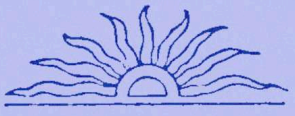
THE HISTORY

OF

THE SEAL

OF

THE UNITED STATES



WASHINGTON, D. C.
DEPARTMENT OF STATE
1909

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E PLURIBUS UNUM

THE HISTORY

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WASHINGTON, D. C.
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GOVERNMENT PRINTING OFFICE
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CONTENTS

		Page.
	Letter of Transmittal	5
I.	The First Device	7
II.	The Lovell Committee	18
III.	William Barton's Designs	23
IV.	The Secretary's Device	33
V.	The Arms Adopted	41
VI.	The Illegal Seal	48
VII.	The Third Seal	53
VIII.	The Fourth Seal	63
IX.	Uses of the Seal	65
	Glossary of Heraldic Terms	69
	Index	71

To the Honorable Philander C. Knox,
Secretary of State.

Sir: In 1892, when I was serving in your Department, by direction of Secretary James G. Blaine I prepared an

historical sketch of the seal of the United States, entitled "The Seal of the United States: How It was Developed and Adopted," which the Department printed. It was prepared in a given time and was meager; and since it appeared I have gathered additional information concerning the history of the seal, which I now have the honor to offer the Department, the edition of the monograph of 1892 being exhausted.

In 1897 Mr. Charles A. L. Totten published his two-volume work in New Haven, "Our Inheritance in the Great Seal of Manasseh, the United States of America: Its History and Heraldry; and Its Signification unto the 'Great People' thus Sealed;" and I take pleasure in acknowledging my indebtedness to Mr. Totten's book for much valuable information concerning the seal.

I have the honor to be, Sir,
Your obedient servant,
Gaillard Hunt,
Chief, Division of Manuscripts.

Library of Congress,
April 30, 1909.

THE SEAL OF THE UNITED STATES

I
THE FIRST DEVICE

Late in the afternoon of July 4, 1776, the Continental Congress "*Resolved*, That Dr. Franklin, Mr. J. Adams and Mr. Jefferson be a committee to prepare a device for a Seal of the United States of America,"[1] this being the same committee, except for the omission from it of Robert R. Livingston and Roger Sherman, which had drawn up the Declaration of Independence. The Declaration had been signed about 2 o'clock in the afternoon, and the members of the Congress assembling after dinner[2] desired to complete the evidences of the independence of the United States by formally adopting an official sign of sovereignty and a national coat of arms. It was intended that the device for the seal should be the device for the national arms, and the first and each

succeeding committee having the business in charge construed its duty to be to devise the arms by devising the seal. In making the two identical the prevailing custom was observed, for seals are deemed proof of the coats of arms of the states or individuals using them. The great seal of France at the time the Declaration of Independence was signed contained as the obverse the arms of France, and upon the silver box containing the great seal of England when it was attached to a treaty was engraved the arms of England.[3] The great seal of England was itself, however, an exception to the general rule, as it did not at that time, nor for many years later, contain the arms of the Kingdom; but on the obverse the figure of the King on horseback and on the reverse of the King seated on the throne.[4]

The committee to design the arms of the new nation had no national precedent to follow, for the arms of a kingdom are nearly always those of the sovereign or his family, and the new Republic could accept no individual's arms. The several colonies, however, each had a seal, and these, as they were generally significant and simple, would have been a fair guide to the exigencies of a national seal. The members of the committee, however, had an idea that an allegorical picture significant of the fortunes and destiny of the United States would be more appropriate; but as none of them could draw they called into consultation Eugène Pierre Du Simitière, a West Indian Frenchman who lived in Philadelphia and had a reputation as an artist and author. John Adams, in a letter to his wife, August 14, 1776, told the story of the committee's efforts to make the seal:

> [Du Simitière is] a painter by profession, whose designs are very ingenious, and his drawings well executed. He has

been applied to for his advice. I waited on him yesterday, and saw his sketches. * * * For the seal he proposes the arms of the several nations from whence America has been peopled, as English, Scotch, Irish, Dutch, German, etc., each in a shield. On one side of them, Liberty with her pileus, on the other, a rifler in his uniform, with his rifle-gun in one hand and his tomahawk in the other; this dress and these troops with this kind of armor being peculiar to America, unless the dress was known to the Romans. * * * Dr. F. proposes a device for a seal: Moses lifting up his wand and dividing the Red Sea, and Pharaoh in his chariot overwhelmed with the waters. This motto, "Rebellion to tyrants is obedience to God."

Mr. Jefferson proposed the children of Israel in the wilderness, led by a cloud by day and a pillar of fire by night; on the other side, Hengist and Horsa, the Saxon chiefs from whom we claim the honor of being descended, and whose political principles and form of government we have assumed. I proposed the choice of Hercules, as engraved by Gribelin, in some editions of Lord Shaftesbury's works. The hero resting on his club. Virtue pointing to her rugged mountain on one hand, and persuading him to ascend. Sloth, glancing at her flowery paths of pleasure, wantonly reclining on the ground, displaying the charms both of her eloquence and person, to seduce him into vice. But this is too complicated a group for a seal or a medal, and it is not original.[5]

Adams's statement is corroborated by the notes preserved by Jefferson and now among his papers in the Library of Congress. Franklin's note reads:

Moses standing on the Shore, and extending his Hand over the Sea, thereby causing the same to overwhelm Pharoah who is sitting in an open Chariot, a Crown on his Head and a Sword in his Hand. Rays from a Pillar of Fire in the Clouds reaching to Moses to express that he acts by Command of the Deity.

Motto, Rebellion to Tyrants is Obedience to God.

Jefferson's note says:

Pharoah sitting in an open chariot, a crown on his head and a sword in his hand passing thro' the divided waters of the Red Sea in pursuit of the Israelites: rays from a pillar of fire in the cloud, expressive of the divine presence and command, reaching to Moses who stands on the shore and, extending his hand over the sea, causes it to over whelm Pharoah.

Motto Rebellion to tyrants is obed^{ce}. to god.[6]

Adams's own design was, as he says, that of the engraving by Gribelin, Paulo de Mathæis, artist, which appeared as frontispiece to the Earl of Shaftesbury's Treatise VII, Vol. III, edition of 1773, on the Characteristics of Men, Manners, Opinions, and Times.[7] It is a fine allegorical picture and Adams gives a good description of it in his letter, but it is wholly unsuited to a coat of arms. In this respect, however, the pictures suggested by Franklin and Jefferson were no better. In Du Simitière's final design, which was the best of the four, the Goddess of Justice was substituted for the American rifleman as the sinister supporter, and Franklin's suggestion was accepted for the reverse.

The committee reported August 20:[8]

The great Seal should on one side have the Arms of the United States of America which arms should be as follows: The Shield has six Quarters,[9] parti one, coupé two. The 1st. Or, a Rose enamelled gules & argent for England: the 2^{d}. Argent, a Thistle proper for Scotland: the 3^{d}. Verd, a Harp Or, for Ireland: the 4th. Azure a Flower de Luce Or for

France: the 5th. Or the Imperial Eagle Sable for Germany: and the 6th. Or the Belgic Lion Gules for Holland, pointing out the Countries from which these States have been peopled. The Shield within a Border Gules entoire of thirteen Scutcheons Argent linked together by a Chain Or, each charged with initial Letters Sable as follows: 1st. N. H. 2d. M. B. 3d. R. I. 4th. C. 5th. N. Y. 6th. N. J. 7th. P. 8th. D. C. [10] 9th. M. 10th. V. 11th. N. C. 12th. S. C. 13th. G. for each of the thirteen independent States of America.

Supporters, dexter the Goddess Liberty in a corselet of armour alluding to the present Times, holding in her right Hand the Spear and Cap and with her left supporting the Shield of the States; sinister, the Goddess Justice bearing a Sword in her right hand, and in her left a Balance.

Crest The Eye of Providence in a radiant Triangle whose Glory extends over the Shield and beyond the Figures.

Motto E PLURIBUS UNUM.

Legend, round the whole atchievement. Seal of the United States of America MDCCLXXVI.

On the other side of the said Great Seal should be the following Device. Pharaoh sitting in an open Chariot, a Crown on his head and a Sword in his hand passing through the divided Waters of the Red Sea in pursuit of the Israelites; Rays from a pillar of Fire in the Cloud, expressive of the divine Presence and Command, beaming on Moses who stands on the Shore and extending his hand over the Sea causes it to overwhelm Pharaoh.

Motto Rebellion to Tyrants is Obedience to God.[11]

This is endorsed, “Copy of a Report made Aug. 10, 1776,” and is in the handwriting of no member of the committee, but of James Lovell.

The description of the arms by Du Simitière is among the Jefferson Papers in the Library of Congress, and shows a design identical with that approved by the committee, except as to the

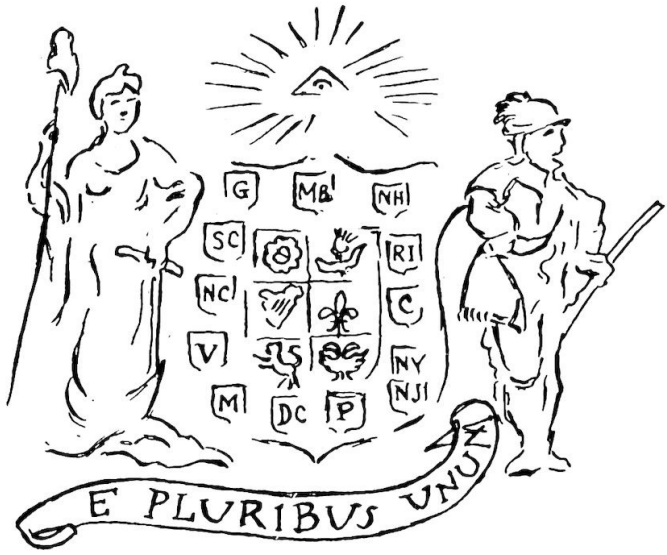
supporters, Du Simitière's description being:

Supporters, dexter, the Goddess Liberty, in a corslet of armour, (alluding to the present times) holding in her right hand the Spear and Cap, resting with her left on an anchor, emblem of Hope. Senester, an american Soldier, compleatly accoutred in his hunting shirt and trousers, with his tomahawk, powder horn, pouch &c. holding with his left hand his rifle gun rested, and the Shield of the States with his right.



Reverse

[Drawing by Benson J. Lossing from the description]



Obverse

[The pencil sketch by Du Simitière, found in the Jefferson Papers]

THE FIRST DESIGN

Face p. 12

A note following the report says: “The figure of Liberty standing on a Column, on which are the emblems of commerce, agriculture and arms.”

Two features alone of the designs of this committee were preserved in the final seal, the eye of Providence, which figured in the final reverse, and the motto “E pluribus unum,” which appeared in the

final obverse. The eye was an adoption of a very ancient symbol of the overseeing God. It was probably suggested by Du Simitière himself, since Adams does not mention it as having been proposed by any member of the committee.

The motto formed a part of Du Simitière's design, but has been generally attributed to Jefferson.[12] Adams's letter shows nothing to suggest the possibility that he himself chose the motto; on the contrary, his mind was full of a moral rather than a political allegory for the arms. Jefferson's mind had, on the other hand, already been engaged on the subject of a suitable device for a seal to express the idea of weakness in separation of the States and power in their combination. In 1774 he made this note in his almanac:

> A proper device (instead of arms) for the American states united would be the Father presenting the bundle of rods to his sons.
>
> The motto "Insuperabiles si inseperabiles" an answer given in parl[iament] to the H[ouse] of Lds, & comm[ons]. [13]

Jefferson's preference for a "device" rather than a coat of arms was due to the fact that he thought more allegorical meaning could be obtained by using the former. The idea he wished to convey was from one of Æsop's fables. A father called his family of discordant sons about him, and taking a bundle of rods bound compactly together bade each one try to break it, which none could do. He then gave each one a single rod from the bundle and they were broken easily.

The motto "E pluribus unum"[14] was in familiar

use in the United States and naturally suggested itself as a fitting description of the union of the States depicted in Du Simitière's design.

Franklin suggested the motto "Rebellion to tyrants is obedience to God," which, as we have seen, was incorporated in the proposed reverse of the seal. It so much pleased Jefferson that he took it as his own motto, and had it cut upon his private seal. It was current in the colonies as part of a fictitious epitaph over the body of John Bradshaw, president of the court which condemned Charles I to death.

Thomas Hollis, of England, born in London in 1720, and one of the early patrons of Harvard College, in his memoirs, states:[15]

> The following Epitaph is often seen pasted up in the houses in North America. It throws some light upon the principles of the people, and may in some measure account for the asperity of the war carrying on against them. The original is engraved upon a cannon at the summit of a steep hill near Martha Bray [Bay] in Jamaica:
>
> STRANGER
>
> Ere thou pass, contemplate this cannon,
> Nor regardless be told
> That near its base lies deposited the dust
> Of JOHN BRADSHAW;
> Who, nobly superior to selfish regards,
> Despising alike the pageantry of courtly splendor,
> The blast of calumny,
> And the terrors of royal vengeance,
> Presided in the illustrious band of Heroes and Patriots,
> Who fairly and openly adjudged
> CHARLES STUARD
> Tyrant of England
> To a public and exemplary death;
> Thereby presenting to the amazed world,

And transmitting down through applauding ages,
The most glorious example
Of unshaken virtue,
Love of Freedom,
And impartial justice,
Ever exhibited on the blood-stained theater
Of human actions.
Oh, Reader,
Pass not on, till thou hast blest his memory!
And never, never forget,
That REBELLION TO TYRANTS
IS OBEDIENCE TO GOD.

A copy of this supposititious epitaph, in Jefferson's handwriting, was given to his young friend, De Lyon, one of the Frenchmen who was with Lafayette on his tour of America in 1824. The manuscript was dated 1776, and stated that the inscription had been found three years earlier on the cannon at Martha Bay, Jamaica. A note, evidently by Mr. Jefferson himself, his biographer states, says:

> From many circumstances there is reason to believe there does not exist any such inscription as the above, and that it was written by Dr. Franklin, in whose hands it was first seen.[16]

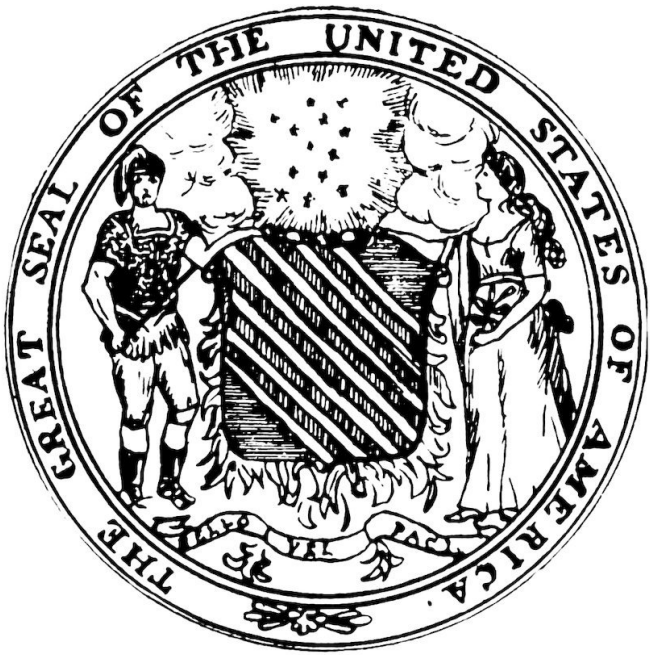
Although Du Simitière, as it would appear from John Adams's letter, drew his designs for the committee, they were not preserved among the papers of Congress, a very slight pencil sketch of his proposed obverse found among Jefferson's papers being all that remains. The committee's report was laid upon the table, and for nearly four years the United States existed without a coat of arms and Congress did business without an official seal.

II
THE LOVELL COMMITTEE

On June 14, 1777, Congress adopted the national flag of thirteen stripes, alternate red and white, with a union of thirteen white stars upon a blue field, “representing,” as the law said, “a new constellation.” The flag had actually come into use in the army some months before it received legal sanction, its chief features probably suggested by the Dutch standard. The red denoted daring, the white purity, and the stars the States in union.[17]



Reverse



Arms

DESIGNS OF THE SECOND COMMITTEE

[Reduced one-half]

Face p. 19

The American minister to France, Silas Deane, complained of the informality and impropriety of the representatives of the sovereignty of a nation being without a seal with which to authenticate their official acts, but the subject was treated with indifference. On January 23, 1777, a committee appointed to examine the files of Congress, William Ellery of Rhode Island, chairman, selected certain

papers which it thought required the consideration of Congress—among them the "Report on a Device for a public seal"[18]—but it was not until March 25, 1780, that the report was taken up again, when James Lovell of Massachusetts, John Morin Scott of Virginia, and William Churchill Houston of New Jersey were appointed a committee to report a design for a great seal, and to them was referred the report of the first committee. The chairman of the committee and the most important member was Lovell. He was a Boston school-teacher and a graduate of Harvard College. Being imprisoned by the British after the battle of Bunker Hill, he was later exchanged and entered Congress in December, 1776, where he served till 1782, being for a long time on the Committee of Foreign Affairs. While serving on this committee he must have received Deane's complaint that Congress had no seal. Lovell was regarded as a man of great learning, but was extremely eccentric in his manners and speech.[19] The committee reported May 10:

The Coñittee to whom was referred on the 25th of March last the report of a former Coñittee on the Device of a Great Seal for the United States in Congress assembled, beg Leave to report the following Description.

The Seal to be 3 Inches in Diametre

On one Side the Arms of the United States, as follows; The Shield charged on the Field Azure with 13 diagonal Stripes alternate rouge and argent—Supporters; dexter, a warriour holding a Sword; sinister, a Figure, representing Peace bearing an Olive Branch—The Crest—a radiant constellation of 13 Stars—The motto *Bello vel Paci*; The Legend round the Atchievement—The great *Seal of the United States of America*

On the reverse, The Figure of Liberty seated in a Chair holding the Staff and Cap—The motto *virtute perennis*—

underneath, MDCCLXXVI.

A Drawing of the Seal is annexed—

May 10th 1780—

A Miniature of the Face of the great Seal to be prepared of Half the Diametre, to be affixed as the less Seal of the United States.

The report is endorsed, “Report of the Comeee. on the device of a great Seal—Delivered May 10, 1780 read—May 17, 1780 Recommitted. N. B. The within report has been altered since the Recommitment of May 17, 1780,” the endorsement being in the handwriting of Charles Thomson, the Secretary of Congress, except the note, which is in the same hand as the report, apparently,[20] that of Houston; but the motto *virtute perennis* in the report is in Thomson’s hand. The committee submitted designs of both obverse and reverse. The more finished of those for an obverse has the stripes alternate white and red, whereas the report called for red and white. A second and rougher design shows a slightly different arrangement of the constellation, a helmet as a crest, which is struck out as unsatisfactory, and a shield with alternate *red* and *white* stripes. For dexter supporter there is a naked Indian carrying in his right hand a bow and arrow.

Two drawings were made for the reverse, the differences between them not being great. In one the figure carries in her left hand a sword instead of an olive branch, and at the bottom is the date MDCCLXXX, while at the top the motto, “Aut haec aut nullus,” has a line drawn through it; another has over the top outside the circle the words “Libertas virtute perennis,” a line having been drawn through the word “Libertas;” within the circle is the word

Semper struck out and the date is MDCCLXXVI. Underneath is this fragment of a note: “a rough Sketch of the Design & Decorations by the ——.”

The report of this committee is important, because it shows for the first time the use of the constellation of thirteen stars, the shield, and the white and red and red and white stripes. The stripes and stars had undoubtedly been adopted from the flag. In these designs appears for the first time the olive branch as an emblem of peace.

III
WILLIAM BARTON'S DESIGNS

The report of the Lovell committee met with the same fate as the report of the first committee. It was recommitted, and nothing further was done until May, 1782, when Arthur Middleton of South Carolina, Elias Boudinot of New Jersey, and Edward Rutledge of South Carolina were appointed a committee to design a seal. The two South Carolinians were men of foreign education, and a cultivated gentleman in those days usually had some knowledge of heraldry. Boudinot had an interest in coins and medals, it is presumed, as he was appointed Director of the Mint at Philadelphia in 1795. This committee did no independent labor of a serious character, but called into consultation William Barton, A. M., a private citizen of Philadelphia. He was the son of Rev. Thomas Barton, rector of St. James Episcopal Church, his mother being a sister of the famous David Rittenhouse,[21] and in 1813 he published a memoir of Rittenhouse. He was also the author of a monograph on the nature and use of Paper Credit, etc. (Philadelphia, 1781). The reasons which prompted the committee to go to him are not known. It is evident, however, that he had studied heraldry, and his drawings show that he

was ingenious in the use of his pencil. From the time he first appears in connection with the seal he is the central figure, until he divides the honors with the Secretary of Congress, Charles Thomson.

Rutledge's connection with the committee was never active, and Arthur Lee, who had recently returned from France, acted with it, although never formally assigned as a member.

Barton's first design for the seal was as follows:

A Device for an *Armorial Atchievement*, for the Great Seal of the United States of America, in Congress assembled; agreeable to the Rules of Heraldry:—proposed by William Barton, A. M.

Arms.

Barry of thirteen pieces, Argent & Gules; on a Canton, Azure, as many Stars disposed in a Circle, of the first: a Pale, Or, surmounted of another, of the third; charged, in Chief, with an Eye surrounded with a Glory, proper; and, in the Fess-point, an Eagle displayed, on the Summit of a Doric Column which rests on the Base of the Escutcheon, both as the Stars.

Crest.

On an Helmet of burnished Gold damasked, grated with six Bars, and surmounted of a Cap of Dignity, Gules, turned up Ermine, a Cock armed with Gaffs, proper:

Supporters

On the dexter Side: the Genius of America (represented by a Maiden with loose Auburn Tresses, having on her Head a radiated Crown, of Gold, encircled with a Sky-blue Fillet Spangled with Silver Stars; and clothed in a long, loose, white garment, bordered with Green: from her right Shoulder to her left Side, a Scarf semé of Stars, the Tinctures thereof the same as in the Canton; and round her Waist a purple Girdle fringed or; embroidered, Argent, with the Word "Virtue":)—resting her interior Hand on the Escutcheon; and holding in the other the proper *Standard of the United States*, having a Dove, argent, perched on the Top of it.

On the sinister side: a Man in complete Armour; his Sword-belt, Azure, fringed with Gold; his Helmet encircled with a Wreath of Laurel, and crested with one white & two blue Plumes: supporting with his dexter Hand the Escutcheon, and holding, in the exterior, a Lance with the point sanguinated; and upon it a Banner displayed, Vert,—in the Fess-point an Harp, or, stringed with Silver, between a Star in Chief, two Fleurs-de-lis in Fess, and a pair of Swords in Saltier, in Base, all Argent. The Tenants of the Escutcheon stand on a Scroll, on which the following Motto—

"Deo favente"—

which alludes to the *Eye* in the Arms, meant for the Eye of Providence.

Over the Crest, in a Scroll, this Motto—

"Virtus sola invicta"—

which requires no comment.

The thirteen pieces, barways, which fill up the Field of the Arms, may represent the several States; and the same Number of Stars upon a blue Canton, disposed in a Circle, represent a new Constellation, which alludes to the new Empire, formed in the World by the Confœderation of those States—Their Disposition, in the form of a circle, denotes the Perpetuity of its Continuance, the Ring being the Symbol of Eternity. The Eagle displayed is the Symbol of Supreme Power & Authority, and signifies the Congress;

the Pillar, upon which it rests, is used as the Hieroglyphic of Fortitude & Constancy; and, it's being of the Doric Order, (which is the best proportioned & most agreeable to Nature,) & composed of several Members or parts, all, taken together, forming a beautiful Composition of Strength, Congruity & Usefulness, it may with great propriety signify a well planned Government. The Eagle, being placed on the Summit of the Column, is emblematical of the Sovereignty of the Government of the United States; and, as further expressive of that Idea, those two Charges or Figures are borne on a Pale, which extends across the thirteen pieces into which the Escutcheon is divided. The Signification of the Eye has been already explained.

The Helmet is such as appertains to Sovereignty; and the Cap is used as the Token of Freedom & Excellency: It was formerly worn by Dukes "because," says Guillim, "*they Had a more worthy Government than other Subjects*."—The Cock is distinguished for two most excellent Qualities, Necessary in a free Country, viz. *Vigilance & Fortitude*.

The Genius of the American confœderated Republic is denoted by her blue Scarf & Fillet, glittering with Stars, and by the Flag of Congress which she displays. Her Dress is white edged with green; Colours emblematical of Innocence and Youth. Her *purple* Girdle & radiated *Crown* indicate her Sovereignty: the Word "*Virtue*" on the former is to show, that *that* should be her principal Ornament; and the *radiated* Crown, that no *Earthly* Crown shall rule her. The Dove on the Top of the American Standard denotes the Mildness & Lenity of her Government.

The Knight in Armour with his bloody Lance represents the Military Genius of the American Empire, armed in Defence of its just Rights. His *blue* Belt & *blue* Feathers indicate his Country, & the *white* Plume is in Compliment to our gallant Ally. The Wreath of Laurel round his Helmet is expressive of his Success. The *Green* Field of the Banner denotes Youth and Vigor; the Harp is emblematical of the several States acting in Harmony & Concert; the Star, *in Chief*, has reference to America, *as principal* in the Contest; the two Fleurs-de-lis are borne as a grateful[22] Testimonial

of the *Support* given to her by France; and the two Swords, crossing each other, signify a State of War. This Tenant & his Flag relate, totally, to America at the Time of her *Revolution*.

WILLIAM BARTON.

This, the first device of Barton, was not illustrated, and his second device, of which he offered a colored drawing, differed from it in that he transferred the eye to the reverse and the eagle from the summit of the column to the crest, thereby eliminating the cock. He put at the summit of the column a phœnix rising from the flames, left out the American flag from the dexter supporter's hand, and changed the sinister supporter from a warrior in armor to one in continental uniform, holding in his hand a baton instead of a lance. He also left out the harp and the fleur-de-lis and transferred the motto to the reverse. The fleur-de-lis was proposed to commemorate the alliance with France, this being the only report in which the alliance figured. The design is important, because it establishes the fact that the idea had become fixed of having in the seal the thirteen stars, the blue field, and thirteen stripes of red and white or white and red. In this design appears for the first time the eagle.

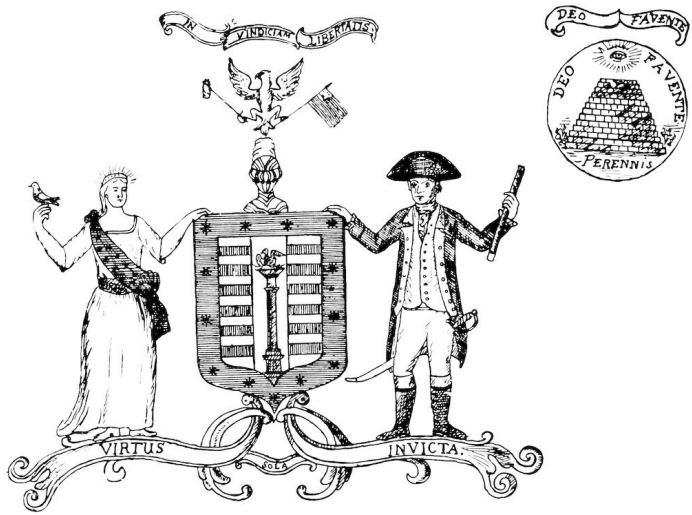
Barton's second design was addressed to "The Hon^{ble}. Elias Boudinot, Esq^{r}. & Arthur Lee Es^{q}. In Congress."

Device for an Armorial Atchievement & Reverse of a Great Seal, for the United States of North America: proposed by William Barton, Esq^{r}. A. M.—

Blazoned according to the Laws of Heraldry—

Arms.

Barry of thirteen pieces, Argent & Gules; on a pale, Or, a Pillar of the Doric Order, Vert, reaching from the Base of the Escutcheon to the Honor point; and from the Summit thereof, a Phœnix in Flames with Wings expanded, proper; the whole within a Border, Azure, charged with as many Stars as pieces barways, of the first.



WILLIAM BARTON'S SECOND DESIGN

[Traced from the original and reduced one-half]

Face p. 28

Crest.

On a Helmet of Burnished Gold, damasked, grated with six Bars, a Cap of Liberty, Vert; with an Eagle displayed,

Argent, thereon: holding in his dexter Talon a Sword, Or, having a Wreath of Laurel suspended from the point; and, in the sinister, the Ensign of the United States, proper.

Supporters.

On the dexter side, the Genius of the American Confederated Republic: represented by a Maiden, with flowing Auburn Tresses; clad in a long, loose, white Garment, bordered with Green; having a Sky-blue Scarf, charged with Stars as in the Arms, reaching across her Waist from her right Shoulder to her left Side; and, on her Head, a *radiated* Crown of Gold, encircled with an Azure Fillet spangled with Silver Stars; round her Waist a purple Girdle, embroidered with the Word "Virtus", in Silver:—a Dove, proper, perched on her dexter Hand.

On the sinister side, an American Warrior; clad in an uniform Coat, of blue faced with Buff, and in his Hat a Cockade of black & white Ribbons; in his left Hand, a Baton Azure, semé of Stars Argent.

Motto, over the Crest—

"*In Vindiciam Libertatis*"

Motto, under the Arms—

"*Virtus sola invicta*"

Reverse of the Seal.

A Pyramid of thirteen Strata, (or Steps) Or. In the Zenith; an Eye, surrounded with a Glory, proper.

In a Scroll, above—or in the Margin

"*Deo favente*"

The Exergue

"*Perennis*"

Remarks.

The Imperial Eagle of Germany (which is sable, and with two Heads) is represented with a Sword in one Talon, and a Sceptre in the other.

The Phœnix is emblematical of the expiring Liberty of Britain, revived by her Descendants in America.

The Dove (perched on the right Hand of the Genius of America) is Emblematical of Innocence and Virtue.

The Sword (held by the Eagle) is the Symbol of Courage, Authority & Power. The Flag or Ensign denotes the United States of America, of the sovereignty of which the Eagle is expressive.

The Pillar is the Hieroglyphic of Constancy & Fortitude; and is likewise emblematical of Beauty, Strength & Order.

The Pyramid signifies Strength & Duration.

The other parts have been explained.

The Armorial Atchievements of Sovereign Princes & States are usually blazoned by the planets, to represent the Colours; but that mode is purposely deviated from, being condemned by the best Heralds.

The committee adopted this complicated design and reported it to Congress May 9, 1782, but Congress was not satisfied with it, and on June 13 it was referred to the Secretary of Congress.

The endorsement on Barton's design is in Thomson's hand, except the last sentence, "Passed," etc.:

N^{o}. 26—Report of M^{r}. Middleton M^{r}. Boudinot M^{r}. Rutledge. Device of a Seal Ent^{d}. May 9, 1782 June 13–1782 Referred to the Sec^{y} of the United States in Congress Assembled to take order. Passed June 20 1782.

The number on the report had reference to the arrangement of papers in the Secretary's office. The

words “Passed June 20 1782,” had reference to the later design.

It should be noticed that Barton termed the description of his device a “blazon”—that is, a verbal description so precise that a person understanding heraldry would be able to draw and color the arms correctly. All of the other reports on the seal were blazons also, thus showing the purpose of making an illuminated arms.

Barton’s design for the obverse, as he drew it for the committee, was 9½ inches by 8 inches large, and the reverse 2½ inches in diameter, and both were in colors, the coloring following the description correctly, and the lettering and scroll work being in black and white. The circumstances under which Barton was called upon to submit his final design were noted by him in a memorandum which he left among his papers:

> In June, 1782 [he says] when Congress was about to form an armorial device for a Great Seal for the United States, Charles Thomson, Esq., then Secretary of Congress, with Hon. Arthur Lee and Elias Boudinot, member of Congress, called on me and consulted me on the occasion. The Great Seal, for which I furnished these gentlemen with devices (as certified by Charles Thomson, Esq.), was adopted by Congress on the 20th of June, 1782. Mr. Thomson informed me, four days after, that they met with general approbation.
>
> W. BARTON.[23]

IV
THE SECRETARY'S DEVICE

Barton's elaborate design fixed the reverse, but that part of the seal does not appear to have caused much discussion. For the obverse it produced the displayed eagle, but Barton's eagle was crested and not the American or bald-headed eagle.

The whole matter now having by order of Congress come into the hands of Charles Thomson, he took a radical departure from all previous designs. Putting the eagle as the central figure of his design, he specified that it be an American eagle, rising, not displayed. As emblematic of the war power he put in the sinister talon a bundle of arrows, where Barton had put the American flag, introducing the arrows into the seal for the first time. To picture peace he put in the eagle's dexter talon an olive branch which had figured in the device of the second committee, instead of Barton's sword and wreath of laurel. For the crest he used the constellation of thirteen stars surrounded by clouds, as in the second committee's report, and arranged the red and white stripes, which the second committee had made diagonal and Barton horizontal, in chevrons, one side of red and white, the other of white and red. From the report of the first committee he took the motto "E pluribus

unum." He made or had made a rough drawing of his device, which was colored. It was almost 4 inches in diameter. For the reverse he adopted Barton's device, changing only the mottoes. These were from Virgil, "Audacibus annue cœptis" (favor my daring undertaking), being found in the Æneid, book 9, verse 625 (also in the Georgics, 1, 40), and "Magnus ab integro seclorum nascitur ordo" (the great series of ages begins anew), coming from the fourth eclogue, fifth verse. Although the form "seclorum" was adopted, the more approved spelling is "sæclorum."[24]

The report which follows is entirely in Thomson's handwriting and is endorsed by him "The Secretary's device:"

Device for an Armorial Atchievement and Reverse of a great Seal for the United States in Congress Assembled.

Arms.

On a field Chevrons composed of seven pieces on one side & six on the other, joined together at the top in such wise that each of the six bears against or is supported by & supports two of the opposite side the pieces of the chevrons on each side alternate red & white. The shield born on the breast of an American Eagle on the Wing & rising proper. In the dexter talon of the Eagle an Olive branch & in the sinister a bundle of arrows. Over the head of the Eagle a constellation of Stars surrounded with bright rays and at a little distance clouds.



CHARLES THOMSON'S DESIGN

[Traced from the original]

Face p. 34

In the bill of the Eagle a scroll with the words E pluribus unum.—

Reverse

A pyramid unfinished

In the Zenith an Eye in a triangle surrounded with a glory, proper.

Over the eye these words

Annuit cœptis

On the base of the pyramid the numerical letters

MDCCLXXVI

and underneath these words

Novus ordo seclorum.

N. B. the Head & tail of the American bald Eagle are white the body & wings of a lead or dove colour.

This design of Thomson's was returned to Barton, who changed it by inserting pales for the chevrons, the colors alternating white and red, with a blue chief. He restored the displayed eagle as in his own design and specified that the bundle of arrows should contain thirteen. He also recommended that in the exergue should be the date of American independence and in the margin a Latin legend, "Sigul. Mag. Reipub. Confœd.," but in the final design this was left out. The report was written by Barton and is endorsed by Thomson, "M[r]. Barton's improvement on the Secretary's device."

Device for an Armorial Atchievement for the United States of North America, blazoned agreeably to the Laws of Heraldry—proposed by Wm. Barton, A. M.

Arms.

Paleways of [25]thirteen pieces, Argent & Gules; a Chief Azure:—The Escutcheon placed on the Breast of an American (the bald-headed) Eagle, displayed, proper; holding in his Beak a Scroll, inscribed with this Motto, viz.

"E pluribus Unum"—

And in his dexter Talon a Palm or an Olive Branch—in the other a Bundle of 13 Arrows; all proper.

For the Crest.

Over the Head of the Eagle, which appears above the Escutcheon, a Glory, Or; breaking through a Cloud, proper, and surrounding thirteen Stars forming a Constellation, Argent, on an Azure Field.

In the Exergue of the Great Seal—

"Jul. iv. MDCCLXXVI"—

In the Margin of the same—

"Sigil. Mag. Reipub.

"Confœd. Americ."

Remarks.

The Escutcheon is composed of the Chief & Pale, the two most honorable ordinaries: the latter represent the several States; all joined in one solid, compact Entire, supporting a Chief, which unites the whole & represents Congress—The Motto alludes to this Union.—The Colours or Tinctures of the Pales are those used in the Flag of the United States—White signifies Purity & Innocence; Red, Hardiness & Valour. The Chief denotes Congress—Blue is the Ground of the American uniform, and this Colour signifies Vigilance, Perseverance & Justice.

The Meaning of the Crest is obvious, as is likewise that of the Olive Branch & Arrows.

The Escutcheon being placed on the Breast of the Eagle displayed is a very antient Mode of bearing, & is truly imperial. The Eagle *displayed* is an Heraldical Figure; and, being borne in the Manner here described, supplies the Place of Supporters & Crest. The American States need no Supporters but their own Virtue, and the Preservation of their Union through Congress.—The Pales in the Arms are kept closely united by the Chief, which last likewise depends on that Union & the Strength resulting from it, for

its own Support—the Inference is plain.

W. B.

June 19th. 1782

This report originated from two sources, Thomson and Barton, and the agency of each is clearly defined. The distinction of producing the arms of the United States can not justly be accorded wholly to either, but belongs wholly to both, with the larger share of distinction to the Secretary, Charles Thomson.

On June 24, four days after the seal had been adopted, Thomson wrote to Barton:

I enclose you a copy of the device by which you have displayed your skill in heraldic science, and which meets with general approbation.

The chief change made by Barton in Thomson's design was in the substitution for the chevrons of thirteen pales, alternate white and red, with a blue chief, and this has been often attributed, without adequate warrant, to an outside source, which deserves to be noticed.

Sir John Prestwich was a distinguished English antiquary and a friend of the American Revolution. He enjoyed an acquaintance with John Adams when the latter was on his foreign mission in 1779, and they conversed on the subject of the seal, in which Adams, of course, took an interest, as he had been on the first committee to design it. It appears that Sir John made certain suggestions for a design which were afterwards enlarged into a claim by others that

he had made the design of the arms which was finally adopted. Sifting from the question the conjecture and inference surrounding it one fact is important. It is set forth by the historian Benson J. Lossing in the Field Book of the American Revolution and War of 1812:[26]

> In the manuscript letter before me [he says], written in 1818 by Thomas Barritt, Esq., an eminent antiquary of Manchester, England, addressed to his son in this country, is the following statement: "My friend, Sir John Prestwich, Bart., told me he was the person who suggested the idea of a coat of arms for the American States to an embassador [John Adams] from thence, which they have seen fit to put on their moneys. It is this, he told me—party per pale of thirteen stripes, white and red, the chief of the escutcheon, blue, signifying the protection of Heaven over the States.—He says it was soon after adopted, as the arms of the States, and to give it more prominence was placed upon the breast of a displayed eagle."

There is no claim here that Sir John Prestwich suggested the eagle as an emblem, or the placing of the shield upon the eagle's breast, but simply the pales and the chief. The theory is that Adams communicated this suggestion to Charles Thomson, who engrafted it upon his own and Barton's designs. But it must be remembered that two shields were already on the files of Congress, with alternate red and white, or white and red, stripes, and Barton's first design had bars of the same colors. Prestwich's suggestion was, therefore, no more than that they be perpendicular instead of diagonal or parallel, and that the chief be blue; but in the device submitted by the committee of 1780 the diagonal stripes were charged upon a *field azure*. Sir John Prestwich, of

course, knew nothing of these designs, and his statement after the seal was adopted was made in ignorance of the fact that the essentials of his suggestion were already before Congress.[27] That his suggestion influenced the final result even in the slight degree possible, seems improbable. Why did Thomson, with the Prestwich suggestion before him, make his first shield of chevrons, which Barton, it appears, changed to pales? Thomson may have told Barton of the Prestwich design, but what is more natural than that Barton should try of his own initiative the only new arrangement of the stripes that was left to try? Diagonal stripes, bars, chevrons, had all figured in designs and had not given satisfaction. Pales were then drawn and proved acceptable.

V
THE ARMS ADOPTED

On June 20, 1782, the seal was finally decided upon.

On report of the secretary, to whom were referred the several reports on the device for a great seal, to take order:

The device for an armorial achievement and reverse of the great seal for the United States in Congress assembled, is as follows:

ARMS. Paleways of thirteen pieces, argent and gules; a chief, azure; the escutcheon on the breast of the American eagle displayed proper, holding in his dexter talon an olive branch, and in his sinister a bundle of thirteen arrows, all proper, and in his beak a scroll, inscribed with this motto, "*E pluribus Unum.*"

For the CREST. Over the head of the eagle, which appears above the escutcheon, a glory, or, breaking through a cloud, proper, and surrounding thirteen stars, forming a constellation, argent, on an azure field.

REVERSE. A pyramid unfinished. In the zenith, an eye in a triangle, surrounded with a glory proper. Over the eye these words, "*Annuit Cœptis.*" On the base of the pyramid the numerical letters MDCCLXXVI. And underneath the following motto, "*Novus Ordo Seclorum.*"[28]

REMARKS AND EXPLANATION

The Escutcheon is composed of the chief & pale, the two most honorable ordinaries. The pieces, paly, represent the Several States all joined in one solid compact entire, supporting a Chief, which unites the whole & represents Congress. The Motto alludes to this union. The pales in the arms are kept closely united by the chief and the chief depends on that Union & the strength resulting from it for its support, to denote the Confederacy of the United States of America & the preservation of their Union through Congress. The colours of the pales are those used in the flag of the United States of America; White signifies purity and innocence, Red, hardiness & valour, and Blue, the colour of the Chief signifies vigilance perseverance & justice. The Olive branch and arrows denote the power of peace & war which is exclusively vested in Congress. The Constellation denotes a new State taking its place and rank among other sovereign powers. The Escutcheon is born on the breast of an American Eagle without any other supporters, to denote that the United States of America ought to rely on their own Virtue.

Reverse. The pyramid signifies Strength and Duration: The Eye over it & the Motto allude to the many signal interpositions of providence in favour of the American cause. The date underneath is that of the Declaration of Independence and the words under it signify the beginning of the new American Æra, which commences from that date.



THE FIRST SEAL (1782)



THE SECOND SEAL (1841)

Face p. 43

This entire report is in Thomson's handwriting and is endorsed by him: "Device for a Great Seal for the United States in Congress Assembled. Passed June 20, 1782." In the journals of Congress the "Remarks and explanation" are left out, but they constitute an essential part of the fundamental law as Congress adopted it.

The different features of the seal had all been in common use in America. In the North Carolina paper currency of 1775 appears a bundle of thirteen arrows; in the Maryland currency of the same year a

hand grasping an olive branch with thirteen leaves; on a fifty-dollar bill issued in 1778 is an unfinished pyramid, with the motto "Perennis;" in the Massachusetts copper penny of 1776 are thirteen stars, surrounding an *eagle*; the flag had the thirteen stripes, and so had the seal of the Board of Admiralty, adopted May 4, 1780.

Soon after the seal was adopted the obverse was cut in brass; but the identity of the engraver is unknown. It was intended to be impressed in wax over a paper wafer, and is found on a commission dated September 16, 1782, granting full power and authority to General Washington to arrange with the British for exchange of prisoners of war. The commission is signed by John Hanson, President of Congress, and countersigned by Charles Thomson, Secretary, the seal being affixed in the upper left-hand corner, instead of the lower left-hand corner as is now the custom. This, the first great seal to be made, continued in use for fifty-nine years, and having been cut almost as soon as the design was adopted may fairly be assumed to represent correctly the intentions of the makers of the seal.

The second or Lovell committee recommended a "less seal of the United States" of the same design as the great seal but of smaller diameter, but no other committee took cognizance of the custom which still prevails in many countries of having two principal seals of state. The idea had not, however, wholly disappeared when the Constitution was adopted, for in the first Congress John Vining of Delaware proposed (June, 1789) that a Home Department be provided for and that the Secretary be required to "keep the great seal, and affix the same to all public papers, when it is necessary; to keep the lesser seal, and affix it to commissions &c."

In the debate which preceded the defeat of the bill, Alexander White of Virginia said the great seal might be kept by the Secretary of Foreign Affairs, and the lesser seal also.[29] No direct proposition was made, however, to create a lesser seal.

When the Congress under the Articles of Confederation ceased to exist and the new Government went into operation Charles Thomson continued in charge of the great seal and of the records of the old Government, until provision for their custody should be made. On July 24, 1789, Washington as President wrote to him:

> You will be pleased, Sir, to deliver the Books, Records and Papers of the late Congress—the Great Seal of the federal Union—and the Seal of the Admiralty, to Mr. Roger Alden, the late Deputy Secretary of Congress, who is requested to take charge of them until further directions shall be given.

Thus terminated Thomson's connection with the seal which he had done so much to design and have adopted. Alden afterwards described his own appointment as that of keeper of the seals and papers of the old Congress.

On June 27 the bill creating the Department of Foreign Affairs became a law, this being the first executive department provided for under the Constitution, but the Secretary was not made the keeper of the seal and it remained in Alden's hands until the Department of State was created. The act creating this Department was entitled, "An act to provide for the safe keeping of the acts, records, and seal of the United States and for other purposes." It enlarged the Department of Foreign Affairs into the

Department of State, and named as the principal officer the Secretary of State. The third section of the act read:

And be it further enacted, That the seal heretofore used by the United States in Congress assembled, shall be, and hereby is declared to be, the Seal of the United States.

The fourth section read:

That the said secretary shall keep the said seal, and shall make out and record, and shall affix the said seal to all civil commissions to officers of the United States to be appointed by the president, by and with the advice and consent of the senate, or by the president alone. Provided, That the said seal shall not be affixed to any commission, before the same shall have been signed by the president of the United States, nor to any other instrument or act, without the special warrant of the president therefor.

It will be observed that the act described the "Seal of the United States" and not the "Great Seal of the United States," although in all the preliminary reports and in the adopting act the term "Great Seal" was used. As no lesser seal of state was contemplated there was really no object in designating the only seal as the "Great Seal," although for ordinary purposes it has never ceased to be called the "Great Seal," and is so denominated in the decision of the Supreme Court where its uses are set forth. Before the seal was adopted the commissions of Congress read simply "By order of Congress," being signed by the President. The countersigning was, "Attest Charles Thomson, Secretary." When the seal came into use the form was, as it appears on Washington's

commission to exchange prisoners: “In testimony whereof we have caused these Letters to be made patent and the Great Seal of the United States of America to be thereunto affixed. Witness His Excellency John Hanson President of the United States in Congress assembled the Sixteenth day of September and in the year of our Lord one thousand seven hundred and eighty two, and of our Sovereignty & Independence the seventh.” After the adoption of the Constitution and before any custodian of the seal was provided by Congress, the wording ran: “In testimony whereof I have caused these letters to be made patent and the Seal of the United States to be hereunto affixed. Given under my hand the —— day of —— in the year of our Lord one thousand seven hundred and eighty nine,” this being signed by the President and not countersigned. This form continued in use after the Secretary of State became by law the keeper of the seal, and was not changed till August 3, 1790, when the recital was made to include the year of independence and was countersigned by Thomas Jefferson as Secretary of State. Thus, singularly enough, the abandonment of the term “Great Seal of the United States” began with the Executive some months before it received legal sanction.

VI
THE ILLEGAL SEAL

In ancient times a seal to authenticate a document was always impressed upon wax, or metal, or even upon clay; but this gave place to the more convenient method of impressing the seal directly upon the paper by the use of two faces of a die. It was, presumably, a desire to introduce this improvement which prompted the Department of State in 1841 to discard the seal of 1782 and have a new die cut. The work was ordered without any specific appropriation being made for the purpose by Congress, and was entrusted to Edward Stabler, of Sandy Spring, Md., where he was postmaster from 1828 to 1883, who cut many government seals, and had a reputation as a seal engraver. He was doubtless permitted to design the seal in his own way, and it was accepted without notice being taken of its palpable deficiencies from an artistic and heraldic point of view and its failure to satisfy the plain requirements of the law in the important particular of the number of arrows in the eagle's sinister talon.

In reply to a letter from John D. Champlin, jr., in 1877, the Department of State said of the seal:

This change [from the design of the seal of 1782] does

not appear to have been authorized by law, and the cause of it is unknown.[30]

The inaccuracies of the design of the arms on this seal were the subject of grave criticism from time to time. In the Galaxy Magazine for May, 1877, Mr. Champlin pointed out the improper arrangement of the pales, the red being twice as wide as the white, and the fatal disregard of the law requiring thirteen arrows in the eagle's sinister talon. "Is it possible," he said, "that an arbitrary alteration can be made in the great seal of the United States by the officials temporarily in charge of it? And if so, what is to prevent some future Secretary of State, with notions of his own in regard to heraldic bearings, from discarding the old seal altogether, in favor of some creation of his own?"

This seal was cut when Daniel Webster was Secretary of State, and a fair explanation of its deficiencies is that he knew nothing about the details of the prescribed design, and entrusted the business of securing a new seal to his subordinates, who were equally ignorant; and they in turn entrusted it to the engraver. Unquestionably, the Secretary of State has no authority to change the device of the arms, as it is prescribed by law, in the slightest degree, nor could the President himself properly authorize such a change. As the seal was created by Congress it would require an act of Congress to alter it. In this respect it is different from the arms of a monarchy. The arms of Great Britain, for example, being formed from those of different monarchs, have, in fact, undergone three changes since American independence—in 1801, when the arms of France were excluded and the arms of Hanover placed "over all on an escutcheon of pretense," "ensigned with the electoral

bonnet;" in 1816, when the bonnet was changed for the Hanoverian crown; and upon the death of William IV, when the present arrangement was made. How far the Secretary of State, as the custodian of the seal, may deviate from the original design in having a new one cut, provided he adheres to the terms of the creating law, is another question, which, as we shall see presently, was finally decided in favor of the conservative side.

The centennial anniversary of the adoption of the seal was marked by a revival in interest concerning it, and C. A. L. Totten, then a first lieutenant in the Army, called the attention of the Treasury Department to the fact that the reverse had never been cut, suggesting that the time was appropriate for placing it upon a medal or coin. This met with the approval of the Department, so far as a medal was concerned, and under the supervision of Hon. A. Louden Snowden, then Director of the Mint at Philadelphia, a medal was struck in commemoration of the centennial anniversary of the adoption of the seal. The obverse closely resembled the first important illustration of the seal made after its adoption. This appeared in the Columbian Magazine for September, 1786, and was a spirited engraving. It differed from the official interpretation in the distribution of the stars, which were put about the eagle's neck and head, instead of in a circle above the head. The olive branch had sixteen leaves and no fruits, and the rays of the sun extended through the clouds. The reverse of the medal contained the dates 1782 and 1882, to indicate its purpose, beside the mottoes.[31]

Notice has already been taken of Mr. Champlin's article in which he criticised the seal of 1841, which the Department had been using for so many years,

notwithstanding its glaring errors. His criticism, Mr. Totten's agitation of the question of cutting the reverse, and the striking of the great seal medal were the moving causes of the important action of the Secretary of State, Theodore F. Frelinghuysen, in 1883.

The first committee on the seal recommended a reverse, and so did succeeding committees, and a reverse was provided for in the creating act. From this it would appear certain that the original idea was to use a pendant seal of wax with an impression on either side of it. Pendant seals were then common and are still used in many cases. In affixing such a seal to a treaty it is so large that the wax would inevitably break if it were unprotected, so it is enclosed in a metal box, usually of gold or silver, highly ornamented. After the United States secured a great seal it affixed the same one to all its acts, and did not have a separate pendant treaty seal until about 1856, when one was made at the State Department's instance, or upon an understanding with the Department, by Samuel Lewis, a jeweler in Washington. It was cut in iron, weighing about 20 pounds, and was 6 to 8 inches in diameter. The design followed the law accurately, but the treatment was realistic rather than heraldic. This seal was kept by Mr. Lewis, being, as it appears, his property, and whenever a seal for a treaty was required he furnished an imprint in wax with the silver or gold box in which it was to be placed, the box having upon the cover the arms stamped in relief. The cords or ribbons passing through the treaty were adjusted through the wax at the Department of State. The seal as thus attached to the treaties made by this Government with foreign powers for thirteen years compared favorably with the treaty seals used by

other governments. In 1869 the use of the separate seal for treaties was abandoned, and the practice of fixing the regular seal to the paper itself was reverted to, and now maintains.



VII
THE THIRD SEAL

January 10, 1883, the Secretary of State, Theodore F. Frelinghuysen, addressed the Chairman of the Committee on Appropriations of the House of Representatives, Samuel J. Randall, asking for an appropriation of $1,000 to pay for having a new seal of the United States made. “Since the year 1782,” his letter said, “when the device was adopted, there have been, it is believed, but two dies of the obverse of the seal, the only side which has been employed up to this time for sealing documents. The reverse of the seal has never been engraved by the Government. The original die of the obverse, after being in use for about sixty years, was replaced by the present die, which has become very much worn and no longer gives clear impressions. It is also to be observed with respect to the latter that it does not strictly conform to the device established by law. It seems to me, therefore, to be eminently important that a new and correct die be made without delay.” He also advised that the reverse be cut as a compliance with the law and “a proper respect to pay to the founders of this Government, at this time, to carry out the purpose so clearly expressed by them in Congress, June 20, 1782.”

Falling in with this recommendation Congress appropriated, July 7, 1884 (23 Stat., 394), $1,000 "to enable the Secretary of State to obtain dies of the obverse and reverse of the seal of the United States, and appliances necessary for making impressions of the same."

Mr. Theodore F. Dwight, Chief of the Bureau of Rolls and Library of the Department of State, supervised the work of designing the new seal. He called into consultation the eminent historical scholar, Justin Winsor, and Prof. Charles Eliot Norton, of Harvard; William H. Whitmore, the genealogist, author of Elements of Heraldry (New York, 1866), at that time the only work on heraldry by an American; John Denison Chaplin, jr., an authority on engraving, associate editor of the American Cyclopædia and later of Scribner's art cyclopædias; and James Horton Whitehouse, chief designer of Messrs. Tiffany & Co., New York. The subject was thus considered from the three points of view of history, heraldry, and art. Professor Norton wrote:

A. It is greatly to be regretted that the device adopted by congress in 1782 is of so elaborate and allegorical a character. The most skilful treatment of it could hardly make it satisfactory as the design for the seal of a great nation. * * *

B. But as this is now the established device, the best way, I believe, to deal with it, would be to treat it as conventionally as possible,—giving it a strictly heraldic character. * * *

As to the reverse, the device adopted by Congress is practically incapable of effective treatment; it can hardly (however artistically treated by the designer) look otherwise than as a dull emblem of a masonic fraternity. * * *

Mr. Winsor commented upon Professor Norton's notes. He agreed that the seal was not a good coat of arms. He thought, however, that it had not been the purpose of Congress "to show an heraldic bird"—that "the American eagle displayed proper" could not be an heraldic eagle. "Whether present authorities," he continued, "can venture to correct their [the Congress'] bad taste, may be a question." Of the reverse, he declared it was "both unintelligent and commonplace. If it can be kept in the dark as it seems to have been kept, why not keep it so?" On January 2, 1884, he wrote to Mr. Dwight:

> When you say "It might be best to reproduce the original die,"—you suggest what is really my opinion. There is a certain naïvely Archaic look about it which is honest and covers a multitude of artistic sins, in a way that will not be easy to do by a modernization of it. I like to preserve such original devices.

Mr. Whitmore did not agree with Mr. Winsor. He wrote December 30, 1884:

> I feel assured that the treatment should be heraldic. An eagle *displayed* must be an heraldic one. The term American eagle, I infer, means a bald-headed eagle, not the European type which shows in heraldry a tuft or crest on his head. This is allowable, just as a double-headed eagle is.
>
> The best examples give the wings raised to the shoulder and then dropping, which is more graceful and natural.

As to the reverse he said: "It is a thankless task to arrange it, as Prof. Norton says; use it as little as possible." Mr. Whitmore submitted designs which

were intended to be an improvement heraldically on those under consideration, which he criticised, especially with reference to the arrows, the form of which had been changed under Mr. Dwight's direction so as to represent a distinctively American Indian arrow. Mr. Dwight conformed to Mr. Whitmore's suggestion, and "the technical form of barb" arrow was restored. Of the die of 1782 Mr. Dwight wrote to Mr. Whitmore January 6, 1885: "Is not that die to be regarded as in some sense sanctioned by long use, in view of its origin, as entitled to the same authority as a law?" In regard to the crest Mr. Dwight said: "On referring to the order of 1782 on this point, it seems that we have no liberty to depart from that form, as it reads: 'A glory, or, breaking through a cloud proper, and surrounding thirteen stars.' It has been advised that an appearance of more splendor would be gained by allowing the rays of the glory to extend beyond the clouds, as though piercing them; but to that advice I do not feel warranted in agreeing, as the old die gave no authority therefor." Of the reverse he said: "For the present purposes we shall not order the reverse; as Mr. Winsor remarks, it has been so long kept in the dark, a few months more of shade will do it no harm. I would like to have your opinion if adverse to the cutting of that side. The law distinctly specifies it and it was not cut presumably at the same time as the obverse, because the latter was urgently needed, even as to day. The subject was probably lost sight of at that time, when all the thoughts of the fathers were engaged in the foundation of the Republic. I do not expect that the reverse can be conveniently used for the purpose of sealing documents, but it is not in my opinion improper that the device should be determined and cut."

December 13, 1884, Messrs. Tiffany & Co. submitted the designs.

After having studied carefully the description of the devices as adopted by Congress in 1782, and considered also the suggestions and remarks that we have of late seen and received regarding the same, we have carried them out strictly according to the rules of heraldry. * * *

The eagle is the American bald eagle and has been drawn after careful studies and made as natural as the rules of heraldry will permit. We have decided that the third feather shall be the one extending to the end of the wing. The escutcheon on the eagle's breast is drawn as described, the direction of the lines indicating the colors. As no stars are mentioned in the chief, they have not been introduced here. The suggestion to suspend the shield from the neck of the eagle by a ribbon or cord, we have not carried out, as it would not be proper and would rob the whole arms of its dignity.

The rays are purposely not extended beyond the clouds. All that is desirable in that direction has been done, but to allow them to project in the manner spoken of and as we often see them cut, would be to convey a wrong and very weak idea of the original intention. We have used the classical olive and have decided not to introduce the flowers; the fruit (13) and the 13 leaves speak for themselves in a very clear and positive manner, but the flowers, while they suggest a growing and fruitful future, would as no special number could be used, give an uncertainty not desirable, as it would always be supposed that the particular number of flowers used must have a meaning while that meaning is not there.

Indications of color should not be given in the olive branch, fruit, arrows, scroll, etc.; they should be represented as termed in heraldry 'proper'.

Regarding the reverse the pyramid is drawn to the scale of the great pyramid; the side seen in perspective to the right means East, this view being desired. The eye and the date on the foot of the pyramid should not be incised; on

ancient monumental work and work of that character the die is sunk, or the impression it of course would be in relief.

The letters used in the Latin are the simple and particular Roman letters used, and in fact is the best letter used for the purpose.

Regarding the scroll containing the “E pluribus unum” we consider the present form altogether the best to use as the sheet scroll mentioned would interfere with the eagle, while the old form of scroll falls in well with the general design. The dies will be cut in steel.

This letter may be said to be the argument for the Whitehouse designs. They were submitted to Mr. Champlin, who wrote, January 7, 1885:

It seems to me useless to regret that Congress did not adopt in 1782 a different device for the great seal of the United States. The present device was legally adopted and all we can do is to follow the provisions of the act, having an eye, of course, to general heraldic propriety; but even if the laws of heraldry are transgressed in some minor particulars, I think we still are bound to follow the letter of the law, despite the rules of heraldry. If we must have a strictly heraldic seal, let us go to work ab initio and change the law.

If this be, as I believe it to be, the true way of dealing with the question, let us see whether the designs furnished by Tiffany & Co. fulfill the provisions of the law.

1. The law reads “Paleways of thirteen pieces, argent and gules, a chief, azure”. The drawing marked A is correct in this particular. This differs from the order of the stripes on the national ensign. * * * The pales should all be of the same width.

2. “The escutcheon on the breast of the American eagle displayed proper.” In Mr. Barton’s device of June 13, 1782, of which that adopted by the committee is a modification,

the American Eagle is expressly called “the bald-headed eagle”, so there can be no question on that point. The eagle must be an American eagle and not the ordinary heraldic eagle. It must be displayed, not with *wings displayed* (in which case it would be represented perched), but displayed —that is, with both wings and talons extended. In my opinion the drawing is correct, though I would suggest that the treatment, especially the wings, might be a little less realistic, and still comply with the law.

3. “Holding in his dexter talon an olive branch, and in his sinister a bundle of thirteen arrows, all proper, and in his beak” etc. The olive branch and arrows should, of course, be of the conventional form as no other is specified.

4. Crest—“A glory, or, breaking through a cloud, proper, and surrounding thirteen stars forming a constellation, argent, on an azure field.” This is bad, very bad, heraldically, but I see no way out but to reproduce the original, which I think is done in the drawing.

Reverse. “A pyramid unfinished.” The law does not call for a pyramid of thirteen courses of stone. * * *

Mr. Champlin did not give an opinion on the propriety of cutting the reverse, but so general was the criticism of it, and so palpable were its shortcomings, that it was determined not to cut it, and Mr. Whitehouse’s design of it was not accepted. Its fate has been singular. It was prescribed as part of the seal by the act of 1782, but went unnoticed. The act of September 15, 1789, continued the seal as prescribed in 1782, but no effort was then made to design or cut the reverse. When the seal of 1841 was made it was still ignored, and in 1883 it was definitely determined, after designs had been drawn, to abandon it.

The act of July 7, 1884, made appropriation “to obtain dies of the obverse and reverse” of the seal,

the act following the State Department's request, and it had undoubtedly been the intention of the Department, when the appropriation was asked for, to cut the reverse; but its purpose was changed after fuller consideration, and it felt at liberty to leave this part of the new law unexecuted, as the law of 1782 had remained in part unexecuted for a hundred years. It may be added that when the exhibit of the State Department was prepared for the Chicago Exposition in 1892, large emblazonments of the obverse and reverse of the seal were painted, but the appearance presented by the reverse was so spiritless, prosaic, heavy, and inappropriate that it was never hung.

The design of the obverse of the seal of 1884 was determined upon, as we have seen, with great care. It was an enlargement with some modifications of the seal of 1782, the modifications being in the direction of a closer adherence to the law creating the seal. For example, the eagle's head bears no crest, as in the European type and as advised against by Mr. Whitmore for the American eagle specified by the law.



THE SEAL (1902)

Face p. 63

VIII
THE FOURTH SEAL

In 1902, John Hay being the Secretary of State, it was determined that the seal, which had been in constant use for eighteen years, required recutting, and that the press and stand which held it could be improved upon. An act was, accordingly, passed by Congress (July 1, 1902) appropriating $1,250 “To enable the Secretary of State to have the Great Seal of the United States recut.” Some discussion arose among the officers of the Department as to whether the design then in use must be adhered to strictly or could be improved upon, and, after examination of the question, it was determined that the careful investigation which had preceded the acceptance of the design of 1884 rendered a reconsideration of the decision then arrived at unwise, and that the design should be preserved with absolute accuracy. The work of recutting not having been done before the appropriation had expired, it was renewed the following year (act of March 3, 1903) and the act settled definitely any remaining doubts about the design, besides making the appropriation cover the necessary accessories for the seal. It read:

To enable the Secretary of State to have the Great Seal of

> the United States recut from the original model, and to purchase a suitable press for its use and a cover to protect the same from dust, the sum of one thousand two hundred and fifty dollars, appropriated by the deficiency act approved July first, nineteen hundred and two, "To enable the Secretary of State to have the Great Seal of the United States recut," is hereby reappropriated for the purposes above mentioned.

The words "original model" in the law precluded any change in the device, and the new seal was accordingly cut as a precise copy of the seal then in use, the work being done by Messrs. Bailey, Banks & Biddle, of Philadelphia.

IX
USES OF THE SEAL

When the Continental Congress made the obverse of the great seal the national arms it intended that the device should pass into common use among the people, as the flag has done, and like the flag the arms at first met with general approval, which soon gave place to an acceptance of it as an emblem of the power and sovereignty of the United States, which placed it above criticism.

Not all of the fathers of the Republic, however, were pleased with the selection of the eagle as the national emblem. When the badge of the Order of the Society of the Cincinnati was made in France in 1784 it was objected to by some because the displayed eagle resembled a turkey.

For my part [wrote Benjamin Franklin January 26, 1784, to his daughter], I wish the bald eagle had not been chosen as the representative of our country; he is a bird of bad moral character; he does not get his living honestly; you may have seen him perched on some dead tree, where, too lazy to fish for himself, he watches the labor of the fishing-hawk; and, when that diligent bird has at length taken a fish, and is bearing it to his nest for the support of his mate and young ones, the bald eagle pursues him, and takes it

from him. With all this injustice he is never in good case; but, like those among men who live by sharping and robbing, he is generally poor, and often very lousy. Besides, he is a rank coward; the little *kingbird*, not bigger than a sparrow, attacks him boldly and drives him out of the district. He is therefore by no means a proper emblem for the brave and honest Cincinnati of America, who have driven all the *kingbirds* from our country; though exactly fit for that order of knights, which the French call *Chevaliers d'Industrie*.

I am, on this account, not displeased that the figure is not known as a bald eagle, but looks more like a turkey. For in truth, the turkey is in comparison a much more respectable bird, and withal a true original native of America. Eagles have been found in all countries, but the turkey was peculiar to ours; the first of the species seen in Europe, being brought to France by the Jesuits from Canada, and served up at the wedding table of Charles the Ninth. He is, besides, (though a little vain and silly, it is true, but not the worse emblem for that,) a bird of courage, and would not hesitate to attack a grenadier of the British guards, who should presume to invade his farmyard with a *red* coat on.[32]

The seal itself has, of course, a very limited use, which is strictly guarded by law. The Secretary of State is its custodian, but even he has no authority to affix it to any paper that does not bear the President's signature.

In 1803 Chief Justice Marshall, in delivering an opinion of the Supreme Court, used the following language relative to the seal. It may be considered applicable to all instruments to which the seal is affixed.

The signature [of the President] is a warrant for affixing the great seal to the commission, and the great seal is only

to be affixed to an instrument which is complete. It attests, by an act supposed to be of public notoriety, the verity of the presidential signature.

It is never to be affixed till the commission is signed, because the signature which gives force and effect to the commission, is conclusive evidence that the appointment is made.

The commission being signed, the subsequent duty of the Secretary of State is prescribed by law, and not to be guided by the will of the President. He is to affix the seal of the United States to the Commission, and is to record it. (1 U. S. Reports, 374.)

As the duties of the Government have expanded, the impracticability of having the seal of the United States attached by the Department of State to the commissions of officers who are under some other Department has been recognized by Congress. By the act of March 18, 1874,[33] the commissions of postmasters were directed to be made out under the seal of the Post-Office Department; the act of March 3, 1875,[34] placed the commissions of officers of the Interior Department under that Department; by act of August 8, 1888,[35] all judicial officers, marshals, and United States attorneys were ordered to be appointed under the seal of the Department of Justice; and by an Executive order of June 16, 1893, President Cleveland directed that all warrants of pardon and commutations of sentence granted to offenders convicted in the courts of the United States should thereafter be made out under the seal of the Department of Justice.

At the present time the seal of the United States is affixed to the commissions of all Cabinet officers and diplomatic and consular officers who are nominated by the President and confirmed by the Senate; all

ceremonious communications from the President to the heads of foreign governments; all treaties, conventions, and formal agreements of the President with foreign powers; all proclamations by the President; all exequaturs to foreign consular officers in the United States who are appointed by the heads of the governments which they represent; to warrants by the President to receive persons surrendered by foreign governments under extradition treaties; and to all miscellaneous commissions of civil officers appointed by the President, by and with the advice and consent of the Senate, whose appointments are not now especially directed by law to be signed under a different seal.



GLOSSARY OF HERALDIC TERMS.

Argent—silver, represented in engraving by plain surface.

Atchievement or achievement—a complete heraldic composition.

Azure—blue, represented in engraving by horizontal lines.

Barways or barwise—horizontally.

Barry—divided into bars.

Bearing—a charge on a coat of arms.

Blazonment or blazon—a correct heraldic description.

Canton—a part of the chief cut off on the left or right hand corner.

Charged—bearing a charge or figure upon the escutcheon.

Chevrons—bars, as the rafters of a roof, leaning against one another.

Chief—upper part of escutcheon.

Counter flory—flowers divided and separated by the whole width of the bearing.

Coupé—cut off evenly.

Crest—the part of the achievement outside of and above the escutcheon.

Damasked—decorated with an ornamental pattern.

Dignity, cap of dignity—a symbol of dignity.

Displayed—with expanded wings.

Emblazon. See Blazon.

Ensigned—distinguished by mark or ornament.

Entoire—charged with bearings not living creatures.

Ermine—fur represented by black spots on a white ground. Escutcheon—the shield.

Exergue—the part of the reverse of a medal below the main device.

Fess-point—the central point of the escutcheon.

Flory or fleury—decorated with fleur-de-lis.

Gules—red, represented in engraving by close vertical lines.

Or—gold or yellow, represented in engraving by dots on a white ground.

Ordinary—a common bearing bounded by straight lines.

Pale—a perpendicular stripe on the escutcheon.

Paleways, palewise, or paly—divided into equal parts by perpendicular lines.

Parti (party)—divided into parts.

Proper—of natural color or colors.

Quarters—the various smaller escutcheons within

the larger escutcheon.

Sable—black, represented in engraving by a network of vertical and perpendicular lines.

Saltier—in the shape of a St. Andrew's cross.

Sanguinated—blood stained, or blood color.

Scutcheon—escutcheon.

Semé—covered with small bearings.

Tenants—supporters.

Tinctures—the metals or colors.

Tressure—a double border within the escutcheon, and not reaching the edge.

Vert—green, represented in engraving by diagonal lines.

INDEX

ADAMS, JOHN, on first committee, 7;

describes device, 8;
design of, 9, 10;
connection with Prestwich, 38.

ALDEN, ROGER, keeper of the seal, 45.

ARMS OF ENGLAND, changes in, 50.

BAILEY, BANKS & BIDDLE, cut fourth seal, 64.

BARTON, THOMAS, father of William Barton, 23.

BARTON, WILLIAM, called into consultation on design, 23;

first design, 24;
second design, 28;
claims paternity of arms, 32;
improves Thomson's design, 35;
credit due to, 37.

BOUDINOT, ELIAS, on seal committee, 23.

BRADSHAW, JOHN, supposed epitaph on, 14, 15, 16.

CHAMPLIN, JOHN D., Jr., opinion of, on seal, 48, 54, 59.

CHICAGO EXPOSITION, illustrations of seal at, 61.

CINCINNATI, ORDER OF, eagle on badge of, 65.

COAT OF ARMS OF THE UNITED STATES. *See* Seal of the United States.

DWIGHT, THEODORE F., Chief, Bureau of Rolls and Library, superintends new seal, 54;

opinion on designs, 56.

DEANE, SILAS, complains of want of seal, 18.

E PLURIBUS UNUM, motto, first suggested, 12;

by whom, 13;
origin of, 14;
adopted, 41.

EAGLE, first suggestion of, 24, 28;

Thomson's treatment of, 33, 34;
adopted as emblem, 41;
Franklin's opinion of, 65.

ELLERY, WILLIAM, recommends that seal be considered, 18.

FRANKLIN, BENJAMIN, on first committee, 7;

design of, 9, 10;
suggests motto, 14, 16;
criticises eagle, 65.

FRELINGHUYSEN, THEODORE F., Secretary of State, seal cut by order of, 51;

writes about seal, 53.

FLAG OF THE UNITED STATES, adopted, 18.

GREAT SEAL OF THE UNITED STATES. *See* Seal of the United States.

GRIBELIN, engraving by, 9, 10.

HAY, JOHN, Secretary of State, fourth seal cut by direction of, 63.

HOLLIS, THOMAS, gives motto, Rebellion to Tyrants is Obedience to God, 14.

HOUSTON, WILLIAM CHURCHILL, on seal committee, 19;

writes report, 21.

JEFFERSON, THOMAS, on first committee, 7;

design of, 9, 10;
connection with motto, 13;
suggestion of, 13, 14;
adopts motto, 14.

LEE, ARTHUR, acts with seal committee, 24.

LEWIS, SAMUEL, jeweler, keeps seal for treaties, 52.

LOVELL COMMITTEE, appointed, 18;

reports, 19;

report recommitted, 23.

LOVELL, JAMES, on seal committee, 19.

MARSHALL, JOHN, Chief Justice, opinion of, on use of seal, 66.

MATHÆIS, PAULO DE, picture by, 10.

MIDDLETON, ARTHUR, on seal committee, 23.

NORTON, CHARLES ELIOT, opinion of, on seal, 54, 56.

PRESTWICH, SIR JOHN, connection of, with seal, 38.

REBELLION TO TYRANTS IS OBEDIENCE TO GOD, motto proposed, 9, 10;

origin of, 14, 15, 16.

RUTLEDGE, EDWARD, on seal committee, 23.

SCOTT, JOHN MORIN, on seal committee, 19.

SEAL, GREAT, of England, 8.

SEAL, GREAT, of France, 7, 8.

SEAL OF THE UNITED STATES, first committee to design, 7;

first designs for, 8;
motto for, 13;
need of, 18;
second committee for, 19;

Barton's designs for, 24, 28, 35;
Thomson's designs for, 34, 37;
Sir John Prestwich's connection with, 38;
adopted, 41;
cutting of, 43;
proposed less seal, 44;
correct name for, 46;
second seal, 48;
correction of, 49;
treaty seal, 52;
reverse of, 53, 56, 61;
seal of 1884, 53;
the fourth seal, 63;
device criticised, 65;
uses of, 66.

SECRETARY OF STATE, keeper of the seal, 45.

SHAFTESBURY, EARL OF, engraving in Treatise, 10.

SIMITIÈRE, EUGÈNE PIERRE DU, consulted by first committee, 8;

design of, 9, 11, 12, 17.

SNOWDEN, A. LOUDEN, Director of the Mint, seal medal struck by, 50.

STABLER, EDWARD, cuts second seal, 48.

THOMSON, CHARLES, consults Barton, 31;

ordered to prepare design, 33;
submits design, 34;
design improved, 35;
credit due to, 37;
has charge of seal, 44.

TIFFANY & CO., submit designs, 57.

TOTTEN, C. A. L., writes about seal, 50.

WEBSTER, DANIEL, Secretary of State, seal cut under, 49.

WHITEHOUSE, JAMES HORTON, consulted about seal, 54;

submits designs, 56;
argument for, 59.

WHITE, ALEXANDER, proposes less seal, 44.

WHITMORE, WILLIAM H., consulted relative to seal, 54;

opinion on design, 55;
submits designs, 56.

WINSOR, JUSTIN, consulted concerning seal, 54;

gives opinion, 55.

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1. Journals of Congress (W. C. Ford, editor), 1906, V, 517.

2. Benson J. Lossing, in Harper's Magazine, 1856, vol. 13, p. 178 *et seq.*

3. It so appears attached to the exchange copy of the treaty of peace with the United States.

4. The Great Seals of England, by Alfred Benjamin and Allen Wyon, London, 1888. Review in The Spectator, 61, 173.

5. Familiar Letters of John Adams and his Wife, 210.

6. Journals of the Continental Congress (W. C. Ford, editor), 1906, V, 690 *n.*

7. Our Great Seal, by C. A. L. Totten, 1, 25, gives a reproduction of the frontispiece.

8. Reports of Committees relating to Congress, vol. 23, Continental Congress MSS. All the committee reports bearing on the seal are in this volume.

9. See note at the end for a glossary of heraldic terms used.

10. Delaware counties.

11. Journals of Congress (W. C. Ford, editor), 1906, V, 689.

12. See, however, Historic Side-lights, by Howard Payson Arnold, p. 284.

13. Writings of Jefferson (P. L. Ford), edition of 1892, I, p. 420.

14. The first use of the motto is traced in Preble's History of the American Flag, p. 694.

15. Memoirs of Thomas Hollis, Esq., F. R. and A. S. S.; London: MDCCLXXX; vol. 2, p. 789.

16. Randall's Life of Jefferson, 3, 585.

This would seem to be conclusive, but since the writer prepared his brochure on the great seal in 1892 several people whose opinions are entitled to consideration have expressed a doubt whether the inscription does not, or at any rate did not, exist. Bradshaw died during the closing years of the Commonwealth and was buried in Westminster Abbey. Upon the Restoration his body was disinterred and hanged, when several other regicides were executed, after which the trunk was thrown into a hole at the foot of the gallows and the head publicly displayed, as the custom was in those times. Some members of the court of which he was president are said to have gone to Jamaica, and it was declared by some that Bradshaw spread the report of his death and retired secretly to that island. There is even a surviving rumor that he and his colleagues were in this country, and a well-known landmark near New Haven is the "Regicides' Cave." In all

of this we see merely an example of one of those myths which so often surround the death of one whose life was peculiarly conspicuous. In Bradshaw's case his double burial in England would still not render impossible a third burial in Jamaica, and even if he was not buried there an inscription upon a cannon in his commemoration might possibly have once existed. But the whole story was investigated in the beginning of the last century by Bryan Edwards, the historian of the West Indies, whose work is an authority. In the fifth edition (London, 1819) of his History of the West Indies (vol. 1, p. 213) he says:

"Some of these men who sat as judges at the trial of Charles I are said to have become peaceable settlers here, and to have remained after the restoration. * * * It is reported also, that the remains of President Bradshaw were interred in Jamaica; and I observe in a splendid book, entitled 'Memoirs of Thomas Hollis,' an epitaph which is said to have been inscribed on the president's grave; but it is to my own knowledge a modern production."

It may be added that the author made inquiry of Louis A. Dent, esq., lately Register of Wills of the District of Columbia, when he was United States consul at Kingston, concerning traditions of this epitaph, and he declared he knew of none. As his knowledge of Jamaica was thorough such traditions would hardly have escaped him if existent.

That anyone should seize upon the rumors surrounding Bradshaw's death and make them the basis of a fictitious epitaph is a cause of wonder, until we remember that the author was Benjamin Franklin, whose unique imagination was amused by constructing epitaphs and kindred compositions. His object in this case may easily have been the very effect of inflaming public opinion which Hollis noticed had resulted. The statement that the epitaph was on a cannon at Martha Bay was presumably attached to the copies Hollis saw and accepted by him in good faith.

17. Preble's History of the Flag, 259 *et seq.*

18. Journals of Congress (W. C. Ford, editor), 1907,

VII, 59.

19. Austin's Life of Elbridge Gerry, vol. 1, p. 336.

20. When the committee was appointed from which emanated in 1782 the seal finally accepted, a memorandum, endorsed "proceedings respect[g]. a seal of the United States Mr. Middleton Mr. Boudinot Mr. Lee," was made by Lovell for the committee's use, showing from the papers in the office of the Secretary of Congress what had already been done in the matter of the seal. After setting forth the action of 1776 it states that the Lovell committee was appointed March 25, *1779*, and the report is given as follows:

"Original Report of May 10 1779

the Seal to be 4 inches Diametre On one Side The arms of the United States as follows The Shield charged on the Field with 13 diagonal Stripes alternate red & white—Supporters, dexter, a Warriour holding a Sword; Sinister a Figure representing Peace bearing an Olive Branch—The Crest a radiant Constellation of 13 Stars—The motto Bello vel Paci—The legend round the Atchievement Seal of the United States

"On the Reverse—The Figure of Liberty seated in a Chair holding the Staff & cap. The motto Semper—Underneath MDCCLXXVI"

The memorandum also says that on May 17 "The Report of the Com[tee]. on the Device of a great Seal was taken into Consideration and after Debate Ordered, That it be recommitted."

Evidently an error was made in the dates by Lovell when he transcribed the memorandum. A committee appointed in *1779*, if its report had been submitted May 10, *1779*, and recommitted May 17, *1779*, could hardly have made a second report May 10, *1780*, to have it recommitted May 17, *1780*. The MS. journal for March 25, 1780, says:

"*Ordered*, That the report of the committee on the device of a great Seal for the United States in Congress

assembled, be referred to a committee of three:

"The members chosen, Mr. Lovell, Mr. Scott and Mr. Houston."

The MS. journal for May 17, 1780, says:

"The report of the committee on the device of a seal was taken into consideration; and after debate,

"*Ordered*, That it be recommitted."

21. Pennsylvania Magazine, X, 414.

22. Note by Barton: "In the Arms of Scotland, as marshalled in the Royal Atchievement, the double Tressure which surrounds the Lion is borne *flory* and *counter flory* (with Fleurs-de-lis); which is in Consequence of a Treaty that was entered into, between Charlemagne, then Emperor & King of France, and Achaius King of Scotland; to denote that the French Lillies should guard & defend the Scottish Lion."

23. Totten, I, 104, 108; Mass. Hist. Soc. Proceedings, 1866–1867, p. 351.

24. Note by Henry Livingston Thomas, late Translator, Department of State.

25. Note by Barton: "As the Pales or Pallets consist of an uneven Number, they ought, in strictness, to be blazoned—Arg^{t}. 6 Pallets gules: but as the 13 pieces allude to the thirteen States, they are blazoned according to the Number of *pieces paleways*."

26. Vol. II, p. 656.

27. For discussion of the Prestwich claim, see Totten, I, 63 *et seq.*

28. Journals of Congress, vol. 4 (ed. 1823), p. 39.

29. The Department of State of the United States; Its History and Functions (Hunt), 50, 51.

30. See Totten, I, 212.

31. Totten, I, 171 *et seq.*

32. Life of Franklin (Bigelow), III, p. 252.

33. 18 Stat., 23.

34. 18 Stat., 420.

35. 25 Stat., 387.

TRANSCRIBER'S NOTES

Page	Changed from	Changed to
12	the Israelites; Rays from a pillow of Fire in the Cloud	the Israelites; Rays from a pillar of Fire in the Cloud

- Typos fixed; non-standard spelling and dialect retained.
- Used numbers for footnotes, placing them all at the end of the last chapter.

*** END OF THE PROJECT GUTENBERG EBOOK THE HISTORY OF THE SEAL OF THE UNITED STATES ***

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