

Congress Voting Independence

The Trumbull and Pine-Savage Paintings

NEITHER the aesthetic values nor the accuracy with which the event or characters are portrayed in the Trumbull and Pine-Savage paintings of Congress voting independence is of prime importance in this investigation of the authenticity with which the Assembly Room of Independence Hall has been pictured. Briefly, we want to determine which painting more accurately presents the furnishings and accessories and the architectural detail of the Assembly Room as it was in 1775-1787.¹

Let us first examine the reliability of Colonel John Trumbull's "Declaration of Independence."² When John Trumbull conceived the idea of painting a series of historical pictures to preserve the great moments of the American Revolution, conditions were nearly ideal for such an undertaking. Many of the participants were still vigorously alive. Trumbull himself had participated in the war. He had been appointed an aide-de-camp to Washington in 1775³; later, as deputy adjutant general, he had been with General Gates at Ticonderoga.⁴ His acquaintance with the prominent figures of the day was wide. As the son of the legendary "Brother Jonathan," Revolutionary governor of Connecticut, he had a claim on the affections of all patriots. His eldest brother, Joseph, was the commissary general,⁵

¹ This investigation was undertaken as part of the research program at Independence National Historical Park, Philadelphia. Its immediate aim was to determine whether either painting could be used to help interpret the documentary evidence relating to the furnishings, accessories, and architectural detail of the Assembly Room.

² Trumbull painted three versions of the "Declaration of Independence": the small original at the Yale Gallery, the life-size one in the rotunda of the Capitol in Washington, and a third, half life-size, at the Wadsworth Athenaeum, Hartford, Conn. Except where the variations in these three paintings become pertinent to the discussion, no attempt will be made to differentiate between them.

³ Theodore Sizer, ed., *The Autobiography of Colonel John Trumbull* (New Haven, Conn., 1953), 22.

⁴ *Ibid.*, 26.

⁵ *Ibid.*, 21.

while another brother, Jonathan, served as "pay master of the forces for the New York department," as a secretary to Washington and as a member of the first, second, and third Congresses under the new Constitution.⁶ Thus, John Trumbull by his personal and family associations was in a position to know and understand the events he wished to portray. Furthermore, Trumbull was no mere craftsman. He was a man of broad cultural background, the recipient of a degree from Harvard,⁷ and later the vice-president of the New-York Historical Society.⁸ He seems to have embodied the ideal qualities of a historian whose chosen medium was paint and canvas.

In London, under the tutelage of Benjamin West, Trumbull painted the "Battle of Bunker's Hill" and the "Death of Gen. Montgomery in the Attack on Quebec." By the time both pictures were finished in 1786, Trumbull was embarked on a forty-year course of triumphs and disasters in his attempt to create a pictorial history of the American Revolution. These first two paintings of the series were certainly shown to Jefferson, and probably to John Adams. It was with the aid of Adams and Jefferson that Trumbull selected the other subjects for his series, including the "Declaration of Independence," which purports to show the Assembly Room of the State House of Pennsylvania in 1776.

Is the Trumbull painting a true and accurate picture of the Assembly Room in July, 1776? There is no record that Trumbull saw the room during the Revolutionary period. While his autobiography places him in Pennsylvania briefly in 1776, it does not specifically mention that he visited Philadelphia. In Trumbull's own words, "We . . . crossed the Delaware at Easton, and marched through Bethlehem to Newtown, where we joined the commander in chief, a few days before his glorious success at Trenton. News had just been received by him, that a detachment of the enemy had obtained possession of Newport and Rhode Island, and General Arnold and myself were ordered to hasten without delay to that quarter."⁹ Indeed, there is no evidence to place Trumbull in Philadelphia before 1790, for his autobiography makes it quite clear that he confined his subse-

⁶ *Ibid.*, 163 (note 5); Douglas Southall Freeman, *George Washington* (New York, 1952), V, 283.

⁷ Sizer, 11.

⁸ *Ibid.*, 355.

⁹ *Ibid.*, 35.

quent activities to New England until his departure for London in May, 1780.

Since 1790 is the earliest that Trumbull could have seen the room, it is necessary to determine whether he painted it into his composition prior to 1790. This seems to be the case, for the painting, begun in 1785, must have been fairly complete by 1790. In November, 1786, Trumbull wrote: "I returned to London [*from the Continent*]. . . . I resumed my labors, however, and . . . arranged carefully the composition of the Declaration of Independence, and prepared it for receiving the portraits, as I might meet the distinguished men, who were present at that illustrious scene."¹⁰ In view of this statement and recalling that the first two paintings in the series were finished in less than two years, it seems probable that Trumbull had completed the "Declaration of Independence" except for the portrait heads. This viewpoint is further supported by his painting in Jefferson and Adams before leaving Europe for New York.

There remains, of course, the possibility that Trumbull altered details of his background during his stay in Philadelphia in 1790, or during his winter visits of 1792 and 1793,¹¹ when he would have had ample opportunity to see the Assembly Room and make such alterations as he thought advisable. However, the similarity of the small original at Yale and the compositional sketch and floor plan done in France in 1786 by Trumbull and Jefferson respectively seems to prove that Trumbull made no alterations in his original painting. It seems unlikely that he would be inclined to change the details of the room, since he wrote to Adams in December, 1817: "I preserve faithfully the costume of the day and the architecture of the room, which I very much regret to find has lately been destroyed by that restless spirit of Change, which so much prevails in this country."¹² As there is no recorded visit of Trumbull to Philadelphia between the winter of 1793 and 1817, and since he was out of the country much of the

¹⁰ *Ibid.*, 146-147.

¹¹ His autobiography places him there in May, 1790 (p. 165), and Jacob Hiltzheimer records that on Dec. 18, 1790, "Mr. John Trumbull breakfasted with me at my house." Jacob Cox Parsons, ed., *Diary of Jacob Hiltzheimer* (Philadelphia, 1893), 165. Further, a newspaper article by Trumbull in the *New York Daily Advertiser*, Oct. 22, 1818, states that he spent the winters of 1792 and 1793 in Philadelphia.

¹² Trumbull Letter Book, Dec. 16, 1717, as quoted by John Hill Morgan, *Paintings by John Trumbull at Yale University* (New Haven, Conn., 1926).

time, it seems probable that "lately" referred to the visits of the early 1790's, and thus to the work done on the State House during the 1777-1790 period but before the really extensive changes which later followed. At any rate, if Trumbull was referring to the room of 1790 or of 1817, it is unlikely that he would have thought the details of a room which had suffered from "the restless spirit of Change" merited much consideration.

Since it is unlikely that Trumbull painted even the altered Assembly Room from life, what were the sources of his picture? Speaking of his visit with Jefferson, Trumbull states that "during my visit, I began the composition of the Declaration of Independence, with the assistance of his information and advice."¹³ At the Yale Gallery there is a sketch, already referred to, endorsed apparently in Trumbull's handwriting, and consisting of two parts: a pencil sketch by Trumbull labeled "first idea of the Declaration of Independence, Paris, Sept. 1786," and an ink sketch by Thomas Jefferson, "done by Mr. Jefferson to convey an idea of the Room in which congress sat." The compositional sketch is very like the finished painting. There are two other similar sketches, both in the archives of The Historical Society of Pennsylvania, dated by Theodore Sizer as 1790. From their similarity to the 1786 sketch, it is possible that they may well have been done before 1790. Be that as it may, from a floor plan drawn from memory by Jefferson and from whatever verbal description may have been added, Trumbull composed his picture. It is well to remember that both Jefferson and Trumbull had architectural interests and talents. Trumbull is credited with building a meeting-house in New Lebanon, Connecticut, the First Presbyterian Church in Philadelphia, and the Gallery at Yale University. Indeed, Edmund Burke, on the occasion of Trumbull's second visit to England, advised the young painter to adopt architecture as a profession.¹⁴ Trumbull was certainly in a position to interpret Jefferson's diagram more readily than the average painter.

An apparently ideal situation thus existed for producing a picture of the Assembly Room through the collaboration of two men, both with architectural knowledge, one of them having seen the room time and time again at the period of its greatest importance, the

¹³ Sizer, 93.

¹⁴ *Ibid.*, 84.

other an artist at the height of his creative powers. Unfortunately, acceptance of the work runs quite literally into a brick wall. The wall in question is the west wall of the Assembly Room which Trumbull shows pierced with two doors. Architectural evidence (the result of Horace Wells Sellers' investigation during the restoration of the 1890's) shows unmistakably that only one door, a center door, existed in the room at the time. Early floor plans and the plan for the reception of Conrad Alexandre Gérard, on August 6, 1778, support the physical evidence of one door, and destroy the value of Trumbull's painting as an architectural document.

It is a matter of considerable interest that many people who lived in the 1776-1787 period were still alive when the painting was completed or sat for Trumbull when he painted their portraits into the composition of the "Declaration of Independence." The showing of the painting in Boston, New York, Philadelphia and Baltimore excited considerable comment. A search of many of the newspapers of the period is enlightening in its reflection of the attitude of the people and the painter toward the picture, as well as toward the broader field of historical accuracy.

Most of the newspaper reports and correspondence reveal that the main interest was in the accuracy of the portraits of those who had voted for independence. Writers with an interest in history debated the inclusion or exclusion of individual members of the Continental Congress on the grounds of their presence or absence on July 4, 1776, or of their being or not being signers of the document. Further discussion involved parliamentary procedure or the relationship between the importance of an individual signer in the composition and his service to his country. As an example, one can cite Samuel Adams Wells's discussion in the Boston papers about the relatively obscure position of Sam Adams in the Trumbull painting. From the reports, enough excerpts could be culled to prove or disprove the merits of the painting. They range from "a bauble"¹⁵ to the comment that "as a work of art [it] holds highest rank and vies in excellence with productions of the kind in any age or nation."¹⁶

It might be expected that when the picture was exhibited in the State House in Philadelphia, directly across the hall from the room

¹⁵ *Boston Patriot and Daily Chronicle*, Dec. 11, 1818.

¹⁶ *Democratic Press* (Phila.), Jan. 21, 1819.

in which the signing took place, there would be considerable discussion about the depiction of the room itself. However, investigation reveals only one concrete mention of the physical appearance. This is a rather cryptic remark by Historicus (possibly A. P. Norris, Jr.) in *Poulson's American Daily Advertiser* of Philadelphia on January 19, 1849:

It is, however, more materially to be regretted in this national representation of the most interesting transaction in the brief and recent history of United America, that the Apartment in which it is represented, is not that in which it actually took place. It is well known here, to have occurred in the eastern Chamber of the State House, the former Hall of the Assembly of Pennsylvania.—An Apartment that was then fitted up with every appropriate ornament of the Corinthian order, (though it has since been reduced to the fashionable nakedness of modern finishing, or rather want of finish.)

What did Historicus mean? Did he regret that the painting was not displayed in the eastern or Assembly Room, or was he charging Trumbull with having painted the wrong room?

Trumbull did not share the conscienceless opportunism that characterized many printers and painters of topical scenes. He devoted himself wholeheartedly to gathering what he considered the significant data—the portraits, for example, or the color of the uniforms. His own statements bear out the historical accuracy of his painting. On June 11, 1789, in a letter to Jefferson, Trumbull wrote, “no one can come after me to divide the honor of truth and authenticity, however easily I may hereafter be exceeded in elegance.”¹⁷ In speaking of the “Declaration of Independence,” he says further¹⁸:

The room is copied from that in which Congress held their sessions at the time, such as it was before the spirit of innovation laid unhallowed hands upon it, and violated its venerable walls by modern improvement, as it is called. . . . In fact nothing has been neglected by the artist, that was in his power, to render this a faithful memorial of the great event.

In reply to criticism of the painting, Trumbull published in the *New York Daily Advertiser* on October 22, 1818, a long description of his procedure in historical painting, in which he stated that during the sessions of Congress in New York, he “made it his duty and his busi-

¹⁷ *Autobiography, Reminiscences and Letters of John Trumbull from 1756 to 1841* (New Haven, Conn., 1841), 158.

¹⁸ “Catalogue of Paintings by Colonel Trumbull . . . ,” *ibid.*, 418.

ness to ask the advice and criticism of all who did him honor to sit for him; and . . . the Declaration of Independence . . . advanced under the eye, with the criticism, and with the approbation of men who had been the great actors in the several scenes."

It is, perhaps, less important to recall that although the artist speaks of the room as it was before the "spirit of innovation laid unhallowed hands upon it," he could not have seen it until fourteen years after the event he depicts occurred, than it is necessary to bear in mind Trumbull's understanding of historical truth and his purpose in making the painting. In the study of history, scientific truth, or unbiased documented fact, is a relatively recent development dating from the German influence of the late nineteenth century. Trumbull worked in a period when history consisted to a large degree of "recollections, personal accounts, gossip and hearsay." Nor was historical painting in any better case. Allegory played its part. A hero must be a hero even if he had to be depicted with laurel and toga to prove it. Against such a background it is apparent that Trumbull must have felt justifiably proud of the authenticity of his presentation, although in his own words he states things which make modern historians shudder.

In order to give some variety to his composition, he found it necessary to depart from the usual practice of reporting an act, and has made the whole committee of five advance to the table of the president, to make their report, instead of having the chairman rise in his place for the purpose. . . . The artist also took the liberty of embellishing the background, by suspending upon the wall, military flags and trophies: such as had been taken from the enemy at St. John's, Chambly, &c. and probably were actually placed in the hall.¹⁹

In this last instance, Trumbull showed considerable insight, since the Chambly trophies, at least, were received by the Continental Congress.

To indulge in speculation, it seems increasingly evident that for John Trumbull the room and its accessories were important only as props and background, a stage set for the main action. This main action was ever uppermost in his mind. And he stated his purpose clearly in his catalogue of 1841: "To preserve the resemblance of the men who were the authors of this memorable act, was an essential

¹⁹ *Ibid.*, 417, 418.

object of this painting. . . . Important difficulties presented themselves to the artist at the onset. . . . Should he regard the fact of having been actually present in the room on the 4th of July indispensable? Should he admit those only who were in favor of, and reject those who were opposed to the act? Where a person was dead, and no authentic portrait could be obtained should he admit ideal heads? These were the questions on which Mr. Adams and Mr. Jefferson were consulted." (It is worth noting that he does not list as "difficult," painting in England an American room he had never seen.) Add to these statements the evidence in his autobiography and elsewhere of trips ranging along much of the Atlantic seaboard and parts of Europe in search of authentic portraits for his historical series, and it is inescapable that Colonel Trumbull's real interest was in the *dramatis personae* and that the background was just that—background.

In exploring Trumbull's attitude toward historical painting, brief mention of his other paintings may be helpful, always bearing in mind that the few defects which will be mentioned have little weight when balanced against his many merits. There is evidence, for instance, to show that Trumbull painted Cornwallis himself in the act of surrendering at Yorktown, despite the fact that it was well known that Cornwallis deputized General O'Hara for that distasteful task. In answer to criticism, the face of Cornwallis was altered, and the confusion was compounded when he was listed as General Lincoln in the key that accompanied the engraving.²⁰ William Dunlap severely criticizes the historical accuracy of the Bunker Hill work, and continues more generally with a criticism of Trumbull's attitude toward historical painting.²¹ In justice to both men, it must be said that Dunlap gives Trumbull full credit for preserving the portraits of so many characters in the Revolutionary drama.

Examination of the "Declaration of Independence" in detail discloses many features that seem at the very least questionable. First, there is the matter of the doors already discussed. Secondly, the platform as shown by Trumbull has three steps. From diagrams and

²⁰ John Hill Morgan ably discusses this vexing problem in his *Paintings by Trumbull at Yale University*, 60 ff.

²¹ William Dunlap, *A History of the Rise and Progress of the Arts of Design in the United States* (Boston, 1918), II, 33 ff.

written description it is known to have had only two. In the Yale original the platform is uncovered, while in the picture in the rotunda of the Capitol in Washington it is covered by a rug. If Trumbull were conscious of the importance of accuracy in details, is it not reasonable to expect consistency from him? Again, over the doorways in the Yale picture there is some sort of entablature indicated, while the corresponding space in the Capitol version is unornamented. In the costumes of figures, the apparently high collars and padded shoulders lead one to believe that Trumbull painted his characters as he found them in the late 1780's or 1790's, without questioning the possibility of a change in fashion. The chair in which Congress president Hancock sits seems to be of a later style than that likely used in 1776 and bears a remarkable similarity to one shown in "Washington's Resignation." To be authentic, the chair should date prior to 1776, probably as early as 1750. The combination of upswept arm and turned, tapered, and reeded leg would scarcely have been produced in America prior to 1790.

In the copy of the Trumbull "Declaration of Independence" owned by the Wadsworth Athenaeum, the whole concept of the background is different. The two doors of the earlier version have been replaced by a single door crowned with a triangular pediment; the walls are enriched with moldings; the entire entablature has been drastically altered; and the whole appearance of the room reflects the Ionic order. In several ways, it is similar to the treatment of the east wall in the Pine-Savage painting.

It is interesting to speculate upon the motives which urged Trumbull to make such sweeping changes. When he finished the Capitol version of the "Declaration of Independence" about 1819, he seemed perfectly satisfied with the authenticity of the interior, but in 1831 he repudiated his former position by employing a completely new background. Could there have been severe criticism of the earlier pictures which forced the doughty colonel into a belated retreat, as happened in the "Surrender at Yorktown" picture? Was he perhaps influenced by the use of the Ionic order in the Pine-Savage "Congress Voting Independence"? It is not absolutely necessary to resolve these questions because the Athenaeum version as a historical document is invalidated by its late date. By 1831, the immediacy which makes an eyewitness report of the event valuable and valid had long since



Yale University Art Gallery

THE DECLARATION OF INDEPENDENCE

By John Trumbull



THE DECLARATION OF INDEPENDENCE
By John Trumbull

been a thing of the past. The doubtful best that can be said for the accuracy of the painting is that it was based on old recollections, and such memories are notoriously weak and unreliable. There remains, however, the distinct possibility that the Athenaeum painting contains information of historic interest about the State House restorations proposed or accomplished in the period 1820-1830.

To sum up the case for Trumbull, it cannot be gainsaid that he has made a great contribution to the iconography of the Revolution. Historians and others will always be in debt to him for his tireless efforts to preserve the features of important actors in the great events he portrayed. His small canvas of the "Declaration of Independence" contains some of the finest miniature painting the writer has been privileged to see. However, while no tribute can be too high for Trumbull's skill and integrity in the matter of the portraits, the original material he may have gathered for his background and detail seems to have suffered rearrangement and alteration designed to aid the composition or underline the mood of the picture. Such a maneuver, while legitimate and almost mandatory from an artistic viewpoint, does violence to the historical integrity of his work and makes suspect any reliance put upon it as evidence in matters of authenticity.

Can greater reliance be placed on the authenticity of detail in the Pine-Savage painting of "Congress Voting Independence"? Our knowledge of this work has been limited almost entirely to the writings of its discoverer, the late Charles Henry Hart. Too much praise cannot be given Mr. Hart for his pioneering work in the study of this important American painting, of which little or nothing might otherwise be known today.

In two articles—"The Congress Voting Independence," in *THE PENNSYLVANIA MAGAZINE OF HISTORY AND BIOGRAPHY*, XXIX (1905), 1-14, and "Edward Savage, Painter and Engraver, and his Unfinished Copperplate of 'The Congress Voting Independence,'" in the *Proceedings of the Massachusetts Historical Society, Second Series*, XIX (1905), 1-19—Mr. Hart told what he knew about the history of the painting. According to him, "Until a decade and a half ago [1890] [the picture] had been so lost sight of as to be virtually unknown, when, in a dark corner of the old Boston Museum, on Tremont Street, the writer discovered the painting of *The Congress Voting Independence*, begun by Robert Edge Pine and finished by

Edward Savage, now in the hall of the Historical Society of Pennsylvania.”²² He then proceeded to expand his basic premise that the painting was *begun* by Pine and *finished* by Savage.

Pine came to America from England sometime during the summer of 1784. By November 15, 1784, he had been given the use of the Assembly Room of the State House, and so had ample opportunity to paint a truly authentic background for “Congress Voting Independence.” Pine died in November, 1788, and Hart quotes from the inventory of his estate the titles of several unfinished historical paintings: “*The American Congress Voting Independence, Capture of Lord Cornwallis and the Colors laid before Congress, General Washington Resigning his Commission to Congress, General Washington under the Character of Fortitude.*”²³ Hart assumes that the painting he found in the old Boston Museum is Pine’s canvas, and continues to trace its history.

After [Pine’s] death his wife . . . petitioned the Legislature of Pennsylvania to be allowed to dispose of her husband’s pictures by lottery. [*The project failed.*] . . . The greater number [were] purchased by Daniel Bowen, proprietor, with Edward Savage, of Savage and Bowen’s New York Museum . . . which Washington visited September 14, 1789. . . . Just when the sale to Bowen and Savage took place I do not know, but it must have been subsequent to January 7, 1794. . . . In 1795 the New York Museum was removed to Boston and called the Columbian Museum. . . .

The Museum, with the greater portion of its collections, was destroyed by fire January 15, 1803. [*In 1807 the rebuilt museum was burned a second time. It was again rebuilt and*] in 1825 passed to the New England Museum. Fifteen years later the New England Museum became the property of Moses Kimball, who maintained it, as the Boston Museum, for more than half a century. . . . In the fall of 1892, he began the dispersal of the museum collection . . . and soon afterwards the writer acquired the painting of *The Congress Voting Independence*.²⁴

²² *PMHB*, XXIX (1905), 2. The composition known as “Congress Voting Independence” and attributed to Robert Edge Pine and Edward Savage exists in two media, one the oil owned by The Historical Society of Pennsylvania, the second, the unfinished copperplate by Edward Savage in the possession of the Massachusetts Historical Society. The differences between the two are sufficiently minor to be ignored in this discussion. Therefore, no particular effort will be made to differentiate between the painting and the print. In view of the wide acceptance of the painting as the joint effort of Robert Edge Pine and Edward Savage, it will be necessary to go into some detail concerning the provenance of the painting and to test its authorship.

²³ *Ibid.*, 7.

²⁴ *Ibid.*, 9–11.

That, by and large, is the tenor of Hart's argument. He adduces further support for it from the presence in the picture of portraits derived from Pine originals. He is especially emphatic about the sensitively painted Franklin, which he ascribes to Pine, contrasting it with the cruder figure of Robert Morris as an exemplar of Savage's technique. He sums up his case: "It is my opinion therefore that the composition and details of the picture are entirely by Robert Edge Pine, *painted in the very room in which the event sought to be commemorated was enacted.*"²⁵

Although Mr. Hart's conclusion seems logical and wholly plausible, it is based on premises which are faulty. First, there is the question of the fires. The first fire, that of 1803, which Hart admits destroyed the greater portion of the collection, is reported thus in the *Massachusetts Spy* for January 19, 1803: "in one hour the whole square of buildings, viz the Museum with all its valuable collections and improved as the dwelling house of Mr. William Doyle, the house occupied by Mrs. Pollard . . . fell prey to the devouring element." It is, of course, possible that in this fire and in the one four years later, someone saved this probably unfinished painting in preference to some of the hundred or more other pictures in the Museum, but it seems unlikely. Examination of a number of broadsides of the Columbian Museum has failed to disclose a listing of "Congress Voting Independence," and strengthens the theory that little, if any, of the museum's collection was saved from the fires. Of the one hundred twenty-three listed in a broadside before the fire, only four of the twenty-nine listed after the fire bear any resemblance to those in the original collection. Further, the physical examination of the painting, made recently by the National Park Service Museum Division, revealed no conclusive evidence of its having been exposed to fire.

Closely linked to the possibility of the painting's survival of its ordeal by fire is the question of size. "Congress Voting Independence" is by most standards a small painting, approximately 26 $\frac{7}{8}$ " x 19 $\frac{1}{2}$ ", a size which lends itself nicely to tucking under one's arm while escaping a burning building. But was the picture Pine painted such a small one? Evidence indicates that it was not. Many of the paintings Pine did prior to his coming to America were life-size, including his two prize winners, "Canute Reproving his Couriers" and "The

²⁵ *Ibid.*, 12.

Surrender at Calais." Without listing his individual pictures, the fact that many of them were large suggests a relationship between size and importance in Pine's mind. This supposition is supported by Rembrandt Peale's account of a visit he made with his father to Pine's studio, where he saw "walls covered with large paintings his own works in history and portrait . . . my imagination pictured a giant of art, but . . . I was astonished to find so small a man could produce such mighty works."²⁶ And Washington, writing in June, 1785, about Pine's historical series, speaks of "the pieces, which will be large."²⁷ Then, too, Pine wrote Washington in December, 1785, "I have been some time at Annapolis painting the Portraits of Patriots, Legislators, Heroes and Beauties to adorn my large pictures."²⁸

To labor this important point further, the *Pennsylvania Packet* of December 25, 1789, carried an article on Pine's lottery in which, again, the size of his pictures is stressed. "His principal object was to record in eight very large historical pictures the principal events of the late American war." In the same newspaper, January 11, 1790, an advertisement of the Pine lottery appeared which is even more explicit. It lists among other paintings the "Allegory of America" as 9' 6" x 6' 10", the "Garrick Reciting an Ode to Shakespeare" as 8' x 7', and others of similar dimensions. Daniel Bowen advertised his purchase "of all the Large and Elegant Paintings executed by the late celebrated Mr. Robert Edge Pine."²⁹ In another advertisement, after Bowen had moved his museum to Boston, he mentioned "100 paintings, Some of which are 8 by 10 feet, . . . they being original pieces, painted by the late celebrated Robert E. Pine."

It is possible, of course, that the painting in question is a study sketch for an intended larger work, but internal evidence makes this highly unlikely. If this were, in fact, a study sketch, which is fundamentally a device by which the artist arranges his composition, it is improbable that Pine would go to the trouble of reducing the portraits he had already made life-size to miniatures and then again enlarge them for the finished composition.

²⁶ C. Lester Edwards, *The Artists of America* (New York, 1846), 202.

²⁷ John C. Fitzpatrick, ed., *The Writings of George Washington* (Washington, 1939), XXIX, 183.

²⁸ Washington Papers, Library of Congress.

²⁹ *Pennsylvania Packet*, Aug. 17, 1793.

It is also noteworthy, if unfortunate, that while Mr. Hart can and does document Pine's occupancy of the State House and his production of an unfinished painting of "Congress Voting Independence," there is no documentation of anything other than the subject. Hence there is no certainty that the painting we are studying is the one that Pine started. Nor can the fact that many of the heads in the painting are based on known portraits by Pine be considered conclusive proof that he had a hand in the painting. An able painter could conceivably copy Pine's originals as readily as Pine could himself.

Another pivotal point in Mr. Hart's thesis, that Savage finished Pine's painting, hinges to a great extent on Edward Savage's partnership with Daniel Bowen, which supposedly provided Savage with that opportunity. Mr. Hart writes that "the sale to Bowen and Savage . . . must have been subsequent to January 7, 1794,³⁰ and it is known that Bowen advertised his purchase of Pine's paintings as early as August 17, 1793. Savage was still in London as late as October 6, 1793, as his letter to Washington attests.³¹ Nor is there any evidence that Savage reached Philadelphia much earlier than July 28, 1795, when he advertised the Panorama there.³² By April 21, 1795, Bowen had closed his museum in Philadelphia,³³ and by early summer had moved to 75 Broad Street, New York City.³⁴ December 24, 1795, found Bowen opening his Columbian Museum at the head of the Mall in Boston.³⁵ During this period and up until 1801, Savage remained in Philadelphia.³⁶ It was not until 1801 that he moved to New York, where he engaged in a variety of museum enterprises until he opened the New York Museum in Boylston Hall, Boston, in 1812.³⁷ By 1806, Bowen's name no longer appears in a Boston

³⁰ *PMHB*, XXIX (1905), 9.

³¹ Quoted in Charles Henry Hart, "Edward Savage, Painter and Engraver and his Unfinished Copperplate of 'The Congress Voting Independence,'" *Proceedings of the Massachusetts Historical Society, Second Series*, XIX (1905), 7.

³² *Aurora. General Advertiser* (Phila.), July 28, 1795.

³³ Alfred Cox Prime, *The Arts and Crafts in Philadelphia, Maryland and South Carolina, 1760-1800, Series Two* ([Topsfield, Mass.], 1932), 55.

³⁴ *Columbian Gazetteer* (N. Y.), June 9, 1794. Besides establishing Bowen's presence in New York, this item also lists many pictures painted by Pine. Also quoted in Rita Susswein Gottesman, *The Arts and Crafts of New York, 1777-1799* (New York, 1954), 389, [1282].

³⁵ *Massachusetts Mercury* (Boston), Dec. 25, 1795.

³⁶ Savage is listed in both the Philadelphia and New York directories for 1801.

³⁷ Louisa Dresser, "Edward Savage, 1761-1817," *Art in America*, XL (1952), 159.

directory. It thus appears unlikely that Savage and Bowen had a joint museum enterprise in 1795, as Hart suggests, or that Savage ever had an opportunity to complete Pine's unfinished painting.

If Pine did not paint the picture "Congress Voting Independence," who did? We may never know, but the evidence overwhelmingly favors Edward Savage. Working backwards chronologically, the following evidence establishes the point:

1892- Mr. Hart discovers the painting in the Boston Museum.
1893

1847 In a manuscript "Catalogue of the Paintings etc. of the Boston Museum," number 27 is "Signers of the Declaration of Independence and a view of the Hall where it was adopted: E. Savage."³⁸

1818 The following exchange of letters between Edward Savage, the painter's son, and John Trumbull was, as far as the present writer knows, first published by C. H. Hart³⁹:

Boston, April 11th, 1818

Sir,—I take the liberty to write you concerning the print of Congress '76 which my Farther (late Edward Savag) had nerely conpleated. the same subject I understand you are about Publishing. as the one will hurt the other I do propose seling the Plate and Paper to you on liberal conditions, which I wish you to name in your letter if you see fit to write on the subject. the Plate is now in a situation that it may be Finis'd in a few weeks

Yours &c &c
Edw. Savage

Col Trunbull
PS direct yours to E.S. Boston

New York 30th April 1818

Mr. Ed. Savage

Sir,—Your fav. of the 11th offering to sell me the plate & painting prepared by your Father of the Congress of 1776, came duly to hand. My Painting of the subject was begun more than 30 years ago and all the heads were soon after secured. My composition is also nearly completed; so that the works of Mr. Savage cannot be of any possible use to me. My copper-plate cannot be finished in less than 2 or 3 years, so that, as yours is nearly ready I shall not interfere with your publication.

I am Sir your obt servt J T

³⁸ Seen by the writer in the Boston Athenaeum.

³⁹ Quoted in Hart, "Edward Savage, Painter and Engraver . . .," 2, 3.

- 1809–
1813 The Rev. George Allen of Worcester wrote: “He [*Savage*] remained at my room . . . to copy a portrait of Roger Sherman . . . [*used in Congress Voting Independence*].”⁴⁰
- 1803 Savage wrote Jefferson about “the Print of the Declaration of Independence, which I intend to finish as Soone as Possable.”⁴¹
- 1802 Robert Treat Paine noted in his diary on January 29: “Warm cloudy drizzly rain, Sat for my Portrait by Mr. Savage in order to represent the Congress when passing the Act of Independence.”⁴²
- 1800 Savage’s advertisement in the *Federal Gazette*, April 3, mentions “A New Exhibition, . . . together with some original American Historical Paintings.”
- 1800 Savage is listed in the Philadelphia directory as “historical painter South 4th bet. Chestnut and Walnut.”

Savage is not generally regarded as a historical painter, and indeed it was not his prime occupation. Yet he is so listed in the directory, and he himself advertised “original American Historical Paintings” as early as 1800. Moreover, Robert Treat Paine’s diary records that Savage was working on a “Declaration of Independence” as early as 1802.

One might speculate that Savage started the painting earlier, perhaps while living on South Fourth Street, just a block away from the State House. This supposition is strengthened by the difficulties involved in carrying such a group portrait to completion at that period. The artist had no morgue of photographic clippings on which to base his likeness. He had either to find the live subject and persuade him to pose, or copy another artist’s portrait or a print. The number of portraits reminiscent of other painters in his picture suggests that Savage may well have taken advantage of Pine’s earlier effort to collect heads for his painting. Pine had a golden opportunity for such “head-hunting” when the Constitutional Convention met in Philadelphia in 1787. The portrait of Benjamin Franklin which Hart singles out as “unquestionably from the hand of Pine”⁴³ is, according to Charles Coleman Sellers, based on a silhouette made by Joseph Sansom in 1790, three years after Pine’s death. It is reasonable to conclude that Savage began his painting in Philadelphia earlier than

⁴⁰ F. P. Rice, *Reminiscences of the Reverend George Allen of Worcester* (Worcester, Mass., 1833), 55.

⁴¹ Jefferson Papers, Vol. 129, 22327, Library of Congress.

⁴² Dresser, 185, quoting from diary of Robert Treat Paine.

⁴³ *PMHB*, XXIX (1905), 12.

the first documented reference to it (1802), and took advantage of the wealth of portrait material in the city.

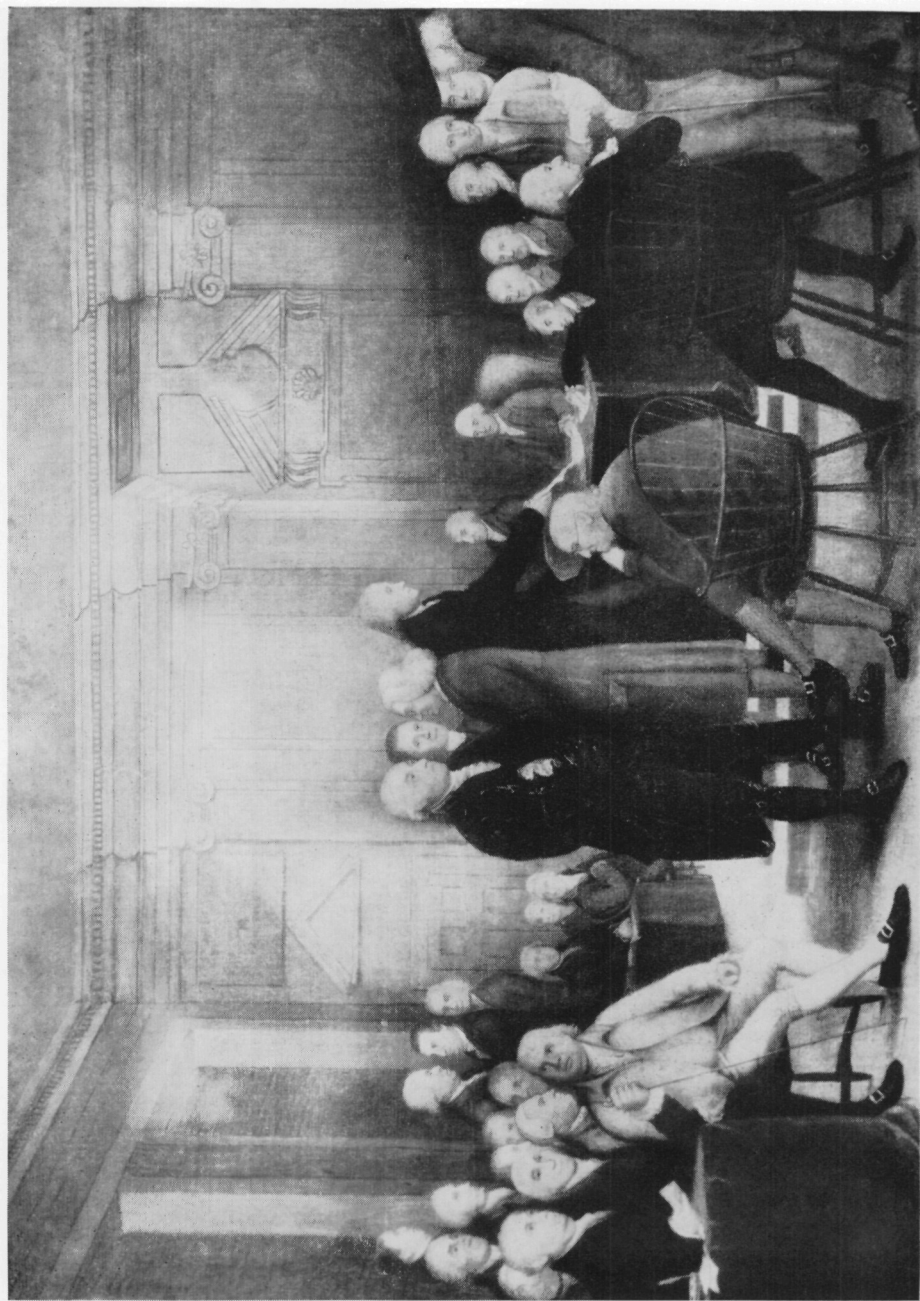
Since Pine never finished his "Congress Voting Independence," and since John Trumbull's venture in the field extended over a period of at least thirty years, it again seems reasonable to assume that Savage must have started his picture well before 1803, to be able to write in that year to Jefferson about "one of my Proposals for Publishing the Print of the Declaration of Independence which I intend to finish as Soone as Possible."⁴⁴ Another telling link between Savage and the picture is the exchange of letters between the artist's son and John Trumbull in 1818, shortly after Edward Savage's death. The copperplate referred to, now in the Massachusetts Historical Society, was obviously done after the painting and is of almost the exact size. This can hardly be a coincidence. Savage was following a customary procedure when he made his painting and plate the same size. Trumbull did the same thing, as did Birch, Krimmel, and others. It is interesting, too, to note that Trumbull's reply rejects "the plate & painting," although no painting was offered, which strongly suggests that he knew of a Savage painting of that subject.

If Savage did paint "Congress Voting Independence," as the evidence seems to indicate, does his picture show an authentic likeness of the famous room at the time of the signing? In this writer's opinion, it does. Of course, no single document can tell with complete reliability all one wants to know. Any document can contain errors, or may be subject to misinterpretation. Even if "Congress Voting Independence" could be traced no farther than Mr. Hart's discovery of it in 1892, it agrees so completely with available documentary evidence on the appearance of the Assembly Room that it must be considered a source of prime importance.

The writer believes that the picture was painted by Savage, that Savage had firsthand knowledge of the room and the type of furnishings in it.⁴⁵ The internal evidence of the picture itself supports this

⁴⁴ Jefferson Papers, Vol. 129, 22327, Library of Congress.

⁴⁵ Documentary evidence uncovered by National Park Service historians has in no instance disagreed with Savage's picture. Indeed, in many instances the agreement is startling. Windsor chairs, green baize, and Venetian blinds are among the salient features in which both the picture and the documents support each other. It is interesting to note that neither Trumbull, Savage, nor documentary evidence give any indication of the type of lighting fixture used.



CONGRESS VOTING INDEPENDENCE
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viewpoint. It is not (as Pine would probably have painted it) a dramatic or allegorical presentation. It is a matter-of-fact statement, and, as applied to the room itself, is what Savage apparently actually saw. In his treatment, the actors in the room could have been any group of eighteenth-century legislators talking over a proposal to widen a street. None of the trappings of allegory point to the importance of the event. Liberty does not break her shackles in the corner of the Assembly Room, while crippled Commerce limps through the door. Indeed, there isn't a laurel leaf or toga in the whole composition. The point is clear, and important. The painting of the room looks genuine because of the matter-of-factness with which the entire subject is handled. Further, the writer feels that since Savage intended to market the composition widely as a print, and unlike Trumbull had experience in publishing prints, he would have been extremely careful not to have any false notes or errors which might jar the sensibilities of actual participants or others who had lived at the time of the event portrayed.

On the basis of the evidence here presented—however incomplete that evidence is—the writer is led to conclude that “Congress Voting Independence” was painted by Edward Savage during the period 1796–1817, and that it presents as true a picture of the Assembly Room of Independence Hall as we are ever likely to find.

*Independence National
Historical Park*

JAMES M. MULCAHY