

NOTES AND QUERIES

WHO WERE THE WARDENS OF PHILADELPHIA?

The first city watchmen were appointed by the City Council in 1700. In 1704, the city was divided into wards or precincts, and the watchmen were placed under the direction of the constables. They were not a paid force, but were drawn from the citizens, and were supposed to supply substitutes in the event of not being able to serve when called upon. Lacking the authority to impose a tax for the maintenance of a paid force, the Common Council struggled with the situation as best it could for about forty years.

The grand jury continued to make complaints as to the weakness and ineffectiveness of the body, and dissatisfaction being quite general, the Common Council applied to the Assembly to assert its authority. A law was passed by the Assembly, in 1750, regulating the watch, providing for the lighting of the streets by lamps, and for assessing a tax to maintain the service.

The service was placed under the direction of six wardens, who cooperated with the assessors in collecting the tax. The details can be found in *Statutes at Large of Pennsylvania, 1750-1* (V. p. 111). The first wardens named in the Statute were William Callender, Jonathan Zane, Thomas Crosby, Joshua Fisher, Hugh Roberts and Philip Syng.

The Statute provided that each year the first two should drop out, and be replaced by two more wardens to be elected by the people at the same time as they voted for burgesses.

The law worked so well in practice that, in 1756, the wardens were also given charge of the pumps of the city—the only water supply, and after twenty years' experience the law was re-affirmed, March 9, 1771. In the latter Statute the wardens appointed are Samuel Morton, Thomas Mifflin, Edward Duffield, Jacob Winey, Moore Furman and Joshua Humphries. But between these two Statutes, 1750 and 1771, I have not been able to find in the *Votes and Proceedings of the Assembly*, in the *Colonial Records*, in the *Pennsylvania Archives*, in the *Minutes of the Common Council*, in *Allinson and Penrose*, in *Philadelphia Police*, in *Westcott or Watson*, any reference to the yearly selection of two new wardens, as provided for in the Statutes. Wardens should not be confused with port wardens.

From correspondence inherited, I know that General Daniel Roberdeau of the Continental Congress made his debut in the service of the Colony as a warden. Can anyone tell me in what year, or refer me to mention of other wardens beyond the twelve above mentioned? I will be very grateful.

William Patten,
Rhinebeck, Dutchess County,
New York.

Excerpts relating to the Pennsylvania Line from Revolutionary Public Claims of New Kent County, Virginia, in the Archives Department of the Virginia State Library at Richmond. Contributed by Anne Waller Reddy.

"Boarding 4 wounded officers & 3 servants (of Pennslva line) & finding spirits and other necessities about 1 month and Pasturing horses and cattle belonging to them & the Contel. Hospital . . . and for

the use of a house & oxen about 1 month for the Contl. Hospital and finding wood for it that time £2.16.0." John Watkins Claim. Clerk's Book, p. 17.

"Robert Clemon Warren's Estate claim for Boarding 2 wounded Officers & 2 servants (Pensylva line) & keeping their two horses about 1 month & finding spirits & all necessaries. . . ." Clerk's Book, p. 18.

"Josiah Holt's claim (omitted before) for the use of his house taken & boarding 2 wounded officers & their servants (of the Pennyla line) 28 days & boarding one horse that time and for the use of a bed & furniture 9 months." Clerk's Book, p. 10.

"Richard Graves claim for 81 days attendance on a wounded officer (of the Pennyla line) & dressings." Clerk's Book, p. 10.

THE WRECK OF THE BRIG "SALLY" FROM PHILADELPHIA. On January 22, 1801, there sailed from Philadelphia the brig *Sally*, of which Robert McCall was Master, bound for Hamburg, well laden with coffee, sugar, cotton and other merchandise. Contrary winds hindered the passage down the Delaware and she did not leave the Capes until seventeen days later. One month later, being in the English Channel, a pilot was taken aboard to guide the ship to her destination, as the captain was ill at the time. After a troublesome voyage Northward, the ship finally ran aground on March 13, near the Texel (an Island in the Northern part of Holland), and after a night of serious difficulties, the passengers and crew were forced to abandon the ship and took to the boats on March 14, at 5 A. M., landing at Texel ten hours later. For the purpose of protecting the owners of ship as well as the cargo, the captain and his officers made a protest before a notary public at Helder, the nearest town where such an officer could be had.

These papers were filed with the proper authorities in Philadelphia and now repose in the manuscript collections of The Historical Society of Pennsylvania. They are given here, that readers may know of the trials of the crew of that staunch Philadelphia ship, lost with all of its cargo.

THIS day the 19th. of March in the year 1801. Before me Cornelis van Herwerden Notary public admitted by the Court of Holland residing on the Lands of Huysduynen and the Helder in the presence of the witnesses herein after to be named, appeared John Warner, Mate, John L. Heppen, John Boyd and Martin Wyser, Sailors, and James Gilman, Pilot of Dover in England all witnesses of sufficient age, and having last sailed in their respective aforesaid qualities on Board the Brig called the *Sally*, commanded at that time by Capt. Robert McCall, they the appearers at the passing of this act, then being here present.

Who by Interpretation from the English into the Low-Dutch Language by Mr. Jacob Visser, residing here at the Helder, and being sufficiently skilled in the aforesaid languages, at the requisition of their aforesaid Captain and for the benefit of whomsoever it may in any wise further concern, have witnessed and declared for the real truth as likewise the aforesaid Captain Robert Mac Call who appeared at the same time, by interpretation as aforesaid, affirmed to be the truth—

FIRSTLY, the first, second, third and fourth Witnesses and the Affirmant, that their ship which was hight, tight and well caulked, and likewise the masts and pumps well provided with coats, was laden at Philadelphia by sworn stevedores, with assistance of the witnesses, and the remainder of the ships crew

with a cargo consisting of Coffee, Sugars, cotton, dye-Wood and some boxes of Segars in order to carry the same to Hamburg; and that the said Cargo was stored, placed and garnished properly and according to Seaman's Custom, and that on board of their vessel every thing was well prepared for keeping out the water, the hatches well closed and covered, that after being provided and supplied with every necessary, and being likewise properly equipped, with a Vessel in every respect competent to carry merchandise over sea, they departed from Philadelphia on the twenty second of January one thousand eight hundred and one but meeting in the river with contrary winds for a considerable time, they were not able to get to sea until the eighth of February when they left the Capes.

That they had thereupon continued their voyage, being then in a good situation altho' they met with very variable weather and winds, and that in this manner they arrived in the channel on the tenth of March last, which they sailed up with a West-South-West wind until the twelfth ditto when they got the last witness on board, who now declares along with the rest, whom the affirmant engaged for the benefit and preservation of ship and cargo, (in consideration, that he the said affirmant was lying sick) to sail with them to serve them for a lookout for land and a Pilot to Hamburg.

That they, as all the witnesses now declare together, with the same pilot and by his orders shaped their course North East by East with a West, South-West wind and a fresh breeze, having in the evening the light of North foreland West North West at the distance of six leagues, at twelve of the Clock when the wind shifted some what more to the Westward, they shifted their sails over to the starboard, whilst the last witness was constantly sounding, and giving them the course which they must steer; at six oclock in the morning of the thirteenth they sounded and had sixteen fathoms of water, at Eight oclock 17 fathoms and at twelve oclock at noon 16 fathoms, when they found themselves according [to] an observation taken in 52 degrees 34 minutes Northern Latitude; By order of the last Witness, they shaped their course North East by East; and hove the lead at noon constantly again as they had had no land in sight that day, and at four oclock in the afternoon they found themselves again in 15 fathoms water dark brown sand; at six of the clock in the evening by order of the pilot, who was of opinion, that they had passed the Haaks already, and had the Texel 12 leagues off, they steered East; when they discovered shortly after, that is to say, in the evening at half after six o'clock, most unexpectedly, that their vessel struck the ground, lying at that time with the head to the North, and did everything that lay in their power, as the Affirmant now likewise again declares, to get off of the ground, they worked likewise from one side to the other but could not get afloat, and remained the same evening at seven oclock entirely grounded, whereupon the wind increasing, the sea rolled over their vessel as over a blind rock, and when they laid hold of the pumps, they found that the vessel had become leaky; whereupon the flood-tide coming in, in the night, their Vessel began to work so dreadfully, that the starboard side was stove in entirely, and their vessel during that night towards four oclock in the morning became a perfect wreck, so that for the preservation of their lives, there remained nothing, but to try to escape with their long boat and yawl, for which purpose they hoisted these

out, on which occasion the Cabin-boy was washed overboard by a heavy sea, without it being in their power to save the same.

That after their Vessel was gone entirely to pieces, the[y] took the necessary resolution at five o'clock in the morning, to go from on board with the boat and yawl, the Captain with the Passengers and five men going in the long boat and the first witness, the Pilot and one man in the yawl, taking with them one cask of water, and departed from it in hopes, that with the help of God they would be able to make the Land of Texel, which they had then in sight, they laboured hard for that purpose altho' they got their boat and yawl frequently full of water, because the sea ran tremendously high, but nevertheless they had the good fortune to reach the land and arrive safe, he the affirmant getting on the shore of the Vlie with the boat at three o'clock in the afternoon, and they, the first witnesses together with the hands they had with them, arrived at noon on the Island of Texel, from whence they have come hither.

Lastly the witness declared and affirmant affirmed, each of them for himself, that the misfortune happened to them and the loss of ship and cargo is occasioned without the fault, participation or neglect (carelessness) of the Captain or further ships crew, or any defect that before existed in the vessel or rigging, bad stowing or garnishing of the Cargo, but as the last witness declares, thro' the mis-leading of the stream, and that they on that day had discovered and seen no land; because otherwise according to the distance he had hailed and the course he had kept, he must have had passed the Haaks, and that thereby without their knowledge or carelessness, they were carried nearer to the grounds, than could have been calculated upon, and in this manner got upon the Haaks, where their vessel was stove to pieces, without any possibility on their part to get the same off from thence or to save the same by any means whatever, notwithstanding every one of the crew and the Affirmant during the whole voyage but particularly at the time when this misfortune befel them had practised all good seamanship and left nothing untried, to get the same off the ground, but in vain, because the vessel remained sitting fast, and afterwards struck in the ground and opened, so that there remained no other way to save their lives, but to try, with whatever danger the experiment might be connected, to get on shore with the longboat and Yawl, wherein by the help of God they succeeded.

The four first witnesses and the Affirmant further witnessed, that their ship's crew consisted of ten persons, the Captain and boy included, who earned as follows the Affirmant 50 Sp-Dollars per month, Mate 40 ditto per month, boatswain 30 ditto per month, cook 26 ditto per month, six sailors 28 ditto each per month, and the boy 6 ditto per month, the Affirmant declaring this with respect to those of the crew, who are not here now present.

The Affirmant and the witnesses giving for reasons of knowledge, to have navigated on board of said Vessel, and in in [*sic*] the respective qualities heretofore mentioned, and having heard, seen, experienced and been present at, all what is set down in the above declaration, whilst what has been declared with respect to dates, latitudes and winds, rests upon the annotations in the logbook of the first witness for that purpose, which he declares faithfully to have kept, each of the appear-

ers being ready to confirm with solemn oath whatever has been declared and affirmed here above.

Further appeared before me Notary and Witnesses, Jacob Visser mentioned in the beginning hereof, and declared, that he had faithfully interpreted to the Affirmant and Deponents in such manner, that the same was well understood by them and that they persisted therein, being also ready to support the same by solemn oath.

This done at the Helder aforesaid in the presence of Cornelis Platevort and Adriaan Jacob Swaan as witnesses—(was signed) Cornelis van Herwerden, Notary (below stood) We members of the committee of Justice on the lands of Huysduy-nen and the Helder, Do certify with knowledge of truth and at-test by these presents, That before us appeared John Warner, John L. Heppin, John Boyd and Martin Wizer and James Gil-man, Deponents and Robert Mac Call Affirmant in the preceed-ing declaration mentioned, who, the same being interpreted to them from the Low-Dutch into the English Language, declared the contents thereof to be conformable to truth and that they persisted therein, each of them having taken a solemn oath in their aforesaid own language in confirmation thereof. Further appeared likewise before us the members aforesaid, Jacob Visser mentioned in the beginning hereof, and declared, that he had faithfully interpreted the preceeding declaration to the Affirmant and Deponents, in such manner, that the same was well understood by them, and persisting therein he said there-upon for the confirmation thereof, SO HELP ME GOD AL-MIGHTY!

Done at the Helder the 19th. March 1801. (was signed) Cornelis Platevost, Adriaan Jacob Swaan (below stood) To my knowledge (was signed) Dirk Zeissen, Secretary.

Thus found to agree with its original, being written on a stamp of 12 stivers and signed as above. Done at the Helder March 23, 1801.

Corn. van Herwerden
Notary.

I CHARLES ERDMANN sworn Interpreter of foreign lan-guages in and for the commonwealth of Pennsylvania by law-ful authority duly appointed, Do certify that preceeding is a true and faithful translation of a certain original Paper writ-ten in the Low Dutch language annexed hereto. In witness whereof I have hereunto set my hand and seal of office at Phila-delphia the 10th. day of July A. D. 1801.

[Notarial Seal.] CHARLES ERDMANN
Int'. Jud.

So much for the Captain's protest for the benefit of his vessel and cargo. But for the purpose of the individual shippers of merchandise aboard the vessel, each apparently had to make affidavit to his claim for insurance. This was done, and before Clement Biddle, a local Notary Public. Copies of these affidavits are attached to the original docu-ments and reproduced herewith.

John Boller of the house of Godfrey Haga & Co. Affirms that the Brig Sally Robert McCall master in which they shipped forty six Hogsheads & two hundred fifty bags of Java Coffee at this port of Philadelphia in January 1801 for Hamburg was stranded near the Texel & the Cargo (except a small part thereof which was landed & sold) totally lost of which he pro-

duces the protest & no part thereof to his knowledge or belief since relanded in these united States.

Affirmed at Philadelphia

this 5th. March 1802

John Boller.

before CLEMENT BIDDLE

Not. Pub.

[Seal]

John Baker of the house of Godfrey Baker & Co. Swears that the Brig Sally Captain Robert McCall, in which they shipped Twelve hogsheads and One hundred & fifty bags of Coffee in the month of January 1801 at this port of Philadelphia bound for Hamburg was stranded and lost near the Texel and the whole of the Cargo lost (except a small parcel thereof which was landed & sold) of which the protest is produced And no part of said Coffee to his knowledge or belief since relanded in these United States.

Sworn as above at Philadelphia

John Baker.

this 5th. March 1802.

Clement Biddle

Not. Pub.

[Seal]

ON THIS Twelfth Day of March in the Year of our Lord One Thousand Eight Hundred and Two Before me, Clement Biddle, Esquire, Notary Public for the Commonwealth of Pennsylvania, duly commissioned and authorized by Law, to administer Oaths and Affirmations, dwelling in the City of Philadelphia, Personally came Frederick Montmollin of said City Merchant of the house of Nottnagel Montmollin & Co. who being duly sworn according to Law, on his solemn Oath deposes and say that the Brig Sally Captain Robert McCall in which they shipped Two hundred boxes of Sugar at this port of Philadelphia in January 1801 for Hamburg was stranded & lost near the Texel & whole Cargo lost except a small parcel landed & that no part of said Sugars have to his knowledge or belief been since relanded in these United States.

F. Montmollin.

Sworn before me

Clement Biddle

Not. Pub.

[Seal]

ON THIS Twelfth Day of March in the Year of our Lord One Thousand Eight Hundred and Two Before me, Clement Biddle, Esquire, Notary Public for the Commonwealth of Pennsylvania, duly commissioned and authorized by Law, to administer Oaths and Affirmations, dwelling in the City of Philadelphia, Personally came George Reinholdt of said City Merchant Attorney in fact to Paul Siemen of said City now absent who being duly sworn according to Law, on his solemn Oath deposes and says that the Brig Sally, McCall Master on her voyage from this port for Hamburg was stranded & lost near the Texel & that he verily believes that the Goods mentioned in the margin* here shipped in said vessel by Paul Siemen have not been since relanded in these States.

Geo. Reinholdt.

Sworn before me

Clement Biddle.

Not. Pub.

H. E. G.

[Seal]

* Omitted.



EXTRACT OF AN ENTRY

IN A REGISTER KEPT AT THE GENERAL REGISTRY OFFICE, EDINBURGH.

In terms of 17th & 18th Vict. cap. 69, sect. 56, 57 & 58; 24th Vict. cap. 86, sect. 4, and 30 Edw. VII & 1 Geo. V., cap. 22, sect. 1Eds. 5th Sept^r 1707

The Deceased Gent Coll. John Forbes of Pittenreef, and Elizth Graham
his relict A.S. N. John. H. James Hamilton of Ponceatland
one of the princ^l clerks of Session Ronald Campbell
wryt to her matres signet. Henry Hamilton Chirurgeon
Apothecare late Conveener, and Hugh Graham son to the
Deceased James Graham late Bayllie. Mr James Graham
Advocat and Judge of the high Court of Admiraltie
Sponsot. Mr Neill McVicar Min^r Cheld born this same day.



EXTRACTED from the REGISTER of BIRTHS and BAPTISMS for
the Parish of Edinburgh
in the County of Edinburgh

GIVEN at the GENERAL REGISTRY OFFICE, NEW REGISTER HOUSE,
EDINBURGH, under the Seal of the said Office, the 30th
day of May 1929.

Exact date of birth of Brigadier-General John Forbes
Contributed by Mrs. E. Hamilton Bell

IMPRESSMENT OF SEAMEN, IN 1797. Attached to the manifest (in The Historical Society of Pennsylvania) of the ship *Cornelia*, of Charleston, South Carolina, Samuel Gilbert, Master, from Lisbon, arriving at Philadelphia, July 10, 1797, is the following letter in the captain's handwriting:

I Samuel Gilbert Master of the Ship *Cornelia* of Charleston South Carolina sailed from the Port of Baltimore the 4th. day of August 1796, with a very valuable Cargo on board consisting of Tobacco, Coffee, Cotton, & Staves, bound for the Port of Falmouth in England, and on the 8th. Inst. took my departure from Cape Henry to prosecute my voyage with dispatch, But the next day August 9th, was brought to and boarded by His Britannic Majesties Frigate Privoyant Captain Weems, who took from me five Men, namely William Makerey, John Hamilton, Hugh Gillispie & Stephen West, all American Seamen the three former had certificates thereof, granted by R. Purviance Esqr. Collector for the Port of Baltimore conformable to the late new Law of America, and the latter had a protection from Joshua Johnston Esqr. American Consul at London, the fifth Man named Simon Frank was a Sweed, Carpenter of the Ship— I then repaired on board the Frigate to solicit the Captain to grant me assistance, that I might prosecute my voyage, and expected that I had a Gentleman to deal with, but soon found to the contrary, and was told that my Carpenter had entered on the Ships books, and that I must pay his wages.

I therefore stated his Account and offered to pay the balance, deducting Goal fees & expenses which I had paid at Baltimore, for he had deserted the Ship being under Articles to return to Europe, but Captain Weems insisted on my paying him the whole wages that had become due for the seven Month he had been on board deducting only the Months advance. Alledging that the American Laws were unjust, which on my refusal I was treated by him with the grossest Insult, with threats & Epithets of Rascal & Villian and returned on board my own Ship with order to ly to under his Stern untill I would comply, the next morning August 10th. a boat was sent on board again and demanded the wages, but being again refused any more than the ballance due they clewed up the Fore Topsail to unbend it for the wages, and then left us after detaining us fifteen hours, and gave me two American Boys a Deaf Irish Man & an Indian (the four not capable to do the duty of one Seaman) in lieu of the Men they imprest. August 11th. was chased and again brought to by the aforesaid Frigate and searched for a Man from their Boat who had secreted himself on board in the night time, but not satisfied with their own they took from me Lambard Paris, a Curacoa Negro, the Ships Cook saying that I had no right to employ Foreigners. Thus have I been Insulted by them who by the existing Treaty of Amity, Commerce, & Navigation ought to be Esteemed our Friends; Deprived of my help at Sea, I arrived at Falmouth in a shattered condition after a long and tedious passage occasioned by our not being able to make necessary sail & take it in occasionally, and have no means to obtain redress for those Injuries to myself & Ships Crew but to lay a Statement of those facts before my Country.

Samuel Gilbert.

H. E. G.

Book Notices

JOSEPH HOPKINSON. 1770-1842. JURIST: SCHOLAR: INSPIRER OF THE ARTS. Author of *Hail Columbia*. By Burton Alva Konkle. 9½ x 6½; 361 pp. Philadelphia: University of Pennsylvania Press, 1931.

In writing the life of Joseph Hopkinson, Mr. Konkle has undertaken the interesting but difficult task of portraying a man who won a high place in American life by his achievements in the law, and who was also an important figure because of the political, artistic and literary activities in which he took part, and of the eminent characters with whom he was associated. Considering that Hopkinson's chief claim to distinction rests upon the fact that he was a great jurist, Mr. Konkle has properly made the legal career of his subject the center and core of the work, and about this center he has assembled the other material that he considers interesting and important.

Hopkinson entered the field of law under circumstances particularly favorable. He had had thorough general training in the University of the State of Pennsylvania; he had read law under William Rawle, who had had his training in the Middle Temple, and James Wilson, the most eminent jurist in Philadelphia; and he undoubtedly had considerable prestige, because of the fact that his father and grandfather had both been famous lawyers and distinguished judges. He did not attempt, however, to make capital of his illustrious lineage, for he began the practice of law, not in Philadelphia, but in Easton, and he did not return to his native city until he had demonstrated his ability by winning numerous cases in which he was opposed by some of the ablest lawyers in Pennsylvania.

Just before his return to Philadelphia he was married to Miss Emily Mifflin, only child of General Thomas Mifflin, who had been a member of Washington's staff and a governor of Pennsylvania, and was one of the most prominent men in the state.

After his marriage, Hopkinson returned to Philadelphia and continued the practice of law, in which he achieved both wealth and a high reputation. He took part in many important cases, he was responsible for important statutes, he had an important part in the revision of the Constitution of Pennsylvania, he served his state in Congress, and he rose to the rank of judge of the District Court of the United States for the Eastern District of Pennsylvania.

Mr. Konkle records at length several of the famous cases in the conduct of which Hopkinson achieved his great reputation as a lawyer. He represented Dr. Benjamin Rush in a suit for libel against William Cobbett and won a verdict against that famous radical journalist. He defended some of the leaders of the "Fries Rebellion" charged with treason, and secured their acquittal. Justice Samuel Chase, who presided at the trial of the accused, was displeased with Hopkinson's success as attorney for the defense, but later when he, himself, was impeached by Congress for showing prejudice against Captain John Fries, leader of the rebellion, he employed Hopkinson to defend him, and was not displeased when his attorney secured a verdict of "Not guilty" for him. He was invited by Daniel Webster to assist him in the famous Dartmouth College case, tried before the Supreme Court of the United States, and he took part in other famous cases tried before that tribunal.

In numerous selections, quoted from Hopkinson's arguments before juries and opinions from the bench, Mr. Konkle convinces his readers that the Judge was learned in the law and that he had a most keen and logical mind and a humane and generous spirit.

Reading of Hopkinson's serene and well ordered life, one is likely to forget how stirring were the times in which he lived. As a child he

witnessed two Hessian raids on Bordentown, during one of which his grandfather's house was burned and his father's house plundered. About the time he took up the study of law the country in general and the state of Pennsylvania in particular were rent with dissension over the adoption of the Constitution. When he went to Washington to take his seat in Congress, he found a city that had recently been partially destroyed by an invading army. As legal adviser to Joseph Bonaparte, brother of Napoleon, he was for many years indirectly interested in the exciting events that were taking place in Europe.

Joseph Hopkinson allowed neither his vocation nor wars and rumors of wars to interfere with his interest in literature, education, and art. While a student in the university, he belonged to two literary societies before which he read familiar essays. According to tradition, he was editor of the first edition of Shakespeare published in America. He wrote a number of poems. The most famous of these in the patriotic song, *Hail Columbia*, which was sung to the tune of *The President's March*, an air of uncertain origin, which Mr. Konkle thinks was probably composed by Philip Roth, a German who had been bandmaster of a British regiment. This song had political significance in its day as an expression of the spirit of the Federalist Party, and is now the one work of Hopkinson's with which "every schoolboy" is familiar.

He encouraged and assisted Joseph Dennie in the establishment of the *Port Folio*; he contributed to that magazine articles on Shakespeare (the chief evidence given by Mr. Konkle in support of the tradition that he edited Shakespeare's works), and he successfully defended Dennie when the latter was prosecuted by political enemies for seditious libel.

He was one of the founders of the Tuesday Club, made up of Philadelphians interested in art and literature. When Thomas Moore visited Philadelphia, this club entertained him, and Mrs. Hopkinson read a poem written by her husband in honor of the event. This poem and a poem addressed to Mrs. Hopkinson which the Irish poet, after his departure from the city sent to Joseph Dennie, both appear in Mr. Konkle's book.

Hopkinson was the founder of the Law Academy and the Academy of Fine Arts. He was, in short, like his father and grandfather, and like their friend Benjamin Franklin, an intelligent, generous, and public spirited citizen.

Mr. Konkle has done valuable work in placing before his readers the chief facts of Joseph Hopkinson's life. In some chapters, it seems to me, the sections dealing with Hopkinson's career as a lawyer and those telling of his literary and other activities do not blend as successfully as one could wish. This fact, however, is due to the technical nature of the facts presented to show Hopkinson's rank as a jurist,—that he was the peer of Story, Webster, and Marshall. From the information given by Mr. Konkle, we should judge that material is available for at least two more studies of this interesting character: a thorough investigation of Hopkinson's legal career, made by a lawyer for lawyers; and a picture on a larger scale of Hopkinson, the leader of one of the most intelligent and cultured groups existing in America at the beginning of the nineteenth century.

Mr. Konkle's book is well printed and generously illustrated. The author has documented his statements and has provided the reader with a serviceable index.

George E. Hastings.

THE CORRESPONDENCE OF GENERAL THOMAS GAGE WITH THE SECRETARIES OF STATE, 1763-1775. Volume I. Compiled and edited by Clarence Edwin Carter. New Haven: Yale University Press, 1931. Pp. xii. 455. \$5.

In March, 1929, in the *Mississippi Valley Historical Review* (XV.

511-19), Dr. Carter whetted the curiosity of American historians by describing the contents of some twenty thousand documents in the papers of General Gage. His article in the *American Historical Review* (XXVIII. 475-88) on "The Significance of the Military Office in America, 1763-1775" gave emphasis to the interest that had been aroused. When, at the meeting of the American Historical Association in Durham, North Carolina, in January, 1930, Dr. Randolph G. Adams announced that the Gage manuscripts had been purchased by the William L. Clements Library and would be shortly transported to America, something of a sensation was created. This volume, being the first of a series of volumes of documents from this rich collection, fully justifies the anticipations which previous announcements had raised.

Being comprised of the letters from Gage to the colonial secretaries of state, it fully confirms Dr. Carter's statement in the *Mississippi Valley Historical Review* that in this important period America had a governor-general in fact if not in name. In a preface admirable for its compactness and penetrating summary of the importance of the documentary material in the volume, Dr. Carter pictures Gage as one of the chief instruments of imperial administration—an instrument which the British made use of not only for the primary object of defending the colonial empire against the Indians and other possible enemies, with the attendant control of all military forces from Newfoundland to Florida, but also for many contacts with the provincial civil establishments. The exercise of control over western expansion was one of the most important features of this imperial agency. The use of troops in quelling disturbances in the colonies added to the increasing importance of the "governor-generalship". In Indian affairs the agency was of paramount importance. Besides containing much material for these subjects, the papers reveal the fact that General Gage was relied upon for wide information, especially concerning economic and political problems confronting the colonies, such as the Stamp Act disturbances, American commerce and industry, taxation, quit-rents, boundary disputes, new colonies, relations with France and Spain, and a host of others.

It is doubtful if, out of a collection of over twenty thousand documents, a similar number could be found that would give as satisfactory a cross-section view of this imperial agency as do these 264 letters to the secretaries of state, containing as they do Gage's opinions on almost all phases of the agency and his summary of information gathered from widely separated points. But this volume only creates new interest in the out-letters of the secretaries of state, and in both sides of Gage's correspondence with colonial governors, military officers, and merchants and with other imperial departments such as the secretaries at war, the secretaries to the treasury, the Board of Trade, the Admiralty, etc.

The 264 letters in this volume are divided as follows: Egremont (2); Halifax (36); Conway (18); Richmond (8); Shelburne (29); Hillsborough (92); Dartmouth (79). The thoroughness and scholarship with which they have been collected and edited make this volume an invaluable contribution to the primary sources for the period. Limitation of space necessitated a minimum of footnotes, but these are given with admirable forethought for the scholar's needs. The format of the book is unusually attractive for documentary publication; the type and paper are excellently adapted to such use, and, though the binding is not, it would be difficult to improve upon its dignity and beauty. Both the editor and the press are to be complimented for a distinguished performance.

Students of Pennsylvania history will note with interest the important rôle of the province in connection with the British army and also the cordial relations existing between the governors of the province and the commander-in-chief. In writing to Hillsborough in 1771, concerning the quartering of troops, Gage said: "Pennsylvania, I think, is

now the only Province in which troops have been stationed that has not, . . . openly refused to provide for them. I wish that Province may not too soon follow bad examples and that your lordship may live to see Acts of Parliament better respected in the colonies, which I think is wishing you a long life." Besides being a man of considerable ability, Gage had a sense of humor.

J. P. Boyd.

The Gloucester County Historical Society of Woodbury, New Jersey, has just issued another publication, the title of which is *The Organization and Minutes of the Gloucester County Court, 1686-7. Also Gloucester County Ear Mark Book, 1686-1728* (Woodbury, New Jersey, 1930).

It has two illustrations, viz., the initial page of the first *Court Record Book* and the first page of the *Ear Mark Book*, of old Gloucester County which included the present counties of Gloucester, Camden and Atlantic.

It naturally contains a great many "firsts", including the "first" judges, jurors and county officials; the first law suit, the first tax payable in cereals, the first ferry across the Delaware river, the first coroner's inquest and the first court docket.

The *Ear Mark Book* contains the names of about two hundred and fifty of the "first" settlers of the county, including such men of prominence as Francis Collins, Samuel Coles, John Wood, Samuel Spicer, Thomas Thackara, Robert Zane, John Reading, William Albertson, John Ladd, Peter Dalbo, Israel Helme, Matthew Medcalf, Charles Springer, Richard Heritage, John Tatum, James Whitall, John Rambo, Archibald Mickle, Garret Vanneman, Israel Ward, Peter Cock, Henry Wood, Thomas Ashbrook, Nathaniel Chew, Isaac Jennings, John Inskeep, John Gill, William Cooper, Luke Gibson, Joseph Estlack, John Haddon, Richard Bull, Phillip Paul, Thomas Sharp, Thomas Howell and James Atkinson.

Frank H. Stewart, President of the Gloucester County Historical Society, deserves much credit as the compiler and editor of this useful publication of forty-six pages.

THEOPHILUS THE BATTLE-AXE. A HISTORY OF THE LIVES AND ADVENTURES OF THEOPHILUS RANSOM GATES AND THE BATTLE-AXES. By Charles Coleman Sellers, with an Introduction by Ernest Spofford. Privately printed by the Author, 210 Glenn Road, Ardmore, Pennsylvania. Three hundred copies, numbered and signed. Bound in boards and illustrated. Price \$4.

The first complete record of one of the strangest and most picturesque of native American beliefs. Theophilus Ransom Gates was a Connecticut Yankee who settled in Philadelphia. There he surrounded himself with an aura of holiness and became the patron saint of henpecked husbands and unhappy wives. He was the seer and prophet of a new era in which all scriptural and human laws, particularly those of marriage, were abandoned. Restraints and troubles vanished alike, wealth was shared in common, for his votaries had attained divine perfection. Thus there came into being, around the somber, tearful Theophilus, an uproarious group of social outcasts, whose strange and unguarded conduct scandalized the roaring forties. Founded in 1837, the Battle-Axes were an offspring of the religious and social upheavals of their time, and were doctrinally related to the "Perfectionist" communities of Connecticut and New York. The author, Charles Coleman Sellers, is a young historian of considerable performance and great promise. He is the author of a life of *Benedict Arnold* and another book on *Lorenzo Dow*. He is a son of Horace Wells Sellers, F.A.I.A., F.R.S.A., revered for his meticulous and highly successful work in connection with the restoration of historic buildings in Philadelphia.