl}

“& obed^t Servant

“P. C. L’ENFANT

“M^r DAVID BURNS Esq^r”

“20th January 1792

“Sir,

“You will see by the fifth article of the conditions published previous to the sale of any Lots, agreeable to the Deeds in Trust, a copy of which we enclose you, presuming it may not be in your memory; that our approbation is necessary for the erection of any temporary Building in the City of Washington.

“We yesterday saw one carrying on, avowedly under your authority, in which we have not been consulted, and which we

do not approve of; and to prevent unnecessary expence and trouble to you, we thus early notify our sentiments.

“We are Sir, &c

“THO. JOHNSON

“DD STUART

“DAN’L CARROLL

“To MR. DAVID BURNES.”

Mr. Burnes had his dream with the others. The dream was a magnificent city—stately public buildings; large reservations; handsome residences with spacious grounds—everywhere stretches of green-sward and striking effects, arboreal and horticultural. Mr. Burnes’ lots were the choicest—they made the heart of the city. The golden prospect for him was the greatest and quickest to be in realization. Thoroughly in the spirit to do his part to promote the city and to live in keeping with his multiplied fortune he proposed to build a residence and to have the open about as he had been accustomed. He exchanged lots with the public that he might have a whole square. The square selected fronts the Ellipse and what was to be the site of the dwelling is that of the Corcoran Gallery of Art. Maj. L’Enfant volunteered to give his talent on the exterior ornamentation for no extra charge but Mr. Burnes recognizing that the Major’s genius was for great things—too great for him to undertake—did not accept the inducement—proving himself wiser than Robert Morris, the Financier of the American Revolution. Besides Mr. Burnes, like his poet authority, did not care for architectural thrills:

“Windows and doors in nameless sculpture drest,
With order, symmetry, or taste unblest;
Forms like some bedlam’s statuary’s dream,
The craz’d creation of misguided whim.”

Mr. Burnes put up the temporary structure and in

so doing without consulting the sensitive commissioners was by them threatened with expensive consequences. The commissioners were plainly within the regulation and equally true the enforcement was a petty exhibition of authority and without any good purpose. That Mr. Burnes discontinued the work may be due to the accumulating evidence that the sale of his own lots and of the public lots from which the Commissioners were to pay him for the appropriation of his lands was to be slow and the considerations small.

Mr. Burnes made complaint to the Commissioners of the slowness of settlement for his lands appropriated to the reservations and then an appeal to the President.

"THE PRESIDENT TO MR. BURNES.

"PHILADELPHIA 14 Feb' 1793

"Sir,

"The President of the United States directs me to acknowledge the receipt of your Letter to him of the 12 Inst: and to inform you, that altho' he is exceedingly sorry to learn that any misunderstanding has taken place between the Commissioners and yourself, relative to your Lands in the Federal City; yet, as the Commissioners were appointed, according to law, for the special purpose of managing all matters within the District & city, respecting the grounds & public buildings, & thereby relieving the President from the details of that business, (which the duties of his office would have made it impossible for him to have entered into) he declines any interference on the subject of your Letter:—and adds, that from his knowledge of the characters of the Gentlemen acting as Commissioners, he does not believe there can be any intention, on their part to avoid a strict compliance with the terms of the contracts made with the proprietors, or to withhold what is justly due to any individual concerned therein—But that if you conceive yourself injured by any conduct of their's, the door is open for an appeal to that tribunal where every Citizen has a right to seek for justice.

"I am, Sir, &c

"TOBIAS LEAR

To Mr. Burnes the Commissioners made, November, 1793, the explanation:

"We are sorry that the dilatory payment of some of the purchasers should disappoint your expectations, other proprietors and the public suffer in the same way, and we fear in some instances we shall be obliged to resume the property, for repeated applications have proved fruitless."

The controversy between the Commissioners and Mr. Burnes over the opening of the street through his enclosure has been given some prominence. The street proposed to be opened was Seventeenth, which ran close to his dwelling. Mr. Burnes insisted he had not been given timely notice and the break would be detrimental to his crops. The street was opened and a wharf on the Tiber, known as the Commissioners' Wharf, was constructed.

Mr. Burnes, with or without reason, resorted to the law for redress. For his action he gave the President's recommendation, February 14, 1793.

The alluring advertisement of Mr. Burnes has in it, "the evidence of things not seen," to wit: "vicinity to the President's Palace"; for in the same issue of the *George Town* journal is the advertisement of the Commissioners offering a prize to the successful competitor for the best design for that same Palace.

The George-Town Weekly Ledger, September 22, 1792:

"The Subscriber has for sale A NUMBER OF LOTS in the most eligible situations of the *City of Washington*. A purchaser disposed to improve, may combine prospect, commercial advantage, vicinity to PRESIDENT'S PALACE, and obtain an indisputable title to LOTS so circumstanced on moderate terms, from their humble servant

"DAVID BURNES.

"GEORGE-TOWN, July 18, 1792."

"CITY OF WASHINGTON March 27th 1793

"ROBERT CARTER, ESQ^s

"*Sir,*

"Your Letter of 11th March did not come to hand until 28th Inst else I should have been happy to have answered you on the subject of your Letter before this time, 'though I hope not subjecting you to any inconvenience on account of the delay. I have it in my power to acomodate you with the number of Lots, and in such situations as you mention. Lots in Square 405 or 429 or in other situation, the lots are 55 feet front and 113 feet back which I will sell for £100, Buildings to be erected on them in three years.

"I transmit you the terms and conditions declared by the President of the United States for regulating the Buildings in the City of Washington, which will give you the necessary information on that head.

"The Act of Assembly you refer to I am not able to send you, but the purport of it is nearly to this effect, to show the lines of the ten miles square and what quantity of land Congress was to have Jurisdiction over, also specifying that part of the territory called the City of Washington, which could not be particularly designated in the act of Congress—Also giving the Commissioners power to compel persons who had not ceded their Lands within the City, to come forward and Deed their Lands in trust in the same manner that the greater part of the Proprietors had done—Such as persons absent out of the State, minors, persons now compos mentis &c., on three months notice in the Maryland Journal, themselves, the Guardians or friends of those persons, could make over their Lands by agreement, otherwise it would be condemned by summoning five Freeholders and acting according to the Act of Assembly,—The Act also contains some other regulations relative to the City—

"These are the Heads of the law as near as I can give them which may be of some satisfaction until you can see the land—

"I hope you will come and see the situation of the land in this place, as I make no doubt of being able to accomodate you

^s Son of ("King") Robert Carter. Married Miss Bladen. Plantation called "Nominy Hall"; in Westmoreland Co., Va.

with lots under equal advantages if not superior to any in the City, I have not the honour of a personal acquaintance with you, or I should take the liberty to request you to mention me to any Gentleman who wishes to Buy Lots, and I can inform you with the most sacred regard to truth that no man would be readier to execute any commands on the subject of your Letter than

"Your Hble Sert
"DAVID BURNES"

The letter of Mr. Burnes is introduced as a standard of his mental furnishings. On the subject of it, the sale of his property, he gave intelligent and energetic effort. His prices were fair and his terms liberal. With his son, in 1793, he went to Philadelphia and had inserted in the leading newspapers an advertisement. He learned that while away the Commissioners had beared the market by selling lots of equal advantages to his at a less consideration than was understood to be maintained, which greatly excited his ire and he indited a denunciatory letter to them.

The Washington Gazette:

"I Hereby forewarn all persons from hunting with Dog or Gun, within my inclosures or along my shores;—likewise, cutting down Timbers, Saplings, Bushes, of Wood of any kind, carrying off and burning Fence logs, any old wood on the shores; or in the woods;—If I should find any person trespassing as above I will write to my attorney and suits will be commenced against the trespassers in the general court.

"DAVID BURNES.

"WASHINGTON, Nov. 11, 1797."

Mr. Forbes-Lindsay has noticed that Mr. Burnes has dog with a capital D and attorney with a small a. He intimates a distinction as to relative importance was made by Mr. Burnes by the emphasis of letters of

the alphabet. The inference may not be the fact. Perhaps the printer exhausted the font of small d's in some word before he reached Mr. Burnes' advertisement. Mr. Forbes-Lindsay calls attention to the communication in the next issue:

"*Mr. More,*

"Observing in your last Gazette, a Caution to all persons from hunting with dog or gun in David Burnes's inclosures, or on his shores, I will thank Mr. David Burnes, exactly to describe where his shores are, and likewise where his own property lays, within his inclosures; in the Washington Gazette, as I presume the Commissioners, or any other proprietor, will not object to any one amusing himself in gunning on their property, within David Burnes's inclosures.

"A SUBSCRIBER.

"WASHINGTON, Nov. 13, 1797."

As the entire area within the city borders on the map was cut into streets and squares and the squares subdivided into lots; and of the public's share of the lots, the Commissioners had sold here and there, the ridiculousness of Mr. Burnes' notice is clear. Mr. Burnes saw the clearness and withdrew the notice.

The Burnes cottage was near the westward boundary line of the farm. It was at the mouth—almost a bay—of the Tiber which united with the Potomac and made a wide water sheet. Directly eastward was level and low. The lowland overflowed and the cottage amid the trees gave from the distance the effect of an island. From the cottage were seen the ships with sails furled gliding by inbound with foreign freight and outbound with native products. The projection where was the great rock and the height where was the fort cut off the view of George Town. And likely the Peerce farmhouse due north, because of the trees was not visible.

The trumpet vines that ran riot over the ruins in the last, at the time in mind, 1790, were more decorous and gave a dash of gayety by their color and of grace by their festoons. The barns were large and full. The slaves were cared for and carefree. It was a scene of peace and plenty.

The original dwelling was in the space now bounded by G and H, Ninth and Tenth streets, square 375, as was the grave enclosure.⁶ The land on which the Burnes cottage stood was a part of a narrow strip along the Potomac and the Tiber acquired May 1, 1764,⁷ and about that date it may have been built. The older dwelling was occupied by James, a brother. James remained in possession of his occupied part by sufferance, permission or understanding. He had four sons and one daughter. In 1790, David had twelve slaves and James, five.

Marcia at the time her father with the other proprietors was requested to meet the President at the Fountain Inn, was eight years of age. Her elementary education was had in George Town. She completed her education when of the household of the luminary of the law, and example of eccentricity, Luther Martin. At the same time her brother, John, studied law in his office. It was at this Baltimore home, 1797, the artist, James Peale, had in Marcia a fortunate subject for his exquisite art.

Dr. Busey says that after the Revolution was crystallized a higher society, its altitude measured by

⁶ The house was 20 × 16; the graveyard 30 × 30.

⁷ John Flint to James Burnes. Beginning at the mouth of a gutt or Inlett of Potomack River and running thence east 187 perches to a point that makes the mouth of goose Creek, thence eastly north 100 p. to the upper side of another point up said creek, then north 26° west to the said Gutt or Inlett, then with the gutt to the beginning, containing 29 A. more or less. £57, 1, 10 sterling. T. T., pp. 234, 235, Prince George's Co., Md.

“wealth, culture, family pride, and social exclusiveness.” That this elevated class, composed of the élite of George Town and the landed nabobs of Prince George’s and other contiguous counties, established the George Town Balls. And the Doctor says it has been suggested that Marcia Burnes and Nellie Custis made début at this function.⁸

Mr. Hines tells his recollection with such simplicity no paraphrasing can improve the telling and what adds remarkability is that although written in his advanced age he guessed the young lady’s age exactly:

“Now, the only child that Davy Burns had was a daughter named Marcia, who, at that time, might have been about sixteen years of age, and was just springing into womanhood. I only recollect seeing her once while she was single, and this was, I think, in 1798. I had just returned from school and was standing at the door of the residence of Mr. Green, with whom I then lived, when a young man and young lady rode up to the door of Mrs. Green’s milliner shop. The young lady jumped from her horse and went into the house to buy something, or to have her measure taken, and the young man was left at the door with the horse until she returned, when she remounted, and they rode off together. After they had gone I heard, by the conversation of the family, who the parties were. The young lady was Miss Marcia Burns, the rich heiress, as she was called, and the young man was her cousin, named Moses Orme. What causes me to recollect so well that this was in the year 1798, is the fact that I went to school in Georgetown in that year, and in the year following my father moved to the city.

“Miss Marcia Burns was, perhaps, more talked of than any other female in the District of Columbia at that time. Almost every person heard of the rich young heiress, Miss Marcia Burns, and many young men were desirous of making her acquaintance, but most of them lacked the courage. Some few,

⁸ Pictures of the City of Washington in the Past. Dr. Samuel C. Busey.

who were in good circumstances, made the attempt to gain the prize, but without success."⁹

This notice appears in the *Centinel of Liberty and George-Town and Washington Advertiser*, May 10, 1799:

DIED,

In the City of Washington,

On Tuesday last, MR. DAVID BURNES, a very considerable proprietor of Lots.

Mr. Burnes died on the 7th day of the month. He reached only to the sixtieth year. Yet if his thought was active, his was not a short life. It appears from an advertisement in the *Centinel*, the same year, he had grain to "sell for ready cash" and had not relinquished the tillage of the soil. Mrs. Burnes administered upon the estate and had the assistance of John Oakley, the Custom House Officer of George Town. A sale of slaves, postponed December 12, 1800, indicates that Mrs. Burnes about that date laid aside the implements of husbandry.¹⁰

In Mrs. Thornton's journal for 1800 are glimpses of the heiress. She was in the whirl yet showed no attachments. To Mr. and Mrs. Knap, she was a frequent visitor.¹¹ And one very hot and oppressive evening in July, his guests, among whom, Samuel Dexter, the first Secretary of War, were entertained by the singing of Miss Marcia to the accompaniment on the guitar.

David Burnes is in more myths than any other local

⁹ "Early Recollections of Washington City," Christian Hines.

¹⁰ Administration Accts. P. G. Co., Md. S. T. 2 and 3, folio 214. Acct. of Anne Burnes, December 18, 1800. Widow's share £7,548-12-6½; daughter's £15,097-5-1½.

¹¹ John Knap, lumber dealer, lived "in the house known as the Cottage above the Commissioner's wharf."

worthy. He is in conversational controversies with President Washington which a comparison of dates disproves.

“To this little two-room cottage came diplomats and Congressmen to pay court to beautiful Marcia Burns. Old David Burns received them all, and with an instinct that is often given to simple natures, was soon able to distinguish between those who came on account of the wealth that was hers and those who came for love of the happy hearted girl herself. Every visiting foreigner of importance was also brought to David Burns’s home. And in one of the little attic rooms old Tom Moore once slept.”¹²

Mr. Burnes’ nature was not simple if by that is meant unsophisticated; he was well posted in the ways and wiles of the world—up to snuff. Congress did not convene in Washington for the first time until he had been housed in the graveyard a year and a half. And Tom Moore was young Tom Moore when he came and when he did the Burnes family lived elsewhere than in the cottage.

Vice-Admiral Aert Van Ness, very distinguished when Holland was a naval power, was the first of the family to come to New Amsterdam; he came early in the seventeenth century.

General David Van Ness, of the Army of the Revolution, was an uncle of John Peter Van Ness. His father was Colonel Peter Van Ness; whose estate “Lindenwald” was near the town of Kinderhook. In the burial plot at Lindenwald is the monument with the inscription:

“Here lie the remains of the Honorable Peter Van Ness who died Dec. 21, 1804, aged 70 years and 21 days. He was a high minded, honorable man fearing none but his God, and a

¹² *The Washington Post*, August 16, 1903.

distinguished and influential patriot in the most trying times, having served his country with great credit in numerous public stations both civil and military, among which were the command of a company at the age of 19 years by the unanimous choice of his men in the invasion and conquest of Canada by the British, the command of a regiment at the capture of Burgoyne in 1777, that of a member of the State convention which adopted the Federal Constitution and a long service as a State Senator, member of the Council of Appointment, and Chief Judge of this county."

John Peter was born at Lindenwald in 1770. He supplemented his elementary education by a course at Columbia College. He studied law. It does not appear that he ever tried it for a livelihood and when a party to litigation remembered the adage.

Announcement in the *National Intelligencer*, May 19, 1802:

"Married, John P. Van Ness, Esq, Member of Congress, from the state of New York, to Miss Marcia Burns, of this city."

History there is none of a wedding tour. Perhaps it consisted of the journey from the cottage to the rented house on Pennsylvania avenue, 1109 and 1111. The house has undergone so many changes little of the original is seen. The General and Marcia and Marcia's mother there resided until December, 1804. At that date the two houses across the way, that is, the southwest corner of D and Twelfth streets were completed. The corner house which had a store was rented. They took for themselves the house next, No. 1202 D. It stands today slightly remodelled. Here they entertained like royalty and in the exchange of hospitality were the guests at every fashionable board.

It was here that to Miss Fairlee, the actress, July 7, 1807, Washington Irving writes:

"I am now scribbling in the parlor of Mr. Van Ness, at whose house I am on a visit."

And Irving to Henry Brevoort, January 13, 1811, writes:

"I am delightfully moored 'head and stern' in the family of John P. Van Ness, brother of William P. He is an old friend of mine, and insisted on my coming to his house the morning after my arrival. The family is very agreeable. Mrs. Van Ness is a pretty and pleasant little woman, and quite gay; then there are two pretty girls likewise, one a Miss Smith, *clean* from Long Island, her father being a member of Congress,¹³ she is a fine blooming country-lass, and a great belle here; you see I am in clover—happy dog!"

And on the same visit, to the same "Dear Brevoort," February 7, 1811:

"To show you the mode of life I lead, I give you my engagements for this week. On Monday I dined with the mess of officers at the barracks; in the evening a ball at Van Ness's. On Tuesday with my cousin Knickerbocker and several merry Federalists. On Wednesday I dined with General Turreau; who had a very pleasant party of Frenchmen and democrats; in the evening at Mrs. Madison's levee, which was brilliant and crowded with interesting men and fine women. On Thursday a dinner at Latrobe's. On Friday a dinner at the Secretary of the Navy's, and in the evening a ball at the Mayor's. Saturday as yet is unengaged. At all the parties you meet with so many intelligent people that your mind is continually and delightfully exercised."¹⁴

The Reverend Manassah Cutler entered in his journal,

¹³ Senator John Smith.

¹⁴ Herman Knickerbocker; Gen. Turreau de Garambonville; Benjamin H. Latrobe; Paul Hamilton; Robert Brent.

"1804 Jan. 7, Saturday. Dined at Major Van Ness', with several members of Congress. A very fine entertainment and an agreeable time. We had the Spitzberger apple from New York; the flavor excellent. I have not tasted a better apple."

And the Reverend Representative within the limits of that year made another social entry:

"Dec. 27, Thursday. Dined with Mr. Nourse at his country-seat back of Georgetown. Mr. Pickering, Hillhouse, and Smith of Ohio, of the Senate; Mr. Taggart, Morrow and myself, of the House; Mr. Laurie and lady, Mr. Van Ness and lady made up our company."¹⁵

"TO THEODOSIA ALSTON.

"WASHINGTON, December 31, 1804.

"Being the last time I shall write 1804. Now, how much wiser or better are we than this time last year? Have our engagements for the period been worth the trouble of living? These are inquiries not wholly congenial with the compliments of the new year, so will drop them. . . .

"Peter Van Ness, the father of General John P., died on the 23d instant. He has left his sons about forty thousand dollars apiece.

"Madam, when I enclose you a book or paper, be pleased, at least, to let me know that you or your husband have read it. Pretty business, indeed, for me to be spending hours in cutting and folding pamphlets and papers for people who, perhaps, never open them. Heaven mend you.

"A. BURR."

The letter of the Vice-President discloses that General Van Ness was not a parasite on the Burnes inheritance as generally understood; he inherited an ample fortune from his father as Mrs. Van Ness did from hers.

¹⁵ Timothy Pickering; James Hillhouse; John Smith; Samuel Taggart; Jeremiah Morrow; Rev. James Laurie.

“*Dr Sir*

“... I know you was doing well, & know I would before long be able to congratulate you upon a change in your situation which I can not but think very important. It gives me great pleasure to find your experience is such as ought to confirm our opinions upon the subject—I have no doubt you will (reflecting & considering that your future prospects are principally founded upon your attention to the Improvement of that mind, & those talents, with which you are blessed) neglect no opportunity of accomplishing this desirable object to such a degree as to render you an ornament & an honor to your friends & your Country—You have now advantages *before* you, let me, however, remind you that you have dangers *around* you.—Temptations to *vice* are every where presenting themselves—I need not tell you that the first, & often an insensible, step towards it is Idleness—This is not only a *negative* evil inasmuch as you neglect your business; but a *positive* one inasmuch as it brings you to a point from which you plunge with great facility into the worst mischiefs of every kind—The transition is a very easy one.—I need not dilate upon this subject to you, indeed I have no time.—I would not wish to be understood that I am hostile to rational amusements;—by no means—They are necessary, as well as close application to the advantageous cultivation of the mind.—And a *due* intermixture with good society we all know contributes vastly to the Improvement of both Mind & Body. The Theatre, about which you ask my opinion, affords certainly a great opportunity for both; the only objection (or at least a principal one) is that we are sometimes so fascinated & subdued by its charms as to become wholly devoted to it.—This will not do, and I confide in your good sense to prevent any such effect in your case. . . .

“You will find I have written pretty plainly to you on some points—I will continue to do so as I am your friend—after that it is no matter.

“In great haste I am

“JOHN P. VAN NESS.

“MR MARTIN VAN BUREN

“Washington Jan^r 6th, 1802 (1803)”

“*Dr Sir*

“You possibly suppose that I feel an Indifference, or at least not that ardent sentiment of friendship, towards you which I have always possessed—This Impression may have been made on you from my long silence, but believe me that is not the case—My attachment to you is as strong as ever, and anything in my power to serve you I shall always take pleasure in doing—I would with great pleasure send you on such sum of money as you may require immediately, but, owing to the embarrassments here for the want of money, it is by Heavens almost impossible to procure any whatever Property or Estate one may have—Add to this the extraordinary Expenses we are, owing to the peculiarity of our situation constantly obliged to incur; & you will have some Idea of my affairs—I have long been in hopes that I would have been able to answer your letter with a One hundred Dollar Bill; but innumerable disappointments prevent—By God, my friend Cash . . . out of my power; but if my Note for a Hundred Dollars at Twelve, or if *necessary* at Six Months will answer your purpose let me know, and it is at your service—But do not neglect your Improvement &c—This is the time for you—Your prospects are good, do not neglect them I beg of you—Write me immediately & frequently however irregular I may be in my answers—You can scarcely conceive the hurry of business I am constantly engaged in—

“Your friend &c

“JOHN P. VAN NESS

“—in great haste

“M^r MARTIN VAN BUREN

Nov^r 3^d 1803

Washington.

Martin Van Buren was twenty years of age at the dates of the letters of General Van Ness. Martin had appealed for financial assistance. The General enclosed a twenty dollar bill with the request that nothing be said about it. The General in strong language

told of his own—and great—financial troubles. What he failed to yield to Martin's appeal for cash he more than made up in advice for Martin's life cruise—advice as wise as the precepts of Polonius given to Laertes upon his sea voyage.

Martin was of the Dutch. His father had a tavern in the village of Kinderhook and a farm near it. The bar-room discussion listened to by Martin educated him for a politician and he decided to be a Democrat like the Van Ness. Martin swept the office and ran errands for the country lawyer and took his pay in law instruction and then went down to New York and completed it under General Van Ness' brother, William Peter. Martin had a clear conception of character and his observation when he had the power of patronage proves it:

"I prefer an office which has no patronage. When I give a man an office, I offend his disappointed competitors and their friends. Nor am I certain of gaining a friend in the man I appoint; for, in all probability, he expected something better."

Martin at the youthful age he received General Van Ness' letters had of human cunning sufficient insight to detect that the digression was polite refusal.

The General's letter, January 6, 1803, has the postscript:

"N. B. My friends need feel no uneasiness about my seat in Congress—The republicans, whatever their sentiments are upon the point (& here indeed they differ among themselves) are universally disgusted at Davis¹⁶ for raising it—And I suspect you will not see much decided about it until a pretty *late period* in the Session altho' the Federalists & a very few others are anxious about it."

¹⁶ Thomas T. Davis, of Kentucky.

Mr. Van Ness had by his new neighbors been honored as Major of the militia and the President gave him a corresponding commission. The point in Congress was made he had thereby two Federal positions. On the report by Mr. John Bacon, of Massachusetts, "in case of J. P. Van Ness, member of Congress, as to his having vacated his seat as a member by accepting and exercising the functions of major of militia in the Territory of Columbia," January 11, 1803, the House voted unanimously that he had, January 17, 1803. He was elected as a Democrat and served from December 7, 1801.

General Van Ness helped to give a strong start to everything essential to the city's life. The General of himself could repeat Dr. Johnson's principle "I am a great friend to public amusements; for they keep people from vice." And he, at the request of the committee in charge, officiated at the laying of the cornerstone of the Washington Theatre, June 24, 1804.

For the protection of the property of the rising city General Van Ness accepted an humble and working part. He became, September 8, 1804, a member of the Union—the organization for the first fire ward. He was of the six firemen.

The resident citizens of the first and second wards, May 10, 1816, resolved that John P. Van Ness and Roger C. Weightman with others named be appointed to manage the secular affairs of St. John's Church until a vestry can be legally appointed. General Van Ness was the first warden.

General Van Ness recognized from the beginning what has been recognized ever since, that the city should have manufacturing establishments that it may receive for its wares the equal paid for the wares of other places. General Van Ness with others, worthy

of praise, made the attempt to introduce and induce this character of enterprise. At an adjourned meeting of the meeting called by the Mayor, June 5, 1808, a company was formed which was chartered for the cotton industry at Greenleaf's Point. General Van Ness was of the first board of directors.

General Van Ness presided at the meeting of the citizens, February 4, 1817, at which another attempt for the creation of manufacturing was made.

Money is essential to trade and trade to existence. It was so from the purchase of the field of Machpelah "for as much money as it is worth" to the present. General Van Ness to keep money moving and ensure for the youthful metropolis its benefits encouraged banking. He was elected a Director of the Bank of Discount and Deposit, which was a branch of the Bank of the United States, at its organization, February 4, 1806; and on April 3 was by the directors elected President.¹⁷

On the establishment of the Bank of The Metropolis, January 11, 1814, General Van Ness was elected President. It is stated in Arthur T. Brice's concise history of The National Metropolitan Bank that General Van Ness' salary at first was \$500.

The bank, first called The Bank of the Metropolis, was organized when the country was in the throes of war. Mr. Brice has made the interesting extracts from the first volume of minutes:

"Wednesday Aug 24, 1814.

"No Board on account of the Enemy's approach to the City and the engagement at Bladensburgh.

"At 2 p. m. the Cashier moved all the Bank's effects for safety, and on the 25th deposited the specie and notes in the Bank at Hagerstown."

¹⁷ "The Financial Institutions of Washington City in its Early Days," Charles E. Howe, RECORDS OF THE COLUMBIA HISTORICAL SOCIETY.

“Monday, 5, September, 1814.

“The Cashier returned and opened the Bank for business.”

General Van Ness continued this presidency until his death.

General Van Ness until the Second War had nothing to add to his military prestige save stately courtesy on parade proceedings, but with that war had the chance to

“Add new lustre to the historic page.”

He was promoted from Major to Lieutenant Colonel Commandant of the First Legion of the Militia, District of Columbia, January 8, 1805;¹⁸ and between April and July, 1811, was advanced to Brigadier-General. He, February 16, 1813, ordered “the commanding officers of the cavalry of the District to be ready to march at the sound of the trumpet.” About May 8, 1813, the District militia was reorganized with John P. Van Ness, Major-General. On the 11th of that month, in the military records, appear the Major-General’s announcements, appointments and arrangements to conform to the general army plan.

That the General had in mind more of preparation than of play in times for action, can be quoted Mrs. Seaton, March, 1813:

“You will see by the *Federal Republican*, that the plan might be carried into execution without a miracle, of seizing the President and Secretaries with fifty or a hundred men; and rendering this nation a laughing-stock to every other in the world. I did not think much of these possibilities until hearing them discussed by General Van Ness and others, who, far from wishing a parade of guards or ridiculous apprehensions to be entertained, were yet anxious that the city should not be unprepared for a contingency the danger of which did certainly exist.”

¹⁸ *National Intelligencer.*

To the committee of investigation, Gen. Van Ness said:

“At length, in August last, when the increased and re-enforced fleet, with the troops, ascended the Chesapeake, and were known from authentic information to have entered the Patuxent, I called on Secretary Armstrong again, and expressed, as usual, my apprehensions, arising from want of means and preparations, adding that, from the known naval and reputed land force of the enemy, he probably means to strike a serious blow. His reply was, ‘Oh yes; by G—d, they would not come with such a fleet without meaning to strike some where, but they certainly will not come here. What the d—l will they do here?’ etc. After remarking that I differed very much from him as to the probable interest they felt in destroying or capturing our seat of government, and that I believed a visit to this place would, for several reasons, be a favorite object with them, he observed, ‘No, no; Baltimore is the place, sir; that is of so much more consequence.’ ”¹⁹

In the chapter “The Bladensburg Races” in “Social Life in the Early Republic” it appears that in the night the General joined the Homans’ party, exiled on the shores of the Potomac above Georgetown. And while the Homans’ maid prepared a scanty repast of ground rice and coffee “the gentlemen of the party stood around a fire of blazing logs discussing the situation of affairs with General Van Ness, who had made his way up to the anchorage, while all gazed, from time to time, upon a large portion of the horizon illuminated by the burning Capitol and other public buildings.”

The part that the military plays in peace was plainly perceived when the gallant appearing General Van Ness with General John Mason, Adjutant-General John Cox and Major Walter Jones his aides, on steeds

¹⁹ “History of the Invasion and Capture of Washington,” John S. Williams.

of mettle marshaled the large cavalcade of mounted citizens, who had assembled March 5, 1817, to escort President-elect Monroe from his residence, 2017 I Street, to the Capitol.²⁰

General Van Ness, Richard Bland Lee and Tench Ringgold were appointed a commission by President Madison for the reconstruction of the public buildings, March, 1815. The commission had its quarters in the Post Office or Blodgett's Hotel.²¹ Numerous drafts of letters by President Madison in this relation are deposited in the Library of Congress.

After preliminary meetings, a general one was called for the establishment of an orphan asylum, October 10, 1815, in the Hall of Representatives. Mrs. Madison was elected first directress; Mrs. Van Ness, second directress. Upon the retirement of Mrs. Madison Mrs. Van Ness was the first directress.

Mrs. Van Ness to this benevolent enterprise gave the requisites of success. Having welcome at "the great house," she, at once, enlisted Mrs. Monroe's support.²² Says Mrs. Smith, December 21, 1827:

"Next week there is to be a Fair, for the benefit of the Orphan Asylum. Every female in the City, I believe, from the highest to the lowest has been at work for it. Mrs. Van Ness spares neither time or expense."²²

The asylum was at first for girls.

Says the Rambler in the *Sunday Star*, September 15, 1918:

"The orphan asylum, when organized in 1815, was established in a small frame house on 10th street near Pennsylvania avenue. In 1816-17 it occupied a frame house on H

²⁰ *The Evening Star*, February 25, 1901.

²¹ "A History of the National Capital," W. B. Bryan.

²² "Forty Years of Washington Society," Margaret Bayard Smith.

street near 10th street, part of its site being that of the brick building erected in 1828-29. In 1822 the orphanage was removed to a house on 7th street between H and I streets and remained there until it was moved to the new brick building on H street in the summer of 1829."

The new brick was on a lot sixty feet front immediately west of the Mausoleum lot and was donated by General Van Ness. The corner stone was laid by Mrs. Van Ness in the presence of a large assemblage. The asylum here remained until 1867. The title by charter of Congress is the Washington City Orphan Asylum.

General Van Ness built the mansion in the square which had the cottage. The square is officially designated South of 173 and is bounded by Seventeenth and Eighteenth, B and C streets. It was called Mansion Square. The mansion was first occupied in May, 1816. Mr. Latrobe was the architect.

Jonathan Elliot in "Historical Sketches of The Ten Miles Square," 1830, gives a description, a part of which is:

"MANSION SQUARE.

"In the plan of the City, this beautiful Square, containing about six acres of ground, was retained by the proprietors, and was designated as above, on a map made by N. King, Esq. formerly Surveyor of the City. It is handsomely situated at the junction of the classical Tiber with the majestic Potomac, who proudly pursues his course from the stupendous Alleghany, to the Chesapeake and the Ocean, . . . They improved at great expense, the Square in the best modern taste, both as to buildings and grounds—the latter of which, in addition to their lofty, dignified, paternal trees, are abundantly supplied with the best native and foreign fruits, including figs and grapes, and adorned with a great variety of ornamental shrubs and plants, hedges, quin cunxes, gravel walks, vines, bowers, &c. The solidity, elegance and convenience, through-

out the whole of the buildings and other improvements of this spot, combined with the natural beauty of location, justly excite great interest and admiration. The spacious Mansion itself, . . . built in a style of the finest architecture, near the President's House, is probably not excelled by any private building in this country. The entrance into this walled square is through an iron gate between two lodges at the north east angle, fronting on the street and the President's Square. Thence there is a winding carriage way, skirted by ornamental trees, shrubbery and flowers, ascending an artificial mound at the north front of the house, and passing under an elegant, projecting stone portico at the door. This portico is the first of the kind, if not the only one, excepting that recently erected at the President's House, in the United States. . . ."

The Elliot description fails to state that in every chamber was hot and cold water, the first dwelling in the Union with these luxuries and that it had, quite as essential, spacious storage for the choicest vintages.

Something of the interior arrangement is given in a newspaper:

"On the first floor are the parlors, the great reception-room opening into a large conservatory on the south side which must once have been a bower of beauty. The dining-room is large enough for a state banquet hall, and at one end of it still remains the high marble mantel, with quaintly carved pillars, inclosing the little old-fashioned grate set well up from the floor. Between the dining-room and a small side room, evidently the buttery or wine room, is a curious sort of revolving door, with shelves on either side, so arranged for the serving the course of a dinner. The buttery is plentifully provided with shelves and closets, while in one corner a dumb waiter communicates with the big kitchen below. From the main hallway broad, winding stairs, with spindle-supported hand-rail, lead both to the upper stories and down to the basement."

. A daughter to General and Mrs. Van Ness was born

in 1803. She returned from the boarding school with a mind well stored with useful knowledge in the different branches of science.

Her marriage cannot better be told than it has been by Mrs. Kate Kearney Henry:

"In 1821 Ann Elbertina married Arthur Middleton of South Carolina. His grandfather was a signer of the Declaration of Independence. He was Secretary of Legation at Madrid when Cornelius P. Van Ness, an uncle of his wife's, was United States Minister to Spain. Few weddings of the present day equal and none surpass the elegance and munificence of that occasion; there were six bridesmaids and groomsmen. The former were Miss Casenove, who married General Archibald Henderson, Commandant of the Marine Corps; Miss Frances P. Lewis, a daughter of Lawrence Lewis (Washington's nephew), who married General Butler, U. S. A., Miss Laura Wirt, daughter of William Wirt, who married Thomas Randall, Esq.; Miss Mason, who married her cousin, George Mason of Gunston; Miss Lee, who married Dr. Bailey Washington of the U. S. N., and Miss Mary Ann Kerr, a niece of Mrs. Peter Hagner. The festivities lasted nearly a month, each bridesmaid gave a party, each groomsmen, a dinner."

John Quincy Adams entered in his journal January 1, 1822:

"From the President's we went to General Van Ness's, and paid a wedding visit to his daughter, Ann, who was last week married to Arthur Middleton. We met among the company there Mr. and Mrs. Eustis, and Mr. and Mrs. Russell.²³

Two years from her marriage, Mrs. Middleton died. "In giving birth to a daughter, she fell a victim to a malignant fever, which had already proved fatal to many other ladies of the district in a similar situation." She was interred in the enclosure consecrated

²³ William Eustis; Jonathan Russell.

to the dead of the Burnes generations. The location was H between Ninth and Tenth streets, south side. General and Mrs. Van Ness had built a mausoleum. It is of graceful architecture, circular and colonnaded. The columns are twelve. It is a replica of the Temple of Vesta at Tivoli near Rome. The material is sandstone, the same as the central part of the Capitol. George Hadfield was the architect. The square after was called The Mausoleum Square.²⁴

Mrs. Van Ness upon the death of her daughter dropped the gayeties and entered more devotedly into charitable work. She was deeply religious. She had care for the domestics; of their everyday needs and pleasures and of their spiritual—for every morning and evening she joined the corps in devotional exercises. Her ideas of propriety had not the latter-day liberty and she, not to let the daughter of the house with the other young ladies of Madame Bonfils' school²⁵ appear on public entertainments arranged for them a May-day festival with a may-pole in Mansion Square. The daughter was crowned queen.

The daughter of the house was Marcia, the daughter of Cornelius P. Van Ness. Marcia married William Gore Ouseley, attaché to His Majesty's Legation. He was the attaché in 1823. The wedding excited the women in the smart set. It had a double ceremony. First the religious by the Rev. Dr. Hawley. After it, the civil. The bridal party, the bride and groom, Miss Virginia Jones and Baron von Stackelburg, Miss Nancy Kerr and Prince Lisben, were driven to the British embassy, then occupying the mansion, now 2107 I street, where the service under the British flag was solemnized.

²⁴ At Rome, April, 1841, Mr. Middleton married the Countess, the daughter of the Count of Bentivoglio.

²⁵ S.W. corner F and Twelfth streets.

Congress, in 1822, passed an act authorizing the Corporation of Washington to drain and dry the low grounds in certain public reservations, to improve and ornament them; and to effect the object to sell lots in reservations numbered 10, 11 and 12 and certain other squares. John P. and Marcia Van Ness filed a bill against the Corporation of Washington and the United States "claiming title under David Burnes, the original proprietor of that part of the city, and that they were in equity entitled to the whole or a moiety of the proceeds of the sale of the lots." The case is reported in 4 Peter, 232. It takes fifty-five pages. The original bill was filed April 16, 1823. It was decided in the U. S. Supreme Court, the January term, 1830. Roger B. Taney represented Gen. and Mrs. Van Ness; William Wirt and Walter Jones, the Corporation of Washington; John M. Berrien, the Attorney General, the United States. The case was decided adversely to the plaintiffs. Justice Story delivered the opinion; Justice Baldwin dissented.

In the case is this expression of the Supreme Court of the United States:

"The plan of the city as originally projected by L'Enfant, improved and matured by Ellicott, was approved and adopted in 1792, by the President of the United States."

In the same case is the valuation by that court of the lands at the time of the cession:

"They admit that about five hundred and forty-two acres were reserved for the use of the United States and not allotted and divided; that these lands thus reserved were purchased at the rate of twenty-five pounds, or sixty-six dollars and sixty-six cents per acre, paid out of the public treasury, which price was more than three-fold the market price or real value, independently of the adventitious and speculative valuation

superinduced by making this the permanent seat of government."

General Van Ness, his two brothers, both of political prominence, and their intimate associates, among whom notably the comrade of their youth, Martin Van Buren, were of the party or succession of parties which had success in the election of General Jackson to the presidency. In the city was a Jackson Central Committee, 1828, and General Van Ness was the chairman of it. With the election it did not disband but continued a Jacksonian triumphal chain. It arranged for the celebration of the battle of New Orleans, for the reception of the President-elect and for his inauguration. General Van Ness with John H. Brent and Henry M. Morfit were elected delegates for Washington to the Democratic convention held in Baltimore, 1832. It was at this convention Van Buren was elected the candidate for Vice-President, the nearest stepping-stone to the presidency.²⁶

General Van Ness was a passionate partisan. He was a staunch supporter of William H. Crawford for the Presidency with others prominent locally. The Crawford supporters included many who were social intimates of Mr. Adams. This was irritation to Mr. Adams, who, himself, was a candidate. Ninian Edwards in Congress attacked Mr. Crawford's record. An investigation was in progress. Gen. Van Ness, in anger, prevailed upon the committee for the Independence Day supper, July 5, 1824, to prevent Mr. Edwards' attendance. Mr. Adams in his journal, July 1, writes:

"An acceptance by the officers of the Government of an invitation under such a condition thus necessarily implied approbation of the exclusion of Mr. Edwards. Under these circum-

²⁶ "A History of the National Capital," W. B. Bryan.

stances, the President and members of Cabinet deemed the matter of sufficient moment to prompt a formal public notice declining to attend the dinner."

Messrs. Adams, Calhoun and McLean withdrew their subscriptions and absented themselves. Thomas Carbery, the chairman of the committee on arrangements, who presided at the festivity, called upon Mr. Adams. He said the majority of the committee was *taken in*. General Van Ness proposed that the ticket sellers be advised privately not to sell to Mr. Edwards. Without the proposition being either adopted or rejected, he notified the sellers privately and had the matter adverted to publicly. To Mr. Carbery's apologies, Mr. Adams said he was satisfied *he* had intended nothing improper.

In the local government General Van Ness had an important part. His part was legislative and executive. He was of the Second Council, 1803—the First Chamber—and its president. General Van Ness's enthusiasm was, no doubt, an effectual discouragement to absenteeism and he was not of those fined for failure to appear and whose failures for two years added to the municipal treasury \$3.50.²⁷

General Van Ness was an Alderman. He was of the Twenty-seventh Council, 1829.

He was elected Mayor, June 8, 1830. The vote was William A. Bradley, 285; George Sweeny, 295; John P. Van Ness, 343.

General Van Ness was re-elected June 5, 1832, by the narrow majority of 13. The vote was John P. Van Ness, 505; Thomas Munroe, 492.

John Quincy Adams is of the wonderful products of the new world. Few equal in brain power. An esti-

²⁷ Alonzo Tweedale. *The Sunday Star*, March 23, 1913.

mation of himself as to certain characteristics, to his wife he gave August 11, 1821:

"I well know I never was and never shall be what is commonly termed a popular man, being as little qualified by nature, education, or habit, for the arts of a courtier, as I am desirous of being courted by others. But I have no powers of fascination; none of the honey which the profligate proverb says is the true fly-catcher. I am certainly not intentionally repulsive in my manners and deportment, and in my public state I never made myself inaccessible to any human being."

Surely he would have been almost without popularity if he used in speech the caustic comment he used about almost everybody in his journal. His criticism has a pleasing piquancy:

"February 16, 1831. Dr. Huntt was here, more full of politics and personalities than of physic. He says Mr. Calhoun's pamphlet is to be published to-morrow morning. Duff Green, editor of the *Telegraph*, has been elected by both Houses public printer for the next Congress. Green is understood to be in the interest of Calhoun. A new paper, published twice a week, and called *The Globe*, has been established, supposed to be under the auspices of Mr. Van Buren, Secretary of State. These are the two candidates in embryo for the succession to the Presidency. Each of them must have his newspaper, and in our Presidential canvassing an editor has become an appendage to a candidate as in the days of chivalry a squire was to a knight. Dr. Huntt is grievously annoyed by the appointment of H. Ashton as Marshal of the District, in the place of his father-in-law, Tench Ringgold. Ashton is a small lawyer, originally a toaster of Crawford, as long as there was a prospect of creeping into an office by puffing him. When Crawford was distanced in the field, he, like John Van Ness, now the Mayor of the city, crossed over into the Jackson camp, and both were members of the Central Committee which took charge of his cause and his person at the time of his election."

The citizens met at the City Hall, October 14, 1830. General Van Ness presided; Colonel Peter Force recorded. The occasion was the enthronement of Louis Philippe and the establishment of republican features through the instrumentality of General Lafayette. It was directed that a letter expressive of admiration be addressed to the patriot.

The 28th of the month was the day of celebration. In the procession was the President and the French legation. The District's orator was the orator of the day. In the eastern portico of the Capitol, Walter Jones equalled the eloquence, his high talents made capable. In the evening "a handsome Ball" was given "at Carusi's splendid assembly rooms."

In the period of the municipality the constituents of it had closer connection with the nation's executive and with their excellencies, the foreign ministers. They formally welcomed the Executive; they formally gave him godspeed at his departure. When the foreign representative was recalled by his government, the town meeting was convened at which the Mayor presided. A committee was formed to arrange to speechify and banquet him. The citizens, March 5, 1831, resolved that M. Roux de Rochelle was everything admirable and to him addressed a memorial.

"WASHINGTON, 5th March, 1831

"*Sir:* Our countrymen saluted you on your arrival, with that respect due to the representative of a great nation, the first ally of our Republic. The ties which unite us politically to the French took origin in the cradle of our liberty, when the patriots of the two hemispheres were seen marching arm in arm, to glory and to independence. The acknowledgment of those ties should be as frank and unrestricted as their source was pure and philanthropic; and we are pleased to see in the

choice of the distinguished individuals France has made for her representatives, the evidence of reciprocal feelings of respect and friendship.

“JOHN P. VAN NESS
 “DAN’L T. PATTERSON
 “RICHARD SMITH
 “W. A. BRADLEY
 “EUGENE A. VAIL.”

At the ball, the 15th, the supper table was elegantly and abundantly supplied by Joseph Letourno, the celebrated restaurateur; and General Van Ness directed the flow of eloquence.

Jean Baptiste Gaspard Roux de Rochelle from memory and notes wrote a history of the “Etats Unis d’Amerique,” 1837.

“The innumerable streets drawn in the form of a checker board through this territory are still uninhabited and this aspect of a few sparse edifices thrown here and there on desert space might recall the memory of those ancient cities where temples and palaces remain standing and all other traces of men and their habitations have disappeared, but one feels here other impressions. Those monuments which survive the nation sadden the soul. These concern the enjoyment of those who commence their cities and who foretell their grandeur.

“Soon several groups of houses commenced to form around the principal public buildings, others were scattered on the heights or in the plains, and from the Navy Yard to Georgetown; from the summit of Kalorama to the shores of the Potomac one sees villages, hamlets, isolated houses rise like the landmarks of an immense city, whose achievement is left to future generations.

“The sessions of Congress, business affairs, the desire for travel, must attract to Washington, every year countrymen and foreigners, and this influx will give to the Federal City an animated character but apt to be short-lived. After a resi-

dence of several months this floating population will commence to disperse, throughout the vast space of the United States and the streets where they once circulated will again become long solitudes. The neighborhood between the Capitol and the House of the President has already several thousand inhabitants. This intermediate section is the most favorable for the congestion of business affairs, for commercial activity, for the exercise of all the arts and of all the trades which are necessary to the building of a city and which must answer to the needs of its people. The Navy Yard and the vicinity of Georgetown were occupied immediately but everywhere else the progress was less noticeable and the precincts of the city must yet include for a long time waste lands, fields covered with harvests and pastures where cattle wander at liberty and come toward evening to the door of the house to be milked and to receive from their owners water and salt.

"In order to favor the growth of the city, it was not sufficient to have placed here the seat of government. The founder who chose the situation thought that some day it would become a great commercial centre, in spite of several other maritime places. The project of opening a gate of communication between the Potomac and Ohio had already been formed, it must materialize in the future, and must have an influence on the growth and interests of the Federal City. A city is founded for centuries and time alone can achieve the work that foresight has commenced."²⁸

Political party feeling was so intense in the year 1831 that a divided celebration of Independence Day resulted. The National Republican Celebration by the friends of Clay was under the chairmanship of William W. Seaton. The oration was by Philip Richard Fendall at the City Hall. The Administration Celebration was under the chairmanship of General Van Ness. The orator was Francis S. Key; the place, the rotunda of the Capitol.

²⁸ Translated by Miss Elizabeth G. Clark.

General Van Ness' impetuosity in political affairs created embarrassment for himself as well as others. An incident is in the journal of Mr. Adams, April 12, 1833:

"Worth told me also that Amos Kendall and Van Ness, the Mayor of Washington, had undertaken to investigate certain charges of peculation against Commodore Rodgers, and went to him at the office of the Navy Commissioners; that Rodgers told them if he had been guilty of official misdemeanor he had a right to a trial by his peers; and that he should not hold himself accountable to them; that there was the door of the office, out of which he recommended them to retire, to save him and them the mortification of his kicking them out, which he should certainly otherwise do. They sneaked off."

Dr. William Paley to his "Moral and Political Philosophy" made a dedication to the Right Reverend Edmund Law, D.D., Lord Bishop of Carlisle, and dated it, Carlisle, February 10, 1785. The dedication is mentioned particularly as Bishop Law was the father of Thomas Law, preëminent in the history of the Federal City. Dr. Paley concludes the chapter "Of different Forms of Government" thus:

"But much of the objection seems to be done away by the contrivance of a *federal* republic, which distributing the country into districts of a commodious extent, and leaving to each district its internal legislation, reserves to a convention of states their adjustment of their relative claims; the levying, direction, and government, of the common force of the confederacy; the requisition of subsidies for the support of this force; the making of peace and war; the entering into treaties; the regulation of foreign commerce; the equalization of duties upon imports, so as to prevent the defrauding the revenue of one province by smuggling articles of taxation upon the borders of another; and likewise so as to guard against undue partialities in the encouragement of trade. To what limits

such a republic might, without inconveniency, enlarge its dominions, by assuming neighbouring provinces into the confederation; or how far it is capable of uniting the liberty of a small commonwealth with the safety of a powerful empire; or whether, amongst coördinate powers, dissensions and jealousies would not be likely to arise, which, for want of a common superior, might proceed to fatal extremities; are questions upon which the records of mankind do not authorise us to decide with tolerable certainty. The experiment is about to be tried in America upon a large scale."

The functions of government summarized by Dr. Paley accord with the Articles of Confederation perfected March 1, 1781, and is "the experiment to be tried in America upon a large scale." The Constitution to secure that of liberty with other blessings was ordained and established, September 17, 1787. With the first inauguration of President, April 30, 1789, the machinery of the American government was in full motion.

A test of forty-two years had been made when General Lafayette debating the Election Law in the Chamber of Deputies, France, January 15, 1833, said:

"I shall speak of the Government of the United States, although I am one of those who pay it the just tribute of calling it the *pattern Government*. But we are now told that what I should call republican institutions suit only a vast *continent*, bounded on the one side by the ocean, and on the other by widely extended forests. Formerly, however, it was said that they suited only for an *island*. They are suited to every country where the citizens are intelligent, and wish to be free."

It is a pattern government. A pattern that is being more and more appreciated and approved. It is not a wild prediction—that most of the American boys who wear now American uniforms will see it adopted essentially by every nation on the globe.

The government of the United States, made of true democracy, likened to a garment is beautiful. It is never out of fashion. It wears well. It is a perfect fit. Yet there is a patch of different material in it and small as it is, it is decidedly noticeable. The patch is the District of Columbia—the center of the league of the American States—its government is not democratic, any government of its own it has not at all. In the creation of the general government it was not so intended. It cannot be so inconsistent that ten miles square were reserved for political serfdom in a nation the preamble to the constitution of which begins “in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.”

Roger B. Taney, eminent practitioner, to become Chief Justice of the Supreme Court of the United States, said: “The constitution of the United States declares that congress shall have *exclusive* legislation; but it does not require that the power shall be *despotic* or *unlimited*. It merely excludes the states from all interfering legislation.” Mr. Taney said this in his brief in *Van Ness* against the Corporation of Washington, 4 Peter, 232, and emphasized despotic and unlimited.

The address about to be repeated made eighty-five years ago is prophetic of the United States' part in an event of importance without parallel in all recorded time. May He who measured the waters in the hollow of His hand hasten the consummation.

Independence Day, 1833, was celebrated at Paris by a sumptuous banquet. Nearly one hundred Americans were guests. Mr. F—— Carnes of New York made an eloquent preface to his toast:

“Fill, therefore, your glasses to the brim and drink to the health of

“That Model of Disinterested Patriotism,

“The Veteran Lafayette!”

General Lafayette said:

“It is now for the 57th time that it has been given me to hail our glorious anniversary of the 4th of July, the sacred era of the doctrine of the rights of man, the polar star of universal freedom. But how can I find adequate words to express my gratitude for the so very warm applause that has greeted the last toast, and the most kind speech that has preceded it. When such testimonies of your esteem are so affectionately poured upon me, it is yourselves you are applauding, my dear friends. Am I not in fact an American Veteran? Have I not, at all times, in every situation, firmly declared myself a disciple of the American school? Am I not Washington’s adopted son? Delighted I am, on this convivial meeting, to see such a numerous concourse of American fellow-citizens, coming from every part of the Union, and to enjoy with them the immense results of public and private prosperity, security, happiness, and unbounded prospects, that have flowed from that great day of independence and freedom. And when I advert to the few clouds, that have at distant periods threatened somewhat to obscure so brilliant an atmosphere, which it would be the more improper here to particularize, I rejoice that they are now, and I hope for ever, dispelled, I recur to that admirable trait of the American character, which, in my last farewell speech at Washington, I have greatly called a ‘National good sense, the great arbiter of all the difficulties.’ May all the internal and external advantages, resulting from the day we are celebrating, continue to be more and more increasing. May the people of the United States reap every benefit from this scientific, literary, mercantile intercourse, and mutual exchanges, with this side of the Atlantic, particularly with France, where I want at this moment to express my conviction that proper measures, will be adopted to cherish them.

“There is, however, a sort of commodity, which, in your European connexions, and although I have devoted more than fifty years of my life to make a matter of importance to Europe, I must earnestly warn you never to make a matter of exchange. I mean republican principles, pure, virtuous, unalloyed so happily condensed in that one *American* word, ‘Self-government.’ While those principles are imported gratis, do forever beware of European Exchange, and accept from me the following toast: The National Good Sense of the American People—the final arbiter of all difficulties.”

When the writer was a boy he heard of the falling stars. He heard the old colored people speak of the awe-making display with composure for it was long after the event. In searching for the great events of Van Ness’ magistracy he found the stars fell, for one of them.

The *Intelligencer* indulged in one of the few journalistic enterprises of its seventy-year career—it had made a wood-cut illustration just like that in the *Commercial Advertiser*. On that memorable morning the reporters of the *Intelligencer* were away in the land of dreams and did not see to report the goings-on in the sky. The *Intelligencer* did as well by quoting three accounts;²⁹ and one of which, the most brief, so does the writer:

“WHEELING, Wednesday, November 13, 1833

“A Phenomenon the most singular, and yet one of the grandest, appeared on the night of Tuesday, commencing at about 2 o’clock A. M. and continued (with a short abatement) in all its grandeur, until after 5 o’clock A. M. The whole heavens were filled with shooting meteors, generally taking an oblique direction towards the earth, rather from the south-westward, though frequent in other directions. The whole

²⁹ *Boston Courier*, communication from Malden, Mass. *Commercial Advertiser*.

heavens seemed to be partially illuminated—all the meteors seemed to leave in their wake a bright milky way, which presented to the spectator an awful grandeur.

“No part of the heavens seemed to have been divested of their presence. I therefore conclude that it must have been observed throughout our country.

“After a snow storm you may have noticed, at its close, the large flakes falling thick and rapidly—the meteors had much that appearance. It is one of those wonders of nature, of which I have never yet seen, or heard of a similar; and one that I hope will draw to its elucidation some of the *Savans* of our age. The scene was witnessed by many of our citizens, though most of them were deprived of a sight of the magnificent spectacle.

Respectfully, yours,

“O. P. Q.”

The phenomenon was repeated the next year and the next year to that in the same month and in the same day of the month.

Andrew Ellicott, identified with the District of Columbia, in defining the original exterior and interior lines, saw the phenomenon in 1799, the same day of the year mentioned, while on shipboard near West Indies. He said “the whole heavens appeared as if illuminated with sky rockets, flying in an infinity of directions, and I was in constant expectation of some of them falling on the vessel.”

No account appears in the *Intelligencer* of the effect of the meteoric shower on the people. What happened here, happened elsewhere, and an account of that elsewhere is, of consequence, an account of that here. In a Southern town the people were alarmed—they feared the last day had arrived. Some thought to busy themselves with stitching the ascension robes; some resolved immediately to take up that matter of repentance

they had so often postponed. The evening of that day was prayer-meeting time. The minister said that the audience was unusually large and the faces unusually serious. And it was market morning. On market mornings at the public house the proprietors did big business, but on this particular morning only one drink was bought and the proprietor would not take pay for that.³⁰

The Maryland legislature at the December session, 1830, passed an act "to promote internal improvement by the construction of a Rail Road from Baltimore to the city of Washington." The Baltimore and Ohio Railroad Company accepted, May 8, 1833, an amendatory act and simultaneously adopted the plan of financeering. *The Baltimore Patriot*, October 3, the same year, announced the route had been selected. The culmination of the enterprise belongs to the achievements of a subsequent mayoralty.

Mr. Gales' first railroad ride he tells of in the issue of October 1, 1831:

"At length we have had an opportunity of paying our long-desired visit to the Baltimore and Ohio Railroad. . . .

"After what we have seen, no doubt remains on our mind, that, for celerity of transportation of persons, the Rail-Road possesses advantages over every other mode; nor that, wherever the cost of a Rail-Road can be borne, it will supersede all other modes of travelling. We experienced in a very slight degree the jarring which we have heard spoken of in the motion of the cars, or the other inconveniences which we had apprehended. It will require care, to be sure, to guard against accidents in this mode of conveyance; but that will be the case with every description of rapid locomotion. For ourselves, we met with no accident of any sort; nor had any just reason to apprehend any, during our jaunt. One of the cows, indeed, which we overtook strolling or grazing along the edge of the

³⁰ *Columbia Spy*.

road, cast a suspicious glance with a momentary alarm, lest she should attempt to cross our path; but, luckily, she forthwith took a direction *from* the road instead of crossing it, and we were let off for the fright.

“We travelled in a large car, drawn by one horse, carrying eight or ten persons, and capable, we suppose of carrying thirty or forty. Indeed the car was drawn with so much ease, that we do not believe that, had it been loaded its progress would have been at all retarded by the additional weight of the load. In the distance between Baltimore and Ellicott’s Mills, the horse was changed once, going and coming. In going, we did not accurately reckon the time. But, in returning, the whole distance of thirteen miles was performed in 59 minutes, the limit to the speed being the capacity of the horse in trotting, rather than the labor he was tasked to perform. The locomotive steam-machine, in the train of which cars loaded with persons are occasionally drawn as well as those loaded with the materials of commerce, is propelled at about the same rate, and might be propelled much more rapidly if it were desirable. But, for our part, we have no desire even to be carried by any mode of conveyance, more rapidly than at the rate of thirteen miles on hour.” . . .

The Canal had partizans and the Railroad also. Mr. Gales was partial to the Canal. Having accepted the railroad’s hospitality, he could not without an exhibition of ingratitude make unfavorable comparison. He relieves himself with the intimation he might if he must.³¹

May 23, 1834. It was a commemoration occasion of the Chesapeake and Ohio Canal Company. An excursion was made in two canal boats. Present were chiefly members of Congress. Some of the guests were accompanied by ladies. The real founder of the undertaking, Charles F. Mercer, was of the company. Mr. Adams has in his account:

³¹ “Canal and Steam Railroads, 1802–1903, Charles Moore.

“John P. Van Ness, Mayor of Washington, Mr. Cox of Georgetown, and Colonel Abert, a Director on the part of the government, did the honors of the party. The passage on the canal was very slow, and continually obstructed by stoppage of the locks. There was a light collation and dinner, and, after it, some drinking of strong wine, which made some of the company loquacious and some drowsy. The band (of the Marine Corps) gave occasional reports of animating music. The canal almost the whole way follows close to the Potomac River; the country along the margin of which is generally beautiful, sometimes wild, and in other parts variously cultivated, but seemingly little inhabited. There is not a luxuriously comfortable country-seat on the whole way, nor one that bespeaks affluence and taste. Point of Rocks is one of the remarkable positions on the way.”

Mr. Adams made the entry eighty-four years ago. A journal entry of the present will have mention of the columnal-portico mansion of the Doubleday estate, the log-walled bungalow in picturesque setting of William F. Roberts, the castle of Joseph Leiter on the Virginia bluffs of the Potomac and the pretentious mansions at Glen Echo in the Maryland boulevard.

March 14, 1834, Town meeting. The Mayor in the chair. Col. Force of the committee made a detailed report of proposed alterations and amendments to the Code of Laws for the government of the District of Columbia submitted to Congress. Many other attempts were made and not until sixty-seven years after was accomplishment.

Gen. Van Ness was a member of the Columbian Institute for the Promotion of Arts and Sciences.

In the organization of The Washington National Monument Society, Gen. Van Ness was the second vice-president—1833.

Washington Guide:

“Amongst those who by their wealth, talents, or industry have contributed to the formation of our infant Metropolis, may be reckoned the following: John P. Van Ness.”

The city directory of 1834 shows Gen. Van Ness of the Joint Committee to manage the Canal Fund and President of the Commissioners of the Washington Canal.

The cholera appeared in the summer of 1832. It started in the north of the country and moved southward. In the newspapers of July 26 is a bulletin for the city of New York and of succeeding dates for that and other cities.

Editorially, the *Intelligencer*, August 1, has:

“The pestilence appears, however, to be gradually spreading to other places, and none should calculate an entire exemption from it, we doubt not that, like other epidemics, it will, in time, and with more or less severity, be felt in every dense community in the country.”

A panic prevailed. The Board of Health, August 16, passed an order:

“Believing them, therefore, in the light of *nuisances*, they hereby direct that the sale of them, or introduction, within the limits of the city be prohibited from and after the 22d inst. for the space of ninety days: Cabbage, Green Corn, Cucumbers, Peas, Beans, Parsnips, Carrots, Egg Plants, Cimblins, or Squashes, Pumpkins, Turnips, Watermelons, Canteloupes, Muskmelons, Apples, Pears, Peaches, Plums, Damsons, Cherries, Apricots, Pine Apples, Oranges, Lemons, Limes, Cocoanuts, Ice Creams, Fish, Crabs, Oysters, Clams, Lobsters and Crawfish.”

The prohibition provoked the calling of a town meet-

ing, the 21st, in protest. While another, in turn, the 23d, was called to recommend complying. The editors of the *Intelligencer* not to be caught within the upper and nether millstones "wanted their readers to understand they take no part in the controversy."

The public asylums were the Western Hospital, the Central Hospital and the Eastern Hospital. Several private places were accepted as asylums.³² The physicians worked heroically and the women were prototypes of the Red Cross.

The *Intelligencer*, September 18, announced:

"This alarming disease may be hoped, if we may judge from the daily reports, to be gradually passing away from us, after having proved as severe a scourge to this city, perhaps, as to any other in the United States."

Mrs. Van Ness had been ill some time. While the complaint is not given as the prevalent plague that may have had an undermining influence. The rapid passing away of friends and neighbors must have been depressing.

Mrs. Smith's letter:

"August 17 (1832)

"... Poor Mrs. Cutts is no more. She has been long extremely ill. . . . Mrs. Van Ness, another contemporary in my social life, is now dangerously ill of fever."

As the shades of death deepened, she dimly saw her husband, and in weakened voice, she last said: "Heaven bless you, my dear husband, never mind me."

C. Middleton:

"But owing to a constitutional delicacy, frequently aggravated by fatigue in laborious duties of humanity her health

³² See *The Rambler*, *The Sunday Star*, September 22, 1918.

had long been infirm. She had repeated attack of fever, which at length admonished her and her friends that her earthly career was drawing to an end."

The *National Intelligencer*, Monday, September 10, 1832:

"Died, after a severe and protracted illness at 10 o'clock, A. M. yesterday. Mrs. Van Ness, wife of Gen. John P. Van Ness, Mayor of this City. Of this lady it may be emphatically said she was the guardian of the Orphan and the benefactress of the Poor."

On the evening of the day of death a meeting of the citizens was held at the Western Town House (S.W. cor. of I and Twentieth streets). With the resolves of tribute it was resolved that a memorial be drawn and a plate executed. The engraved inscription is:

"The Citizens of Washington
In testimony of their veneration for
Departed Worth,
Dedicate this plate to the memory of
Marcia Van Ness
The excellent consort of J. P. Van Ness.

"If Piety, Charity, high principle and exalted worth, could have averted the shafts of Fate, she would still have remained among us, a bright example of every virtue. The hand of death has removed her to a purer and happier state of existence; and while we lament her loss, let us endeavor to emulate her virtues."

On the casket above this plate was another with the name and dates of birth, marriage and death.

The funeral service was held September 10, 4 P. M. Rev. William Hawley, the rector of St. John's delivered the discourse. From it, is:

“In early life she was distinguished for great sprightliness of mind, and amiableness of disposition, which seldom or never failed of winning the affections, and securing the esteem of all her acquaintance. The sedateness of her manners gave dignity to her deportment, and genuine piety of her heart, as was exemplified more extensively in after life, placed her among the first in society, in the estimation of all who knew her intimately, or enjoyed the pleasure and honor of her acquaintance.

“The old cottage house, in which she was born, and in which her beloved parents ended their days, was an object of her deep veneration and regard—a true token of genuine filial affection—of undying love for the memory of departed Parents, which dutiful children will always cherish to their latest breath. In this humble dwelling, over whose venerable roof wave the branches of trees planted by her dear Parents, and now stretching forth their kindred boughs to shelter it from the pelting storm, she had selected a secluded apartment, with appropriate arrangements for solemn meditation, to which she often retired and spent hours in quiet solitude and in holy communion with God and Saviour.”

It was the first public funeral of a woman. Within the gates of the sacred plot, little girls, orphans, stood in divided ranks. Between them the procession passed. The casket being placed in front of the vault, the girls approached and strewed it with branches of weeping willow.

C. Middleton says:

“Her face, without being formally handsome, was of uncommon loveliness, with that mixture of innocence and archness so much admired and rarely seen; the *tout ensemble* yielding that interesting expression which may be called the essence of beauty; add a penetrating mind, engaging and unaffected manners, and the accomplishments of an excellent education, and it will be admitted in her case virtue has chosen to appear in the most agreeable shape.”

In the National Portrait Gallery of Distinguished Americans are one hundred and seventeen. Of these five are women: Martha Washington, Catherine M. Sedgwick, Marcia Van Ness, Dolly P. Madison and Abigail Adams. The biographical sketch of Mrs. Van Ness is by C. Middleton; the engraving is after the talented portraitist, Frank Alexander.

The portrait group in the Washington City Orphan Asylum is a copy of the Alexander portrait by Charles Bird King, with the inclusion of the portraits of three children of prominent Washingtonians in the guise of orphans.

General Van Ness donated the site for one church edifice and perhaps other church sites.

The prohibition tide was high in 1843. General Van Ness was influenced by the tide. The General to the Freeman's Vigilant Total Abstinence Society sent a communication:

“WASHINGTON, June 2, 1843.

“To Messrs. Henshaw, Callan, and Savage, Committee. Gentlemen: The interest I have long felt, and which is daily becoming more intense, in the just cause in which your constituent INSTITUTION is engaged, does not permit me to hesitate a moment about contributing my mite towards the success. Whoever loves virtue, morality, and religion—whoever feels a concern for the happiness of his fellow creatures in this world, as well as in their efforts to prepare and qualify themselves for another far better, must be amply remunerated for such contribution, however liberal it may be, by the reflection of his having coöperated for those benevolent purposes. He ought to wish no greater reward.”

This is the first paragraph. The others delicately intimate his mite has the importance of the widow's mite and have moral flights higher and higher; but the last paragraph is a swift descent to business. It pro-

vides that he will not convey until fifteen hundred dollars has been expended on the proposed improvements; and if the lot is diverted to other than the temperance cause it shall revert to him, his heirs or his representatives with all that is on it.

The Freeman's Vigilant Total Abstinence Society thanked the General for his gift and its committee reported, "the lot bestowed by General Van Ness is situated on E street between 9th and 10th streets, in square 378, and is 40 feet front by 187 deep, and is worth at the lowest valuation, \$1,809.16."

Temperance Hall was the central meeting place of the advocates of abstinence for years. It became a popular place for public entertainments. It was here that Charles Dickens was enthusiastically received at his reading. Subsequently it was known as Marini's Hall where graceful movement was taught.

The General was gifted as a public speaker. He said pat things at the appropriate time. At a ball in honor of Sir Charles (Richard) on his leave taking, October, 1835, the General gave the toast: "Sir Charles Vaughan, H. B. M.'s Minister near the Court of Washington." Benjamin Ogle Tayloe says the sentiment "was received with much merriment and with shouts of applause." Its significance may not be apparent to all. An expression of Sir Charles is, Great crowds at the New Year's reception paid their respects to General Jackson by shaking his hand and enjoying his refreshments while the band blew and beat patriotic airs; Sir Charles came, alighted, saw the crowd, exclaimed, "This is too damned democratic for me" and drove back home.

Correspondence of the *Journal of Commerce*:

“WASHINGTON, March 3, 1845.

“I witnessed this evening at the White House a very interesting scene. . . .

“About five o'clock, General Van Ness, of Washington, approached the President, and delivered an eloquent and feeling address to him. He complimented the President on the many social ties which had, during the brief period of his administration, grown up between the citizens of the District and him, and which were now about to be severed. He gave assurances of the kindest regard of the people for his moral and social worth, expressing the sincere regret all felt on parting with him. He alluded to the important events which had so eminently distinguished his administration, the peaceful relations which had been strengthened and extended over the whole world during his administration, many of which were of a character to reflect honor both upon himself and the country. He said, when time had been given for the effervescence of political party strife to subside, and the people in moments of calmness came to review the honest, patriotic and well intended measures of his administration, they would mete out to him in his retirement that justice and praise which he so richly deserved at the hands of his fellow citizens. Assuring him that the best wishes of all would attend him when he retired, and engaged in the more pleasant and peaceful pursuits of domestic life, he expressed wishes for his continual prosperity and happiness. In private life, the vexations growing out of the administration of public affairs, with his best acts and motives misrepresented, would cease to annoy him.

“With many other well conceived and well expressed remarks, the mere random substance of which I am only able to allude to, the speaker concluded by saying, that he only regretted that the *gem* he had attempted to offer for the acceptance of the President was not better polished.

“The President made one of the happiest replies I ever heard. He very briefly thanked the speaker for the kind expressions of the good will of his fellow citizens, and especially for their complimentary allusions to his social hospitalities and the relations which had grown up between them, and which

were now about to be severed. The offering was a brilliant gem, of the brightest polish, and of inestimable value."

In the concluding years of the Van Ness reign of hospitality, Miss Ann Gertrude Wightt was the hostess. She had personal beauty and conversational talent; she was a welcomed guest in high society; she was an intimate of America's beloved, Dolly Madison.³³ She was a cousin of Mrs. Van Ness and was born on the Wightt farm in the environs of Washington. She is enveloped in a fog of mystery which the sun of curiosity will never penetrate. From an idealistic conception she became a nun in the convent of the Sisters of Visitation in Georgetown. She took the name Sister Gertrude. Mrs. Smith says:

"Sister Gertrude I knew well in her childhood, saw her now and then through the convent grates and on one occasion when accidentally alone with her, offered if she wished to leave it, to communicate her desire to her relatives, but she then said she was confined more by her own inclination, than by her vows, or the walls that surrounded her."

In the spring of 1831, Sister Gertrude had a change of inclination. She donned a hat and a wrap of one of her convent pupils and made an escape. She made her way to the Van Ness mansion. A priest there in the presence of the General received from her the announcement of her firm determination not to return. She did not give the cause of her change of heart and no cause of those offered has been verified—that is the mystery. An unfounded report that the Catholics intended to recover her by force nearly caused a mob. Miss Wightt at first lived with Madame Iturbide, former Empress of Mexico, as a daughter and in

³³ "Life and Letters of Dolly Madison,"

charge of the real daughters. Senorita Isis Iturbide made her a substantial testamentary acknowledgment of affection.

A Van Ness who associated with Miss Wightt says she was short, stout and jolly; that she travelled extensively abroad and that her life had thrilling adventure, of which was her capture by the brigands of Mexico.

George Alfred Townsend, Ben Perley Poore and Marian Gouveneur in the same key have made interesting sketches.

Miss Wightt died of apoplexy in Richmond, Virginia, November 19, 1867, at the residence of Colonel Arthur Anderson. The funeral services were held, November 21, in the chapel of Oak Hill Cemetery. She is interred in the Peter's plot and a modest monument marks the mortal.

"Gen. Van Ness requests the honor of Mrs. Madison's Company at dinner, on Thursday, 1st of March, at 5 O'clock.

"Mansion Square

"22d Feby (1838)

"The favor of an Answer is desired."³⁴

The invitation card is also an index card—it indicates the General's chief characteristic.

A Dean, economical in one respect, to a company of less high ecclesiastics, dwelt upon the remarkable performance of a blind man. To more impress, he exclaimed, "the poor fellow could see no more than that bottle!" To which a minor interjected, "I do not wonder at it at all, Sir, for we have seen no more than that bottle all the afternoon." General Van Ness had more reverence for the scriptures in the one respect than the Dean for he "was given to hospitality," and

³⁴ "Life and Letters of Dolly Madison," Allen C. Clark.

to "use hospitality, one to another, without **grudging**" was a precept he practiced almost daily.

ALEXANDER GARDINER TO MRS. TYLER.

"WASHINGTON, Feb. 13, 1846.

"*My Dear Sister:*

"The day before I dined at Gen. Van Ness'. It was a senatorial dinner, Cass, Haywood, Evans, Johnson, Dayton, Miller, etc., etc., Judge Woodbury, Mrs. Wilkes, Mrs. Johnson, etc., were the guests. Cass held the place of honor, but was not otherwise a very great feature. Haywood was very amusing, and took off Allen with great effect, showing the absurdity of his enunciation and how he was in the habit of sinking the greater into the lesser quantity, as for instance, 'four years and Two MONTHS. In a mixed company this was not perhaps in the best taste, and his wit was sometimes rather overdone. When a bottle of *particular* wine was passed to Woodbury, he declared there was no hope that it would get beyond him, since it had reached the court of last resort. This was well said, and not a bad *bon mot*. I have since seen Gen. Van Ness and his family, now consisting of Miss Wightt, Miss Van Ness and Gov. Van Ness and his wife. They said many agreeable things of the President and yourself.'"³⁵

In English literature, in humor, no product equals Dickens' "Pickwick." Tony Weller, the senior, warns "beware of widows." That is a travesty. No man properly constituted, and the right, ever bewared. He constitutes himself a lighthouse to rescue a stranded widow. General Van Ness was high up in station—built of cash and culture—and easily espied a widow to rescue. The General had the chief seat in the sanctuary and heard plainly the scripture apropos.

³⁵ Lewis Cass, William H. Haywood, George Evans, Henry Johnson, William L. Dayton, Jacob W. Miller, Levi Woodbury, William Allen.

"He shall be no more remembered, . . . and doeth not good to the widow." "And I caused the widow's heart to sing for joy." The widow's heart the General set singing was that of Mrs. Connor. To do good to the widow he let her live in his fine house in Reservation B; he did so for a number of years. That she might not be embarrassed by her neighbors' gossip, he let it be known he was calling for the rents. It was plain to see he was indulgent for he collected in small installments.

The good General was called to his reward and there was a respectful period for mourning. The period seems not to have been strictly used for that purpose—but rather to find if he had made an acceptable disposition of his property, real, personal and mixed. The period was a fortnight. The fortnight expired, mystery thickened. The heirs, all on the side or collateral, were fearful that the widow had used her wiles for big winnings. The widow was fearful she had been betrayed—her mature affections not accounted for in the testamentary balance sheet.

The widow opened fire. She wrote an anonymous letter to Cornelius Peter, the General's brother, signed "Missouri Avenue." Cornelius needed no more definite direction. He called on the widow. According to her version, Cornelius assumed the manner and language of an affectionate brother; exhorted her to confide in him and enquired if the General had entrusted to her the will. He then let her into his belief that she and he had been liberally provided for and that the family adverse to them were suppressing the document. After an hour of desultory discussion of the deceased's affairs, he volunteered he would call again. He did; and in a vague way alluded to the important relations understood to have existed between the Gen-

eral and herself and endeavored to elicit the course she would pursue.

In the preliminary sparring the widow wrote other anonymous letters which practically were not-marked in the litigation which ensued, exhibits A to F.

Letters of administration were granted to Cornelius P. Van Ness. The widow petitioned that the letters be changed and her name written where is his.

The widow contended she was the widow Van Ness. That in Philadelphia, the sixth of August, 1845, by an individual the General addressed as "Mr. Alderman" the marriage ceremony was solemnized; whose identity she had failed to discover. That the marriage at his urgent solicitation was held in secrecy until he could so arrange the family affairs as to announce it without embarrassment. That he assured her he had made a will of ample and appropriate provision with the certificate of marriage folded within it. And in corroboration she produced nine missives couched in tender terms.

Cornelius gave different versions to the interviews and declared the nine letters were not genuine. Cornelius admitted an incident thus:

"True it is, that during the last sickness of my deceased brother, (I think on the day of the death or the day previous thereto) I was informed by one of the servants of the house that there is a woman in a hack at the door who desired to speak to you; upon going to the door I found Mrs. Connor in the hack, I knew by sight and reputation. She inquired how is the General and upon being answered by me that he is dangerously ill, she replied, please inform him Mrs. Connor called to inquire. Whereupon I remarked, 'Madam, I think he is past receiving any message.'"

The trial of widowhood was made in the Circuit

Court, October term, 1846, and decided adversely to the widow.

The widow instituted an equity proceeding for her thirds. The bill has this averment:

"She cannot believe that her said husband having the strongest reasons to avoid an intestacy of his large and valuable estate could have been so regardless of the high moral claims upon a portion of his property by the needy heirs of his first wife by whom he obtained the bulk of said property as to be unprepared with a will, or so regardless to truth as to have falsely represented without any apparent motive that he had a will."

The court decided against the widow on legal considerations. On the appeal to the Supreme Court of the United States, it decided against her "for want of jurisdiction," January term, 1848.

The widow gave the name Van Ness to the directory man and that there might be no mistake "Mrs. John P. Van Ness." She bought realty in the name of Mary A. W. C. Van Ness and the tax ledgers carried in the name a long list.

General Van Ness died Saturday evening, March 7, 1846, at half past six o'clock. The funeral service was at four o'clock the ensuing Tuesday. Of his obituarial notice is:

"His loss will be sensibly felt by a large circle of acquaintances, and by the community in which he lived, as the large property which he received with his wife enabled him to extend an elegant hospitality to his acquaintances and to strangers visiting the city, and to patronize with great liberality all the public improvements and charitable and religious institutions in this city, without respect to sect or denomination.

The personal estate of General Van Ness in round numbers was fifty thousand dollars. Of this was 995 shares, face value \$49,875, of the Bank of the Metropolis which realized \$35,513.12.

An inventory of the goods and chattels was made by Benjamin Ogle Tayloe and James Larned. The inventory is an index in one particular of the period. The particular is the valuation of human chattels. Julius and George, aged twenty-five and thirty-two, respectively, had in prospect for their owners many years of servitude and were equally appraised at \$550. Simon and Sally both even sixty years on human expectation to have lessened years and diminished strength, were marked at \$100 and \$75. "Betty—quite old no value" had a blank space in the dollars and cents column opposite her name. Simon and Sally were in their youth when they saw Master David daily make the rounds of his plantation; and, "Betty—quite old no value" was almost a woman ere Marcia first saw the ripples of the Tiber just beyond the front door.

The inventory discloses that the furnishings of the General's home and of his country estate were those of an affluent and cultured man. He was not an art collector, although he had a number of choice portraits, among which that of General Washington; he was not a collector of art objects, although he had a cabinet and in it an assortment of medals. He was a collector of books, choice books. His volumes sold at auction, June 23 and 24, 1846, numbered 882. Some of them no doubt have come to the shelves of the Library of Congress. A Modern Atlas by John Pinkerton, 1814, an elaborate production, was bought by Peter Force and, bearing the autograph of General Van Ness, is in the Map Division of that library.

The inventory was much in detail; the contents of

each room specified. It is an imagination in poor running order that cannot restore each apartment—the greenhouse—and even the old cottage.

In the dining-room, prominently placed was the portrait of the General's political patron, General Jackson. And the General extolling his hero, no doubt, often quoted his inspiring words at New Orleans: "Stand to your guns! . . . Let us finish the business today!"

In the parlor were the General's most precious belongings. On the wall was Alexander's portrait of the little lady. And the General repeated or thought the sentiment of Burns:

"She is a winsome wee thing,
She is a handsome wee thing,
She is a bonny wee thing,
This sweet wee wife o' mine."

In the morning, gently awakened by Aurora's "good morning, sir," spoken by the shimmering light through the sycamores just beyond the chamber window, the General saw about him attractive appointments, the delicate tinted walls, the rich furniture; and, a portrait of a most handsome man, General John Peter Van Ness.

All the chattels, including those at the General's farm, the Glebe, in Alexandria County, Virginia, and the live stock there were sold at auction. Benjamin Homans was the auctioneer for all the sales. Upon Marcia's marriage to the General, the cottage was rented. George Boyd had been a tenant. Later another advertisement: "To be Let. A Pleasant House & Excellent Garden at the mouth of the Tiber, if applied for soon."

The citizens who had the antiquarian sentiment plead for the preservation of the Burnes cottage. For

them, the communication in *The Washington Post* by DeWitt Clinton Brodhead speaks:

"The people of Washington owe something to the memory of the dweller in this humble cottage, as well as to that of the great founder of the city whose monument now casts its shadow athwart the former transferred acres, and it cannot be that the residents of this highly favored city will yield up to the ravages of time, this most interesting relic without at least making the effort to secure and preserve it to future generations. A subscription for its purchase, in the name of the city, should at once be opened, and if found necessary, in future years, it should be housed like the little dwelling at *Zaardam*, where Peter the Great went to learn the art of ship building from the Dutch.

"While the visitor here sees one National grandeur at every turn, there is nothing to show him as the result of local effort and coöperation. Let us preserve our historic relics at least, though we make no history; for without such basis, there will be nothing upon which to found romance."

"WASHINGTON, Sept. 28 (1883)."

The Evening Star, May 24, 1894:

"Davy Burns' cottage is no more. It was torn down yesterday by order of those engaged in laying out the Columbia Athletic Club's new grounds. In spite of its apparently dilapidated condition, the structure required the most forcible handling to demolish. Down to the lowest brick in the foundation strong and united efforts of the workmen were required to level it. It was allowed to stand until the last moment, in the hope that it would not interfere with the various fields, but the necessity for its demolition became imperative."

"There is given
Unto the things of earth, which time hath bent,
A spirit's feeling. * * *
For which the palace of the present hour
Must yield its pomp, and wait till ages are its dower."
Byron's *Childe Harold*.

In his Washington life, he was Mr. Van Ness, Major Van Ness, Colonel Van Ness, and General Van Ness. We have not minded minute distinctions of time and have let John Peter Van Ness be General all the time.

Of the plan of the conspiracy was the abduction of President Lincoln and imprisonment in the underground apartment of the Van Ness mansion, so it is often written. It became the property of Thomas Green, son-in-law of "Father" Ritchie,³⁶ editor of *The Union*. Mr. Green kept the domain in high perfection. The neighborhood boys prompted by innate impishness succumbed to the temptation to pilfer. Mr. Green repelled the invaders with his great cane but never had more use for it in this warfare than to shake it vigorously as he cried, "You rascals!" as the aforesaid rascals climbed the walls with their plunder. Mr. Green was a gentleman of the old school and dressed with ruffles and all the trimmings of his class.

In its vicissitudes the mansion was with the square a German beer garden, a florist's nursery, the headquarters of the street-cleaners. It was purchased by the George Washington University, November 4, 1903, and used for an engineering school and for athletics—and that was its final use.

The colored people of the vicinity who had a clearer vision of that which is supernatural and saw things that less gifted did not, said that General Van Ness on each anniversary of his death came to his mansion in his carriage drawn by his favorite troop of white horses bringing with him ghostly guests to silently kick up high jinks.

The mansion was razed for the Pan-American. The building of South American Republics of surpassing beauty is a worthy successor of the Cottage and the

³⁶ Thomas Ritchie.

Mansion if architectural perfection can compensate for the historic and the romantic.^{36a}

The classic temple is on a promontory in Oak Hill Cemetery. From right to left are these two inscriptions:

Sacred
to the memory of
Marcia Van Ness
consort of
Gen^l. John P. Van Ness
She was born 9 May 1782.
Married 9. May 1802
Died 9: Sep 1832

Sacred
to the memory of
ANN ELBERTINA MIDDLETON
wife of Arthur Middleton Jun. of South Carolina,
Daughter of Gen. J. P. and Marcia Van Ness,
She was born 12 June 1803; died 22 Nov. 1823.
Her infant Daughter
Marcia Helen,
Within this Monument is placed beside her.

With each inscription is obituarial poetry in grandiloquent sentiment.

Under an equity proceeding for the disposition of the undivided part of the estate of General Van Ness the mausoleum lot ~~at~~ auction was sold June 8, 1872.

Removed with the mausoleum were the remains of John P. Van Ness, Marcia Van Ness, Ann Elbertina Middleton, George W. Montgomery and Cornelius P. Van Ness.

^{36a} Square acquired by the United States of America, April 17, 1907. It contains 215,111 sq. ft.

•
National Intelligencer, February 2, 1807:

“Died. On Wednesday, the 28th inst. Mrs. Anne Burnes, widow of the late David Burnes, Esq. of this city, aged 67. On Thursday evening her remains, attended by a number of her relatives and friends, were deposited in the family grave yard, about five miles from this place. The charitable and benevolent virtues of this lady were known and highly estimated by all who were acquainted with her. She suffered a long and painful illness—but in her greatest agony and distress she was not unmindful of him who created her—and the faith of a christian never forsook her. Shortly before her death she had several conferences with the Rev. Mr. Sayre of the episcopal church in Georgetown, who confirmed and increased her hopes of an ultimate reception amongst the spirits of the blessed.”

Anne Burnes was Ann Wightt. She was born within the Ten Miles Square. The Wightts lived on the farm with the patent name “Inclosure.” Her brother, John, owned it. From him it descended to the Queen family, from the Queen to the Brooks family—however, all of the same family, of different names because of the men the daughters admitted into it. The tract is the suburb, Brookland, of rose culture fame.

George Alfred Townsend in connection with the removal of the Van Ness mausoleum states that David and Anne Burnes were of seven bodies under it. He states besides that little is known of Mistress Anne, and makes this ill-natured comment:

“1. David Burns,—a few bones, and a skull and teeth, and the relics of an old-fashioned winding sheet, which wrapped the defunct around and around, as if afraid he might get out of it, as out of some other bad bargain. The undertaker of the latter part of the nineteenth century looked at this winding-sheet as if he were stumped at last. It was too much for him.”

We can agree with Mr. Townsend that the undertaker was surprised if there had been the disinterment. Mr. Townsend's imagination makes an invasion on veracity. The fact is David Burnes was buried in the private Wightt graveyard, as was his wife and son.

When the Wightt-Queen-Brooks tract was being cut up to make Brookland, under a group of dreary pines in an isolated spot, just where Monroe avenue and Twelfth street intersect, were found the three graves. The Van Ness family was informed with the result that Eugene Van Ness purchased, April 26, 1888, three sites in Rock Creek Cemetery (Nos. 1, 2 and 3 in reservation adjoining No. 191, section C) to which they were removed.

"Here in the stillness of the city of the dead, and overshadowed by two large cedars and hedged in with japonica bushes, repose the bodies of David Burnes, his wife, and son. The graves are even with the ground and stones of regular and symmetrical shape cover the graves. These stones are a little more than seven feet in length and three and one-half in width and with a thickness of nearly three inches. A slightly raised molding and scroll work hewn in the inscriptions, the lettering being in the old style workmanship, and notwithstanding the facts that the stones have been exposed to the elements for a century, the wording is very clear and not difficult to decipher."

DAVID BURNES, Esq^r
OF THE
CITY OF WASHINGTON
died
The 8th of May, 1800,
Aged 60 years, 2 months and 24 days.

MR ANNE BURNES

Wife of

David Burnes, Esq^r

Died on the 28th of January, 1807

Aged

66 years, 11 months and 4 days

Mr John Burnes

Son of

David Burnes, Esq^r

died

in the year 1792

aged 20 years.

He was a youth amiable & intelligent,
who promised fair to become
an honor to his friends and
an ornament to his Country.

The inscriptions were written by General Van Ness as the tribute to the son is almost identical with an expression in his letter to Martin Van Buren. The inscriptions are in the same style of lettering and ornamentation and were apparently chiseled under one order. The dates are singularly inaccurate. Mr. Burnes died May 7, 1799. The son was living October 19, 1793.

The Brooks mansion and its grounds is a Brookland block. Over the entrance gate is Saint Benedict Academy. Jehiel Brooks married Ann Queen; and Ann was the daughter of Nicholas L. Queen, the boniface of Queen's Hotel, the favored abiding place of congressmen and like celebrities, just east of Capitol; and Mr. Queen's wife was a Wightt. And the oldest part of the Brooks mansion may have been the home

of Ann Wightt when her David Burnes came courting.

From associations and circumstances the writer gives his opinion that Mr. Burnes gave allegiance to the sect of the Scotch emigrants who located here-about, the Presbyterian; and that Mrs. Burnes, whose maiden name was spelled like the Isle of Wight with an additional *t*, was of the Church of England. The opinion is given for nothing else than historic detail as the form of worship is but a shadow and unimportant. Mr. and Mrs. Burnes lived so close to nature that to them is peculiarly appropriate Pope's sentiment:

"Slave to no sect, who takes no private road,
But looks through nature up to nature's God."

John Peter's brothers, William Peter and Cornelius Peter, had more celebrity than he. William was eight years younger; Cornelius, eighteen. William was the protégé of Aaron Burr and carried the correspondence and challenge to Hamilton and with Burr was indicted for murder. He was a judge. Of him, the New York historian, Jabez D. Hammond, says: "that talented man of dark and indignant spirit;" and another historian, Dr. Alva Stanwood Alexander: "Van Ness wrote with a pen dipped in gall." Cornelius has large space in the encyclopedia and larger in the history of Vermont. At the cabinet meeting, February 14, 1846, "the idea of sending a confidential agent to confer with Santa Anne was mentioned." President Polk remarked that if such an agent were to be sent, Gov. C. P. Van Ness, former Minister to Spain, would be the best selection in the country." He passed the greater part of the time in his later years in Washington; in fact, became a Washingtonian.

Says George Alfred Townsend:

"General Van Ness lived down to the period of the Mexican war. . . . Several portraits are extant of him. In one he is represented as wearing a powdered wig and toupee with very light, fine, brown hair and side-whiskers, with a short forehead, and strong perceptive brows, very full and memory-keeping, a fine, aquiline nose, straight lip and chin, and small mouth and a fine, hazel, open eye with brown lashes and eye-brows. A handsomer man, a woman nor a novel never looked upon. There is a luscious Dutch look about that portrait Gilbert Stuart painted of Van Ness which does not fail to account for his success with Miss Burns."

The portraits in the St. Mèmin³⁷ collection, numbered 405 and 597, executed respectively 1806 and 1808, have strong exactness with that of Gilbert Stuart, proving fidelity to the subject. The Stuart was executed about 1804.

James Burnes, it appears from a strong circumstance, considered himself the owner, or, at least, was confident peaceable possession of the part he had enclosed, to him and his would not be denied or disturbed. This circumstance is that, August 29, 1792, he submitted to the commissioners as responsible an estimate of his losses by damage to crops and fences by the plotting of the city; and, March 11, the next year, demanded again reimbursement for his losses with mention of his necessities. Mr. Hines gives a chapter in this connection:

"James³⁸ Burns, (Brother to Davy).

"I was well acquainted with the family of James Burns, especially with the younger of the males. I believe there were four sons and one daughter. The names of the boys were, I think, Thomas, Moses, Billy, and Trueman. Billy was a blacksmith, and Trueman, the youngest, a carpenter. I do not recollect the name of the daughter but I think it was Rebecca.

³⁷ Charles Balthazar Julien Fevret de Saint-Mèmin.

³⁸ James from "Tommy" corrected by author in writing.

These were all cousins to Mrs. Vanness. The farm which James Burns cultivated was, at that time, laid off in lots and became smaller and smaller every year as the lots were sold. All this little farm of lots, I believe, belonged to his brother Davy. Not far south of the house, at the foot of the hill on which St. Patrick's Church now stands, was a most excellent spring of water, shaded by two or three oaks. This spring, I believe, was originally called Burns' spring; but the name was afterwards changed to St. Patrick's spring. Here the male members of the family would assemble in the evenings to amuse themselves with various kinds of sports, such as swinging, &c.

"In the course of conversation with Trueman, on his family affairs, I asked him how it happened that his uncle was so rich and his father comparatively so poor. He stated, in answer to my question, that his uncle Davy, being the oldest son, the English law of primogeniture which then prevailed in this country, as in England, gave his uncle Davy the right and title to all the land his grandfather owned and died possessed of; and, consequently his father was deprived of any share in the land.

"I suggested to him then, and several times since, that he ought to make his case known to some of the friends of General Vanness, or other influential person, that they might afford him some relief by aiding him in getting some of the property which he ought, in justice, to have had from his grandfather's estate, and which an unjust English law prevented him from receiving. But I do not believe he ever made any application with that view. However, time passed on, years rolled around; Trueman married, and, as I understood, had a pretty large family of children. . . . At length, as age and infirmities increased, Trueman became an inmate of the poor-house, where, four or five years since he died at an advanced age. Whatever became of Trueman's brothers I have never heard, but suppose they are all dead."³⁹

³⁹ Family of Truman Burnes. *The Rambler, The Sunday Star*, September 15, 1918.

Marcia joined with the General in conveyance of all realty inherited from her father to William Bainbridge and Thomas Swann, September 25, 1826. And Bainbridge and Swann with equal dates made a conveyance to John P. Van Ness. W. B. 18, folios 83, 89. The effect of these conveyances was a divertence of the property from the Burnes to the Van Ness family.

A three character sketch—David Burnes, Marcia, and John P. Van Ness—has serially appeared in *The Sunday Star* of recent date. It is the product of *The Rambler*. The distinction of the sketch is only the distinction to all the Rambles. That is, there is naught rambling about them. They consistently show intelligent investigation put on paper in piquant and pleasant phrases with pictorial adjunct. Historical funds are given away with chunks of wisdom without stint and without price. It is doubly fortunate—the enterprise of the journal and the enlightenment of the writer. However, one sad consequence may ensue if the Rambler does not eventually disclose himself—a similar contention to that which caused so much fever of the brain—who wrote the letters signed Junius.

Primogeniture by which under the common law the eldest took the whole estate, with the advance of a comprehension of right has been universally abolished. Another advance will be in the abolition of disposal by last testament. The government under measurably fixed rules or rules with flexibility for the conditions will administer. Many wills are without fairness or judgment. In fact, a disposition by the testator of what is not or cannot be his—when he is not—is without sound basis.

We have in our subjects an illustration of the universal worship—ever as now. The Israelites bowed to the molten calf in gold—a metaphor, perhaps, of the almighty dollar now.

David Burnes chanced to be the eldest and thereby to have all. When his farm lands turned to city lots he forgot his brother and thought only of the heiress.

The daughter was at heart charitable but she forgot man's adage, charity begins at home, and the scriptural declaration, "but if any provide not for his own, and specially for those of his own house (kindred), he hath denied the faith, and is more than an infidel."

General Van Ness was public spirited and he was highly hospitable. For these commendable things he had his reward in the glory of men and not in the reward of those who give in secret. He was a rank outsider and yet succeeded to all the adventitious Burnes wealth. He lived in Mansion Square; a Burnes descendant lived in the poorhouse.

With all industry the biographer may overlook an interesting item. The writer in his sketch of General Van Ness intentionally omitted minor matters, but he may have unintentionally omitted something important.

Dr. Johnson writes the life of Milton with assiduity. "Assiduity" in those days was the word for diligence and kindred words. The Doctor wondered that the poet who was Cromwell's secretary did not get apprehended for sedition. And the Doctor in this was not apprized of one of the most singular events in Milton's life or any other man's life. Milton hid. He pretended he was dead and actually had a funeral—a hearse with flowers strewn on the casket; mourners in carriages; and an interment. Charles II, a merciful monarch, was not deceived; he was amused; and facetiously remarked that Milton "by a seasonable show of dying" had paid a sufficient penalty and was entitled to enjoy liberty and life.⁴⁰

The *Evening Star*, May 11, 1808:

⁴⁰ Cunningham's History of England.

"TO THE EDITOR OF THE STAR:

"The story is old of the American who, on the arrival of his train, jumped off without looking at all, of the Englishman who stopped to see if he had left anything, and of the Scotchman who turned around to see if any one else had left anything. Possibly Mr. William E. Curtis had this story in mind when in writing the article which appeared in *The Evening Star* Friday last entitled, 'Mr. Carnegie's Gift.' He referred to the difficulty which Washington found in bringing the Scotchman, David Burns, to the terms which the government would offer for the land. Mr. Curtis stated that Burns was 'avaricious, cunning, elusive, and ambiguous in his phrases.' If he had stated what the federal government, whose funds were low, asked of the nineteen original proprietors of the land within the limits of the city his statement that David Burns was 'avaricious' would seem to have been without foundation, for of the 7134 acres of land within the city as originally laid out, extending from the river to what is now called Florida avenue, but what was formerly known as Boundary street, the owners gave 3600 acres outright for avenues, streets and alleys, 1508 acres for the government to sell to enable it to raise the money to pay for 512 acres at \$66 $\frac{2}{3}$ an acre, which were designed for government use, inducing the original owners to believe that by the establishment of the seat of government here the 1508 acres which they retained out of the entire 7134 acres would become so valuable that they would be compensated in the end for the sacrifice.⁴¹ Mr. Curtis stated in the article referred to that proceeds of the sale of David Burns' farm to the government made him rich, leaving the impression that the government paid for all of his land at a high figure, when as a fact the government actually paid for only a small portion of his land which it took and gave little for that.

"FRED. L. FISHBACK."

⁴¹ For statistics see letter of Richard Wallach, Mayor, to the Secretary of the Interior, November, 1865.

For the land retained by the government for public purposes, the original proprietors were liberally compensated in the view of Justice Story of the United States Supreme Court. Mr. Fishback, of the Columbia Historical Society, maintains the reverse with good rhetorical figures as well as with figures which are not figures of speech. The writer accepts Mr. Fishback's contention on the merits. Besides, President Washington's bid for Mr. Burnes' acres through intermediaries proves it. And Jefferson to Washington, April 10, 1791:

"The acquisition of ground at Georgetown is really noble. Considering that only £25 an acre is to be paid for any grounds taken for the public, and the streets not to be counted, which will in fact reduce it about £19 an acre, I think very liberal reserves should be made for the public."

Mr. Townsend has quoted at length comment on the subjects of these sketches by a former resident of Washington who in 1868 returned after an absence of forty years. Mr. Townsend not to disclose the identity of the prodigal calls him the Cheerful Patriot. The choice of name is charitable, for he could have appropriately called him the Cheerful Liar. Of the comment only this:

"At that time an ignorant, obstinate, canny Scotch farmer named Davy Burns lived in a farmhouse down by the fogs of the river. The location of the Capital City upon his grounds made him rich. To his crude shanty, young Congressmen pressed at night courting for the heiress and Van Ness, having the New York 'dash' carried off Miss Marcia Burns."

Charles Harcourt Ainslie Forbes-Lindsay says:

"More than one writer has fancifully described David Burnes as an ignorant, uncouth Scotchman. There is no evi-

dence that he was other than an American by birth like almost all of his neighbors. If he had been the rude boor he is pictured, it is difficult to account for men of education and refinement, such as Van Ness—who married his daughter—frequenting his house as we know that they did.

“In short there does not appear to be a single point in the Burnes story to recommend it to the credence of a sensible person.”

C. Middleton says:

“David Burns, Esq., . . . was respected and esteemed for his hospitality and other virtues.”

In the office of the Public Buildings and Grounds are the records of the commissioners under the Residence Law. Twenty letters of David Burnes to them are there. All have originality of expression, variety of words and correctness of authography. These are convincing proof that Mr. Burnes was educated and in advance of his period. That Mr. Burnes was reactionary in the establishment of the new nation's city the writer thinks is disproven. For what was his he was impatient, not uncommon in the human character.

“For I want what I want
When I want it.”—Opera, M’lleModiste.

It is true he quarreled with the commissioners. And of the proprietors so did James Greenleaf, a merchant prince, a large capitalist and consul at Amsterdam; so did George Walker, accepted as the first projector of the magnificent plan of the city; so did Thomas Law, scion of English aristocracy, a ruler of a million people in East India and connected with the President by marriage; and so did the engineers, L’Enfant and Ellicott. In each case a special cause, in all, underlying disappointment.

As David Burnes sat at the cottage door, his former acres within his range of vision, his memory told him these scenes were long familiar and so had been to his father and to his father's father and he could express himself in his poet's lines:

“Still o'er these scenes my memory wakes,
And fondly broods with miser care,
Time but the impression deeper makes,
As streams their channels deeper wear.

REMARKS OF JAMES DUDLEY MORGAN ON
THE PAPER BY MR. ALLEN C. CLARK, ON
GENERAL VAN NESS, NOVEMBER 26,
1918, BEFORE THE COLUMBIA
HISTORICAL SOCIETY.

There can be nothing added to the fullness and the pleasure of the paper by Mr. Clark, but I simply wish to call attention to the disputes that David Burnes had with the Commissioners and to say that there were others like Major L'Enfant and Samuel Davidson—an original proprietor—who also had many contentions with the Commissioners. Major L'Enfant, as you know, refused to receive further orders from anyone but President Washington, and quit; and Samuel Davidson was in a long acrimonious discussion with the Commissioners, principally, as to his property contiguous to what is now Lafayette Square, and on which David Burnes' property abutted. Both Davidson and Burnes appealed to Major L'Enfant and David Burnes¹ letter follows:

“Monsieur L'Enfant,

“The respect you have ever shown me and the Gratitude that exists in my Breast for you cannot allow me to remain a silent friend. I take the liberty of addressing a few lines to you hoping you will accept of this as a small tribute of gratitude, untill I can make a Journey to Philadelphia this fall, at which time I hope to be gratified with your company; it is a source of information and agreeableness. I hope you can give me some information on the subject of dispute between the Commissioners and myself which I expect will be ended

¹ Original in possession of Dr. James D. Morgan.

next Spring. I hope you will do me the favor to write to me whether I can see you at Philadelphia about November next.

“Your very Hble Serv.

“(Signed) DAVID BURNES.

th

“July 24 1794.”

**DR. WILLIAM BEANES, THE INCIDENTAL
CAUSE OF THE AUTHORSHIP OF THE
STAR-SPANGLED BANNER.**

By CALEB OLARKE MAGRUDER, Jr.

(Read before the Society, December 15, 1914.)

The genesis of the Beanes family in America traces from Christopher Banes, according to the signature attached to his will, a Scotsman who came to the colony of Maryland in 1671, and settled in Calvert county. Among the properties acquired by him were, Eel Hall, in his home county, and Christopher's Camp, in Baltimore county.

His first wife was Ann Brooke, daughter of Robert Brooke, immigrant, by Mary Mainwaring, his second wife. Through Lord Baltimore's commission Robert Brooke became commander of a new county in the colony, erected in 1650, and called Charles in honor of the King of England. Mary Mainwaring was the daughter of the Bishop of St. David's, chaplain to Charles I. of England, and a descendant of a noble Cheshire family.

Ann (Brooke) Beanes predeceased her husband, and he married secondly, Elizabeth Higham, relict of Francis Higham of Calvert county. He left her a widow without issue of their union, in 1696. Christopher and Ann (Brooke) Beanes had issue: Christopher, William, Ann and Mary.

William Beanes, the first of his family in Prince George's county, son of Christopher Banes, immigrant, was a merchant and planter. He married Elizabeth, family name unknown, and died in 1765.

His widow survived until 1773. By the terms of the former's will his widow was devised realty (unnamed) and his children personalty only. Their issue were: William; Mary married John Sutton; Elizabeth married Luke Marbury; Colmore, died unmarried; and a daughter who became the wife of Major Josiah Towgood of Anne Arundel County, Maryland.

William Beanes, representing the third generation, married Mary Bradley, daughter of Robert Bradley and Ann Hill, progenitors of General Bradley Tyler Johnson of the Confederate States Army. On the distaff side Mary Bradley was the granddaughter of Clement Hill and Ann Darnall. Clement Hill was the nephew and heir of Clement Hill, immigrant, sometime surveyor-general of the province of Maryland. Ann Darnall was the daughter of Colonel Henry Darnall, of Portland Manor, Anne Arundel County, Maryland, and Eleanor Hatton, who was the widow of Major Thomas Brooke, and the daughter of Richard and Margaret Hatton.

Mary (Bradley) Beanes died in 1794, and William Beanes, her husband, in 1801. Their children were: William, John Hancock, married Elizabeth Dyer and Harriet Clagett, born Southron; Eleanor, married James Mullikin; Colmore, married Millicent Tyler; William Bradley, married Eleanor Brown; Millicent, married James Alexander Magruder; and Mary, who married Baruch Duckett. Among the properties devised these children by their father were: Brooke Ridge, Hale's Rest, Bristol (a part of Mount Calvert Manor), Craycroft's Right, Beanes' Landing (on Charles Branch), Addition to Beanes' Landing, all in Prince George's county, and lot 261 in Carrollsburgh, now included in the city of Washington.

Such were the marital alliances of the forebears of

Dr. William Beanes, son of William Beanes and Mary Bradley, the third of his name, representing the fourth generation.

He was born at Brooke Ridge, near Croome, Prince George's County, on the 24th day of January, 1749. Brooke Ridge, comprising one thousand acres, was patented by Charles Brooke, son of Robert Brooke, first commander of Charles county, who, dying childless in 1671, devised one half of the property to his then unmarried sister, Ann Brooke, great-grandmother of Dr. William Beanes.

We know nothing of this William Beanes' early days, but they were doubtless those of the youth of his time whose parents were large landholders living in ease and comfort. There was no medical college in America at this period, so that from a public school, or more probably a private tutor, he began the study of medicine in the office of some experienced practitioner of whom there were several in his neighborhood.

November 25, 1773, the young physician took for wife Sarah Hawkins Hanson, daughter of Colonel Samuel Hanson and Ann Hawkins, a niece of John Hanson, President of the First Continental Congress, and by virtue of this position, the first President of the United States. Hardly had his married life begun before the tyranny of the mother country forced the First Continental Congress to adopt a series of "Resolves" as a rebuke for odious taxes levied and to prepare for armed resistance. Dr. Beanes was one of a committee of Prince Georgians who carried such "Resolves" into effect.

Following the battle of Lexington the government established the first General Hospital at Philadelphia, where the young surgeon treated the maimed brought from bloody Long Island and Brandywine, as well as

those half-starved and near-frozen patriots from gloomy Valley Forge.

Returning to his home before the close of the Revolutionary War he purchased property in the town of Upper Marlborough from William Sprigg Bowie in 1779, and erected a home on the site of the present Marlborough High School. Continuing the practice of his profession he grew in skill and constantly increased the confidence of an ever enlarging circle of friends and patients. Agriculture claimed some part of his attention on several farms surrounding his home town, known as Meadows, Kinsale, and Bacon Hall, and he also owned and operated a nearby grist mill.

Professionally his fitness spread beyond the county, and when, in 1799, the Medical and Chirurgical Faculty of Maryland was established he was one of its founders and a member of its first examining board. This faculty was never a teaching body, but young physicians submitted to examination by them before being permitted to practice, so that it is the prototype of the present Maryland State Medical Board. His interest in religious affairs is evidenced by his connection with the establishment of Trinity Protestant Episcopal Church, Upper Marlborough, and upon its organization by Bishop Clagett, in 1810, he was elected its first senior warden.

Such had been his various activities when in 1812 Great Britain declared war against the United States. Military operations were mainly in the north until the spring of 1813, when an enemy squadron sailed from Lynn Haven Bay, Virginia, into the Chesapeake. Pillage, plunder and arson followed in their wake. The Patapsco River was blockaded, Annapolis and Baltimore threatened, towns on the Eastern Shore of Mary-

land sacked, Havre de Grace stormed and burned. Hostile marauders invaded the Potomac River and the surrounding country swarmed with spies.

August 19, 1814, the British landed eight miles below Benedict, Charles county, and promptly took up their march to Nottingham. Prince George's at once became the field of spirited war-time activities. Nearing Nottingham some slight resistance was offered the enemy's advance on the 21st, but upon being pressed it faded away with a single casualty while the British were unscathed. Following the river road along the Patuxent under cover of their ships' guns Mount Calvert was reached where they debouched and moved toward Upper Marlborough.

A British annalist,¹ accompanying the army, wrote:

"The advanced parties having arrived at the more open country which surrounds Marlborough, found themselves suddenly in the presence of two squadrons of well mounted and handsomely appointed cavalry. They were composed, as we afterwards learned, of gentlemen volunteers in the service of their country. To do them justice, the troopers no sooner saw our men than they made a spirited effort to cut down one or two files which appeared to be separated from their companions, and at a distance from the wood. But a single discharge from another party which they had not observed, instantly checked them; and they galloped off."

Upper Marlborough was entered on the 22d of August. As the same annalist relates:

"It was one o'clock when the neat houses and pretty gardens of Marlborough presented themselves to our view. I know not whether the scene would strike me now as it struck me then, were I again to visit it; but at that moment I imagined that I had never looked upon a landscape more pleasing, or more beautiful. The gentle green hills which on either

¹ George Gleig.

hand enclosed the village, tufted here and there with magnificent trees, the village itself, straggling and wide, each cottage being far apart from its neighbors and each ornamented with flower beds and shrubberies; these, with a lovely stream which wound through the valley, formed, as far as my memory may be trusted, one of the most exquisite panoramas, on which it has ever been my good fortune to gaze."

The town having been invested the British General Ross selected the home of Dr. Beanes as his headquarters, there remaining until the afternoon of the next day, August 23, when, following a council of war with Admiral Cockburn, held in the same house, the army evacuated the town and on the same night bivouaced at Mellwood, the old home of Thomas Sim Lee, second Governor of Maryland, who held office during a part of the Revolutionary War.

Be it said to the credit of the enemy, the inhabitants of Upper Marlborough, or the very few who remained after their coming, were treated right civilly. Some chicken roosts and pig sties were robbed, and tradition says they kneaded bread on tomb stones in Trinity Church yard, which church was used for barracks, but the greatest act of wanton vandalism recorded occurs in the Parish Register of that church, reading:

"Several leaves here and some in other parts of this book were torn out by some of Ross' soldiers who found the book in the Church where it had been put for safe keeping. To their eternal disgrace be it recorded."

Signed "John Read Magruder clerk of the vestry." Military strategists divined that the enemy's objective was the national capital, and so advised, but official Washington appeared indifferent.

In 1813, Commodore Joshua Barney was commissioned to fit out a flotilla, which was completed and

manned by the spring of 1814. In June, while directly commanding a part of his flotilla, thirteen barges and five hundred men, he was pursued by the British and sought safety in St. Leonard's Creek, Calvert County. The water was too shallow for the enemy to follow so that attacks were made on the land side, but slight harm resulted and the blockade continued. Thinking the destruction of such a possible prize would lead the British to abandon a position so near Washington, Barney was ordered to destroy his boats but an immediate counter order advised an effort to break the blockade. With two eight pounders mounted upon traveling carriages the attack was made and Barney succeeded in cutting through the blockading line and ascending the Patuxent.

Learning of the presence of the British army at Benedict, Barney landed four hundred of his flotilla men near Mount Pleasant Ferry, a little above Hill's bridge, and marched to Upper Marlborough, leaving orders with Lieutenant Frazier to fire the flotilla should the enemy approach in force. On the 22d of August, Barney proceeded to Woodyard, the home of Richard W. West. The British entered Upper Marlborough while his camp fires were yet smouldering. As they were in force and but two miles away Lieutenant Frazier obeyed his instructions and the thirteen barges were fired, scuttled and sunk. At Woodyard Barney met General Winder in command of some twenty-five hundred troops. The same day the augmented force moved toward Washington and encamped at Long Old Fields, now known as Forestville, advancing in the morning after an inspection by President Madison.

Knowledge of Ross' stay in Upper Marlborough prompted Winder to mass his available arms between

his camp and the enemy. General Stansbury and Lieutenant-Colonel Steret were directed accordingly, and similar orders were dispatched to Lieutenant-Colonel Beall and Major Peter. Winder set out to confer with Stansbury who was advancing from Bladensburg. When nearing that village couriers informed him the enemy had left Mellwood, come in contact with Major Peter and driven him back on the covering line of General Smith and Commodore Barney at Long Old Fields where the latter stood in battle order. Stansbury was ordered to retrace his march to Bladensburg, join with Steret and if attacked and driven to reform for the protection of Washington.

After a brush with Major Peter, Ross reached the branch road leading to Washington and Alexandria Ferry. Here his apparent indecision baffled our forces, the Secretary of War, General Armstrong, not yet convinced that Ross' vision of conquest included Washington. While yet Madison, Winder and cabinet members were in conference the British were in motion toward Bladensburg. Smith was hurried forward, while Barney took a position on the eastern branch of the Potomac, now known as Barney's Circle, Pennsylvania Avenue, Southeast, Washington.

On the 24th day of August, 1814, the American forces were thus disposed at Bladensburg: near the Bladensburg bridge, General Stansbury; in his rear two artillery companies under Captains Magruder and Myers. To the right of this battery, Major Pinkney's riflemen covering two companies of infantry, Ducker and Gorsuch captains, forming the right wing. Fifty yards away Steret commanded the Fifth Maryland Regiment with the regiments of Regan and Schultz, and three hundred cavalry forming the centre. A line of Maryland militia, Beall, Colonel, stood to the right

of the latter formation with a detachment of Barney's flotilla-men. Colonel Magruder, with the District of Columbia militia, and Peter's battery comprised the left wing. Lieutenant-Colonel Scott, of the Second Maryland regiment, supported Peter's battery. Colonel Magruder was stationed to the left of the marines and Colonel Kraemer forward of Colonel Beall. Awaiting the enemy stood 5,401² men and officers ready to receive a foe slightly inferior in numbers.

Shortly before one o'clock General Ross' army emerged from a screen of trees fringing the woods and the first guns boomed. The descendants of men who stood the shock of battle on many a bloody field of Revolutionary days, and finally hurled back the invader, were panic stricken. Formation after formation wavered, broke and fled. The arrival of Barney with a portion of his marines on the Bladensburg pike at the District line, who had come at a double quick from the eastern branch of the Potomac, heartened them for a moment but forced to stand the onslaught without support they too gave way. The gallant Barney, wounded by a bullet which was only extracted after death, and for which it was somewhat responsible, was taken prisoner. By four o'clock the enemy was victorious with a foe widely scattered.

Bladensburg is an inglorious field in our history whereon no luster was shed upon American arms. As General Ross said of the marines, "they have given us the only real fighting we have had." And yet we should bear in mind the fact that among the British were veterans of the Peninsular Campaign and Napoleonic Wars, while opposed to them were an almost exclusively raw militia.

A copy of General Ross' report on the battle to his

² War Department records.

military superiors appeared in the *London Gazette Extraordinary* under date of September 27, 1814, in which the casualties as listed by him were:

“Killed, one Captain, two Lieutenants, five Sergeants, fifty-six rank and file, ten horses. Wounded, two Lieutenants-Colonel, three Ensigns, one Captain, fourteen Lieutenants, ten Sergeants, one hundred and fifty-five rank and file, eight horses.”

Lossing gives the British casualties as 500. The American loss was twenty-six killed and fifty-one wounded.

The nation's capital undefended, the British entered the city, then having a population of about 20,000, and applied the torch to the Capitol, the President's mansion, the Navy Yard barracks and all other public buildings, the Patent Office excepted, entailing a loss of two million dollars.

On the 25th of August, Ross began his backward movement by Bladensburg, where his wounded were permitted to remain, reaching Upper Marlborough on the 26th, and thence to Nottingham where he embarked his troops, weighing anchor from Benedict on the 29th.

Two days before the army sailed from Benedict a squadron appeared before Fort Washington, in Prince George's County, which was blown up without a gun having been fired against the enemy, whereupon Alexandria was visited by them and an enormous ransom demanded.

After the British left Upper Marlborough on the 26th of August, and were encamped at Woodyard, a body of troopers returned to the town and placed Dr. Beanes under arrest. He was forced to arise from his bed after midnight at the point of a revolver, scarcely

permitted to clothe himself, and made to ride horseback on a rough-gaited, cadaverous animal to Benedict, some thirty-five miles distant.

On the day Ross passed through Upper Marlborough toward Nottingham Dr. Beanes was host to Dr. William Hill and Philip Weems. Many marauders appearing in the town it was proposed that they be arrested, whereupon Dr. Beanes and his guests headed a body of citizens who threw several of them into the county jail. One, however, escaped, acquainted General Ross with the circumstances and he ordered the arrest of the three offenders. Subsequently Dr. Hill and Mr. Weems were released, but General Ross and Admiral Cockburn seemed relentless toward Dr. Beanes.

That these gentlemen were arrested is attested by a letter dated August 31, 1814, from General Winder^a to General Ross in which their names were mentioned as prisoners, coupled with a reproach for the "great rudeness and indignity heaped upon a respectable and aged old man," in allusion to Dr. Beanes; but General Winder's intercession was fruitless with respect to Dr. Beanes.

At this juncture Richard W. West, of Woodyard, appealed to Francis Scott Key, a then resident of Georgetown. With the consent of President Madison, John S. Skinner, a Prince Georgian then living in Baltimore, and in charge of the exchange of prisoners, accompanied Key down the Chesapeake Bay under a flag of truce aboard the *Minden*. Preparations were making for an attack on Baltimore but Key and Skinner were courteously received by Admiral Cochrane. When their mission was made known General Ross

^a "The British Invasion of Maryland," by Wm. M. Marine.

and Admiral Cockburn⁴ bitterly opposed the prisoner's release, the latter speaking of him in the harshest and most venomous manner.

Fortunately, Skinner carried letters from the wounded left by Ross at Bladensburg in which he was told of the extremely kind treatment they had received. Touched by the tender mercies of an enemy Ross felt grateful and promised to requite it by the desired release. But fearing information of visible preparations aboard ship for an attack upon Baltimore might be conveyed to the city in the event of immediate return, Key and Skinner were detained. Before the attack upon Fort McHenry which followed, Dr. Beanes was permitted to join his friends and all were conveyed to a place of safety.

So long as great guns belched forth from the Fort they knew its defenders were undismayed. Toward morning resistance grew feebler, and then—an ominous silence. With every fiber racked by alternate hopes and fears Key pierced through the gloom until by the "dawn's early light" he saw that "our flag was still there."

Shot through with a genuine patriotic fervor Key sketched the outlines of The Star-Spangled Banner on the back of a letter, partially completing it while returning to Baltimore on the *Minden*. It appeared in the *Baltimore American* on September 21, 1814, under the title of "The Defense of Baltimore," and immediately became immensely popular, which popularity has continued to grow until today Key is best known as the author of the accepted American national anthem, judged by competent critics to rank with the martial hymns of "Rule Britannia" and "The Marseillaise."

⁴ Admiral Cockburn conveyed Napoleon Bonaparte as a prisoner to St. Helena.

Its exultant and defiant note well typifies the American spirit, but acknowledgment of a higher Power and a prayer for our national perpetuation breathes through the lines,

“Blest with victory and peace may the heaven-rescued land
Praise the Power that hath made and preserved us a nation.”

Without doubt the bombardment of Fort McHenry fired Key's imagination and inspired his pen, controverting, “*Poeta nascitur non fit*”—Poets are born not made—although he had a poet ancestor in the person of Henry Howard, Earl of Surry, born in the year 1515, an eight times great-grandfather, who was the first to employ blank verse in English poetry.

Baltimore, the birthplace of “The Star-Spangled Banner,” thus owes Prince George's County the occasion of its authorship, and the centennial anniversary which Maryland's metropolis so fittingly celebrated some weeks since should serve to inseparably link the name of Beanes with that of Key, the author, with the occasion of his inspiration.

Mr. Chief Justice Taney, a brother-in-law of Francis Scott Key, in a letter regarding Dr. Beanes' arrest, writes,

“They (the British) did not seem to regard him, and certainly did not treat him, as a prisoner of war.”

Key was permitted to interview him.

“He was in the forward part of the ship among the sailors and soldiers. He had not had a change of clothes from the time he was seized; was constantly treated with indignity by those around him and no officer would speak to him. He was treated as a culprit and not as a prisoner of war and this harsh and humiliating treatment continued until he was placed on board the cartel.”

General Ross said Dr. Beanes deserved much more punishment than he received. Continuing, the Chief Justice says: his treatment was that of one

“Who had deceived and broken his faith with them. Something must have passed when the officers were quartered in his home on the march to Washington which in the judgment of General Ross bound him not to take up arms against the English forces until the troops had reëmbarked. It is impossible on any other ground to account for the manner in which he was spoken of and treated.

“But whatever General Ross and the other officers may have thought I am quite sure that Dr. Beanes did not think he was in any way pledged to abstain from active hostilities against the public enemy. . . . He was a gentleman of untainted character and a nice sense of honor, and incapable of doing any thing that could have justified such treatment.”

Considering all published data regarding the affair we are inclined to think that the friendly offices of Dr. Beanes, when he played host to the British, were so construed by a subsequent action—that of instigating the arrest of marauders—as a breach of faith. Only after this manner can we reconcile his treatment by the British, for the mere arrest of marauders would not have rendered him less worthy of consideration than a prisoner of war and brought to him all the contempt and contumely of which he was the victim.

Apart from the fact that he was host it probably occurred to Dr. Beanes that diplomacy would prove the best policy. Because of it his home was guarded, his slaves were unmolested, his horses and cattle spared. And this inclination becomes a conclusion when we read in “A Subaltern in America,” by a fair-minded narrator who subsequently became chaplain-general of the British army:

“The only inhabitants whom we found abiding in his house

was a Dr. Bean, a medical practitioner. . . . The Doctor was, in point of fact, a Scotchman; that is to say, he had migrated about twenty years ago from some district of North Britain and still retained his native dialect in all its doric richness. He professed, moreover, to retain the feelings as well as the language of his boyish days. . . . He was a Federalist—in other words, he was hostile to the war with England, which he still persisted in regarding as his Mother country. Such, at least, were the statements with which he favored us, and we believed him the more readily that he seemed really disposed to treat us as friends. . . .”

Note that George Gleig, the author, states, Dr. Beanes was a Scotchman, he had migrated twenty years before, he professed a love for the mother country, he was opposed to the war, “Such at least were the statements with which he favored us.”

The genealogy of Dr Beanes’ family proves conclusively that his immigrant ancestor was in Maryland more than one hundred years before the War of 1812, and that Dr. Beanes was born in Prince George’s County. It is hardly believable that he could have acted as has already been shown during the Revolutionary period and entertained other sentiments at the time specified by our author, his action in causing the arrest which led to his own apprehension preclude this, yet we have no right to disbelieve our author, and the known character of General Ross⁵ was not of a nature to mete out such treatment as Dr. Beanes received, especially after partaking of his hospitality, unless some untoward act indicated a breach of faith, and so we are forced to the conclusion that Dr. Beanes carried his policy of diplomacy to such an extreme as to weave his own web of trouble.

It is admitted that Dr. Beanes was a most gracious

⁵ General Ross was killed at the battle of North Point, Md.

host who cared for his guests with a friendly solicitude and that the most reasonable explanation of the bitter resentment aroused in General Ross was due to the fact that he construed hospitality as sympathy, and that his leadership of those who had thrown the marauders into jail was a breach of faith. According to British standards he may have appeared perfidious, but to American standards it is unthinkable to charge him with disloyalty.

Following his release the doctor returned to his home on Academy Hill, Upper Marlborough, where as a relic of two wars he spent the evening of life in the quiet retrospect of stirring days. July 15, 1822, Mrs. Beanes passed away, and on October 12, 1828, Dr. Beanes died a childless old man at the mellow age of eighty years, and their remains now rest in what was the garden of their home.

Many friends and relatives were named as beneficiaries in his will, and the three codicils attached thereto, but the one who attained the greatest public prominence was Dr. William Beanes Magruder (a son of his sister Millicent, who married James Alexander Magruder), Mayor of Washington in 1857 and 1858, and of whom Mr. Robert H. Harkness read a most interesting sketch before this society December 12, 1912.

Just a year ago—December 10, 1913, to be exact—the writer had a letter from Mayor James H. Preston, of Baltimore, President of the National Star-Spangled Banner Centennial Commission, requesting the co-operation of Prince George's County in the proposed centennial exercises. The result was the formation of The Star-Spangled Banner Society of Prince George's County,

“Organized to restore the tomb of Dr. William Beanes whose name is inseparably linked with that of Francis Scott Key in the authorship of our National Anthem.

"To commemorate the same at Upper Marlborough, Maryland, September 3, 1914.

"To coöperate with the National Star-Spangled Banner Centennial Commission in celebrating a century of peace and progress."

Funds were solicited from the public school children of the county. To stimulate interest "Patriotism" and "Charles Carroll of Carrollton" were assigned as subjects for competitive compositions in the high schools and primary departments respectively, with two gold, two silver and two bronze medals as awards.

Patriotic and historical societies in Washington and Baltimore were requested to donate the medals with the following results: subject, "Patriotism," gold medal, by the Maryland Society of the War of 1812; silver medal, by the Southern Maryland Society; bronze medal, by the Society of Colonial Wars in the District of Columbia. Subject, "Charles Carroll of Carrollton," gold medal, by the District of Columbia Society of the Sons of the American Revolution; silver medal, by the Society of The Ark and The Dove; bronze medal, by the Columbia Historical Society.

To the funds raised by the public school children and their teachers were added those contributed by private individuals, the Civic Society of Upper Marlborough, the County School Board, the Board of County Commissioners and the National Star-Spangled Banner Centennial Commission.

A few months ago the tombs of Dr. and Mrs. Beanes were broken into many fragments. The walls surrounding were nearly level with the ground, and unsightly, gnarled sassafras trees were undermining the foundations and penetrating the hallowed soil of sepulture. Today such pieces of the old tombs as could be recovered, pieced with new marble to the original

size, rest on marble supporters above repaired vaults. Around the tombs is a brick wall as the base of a wrought iron railing with six pilasters surmounted by sixteen-inch cannon balls.

On either side of the stout iron entrance gate are bronze tablets.

Exercises commemorating the restoration were held on September 3 last, and resulted in what some of the metropolitan newspapers declared to be the most elaborate public function ever held in Southern Maryland. Following is the program:

Hon. Fillmore Beall, Associate Judge, Seventh Judicial Circuit, presiding.

Invocation—Rev. Alphonsus J. Donlan, S.J., President, Georgetown University.

Address of Welcome—Hon. Fillmore Beall.

"America"—United States Marine Band (section).

Response—Hon. James H. Preston,⁶ Mayor of Baltimore; President, National Star-Spangled Banner Centennial Commission.

"Columbia"—Marine Band.

Poem—"Dr. William Beanes," The Bentztown Bard.

"Suwanee River"—Marine Band.

Historical Address—Mr. Caleb C. Magruder, Jr., President, Star-Spangled Banner Society, Prince George's County.

"Cavalleria Rusticana"—Marine Band.

Patriotic Address—Hon. Percy E. Quinn, Member of Congress from Mississippi.

"Dixie"—Marine Band.

Report of Committee on Compositions—Dr. Marcus Benjamin, Chairman, Vice-President-General, Society of the War of 1812.

Col. Frederick C. Bryan, President, Society of the Sons of the American Revolution in the District of Columbia.

⁶ Mayor Preston was prevented from being present because of a death in his official family.

Mr. Allen C. Clark, Vice-President, Columbia Historical Society.

Award of Medals—Hon. Henry Stockbridge, Associate Judge, Maryland Court of Appeals.

“Maryland—My Maryland”—Marine Band.

Raising of Star-Spangled Banner, Hon. William L. Marbury, President, Southern Maryland Society, Kinsman of Dr. William Beanes.

Firing of National Salute—Detachment of Company F, First Maryland Regiment, Oswald A. Greager, Captain.

The Star-Spangled Banner—Solo, Hon. Thomas F. McNulty, Sheriff of Baltimore.

Benediction—Rev. Francis E. McManus, Rector, Trinity Church, Upper Marlborough.

Gold and bronze medals, designed by Hans Shuler, were subsequently struck by The National Star-Spangled Banner Centennial Commission in commemoration of the 100th anniversary of the writing of “The Star-Spangled Banner,” on which Francis Scott Key and Dr. William Beanes appear watching,

“The rockets red glare, the bombs bursting in air.”

APPENDIX

OFFICERS.

OFFICERS ELECTED AT THE TWENTY-FIFTH ANNUAL MEETING HELD JANUARY 28, 1919.

President ALLEN C. CLARK.

Vice-Presidents { JOB BARNARD,
WILHELMUS B. BRYAN.

Treasurer CUNO H. RUDOLPH.

Recording Secretary MISS MAUD BURR MORRIS.

Corresponding Secretary WILLIAM F. ROBERTS.

Curator JAMES FRANKLIN HOOD.

Chronicler FREDERICK L. FISHBACK.

<i>Managers classified according to expi- ration of term of service</i>	{	1920	{ JOHN B. LARNER. JAMES DUDLEY MORGAN.
		1921	{ WILLIAM VAN ZANDT COX. FRANCIS REGIS NOEL.
		1922	{ THEODORE W. NOYES. JOHN JOY EDSON.
		1923	{ MRS. CHAS. W. RICHARDSON. WILLIAM TINDALL.

COMMITTEES.

On Communications.

JAMES DUDLEY MORGAN, *Chairman*,
WILHELMUS B. BRYAN, WILLIAM TINDALL.

On Membership.

WILLIAM F. ROBERTS, *Chairman*,
F. REGIS NOEL, MRS. CHAS. W. RICHARDSON.

On Qualification.

WILLIAM V. COX, *Chairman*,
JOB BARNARD, JAMES F. HOOD.

On Building.

THEODORE W. NOYES, *Chairman*,
JOHN JOY EDSON, MRS. EDWARD T. STOTESBURY,

On Publication.

JOHN B. LARNER, *Chairman*,
CUNO H. RUDOLPH, MISS MAUD BURR MORRIS.

On Exchange.

JAMES F. HOOD, *Chairman*,
JOHN B. LARNER, MISS MAUD BURR MORRIS.

LIST OF MEMBERS OF THE COLUMBIA HISTORICAL SOCIETY, 1919.

LIFE MEMBERS.

Dimock, Mrs. Henry F.,	1301 Sixteenth St.
Goldenberg, M.,	922 Seventh St.
Hutcheson, David,	1221 Monroe St., Brookland, D. C.
Jackson, Miss Cordelia,	3021 N St.

HONORARY MEMBER.

Porter, Miss Sarah Harvey,	1834 K St.
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ANNUAL MEMBERS.

Abell, Mrs. Edwin F.,	16 East Mt. Vernon Place, Baltimore, Md.
Abell, Walter W.,	424 Equitable Building, Balti- more, Md.
Adams, Byron S.,	512 Eleventh St.
Adkins, Jesse C.,	1512 H St.
Ailes, Eugene E.,	Care National City Co., N. Y.
-Ailes, Milton E.,	1620 I St.
Albert, Leon E.,	501-2 Westory Building.
Allen, Charles G.,	Woodward Building.
Allen, Clarence G.,	2310 Nineteenth St.
Allen, Walter C.,	District Building.
Anderson, Mrs. Alexandra K.,	1757 K St.
Armat, Thomas,	1901 Wyoming Avenue.
Atkisson, Horace L. B.,	Union Trust Building.
Barber, Mrs. Velma Sylvester,	703 East Capitol St.
Barbour, Mrs. Annie V.,	1741 Rhode Island Ave.
Barnard, Hon. Job,	1401 Fairmont St.
Barnhart, Dr. Grant S.,	1434 Rhode Island Ave.
Bates, Charles H.,	906 Westory Building.

List of Members.

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Beck, Howard C.,	P. O. Box 784, Baltimore, Md.
Becker, Conrad,	1324 F St.
Bell, Alexander Graham,	1331 Connecticut Ave.
Bell, Alexander Hamilton,	1510 Columbia Road.
Bell, Charles James,	1327 Connecticut Ave.
Bennett, William A.,	1316 Gallatin St.
Bingham, Benjamin F.,	110 Maryland Ave., N.E.
-Blair, Major Gist,	Union Trust Building.
Blair, Henry P.,	Colorado Building.
Blair, Montgomery,	Hibbs Building.
-Blair, Woodbury,	Hibbs Building.
Bourne, Mrs. Linnie M.,	2027 Hillyer Place.
Bowie, W. Worthington,	2630 University Place.
Bradford, Ernest W.,	Washington Loan & Tr. Bldg.
Breuninger, Lewis E.,	5700 Sixteenth St.
Britton, Alexander,	1811 Q St.
Brown, Walter A.,	624 Fourteenth St.
Browne, Evans,	Edgemoor Lane, Bethesda, Md.
Browne, Francis L.,	2258 Cathedral Ave.
Bryan, George B.,	101 B St., S.E.
Bryan, Dr. Joseph H.,	818 Seventeenth St.
-Bryan, Wilhelmus Bogart,	1330 Eighteenth St.
Buchanan, Gen. James A.,	2210 Massachusetts Ave.
Bukey, Miss Alice,	209 Maryland Ave., N.E.
Bulkley, Barry,	1205 Nineteenth St.
Bullock-Willis, George,	918 F St.
Bundy, Hon. Charles S.,	The Kensington Apartments.
-Burchell, Norval Landon,	1102 Vermont Ave.
Burkart, Joseph A.,	Colorado Building.
Butler, Rev. Charles H.,	229 Second St., S.E.
Butler, Dr. W. K.,	1207 M St.
Carr, Mrs. William Kearny,	1413 K St.
Carroll, Harry R.,	1207 Decatur St.
Carter, Mrs. Ellen L.,	1528 Sixteenth St.
Carter, William G.,	928 Louisiana Ave.
Casey, Mrs. Silas,	The Oakland.
Casley, D. B.,	622 Pennsylvania Ave., N.W.

Casteel, Dr. Frank A.,	1616 I St.
Chamberlaine, William W.,	1806 Wyoming Ave.
Chamberlin, Edward M.,	2636 Woodley Road.
Chilton, Robert S., Jr.,	Cobourg, Ontario, Canada.
Chilton, William B.,	2015 I St.
Church, William A. H.,	912 B St., S.W.
-Clark, Allen C.,	816 Fourteenth St.
Clark, Appleton P., Jr.,	1778 Lanier Place.
Clark, Rev. John Brittan,	2713 Wisconsin Ave.
Clark, Lincoln R.,	348 Eastern Ave., Wash'n, D.C.
Clephane (Lt. Col.), Walter C.	Chevy Chase, Md.
Cohen, Myer,	2146 Wyoming Ave.
Colbert, Michael J.,	Southern Building.
Colladay, Edward F.,	Union Trust Building.
Combs, Mrs. Henrietta Du- Hamel,	5208 Forty-first St.
Conniff (S.J.), Rev. Paul R.,	Gonzaga College.
Coolidge, Ernest Hall,	1901 Kenyon St.
Corby, W. S.	Langdon Station, D.C.
Cowles, John H.,	Sixteenth and S Sts.
Cox, William Van Zandt,	Emery Place, Brightwood, D.C.
Coyle, Miss Emily B.,	1760 N St.
Crane, Hon. Richard,	Department of State.
Croissant, DeWitt C.,	1717 Q St.
Dale, Mrs. Thomas,	British Vice-Consulate, Chi- huahua, Mexico.
Daniel, Ernest H.,	2111 Nineteenth St.
Darlington, Joseph J.,	410 Fifth St.
Davenport, Com'dr R. Gra- ham, U.S.N.,	1331 Eighteenth Street.
-Davis, Henry E.,	Wilkins Building.
Davis, Miss Josephine,	The Concord.
Dennison, Dr. Ira W.	The Wyoming.
Devitt (S.J.), Rev. Edw. I.,	Georgetown University.
Dorsey, Vernon M.,	104 Chevy Chase Drive, Chevy Chase, D.C.
Dove, J. Maury,	1740 New Hampshire Ave.

List of Members.

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Downing, Mrs. Margaret B.,	1262 Lawrence St., Brookland, D.C.
Drury, Samuel A.,	2637 Connecticut Ave.
Dunlop, G. Thomas,	Fendall Building.
Eaton, George G.,	416 New Jersey Ave., S.E.
Edgerton, James A.,	1646 Park Road.
Edmonston, William E.,	1220 Massachusetts Ave.
Edson, John Joy,	1324 Sixteenth St.
Edwards, Daniel A.,	225 Pennsylvania Ave., S.E.
Elkins, Mrs. Stephen B.,	1626 K St.
Emery, Frederick A.,	5315 Connecticut Ave.
Eustis, William Corcoran,	1611 H St.
Everett, Edward H.,	Twenty-third St. and Sheri- dan Circle.
Fahy, Charles,	410 Fifth St.
Ficklen, Samuel P.	1823 Biltmore St.
Fishback, Frederick L.,	2709 Thirty-sixth St.
Flannery, John Spaulding,	2411 California St.
Fletcher, Miss Alice C.,	214 First St., S.E.
Forman, Dr. Samuel E.,	The Kenesaw.
Fraser, George B.,	1509 H St.
Fulton, Horace Kimball,	1213 Vermont Ave.
Gaddis, Edgar T.,	1017 East Capitol St.
Gaff, Thomas T.,	1520 Twentieth St.
Gale, Thomas M.,	2300 S St.
Galliher, William T.,	American National Bank.
Garfinkle, Julius,	1226 F St.
Gasch, Herman E.,	1753 P St.
Gill, Herbert A.,	Colorado Building.
Glassie, Henry H.,	Department of Justice.
Glennan, John W.,	Warder Building.
Glover, Charles C.,	1703 K St.
Goodwin, William McAfee,	1406 G St.
Graham, Edwin C.,	1330 New York Ave.
Grosvenor, Gilbert H.,	Sixteenth and M Sts.

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Guilday, Rev. Peter (D.D.),	Brookland, D.C.
Guy, Benjamin W.,	313 Ninth St.
Hamilton, George E.,	Union Trust Building.
Hannay, William Mouat,	207 I St.
Harper, Albert,	505 E St.
Harris, Miss Louisa B.,	1809 H St.
Harvey, Richard S.,	Washington Loan & Tr. Bldg.
Haston, T. M.,	918 M St.
Henderson, John B.,	1601 Florida Ave.
Henderson, Richard W.,	1109 F St.
Heurich, Christian,	1307 New Hampshire Ave.
Hibbs, William B.,	Hibbs Building.
Hickey, Miss S. G.,	821 Third St., N.W.
Hill, William Corcoran,	1724 H St.
Hines, C. Calvert,	1625 Newton St.
Hood, James Franklin,	American Security & Tr. Co.
Hoover, William D.,	National Savings & Tr. Co.
Hunt, Mrs. Alice Underwood,	814 Fifteenth St.
Hunt (LL.D.), Gaillard,	Library of Congress.
Hutchins, Walter Stilson,	1308 Sixteenth St.
Hyde, Thomas,	1537 Twenty-eighth St.
Jameson, J. Franklin,	2231 Q St.
Janin, Mrs. Violet Blair,	12 Lafayette Square.
Jennings, Hennen,	2221 Massachusetts Ave.
Johnson, Benjamin F.,	703 Fifteenth St.
Johnson, Frederick T. F.,	The Balfour.
Johnson, Paul E.,	929 Woodward Building.
Johnston, James M.,	1628 Twenty-first St.
Johnston, Richard H.,	429 Homer Building.
Jones, Eugene A.,	2000 Sixteenth St.
Jose, Rudolph,	3206 Eighteenth St.
Julihn, Louis G.,	1233 Crittenden St.
Kann, Simon,	2029 Connecticut Ave.
Kaufman, D. J.,	Macomb St. east of Conn. Ave.
Kaufman, Joseph D.,	1005-7 Pennsylvania Ave.

List of Members.

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Kern, Charles E.,	1328 Harvard St.
Kibbey, Miss Bessie J.,	2025 Massachusetts Ave.
King, LeRoy O.,	3112 N St.
King, William,	3114 N St.
Kingsbury, Clarence F.,	216 Woodward Building.
Kingsman, Dr. Richard,	711 East Capitol St.
Knapp, Hon. Martin A.,	Stoneleigh Court.
Kober, Dr. George M.,	1819 Q St.
Krauthoff, Edwin A.,	304 Riggs Building.
Lambert, Wilton J.,	1028 Vermont Ave.
Lamson, Franklin S.,	1915 Kilbourne Place.
Larcombe, John S.,	1815 H St.
Larner, John Bell,	Washington Loan & Trust Co.
Larner, Philip F.,	918 F St.
Lawrence, Miss Anna M.,	2221 Kalorama Road.
Learned (LL.D.), Henry Barrett,	2123 Bancrodt Place.
Lee, Ralph W.,	1514 Newton St.
Leech, A. Y., Jr.,	2702 Cathedral Ave.
Leiter, Joseph,	1500 New Hampshire Ave.
Lenman, Miss Isobel Hunter,	1100 Twelfth St.
Letts, John C.,	52 O St.
Long, Hon. Breckenridge,	Department of State.
McCoy, Hon. Walter I.,	Court House, D.C.
McElroy, John,	44 G St., N.E.
McKee, Fred,	610 Thirteenth St.
McKenney, Frederic D.,	Hibbs Building.
McMahon, Richard W.,	District National Bank Bldg.
Martyn, Dr. Herbert E.,	1332 Massachusetts Ave.
Mason, Guy,	526-9 Woodward Building.
Mackall, Dr. Louis,	3044 O St.
Magruder, Caleb Clarke, Jr.,	820 Riggs Building.
Mark, Rev. Augustus M.,	Twentieth & Evarts Sts., N.E.
Marlow, Walter H., Jr.,	811 E St.
Marshall, Burgess W.,	Nat. Metropolitan Bank Bldg.

Marshall, James Rush,	2507 Pennsylvania Ave.
Matthews, Henry S.,	1415 G St.
Meegan, James F.,	813 Seventeenth St.
Merrick, Ernest M.,	1005 L St.
Merrill, George P.,	U. S. National Museum.
Merritt, William E. H.,	1403 H St.
Mertz, Mrs. Della Hine,	1819 G St.
Messer, James A.,	1000 Penna. Ave.
Millan, W. W.,	Columbian Building.
Minor, Henry,	Macon, Miss.
Mohun, Barry,	Maryland Building.
Moore, Charles,	Cosmos Club.
Moore, Mrs. Virginia Campbell,	1680 Thirty-first St.
Morgan, Dr. James Dudley,	Chevy Chase, Md.
Morgan, Mrs. James Dudley,	Chevy Chase, Md.
Morrison, Miss Ella J.,	The Woodworth.
Mussey, Mrs. Ellen Spencer,	1317 New York Ave.
Morris, Miss Maud Burr,	1603 Nineteenth St.
Moss, George W.,	2147 Wyoming Ave.
Neale, Sidney C.,	1208 F St.
Needham, Charles Willis,	1809 Phelps Place.
Noel, Francis Regis,	408 Fifth St.
Norment, Clarence F.,	2339 Mass. Ave.
Norton, Adml. Harold P., U.S.N.,	1704 Nineteenth St.
Noyes, Frank B.,	The Evening Star.
Noyes, Theodore W.,	1730 New Hampshire Ave.
O'Brien, Matthew J.,	400 Fifth St.
O'Connell, Rt. Rev. D. J.,	800 Cathedral Pl., Richmond, Virginia.
Offutt, George W., Jr.,	1416 F St.
Peelle, Hon. Stanton J.,	1416 F St.
Perry, R. Ross,	1635 Massachusetts Ave.
Peter, Miss Fannie I.,	Indian Office, D.C.
Peyser, Capt. Julius I.,	Southern Building.

Pimper, Charles W.,	1140 Fifteenth St.
Potter, Charles H.,	431 Eleventh St.
Powderly, Hon. Terence V.,	3700 Fifth St.
Prescott, Samuel J.,	814 Thirteenth St.
Proctor, John Clagett,	U. S. National Museum.
Pyles, Dr. Richard A.,	2015 Nichols Ave., S.E.
Ramsay, Arthur,	Fairmont Seminary.
Rapp, Frank E.,	1018 Seventeenth St.
Richardson, Dr. Charles W.,	1317 Connecticut Ave.
Richardson, Mrs. Charles W.,	1317 Connecticut Ave.
Richardson, Francis Asbury,	Cosmos Club.
Richardson, Dr. J. J.,	1509 Sixteenth St.
Riggs, T. Lawrason,	1311 Massachusetts Ave.
Roberts, Hon. Ernest W.,	1918 N St.
Roberts, William F.,	1514 H St.
Rogers, William Edgar,	1860 Park Road.
Rosenberg, Maurice D.,	1953 Biltmore St.
Rudolph, Cuno H.,	Second National Bank.
Saks, Isadore,	Broadway & 34th St., N. Y.
Sanders, Joseph,	1460 Columbia Road.
Saul, John A.,	344 D St.
Schroeder, Rear-Adm. Seaton,	1816 N St.
Seisco (Ph.D.), Louis Dow,	The Woodley.
Schutt, George F.,	The Ebbitt.
Shahan (D.D.), Rt. Rev. T. J.,	Catholic Univ. of America.
Shand, Miles M.,	Department of State.
Shandelle (S.J.), Rev. Henry J.	Georgetown University.
Shea, William T.,	1436 Fairmont St.
Shir-Cliff, William H.,	1706 Lamont St.
Shuey, Theodore F.,	U. S. Senate.
Simpson, Dr. John Crayke,	1421 Massachusetts Ave.
Skinner, Mitchell A.,	1516 Sixth St.
Spofford, Miss Florence P.,	The Woodward.
Stewart, Henry C.,	1416 F St.
Stock, Edward L.,	1220 New York Ave.
Stotesbury, Mrs. Edward T.,	1925 Walnut St., Phila., Pa.

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Swormstedt, John S.,	Southern Building.
Swormstedt, Dr. Lyman B.,	2 Thomas Circle.
Thom, Corcoran,	American Security & Tr. Co.
Thomas, Rt. Rev. Mgr. C. F.,	St. Patrick's Rectory.
Thompson, Corbin,	Woodbridge, Va.
Thompson, Edward W.,	1601 Connecticut Ave.
Thompson, Mrs. John W.,	1419 I St.
Tindall, Dr. William,	The Stafford.
Tobriner, Leon,	1406 Sixteenth St.
Todd, William B.,	1243 Irving St.
Topham, Washington,	43 U St., N.W.
Truesdell, Col. George,	The Altamont.
Turner, Mrs. Harriot Stod- dert,	1311 New Hampshire Ave.
Van Schaick, Rev. John, Jr.,	1417 Massachusetts Ave.
Van Wickle, William P.,	1217 F St.
Walker, Ernest G.,	1522 R St.
Warder, Mrs. Ellen N.,	1155 Sixteenth St.
Wardman, Harry,	1430 K St.
Warner, Dr. Carden F.,	Chevy Chase, Md.
Washburn, William S.,	Chevy Chase, D.C.
Weller, Joseph I.,	420 Wash. Loan & Tr. Bldg.
Weller, Mrs. Michael I.,	408 Seward Square, S.E.
Wheeler, Hylas T.,	St. James Hotel.
White, Enoch L.,	1753 Corcoran St.
White, George W.,	National Metropolitan Bank.
Whitney (Ph.D.), Edson L.,	1234 Euclid St.
Wilkins, Robert C.,	1512 H St.
Willard, Henry K.,	Kellogg Building.
Williams, Charles P.,	1675 Thirty-first St.
Williamson, Charles J.,	2616 Connecticut Ave.
Wilson, Clarence R.,	1512 H St.
Wood, Rev. Charles,	2110 S St.
Woodhull, Gen. Maxwell V.Z.,	2033 G St.
Woodward, Fred E.,	Eleventh and F Sts.

List of Members.

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Wright, W. Lloyd,	1908 G St.
Wurdeman, J. H.,	610 Twelfth St.
Wyeth, Major Nathan,	1517 H St.
Yeatman, Rudolph H.,	Munsey Building.

ADDITIONAL NAMES TOO LATE FOR CLASSIFICATION.

Gordon, William A.,	Century Building.
Granger, Maude E.,	1312 Connecticut Ave.
Osgood, Whitman,	2725 Connecticut Ave.
Proudfit, Samuel V.,	Wardman Courts, East.
Thompson, Eugene E.,	728 Fifteenth St.
Warwick, Randolph T.,	2400 Sixteenth St.
Wimsatt, William A.,	215 Eighth Street, S.W.
Washington Public Library,	Mt. Vernon Place.

RECAPITULATION.

Life Members	4
Honorary Members	1
Annual Members	305
Total	310*

* This includes all members to date of going to press with this volume.

**COMMUNICATIONS MADE TO THE COLUMBIA
HISTORICAL SOCIETY.**

(Continued from Page 366, Vol. 21.)

1918.

- Jan. 15. Early Days of the Supreme Court of the District of Columbia. Hon. Job Barnard.
- Feb. 19. Account of the Washington Monument and of the Washington Monument Society. Frederic L. Harvey. (Not printed.)
- Mar. 19. Christian Hines, Author of "Early Recollections of Washington City." John Clagett Proctor.
- Apr. 16. General Roger Chew Weightman, a Mayor of the City of Washington. Allen C. Clark.
- May 21. The Birth and Growth of the Patent Office. George W. Evans.
- Nov. 26. General John Peter Van Ness, a Mayor of the City of Washington, His Wife Marcia, and Her Father, David Burnes. Allen C. Clark.

1914.

- Dec. 15. Dr. Williams Beanes, the Incidental Cause of the Authorship of the Star Spangled Banner. Caleb Clarke Magruder, Jr.

PROCEEDINGS OF THE COLUMBIA HISTORICAL SOCIETY.

169th meeting.

January 15, 1918.

In spite of very inclement weather, about fifty members and guests were present at this meeting: President Clark in the chair.

The Minutes of previous meeting were adopted and names of new members announced. President Clark then introduced Hon. Job Barnard, who read a comprehensive and interesting history of the "Early Days of the Supreme Court of the District of Columbia," of which body he was formerly a Justice. Reminiscences of early Judges of, and some of the decisions by, that Court were related by Messrs. Henry E. Davis, Frank W. Hackett, Philip F. Larner and President Clark.

At the close of the discussion, annual reports were read, followed by the election of officers for the ensuing year, all officers being reëlected, and Mrs. Charles W. Richardson and William Tindall were elected Managers for four years, their term to expire in 1923.

170th meeting.

February 19, 1918.

President Clark presided at the 170th meeting, when about fifty members and guests were present. After reading an invitation to the members to attend a public patriotic celebration of Washington's birthday on the 22d inst. to be held in "Liberty Hut," the Chair introduced the historian of the evening, Mr. Frederic L. Harvey, who read an "Account of the Washington Monument and of the Washington Monument Society."

171st meeting.

March 19, 1918.

A large audience was present at the 171st meeting of the Society, at which President Clark presided. The paper of the evening was by Mr. John Clagett Proctor, entitled "Christian

Hines, Author of 'Early Recollections of Washington City,' a large land owner in the early days of the District of Columbia. The discussion which followed was participated in by Mr. Topham, Mr. Bryan and President Clark.

172d meeting.

April 16, 1918.

After announcements by the Chair of future papers to be read before the Society, President Clark proceeded to read the communication of the evening, of which he was the author, entitled "General Roger Chew Weightman, a Mayor of the City of Washington." The paper is one of a series of biographies of local Mayors appearing at intervals in the Society's Records. The paper was discussed by Miss James, Miss Morris and Mr. Rogers.

About sixty members and guests were present.

173d meeting.

May 21, 1918.

President Clark presided at this meeting. Owing to very inclement weather, only a small audience was present. The communication of the evening was "The Birth and Growth of the Patent Office" by George W. Evans, who gave a detailed and accurate history of that branch of the government from 1790 to the present time.

The Society adjourned for the summer recess.

174th meeting.

November 26, 1918.

The opening meeting of the fall was attended by an audience that filled the Gold Room of the Shoreham Hotel. President Clark presided and welcomed the members and guests after the summer recess, announced the names of new members, and suggested that any remarks, corrections or additions to the papers read before the Society be reduced to writing and sent to Mr. John B. Larner, to be incorporated in the papers or used as foot notes in our Records when published.

President Clark then announced that the author of the paper intended to have been read that evening was abroad in the United States service, and that he himself would read a paper

on "General John Peter Van Ness, a Mayor of the City of Washington, His Wife Marcia, and Her Father, David Burnes." At the conclusion of the paper, seventeen colored lantern slides of prominent persons and places mentioned in the course of the paper, were exhibited. Discussion on the subject followed by Dr. Morgan and Dr. Tindall, the former also reading an original letter from David Burnes to Major L'Enfant.

Note: Owing to inability to secure a suitable place, no meeting of the Society was held in December, 1918.

IN MEMORIAM—WILLIAM HENRY DENNIS, ESQ.

By JOHN PAUL EARNEST.

In every community there are men who make a lasting impression for good upon their fellows. They are not noisy or self-assertive and rather avoid the spectacular which to them is offensive. They exhibit in a quiet way in their daily lives those qualities of mind and heart which attract men to them and hold their respect and esteem. They are reliable, dependable men, who, by their course of conduct in life, have merited and won the respect and affection of those who have come to really know them. They are satisfied to do their duty, day by day, to the best of their ability, never seeking the acclaim of the multitude or the glare of the limelight. Such men are the backbone of every community. When such a man dies, the community in which he lived realizes what a powerful force for good he was, and the universal tribute to him is that the world is better because he lived in it. No greater tribute can be paid any man.

Such a man was William Henry Dennis, who died March 23, 1919, after an illness of only a few days.

He was born in Philadelphia, Pa., February 21, 1856, the only child of Edward Griscom and Katherine (Matthews) Dennis. His grandfather was John Dennis, at one time president of Haverford College, and on his paternal side he was descended from Quaker stock. His mother was Katherine Matthews. She was a daughter of James Matthews, of County Louth, Ireland, who came to this country with his family about the year 1847. His father, Edward Griscom Dennis, died soon after he was born. He lived with his mother in Philadelphia as a boy and attended the public schools of that city. In 1869 they came to Washington and he entered Georgetown University, from which he received the degree of A.B. in 1874, LL.B. in 1876, and M.A. in 1882. He was a diligent and suc-

cessful student, graduating at the head of his class. One of his classmates was Father Tom Sherman, son of General William T. Sherman, between whom and Mr. Dennis there always existed the warmest friendship. While at college Mr. Dennis founded and edited *The Georgetown College Journal*. After his graduation from the Law School, he entered the office of the Register of Wills and was Deputy Register from 1876 to 1886. He was the author of "The Probate Law of the District of Columbia" published in 1883. He was for a time private secretary of Justice Blatchford of the Supreme Court of the United States. His thorough classical education and his command of English made him a forceful and effective editorial writer. He traveled extensively in this country and abroad, and was particularly interested in the history and mythology of Egypt and Palestine. He took an active interest in many organizations. He was a director of Carroll Institute; President of the Washington Council, Catholic Benevolent Legion; President of the Lawyers' Club; Manager of the Columbia Historical Society; Chairman of the Bar Examining Committee; member of the Bar Association; American Society of International Law; Humane Society; Oldest Inhabitants Association; and of the University and Century Clubs.

He was married June 20, 1901, to Lula L. Hughlett, who survives him.

At the bar he was regarded as one of its most substantial members. He possessed the confidence and respect of the court and of his brother attorneys. He gave to his cases the most exhaustive study, and represented his clients' interests with the utmost fidelity. He never descended to sharp practice, but was an upright and honorable opponent, as fair and just in his professional relation as he was as a man and citizen. Hope of gain never caused him to swerve one iota from his duty to himself. His conscience was to him something sacred, and was never for sale. Character and integrity were his watchwords. His appreciation of these attributes was shown particularly in his work as Chairman of the Bar Examining Committee. His aim was to admit to the bar only those men who possessed the highest moral character. To be mentally

qualified was not enough. He felt it to be his duty to the court, to the bar, and to the community to see in so far as he could, that the moral qualifications of candidates were of the highest order; that those admitted to practice the profession of the law should be men of unsullied reputation who would zealously uphold the highest professional standards, always bearing in mind that the lawyer is an officer of a court of justice, and never sacrificing duty upon the altar of expediency. In this respect he rendered a service of the greatest value to his profession, and to this city and District.

The influence of such a life is never lost. Sustained by a supreme faith, he has passed to the beyond. Well may he have said with the poet:

“Life! you and I have been long together,
Through pleasant and through cloudy weather—
’Tis sad to part when friends are dear,
May cause perhaps a sigh, a tear—
Then steal from sight, take thine own time,
Give little warning,
Say not “Good Night,” but in some better clime,
Bid me “Good Morning.”

RESOLUTION BY SOCIETY.

At a meeting of the Board of Managers of the Columbia Historical Society, held in the Executive Board Room of The Washington Loan and Trust Company, on April 17, 1919, the following resolution prepared by Allen C. Clark, President, was unanimously adopted:

“On the morning of the twenty-third day of March in the current year, nineteen hundred and nineteen, William Henry Dennis was called to the next life.

“With the Columbia Historical Society nearly all of its life he was intimately identified. He was a member for eighteen years. He was of the Board of Managers for twelve years, and the Treasurer for nine years. As a Manager he gave practical suggestion; as the Treasurer he made sacrifice of time.

“Mr. Dennis was a chief factor in the Society’s mission. He contributed valuable historical papers; and to the papers of others, in discussion, he gave the same character of supplement.

“ In the profession of the law, Mr. Dennis had distinctive parts. He had to do particularly with the administration of estates as a public officer and as a legal adviser. He had to do with the qualifications of those who sought to make the law their profession.

“ The disposition of Mr. Dennis was the same one day as another day. Always calm, always cheerful, always greeting; always ready with an incident or a reminiscence and generally in a gentle, humorous vein. He was always welcome, for it is the qualities like these that crown a welcome.

“ He lived not to himself. For the bereaved he had sympathy by deeds. He loved the young, and entered into the enthusiasm of youth. For the dumb creation he had fondness, evidenced by kindness.

“ All who had acquaintanceship with Mr. Dennis respected and esteemed him; and the closer the relationship, the deeper the respect and esteem.

“ *Resolved*, That the management and the membership of this Society, in the passing of William Henry Dennis, feel personal loss, and know it has lost a great assistant in its work.

“ The Columbia Historical Society extends to the family its sympathy, and directs that this expression be transmitted to it.”

REPORT OF TREASURER FOR YEAR ENDING
DECEMBER 31, 1918.

Receipts.

Balance on hand January 1, 1918	\$ 183.54
Receipts from membership dues	965.00
Receipts from sales of publication	86.50
Interest on Liberty Bonds	6.36
	<u>\$1,241.40</u>

Disbursements.

Office rent	\$110.00	
Rent of Gold Room	75.00	
Clerk to treasurer	15.00	
Treasurer's office postage	13.00	
Secretary's salary	87.50	
Secretary's office postage	26.45	
Printing	79.25	
Insurance premium	22.47	
Flowers (Mrs. Foster)	10.00	
Photo. (Harris & Ewing)	2.50	
New Era Printing Co. on account	500.00	941.17
		<u>\$ 300.23</u>
Balance on deposit Second National Bank	\$	300.23

LIFE MEMBERSHIP FUND.

January 1, 1918, with American Security & Trust Co.	\$288.57
May 29, 1918, bought \$300 U. S. Liberty 2d 4s.....	283.28
January 1, 1919, balance with American Security &	
Trust Co.	<u>\$ 5.29</u>

Respectfully submitted,

CUNO H. RUDOLPH,
Treasurer.

TWENTY-FIFTH ANNUAL REPORT OF THE RECORDING SECRETARY.

Mr. President and Members of the Society:

While history has been in the *making* on the other side of the Atlantic Ocean during the year 1918, the efforts of the Columbia Historical Society to collect and preserve the *past* history of the capital of the greatest nation on *this* side of the ocean, have met with difficulties. One result was a slightly decreased attendance at its meetings, due more to the many important meetings held nightly in the capital city in connection with war service than to a loss of interest in the Society. Six regular meetings were held during the year, all in the Gold Room of the Shoreham Hotel, with an average attendance of about 75 members and guests; and the same number of meetings were held by the Board of Managers, at which the business affairs of the Society were conducted, among other things being the investment of the Life Membership Fund in Liberty Loan Bonds. The December meetings were dispensed with.

The increased cost of the annual publication of the Society (Volume 21, issued late in the summer of 1918), due to the high cost of paper and production, as well as to the fact that it was the largest volume yet issued by the Society, was another serious result of the war conditions. Vol. 21 contains over 400 pages and 19 illustration, and ten or eleven papers read during the previous year, in addition to other reading matter.

Only six papers were read before the Society during the year 1918, which will, however, add another interesting chapter to the early history of this District, of great value to the future historian.

There have been six new members admitted, offset by six deaths and four resignations,—a net loss of only four members during these unusual times. On January 1, 1919, our membership was 206.

Our library has been increased by many war publications from abroad, in addition to annual volumes and pamphlets of other historical societies in the United States, so that our storage accommodations are more than ever overtaxed.

Respectfully submitted,

MAUD BURR MORRIS,
Recording Secretary.

CHRONICLER'S REPORT FOR 1918.

- Jan. 6. Rev. William A. (Billy) Sunday's evangelistic campaign began.
Ice flood. The Aqueduct Bridge closed to traffic as a precautionary measure.
- Jan. 12. Regulations for wheatless and meatless days issued by local Food Administration.
- Jan. 16. Workless Mondays ordered by Fuel Administration in manufacturing plants, stores and offices, to and including March 25, as coal conservation measure.
- Jan. 26. Food Administration issued order placing nation on war bread diet.
- Jan. 29. Public schools closed to-day until February 6 on account of coal shortage.
- Feb. 13. Ice went out of river, leaving trail of damaged property in its wake.
- Feb. 16. Public schools reopened after being closed eight days on account of lack of coal.
- Mar. 15. By order of this date, effective March 20, gas rate increased from 75 cents to 90 cents per 1,000 cubic feet.
- Mar. 19. Daylight Saving Law approved, by which beginning March 31 clocks will be set forward one hour, the new schedule to remain in effect until October 27.
- Mar. 29. Order effective prohibiting any person at hotels or restaurants being served more than two ounces of bread at any meal.
- Apr. 1. Easter Monday egg-rolling at White House grounds and Zoölogical Park suspended as a food conservation measure.
- Apr. 6. The President authorized the use of \$4,200,000 from his Emergency Fund for the acquisition of the old Arlington Hotel property by the Treasury Department for the use of the War Risk Bureau.

- Apr. 12. There being no longer a West Street, the West Street Presbyterian Church, the oldest Presbyterian Church in the District, changed its name to the Georgetown Presbyterian Church. This church was organized in 1780 under the ministry of Rev. Stephen A. Balch.
- Apr. 14. St. Paul's English Lutheran Church celebrated the 75th anniversary of its organization. The church site was donated by General John P. Van Ness. Cornerstone laid January 12, 1844.
- Apr. 21. Skip stops on street car lines went into effect. Alien enemy women ordered to leave District by Presidential Proclamation.
- Apr. 25. Third Liberty Loan parade. District's quota was \$12,870,000. Amount subscribed \$25,992,250.
- May 4. Dedication of new hall at graduation exercises of Gallaudet College.
- May 11. The new building of the Washington Eye, Ear and Throat Hospital was formally opened.
- May 12. Death of Joseph Nicholas Young, lineal descendant of Notley Young, one of the original proprietors of the land taken for the City of Washington.
- May 15. Establishment of the first airplane mail service, the line being between Washington, Philadelphia and New York.
- May 18. Parade to promote interest in raising Red Cross War Fund. The Red Cross flags flown from top of Capitol dome with two American flags. First time other than national emblem appeared above Capitol.
- May 20. First professional game of Sunday baseball played to-day under authority recently granted by District Commissioners.
- May 30. Memorial Day. An interesting feature at Arlington was the planting of an American silk flag and surrounding it with the emblems of England, France, Belgium and Italy between the Mansion and the tomb of the Unknown Dead.

- June 1. Salisbury Anti-Profiteering Rent Law signed by the President.
- June 3. Strike of one hundred municipal employees.
- June 5. First draft registration of the year when those who had become 21 since last registration day (June 5, 1917) registered for military service.
- June 8. Strike of approximately 1,000 District of Columbia workers. Wage difficulties soon adjusted.
- June 10. Action taken by meeting of clergymen and laymen to install a siren to call the people of Washington at noon daily to prayer for Victory.
- June 14. Flag Day. Hon. John W. Davis, American Ambassador to Great Britain, made the principal address at the exercises on the Monument Grounds.
- June 28. The old Blagden estate on edge of Rock Creek Park, known as "Argyle" was purchased by Thomas H. Pickford.
- June 29. Five Washington grocers ordered by Food Administration to close their stores for five days for overcharging for wheat flour.
- July 1. Dr. Wm. C. Woodward, Health Officer since August 1, 1894, resigned to take effect August 1, to become Health Officer of Boston.
- Purchase of the Washington Fertilizer Company's Plant at New Jersey Ave. and K St., S.E., for operation as a municipal garbage reduction plant. Municipal collection and disposal of garbage in the District was begun to-day.
- Miss Katharyn Sellers, the first woman selected for the Bench in the District, was nominated as Judge of the Juvenile Court.
- July 4. Presentation of the pageant, Triumphant Democracy, on the east steps of the Capitol.
- July 14. Bastille Day. Following a resolution enacted by Congress calling upon all citizens to observe the Independence Day of France, exercises were held on the Ellipse. The tri-color of France was flown beside the Stars and Stripes from every public building and from all ships at home and abroad.

- July 21. Celebration of the 87th anniversary of Belgium's independence by a vesper service on the Ellipse.
- July 24. Lightless nights four nights a week, as a war conservation measure, went into effect.
- July 27. Ration of two pounds of sugar a month per person fixed by Food Administration. Manufacture of ice-cream for one week prohibited.
- July 28. George C. Maynard, expert in military telegraphy in War Department during Civil War, and an eye witness to the assassination of President Lincoln, died.
Hotels released from pledge to use no wheat until after this year's harvest.
- July 31. At midnight the Government took over the telephone and telegraph service as a war measure.
- Aug. 4. Great Britain Day was observed by vesper service on the Ellipse. Fourth anniversary of her entrance into the war.
- Aug. 6. One of the most severe heat waves in the District's history, 105½°—the highest temperature in 47 years.
- Aug. 10. Work started on the dormitories for Government clerks on the squares between Union Station and Capitol.
- Aug. 17. Jacob H. Gallinger, Senator from New Hampshire, for many years Chairman of the Senate District Committee, and an earnest friend of the District, oldest Senator in years and service, died.
Attorney-General held Camp Meigs and Camp Leach within the purview of the President's Proclamation prohibiting the sale of liquor within five miles of military camps.
- Sept. 7. Seventeen vacant houses commandeered by the U. S. Housing Corporation for the use of war workers.
- Sept. 12. Second military registration of the year, this being for all men between 18 and 45 years of age.
- Sept. 19. Keating-Tramwell Bill, establishing a minimum wage board for women and minors employed in the District, approved by the President.

- Sept. 21. Influenza made its appearance. First death reported to-day. Disease gained epidemic form. Schools, churches and theaters closed. Stagger hours were ordered during epidemic for opening stores and government offices to reduce crowding of street cars. 25,075 cases reported with 1,544 fatalities in U. S. between September 21 and November 4, date restrictions were removed. Churches were opened October 31, schools and theaters November 4.
- Oct. 12. Liberty Day and Columbus Day celebrated by a legal holiday and the opening of the Fourth Liberty Loan drive. District quota \$27,608,000; amount contributed \$51,262,000.
- Oct. 27. Five cent car fares on car lines, in place of six tickets for 25 cents, were ordered by the Public Utilities Commission.
- Washington given first sight of night aeroplane work when several illuminated planes flew over city.
- Clocks were set back an hour after seven months of operation of the Daylight Saving Campaign.
- Nov. 1. Washington's first woman traffic policeman, Mrs. Leola N. King, was assigned to duty at 7th and K Streets, N.W.
- Nov. 11. Signing of the Armistice by Germany, closing hostilities of the European War. The President read the terms of the Armistice at a joint session of the Senate and House, and also announced the signing of the Armistice by Proclamation.
- Announcement of the signing of the Armistice resulted in a great victory demonstration in the afternoon and evening. An announcement on the 8th instant of an Armistice having been signed caused a premature celebration on that day.
- Nov. 21. A realistic parade featuring the distinctive work of the Red Cross, Young Men's Christian Association, Knights of Columbus, Hebrew Societies and Salvation Army led to the over-subscribing of the

District's allotment from \$760,000 to \$850,000 for the United War Work Societies named.

Dec. 31. During the year five War Fund Campaigns were conducted: Red Cross, Third Liberty Loan, Fourth Liberty Loan, United War Fund and War Savings Stamps. Quota assigned the District was \$49,000,000. It raised \$85,000,000, thus exceeding the allotment by \$36,000,000.

6,310 marriage licenses issued during the year, a much greater number than in any previous year.

Respectfully submitted,

FREDERICK L. FISHBACK,
Chronicler.

NECROLOGY.

ELIZABETH B. DAVIS	April	—, 1917.
ZEBINA MOSES	January	20, 1918.
CORRA BACON-FOSTER	January	26, 1918.
PAUL J. PELZ	March	30, 1918.
DANIEL O'C. CALLAGHAN	April	23, 1918.
VIRGINIA TATNALL PEACOCK	August	1, 1918.
J. HENRY SMALL	December	2, 1918.

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