Library Company of Philadelphia

McA MSS 026

JOHN SMITH PAPERS

1802-1819

.42 linear feet, 1 box

Series I. General Correspondence (1804-1819)
Series II. Court Functions (1805-1818)
Series III. Property Disposal (1802-1818)
Series IV. War of 1812 (1812-1819)

October 2006
Descriptive Summary

Repository
Library Company of Philadelphia
1314 Locust Street, Philadelphia, PA 19107-5698

Call Number
McA MSS 026

Creator
Smith, John, marshal

Title
John Smith Papers

Inclusive Dates
1802-1819

Quantity
.42 linear feet (1 box)

Language of Materials
Materials are in English.

Abstract
The papers document some of Smith’s activities as a United States marshal for the Eastern District of Pennsylvania.

Administrative Information

Restrictions to Access
The collection is open to researchers. It is on deposit at the Historical Society of Pennsylvania, and should be accessed through the Society’s reading room at 1300 Locust Street, Philadelphia, PA. Visit their website, http://www.hsp.org/, for reading room hours.

Acquisition Information
Gift of John A. McAllister; forms part of the McAllister Collection.

Processing Information
The John Smith Papers were formerly interfiled within the large and chronologically arranged McAllister Manuscript Collection. The papers were reunited, arranged, and described as a single collection in 2006, under grants from the National Endowment for the Humanities and the William Penn Foundation. The collection was processed by Edith Mulhern and Sandra Markham. Any views, findings, conclusions or recommendations expressed in this finding aid do not necessarily represent those of the National Endowment for the Humanities.

Preferred Citation
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Online Catalog Headings

Subject Names
Steele, John, 1764-1815
Duvall, Gabriel, 1752-1844
Lawrence, James, 1781-1813
Mason, John, 1766-1849
Monroe, James, 1758-1831
Pleasonton, Stephen, d. 1855
Anderson, Joseph, 1757-1837
Evans, Oliver, 1755-1819--Trials, litigation, etc.
United States--Army--Pennsylvania Cavalry Regiment, 1st
United States--Marshal (Pennsylvania)
United States--Comptroller of the Treasury

Subject Topics
Prisoners of war--Pennsylvania
Aliens--Pennsylvania
Ships--Passenger lists
Safe-conducts
Seizure of vessels and cargoes
United States--History--War of 1812--Prisoners and prisons.
Pennsylvania--Politics and government.
United States marshals--Pennsylvania--Archives

Document Types
Bonds (legal records)
Inventories
Passenger lists
Letters
Receipts (financial records)
Passports

Related Collections
The Historical Society of Pennsylvania holds additional John Smith Papers (Coll. 608), with letters relating to the interpretation and execution of Federal legal matters, claims against the government, courts-martial, finance, maritime regulations, land cases, 1801-1817; and Smith’s official receipt book, 1801-1818.
Biographical/Historical Notes

John Smith was appointed United States Marshal for the Eastern District of Pennsylvania by Thomas Jefferson on March 28, 1801, replacing John Hall. James Monroe reappointed him to a four-year term on November 27, 1818, but in January 1819 he was removed from office and replaced by Samuel D. Ingram. Smith was listed in the Philadelphia city directories as “late marshal” from 1819 to 1822, and was not listed thereafter. He married Elizabeth Turner on October 15, 1795, at St Michael and Zion Lutheran Church, Philadelphia. No date of death is known.

United States Marshals were public servants appointed by the President; their primary function was to provide local support for the operation of federal courts. The post involved a wide range of duties including procuring witnesses, serving subpoenas and warrants, and paying the fees and expenses of court clerks, judges, federal attorneys, and jurors. Marshals advertised seized property and oversaw its sale. In addition, until 1870, marshals conducted the federal census, and collected a variety of statistical information on behalf of the federal government.

In time of war, such as the War of 1812, the marshal’s duties expanded to include keeping track of enemy aliens living in the United States, issuing passports for their domestic travel, and guarding and providing for British prisoners of war.

John Smith also had a long military career, serving almost continuously from 1776 until 1814, when the 1st Regiment of the Pennsylvania Cavalry, which he commanded, was disbanded.

Collection Overview

The papers of John Smith span the years 1802 to 1819, and primarily relate to his career as the U.S. Marshal for the District of Pennsylvania. The papers are arranged in four series: Series I, General Correspondence; Series II, Court Functions; Series III, Property Disposal; and Series IV, War of 1812.

Series I, General Correspondence (1804-1819) is arranged in two subseries: Marshal, and Military. The first holds twenty-seven letters from officials of the United States Department of the Treasury’s Comptroller’s Office, including comptrollers John Steele (1764-1815, served 1796-1802), Gabriel Duvall (1752-1844, served 1802-1811), and Joseph Anderson (1757-1837, served 1815-1836). Their letters inform Smith of the balance of his accounts, and of compensation for the local enumerators on the second federal census. A single printed circular letter from Treasurer Albert Gallatin (1761-1849) in 1812 described the compensation allotted to marshals and their staff for surveying the country’s manufactures and manufacturing establishments. Among the additional six single letters in the subseries is one from Henry Reges of Chambersburg, PA, warning Smith against Greenberry Murphy, whom Smith had appointed as Deputy Marshal.
The second subseries holds four letters from Smith’s military career, addressed to him as head of the 1st Regiment, Pennsylvania Cavalry. Among those is one from Captain James Lawrence (1781-1813) written in early April 1813, just after he returned to the United States between his capture of the HMS Peacock and his command of the USS Chesapeake. In his letter, Lawrence thanked Smith for the kind sentiments sent him from Smith’s regiment for the captain’s services to the country regarding the Peacock. Lawrence died at sea two months afterward.

Series II, Court Functions (1805-1818) contains two letters and several summonses, which were addressed to witnesses called to testify in various cases. Four of the cases involve Oliver Evans (1755-1819), the noted Philadelphia inventor. The documents do not give details of the cases, however.

Series III, Property Disposal (1802-1818) covers the sale of goods seized from captured ships as well as the ships themselves. It is arranged in three subseries: Bonds; Land Sales; and Maritime Sales. Many of the papers are simply writs for sale instructing Smith to sell at auction. The most detailed information exists for the sale of the goods from the ship Brilliant that had been unlawfully imported into the United States in 1813. The cargo included a range of musical instruments: dozens of violins, clarinets, fifes, flutes, bassoons, trumpets, and fifteen fortепианоs.

Series IV, War of 1812 (1812-1819), deals with wartime concerns, including the control and processing of prisoners and aliens during the war. It is arranged in two subseries: Aliens; and Prisoners of War. The Aliens section holds a letter from Secretary of State James Monroe instructing Smith on procedures regarding passports. The single passenger list is for the Swedish schooner Crown Prince, of Saint-Barthélemy, which left Philadelphia, bound for Havana, and carried citizens of Switzerland, Spain, France, and Saint-Domingue (now Haiti). The remainder of the subseries has a group of passports issued to British subjects, and paperwork describing resident aliens, individually and in regional groups.

Prisoners of War correspondence holds seven letters from John Mason (1766-1849), the U.S. Commissary General of Prisoners, who was responsible for overseeing local marshals’ safekeeping and accommodation of wartime prisoners. Mason wrote about the conditions for British prisoners, including allowing limited travel to Canada and providing blankets. There is one letter from Stephen Pleasonton, Fifth Auditor of the Treasury Department, regarding Smith’s accounts. Documents include financial papers, lists of Americans taken prisoner by British vessels and released, and a parole agreement signed by sailors from three American ships.
SERIES I. GENERAL CORRESPONDENCE 1804-1819

Arranged in two subseries: Marshal; and Military.

**Marshal**

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<td><strong>Dallas, Alexander J</strong></td>
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<td><strong>Heth, William</strong></td>
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<td><strong>Murphy, Sarah</strong></td>
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<td><strong>Reges, Henry</strong></td>
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<td><strong>Russart, E.</strong></td>
<td>1809 Mar 16</td>
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United States, Department of the Treasury

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<td><strong>Comptroller’s Office</strong></td>
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<td><strong>Comptroller’s Office</strong></td>
<td>1803-1806, 1819</td>
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<td><strong>Treasurer’s Office</strong></td>
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**Military**

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<td><strong>Haslet, John</strong></td>
<td>1813 May 18</td>
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<td></td>
<td><strong>Lawrence, James</strong></td>
<td>1813 Apr 2</td>
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<td>11</td>
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<td><strong>Ogden, Aaron</strong></td>
<td>1812 Dec 25</td>
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<td>12</td>
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<td><strong>Stewart, Robert, Fort Mifflin</strong></td>
<td>1814 Sept 18</td>
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</table>
SERIES II. COURT FUNCTIONS 1805-1818

Correspondence

[1] 13 Davies, Edward 1812 Apr 6
14 Reiley, David 1815 Feb 8
15 Receipt for Abraham Ruth for Montgomery Co. court martial 1818 Jan 4

Summonses

16 Evans v. Young 1805 May 23
17 White, Bartholomew, for misdemeanor 1807 Oct 31
18 Butler v. Wareham 1812 Oct 28
19 Evans v. Eaton, for violation of patent rights 1813 May 1
20 Evans v. Hoover, for violation of patent rights 1813 May 1
21 Trelease, Charles, to testify for US v. Humbold 1815 Nov 25
22 Evans v. Whiting et al. 1817 Nov 1
23 U.S. v. Walter Harding, for forgery 1818 Jun 6
Series III. PROPERTY DISPOSAL 1802-1818

Arranged in three subseries: Bonds; Land Sales; and Maritime Sales.

Bonds

25 Williamson, William, and Samuel Clothier 1803 Apr 13
26 Kinnan, John 1815 Mar 20
27 Pender, Benjamin, Franklin Thwing and Thomas Hunt 1818 Feb 6

Land Sales

28 Smith & Bowne v. Stiles, land 1807 May 4
29 Blagge v. Broome, lands in Montgomery Co. and Philadelphia 1807, 1808
30 U.S. v Buckley & Oldin, lands in Montgomery Co. and Philadelphia 1808 Apr 9
31 U.S. v. Buckley & Oldin, lands taken in Luzerne Co. 1810 Nov
32 Clarkson, Jacob, inventory of household goods for sale 1812 Jan 29
33 Report of sale by auction of properties on Chestnut St. 1812 Mar 3
34 U.S v. John McKeans and John Johnston, for debt 1813 Apr 9
35 Survey of McKeans and Johnston lands seized 1814 Apr 9
36 U.S. v. Clarkson & Algeo, for debt 1816 May 29
37 West, Francis, lands bid on for John B. Wallace 1816 Jul 16
38 U.S. v. Myers & Kreeger, for debt 1818 Feb 16
39 Patton, John, letter re: advertisement for sale 1818 Mar 20

Maritime sales

40 Ship Cornelia to benefit Robert Lewis 1803 Nov 22
Maritime sales, cont.

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<tr>
<td>41</td>
<td>Undeclared barrels of sugar</td>
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<tr>
<td>42</td>
<td>Brigantine Katharine to benefit Forbes &amp; Ellerman</td>
<td>1806</td>
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<td>43</td>
<td>Brig Alligator to benefit Brainard, Williamson, et al.</td>
<td>1812 Nov 10</td>
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<td>44</td>
<td>Receipt for wharfage paid for ship Elizabeth</td>
<td>1813 Mar 8</td>
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<td>45</td>
<td>U.S. v. ship Lady Johnston</td>
<td>1813 Apr 17</td>
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<tr>
<td>46</td>
<td>U.S. v. ship Brilliant, account of sales of goods seized</td>
<td>1813 Oct 9</td>
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<td>47</td>
<td>U.S. v. brig John, for goods &amp; wares taken from brig Perry</td>
<td>1815 Mar 3</td>
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<td>48</td>
<td>Ship Young Wasp v. brig Margaret</td>
<td>1815 Mar 10</td>
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<tr>
<td>49</td>
<td>John Diehl v. ship Betsey</td>
<td>1815</td>
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<tr>
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<td>Ship Young Wasp v. brig Lady of the Baron</td>
<td>1815</td>
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SERIES IV. WAR OF 1812

Arranged in two subseries: Aliens; and Prisoners of War.

Aliens

Correspondence

[1] 51 U.S. Secretary of State James Monroe 1813 Feb 6

52 Passenger list, Crown Prince of Saint-Barthélemy 1814 Dec 3

Passports of British subjects

53 Buchanan, Alexander 1813 Mar 4

54 Fabery, John 1813 Oct 11

55 Inches, Thomas 1813 Mar 26

56 Jones, John 1813 Aug 14

57 Large, Daniel 1813 Aug 11

58 Thresher, George 1812

Reports of British subjects

59 Allegheny and Butler counties residents 1813 Jan

60 Blaire, David 1815 Jan 15

61 Calahan, James 1815 Jan 6

62 Franklin County residents 1813 Jan

63 Kelly, James 1815 Jan 26

64 Luzerne County residents 1815 Mar

65 McLoughlen, Thomas, statement of facts undated

66 Owens, Richard 1814 Dec 15

67 Washington County residents 1813 Mar/Apr
SERIES IV. WAR OF 1812, cont.

Prisoners of War

Correspondence

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<th>No.</th>
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<td>1812 Aug 28</td>
<td>Izard, George</td>
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<td>69</td>
<td>1814 Nov 30</td>
<td>Sterry, B., Cape May Court House, NJ</td>
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<td>70</td>
<td>1814</td>
<td>United States, Commissary of Prisoners (Mason)</td>
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<tr>
<td>71</td>
<td>1819 Jan 2</td>
<td>United States, Department of the Treasury (Pleasonton)</td>
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Documents

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<td>72</td>
<td>1812 Jul 22</td>
<td>American sailors captured by the <em>Recruit</em> and liberated</td>
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<td>73</td>
<td>1813</td>
<td>Abstract of American prisoners liberated</td>
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<td>74</td>
<td>undated</td>
<td>Irish, William B., accounts re: prisoners</td>
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<tr>
<td>75</td>
<td>1817 Jun 11</td>
<td>List of accounts respecting prisoners</td>
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<td>76</td>
<td>1815 Apr 1</td>
<td>Shoemaker, John, receipt for wood for prisoners</td>
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