

## REPORT OF THE COUNCIL.

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THE Council of the American Antiquarian Society present their semi-annual report as required by the By-Laws. The report of Mr. E. M. Barton, the Assistant-Librarian, presented as a part of the report of the Council, gives in detail the accessions to the library for the past six months, and indicates the continued interest of members and others in the Society. From his report it will be seen that the general affairs of the Society are in a prosperous condition, and that the use of the library under our present rules and regulations, by those interested in antiquarian and historical studies, is increasing.

The administration and management of the library is in charge of the Library Committee, who have been seconded in their efforts to increase its usefulness by the Assistant-Librarians, Messrs. Barton and Colton.

The Treasurer's report, also a part of the report of the Council, shows the condition of the Society's finances and the investment of the various funds, which now amount to upwards of \$76,000. The "Partial Index" of the "Proceedings" published previous to 1880, prepared under the direction of Stephen Salisbury, Jr., is now in print and will soon be ready for distribution. This index will undoubtedly prove of great value and give much desired information as to the topics which have been treated upon in the various reports of the Council, and in special papers prepared by our members.

It is the duty of the Council to record the deaths within the past six months, of two of our most eminent members.

George Perkins Marsh died at Vallombrosa, near Florence, on the 23d day of July, 1882. He was born at

Woodstock, Vermont, on Sunday, March 15th, 1801. He was the son of the Honorable Charles Marsh and Susan (Perkins) Marsh, his wife. Charles Marsh was a native of Lebanon, Connecticut. He removed with his wife to Vermont shortly after their marriage, which took place June 3, 1798, and settled at Woodstock. He was a lawyer of great power and distinction. He served in Congress one term from 1815 to 1817, and declined a re-election.

George P. Marsh was graduated at Dartmouth in 1820. Soon after leaving college he removed to Burlington, Vermont, where he studied law and engaged in the practice of his profession. In 1835 he was elected a member of the Executive Council of Vermont. In 1842 he was chosen a member of Congress and kept a seat there until 1849, when he was appointed by President Taylor Minister to Constantinople, which office he held for four years. He filled his place of member of Congress and of minister with great ability, and in the latter did much to make the American character respected abroad. The Earl of Carlisle in his "Diary in Turkish and Greek Waters," under date of August 2, 1853, says:—

"I met the American Legation at dinner with our ambassador. Mr. Marsh, the minister, is one of the best conditioned and fully informed men it is possible to find anywhere."

During his term of service at Constantinople, Mr. Marsh was sent to Athens under direction of Mr. Webster, then Secretary of State, to examine the case of Rev. Jonas King, and upon his report, to take charge of the demand made upon the Government of Greece for redress. This is one of the most remarkable cases in our diplomatic history.

The Rev. Jonas King, D.D., a missionary distinguished for his learning, zeal, devotion, and immaculate character, afterward himself a member of our Society, established himself in Athens on its abandonment by the Turks at the successful close of the Greek Revolution, married a Greek lady of great worth, and from 1830 until his death, was in

the service of the American Board of Commissioners for Foreign Missions. He acquired, under the sanction and encouragement of the government there, a lot of land in Athens, described by Mr. Webster in his instructions to Mr. Marsh as "containing about seventy-two thousand square feet, situated on a beautiful elevation, commanding a view of Mars Hill and the Acropolis, and some of the principal antiquities of Athens, the Piræus and Gulf of Salamis on the south and southwest; Mount Parnassus and the Plain of Athens on the west and north; and Lycamettus and Hymettus on the east." This land had grown to a value of probably one hundred thousand dollars. Dr. King had become obnoxious to the hierarchy of the Greek church, not only as an Evangelical missionary, but by reason of several works written before his residence in Greece, in which he had undertaken to show the inconsistency of the modern doctrine and ritual of that church with the faith of its ancient fathers. The government undertook to devote Dr. King's land to public uses, among them to the site of a grand national church of the Saviour. It evaded his claim for recompense for nearly twenty years. At the instigation of the priesthood, Dr. King was indicted for the offence of "reviling and malevolently assailing the doctrines, rites, and customs of the Established church," and of "expressing opinions and principles repugnant to religion and morality in general." The only proof was that Dr. King had declared in his own house, that "Mary was not ever-Virgin;" that she "had borne other children than the Saviour;" that she "ought not to be called Mother of God but only Mother of Christ," and had claimed that the "bread and wine of the communion did not become the real body and blood of Jesus Christ." The constitution of Greece guaranteed religious toleration, and equal privileges in this respect to aliens as to citizens. Yet Dr. King was convicted and sentenced to imprisonment and banishment, after a trial conducted in a manner most disgraceful to the

court, and the conviction and sentence sustained by the Areopagus, on appeal, in an evasive and disingenuous judgment. The whole story brings vividly to mind the two scenes in the life of St. Paul, his appearance before the same tribunal, and his encounter of the mob at Ephesus. The serene courage of the Massachusetts missionary was not unworthy of his great example.

There was required by the difficult duty imposed on Mr. Marsh, familiarity with the language, constitution, and laws of Greece, with the forms of procedure in her courts, with international law and diplomatic usage. He pressed the crafty diplomatist of the Greek foreign office with great force of argument, and with a very unoriental vigor and plainness of speech, and accomplished his mission with entire success, and to the perfect satisfaction of his own government, which was warmly expressed by Mr. Everett. The sentence against Dr. King was never enforced, and the indemnity demanded was conceded.

During Mr. Marsh's stay in Athens he found time to prepare a report on the existing political condition of Greece.

Mr. Marsh retired from his Turkish mission in 1853. After his return he remained in Burlington, devoting himself to scholarly pursuits, but not resuming his profession, until 1861, when he was appointed minister to Italy by President Lincoln, in which office he remained until his death.

He was twice married: first, April 10, 1828, to Harriet Buel, of Burlington; second, in 1839, to Caroline Crane, of Berkeley Mass., who survives him. The latter is the author of many poems and translations of great merit. He left no surviving children.

He was elected a member of this Society in October, 1851.

His intellect remained clear to the last. His death was peaceful but very sudden. He walked into the house from sitting with Mrs. Marsh under the shade of the famous

leaves of Vallombrosa, feeling well, but expressing a little sense of fatigue, not more than an hour before his death.

Senator Edmunds, his near relative by marriage, writes of him, to a member of the Council, as follows:—

“He was a man of entire purity and temperance in his private life, and, as you know, above all reproach in his public career. He had extraordinary kindness of heart and sympathy for those in trouble or distress, although his manner, except with those with whom he was intimately acquainted, was quite reserved. He might almost be called obstinate in his adherence to his formed opinions, and he was usually very plain spoken concerning men and things that appeared to him to be going wrong.”

An associate of Mr. Marsh in diplomatic service, adds to this picture what the delicacy occasioned by a near relationship alone constrains Mr. Edmunds to omit:—

“George P. Marsh was the noblest combination of the noblest qualities which distinguish man—inflexible honesty, public and private; the most intelligent and purest patriotism; ideality of the highest as to his service in his official career; generosity and self-sacrifice in his personal relations; quick and liberal appreciation of all good in others, and the most singular modesty in all that concerned himself; unfaltering adherence to truth at any cost; an adamant recognition of duty which knew no deflection from personal motive; and, binding the whole in the noblest and truest of lives, a sincere religious temperament, in which the extreme of liberality to others was united to the profoundest humility as to himself. A man on whom his country or his countrymen might repose any trust, or impose any worthy service.”

It is impossible, within the limits of this report, to do justice to Mr. Marsh's great place in the list of American scholars. He was one of the earliest of our great scholars. His labors in the branches of science to which he devoted himself were incessant, and were hardly interrupted by his public occupations. Among his principal published works may be mentioned the following:—

A Compendious Grammar of the Old Northern or Icelandic Language, Compiled and translated from the Grammar of Rask. Burlington, 1838.

‘The Goths in New England. A Discourse before the Philomathesian Society at Middlebury College, 1843.

- Address before the New England Society of New York, 1844.  
Speech on the Tariff Bill, 1844.  
Speech on the Bill for establishing the Smithsonian Institution, 1846.  
Speech on the Tariff Question, 1846.  
Human Knowledge: A Discourse before the Phi Beta Kappa Society at Cambridge, 1847.  
The American Historical School. A Discourse before the Literary Societies of Union College, 1847.  
Address before the Agricultural Society of Rutland County, Vermont, 1847.  
Speech on the Mexican War, 1848.  
Remarks on Slavery in the Territories of New Mexico, California and Oregon, 1848.  
Address before the American Institute, 1855.  
The Camel; his Organization, Habits and Uses considered with reference to his introduction into the United States. Boston, 1856.  
Inaugural Addresses of T. W. Dwight and George P. Marsh, in Columbia College, 1859.  
Report made under the authority of the Legislature of Vermont, on the Artificial Propagation of Fish, 1857.  
Thirty Lectures on the English Language, delivered at Columbia College, New York, 1860.  
Origin and History of the English Language, and of the Early Literature it Embodies. New York, 1862.  
Same. New Edition. New York, 1874.  
Man and Nature; or Physical Geography as Modified by Human Action. New York, 1864.  
Several Articles on Icelandic Literature, in the American Whig Review and the Eclectic Review.

Rev. Chandler Robbins, D.D., was born at Lynn, Massachusetts, February 14, 1810: was graduated at Harvard College in 1829; settled over the Second Church in Boston December 4, 1833, succeeding Ralph Waldo Emerson; remained pastor of that church forty-one years; was twice married, and died at Weston, Massachusetts, after a short illness, September 12, 1882. He was wholly deprived of sight for the last few years before his death.

Dr. Robbins's work in life was that of an eloquent preacher and faithful parish minister. He was a man of very attractive personal qualities of character and manner, which gave him great influence in his pastoral office, and rendered him a fit successor in the line of pious and godly men who had stood in the pulpit of his ancient church. He was an effective preacher; devout, affectionate, and per-

suasive. He was a member of this Society for twenty-five years. He had a great taste and capacity for historical investigation: his studies in that department were such as grew naturally from his relation to his own parish and city. Dr. Ellis says of him that "he exercised authority, good judgment, a fine taste, thoroughness of research, and a supreme regard for accuracy in historical statements."

He was the author of various papers in the collections of the Massachusetts Historical Society. He published:—

"A History of the Second Church in Boston, with lives of Increase and Cotton Mather;" two sermons on the death of Henry Ware, jr. D.D.; two historical discourses on taking down the "New Brick Church;" Artillery Election Sermon in 1836; Memoir of the Rev. Alexander Young; Memoir of Hon. William Appleton; Lectures on the Regicides, delivered before the Lowell Institute; and various occasional sermons. He contributed many articles to literary and religious periodicals. He was for two years, beginning in 1836, editor of the *Christian Register*; compiled in 1843 "the Sacred Hymn Book;" and in 1854, the "Hymn Book for Christian Worship," and was himself author of several hymns.

He was elected a member of the American Antiquarian Society in October, 1857.

It was the expectation of the Council, until very lately, that their report for the period which completes the seventieth year of the Society, would be prepared by our distinguished associate, Mr. Bancroft, the publication of whose "History of the Formation of the Constitution of the United States of America" is the most interesting event in historical literature which has taken place during the past six months. But Mr. Bancroft has fairly earned, if it be ever fairly earned, the right to rest, or to choose his own field of labor, as shall please him best. Mr. Bancroft has brought into the compass of six hundred and thirty-nine

pages—the result of years of great labor—an account of the movements toward union of the separate colonies, beginning with the short-lived confederacy of three New England Colonies for mutual protection, especially against the Dutch, in 1643; of the defects of the old confederation as a means of wielding with effect the strength of the American people for the purposes of either war or peace; of the dreary years between the treaty of 1783 and the inauguration of the Federal constitution; of the origin and growth of each of the separate provisions and principles therein contained; of the debates and action of the Convention of 1787; of the characters of its principal members; of the weighty argument and skilful management by which the required assent of the States was obtained. The more profound the study which shall be devoted to either of these interesting topics, the greater will be the satisfaction with the thoroughness, as well as the compactness, with which the eminent historian has performed his work.

A space in Mr. Bancroft's two volumes nearly equal to that occupied by the principal text, is devoted to a selection from original manuscripts of great value, hitherto, with a half-dozen exceptions, unpublished, and nearly all new to historical inquirers. They suggest that there must still exist in this country a considerable wealth of historical material in private hands, or scattered in libraries, and uncatalogued. A full and systematic account and list of such treasures would do much to diminish the labors of students, and to throw new light upon every period of our history. Indeed, we suspect that the catalogue of our own library, now making excellent progress, through the liberality of our associate, Mr. Stephen Salisbury, Jr., will disclose, even to many of our own members, resources of which they are unaware.

The report of the Council, made by President Salisbury, in 1880, gave an interesting and instructive account of the unpublished historical matter in the English Record offices.



He added a brief notice of the work of the Royal Commission on Historical Manuscripts, a work of scarcely less importance to the American historian than to the English. This Commission, originally created by her Majesty in 1869, "to enquire what papers and manuscripts belonging to private families and institutions are extant, which would be of utility in the illustration of history, constitutional law, science and general literature, and to which possessors would be willing to give access," with authority to make abstracts and catalogues of such manuscripts, with the consent of the owners, and to report from time to time, have already partially reported the result of their labors in seven goodly folios, the last six of which are of great bulk. The reports are amply indexed, and the references to America, and to our colonies and towns and historic names are numerous.

The seventh report contains nearly a hundred letters from Bishop Berkeley to Lord Percival, included in the collection of the Earl of Egmont, written from 1709 to 1730, many of them from Rhode Island. Among them is a letter written just before Berkeley's departure from England enclosing a first version of the famous ode, differing considerably from that which is so familiar. Berkeley says :— "You have, annexed, a poem wrote by a friend of mine with a view to the scheme. Your Lordship is desired to show it to none but of your family and allow no copy to be taken of it."

The first and last verses of the ode in its original shape are as follows :—

"The Muse, offended at the Age, these climes  
Where naught she found fit to rehearse,  
Waits now in distant lands for better times,  
Producing subjects worthy verse.

\* \* \* \* \*

Westward the course of Empire takes its way.  
The four first acts already past,  
A fifth shall close the Drama with the day,  
The world's great effort is the last."

Under date, Trinity, June 4th, 1723, he writes to Percival: "Something that will surprise your Lordship as much as it does me.—Mrs. Hester Van Omry, a lady to whom I was a perfect stranger, having never in the whole course of my life, to my knowledge, exchanged one single word with her, died on Sunday night. Yesterday her will was opened, by which it appears that I am constituted executor, the advantage whereof is computed by those who understand her affairs to be worth £3000, and if a suit she had be carried, it will be considerably more." The will created Berkeley residuary legatee of half the estate, as well as executor, and enabled him to make his gifts to Harvard and Yale colleges. Esther Van Omry is the Vanessa so well known to fame as the friend, pupil and lover of Swift, the lady of his poem "Cadenus and Vanessa." She is said to have made this will and destroyed a prior one giving her property to Swift, moved by anger and jealousy caused by the report of his marriage to Esther Johnson—best known as "Stella."

September 3d, 1728, Berkeley writes from Greenwich: "To-morrow we sail down the river. Mr. James and Mr. Dalton go with me; so doth my wife, a daughter of the late Chief Justice Forster, whom I married since I saw your Lordship. I chose her for her qualities of mind, and her unaffected inclination to books. She goes with great thankfulness to live a plain farmer's life, and wear stuff of her own spinning. I have presented her with a spinning wheel."

The Commission had, at the date of their last report, already examined and reported upon more than five hundred collections, including the archives of the House of Lords, counties and towns, learned societies and guilds, the universities, claustral and Episcopal libraries and of many noblemen and gentlemen. The Commissioners say that, "Judging from the work on hand and in prospect, there seems no likelihood that the labors of your Commissioners

will shortly cease from want of material upon which to operate."

It is not likely that a work like this will be undertaken by national authority in this country. But the co-operation of societies and individuals would doubtless bring to light, and render accessible, many treasures which are now unknown.

Of course, the archives at Washington are barren compared with the great riches of which the English Commissioners give us so tantalizing a view. It is not yet a century since the government began its operation under the Constitution. The far greater portion of our historical records are in the possession of the States. We have not, as in England, great historic houses, whose annals and secret archives exceed those of kingdoms in importance and duration. We have no great religious body with political relations like the Church of England, and no great political corporations like the East India Company, or the Bank of England. But a brief and imperfect account of the material for historical study now accessible at our national capital may have its interest.

The office of the Clerk of the Supreme Court of the United States contains the records of that tribunal from its organization in February, 1790, to the present time.

By the Statute of May 8, 1792, it was provided that all the records and proceedings of the Court of Appeals, heretofore appointed previous to the adoption of the present Constitution, shall be deposited in the office of the Supreme Court of the United States.

November 25, 1775, Congress resolved:—

"That it be, and is hereby recommended to the several Legislatures in the United Colonies, as soon as possible, to erect Courts of Justice, or give jurisdiction to the courts now in being, for the purpose of determining concerning the captures to be made as aforesaid, and to provide that all trials in such cases be had by a jury, under such qualifications as to the respective legislatures shall seem expedient."

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“6th. That in all cases an appeal shall be allowed to the Congress, or such person or persons as they shall appoint for the trial of appeals, provided the appeal be demanded within five days after definitive sentence and such appeal be lodged with the Secretary of Congress within forty days afterwards, and provided the party appealing shall give security to prosecute the said appeal to effect.”

January 30, 1777, it was resolved:—

“That a standing committee, to consist of five members, be appointed to hear and determine upon appeals brought against sentences passed on libels in the Courts of Admiralty in the respective states, agreeable to the resolutions of Congress; and that the several appeals, when lodged with the Secretary, be by him delivered to them for their final determination.”

The ninth article of the Confederation provided that:—

“The United States in Congress assembled, shall have the sole and exclusive right and power \* \* \* \* of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated; of \* \* \* \* establishing courts for receiving and determining finally, appeals in all cases of capture: *provided*, That no member of Congress shall be appointed a judge of any of the said courts.”

Under these provisions appeals in prize cases were originally taken directly to Congress from State Courts.

January 14, 1780, a resolution establishing a Court of Appeals was adopted, and January 22, Messrs. George Wythe, William Paca and Titus Hosmer were elected. Mr. Wythe afterwards declined the office and Mr. Griffin was substituted by election April 28th.

There are in the clerk's office the original papers in one hundred and twenty-nine cases which were brought before the tribunals above described. A list of these cases, with the States from which they came, and the year when docketed and when decided, is annexed. These records contain, in many instances, the original letters of marque in case of the capture by a privateer, and such evidence as to the character and conduct of the captured vessel, and the circumstances of the voyage as was necessary to determine

whether she was lawful prize. This is often quite full and minute and of much interest.

LIST OF PRIZE APPEAL CASES DURING THE WAR OF THE REVOLUTION  
WHOSE RECORDS ARE NOW IN THE OFFICE OF THE CLERK OF THE  
SUPREME COURT OF THE UNITED STATES.

Date of Dock't'g.	TITLE OF CASE.	STATE.	Date of Decis'n
1781.	Adventure, Schooner,	Mass.	
1777.	Alsup <i>vs.</i> Rittenburgh,	R. I.	1777.
1778.	Admiralty Law of South Carolina.		
1787.	Atkinson <i>vs.</i> Chester,	S. C.	1787.
1777.	Allen <i>vs.</i> Schooner Good Fortune,	N. C.	1782.
1780.	Betsey, Sloop,	Penn.	1776. [?]
1778.	Brooks <i>vs.</i> Lopez, claimant of Schooner Hope,	Conn.	1778.
1780.	Bragg <i>vs.</i> Sloop Dove,	N. C.	1780.
1781.	Barry <i>vs.</i> Brig Mary,	Mass.	1781.
1780.	Brown <i>vs.</i> Ship Perseverance,	Mass.	1780.
1780.	Bradley <i>vs.</i> Sloop Betsey,	Conn.	1780.
1781.	Babcock <i>vs.</i> Brig Brunette,	Mass.	1781.
1779.	Bradford <i>vs.</i> Ship Victoria,	Mass.	
1777.	Baldwin <i>vs.</i> Polke,		1777.
1779.	Baratt <i>vs.</i> Schooner Packet,	Del.	1780.
1783.	Barrell <i>vs.</i> Sloop Good Intent,	Virg.	1783.
1784.	Barlow <i>vs.</i> Coffin,	Mass.	1784.
1783.	Brown <i>vs.</i> Schooner Speedwell,	R. I.	1784.
1784.	Bojtar <i>vs.</i> Schooner Adventurer,	N. C.	1784.
1779.	Bradford <i>vs.</i> Schooner Viper,	Mass.	1779.
1779.	Babcock <i>vs.</i> Schooner Nancy,	Mass.	1779.
1780.	Court of Appeals, Papers of Resolution and Ap- pointment.		
1779.	Cabot <i>vs.</i> Ship Neustra Senora,	Mass.	1779.
1780.	Conklin <i>vs.</i> Brigantine Bermudas,	Conn.	1781.
1779.	Cleveland <i>vs.</i> Ship Francisco de Panta,	Mass.	1779.
1777.	Caldwell <i>vs.</i> Newman,	Penn.	1778.
1778.	Carr <i>vs.</i> Brig Hanover,	N. C.	1778.
1787.	Cruger <i>et. al., vs.</i> Brig Cumberland,	N. Y.	1787.
1787.	Chester, Sloop <i>vs.</i> The Fair American,	S. C.	
1776.	Craig <i>vs.</i> Brig Richmond,	Penn.	1777.
1781.	Darby <i>vs.</i> Brigantine Estenburg,	Mass.	1782.
1779.	Davis <i>vs.</i> Schooner Polly,	N. C.	1779.
1779.	Decatur and Fosdick <i>vs.</i> Schooner Barbary,	N. J.	1779.
1777.	Dennon (Wm.) <i>vs.</i> Countess of Ellington,	Mass.	1777.
1783.	Derby <i>vs.</i> Ship Minerva,	Mass.	1783.
1783.	Dob <i>vs.</i> Randall,	Mass.	1783.

1779. Elderkin vs. A Sloop,	Conn. 1779.
1781. Ellis vs. Sloop Hannah,	N. J. 1781.
1788. Elkins vs. Sloop Good Intent,	Mass. 1784.
1783. Earle vs. Schooner Betsey,	Del. 1783.
1779. Fosset vs. Sloop Jane, etc.,	Md. 1779.
1782. Foster vs. Sundry British Goods,	Conn. 1782.
1777. Fawkes vs. Schooner Roseana,	N. C. 1777.
1780. Gardner vs. Brig Sea Horse,	Conn. 1780.
1779. Glasson vs. Ship Mermaid,	N. J. 1780.
1783. Garnet vs. Brig None Such,	Mass.
1779. Gibbs vs. Pallas,	S. C. 1779.
1778. Goodwin vs. Schooner Fortune,	Del. 1779.
1779. Gurney vs. Ploy,	Penn. 1779.
1788. Griffin vs. Sloop George,	N. J. 1788.
1779. Harridon vs. Sloop Hope,	Penn. 1779.
1784. Hathaway vs. Ingersoll,	Mass. 1784.
1782. Harris' Appeal,	Conn. 1782.
1786. Hazard's vs. Tucker <i>et al.</i> ,	N. Y. 1787.
1779. Harper's Memorial,	Conn. 1784.
1779. Harman, Courter, etc., vs. Brig Bilt,	Md. 1780.
1777. Hopkins vs. Derby,	R. I. 1777.
1778. Houston vs. Sloop Active,	Penn. 1778.
1780. Ingenuso vs. Schooner Lovely Nancy,	N. J.
1780. Jenks vs. Sloop Industry,	R. I. 1780.
1782. Johnson vs. Quantity of British Goods,	Conn. 1783.
1783. Jackson vs. Sloop Diamond,	N. J. 1784.
1784. Jones <i>et al.</i> , vs. Babcock,	Mass.
1782. Judson vs. Wells,	Conn. 1782.
1776. Joyne, <i>qui tam</i> , vs. Sloop Vulcan,	Virg. 1777.
1779. Ingersoll vs. Brig Recovery,	N. J. 1779.
1778. Jenkes vs. Sloop Fancy,	R. I. 1778.
1783. Jackson vs. Dolphin,	Mass.
1783. Jackson vs. Sloop Diamond,	N. C.
1782. Kean vs. Brig Gloucester (decree),	Penn. 1782.
1782. Lockwood vs. Bradly,	R. I. 1782.
1778. Libel vs. Brig Industry,	N. J. 1778.
1778. Lopez vs. Griffith, <i>et al.</i> ,	Conn. 1778.
1782. Martin vs. Brigantine Hope,	Md. 1782.
1777. Montgomery, Sloop, vs. Brig Minerva,	Md. 1777.
1783. Maria Theresa, Brig, Papers of	N. H. 1783.
1783. Manley vs. Ship Bailey,	Mass. 1783.
1778. Murphy vs. Sloop Hawke,	Del. 1779.
1779. Massachusetts Bay vs. Ship Victoria,	Mass. 1779.
1783. McClure vs. Sundry British Goods,	Conn. 1783.
1780. Nicholson, <i>et al.</i> , vs. Sandwich Packet,	Mass. 1780.
1783. Norton vs. Percival,	Mass. 1783.

1778.	Norris <i>vs.</i> The Polly and Nancy,	S. C.	1778.
1783.	Nicholson <i>vs.</i> Parkell,	Mass.	
1783.	Nonsuch's Papers,	Mass.	1783.
1779.	Pope <i>vs.</i> Sloop Sally,	Del.	1779.
1782.	Preble <i>vs.</i> Johnson,	Mass.	1782.
1777.	Pierce <i>vs.</i> Brig Phoenix,	R. I.	
1777.	Perkins, Papers of, Costs and Appeal,	Mass.	
1777.	Price <i>vs.</i> Sloop Success,	N. J.	1779.
1782.	Powers <i>vs.</i> the Sally and Mifflin,	Penn.	1782.
1780.	Rathburn, Lib't <i>vs.</i> Ship Mary,	Mass.	1780.
1783.	Robinson <i>vs.</i> Schooner Four Sisters,	Conn.	1783.
1783.	Read <i>vs.</i> Schooner Squirrel,	R. I.	1783.
1782.	Randall <i>vs.</i> Schooner Nostra Signora,	Conn.	
1782.	Ship Resolution's Papers,	Penn.	
1782.	Spencer <i>vs.</i> Sloop Sally,	Conn.	1783.
1782.	Scovel <i>vs.</i> Hope,	Conn.	1787.
1783.	Sampson <i>vs.</i> Barlow,	Mass.	1783.
1783.	St. Antonius, Record,	Mass.	
1783.	Smith <i>vs.</i> Sloop Polly,		1783.
1778.	Straler <i>vs.</i> Sloop Speedwell,	N. J.	1778.
1784.	Smith <i>vs.</i> Sloop Mary,	N. C.	1784.
1783.	Smith <i>vs.</i> Sloop Sally,	R. I.	
1782.	Stoddard <i>vs.</i> Schooner Squirrel,	R. I.	
1778.	Stevens <i>vs.</i> Schooner John and Sally,	N. J.	1779.
1779.	Scudder <i>vs.</i> Gray,	Conn.	1780.
1777.	Stanton <i>vs.</i> Schooner Two Brothers,	R. I.	1782.
1782.	Smith <i>vs.</i> Sundry British Goods,	Conn.	1784.
1779.	Taylor <i>vs.</i> Schooner Fame,	N. J.	1785.
1780.	Taylor <i>vs.</i> Schooner Fame,	N. J.	1780.
1780.	Taylor <i>vs.</i> Schooner Polly,	Penn.	
1783.	Tucker <i>vs.</i> Ship Severn [opinion,]	Mass.	1783.
1778.	Taylor <i>vs.</i> Sloop Lark,	N. J.	1778.
1779.	Tayloe <i>vs.</i> Burch,	Penn.	1779.
	Treadwell <i>vs.</i> Ship Hawk,	R. I.	1778.
1778.	Taylor <i>vs.</i> Sloop Polly,	Penn.	
1779.	Tracy <i>vs.</i> Holy Martyr,	Mass.	1779.
1780.	White <i>vs.</i> Ship Anna Maria,	Mass.	1780.
1783.	Wells <i>vs.</i> British Goods,	Conn.	
1776.	Wyngate <i>vs.</i> Brig Sherburne,	Penn.	1777.
1778.	Weynan <i>vs.</i> Arthur,	S. C.	1798. (?)
1777.	White <i>vs.</i> Knight,	Geor.	1777.
1777.	Weston <i>vs.</i> Schooner Industry,	Mass.	1777.
1780.	Young <i>vs.</i> Sloop Two Friends,	Penn.	1780.

The records of the Supreme Court are complete and in a perfect state of preservation from its organization in 1790,

on the first Monday in February, when its first action was to appoint a crier, until the present time. The court room was burned during the occupation of Washington by the British in 1814, but the records escaped destruction. The August term of the court had become merely a session for continuing causes till February, and this had been omitted several years, so that there was probably no court in session at the time. The first entry on the records of the February term of 1815, is an order directing the Marshal to purchase a set of laws for the use of the court, indicating the probable destruction of a former set in the fire.

The records and manuscripts in most of the departments and offices belong, generally, to the period since those departments were established. There are in the Indian Bureau, in the Department of the Interior, some collections relating to the history of the Indian tribes before the Revolution, made by Jedediah Morse. The Post-Office Department has the records of the national postal system from its organization by Dr. Franklin in 1775. The Registry of Deeds has the documents and surveys of the original laying out of the City of Washington, with many unpublished letters of its illustrious founder. The State, War and Navy Departments, and the Department of Justice have ample and rich material for the civil and military history of the period of rebellion and reconstruction, including the rebel archives.

The Patent Office contains its record and illustration of that most important and wonderful chapter in human history—the history of American invention. That the material for this history may be complete, much ought to be done in various localities, especially in New England, to preserve facts whose sole depository is the memory of aged men. When that chapter is suitably written, the contribution of the county where the annual meetings of the Society are held, to the great inventions which have so distinguished our century, will have an honorable place.



Within its limits were born the inventors of the cotton gin and the sewing machine, and the envelope machine. Here Bigelow was born, and here he established his carpet loom. Here began and grew to its present vast proportions the great wire manufacture. Here was improved and developed, from its first crude conception, the marvellous card machinery. Here was brought to its perfection the modern plough, as well as a great variety of the machinery which has so largely increased the agricultural product of the whole country. Here has been perfected the exquisite fancy loom, and the machines which have reduced by twenty-five per cent. the cost of shoes.

But the collections of chief importance to the student of earlier history are those of the Library of Congress, the Department of State, the Smithsonian Institution and the National Museum.

*The Library of Congress* is exceedingly rich in English local histories, and in heraldry and genealogy, having a complete set of the County histories of England, Scotland, Ireland and Wales. It possesses also copies of a great portion of Sir Thomas Phillipps's collection of privately printed papers, of which twenty copies were printed at his private press at Middle Hill. These are contained in thirty-seven volumes under four divisions:—

1. Pedigrees, 5 Vols.
2. Visitations, 7 Vols.
3. Topography, 3 Vols.
4. History, 22 Vols.

Many of these are of great interest to Americans, and, if better known, may save some journeys across the Atlantic. Among them is a copy of the indexes of the wills proved at Doctors' Commons.

There are the following County Visitations:—

- Berkshire. 1565, 1623, 1664-5.  
Cambridgeshire. 1619.

Derbyshire. 1620.  
 Hampshire. 1575, 1622, 1686.  
 London. Index to Visitation. 1593.  
 ——— Part of Visitation. 1634.  
 Middlesex. Visitation begun in 1663.  
 Oxfordshire. Visitations of 1574 and 1634.  
 Somersetshire. 1623.  
 Staffordshire. 1663-4.  
 Sussex. 1570.  
 Warwickshire. Index. (No date.)  
 Westmoreland. 1615.  
 Wiltshire. 1677. Index to 1633.  
 Worcestershire. 1683-4. Index to 1569.

There are also about three hundred pedigrees arranged alphabetically, beside Welsh pedigrees, pedigrees from wills, and those from the heraldic institutions of Northumberland, the Wiltshire Gentry, Knights of Wiltshire and Hants in the time of Elizabeth, a list of Knights from James I. to Charles I., other lists, subsidy rolls and an index to genealogies of tenants in capite from Domesday Book. There are also registers of baptisms and marriages in certain chapels, mostly in Somersetshire and Worcester-shire.

There are also a very large number of copies of manuscripts, some of great value, among which may be mentioned:—

Collections relative to MSS. and MS. libraries.  
 Index to religious houses in England and Wales.  
 Three letters of Junius believed to be unpublished.  
 Lambeth Palace wills and testaments in the archepiscopal registers.  
 1312-1636.  
 Critical and historical account of celebrated libraries.  
 Cartularies of Fountains Abbey and others.  
 Cartae Antiquae in Turre: Index to those which are printed.

The manuscript treasures of the Library of Congress are almost wholly documents of the Revolutionary period.

They embrace more than sixty folio volumes of autographs and military papers, in the handwriting of numerous generals of the Revolution, together with about one hundred colonial documents running from 1670 to 1770, most of which have special interest and value. There are also about thirty-two orderly books of the Revolution, about half of which are original manuscripts, most noteworthy of which is General Washington's orderly book for the year 1778, at Valley Forge, etc. There are also the manuscripts of Paul Jones in twelve Vols. from 1776 to 1778; two Vols. of Georgia State Papers, from 1735 to 1780; two Vols. of colonial documents of New Hampshire; four Vols. of original documents of the State of Delaware, 1680-1794, including several original documents of the Legislature; a Journal of General Bourne, 1771; two folio Vols. of the letter books of General Nathaniel Greene, 1781-82; Journal of the Baltimore Committee of Safety, 1774-76; record books of Ephraim Blaine, the Commissary-General of the Revolutionary Army from 1777 to 1782; MS. account of the French on the Ohio, 1755; MS. plan for expelling the French from the Scioto country and establishing English settlements in their room, *about* 1756-57.

There are two manuscript folio volumes of records of the Virginia Company of London during its existence, 1619-24. These contain the minutes of each meeting of the Company, prefaced by the lists of those present. Among notable names are recorded those of the Earl of Southampton (Shakespeare's friend), Edward Herbert (Lord Cherbury), John Donne and George Sandys, the poets, Samuel Purchas, etc. The minutes, which contain the full orders, proceedings and actual legislation of the Company, are full of the most interesting historical material relating to the personality of the early colonists, the Virginia aborigines, the shipping expeditions fitted out, the tobacco trade, the early Virginia manufactures, agriculture, etc. Colonel George Washington's orderly book during Braddock's expedition, 1755, in two Volumes; many journals (originals and copies) of

various campaigns and expeditions from 1755 to 1794. The whole number of original pieces relating to the Revolution exceeds five thousand. There are also manuscript papers and letters of John Fitch, 1784-1794.

The manuscript materials collected by the late Peter Force, for the *Documentary History of the American Revolution*, include faithful copies of the journals of the Continental Congress, and Congress of the Confederation, in 39 volumes, never fully published; also proceedings of the Board of War, and Board of the Treasury, together with multitudes of official letters, including papers copied from the archives of the State Department, and in the several States. These cover with considerable fulness, the whole period from 1774 to 1788. Among Spanish manuscripts there are beautiful copies of several unpublished works concerning America; as, *Las Casas Historia de Indios*, four volumes folio, also of his *Historia Apologetica de los Indios Occidentales*, four volumes. Duran's *Historia Antigua de Nueva España*, three volumes folio, 1579. Teniente's *Memorias de Nueva España*. Echevarria's *Historia del Origen de los Gentés Americanos*, two volumes folio; and several others.

In files of newspapers the Library of Congress is especially rich, having now over ten thousand volumes. The earliest is the *London Gazette* from its commencement in 1665 to 1882, the only complete set in America; The *London Times* from 1796 to date; *Le Moniteur Universel*, and *Journal des Débats*, from their commencement in 1789 to date. The *New York Evening Post*, complete from its beginning in 1801. The *National Intelligencer* from its first issue in 1800. The *Pennsylvania Packet*, with its successors. *Claypoole's Advertiser*, and the *Philadelphia North American* for more than a century; together with about three hundred volumes of miscellaneous newspapers published in America prior to 1800. There is also a full set of the *Charleston (S. C.) Courier* from 1803; the *Savannah (Ga.) Republican* from its beginning in 1811; *Nashville papers* from 1831, etc.

The collection of family histories is large and constantly increasing, though there are still many gaps among the privately printed volumes. Of the County and Town histories of the New England States, and other States of the Union, the Library has now more than nine-tenths, and will, it is expected, in time have all which have been printed.

One of the most notable features of this National Library is its rich collections of the Transactions, Proceedings, and other publications of academies and learned societies, covering the last two centuries. Of these the collection is the most complete in America, although there are still many gaps to be filled. This department of the library, derived from deposits made by the Smithsonian Institution, comprises many sets which are not sold, or which are entirely out of print and unprocurable. The *Historical Documents* in the *Department of State*, beside those which belong properly to the records of the department itself, are numerous and valuable. Among them are sixty-two volumes of letters from Washington, and one hundred and nineteen volumes of letters to Washington, and miscellaneous papers accompanying them. There is also a great mass of Revolutionary correspondence including what is catalogued as the State Papers of the different States, being letters of their Executives and other prominent persons to the Presidents of Congress. There is also much interesting and curious correspondence, throwing light on the political history of the early administrations down to Monroe, unpublished, and to a great extent unused by historical investigators. The publication of the American State Papers, which is likely soon to be resumed, will make a portion of these generally accessible. An interesting event to the Libraries of the Department of State and of Congress, is the acquisition of the Franklin papers, of which Congress has authorized the purchase. These consist of about two thousand nine hundred and thirty-eight manuscripts, of

which about two thousand three hundred and ten have never been printed, which were bequeathed by Dr. Franklin to his grandson William Temple Franklin. Many of these manuscript documents are in several States, so that the actual number of documents is some eight or ten thousand. No historian has had access to them., Temple Franklin published in 1817-18, six volumes of Franklin's writings, of which four were reproductions of historical works. Two only were occupied by selections from these manuscripts. He designed to publish six more volumes, but the publishers refused to go on. Only a fourth part, therefore, of those designed by Temple Franklin for publication, were in fact published. His selection seems to have been made with little knowledge of the comparative historic value of those published and those withheld, and intended to meet the supposed wants of the English public at that time. Mr. Bignore says "he seems to have proceeded on the idea of omitting everything which reflected on the British Government." These papers include the archives of our Legation at Paris, during a very important period of the War of the Revolution. They cover the period of Dr. Franklin's agency in London before the war, of the formation of the French Alliance, and of the Treaty of Peace. They begin almost with the beginning of Franklin's political career, and come down to near the close of his life. Among them are the originals of some documents of great historic interest, especially Franklin's original memoir relative to the Hutchinson papers, and their publication in England, and the original petition of Congress to the King, dated October 1774, and signed by the representatives of the several States. The faded condition of the signatures to the Declaration of Independence, makes it interesting to know that these are fresh and clear.

There are many letters from Paul Jones, which will doubtless throw new light on his adventurous career.

These manuscripts are to be deposited in the Library of

the Department of State. By the same purchase is acquired for the Congressional Library, nearly three hundred volumes of printed books of and concerning Franklin, or printed by him, among them almost all of the earliest and rarest known, and the Pennsylvania Gazette nearly complete from October, 1739, to December 27th, 1748.

It was extremely fortunate that our learned associate, Dr. Hale, happened to be in Washington when the question of this purchase was before the Joint Committee on the Library. The great number of offers for the sale of manuscripts to the Government, and the price demanded for these, had rendered the Committee exceedingly unwilling to accede to the request pressed by three Secretaries of State in succession, although reinforced by petitions from many learned societies, for this appropriation. Dr. Hale's great authority, and his familiarity with the literature of the period of Franklin's life, made his explanations of exceeding interest, and probably turned the scale in securing a favorable report.

In this connection it should be stated, that just before the adjournment of Congress, there were found in the garret of the Globe building, several huge trunks containing the manuscripts and correspondence of Andrew Jackson, for a long time supposed to be lost. The General preserved with care his most voluminous correspondence. These papers were committed by him to Amos Kendall, for the preparation of his biography. Kendall made little progress in the work, and that little, it is understood, not at all to the satisfaction of the subject, who quite peremptorily directed the transfer of the material to the elder Francis P. Blair. Among the papers is a trophy which will not probably be lost a second time. It is a paper labelled on the back in the handwriting of Andrew Jackson, "British plan for the capture of New Orleans, picked up on the field of battle."

But we have little space left for what in promise, and in actual possession are richer than all the departments

of government in historic and archæologic wealth, the *Smithsonian Institution* and its neighbor and ally the *National Museum*. Without enumerating the illustrations of natural history in the possession of the Smithsonian, or objects of curiosity, like the portion of the original steam engine of John Fitch, or the relics of the Frobisher expedition to Greenland, more than three hundred years ago, brought home by Captain Hall of the *Polaris*, or the relics of Sir John Franklin obtained from the Eskimos of the Mackane River region, we may refer merely to such objects as illustrate human history, and aid its intelligent student.

The objects and methods of the Smithsonian Institution, and the general character of its collections, are, doubtless, well known to nearly all the members of this Society. The rapid progress and present extent of the National Museum are possibly less familiar. The Museum possesses a great many unique specimens relating to the archæology of America, the most important perhaps, being a portion of the original tablet of the cross from Palenque, covered with hieroglyphics and always an object of great interest to antiquaries. The Museum also possesses by far the best collection extant of North American Archæology in general, consisting of stone implements, pipes, pottery, etc.

In some especial branches other museums may have greater variety of specimens; but on the whole no other collection can compare with this. In the material illustrating the manners and customs of the Eskimos and the Aleutian Islanders, both modern and prehistoric, the National Museum is rich beyond competition. Its Eskimo collections extend from Greenland, by way of the whole arctic coast, round to the peninsula of Alaska. There are also large collections from the islands off, and the coasts of, South California. In material illustrating the characteristics of the Pueblo villages of New Mexico and Arizona the Museum abounds.



Few persons are aware of the wealth of material which the National Museum has already collected, or has received from its parent the Smithsonian Institution, to enable it to realize its gigantic plan. In addition to its collections of material for investigation in natural history proper, it proposes the scheme set forth in Prof. Baird's Circular No. 2, as follows :—

“It is intended to form an *Anthropological Museum*, organized upon the broadest and most liberal interpretation of the term ‘Anthropology’ and illustrating the characteristics of civilized as well as savage races of mankind, and their attainments in civilization and culture. The central idea will be *man* and the manner in which he adapts the products of the earth to his needs. All useful and noxious animals, plants, and minerals will be shown, industries by means of which they are utilized —by both method and finished product—and finally the various objects which men use for any purpose whatever. *A place is provided for every object which has a name.*”

“Already the Museum is richer than any other, in the Ethnology of the native races of North America, the departments of animal products, of the fisheries, of building-stones and of North American ores.” Competent and zealous agents have made large progress in the materia medica collection ; in that of food products ; of paints and pigments ; of chemical products used in the arts ; of cotton fabrics made in the United States, in addition to a large collection of those made in foreign countries, obtained by the State department through its agents. So that there will be found here a specimen of every article of the materia medica, in the form in which it appears in commerce, or is prepared for administration, of every article of human food, of every article of human clothing, and of every article used for the construction or for the furnishing of human dwellings, all the implements, offensive and defensive, of war, all varieties of musical instruments, and the implements of husbandry and the mechanic arts.

The relation which the greatest and most complete library, containing every record of human action in the past,

would bear to history, as it has usually been conceived and written,—the Museum, so far as the scheme of its founders shall be realized, is to bear to history as written according to the conception of Macaulay,—not merely a history “of battles and sieges, of the rise and fall of administrations, of intrigues in the palace, and of debates in the parliament, but a history of the people, as well as the history of the government, of the progress of the useful and ornamental arts, of the manners of successive generations, and of the revolutions in dress, furniture, sports, and public amusements.” In the language of Mr. Barnet Phillips, adopted by the Smithsonian Institution in its Circular No. 10 :—

“In its conception may be found one of the grandest of all schemes for instruction. Such a plan may be comprehended in a certain way, when it is stated that it takes man for its central pivot, and around this is to revolve everything that man has done in the past, or in the present, in the world he lives in. Those depths which he has plumbed in the seas will contribute their quota, and where he has sought for light in the realms of heavenly space, such slight information as he has gleaned will all be presented here. Not a science is there which man has studied, which will not find its representative object. This museum, besides, is to enter into every detail of human life, not only of the present, but of the past, and is to be the custodian of its future. Its mission is to keep on going, collecting forever and ever. It will show to our great-great-grandchildren how their forefathers dressed, how they lived, cooked and ate their food, how they amused themselves, and 1982 will learn of the toys the children of 1882 played with. There is nothing ever so trivial, which is thought unworthy of notice. The study of the evolution of anything is supposed to impart its lesson, and the spinning-wheel of a past time is to lead up, by many stages, to the more perfected mechanisms of to-day. Such a grand work as is so prospected will of course take years to perfect. The originators of such a comprehensive scheme are perfectly conscious how short is life, and they know that the conclusion of their work is as far off as eternity.”

The Council are indebted to Theodore F. Dwight, Esq., Chief of Bureau of Rolls and Library of the Department of State, for the following notes :—

The fourth enactment of the First Congress, approved July 27, 1789, (Statutes at large Vol. I., pp. 28, 29, Little, Brown & Co.'s edition), pro-

vided "for establishing an Executive Department, to be denominated the Department of Foreign Affairs."

In Section 4 of that Act it was provided "That the Secretary for the Department of Foreign Affairs, shall forthwith after his appointment, be entitled to have the custody and charge of all records, books and papers in the Office of Secretary for the Department of Foreign Affairs, heretofore established by the United States in Congress assembled."

The fourteenth enactment of the First Congress was entitled "An Act to provide for the safe-keeping of the Acts, Records and Seal of the United States, and for other purposes." Approved September 15, 1789, [*idem*, pp. 68, 69].

The first section changed the designation of the "Department of Foreign Affairs" to the "Department of State."

The second section related to the process of creating a law, and provided that the custody of the laws be given to the Secretary of State.

The seventh and last section gave into the custody of the same Secretary, the Seal of the United States, "and also all books, records and papers, remaining in the Office of the late Secretary of the United States in Congress assembled;" and also "that such of the said books, records and papers, as may appertain to the Treasury Department, or War Department, shall be delivered over to the principal officers in the said departments respectively, as the President of the United States shall direct."

By virtue of the last section, the Department of State became the depository of the General Archives of the United States.

The papers which formed part of this collection at the outset, in addition to the documents which appertained especially to the Department of Foreign Affairs prior to the formation of the Federal Government, were the Journals, Correspondence, Original Motions, Reports of Committees, Memorials and Petitions of the Continental Congress.

There is a distinction to be noticed between the "Records of the Department," which were referred to in section 4, of Chap. IV., 1st Congress, 1st Session; and the "books, records and papers remaining in the office of the Secretary of the United States in Congress assembled," mentioned in section 7, Chap. XIV., same Congress, and same session, [*vide* notes herewith.]

The latter, the most precious of the historical Archives, being the veritable history of the Congress of the Revolution, and, speaking more generally, of the War of the Revolution.

The papers of Washington formed the first addition to that great body of documents.

The second addition was of that portion of the papers of James Madison, which contained his Journal of the debates in the Constitutional Convention, purchased by authority of the Act making appropriations for the civil and diplomatic service, approved March 3, 1837. [Statutes at Large, Vol. V., page 171.]

The third addition was of the balance of the Madison papers. Act

approved May 31, 1848, Chap. LII., 30th Congress, 1st session. [Statutes at Large, Vol. IX. page 235.]

The fourth addition was the collection of the papers of James Monroe, by Act approved March 3, 1849, Chap. 100, section 8, 30th Congress, 2d session. [Statutes at Large, Vol. IX., page 370.] The rest of Washington's papers were purchased by the same act.

The fifth addition comprised the papers of Thomas Jefferson, in one hundred and thirty-seven quarto volumes, and the papers of Alexander Hamilton in sixty-five folio volumes. Both series were purchased under authority of a single act of Congress. [The Act making appropriations for the Civil and Diplomatic expenses for the year ending June 30, 1849. Approved August 12, 1848.]

The sixth addition was the Collection of the papers of Benjamin Franklin. Appropriation for purchase made in the act approved August 7, 1882; Chap. 433, 47th Congress, 1st session.

The most important documents among the Archives are :

The Petition of the first Continental Congress to the King, October 26, 1774. [In the Franklin Collection.]

The original draft, in the writing of Jefferson, of the Declaration of Independence.

The engrossed and signed copy of the same.

The Articles of Confederation.

The Constitution of the United States, and the amendments to the same.

The Laws of the United States.

For the Council.

GEORGE F. HOAR.

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