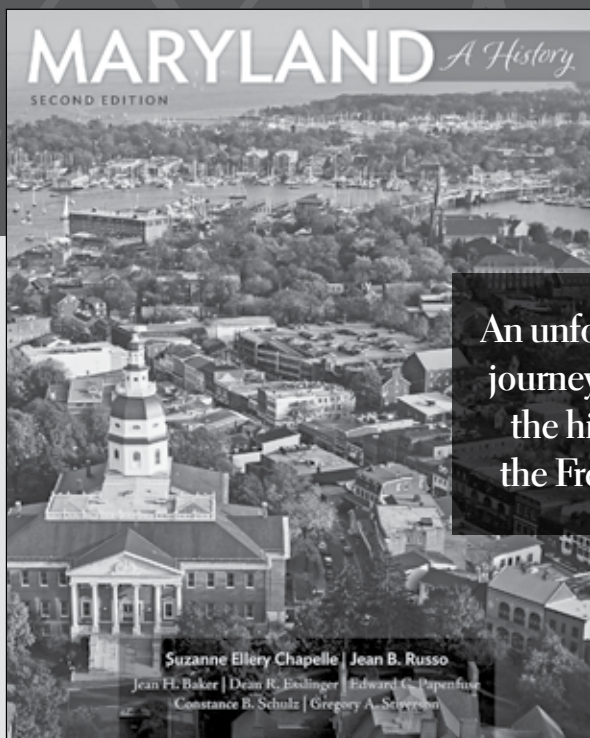


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*Elizabeth Gray Kennedy Gravemarker, ca. 1889.*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)

# More than “A Pretty Little Statue”: Elizabeth Gray Kennedy’s Gravemarker at Green Mount Cemetery, Baltimore

ELISABETH L. ROARK

A POIGNANT WEATHER-WORN MARBLE SCULPTURE in Baltimore’s Green Mount Cemetery has long provoked confusion and speculation. It rests on a base inscribed “Elizabeth, Daughter of Edward Gray and Eliza Craig; Wife of John P. Kennedy, Born Jan. 19, 1808, Died Aug. 14, 1889.” In 1924, Emily Emerson Lantz wrote in the *Baltimore Sun* that “above her grave is a marble statue the significance of which none of the present generation appears to know. It represents a little girl, seated and weaving a wreath of flowers. At her feet an unseen serpent is coiled and about to strike. A watchful dog strives vainly to awaken the absorbed child to knowledge of her peril.” In the only thorough scholarly study of the cemetery, Kent Lancaster described it in 1979 as “a lovely, romantic piece of sculpture—a young girl, unaware or perhaps only too aware, that the faithful mongrel at her feet, looking up at her with love and concern, pins down a writhing serpent with its paw. Is it an allegory of death, some moments in Mrs. Kennedy’s girlhood, or simply a favorite carving that she or perhaps some trustee chose for her grave? . . . Most such questions cannot be answered.” Helen Chappell in 1999 suggested that “either the dog saved her from snakebite, or more likely, the dog symbolizes marital fidelity.”<sup>1</sup> That Elizabeth Kennedy’s marker has attracted such attention amidst the sea of white marble sculpture that populates Baltimore’s earliest “rural” cemetery indicates its distinction from Green Mount’s more commonplace angels and mourning figures, making it worthy of further consideration.

Why was this unusual sculpture selected as Elizabeth Kennedy’s memorial and what did it mean to her family and to nineteenth-century cemetery visitors? Using new information discovered about the sculpture’s original appearance, creator, patronage, and meanings, it becomes possible to answer some of “such questions.” As we will see,

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Elizabeth's sister, Martha Gray, purchased the sculpture (although paid for by Elizabeth's husband, John), initially for their household without thought of it as a gravemarker. Only later did the sculpture move to Green Mount. The migration from home to cemetery reveals changes in meaning, providing insight into how it, and by extension other sculpture in the cemetery, function as memorials.

Elizabeth Kennedy's monument is also noteworthy because we know more about Elizabeth and her sister Martha than about most nineteenth-century women buried at Green Mount, further clarifying the sculpture's history and implications. Elizabeth's husband John Pendleton Kennedy, a prominent figure in Maryland and American history, left 130 volumes of personal papers to the Peabody Institute. A politician and writer, Kennedy is the subject of five biographies and there are innumerable accounts of his government and literary work. Some aspects of his life have attracted little attention, however, such as his relationship with his wife and her family; the role of art, particularly sculpture, in their lives; and his support for the rural cemetery movement. These avenues allow us to access the Kennedy family's less public side to provide a more complete picture of an era. Like many female family members of famous men, Elizabeth and Martha linger in John Kennedy's papers, integral to his private life but appearing only in the margins of subsequent scholarship.<sup>2</sup> Using Elizabeth's distinctive gravemarker as a springboard, this study seeks to illuminate not only the Kennedy family and Green Mount Cemetery, subjects of localized interest, but also such wider cultural currents as nineteenth-century perceptions of childhood and of death and the impact of romanticism and sentimentality on gender roles and changing taste in sculpture.

The key to determining the original appearance, creator, and meaning of the sculpture on Elizabeth Kennedy's gravemarker can be found in a duplicate discovered at the Metropolitan Museum of Art in New York, which reveals the polished surface and crisp details the marker once featured, now lost to over 125 years of Baltimore weather and pollution. The Met's version retains the precise carving of the wreath's delicate roses, daisies, and morning glories and of the dog's sharp teeth and curled fur. But most useful in determining its significance is the sculpture's title and the artist's identity. The inscription on the base of the Met's version—"G. M. BENZONI F. A. 1852 ROMA"—identifies the artist as Giovanni Maria Benzoni (1809–1873), an Italian sculptor of international reputation in the mid-nineteenth century, while the title, *Innocence Protected by Fidelity*, reveals its narrative.<sup>3</sup>

The young girl is Innocence, a state augmented by sleep. The dog, a spaniel, is Fidelity.<sup>4</sup> The dog stamps forcefully on a snake whose tongue is a fraction of an inch from the girl's foot. The dog extends its neck as it gazes up at its mistress, its mouth partially open about to bark a warning. At one level, as Chappell noted, the dog simply saves her from snakebite. If this were its only connotation, however, we would expect a prosaic title like *Dog Protecting Girl from Snake*. Rather, consistent with nineteenth-century sculpture's allegorical orientation, *Innocence Protected by Fidelity* implies a deeper level of meaning. Snakes symbolize evil and knowledge, rooted in Eden's serpent, but





*Giovanni Maria Benzoni, Innocence Protected by Fidelity, 1852.*  
(Gift of the Estate of Lewis M. Rutherford, 1930. Courtesy of The Metropolitan Museum of Art.)

also transformation because they shed their skins, and sexual desire due to their phallic shape. Innocence is often a euphemism for virginity. Flowers, here placed strategically on the girl's lap, are associated with fertility. Although not overtly provocative, Benzoni emphasized her breasts, one exposed by the dress's dropped shoulder, the other accentuated by clinging drapery. They are beginning to bud and her belly is slightly rounded—the first signs of puberty, suggesting an imminent sexual awakening that the dog can only temporarily halt. The sculpture allegorizes the fraught transition from

childhood innocence to adult knowledge, a pervasive concern at a time when perceptions of girls were changing.

Determining why such an unexpected theme was deemed an appropriate grave-marker begins with brief introductions to the rural cemetery movement, to Green Mount, and to the Kennedy-Gray family through its lot at the cemetery, including relevant information from John Kennedy's biography, and then focuses on the family's interest in the visual arts. It characterizes John and Elizabeth's relationship and offers evidence of the significance to Kennedy of his household before exploring the family's interactions with art and artists during travel in Europe, where they met Benzoni. Recognition of Benzoni in his day, and of *Innocence Protected by Fidelity*, are well documented and shed light upon changing taste in contemporary sculpture and why the sculpture would appeal to Martha and the Kennedys. The final sections focus on the sculpture in detail, exploring its potential meaning when first installed at the Kennedy home, which tapped into anxiety about childhood innocence and sexuality and exemplified the cultural obsession with sentimentality, and how that meaning changed (though its sentimentality remained) when the sculpture moved to the cemetery. Sculpture that surrounds it at Green Mount has related themes with different implications, creating a new reading of Benzoni's work in this distinctive milieu. More than just "a pretty little statue," as John Kennedy described it in 1868, Elizabeth Kennedy's gravemarker can act as a touchstone for exploring an array of contexts—from a specific family in Baltimore; to broader aspects of gender, culture, and death; to a sculptor now little known but celebrated in his day and a sculpture that received international acclaim; to larger issues of taste and style in sculpture and its mobility—enhancing our awareness of cemetery markers as salient historical resources.

## **The Kennedy-Gray Family and the Rural Cemetery Movement**

Green Mount is a paradigm of the rural cemetery movement that transformed American burial practice. The movement, which began in 1831 with Mount Auburn Cemetery in Cambridge, Massachusetts, was an antebellum reform effort similar to abolition, women's rights, and temperance. With the growth of American cities, urban burial grounds became notorious for overcrowding, desecration, and fear of their role in the transmission of disease. Reformists advocated for burial grounds placed outside the cities, constructed in the English country garden style of landscape design, hence "rural." The movement emphasized a seemingly "natural" landscape, a deliberate contrast both with earlier geometric garden design and the grid of city streets, and with the often haphazard arrangement of urban burial grounds. The site of Green Mount, founded in 1838 at Baltimore's then northwest edge, was the already partially landscaped grounds around the home of Robert Oliver, which gave the cemetery its name. Benjamin Henry Latrobe II elaborated the concept more fully, envisioning winding pathways, varied terrain and plantings, and, at sixty acres, a comparatively vast scale.<sup>5</sup>



*Plan of Green Mount Cemetery from the Report of the Board of Managers to the Proprietors and Lot-Holders of Green Mount Cemetery, 1840.*

(Sheridan Libraries of Johns Hopkins University, <https://scholarship.library.jhu.edu/handle/1774.2/34956>.)



By 1860, reformists had founded rural cemeteries in most eastern and mid-western cities. Locals and tourists flocked to the rural cemeteries, often the cities' first designed green spaces, preceding most public parks, to experience nature and admire the monuments. Alexander Jackson Downing, one of America's first professional landscape architects, wrote: "The great attraction of these cemeteries is not the fact that they are burial places. . . . The true secret of the attraction lies in the natural beauty of the sites, and in the tasteful and harmonious embellishment of these sites by art." The new cemeteries' size not only permitted permanent gravesites for all lot owners but also the space to install large markers. While most had plain tablet stones, some commissioned immense obelisks and columns or elaborately sculpted memorials. These were not simply status symbols, however; the rural cemeteries were considered didactic settings where visitors could absorb moral lessons from the epitaphs, view sculpture that stirred emotion, and commemorate the deceased.<sup>6</sup>

John Pendleton Kennedy figured in Green Mount's founding and was an early patron of the cemetery. On July 13, 1839, he delivered the cemetery's dedication address before hundreds, emphasizing Green Mount's advantages over urban burial grounds, its natural beauty an inspiring force that ameliorated the fear of death. "I do not wish to lie down in the crowded city. . . ," he intoned, "much less have my dust give place to the intrusion of later comers," but instead be buried "beneath the bowery trees, on some pleasant hill-side, within sound of the clear brattling brook; where the air comes fresh and filled with the perfume of flowers." In 1840, the cemetery's first public report indicates Kennedy owned four lots on a "pleasant hill-side" in section M, numbers 31 to 34. Green Mount's second report of 1848 lists Edward Gray as the owner of lots 32 and 34 and Josias Pennington as owner of lots 31 and 33. Gray was Elizabeth's father and Pennington was one of Kennedy's oldest friends. Why Kennedy transferred ownership is unknown, although Gray's wife Eliza, Elizabeth's mother, who died in 1845, was the first of the family's burials.<sup>7</sup>

The Kennedy-Gray lot contains five individuals, all significant in John and Elizabeth's married life. Its eclecticism—all markers differ in appearance, unlike later family lots with matching stones—is characteristic of early rural cemeteries. Eliza Gray's marker is a large marble cross lying parallel to the ground, lifted on blocks about fifteen inches high, inscribed simply "Eliza Craig, Wife of Edward Gray" across the horizontal bar. The only decoration is a carved wreath resting on a tiny pillow at the top of the cross, symbolizing victory over death. Elizabeth's father Edward is buried to his wife's left, below a gray box tomb enriched with classical details—a frieze with grooved triglyphs and metopes and dentil molding—supporting a large flat slab with a lengthy epitaph that concludes, "My Children Comfort the Aged and Educate the Young." The epitaph exemplifies the rural cemeteries' moral didacticism, as Kennedy noted in his dedication address, the "chance-caught warning of the tomb" that "would attemper the mind to a sober tone of virtue" through "moral lessons uttered by speaking marble" or, in this case, granite. Edward Gray's epitaph is highly legible because his marker is the only



*Kennedy-Gray Lot, Green Mount Cemetery, Baltimore.* (Photograph by author.)

one in the lot executed in granite, a much harder stone than marble. In contrast, much of the inscription is now gone from his younger daughter Martha’s modest marker, a marble tablet stone to the right. Martha’s death notice in the *Baltimore Sun* indicates that she died on Friday, May 8, 1895, her eighty-fifth birthday. Martha, who never married, was the last of the immediate family, so most likely she was responsible for selecting Elizabeth’s intriguing gravemarker but the sisters may have collaborated on its design before Elizabeth’s death.<sup>8</sup>

Kennedy is buried next to his wife; his monument is most striking in its contrast with hers. It is a rectangular marble plinth, minimally decorated with stylized flowers and geometric moldings. In 1979, Lancaster described it as “cross-topped.” This, and a hole in the plinth’s top, suggest it once supported an upright cross, probably a foot or two high. Kennedy’s last name appears in elevated capital letters along the plinth’s base. Above, on a raised panel with a curved top, is carved: “In Memory of John Pendleton



*Gravemarkers of John Pendleton Kennedy, ca. 1870, and Elizabeth Gray Kennedy, ca. 1889.  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)*

Kennedy, Born in Baltimore October 25<sup>th</sup>, 1795, Died in Newport August 18<sup>th</sup>, 1870." Inscriptions on the left side provide a summary of Kennedy's accomplishments: "Graduated at Baltimore College 1812. Admitted to Baltimore Bar 1816. Delegate in Maryland Legislature 1820. Representative in Congress 1838. Speaker of the House of Delegates of Maryland 1846. Secretary of the Navy 1852. Provost of the University of Maryland 1850. President of the Peabody Institute 1860." On the right side: "Author, Statesman, Patriot. He adorned every path which he pursued; and, after a prosperous and happy life, died in all the blessedness of a Christian's hope." Kennedy's first biographer, Henry Tuckerman, described the monument as "chaste and appropriate"; it is also blunt and pedantic, a sharp contrast with Elizabeth's romantic marker.<sup>9</sup>

Although Elizabeth appears retiring in nature compared to her industrious husband, during Kennedy's political career she maintained homes in Washington and Baltimore frequented by prominent guests. Washington Irving, a close family friend, noted during a visit in 1853, "Mrs. Kennedy had one of her *soirées* a few evenings since, when all of Washington poured in upon us." Kennedy wrote in his 1845 will that his greatest blessing in life was "a home made dear to me by the affectionate and constant devotion of a wife who has done everything in her power to render me happy, whose rare virtues of mind and heart have given the most complete success to her endeavors." Martha also played a role: a memorial tribute to Kennedy mentioned "his wife, who, with her sister, has rendered his home for more than thirty years so dear and delightful to himself." Elizabeth and Martha, described as inseparable, were typical of many affluent women of the time, their efforts focused on the domestic sphere. Kennedy commented that Elizabeth "takes amazingly deep root in her household." By all indications the sisters conformed to the "cult of true womanhood," an antebellum code of conduct "asserting that women's virtue resided in piety, purity, submissiveness, and domesticity." Or, perhaps they seem so because it is only the characterizations of the men in their lives that remain; little is available from their own hands.<sup>10</sup>

As his friendship with Irving suggests, Kennedy is best known today for his accomplishments as a writer, including forging a national literary identity by defining the plantation genre of Southern fiction, and for his support of Edgar Allan Poe. Kennedy's first novel, *Swallow Barn: or a Sojourn in the Old Dominion*, 1832, is based on his mother's family, the wealthy Pendletons and their West Virginia (then Virginia) estate in Berkeley County, Shenandoah Valley. "Now regarded as the most important fictional portrayal of plantation society by one intimately involved in that place and time," the book "helped to articulate a version of the national story especially concerned with the history of the American South and its 'peculiar institution,' slavery. Conceived in response to the rise of abolitionism, Kennedy's *Swallow Barn* (1832) exemplifies the plantation novel." Kennedy later repudiated his Virginia relatives' stance on slavery. An ardent nationalist, he sided with the Union during the Civil War and suffered the loss of family and friends.<sup>11</sup>

Kennedy was recognized as the Southern counterpart of Irving and of James Fenimore Cooper in exemplifying regional literature, surprising today given his lack

of name recognition compared to theirs. Critics lauded his “pure Americanism.” A mid-nineteenth-century painting confirms the regard for Kennedy as a writer and the national pride in American literary achievement. *Washington Irving and his Literary Friends at Sunnyside*, created by Christian Schussele and Felix Darley in 1863, depicts an imaginary gathering of American literature’s leading lights at Irving’s home along the Hudson River. Irving, at the center, is surrounded by Ralph Waldo Emerson, Cooper, Nathaniel Hawthorne, and Henry Tuckerman, among others. Kennedy, at right, arms crossed, leans near a window next to Henry Wadsworth Longfellow.<sup>12</sup>

Kennedy was part of a cultured circle, and the Kennedy-Gray home reflected the family’s love of literature, music, and theatre. Also evident is their support of the visual arts, important in light of the decision to incorporate a museum-quality sculpture as part of Elizabeth’s gravemarker. Kennedy was a discerning art patron committed to cultivating the arts in Baltimore and Martha was an active art collector. Tuckerman, in his *Book of the Artists: American Artist Life*, 1867, one of the first histories of American art, lists Kennedy in an appendix of collectors of American pictures. Kennedy’s will



*Christian Schussele and Felix Darley, Washington Irving and His Literary Friends at Sunnyside, 1864.*  
(Courtesy of National Portrait Gallery, Smithsonian Institution.)

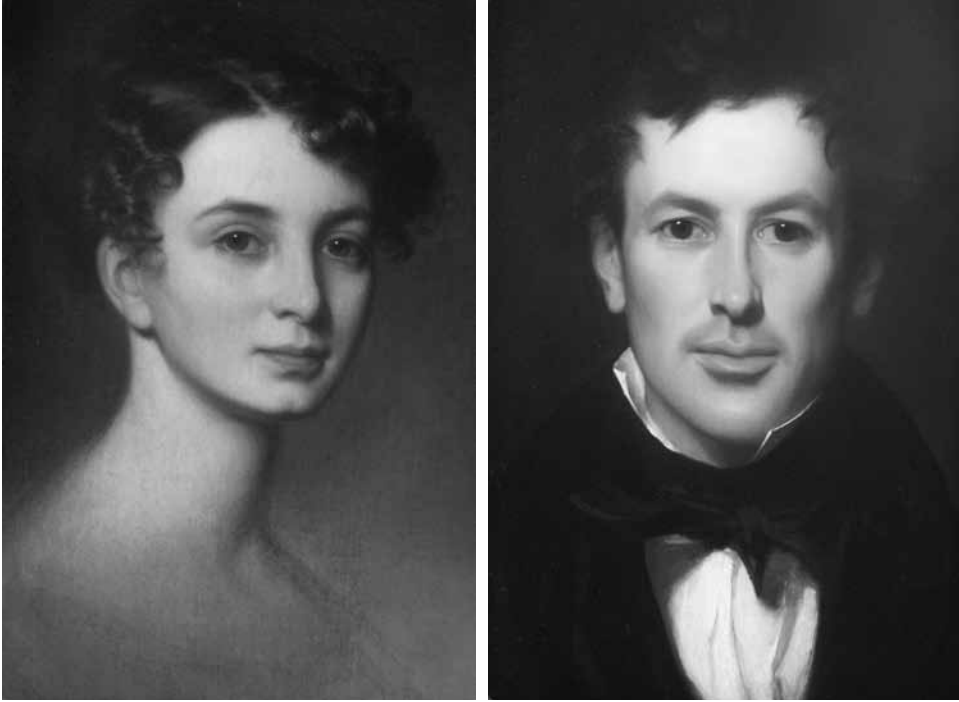
mentions many works of art, including genre scenes, prints, portraits, and sculpted busts. Kennedy was also instrumental in creating Baltimore's earliest public art galleries. For Baltimore, considered a successful commercial center but lacking in culture, Kennedy envisioned an institution supporting the arts as early as 1841, writing in his journal, "I wish to write a lecture upon the means of improving our city . . . but especially a plan for a Free Public Library, a Museum and School of Art." Kennedy was an incorporator of the Maryland Historical Society in 1844, acting as secretary and later vice-president. The Historical Society's art gallery opened in 1848 with an initiative to obtain copies of European masterpieces to provide "a history of painting." It was the first historical society art gallery, one of the earliest public art galleries in America, and an early sponsor of annual art exhibitions.<sup>13</sup>

Kennedy's focus shifted to the Peabody Institute in the 1850s and 60s, where he worked closely with George Peabody drafting the Institute's plan (the letter founding the Institute is in Kennedy's hand) and was the Board of Trustees' president from 1860 to 1870. Peabody, an old friend, had the resources to make Kennedy's vision a reality, but due to the financial crisis of 1857 and the Civil War, the Institute did not open to the public until 1866. Kennedy's aim, to establish a gallery there for "the improvement of the taste, and, through it, the moral elevation of the character of the society of Baltimore," would not be realized until after his death, however. His final address to the board in 1870 recognized the Library's growth and the music academy's success, but stated bluntly, "The Gallery of Art is still unattempted," though, he argued, "[t]he time has come" to begin, through "the collection of Art-production. . . . Our projected Gallery is . . . to be composed of Statuary and Painting, and so exhibited as to be rendered instructive to artists in the pursuit of their peculiar studies: and it is to be organized with reference to the establishment of an Annual Exhibition." He encouraged collecting plaster casts "of the best specimens of the Grecian and Graeco-Roman sculptures of the Vatican or the Louvre" and engravings and photographs of European paintings. In 1873, the Peabody purchased its first work of art—a life-size marble nude, *Clytie*, by Baltimore native William Henry Rinehart—which attracted up to one hundred visitors a day, evidence of the dearth of public sculpture in Baltimore. The next year the Institute purchased a marble bust of Kennedy by Léonce Rabillon—and formed a cast collection in 1879.<sup>14</sup> In addition to his own activities as a collector, Kennedy and surely his family were aware of the importance to Baltimore of public venues for the visual arts, in keeping with their support of Green Mount, a sculpture garden as well as a burial place.

### **"A Little Household of Daily Benefactions"**

Kennedy's journals and letters reveal his relationship with Elizabeth to be a love match. The couple married on February 5, 1829, when she was 21 and he was 33. Kennedy's brief first marriage in 1824 to Mary Tenant, daughter of a wealthy Baltimore merchant,





*Attributed to William Hubbard, Elizabeth Gray Kennedy and John Pendleton Kennedy, ca. 1831, oil on panel, Sunnyside, Historic Hudson Valley, Pocantico Hills, NY (SS.62.4 a-b, SS.62.5 ab). (Photographs courtesy of Historic Hudson Valley, Pocantico Hills, NY.)*

ended tragically when she died in childbirth later that year; their son Tenant lived only eleven months. Kennedy eliminated all references to them in his collected papers except a mention in his 1852 journal, of interest because it suggests his sympathy for the initiative at Green Mount and its promise of permanency:

I have to note that in the course of last winter, the burial-ground of Christ Church was broken up, and the remains of those buried there removed – amongst the rest, those of one who is associated in my early affections with a fond memory, and whose short career belonged to a period in my life which was greatly endeared by her gentle and loving devotion – my first wife Mary. . . . [F]or a brief space wife, still briefer mother – a woman of a kind and virtuous nature; true, just and noble in character. . . . She was laid in the family burial-ground of her father, and as Colonel Tennant [*sic*] always intended to erect a vault there, I placed no memorial on the spot. . . . Upon the breaking up of this cemetery, her remains, and those of her child, were deposited at Green Mount, in the enclosure owned by John Nelson, the late Attorney-General of the United States, who married her sister.

Kennedy's words are both touching and somewhat detached. It was common practice to re-inter the dead of crowded urban burial grounds in the new rural cemeteries. He continued with an intriguing comment considering his well-developed lot at Green Mount: "Although I set no value upon a tablet to mark the resting place of human remains, holding it to be an idle and useless custom, yet in deference to common opinion I mean to place some unostentatious and simple monument over the mother and child whose brief fortunes will never interest the world and will never need a memorial for my remembrance." This view reflects an attitude common in romantic literature that gravemarkers were unnecessary because the deceased lived on in loved ones' hearts.<sup>15</sup>

Kennedy's letters to Elizabeth and her father capture his ardor yet are tempered by a sense of responsibility for his young bride. To her father, on June 23, 1828, "I waited at your house last night, until after dark. . . . It was to tell you, with what pleasure I cannot express, that your Elizabeth is mine. Believe me, my dear friend, it has made me extremely happy, and that I feel I can never sufficiently discharge the obligation of protection and duty it has laid upon me. She shall always receive from me the homage of an ardent affection and the most sincere devotion to her welfare." Kennedy did not dwell on feelings in his daily journal but does on occasion reveal his continuing affection for his wife, which appears to have been mutual. In 1848, he wrote, "This is my wedding-day, now 19 years married. I present my dear Elizabeth with a little token of grateful remembrance. No man was ever happier in wedlock than I have been through the lapse of time – no man had ever more reason to be grateful for the blessing of a truly good wife."<sup>16</sup>

Edward and Martha Gray joined the Kennedy household shortly after Eliza Gray's death. Edward Gray, a successful textile manufacturer, influenced Kennedy's politics and through



*Mary Tenant Kennedy and Tenant Pendleton Kennedy  
Gravemarker, ca. 1852.*

(Maryland Historical Society, 2018, photograph by Dan Goodrich.)

his wealth improved his quality of life. Gray owned cotton mills on the Patapsco River, the first acquired in 1813. He encouraged Kennedy's business interests, including investment in railroads. When Kennedy started keeping a regular journal in 1847, during the winter months he and Elizabeth lived with Edward and Martha in a North Calvert Street home. After Edward's death in 1856, Martha lived with the couple in a home Kennedy built at 12 West Madison Street that still stands today. In the summers, Kennedy's "little family" retired to Edward Gray's home on the Patapsco, built next to his mill, where they hosted many literary and political friends, escaping to resorts such as Newport, Rhode Island, during summer's warmest days. In an 1853 book on famous authors' homes, it is the Patapsco villa that illustrates Kennedy's chapter. To it he added a romantic Italianate tower, a "Venetian fancy" or "campanile turret," as he termed it, that housed a library filled with books, prints, paintings, and sculpture, all swept away in a disastrous flood of 1868 that also destroyed the mills. In an 1853 journal entry, Kennedy shared his regard for his wife and her kin, writing, "My dear wife, blest with every association to brighten her own career, and still more blest in the good gifts of a serene and cheerful temper . . . has every enjoyment which loving friendship and domestic harmony can confer. Her father and sister are as happy and affectionate as herself, making our domestic group a little household of daily benefactions."<sup>17</sup>

Martha appears throughout Kennedy's letters and journals. He wrote to her regularly and consistently identified her as "my sister" rather than his sister-in-law, and by her nickname, "Mart," or "M." She shared Kennedy's interest in the visual arts more



*Thomas Sully, Elizabeth Gray Kennedy, 1853.*  
(Courtesy of the Frick Art Reference Library.)



*Thomas Sully, Martha Gray, 1853.*  
(Courtesy of the Frick Art Reference Library.)

so than Elizabeth, often gallery and studio hopping with him while traveling abroad. Kennedy’s will acknowledges their joint affection: “My oil and water color paintings in the house on Madison Street, and all the engravings, prints and photographs in portfolio, or hung upon the walls in my house I desire shall remain therein . . . as long as the house shall be retained by my sister, Martha E. Gray.” This makes sense, for as we will see Martha had much to do with decorating their home beyond selecting Benzeni’s sculpture. There one can imagine hanging next to each other the portraits of Elizabeth, age forty-five, and Martha, age forty-one, commissioned by Edward Gray in 1853 and painted by Thomas Sully of Philadelphia, further evidence of the family’s participation in the elite cultural circles of the day.<sup>18</sup>

Kennedy’s affective personality, also characteristic of Elizabeth and Martha, explains the attraction of a sentimental work like *Innocence Protected by Fidelity*. Tuckerman described as unusual Kennedy’s obvious attachment to his family and particularly his desire to balance his work life and home life. He recounted Kennedy as “one of the few who knew how to reconcile what was due to himself and to the world,” unlike most men, who prioritized business. “His intelligence and sympathies alike,” Tuckerman wrote, “fitted him to occupy a representative position both civic and social; but his culture and affections, at the same time, rendered him quite independent of such employment; to him emphatically the private station was the post of honor, endeared by literary aspirations, personal friendships and domestic love.”<sup>19</sup> A work of art that tugs at the heartstrings like Benzeni’s *Innocence* embodies the prioritization of household “benefactions” in the Kennedy-Gray home.

## European Travel

Kennedy’s journals of his travels abroad offer the family’s most sustained consideration of artists and art and attest to his and Martha’s shared interest. They also reveal how Benzeni’s sculpture came to Baltimore. Like many wealthy Americans, the Kennedys had the resources and time to enjoy extended trips to Europe. They continued a centuries-old tradition—the Grand Tour—although what distinguished travel in the Kennedys’ day was the availability of large-scale rail and steam-powered transportation, resulting in much easier and more affordable trips, substantially increasing the numbers traveling abroad. In Europe, the Kennedys and Martha had their first exposure to a wide variety of ideal sculpture and European modes of burial.<sup>20</sup>

Kennedy’s journals and letters dwell on their efforts to see the masterpieces that attracted travelers’ attention and to buy art. Like many Grand Tourists, they spent much time purchasing “antiquities,” cameos, oil paintings, and gouaches, frequently visiting shops and artists’ studios and haggling over prices. The Kennedys and Martha travelled to Europe three times. Their first trip began in May 1856, shortly after Edward Gray’s death; his lengthy decline had been grueling for his daughters. On this trip they, along with Josias Pennington’s daughter Sophie, traveled to England, Ireland, Scotland,

France, Holland, Brussels, Germany, and Switzerland, returning home in October. Their second trip began the following year; Martha sailed in May 1857 and Elizabeth and John joined her in England in August, accompanied by another of Pennington's daughters. They toured England and Scotland again, "until they reached Manchester just in time to enjoy the Art Exhibition," *The Art Treasures of Great Britain*, a mid-nineteenth-century blockbuster, which was the largest art exhibition ever held, with over 16,000 works. Kennedy exclaimed, "such a collection was never made before upon the earth," and reported seeing "a quarter of a mile of statues."<sup>21</sup>

In November 1857, Kennedy's journal noted that they traveled to Italy for the first time, including Florence, where they visited the Uffizi to see "the celebrated Venus di Medici . . . and the busts of all of the Caesars – How strange and striking!" They met Hiram Powers, the leading American expatriate sculptor in Florence. Kennedy wrote, "he was exceedingly gracious and kind and showed us his work," including "a colossal statue of [Daniel] Webster," "a beautiful statue of America – another of Contemplation – very graceful," and "the fisher boy." A preoccupation on this trip was purchasing works of art for the decoration of the Madison Street house, a grand dwelling being built while they traveled, with stonework by the local firm Bevan & Sons and fixtures by Tiffany & Co.<sup>22</sup>

Although Kennedy observed the absurdity of American pride in its "historical things," which he defined as "infantile juvenilities" in comparison with Europe, like many Americans he complained that the "continent . . . is dingy with age. Italy is absolutely hoary; the out-door statues, ballustrades [*sic*], architectural embellishments, are almost black, and often mossy, like our Alleghany rocks." Yet his interest in virtuoso sculpture that could only be seen abroad is clear in a visit to the Cappella Sansevero at San Domenico Maggiore, in Naples on January 6, 1858: "Here I get admittance, and see those beautiful statues of which [illegible], the veiled figure – one of modesty – a splendid figure under a thin veil which appears transparent. There is another called 'Il Disinganno' . . . which is a figure wonderfully covered but the face with a net – all out of one piece of stone. The third, which is in a Temple apart is the dead Christ under a veil, a most exquisite piece of art." Still in situ, these are Antonio Corradini's *La Pudicizia* (*Veiled Truth* or *Modesty*), 1749–52, Francesco Queirolo's *Disinganno* (*Release from Deception*), 1753, and Giuseppe Sanmartino's *Veiled Christ*, 1753, all recognized as tours-de-force of sculpture.<sup>23</sup>

The company arrived in Rome for the first time on January 30, 1858. Typical of American Grand Tourists, they visited the many American painters and sculptors living there. With its concentration of artists and tradition of respect for the fine arts, Rome furnished a far more supportive environment for American sculptors, providing the training, materials, skilled assistants, and wealthy tourist patrons then lacking in America. The Kennedys stopped at the studio of Thomas Crawford, known today for *Armed Freedom*, the mammoth statue atop the US Capitol dome. Several times they visited American "lady sculptor" Harriet Hosmer; her teacher, Welsh sculptor John

Gibson; and Edward Sheffield Bartholomew. Early in March they went to San Pietro in Vincoli to see "M. Angelo's famous statue of Moses," and the crypts at Santa Maria della Concezione dei Cappuccini, "which is the most extraordinary exhibition of filigree of human bones and full draped figures of dead monks . . . in some six or eight little chamber[-]like chapels – a very off thing, this," Kennedy commented.<sup>24</sup>

Their interest in sculpture and modes of burial is also suggested by a visit to Rome's Non-Catholic Cemetery, founded outside the city's walls in 1716 and best known as the resting place of John Keats and Percy Bysshe Shelley. Like American rural cemeteries, it features attractive landscaping and striking sepulchral sculpture. Elizabeth collected flowers from Shelley's grave that she later pressed in an album. The family's first extended exposure to Italian art and culture ended in October 1858. They moved to their new home on Madison Street in December 1859, certainly content to decorate it with the purchases made abroad, constructing spaces that communicated their erudition and cosmopolitanism. As Tuckerman noted, "Mr. Kennedy took much interest in arranging this, his new abode."<sup>25</sup>

The Kennedys and Martha took a final trip abroad in 1866 on the recommendation of John's doctor, "in the hope of reinvigorating his somewhat shattered health." The Civil War was a personal crisis for Kennedy, rejected as he was by some of his Southern family and friends. This time the trio traveled for twenty-six months and Kennedy filled seven volumes of journals. Shortly after his death in 1870, Kennedy's executors published excerpts from the journals in *At Home and Abroad: A Series of Essays: with A Journal in Europe in 1867–8*, which concentrates on his official duties as a commissioner and juror at the 1867 Paris Exposition. The book includes little of their time in Italy beyond an audience with Pope Pius IX, described with humor and a clearly Protestant perspective, and the opening of parliament in Florence, for a short time capital of the newly unified Italy.<sup>26</sup>

The Kennedys and Martha may have been introduced to Benzone's work at the Paris Exposition, where Secretary of State William H. Seward appointed Kennedy US Commissioner on Weights and Measures. Kennedy was also selected as a juror for the sculpture exhibition. The American report on the exposition noted, "Jurymen are presumed to . . . have a special knowledge of the class on which they are placed," consistent with Kennedy's frequent comments on sculpture, ancient and modern, and the extensive collection of photographs of sculpture that he assembled abroad. Kennedy's unpublished journals flesh out this experience more so than *At Home and Abroad*. He wrote that Elizabeth and Martha also attended the Paris sculpture installation, where all three certainly noticed Benzone's award-winning bust of Pope Pius IX, whom they had met just the month before in Rome.<sup>27</sup>

Tuckerman noted that again on this trip Kennedy "became well acquainted with the leading artists" in Rome and visited cemeteries. On March 3, Martha and the Kennedys drove "to the old Cathedral and new cemetery of St. Lorenzo," the Basilica of San Lorenzo fuori le Mura and the Campo Verano Cemetery, founded during Napoleon's



rule when burial inside the city walls was forbidden. The “new cemetery” may refer to construction of the cemetery’s main portico in 1867; Benzoni began building a grand family tomb there the same year. Verano is a “monumental” cemetery in Italian parlance, a nineteenth-century phenomenon that, like American rural cemeteries, allowed space for large sculpted monuments and attracted many visitors and tourists. During this trip the Kennedys also frequented the studio of renowned American sculptor William Wetmore Story, and viewed Story’s sculpture of George Peabody, a version of which can be found in the east garden of Mount Vernon Place near the Peabody Institute. The Kennedys visited American sculptors Randolph Rogers, Joseph Mozier, and Chauncey Ives, and painter John Gadsby Chapman, “where Mart bought a fine picture of his – Peasants on the Campagna . . . for which she is to pay \$600.” Kennedy, now seventy-one, often complained of exhaustion during this trip, writing next that “There is no end to this presence of studios in Rome. And I grow tired of its [illegible] and may I not say – Monotony – what a host of Rebeccas and Eves and Hagers and cupits [*sic*] and lambs and goats!” referring to dominant themes among Rome’s sculptors. Kennedy also visited William Rinehart, “a Baltimore [artist] who has been here some six years. He is doing well as a sculptor and has some pretty things in his studio.” Several works by Rinehart, including two discussed below, are at Green Mount Cemetery.<sup>28</sup>

It was on their last day in Rome, April 16, 1868, that Kennedy met Benzoni in person, presumably for the first time; the journal entry suggests that Martha, perhaps with Elizabeth, had visited his studio before that:

Martha has bought a pretty little statue from Benzoni – Cav. Giovanni Benzoni, as his card says – Via del Borghetto no 73 – for which I negotiated the purchase today. – It is a figure of a girl asleep, guarded by a dog, who has his paw upon the head of a serpent that is in the act of attacking the foot of the child. He is represented as barking to awaken her to danger. The price I asked to pay is \$120 which the sculptor is to receive from Maquay, Pakenham and Hooker when he delivers the statue to them. He is to be allowed the cost of packing in addition to the price.

Kennedy’s entry continued with arrangements for the payment and shipping of several other works selected by Martha, including a micro-mosaic table top, a bronze sculpture, and a painting of Faust’s Margaret.<sup>29</sup> His entry underscores the complexity and expense of moving large objects from Italy to America. It is unclear if *Innocence Protected by Fidelity* was finished and ready to ship or if, more typical of Grand Tour patronage, Martha ordered a copy from a version in his studio, which was shipped later.

More importantly, this passage and others in Kennedy’s journals indicate that Martha was actively acquiring art, and not small works but large paintings, sculpture, and decorative arts (Kennedy estimated Chapman’s *Peasants on the Campagna* at “6 ft. by 5”), works that would have a significant presence in their home. Although gener-

ally men still paid for works of art, women increasingly selected them. Art collecting was viewed as appropriate for women, being understood as having moral value by encouraging the contemplation of beauty and offering salvation in a brutish world. No interior images of the Madison Street house appear to exist, but wealthy Americans constructed their domestic environments like mute stage sets, using art to reveal their character and emotional sensibility. This was especially true for sculpture, which was usually placed in the home's public areas. *Innocence Protected by Fidelity* is typical of the sculpture that decorated the entry halls and sitting rooms of the well-to-do.<sup>30</sup> Examining Benzoni's work and reputation suggests that Martha and the Kennedys would recognize it as fine art by an artist of international acclaim (and therefore an interesting choice later to place out-of-doors). Period discussions of Benzoni's work reveal its appeal for patrons like Martha, the widespread recognition it received as it tapped into contemporary taste in style and subject, and its mobility as it spread throughout Europe and the United States.

## **Giovanni Maria Benzoni**

While the Kennedys' guidebook, John Murray's *Handbook of Rome and Its Environs*, focused primarily on the studios of English and American artists, it also included Benzoni: "*Benzoni* (Italian) 73, Vicolo del Borghetto, east of the Via Babuino, near the Piazza del Popolo, a sculptor of considerable reputation, many of whose works are in England," evidence of his popularity in comparison with the scores of Roman sculptors unmentioned. Other English guidebooks list Benzoni as well, including Augustus J. C. Hare's *Walks in Rome*, which prioritizes Americans such as Hosmer, Edmonia Lewis, and Story, but includes Benzoni's name and address. As he wrote to a patron, Benzoni moved his studio near the Piazza del Popolo because increased commissions required a grander and more comfortable space closer to his foreign competition (the studios of Hosmer, Gibson, Ives, and Mozier were in the same neighborhood). Benzoni also noted his proximity to the Hotel de Russie, a popular tourist lodging that still exists. An American guidebook, *Harper's Handbook for Travelers in Europe and the East*, understandably highlights American sculptors but lists "the most eminent artists of other nations" including Benzoni. Clearly Benzoni was on the radar of English-speaking tourists.<sup>31</sup>

Giovanni Maria Benzoni was born in Songavazzo, near Bergamo in north central Italy not far from the Swiss border, in 1809. Local nobleman Luigi Tadini recognized Benzoni's talent for carving and arranged for him to study in Rome in 1828, where sculptors Antonio Canova (1757–1822) and Bertel Thorvaldsen (1770–1844) cast the longest shadows; both defined and advanced the neoclassical style. Scholars consider Benzoni a successor of Canova and Thorvaldsen; he studied with Giuseppe Fabris (1790–1860), a student of Canova. Benzoni opened his first studio in 1832, eventually employing up to fifty assistants who made possible the production of multiple versions of popular works. Benzoni maintained his predecessors' neoclassical styles and subjects,

although *Innocence Protected by Fidelity* marks a shift in both. An increasing romanticism and realism characterized Italian sculpture at mid-century, in contrast with the earlier emphasis on the historical themes and idealization of neoclassicism. Benzoni's work treads a middle line, maintaining neoclassical generalization of form, such as the smooth planes and simplified dress of *Innocence*, and romantic realism in the subject and detailed carving of the flowers and dog.<sup>32</sup>

Benzoni's clientele included nobility such as the kings and queens of Naples and Savoy, the queen of the Netherlands, the Russian tsar, the king of Bavaria, the prince of Wales, the emperor of Brazil, and Pope Pius IX. He was also favored by American collectors, including J. Pierpont Morgan and Theodore Havemeyer. His work was featured in international expositions like those the Kennedys attended, the most important exhibition venues for European and American sculptors. In 1851 Benzoni received extensive notice, both positive and negative, at the first international exhibition, London's Great Exhibition of the Works of Industry of All Nations, commonly known as the Crystal Palace because it was housed in a large-scale structure made of modular glass

and cast iron. He exhibited a version of *Innocence Protected by Fidelity* alongside *La Riconoscenza (Gratitude)*, which depicts a nude young girl removing a thorn from a dog's paw. The sculptures were paired in accounts of Benzoni's work at the fair; placed next to each other on similar bases and alike in subject, a joint narrative developed.<sup>33</sup>

The fair's official guidebook lists *Innocence* and *Gratitude* as from the Papal States rather than Italy, as Italy had yet to unify fully. It notes the owner, "Leyland, Cap. Thomas" of "Three groups in marble, executed by John Benzoni, an Italian sculptor, 73 Via del Borghetto, near the Piazza del Popolo in Rome," including "2. 'Gratitude,' represented by the naked figure of a very young girl seated on a stone and extracting a thorn from the paw of a little dog, 3. 'Innocence defended by Fidelity'." This is a pendant to and continuation of the preceding subject," indicating the connection made between the two. Independent publishers offered lengthy accounts of the fair, such



Giovanni Maria Benzoni, *Gratitude*, ca. 1850–70.  
(Photograph courtesy of Skinner, Inc., [www.skinnerinc.com](http://www.skinnerinc.com).)

as the five-volume *Tallis's History and Description of the Crystal Palace*, which addressed the Roman sculpture with an anti-Catholic bias often apparent in English writing on contemporary Italian art:

In the Roman department there was but few evidences of the intelligence and genius which the Italians undoubtedly possess. Nor can we wonder at it, oppressed and enslaved as they are by their priests. . . . Nevertheless, a stray object or two found its way within the walls. . . . We particularly noticed a 'Cupid and Psyche,' by Benzoni, very beautifully treated; also 'Innocence defended by Fidelity,' and 'Gratitude,' a young girl extracting a thorn from the foot of a dog, by the same artist, equally deserving attention. These are the property of Captain Leyland, a munificent patron of the arts.

The expense of shipping made borrowing works from local patrons like Leyland a common practice when a sculptor lived far from the venue.<sup>34</sup>

*Tallis's* also discussed Benzoni's work under "Prize Medals" as "receiving honorary distinction from the jury" who would "point to the remains of the Parthenon as embodying the result of the great principles they have been anxious to inculcate, and which they desire to see universally adopted." Thus the author's preference for pure classicism and critique of Benzoni is not surprising: "for the two groups of the Little Girl with a Dog. . . . The motive of these works was attractive, and they were carefully executed in marble, but they were by no means of sufficient importance to be considered adequate representations of the modern school of sculpture in a city such as Rome." The preference for classicism over a more anecdotal realism, evident in describing Benzoni's subjects as not "of sufficient importance," appears frequently in English writing on modern Italian sculpture. Routledge's *A Guide to the Great Exhibition* offered a similar appraisal: "Benzoni's two groups, of 'Innocence defended by fidelity,' and 'Gratitude,' are pretty, but want character," implying their lack of nobility, a frequent British condemnation of Italian sculpture that departed from classicism.<sup>35</sup>

Other critics responded more favorably to Benzoni's two sculptures, stressing their engaging subjects. William Clark's *The Crystal Palace and Its Contents*, which included illustrations of the pair, described them as "two very pleasing specimens in the genre style, by Benzoni, of Rome." William Little's "The Great Exhibition," for *The Illustrated London News*, similarly described the sculptures: "The above are two pleasing little *pièces de genre* in marble, executed by Gio. Maria Benzoni." Clark's and Little's use of the term "genre" is noteworthy: genre refers to depictions of ordinary occurrences rather than literary, biblical, or historical themes, and again speaks to a mid-century shift in sculpture from the noble subjects of neoclassicism to the everyday subjects of romantic realism, the latter considered by some unworthy for the fine art of sculpture.<sup>36</sup>

*Innocence* and *Gratitude* embody this shift in style and subject, which Benzoni acknowledged in a letter to patron Aurelio Carrara of September 16, 1837, writing that

he was more inclined to create work “that was sentimental rather than mythological,” and encouraging Carrara to order one to demonstrate that “marble speaks more in such stories,” probably a reference to how genre featured comprehensible narratives, unlike classical themes that demanded knowledge of ancient history and mythology. Subsequent letters appear to allude to the genesis of *Innocence*, perhaps in the hope that Carrara would purchase it. In March 1838 Benzoni wrote of his indecisiveness in selecting a theme for a “girl that has come from my chisel” because he had so many ideas. By July, he wrote that he wanted to describe for Carrara a work titled *Innocence* so that he might learn Carrara’s opinion of its iconography.<sup>37</sup> It was Benzoni’s skill with such sentimental genre imagery and narrative that likely appealed to Martha.

This sensibility was also the focus of a revealing article published several years after the Crystal Palace exhibition. The reception of Benzoni’s work there attracted many English-speaking patrons to his studio. In 1854, *The Art-Journal*, the most influential English art magazine, published a detailed commentary on Benzoni’s work by “Florentia” (Frances Dickinson aka Frances Minto Elliot), in “A Walk through the Studios of Rome.” “Florentia” provides such valuable insight into why Benzoni appealed to English patrons that she is worth quoting at length. Unlike those who critiqued a few sculptures in the context of a massive international fair, she saw dozens of Benzoni’s works in the intimacy of his studio. She began by characterizing the artist and his studio and noting his success with sentimental themes:

Among the numberless Roman sculptors none is more justly celebrated than Benzoni, one of the most elegant and graceful artists living. He is, *par excellence*, the delineator of nature in her best-chosen and happiest moods. Soft and gentle emotions, tender sentiments, the artlessness of childhood and innocence of youth, are breathed into the marble with a facility of skill certain of successfully touching the sympathies. . . . Such works may not be reckoned among the highest flights of Art, but I am far from sure that the most genuine pleasure is not derived from a masterly treatment of this class of subjects. . . . His studio is immense, occupying a considerable portion on either side of a narrow street. He is himself a simple-minded, unassuming man, of unpretending exterior and manners, evidently enthusiastically attached to his profession. The pleasing memorial of his own humble origin he particularly pointed out to me in a group, representing a venerable old man, taking by the hand a half-naked child, who stooping down plays with a small basso-relievo. Benzoni was a native of Bergamo in Lombardy, and having shown an early taste for Art, was sent to Rome and educated at the expense of an aged nobleman of that place who, aware of the circumstances became interested in the child, and . . . benevolently picked him up from the street. I respected the man having the courage to glory in his obscure birth, and the gratitude to commemorate his obligations to a benefactor.

Florentia referred to a monumental sculpture of Tadini lifting up a young Benzoni. Framing Benzoni as a modest man of humble origin, describing his enchanting rags-to-riches story and his sincerity and commitment to his work was an appealing narrative that must have moved her readers. Benzoni's sculpture is sentimental and emotional, although a "class of subjects" not among "the highest flights of Art"; in other words, prototypical genre sculpture, not noble neoclassicism.

Florentia then turns to *Innocence* and *Gratitude* as examples of Benzoni's facility with the "innocency of youth":

In the first division of his studio appear repetitions of his two well-known groups so much admired at the London Great Exhibition—"A Child extracting a Thorn from a Dog's Foot," and the same dog, awakening his little mistress from sleep; at the moment a serpent is approaching her: unaffected and natural expressions of domestic incidents, so gracefully rendered, as to have drawn tears from many eyes. True as the needle to the pole is the soul to the delineation of these household sympathies, when expressed with an appropriate regard to the classic exigencies of marble. I cannot say that I prefer his children to those of the great American sculptor, Crawford, whose "Babes in the Wood" is perhaps the most thrilling representation of childish pathos ever conceived; but Benzoni comes hard upon him. . . . These children are living and moving, really appealing to the heart as would their living representatives.

Florentia's prioritization of sculpture featuring "domestic incidents" and "household sympathies" and the way they work on the emotions reinforces the appeal of genre subjects for the author and, presumably, her readers. This view resonates with the prerogatives of "the cult of true womanhood," of which Martha Gray and Elizabeth Kennedy appear to be exemplars. That Benzoni's works must express "an appropriate regard to the classic exigencies of marble" reflects concern that they not stray too far from their roots in Greco-Roman classicism, consistent with other mid-century English art criticism. Her immediate concentration on his genre themes is of interest, for lists of Benzoni's work through 1854 indicate that portrait busts and funereal monuments (both a nineteenth-century sculptor's bread-and-butter) dominated his oeuvre, as did mythological and religious subjects despite his stated desire to execute more sentimental pieces.<sup>38</sup>

Benzoni also featured *Innocence Protected by Fidelity* and *Gratitude* in an international exhibition in Antwerp in 1861. At this venue, authorities selected Benzoni as the only representative of the Papal States in sculpture; he attended the exhibition and acted as a diplomat, receiving much acclaim. The catalogue dedicated paragraphs to *Gratitude* and *Innocence Protected by Fidelity*, noting of the latter, "This allegory represents the same child, at a slightly older age, wearing a simple tunic. She is sleeping and braiding a garland of flowers. The faithful small dog, who she delivered of the thorn, does not



fail to render a benefit in return for the one that he received. At this moment a serpent, leaving the grass, is about to kill the innocent child and the vigilant animal crushes the serpent with a foot, and with the other shakes the small mistress, barking to wake her up more quickly.” The description of *Innocence* as an allegory suggests recognition of a deeper level of meaning. That *Innocence* was selected by Benzoni or by papal representatives for such a prestigious venue reflects its popularity.<sup>39</sup> It is remarkable that a version of such a widely-known work now resides in a Baltimore cemetery.

Although it is not clear if Martha Gray and the Kennedys were aware of Benzoni’s international reputation or of *Innocence* prior to Martha’s visit to his studio, clearly the sculptor was well known outside Rome. Benzoni’s obituaries in 1873 noted that his sculpture was in collections in France, Austria, and Russia, but especially in England and the United States. Guisepppe Rota, Benzoni’s biographer, reports that Benzoni’s studio made thirty-two versions of *Innocence Protected by Fidelity*.<sup>40</sup> Works by Benzoni’s studio are also located in at least three other rural cemeteries in addition to Green Mount, as noted below. Martha’s taste in art, in ordering a version of *Innocence Protected by Fidelity* for the Madison Street home, was thus consistent with international trends among conservative collectors of mainstream art and their interest in the romantic and sentimental rather than the noble and classical.

### ***Innocence in the Home***

Benzoni’s work embodies the mid-nineteenth-century shift from a pure, emotionally cool neoclassicism that focused on historical themes to a more emotive, romantic sensibility and genre themes rendered with greater anecdotal detail. While catalogue descriptions and articles provide some idea of how Benzoni’s patrons and viewers interpreted *Innocence Protected by Fidelity*, a clearer understanding of its implications—and what it might have meant to Martha Gray and the Kennedys—is possible by examining how it intersected with contemporary American cultural currents.

The theme of innocence was popular in nineteenth-century sculpture, as indicated by the titles of works by Benzoni’s Italian contemporaries: *Innocence* by Giovanni Giuseppe Albertoni, *Innocence in Danger* by Antonio Bisetti, *Innocence* by Giovanni Fontana, *Lost Innocence* by Luigi Bienaimé, and *Innocence* by Emil Wolff (a German sculptor working in Rome), and by Lorenzo Bartolini, the leading sculptor in Florence: *Justice Protecting Innocence*, *The Vow of Innocence*, and *Girl of the Turtle Doves (Innocence)*, also known as *The Mark of Innocence*. M. D. Conway, reviewing sculpture at the 1867 Paris exposition (where Kennedy was a juror) for *Harper’s New Monthly Magazine*, complained, “it is impossible to go the rounds of these Sapphos, Modestys, Innocences, Virgins Bathing, or at the Toilet, or in a hundred other situations—impossible, I say, without feeling that they are quite as exhaustible as one’s self.” Many works featuring innocence as a title are untraced today, so it is uncertain if they depict children. But embodying innocence in the image of a child as Benzoni did was prevalent, spurred

by the belief that children were innately innocent, a view that gained traction in the nineteenth century. This altered earlier views of children as inherently depraved because of the doctrine of original sin. Beginning in the late seventeenth century John Locke, and later Jean-Jacques Rousseau and romantic poets such as William Wordsworth, introduced radically different views of childhood:

By the middle of the nineteenth century an ideology of childhood had become a powerful force in middle-class Europe and North America. Its precepts were by no means fully integrated into middle-class practices in child-rearing. . . . But it operated as an ideal across wide stretches of western culture. . . . What holds the period together is a heightened sense of the importance of childhood which manifested itself in a variety of ways: in belief in the importance of early education; in a concern for the salvation of the child's soul; in a growing interest in the way children learn; and in a sense that children were messengers of God, and that childhood was therefore the best time of life.

This view was shaped by increased secularization, a diminished belief in original sin, prioritization of the nuclear family and affectionate bonds between mother and child, and recognition of each child's individuality. The idea that children are a blank slate and childhood a joyful stage of life worthy of protection contributed to romantic visions of childhood innocence. While not universally true at mid-century, increasingly children were viewed as pure and natural, especially young girls.<sup>41</sup>

Like the shift in mid-century sculpture, changing views of childhood went hand-in-hand with the rise of romanticism and its affiliate, sentimentality. Although there appears to be no record of why *Innocence Protected by Fidelity* appealed to Martha beyond Kennedy's comment that it was "a pretty little statue," certainly this appeal relates to sentimentality, a preoccupation in western culture at this time. Analysis of sentimentality in American art and literature has engaged scholars since 1977, when Ann Douglas published her influential study, *The Feminization of American Culture*. Sentimentalism, according to Douglas, extolled the values of family, motherhood, and domesticity, and emphasized the importance of sincere emotional expression. A set of assumptions about the "correct" way to feel and act, sentimentalism privileged compassion, empathy, and other emotions categorized as feminine by period literature and behavior guides. While Douglas critiqued sentimentality as enervating American culture, subsequent scholars complicated this view by identifying the discourse of sentiment as a form of female empowerment. Shirley Samuels, editor of *The Culture of Sentiment*, proclaimed, "Sentimentality is literally at the heart of nineteenth-century American culture," and the book's essays demonstrate its centrality to art, literature, and other forms of mass culture. Recent scholarship has moved beyond gendering sentiment as female, locating its origins in the "man of feeling" of the eighteenth century and also evident in art and literature men produced.<sup>42</sup>

In keeping with evidence of their alliance to “the cult of true womanhood,” Thomas Sully’s 1853 portraits of Martha and Elizabeth reveal that they exemplified “sentimental women” in appearance, whom historian Karen Halttunen describes as an identifiable type in 1840s and ’50s America (see p.154). A sentimental appearance stressed simplicity, believing that how a woman looked revealed her inner being. What Martha and Elizabeth wore was typically sentimental in its low, unadorned open necklines and sloping silhouette with sleeves set in below the shoulder. Equally characteristic were the use of little jewelry and a simple hairstyle worn parted in the center, sleek and flat, with bands of hair brought over the ears and plain buns at the back, termed à la Madonna (compare Elizabeth’s elaborately curled hairstyle in the 1831 portrait, p. 152). Halttunen describes the look as “one of demure self-effacement,” “designed to enhance a woman’s sincerity.” Martha’s unusually large eyes are notable; Halttunen wrote that sentimentalists insisted “a woman’s feelings were revealed in her smile, in her complexion, and especially in her eyes.” It is not surprising that women of such evident sentiment would favor a sculpture like *Innocence Protected by Fidelity*, a work that epitomizes the “sentimental object,” according to art historian Lauren Lessing, intended “to convey strong emotions and evoke a sympathetic response in the viewer.” Certainly it appealed to Kennedy as well, who, it appears, was an unusually sentimental man. As noted, Tuckerman emphasized his connection to the domestic, writing that “[n]either public life nor authorship pre-occupied him to the extent of causing the least neglect of private obligations or the sacrifice of those sympathies, domestic and personal, which were ever the essential interests of his life.” He would refuse travel and other opportunities to stay at home with Elizabeth when her father was ill, and accepted appointment as Secretary of the Navy only after Mr. Gray insisted. Tuckerman wrote, “This deference to the wishes of his household is accordant with the uniform precedence he gave to domestic over personal considerations; home was the first, as it was the most precious sphere of his life.” As one of his oldest friends described Kennedy, “all wholesome, glad influences flowed out from his daily life; strong as the strongest of men and sweet as the sweetest of women.” In a memorial tribute, James Russell Lowell claimed that “his finer qualities were lured out by the sympathy of the fireside”; “feelings for the fireside” was a common allusion to the sentimental and domestic.<sup>43</sup> The emotive quality of *Innocence Protected by Fidelity*, so significant to the success of the work according to Benzoni’s critics, certainly spoke to the whole family.

Like sentimentality, images of children in mid- to late nineteenth-century art have also attracted extensive scholarship, in part because of their complicity with sentimental culture and romantic perceptions of childhood. As noted by Florentia, Benzoni mastered the expression of sentimentality in his sculptures of children, the “soft and gentle emotions, tender sentiments, the artlessness of childhood and innocence of youth,” suggesting they were prototypical sentimental objects. *Innocence Protected by Fidelity* is consistent with other period images of young girls, depicted in stereotypical ways that constructed childhood as a blissful period of pure innocence. In fine and popular

art, girls were featured in poses with settings and symbolic objects such as flowers and small pets that reinforce their demure, domestic, dependent, and sweet natures. Flowers, representing femininity and fragility, were a trope that also suggested transience since most bloom for a short time. Like *Innocence Protected by Fidelity*, many works emphasized the fleeting nature of childhood. In America, images of young girls were especially popular in the 1860s, acting as antidotes to the tensions of the Civil War.<sup>44</sup> As noted, Kennedy's sympathy for the Union in Maryland, a slave state, made the war years difficult. It was during their trip to Europe after the war, taken to repair John's "shattered health," that Martha purchased Benzoni's sculpture.

The Kennedys had no children, although Tuckerman dedicated a chapter to "Mr. Kennedy's Interest in the Young," beginning, "A remarkable and prevalent trait of Mr. Kennedy, was his love of the young; —a feeling warmly shared by the affectionate family of which his marriage had made him so endeared a member," and often highlighted the presence of children in the family's lives. "The fair daughters of his friends were his constant guests in town and country," Tuckerman continued, "the companions of his journeys at home and abroad, his cherished *protégés*." Kennedy often commented on the activities of his young guests in his letters, and as noted the family took Josias Pennington's daughters on their trips abroad. John and Elizabeth adopted a young cousin, Sally Pendleton, as a niece, and John relished his role as godfather to John Pendleton Kennedy Bryan, son of a close friend.<sup>45</sup>

Recent studies complicate nineteenth-century images of girls, reading them as not only accentuating their sweetness and innocence but also objectifying them, rendering them passive and therefore subject to male authority, strategically disempowered at the time when adult women were demanding a stronger voice. Certainly Benzoni's *Innocence* lacks agency—she is asleep and therefore defenseless, thus the need for the watchful dog to protect her. Some scholars offer darker interpretations of depictions of prepubescent girls as containing a latent eroticism that may or may not have been recognized. Anne Higonnet argues in *Pictures of Innocence: The History and Crisis of Ideal Childhood* that images of children located the concept of innocence in the child's body, considered to be inherently pure because it was uncorrupted by sexuality. This is certainly one of the implications of Benzoni's sculpture, accentuated by the title and the discordant detail of the snake. And as noted, Benzoni invited attention to her breasts, which imply puberty is coming. The flowers that encircle her lap and fill the fold between her legs could also connote her future "flowering." Although seemingly too young for puberty (one source referred to her as about age nine), visitors to Benzoni's studio in 1853 described the nude girl in *Gratitude*, who is clearly younger than the girl in *Innocence*, as "a full-size babe, between puberty and adolescence." Benzoni was also recognized as Canova's heir particularly for his ability to make flesh appear soft, yielding, and touchable, and the eroticism of Canova's work is unquestioned. That a seemingly straightforward work highlighting a girl's innocence may in fact sexualize her is disturbing but in keeping with the conclusion that "an adult desire to stunt the

development of young girls at the moment they begin to mature, to forestall their growth into sexual beings, underlies many of these representations.”<sup>46</sup> In today’s post-Freudian world, these are difficult connotations to ignore.

The girl’s simple dress and exposed chest may also have less provocative implications. Rousseau’s writings on children encouraged dressing them in loose and “natural” clothes, not as miniature adults as was common historically, to encourage healthy growth. Art historian Wendy J. Katz notes that loose dress in images of young girls, “at times falling off shoulders and arms” reflected “their unconstrained nature,” not yet bound by the severe restrictions on adult women embodied in their tight corsets.<sup>47</sup> For Benzoni, such generalized dress also avoided the precise detail of much actual little girls’ clothing, which was perceived negatively by British critics as fussy and inconsistent with sculpture’s roots in classicism. The simplified dress also renders the girl both classless and timeless, and so appealing to a range of viewers, among whom such ambiguity could encourage various interpretations of the sculpture’s meaning.

Yet, the unsettling implications of the snake deserve more reflection. Snakes appear in several other works by Benzoni, in each case linked to original sin or discord and placed near a woman’s foot. Benzoni’s sculpture of the Virgin Mary as the Immaculate Conception, as is traditional in this theme, stands on a snake, an emblem of her triumph over sin that refers to Genesis 3:15, where God condemns the serpent, “And I will put enmities between you and the woman, and thy seed and her seed; she shall crush thy head, and thou shalt lie in wait for her heel.” One of Benzoni’s most prestigious commissions, a monument to Austrian Emperor Franz I commemorating his role in the 1815 Treaty of Versailles (also known as *Monument to Peace*), 1840–44, features a neoclassical female allegory stabbing a snake, symbolizing discord, at her foot with a staff. Florentia noted that Benzoni’s sculpture *Eve* features a large serpent “just touching her foot.” Comparing *Innocence Protected by Fidelity* with religious and allegorical works may seem incongruent, but perhaps in Catholic Italy the snake was seen as an allusion to Eve and Mary, polar opposites on the spectrum of innocence. It is possible that a work we view as wholly secular might have had different implications in its original Catholic milieu, indicating how meaning changes depending on context.<sup>48</sup>

It is unknown if Martha and the Kennedys recognized the layered implications of Benzoni’s *Innocence Protected by Fidelity*, which it perhaps conveyed to only the most alert contemporary viewers. Instead as they experienced it daily in their Madison Street home, its expression of childhood’s fleeting nature was perhaps the most compelling reading, as this was a widespread concern at the time. Lessing notes that by the 1860s, some Americans “truly feared that childhood was growing shorter.” She recognizes the “disquiet about puberty in girls during the second half of the nineteenth century” as “an expression of the cultural anxiety about the disorienting changes taking place in the American social body, rocked as it was by rapid industrialization, urbanization, and growth.”<sup>49</sup> Although difficult to document securely, if Martha and Elizabeth were prototypical “sentimental women,” committed to the “cult of true womanhood,” such

change may have been a particularly pressing issue. Perhaps for American viewers the sculpture helped allay these fears, since Fidelity protects Innocence, delaying, if just for a time, its corruption.

When Kennedy bought the sculpture, the faith in children's innate innocence was even more pronounced than when Benzoni first created it. Children were recognized not just as innocent but as an important force for society's perfection. In an essay titled "Children" by Kennedy's friend and biographer Henry Tuckerman, published in 1867, he argued that children can rejuvenate afflicted and overwrought adults, describing them as morally redemptive, and quoted Wordsworth: "A child . . . more than all gifts, brings hope with it, and forward-looking thoughts." This, Tuckerman argued, is found even in depictions of children:

. . . always and everywhere the image of childhood to poet and painters, to the landscape, the household, the shrine, the temple and the grave—is a redeeming presence, a harmonizing and hopeful element, the token of what we were, and prophecy of what we may be; and therefore it is that we

—hold it a religious duty  
To love and worship children's beauty;  
They've the least taint of earthly clod,  
They're freshest from the hand of God."

Florentia made a similar point, noting that one responds to Benzoni's sculptures as if they were actual children: "All of these children are living and moving, really appealing to the heart as would their living representatives." For Tuckerman, children keep "before our senses and soul forever . . . the evidence of innocent, spontaneous, complacent human life when near its source, full of teaching for the loftiest intellect, of consolation for the saddest heart, of faith and hope for the most distrustful."<sup>50</sup>

Perhaps this is one reason why Benzoni's sculpture became Elizabeth's memorial; Tuckerman suggested that the depiction of an innocent child was even at "the grave" a "redeeming presence" that offered "consolation for the saddest heart." At a time when cemetery visits were far more frequent than today, one can imagine the comfort Martha received from contemplating *Innocence Protected by Fidelity* above her sister's grave, particularly as it originally appeared, its glowing white marble a dramatic and spiritualized contrast with Green Mount's deep green vegetation. We can only speculate, however, because after Kennedy's death in 1870 we know little of Elizabeth and Martha's lives, and nothing specific about the emotions behind or the arrangements made for Elizabeth's gravemarker. No records appear to exist documenting who created the base or if it was installed before or after Elizabeth's death.<sup>51</sup> While it may well be "simply a favorite carving that she or perhaps some trustee chose for her grave," as Lancaster suggested, surely it was Martha and Elizabeth's adherence to "true womanhood," their family's sentimentality, and the sculpture's correlation with current discourse on children's innocence and death that prompted Martha to use it to mark the loss of her beloved sister in the highly charged context of their family lot at Green Mount Cemetery.



## *Innocence in the Cemetery*

The migration of Benzoni's sculpture from the home to the cemetery does raise new questions of interpretation. What did it mean in such a distinctive context, which, despite the rural cemeteries' emphasis on beauty, was so pervasively death oriented? Although unusual for a gravemarker, *Innocence Protected by Fidelity* is in several important ways thematically consistent with persistent motifs found in the rural cemeteries, which clarify its implications for cemetery visitors. As Tuckerman suggested, children's innocence resonated "at the grave," perhaps even more so because of their high death rates at this time. Monuments depicting sleeping children like *Innocence* are particularly prevalent. Intriguingly, Benzoni's sculpture was not unique in its transition from domestic to memorial sculpture. This is a phenomenon demanding more attention because it reinforces the parallels drawn between the home and the rural cemeteries. As we will see, sculpture enjoyed at home appears to have existed comfortably in the cemetery, although meaning shifted as location changed.

The carved flowers of *Innocence Protected by Fidelity* are one of the cemetery's most prevalent motifs. While placing real flowers by or within graves is believed to date to Neolithic times, this practice became more pronounced during the nineteenth century, consistent with the rural cemetery movement's conflation of the burial ground and the garden and a surge of national interest in botany. Contemporary prints, photographs, and even tombstones depict graves mounded with flowers. This interest extended to



*Arunah and Mary Fox Abell Gravemarker, n.d. (after 1858?).*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)

carved plants that decorate the simplest to the most complex gravemarkers. At Green Mount, the latter is represented by the memorial to Arunah Abell (1806–88), founder of the *Baltimore Sun*, and his wife, a large marble sarcophagus decorated with elaborate sprays of roses, sunflowers, ivy, ferns, and other botanically accurate plants carved by leading Baltimore marble worker, Hugh Sisson. So intricate is the carving that a transparent container encases the entire monument, protecting it from the elements that effaced Elizabeth's marker. This protection allows viewers to identify precisely the plant types, important in the nineteenth century because they were not simply decorative. An elaborate "language of flowers" existed, an aspect of sentimental culture promoted by books and women's magazines. Cemetery visitors "read" the deceased's characteristics through the plants depicted on their gravemarkers. All carved flowers in the cemetery serve as reminders of life's brevity and beauty, but more specific symbols include flower buds marking children's graves (often with broken stems, accompanied by epitaphs noting the child will "bloom in heaven"), open roses for women, and sheaves of wheat for the elderly, all found in numerous examples at Green Mount. Yet plant symbolism was not always consistent; a particular plant could have multiple meanings depending on its context and the resource consulted.<sup>52</sup>

*Innocence's* floral wreath may also have reminded viewers of the contemporary fashion for elaborate mourning wreaths, also frequently carved on monuments. Of its flowers, outside the cemetery daisies usually symbolized innocence and purity and morning glories youth and the bonds of love. Both open and close with the sun, and so embody the ephemeral, consistent with Benzoni's sculpture's emphasis on childhood's passing. The partially opened roses at the girl's side and the wreath's front also support a narrative emphasis on transition in that they are not buds, symbolizing childhood, nor fully opened, symbolizing womanhood.

Each flower in the wreath can be found carved on gravemarkers throughout the rural cemeteries, although with slightly different connotations. Daisies often marked children's graves (again indicating innocence), and morning glories symbolized resurrection. Roses, representing purity and grace, most often decorated women's stones, and were connoted as feminine because they are delicate blooms that need care and have long associations with Venus and the Virgin Mary. Again, the symbolism is not always consistent. At Green Mount roses also decorate men's gravestones—see those placed at the female figure's feet (p.172)—perhaps because they are most strongly associated with love.

Dogs are also present in rural cemetery sculpture. They function primarily as guardians, but here they guard the grave; much like Benzoni's dog, they imply fidelity, loyalty, and vigilance. In the cemetery they also suggest the ancient belief in the dog's role as the soul's protector on its journey to the afterlife. Dogs appear in cemeteries both singly and with human accompaniment and can be symbolic or depict actual dogs owned by the deceased. At Green Mount a dog sculpture is featured on the grave of William McKendree, who died in 1873. His headstone supports a neoclassical mourner, head bent and hands clasped, faced by an alert dog on the footstone. A much smaller, more



*William McKendree Gravemarker, ca. 1873.*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)



*Unidentified Gravemarker, n.d.*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)

worn monument, probably for a child, features only a small dog, perhaps a beloved pet or a comforting, watchful presence to console the bereaved parents. Although the deceased’s name is gone, the signature of the maker—Bevan & Sons, a prominent Baltimore marble working firm—is still visible on the marker’s base.<sup>53</sup>

But the most obvious reason why *Innocence Protected by Fidelity* reflects other cemetery sculpture is that the girl is asleep. While outside the cemetery her dormancy created the narrative’s drama, in the cemetery images of sleeping children were common euphemisms for death. Although child mortality rates improved during the nineteenth century, even late in the period about one in five died before age five.<sup>54</sup> Envisioning a child asleep rather than dead was consistent with romanticism’s view that death, like sleep, was temporary, and reunion awaited in heaven. As noted, Benzoni’s sculpture accentuates the ephemeral; the rose has just fallen from her hand and the dog is about to bark. Things will change, she will wake, in the next instant.

In a cemetery context, then, perhaps it is not the transition from childhood to adulthood that is the sculpture’s most pronounced reading, but the brief transition between death and the life beyond. Correlating sleep and death was “an attempt to soften the anguish of death by treating it with bittersweet sentimentality,” in contrast with bleak earlier gravestone imagery of skulls, skeletons, caskets, and shovels. Also pervasive was the idea that dead children remained the most innocent because they were not sullied by the world, therefore guaranteeing an afterlife in heaven, found especially



*Sisson Children Gravemarker (Sleeping Children), 1859.*  
 (Maryland Historical Society, 2018, photograph by Dan Goodrich.)

in consolation literature written for bereaved parents.<sup>55</sup> Thus Lancaster’s question, “Is it an allegory of death?” although not the sculptor’s original intent, is not inaccurate, for it became one in the cemetery.

The pairing of death and sleep has an ancient origin. The children of the Greek goddess of night, Nyx, were the twins Thanatos (Death) and Hypnos (Sleep). Green Mount features numerous markers depicting sleeping children, including a work considered the most important American sculpture on this theme, William Rinehart’s *Sleeping Children*, a monument for the Sisson children. Depicting two children lying in each other’s arms on a small bed, heads resting on a fluffy pillow, it memorializes five young Sissons whose names are inscribed on the sculpture’s base. Hugh Sisson (1820–1893), the family patriarch, ran a marble-working business in Baltimore—the Sisson name is signed on markers throughout Green Mount, including Mary Tenant Kennedy’s (p.153). Sisson certainly knew Rinehart from his early years as a marble carver for the rival firm Baughman & Bevan, although *Sleeping Children* was carved in Rome, where Rinehart



*William H. Rinehart Gravemarker (Endymion), modeled 1868–74, cast after 1874.*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)

lived after 1858 and where the Kennedys visited him. Sisson commissioned the original version for his family lot in 1859, but like *Innocence Protected by Fidelity*, it captured the popular imagination, certainly because it so aptly embodied innocence, and over twenty versions in marble and plaster exist, including one owned by the Smithsonian American Art Museum.<sup>56</sup>

Another sleeping youth marks the Green Mount grave of Rinehart himself, a bronze version of his *Endymion*, the beautiful shepherd boy with whom Selene, the Greek goddess of the moon, fell in love after gazing upon him asleep. Selene asked Zeus to grant him eternal youth and eternal sleep, so she could see him so each night. The subject was popularized in the nineteenth century by John Keats’s 1818 poem “Endymion,” with the well-known opening line, “A thing of beauty is a joy for ever.” Unlike Rinehart’s *Sleeping Children*, *Endymion* was not intended for the cemetery. Rinehart began the sculpture in 1868 and was still working on the plaster original when he died in 1874; it was later cast in bronze for his grave. Like *Sleeping Children* and Benzoni’s

*Innocence*, *Endymion* testifies to the popularity of the theme of sleep as a metaphor for death. Over a dozen more prosaic images of sleeping children populate Green Mount, usually shown, like *Endymion*, singly and lying on their sides. Although most memorials depicting sleeping children mark children's graves, Green Mount has other examples of sculpted children that memorialize adults like Mrs. Kennedy. While there is no way to prove that Martha or Elizabeth viewed Benzoni's sculpture as consistent with popular motifs in the cemetery, these no doubt shaped the perceptions of those who viewed it at Green Mount.<sup>57</sup>

As noted, it was not unknown for a beloved sculpture to move from the sitting room to the cemetery. Lessing writes of American Joseph Mozier's *The Peri*, 1865, a full-size sculpture of an angel-like being from Persian mythology popularized by Thomas Moore's 1817 poem "Lalla Rookh, An Oriental Romance." Purchased by Adelia Acklen for her Nashville home during a visit to Rome in 1866, it was moved to the family mausoleum in Mount Olivet Cemetery at her death in 1887. Other instances of household sculpture placed in mausoleums or on gravesites exist in the rural cemeteries, consistent with their prioritization of the domestic in ways not possible in smaller burial grounds, especially the emphasis on large family lots and mausoleums that often replicated the domestic space, complete with furniture (usually wrought iron chairs and benches) for sitting to visit loved ones. Facing "eternal sleep" surrounded by one's family, as in the Kennedy-Gray lot, must have assuaged grief. As America industrialized and urbanized, the home was increasingly viewed as distinct from work; as sentimentalists argued, it was a "separate sphere, a retirement or retreat from the larger world," one of many parallels between the home and the rural cemeteries.<sup>58</sup>

Thus, domestic sculpture was relocated to the cemetery, and vice-versa; Rinehart's *Sleeping Children* migrated in the opposite direction, from the cemetery to the parlor. Another example of domestic sculpture installed at Green Mount is of interest because it parallels Benzoni's *Innocence Protected by Fidelity* in uncanny ways. Placed in front of William Black's gravestone is a nearly life-size marble sculpture of a boy dressed in an animal skin, standing, resting his chin on a wooden club, and falling asleep. As with *Innocence*, there is speculation about its meaning. Sources at the cemetery suggest it depicts Little Red Riding Hood and note that it was a favorite of Black, who requested it be placed on his grave. The latter may be true, but the figure's identification is not; it is a sculpture titled *Winter* by Emil Wolff (1802–1879), a contemporary of Benzoni's in Rome who participated in many of the same international exhibitions. It was part of a set depicting four children as the seasons, which Wolfe first sculpted around 1847; allegorizing the seasons as human figures was widespread in nineteenth-century art. *Winter* was the most popular of the four; like Benzoni's *Innocence*, versions appear in recent auctions (the image even graces a nineteenth-century cameo pendant), and it was never intended as a memorial sculpture. It is, however, a comforting image in this context because, like *Innocence*, it depicts a child asleep yet protected, as suggested by a comment on it in *Tallis's History and Description of the Crystal Palace*: "The sly little





*William Black Gravemarker (Winter), n.d. (after 1847).*  
(Maryland Historical Society, 2018, photograph by Dan Goodrich.)



fellow has wrapped himself up in the skin of a wolf, and so snug and comfortable does he look in it, that we can scarcely feel any concern for his having to face the biting blast, which we almost fancy we hear whistling round his well-defended ears." Tallis's misidentification of the cloak as a wolf skin is another indication that, like Benzoni's *Innocence*, its iconography has sparked confusion. Instead it is a lion's skin, inspired by ancient images of Hercules as a child, such as a third-century CE sculpture in the Capitoline Museum in Rome. Despite his youth, Hercules is shown with his primary attributes: wearing the skin of the Nemean lion he killed as the first of his twelve labors, with the head forming a hood, and holding a club (both evident in *Winter*). Placing a child Hercules in the cemetery may seem odd, but another version of *Winter* is in a mausoleum at Cave Hill Cemetery in Louisville, Kentucky, also a rural cemetery.<sup>59</sup> Evidently more than one person thought it appropriate in this context, because, like *Innocence*, a sleeping child resonates "at the grave."

Unlike today's gravemarkers, in the nineteenth-century rural cemetery sculpture was considered fine art, another reason why it was not unusual for sculpture by renowned artists like Benzoni, Rinehart, Mozier, and Wolff to be found in the cemetery. As the art-oriented Kennedys certainly understood and as has been argued, the rural cemeteries were the first place most Americans could view ideal sculpture, for public art museums were rare until after 1880. As noted, several other works from Benzoni's studio appear in American cemeteries; it is unclear, however, if these were designed with a specifically memorial function. Two versions of an untitled work signed "Benzoni" exist, one at Woodlawn Cemetery in The Bronx and one at Bellefontaine Cemetery in St. Louis. They depict a young woman kneeling on a boat's bow, her dress blown by the wind, holding a cross at her chest. Another work by Benzoni entitled *Hope* is at Forest Hills Cemetery in Boston, marking the Bangs-Nye lot. *Hope*, also known as *Hope in God*, was one of Benzoni's most popular works and does not appear to have had a funereal intent, although allegorical figures of Hope with an anchor are common in rural cemeteries (Green Mount has several), as are female figures that represent Faith, shown holding a cross. The parallels between *Hope* and the untitled sculpture—a single female figure in a windblown dress holding a symbolic attribute—suggest that the Benzoni studio may have attempted to capitalize on the popularity of *Hope* with a similar work, perhaps playing on the triumvirate of Faith, Hope, and Charity, also a popular theme in the rural cemeteries.<sup>60</sup>

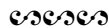
Italian-made markers in American rural cemeteries are not unusual. Although the precise origin of most early stones is unknown, there is anecdotal support for Italy as a source, particularly before the 1880s, when Italian stoneworkers began to immigrate to America en masse. First, there was the prestige of Italian sculpture. Samuel D. Walker, who wrote a series of letters he published together in 1836 urging Baltimoreans to create a rural cemetery, discussed Italian cemetery sculpture: "The tombs and sarcophagi . . . are of the choice productions of the Italian school, through the various stages of improvement that the art has been carried. They reach back to a distant period, and



*Andrew Foster Smith Gravemarker (Faith?),  
Giovanni Battista Benzoni, ca. 1875, Woodlawn Cemetery, NY.  
(Photograph by author.)*

carry their history through the vista of many centuries,” a reference to the tradition of quality sculpture created in Italy since ancient Rome, one factor that made it so popular worldwide in the nineteenth century. Second, early visitors to the rural cemeteries noted the markers’ Italian origin. James Silk Buckingham extolled Mount Auburn’s monuments’ “beautiful design . . . executed from the finest Italian marble, having indeed been made in Italy.” Third, it is likely that the rural cemeteries’ earliest figural sculptures were made in Italy due to the slow development of marble sculpture in America. The continuing preeminence and desirability of Italian marble are clear in late nineteenth- and early twentieth-century advertisements for American marble working firms, some of which had offices in Italy, and articles in newly-formed trade manuals and magazines. The fine white marble of Carrara, Italy, the source of *Innocence*, was particularly popular.<sup>61</sup>

While art historians have ably investigated American expatriate sculptors living in Italy, including their memorial work, the transnational mobility of cemetery sculpture made by Italians in Italy has only begun to be a focus of published scholarship. Most attention is paid to the better-known late nineteenth-century works of Italian origin, such as the *Angel of Grief* at Rome’s Non-Catholic Cemetery by William Wetmore Story (Kennedy’s compatriot in Rome), or the Oneto angel in Staglieno Cemetery, Genoa, by Giulio Monteverdi. Copies of both are found in numerous cemeteries worldwide. This is a subject meriting further investigation, for a range of Italian sculpture in American cemeteries appears to exist, from specially commissioned works by well-known sculptors to stock monuments mass-produced in Italy for American monument dealers. It is a complex and multifaceted phenomenon deserving of more attention, for Italian sculpture may have had a profound impact on what we see in American cemeteries today, suggesting a broad network of exchange that shaped American perceptions of sculpture and memorialization. Among the challenges, however, is the creators’ anonymity because the large majority of cemetery markers are unsigned. Documentation must be sought concerning how Italian cemetery sculpture was ordered and transported, who selected it and why, and what it meant to American patrons. Located in public spaces, cemetery sculpture is unusually accessible, yet precise information about specific stones is often hard to come by, another reason why Mrs. Kennedy’s marker is significant.<sup>62</sup> It is both typical and therefore provides insight, in the ways elaborated above, into trends in memorial sculpture found in America’s rural cemeteries, but it is also unique in that research provides an unusual degree of information about its artist and contemporaneous reactions to it; how it came to Baltimore, the woman who purchased it, and the one whose grave it marks; its implications based on cultural currents of the day; and how meaning shifted as its context changed.



In his dedication address for Green Mount Cemetery in 1839, John Pendleton Kennedy predicted, “This grove now untenanted by a single lodger . . . in the brief space of a few generations, shall become a populous dwelling place of the dead. Hither then will come the inmates of yon rapidly-increasing city, in their holiday walks, to visit

our tombs, and gaze upon the thick-strewed monuments that will meet them on every path. . . . A line traced by the chisel upon the stone shall tell all, and more perhaps than posterity may be concerned to know, about us and our doings."<sup>63</sup>

Unlike most nineteenth-century monuments, Elizabeth Kennedy's gravemarker fulfills her husband's prediction—it tells us more than we would ever expect from "a pretty little statue." It demonstrates that a prominent work of art with a seemingly simple subject, a child asleep with a dog and flowers, had implications in its temporary domestic setting that relate to broader cultural concerns about girls and their transition to adulthood. But in its permanent home in the cemetery, the same elements have different meanings created by its altered milieu, particularly the other works of sculpture that surround it. The sleeping child becomes a metaphor for death, the dog now guards the grave as well as the girl, the flowers still emphasize the ephemeral, but no longer the transition from childhood to adulthood, instead conveying the comforting message that death, like sleep, is only temporary. Martha's selection of *Innocence Protected by Fidelity* as a gravemarker seems now less a confusing choice than evidence of her sensitivity to the multiple implications of Benconi's work and the broader function of memorials, although at heart it is a personal demonstration of love between sisters.

That Elizabeth Kennedy's gravemarker connects to these many factors not only makes it worthy of study, but also emblematic of cemetery sculptures' potential for enriching our understanding of the past.

## NOTES

1. Emily Emerson Lantz, "Do You Know the Street On Which You Live? North Avenue," *Baltimore Sun*, March 2, 1924; R. Kent Lancaster, "Green Mount: The Introduction of the Rural Cemetery into Baltimore," *Maryland Historical Magazine* [hereafter *MHM*] 74, no. 1 (March 1979): 69–70; and Helen Chappell, *The Chesapeake Book of the Dead: Tombstones, Epitaphs, Histories, Reflections, and Oddments of the Region* (Baltimore: Johns Hopkins Press, 1999), 70.
2. The John Pendleton Kennedy Papers are at the Peabody Institute Library. The biographies are, in chronological order: Henry T. Tuckerman, *The Life of John Pendleton Kennedy* (New York: G. P. Putnam and Sons, 1871); Edward Moseley Gwathmey, *John Pendleton Kennedy* (New York: Thomas Nelson, 1931); Charles H. Bohner, *John Pendleton Kennedy: Gentleman from Baltimore* (Baltimore: Johns Hopkins Press, 1961); J. V. Ridgely, *John Pendleton Kennedy* (New York: Twayne, 1966); and Andrew R. Black, *John Pendleton Kennedy: Early American Novelist, Whig Statesman, and Ardent Nationalist* (Baton Rouge: Louisiana State University Press, 2016). Tuckerman's biography is most useful on Kennedy's private life despite inaccuracies that are perhaps due to illness and the vast amount of material with which he worked; Tuckerman died in December 1871. "John P. Kennedy's Widow's Will," *New York Times*, October 27, 1889, notes Elizabeth "gives her husband's library, maps, charts, and other papers to the Peabody Institute after the death of her sister." I thank Amy Kimball of the Peabody Institute Library for providing the list created by David Farris of all books from the Kennedys' bequests.

3. "F. A." is an abbreviation for the Latin phrase *fecit*, "he made," and *anno*, "year"; thus the inscription reads, "G. M. Benzoni made this in the year 1852, Rome." On the perishability of Italian marble, see John P. S. Davis, *Antique Garden Ornament: 300 Years of Creativity: Artists, Manufacturers & Materials* (Suffolk, England: Antique Collectors Club, 1991), 219–20, 224, 231–33. Davis identifies the marble of *Innocence* as Statuary Carrara, favored by sculptors and patrons "because of its pure, clean nature and inherently beautiful creamy colour and surface." Davis compares two versions of *Innocence*, one kept inside and the other outside, which clearly reveals the poor weathering of Carrara marble. The Met's version came from the estate of Lewis M. Rutherford (1816–92) in 1930.
4. Dogs are longstanding symbols of fidelity; the name Fido is based on the Latin root of fidelity, *fides*.
5. Blanche M. G. Linden, *Silent City on a Hill: Picturesque Landscapes of Memory and Boston's Mount Auburn Cemetery*, rev. ed. (Amherst: University of Massachusetts Press, 2007) and David Charles Sloan, *The Last Great Necessity: Cemeteries in American History* (Baltimore: Johns Hopkins Press, 1995), 44–95. On Green Mount's history, see *Prospectus and Terms of Subscription of the Green Mount Cemetery* (Baltimore: John D. Toy, 1839); Lancaster, "Green Mount," 62–79; and Gerald W. Johnson, "An Introduction to the History of Green Mount," *Green Mount Cemetery: One Hundredth Anniversary* (Baltimore: Green Mount Cemetery, 1938), 10–72. An early call for a rural cemetery in Baltimore is S. D. Walker, *Rural Cemetery and Public Walk* (Baltimore: Sands & Neilson, 1835). On previous Baltimore burial grounds, see Stephen J. Vicchio, "Baltimore's Burial Practices, Monuments, and Notions of Grief and Bereavement, 1780–1900," *MHM* 81, no. 2 (Summer 1986): 134–48.
6. Downing is quoted in Elise Madeleine Ciregna, "Museum in the Garden: Mount Auburn and American Sculpture, 1840–1860," *Markers XXI: Annual Journal of the Association for Gravestone Studies* (2004): 120. See also Linden, "Art and Nature Balanced: Creating a Marble History in the Forest Cemetery," in *Silent City*, 175–205.
7. John Pendleton Kennedy, "Address," *The Dedication of Green Mount Cemetery, July 13th, 1839* (Baltimore: Woods & Crane, 1839), 21. See also John Edward Semmes, *John H. B. Latrobe and His Times: 1803–1891* (Baltimore: Norman Remington Co., 1917), 434 and "Dedication of Green Mount Cemetery," *Baltimore Sun*, July 15, 1839. *Report of the Board of Managers to the Proprietors and Lot-Holders of Green Mount Cemetery* (Baltimore: Woods and Crane, 1840), 31, lists Kennedy's ownership of lots M31–34. *Second General Report of the Board of Managers to the Proprietors and Lot-Holders of the Green Mount Cemetery* (Baltimore: John D. Toy, 1848), 47, 52, indicates that Gray owned lots M32 and 34 and Pennington lots M31 and 33, which today are filled with Pennington markers. On Eliza Gray's death, see Tuckerman, *Life of Kennedy*, 249.
8. Kennedy, "Address," 27–28; Tuckerman, *Life of Kennedy*, 250, notes that Gray's epitaph quotes a deathbed statement to his daughters. Elizabeth's monument also has a flat cross extending from the front of the base, with the inscription, "Lord, all pitying, Jesu blest, grant her thine eternal rest," perhaps to clarify that she was a devout Christian despite the secular nature of the sculpture.
9. Lancaster, "Green Mount," 69 and Tuckerman, *Life of Kennedy*, 490.
10. The first quote is from Pierre Munroe Irving, *Life and Letters of Washington Irving* (New York: Putnam, 1867), 4:129. Kennedy's will is included in Tuckerman, *Life of Kennedy*, 480. The memorial tribute is by Kennedy's close friend; [Robert C. Winthrop], "Tributes to

the Memory of Hon. John P. Kennedy," *Proceedings of the Massachusetts Historical Society* (1871): 364. The last quote appears in JPK to Robert C. Winthrop, January 8, 1850, Robert C. Winthrop Papers, Massachusetts Historical Society, quoted in Bohner, *Kennedy*, 59. See also Barbara Welter, "The Cult of True Womanhood, 1820–1860," *American Quarterly* 18, no. 2, part 1 (Summer 1966), 151–74. Black, *John Pendleton Kennedy*, 13, 21, 34–36, 90–93, 264–65n42, addresses Kennedy's admiration for strong women such as his mother, but does not analyze his relationship with Elizabeth in any detail.

11. Lucinda H. MacKethan, introduction to *Swallow Barn; or, a Sojourn in the Old Dominion* (Baton Rouge: Louisiana State University Press, 1986), xv–xvi; Semmes, *John H. B. Latrobe*, 558–66; and Black, *John Pendleton Kennedy*, 150–51. The quote comes from J. Gerald Kennedy, "National Narrative and the Problem of American Nationhood," in *A Companion to American Fiction, 1780–1865*, ed. Shirley Samuels (Hoboken, NJ: Wiley-Blackwell, 2004), 15. On Kennedy's conflicted attitude toward slavery, see Black, *John Pendleton Kennedy*, 2–3, 5, 46–48, 51, 72–73, 97–119, 209–13, 230–40, 250–51, 254.
12. Darley drew *Washington and His Literary Friends at Sunnyside*; Schussele painted it in oils.
13. Henry T. Tuckerman, *Book of the Artists: American Artist Life* (New York: G. P. Putnam and Son, 1867), 181, 631; Tuckerman, *Life of Kennedy*, 481–89, 390; Patricia Dockman Anderson, "A Most Remarkable Group of Men," *MHM* 101, no. 4 (Winter 2006): 401–29; J. Thomas Scharf, *History of Baltimore City and County* (Philadelphia: Louis H. Everts, 1881), 658–59; Patricia Dockman Anderson, "After the War: Embracing the Future and Commemorating the Past," *MHM* 101, no. 4 (Winter 2006): 439–40; and Anna Wells Rutledge, "Early Art Exhibitions of the Maryland Historical Society," *MHM* 42, no. 2 (June 1947): 124–36.
14. Anderson, "A Most Remarkable Group of Men," 422, and "After the War," 436–38. See also Scharf, *History of Baltimore City*, 662–67 and Franklin Parker, *George Peabody, A Biography*, rev. ed. (Nashville, TN: Vanderbilt University Press, 1995), 87–92. The first quote is from Tuckerman, *Life of Kennedy*, 395; the second from John Pendleton Kennedy, *Peabody Institute, Address of the President to the Board of Trustees on the Organization and Government of the Institute* (Baltimore: Peabody Institute, 1870), 20. See also Elizabeth Schaaf, "Baltimore's Peabody Art Gallery," *Archives of American Art Journal* 24, no. 4 (1984): 9–14, and Anna Wells Rutledge, *List of Works of Art in the Collection of the Peabody Institute, Baltimore, Maryland* (Baltimore: Peabody Institute, 1949), 3. Rabillon was a French sculptor who lived in Baltimore, though Kennedy's bust was described as executed in Paris. While the bust is still in the Peabody collection, *Clytie* is now at the Baltimore Museum of Art. The family's interest in the visual arts is also apparent in the library they donated to the Peabody Institute, which contained dozens of books on art.
15. The quote from Kennedy's 1852 journal combines Bohner, *Kennedy*, 54–55, with Tuckerman, *Life of Kennedy*, 120, which is more complete but misdated the journal as 1832, before Green Mount opened. See Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-class Culture in America, 1830–1870* (New Haven, CT: Yale University Press, 1982), 132–33, on the insistence that physical gravemarkers were unnecessary. Poetry in *Godey's Lady's Book* (hereafter *GLB*) reinforces this view. Examples include Samuel Webb, "The Dying Mother," 34 (January 1847): 46. Kennedy, "Address," 22, 26–27, expressed a similar ambivalence about gravemarkers. He complained that "the luxury of sculptured marble dedicated to the dead, often attracts disgust by its extravagant disproportion to the merit of its object," but later described "a rich column on the beetling brow of the hill,

with its tasteful carvings and ambitious sculpture . . . a visible index to that world of character which death has subdued into silence.” My thanks to Wayne Schaumberg for locating Mary and Tenant Kennedy’s gravestone at Green Mount Cemetery.

16. Tuckerman, *Life of Kennedy*, 122–23, 350 and JPK to Edward Gray, June 28, 1828, quoted in Bohner, *Kennedy*, 59–60. Kennedy wrote affectionate letters to Elizabeth frequently during absences from home. See John Pendleton Kennedy Papers (microfilm), ed. John B. Boles (Wilmington, DE: Scholarly Resources, 1972), Maryland Historical Society [hereafter JPK Papers (microfilm), MdHS], roll VI to roll VIII.
17. Tuckerman, *Life of Kennedy*, 138–40, 143–44, 246–56, 352; Bohner, *Kennedy*, 63–67; Henry K. Sharp, *The Patapsco River Valley: Cradle of the Industrial Revolution in Maryland* (Baltimore: Maryland Historical Society, 2000), 52–54, 58, 75–83; and Paul J. Travers, *The Patapsco: Baltimore’s River of History* (Centerville, MD: Tidewater, 1990), 97–100, 166–73, *Homes of American Authors: Comprising Anecdotal, Personal, and Descriptive Sketches* (New York: G. P. Putnam, 1853), 341–46, depicts the villa, labeling it “Residence of J. P. Kennedy, Ellicott Mills, Md.,” although Gray was still living in 1853. See JPK Papers (microfilm), MdHS, roll IV, November 2, 1868, for Kennedy’s description of the devastating effect of the flood.
18. Tuckerman, *Life of Kennedy*, 136, 141–42, 486; see also JPK to Martha Gray, Saratoga Springs, August 21, 1862, JPK Papers (microfilm), MdHS, roll VIII. According to records at the Frick Art Reference Library, Gray paid Sully one hundred dollars for each portrait; Martha was painted in Baltimore between May 12 and May 20 and Elizabeth between May 5 and May 26; see “Sully, Thomas, *Martha Edwards Gray; Mrs. John Pendleton Kennedy (Elizabeth Gray)*,” New York Art Resources Consortium/Arcade, nyarc.org. The records include provenance, but the current location of the portraits is unknown.
19. Tuckerman, *Life of Kennedy*, 10–11. Joy S. Kasson, *Marble Queens and Captives: Women in Nineteenth-Century American Sculpture* (New Haven, CT: Yale University Press, 1990), 3, 16, notes Tuckerman’s fear of the negative effect of America’s business orientation on its social health.
20. Theodore Stebbins, *The Lure of Italy: American Artists and the Italian Experience, 1760–1914*, exhibition catalogue, Museum of Fine Arts Boston (New York: Harry N. Abrams, 1992), especially William H. Gerdtts, “Celebrities of the Grand Tour: The American Sculptors in Florence and Rome,” 66–93; William L. Vance, *America’s Rome*, 2 vols. (New Haven, CT: Yale University Press, 1989); and Paul R. Baker, *The Fortunate Pilgrims: Americans in Italy 1800–1860* (Cambridge, MA: Harvard University Press, 1964). See also Lauren Keach Lessing, “Presiding Divinities: Ideal Sculpture in American Domestic Interiors” (PhD diss., Indiana University, 2006), 18, 21.
21. Tuckerman, *Life of Kennedy*, 253–63, 278–305. On the exhibition, see *Catalogue to the Treasures of the United Kingdom Collected at Manchester in 1857*, 2nd ed. (London: Bradbury and Evans, 1857).
22. JPK Papers (microfilm), MdHS, “Journal of a Tour in Europe beginning August 1857 and ending October 1858,” vol. 1, roll V, item 11(a), discusses Florence. Roll III, with the journal entries on Kennedy’s move to the new home, is lost. John Pendleton Kennedy Papers, Peabody Institute, vols. XI–XII, for December 1859 through February 1860, detail the move, and on January 17, 1860, mention picking up twenty-eight paintings he stored at the Maryland Historical Society. See also Tuckerman, *Life of Kennedy*, 140.

23. Tuckerman, *Life of Kennedy*, 300–01. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe beginning August 1857 and ending August 1858," vol. 1, roll V, item 11(a), January 4–6, 1858, discusses Naples.
24. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe beginning August 1857 and ending August 1858," vol. 1, roll V, item 11(a), January 30, 1858, notes the arrival in Rome; February 4, 1858, the visit to Crawford's studio; February 6, 1858 and March 18, 1858, the visits to Hosmer; February 6 also to Gibson and Bartholomew; and March 1 and March 8, 1858, visits to see Michelangelo's *Moses* and the Capuchin Chapels. See Gerdts, "Celebrities of the Grand Tour," and Lauren Keach Lessing, "Presiding Divinities," 8, on American sculptors in Rome. On American patronage abroad, see Kasson, *Marble Queens*, 17.
25. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe beginning August 1857 and ending August 1858," vol. 1, roll V, item 11(a), describes the visit to the Protestant Cemetery between March 18 and April 14, 1858; Elizabeth Gray Kennedy, "Album of pressed plants collected during a tour of Europe" (unpublished manuscript, Baltimore 1858), Yale Center for British Art, Rare Books and Manuscripts, 34. See also Kasson, *Marble Queens*, 21–25.
26. [Winthrop], "Tributes to the Memory of Hon. John P. Kennedy," 8; Bohner, *Kennedy*, 229–33; and John Pendleton Kennedy, *At Home and Abroad: A Series of Essays: with A Journal of Europe in 1867–68* (New York: G. P. Putnam and Sons, 1872), 274–86. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe, November 20, 1866 to March 16, 1867," vol. 2, roll V, item 13(b), addresses his first stay in Rome on this trip.
27. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe, March 17, 1867 to May 8, 1867," vol. 3, roll V, item 13(c); Tuckerman, *Life of Kennedy*, 457–58; and Kennedy, *At Home and Abroad*, 291. On Kennedy as a commissioner and juror, see William Phipps Blake, ed., *Report of the United States Commissioners to the Paris Universal Exposition, 1867*, vol. 1 (Washington, DC: Government Printing Office, 1870), 34, 116, 120, 129, 130, 131, 183, 184. *Catalogue general; exposition Universelle de 1867 à Paris. Oeuvres* (London: J. M. Johnson & Sons, 1867), 1:194, lists "Classe 3. – Sculptures et Gravures sur Médailles," "Benzoni (Cier Giovanni Maria), à Rome. 7. S. S. le pape Pie IX"; see also Francesco Petrucci, ed., *Papi in Pose: 500 Years of Papal Portraiture*, exhibition catalogue, John Paul II Cultural Center, Washington, DC (Rome: Gangemi Editore, 2005), 166–67.
28. Tuckerman, *Life of Kennedy*, 457. JPK Papers (microfilm), MdHS, "Journal of a Tour in Europe, November 20, 1866 to March 16, 1867," vol. 2, roll V, item 13(b), March 3, 1867, notes the visit to Verano Cemetery. On Benzoni's tomb, see Giuseppe Rota, *Un artista bergamasco dell'Ottocento: Giov. Maria Benzoni, nella storia della scultura e nell'epistolario familiare* (Bergamo: S. Alessandro, 1938), 229. Kennedy noted visits to Story on March 3, 5, 9, 10, and 12, 1867, and March 22 and April 3, 1868, in JPK Papers (microfilm), MdHS, "Journal of a Trip to Europe, January 1 to May 19, 1868," vol. 6, roll VI, item 13(f). On March 15, 1868, Kennedy mentioned Story's "monumental statue of Mr. Peabody"; see also Mary E. Phillips, *Reminiscences of William Wetmore Story* (Chicago: Rand, McNally and Company, 1897), 155; and Parker, *George Peabody*, 170–71. Kennedy visited Rogers and Mozier on March 4, 1867, Ives on March 5, when he also mentioned Chapman, and his exhaustion with studio visits. See also Kennedy, *At Home and Abroad*, 273–74. JPK Papers (microfilm), MdHS, "Journal of a Trip to Europe, November 20, 1866 to March 16, 1867," vol. 2, roll V, item 13(b), March 14, 1867, on the visit to Rinehart.



29. JPK Papers (microfilm), MdHS, "Journal of a Trip to Europe, January 1 to May 19 1868," vol. 6, roll VI, Item 13(f), May 16, 1868. Maquay, Pakenham and Hooker was an English banking firm with offices on the Piazza d'Espagna, listed in Kennedy's guidebook, John Murray, *A Handbook of Rome and Its Environs*, 8th ed. (London: J. Murray, 1867).
30. See Lessing, "Presiding Divinities," for the roles sculpture played in domestic settings and Lauren Lessing, "Angels in the Home: Adelecia Acklen's Sculpture Collection at Belmont Mansion, Nashville, Tennessee," *Winterthur Portfolio* 45, no. 1 (April 2011): 40–57. For evidence of the lavishness of the Madison Street home, see the advertisements, for the auctions held after Martha's death, in the *Baltimore Sun*, June 18 and 20, 1895, which list "fine old oil paintings and engravings, beautiful and rare vases," "Embroidered Black Satin Divan and Chairs . . . Very Costly Teakwood and Ebony Corner Cabinet with Ivory Inlaying . . . Renaissance Carved Chairs . . . Majolica Tile Jardiniere, Real Bronze Figures, Japanese Standing Vases, Pompeian Terra Cottas, Wood Carvings . . . English Prints, Engravings . . . Antique Royal Dresden . . . Extra Fine Old Heavy English Cut Glass, in great variety . . . [and] Fine Old Engravings, Rare Old Prints, Lithographs."
31. Murray, *Handbook of Rome*, xlii, and Augustus J. C. Hare, *Walks in Rome* (London: Strahan and Company, 1872), 1:31. Eleanora Delzano, "Inventario, Giovanni Maria Benzoni," Civica Biblioteca Angelo Mai, Bergamo (legacy.bibliotecamai.org), includes a cache of letters from Benzoni to patrons and friends in Bergamo, summarized and quoted online. On the studio move, see Benzoni to Aurelio Carrara, May 7, 1839. See also Rota, *Benzoni*, 91–106. *Harper's Handbook for Travelers in Europe and the East*, 4th ed. (New York: Harper and Brothers, 1865), 331. Benzoni is not widely addressed in English language scholarship; most useful are Antonia Böstrom, "Giovanni Maria Benzoni, Randolph Rogers, and the Collecting of Sculpture in Nineteenth-Century Detroit," *Sculpture Journal* 4 (2000): 151–59, and Alan P. Darr, Peter Barnet, and Antonia Böstrom, *Catalogue of Italian Sculpture in the Detroit Institute of Arts* (London: Harvey Miller, 2002), 2:108–11.
32. For Benzoni's biography, the most thorough resource is Giuseppe Rota, *Benzoni*, although it has a number of inaccuracies, particularly in the spelling of English names and inconsistent dates for Benzoni's work; also helpful are Eleanora Delzano, "Cronobiografia di Giovanni Maria Benzoni," (legacy.bibliotecamai.org) and Roberta Bertazzoni, "Giovanni Maria Benzoni, 1809–1873" (Songavazzo, 2009), (antiqua.mi.it). "Maria" was often used as a male middle name to signify devotion to the Virgin Mary. On Benzoni as a successor of Canova, see Cinzia Sicca and Alison Yarrington, introduction to *The Lustrous Trade: Material Culture and the History of Sculpture in England and Italy, c. 1700–c. 1860*, eds. Cinzia Sicca and Alison Yarrington (London: Leicester University Press, 2000), 10 and Böstrom, "Giovanni Maria Benzoni," 152. On the roles of sculptors and their assistants, see Benedict Read, "The Making of Sculpture," in *Victorian Sculpture* (New Haven, CT: Yale University Press, 1982), 49–65, and Martina Droth, "The Ethics of Making: Craft and English Sculptural Aesthetics, c. 1851–1900," *Journal of Design History* 17, no. 3 (2004): 223–25. See H. W. Janson, *19th-Century Sculpture* (New York: Harry N. Abrams, 1985), 85, 96, 156–57, and Rota, *Benzoni*, 112–13, 116–17, on mid- to late-nineteenth-century Italian realism in sculpture.
33. Delzano, "Cronobiografia di Giovanni Maria Benzoni"; "Giovanni Maria Benzoni: Catalogo opera 1850–1860" and "Giovanni Maria Benzoni: Catalogo opera 1861–1873" (antiqua.mi.it) and Gerdt, "Celebrities on the Grand Tour," 74. See Droth, "Ethics of Making," 225–28, on the Crystal Palace and sculpture. Although Böstrom, "Giovanni Maria Benzoni," 153, states that *Innocence* and *Gratitude* were created as a pair, it is unclear if Benzoni

- originally conceived them this way: the first versions’ dates of creation are ambiguous and Benzoni made multiple copies of each.
34. Royal Commission, *The Official Descriptive and Illustrated Catalogue of the Great Exhibition of the Works of Industry of all Nations 1851* (London: Spicer Brothers, 1851), 4:1286. [John Tallis and Jacob George Strutt], *Tallis’s History and Description of the Crystal Palace, and the Exhibition of the World’s Industry in 1851* (London: John Tallis, 1851), 1:43. This portion appears to have been written by Sarah Stickney Ellis, though she is not credited. Sarah Ellis, “The Exhibition: The Fine Arts,” *The Morning Call: A Table Book of Literature and Art* 4 (c. 1851), 233–40, published by Tallis, reproduced this passage and most of the essay exactly. Rota, *Benzoni*, 207–11, writes of the Crystal Palace and Benzoni, listing twenty-seven commissions for British clients, but does not provide specific dates. On the politics of international exhibitions, see Alison Yarrington, “‘Made in Italy’: Sculpture and the Staging of National Identities at the International Exhibition of 1862,” in *Performing National Identity: Anglo-Italian Transactions*, eds. Manfred Pfister and Ralf Hertel (Amsterdam: Rodopi, 2005), 75–99.
  35. [Tallis and Strutt], *Tallis’s History and Description of the Crystal Palace*, vol. 1, pt. 2, 241–43; and [George Routledge], *A Guide to the Great Exhibition; Containing Descriptions of Every Principle Object of Interest* (London: George Routledge, 1851), 166. See also Droth, “Ethics of Making,” 225–28; Yarrington, “‘Made in Italy,’” 79, 94–96; and Sandra Berresford, *Italian Memorial Sculpture 1820–1940: A Legacy of Love* (London: Frances Lincoln, 2004), 50–68.
  36. William Clark, *The Crystal Palace and Its Contents; Being an Illustrated Cyclopaedia of the Great Exhibition of the Art of All Nations, 1851* (London: W. M. Clark, 1852), 64; William Little, “The Great Exhibition,” *Exhibition Supplement to The Illustrated London News* 18, no. 493 (June 7, 1851): 522; and Janson, *19th-Century Sculpture*, 112.
  37. Benzoni to Aurelia Carrara, September 16, 1837, [legacy.bibliotecamai.org](http://legacy.bibliotecamai.org). The iconography of *Innocence Protected by Fidelity* appears to be fairly unique. I have not seen this exact theme in any other marble sculpture and it appears to have no literary origin. There is a print after a painting by Henri Pierre Danloux titled *Innocence Protected by Fidelity*, 1801, but it shows a small dog sitting apart from an infant asleep on a mattress and pillow, snarling at the viewer; see [http://www.britishmuseum.org/research/collection\\_online/collection\\_object\\_details/collection\\_image\\_gallery.aspx?assetId=1222378001&objectId=3421092&partId=1](http://www.britishmuseum.org/research/collection_online/collection_object_details/collection_image_gallery.aspx?assetId=1222378001&objectId=3421092&partId=1) (last accessed August 24, 2016). Auguste Lechesne exhibited a plaster sculpture at the Crystal Palace titled *Child Protected from a Snake by a Dog*, depicting a very young nude boy attacked by a large serpent who is in turn attacked by a large dog. The date of creation is unclear, but its plaster medium suggests it was in an early stage.
  38. Florentia [Frances Dickinson, Frances Minto Elliot], “A Walk through the Studios of Rome, Part II,” *The Art-Journal* 6 (October 1, 1854): 288–89. Benzoni recognized the article’s significance; see Benzoni to Giovanni Finazzi, December 30, 1854, ([legacy.bibliotecamai.org](http://legacy.bibliotecamai.org)), which noted, of his sculpture *Eve*, “that a British journalist visiting his studio preferred this to all of his works and widely praised it in an article appearing in the ‘British sheets.’” See also Rota, *Benzoni*, 486–96.
  39. *Exposition Nationale. Catalogue des Ouvrages de Peinture, Sculpture, Architecture, Gravure et Dessin, exécutés par des artistes vivant et exposés au Salon d’Anvers, ouvert par la Société Royale pour l’encouragement des Beaux-Arts, le 4 Août 1861* (Anvers [Antwerp]: J. P. Van Dieren, 1861), 193. See also Rota, *Benzoni*, 223–25, 227–37.

40. Rota, *Benzoni*, 99, 311, 317, 480. Although not a comprehensive list of all exhibitions in the US, the Smithsonian's Pre-1877 Art Exhibition Catalogue Index includes eight of Benzoni's works appearing in North American exhibitions. Smithsonian American Art Museum, Smithsonian Institution Research Information System [SIRIS], "Pre-1877 Art Exhibition Catalogue Index," (artexhibition.si.edu). For more on Benzoni's work, see Victoria C. Gardner Coates, Kenneth Lapatin, and Jon L. Seydl, *The Last Days of Pompeii: Decadence, Apocalypse, Resurrection*, exhibition catalogue, J. Paul Getty Museum, Los Angeles (Los Angeles: Getty Publications, 2012), 144–46.
41. Many scholars trace the popularity of this theme to Joshua Reynolds's portrait *The Age of Innocence*, c. 1775–78, although its title was added in 1794 by an engraver, after Reynolds's death. A SIRIS, "Pre-1877 Art Exhibition Catalogue Index," search for "Innocence, Sculpture," lists twenty-eight works with titles that include the word "innocence." The majority appear to be by Italian sculptors. M. D. Conway, "The Great Show at Paris Again," *Harper's New Monthly Magazine* 35 (November 1867): 784. Hugh Cunningham, "Introduction," in *Children and Childhood in Western Society since 1500*, 2nd ed. (Harlow, UK: Pearson Education Limited, 2005), 1–17, 41, 42. See also Laura Groves Napolitano, "Nurturing Change: Lilly Martin Spencer's Images of Children" (PhD diss., University of Maryland, 2008), 22–43.
42. Of course, earlier scholars addressed sentimentalism in American literature. See Herbert Ross Brown, *The Sentimental Novel in America* (Durham, NC: Duke University Press, 1940) and Leslie A. Fiedler, *Love and Death in the American Novel* (New York: Stein and Day, 1960), but Ann Douglas, *The Feminization of American Culture* (New York: Alfred A. Knopf, 1977), spurred feminist and postmodern approaches to the subject; see also Shirley Samuels, "Introduction," in *The Culture of Sentiment: Race, Gender, and Sentimentality in Nineteenth-Century America*, ed. Shirley Samuels (New York: Oxford University Press, 1992), 4 and Glenn Hendler, María Carla Sánchez, and Jennifer Travis, "Twentieth-Anniversary Reflections on *The Culture of Sentiment: Race, Gender, and Sentimentality in Nineteenth-Century America* edited by Shirley Samuels," in *Legacy: A Journal of American Women Writers* 31, no. 1 (2014): 122–28. On men and sentiment, see Mary Chapman and Glenn Hendler, eds. "Introduction," *Sentimental Men: Masculinity and the Politics of Affect in American Culture* (Berkeley: University of California Press, 1999), 1–18.
43. Halttunen, *Confidence Men*, 75–86. See also Isabelle Lehuu, "Sentimental Figures: Reading *Godey's Ladies' Book* in Antebellum America," in *The Culture of Sentiment*, ed. Samuels, 73–91. Lessing, "Presiding Divinities," 7, 15, describes the "sentimental object." Tuckerman, *Life of Kennedy*, 13, 219, 21; James Russell Lowell, "Tributes to the Memory of Hon. John Pendleton Kennedy," 13; Vincent J. Bertolini, "Fireside Chastity: The Erotics of Sentimental Bachelorhood in the 1850s"; and Kirsten Silva Gruesz, "Feeling for the Fireside: Longfellow, Lynch, and the Topography of Poetic Power," in *Sentimental Men*, ed. Mary Chapman and Glenn Hendler, 19–42, 43–63.
44. Holly Pyne Connor, "The Flowering of Girlhood Narratives, 1850–1870," in *Angels and Tomboys: Girlhood in Nineteenth-Century American Art*, ed. Holly Pyne Connor, exhibition catalogue, Newark Museum of Art (San Francisco: Pomegranate, 2012), 21; Claire Perry, *Young America: Childhood in 19th-Century Art and Culture*, exhibition catalogue, Iris & B. Gerald Cantor Center for Visual Arts, Stanford University (New Haven, CT: Yale University Press, 2006), 34–71; and Sarah Holdworth and Joan Crossley, *Innocence and Experience: Images of Children in British Art from 1699 to the Present*, exhibition cata-

- logue, Manchester City Art Galleries (Bow, UK: Pale Green Press, 1992). Connor, “Angel Children: Defining Nineteenth-Century Girlhood,” in *Angels and Tomboys*, 15, 21, 29, 35, 38, 43 discusses the consistency of images of girls and their popularity in the 1860s; see also Perry, *Young America*, 4, 37–39, 41, 43–47, 60.
45. Tuckerman, *Life of Kennedy*, 34, 35, 203–16.
  46. Anne Higonnet, *Pictures of Innocence: The History and Crisis of Ideal Childhood* (London, Thames & Hudson, 1998), 8, 27, 30, 36–38; Anne Lesme, “Depiction of 19th-Century American Girls in Paintings and Photographs: Lack of Agency and Empowerment,” *Nuevo Mundo, Mundos Nuevos*, (journals.openedition.org); and Perry, *Young America*, 38. See also David Lubin, “Guys and Dolls: Framing Femininity in Post-Civil War America,” in *Picturing a Nation: Art and Social Change in Nineteenth-Century America* (New Haven, CT: Yale University Press, 1994), 204–71 and Lauren Lessing, “Re-Reading Seymour Guy’s *Making a Train*,” *American Art* 25, no. 1 (Spring 2014), 96–111. The comment of studio visitors is in Bertazzoni, “Giovanni Maria Benzoni.” Whether Benzoni intended this reading, or contemporaneous viewers recognized it, is difficult to say, and as is apparent in Lubin and Lessing cited above, debated by scholars who study images of girls. See also Jane H. Hunter, *How Young Ladies Become Girls: The Victorian Origins of American Girlhood* (New Haven, CT: Yale University Press, 2003), 124–26. On Canova’s eroticism and the latent sensuality of nineteenth-century sculpture, see Kasson, *Marble Queens*, 8, 17, and Lessing, “Presiding Divinities,” 34. The final quote is from Loren Lerner, “Innocence,” in *Girl Culture: An Encyclopedia*, eds. Claudia A. Mitchell and Jacqueline Reid-Walsh (Westport, CT: Greenwood, 2008), 2:366.
  47. Wendy J. Katz, “Lily Martin Spencer and the Art of Refinement,” *American Studies* 42, no. 1 (Spring 2001): 19, and Perry, *Young America*, 63–64.
  48. On Mary as the Immaculate Conception, see Benzoni to Giovanni Finazzi, September 26, 1856, (bibliotecamai.org). On *Monument to Peace*, see Bertazzoni, “Giovanni Maria Benzoni,” and Florentia, “Studios of Rome,” 289. See also Janson, *19th-Century Sculpture*, 76–77. Lorenzo Bartolini, *The Nymph and the Snake*, before 1850 (Accademia Gallery, Florence) and Auguste Clésinger, *Woman Bitten by a Snake*, 1847 (Musée d’Orsay, Paris) combine much larger snakes and adult women; here the erotic implications are overt.
  49. Lessing, “Re-reading Seymour Joseph Guy’s *Making a Train*,” 103–104. See also Lauren Lessing, “Roses in Bloom: American Images of Adolescent Girlhood,” in *Angels and Tomboys*, ed. Connor, 117; Kasson, *Marble Queens*, 101; Hunter, *American Girlhood*, 5, 131–33; and Holdworth and Crossley, *Innocence and Experience*, 63–65.
  50. Henry T. Tuckerman, “Children,” *The Galaxy* 4 (July 1867): 315–21. The poem is from Thomas Campbell, “Lines on my New Child-Sweetheart,” 1841, a disturbing read today.
  51. Administrators at Green Mount Cemetery note a lack of records for Elizabeth’s monument. Regarding speculation about Martha’s response to the marker, nineteenth-century mourning is viewed as a nexus of sentimental feeling. See Kasson, *Marble Queens*, 102, 104–106 and Halttunen, *Confidence Men*, 124, 127–34, who also emphasizes the rural cemeteries’ role in this “cult of mourning” because their beauty encouraged repeat visits and the enacting of mourning ritual, in contrast with unpleasant earlier burial grounds. The explosion of consolation literature reinforced this role by instructing readers how to mourn, as evident in *Godey’s Lady’s Book*, which is suffused with content related to death

- and mourning. Robert Criswell, Jr., "The Congressional Burial-ground," *GLB* 41 (August 1850): 76, quotes Washington Irving: "The sorrow for the dead is the only sorrow from which we refused to be divorced. Every other wound we seek to heal . . . but this we consider a duty to keep open."
52. Linden, *Silent City*, 155–74; Perry, *Young America*, 50; Elisabeth L. Roark, "Embodying Immortality: Angels in America's Rural Cemeteries, 1850–1900," *Markers XXIV: Annual Journal of the Association for Gravestone Studies* (2007), 82–86; Beverly Seaton, *The Language of Flowers, A History* (Charlottesville: University Press of Virginia, 1995), 11–12; and June Hadden Hobbs, "Say It with Flowers in the Victorian Cemetery," *Markers XIX: Annual Journal of the Association for Gravestone Studies* (2002): 240–71.
  53. The dog in Benzoni's sculpture may have also appealed to the Kennedys because they were dog lovers; see Tuckerman, *Life of Kennedy*, 358. See also Ciregna, "Museum in the Garden," 117–20 and Linden, *Silent City*, 192.
  54. Samuel H. Preston and Michael R. Haines, *Fatal Years: Child Mortality in Late Nineteenth-Century America* (Princeton, NJ: Princeton University Press, 1991) and Sylvia D. Hofert, "'A Very Peculiar Sorrow': Attitudes toward Infant Death in the Urban Northeast, 1800–1860," *American Quarterly* 39 (1987): 601–16.
  55. Thayer Tolles, ed., *American Sculpture in the Metropolitan Museum of Art* (New Haven, CT: Yale University Press, 2000), 1:39. See also Napolitano, "Nurturing Change," 26–27, 29–31; Ellen Marie Snyder, "Innocents in a Worldly World: Victorian Children's Grave-markers," in *Cemeteries and Gravemarkers: Voices of American Culture*, ed. Richard E. Meyer (Logan: Utah State University Press), 13–14, on the purity of dead children; and Linden, "Sentimentality and the 'Sculptured' Cemetery," in *Silent City*, 274–77. The romantic conflation of children and flowers and the belief that dead children were most innocent appear in Grace Greenwood [Sarah Jane Lippincott], "A Spring Flower," *GLB* 32 (May 1848): 253. See also Kasson, *Marble Queens*, 109–17, on sleep/death correlations in sculpture, and Mary Louise Kete, *Sentimental Collaborations: Mourning and Middle Class Identity in Nineteenth-Century America* (Durham, NC: Duke University Press, 2000), 4–7.
  56. Rinehart's concept was not original but probably based on well-known earlier works depicting sleeping children, such as Francis Chantry's *Sleeping Children (Monument to Ellen Jane and Marianne Robinson)*, 1817, a British memorial sculpture published as a print sold in America. See also Alfred Huidekoper, *Glimpses of Europe in 1851 and 1867–68* (Meadville, PA: Alfred Huidekoper, 1882), 184; William H. Gerdtz, "American Memorial Sculpture and the Protestant Cemetery in Rome," in *The Italian Presence in American Art, 1860–1920*, ed. Irma B. Jaffe (New York: Fordham University Press, 1992), 133–49; and Tolles, *American Sculpture*, 105–06.
  57. Annette Stott, "The Baby-in-a-Half-Shell: A Case Study of Child Memorial Art in the Late Nineteenth Century," *Nineteenth-Century Art Worldwide* 7, no. 2 (Autumn 2008). The implication that dead children are merely asleep was also common in post-mortem photography, which flourished in the decades after the public presentation of the camera in 1839. See Napolitano, "Nurturing Change," 38 and Karen Sánchez-Eppler, "Then When We Clutch Hardest: On the Death of a Child and the Replication of an Image," *Sentimental Men*, 64–85.
  58. Lessing, "Angels in the Home," 50–57, and Kasson, *Marble Queens*, 3. The quote is from Halttunen, *Confidence Men*, 58. See also Sloan, *Last Great Necessity*, 70–72 and Kent

Worpole, *Last Landscapes: The Architecture of the Cemetery in the West* (London: Reaktion Books, 2003), 159.

59. Lessing, “Angels in the Home,” 48–49 and Frederick N. Rasmussen, “A life lived among the dead: Mike Tuite is retiring after four decades of taking care of the memories buried at Green Mount Cemetery,” *Baltimore Sun*, January 4, 2009. *Tallis’s History and Description of the Crystal Palace*, vol. 1, pt. 2, 246–47; although misidentified as M. Albert Wolff, another German sculptor active at the time, the studio location and works discussed make it clear that the reference is to Emil Wolff. See also Eugène Plon, *Thorvaldsen: His Life and Work*, 2nd ed., trans. Isaphene M. Luster (Boston: Roberts Brothers, 1892), 236n6. For the sculpture of *Winter* at Cave Hill Cemetery, see Samuel W. Thomas, *Cave Hill Cemetery: A Pictorial Guide and History of Louisville’s “City of the Dead”* (Louisville, KY: Cave Hill Cemetery, 2001), 79.
60. Ciregna, “Museum in the Garden,” 101–102. Woodlawn’s monument marks the grave of Andrew Foster Smith, who died in Rome in 1876 at the age of twenty. The signature appears to be “G. B. Benzoni,” and the date 1875; if this reading is correct, the sculpture must be by Giovanni Battista Benzoni, the artist’s son, who maintained his father’s studio after 1873 and continued to produce copies of his work; see Rota, *Benzoni*, 329–31. On Benzoni’s funerary work, see Rota, *Benzoni*, 457–61, 463–64.
61. Walker, *Rural Cemetery*, 16. Buckingham is quoted in Linden, *Silent City*, 184. See Ciregna, “Museum in the Garden,” 104–05. “Stone Quarries and Beyond,” ([quarriesandbeyond.org](http://quarriesandbeyond.org)) provides links to marble trade magazines available online, including *The Monumental News* and *Stone: An Illustrated Magazine*. See also Annette Stott, *Pioneer Cemeteries: Sculpture Gardens of the Old West* (Lincoln: University of Nebraska Press, 2008), 197–204 and Elise Madeliene Ciregna, “The Lustrous Stone: White Marble in America, 1780–1860” (PhD diss., University of Delaware, 2015).
62. An early case study of this phenomenon is Theodore A. Gants, “Odoardo Fantacchiotti: His American Commissions,” in *Due secoli di scultura attraverso la bottega Fantacchiotti-Gabbrielli*, exhibition catalog, Villa Renatico Martini, Florence (Florence Edizioni Polistampa, 1995), 89–117. My thanks to Cecilia Chewning, Spring Grove Cemetery, Cincinnati, OH for bringing this reference to my attention. An early non-academic discussion is Sybil F. Crawford, “Imitation: A World of Cemetery Look-Alikes,” *AGS Quarterly* 27, no. 3 (Summer 2003), 8–11. See also Franco Sborgi, “Companions on the Final Journey: Reflections on the Image of the Angel in Funerary Sculpture during the Nineteenth and Twentieth Centuries,” trans. Alison Packer, in Berresford, *Italian Memorial Sculpture*, 200–213; Luca Bochicchio, “Transported Art: 19th-Century Italian Sculptures Across Continents and Cultures,” *Material Culture Review* 74/75 (Spring, 2012): 70–85; and Cynthia Mills, *Beyond Grief: Sculpture and Wonder in the Gilded Age Cemetery* (Washington, DC: Smithsonian Institution Scholarly Press, 2014), 165–177.
63. Kennedy, “Address,” 33.

# Contextualizing American Gypsies: Experiencing Criminality in the Colonial Chesapeake

ANN OSTENDORF

LATE ONE SUNDAY EVENING AT THE END OF AUGUST 1767, three servant men ran away from the forges where they worked along the Patuxent River about twenty miles south of Baltimore in Anne Arundel County in the colony of Maryland. They had only been in the area for about six weeks after arriving aboard the ship *Thornton* that had departed London two months earlier. Joseph, William, and John Smith had been brought to Maryland as convicts and then bound to work for Thomas, Samuel, and John Snowden at their Patuxent Iron Works. The Snowdens' regular procurement of runaway advertisements indicates their struggle to retain all the servants whose labor they purchased. Even a cursory examination of mid-eighteenth-century Chesapeake newspapers reveals the regularity of servants, including bound convicts, absconding from their situations. Being convict laborers who ran away from industrial servitude in the region situated them among hundreds of other Englishmen who shared these experiences. Little found in the few sources documenting the short time the Smiths lived in the Chesapeake region sets them apart from those of their status, except one single word the Snowdens included in the *Maryland Gazette* advertisement they placed to recapture them. The Snowdens decided when taking out their advertisement to call the Smiths "Gypsies."<sup>1</sup>

What this meant to the Snowdens, the *Maryland Gazette's* readership, or the Smith men while attempting to remain free from bound service is difficult to know. However, we can interrogate this advertisement in the context of what is known about the lives of bound convicts in late colonial Maryland, as well as the assumptions held about Gypsies in the colonies, to better understand the experiences of three of the very few documented Gypsies in colonial British North America. Describing the little that is known about Joseph, William, and John Smith, and situating their story within the contexts of British Gypsy history, contemporary perceptions of "Gypsiness," colonial criminal transportation, ironworks convict servitude, and the runaway experience,

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simultaneously contributes to the limited historiography on North American Gypsies while placing the Gypsy experience into the narrative of colonial Maryland history. Colonial Marylanders' knowledge about and expectations of what it meant to be a Gypsy would have influenced how the Smith men experienced life in colonial Maryland in ways different from other convict servants. Specifically, the assumptions held about Gypsies, especially those held about Gypsy criminality, would have reduced their ability to blend in unsuspected, a condition necessary to their remaining free.

Scholars have referenced the scattered accounts of Gypsies in colonial North America without interrogating further into their lives on the continent or situating them into a broader historical narrative. Though a few scholars have published work on the lives of Spanish *Gitanos*, Portuguese *Ciganos*, and French *Bohemians* in the colonial Americas, none have done so for British colonial Gypsies. Lacking even this minimal historical treatment is especially problematic for the contemporary lives of American Roma (the term now used to refer to the diverse diasporic people whose English branch has traditionally been called Gypsies) who are still regularly mythologized due in part to their absence in historical scholarship. As historian David Cressy writes in his study of Gypsies in early modern England, the "challenge of social history is to connect the most marginal people to the 'political nation,' and to ground that discussion in the widest range of evidence. We can advance this by recognizing Gypsies as figures in the landscape and neglected participants in English history." Situating the lives of colonial North American Gypsies into the historical narrative of the British Atlantic will provide a useful past for scholars and Roma Americans alike as they attempt to alleviate the fearsome and romanticized assumptions about a people outside history.<sup>2</sup>

## British Gypsies in the Colonies

Eighteenth-century British Gypsies descended from some of the original sixteenth-century immigrants, called Egyptians at the time, who arrived in England at the tail end of a diaspora that had begun in India approximately one thousand years earlier. Members of this migration had lived for centuries in the Persian, Byzantine, and Ottoman Empires before arriving in Central and Western Europe during the fifteenth century. During the two-and-a-half centuries between their first appearance in England and the Smiths' voyage to America, Gypsies had assimilated into the local communities where they lived, all the while maintaining a distinct identity. Attitudes they held about themselves, as well as attitudes outsiders held about them, fostered their continuation as a discrete group of people attached to and embedded in English society. As a result of the suspicions many held about them, Gypsies strategically kept much about themselves to themselves, only furthering both the mystery ascribed to them and the misinformation and assumptions held about them.<sup>3</sup>

Only a few instances in the records refer to individual British colonists as Gypsies, making it difficult for historians to construct a narrative of their experiences. The court



and transportation records in which they commonly appear reveal experiences similar to other poor and marginalized people whose lives remained undocumented unless they ran afoul of state expectations. Care should be taken not to overemphasize the extent of Gypsy criminality just because they appear in these types of records. In the late seventeenth century, two Gypsy women were charged in Henrico County with fornication after bearing bastard children. Servant Margaret Carey, referred to in court as “A Gypsy wench,” was caught attempting to hide a bundle of stolen cloth at the house of the married man who had fathered her child. In 1695, the second woman, one Joan Scott, was acquitted of the charge of fornication due to her “being an Egyptian and no Xtian [*sic*] woman.” Scott was prosecuted under a 1662 Virginia law that criminalized “fornication with a Negro” by any Christian. The court found Scott exempt from this law, intended to limit interracial sex, because it applied only to Christians and she claimed not to be one. In the eighteenth century, closer to the years the Smiths lived in the colonies, several other Gypsies are also documented in colonial records. In 1751, “an Egyptian woman, call’d Mary,” robbed the saddler Martin Reardon of money and clothing, about ten miles south of Philadelphia, where she “passed for a fortune teller.” Richard Clark, a Scottish Gypsy, appears to have been transported to both Maryland and Virginia on two separate occasions in the 1760s, based on his “last dying speech before execution.” In 1771, one Robert Williams, along with his wife, a brother, and a sister-in-law, robbed the house of one M. Brown in New York. After lodging in Brown’s home for some days, where they had arrived with “a variety of clothes . . . and plenty of money both gold and silver,” they departed at night taking with them property of significant worth, including a silver teaspoon, gold rings, clothing, and money. Williams was described as “a small well looking man, about 30 years of age, born in Wales, [and] has short curl’d brown hair.” The rest “were all of a remarkably brown complexion, had black eyes, and very black long curl’d hair, and from their appearance and pretending to tell fortunes, are supposed to be of the people called Gypsies.”<sup>4</sup>

Other Gypsies appear in the sources as being transported to the colonies, but without any record of their arrival. The first known Scottish Gypsies transported to America include a group who left Greenock (near Glasgow) for New York in October 1682. John Hamilton, Andrew Hogg, Margaret Robertson, and a number of Baillies, including Gilbert, Hugh, John, Margaret, and James the younger, were each described only as “Gypsy,” without notation of any crime explaining further their transportation. Because it was a criminal offence to be a Gypsy in Scotland at this time, they may have been transported for just that reason. There is also documentation from 1715 of several people being shipped from Glasgow to Virginia for being in habit and repute Egyptians, though no records from the Chesapeake exist for John Rennick, Elspeth Lindsey, Joan Ross, Mabel Stirling, Joan Yourstoun, Mary Robertson, Mary Faa, or Patrick Faa. Lastly, from 1739, Robert Baillie, Jean Brown, Jean Hutson, and William and Mary Tait were each transported as “Gypsy and thief” according to the records. Of the twenty-two identifiable Scottish Gypsies transported to the Americas, only five of them were identified with a crime beyond being a Gypsy.<sup>5</sup>

English Gypsy oral tradition also preserves a memory of both the fear and experience of transportation. The Victorian Gypsylorist George Hall recorded the narratives of his subjects and companions in the early twentieth century after noting, "I have never known an elderly Gypsy whose memory lacked a store of what may be called transportation tales." Though the tales he recorded that identify a place and time suggest mostly nineteenth-century transportation to Australia, a number of narratives appear to be memories from the prior century. If so, then the experiences of the Smiths and other transportees were still being remembered into the twentieth century. Hall's study suggests that the historical experiences with and memories of transportation helped to define group identity and to situate it as Gypsies in relation to the state.<sup>6</sup>

### Imagining "Gypsiness"

These few Gypsies present in British colonial records suggest that not many colonists would have had much firsthand experience with anyone identifiable as a Gypsy. Yet, other types of exposure to Gypsies broaden the number of colonists who would have believed they understood something about Gypsies. Both literary and newspaper accounts exposed readers to common attitudes and assumptions held about these people, even if such accounts presented more fiction than fact. People must have imagined they would know a Gypsy when they saw one, among them a Connecticut woman who attended a masquerade in 1780 dressed as "a beautiful gipsy." Enough colonists may also have known what the Snowdens implied when they referred to the Smiths as Gypsies.<sup>7</sup>

In order to understand how a *Maryland Gazette* reader might have understood the term when used in the Smiths' runaway advertisement, an investigation into the word's contemporary meaning will be helpful. According to Samuel Johnson's *Dictionary of the English Language*, published in 1755, the word "Gipsy" (as he spelled it) was defined in three ways. He first identified a "Gipsy" as "a vagabond who pretends to foretell futurity." The second two definitions noted the term's usage as a "reproachful" insult to a person of dark complexion or a woman generally. At the same time, however, the etymology he gave clearly identified Gypsies as a distinct people with a shared ancestry. They were the descendants of "Egyptians, for when they first appeared in Europe they declared, and perhaps truly, that they were driven from Egypt by the Turks." Yet he also noted, "They are now mingled with all nations." Both "mingled" and distinct, and with a habit of mobility and fortune telling, defined Gypsies in this important record of the English language.<sup>8</sup>

Other printed sources from eighteenth-century Britain and its colonies confirm these usages of the word, though the vast majority were clearly references to a distinct group of people and not a general term of insult. Many of these instances, including both newspaper and literary sources, consistently presented an image of Gypsy criminality and its threat to the social order. In the late 1720s, several European reports appeared in colonial newspapers. In 1726, a reprint from Boston of Dutch Anti-Gypsy legislation made clear the degree of distaste toward them. The law punished anyone who did

not “run with arms to the assistance of the Bailiffs [*sic*] when they are employ’ed in apprehending or pursuing those strolling Beggars call’d Bohemian Gypsies, who are to suffer death if they happen to be taken a third time, or if they be found in arms the first time.” Months later, a report from Edinburgh noted the execution in Glasgow of two men “for the crimes of murder and robbery, and for being [in] habit and repute Gypsies.” In 1728, Philadelphians learned of the recapture and death sentence of “Robert Johnson, Ring-leader of a Gang of Gypsies.” The *Virginia Gazette* described in great detail a case of two Gypsies executed in Gloucester, England, for robbing another Gypsy, as well as the gallows confession of one of those put to death. In his account of “the infamous course of his life,” the man described these Gypsies as gangs of sheep stealers, fortune-tellers, and confidence tricksters. “Gypsies” were singled out in a long list of “rogues and villains” who frequented and found sanctuary in the proliferating and “ruining” public houses, according to one English temperance crusader in a 1738 Boston article. A report from Spain of a robbery perpetrated by “Gitanos” signaled what the Connecticut paper’s readership might expect from such people. These articles, which all treated Gypsies as an identifiable people and emphasized their criminality, would certainly have colored the general colonial view of their character and might have influenced the perception colonists held about the Smiths.<sup>9</sup>

Similar reports in the years after the Smiths’ arrival reinforced the stereotypes of Gypsies as kidnapers, criminals, and even cannibals, already extant throughout Europe. In the year after the Smiths’ arrival in Maryland, the *Virginia Gazette* reported “two traveling gipsies were taken up at Barnes in Surrey [England], charged with stealing children in that neighborhood, and selling them to beggars.” The description of the recovery of a young English boy kidnapped by Gypsies in the “new forest in Hampshire” left little doubt as to the suspicion with which colonists should treat such people. The *Virginia Gazette* again reported on Gypsies in Surrey, this time from a forest near Guildford, where “not less than 5000 Gypsies, vagrants, and smugglers” were being cleared out with cannons after they had plundered the local farms of their goods and livestock. In a story out of London from 1775 a young gentleman had been “stripped stark naked with his hands and feet tied” by “three female gipsies while returning home one night from a friend’s house.” A New York reprint of “An authentic and remarkable history of some modern anthropophagi, or men eaters,” describes “the kind of men called Bohemians, or Gypsies, who have spread all over the kingdom of Hungary.” They “had subsisted on human flesh with such secrecy that not a single intimation of it had ever transpired,” until the interrogation of a man brought in for another offense. This article went on to describe in graphic detail how the cannibal acts progressed, to “leave not the least room to doubt the truth of transactions so horrible.” Pennsylvania, Vermont, and New Jersey newspapers reprinted this article, already published in the *Maryland Gazette* months earlier. Such reports of Gypsies’ criminal activities continued to appear in American newspapers through the rest of the century.<sup>10</sup>

Literary sources provide another way to gauge colonial expectations about Gypsies and to uncover the attitudes the Smiths might have encountered while in Maryland.

These works are more helpful in revealing perceived contemporary character traits beyond criminality (though the criminal element is still very present). The scholar Angus Fraser found that “In the eighteenth century, when Gypsies turn up in English literature, it is often as not in the character of light-fingered, fortune-telling rascals.” Many of these stories also clearly associated Gypsies with the experience of transportation. In Daniel Defoe’s *Moll Flanders*, first published in 1722, the protagonist Moll describes, “The first account that I can recollect, or could ever learn of myself, was, that I had wandered among a crew of those people they call *Gypsies*, or *Egyptians*.” Eventually she, like her mother before her, was transported to the colonies for her many crimes, with much of the novel taking place in Virginia. In 1749, Henry Fielding used Gypsies in *Tom Jones* to warn of the idea of a utopian society unsullied by civilization. Jones encountered a Gypsy wedding feast where he discoursed with the “King of the Gypsies,” whose words are conveyed in the text with a clearly marked dialect, and under whose just rule his subjects lived in complete happiness. In the course of the scene the reader is exposed to Gypsy fortune telling and an attempted scam involving a “young female gypsy, more remarkable for her wit than her beauty.” A Maryland circulating library, whose collection included *Tom Jones* and *Pamela*, a novel with a prominent Gypsy fortuneteller character, briefly operated in Annapolis in 1763 to serve subscribers from a thirty-mile radius. Estate inventories from the mid-eighteenth-century reveal these three popular English novels to have been commonly owned by Marylanders as well.<sup>11</sup>

Even more widely known was the transportation narrative, *The Life and Adventures of Bampfylde-Moore Carew*, which first appeared in 1745. This work might best be described as an enhanced autobiography that “encapsulates English understanding and representation of Gypsies” from the eighteenth century. The author and hero gives “A particular Account of the Original Government, Languages, Laws and Customs of the Gypsies,” as announced on the title page of the book, in which he describes their organization into gangs of criminals who speak their own language. As a result of the Gypsies’ influence upon him (he having run away with them while still a schoolboy), Carew was transported to Virginia on the charge of vagrancy. He escaped only to be recaptured in Maryland, where he was threatened with labor in the ironworks, an experience mirroring that of the Smith men. Carew escaped once again; after traveling around the colonies, he returned to England where he was shipped to America a second time. In a second edition, the number of his dramatic escapes and transportation episodes increased. His narrative described in detail the circumstances of his sale as a convict servant in Maryland, similar again to the Smiths’ experience. This tale, according to historians Gwenda Morgan and Peter Rushton, “firmly cement[s] his place as the subject of the most prominent transportation narrative in the eighteenth century,” to the extent that it made “Carew a national figure.” Several American editions appeared, the first in 1773. An “epistle” dedicated to “B.M. Carew, King of the Beggars, Monarch of the Gypsies,” in a Boston newspaper in 1788 indicates at least passing familiarity with the story by American readers. Even though no Gypsies were transported in any of these popular works, Gypsies had often influenced many of the

characters to enter the life of crime that led to their deportation. The criminal Gypsy remained attached to some narratives of transportation in eighteenth-century English literature; that Gypsies themselves were transported would not have surprised either an English or colonial reader.<sup>12</sup>

Almost all of these examples from the print culture about Gypsies included incidences of their disregard for English law, reinforcing the perception of their criminality. This attitude appears to have influenced colonial law in some southern colonies and states. The Virginia colony chose in 1736 to include in its collection of “the Common and Statute Laws of England, and Acts of Assembly, now in force,” a version of the Elizabethan vagrancy statute which stated “all such as pretend to be *Egyptians*, and are found wandering, or pretending to tell Fortunes, are declared to be Rogues, vagabonds, and sturdy Beggars,” punishable by being “whip’d ’til their Body be bloody.” As a state, Virginia repealed this act, along with a number of other more explicitly anti-Gypsy statutes, only in 1792, noting at the same time that though “*Egyptians* or Gypsies” were no longer forbidden in the state, “the migration of free negroes and mulattoes” remained illegal, thus emphasizing Gypsies’ distinctiveness under the law from free persons of color. In this same year, three other Tudor-era anti-Gypsy acts were included in *A Collection of the Statutes of the Parliaments of England in Force in the State of North-Carolina*: “An Act concerning outlandish people calling themselves *Egyptians*,” “An Act Against Persons Calling themselves *Egyptians*,” and “An Act for further Punishment of Vagabonds Calling themselves *Egyptians*.” That the Smiths, as Gypsies, had been transported as criminals would have been unsurprising to those exposed to these ideas; that they escaped and refused to serve their punishment would also have been expected. Such legal and cultural expectations suggest that anyone, including the Smiths, identified as Gypsy in the colonies would have been met with suspicion.<sup>13</sup>

Because Gypsies were so regularly marginalized and mythologized, the way they appear in the sources makes it difficult to discern fact from fiction about their cultural practices. Similarly, their presence in the historical record tends to be in explicitly anti-Gypsy legislation, crime reports in newspapers, or court records, all sources that imply criminality. Eighteenth-century English and colonial record keepers paid scant attention to Gypsies who were not breaking the law. For these reasons, little can be learned about these British Gypsy colonists’ cultural practices from the extant records that relate to them. This difficulty is amplified because so few colonial records mention them. However, supplementary material from England reveals aspects of eighteenth-century Gypsy cultural and social practices and the perceptions of these practices held by colonial residents.

According to David Cressy, writing of early modern English Gypsies, “Gypsy culture was distinctive yet malleable” and “their ethnicity was fluid and self-replicating, to be inherited and inhabited by those described as ‘Gypsy people.’ . . . Though sharing a lifestyle with vagrant travellers, the Gypsies seem to have been a people apart, distinctive in appearance, organization, activity, and voice.” A significant part of

their distinctiveness came from their knowledge of Romani, a language with as many dialects as regions within which Gypsies had located. At least some British colonists would have been exposed to the idea that Gypsies spoke their own language. A Boston newspaper article from 1746 wrote metaphorically of the speech of a band of soldiers whose “language seem’d to be as if a Herd of Hottentots . . . or vagrant Gypsies.” British linguistic scholarship from the era corroborates the truth of this belief as recorded in “A Vocabulary of the Zingara,” published in 1785, but collected from “English Gypsies” several years earlier. The author found a number of English Gypsy words the same as or comparable to those in the language of Hungarian Gypsies, as well as “Hindostanic” and “Persic.” Angloromani, or English Romani, a version of which is still spoken today, was also spoken in the nineteenth-century British world. The Smiths may have spoken this as well.<sup>14</sup>

Interestingly, very few of the eighteenth-century sources described Gypsies as “dark,” unlike accounts of their earliest appearances in Europe, and as they would be described again in the more romantic writings of the nineteenth century. The limited sources denoting Gypsy physical appearance make it impossible to say how British colonists thought about Gypsies within the developing racial order. “Only in the nineteenth century,” notes Cressy, “with its fascination with ‘Gypsy blood,’ would Gypsy identity be racialized.” This new way of thinking about Gypsies is seen especially in the Gypsy-lorists’ search for “pure” English Gypsies, whose supposed undiluted race line could explain the difference between the romantic Gypsy and the criminal Gypsy (the latter of whom they believed had “degenerated” after “mixing” with other traveling British populations). That English Gypsies had intermarried with non-Gypsy English is certain, though what eighteenth-century English colonists would have expected about Gypsies’ physical features is less clear.<sup>15</sup>

## **English Justice**

Who exactly were these Smith men and why were they in the colonies? According to the Buckinghamshire County Court proceedings, in the summer of 1766, Joseph, William, and John Smith had been apprehended for stealing and killing three lambs. Eight men who had been called upon to arrest them divided the thirty pound reward for their capture. All three men were sentenced to be “transported for their natural lives,” a reprieve from the original death sentences handed down. Court records labeled each man not only “guilty,” but also “no good.” Their reprieve from death was the norm for the place, time, and crime, though their time of banishment was longer than most. Extant eighteenth-century colonial Maryland records document that approximately one-fifth of convict servants received transportation pardons for fourteen years or life. Between 1750 and 1772, the courts in the Norfolk assize circuit, which included Buckinghamshire County, sentenced 566 people to transportation, 92 percent of whom had been found guilty of theft of goods worth more than one shilling. The Smiths were

three of these 566 people. Those being tried at the assizes and quarter sessions were often either repeat offenders or “outsiders who attracted an unusually hostile response.” That the Smiths were Gypsies could have placed them as especially dangerous outsiders and led to their transportation, though nowhere in the court or shipping records were they referred to as Gypsies. More likely, the severity of their crime as determined by the monetary value of the stolen property meant they had committed grand larceny, a crime commonly punished by death or transportation.<sup>16</sup>

After sentencing, the Smiths remained in jail until their departure almost a year later. Only the year after their conviction did Parliament pass a new statute intended to lower convict mortality rates by more quickly pardoning felons for transportation and thus reducing the time spent in unhealthy jails. During their lengthy imprisonment, the Smiths likely received support from family and friends, who provided sustenance critical to many prisoners’ survival. That the three survived such an extended incarceration, as well as transportation itself, proves their vigor. A few years after the Smiths’ experience with the British criminal justice system, a House of Commons committee report noted that 14 percent of felons died between receiving a sentence of transportation and their arrival in the colonies.<sup>17</sup>

The spring after their conviction, merchant John Stewart secured contracts for the transportation of 170 Home County convicts. He acquired eleven of these from Buckinghamshire County, including the Smiths, who were taken to London and placed on the ship *Thornton*. On May 7, 1767, Christopher Reed, captain of the *Thornton*, swore to “immediately and effectually transport to some of His Majesty’s colonies or plantations in America” these prisoners now bound to labor across the sea.<sup>18</sup>

The Smiths’ arrival in colonial Maryland resulted from new British theories of criminal justice. Beginning in 1718, the British Parliament adopted a more explicit policy of transportation to the colonies as punishment for particular crimes. Although criminals had been transported prior to the Transportation Act, the 1720s saw more widespread use of this sentencing, a practice that peaked in the 1760s, the decade of the Smiths’ arrival. According to its preamble, the 1718 act was intended to prevent crime and to address the labor shortage in the American colonies, stating “In His Majesty’s colonies and plantations in America, there is a great want of servants, who by their labour and industry might be the means of improving and making the said colonies and plantations more useful to this nation.” According to one supporter of the act, however, its purpose was to drain “the nation of its offensive rubbish, without taking away their lives.” Regularly applied to those convicted of theft, the sentence of transportation was also typically given to those reprieved from capital punishment for any crime. In fact, judges often intended transportation as the punishment for those they found guilty of capital offenses and frequently reprieved capital convictions to transportation as soon as they were made. Between 1718 and 1775, the Old Bailey, the main criminal court in London, exiled over two-thirds of all felons sentenced. The 1718 Transportation Act was of such consequence that some scholars have called it “as significant a development in English criminal justice as any later legislation on imprisonment,” because of its

attempt to avoid capital punishment and remove rehabilitation at home as an option for minor offenders.<sup>19</sup>

This act equally transformed the colonies. In the Chesapeake regions of Virginia and Maryland, the location of exile for most convicts, the available labor pool could not meet the needs of developing agriculture and industry. Between passage of the Transportation Act and the beginning of the American Revolution, which disrupted regular trade, “more than 90 percent of the 50,000 convicts shipped across the Atlantic from the British Isles were sold by contractors to settlers in the Chesapeake.” At least 430 other British convicts landed in Maryland in the same year as the Smiths, many of whom also ended up laboring at ironworks. Between 1745 and 1775 convicts made up over one-third of all immigrants into Maryland, totaling about 10,000 people; this nearly equaled the number of indentured servants arriving during these years.<sup>20</sup>

In order to transport convicts out of Britain, Parliament subsidized the costs for London and Home County prisoners, contracting with merchants to provide the convicts’ passage to the colonies for a fixed sum. Subsidies for other parts of Britain and Ireland varied. Merchants earned a further profit if able to sell the convicts’ terms of service to purchasers in the Chesapeake on favorable terms. The length of time a convict was to remain banished, as set by the courts, depended upon the severity of the crime, or in cases of theft, the value of the stolen property. The term of service, however, might be significantly less. This seems to have been the case for the Smiths, who were offered for sale as part of a group of servants with seven-year terms.<sup>21</sup>

Criminal laborers were bound to service under conditions similar to, although not the same as, those of indentured servants. Scholars have likened convicts’ status and living conditions once in the colonies as closer to the enslaved, who had also arrived by force, rather than indentured servants, more likely to have come of their own volition. Of course, convicts labored for a limited term, while slaves labored for life, as did their descendants. Bound criminals lacked the minimal legal protections, including the ability to petition the county court for redress, which assured indentured servants a more humane standard of treatment. Convicts also received none of the benefits, such as clothing and tools, guaranteed to those indentured once they completed their terms of service.<sup>22</sup>

Although other countries banished or exiled criminals, none utilized this punishment with such frequency as did Britain in the eighteenth century. Between 1718 and 1775 approximately fifty thousand convicts arrived from the British Isles in the colonies; convicts constituted about a quarter of all British arriving in the colonies during the whole of the eighteenth century. About 80 percent were men, most in their late teens or twenties. Typically convicted of crimes against property, often times just petty theft, only a small minority had committed truly serious crimes. As Kenneth Morgan concludes, “the typical transport was young, male and poor, but not an habitual criminal.” Despite this demographic profile, colonists frequently perceived criminal transportees differently. Often politicized, their crimes became exaggerated. As an embodiment of the power Great Britain held over colonial matters, convict laborers remained unwell-



came and stigmatized in many parts of North America. Benjamin Franklin famously expressed the opposition of some colonists toward British transportation policy when he suggested, "Rattlesnakes seem the most suitable returns for the human serpents sent to us by the Mother Country." Yet, most of the anti-criminal transportation rhetoric came from people who lived in areas with few actual criminal servants. In Maryland and Virginia, the colonies where most were taken, despite some public opposition, merchants continued to import more, suggesting that either the economic benefits garnered by their labor overcame their negative traits, or their reputation as a potentially dangerous population was largely unfounded. Such circumstances and attitudes allowed Joseph, William, and John Smith to land in the Chesapeake.<sup>23</sup>

## Experiencing the Colonial Chesapeake

The ship *Thornton* arrived in the Annapolis harbor on July 11, 1767 and advertised its merchandise on the 14th as "ONE HUNDRED and FIFTY-TWO Seven Years SERVANTS, among whom are great Variety of Tradesmen and Farmers, several Boys, and many notable Women," a cargo described elsewhere in the paper as "his Majesty's Seven Years Passengers." Once arrived, however, none of the passengers, including the Smiths, could leave the ship until certification of health had been attained. A naval officer had to guarantee against "Small-Pox, Jail-Fever, Yellow-Fever, Flux, or any such dangerous infectious Distemper." The potential for pestilence to arrive on convict ships provoked serious concern, not just for the local populace, but also for the merchants invested in these laborers. Fearful of losing a market for their valuable commodities, the investors in the laborers on the ship *Blessing's Success*, which arrived in Baltimore just three weeks before the *Thornton*, complained that someone, perhaps a competitor, had "maliciously reported, that the Jail Fever, and other infectious Disorders, rages amongst the said Servants," despite the captain's oath to the contrary. This fear of contagion would have directly affected the Smith men and other *Thornton* convict servants. Only with the affidavit, sworn to by the captain on July 13, in hand and reproduced in the sale advertisement, did the vessel move to the Patapsco River, where the convicts would be sold.

At 10 a.m. on Tuesday, July 21, 1767, at Elk Ridge Landing, about ten miles north of the ironworks, the *Thornton* convicts were made available for viewing and put up for sale by Alexander Stewart, representing the prominent Baltimore merchant William Lux. Stewart provided boats to carry prospective customers to the ship to examine their potential workers. Once aboard, buyers inspected the Smiths and other transported convicts, who were likely chained together, the same as other chattel. Such sales closely resembled slave auctions in both function and financing. Prospective buyers would examine the teeth and limbs of the convicts, who would have been asked their trade and reason for conviction. Once satisfied, the purchase price was negotiated. Though no known records survive to document the Smiths' purchase price, most male convicts from the era sold for between eleven and fourteen pounds sterling, though a skilled convict might bring a significantly higher price. Purchase of a single convict was the

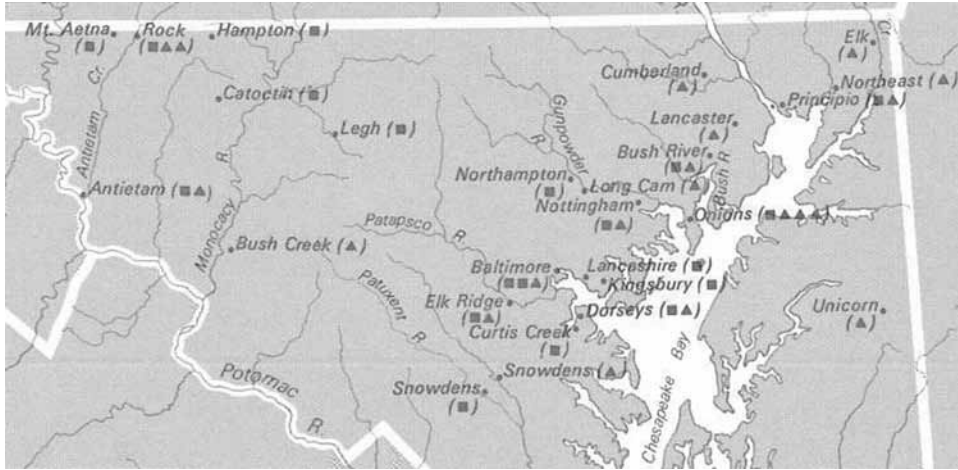
norm for the time, but ironworks buyers might purchase convicts in lots, sometimes even on pre-order, and it is possible the Snowdens had done the same. With the majority of Maryland convict sales being for either one or two convicts to planters of modest means, the Smiths were lucky to have ended up laboring together at the same place. The Snowdens, or one of their agents, after arriving on board, picked out the three Smith men, as well as John Carroll, Patrick Connor, and John Hill, all six future runaways, as likely laborers for their ironworks.<sup>24</sup>

The Smith men's arrival at the Snowdens' Patuxent Iron Works occurred just on the heels of a vigorous debate playing out in the summer of 1767 in the pages of the *Maryland Gazette*, illuminating their experiences while crossing the Atlantic, as well as some of the attitudes they faced on arrival. After a ship carrying passengers infected "by that horrid contagious distemper, commonly called the Jail-Fever," arrived on the Eastern Shore, many writers to the paper began calling for stricter enforcement of convict ship quarantine if not the elimination of all criminal servant arrivals. Others blamed the ship's captain for creating unhealthy conditions through overcrowding. Though by the 1760s a number of improvements to sanitation and air quality had been made to increase convict health during transportation, mortality rates remained high. A correspondent investigating the situation on a convict ship bound for Maryland reported, "all the states of horror I ever had an idea of are much short of what I saw," including a man "chained to a board in a hole not above sixteen feet long, [and] more than fifty with him." Even Maryland's governor, Horatio Sharpe, commented about these concerns privately, wondering, "if it is notorious such destructive distempers are frequently imported in convict ships, why do people by purchasing encourage the importation of them, to which it might be answered that there are in all societies people that will run all risks for the sake of making profit."<sup>25</sup>

Other colonists more concerned about their reputation than their bank accounts, wondered, "what opinion must our mother country, and our sister colonies, entertain of our virtue, when they see it confidently asserted in the *Maryland Gazette*, that we are fond of peopling our country with the most abandoned profligates in the universe?" According to another *Maryland Gazette* writer, "The wicked and bad of them that come into this province, mostly run away to the northward, mix with other people, and pass for honest men; whilst those, more innocent, and who come for very light offenses, serve their time out here, behave well, and become useful people." This commentator's judgment placed the newly arrived Smiths in the realm of the wicked and also suggests a direction for their flight. Yet this same author stated that "a young country cannot be settled, cultivated, and improved, without people of some sort and that it is much better for the country to receive convicts than slaves." His letter noted that laws were in place requiring all convicts to have their names recorded so as to prevent their participation in the courts until "their crimes are purged away by a completion of their servitude."<sup>26</sup>

Former convicts remained "handicapped by their chequered pasts," if anyone discovered they had arrived as a criminal transport. Many struggled to find employment and might even be forced to re-enter servitude. One Maryland priest noted a few years

after the Smiths' arrival that "white servants, after their terms of bondage is out, are strolling about the country without bread." Being recognized as Gypsies in addition to criminal transports would have magnified the prejudices held against the three. That the Smith family was not prepared to wait through the long process of purging only to struggle to survive, suggests their contempt for the court-ordered sanctions they faced.<sup>27</sup>



*Inset from a map showing the location of the Snowdens' ironworks on the Patuxent River in late colonial Maryland. Squares represent furnaces and triangles denote forges. Lester J. Cappon, Barbara Bartz Petchenik, and John Hamilton Long, eds., Atlas of Early American History: The Revolution, 1760–1790, p. 29. (Courtesy of Princeton University Press.)*

That the Smiths ended up in the ironworks once in Maryland was as non-distinctive as their choice to run away. At the time of their arrival, Maryland led the colonies in iron production with eighteen furnaces and twenty forges. Planters looking to diversify started these foundries, which allowed England to replace Swedish imports with its own colonial product. The same ships that arrived with convicts returned with iron and tobacco, binding the economies of the colonies to the home country as part of phenomena scholars have referred to as the "criminal Atlantic." As local English communities developed systems to implement criminal transportation, these Chesapeake industrialists became major purchasers of convict labor. Although some workers may have been skilled, most performed general, but physically demanding tasks, including mining, quarrying, and carting ore to the furnaces. In his study of runaways advertised in the *Maryland Gazette* from 1745 to 1775, one scholar found that over one hundred men absconded from their bound labor in Maryland ironworks, hinting at the danger and difficulty of the labor, as well as the ease of getting away.<sup>28</sup>

Both English convict and African enslaved laborers worked in colonial ironworks and the Smiths worked alongside enslaved black laborers. From 1767 through the 1780s, the Snowdens employed on average forty-five slaves per year at the Patuxent Iron Works, many of whom were skilled laborers and many of whom lived in families. The

men worked in a diverse array of tasks, including as founders, blacksmiths, coopers, carpenters, forgers, colliers, and laborers. Women and children performed the many domestic duties accompanying the operation. During July 1767, the month the Smiths arrived at the ironworks, Sam and Sampson Powell, both enslaved, received overwork pay for making seven tons of iron. The use of the white and black unfree men and women in the iron industry benefited the owners, who needed the guarantee that once trained, workers would not soon depart. Free laborers considered themselves free to negotiate terms, or depart the strenuous work at any moment, a serious cost as many workers required extensive training. Thus, owners preferred criminal or enslaved workers who, once trained, would be legally bound long enough to pay dividends—that is, unless they ran away. An increased need during the eighteenth century for skilled non-plantation labor in the Chesapeake, such as in the iron industry, combined with the high price of slaves, meant that many owners turned to convict laborers to supply their needs. Most British colonial convicts cost only about one-third as much as a slave and typically served at least seven years. Many Maryland buyers considered convict servants like the Smiths a more cost-effective investment for their labor requirements than either the enslaved or indentured servants.<sup>29</sup>

## Runaways

The Smiths may have gotten the idea to escape from the ironworks from three other convict men who had arrived with them aboard the *Thornton* and who ran away two weeks prior to the Smiths' departure. John Carroll, John Hill, and Patrick Connor, identified in the advertisement taken out by the Snowdens as English and Irish convict servants, but not called Gypsies, also left at night. Old Bailey judges sentenced these three men to transportation to the colonies on April 29, 1767, the same day as the Smiths. Although the two groups had committed their crimes separately, the three from London and the Smiths certainly knew and trusted each other, if not from their time on the *Thornton*, then at least from their labors together in Maryland. In two flights from the ironworks in the following years, John Hill and John Smith fled together each time. The Snowdens also marked each of these escapes with an advertisement in the *Maryland Gazette*.<sup>30</sup>

The way the Snowdens worded their advertisement announcing the Smiths' departure reveals details about the three men and their experiences in Maryland. A comparison with other runaway advertisements shows that much about the Smiths and their decisions meshed with the choices made by other runaways. The reward offered for their return and their choice of accoutrements with which to abscond were similar to those mentioned in other advertisements. However, in other key ways the advertisement suggests their differences from the average runaway convict. Escaping together, their demarcated color, age, and "Gypsie" label all set them apart from the typical convict as portrayed in runaway advertisements.

SIX POUNDS REWARD.

**R**AN away on Sunday Evening, the 30th of August last, from the Patuxent Iron-Works, the Three following Convict Servant Men, (lately brought in by the Thornton, Capt. Reed) *viz.*

JOSEPH SMITH, an old Man, a Gypsic, very much resembling a swarthy Mulatto in Colour: Had on and took with him, an Osnabrig Shirt, Crocus Trowfers, a light coloured Cloath Great-Coat, a Kersey Waitcoat of the same Colour, a stript Linsley, Ditto, an old Felt Hat, and a Pair of old Shoes.

WILLIAM SMITH, a Gypsic, aged Forty Years, or thereabouts, Brother to the said *Joseph*, and nearly of the same Colour: Had on, and took with him, a Check Shirt, one Osnabrig ditto, a blue Cloath Coat, trimmed with Twist Buttons, a blue double-breasted Waitcoat, a Pair of red Cloath Breeches, a Pair of Crocus Trowfers, a Pair of old blue Worsted Stockings, old Hat, and old Shoes.

JOHN SMITH, Son of the said *Joseph*, a strong hearty young Fellow, nearly of the same Complexion with that of his Father and Uncle: Had on, and took with him, when he went away, a tarnished Thickset Coat, a new Cotton Jacket, with grey Mohair Buttons, one Osnabrig Shirt, one Cotton or stript Holland ditto, a Pair of Crocus Trowfers, Sail-duck Breeches, trimmed with Leather Buttons, old Hat, old blue Worsted Stockings, and old Shoes.

Whoever takes up said Servants, or secures them, so that they may be had again, shall have the above Reward, or FORTY SHILLINGS for each, paid by

(*ts*) THO<sup>s</sup>. SAM<sup>l</sup>. & JOHN SNOWDEN.

*Runaway advertisement for Joseph, William, and John Smith. Maryland Gazette, September 17, 1767.*  
(Collection of the Maryland State Archives.)

A study of runaway advertisements by the historian Jonathan Prude allows scholars to make such comparisons. Prude found that two-thirds of all convict runaways who appeared in a broad geographic sampling of runaway advertisements from the 1750s, 1770s, and 1790s, had fled from Maryland. Many chose to make for New York or Philadelphia, where they could blend in and establish themselves as free men. Living at the Patuxent Iron Works only twenty miles from Baltimore meant that the Smiths likely headed there first, even if it was not intended to be their final destination. Maryland newspaper advertisements described over eight hundred convicts who fled between 1745 and 1775, but this number is certainly nowhere near the total number of runaways in Maryland during these decades. The costs required to take out advertisements, the distance of many owners from the Baltimore and Annapolis printers, and the fact that many masters assumed their servants would eventually

return on their own, meant that not all owners advertised their losses. Thus, the Smiths' decision to make a new life for themselves, in defiance of the sentence they had been given, whether in Maryland, another colony, or even to risk the return home though it merited the death penalty, was a choice many others made as well.<sup>31</sup>

Runaway servant advertisements provide invaluable information about the experiences of many colonists whose lives lack documentation elsewhere. Because the laboring poor left few traces in the written historical record, such advertisements offer rare details of the world these men and women inhabited. The elite retained possession of print culture during this era, but not the reach of printed content. Approximately one in twenty late-eighteenth-century households subscribed to newspapers, although the practice of reading these aloud ensured exposure to their contents beyond those on subscription lists. Important audiences for runaway advertisements included masters

of vessels and potential employers who might inadvertently aid runaways with opportunities for work or escape. Because advertisements placed to recover runaway laborers were fundamentally descriptions, the choice of words used by the Snowdens to depict these three men can be interrogated to understand more deeply both the runaways and the perceptions others held about them. As historians Gwenda Morgan and Peter Rushton note, advertisements “had to be expressed clearly and with a kind of verbal shorthand so that readers could instantly grasp the mental picture.” Because “the bodies of subordinated groups were more visible to those who ruled, owned or controlled them,” broad dissemination of the Smiths’ Gypsy identity would have found meaning among the readership of the *Maryland Gazette*. These advertisements “alert us to what stood out about these workers’ backgrounds and bodies.” Seeing and describing were taken seriously in face-to-face societies in which status could be identified by clothing, accoutrements, manners, and bearing. Perceptions of bodily belonging only heightened when the recovery of significant assets was at stake. Runaway advertisements were among the only descriptions of the lower sorts broadly produced and encountered.<sup>32</sup>

The Smiths’ advertisement detailed three of the four most common ways of describing runaways’ physical attributes, according to categories established by Prude. The ad commented on the Smiths’ sex, age, and complexion, but not their height. Only John’s description, pronouncing him “a strong hearty young fellow,” gave any indication of his size. The Smiths had only been at the ironworks for at most six weeks when they first ran away together in August 1767. As a result, the Snowdens may not have had time to take in other attributes used to describe runaways, such as weight, posture, eye color, mannerisms of speech or movement, details of facial features like nose or mouth size, or scars or tattoos. This explanation holds less weight, however, when we compare the Smiths’ published description with the description of the other group of men with whom they had arrived at the ironworks and who had run away approximately two weeks earlier. Another possibility is that the Smiths were average looking, aside from the dark complexion noted in the ad, with nothing distinctive enough to be useful as identifying features. But what is also possible, and in fact quite likely, is that by calling the men Gypsies, the reading audience would already have had enough experience with, or held enough assumptions about, how the three might look, speak, or act, that further details were not required.<sup>33</sup>

The success of Joseph and William Smith in retaining their freedom in colonial Maryland after their initial departure from the ironworks is unknown, but considering this possibility in light of their ages raises some interesting questions. As “an old man, a Gypsie,” as Joseph had been described, and “a Gypsie, aged forty years or thereabouts, brother to the said Joseph,” as William was called, did they succeed in eluding capture and blending in with the larger colonial population? Although information on the ages of transported criminals is scarce, from the records that are available those forty and older constituted a small minority of total transports, likely under 10 percent. Would their ages have made them more or less equipped to evade capture? Fewer people might

have suspected those over forty to be runaways as fewer were servants, thus giving them some advantage. Being older, they also had more life experience to aid them in remaining mobile and evading capture.<sup>34</sup>

Though their age may have allowed them to blend in, the Smiths' skin color made them stand out. The one physical attribute attached to the Smiths, and one that Prude found commonly remarked upon in Maryland runaway advertisements, was their complexion. The advertisement as it appeared in the *Maryland Gazette* described Joseph, the eldest of the three, as "very much resembling a swarthy mulatto in colour;" William, Joseph's forty-year-old brother as "nearly of the same color;" and John, Joseph's son, as "a strong hearty young fellow, nearly of the same complexion with that of his father and uncle." The wording of the advertisement suggests that neither the term "Gypsy" nor the phrase "very much resembling a swarthy mulatto in colour" was as descriptive alone as both could be placed in combination with each other. That the advertisement also included a description of skin color, in addition to the label Gypsy, suggests that skin color may not necessarily have been attached to "Gypsiness" in the minds of the readers. If everyone assumed all Gypsies were dark, why include a further description? Alternatively, the Snowdens may have felt the need to include the "Gypsy" label to ensure readers understood the Smiths not to be of African descent. Runaway advertisements from the era consistently employed many other expressions to describe how a person looked. Had "Gypsy" been a synonym for "dark skinned person," surely it would have been used in other instances, and there would have been no need to add their "colour" to the ethnic label. Thus, describing the Smith men's complexion as "swarthy mulatto in colour," was necessary to help more precisely identify them for a readership not necessarily expecting Gypsies to be dark-complexioned (or dark-complexioned people to be Gypsies) whether or not these expectations came from first-hand experience with Gypsies or written accounts about them.

As a result of their appearance, one concern the Smith brothers faced as runaways, if not as servant convicts in general, was to be mistaken for a person with both African and European ancestry. This would have considerably degraded their chances of remaining autonomous. Because the advertisements in the *Maryland Gazette* and other colonial newspapers featured at least some English and Irish men described as "dark," "of swarthy complexion," "almost as dark as a mulatto," "who could be taken for a mulatto," or even "of a black complexion," their looks might have been unusual, but not unique. Although almost anything can be used to mark race, in the eighteenth-century Chesapeake skin color functioned as a primary indicator. Because race was a perceptive category as much as a category of self-ascription, a person could potentially pass from one racial category to another, depending on who was doing the perceiving. This seems to have been the case of one Adam Stanton, "passing for an Englishman," described as "of a very dark complexion, so that some people think he is a mulatto." But if Stanton could pass one way, an English person with a dark complexion, such as the "swarthy mulatto" complexion with which the advertisement tags the Smiths, certainly ran the risk of passing the other. This would be especially true for runaways

with no one to vouch for their heritage. While on the run, the Smiths faced the real risk of enslavement. Such concerns would no doubt have weighed on the minds of the three Smith men as they ventured away from the ironworks on that late summer's night.<sup>35</sup>

The "Gypsiness" attributed to the Smiths by the Snowdens made them more recognizable, and thus at greater risk of recapture as long as they stayed in the area of *Maryland Gazette* circulation. The Snowdens' advertisement suggests, by immediately labeling each man "a Gypsie" after naming him, that this identifier would have conjured up recognizable traits among the *Maryland Gazette's* readers, or they would no doubt have omitted the word. Scholars face difficulty, however, when attempting to discern exactly what characteristics made a person identifiable as a Gypsy in late colonial Maryland, making it also difficult to know exactly what Marylanders would have been looking for when keeping an eye out for the Smiths. Considered in light of what is known about, and what was assumed about, eighteenth-century English and American Gypsies as discussed previously, a few expectations are suggested. That they had their own language, which they employed among themselves, would have been assumed. Being skilled in metalworking trades (or, had they been women, as fortune tellers) would have been most expected. That they practiced their trades as itinerants would have led to the assumption that they would not be in one place for long. But the Snowdens mentioned none of these characteristics when describing the runaways even though advertisements regularly listed language or accent, trade or skill, and habits or dispositions. Rather, their one identifying feature beyond their complexion was their "Gypsiness."

Typically, if the runaway bore a distinguishing feature, a person taking out an advertisement would be sure to include the individual's "peculiar mark." This unique indicator could include anything, such as a scar, tattoo, physical abnormality, or any other feature that would be difficult to disguise and would make the bearer stand out. Perhaps, by labeling these three men "Gypsies," the Snowdens pointed out their "peculiar mark," eliminating the need for as thorough a physical description as they provided when describing other runaways not identified as Gypsies. The limited physical description and lack of "peculiar marking" in the Smith advertisement, minus the "Gypsie" label, is especially interesting when compared with the advertisement for the three other runaway servants that the Snowdens had placed just two weeks prior to the Smiths'. In this earlier advertisement, the Snowdens described each man with a precise height ("about 5 feet 7 or 8 inches high"), mentioned the hair color and style of two of them, and pronounced one as being "much pitted with the smallpox." All three London men had distinctive features that the Snowdens included when they took out the advertisement. Yet, when they placed the advertisement for the Smiths, they mentioned no distinguishing characteristics besides skin color and "Gypsiness," strongly suggesting that other types of descriptors were not needed.

The label "Gypsy" was all the peculiar marking the Snowdens thought necessary, but whether this was due to the Smiths' appearance, dialect, or other "marking" is unknown. An especially interesting omission in the Smith advertisement was any comment on



their speech. Maryland runaway ads from this era commonly noted a person's accent and often connected runaways to a regional or ethnic British dialect. For example, when James Wilkins ran away, his owners described him as "A Native Irishman, [who] speaks good English but with his country's tone." Others, like John Calvert, were said to "speak the North Country dialect." The runaway Irish convict servant James Clark "talks broken English," while Isaac Roberts could be identified as one "who speaks the Yorkshire dialect." That such a description was absent for the Smiths could have meant that their English accent was non-descript (they had been arrested quite close to London, from where so many criminal servants hailed), or that the "Gypsy" label was enough to trigger assumptions of speech style by the reader.<sup>36</sup>

In lieu of extensive physical descriptions, the advertisement mainly attempted to identify the Smiths by the clothing they took along. All three men wore clothing made of inexpensive linen such as their osnabrig shirts and crocus trousers. They also wore light colored or blue cotton or wool coats, including both waistcoats and overcoats. The advertisement described each man as wearing old blue wool stockings, old shoes, and an old felt hat, in general quite the typical apparel of colonial servants. Because they ran away so soon after their arrival, it is likely some or even all of these items of clothing had been brought with them from England, and had not been distributed to them at the ironworks. That William and John each wore or took both trousers and breeches, and that all three escaped with both an inner and outer coat, suggests they considered such apparel items valuable for sale or trade while on the run. Traveling in the hot, humid Maryland summer with so many layers risked attracting attention, to mention nothing of the discomfort had they been worn.

Though leaving with average kinds of clothing, the quantity as well as particular features of their attire remained distinctive. Prude found that the average number of clothing items mentioned for each runaway in most advertisements was twice the number of physical characteristics used to describe the individual. This expresses the power that clothes had to symbolize status as well as the real value inherent in objects of clothing. For the Smiths this ratio was much higher. In a comparison of the advertisements for the two sets of runaways who departed the Snowdens just weeks apart, the Smiths' clothing was described in more detail and included more items. The Smiths left with twenty-five pieces and the other men with only fifteen; the latter's were mostly normal nondescript objects with few notable elements, while the Smiths' bore distinctive features. The "gray mohair buttons" on John Smith's new cotton jacket merited specific mention. The leather buttons that trimmed his breeches made of sailcloth suggest a decorative element unnecessary on such durable material, but one that customized his wardrobe. William's coat "trimmed with twill buttons" distinctively marked his apparel as well. That the Snowdens knew the Smiths' clothing to such great detail, especially John's "new" cotton jacket with the distinctively finished buttons, suggests that their attire appeared unique enough to have stood out for viewers. All three Smith men ran away with at least one shirt, coat, hat, and breeches or trousers (or both breeches and

trousers). The elder two men also wore waistcoats (a somewhat rare feature in the ads, although possibly more common for those of their age), while John, the youngest, took along his mohair-buttoned jacket. And their buttons, decorative features that garnered extra space in the printed advertisement, must have appeared distinctive enough that the Snowdens thought that including them might aid in recapturing their property.<sup>37</sup>

## **Freedom**

Had William and Joseph managed to remain free, they could have been among the transported criminals who returned to England prior to serving out their term, despite the fact that they faced death if caught. Although most successful runaways remained in America, often fleeing to another colony to avoid recognition, many did return to England. Convicts might pass themselves off as sailors, a sure way out of the area in which they were being searched for, even if not always allowing for a direct passage home. In other cases they may have had, or gotten, the financial means to pay any number of captains who asked few questions of those looking for passage back to England. Because of the frequent sailings between colonial towns of any size and England, return trips were fairly easy to arrange once escaped. Even without the money to pay the return fare, one might find work on board in exchange. Some convicts seem to have even arranged a return deal with the ship captain prior to departure from England. A number of men and women from “a gang of those people called faws,” a Scottish word used to refer to Gypsies, appear to have done just that in the 1750s. One of the “gang,” the repeat transportee Richard Clark, described his multiple transportations to and returns from both Maryland and Virginia in the 1760s. He also commented on other two-way trips across the Atlantic experienced by members of his family. Could the Smiths have managed similarly?<sup>38</sup>

As Gypsies, the Smiths may have felt an even greater impetus than other transported convicts to return home and back to their community. Though there is no evidence that eighteenth-century English Gypsies practiced ostracism, the most powerful disciplinary measure that could be exercised within the community, ethnographers have documented this practice in the twentieth century by Vlach-speaking Roma of Eastern Europe and their diaspora. Had this tradition existed, the power of such exile from their community would have motivated deported English Gypsies to work hard to return home. If banishment from the Gypsy community was the worst form of punishment one could know, then criminal exiles experienced a punishment reserved for the worst offenders against Gypsy social codes. Even if this exile had been instigated by the state rather than one’s own community, this fate brought shame to one’s whole family.<sup>39</sup>

Although it is unsurprising that the Smith men, being family, would choose to run away together, absconding convicts rarely ran away in groups. Only 14 percent of all Maryland runaways from midcentury left in groups of three or more, highlighting the power of the family bond these men shared. The greater ease of evading detection

while alone made individual departures more likely to succeed. Unless the fleeing servants were close friends or family, as in the case of the Smiths, rarely would it have been advisable to travel in a group after running away. Those runaways who could best execute disguises and remain mobile stood the greatest chance of remaining free. Prior experience with geographic mobility may have been the singularly defining feature in the lives of convicts, indentured servants, and other laboring people, providing them some experience with the skills needed for surviving if they ran away. Considering what is known about the lives of Gypsies in eighteenth-century Britain, the ability to execute flexible identities and remain mobile would have likely been second nature for the Smiths.<sup>40</sup>

June 27, 1768.

**R**AN away, last Night, from the Patuxent Iron-Works, the Two following Convict Servant Men, viz.

JOHN HILL, an *Englishman*, about 30 Years of Age, 5 Feet 7 or 8 Inches high, has a swarthy Complexion, and wears his own short black Hair: Had on, and with him, Two Osnabrig Shirts, and a Pair of Osnabrig Trowsers, old Felt Hat, old Cotton Jacket, and old Shoes.

JOHN SMITH, a *Gipsy*, 5 Feet 7 or 8 Inches high, has a very dark Complexion, and wears his own short black Hair, and is dressed in the same Manner as Hill.

||

Whoever takes up said Servants, and secures them in any Jail, so that they may be had again, shall receive, if taken 10 Miles from home, Twenty Shillings; if 30 Miles, Thirty Shillings; and if 50 Miles, Fifty Shillings for each; and, if brought home, reasonable Travelling Charges, paid by

(tt) THO: SAM: & JOHN SNOWDEN.

*Runaway advertisement for John Hill and John Smith.*  
Maryland Gazette, July 14, 1768.  
(Collection of the Maryland State Archives.)

runaway servants did dwell.” We do know that John was again working at the ironworks by the following summer of 1768, nearly a year after his initial departure with his father and uncle, but remained unreconciled to his status. He fled again in June, this time with a different partner, one John Hill, “an Englishman about thirty years of age” and a fellow *Thornton* convict. John Smith was again labeled “A Gypsie” in the advertisement taken out after his departure; John Hill was not.<sup>41</sup>

Clearly lacking the skills or desire to depart permanently from the ironworks, both John Hill and John Smith were back together laboring for the Snowdens at least by the summer of 1769, when they ran away again. This third advertisement once again called John Smith “a Gypsy” and John Hill “an Englishman.” It described both men as being “of a dark complexion, and clothed in the same manner.” They both also stood at five feet nine or ten inches. For the first time John Smith’s age was identified, as “about twenty-five years, ten years younger than Hill.” Thus, John Smith’s theft and trial oc-

Neither William nor Joseph Smith appears to have run away from the ironworks after their August 1767 departure, but whether this is because they were never caught, were caught and sold to other masters, were caught and served out their terms, or died, is not known. Had they been apprehended, up to ten days could have been added to their term for every day they remained absent, a fate that may have befallen William’s son John. They could also have been punished “in other ways at the discretion of the justices of the county court where such

curred when he was a man in his early twenties, now sentenced to labor in a land far from home and community, from which he could not escape.<sup>42</sup>

## Chesapeake Gypsies

The few cases uncovered of Gypsies in the colonial Chesapeake do not point to a larger underground existence of a Gypsy community in the region. According to scholars of Gypsies in the United States, not until their voluntary immigration from Britain in the mid-nineteenth century can we consider the establishment of the first Gypsy communities in this part of the world.<sup>43</sup> This study does little to challenge that assertion. Small numbers of diffuse individuals, forced to live as servants, meant that choices of passing one's culture to later generations through community-specific experiences would prove very difficult if not impossible. Even when spouses or other relatives might have been transported together, and there is some evidence that this had happened, there was no guarantee that they would be sold to the same owner, or even have known of the fate of others in their party or family. Because the foundations for a Gypsy community in America would have required the ability to retain control over labor, language, and other group-specific cultural practices, the isolated existence of Gypsy servant convicts in the British North American colonies would have prevented formation of the community required to continue such practices. As such, any Gypsy convict, unless able to join up with other Gypsies once they gained freedom, stood little chance of passing cultural practices on to the next generation. For myriad reasons, then, Gypsies in the colonies of British North America found it impossible to retain a distinctive community.<sup>44</sup> In the generations that followed the Smith men's lives in the Chesapeake, nineteenth-century writers, some even coming from Maryland, claimed there were no Gypsies in America; even if by then these claims were true, this was not because no Gypsies had ever been there.<sup>45</sup>

Historical evidence documents Gypsies brought to the British colonies, including the eighteenth-century Chesapeake. The labeling of three convict runaways, William, Joseph, and John Smith, as "Gypsies" in a *Maryland Gazette* newspaper advertisement proves that the readership attached meaning to this term. Although many Marylanders had arrived from the British Isles and no doubt could have had experiences with Gypsies there, by the 1760s, after 150 years of European settlement in the Chesapeake, most of the population was not European-born immigrants, but native-born creoles.<sup>46</sup> Colonial Marylanders could have learned to recognize Gypsies through personal interactions with them or through print sources about them. The frequent appearance of Gypsies in eighteenth-century novels and newspapers suggests that most British colonists would have held at least general (even if incorrect) assumptions about them. Marylanders would thus have found meaning in the label that the Snowdens chose to include in the Smiths' runaway advertisement. Whether or not Maryland readers had encountered a Gypsy in the flesh, many might have encountered one on the printed page. These

accounts embedded expectations of “Gypsiness,” especially of their criminality, and solidified the perception of Gypsy as an “other” to be wary of, in the imaginations of Americans. Gypsies would also have been attached in many readers’ minds with criminal transportation. Such expectations would have influenced the unique way the Smiths experienced the Chesapeake compared with other convict servants.

An examination into the lives of Joseph, William, and John Smith broadens our understanding of the colonial Chesapeake while deepening our knowledge of Gypsy history. Doing so allows Gypsies to be written into the historical narrative as discrete actors, rather than mythologized into a timeless landscape.<sup>47</sup> It also provides a fuller picture of the population living in the late colonial Chesapeake. Though sources about these men are scant, contextualizing their experiences reveals their lives and decisions as convict servants to have been fairly typical for the time and place. However, a deeper reading of their runaway advertisement suggests that the local population must have had plenty of experience with either real or imagined Gypsies to have created their own assumptions of what it meant to be Gypsy.

Much more remains to be done on the scholarship of colonial North American Gypsies. This attempt to tell a small part of their story is a beginning, but incomplete. No doubt references to other men and women referred to as Gypsies remain buried in local archives. Once uncovered, narratives of their lives will provide much more detail and nuance to the limited description that we can currently construct about them. Nonetheless, this study of eighteenth-century English colonial Gypsies, as detailed through the experiences of Joseph, William, and John Smith, takes a significant step in the development of American Gypsy history.

## NOTES

1. *Maryland Gazette*, September 17, 24, and October 1, 8, 1767. The *Thornton*, captained by Christopher Reed, left London in May 1767. The Smiths may have sailed on its first trip carrying criminal transportees. The *Thornton* subsequently made eight more trips in as many years, carrying over eleven hundred convicts to Maryland and Virginia. Peter Wilson Coldham, *Bonded Passengers to America: vols. I and II* (Baltimore: Genealogical Publishing, 1983), 332; Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America 1607–1776* (Chapel Hill: University of North Carolina Press, 1947), 126. For the location of the Snowdens’ forge and furnace, see Lester J. Cappon, Barbara Bartz Petchenik, and John Hamilton Long, eds., *Atlas of Early American History: The Revolution, 1760–1790* (Princeton, NJ: Princeton University Press, 1976), 29. These three Snowden brothers inherited the Patuxent Iron Works after the death of their father Richard in 1763. *Maryland Gazette*, January 27, 1763. Richard Snowden had accumulated significant land holdings beyond the successful ironworks that had been in operation at least as early as the 1730s. Ronald L. Lewis, “The Use and Extent of Slave Labor in the Chesapeake Iron Industry: The Colonial Era,” *Labor History* 17 (1976): 400. For a Snowden family history, see Robert William Barnes, *Colonial Families of Maryland: Bound and Determined to Succeed* (Baltimore: Clearfield, 2007), 215–18.

2. For a few accounts referencing the presence of Gypsies in North America, but without providing deeper analysis or situating them into a broader historical context, see Walter Simson, *History of the Gypsies: With Specimens of the Gypsy Language* (NY: 1866), 418–21; Albert Thomas Sinclair, *American Gypsies* (New York: The New York Public Library, 1917), 15–18; Henry Shoemaker, “The Language of the Pennsylvania German Gypsies,” *American Speech* 1 (August 1926): 584–86; Henry Shoemaker, “On the Origin of Pennsylvania German Gypsies,” *Journal of the Gypsy Lore Society* 8 (1929): 181–83; Irving Brown, “The Gypsies in America,” *Journal of the Gypsy Lore Society* 8 (1929): 147–49; and Richardson Wright, “Gypsy Lore in America, 1888–1938,” *Journal of the Gypsy Lore Society* 17 (1938): 11–17. For a few studies of *Gitanos*, *Ciganos*, and *Bohemiéns* in the colonies, see Richard Pym, *The Gypsies of Early Modern Spain, 1425–1783* (Basingstoke, UK: Palgrave Macmillan, 2007); Antonio Gómez Alfaro, “Veto español a la presencia de gitanos en el Nuevo mundo,” in Antonio Gómez Alfaro, *Escritos sobre gitanos* (Asociación de Enseñantes con Gitanos, n.d.), 397–427; Bill Donovan, “Changing Perceptions of Social Deviance: Gypsies in Early Modern Portugal and Brazil,” *Journal of Social History* 26 (Fall 1992): 33–53; Elisa Maria Lopes da Costa, “Contributos ciganos para o povoamento do Brasil (séculos XVI–XIX),” *Arquipélago* 9 (2005): 153–81; and Francois Vaux de Foletier, “La grande rafle des Bohémiens du Pays Basque sous le Consulat,” *Etudes de Tsiganes* (March 1968): 13–22. For scholarship on the mythologizing timelessness placing Gypsies outside of history, see Katie Trumpener, “A Time of the Gypsies: A ‘People without History’ in the Narratives of the West,” *Critical Inquiry* 18 (Summer 1992): 843–84; Sarah Houghton-Walker, *Representations of the Gypsy in the Romantic Period* (New York: Oxford University Press, 2014); Abby Bardi, “The Gypsy as Trope in Victorian and Modern Literature,” *Romani Studies* 16 (June 2006): 31–42; and Deborah Epstein Nord, *Gypsies and the British Imagination, 1807–1930* (New York: Columbia University Press, 2006). David Cressy, “Trouble with Gypsies in Early Modern England,” *The Historical Journal* 59 (March 2016): 26.
3. Donald Kenrick, *Gypsies: From the Ganges to the Thames* (Hertfordshire, UK: University of Hertfordshire Press, 2004); David Cressy, *Gypsies: An English History* (New York: Oxford University Press, 2018), 1–4; Cressy, “Trouble with Gypsies,” 5, 10–11; Angus Fraser, *The Gypsies* (Oxford: Blackwell Publishing, 1995), 111–13; John Morgan, “‘Counterfeit Egyptians’: The Construction and Implementation of a Criminal Identity in Early Modern England,” *Romani Studies* 26 (December 2016): 122; Nord, *Gypsies and the British Imagination*, 19–20, 22–23; David Mayall, *Gypsy Identities, 1500–2000: From Egipcians and Moon-Men to the Ethnic Romany* (New York: Routledge, 2004), 1–18; David Mayall, *Gypsy-Travellers in Nineteenth-Century Society* (New York: Cambridge University Press, 1988), 83–84.
4. Cressy, *Gypsies*, 137. For Carey, see Henrico County Virginia, Deeds and Wills, 1677–1692, (1686), 382, Library of Virginia Microfilm Reel 4a and Henrico County Virginia Record Book no. 2, Orders and Wills, 1678–1693, 215, Library of Virginia, Microfilm Reel 53. For Scott, see Henrico County Virginia, Record Book no. 3, Orders, 1694–1699, 88, Library of Virginia, Microfilm Reel 65; William Hening, *The Statutes at Large Being a Collection of All the Laws of Virginia* (13 vols.; New York: 1823), 2:114, 2:170. The law Scott broke was part of the infamous Virginia slave law that for the first time defined the condition of slavery to be inheritable following the status of the mother. The full law reads: “Whereas some doubts have arisen whether children got by any Englishman upon a Negro woman should be slave or free, *be it therefore enacted and declared by this present Grand Assembly*, that all children born in this country shall be held bond or free only according to the condition

- of the mother; and that if any Christian shall commit fornication with a Negro man or woman, he or she so offending shall pay double the fines imposed by the former act." For more information on this act, see Leon Higginbotham and Barbara K. Kopytoff, "Racial Purity and Interracial Sex in the Law of Colonial and Antebellum Virginia," *Georgetown Law Journal* 77 (1989): 1970–1973. Nowhere in the several other records mentioning her, is Scott noted as a woman of color—even in situations where such labeling was the norm. From this it appears that she was not considered to be a person of color by the courts, though her partner was. Ann Ostendorf, "An Egyptian and Noe Xtian Woman': Gypsy Identity and Race Law in Early America," *Journal of Gypsy Studies* 1 (May 2017): 5–15. For Mary, see *Pennsylvania Gazette*, July 6, 1751. For Clark, see Gwenda Morgan and Peter Rushton, *Eighteenth-Century Criminal Transportation: The Formation of the Criminal Atlantic* (New York: Palgrave MacMillan, 2004), 68–70. For the Williams, see *New York Journal*, August 15, 1771.
5. For 1682, see David Dobson, *Directory of Scots Banished to the American Plantations* (Baltimore: Genealogical Publishing Co., Inc., 1984), 6–7, 71, 76, 188; J. A. Fairley, *Extracts from the Records of the Old Tolbooth of Edinburgh, 1657–1686* (1923), 221; and "An Act Regarding the Egyptians," Parliamentary Register, June 24, 1609, Record of the Parliaments of Scotland to 1707. <http://www.rps.ac.uk> (accessed February 18, 2016). For 1715, see Minute Book, JC 12/2, 122–132, National Records of Scotland; Dobson, *Directory of Scots Banished*, 45, 46, 92, 192, 212, 230; David Dobson, *Ships from Scotland to America, 1628–1828* (Baltimore: Genealogical Publishing Co., Inc., 1998), 53; James Hill, *Memorabilia of the City of Glasgow: Selected from the Minute Books of the Burgh* (Glasgow: 1835), 424–26; and Francis Hindes Groome, "Transportation of Gypsies from Scotland to America," *Journal of the Gypsy Lore Society* 2 (1890/1891): 61–62. Hill transcribed a number of these names differently than they are spelled in the original and it appears Dobson used this as his source. For 1739, see Dobson, *Directory of Scots Banished*, 7, 15, 79, 216.
  6. George Hall, *The Gypsy's Parson: His Experiences and Adventures* (Philadelphia: J. B. Lipincott, 1915), 247–55. "Gypsyloist" refers to a late nineteenth- or early twentieth-century amateur scholar interested in Gypsy life and lore. Some even temporarily lived among Gypsies in an attempt to better understand their language, history, and customs. Nord, *Gypsies and the British Imagination*, 68–69.
  7. *Connecticut Gazette*, June 2, 1780.
  8. Samuel Johnson, *A Dictionary of the English Language* (London: W. Straman, 1755), s.v. "Gipsy".
  9. *Boston News-Letter*, February 10, 1726, March 9, 1727; *American Weekly Mercury*, November 21, 1728; *Virginia Gazette*, November 25, 1737; *Boston Weekly Post-Boy*, February 20, 1738; *New London (CT) Summary*, July 24, 1761. The late colonial Virginia's free adult male literacy rate of 70 percent was slightly higher than in England. Though no comparable figures for any Marylanders or for Virginia women from this era could be found, a study of female literacy in Perquimans County, North Carolina estimates that between 1748 and 1776, 35 percent of free women were literate; the county's male literacy stood at 80 percent. Stanley Engerman and Robert Gallman, eds., *The Cambridge Economic History of the United States: The Colonial Era*, vol. 1 (New York: Cambridge University Press, 1996), 193 and Robert Gallman, "Changes in the Level of Literacy in a New Community of Early America," *The Journal of Economic History* 48 (September, 1988): 574.

10. Fraser, *The Gypsies*, 195; Sheila Salo, "'Stolen by Gypsies': The Kidnap Accusation in the United States," in *Papers from the Eighth and Ninth Annual Meetings of the Gypsy Lore Society*, ed. Cara DeSilva, Joanne Grumet, and David J. Nemeth (New York: Gypsy Lore Society, 1988); Nord, *Gypsies and the British Imagination*, 10–12, 23–25; Jodie Matthews, "Back Where They Belong: Gypsies, Kidnapping and Assimilation in Victorian Children's Literature," *Romani Studies* 20 (December 2010): 137–59; Mayall, *Gypsy-Travellers*, 82; Wim Willems, *In Search of the True Gypsy: From Enlightenment to Final Solution*, trans. Don Bloch (Portland, OR: Frank Cass, 1997), 25–27, 74, 294–95; *Virginia Gazette*, March 3, 1768; *Massachusetts Gazette*, December 30, 1771; *Virginia Gazette*, November 2, 1768; *Pennsylvania Evening Post*, October 28, 1775; *Independent Gazette*, December 27, 1783; *Independent Gazetteer*, August 2, 1783; *Political Intelligencer*, January 13, 1784; *Vermont Journal*, March 10, 1784; *Maryland Gazette*, August 14, 1783; *Connecticut Journal*, January 26, 1785; and *Columbian Herald*, March 27, 1786.
11. Angus Fraser, "Author's Gypsies," *Antiquarian Book Monthly* 20 (February 1993): 10–11; Daniel Defoe, *Moll Flanders* (New York: Penguin, 1989), 45; Henry Fielding, *Tom Jones* (London: Methuen, 1905), 469–73; and Joseph Wheeler, "Books Owned by Marylanders, 1700–1775," *Maryland Historical Magazine* 35 (1940): 350. A store at Elk Ridge Landing sold books at the time of the Smiths' residency at the ironworks, though which titles is not known. *Maryland Gazette*, May 30, 1765. A Baltimore-based circulating library opened several years after the failed Annapolis one. Joseph Wheeler, "Booksellers and Circulating Libraries in Colonial Maryland," *Maryland Historical Magazine* 34 (1939): 113–19. Samuel Richardson, *Pamela; or, Virtue Rewarded* in *The Works of Samuel Richardson*, vol. 2 (London, 1811). For more on literacy and reading in the eighteenth-century Chesapeake, see Hugh Amory and David D. Hall, eds., *A History of the Book in America: The Colonial Book in the Atlantic World* (Chapel Hill: University of North Carolina Press, 2007), 1:380–405.
12. Thomas Acton, "Modernity, Culture and 'Gypsies': Is there a Meta-Scientific Method for Understanding the Representation of 'Gypsies'? And do the Dutch Really Exist?," in *The Role of the Romanies: Images and Counter-Images of 'Gypsies'/Romanies in European Culture*, ed. Nicholas Saul and Susan Tebbutt (Liverpool: Liverpool University Press, 2004), 106; Morgan and Rushton, *Eighteenth-Century Criminal Transportation*, 78–85; *An Apology for the Life of Mr. Bampfylde-Moore Carew*, 5th ed., (London: R. Goadby and W. Owen, 1760), 99–119; and *Herald of Freedom*, October 13, 1788. In an equally famous episode, the widely reported 1753–1754 trial of Elizabeth Canning, who accused an "old Gypsy Woman" named Mary Squires of confining her for a month in an attic in an attempt to make her a prostitute (the old woman was originally sentenced to death for the charge), ended months later with Canning herself found guilty of perjury. She was to be transported to Maryland, although she ended up in New England instead. *Virginia Gazette*, August 5, 1773 and Judith Moore, *The Appearance of Truth: The Story of Elizabeth Canning and Eighteenth-Century Narrative* (Newark: University of Delaware Press, 1994), 18, 97, 128, 170, 173.
13. George Webb, *Office and Authority of a Justice of Peace* (Williamsburg, 1736), 349; St. George Tucker, *Blackstone's Commentaries: With Notes of Reference to the Constitution and Laws of the Federal Government of the United States and the Commonwealth of Virginia* (Philadelphia: 1803), 33, 165–66 and Francois-Xavier Martin, *A Collection of the Statutes of the Parliaments of England in Force in the State of North-Carolina* (New Bern, 1792), 193–94, 280–82, 315–16. The content of these North Carolina statutes is identical to the



- original English ones, although the spelling had been slightly modernized. 22 Henry VIII, c. 10; 1 & 2 Philip and Mary, c. 4; 5 Elizabeth, c. 20. It is possible that these statutes against Egyptians had been retained as part of the process of creating a colonial slave code "informed by the English experience with vagabonds," although these statutes are clearly anti-Egyptian and not directed at general vagrancy. Bradley J. Nicholson, "Legal Borrowing and the Origins of Slave Law in the British Colonies," *The American Journal of Legal History* 38 (January 1994): 41–45.
14. Cressy, "Trouble with Gypsies," 25, 26; Cressy, *Gypsies*, 142–43; *Boston Weekly News-Letter*, February 27, 1746; Jacob Bryant, "A Vocabulary of the Zingara," *Archaeologia, or Miscellaneous Tracts Related to Antiquity* 8 (1785): 386–94; Fraser, *The Gypsies*, 193; Ian Hancock, "The Cryptolectal Speech of the American Roads: Traveler Cant and American Anglorman," *American Speech* 61 (Autumn, 1986): 206–20; and Mayall, *Gypsy-Travellers*, 86.
  15. Cressy, "Trouble with Gypsies," 26; Mayall, *Gypsy-Travellers*, 73–80; and Nord, *Gypsies and the British Imagination*, 150–53. For examples from nineteenth-century "race science" that consider Gypsies, see Charles Caldwell, *Thoughts on the Original Unity of the Human Race* (New York: E. Bliss, 1830), 123–25 and Robert Knox, *The Races of Men: A Fragment* (Philadelphia: Lea and Blanchard, 1850), 103–17.
  16. Buckingham Summer Assizes, Norfolk Circuit, Gaol Books, Lent 1764–Lent 1770 (ASSI 33/4), 183, The National Archives; Peter Wilson Coldham, *The Complete Book of Emigrants in Bondage, 1714–1775* (Baltimore: Genealogical Publishing Co., Inc., 1988), 737, 738, 746; A. Roger Ekirch, "Bound for America: A Profile of British Convicts Transported to the Colonies, 1718–1775," *The William and Mary Quarterly* 42 (April 1985): 190–91; and A. Roger Ekirch, *Bound for America: The Transportation of British Convicts to the Colonies, 1718–1775* (Oxford: Clarendon Press, 1987), 35, 38. There is a discrepancy between the sentences recorded in the court records and Coldham's compilation. The original clearly states that all three men were transported for life, whereas Coldham lists Joseph's banishment as being for life, while John's and William's were for fourteen years each. Gypsies had made their appearance in Buckinghamshire Court records as early as 1577, when a number of people were tried for "being Gypsies." T. W. Thompson, "Consorting with and Counterfeiting Egyptians," *Journal of the Gypsy Lore Society* 2 (1923): 81–93.
  17. Ekirch, *Bound for America*, 90, 106. The House of Commons mortality estimate includes both time in jail and on the trans-Atlantic voyage. Kenneth Morgan, "The Organization of the Convict Trade to Maryland: Stevenson, Randolph, and Cheston, 1768–1775," *The William and Mary Quarterly* 42 (April 1985): 213n60.
  18. Lists of Convicts to be Transported on the Thornton, master Christopher Reed, May 7, 1767, (T 1/460/4–6 and 55–59), 58, The National Archives and Smith, *Colonists in Bondage*, 114–15.
  19. Some convicts had been transported to the colonies in the seventeenth century although records allow only a rough estimate of their numbers and destinations. At least some had arrived to Maryland by 1676, when the colony passed an ordinance against their importation. Basil Sollers, "Transported Convict Laborers in Maryland During the Colonial Period," *Maryland Historical Magazine* 2 (1907): 23–27; An Act for the Further Preventing Robbery and Other Felonies, *Statutes at Large*, 4 Geo. 1, c. XI; Gwenda Morgan and Peter Rushton, *Rogues, Thieves and the Rule of the Law: The Problem of Law Enforcement in North-East England 1718–1800* (London: University College London Press, 1998), 149,

- 153–57; Morgan and Rushton, *Eighteenth-Century Criminal Transportation*, 3, 12; Ekirch, “Bound for America,” 184; and Kenneth Morgan, “English and American Attitudes Towards Convict Transportation 1718–1775,” *History* 72 (1987): 418, 424. Ekirch, *Bound for America*, 233–37 and Gregory John Durston, “Magwitch’s Forebears: Returning from Transportation in Eighteenth-Century London,” *Australian Journal of Legal History* 9 (2005): 146. The American Revolution and the United States’ hostility toward the practice slowed transportation to North America in the 1770s and 1780s. After 1788, with the landing of the first convict ship in Australia, it became the destination of choice in the convict trade.
20. Sollers, “Transported Convict Laborers,” 20; Ekirch, “Bound for America,” 184; Kenneth Morgan, “Convict Runaways in Maryland, 1745–1775,” *Journal of American Studies* 23 (August 1989): 253–55; and Smith, *Colonists in Bondage*, 325, 329.
  21. Ekirch, *Bound for America*, 3–4 and Morgan, “Convict Runaways in Maryland,” 253.
  22. Durston, “Magwitch’s Forebears,” 141; Morgan, “Organization of the Convict Trade,” 211–12; and *Maryland Gazette*, July 16, 1767.
  23. Morgan and Rushton, *Eighteenth-Century Criminal Transportation*, 3; Morgan, “English and American Attitudes,” 416–17, 424, 429; and *Pennsylvania Gazette*, May 9, 1751, in *The Papers of Benjamin Franklin*, vol. 4, ed. Leonard W. Labaree (New Haven, CT: Yale University Press, 1961), 130–32.
  24. *Maryland Gazette*, July 9 and 16, 1767. For the location of Elk Ridge, see Cappon, *Atlas*, 29. Although the servant convicts on board the ship *Blessing’s Success* were deemed disease free at arrival, there had been an outbreak of smallpox on board while still in London that left eight people dead and likely caused the rumors. The remaining people on board who had never had smallpox were then inoculated. The ship *Thornton* was owned by John Stewart and Co. and built in Maryland in 1765. Vaughn W. Brown, *Shipping in the Port of Annapolis, 1748–1775* (Annapolis, MD: United States Naval Institute, 1965), unnumbered appendix; Jacob M. Price, “One Family’s Empire: The Russell-Lee-Clerk Connection in Maryland, Britain, and India, 1707–1857,” *Maryland Historical Magazine* 72 (Summer 1977): 178–79; Ekirch, *Bound for America*, 124–25, 131; and Smith *Colonists in Bondage*, 122. For a description of how the convict trade functioned, see Morgan, “The Convict Trade to Maryland,” 201–27.
  25. Morgan, “English and American Attitudes,” 427, 429; Sollers, “Transported Convict Laborers,” 37–38, 40, 41n1; and Ekirch, *Bound for America*, 107–08.
  26. Sollers, “Transported Convict Laborers,” 38–39 and Morgan, “English and American Attitudes,” 428.
  27. Ekirch, *Bound for America*, 182–83.
  28. Morgan, “Convict Runaways in Maryland,” 256–57 and Morgan and Rushton, *Eighteenth-Century Criminal Transportation*, 5–7.
  29. Lewis, “The Use and Extent of Slave Labor,” 400; Ronald L. Lewis, *Coal, Iron, and Slaves: Industrial Slavery in Maryland and Virginia, 1715–1865* (Westport, CT: Greenwood Press, 1979), 121–22, 168–69; John Bezis-Selfa, *Forging America: Ironworkers, Adventurers, and the Industrious Revolution* (Ithaca, NY: Cornell University Press, 2004), 80; and Morgan, “The Convict Trade to Maryland,” 204, 215. For a description of the development of the iron industry in colonial Maryland, see Keach Johnson, “The Baltimore Company Seeks

- England Markets: A Study of the Anglo-American Iron Trade, 1731–1755,” *William and Mary Quarterly* 16 (January 1959): 37–60.
30. *Maryland Gazette*, September 17 and 24, 1767, (Smiths); *Maryland Gazette*, August 20 and September 17, 1767, (Carroll, Hill, and Connor); and *Maryland Gazette*, July 14, 1768 and August 3, 1769 (Smith and Hill). The sentencing of Hill, Carroll, and Connor can be found at Old Bailey Proceedings, Sessions Papers - Justices' Working Documents, *London Lives, 1690–1880*, LMSMPS505700084, April 29, 1767. Their trials can be found at Old Bailey Proceedings, Accounts of Criminal Trials, t17670429-26, s17670429-1, April 29, 1767, (Connor), Old Bailey Proceedings, Sessions Papers - Justices' Working Documents LMSMPS505700084, LMSMPS505700092, LMSMPS505700101, April 1, 1767, (Carroll), Old Bailey Proceedings, and Accounts of Criminal Trials, t17670429-1, April 29, 1767, (Hill). These Old Bailey Proceedings can be found online at [www.londonlives.org](http://www.londonlives.org) (accessed February 1, 2016). All three were convicted of theft. Coldham, *Bonded Passengers to America*, 332 and Lists of Convicts to be Transported on the *Thornton*, master Christopher Reed, May 7, 1767, (T 1/460/4–6 and 55–59), The National Archives.
  31. Jonathan Prude, “To Look Upon the ‘Lower Sorts’: Runaway Ads and the Appearance of Unfree Labor in America, 1750–1800,” *The Journal of American History* 78 (June 1991): 139n25; Morgan, “Convict Runaways in Maryland,” 254–55; and Durston, “Magwitch’s Forbears,” 137–59.
  32. Gwenda Morgan and Peter Rushton, “Visible Bodies: Subordination and Identity in the Eighteenth-Century Atlantic World,” *Journal of Social History* 39 (Autumn 2005): 42–43; Prude, “To Look Upon the ‘Lower Sorts,’” 125–27, 129; and David Waldstreicher, “Reading the Runaways: Self-Fashioning, Print Culture, and Confidence in Slavery in the Eighteenth-Century Mid-Atlantic,” *William and Mary Quarterly* 56 (April 1999): 270–71. Placing a runaway ad probably cost about 10 shillings in the 1770s. Though the Smiths are not included, for an excellent source to study the descriptions of runaway servants from the Chesapeake as appearing in the *Maryland Gazette*, see Peter Wilson Coldham, *Maryland and Virginia Convict Runaways: 1725–1800, A Survey of English Sources* (Baltimore: Genealogical Publishing Company, 2011).
  33. Prude, “To Look Upon the ‘Lower Sorts,’” 142–43. The Smiths’ departure was advertised in the *Maryland Gazette*, September 17 and 24, 1767.
  34. Ekirch, “Bound for America,” 195.
  35. Waldstreicher, “Reading the Runaways,” 257–58; Morgan and Rushton, *Banishment in the Early Atlantic World*, 4; *Maryland Gazette*, August 30, 1753; Coldham, *Maryland and Virginia Convict Runaways*, 25, 48, 63; and *Maryland Gazette*, April 11, 1771. According to Morgan and Rushton, there is some uncertainty about what sort of meaning these color words implied to colonial readers in the late eighteenth century. Swarthy may have had more to do with a dark haired man’s unshaven state than skin tone, though Johnson’s 1768 *Dictionary of the English Language* defines swarthy as “dark of complexion; black; dusky; tawney.” The definition for tawny is “yellow, like things tanned.” Morgan and Rushton, “Visible Bodies,” 42 and Johnson, *Dictionary*, s.vv. “swarthy,” “tawny.”
  36. *Maryland Gazette*, August 20 and September 17 and 24, 1767; Morgan, “Convict Runaways in Maryland,” 263–64; *Maryland Gazette*, January 1, 1767; and Coldham, *Maryland and Virginia Convict Runaways*, 12, 15, 70.

37. *Maryland Gazette*, September 17 and 24, 1767; Prude, "To Look Upon the 'Lower Sorts,'" 144–48; Joanne Early, "Runaway Advertisements: A Source for the Study of Working-Class Costume," *Pennsylvania Folklife* 27 (Summer 1978): 46–49; and Linda Baumgarten, *What Clothes Reveal: The Language of Clothing in Colonial and Federal America* (New Haven, CT: Yale University Press, 2002), 123–33. Over a third of all runaway male servants were cited with breeches, coat, jacket, shirt, and hat, another 25 percent with trousers, 17 percent with a waistcoat, but only 11 percent of ads described buttons.
38. According to statistics calculated by the trial records of the Old Bailey from the eighteenth century, 1.6 percent of the criminals transported, or 243 people, were later tried for returning from transportation. Tim Hitchcock, Sharon Howard, and Robert Shoemaker, "Criminal Justice—Punishment," *London Lives, 1690–1800*, [http://www.londonlives.org/static/Punishment.jsp#fn1\\_10](http://www.londonlives.org/static/Punishment.jsp#fn1_10) (accessed December 28, 2016); Durston, "Magwitch's Forbear," 137–58; Morgan, "Convict Runaways in Maryland," 262; Morgan and Rushton, *Rogues, Thieves and the Rule of Law*, 88–90, 165–67; and Morgan and Rushton, *Eighteenth-Century Criminal Transportation*, 68–70.
39. Anne Sutherland, *Gypsies: The Hidden Americans* (Long Grove, IL: Waveland Press), 98–99.
40. Morgan, "Convict Runaways in Maryland," 261–62; Durston, "Magwitch's Forbear," 142–46; Cressy, *Gypsies*, 117, 136–37; Cressy, "Trouble with Gypsies," 22–26; David Cressy, "Evangelical Ethnographers and English Gypsies from the 1790s to the 1830s," *Romani Studies* 26 (June 2016): 63–77; T. W. Thompson, "Gleanings from Constables' Accounts and Other Sources," *Journal of the Gypsy Lore Society* 7 (1928): 30–47; E. O. Winstedt, "Early British Gypsies," *Journal of the Gypsy Lore Society* 7 (1913–14): 5–37; and David Mayall, *Gypsy-Travellers*. Historians have yet specifically to study Gypsies in eighteenth-century Britain; as such I rely on seventeenth-century English and Scottish accounts, and nineteenth-century British accounts, all of which support this claim of mobility and flexibility. These characteristics are also hinted at in a 1713 statute (a reenactment of the 1596 Poor Law Act), the wording of which suggests both mobility and disguise when it declared illegal "all persons pretending to be Gypsies or wandering in the habit or form of counterfeit Egyptians, or pretending to have skill in physiognomy, palmistry, or like crafty science, or pretending to tell fortunes or like phantastical [*sic*] imaginations, or using any subtle craft, or unlawful games of plays." *Statutes of the Realm*, 13 Anne, c. xxvi and Fraser, *The Gypsies*, 136.
41. Neither man was again listed as a runaway in any of the several sources indexing colonial runaways via advertisements. Joseph Lee Boyle, comp., *When Drunk is Very Bold: White Maryland Runaways, 1763–1769* (Baltimore: Clearfield, 2013); Joseph Lee Boyle, comp., *Sly and Artful Rogues: Maryland Runaways, 1775–1781* (Baltimore: Clearfield, 2014); Coldham, *Maryland and Virginia Convict Runaways*; "An Act Relating to Servants and Slaves," *Proceedings and Acts of the General Assembly* 30 (1715), 283–84; and *Maryland Gazette*, July 14, 1768.
42. Some events in the life of John Hill can be traced back to the courtrooms of London. Hill had been discovered with a bag of fowl when passing a watchman in a churchyard in the middle of the day at the end of March, 1767. Emerging chicken legs and heads foiled his attempt to persuade the constable that he was merely carrying a sack of cloth. Hill seemed as equally unable to outsmart later Chesapeake patrols as he had been with this Stepney

- constable. Old Bailey Proceedings, Accounts of Criminal Trials, *London Lives, 1690–1880*, 117670429-1, April 29, 1767, www.londonlives.org (accessed, February 1, 2016) and *Maryland Gazette*, August 3, 1769.
43. Matt T. Salo, “Gypsy Ethnicity: Implications of Native Categories and Interaction for Ethnic Classification,” *Ethnicity* 6 (1979): 76; Matt T. Salo and Sheila Salo, “Gypsy Immigration to the United States,” *Papers from the Sixth and Seventh Annual Meeting of the Gypsy Lore Society* (1986), 86; Brian Belton, *Questioning Gypsy Identity: Ethnic Narratives in Britain and America* (New York: Alta Mara Press, 2005), 69–76; and Becky Taylor, *Another Darkness, Another Dawn: A History of Gypsies, Roma and Travellers* (London: Reaktion Books, 2014), 92–93.
44. This assertion can be challenged with my current research into thirteen *Bohemiën* (French Gypsy) families transported to French colonial Louisiana in 1720. “Passenger Lists from France to the Colonies, 1716–1830,” Archives d’Outre Mer (Colonies F5 B 44 Dunkirque), May 21–22, 1720, Clayton Genealogical Library, Houston, Texas. For a published transcription of this transportation list, see Albert J. Robichaux Jr., *German Coast Families: European Origins and Settlement in Colonial Louisiana* (Rayne, LA: Hebert Publications, 1997), 430–33. For evidence of Scottish Gypsy relatives transported together, see South Circuit Minute Book, JC 12/2, 11 May, 1714, 122–32, National Records of Scotland; Hill, *Memorabilia of the City of Glasgow*, 424–25; George Douglas, *Diversions of a Country Gentleman* (London: Hodder and Stoughton, 1902), 255–67; and Dobson, *Directory of Scots Banished*, 6, 7, 45, 216. The Gypsy inability to retain cultural practices differs from the situation of the diverse enslaved Africans who were able to maintain some former practices, albeit in significantly transformed ways due to their new labor situation and contact with other slaves of unfamiliar heritages. However, the greater number of these diverse African groups being concentrated together allowed for new African-American creole cultures to develop, a situation not available to the significantly fewer Gypsies, already largely creolized English people, who required a community to retain the boundaries of their separate identity.
45. *Nile’s Weekly Register* 9 (1815–6): 63 and Francis Groome, *Gypsy Folk Tales* (London: 1899), xv–xvi.
46. Lois Greene Carr, “Diversification in the Chesapeake,” in Lois Greene Carr, Philip D. Morgan, and Jean B. Russo, eds., *Colonial Chesapeake Society* (Chapel Hill: University of North Carolina Press, 1988), 354.
47. Trumpener, “A Time of the Gypsies,” 843–84.

# Graven in Stone and Buried under the Shield: A Guide to Gravestones of Maryland's Civil War Veterans

RALPH E. ESHELMAN AND A. DOUGLAS RAWLINSON

“WAR, AT THE BEST, IS TERRIBLE, and this war of ours, in its magnitude and duration, is one of the most terrible. . . . It has destroyed property, and ruined homes. . . . It has carried mourning to almost every home, until it can almost be said that the heavens are hung in black.”

*President Abraham Lincoln, speaking during his re-election campaign at a United States Sanitary Commission Fair at Logan Square, Philadelphia, June 16, 1864.*

THE FOCUS OF THIS WORK is a guide to gravestones of American Civil War veterans buried in Maryland. All of the contemporary gravestones were hand-engraved with chisels and hammers (the more modern metal markers are cast and later stone markers mechanically engraved). Most of the early military gravestones issued by the US Government include the rank, name (usually spelled out in an arch), and unit, all in relief letters within a sunken US shield-shape. Thus the name for this guide: “Graven in Stone and Buried under the Shield.”

This inventory lists more than 12,000 American Civil War veterans buried in some 1,100 cemeteries in Maryland and elsewhere. Of these, 20 are buried in cemeteries whose precise location is unknown (Appendix 1) and another 1,587 are Maryland veterans for whom we have no cemetery location (Appendix 4). Of these latter veterans, 1,296 died in Maryland and the remaining 291 died in other states. It is unclear how many who died in Maryland were buried in Maryland and how many who died in other states were transported back to Maryland for burial. What we can say is that this inventory includes burial information for over 10,000 Civil War veterans known to be buried in Maryland.

*Both authors have ancestors who fought in the American Civil War. Rawlinson and Eshelman are currently working on a comprehensive inventory of veterans buried in Maryland from the Spanish-American War, as well as an updated and expanded Civil War list. The goal is eventually to have inventories of veterans buried in Maryland from all wars prior to 1900, including the Revolutionary War, Mexican War, and Indian Wars.*



*Capt. George Late Tyler gravestone detail, Mount Olivet Cemetery, Frederick, Maryland.*  
(Photograph by Ralph E. Eshelman.)



*Many Civil War soldiers buried at Annapolis National Cemetery died in local hospitals after being wounded in battles such as Monocacy, South Mountain, Antietam, and Gettysburg or during recuperation after being held in Confederate prison camps.* (Photograph by Ralph E. Eshelman.)

Of the known Civil War veterans buried in Maryland, the following numbers are provided in order of highest number for Baltimore City and each county:

Baltimore City 3,596	Talbot County 183
Frederick County 1,001	Montgomery County 136
Washington County 811	Howard County 125
Allegany County 780	Prince George's County 125
Baltimore County 664	Kent County 95
Cecil County 594	St. Mary's County 87
Carroll County 496	Wicomico County 86
Harford County 299	Queen Anne's County 70
Garrett County 243	Worcester County 59
Anne Arundel County 216	Somerset County 46
Dorchester County 213	Charles County 38
Caroline County 193	Calvert County 18

In addition, we found 1,844 veterans who served in Maryland units during the Civil War who are buried outside of Maryland. The following numbers are given in order of the highest number for each state:

Pennsylvania 734	Michigan 25	Maine 7
West Virginia 233	Texas 21	Mississippi 7
Ohio 149	Oklahoma 19	New Hampshire 7
Virginia 134	Massachusetts 18	Alabama 5
Delaware 93	North Carolina 17	Utah 5
District of Columbia 93	Washington 17	North Dakota 4
Illinois 90	Florida 12	South Dakota 4
Kansas 80	Minnesota 12	Wyoming 4
Missouri 56	Connecticut 11	Arizona 3
Iowa 55	South Carolina 11	Louisiana 3
Indiana 54	Wisconsin 11	New Mexico 3
Nebraska 48	Georgia 10	Rhode Island 3
New York 46	Tennessee 10	Idaho 2
California 36	Arkansas 9	Montana 2
New Jersey 36	Kentucky 8	Nevada 2
Colorado 28	Oregon 8	

We also found 1 veteran, and probably another 11, who served in a Maryland unit but were buried outside of the United States. They include 1 in Australia and probably 1 in Austria, 3 in Canada, 1 in Denmark, 5 in England, and 1 in Ireland (see Appendix 3).



In all, there are more than 12,000 veterans listed in this inventory who served in Maryland units, are buried in Maryland, or within the United States, and even a few buried outside of the United States.

It is interesting to speculate that outside of Pennsylvania, Delaware, and the District of Columbia, the Midwest seems to have a significant number of veterans who served in Maryland units and ended up being buried outside of Maryland. Some of these men may have come from the Midwest originally, some may have obtained land bounties in the Midwest, and many probably went west seeking to make new lives after the destruction of the Civil War. There is an interesting story here waiting for further research.

[Editor's note: The inventory of graves of Civil War veterans buried in or from Maryland can be found online at: [msa.maryland.gov](http://msa.maryland.gov) > Find Records > Browse by Record > Special Collections > enter 6197-1-3 in **Collection #** box. The online document also includes five Appendices: 1: Precise burial location not confirmed (p.978); 2: Graves of possible veterans that could not be verified (p. 985); 3: Buried out of state (p.990) and outside the United States (p.1205); 4: Cemetery Location Unknown (p.1207); and 5: Government-issued stone anomalies (p.1249). There is also an extensive bibliography, list of sources and resources, and index to cemeteries by county.]

# Book Reviews

*Without Precedent: Chief Justice John Marshall and His Times.* By Joel Richard Paul. (New York: Riverhead Books, 2018. 502 pages. Bibliography, notes, index. Cloth, \$30.00.)

John Marshall (1755–1835) was the fourth and longest-serving Chief Justice of the Supreme Court (1801–35). In *Without Precedent: Chief Justice John Marshall and His Times*, Joel Richard Paul tracks Marshall's life and times with stylistic flair and empathy. Unlike most of the founders, who were born to wealth and privilege, Marshall came from the hardscrabble Virginia frontier and had little formal education. Marshall served in the Revolutionary War as an officer in the Virginia line, suffering with the army at Valley Forge. His military service profoundly influenced him, leaving him in veneration of George Washington and in understanding the need of a federal government clothed with adequate powers. Marshall became a prosperous Richmond lawyer. In the late 1780s, Marshall worked tirelessly in support of the new federal Constitution at the Virginia ratifying convention. Although the leading Federalist in Virginia, he declined appointed positions in the Washington administration. But President Adams prevailed upon Marshall to go to France as part of the American mission to try to resolve the diplomatic and maritime quarrels between the two republics. Talleyrand, the French foreign minister, refused to meet the American emissaries without a *douceur* that his bagmen, later labelled X, Y, and Z, demanded with great insolence. The US diplomatic mission failed, and Marshall returned to America without a treaty but with his honor, and his country's honor, intact. Lionized throughout America, Marshall was speedily elected to Congress, served briefly but capably as Secretary of State, and, in the waning days of the Adams administration, was made Chief Justice.

Marshall created the key precedents of the American legal system and the foundation of American constitutional law. Among other things, the Marshall Court inaugurated the concept of judicial review, struck down the first statute as unconstitutional, and emphasized the supremacy of federal power. The Marshall Court's strongly nationalist opinions supported an expansive reading of the powers of the Constitution. Under Marshall's leadership, the judiciary was confirmed as an independent and co-equal branch of government. Marshall often wrote for the entire Court, giving one clear judicial voice to the great issues of the day, abandoning the inherited British practice of *seriatim* opinions from each judge. He unified the Court because of his deep knowledge of the law, his warm personality and unpretentious manners, and his vision for the country—as well as liberal helpings of Madeira wine for his judicial brethren, who lived together in Washington boardinghouses during the Court's term.

*Without Precedent* is both a biography of a soldier, diplomat, lawyer, and justice in the early republic, and a catalogue of the seminal cases before the Marshall Court. All

of Marshall's great judicial opinions are here, starting with *Marbury v. Madison*, where Marshall announced the principle of judicial review and struck down a federal law, but, on technical grounds, refused to grant relief against the Jefferson administration, which kept Marshall's nemesis, President Jefferson, from directly attacking the Court and, perhaps, seeking to impeach Marshall. For each case, Paul provides a concise, lively synopsis of the people and issues involved, how the Court worked through the legal (and political) thickets, and the importance of the ruling.

Paul, a professor at the University of California, Hastings College of Law, knows his constitutional history thoroughly, but his deep learning comes across effortlessly, the cases become interesting stories, and his prose is not bogged down in legal arcana. *Without Precedent* is smartly written, pitched for the general reader. For instance, of the sickly James Madison, Paul pithily notes that the "the father of the federal Constitution had a poor one of his own" (37); Paul observes that the negotiations to end the Quasi-War with France "proceeded almost comically, with the French offering to restore treaties the Americans no longer wanted, and the Americans conceding principles that the French no longer contested" (207).

Some factual errors have crept into *Without Precedent*. For instance, in the wake of the XYZ Affair, President Adams did not travel around the country making bellicose speeches (177); the Barbary Wars did not "cripple" the US Navy and did not result in the United States increasing annual payments of tribute (214); Jefferson did not "ratify" the peace treaty with France in September 1800—he had not yet been elected President (263); Gabriel Duvall, who became a Supreme Court Justice in 1811, had not served as the Chief Justice of the "Maryland Supreme Court"—Maryland has never had a Supreme Court. Duvall served on the Maryland General Court, a regional trial and intermediate appellate court (307). These sorts of errors do not detract from the book. More distracting is Paul's repeated branding of Marshall as a "conservative," given the shifting and freighted definitions of such a term. Indeed, one might just as well posit that Marshall was a classic liberal, at a time when powerful, traditional voices advocated states' rights, threatening the Union in order to preserve and extend slavery.

An important motif running through *Without Precedent* is the contrast between Marshall and his second cousin, Jefferson. As Paul observes, Jefferson lived a life of privilege, depended on slaves, and dissipated his fortune; Marshall grew up poor, raised himself by his own efforts, and achieved prosperity as a lawyer. Jefferson, the wartime governor of Virginia, was busy fiddling with architectural designs for the new state capital when the British invaded the state and captured Richmond; in 1775, Marshall volunteered for the army, and fought in the Revolution. Jefferson was lukewarm about the Constitution but venomously used his power as president to try to get his former vice president, Aaron Burr, hanged; Marshall, who presided over the Burr trials, was seen to foil Jefferson's designs. Jefferson posed as the great advocate of revolution, but his ideology was more about preserving an agrarian past, and fighting modernity in the form of banks, manufacturing, and cities; Marshall's opinions for the Court set the legal

structure for a modern government and economy to develop. Jefferson supported states' rights and nullification; Marshall championed federal power and federal supremacy. The country we now live in resembles Marshall's vision, not Jefferson's, although by the end of his life, Marshall thought he had lost the battle against states rights and the slave power, and despaired for the Union's future.

Joel Richard Paul's *Without Precedent* is a gracefully written, wide-angle study of the life and times of a leading figure of the early republic, the man who did more than anyone to establish how the high principles of the Constitution should work in the real world.

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*The Men of Mobtown: Policing Baltimore in the Age of Slavery and Emancipation.* By Adam Malka. (Chapel Hill: University of North Carolina Press, 2018. 352 pages. Illustrations, bibliography, notes, index. Cloth, \$39.95.)

In *Men of Mobtown*, Adam Malka traces the history of policing in Baltimore in the mid-to-late nineteenth century. Malka argues that policing emerged as a liberal strategy centered on the protection of property. He defines liberalism as "the political philosophy that celebrates the supremacy of the rights-bearing, property-owning, contracting individual" (14). His conception of property includes both its material and symbolic forms; symbolic forms of property included the freedom to earn wages, the right of men to rule their households (including their dependent wives and children), and the attribute (read possession) of whiteness.

Baltimore's early municipal government was both unable and resistant to establishing the complex bureaucracy needed to run a large city. While political officials did not hesitate to write laws, the municipality lacked force and organization to enforce them. City officials relied heavily on residents to do many of the duties we now understand as public obligations, including policing. Residual revolutionary fears of standing armies and their potential for corruption made establishing a permanent, organized policing force a dangerous prospect. Thus early policing consisted of largely ineffective and disorganized night watchmen—most of whom were underpaid and overworked—and constables, who, in making arrests, collected modest fees and rewards.

Malka makes a compelling argument that informal policing superseded the formal in antebellum Baltimore and lay within the purview of any white male citizen. Policing provided an essential form of political and civic engagement; white men often took it upon themselves to enforce the law by preventing and investigating crimes as well as capturing, prosecuting, and punishing suspects. Government and media leaders reinforced white-citizen policing, praising it in public speeches and newspaper coverage, and providing its financial rewards.

It is important to note that, at the time, Maryland led the country in its free-black population and Baltimore was the only place in the state where the majority of African Americans were free. As important, most white Baltimoreans—even those opposed to slavery—believed that black freedom would likely lead to indolence and criminality. State-sanctioned informal policing of free black Baltimoreans thus reflected and reinforced white political/cultural power.

Even after the first bureaucratized police department emerged in Baltimore in 1857, it did little to usurp the policing power of average white male citizens. Malka argues that formalizing policing augmented rather than diminished the power of white Baltimoreans: “any white male Baltimorean could have been any black Baltimorean’s ‘policeman’ on any given day” (175).

This is most apparent in the workplace. Wages were an important form of property in the antebellum period. They allowed men to establish autonomous households and maintain dominion over their dependents. White working men who harassed, threatened, or assaulted black laborers often did so with the support or collusion of the police. White violence and racial exclusivity in the workplace limited black laborers’ ability to earn wages and build wealth—that is, possibly to establish autonomous households. In addition, the city passed a series of ordinances aimed at curtailing black mobility and participation in civic and economic activities. These practices effectively created a separate legal class, “free negroes,” which existed somewhere between enslaved and free persons.

Policing only strengthened this distinction, but perhaps surprisingly led neither to hyper-surveillance nor wholesale arrests of black citizens. Instead, informal policing, corporal punishment, and the threat of re-enslavement sufficed to control the antebellum free-black community.

Similar sentiments and structures of racial power suffused Baltimore prisons in the period. Racial patterns of incarceration mirrored patterns in arrests. Malka explains that most white Baltimoreans believed that African Americans’ natural or cultural inclinations toward criminality were so engrained that black people would not benefit from rehabilitation; only white folks had the potential to be reformed. The earliest iterations of prisons and the like were designed, at least in spirit, to be places of rehabilitation. They emerged out of the liberal belief that, through “concealment, compulsion and coercion” one could turn wayward citizens into people worthy of freedom, i.e., wage-earners and members of respectable households (78).

Police and prisons became the agents of “emancipation’s despair” after 1864, when slavery constitutionally ended in Maryland (1). “[R]acial animus endured in spirit if not in law” and self-reliance became an even more meaningful marker of black potential (213). Though opportunities for full black autonomy were circumscribed, black men’s inability to earn sufficient wages or to establish stable “respectable” households was interpreted as individual failure—black failure during emancipation proved what liberal and conservative whites suspected all along: black people possessed morally weak constitutions that made them lazy and susceptible to criminal behavior.

After the Civil War, further straining the already limited resources, Baltimore's black population continued to mushroom as newly freed slaves moved north. At that point, rates of black arrest and incarceration (especially of young black men) climbed dramatically. Soon thereafter, Maryland introduced the convict leasing system as a means of dealing with a swelling prison population and increasing the profits of state and of white private business interests. In this postbellum arrangement, the locus of white racial power shifted "from the amateur to the professional" (244). Paid police and prisoner-leasing succeeded antebellum white vigilantes.

Missing from the book are discussions of the rich archival materials from which Malka drew his conclusions and, by the author's own admission, an examination of black resistance strategies. Despite these omissions, *Men of Mobtown* offers an important study of the origins of policing and punishment for lawbreaking in a place where these public issues became bound up with racial controls. Readers cannot miss the saliency of this large and unsettled problem in the United States even after the civil-rights revolution, a second Reconstruction, in the 1960s.

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*A Paris Life, A Baltimore Treasure: The Remarkable Lives of George A. Lucas and His Art Collection.* By Stanley Mazaroff. (Baltimore: Johns Hopkins Press, 2018. 344 pages. Illustrations, appendix, notes, bibliography, index. Cloth \$64.95.)

If you lived in Maryland during in the 1990s, you surely heard of the George A. Lucas Art Collection, as it was the center of a highly publicized legal battle involving the Baltimore Museum of Art, Walters Art Museum, and Maryland Institute, College of Art (MICA). In this beautifully written book, Stanley Mazaroff presents the fascinating biography of that same collection, which Lucas, a nineteenth-century American art agent, lovingly formed during his career. Mazaroff traces the collection's origins in Lucas's Baltimore youth, to its growth in France, and finally to its public life in Maryland. In doing so, he demonstrates the instability of a collection's value and meaning: It continuously changed based on time and context.

Mazaroff begins by identifying the influences and events that led to Lucas's career and relocation from Baltimore to Paris in 1856, where Lucas immersed himself in the contemporary art world and developed close friendships with artists. In the late 1850s, news about Lucas's artistic connections spread amongst Baltimore's elite, who began paying Lucas to purchase art on their behalf. With several pleased hometown clients and a growing reputation, Lucas soon found three of America's most important collectors requesting his services: John Taylor Johnson, a founder of New York's Metropolitan Museum; William Henry Vanderbilt, who wanted to build a collection of the "most important paintings in America"; and William Walters, whose collection formed the heart of Baltimore's Walters Art Museum. Lucas helped these men navigate Paris, facili-

tating artistic commissions and acquisitions. Lucas often turned to his artist friends to fulfill clients' requests; at other times, collectors asked Lucas to cultivate relationships with other artists, many of whom also became his friends.

To thank Lucas, artists presented him with paintings, drawings, prints, sculptures, and sometimes their autographed palettes. These gifts formed the foundation of his collection, which Lucas augmented with purchases of books, more art, and artistic ephemera. By the time of his death, there were over 18,000 objects in his collection. Acquired because of friendships and personal tastes, rather than market value or fashion, objects in Lucas's collection were widely inconsistent in quality and not representative of artists' known styles. Lucas wanted to sell the collection to an American collector who would display it publicly, but never found a buyer. Ultimately, the people in Lucas's life pressured him into directing the collection to Baltimore's MICA. Mazaroff's account of this stressful period elicits great sympathy for Lucas, whose dreams for his precious collection never materialized.

Despite an enthusiastic welcome in 1911, the collection received little attention in Baltimore. MICA, lacking resources to maintain it, transferred the collection's care to the Baltimore Museum of Art; even at the museum, the collection remained underutilized. Because of an apparent lack of interest and a desperate need to raise funds, MICA twice—in 1976 and 1988—tried to sell the collection but encountered great resistance from the Baltimore Museum of Art and Walters Art Museum. The attempted 1988 sale ultimately led to litigation in the late 1990s, as both Baltimore art museums challenged MICA's power over the collection. Mazaroff carefully recounts the episodes that led to this very public case, arguing that the museums launched a successful campaign of hyperbole, claiming that Baltimore would become a cultural wasteland without the Lucas Collection. What was once a personal collection that Baltimore had effectively ignored now became a celebrated treasure. The arts organizations eventually settled: the Baltimore Museum of Art and Walters Art Museum purchased the collection from MICA. But, as Mazaroff points out, after the highly publicized lawsuit, Lucas's collection has again been forgotten.

Mazaroff suggests that the collection has ultimately been misunderstood. He argues that its stewards should focus on the collection in its entirety, instead of attempting to showcase individual pieces. This collection's importance is not in its parts, but rather in its sum. Collectively, it is an historical document that yields intellectual insight into a passionate collector. Nevertheless, the reader is left wondering why Mazaroff chose to pursue the history of Lucas's collection rather than another; why is Lucas's collection deserving of its own monograph? Regardless, this book is impeccably researched and a significant addition to the history of collecting and the growing body of scholarship that explores the changing meaning of objects across time. It will not only appeal to historians of nineteenth-century art and collecting, but also to anyone interested in Baltimore or Maryland history.

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*Baltimore: A Political History*. By Matthew A. Crenson. (Baltimore: Johns Hopkins Press, 2017. 616 pages. Illustrations, notes, bibliographic essay, index. Cloth, \$44.95.)

In *Baltimore: A Political History*, Matthew Crenson presents the evolution of both Baltimore and its politics, from the establishment of “Baltimore Town” in 1729—at which point unelected commissioners governed forty-three inhabitants—to the early twenty-first century, when Mayor Martin O’Malley oversaw a city of approximately 650,000 residents. Given its scope and Crenson’s impressive command of the topic, this book supplies a valuable addition to Baltimore historiography.

The prologue focuses on how significantly Baltimore differs from other cities, a fact that Crenson, a Catonsville native who has lived elsewhere, has long observed. Baltimore, for example, consists of some three hundred self-defined neighborhoods, three times as many as Boston, a city with a comparable history and population. He attributes this emphasis on locality, originally and for generations afterward, to “urban underdevelopment.” For much of its history, Baltimore, he argues, has lacked the “concentrations of wealth and political power” that benefited other American cities—“no Mayor Daley, Robert Moses, Tammany, or Boss Tweed; no Rockefellers . . . or Marshall Fields; no Bill Gates” (3). In this work, however, Crenson does not focus on comparing Baltimore with its neighbors. *Baltimore: A Political History* supplies the story of how and why Baltimore evolved as it did.

While the book is lengthy, Crenson’s writing style and the book’s organization help make it feel like a quicker read than its five hundred pages might portend. With thirty-nine chapters, each about twelve pages long, and with subheads within the chapters and abundant illustrations, the book strives to be accessible. Crenson knows his subject, writes well, and occasionally infuses his work with personal recollections, as in his memories of integrating his junior high school. He peppers his pages with intriguing details (some of them owing to the newspaper researches of the late Joe Arnold) such as the fact that the eighteenth-century Anglican Church, participating in governance and eagerly promoting marriage, taxed bachelors over the age of twenty-five. Hogs long roamed Baltimore’s streets and thus served more or less as street cleaners. Not until 1851 did a Committee on Health raise the question of whether hogs were “public servants or public nuisances” (197). In 1900, Thomas Hayes, one of Baltimore’s more conscientious and detail-oriented mayors, wrote an annual message that extended to an unheard-of seventy-two printed pages.

Crenson’s work will appeal to anyone interested in Baltimore history but particularly to those with a general interest in urban studies. Although narrower projects—such as those that focus on a single mayoralty—provide greater depth, Crenson’s broad perspective allows readers fully to appreciate the political challenges and practical considerations that shape city governance. It took thirty-four years, for example, for the Jones Falls Expressway—first envisioned by Mayor Thomas D’Alessandro Jr., in 1949—to be completed. The wait for a city sewer system, finally installed after the 1904 fire, had been of similar length. (One wonders how long it would have taken had there



been no fire; Crenson deems it a “fortunate disaster,” since the conflagration “unleashed a new era of urban development” [335]). Of course many other hoped-for projects never materialized. By following a city’s political story over some 270 years, Crenson can present the myriad considerations that shape policies, the difficulties—sometimes insurmountable—of achieving goals, and the long-term impact of decisions, for good or ill. To understand any city, one must know its history.

The work also underscores the fact that some municipal issues have been long-standing, among them the search for revenue; efforts to improve and integrate public transportation; and heated debates over public housing and zoning ordinances, which often implicitly involved race.

Crenson focuses on the entire city, not just City Hall, as changes in the city affected its politics, and vice-versa. Rapid increases in the foreign-born population in the 1850s, for example, led to the election of a Know-Nothing government in 1854. A century later, “white flight” destabilized Baltimore’s old party organizations. And some wondered whether the city’s beltway, completed in 1962, could revitalize the city, which was competing with the suburbs.

As to race and discrimination, Crenson identifies a persistent aversion in the city to addressing this rancorous issue directly or publicly. Not that Baltimore ever spoke with one voice in, say, opposition to racial justice or that there was never progress. In 1838, a visiting Englishman wrote in surprise of how much opposition to slavery he discovered in Baltimore. But he also noted that Baltimoreans discussed the subject far less often than did residents of other American cities he had visited. At the time, Baltimore had the nation’s largest free black urban population.

Despite the dearth of open discussion, racism shaped many policy debates. When, during World War II, the city debated where to house African American defense workers, many white Baltimoreans angled for remote locations, whereas the Baltimore Urban League and the NAACP objected that residents would then face obstacles getting to schools and stores. Yet the city registered some progress. Writing of the 1950s, Crenson notes that Baltimore had been “moving quietly toward integration for years” (423). A low-profile approach occasionally proved effective, the long process of desegregating schools offering a limited example.

Although Crenson challenges his readers—the content can be a bit dense, and the book introduces many characters with historical roles to play—*Baltimore: A Political History* rewards the effort. Crenson offers an impressive study of the history of the city’s governance—throwing light on Baltimore’s history specifically and on how a city evolves generally.

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*Her Voice Will Be on the Side of Right: Gender and Power in Women's Antebellum Antislavery Fiction.* By Holly M. Kent. (Kent, OH: Kent State University Press, 2017. 216 pages. Notes, bibliography, index. Cloth, \$55.00.)

Holly Kent's monograph *Her Voice Will Be on the Side of Right* uses antebellum antislavery novels and short stories written by women as the lens through which to examine women's perspectives on abolition and their ideas on how best to contribute to the abolitionist cause. Kent focuses on the authors' assertions that fiction operated as a gender-appropriate medium for women to express their opposition to slavery, in contrast to the male-dominated realms of public speaking and political activism. While Kent's study is grounded in historical methods and contributes to larger historiographies of abolition, activism, and women's literary work, she incorporates approaches used in the English and rhetoric fields to analyze the themes and language women employed in their writing. Similar books exist for women's literature published during the Civil War, but Kent fills a gap in the scholarship with this in-depth consideration of antebellum-period writings.

Readers well versed in antebellum women's history will notice familiar names among the authors featured in *Her Voice Will Be on the Side of Right*, including contributions by Elizabeth Margaret Chandler, Maria Weston Chapman, Lydia Maria Child, Caroline Healey Dall, Sarah Mapps Douglass, Catherine Maria Sedgwick, E.D.E.N. Southworth, and Harriet Beecher Stowe. For scholars of Maryland history, Frances E. Watkins Harper, the Baltimore-born free woman of color, abolitionist, and suffragist, appears in a discussions of African American contributions to antebellum fiction (86, 117-118). In addition to those listed above, Kent rightfully surveys the published antislavery writings of numerous less-known or anonymous female authors. She also explains the literary context of the era, describing the types of publications open to submissions from women and the barriers to access that African American female authors experienced.

*Her Voice Will Be on the Side of Right* contains four chapters arranged chronologically. Chapter 1 describes the emergence of women's antislavery fiction and the scope of the literary landscape during the 1820s. Kent traces the development of several themes that appear in the literature and continue into later decades: the superior moral authority of women, white women as ideal antislavery advocates, and the value of fiction's emotional power in reaching female audiences (18). Chapter 1 focuses solely on two authors active in this early period—Sedgwick and Chandler. Their work typifies the complicated ways in which white women portrayed enslaved women in fiction. The authors simultaneously established commonalities between white and black women (e.g. convincing white readers of enslaved women's devotion to their families), while projecting difference by relegating enslaved characters to silent or violent roles in stories and novels (30, 38-39).

The three remaining chapters—about the 1830s, 1840s, and 1850s—each cover historic and literary contexts, introduce the authors and publications examined in the chapter, and consider the major themes found in antislavery literature of the decade. Chapter 2 extends many arguments made in the previous chapter, specifically women's responsibility to convey antislavery sentiments to their children and husbands. Kent also provides an analysis of the themes black female authors used, which differed from their white counterparts and included arguments for African American racial equality and civil rights (69). Chapters 3 and 4 represent the strongest portion of the book, in part due to the increased breadth of abolitionist literature and thus more opportunities for women to publish their work. These chapters cover emergent literary themes such as violent resistance to slavery and religious martyrdom. The most prominent thematic shift arrives in the mid-1850s when women's literature takes a well-documented turn away from moral suasion in favor of direct advocacy for political involvement (135–46).

The book's primary weakness lies in its lack of information about how the author selected the specific authors and literature she examines. Kent states that she included twenty-seven antislavery novels, plus short stories from nine periodicals and six gift books (11), but does not explain how she chose the stories and novels or whether the texts she analyzes comprise a comprehensive or selective portion of the available antislavery literature. Given this missing information, it is difficult for readers to determine whether the literary themes discussed in each chapter are widely representative of women's writings across the genre or only within the sample size chosen. As an example, in Chapter 3 Kent argues that "in the fiction women wrote during the 1840s . . . white men appeared not so much shadowy supporters of abolitionism as vividly present impediments to antislavery progress" (101), but bases her conclusions on three literary pieces by two authors. An extended section in Chapter 4 focusing on Quaker activism and religious martyrdom employs only four primary sources to develop arguments about commonly used tropes within the literature. Throughout the book, Kent's literary analysis is insightful and contributes well to her thesis, but her broad conclusions about the scope and impact of women's literature comes across as problematic without any clarification about the completeness of the included texts.

Despite these concerns, Holly Kent successfully introduces readers to the literary landscape of the antebellum era and to a wide range of well-known and obscure female antislavery authors of the period. *Her Voice Will Be on the Side of Right* also operates as a critical entry point for understanding the stasis and evolution of the multi-faceted arguments employed by these specific women in their fiction. By the 1850s, it is clear that the women highlighted in this study recognized the need to break outside the prescribed domestic sphere, but were uncertain how best to do so in their writings. Kent helps us to see more clearly which of the issues related to slavery and abolition women continued to think about, write about, and convey to their audiences, all while contemplating their rightful place in society and in the world.

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*Wild by Nature: North American Animals Confront Colonization.* By Andrea L. Smalley. (Baltimore: Johns Hopkins Press, 2017. 352 pages. Illustrations, photographs, notes, bibliography, index. Hardcover, \$49.95.)

If social history can be called “history with the politics left out,” then we might call *Wild by Nature* “colonial history with the animals left in.” In this innovative and well-researched volume, Andrea L. Smalley traces the evolution of colonization in North America “as it applied to wild creatures” from the late sixteenth to the early twentieth centuries (4). Smalley argues convincingly that we cannot fully understand “the larger story of English colonizing in North America” without acknowledging the role that animals played in that process and the “unceasing efforts to convert indigenous beasts into colonized creatures” (3). Indeed, colonization requires a reinvention of the landscape, and “wild animals,” Smalley writes, “complicated every part of this reinvention” (6). She argues that “wild creatures became legal actors and active participants in their own colonization,” and “this interaction of English colonizing with the distinctive American faunal environment gave colonization in British North America its particular shape and chronology” (234). At the center of her analysis is the way in which wild animals confounded the legal boundaries of the “English colonial vision of a reinvented and rationalized American landscape” (3). Animals forced English and American legal systems and colonizing efforts to accommodate their will and thus “played protagonist roles in the colonial story” (3).

Through this lens, Smalley presents five case studies, examining the seventeenth-century beaver trade, the problem of wolves and livestock, and issues of property and mobility posed by fishes, deer, and bison. The common thread linking these studies and the heart of the book is how animals and their human pursuers shaped the colonial enterprise by violating or otherwise challenging its core physical, legal, and cultural boundaries.

Smalley begins with an analysis of the abundance of the American landscape, which made it antithetical to the order of the Old World where access to wild animals was strictly regulated and relegated to a select few. In the English colonies, access to wild animals and the sheer immensity of their numbers came to symbolize a supposed liberty and equality unique to the New World. American law, for example, established that wild animals were *ferae naturae*—“wild by nature”—and therefore open to all. This leveling sentiment, however, placed wild animals outside the legal framework, free to cross borders and property lines, to violate private property, and to encourage their human pursuers to do the same. In the seventeenth century, for example, the lucrative trade in beaver pelts required highly mobile Native hunters to ferret out, kill, and process these elusive animals; the need to cultivate relationships with Native hunters and traders blurred the line between English and Native, “civilized” and “savage,” settlement and frontier. In the same manner, eighteenth-century deer-hunters “exposed Anglo-American boundaries as legal fictions,” and the nineteenth century’s Buffalo Hunter’s War “made it clear that so long as the buffalo roamed, so too would the people who pursue them” (166, 228).

Smalley's narrative arc marks the seventeenth century as an initial phase of colonization focused on the commodification and extraction of Indian-produced animal products, with a second phase, beginning in the early eighteenth century, shifting toward animal colonizing in the service of settler-colonial expansion. For example, as hunters pursued white-tailed deer throughout Cherokee territory in the eighteenth century, American lawmakers developed the doctrine of "Indian title" and Indian "hunting grounds," a slight of hand that made Indian land rights contingent upon the presence of specific wild animals (157–58). In this way, deer, hunters, and the American legal system turned white-tails (and later bison) and the settler-hunters who pursued them into "an armed and mobile force spearheading Indian dispossession" (177). "It was no coincidence," writes Smalley, "that Indian removal in the southern Appalachians followed the demise of the deerskin trade" (178). The third phase, during the late nineteenth century, witnessed the final colonization of wild creatures as they were "conserved" within "bounded pockets of wildness" protected within a legal framework regulating access and use (4). Transformed into the legal category "wildlife," this about-face from eradicating to conserving wildness "finally fixed [indigenous creatures] in the kind of rational order colonizers had desired from the start" (223).

Smalley shrewdly observes that the ability of animals and hunters to cross legal and cultural boundaries illuminates a primary conflict within English colonialism. Such mobility and boundary crossing proved essential to an extractive colonialism in the backcountry while often posing threats to colonial legalities in the settled East. In telling the "animals' side of the story," Smalley deftly draws out the simultaneous interdependence and conflict between these two forms of colonialism (10). She unpacks these "divergent approaches to empire" most effectively in her chapter on the beaver trade and Bacon's Rebellion (43). As a result of the location and behavior of beavers, European access "required interaction and cooperation, not separation from Native peoples," and offered Native hunters and middlemen a significant level of power to resist settler encroachments, threaten boundary claims, and challenge assertions of possession (43). Thus, European traders engaged in "a short-sighted, frenzied, cut-throat competition for Indian trading partners and profits," which ultimately led to an uprising that crystalized the potential conflict between settler colonialism in the East and extractive colonialism in the West (43). The commodification of wild creatures required a level of mobility and, in this case, Native control that threatened the ordered delineation of boundaries and elimination of Indigenous populations central to the settler colonial enterprise. Read this way, beavers become "a dynamic force sustaining an unregulated, competitive frontier along the edges of English settlement," which forced the architects of colonization to choose between protecting their system of trade (and thus protecting Indians) or conceding to the demands of the settler colony. (66) Beyond bringing a novel lens to a well-trodden topic, Smalley contextualizes this "dramatic episode" as a symptom of the primary tension in English colonization and "the longer working out of American animals' place in English colonization" (42).

Smalley's most important contributions beyond her laudable call to tell "the animals' side of the story" are to early American legal history and settler colonialism, but the analysis often subtly wades into a variety of historiographical discussions, from frontier studies to eco-history to Indian policy to state formation (10). Consequently, the book offers much for scholars in a variety of fields. For this reviewer, one of the understated but endearing contributions of the work lies in demonstrating how the preferences of wild animals and the problems they created illuminate the essential role of the state in ensuring settler colonial expansion. Overall, this is an exciting contribution to the literature on ecology and empire. Though Smalley revisits much familiar territory, seeing it through her novel lens yields a thoughtful study that makes a strong case for its thesis. Smalley offers us a compelling analysis of how animals shaped interactions among settler society, colonial authority, and Native societies.

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*Civil War Logistics: A Study of Military Transportation.* Earl J. Hess. (Baton Rouge: Louisiana State University Press, 2017. 361 pages. Illustrations, bibliography, notes, index. Cloth, \$45.95.)

Numerous Civil War studies have examined transportation from a technological perspective (particularly railroads and steamboats). Yet none has provided a complete picture of the strong intermodal transportation system that the Union created to support its armies in the field. Nor has any studied how the absence of such a system contributed to the defeat of the Confederacy. Earl J. Hess's latest work looks to fill that void by examining how the Union and Confederacy both employed the various forms of transportation available to move supplies, animals, and men. For the purpose of this study, Hess draws a distinction between supply and logistics—supply being the acquisition of material, logistics its means of delivery. While a study of the movement of material might seem a dry topic, the reader will find this story just as fascinating as any battle narrative.

Hess begins by laying the historical groundwork for military logistics. The first chapter succinctly reviews how logistics and transportation were handled during many of the world's conflicts, from the Roman Empire up to the mid-nineteenth century. Each new conflict in world history presented novel challenges to logistics—moving men, supplies, and animals farther from home. To that end, the reader comes away with a better understanding of the formidable challenges armies faced before the Civil War and the means by which they adapted and improved on various forms of transportation. Yet, regardless of the available forms of transportation, army quartermasters bore responsibility for making sure that materiel moved quickly and efficiently. To that end, the next chapter examines the development of Civil War quartermasters. As

the author notes, an abundance of evidence (both official and personal) demonstrates the extraordinary efforts of Union quartermasters during the war, providing a full understanding of the structure, demands, work, and complications these men faced. The Union logistical effort finally employed many qualified men who, in the face of corruption and difficulty, kept the soldiers in the field supplied. Rebel officers in the quartermaster service by contrast could only keep sketchy records, and at any rate Confederate logistical efforts never reached the level of the Union system. Indeed, the Southern unwillingness to create a central authority to oversee logistics and take necessary steps to ensure the delivery and supply of their troops went a long way toward explaining the results of the war.

*Civil War Logistics* at its heart examines the various systems quartermasters used during the war—strategic (the river-based system, the rail-based system, and coastal shipping) and tactical (wagon trains, pack trains, cattle herds, and foot power). Each chapter begins by reviewing the growth and development of that respective means of transportation, and how the United States Army used it during the antebellum period. Again, given the depth of records, each chapter has a strong focus on the Union's transportation system. Union quartermasters succeeded in leveraging the industrial and transportation infrastructure of the North to allow for the rapid and seamless movement of men, animals, and material wherever they were needed. The appointment of quartermasters (many former railroad executives) to oversee the operation of specific components or regions provided the key to the success of the Union's logistical operations. The transfer of troops between the theaters of operation offers a telling example of the successes and failures of the logistical network on each side. The Union's mastery of multiple logistical systems and its central organization allowed it easily to move troops where they were needed in relatively little time. Conversely, the lack of a centralized and intermodal Southern system severely hindered the Confederacy in moving troops between theaters. When in 1863 it sent Longstreet and his corps from Virginia to northern Georgia, their movement was long and convoluted.

The importance of the military logistical system also made it a target. Hess dedicates two chapters to Union and Confederacy attempts to destroy or enfeeble the opposing logistical network. The Confederacy undertook both organized and partisan efforts to disrupt the Union's river- and rail-based systems. While in many cases temporarily successful, the South never permanently destroyed a link in the vast Northern logistical network. An abundance of manpower and equipment allowed the Union to recover quickly from every such attack. Meanwhile, Union generals, notably William T. Sherman, learned that the best way to disrupt Confederate logistics was to take and hold enemy territory.

Hess sees this study as a stepping-stone to future research into supply infrastructure, transportation management, and naval logistics. For students of Maryland history, his book helps place early Confederate attacks on the C&O Canal in a larger pattern and the operations of the B&O Railroad in their national context. This work is also a valu-

able reference point for anyone interested in researching logistical operations around Washington City and within the state at large. Overall, Hess's writing style and use of sources create an interesting and readable work which, along with Thomas Army's recent *Engineering Victory: How Technology Won the Civil War*, will be a valuable addition to any Civil War library.

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“. . . our towne we call St. Maries.” *Fifty Years of Research and Archaeology at Maryland's First Capital*. Edited by Silas D. Hurry. (St. Mary's City, MD: Historic St. Mary's City, 2018. 52 pages. Illustrations. Paper, \$10.)

Need a richly illustrated book to interest a grandchild in archaeology? Or to pass round among middle school students to prepare them for a field trip to St. Mary's? Or as a souvenir of your visit to Maryland's first capital? This short book might be just right.

“. . . our towne we call St. Maries” is a compilation of seventeen contributions by Historic St. Mary's City staff to the Maryland Archaeological Society's *Archeology Month* online booklet. Museum Director Regina Faden has added a foreword and editor Silas D. Hurry an introduction. Each chapter is short, only two to six pages. Maryland Heritage Scholar Henry Miller authored seven chapters, Hurry (Collections Curator and Archaeology Lab Director) authored six, two were written by now retired archaeologist Timothy B. Riordan, and one by Stephen S. Israel. Staff artist Don Winters is responsible for the book's excellent design. Lavishly illustrated with color and half-tone photographs crisply printed on glossy paper, this is a handsome small volume.

The book covers the full range of the museum's archaeological research from pre-history to the Brome Plantation slave quarter. Most of the essays focus on excavations that have resulted in exhibits—St. John's, Van Sweringen's, the Jesuit chapel, Smith's ordinary, the Cordea's Hope storehouse, and the print house. These essays—combined with superb color illustrations—make the book a fine introduction to archaeology and the outdoor history museum.

While the essays are brief, the careful reader will get a good grasp of archaeological method, from survey (“Finding the City”) to careful feature excavation (the print house shed) to sorting out superimposed buildings by the artifact contents of post holes (“Cordea's Hope Site”). In “Each Artifact a Story,” Silas Hurry reveals how artifacts can not only illuminate international trade routes, but also illustrate stories about seventeenth- and eighteenth-century residents of St. Mary's.

The authors—beginning with Henry Miller's “Fifty Years of Discovery and Preservation”—are not bashful about describing Historic St. Mary's City's leadership role in the evolution of historical archaeology. Staff archaeologists were the first to use



spatial analysis of excavated fence lines, artifacts, and soil chemistry to decipher how seventeenth-century residents and their animals used the enclosures around their buildings. They were the first to incorporate detailed study of fish scales and oyster shells into the reconstruction of colonial diet and the evolving ecology of the Chesapeake Bay. Occasionally, brevity leads to exaggeration. Post-in-the-ground architecture was not discovered at St. John's (as suggested, 5)—a Jamestown structure with hole-set timbers was excavated in the 1950s. However, HSMC archaeologists were the ones to sort out the different types of post-in-the-ground buildings, and staff architectural historian Cary Carson pulled together the data from Maryland and Virginia excavations to revolutionize our knowledge of early Chesapeake housing (11). Other pioneering research (dendrochronology, shoreline evolution) goes unmentioned.

Historic St. Mary's staff also may lead the field in site interpretation. Particularly notable are three exhibit structures—the chapel, St. John's, and Van Sweringen's—that shelter archaeological exhibits while mimicking the historic buildings that once stood there. All differ. The 1660s Jesuit chapel is an authentically recreated exterior shell (37) with interior exhibits, while the Van Sweringen's exhibit structures retain the footprint and shape of the original buildings but incorporate some modern materials (28–29). St. John's is a spectacularly successful exhibit (24)—a building slightly larger than the original on three sides with a rear extension that encloses the excavated remnants of the house, a full-scale diorama of one gable, artifact displays, and an audiovisual program. Fans of Historic St. Mary's City eagerly await the exhibit structure that will interpret Governor Leonard Calvert's house.

Fifty-two pages are too few to tell the complete story of Historic St. Mary's City archaeology, but these pages—through compact text, engaging images, and good design—tell a great deal. We learn about the big picture and small artifacts. Photographs show painstaking feature excavation and school tours, skeletons and the faces of clay figurines, a native American clay pipe and the 1669 signatures of Susquehannock war chiefs. This publication is a tour-de-force. It shows the value of fifty years of research, research with sustained focus and continuity in methods and leadership. Every state legislator should receive a copy.

Garry Wheeler Stone  
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*Old Trinity Church, situated on Church Creek in Dorchester County and built in the 1690s, is the state's oldest brick church in continuous use. Burials have taken place in the graveyard since the mid-1600s but the wooden markers used at that time do not survive.*

(Postcard, Trinity Church, Maryland Historical Society, Gift of an anonymous donor.)

More than a “Pretty Little Statue”:  
Elizabeth Gray Kennedy’s Gravemarker at  
Green Mount Cemetery, Baltimore, Maryland  
*Elisabeth L. Roark*

Contextualizing American Gypsies:  
Experiencing Criminality in the Chesapeake  
*Ann Ostendorf*

Graven in Stone and Buried under the Shield:  
A Guide to Gravestones of Maryland’s Civil War Veterans  
*Ralph E. Eshelman and A. Douglas Rawlinson*



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