

An Elusive Manuscript—The Proceedings of the Maryland Convention of 1774

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AT THE Maryland Hall of Records we have always assumed that any record that cannot be found is misplaced, not lost. This assumption has jovially come to be known in the family as Skordas' Law, after the Assistant Archivist who insists on this assumption. It is a convenient assumption because it cannot be proved to be wrong in any event. And it is a useful hypothesis. I have adopted it in my search for the missing manuscript copy of the Proceedings of the Convention of 1774, with uncertain results.

The first of these conventions was called for June 22, 1774, after the passage of the Boston Port Act; the last one, June 28, 1776, authorized the Maryland delegates to the Continental Congress to vote in favor of independence. In general, these conventions were extra-legal devices for exercising legislative and executive powers of government during the Revolutionary period. They organized and supported the militia; they elected delegates to the Continental Congress; and, for the interim periods between meetings of the convention, they elected from their own numbers a Council of Safety to implement their various resolutions.¹

The missing record in question is the account of three meetings of the Convention held in Annapolis June 22 to 25, November 21 to 25, and December 8 to 15, 1774. As the last order of business at each meeting, it was ordered "That copies of these resolutions be transmitted to the committees of correspondence of the several colonies, and be also published in the *Maryland Gazette*." The orders to publish were carried out promptly, for the Proceedings of the June meeting appeared June 30; of the November meeting, December 1; and of the December meeting, December 15.

Apparently the manuscript remained in the hands of the *Gazette* editor, who was at the time Frederick Green and who published them separately in pamphlet form along with succeeding meetings of the Convention through the meeting of July 25 to August 14,

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¹ Philip A. Crowl, *Maryland During and After the Revolution*, p. 22 (Baltimore, 1942).

1775.² Subsequently, Green completed the series in 1776 in three additional pamphlets.

There seems to have been no further printing of these Convention Proceedings until 1836. This edition of 1836 has an interesting history. On January 11, 1833, the Committee on the Library of the House of Delegates was ordered "to examine a copy of the proceedings of the convention of the province of Maryland now in the possession of Jonas Green, of Annapolis, and to report to this house the expediency or in expediency of purchasing the same for the use of the library."

This copy of the proceedings in the possession of Jonas Green must refer to the manuscript, for there were a great many of the printed copies of 1774-77 around at that time, and it is not a rarity now. Jonas Green was the grandson of the Frederick Green who had first published the Proceedings, and the manuscript probably had become a part of the *Gazette* archives by this time. The committee was ready to report on February 18, 1834.

Mr. Nicols, Chairman of the Committee on the Library, in conformity with an order of the House of the 11th of January last, delivered the following report:

The Committee on the Library, in conformity of an order of the House of Delegates of the 11th of January last, has had under consideration the subject matter referred to them and report that Jonas Green Esq. who is the owner of the only copy of the Proceedings of the Convention of the Province of Maryland that we know to exist, has been waited on by this committee. Mr. Green declines selling the copy, but proposes to publish it on the state's subscribing for a certain number of copies; and we do not hesitate to say his proposition to publish is decidedly the best course. The necessity of preserving this work cannot be called in question, and perhaps this is the only opportunity which may offer to rescuing that interesting and important portion of the history of our State from total loss. *Mr. Green proposes after the publication of the work, to present to the state library the original copy of the proceedings* [italics mine]. Your committee conceive they are consulting the high interest of the State and acting in true accordance with the wishes of every son of Maryland in recommending the adoption of the following resolution.

"Resolved by the General Assembly of Maryland, that the joint committee on the library, be and they hereby are authorized to subscribe for two hundred and fifty bound copies of the Journal of the Convention of the Province of Maryland, held in the city of Annapolis, in the years 1774, 1775 and 1776, to be published by Jonas Green, and that they or a majority of them draw on the Treasurer of the Western Shore for the amount of said subscription when

² Lawrence C. Wroth, *A History of Printing in Colonial Maryland* (Baltimore, 1922).

the same shall have been delivered to and certified by the Librarian, provided said subscription shall not exceed two dollars per bound copy."

This resolution passed March 14, 1834, without amendment.³ The book appeared in 1836 under the title *Proceedings of the Conventions of the Province of Maryland held at the City of Annapolis in 1774, 1775, and 1776*.⁴ There is no mention of the resolution of the House of Delegates or of the subsidy by the State on the title page, and the book has no preface or critical apparatus of any kind.

If we assume that Green used the manuscript which his family had held since the Revolution for this printing—and everything points to it—what happened to it, then? Did he give it to the State as promised? A search into early State Library history reveals a confused picture. Under Resolution no. 58, Acts of 1830, the Librarian reported to the Legislature of 1834 that from the committee room of the Senate he transferred to the Library a manuscript of the Journal of Proceedings of the Convention of Maryland 1776.⁵

This is presumably the same manuscript listed by David Ridgely, the first State Librarian, in his rare catalog of 1837.⁶ This is the last time that any manuscript Proceedings of the Convention of Maryland are mentioned as being in the possession of the State Library. One wonders what happened to the Proceedings of 1774 and 1775 if this was Green's copy, deposited according to his word.

Meanwhile, we learn that 250 copies of the printed proceedings were delivered to the State Library and that in his report to the library committee of 1836⁷ Ridgely proposed that they be distributed two to each Orphans' Court, one to each college library, and so on. In his 1837 report to the legislature Ridgely mentioned the fact that there were still copies of the Proceedings taking up space in the library, and he asked permission to exchange them with other libraries for other works. But he did not mention the manuscript. In the same year, however, Ridgely published his first catalog (he refers to an earlier one in 1833 but this was hardly more than a list of general subjects and series in the library), and in this catalog of 1837 is the mention of a manuscript for the Proceedings of 1776 only, to which I have already referred.

The great dispersal of the State's records began soon after this,

³ Resolution no. 83.

⁴ (Baltimore, James Lucas and D. K. Deaver; Annapolis, Jonas Green).

⁵ "Report of the Librarian 1834," p. 18-19, in *Documents 1834*.

⁶ "Proceedings of the Convention of Maryland, 1776, 1 vol." is entered on p. 80.

⁷ *Documents C 1836*.

in 1846, when by a "Resolution in relation to the Maryland Historical Society"⁸ the Governor was authorized to deposit with the society, which was only a few years old at the time, the following categories of records: (1) duplicates, (2) those in bad condition or those in disarray, (3) those which he thinks would otherwise benefit from the proffered care of the historical society, and (4) a complete set of the printed laws. These provisions made practically anything subject to transfer to the society. It was further provided that a receipt for any such deposit should be executed by the Maryland Historical Society and filed among the executive papers of the State. This may have been done, but a search of the executive papers now at the Hall of Records failed to uncover it (and there is no copy at the historical society).

The first catalog of the society was published in 1854: *Catalogue of the Manuscripts, Maps, Coins, Statuary, Portraits and Pictures; and an Account of the Library of the Maryland Historical Society, Made in 1854, Under the Direction of the Library Committee and President*, by Lewis Mayer, Assistant Librarian. Pages 5 through 9 contain a list of the material received from the State of Maryland, presumably under the Resolution no. 27 of 1846. All the material listed on these pages was returned to the State in 1938. The sources of other material listed in the catalog are given in each case, but on page 24 we find this note:

"Miscellaneous Maryland Manuscripts
"Bound Books—(Not in Port Folios)
1745-1816"

"2. Proceedings of the Maryland Convention, from June 22, 1774 to November 11, 1776 2 vols."

Unfortunately, there is now no record of the manner of acquisition of this item since those were not the days of meticulous accession records such as are kept nowadays by all archival establishments as a matter of course. But since the name of the donor is not given as it is in all other cases, we may assume that it came from the State. In the meanwhile, the State Librarian may have found the second volume covering the period before 1776, or, having acquired it from Green since the appearance of his catalog of 1837, may have sent it along to the society, as ordered by the Resolution of 1846.

After 1837 the State Library published no other catalog that included manuscript holdings, and the 1854 catalog was the first

⁸ Resolution no. 27.

and last listing of manuscripts in its possession published by the Maryland Historical Society.

The next and largest transfer of Maryland State records took place as a result of Chapter 138 of the Acts of 1882. This act provided that the Commissioner of the Land Office and any other officials having records antedating "the acknowledgement of the Independence of the United States by Great Britain, be authorized and directed to turn these records over to the Historical Society, there to be kept safely, arranged, and made available for the free use of the public, subject to recall by the State." The proper giving and taking of receipts is mentioned in the act, and an appropriation of two thousand dollars is made to the Maryland Historical Society for the publication of such records as it might consider historically important.

The giving of receipts by the historical society was not so easy as may at first appear. It was rather useless to record the receipt in overall terms such as "two packets of miscellaneous letters to the Governor." The detailed receipts had to wait, therefore, until the records were sorted; and this sometimes took a long time, so long that receipts were no longer thought necessary or were forgotten. But the society had hit on another device for isolating the State's records. Each record had stamped on it "Archives of Maryland" in blue ink, so that when the records were returned to the State a large proportion of the items were noted as "not receipted for but stamped 'Archives of Maryland.'"

On the other hand, some of the State officers who had unwillingly surrendered records—the Land Commissioner for one—kept a list of their records and printed them again and again in annual reports as though the records were only temporarily *in partibus infidelium*. But whatever the spirit, the Commissioner of the Land Office listed our elusive document loud and clear: "Minutes of the Maryland Convention 1774 1 vol," under the rubric "Records belonging to the Land Office now in the possession of the Maryland Historical Society under the provisions of the Act of 1882, Chapter 138."⁹

For want of proof to the contrary we must assume that the Proceedings of the Convention that found their way into the vaults of the Maryland Historical Society came from the Land Office. In the 1930's they were returned to the State with the stamp denoting ownership by the State, and they are now in the vault of the Hall of Records. The collection consists of five unbound book-

⁹ *Report of Thomas A. Smith, Commissioner of the Land Office, 1907-1909*, p. 65. But this item was first listed in the report for 1893-95, p. 25, as "Minutes of the Maryland Convention 1775," not 1774.

lets covering the proceedings from July 26, 1775, to November 11, 1776. There is also a transcript of the Proceedings of the Convention of July 26 to August 14, 1775, made by David Ridgely about 1835.

When the Maryland Historical Society published volume 11 of the *Maryland Archives* in 1893, there was a preface by the learned editor, which might have solved the mysteries of the manuscript but which, on the contrary, only adds confusion to mystery. In the first place, only the Proceedings of the Convention for July 26–August 24, 1775, are published, with no explanation for the omission of the 1774 and 1776 meetings. But we are told that this session is published from the manuscript because “As in Green’s published Journals of the Convention neither the daily proceedings nor the names of members of this session are given.” Moreover, the editors do not say where the manuscript from which they publish came from.

Whatever the mysteries of the 1775 and 1776 Proceedings are, they are not total as is that of the Proceedings of 1774, primarily because the latter do not now exist in the State Archives, whereas the others do. But there is a clue to the fate of the 1774 Proceedings in a letter written to J. Thomas Scharf by one W. L. Scott of Erie, Pa., June 26, 1889, and now in the Scharf collection of the Maryland Historical Society.

After referring to Scharf’s letter of the 11th instant: “. . . I have not lost sight of the matter we have in hand and am glad to know that you have succeeded in picking up material which possibly may be interesting to me and my family, if to no one else.” Scott continues by saying that he will be in Long Branch about mid-July or August 1 for a week or 10 days with his racehorses for rest and recreation. If Scharf could meet him there, perhaps two or three evenings together would facilitate what we have in view

In regard to the proceedings of the Maryland Conventions, you have referred to, of 1774, I would not object to paying one hundred dollars for it, if after examination, I found anything in it I thought of value to me. If you could therefore borrow it and bring it with you, I would look it over and will then determine what I will do.¹⁰

At the time of this exchange of letters with Scott, Colonel Scharf

¹⁰ I am indebted for this letter to Leonard Rapport, who found it while engaged in research for the National Historical Publications Commission and sent it to me because he was aware that I have, for a long time, been in search of these Proceedings. He added the note that W. L. Scott was a grandson of Gustavus, a member of the Convention.

was Commissioner of the Land Office and, by avocation, a collector of Maryland papers. Two years later, in 1891, he presented his collection to the Johns Hopkins University, to establish a center for the study of Southern history at that new institution. At that time he pointed out that the collection had cost him a great deal of money, and as for the Revolutionary muster rolls of Maryland troops, he had bought every one that had been on the market during 15 years. It seems odd that so soon before this magnificent gift he would be selling a manuscript that he must have known was unique. But the ways of collectors were then, and still remain, mysterious. There is a partial list of the items that Scharf presented to the Hopkins, prepared by one L. P. Powell of the Johns Hopkins staff, which does not include this item.¹¹ No more detailed list or catalog was ever prepared by the Johns Hopkins before the Scharf collection was deposited at the Maryland Historical Society, and none has as yet been prepared by the society. But enough searches in the papers have been made so that we may now be fairly sure that the Proceedings of the Convention of Maryland of 1774 is not among them.

Where Scharf got the manuscript apparently must forever remain a mystery, but whether or not Scott bought it from him should be known in time, and its whereabouts should be possible to determine. It has been my purpose only to trace its history through the Maryland archival institutions who had it at one time or another, or who thought they had it. The moral of this sad story points out the necessity for keeping detailed accession books, which none of the institutions mentioned in this essay did. One is dismayed to think of what must have happened to many lesser manuscripts and overjoyed at how many have been preserved, in spite of the carelessness of their custodians.

¹¹ Johns Hopkins University, *University Circular* no. 89, p. 110-113 (June 1891).

Microfilming: Prescription for Asia

In the archival field, it is essential that Unesco should enable the Asian countries to procure archival microfilm and also coloured microfilm in order to record for posterity some of the most precious manuscript material in the country which will disappear under the present conditions of storage in a very trying climate.

—B. S. KESAVAN, "Unesco's Work in Asia *vis-à-vis* Libraries, Documentation and Archives, 1946-1966," in *Unesco Bulletin for Libraries*, 20:239 (Sept.-Oct. 1966).