

SIGNATURE SHEET

RECOMMENDED

Superintendent Date _____

Regional Director Date _____

Chief, Eastern Office, Div. of Design &
Construction Date _____

APPROVED

Director Date _____

RECEIVED
FEB 11 1964



UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Region Five

421 Walnut Street
Philadelphia 6, Pa.

September 17, 1959

DIV. OF REGIONAL AND COMMUNITY AFFAIRS	
SEP 18 1959	
Visit	
Mail	
Phone	
Teletype	
Letter	
Records	

[Handwritten signature and initials over the stamp]

Memorandum

To: Director

From: Regional Director

Subject: Furnishing Plans (Sections A, B and C) for the First
Floor of Independence Hall

We recommend all three sections (A - C) of the subject
plan to your approval.

[Handwritten signature of Daniel J. Tobin]
Daniel J. Tobin
Regional Director

In duplicate.

Copy to: Supt., Independence
Chief, EODC

Memorandum • UNITED STATES GOVERNMENT

Chief, Branch of Museums

DATE: September 14, 1959

Acting Chief Historian

ORIGINAL SENT TO FILES

SUBJECT Comment on Furnishing Plans, Independence NHP

We have been glad to review the historical findings in the following furnishing plans:

1. First Floor of Congress Hall, Parts A-C; submitted August 13.
2. Mayor's Court, Old City Hall; Parts A-C; submitted August 31.
3. First Floor of Independence Hall, Parts A-C; submitted September 1.

We consider these studies to be excellent and will be glad to see Parts D-E ~~for~~ for these studies when received.

Robert A. Young
Acting Chief Historian

Region Five
421 Walnut Street
Philadelphia 6, Pa.

September 1, 1959

Memorandum

To: Director

From: Regional Director

Subject: Furnishing Plan (Sections A, B and G) for the First Floor of Independence Hall

Attached are two copies of the Furnishing Plan (Sections A, B and G) for the First Floor of Independence Hall. We are also forwarding a copy to EDC for review. The comments of this Office and EDC will be submitted to your Office by September 15.

(Sgd.) Daniel J. Tobin

Daniel J. Tobin
Regional Director

In duplicate

Attachments 2

Copy to: Chief, EDC, w/copy of report
Supt., Independence

FURNISHING PLAN
FOR THE
FIRST FLOOR OF INDEPENDENCE HALL

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Prepared by

Staff

Independence National Historical Park

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August 1959

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PART
A

PART A

STATEMENT OF INTERPRETIVE PURPOSE

**Prepared by Historians David A. Kimball
and John D. R. Platt**

STATEMENT OF INTERPRETIVE PURPOSE

Independence Hall is the most historic building in the United States. The Declaration of Independence was adopted and the Constitution of the United States framed in its Assembly Room. Committees of the Continental Congress responsible for conduct of the Revolutionary War met in its adjoining Committee Room and Library. The United States Supreme Court sat briefly during 1791 and 1796 in its Supreme Court Chamber. The great leaders of the period passed through its hallways. The proposal that the first floor of Independence Hall be refurnished with greatest fidelity to its appearance of 1776 and the years immediately following is essential to the most effective interpretation of the building and the great events associated with it.

PART
B

PART B

HISTORICAL NARRATIVE

Prepared by Historians David A. Kimball
and John D. R. Platt

HISTORICAL NARRATIVE

Independence Hall was erected by the colonial assembly for use as the provincial capitol of Pennsylvania. It continued to serve this purpose until 1799 when the government of the commonwealth moved to Lancaster. From 1775 until 1783 it was the meeting place of the Second Continental Congress, and in 1787 it was the scene of the Federal Convention. In its Assembly Room the Declaration of Independence was adopted and signed and the Constitution was framed.

The first floor was divided into the Hallway, a spacious and elaborate center hallway on either side of which were large chambers -- the "neat but not elegant" Assembly Room on the east and the "ornamented" Pennsylvania Supreme Court Chamber on the west. At the end of the Hallway was the impressive Tower Room. Adjoining the Assembly Room was that "very elegant apartment," the Committee Room and Library.

Hallway

Throughout the period before 1799 the Hallway provided access to their respective meeting places for assemblymen, judges, Congressmen, and delegates to the Constitutional Convention. At the same time, it provided the most convenient means of access to the State House Yard and Chestnut Street. And many of those who heard Independence proclaimed on July 8, 1776, must have passed through it to attend that historic event. It was frequented as well by the humble who passed through on their way in and out of the courtroom.

The Tower Room

The Tower Room added to the impressiveness of the building's first floor and contained the great staircase which led to the rooms on the second floor.

Assembly Room

The seat for many years of the provincial assembly, the predominant political force in the most rapidly growing English colony, the Assembly Room in 1775 was offered to the Continental Congress as a place of deliberation. This room held the characteristic furnishings of an English colonial legislative body, but in its arrangement and decor reflected the peculiar reticence of its Quaker leadership. This was manifested in the simplicity of the rooms' plaster walls and sparse and unostentatious furnishings. The Congress which inherited these surroundings was made up of men of outstanding talents. George Washington, Thomas Jefferson, Benjamin Franklin, John Adams, Samuel Adams, John Dickinson, Roger Sherman, John Hancock, John Witherspoon, John Jay, Robert Morris, James Wilson, Patrick Henry, and George Wythe are only the best known of those who served as Independence was debated.

In the years before the Continental Congress departed in 1783, the Assembly Room was the scene of the events which signified success of the Revolutionary cause. Adoption of Lee's resolution, recognition by foreign powers, celebration at the news of Yorktown, establishment of a system of government under the Articles of Confederation, arrival of the news that the war had ended.

Congress twice left the Assembly Room in time of danger: once in the winter of 1776-1777, and again in September of 1777 when the British captured Philadelphia. During the occupation the British barracked artillery troops in the room and left it a shambles. Congress returned in July of 1778 and remained until June of 1783. Later the Assembly took up its old quarters again.

The circumstances of Congress' departure -- following a mutiny which threatened its membership -- symbolized the weakness of the Articles of Confederation which led within a few years to the Federal Convention and the reconstructing of the nation's governmental structure. The Assembly Room's final great moment was at hand when the delegates convened in the Assembly Room on May 25, 1787, and elected George Washington to the chair. Four months later the work of framing the great federal charter was complete, and the Constitution was forwarded to the Congress for submission to the people of the several states.

Committee Room and Library

This comfortable chamber with its book-lined walls provided the Pennsylvania Assembly with a meeting place for its committees and a place for meditation and study. John Adams tells us that "Mr. Washington,... from his usual modesty, darted..." into this room when nominated to command the Continental Army. Here the problems of the war and those facing the men who struggled to establish an effective government were discussed amidst congenial surroundings.

The Supreme Court Chamber

This large and ornate room served a basic function of the provincial society of Pennsylvania and continued to do so later while great events took place across the hallway from it. The chamber was not without its own great moments, however, as on the July day in 1776 when a crowd assembled to hear the first public reading of the Declaration of Independence flooded through the arches and tore down the King's arms from the place above the judges bench and carried it away to be burned. The state courts, presided over by such men as William Allen, Thomas McKean, and Edward Shippen, sat there until after 1800. The court of appeals established in 1780 under the Confederation also sat there, as did the Supreme Court of the United States for the February term of 1791.

PART C

DOCUMENTED ACCOUNT OF HISTORIC FURNITURE

Prepared by Historians David A. Kimball
and John D. R. Platt

PART
C

DOCUMENTED ACCOUNT
OF HISTORIC FURNITURE

Furniture for the Second Continental Congress convening at the State House on May 10, 1775, was provided by the Pennsylvania Assembly. Moving into the chamber recently vacated by the state body, the delegates found and put to use the simple furniture acquired during the previous forty years. Elsewhere on the first floor of the building the furnishings were similarly unostentatious, the Committee Room and Library offering an exception with its more comfortable setting. Provincial viewers of the "Grand Eddifice" while uniformly impressed by the State House's architectural qualities made few references to its furnishings and decorative effects. Apparently, by no standard of the time were they regarded as exceptional.

In the years immediately after 1775 first floor changes in the main were confined to the Assembly Room where Congress' presence resulted in some embellishment of the chamber. Few, if any, of the original furnishings are believed to have survived the British occupation of the State House in 1777-1778. A general refurnishing followed the return of Congress and the government of the commonwealth. The furniture of this second period was shipped off to Lancaster when the government moved there in 1799 and practically all of it has since disappeared.

With the revival of interest in the building in the period following the Civil War, a committee headed by Colonel Frank M. Etting "restored" Independence Hall. Structural changes were few and not of great significance.

In furnishing the rooms of the first floor, the committee made no effort to re-establish the appearance of 1776. A Speaker's dais was installed in the Assembly Room; portraits of signers, presidents of the Continental Congress, and distinguished officers of the Continental Army and Navy were hung on the walls; and furniture purportedly used by the Continental Congress was displayed (Illustrations Nos. 2, 3, 4, 5) behind rails. The only item of furnishings in the lot dating from 1776 was the Syng Inkstand.

The Supreme Court Chamber was similarly treated with the distinction, however, that it was to house those memorials and relics which might perpetuate the memory of the founders and the history of the nation to 1789. The effect was that of a museum, which it was in fact called -- the National Museum.

In the years between Etting's work in 1876 and that of the National Park Service more recently, the uses of the first floor of Independence Hall very largely followed the pattern set by Etting's committee. The first attempt at a general refurnishing of the Assembly Room and the Supreme Court Chamber was begun in 1955. The Assembly Room has since been refurnished and is in appearance now substantially the same as it was on July 4, 1776. The Supreme Court Chamber refurnishing is still in progress.

The Hallway

The impressively panelled and carved 20 by 40 foot entry hall or Hallway served as a concourse and lobby. Documentary evidence and contemporary accounts make no mention of furnishings of any description in the

Hallway.¹ Its busy character and very limited wall space support the assumption that it was bare of chairs or benches. Nothing in the treatment of the walls suggests fixed illumination. A chandelier would doubtless have attracted attention. Decorative effect was imparted by the woodwork. Apparently, the Hallway was not furnished in the 1776-1787 period.

The Tower Room

The Tower Room was another of the State House's impressive hallways. Its two story height, grand staircase, and Palladian and double-tiered windows gave it an air of magnificance. As is the case with the Hallway, the record is bare of reference to furnishings for the Tower Room. Here again it must be assumed that the room was not furnished during the 1776-1787 period.

The Assembly Room

When the Continental Congress moved into the Assembly Room, they appear to have retained the general arrangement of furnishings in the order which they found them. Against the east wall was a platform or dais, used before then by the speaker. Across the room near the west wall was a railing or "bar" which had separated the members of the Assembly from spectators in the "gallery." The furniture consisted of an upholstered speaker's chair and a table on the platform, a table and chair for the clerk of the Assembly, and a number of Windsor chairs and possibly rush-bottom chairs for members of the Assembly. There were also, in all probability, tables on the floor

of the Assembly and stools for the sergeant at arms and doorkeeper. Other furnishings included curtains, the famous silver inkstand and a bell on the Speaker's table, the Penn family coat of arms over the Speaker's chair, those materials used in reading and writing, and a letter press.

Through the period of residency preceding evacuation of the State House before the British in 1777, these constituted the room's principal furnishings. The Congress covered the tables, old and new, with green baize cloth.

In the remaining period of Congress' occupancy of the room between 1778 and 1783 the addition of more Windsor chairs, the Washington portrait, and the Montgomery memorial engraving appear to have comprised the only changes in furnishings.

Before the Constitutional Convention met in 1787 there were further changes, including the installation of Venetian blinds and the addition of the famous Speaker's Chair.

The Bar

Although the bar of the Assembly Room had probably been in place from the beginning, the first documentary reference to it dates from 1756 when the Speaker ordered the "Serjeant at Arms" to "bring...William Smith to the Bar...to answer such Questions as shall then and there be put to him."² Later references between 1778 and 1786 from various sources show that the bar remained in the Assembly Room through the period.³ The most important such reference is perhaps the account of the French Minister Plenipotentiary,

Conrad Gérard, who in diagramming the Assembly Room, provided some of the details of the bar (Illustration No. 13). These include the center opening and its flanking posts. An error in the sketch which positions the east wall of the room leaves doubt about the bar's relative location. Other contemporary references give only one further detail. That is contained in Brissot's description of 1788 in which he noted that the members of the Assembly were "...enclosed by a balustrade."⁴ The bar has been restored as a balustrade (see Illustration No. 10). There is no evidence to show when the bar was removed from the Assembly Room. No mention of it appears in the 1818 insurance survey of the building.⁵

The Speaker's Platform

None of the evidence which establishes the dais or "platform" antedates the period of Congress' occupancy of the Assembly Room. It is a reasonable assumption, however, that the Speaker of the Assembly had presided from the same dais used later by the President of Congress. It was, according to Boudinot, a "platform raised about two feet." The New York Gazette (August 6, 1778) describes it as a "platform elevated two steps." A year later in relating a tiff with Charles Thomson, longtime Secretary of the Continental Congress, Henry Laurens referred to Thomson's having "descended from the Platform."⁶ This passage implies a place for the Secretary on the dais, at least during regular meetings of Congress. The Prince de Broglie, however, describes the platform in terms which give a different impression: "The President of Congress has his place in the middle of the

hall, upon a seat or throne. The clerk is seated just before him..."⁷

This may have been a reference to the length of the platform which is shown in Gérard's plan extending far into the room but anchored to the east wall (see Illustration No. 13). The depiction in the Pine-Savage painting tends to reinforce this interpretation (see Illustration No. 1).

The Speaker's and "Rising Sun" Chairs

A tangle of terms and meanings have grown up in the past century about the subject of this section. Until relatively recently (1935), it was taken for granted by everyone that the "Rising Sun" chair, the carved mahogany chair with leather seat which had graced the Assembly Room since 1867, was the chair used successively by the Speaker of the Provincial Assembly and the President of Congress, and in fact it was known throughout most of this period as the "John Hancock Chair." This complacency was jarred a quarter of a century ago when new evidence was produced to discredit the old belief. The fact is that no fewer than three chairs were used on the Assembly Room dais during our period of interest. The first we know least about although it was the chair that was in the room when the Declaration of Independence was signed. This was the chair used by the Speaker of the Assembly, probably from the time the room was furnished and about which documentary evidence appears as early as 1753. Nothing is known about the appearance of this chair and the woods used in it, save that it was upholstered.⁸

Whether or not this first speaker's chair survived the British occupation is not known, but by August of 1778, a month after Congress had

returned to Philadelphia, one Hymman Taylor was busy "making two chair seats for the use of Congress."⁹ There can be no doubt these were the chairs occupied by the President of Congress and the French minister at the reception on August 6, 1778, described by Elias Boudinot as follows: "...Our President was seated in a Mahogany armed chair...and a large armed chair [was] in the middle opposite the President for the Plenipo[tentiary]."¹⁰ This account is substantiated by the article in the New York Gazette (p. 5). The chair occupied by the President at Gérard's reception undoubtedly continued in use in the Assembly Room at least until Congress left Philadelphia in 1783.

After the Assembly reclaimed its room, the mahogany armchair was replaced by the "Rising Sun Chair," then known appropriately as the "Speaker's chair" (Illustration No. 6). This chair had been acquired by the legislature in late 1779 or early 1780 from a Philadelphia chairmaker of established reputation named John Folwell, "the ingenious Cabinet-Maker" of Front Street, at a cost in materials (along with those for the state arms) of £200.¹¹ The chair was in the Assembly Room in time for the Constitutional Convention of 1787, was used by Washington, and became the subject of the much-quoted statement of Franklin which found its way into Madison's Notes.¹² Subsequently, the chair continued in use by the legislature until turned over to the City of Philadelphia by Governor Curtin in 1867. It has been on exhibition in the Assembly Room ever since, and is today a feature of the restored chamber where it "provides tangible representation of the Constitutional Convention,

a major facet of the story of American Independence and the establishment of our national government."¹³

Delegates' Chairs

The preponderance of evidence -- in the state archives, in contemporary descriptions, in the Pine-Savage painting (Illustration No. 1) -- sustains the finding that members of the Second Continental Congress and the Constitutional Convention sat in Windsor chairs.¹⁴ A number of rush-bottom chairs were in the room when Congress convened in 1775. Some must have remained through the period before the British occupation. As late as March 30, 1776, according to Hornor, a John Fiss collected 17 shillings "for making 6 chair bottoms" to repair the rush-bottom chairs supplied the Assembly by Thomas Ackley [Acherly] in 1760.¹⁵ But every purchase of chairs between 1775 and 1787 of which we have knowledge was for Windsors. The principal, if not sole, supplier was Francis Trumble, who provided some sixty-seven such chairs during the refurnishing in 1778 and 1779 and a dozen earlier.¹⁶ Authorities believe that they were sack-backs, and that some were elbow chairs as well (Illustrations Nos. 7 and 8).¹⁷

None of the delegates' chairs, so far as is known, has escaped destruction. The last known reference to them was the resolution of the legislature of December 10, 1801 (cited in Hornor, 306) empowering the Governor to lend the Marshall of the Eastern District "such a part of the furniture formerly used by Congress, the property of this State, as may be necessary for the accommodation of the Federal Courts."

Benches and Stools

There is evidence to the effect the Assembly Room also contained benches and stools during the 1775-1787 period. Hornor (306) informs us that a Michael Kurtz made benches for the Assembly in September 1778 "but these may have been for spectators at the rear of the room." Etting tells of "two ordinary chairs raised on stilts, for the Sergeant-at-arms" being removed to Lancaster and then to Harrisburg.¹⁸

Desks and Tables

A table for the Speaker, a table or desk for the Secretary of Congress, and tables for the delegates were among the furnishings of the Assembly Room during Congress' stay there. There can be no doubt that a Speaker's table was in the room when the Congress first convened in it. However, no evidence has yet been unearthed to substantiate this assumption. Not until Gérard's audience in August 1778, following the British occupation, was the first mention made in contemporary accounts of the existence of this piece of furniture.¹⁹ It was described as "large" and has that appearance in the Gérard plan. The early record is devoid of specific reference to desks or cabinet work which might have included it.

Reference to a "Clerk's Table," which may have been used by the Secretary, is found as early as 1768 in the public records.²⁰ No materials respecting its dimensions or appearance have come to light. In January 1777, when Baltimore was the seat of government, a committee acquired "...a Desk & Table for the use of Congress & the President's Office."²¹ The subsequent history of these pieces is unknown.

The two desks now in the Assembly Room, the so-called "Declaration Table" and "Secretaries Table Desk," were installed many years after the events with which they have been associated and are of dubious authenticity.²²

That the delegates sat at tables as early as 1776 and thus presumably earlier is strongly implied by the statements about writing while in the Assembly Room made by one of the members of Congress.²³ Two tables had been purchased in May 1776 from Francis Trumble (see p. 4 above) and two more were purchased from David Evans in August 1777.²⁴ Two were added in 1778.²⁵ One other reference to writing while in Congress buttresses the deduction that there were tables for the delegates throughout the 1770's.²⁶ But the first direct reference on the subject appears in Charles Thomson's report on the audience for the French minister held on May 13, 1782.²⁷ Broglie made the same observation in the same year and set the number at thirteen.²⁸ They were described by Thomson as "small" and this is borne out by the Pine-Savage painting (Illustration No. 1). Nothing is known about the eventual disposition of these tables.

Clues to the Assembly Room's arrangement are in the Gérard plan (Illustration No. 13) and the Pine-Savage painting (Illustration No. 1). The Speaker's table and chair was, of course, on the dais, with the Secretary's on floor level to one side. The delegates' tables were at varying angles to each other (as shown in the Pine-Savage painting) and no formal order of desks appears to have been adopted by Congress.²⁹ The members of state delegations sat together however.

e tables of the President, Secretary, and delegates were green baize. Many vouchers for the purchase of this material the contemporary descriptions. The Pine-Savage painting shows color in use.³⁰

The Syng Inkstand

From 1752 until 1778 the handsome silver inkstand crafted by the son, Philip Syng, was on the Speaker's table of the Assembly Room (Illustration No. 9). No direct evidence has yet been found to sustain this belief, but a strong case can be made for it from available sources. Adequate documentation exists to establish the inkstand's origin.³¹ That it remained in the Assembly Room until the arrival of Congress is a safe assumption. Finally, the purchase by Congress of a glass inkstand in October 1778 is an indication that its association with Congress ended at this point.³² If this is so, the inkstand was used by the signers on August 2, 1776. Subsequently, the inkstand appears to have been in use by the Assembly until 1875 when Pennsylvania's Governor John F. Hartranft turned it over to Colonel Etting's committee.

Stoves

There is an abundance of documentary evidence to show that the Assembly Room had stoves during the period of Congressional occupancy.³³ There is also evidence to show that these stoves were "put up" and taken down from time to time, perhaps seasonally. In February 1776, for example, the two stoves then in the room were "...ordered by general Consent to be taken down as affecting the Health and Eyesight of the Members...."³⁴

Venetian Blinds and Curtains

The earliest reference to Venetian blinds in the Assembly Room appears in 1784 after the departure of the Continental Congress. In August of that year the state treasurer paid one Samuel Williams £9.0.0 for "Compleating Venetian Window Blind for Assembly Room."³⁵ Later in the year payments were made to Susanna Drinker for making silk ladders and John Mason for line (cords) used in the blinds then being installed.³⁶ These blinds were thus in place when the Constitutional Convention met and they can be seen as dark green in color copies of the Pine-Savage painting.

Whether the windows still had curtains in 1776 or were bare as the Pine-Savage painting would indicate is open to conjecture. In 1748 the Assembly ordered curtains, and in 1755 Plunket Fleeson was paid "for putting up Window Curtains."³⁷ On September 22, 1764, he was paid £8.5.0 for "Sundries for the State-House."³⁸ No indication has been uncovered of the materials used in these curtains and their colors.

Lighting Fixtures

It is a safe assumption that the Congress relied principally upon candles for illumination and candlestick holders as fixtures. The familiar entry in the records: "Ordered, that Candles be brought in. And they were brought in accordingly." indicates clearly that chandeliers and sconces were not used during the early period.³⁹ The purchase of candles for the Congress was also a commonplace. A lamp was "delivered for the use of the State house" by the British during the occupation period, presumably not

left behind, at least not in working condition, when the city was evacuated by them.⁴⁰ Certainly, there is no shred of evidence upon which to base the traditions which associated the glass chandelier, removed from the Assembly Room in 1955, with the Continental Congress (Illustration No. 11).

Arms and Portraits

The Assembly Room walls were during the 1776-1787 period plain and unprepossessing. The Schoolboy of 1774, Von Closen in 1781, and the Prince de Broglie and the Marquis de Chastellux in 1782 reported alike of the absence of interest in the decor. During the first year and more of Congress' stay there its only ornamentation was the Penn family coat of arms which had been affixed in 1764 above the Speaker's chair and was not removed until the second half of 1776 (Illustration No. 12). In the post-1778 period Congress added what de Broglie referred to as "a bad engraving of Montgomery," and a copy of the Declaration of Independence. Sometime between August 18 and December 4, 1782, the famous C. W. Peale portrait of Washington was added. This portrait had been commissioned by the Supreme Executive Council of Pennsylvania in January 1779 and was completed by Peale early the next month. The circumstances of its finding its way into the Assembly Room are not known, nor do we know where it and the others were hung.⁴¹ The Washington portrait was still in the room in 1785.⁴²

Miscellaneous and Occasional Furnishings

The Assembly Room at one time or another was decked or littered with the many miscellaneous and occasional items which one would expect to

find in a chamber of the type. On the tables were inkstands, quills, wafers, "blank books," law books, newspapers, "trunks" for the storage of records and papers, and the ballot box.⁴³

On the very special occasion of the 1778 audience the furniture was rearranged and during that of 1781 a keg of biscuit and containers of wine were in the room.⁴⁴ On November 4, 1775, the regimental colors of the 7th Regiment, Royal Scots Fusileers, taken at Fort Chamblee were "brought to Congress." And on November 3, 1781, the twenty-four standards of colors taken at Yorktown were "laid at the feet of Congress."⁴⁵

The Supreme Court Chamber

The west room, first floor, of the State House was from the beginning set aside to accommodate the provincial courts. During the years between 1776 and 1787 it housed the Supreme Court of Pennsylvania, the court of oyer, terminer and general gaol delivery, the (Pennsylvania) High Court of Errors and Appeals, the state admiralty courts, and the United States Court of Appeals in admiralty cases. Following the establishment of the new Federal government, it also housed the United States District Court, the Circuit Court, and for two days in February of 1791, the United States Supreme Court.

No contemporary descriptions of the arrangement and furnishing of the courtroom have yet been found. However, from our general knowledge of courtrooms of the period we can assume that there was a judges bench against the west wall, in front of which was space for the clerk, counsel, witnesses,

jury, and court attendants. This area was separated from the spectators' area in the eastern half of the room by a bar or raised platform.

Judges Bench

The judges bench, which must have been built by the time courts began meeting in the room, was against the west wall, the windows of which were raised well above the level of those in the north and south walls to accommodate it. As yet, however, no documentary evidence as to the size and appearance of the bench had been found.⁴⁶

The original judges bench may have been replaced following the British occupation of 1777-1778, for during the fall of 1778 and the spring of 1779, extensive repairs to the courtroom were made under the direction of Robert Allison.⁴⁷ Included among the items involved in this work were "8 Newell Posts," "1 Collum," and "7 Doz. Bannisters with Squares" purchased from one John Cornish.⁴⁸ These may have been for the judges bench or for the bar; if for the former, they indicate the possibility that steps led up to the bench on one or both sides, and that the front was composed of a railing rather than solid panelling. A 1789 voucher for repairing the "Bases - and Pedestals" along the wall "by the Steps" seems to confirm the presence of a set of steps leading up to the bench, and the same voucher contains a reference to "Lenthening the Judges Seat."⁴⁹ The bench was removed during the nineteenth century, and was restored in 1897-98 (see Illustration No. 14).⁵⁰

An architectural investigation of the brick face of the west wall revealed evidence of two benches of different levels.⁵¹ It is possible that

until 1778-1779 the earlier bench was at the lower level, and that the work done during those years involved raising the bench.

The Bar

Courtrooms have always contained, as an essential feature of the chamber, a "bar," generally a railing which separated spectators from participants -- lawyers, jury, witnesses, and attendants. There was such a feature in the Supreme Court Chamber, for in 1774 the provincial Assembly ordered "That the Superintendants of the State-house do give directions for removing the Bar of the Supreme Court, and cause a larger and more convenient one to be erected in its Place."⁵²

Architectural investigation of the north and south walls has revealed a series of holes in both north and south walls under the middle windows which outlined a stepped pattern rising from west to east.⁵³ These indicate the presence of a stepped gallery across the room. This gallery may have been that ordered removed in 1774, or it may have been built in 1778-79 as part of the extensive repairs and/or alterations then carried out, since the "8 Newell Posts," "1 Collum," and "7 Doz. Bannisters with Squares" mentioned in the Cornish account, or part of them, could have been for railing in the rear of the platform.

In 1789, Joseph Rakestraw presented a bill for sundry work done in the courtroom, including "Rasing the floor -- & Seats where the Lawyers Sett -- Repairing the Bases -- and Pedestals -- and Side of Lining on the Wall -- by the steps --."⁵⁴ This item is marked "not done" and the charges were

deducted from the final payment, but the work may have been done later.
If so, the gallery may have been removed or moved about 1790.⁵⁵

Jury Box

Since most of the courts which met in the Supreme Court Chamber held jury trials,⁵⁶ there must have been a jury box somewhere within the area between the bench and bar. Possibly there were two boxes, as is indicated by the following list of the grand jury hearing a presentment for libel in 1798:

The following is a List of the Grand Jury

Left Side

William Coats
Thomas Forrest
[and seven others]

Right Side

Francis Gurney
Robert Wharton
[and eight others]⁵⁷

Nothing is known as to the appearance of the jury box, or boxes.

Chairs

Seats for the judges, jury, court attendant, lawyers, and perhaps for some of the spectators must have been among the furniture in the courtroom. The only evidence of the purchase of seats yet found concerns four settees obtained from John Pinkerton for the courtroom in 1779 and 1780.⁵⁸ In addition, three chairs in the Independence National Historical Park Collection (see Illustrations Nos. 17 and 18) have been accepted since 1873 as those used by the Pennsylvania Supreme Court.

Despite the tradition attached to the so-called "Justice's Chairs," it seems probable that they were not in use in the Supreme Court between

1776 and 1787. The usually reliable William Hornor states in his Blue Book that these chairs were made by Thomas Affleck for the United States Supreme Court, although as usual he gives no documentation. They seem in any event to date from the late 1780's or 1790's. Moreover, the reference in Rakestraw's 1789 account to "Lenthing the Judges Seat" very strongly implies that the judges sat on some sort of bench which could easily be lengthened.

The jury probably sat on long benches or settees; the settees purchased from Pinkerton may have been used for this purpose.⁵⁹ Or, since seats seem to have been provided for some of the spectators, probably lawyers, law students and other interested parties admitted to the platform, the settees may have been for that purpose.⁶⁰ The participating lawyers and court attendants probably sat in windsor chairs (see Illustration No. 20), while those spectators not admitted to the platform or gallery probably stood.

Tables

It was customary for the lawyers engaged in a trial to sit together at a long table immediately below the judges bench, as shown in the contemporary view of the York County Court House (see Illustration No. 20). One of the items for repairing the Supreme Court Chamber in 1778-79 was for "12 Posts for a table."⁶¹ The posts were of course legs, and the item indicates that a long table was present in the room.

Small tables, or desks, for such court attendants as the clerk were also necessary, and while there is no evidence on this point, it is

reasonable to assume that there were one or two such tables or desks in the Supreme Court Chamber. It is also likely that these tables were covered with green baize.⁶²

Stoves

Apparently, there were no fireplaces in the Supreme Court Chamber,⁶³ nor is there any evidence that stoves were used in the room prior to 1790, when Joseph Eckfelt supplied two stoves and 213 pounds of stove pipe for the courtroom.⁶⁴ The various courts meeting in the room from 1776 until 1787 frequently held winter sessions which seems to indicate that some means of heating the room was employed.

Venetian Blinds

On July 10, 1791, David Evans repaired two Venetian blinds in the Supreme Court Chamber at the request of the judges of the Supreme Court, and we can assume from this that blinds had hung in the eight courtroom windows for some time.⁶⁵ The date at which Venetian blinds were first used in the room is not known, but such blinds were being sold in Philadelphia as early as 1767,⁶⁶ and were in use in the Assembly Room by at least 1784, and perhaps earlier,⁶⁷ so it is reasonable to assume that Venetian blinds formed part of the furnishings of the courtroom during the years between 1776 and 1787.

Coat of Arms

It was customary during the colonial period for courts to display the King's coat of arms over the judges bench. This custom was followed by

the provincial courts of Pennsylvania until, on July 8, 1776, "...the Committee of Safety and the Committee of Inspection went in procession to the State House, where the Declaration of Independency of the United States of America was read to a very large number of the Inhabitants of this city and county, which was received with general applause and heart-felt satisfaction -- And in the evening our late King's coat of arms was brought from the Hall, in the State-House, where the said King's courts were formerly held, and burned amidst the acclamations of a crowd of spectators."⁶⁸

Nine years later, George Rutter and Martin Jugiez painted a state coat of arms which was placed over the judges bench.⁶⁹ This coat of arms must have been similar to the one represented in the contemporary water color of the York County Court House (see Illustration No. 20). Another contemporary state coat of arms, perhaps the one depicted in the water color, by John Fisher was recently discovered at York Junior College and a copy of it has been obtained for the refurnished courtroom.

Lighting

The various courts which met in the Supreme Court Chamber occasionally sat until late in the evening; for example, Jacob Hiltzheimer recorded in his diary on October 13, 1773: "in the evening [I] went to the State House to hear the trial between the Propriator and one Mr. Baroom,..." and on November 8, 1781, he served on a jury to which "Judge McKean...gave ...his charge about midnight, after six lawyers for several hours had addressed us." The artificial light necessary for these evening sessions

was provided by candles. As late as 1793, candlesticks, candles, and snuffers were purchased for the United States Circuit Court then meeting in the room.⁷⁰ This item, together with the absence of any evidence for the purchase of other lighting fixtures, establishes that the candles were placed in candlesticks rather than in a chandelier or in wall sconces.

Miscellaneous

In addition to the furniture already listed, the courtroom contained many small items such as books, court papers, and writing materials.

We may be sure that a Bible was present in the Supreme Court Chamber at all times when the room was in use so that witnesses could be sworn. Also, both judges and lawyers brought books into court to look up precedents and cite authorities.⁷¹ Law books were readily available in the colonies by 1776, when Robert Bell had for sale: "...Reports by Burrow, Lord Raymond, Atkyns, Wilson, Leving, Salkeld, Strange, Ventris, Vezey, Saunders, Lily, Skinner, Vaughn, Coke,...[as well as] Swinburne on Wills, Wood's Institute, Hawkins's Pleas of the Crown, Tremaine's Pleas of the Crown, Coke on Littleton, Jacob's Law Dictionary,...Bacon and Seldon on Government, etc. etc."⁷² We may be sure that most of these books, as well as Vattel, Grotius, and Pufendorf on international law, the provincial and state statutes, and so forth, were brought into the room from time to time.

Such court papers as cases, trial listings, depositions, certificates, admiralty proceedings, and jury summonses were essential to the functioning of the courts, and must have been in the room. Many of the papers

created by the Supreme Court of Pennsylvania between 1774 and 1787 survive in the custody of the Prothonotary, and should be borrowed or copied for exhibit in the room.

Writing materials were also necessary: quills, paper, inkstands, and so forth. Many of these items are shown in the print of the York County Court (see Illustration No. 20).

Committee Room and Library

On November 8, 1752, Isaac Norris wrote to Robert Charles to acknowledge his "care in choosing & purchasing our books which...are a valuable collection of neat books well chosen," and within a few weeks the books were in place in the newly erected Committee Room and Library adjacent to the Assembly Room.⁷³ This lot of books, which had cost about £70 Sterling, proved satisfactory, and in the following year another £500 Sterling was expended for the same purpose.⁷⁴ These purchases were very large ones for the time, and probably gave Pennsylvania a legislative library unmatched by that of any other colony. Apparently the library was augmented from time to time by purchases,⁷⁵ and by the addition of the Provincial statutes and Journals of the Assembly as these were published. By 1774, the selection had been broadened to include history and poetry as well as law.⁷⁶

In addition to books, the Committee Room and Library soon came to hold many of the papers of the province. In 1761 John Hughes was paid £1354.2.0 for transcribing the books and papers of the Secretary and Surveyor General; these transcripts were placed "...in two large Trunks, bound with

strong Tape, and sealed, and...deposited...in the Committee Room,..."77
They were joined in the same year by the deeds to the State House lots.
As the years passed such other papers as those relating to the public property of the Province were also placed in the room.

Of the larger items of furniture, such as heating equipment, chairs, tables and bookcases, less is known. The 1774 description of the State House cited above (note 76) is the most complete contemporary description yet found. It reads as follows: "From this [Assembly] room you go through a back door into the Assembly's library, which is a very elegant apartment. It is ornamented with a stucco ceiling, and chimney pieces. Round the room are glass book cases, in which the books are deposited. These books consist of the laws of England made in these later years, and besides these history and poetry. The Assembly only have recourse to this Library. There is likewise deposited a most beautiful bust in wax of Thomas Penn Esq^r,..."

This description establishes the general appearance of the bookcases, and its reference to "chimney pieces" implies that the room was heated by one or more fireplaces, which in a relatively small room would render stoves unnecessary. The room must have contained chairs and perhaps desks or tables at which the members could study, but we have found no evidence as to their appearance.

In May 1775, the room with its furnishings and library was relinquished, along with the Assembly Room, to the Second Continental Congress,

and from that date until 1777, and again from 1778 until 1783, served Congress as a committee room and conference chamber.⁷⁸ In September 1777, the books, papers, and perhaps the furniture, were removed from the room and taken to Lancaster. We do not know whether or not the furniture, if it was removed in 1777, was returned to the Committee Room, for the Assembly, upon its return from Lancaster in 1778, seems to have established a new library room on the second floor of the State House.⁷⁹ If the original furniture was not returned, perhaps a portion of the "13 walnut & 6 mahogany chairs, a desk and table [purchased] for the use of Congress, and the presidents office" in 1777⁸⁰ were placed in the room. It is apparent from the Chastellux description that at least a portion of the state library was returned to the room so that Congress might use it, and this portion probably was augmented by printed journals of Congress, newspapers purchased by Congress, and so forth.

After Congress left Philadelphia in 1783, the Committee Room and Library reverted to its original use. Whether or not all of the provincial legislative library was returned is not known, but by 1791 the library of the House of Representatives of Pennsylvania was kept there.⁸¹

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1. During the British occupation of Philadelphia when the second floor of the State House was in use as a hospital for wounded American prisoners, the Entry Hall may have been blocked off from the Tower Room. The only evidence bearing on this is of a point of origin so far removed in time as to be of questionable accuracy. It appeared in print for the first time in 1907 when a descendant of General Frazer related the family story of an ancestor's visit to the general who was then held at the State House:

After breakfast...Mrs. Jenkins took me to the Prison to see my Father. Across the wide hall that ran through the house, almost half way down, was a heavy iron grating reaching from the floor to the ceiling; back of this was a close screen that reached to within two or three feet of the floor. The prisoners walked in the back part of the hall, with front and back doors open, for air and exercise. Guards were placed at both doors.... The screen being removed, I saw and talked with my Father through the grating.

2. --, Votes and Proceedings of the House of Representatives, 1755-1756, (--) , 119.
3. Boudinot's description of the reception on August 6, 1778, is one: "...The Members [of Congress] were all seated round within the Bar." Elias Boudinot to Mrs. Boudinot, August 8, 1778, quoted in E. C. Burnett, ed., Letters of Members of the Continental Congress (Washington, 1921-36), III, 363. Hereafter cited as Boudinot Letter. A newspaper account of the same ceremony adds this information: "...Within the bar of the House, the Congress formed a semicircle on each side of the President.... The door of the Congress chamber being thrown open below the bar, about 200 gentlemen were admitted to the audience." The New York Gazette and Weekly Mercury, Aug. 24, 1778. The bar is mentioned in a report of Charles Thomson, Secretary of Congress in 1782. E. C. Burnett, ed., Letters of Members of the Continental Congress (Washington, 1921-36), VI, 348-350. Again on Feb. 25, 1786, it is referred to in the Pennsylvania Evening Herald when Matthew Carey requested permission of the Assembly "to sit within the bar" while reporting the debates.
4. He also observed: "Behind the balustrade, is a gallery for spectators...." J. P. Brissot de Waiville, New Travels in the United States of America, Performed in MDCCLXXXVIII.... (Bowling Green, Ohio, 1919), 248.
5. Philadelphia Contributionship Survey No. 3795, Survey Book, 1795-1824.

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6. The date was August 31, 1779. Henry Laurens, Statement to a Committee of Congress, E. C. Burnett, ed., Letters of Members of the Continental Congress (Washington, 1921-36), IV, 397-399.
7. E. W. Balch, trans., Narrative of the Prince de Broglie, 1783, 231-232.
8. "1753
To Plunket Fleeson, for a Bottom for the Speaker's chair,
per Account,..... 1 2 0" - Gertrude McKinney, ed., Penn-
Archives, Eighth Series (Harrisburg, 1931), IV, 3618. Hereafter cited
as Pa. Archives, Eighth Series.
9. W. C. Ford, G. Hunt, J. C. Fitzpatrick, eds., Journals of the Contin-
ental Congress, 1774-1789 (Washington, 1904-37), XII, 864. Hereafter
cited as Journals of the Continental Congress.
10. Boudinot Letter.
11. Sellers Family Papers, vol. 6, p. 6, MSS, American Philosophical
Society. The payment was made on December 7, 1779. The following
March the state paid Folwell an additional £575.5.0 "for work as
Cabinet Maker." Journal, "A-1" (1775-1785), Contingent Expenses,
1780, p. 119, Acct. 77, Compt. Gen. Fin. Rec., Pa. State Archives.
Hereafter cited as Journal, Compt. Gen., Pa. State Archives.
12. As in Farrand's Records of the Federal Convention (648-9): "Whilst the
last members were signing it [Constitution] Doctr. Franklin looking
towards the Presidents Chair, at the back of which a rising sun happened
to be painted, observed to a few members near him, that Painters found
it difficult to distinguish in their art a rising from a setting sun.
I have, said he, often and often in the course of the Session, and the
vicissitudes of my hopes and fears as to its issue, looked at that be-
hind the President without being able to tell whether it was rising or
setting: But now at length I have the happiness to know it is a rising
and not a setting Sun."
13. Staff of Independence National Historical Park, "A Summary Report on
the historical basis for the partial refurnishing of the Assembly Room,
Independence Hall," Jan. 1955, Sect. 3, p. 4. Hereafter cited as "A
Summary Report."
14. Vouchers confirm the evidence of the Pine-Savage painting. "A Summary
Report," Sect. IV, 1-2.
15. William M. Hornor, Jr., Blue Book Philadelphia Furniture William Penn
to George Washington... (Phila., 1935), 304-306. Hereafter cited as

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Hornor, Blue Book. The first chair purchases of record were made in 1733 before the Assembly Room was occupied. Pa. Archives, Eighth Series, III, 2179. Ibid., VI, 5272.

16. Cash Book (MS), Dec. 1, 1775 to Feb. 11, 1780, 36. Pa. State Archives. Hornor, Blue Book, 297. ---, ed., Minutes of the Supreme Executive Council..., Pa. Archives, Series II, XI, 558. H-Ind. Square, State House, Maintenance Vouchers, 1785, Jan.-Dec., Nos. 26-75, Pa. State Archives.
17. "A Summary Report," Sect. IV, 2. "Yesterday Major Genl Gates arrived in town...Mr. Sherman informed Congress that he was waiting at the door He was...ushered in, and...sat himself in an elbow chair, and began to open his budget." - William Dyer to Gen. Schuyler, Jun. 19, 1777, Letters, 1776-1788, Philip Schuyler, 209, Bancroft Coll., MSS, N. Y. Pub. Lib.
18. Frank M. Etting, An Historical Account of the Old State House of Pennsylvania Now Known as the Hall of Independence (Phila., 1874), 121.
19. Boudinot Letter. "[August 15, 1778] Ordered, That Mr. Deane be introduced, and a seat be prepared for him at the end of the lower table, on the President's right hand." Journals of the Continental Congress, XI, 799.
20. "September 15, 1768
Mr. Ashbridge then (according to Order) reported the said Resolutions, which he first read in his Place, and afterwards delivered at the Clerk's Table, where they were again read, and being agreed to by the House...." Pa. Archives, Eighth Series, VII, 6244.
21. Item 136, I, p. 17, Records Group II, National Archives.
22. There is no agreement among experts on this point. The desk in use by the Speaker in 1785 and presumably in the Assembly Room during the Constitutional Convention had a "Lock Escutcheon" while neither the "Declaration Table" nor the "Secretaries Tables" are so adorned. Edward Pole Account, 1784, Pa. State Archives.
23. "...I write this in Congress Chamber not having time to get to my lodgings...." James Smith to Mrs. Elinor Smith, Oct. 7, 1776, Emmett Coll., N. Y. Pub. Lib.
24. Expenditures, Treasury Office, 1776-1779, p. 229, Hillegas MS "Waste Book A," National Archives.

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25. David Evans Day Book 1774-1812, MSS, Hist. Soc. of Pa.
26. "I now work at the Table in Congress, having just put my Hand to the Confederation with my Colleagues and the Delegates of Seven other States...." Samuel Adams to Mrs. S. Adams, July 9, 1778, Samuel Adams Papers, Bancroft Coll., N. Y. Pub. Lib.
27. [May 13, 1782] "...The house was arranged in the following order --- The President in a chair on the platform raised two steps from the floor with a large table before him. The members of Congress in chairs on the floor to his right and left with small tables before them.... On the left of the chair sat 1, Delegates from Massachusetts, 2, Rhode Island,..." Report of the Secretary of Congress, E. C. Burnett, Letters of Members of the Continental Congress, VI, 348-350.
28. E. W. Balch, trans., Narrative of Prince de Broglie 1782, 231-232.
29. The following recommendation was struck from a committee report of 1781: "The members of each state shall sit together in Congress, for the more ready conference with each other on any question about to be taken that the house might not be disturbed by the members moving from one part to another to confer on the vote to be given. That for the better observance of order, New Hampshire shall sit on the left hand of the President & on every question be first called & each state from thence to Georgia, shall take their seats in order that their states are situated to each other. The delegates of the respective states to sit in their order of seniority." Report of Comm. on Rev. rules, March 16, 1781, Item 23, Reports of Committee, I, p. 64, Record Group II, Papers of the Continental Congress, MS, National Archives.
30. Boudinot and Thomson described it simply as "green cloth." See Appendix B for a protracted discussion of the reliability of the Pine-Savage painting.
31. Pa. Archives, Eighth Series, IV, 3485, 3534.
32. Journals of the Continental Congress, XII, 1029(n.).
33. The two fireplaces had received "Iron Backs" in 1745. Pa. Archives, Eighth Series, IV, 3047. In 1772 Lewis Bahl installed two stoves and pipes in the room. Ibid., VIII, 6758. Occasionally thereafter the stovepipes were replaced and ironwork, presumably on stoves, was done there. Journal, pp. 86, 119, Compt. Gen., Pa. State Archives.
34. E. C. Burnett, Letters of Members of the Continental Congress, I, 361.

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35. Pa. Archives, Third Series, V, 316.
36. "Account of James Pearson, Repairing State House," 1784, Pa. State Archives.
37. Pa. Archives, Eighth Series, IV, 3233; V, 4069.
38. Ibid., VII, 5668.
39. In 1743 a lantern was acquired for the House. Pa. Archives, Eighth Series, 2896.
40. Roll 98, Bundle 494, Audit Office 1, Declared Accounts, Public Records Office.
41. "A Summary Report," Sect. II, 1-3. There is no evidence to show that the monument to General Richard Montgomery, the Gerard portrait, or the portrait of de Galvez, Governor of Louisiana, were in the Assembly Room although the first two were commissioned by the Congress and the third given to it. E. C. Burnett, Letters of Members of the Continental Congress, I, 329. Journals of the Continental Congress, XV, 1019. Ibid., XXIV, 333.
42. Diary of Robert Hunter, MSS, Huntington Library, II.
43. "...On one occasion [William White] going into the chamber of Congress to perform his duty as chaplain, he remarked to one of the members: 'you have been treating yourselves, I perceive to new inkstands.' 'Yes,' was the reply, 'and private credit had to be pledged for the payment'." Bird Wilson, Memoir of the Life of the Rt. Rev. William White... (Phila., 1839), 56. Journal, Treasury Office & Auditor of Accounts, Apr. 16, 1776 to Sept. 20, 1781, 165, MSS Records Group 39, National Archives. Ibid., p. 244. Ibid., p. 326. Ibid., p. 73. Journals of the Continental Congress, VI, 941. Ibid., XXIV, 344.
44. Ibid., XIX, 192.
45. Christopher Marshall's "Remembrancer," MSS, Hist. Soc. of Pa., Pennsylvania Gazette, Nov. 7, 1781, 3.
46. Throughout most of the colonial period, the Supreme Court of Pennsylvania consisted of a Chief Justice and two associate judges, so that the bench must have been large enough to accommodate three men.
47. Seven to eight men worked for fifteen weeks in the Supreme Court Chamber, "finishing it." - "O," Independence Square, State House Work Rolls, 1779, State Records Office, Harrisburg.

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48. "C," Independence Square, State House Maintenance Vouchers, 1779, State Records Office, Harrisburg.
49. "M," Independence Square, State House Maintenance Vouchers, 1789, Public Records Office, Harrisburg.
50. Independence National Historical Park, "Historic Structures Report, Part I, on Independence Hall" (typescript, March 1959), Chapter II, Section 1, 24-27. Hereafter cited as "Historic Structures Report."
51. Penelope Hartshorne, "Architectural Analysis of the Supreme Court Room of Independence Hall" (typescript, April 1959), 21-25. Hereafter cited as Hartshorne, "Supreme Court Room."
52. Pa. Archives, Eighth Series, VIII, 7158. There is no indication as to whether or not this order was carried out.
53. Hartshorne, "Supreme Court Room," 26.
54. "M," Independence Square, State House Maintenance Vouchers, 1789, Public Records Office, Harrisburg.
55. For an extended discussion of the question of the Gallery, see Hartshorne, "Supreme Court Room," 26-38.
56. This was true even of the Supreme Court. "Where a case appealed involved issues of fact, such issues were tried in the Supreme Court before a jury." - William Lloyd, Early Courts of Pennsylvania (Boston, 1910), 106.
57. William Cobbett, The Democratic Judge (Phila., 1798), 31.
58. "Pd. John Pinkerton for two settee chairs for the Court Room...July 8 [1779]..." - Journal, Compt. Gen. Pa. State Archives, p. 87. "Paid John Pinkerton per do 2 settees..." - Ibid., p. 119.
59. The settees purchased in 1779 cost £50 Pennsylvania currency, those in 1780 cost £200. While these payments were made in a period of rampant inflation, they suggest the possibility that the settees may have been longer than ordinary.
60. While Jared Ingersoll, Jr., was a law student he had attended a murder trial and had struggled through the great crowd in the courtroom "to the Bar & got a Seat." - Jared Ingersoll to Jonathan Ingersoll, January 14, 1773, Jared Ingersoll Papers, New Haven Colony, Historical Society.

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61. "C," Independence Square, State House Maintenance Vouchers, 1779, State Records Office, Harrisburg.
62. On November 9, 1780, Thomas Fitzgerald was paid £246.1.10 "for Green Cloth." - Journal, Compt. Gen., Pa. State Archives. This seems to cover purchase of green baize for all branches of the state government.
63. Hartshorne, "Supreme Court Room," 16-18; "Historic Structures Report," Chapter II, Section 1, 25.
64. "The Comptroller and Register Generals Reports of the nineteenth of January and eight of February 1791 upon the account of Jacob Eckfelt for two stoves purchased of him and sett up in the Court room in the State house, and for two hundred and thirteen pounds weight of Stove pipe -- amounting to twenty pounds seven shillings and five pence -- was read..." Pa. Archives, Ninth Series, 29.
65. Voucher No. 932, "State House, Phila., 1790's, Supreme Court Chamber," State Records Office, Harrisburg.
66. John Webster's advertisement in the Pennsylvania Journal, August 20, 1767, quoted in Alfred C. Prine, The Arts & Crafts in Philadelphia... (Topsfield, Mass., 1929), 214-215.
67. "[paid] Samuel Williams, in full for compleating a Venetian window blind for the Assembly Room, August 25th, 1784.....£9.0.0." - Pa. Archives, Third Series, V, 316.
68. The Pennsylvania Journal and Weekly Advertiser, July 10, 1776.
69. "The report of the committee appointed (some days since) to consider on the petition of Rutter and Jugiez, praying payment for painting, &c. the state arms, now suspended in the supreme court, was read,..." The Pennsylvania Evening Herald, November 12, 1785.

"Nov. 23 [1786] - Forenoon attended at the State House, at which time the report had a second reading concerning Rutter and Ingiez's [sic] account of £112 for making the State arms over the seat of justices in the State House." - Jacob C. Parsons, ed., Extracts from the Diary of Jacob Hiltzheimer (Phila., 1893), 106.

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70. "Philadelphia
Clement Biddle Esq? for the use of the Circuit Court
of the United States.

				Bought of James Stokes		
1793	April 15	- 1 pr.	Brass Candlesticks			1..5.0
	" --	2 --	"	19/6		1..19.0
	--	2 lbs.	Candles	13d		2.2
	24	2 p ^r	Snuffers	6/		12.0
		1	-----			3.9
		2	Candle Sticks	20/6		<u>2..1.0</u>

£6..2.11"

- Account No. 4887, Miscellaneous Treasury Records of the General Accounting Office (R.G. 217), National Archives.

71. "Mr. Bradford read 1 Blackstone p. 21 22 upon Lunacy." - Notes on Republica VS Snyder, et al, October 18, 1782, George Bryan Papers, Historical Society of Pennsylvania.
72. Pennsylvania Evening Post, January 16, 1776.
73. "Historic Structures Report," Chapter II, Section 1, 16-18, 35-38.
74. "The Assembly last year at my request ordered the purchase of a parcel of law books for their use. In pursuance of that order I sent for two parcels amounting to about £70 stirl & the House are so well satisfied with the usefulness & conveniency of good collection of law that they have again this year renewed their commission. As I now intend to increase the number greatly & make it a compleat law Library I desired them to join Benja. Franklin with me for this purchase which they have done & we both agree to make it a compleat collection of the best law books as far as five hundred pounds stirl." - Isaac Norris Letterbook, p. 32, Historical Society of Pennsylvania.
75. "The Assembly have ordered to Speaker to procure the remainder of the [British] statutes to complete their set in the State House library, ..." - Samuel Rhoads to Benjamin Franklin, May 3, 1771, Pennsylvania Magazine of History and Biography, XIX (1895), 69.
76. "A Description of the State House, Philadelphia, 1774," Pennsylvania Magazine of History and Biography, XXIII (1899), 418. We know that among the collections were the works of "Vattell, Puffendorf, [and] Grotius." - Pa. Archives, Fifth Series, V, 787.

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77. Pa. Archives, Eighth Series, VI, 5269-70.
78. "I am sealed in a large library room with eight gentlemen round me, all engaged in conversation. Amidst these interruptions, how shall I make it out to write a letter?" - John to Abigail Adams, October 4, 1779, quoted in Charles Francis Adams, ed., Familiar Letters of John Adams... (New York, 1876), 237.
- "From thence [Secretary's office] you pass to the library, which is pretty large, but far from being filled; the few books it is composed of, appear to be well chosen." - Marquis de Chastellux, Travels in North America, in the Years 1780, 1781, & 1782 (London, 1787), I, 222-23.
79. "We are to inform you that we are appointed a committee of Council on your letter of the 18th February Instant & as we have a particular matter to communicate which does not admit of Delay --- request you to meet as soon as convenient in the Library Room adjoining the Council Chamber..." - Joseph Reed to the Committee of Congress on General Arnold's Affairs, February 23, 1779, Joseph Reed Papers, New York Historical Society.
80. Journals of the Continental Congress, VII, 48.
81. "Resolved, That the Clerk of the House of Representatives shall take care of and keep the library belonging to the General Assembly in the Committee-room..." - Pennsylvania House of Representatives, Journal of the House of Representatives of Pennsylvania, 1790 [Philadelphia, 1791] 116.

APPENDIXES

APPENDIX A

February 8, 1955

To: Superintendent

From: Chief Park Historian

Subject: Refurnishing Advisory Committee Meeting in New York,
January 21, 1955

Friday, January 21, 1955, a formal meeting of the Refurnishing Advisory Committee and responsible Park Service officials was held at the Colony Club in New York City. The meeting was held at this time and place in order to arrive at as many decisions as possible before the departure of Mrs. Crowninshield for a 90-day world cruise. All members of the committee---Mrs. Crowninshield, Mr. C. Nagel, and Mr. C. Montgomery---were present, as were N.P.S. Chief Historian Kahler, and N.P.S. Museum Division Chief Lewis from the Washington Office, and Chief Park Historian Nelligan, Resident Architect Grossman, Supervising Park Historian Kurjack, and Museum Specialist Mulcahy from Independence.

The following matters were then taken up and decisions made as follows:

(1) Whether or not Chief Historian Kahler should continue to serve as chairman of this and future formal meetings. It was agreed that he should do so, and that Mr. Montgomery should serve as chairman of the Advisory Committee.

(2) Attendance of a representative of the General Federation of Women's Clubs "sitting-in" on future formal meetings. All were agreed that this would be most appropriate, and would serve a useful purpose in keeping the Federation apprised of the progress of the refurnishings project, the problems involved and the methods adopted for their solution.

(3) Refurnishings Reference Handbook. Dr. Nelligan explained that the contents, format, and organization of the handbook was designed to facilitate the work of the committee and the N.P.S. staff members primarily responsible for the refurnishing project by gathering under one cover all the pertinent information, documentary and otherwise, regarding each item of furnishing. By means of the loose-leaf binder, additional material can be incorporated from time to time, so that ultimately the handbook itself will be a historical record of prime importance since it will embody all the information, proposals and decisions in connection with the project. All agreed that it was a practical method of maintaining control over and facilitating the use of the multitudinous mass of material pertaining to the project. Dr. Nelligan also pointed out the prime significance of the extremely thorough study made of the Pine-Savage painting, "Congress Voting Independence," by Mr. Mulcahy.

(4) Bar or rail. Mr. Grossman went over the historical evidence on this item with the committee, then showed it the preliminary studies he had prepared for such a railing. Everyone agreed that his approach was highly satisfactory and appropriate, recommended that he proceed with it and take up the subject again with the committee when his design has been approved by the Service.

(5) Perm Coat-of-Arms

The committee, after reviewing the historical evidence regarding the presence in the Assembly Room of this item as presented by Mr. Kurjack, agreed that it was an appropriate item for the refurnishings program. It agreed, too, that it should be carved unless future study proves definitely it was painted on a wooden panel.

However, since the size and position of the coat-of-arms above the Speaker's chair hinges to a considerable degree on the architectural treatment of the paneling, etc. of this end of the room (as explained by Mr. Grossman); Mr. Nagel suggested that the restoration of this item be deferred until a firm decision has been reached regarding the restoration of the broken pediment seen in the Pine-Savage painting. Consequently, the committee recommended that the architectural research on the room be continued, and that until a definite conclusion is reached regarding this matter, that Mr. Lewis' suggestion that a plaster cast of the coat-of-arms be displayed but not carved or installed be followed.

(6) "Rising Sun" Chair. The committee agreed that the historical evidence justifies the retention of this chair in the historic scene in the Assembly Room, where it will be in pleasing contrast to the plainer Windsor chairs, discussed immediately below.

(7) Windsor Chairs. This subject, because of its importance, received considerable attention. After reviewing the available evidence the committee agreed on or recommended the following:

(a) That there were about 40-50 Windsor chairs in the Assembly Room, some with arms.

(b) Messrs. Montgomery and Nagel believed that the Windsors in the Pine-Savage painting were a few years too late in period; that the Trumble chair shown in Fig. 9 is more suitable in respect to period and character.

(c) That a nucleus of period chairs similar to the Trumble chair in Fig. 9 be acquired, from which copies can be made to round out the historic scene until such time as additional appropriate period pieces can be acquired. It was agreed, however, that copies

should be kept to a minimum; that the main effort should be put into acquiring suitable period pieces.

(d) Agreed to circulate photos of the Trumble chair to dealers, and in the event that they have suitable chairs, circulate photos of such chairs to the committee, which if it deems the chair appropriate will inspect it at first hand, expenses paid.

(e) Agreed that if a chair is unpainted, but is otherwise satisfactory, we should acquire it and repaint it.

(f) Agreed that Messrs. Montgomery and Mulcahy should visit Harrisburg to ascertain whether or not all the furnishings believed to have been in Independence Hall were actually returned there by the Commonwealth in 1876.

(g) Will attempt to procure side chairs as well as distinctive Windsors in order to have tasteful variety.

(8) Delegation Tables. All agreed that the only possible approach is to procure one or two period tables of the shape, size and height shown in the Pine-Savage painting and have copies of these made to make up the balance of the 13 tables needed.

(9) Green Baize. Suggested that swatches at Winterthur and Williamsburg be consulted to get appropriate type.

(10) Speaker's Table. It was agreed that the Speaker's table, or desk, now in the Assembly Room should be expertized to determine its period, etc. Messrs. Nagel and Montgomery agreed that it appeared to be about the right period.

(11) Peale's "Washington". Decided that the importance of this painting merits making approach to getting it now, and afterwards deciding the best location for it. Agreed, too, that a copy of the engraving of this painting shall also be procured.

(12) "Montgomery" Engraving. Since little is known of this engraving other than its actual presence in the Assembly Room, it will probably be difficult to obtain a copy. However, the possibility of so doing should be explored.

(13) Yorktown Flag. Time needed for research and actually making the flag almost certainly precludes a reproduction of it being ready by May. However, we should proceed in this item as time permits.

(14) American Flags (2). All agreed that regardless of the absence of evidence regarding its presence in the Assembly Room, an American flag of the Revolutionary period should be prominent inside the room; a modern American flag outside the room, perhaps flanking the door.

(15) Miscellaneous Minor Furnishings

(a) Inkstands. All agreed that the inkstand in the Pine-Savage painting is of pewter. If a similar period piece is obtained, copies of it could then be made for the other delegation tables.

(b) Miscellaneous furnishings---paper, quills, etc. These to be accomplished as time and opportunity permits.

At the end of the session, it was agreed that no date for another formal meeting of the refurnishings committee would be set for the moment.

Murray H. Nelligan
Chief Park Historian

APPENDIX B

CONGRESS VOTING INDEPENDENCE
as a guide to the refurnishing of the Assembly Room

I. Recommendations

By way of preface, the writer wishes to point out that while he does not state definite conclusions, the evidence upon which they are based is in his opinion incomplete. Continuing investigation may modify or reverse some of the opinions and theories advanced here. It is unlikely, however, that the main thesis of this paper will be seriously affected by such changes.

The fundamental conclusion of the investigation of "Congress Voting Independence" is that it can serve as a guide in refurnishing the Assembly Room. The close agreement between the furnishings of the Room as shown in the painting and those described by Mr. Kurjack as a result of his documentary research is enough to establish the picture's value as an aid to refurnishing. It is, moreover, the only painting of the subject known to this investigator whose details do not come into conflict at some point with established historical data. Indeed, the amount of credence given any of its details must be measured against other documentary evidence.

II. Why We Use the Print as well as the Painting

Print and painting are in general agreement. Their differences lie in the restrictions inherent in each medium as well as in minor changes made by the artist-engraver either by design or through lack of skill. Generally, we find that the painting gives us otherwise unattainable color notes while the print clarifies the artist's intention in the painting. In the case of Windsor armchairs in the foreground, for example, the two pictures agree. The painting establishes their color as green. While the print clarifies the number and weight of the spindles, the simplicity of the turning of the legs and stretchers. Details which might well be lost or badly defined because of the closeness of values in the painting.

III. Inventory of Objects in "Congress Voting Independence"

Object:	<u>Books</u>
Number:	5
Source:	Print only
Comments:	Four of the books are close to quarto size, the fifth appears about 2 1/2" x 3 1/2". Independent research reveals the titles of eight books which were available to the Assembly.
Object:	<u>Chairs</u>
Number:	5
Source:	Print and painting

Comments: Print and painting agree substantially in the details of the chairs shown. The print, however, clarifies some details and rectifies some omissions in the painting, for example, the case of the chair in which Robert Morris is seated. The painting leaves its identity in some doubt, while the print clearly reveals it as a Windsor side chair, similar to the one in the background. The remaining two Windsor chairs are of the familiar sack-back elbow variety. The color is green of a middle intensity and rather low value. Again, independent documentation bears out the artist's fidelity to fact. For the records show that the Assembly bought Windsor chairs from Francis Trumble and comparison of a photograph of a Trumble chair show points of agreement although the chairs in the painting display simpler turnings. The fifth chair is documented only in part; we know such a chair existed but there is no documentary evidence as to whether it was upholstered in red leather with brass tacks as the painting shows it.

Object: Tables

Number: 3

Source: Print and painting

Comments: The picture communicates little specific information about the tables. Due to the somewhat eccentric perspective, it is difficult to estimate the size of the tables beyond the fact that they seem small. It may well be that the close grouping of delegates around the tables shown does not necessarily indicate a customary seating arrangement, but is a compositional device employed by the artist to include as many portraits as possible. All details of the construction, material and style of the tables are concealed (see next item, green baize). Research confirms the presence of tables in the Assembly Room.

Object: Green Baize

Source: Print and painting

Comments: The painting shows the shade of green characteristic of baize. In the ~~picture~~ the material is draped to the floor. Again, a note of caution. This may well have been the case, or it may have been Savage's means for concealing the legs (human and table) which could have turned his work into a "shin piece." Whether green baize was used daily or employed for special occasions is also a subject for further study. Documentary research confirms the use of green baize in the Assembly Room.

Object: Writing Materials

Source: Print and painting

Comments: Documentary evidence indicates that letter-writing, the official function of the Clerk, took place in the Assembly Room. "Congress Voting Independence" exhibits a variety of writing materials, inkstand, quills, papers of assorted sizes.

* * * * *

The significance of the objects which are not shown merits additional discussion. For example, there are no visible means of heating or lighting the Assembly Room. The most likely place for heating apparatus are almost concealed by the figures in the composition, which may explain its omission. Lighting, however, seems to be a different matter. It is odd that if the crystal chandelier (which is undeniably overwhelming) were hanging in its present position, it would have escaped the notice of Savage. It is strange, too, that neither wall sconces nor chandeliers appear in the picture.

The Assembly Room

A study of its representation in the Trumbull and Pine-Savage paintings of Congress Voting Independence.

I

At the outset it should be made clear that neither the aesthetic values nor the accuracy with which the event or characters are portrayed in the painting are of prime importance in this investigation. What we seek to do here is to establish the degree of literalness with which first the furnishings and accessories have been rendered, and secondly the architectural detail. Briefly, we want to know which of these paintings presents the more accurate picture of the Assembly Room as it was in 1775-1787.

In our discussion we shall generally ignore the fact that there are three versions of the Trumbull painting unless a reference to a specific one becomes pertinent to the argument. In respect to the Pine-Savage painting, references to the print may be confusing. However, if we keep in mind that all known proofs were pulled in fairly recent times from the unfinished copperplate in the Massachusetts Historical Society, it will be clear that all references must be to the present state of that plate. In view of the wide acceptance of "Congress Voting Independence" as the work begun by Robert Edge Pine and finished by Edward Savage, it will be necessary to go into some detail concerning the provenance of the painting and to establish a number of hypotheses. The writer will try to keep the reader informed where evidence ends and speculation begins. With this in mind, let us now examine the reliability of Colonel John Trumbull's "Declaration of Independence."

II

The Case for Trumbull

When Colonel John Trumbull conceived the idea of painting a series of historical pictures to preserve the great moments of the American Revolution, conditions were nearly ideal for such an undertaking.

First, many of the participants were still vigorously alive. Trumbull himself had participated in the war. He had been appointed an aide-de-camp of Washington in 1775 and continued in that capacity for a short time. (Autobiography of Col. John Trumbull, p. 22-23 Sizer ed.) Later as deputy adjutant general he had been with General Gates at Ticonderoga and with him had gone south into Pennsylvania. His acquaintance with the prominent figures of the day was wide. As the son of the legendary "Brother Jonathan," Revolutionary Governor of Connecticut, he had a claim on the affections of all patriots. His eldest brother Joseph was the commissary general, while another brother Jonathan, was "pay master of the forces for the New York department" from 1775, a secretary of Washington and a member of the first, second and third congresses under the new Constitution. So that Colonel Trumbull by his own and his family associations was in a position to know and understand the events he wished to portray. Furthermore, Colonel Trumbull was no mere craftsman. He was a man of broad cultural background, the recipient of a degree from Harvard (Ibid. p. 11), and later the vice president of the New York Historical Society. (Ibid. p. 355).

Thus in point of time, in family and educational background, in the very bend and inclination of his mind, Colonel Trumbull would seem to embody the ideal qualities of a historian whose chosen medium was paint and canvas.

In London under the tutelage of Benjamin West, Trumbull painted "Battle of Bunker's Hill" and "Death of General Montgomery in the Attack of Quebec." Both pictures were finished in 1786; and Colonel Trumbull was embarked on a forty year course of triumphs and disasters in his attempt to create a pictorial history of the American Revolution.

These first two paintings of the series were shown to Jefferson certainly, and probably to Adams. It was with the aid of Adams and Jefferson that Trumbull selected the other subjects for his series. The only painting of this series with which we are immediately concerned is the "Declaration of Independence" since it purports to show the Assembly Room of the State House of Pennsylvania in 1776.

Our question: Is the Trumbull painting a true and accurate picture of the Assembly Room in July of 1776? He has, as far as this writer can determine, never made any claim to have seen the room during the Revolutionary period. And indeed while his Reminiscences place him in Pennsylvania briefly in 1776, they do not specifically mention Philadelphia. In his own words "He crossed the Delaware at Easton and marched through Bethlehem to Newton, where he joined the commander in chief, a few days before his glorious success at Trenton. News had just been received that a detachment of the enemy had obtained possession of Newport and Rhode Island, and General Arnold and myself were ordered to hasten without delay to that quarter." (Autobiography Reminiscences & Letters of John Trumbull

1841 ed. p. 37.) Indeed we find no evidence to place Colonel Trumbull in Philadelphia before 1790; and his Reminiscences for the period make it quite clear that he confined his activities to New England until his departure for London in May 1780. We must, therefore, conclude that Colonel Trumbull could not have seen the Assembly Room before 1790.

Since 1790 is the earliest that Colonel Trumbull could have seen the room, the following question arises: Did he paint the room into his composition prior to 1790? And this indeed seems to be the case. For the painting begun in 1785, must have been fairly complete by 1790, since by November 1786, Trumbull writes (Ibid. p.147) "I returned to London [from the Continent]....I resumed my labors, however, and...arranged carefully the composition of the Declaration of Independence, and prepared it for receiving portraits, as I might meet the distinguished men who were present at that illustrious scene." In view of this statement and recalling that the first two paintings in the series were finished in less than 2 years it seems probable that Trumbull completed "The Declaration of Independence" except for the portrait heads. This viewpoint is further supported by his painting in Jefferson and Adams before leaving Europe for New York.

There remains of course the possibility that Trumbull altered details of his background during his stay in Philadelphia. (His Reminiscences place him there in May of 1790 of that year) (Ibid. p. 164) and Jacob Hiltzheimer records that on December 18, he had breakfast with Mr. John Trumbull (Diary of Jacob Hiltzheimer p. 165.) A newspaper article by Col. Trumbull in the N. Y. Daily Advertiser, October 22, 1818, states that he spent the winters of 1792 and 93 in Philadelphia. Hence, it would seem that he had ample opportunity to see the Assembly Room and make such alterations as he thought advisable. However, the similarity of the small original at Yale and the compositional sketch and floor plan done in France in 1786 by Trumbull and Jefferson respectively seem to prove that Trumbull made no alterations in his original painting. It seems unlikely that he would be inclined to change the details of the room since he wrote to Adams in December, 1817, "I preserve faithfully the costume of the day and the architecture of the room, which I very much regret to find has lately been destroyed by that restless spirit of Change, which so much prevails in this country. (Trumbull Letterbook, Dec. 16, 1817 as quoted by John Hill Morgan.) Since we have no recorded visit of Trumbull to Philadelphia between the winter of 1793 and 1817 and he was out of the country much of the time, it seems probable that "lately" refers to the visits of the early 1790's. And in this he is quite correct, as the research of Historian Dennis Kurjack, and others, clearly indicates the outlay of considerable sums for work on the State House in the 1777-1790 period, although more changes were made in the next thirty years. In either case, if Trumbull was referring to the room of 1790 or of 1817, it is unlikely that he would have thought the details of a room which had suffered from "the restless spirit of Change" merited much consideration.

If, as we have seen, it is unlikely that Trumbull painted even the altered Assembly Room from life, what were the sources of his picture?

Speaking of his visit with Jefferson, Trumbull states "...and during my visit I began the composition of the Declaration with the assistance of his information and advice. (Autobiography Reminiscences and Letters of John Trumbull 1841 ed. p. 96.) As a further support of the statement that Jefferson helped Trumbull with his Declaration of Independence, there is at the Yale Gallery a sketch already referred to called the "Declaration of Independence, Philadelphia, July 4, 1776, preliminary sketch 'first idea of the Declaration of Independence, Paris, Sept. 1786' pencil sketch by Trumbull and ink sketch by Thomas Jefferson, 'done by Mr. Jefferson to convey an idea of the Room in which congress sat...' (1st Silliman Sale No. 9) Yale 1926." The compositional sketch is very likely the finished painting. There are two other similar sketches both in the archives of the Historical Society, dated by Theodore Sizer as 1790. The present writer suspects from their similarity to the 1786 sketch that they may well have been done earlier, although the evidence is too scanty to produce a definite conclusion. At any rate, from a floor plan drawn from memory by Jefferson and from whatever verbal description may have been added, Trumbull composed his picture. It is well to remember, however, that both Jefferson and Trumbull had architectural interests and talents. Trumbull is credited with a meeting house in New Lebanon, Conn., The First Presbyterian Church in Philadelphia and, of course, the Gallery at Yale. Indeed, Edmund Burke, on the occasion of Trumbull's second visit to England advised the young painter to adopt architecture as a profession (Autobiography of Col. John Trumbull: Sizer ed. p. 84.) So we see that Trumbull was in a position to interpret Jefferson's description more readily than the average painter.

We have here an apparently ideal situation for producing a picture of the Assembly Room in the collaboration of two men, both with architectural knowledge, one who had seen the room time and time again at the period of its greatest importance, the other an artist at the height of his creative powers. But again we run quite literally into a brick wall. The wall in question is the west wall of the Assembly Room which Trumbull shows pierced with two doors. Architectural evidence (the result of Horace Wells Sellers' investigation during the restoration of the 1890's) shows quite unmistakably that only one, a center door, existed in the room at the time. Early floor plans and the plan for the reception of Gerard support the physical evidence of one door, and clearly destroy the value of Trumbull's painting as an architectural document.

It is, I think, a matter of considerable interest that many people who lived in the 1776-87 period were still alive when the painting was completed or sat for Trumbull when he painted their portraits into the composition of the Declaration of Independence. The showing of the painting in Boston, New York, Philadelphia and Baltimore excited considerable

comment. A search of many of the newspapers of the period is enlightening in its reflection of the attitude of the people and the painter towards the picture, as well as towards the broader field of historical accuracy.

Most of the newspaper reports and correspondence reveal that the main interest was in the accuracy of the portraits of those who voted for independence. Writers with an interest in history debated the inclusion or exclusion of individual members of the Continental Congress on the grounds of their presence or absence on July 4, 1776 or of their being or not being signers of the document. Further discussion involved parliamentary procedure or the relationship between the importance of an individual signer in the composition and her service to his country. As example, Samuel Adams Wells' discussion in the Boston papers about the relatively obscure position of Sam Adams in the Trumbull painting. One could cull from the reports enough excerpts to prove or disprove the merits of the painting, they range from "a bauble" (Boston Patriot and Daily Chronicle, Dec. 11, 1818) to "...as a work of art holds highest rank and vies in excellence with productions of the kind in any age or nation" (Democratic Press Jan. 21, 1819 (Phila.) One would expect that when the picture was exhibited in the State House in Philadelphia, directly across the hall from the room in which the action took place, there would be considerable discussion about the rendering of the room itself. However, investigation to date reveals only one concrete mention of the physical appearance. This is a rather cryptic remark by Historicus (possibly A. P. Norris, Jr.) in the Daily Advertiser (Jan. 19, 1819) he says:

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

There remains a doubt in this writer's mind as to Historicus' meaning. Is he regretting that the painting could not be displayed in the eastern or Assembly Room or is he charging Trumbull with having painted the wrong room?

The newspaper evidence remains inconclusive, except that it indicates great interest in the painting coupled with a curious disregard for the historical accuracy of the representation of the setting of the event.

Let us now briefly review Trumbull's attitude towards his painting. He was far from the conscienceless opportunism that characterized many printers and painters of topical scenes. He devoted himself wholeheartedly to gathering what he considered the significant data, the portraits for example or the color of the uniforms. We have some of his own statements bearing on the historical accuracy of his paintings.

He says in a letter (June 11, 1789) to Jefferson "no one can come after me to divide the honor of truth and authenticity, however easily I may hereafter be surpassed in elegance." (Autobiography, Reminiscences & Letters of John Trumbull, 1841 edition, p. 158.) In speaking of the "Declaration of Independence" he says further: (Ibid, p. 416)

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

In reply to criticism of the painting, Trumbull published in the New York Daily Advertiser for Thursday, October 22, 1818, a long description of his procedure in historical painting; for our purpose the pertinent part is:

[During the sessions of Congress in New York, Trumbull] made it his duty and his business to ask the advice and criticism of all who did him honor to sit for him; and ... the Declaration of Independence...were very much advanced under the eye, with the criticism and with the approbation of men who had been the great actors in the several scenes.

It is, perhaps less, important here to recall that although the artist speaks of the room as it was before the "spirit of innovation laid unhallowed hands upon it," he could not have seen it until 14 years after the event he depicts occurred, than, it is necessary to have in mind Trumbull's understanding of historical truth and his purpose in making the painting. We must remember that in the study of history, scientific truth, unbiased documented fact, is a relatively recent development dating from the German influence of the late nineteenth century. Trumbull, on the other hand, worked in a period when history consisted to a large degree of "recollections, personal accounts, gossip and hearsay." Nor was historical painting in any better case. Allegory played his part. A hero must be a hero even if he had to be depicted with laurel and in a toga to prove it. Against such a background it is apparent that Trumbull must have felt justifiably proud of the authenticity of his presentation, although in his own words he states things which make modern historians shudder (Ibid, p. 416).

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

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

If I may be permitted to indulge on speculation, it seems increasingly evident that for Colonel Trumbull the room and its accessories were important only as props and background, a stage set for the main action. This main action was ever uppermost in his mind. And he states his purpose clearly in his catalogue of 1841: "To preserve the resemblance of the men who were the authors of this memorable act, was an essential object of this painting" and further "Important difficulties presented themselves to the artist at the onset,...Should he regard the fact of having been actually present in the room on the 4th of July indispensable? Should he admit those only who were in favor of, and reject those who were opposed to the act? Where a person was dead, and no authentic portrait could be obtained should he admit ideal heads? These were the questions on which Mr. Adams and Mr. Jefferson were consulted...." (It is worth noting that he doesn't list as a "difficult" painting in England an American room he had never seen.) Add to these statements the evidence in the Autobiography and elsewhere of trips ranging along much of the Atlantic seaboard and parts of Europe in search of authentic portraits for the historical series, and I feel it is inescapable that Colonel Trumbull's real interest was in the dramatis personae and that the background was just that --- background. This despite the fact that he did not go to the trouble to sketch the surrender field at Yorktown and other places if he was in the vicinity..

It might well be in exploring Trumbull's attitude towards historical painting to mention briefly some of his other paintings as evidence of that attitude. It is indeed unfair to Trumbull's reputation that this sort of a report must be written without balancing his many merits against his few defects and in fact, our viewpoint is necessarily warped when we consider any work of art from a view entirely divorced from the purpose of the artist. However, to halt the digression, there is evidence to show that Trumbull painted Cornwallis himself in the act of surrendering at Yorktown when it was well known that he deputized General O'Hara for that distasteful task. In the face of criticism the face of Cornwallis was altered and he was listed as General Lincoln in the key that accompanied the engraving. (John Hill Morgan

in "Paintings by Trumbull at Yale University" discusses this vexing problem, p. 604.) Dunlap in his History of the Arts of Design (1918 edition), p. 34ff, severely criticizes the historical accuracy of the Bunker Hill painting. The writer has not made a critical examination of the circumstances but while Dunlap is extremely unsympathetic to Trumbull personally, he seems just when he deals with the Colonel's works. Dunlap continues more generally with a criticism of Trumbull's attitude towards historical painting. In justice to both men, it must be said that Dunlap gives Trumbull full credit for preserving the portraits of so many characters in the Revolutionary drama.

When we examine the "Declaration" in detail, we find many instances that seem at the very least questionable. First there is the matter of the doors already discussed, Secondly, the platform or dais upon which the President's desk and chair are placed. The platform as shown by Trumbull has three steps. We know from diagrams and written description that it had only two. In the Yale original the platform is uncovered, while the picture in the rotunda of the Capitol a rug covers it. If Trumbull were conscious of the importance of accuracy in details, isn't it reasonable to expect consistency from him? Again, over the doorways in the Yale picture there is some sort of entablature indicated, while the corresponding space in the Capitol version is unornamented. In the costumes of figures, the apparently high collars and padded shoulders lead one to believe that Colonel Trumbull painted his characters as he found them in the late 80's or 90's without questioning the possibility of a change in fashion. The chair in which the President, Hancock, sits looks of a later style than that likely used in 1776 and bears a remarkable similarity to one shown in "Washington's Resignation." To be authentic, the chair should date prior to 1776, probably at least from 1750. However the combination of upswept arm and turned tapered and reeded leg would scarcely have been produced in America before 1790.

When we consider the Trumbull "Declaration of Independence," in the Wadsworth Atheneum, we find that the whole concept of the background has been changed. The two doors of the earlier version have been replaced by a single door crowned with a triangular pediment; the walls are enriched with moldings; the entire entablature has been drastically altered and the whole appearance of the room now reflects the Ionic order - and is in several ways similar to the treatment of the East wall in the Pine-Savage painting.

It is interesting to speculate upon the motives which urged Colonel Trumbull to make such sweeping changes. For when he had finished the Capitol version of the "Declaration" about 1819 he seemed perfectly satisfied with the authenticity of the interior. Now in 1831 he has abruptly repudiated his former position by employing a completely new background. Could there have been severe criticism of the earlier pictures which forced the doughty Colonel into a belated retreat, as happened in the Surrender at Yorktown picture already discussed? Was he perhaps influenced by the use of the Ionic order in the Pine-Savage "Congress Voting Independence"? There is some support for this

theory in the letter written to Trumbull by the son of Edward Savage offering the Colonel his father's unfinished copperplate of "Congress Voting Independence." However more research will be required in this interesting twilight period of Colonel Trumbull's life before any theory can be invested with the slightest degree of validity.

Nor is it absolutely necessary that we resolve these questions at this point. For the Athenaeum version as historical document is already invalidated by the passage of time. By 1831, the immediacy which makes an eye-witness report of the event valuable and valid, had long since lost. The doubtful best that could be said for the painting as evidence is that it was based on the recollections of events long past --- and such memories are notoriously weak and unreliable.

There remains, however, the distinct possibility that this Athenaeum picture of the Declaration of Independence contains information of considerable historic interest about the restorations, proposed or accomplished in the period 1820-1830 of the State House. And again further, intensive research is needed to discover not only the motives for the changes Trumbull made but also for the information on which he based these changes. Indeed, the "Declaration of Independence" in the Wadsworth Athenaeum is one of the most provocative and challenging of all Trumbull's historical paintings.

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

III The Case for Pine-Savage

Our knowledge of the painting "Congress Voting Independence" is limited almost entirely to the writings of its discoverer, Charles Henry Hart. Too much praise cannot be given the late Mr. Hart for his discovery and his pioneering work in the study of this important American painting. The present writer will, in the course of this discussion, differ with Mr. Hart on several points. He does so reluctantly, however, appreciating that without Hart's basic contribution, little or nothing might be known of the painting today.

In two articles ("The Congress Voting Independence," Pa. Mag. of Hist. and Biography, vol. 29, p. 1 ff. and "Edward Savage Painter and Engraver and his unfinished copper-plate of "The Congress Voting Independence," Proc. of Mass. Historical Society, Jan. 1905), Hart told what he knew about the history of the painting. According to him, "Until a decade and a half ago [1890] [the picture] had been so lost sight of as to be virtually unknown, when, in a dark corner of the old Boston Museum on Tremont Street, the writer [Hart] discovered the painting of The Congress Voting Independence, begun by Robert Edge Pine and finished by Edward Savage, now in the hall of the Historical Society of Pennsylvania."

His basic premise, that the painting was begun by Pine and finished by Savage, he ~~then~~ proceeded to expand, as follows. Pine came to America from England sometime during the summer of 1784. By November 15, 1784 he had been given the use of the Assembly Room of the State House, and so had ample opportunity to paint a truly authentic background for "Congress Voting Independence."

Pine died in November 1788, and Hart quotes from the inventory of his estate the titles of several historical paintings: "The American Congress Voting Independence, Capture of Lord Cornwallis and the Colors laid before Congress, General Washington Resigning his Commission to Congress, General Washington under the Character of Fortitude." Hart assumes that the painting he found in the old Boston Museum is Pine's unfinished canvas, and continues to trace its history. Quoting Hart:

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

The Museum with the greater portion of its collections, was destroyed by fire January 15, 1803. [In 1807 the rebuilt museum was burned a second time.] It was [again] rebuilt and in 1825 passed to the New England Museum. Fifteen years later [1840] the New England Museum became the property of Moses Kimball, who maintained it as the Boston Museum for more than half a century....In the fall of 1892 he began the dispersal of the museum collection...and soon afterwards the writer acquired the painting of The Congress Voting Independence.

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

Now, let us examine Mr. Hart's argument. As a whole it is extremely logical and wholly plausible. Yet, when we inquire into some of the details, it loses strength.

First let us consider the matter of the fires. The first fire, that of 1803, which Hart admits destroyed the greater portion of the collection is reported thus in the Massachusetts Spy for January 19, 1803: "...in one hour the whole square of buildings, viz the Museum with all its valuable collections and improved as the dwelling house of Mr. William Doyle, the house occupied by Mrs. Pollard...fell prey to the devouring element." It is, of course, possible that in this fire and in the one four years later, someone saved this probably unfinished painting in preference to some of the hundred or more other pictures in the Museum, but it does seem unlikely. The writer has in the course of this study examined a number of broadsides of the Columbia Museum. None of them list "Congress Voting Independence," but they do imply that little if any, of the museum's collection was saved from the fires. Of the 123 paintings listed in a broadside before the fire, only four of the 29 listed after the fire bear any resemblance to those in the original collection. Further, the physical examination of the painting, made recently by the National Park Service Museum Division revealed no conclusive evidence of its having been exposed to fire.

Closely linked to the possibility of the painting's survival of its ordeal by fire is the question of size. "Congress Voting Independence" is by most standards a small painting (approx. 26 7/8" x 19 1/2"), a size which lends itself nicely to tucking under one's arm while escaping a burning building. However, we can and must raise the question whether this picture Pine painted was such a small one. Evidence again points in the opposite direction. Many of the paintings Pine did prior to his coming to America were life size, including his two prize-winners "Canute Reproving his Couriers" and "The Surrender at Calais." Without listing the individual pictures, so many of them being large suggests a relationship between size and importance in Pine's mind. This supposition is supported by Rembrandt Peale's account of a visit, with his father, to Pine's studio where he saw "walls covered with large paintings his own works in history and portrait...my imagination pictured a giant of art, but...I was astonished to find so small a man could produce such mighty works." (Lester, C. Edwards, Artists of America, p. 202). Again, Washington, writing in 1785 about Pine's historical series, says "the pieces which will be large..."

(George Washington to George William Fairfax, June 30, 1785, Writings of Washington, edited by John C. Fitzpatrick, vol. 29, p. 183). Then, too, Pine writes to Washington in 1785, "I have been some time at Annapolis painting the Portraits of Patriots, Legislators, Heroes and Beauties to adorn my large pictures...." (December 16, 1785, in Washington Papers, Library of Congress).

To labor this important point further. The Pennsylvania Packet of December 25, 1789, carries an article on Pine's lottery in which, again, the size of his pictures is stressed. "His principal object was to record in eight very large historical pictures the principal events of the late American war;" In the same newspaper, January 11, 1790, an advertisement of the Pine Lottery appears which is even more explicit. It lists among other paintings the "Allegory of America" as 9 feet 6 inches by six feet 10 inches, the "Garrick Reciting an Ode to Shakespeare," as eight feet by seven feet, and others of similar dimensions. Daniel Bowen advertised his purchase "of all the Large and Elegant Paintings executed by the late celebrated Mr. Robert Edge Pine" (Pennsylvania Packet, August 17, 1793). In another advertisement, after Bowen had moved his museum to Boston, he mentions "100 paintings, Some of which are 8 by 10 feet,...they being original pieces, painted by the late celebrated Robert E. Pine."

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

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

Another pivotal point in Hart's thesis, that Savage finished Pine's painting, hinges to a great extent on Edward Savage's partnership with Daniel Bowen, which supposedly provided Savage with that opportunity. Hart says "the sale to Bowen and Savage...must have been subsequent to January 7, 1794...." (Pa. Mag. Hist. & Biog., vol. 29, p. 9, 1950). We have seen above that Bowen was advertising his purchase of Pine's paintings as early as August 17, 1793. Savage was still in London as late as October 6, 1793, as his letter to Washington attests. Nor is there any evidence that Savage reached Philadelphia much earlier than July 28, 1795, when he advertised the Panorama there (Aurora General Advertiser, July 28, 1795). By April 21, 1795 Bowen had closed his

Museum in Philadelphia (Federal Gazette, April 17, 1794), and by early summer he was at 75 Broad Street in New York City (George F. McKay, A Register of Painters, Engravers, etc. in New York City, 1633-1820). December 24, 1795 (Mass. Mercury, December 25, 1795) finds Bowen opening his Columbia Museum at the head of the Mall in Boston. Savage was during this period and up until 1801 in Philadelphia (Phila. Directory lists his name in 1801, New York Directory, spring of 1801, also lists Savage). Again, a letter to Jefferson on March 1 places him in New York where he engaged in a considerable variety of museum enterprises until he opened the New York Museum in Boylston Hall, Boston, in 1812 (Art in America, v. 40, 1952: Louisa Dresser). By 1806, Bowen's name no longer appears in the Boston directory. The exact time of Bowen's re-appearance in Philadelphia is not clear nor does it seem too important, for there is no evidence to connect him with Savage during his New York period. It thus appears unlikely that Savage and Bowen had a joint museum enterprise in 1795 as Hart suggests, or that Savage ever had an opportunity to complete Pine's unfinished painting.

If Pine didn't paint the picture "Congress Voting Independence," the question arises "Who did?" We may never know---but the evidence overwhelmingly favors Edward Savage. To establish this point, let us briefly review the evidence.

- 1892-3 - Hart discovers the painting in the Boston Museum.
- 1847 - In a manuscript "Catalogue of the Paintings etc. of the Boston Museum" number 27 is "Signers of the Declaration of Independence and a view of the Hall where it was adopted: E. Savage.
- 1818 - (The following exchange of letters between Edward Savage, the painter's son, and Col. John Trumbull was, as far as the present writer knows, first published by C. H. Hart.)

Boston, April 11, 1818

Sir

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

Yours etc, etc
Edw. Savage

Col. Trumbull
P.S. direct yours to E.S. Boston

New York 30th April 1818

Mr. Ed. Savage

Sir

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

I am Sir your obt servt
J.T.

- 1809-13 - He [Savage] remained at my room...to copy a portrait of Roger Sherman...[used in "Congress Voting Independence"] (Reminiscences of the Rev. Geo. Allen of Worcester, p. 55)
- 1803 - Savage writes Jefferson "the Print of the Declaration of Independence, which I intend to finish as Soone as Possable...." (Jefferson Papers, Library of Congress, vol. 129, p. 22327)
- 1802 - January 29 "Warm cloudy drizzly rain, Sat for my Portrait by Mr Savage in order to represent the Congress when passing the Act of Independence. "Dairy of Robert Treat Paine," quoted by Louisa Dresser in Art in America, vol. 40, 1942.
- 1800 - A New Exhibition "...together with some original American Historical Paintings..." from Savage's advertisement in the Federal Gazette, April 3, 1800.
- 1800 - Savage is listed in the Philadelphia Directory as "historical painter South 4th bet. Chestnut and Walnut."

Savage is not generally regarded as an historical painter, and indeed it was not his prime occupation. Yet we do find him listed in the Directory as a "historical painter" and advertising "original American Historical Paintings" as early as 1800. We know further from Robert Treat Paine's diary that Savage was working on a "Declaration of Independence" as early as 1802.

One might speculate that Savage started the painting earlier, perhaps while living at South 4th Street, just a block away from the State House. This supposition is strengthened by the difficulties involved in carrying such a group portrait to completion at that period. The artist had no morgue of photographic clippings on which to base his likeness. He had either to find the live subject and persuade him to pose, or copy another artist's portrait or a print. The number of portraits reminiscent of other painters in the picture now under study suggest that Savage may well have taken advantage of Pine's earlier effort to collect heads for his picture. Pine had a golden opportunity for such "head-hunting" with the Constitutional Convention in Philadelphia in 1787. The portrait of Benjamin Franklin, which Hart singles out as "unquestionably from the hand of Pine" (Pa. Mag. Hist. & Biog., vol. 29, p. 12) is, according to Charles Coleman Sellers based on a silhouette done by Joseph Sansom in 1790, three years after Pine's death. All of which leads this writer to conclude that Savage began his painting in Philadelphia earlier than the first documented reference to it (1802), and took advantage of the wealth of portrait material in that city.

Again, since Pine never finished his "Congress Voting Independence," and since Col. Trumbull's venture in the field extended over a period of at least 30 years, it seems reasonable to assume that Savage must have started his picture well before 1803, to be able to write in that year to Jefferson concerning "one of my Proposals for Publishing the Print of the Declaration of Independence which I intend to finish as Soone as Possable...." (Jefferson Papers, Library of Congress, vol. 129, p. 22327). Another telling link between Savage and the picture is the exchange of letters between the artist's son and Col. John Trumbull in 1818, shortly after Edward Savage's death. The copperplate referred to, now in the Massachusetts Historical Society, was obviously done after the painting and is of almost the exact size. This can hardly be an accidental coincidence. Savage was following a customary procedure when he made his painting and plate the same size. Trumbull did the same thing, as did Birch, Krimmel and others. It is interesting, too, to note that Trumbull's reply rejects "the plate and painting" although no painting was offered, which strongly suggests that he knew of a Savage painting of that subject.

If Savage did paint "Congress Voting Independence," as we are inclined to believe on the basis of the evidence presented above, is it sufficiently reliable a historical document to use as a basis for the refurnishing program? In this writer's opinion, it is.

Of course no single document can tell us all we want to know with complete reliability. Any document can contain errors; or we can misinterpret parts of it. Even if "Congress Voting Independence" could be traced no further than Hart's discovery of it in 1892, it agrees so completely with the documentary evidence that it must be considered a source of prime importance.

Actually, however, the writer believes that the picture was painted by Savage, that Savage had first hand experience with the room, and that he had the opportunity to know the type of furnishings in it. Moreover, the internal evidence of the picture itself supports this viewpoint. It is not (as Pine would probably have painted it) a dramatic or allegorical presentation. It is a matter of fact statement of what he apparently saw. It could have been any group of eighteenth-century legislators talking over a proposal to widen a street. None of the trappings of allegory point to the importance of the event. Liberty does not break her shackles in the corner of the Assembly Room while crippled Commerce limps through the door. Indeed, there isn't a laurel leaf or toga in the whole composition. The point I think is clear, and important. The painting itself looks genuine because of its very matter-of-factness.

Further, the writer feels that since Savage intended to market the composition with a wide distribution as a print, and unlike Col. Trumbull had considerable experience in publishing prints, he would have been extremely careful not to have any false notes or errors which might jar the sensibilities of actual participants or others who had lived at the time of the event portrayed.

To sum up. On the basis of the evidence here presented---however incomplete that evidence is---the writer is led to conclude that "Congress Voting Independence," was painted by Edward Savage during the period 1796-1817, and that it presents as true a picture of the Assembly Room as we are likely to ever find. As such, it can well serve as a basis for its refurnishing.

APPENDIX C

Extract from "A Summary Report on the historical basis for the partial refurnishing of the Assembly Room, Independence Hall, scheduled for completion by May 1955."

FOREWORD

In considering the overall program for the restoration and refurnishing of the first floor of Independence Hall (made possible by the General Federation of Women's Clubs) of which the current project is the initial phase, the three conclusions and three recommendations made by the National Park Service in its initial report of May 1954 bear repetition. These are:

Conclusions:

1. It is fairly certain that the furnishings of 1776, with the exception of the silver inkstand, no longer exist, or if by chance any do survive, they cannot be identified or authenticated.
2. That there is neither sufficient information, nor much prospect of accumulating any, on the furnishings of 1776 for a satisfactory or acceptable reproduction of the 1776 scene; therefore, barring unexpected discoveries, this period can be represented by only a few objects--specifically, by the original inkstand and reproductions of the Penn coat of arms and the captured colors of the British 7th Fusiliers, all of which are known to have been in evidence in this period.
3. That, finally, the furnishings in the Assembly room at the present time (and for the past 78 years) are for the most part historically inappropriate and therefore should be replaced by authentic pieces of the period or by correct period reproductions. In brief, a virtually complete job of refurnishing is necessary.

Recommendations:

1. To refurnish and restore as of the period 1775-87; that is, of the entire period of the second Continental Congress and the Constitutional Convention, with the bulk of the furnishings necessarily representing the period 1778-87.
2. To follow a conservative policy in making architectural changes, and then only on the basis of exhaustive documentary research and architectural investigation.
3. To begin partial refurnishing as soon as funds become available. We should rely heavily on period pieces, and only utilize modern duplicates or reproductions, made on the basis of accurate specifications,

until authentic period pieces which may be in private collections or museums become available. By so doing, we shall recreate the historic scene, making it of the highest order of authenticity, in keeping with the priceless character of the building and the great national tradition it embodies.

These conclusions and recommendations are as pertinent now as they were when originally formulated. This summary report, therefore, covering the historical bases for the proposed partial refurnishing of the Assembly Room of Independence Hall, scheduled for partial completion by May of this year, should be examined by the Committee accordingly.

The brevity, arrangement, and format of this report are intended to facilitate the Committee's task of reviewing our findings. Presented first is a list of furnishings scheduled for completion, or partial completion, by May 1955. Then follows under separate headings (1) summarized findings for each of these objects and (2) the principal documentary data upon which they are based. At the end of the report will be found illustrative material supplementing the text.

List of Furnishings Proposed for Completion by May 1955

Bar or Balustrade

Chairs - Delegates

Chair, "Rising Sun"

Coat of Arms - Penn Family

Green baize

Inkstand, Syng

Peale's "Washington"

Tables, delegation

Tables, Secretary's and Speakers'

APPENDIX D

FURNISHINGS IN THE RESTORED ASSEMBLY ROOM

#1 Table:

antique walnut tavern-type table

Chair, north side of table:

reproduction of sack back Windsor armchair, dark green

Chair, south side of table:

sack back Windsor armchair, dark brown; tradition states that chair was acquired by Conrad Ziegler in post-Revolutionary times, around 1800, at an auction supposedly held at Independence Hall.

Items on table:

Books (closed):

Extracts from the Votes and Proceedings of the American Continental Congress, "Philadelphia Printed. London: Reprinted for J. Almon," 1774

Newspaper:

The Pennsylvania Packet and Daily Advertiser, July 22, 1786

Sheet of blank paper, folded, taken from an old book

Green leather eyeglass case

#2 Table:

modern wood, masonite top table

Chair, south side of table:

antique sack back Windsor armchair, unpainted

Chair, east side of table:

sack back Windsor armchair, brown with yellow trim, marked F[rancis] Trumble [Philadelphia chairmaker, circa 1716-1798]

Chair, west side of table:

reproduction of sack back Windsor armchair, dark green

Items on table:

Book (open)

Bacon's Abridgement; A New Abridgement of the Law, London, 1740

Book (open)

The Acts of the General Assembly of the Commonwealth of Pennsylvania, Philadelphia, 1782

#3 Table:

modern wood, masonite top table

Chair, north side of table:

sack back Windsor armchair, black, marked F[rancis] Trumble [Philadelphia chairmaker, circa 1716-1798]

Chair, west side of table:

sack back Windsor armchair, green, marked J[oseph] Henzey [Philadelphia chairmaker, worked circa 1772-1796]

Items on table:

Reproduction of pewter inkstand by Henry Will (1761-1793)

Quill

Newspaper:

The Pennsylvania Packet and Daily Advertiser, May 12, 1786

Sheet of blank paper, folded, taken from an old book

#4 Table:

modern wood, masonite top table

Chair, north side of table:

balloon back Windsor armchair, unpainted, marked G[ilbert] and R[obert] Gaw [Philadelphia chairmakers, working in 1796]

Chair, south side of table:

balloon back Windsor side chair, brown with mustard trim, marked R[obert] Gaw [Philadelphia chairmaker, working in 1796]

Items on table:

Reproduction of pewter inkstand by Henry Will (1761-1793)

Quill

Pair of old glasses

Sheet of blank paper, folded, taken from an old book

Newspaper:

New Jersey Gazette, June 17, 1778

Newspaper:

The Boston Gazette and Country Journal, March 8, 1779

#5 Table:

modern wood, masonite top table

Chair, north side of table:

fan back Windsor side chair, dark brown, marked W[illiam] Cox [Philadelphia chairmaker, established in city 1767-1796]

Chair, south side of table:

balloon back Windsor side chair, unpainted, marked J[oseph] Henzey [Philadelphia chairmaker, worked circa 1772-1796]

Items on table:

Reproduction of pewter inkstand by Henry Will (1761-1793)

Quill

Sheet of blank paper, folded, taken from an old book

Book:

The Charters and Acts of Assembly of the Province of Pennsylvania 1682-1759, Philadelphia, 1762

#6 Table:

modern wood, masonite top table

Chair, west side of table:

balloon back Windsor side chair, unpainted, marked W[illiam] Bowen [Philadelphia chairmaker, worked at least from 1786-1797]

Chair, north side of table:

balloon back Windsor side chair, unpainted, marked J[oseph]
Henzey [Philadelphia chairmaker, worked circa 1772-1796]

Chair, east side of table:

balloon back Windsor armchair, unpainted, marked W[illiam] Cox
[Philadelphia chairmaker, established in city 1767-1796]

Items on table:

Two sheets of blank paper, folded, taken from an old book
Quill

Book (open):

Vattel's The Law of Nations, London, 1760

Book (open):

Journals of the House of Representatives of the Commonwealth
of Pennsylvania, Volume 1, Philadelphia, 1782

Newspaper:

The Boston Gazette and Country Journal, April 10, 1775

#7 Table:

walnut tavern table, circa 1750-1760

Chair, east side of table:

antique comb back Windsor armchair, black, marked F. Gilpin
(no information)

Chair, south side of table:

antique comb back Windsor armchair, black

Items on table:

Bible, King James Version, Cambridge, England, 1763 (open)

Pamphlet:

The Twelve United Colonies by Their Delegates in Congress to
the Inhabitants of Great-Britain, Philadelphia, July 8, 1775

Pamphlet:

A Declaration by the Representatives of the United Colonies
of North America, Philadelphia, 1775

Pamphlet:

Table for Payment of Principal and Interest of Loans, Phila-
delphia, June 1780

Pamphlet:

Extracts from the Journals of Congress, Philadelphia, 1776

Pamphlet:

Proceedings and Debates of the General Assembly of Pennsylvania,
Volume 1, Philadelphia, 1787

#8 Table:

Speaker's Desk

Chair, east side of table:

Rising Sun Chair

Items on table:

Syng inkstand

Brass bell, mid-18th century

Book (closed):

Journals of the House of Representatives of the Commonwealth of Pennsylvania, Volume 1, Philadelphia, 1782

Two quills

Four sheets of blank paper, folded, taken from an old book

#9 Table:

Secretary's Desk

Chair, north side of table:

comb back Windsor armchair, black, circa 1750-1760

Chair, east side of table:

antique comb back Windsor armchair

Items on table:

Reproduction of pewter inkstand by Henry Will (1761-1793)

Book (closed):

The Acts of the Assembly of the Province of Pennsylvania, Philadelphia, 1775

Three sheets of blank paper, folded, taken from an old book

Four broadsides:

In Congress, Monday, June 12, 1775

In Congress, December 6, 1775

In Congress, March 23, 1776

In Congress, May 14, 1777

#10 Table:

pine tavern table, circa 1750-1760

Items on table:

Pair brass Queen Anne candlesticks, circa 1740

Pair brass Chippendale candlesticks, circa 1765-1775

Brass Chippendale candlestick, circa 1765-1775

18th century brass candlestick

Candle snuffer and tray

Candles in each candlestick

#11 Table:

modern wood, masonite top table

Chair, north side of table:

sack back Windsor armchair, unpainted, late 18th century

Chair, east side of table:

sack back Windsor armchair, unpainted, marked F[rancis]

T[rumble] [Philadelphia chairmaker, circa 1716-1798]

Chair, south side of table:

balloon back armchair, unpainted, marked John B Ackley [chairmaker, working in Philadelphia as early as 1790]

Items on table:

Book (closed):

Journals of Congress, Volume 1, Philadelphia, 1777

Book (closed):

The Journals of the Proceedings of Congress, January to May, 1776, Philadelphia, 1776

Newspaper:

The Pennsylvania Packet and Daily Advertiser, May 30, 1786

#12 Table:

modern wood, masonite top table

Chair, north side of table:

balloon back Windsor armchair, unpainted, marked J[ohn] Letchworth [Philadelphia chairmaker, born 1759, retired from business in 1805]

Chair, east side of table:

balloon back Windsor side chair, unpainted, marked A. Steel (no information) (antique)

Chair, south side of table:

sack back Windsor side chair, dark brown, marked F[rancis] Trumble [Philadelphia chairmaker, circa 1716-1798]

Items on table:

Book (closed):

Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, Philadelphia, 1755

Newspaper:

The Pennsylvania Packet and Daily Advertiser, June 13, 1786

Quill

Sheet of blank paper, folded, taken from an old book

#13 Table:

modern wood, masonite top table

Chair, north side of table:

antique sack back Windsor armchair, dark brown

Chair, south side of table:

antique sack back Windsor armchair, painted black

Items on table:

Pair of old glasses

Walking stick

Newspaper:

The Boston Gazette and Country Journal, December 20, 1779

Newspaper:

The Boston Gazette and Country Journal, February 22, 1799

Newspaper:

The Boston Evening Post, January 9, 1775

Two sheets of blank paper, folded, taken from an old book

- #14 Table:
modern wood, masonite top table
Chair, north side of table:
balloon back Windsor side chair, brown with mustard trim, marked R[obert] Gaw [Philadelphia chairmaker, working in 1796]
Chair, east side of table:
fan back Windsor side chair, dark brown, marked W[illiam] Cox [Philadelphia chairmaker, established in city 1767-1796]
Items on table:
Reproduction of pewter inkstand by Henry Will (1761-1793)
Quill
Book (closed):
Debates of the Convention of the State of Pennsylvania on the Constitution, Volume 1, Philadelphia, 1788
Sheet of blank paper, folded, taken from an old book
- #15 Table:
modern wood, masonite top table
Chair, north side of table:
reproduction of sack back Windsor chair, dark green
Chair, south side of table:
reproduction of sack back Windsor chair, dark green
Items on table:
Reproduction of pewter inkstand by Henry Will (1761-1793)
Quill
Two sheets of blank paper, folded, taken from an old book
- #16 Table:
antique poplar tavern-type table
Chair, north side of table:
reproduction of sack back Windsor chair, dark green
Chair, south side of table:
sack back Windsor armchair, brown; tradition states that chair was acquired by Conrad Ziegler in post-Revolutionary times, around 1800, at an auction supposedly held at Independence Hall.
Items on table:
Sheet of blank paper, folded, taken from an old book
Book (closed):
Federation of Women's Clubs Donation Book
Newspaper:
The Boston Evening Post, January 30, 1775

All tables and desks, with the exception of #10, are covered with green baize cloth.

Other items in the Assembly Room:

North wall:

Full-size half-tone reproduction of photograph of the Declaration
of Independence

Antique rectangular backed, long settee

Slat-back Pennsylvania armchair, circa 1750

North fireplace:

Pair antique brass andirons

East wall:

Replica of 13 star flag

South fireplace:

Pair antique brass andirons

South wall:

Slat-back Pennsylvania armchair, circa 1750

East wall:

Plaster adaptation of the Penn Coat of Arms, argent and sable

APPENDIX E

FURNISHINGS IN THE PARTIALLY RESTORED SUPREME COURT CHAMBER

Antique saw buck table (covered with green baize cloth)

Antique walnut tavern table

Items placed on above tables:

Three candlesticks:

Pair square base brass candlesticks, circa 1750

18th century brass candlestick

Two pewter inkstands, circa 1750

Antique brass inkwell and sander desk set

Brass sander, circa 1770

Quills

Sheets of blank paper, folded, taken from old books

Seven wood settees:

Five reproductions of sack back Windsor settees

Low back Windsor settee, circa 1770

Antique sack back Windsor settee

Two chairs:

18th century sack back Windsor armchair

Antique low back horseshoe Windsor chair

Framed copy of John Fischer's Pennsylvania Coat of Arms,
oil on pine panel

ILLUSTRATIONS

Part C
Illustration No. 1



"Congress Voting Independence,"
by Robert Edge Pine/Edward Savage.
Note windsor chairs, baize-covered
tables, venetian blinds, and the
location of the Speaker's dais.

Part C
Illustration No. 2



The Assembly Room in 1859, looking east. Courtesy of Library Company of Philadelphia.



The Assembly Room c. 1869, looking toward the southeast. Note the presence of the Speaker's chair and two "Justices' Chairs." Courtesy of the Historical Society of Pennsylvania.

Part C
Illustration No. 4



The Supreme Court Chamber, northeast corner, c. 1874. Courtesy of the Historical Society of Pennsylvania.

Part C
Illustration No. 5



Assembly Room, west wall, 1896. Note presence of "Signer's Chairs" collected by Frank M. Etting at the time of the Centennial observance.

Part C
Illustration No. 6



The "Rising Sun" or "Speaker's"
chair made by John Folwell in
1779-80.

Part C
Illustration No. 7



Windsor hoop back chair made
and signed by Francis Trumble
and now in the Independence
National Historical Park Col-
lection.

Part C
Illustration No. 8



Four views of a late 18th century
windsor chair found in Lititz,
Pennsylvania, and now in the Inde-
pendence National Historical Park
Collection.

Part C
Illustration No. 9

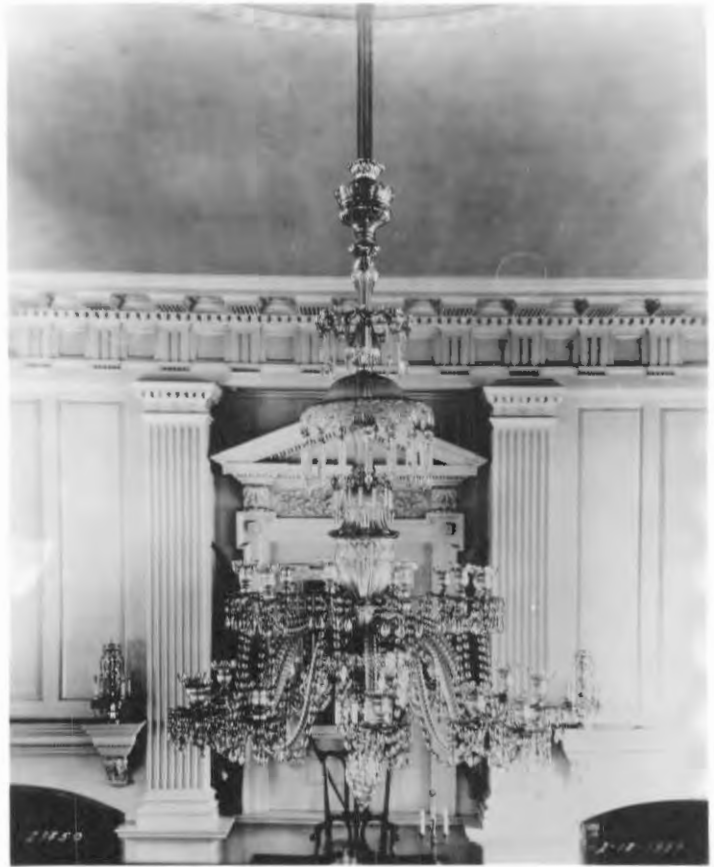


The inkstand made for the Speaker of the Pennsylvania Assembly by Philip Syng in 1752, and used in the signing of both the Declaration of Independence and the Constitution of the United States.



The restored bar in the Assembly
Room, taken on April 8, 1955.

Part C
Illustration No. 11



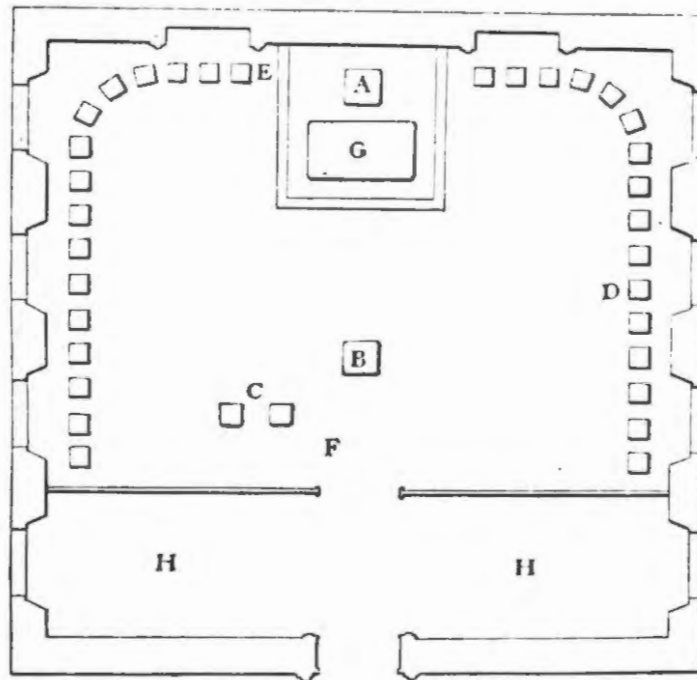
The Assembly Room chandelier
before its removal in 1955.



William Penn's coat of arms.

PLAN

*de la Sance du Congrès des États-Unis de l'Amérique)
lors de la remise des lettres de créance
du Ministre Plénipotentiaire du Roi.*



RENOI.

- A Fauteuil du Président?
- B Fauteuil du Ministre Plénipotentiaire.
- C Sièges du Comité
- D Membres du Congrès
- E Secrétaire du Congrès
- F Secrétaire de Légation?
- ou cortège de la
- G Table couverte d'un tapis vert
- H Public debout

Seating plan of the Assembly Room on August 6, 1778, when the French Minister Gerard presented his credentials to the Congress. Note the location and size of the Speaker's dais, and the position of the bar.

Part C
Illustration No. 14



Photo taken in 1952 showing the
Judges' Bench in the Supreme Court
Chamber as it was restored in 1898.



Photo taken c. 1874 showing the southeast corner of Supreme Court Chamber. Courtesy of the Historical Society of Pennsylvania.

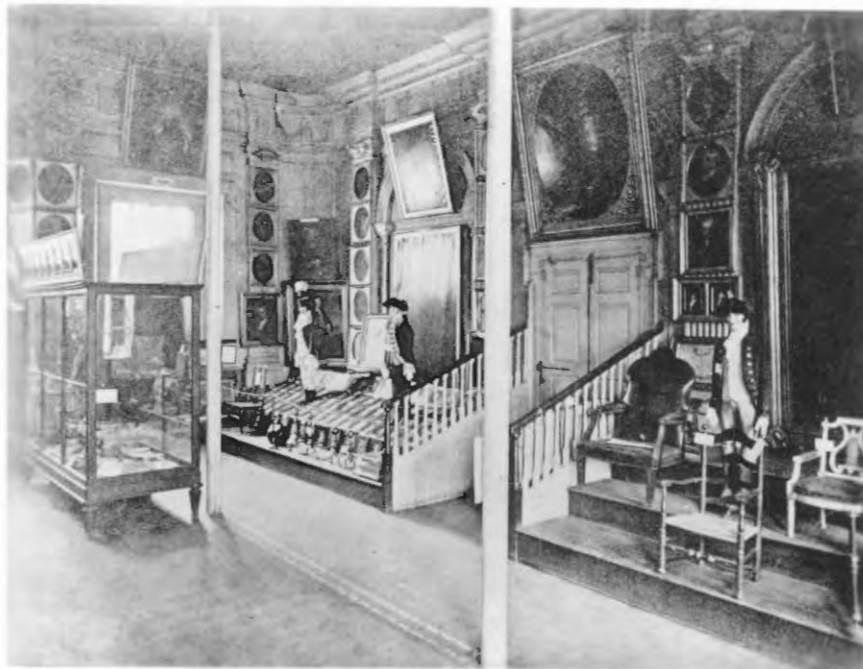


Photo taken in 1874 of the east
side of Supreme Court Chamber.
Note the gallery.



So-called Chief Justice of the Pennsylvania Supreme Court Chair, which Hornor states was made by Affleck for the United States Supreme Court. There are two of these chairs in the Independence National Historical Park Collection.



So-called Pennsylvania Supreme
Court Chair in the Independence
National Historical Park Col-
lection.



"Back of the State House - 1799," by William Birch. Note stove pipe running from west window of Supreme Court Chamber to second story flue, and door in west wall with steps leading down into the Square.



Anonymous water color of the York County
Court of Quarter Sessions in session, 1801.
Note coat of arms above bench, lawyers'
table, jury bench, and bar.