"Preservation...From the Dangers of the Enemy as Well as Seas": The Establishment of the Old Cape Henry Lighthouse

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"PRESERVATION . . . FROM THE DANGERS OF THE ENEMY
AS WELL AS SEAS":
THE ESTABLISHMENT OF THE OLD CAPE HENRY LIGHTHOUSE

by

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B.A. May 1988, The College of William and Mary

A Thesis submitted to the Faculty of
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MASTER OF ARTS

HISTORY

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ABSTRACT

"PRESERVATION . . . FROM THE DANGERS OF THE ENEMY AS WELL AS SEAS:"
THE ESTABLISHMENT OF THE OLD LIGHTHOUSE AT CAPE HENRY

Kevin C. Valliant
Old Dominion University, 1995
Director: Dr. James R. Sweeney

As the federal government of the United States began its existence, the Chesapeake Bay had gone without a significant navigational aid for nearly two centuries. What factors then led the newly established government to build a lighthouse on Cape Henry, at the entrance of the Bay? Although the colonial governments of Virginia and Maryland failed to build a lighthouse, their efforts provided the groundwork for the Cape Henry light, which the federal government envisioned not only as a device to guide ships to safety, but as part of a system designed to ensure revenue for the new nation. This study will examine the construction of the lighthouse against the background of its perceived need by the colonial and national governments. Sources used for this work include the Calendar of Virginia State Papers, Hening's Statutes, the journals of the House of Burgesses, the Scharf Collection at the Maryland State Archives, and the records of federal lighthouse administration, located in the National Archives.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>2. THE CHESAPEAKE TRADE</td>
<td>8</td>
</tr>
<tr>
<td>3. PROGRESS AND FAILURE (1773-1785)</td>
<td>38</td>
</tr>
<tr>
<td>4. SUCCESS (1785-1792)</td>
<td>62</td>
</tr>
<tr>
<td>5. CONCLUSION</td>
<td>91</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>95</td>
</tr>
</tbody>
</table>

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CHAPTER ONE

INTRODUCTION

Under the direction of Alexander Hamilton the Department of the Treasury assumed the administration of all lighthouses in the United States during the first years of the federal government. By providing an efficient system of navigational aids, Hamilton hoped to assure foreign traders of the safety of American waters and, therefore, ensure the collection of import duties and increase the wealth of the new nation. The Chesapeake Bay, which served both Virginia and Maryland, had no significant aid to navigation to guide ships through capes Charles and Henry, the northern and southern boundaries to its entrance. These ships did not face the dangers of the jagged coasts of New England, but rather treacherous shifting sand shoals. The existence of these shoals alone, however, was apparently not compelling enough to convince the Royal government of the necessity of a lighthouse, as one was not authorized until late in the colonial era.

During the seventeenth and eighteenth centuries seamen who navigated the waters of the lower Chesapeake utilized dead reckoning and sounding to slip past the dangerous shoals. By
dead reckoning a sailor tracked his position using charts, a compass, and a knotted line for measuring speed and distance.\(^1\) Sounding alerted a sailor to the depth of the waters he sailed and could also provide clues to a ship's location by the type of mud brought up by the sounding weight.\(^2\) These methods were generally reliable and more importantly cheap. During the colonial era British ship captains and merchants were not eager to embrace any additional duties to help pay for a lighthouse when the cheaper methods seemed to work so well.

The supporters of a lighthouse on Cape Henry were not well organized and only offered vague appeals regarding the desirability of such a structure. It was not until the 1760's that all involved parties agreed to the proposed lighthouse, and this probably had as much to do with defensive considerations as navigational ones, but actual construction did not begin during the colonial era and the Revolution ended the venture begun by the colonial government. Almost a decade

\(^1\)The line was knotted at intervals of 47 feet 3 inches. This distance is to the 6,080 feet of a nautical mile what 28 seconds is to the 3,600 seconds of an hour. When the line was cast overboard, a sailor could determine the speed of a vessel by counting how many knots were played out in 28 seconds. Arthur Pierce Middleton, Tobacco Coast: A Maritime History of Chesapeake Bay in the Colonial Era (Newport News: The Mariners' Museum, 1953; repr., Baltimore: The Johns Hopkins University Press, 1984), 27 (page references are to reprint edition).

\(^2\)Ibid., 35.
after the conclusion of the Revolution, the federal government finally succeeded in placing a lighthouse on Cape Henry.

This paper will examine the efforts to build the first Cape Henry lighthouse in three sections. The first will focus on the colonial trade of the Chesapeake and the initial, rather inept arguments for building a lighthouse. The second will examine the efforts to build the lighthouse just prior to the Revolution and the final section will show the federal government's reasoning for and successful completion of the Cape Henry lighthouse. This study will show that while a lighthouse seemed to be a reasonable aid in the preservation of the lives of sailors and passengers, the real struggle whether to build the lighthouse or not was strictly an economic issue as few lives would have ever been saved on the Chesapeake due to the presence of a lighthouse. When the federal government undertook the administration of lighthouses, it tellingly placed that duty under the control of the Treasury Department.

There are very few works which deal specifically with the old lighthouse at Cape Henry. Arthur Pierce Middleton's "The Struggle for the Cape Henry Lighthouse, 1721-1791" is one of a limited number of sources which deals with any significant aspect of the lighthouse. Middleton focuses on the conflicts among Virginia, Maryland, various merchants, and the Board of Trade concerning the financing of the light and whether there was any need for it at all. More common are works such as
Elizabeth Hawes Ryland's "Old Cape Henry and Some of its Predecessors" and the Association for the Preservation of Virginia Antiquities', [N. M. Osborne], The Old Lighthouse at Cape Henry: An Account of Early Efforts to Establish a Lighthouse at the Entrance to the Chesapeake Bay which offer brief accounts of Virginia's legislative attempts to build a light. While generally informative, works such as these offer no real insight or analysis and soon become repetitive. Other works such as Elizabeth Baroody's "The Light at Cape Henry: A Good and Sufficient Beacon," Ellis P. Armstrong's "The Cape Henry Lighthouse," and Charles E. Hatch's "The Old Cape Henry Light" only restate already well established facts.3

General works on lighthouses often mention the old Cape Henry lighthouse for its significance as the first federally funded work of its kind, but rarely offer any in-depth discussion of the structure. Robert de Gast's The Lighthouses of the Chesapeake is a pictorial study of all lighthouses in the Bay area. The introduction offers a brief history of the Lighthouse Service and lights on the Chesapeake but the

discussion of the Cape Henry lighthouse provides only the most basic facts. Francis Ross Holland, Jr.'s America's Lighthouses: An Illustrated History also gives the basic information about the Cape Henry light but proves more useful in its discussion of the colonial lighthouses and the federal Service. Holland's Great American Lighthouses offers a condensed version of the same information and is presented more as a tourist guide rather than a historical work.4

Other sources do not deal specifically with lighthouses at all but rather the area of Cape Henry and the Chesapeake Bay in general. John J. McCusker and Russel R. Menard's The Economy of British America, 1607-1789 is the best source to begin any discussion of the economy of Virginia or any British colony in North America or the West Indies. Allan Kulikoff's Tobacco and Slaves is specific to the Chesapeake and gives a detailed account of economic and social conditions during the early eighteenth century. An older but still useful work on the history of the Chesapeake region during the colonial period is Middleton's Tobacco Coast. Middleton discusses the relationship of the geography and the economy of the region and thus provides a perspective on the need for a lighthouse. Although he only mentions the Cape Henry lighthouse briefly,

Middleton's work is quite valuable for the larger issues it addresses. Thomas Jefferson Wertenbaker and Marvin W. Schlegel's *Norfolk: Historic Southern Port* was for many years the standard text for the history of that city, which was home for several men who played a role in the attempts to build a lighthouse. Wertenbaker and Schlegel trace the growth of the economy and the political structure of the city. In 1994 Thomas Parramore's *Norfolk: The First Four Centuries*, written with Peter C. Stewart and Tommy L. Bogger, was published. Parramore's study provides an excellent background to the development of Norfolk into a relatively small, but successful port city. Although not as detailed as Wertenbaker and Schlegel with regards to specific trade items, Parramore's account offers a sound examination of the development of the surrounding area and the site of the port itself. Of lesser value is George Holbert Tucker's *Norfolk Highlights 1584-1881* which is more episodic and anecdotal than analytical. Two other works, Stephen S. Mansfield's *Princess Anne County and Virginia Beach: A Pictorial History* and Florence Kimberly Turner's *Gateway to the New World: A History of Princess Anne County, Virginia 1607-1824* examine the county where the lighthouse was actually built, but since this area was less influential than Norfolk, the works are not as valuable to this study.\(^5\)

With the exception of Middleton's brief article none of these works offers any analysis of the history of the old Cape Henry lighthouse. Only the chronology of events leading to the lighthouse's construction is provided. Construction of the old Cape Henry lighthouse should not be approached as an isolated event but rather as an integral part of the history of not only colonial and early national Virginia but also of the United States itself.

CHAPTER TWO
THE CHESAPEAKE TRADE

In 1680 the General Assembly of Virginia passed the "Act for Cohabitation and Encouragement of Trade and Manufacture" with the hope of persuading colonial Virginians to develop towns, an action which they had been reluctant to take. By limiting commerce to one town in each of Virginia's twenty counties, the royal authorities hoped the colonists would come together to produce more goods such as iron, cloth, and ships.\(^1\) Perhaps more importantly, the Royal government believed the collection of customs would be facilitated in towns and British merchants would spend less time and money stopping at only a few locations.\(^2\) Most plantation owners had their own wharves where they could load their tobacco and other goods and unload any manufactured items from Britain, and so they saw no need for a town to serve as a central

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\(^1\)Brent Tarter, ed., The Order Book and Related Papers of the Common Hall of the Borough of Norfolk, Virginia, 1736-1798 (Richmond: Virginia State Library, 1979), 4; Parramore, Stewart, and Bogger, 44. It was also hoped that by encouraging manufacturing fewer people would be involved in tobacco production; consequently quality and prices would remain high. McCusker and Menard, 126.

\(^2\)Parramore, Stewart, and Bogger, 44.
location for shipping. The "tobacco gentry" also thought towns would bring a hindering bureaucracy and more regulations from which others could make money. The planters prevailed and the act was repealed the following year. One of the few areas designated by the act was Norfolk. Since the idea of a centralized site for trading and customs collection did not materialize, Norfolk's trade was confined to nearby areas, including eastern North Carolina for its first decades. In Maryland the port city of Baltimore, which was not officially designated a town until 1729, also grew slowly in the seventeenth and early eighteenth centuries. These small towns and the large plantations both relied on the safe passage of ships to ensure their livelihood.

The passage of tobacco inspection acts in both Virginia and Maryland, one of the most important developments in the tobacco trade in the eighteenth century, helped to increase profits from the sale of tobacco. In 1713 Virginia's Governor Alexander Spotswood introduced an inspection act designed to eliminate inferior tobacco which, he argued, lowered the price and reputation of Virginia tobacco. The Privy Council

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3Ibid., 43.


5Spotswood was actually the lieutenant governor. Beginning in 1705 the governorship was given to a prominent individual, in this case the Earl of Orkney, who remained in England, while his subordinate ventured to Virginia. For convenience the lieutenant was still addressed as governor. Warren M. Billings, John E. Selby, and Thad W. Tate, Colonial
disallowed the act in 1717, however, claiming that it was a "monopoly in restraint of trade."\(^6\) The British government levied taxes on the quantity of tobacco, not the quality, and since the act would apparently reduce the amount of tobacco by burning off trash, the government feared losing revenue. Governor William Gooch raised the prospect of another inspection act in 1730. His plan called for inspection at public warehouses and the destruction of trash tobacco.\(^7\) Met with the same resistance Spotswood encountered, Gooch argued that the higher prices resulting from the higher quality tobacco would entice more planters to grow tobacco and, therefore, production would not suffer. Gooch also warned that without inspection the market would be glutted with inferior product which would lower prices and force planters to turn to manufacturing.\(^8\) The argument worked and the Board of Trade and the Virginia General Assembly agreed to the act. The price of tobacco edged upward one half penny in 1733 and remained in an upswing for the next thirty years. Maryland

\(^6\)Ibid.

\(^7\)Ibid., 236. The plan also called for the standardization of hogsheads, the keeping of detailed records to avoid smuggling, and the use of warehouse receipts as legal tender.

\(^8\)Ibid., 239.

witnessed the positive effects of Virginia's inspection act, but they did not introduce their own until 1747.\(^9\)

Tobacco remained the dominant staple in the Chesapeake trade during the colonial period, but beginning late in the seventeenth century some areas began to diversify into other crops. The tobacco market experienced two long periods of growth during the colonial period, the first from roughly 1616 until 1680 and the second from 1715 until 1776.\(^10\) Generally many Virginia and Maryland localities turned to other crops and industry when tobacco prices were low, but quickly returned to the staple when prices recovered.\(^11\) Beginning in the 1680's many areas where soil conditions usually produced inferior tobacco anyway began to produce grains, meats and forest products.\(^12\) These areas included the Eastern Shore and the Southside of Virginia and unlike areas which quickly returned to tobacco, they increased their production of other goods in the eighteenth century.

It was this diversification which helped small towns like Norfolk and Baltimore to develop. Since tobacco needed little preparation before it was shipped it did not produce many secondary business opportunities which might have encouraged

\(^9\) Middleton, *Tobacco Coast*, 137.
\(^10\) McCusker and Menard, 120.
\(^11\) Ibid., 126.
\(^12\) Ibid., 129.
town growth. Slavery also discouraged the growth of towns since it provided little consumer demand and plantations were generally self sufficient. Peripheral products such as grains, however, did create economic opportunities through the need for storage, processing and transportation. Although never dominant, these secondary endeavors were an important part of the Chesapeake economy. Grain shipped to southern Europe and the West Indies accounted for nearly twenty percent of Chesapeake exports in 1770 and the value of grain exports rose from £9,447 in 1733 to £145,360 in 1773. On the eve of the Revolution, however, tobacco still dominated with seventy-five percent of all exports.

Another development in the Chesapeake trade was the introduction of the Scottish store system. The era of the Glasgow "Tobacco Lords" brought Scottish merchants into Virginia. The largest concentration of Scottish merchants was in the Norfolk-Portsmouth area where over forty operated between 1740 and 1800. The store system was based on the exchange of tobacco for other goods, often manufactured

13Ibid., 132-133.
14Ibid.
15Ibid.
16Ibid., 130, 132.
17Ibid., 133.
18Charles H. Haws, Scots in the Old Dominion (Edinburgh: John Dunlop, 1980), 70.
products. Niel Jamieson, a representative of the Glasgow firm of John Glasford and Company and one of the more successful Scots, dealt with stores throughout the Tidewater and Piedmont areas and engaged in the West Indian trade, the slave trade, and shipbuilding, in addition to tobacco. Scots such as Jamieson helped Norfolk establish and sustain the West Indian trade and they also contributed to the town's prosperity by establishing a distillery and a ropewalk.

The continued and successful development of the Chesapeake trade led to an increase of maritime industries in the towns of the Bay. William Byrd II noted in 1728 that Norfolk contained docks, ship carpenters, and other "useful artisans" for ship repair. The British vessels entering the Chesapeake were often damaged in some way and repair work added substantially to Norfolk's commerce. Annapolis and Chestertown also boasted excellent docks, shipyards, ropewalks, and ship chandlers. The Dismal Swamp provided Norfolk with lumber and its deep harbor made it well suited to repair large vessels. Annapolis, which offered neither of these amenities, still maintained an excellent reputation for

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19 Other goods such as flour and corn were also exchanged, but tobacco was the main commodity.

20 Ibid., 87.

21 Tarter, 5; Tucker, 16.

22 Wertenbaker, 42-43.

23 Middleton, Tobacco Coast, 258-259.
ship repair and received numerous recommendations, over Norfolk, for repairs.24

Shipbuilding, however, started rather slowly in the Chesapeake colonies. For years Virginia and Maryland competed with New England ships in carrying Chesapeake goods to the West Indies. Obviously the Chesapeake's economy was better served when her own ships carried her goods to the Caribbean. Byrd warned of allowing Northern traders into the Chesapeake, and apparently his advice was heeded as the number of Virginia owned and built ships increased four times between 1730 and 1764.25

By the mid-eighteenth century towns such as Norfolk and Baltimore benefitted from the peripheral Chesapeake trade in grains and other products. Prior to the Revolution Norfolk became the most successful port on the Chesapeake Bay; however, a town of only 6,000 in 1770, it paled in significance beside major cities such as New York and Philadelphia.26 Baltimore, a "mere hamlet" as late as 1750, grew rapidly in the last years of the colonial era and would eclipse Norfolk as the "Queen of the Chesapeake" following the

24Ibid.

25Twenty three ships in 1730 compared to 102 in 1764. Wertenbaker, 36, 42.

26Wertenbaker, 47; Middleton, Tobacco Coast, 35-37; McCusker and Menard, 131.
The development of these towns and the increasing diversification of the Chesapeake economy into grains and other products did not alter the preeminence of tobacco in the Chesapeake economy nor did they signal a centralization of trade. All ships, however, regardless of destination or cargo, entered and exited the Bay between Cape Charles on the North and Cape Henry on the South.

In 1736 Governor William Gooch granted Norfolk's request to incorporate as a borough. The great mercantile families of Norfolk, such as Boush, Hutchings, Newton, Taylor, and Tucker served on the governing body, the common hall, which held all legislative, judicial, and executive power. The common hall was not only quite powerful but its members, "the most notable inhabitants and freeholders" of the borough also exercised considerable economic influence. When efforts were made to build a lighthouse these names were also prominent. Although neither the city nor its citizens were

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27McCusker and Menard, 133; Middleton, *Tobacco Coast*, 259.

28McCusker and Menard, 119.

29Norfolk became a borough and not a city in accordance with English tradition. Only such important towns as London and Canterbury were granted the title "city." Tarter, 6.

30For a complete discussion of the borough of Norfolk's government see Tarter, 5-32.

powerful enough to push any legislation calling for a lighthouse through the Virginia General Assembly, Norfolk merchants developed a particular association with the lighthouse project unmatched by any other group in Virginia or Maryland.

Virginia and Maryland ships, like all other eighteenth century sailing ships, were in constant danger from the elements, pirates, and privateers. In 1707 Prince George, the Lord High Admiral, ordered Captain Stuart of the HMS Guarland to patrol the capes in search of privateers. Stuart did not begin his assignment auspiciously as two ships were captured soon after his arrival.32 Over a decade later Governor Spotswood dispatched two armed sloops to capture the pirate Blackbeard. During wartime ships were often harassed by French privateers. Some Norfolk merchants armed their own vessels to fight off attacks.33 Although not always successful, Norfolk's merchants, the Virginia General Assembly, and the Royal Navy did take steps to protect Virginia's ships from pirates.

The elements were not as easy to guard against. Ships at sea were at the mercy of sudden storms and could often do


33Wertenbaker, 38-40.
little but ride them out. Treacherous shoals and rocks could also take their toll. Sometimes nature was not destructive but rather inconvenient, as night fell preventing ships from entering safely into harbor. Ships would often cruise off the coast rather than risk a night passage into port. At times a turn in the weather could force a ship to lay off the coast for days if entry could not be gained at night. A lighthouse not only would alert mariners to potential dangers, such as shoals and rocks, but it would also allow a captain to find the harbor entrance at night. These were among the primary reasons that eleven colonial communities erected lighthouses before the Revolution. Lighthouses in colonial America were proposed and built by local people near their home ports to benefit their own commerce and trade. What proved to be rather simple for them proved to be enormously difficult for the Chesapeake colonies.

In 1716 the Boston light became the first lighthouse to illuminate a harbor in the British North American colonies. Three years earlier a group of Boston merchants had petitioned the Massachusetts General Court to build a lighthouse at the entrance to Boston Harbor to direct ships at night. The Court agreed and two years later, with Governor Dudley's approval, they authorized the construction of a lighthouse at the colony's expense on Little Brewster island at the entrance to

34Holland, America's Lighthouses, 8.
35Ibid.
the harbor.\textsuperscript{36} The Court stated that want of a lighthouse was a "discouragement to navigation by the loss of the lives and estates of several of His Majesty's subjects."\textsuperscript{37} To pay for the light, a duty of one penny per ton per ship entering and leaving the harbor was imposed. Local fishing vessels paid five shillings a year. The keeper's salary was set at fifty pounds per year and to show the importance of his task, he was subject to a one hundred pound fine for dereliction of duty.\textsuperscript{38} The remaining colonial lighthouses at Tybee Island off the coast of Georgia, Brant Point, Massachusetts, Sandy Hook, New Jersey, Cape Henlopen, at the entrance to the Delaware Bay, Plymouth lighthouse on Gurnet Head at the entrance to Plymouth harbor, Beavertail, Rhode Island, New London, Connecticut, Charleston, South Carolina, Portsmouth, New Hampshire, and Cape Ann, Massachusetts were all built with comparative ease during the decades preceding the Revolution. These areas, though trade and shipbuilding centers, did not match the amount of commerce carried on in the Chesapeake. In 1763 only Jamaica carried on more trade with Britain than the Chesapeake colonies. The Chesapeake trade amounted to £1,744,000, nearly forty percent of all trade carried on with

\textsuperscript{36}Ibid., 9; D. Alan Stevenson, \textit{The World's Lighthouses Before 1820} (London: Oxford University Press, 1959), 173.

\textsuperscript{37}Stevenson, 173.

\textsuperscript{38}Holland, \textit{America's Lighthouses}, 9.
the North American colonies but there was still no lighthouse to guide ships at night.\textsuperscript{39}

In the early years of the Chesapeake colonies ships could sometimes make their way into the Bay by spotting bonfires built on the shore.\textsuperscript{40} Of course, this system had its limitations and the lights could be misleading, actually leading a ship to destruction rather than safety.\textsuperscript{41} In the experience of British sailors it was not unusual for local "wreckers" to scramble into the surf to retrieve whatever cargo or ship's hardware they could from the damaged vessel.\textsuperscript{42}

Another method to bring ships in safely was the use of pilot boats. In response to the complaints of ship masters, concerned with the lack of pilots and beacons to guide them, the Virginia General Assembly appointed Captain William Oewin the "chief pilot" of the James River in 1660.\textsuperscript{43} Oewin

\textsuperscript{39}Middleton, Tobacco Coast, 196.

\textsuperscript{40}William H. Gaines, Jr., "Cape Henry Historic Headland," Virginia Cavalcade 1 (Autumn, 1951): 31.

\textsuperscript{41}Great Britain, Calendar of State Papers, Colonial Series, America and West Indies: 1722 to 1723, ed. Cecil Headlam (London: Great Britain Public Record Office, 1860; repr., Vaduz, Liechtenstein: Kraus Reprint Ltd, 1964), 117 (page references are to reprint edition). (Hereafter referred to as Calendar of State Papers, Colonial Series).


\textsuperscript{43}William Waller Hening, ed., The Statutes at Large (Richmond: Franklin Press, 1823; repr., Charlottesville: University Press of Virginia, 1969), 2:35 (page references are to reprint edition). (Hereafter referred to as The Statutes
maintained beacons, perhaps merely daymarks or possibly fires, from Willoughby Shoal to Jamestown. In 1720 Joseph Bannister and William Loyall petitioned Governor Spotswood to make them the only pilots within the capes since they claimed that inexperienced pilots were dangerous and discouraging to trade.

Pilot boats generally met vessels which had already entered the bay. Ships approaching Virginia were on their own with only their captain's experience to guide them. The Virginia coastline is relatively flat and offers little in the way of landmarks to signal a ship that it is near the capes. Once a navigator determined the ship was at the thirty seventh north parallel, he knew he was at Cape Henry, but the vessel still had to be guided into the bay. One anonymous sailor provided instructions for safe passage into the Chesapeake. At the thirty seventh parallel the depth of sounding would be about forty fathoms seventy-five miles off the coast, but would quickly fall off to twenty fathoms. In clear weather the incoming ship could see land about fifteen miles off the coast.

[44] Ibid.
[47] Ibid.
ground," a shoal about fourteen miles from Cape Henry, and cautioned that the best channel between this shoal and the cape was only four miles long.\textsuperscript{48} The best advice the sailor offered to "strangers," was to avoid any shoals after finding "hard ground with the lead, as the best of the channel is all soft ground."\textsuperscript{49} These shifting shoals caused many wrecks in the bay.

Shipwrecks on the Chesapeake were seldom dramatic affairs. Mariners and merchants faced the costly loss of property more often than the tragic loss of life. One hundred and thirty-four wrecks were documented prior to the Revolution and an additional fifty-one occurred after the Revolution and before 1800.\textsuperscript{50} Many of these wrecks were caused by fires and storms which would have probably occurred even if a lighthouse had been present, but several vessels would have been well served by a beacon. In 1738 the merchant ship Richmond was lost on the middle ground; there were no casualties.\textsuperscript{51} The Ranger ran onto Cape Henry itself and was lost in 1766.\textsuperscript{52} To help the owners recoup their losses, all that was

\textsuperscript{48}\textit{Ibid.}

\textsuperscript{49}\textit{Ibid.}

\textsuperscript{50}\textit{Donald G. Shomette, Shipwrecks on the Chesapeake: Maritime Disasters on the Chesapeake Bay and its Tributaries, 1608-1978} (Centreville, Md: Tidewater Publishers, 1982), 242-249.

\textsuperscript{51}\textit{Ibid.}, 13.

\textsuperscript{52}\textit{Ibid.}, 18.
salvageable from the *Ranger*, including anchors and rigging, was sold.\(^53\) A few months later the captain and a crewman from the ship *Norfolk* drowned when their longboat capsized in an attempt to flee the grounded merchantman.\(^54\) In November, 1769 a vessel ran onto Cape Henry and fired its cannon as a distress signal, but was lost because the water was too rough for any other vessel to assist.\(^55\) In 1770 a Captain Ford from Liverpool lost 20,000 pounds sterling worth of goods, but not a single sailor when his ship ran aground.\(^56\)

The need for a lighthouse at Cape Henry was clearly an economic rather than a humanitarian issue. When Governor Spotswood first broached the subject of a lighthouse in November, 1720 he sent a petition to the House of Burgesses from concerned merchants; however their names have been lost.\(^57\) Spotswood also introduced an element which made

\(^{53}\) *Virginia Gazette*, Purdie and Dixon (Williamsburg), 6 November 1766.


\(^{56}\) *Virginia Gazette*, Rind (Williamsburg), 3 May 1770.

\(^{57}\) *Virginia, Journals of the House of Burgesses of Virginia: 1712-1714, 1715, 1718, 1720-1722, 1723-1726*, ed. H. R. McIlwaine (Richmond: The Colonial Press, 1912), 279. (Hereafter referred to as *Journals of the House of Burgesses*). It is possible that in the wake of his defeat on tobacco inspection, Spotswood hoped to avoid another fight between large and small planters. If he feared the small planters would reject the idea of a lighthouse because of the associated duty, he may have purposely omitted the names of his supporters and instead used a more general appeal. A split between large and small planters did not materialize in Virginia over the lighthouse issue.
Virginia's situation unique among the colonies which built lighthouses; the need for agreement on the project by another colony, namely, Maryland. Spotswood noted that Maryland had to do its part and stated that there were those in the Maryland government interested in a lighthouse, but he gave no names.\textsuperscript{58} The governor reasoned that a lighthouse at Cape Henry would be an aid to all ships entering the Chesapeake, including those headed for Maryland.\textsuperscript{59}

In March of 1721 Spotswood's appeal for the lighthouse came before the Board of Trade. Even though Virginia had already resolved to build a lighthouse, provided Maryland helped, Spotswood needed the consent of the royal government to impose the duty on shipping intended to defray the cost of the structure.\textsuperscript{60} He related to the Board that ships unfamiliar with the area would not enter the capes at night because there was no landmark to guide them.\textsuperscript{61} If the winds were unfavorable a ship could spend two to three months trying to get into the bay, but if there were a lighthouse "ships might boldly venture" into the Chesapeake and deliver their

\textsuperscript{58}Ibid.

\textsuperscript{59}Ibid., 288.

\textsuperscript{60}\textit{Calendar of State Papers, Colonial Series, March 1720 to December 1721}, 265.

\textsuperscript{61}Ibid.
cargo in a timely manner. Spotswood hoped the Board would realize that any delay might lead to lost revenue.

The Board of Trade, not convinced by Spotswood's presentation, called upon several merchants for their views on a lighthouse. On July 10 1722, a Captain Hyde and twenty other Virginia merchants flatly stated that a lighthouse at Cape Henry would be in "no ways advantageous" to shipping. The Board, in perhaps an effort to be fair to Spotswood, asked for specific reasons for opposing the lighthouse, in writing, from Hyde. The captain complied and told the Council that sounding was the best method of guidance and that a lighthouse would actually be dangerous because, if a vessel could not distinguish it from other lights on the shore, a ship could be lost following the wrong light. Hyde conceded that ships were often blown back into the open sea near the capes, but contended the cause was northwest winds in the winter and not the lack of a lighthouse. Spotswood was not able to counter with any support from his unknown petitioners and his removal from office in 1722 ended his efforts to build a lighthouse.

62Ibid.
63Calendar of State Papers, Colonial Series, 1722-1723, 108.
64Ibid., 113.
65Ibid., 117.
66Ibid.
The Board was not strongly opposed to the lighthouse but without solid support for the project they did not see the immediate need to allow Virginia's legislation. In June 1723 the Council wrote to the new Virginia governor Hugh Drysdale that since any duties in support of the lighthouse would primarily be applied to British vessels, and since the merchants they heard from seemed opposed to the idea, a suspending clause would have to be inserted into any lighthouse act written by Virginia.67 Ordinarily laws enacted by the Virginia General Assembly went into effect as soon as the governor approved them. All colonial laws, however, were subject to review by the British government. If the colonists never heard from Britain, the law simply remained in effect.68 If the Board of Trade objected to a law, it could send it to the Privy Council for disallowance, and the law would cease to be in effect once word was received in the colony.69 During the intervening months the act was legally binding. The suspending clause imposed by the Council meant that the law, in this instance the primary concern was the duty on shipping, could not go into effect until the colonists received approval from the Crown.70 The way was still open for the lighthouse, provided that someone was

67Ibid., 282.
68Billings, Selby, and Tate, 254.
69Ibid.
70Ibid.
willing to continue the fight. Drysdale was not and he informed the Council that since the merchants were seemingly opposed to the structure, he believed that the General Assembly would take no further action.71 They would not while he remained governor.

The Board of Trade, however, was not the only obstacle to the lighthouse, for the required approval of the Maryland General Assembly was not readily forthcoming. The problem came from the lower house. In July 1721 the lower house received word of the proposed lighthouse from the upper house, which advocated the beacon as a "great advantage to the trade of the Bay."72 The upper house admitted that they were uncertain of how the project would unfold but they did not want to "loose[sic] the benefit of so useful a work for want of a right understanding of it . . . ."73 The lower house was not so trusting. They wanted specific reasons for and the advantages of a lighthouse, and since Virginia had not provided either, the lower house decided not to act until

71 Calendar of State Papers, Colonial Series, 1722-1723, 356.


Virginia was "more particular."\textsuperscript{74} The lower house did not discount a lighthouse altogether, and promised that if they could find advantages to building one then they would certainly pursue the matter.\textsuperscript{75} Effectively the lower house of Maryland helped seal the fate of Spotswood's attempt to erect a lighthouse at Cape Henry.

During the early portion of the term of Drysdale's successor, William Gooch, the subject of the lighthouse was revived. In February 1727, Gooch addressed the General Assembly, stating that a lighthouse at Cape Henry was vital "for the preservation of shipping from the dangers of the Enemy as well as Seas."\textsuperscript{76} Although Virginia was again willing, the Board of Trade did not join the cause of the lighthouse.

In December 1728 the Board called a meeting with Lord Baltimore, Spotswood, Micajah Perry, a wealthy tobacco merchant, and several others to discuss the lighthouse.\textsuperscript{77} A letter from Robert Cary, a Virginia merchant, was presented stating that he believed other Virginia merchants would not object to the project so long as Maryland ships paid an equal

\textsuperscript{74}Ibid., 130.
\textsuperscript{75}Ibid.
\textsuperscript{76}Journals of the House of Burgesses, 1727-1733, 1736-1740, 8.
\textsuperscript{77}Middleton, "The Struggle for Cape Henry Lighthouse," 29.
duty. Perry, representing the Maryland merchants, put an end to any hope of cooperation. Perry rehashed the earlier arguments against the lighthouse and added that even some lights in Britain failed, through inattention of the keeper, leading to the loss of several ships. It was enough for the Board, which again did not condemn the project, but merely put off a decision. Gooch tried to push the Board following the loss of a merchant vessel in March 1729 by forecasting more disasters and laying the blame at the feet of stubborn Maryland merchants. The Board politely informed Gooch that they had discussed the matter with Lord Baltimore and various merchants, and as they could find no solid support for a lighthouse, they recommended that the king disallow the Virginia act. Gooch, like Spotswood, failed in his efforts because he could produce no defenders of the lighthouse. He spoke only of nameless captains and merchants and even Cary's letter only offered a promise, not a guarantee of support. Gooch had hoped to secure the Board's approval before turning towards Maryland, but the Maryland merchants were the ones who swayed the royal government.

78Ibid.
79Ibid.
80Ibid.
81Ibid., 30.
82Ibid.
Following Gooch's failure, the lighthouse idea lay dormant for over twenty years. In 1750 Thomas Lee, then president of the Virginia Council, suggested a lighthouse at Cape Henry in conjunction with a fort to be relocated from Point Comfort. The recently concluded King George's War may have prompted Lee's suggestion of a beacon and a defensive structure. Whatever the motivation, the General Assembly unveiled a new act for erecting a lighthouse at Cape Henry in April 1752. As the expense of the structure was to be covered by a "small and inconsiderable duty" of two pence per ton, the act contained the necessary suspending clause delaying implementation until approved by the king. When Governor Dinwiddie appealed directly to Maryland's governor, Horatio Sharpe, for the lighthouse, the Virginian also mentioned that a fort was to be built near the lighthouse to protect ships from privateers, who were able to seize several vessels during the "last war." Defense was now a strong argument for the erection of a beacon to guide friendly ships safely and quickly into the Chesapeake.

83 Ibid.
84 The Statutes at Large, 6:227-229. About this time the Board of Trade was submitting all of Virginia's laws to more careful scrutiny, with the result that nearly all new legislation was required to carry a suspending clause, meaning a delay of nearly two years before acts went into effect. Billings, Shelby, and Tate, 255.
85 The Statutes at Large, 6:478. This war was most likely King George's War and not the current conflict which would be known as the French and Indian War.
The Board of Trade finally reviewed Virginia's act for erecting a lighthouse late in 1758. At a meeting convened in December of that year, representatives of Virginia, Maryland, and Lord Baltimore all agreed to the proposed lighthouse.\textsuperscript{86} Despite this agreement the Board was ready to strike down the act when they received word from John Collet, secretary of the tobacco merchants, stating that the merchants were in favor of the lighthouse, although they were reluctant to pay for it.\textsuperscript{87} Although the reasons for the merchants' and Baltimore's acceptance are not made explicit, it seems reasonable to assume that the two wars since the lighthouse was first discussed may have convinced them of the benefits such a structure could provide. The Board of Trade still favored disallowance, however, because the Virginia act held no estimate of the cost of the project, no determination of how to spend any surplus, and subjected Maryland to a tax levied by Virginia.\textsuperscript{88} The Board recommended that the two colonies and the merchants come up with new legislation to build the lighthouse.\textsuperscript{89}

\textsuperscript{86}Middleton, "Struggle for Cape Henry Lighthouse," 31. This was not the same Baltimore who objected to earlier legislation, but rather Frederick Calvert, who assumed the title in 1751.

\textsuperscript{87}Ibid.

\textsuperscript{88}Ibid.

\textsuperscript{89}Ibid. It is at this point that Middleton asserts that all interested parties were in agreement to build the lighthouse at Cape Henry. He is clearly wrong in this assumption since the lower house of the Maryland Assembly had
Virginia did not idly wait for Maryland to pass legislation to build the lighthouse; the Burgesses took other steps to help insure the safety of vessels in Virginian waters. In May 1755 the Assembly passed an act which regulated pilot qualifications and fees. The regulation of pilots was of concern to mariners since an unskilled pilot could easily lead a ship to disaster. The legislation of 1755 set fines for anyone other than an authorized pilot to guide vessels and established an examination board in each district to test applicants. Every ship entering the Bay was to accept the first pilot who presented himself, or pay half the fee for service to the first port if his service were refused. Additional legislation in 1762 allowed vessels to proceed without a pilot if none presented himself below Horseshoe Shoal.\textsuperscript{90} In Maryland the Lord Proprietor held the exclusive power to regulate pilots, but the right was never exercised and Maryland went without similar legislation during the colonial period.\textsuperscript{91}

By April 1767 no action on the lighthouse had been taken and the Virginia Burgesses were ready to try again. They resolved that a committee should be appointed to correspond not yet agreed to the proposal.

\textsuperscript{90}Middleton, \textit{Tobacco Coast}, 93.

\textsuperscript{91}Ibid., 95.
with Maryland on the matter of the lighthouse at Cape Henry.92 The lesson of a decade earlier learned, the Burgesses decided that a duty not to exceed six pennies per ton should be collected for five years to defray the initial cost of the lighthouse, followed by a new duty to be determined by the remaining expenses.93 The Marylanders, still not struck by any sense of urgency, delayed action until their next assembly.94 Although Virginia had learned to define the duty legislation more clearly, they still failed to provide Maryland with any hard evidence displaying the need for a lighthouse. Another two years would pass before they attempted to provide such evidence.

In June 1770 the Burgesses agreed that Lord Botetourt should send a message to Maryland's governor, Robert Eden, asking him to convince his assembly to join with Virginia in building a lighthouse to secure the "extensive trade carried on by both colonies upon the Bay of Chesapeake."95 Botetourt's letter did not tout the "obvious need for" or the "great advantages" of the lighthouse in simply general terms but also included a list of ships lost or stranded near Cape Henry since September 1, 1769, a span of less than one year

93 Ibid., 119.
95 Journal of the House of Burgesses, 1770-1772, 86.
preceding his letter. While supplying facts for his case, he was not above playing on Maryland's sense of pride and history by offering the hope that the lighthouse could be "brought to perfection during the course of our Residence in this flourishing land." Botetourt hoped to persuade the Marylanders by holding out the idea of a lasting accomplishment which would benefit the colonies long after its architects had left the colony, or indeed this life.

The number of ships and the amount of money lost included in Botetourt's list showed Maryland that it did indeed have an interest in a lighthouse at the entrance to the Bay. The Randolph, bound for Maryland, was an estimated loss of £12,000. The Nicholson, also headed for Maryland, was an unestimated loss, while a Mr. Galloway of Maryland lost most of his tobacco cargo when his ship went down. Botetourt included ships bound for Norfolk and several unnamed vessels, which he claimed would have probably been saved had there been a lighthouse, since they were all lost at night. The numbers were not staggering, but they were specific and they provided the push the lower house needed. In October the Marylanders finally agreed that a lighthouse would be necessary.

97 Ibid., 469.
98 Ibid.
beneficial for the safety of trade for Maryland and Virginia.\textsuperscript{99} The lower house stated that once they received Virginia's plan, an estimate of the expense of the lighthouse, and an account of the tonnage entering both colonies, they would be ready to join Virginia, in a reasonable capacity, in erecting the structure.\textsuperscript{100}

In the spring of 1772 the Virginia General Assembly drafted legislation which would finally begin the process of building a lighthouse at Cape Henry. After fifty years the project was agonizingly close. A committee was appointed to supervise the construction of the lighthouse, which was to begin as soon as the Assembly of Maryland passed similar legislation.\textsuperscript{101} To pay for and maintain the lighthouse a duty was to be levied on all ships entering the Bay, except those from Maryland. The commissioners, or directors, were to receive £6,000 Virginia currency to begin construction of the building.\textsuperscript{102} Until this money was repaid to the treasurer the duty would be four pence per ton and would then drop to one and one half penny per ton. The duty was to begin in

\begin{footnotes}
\item[99] Ibid., 266.
\item[100] Ibid.
\item[101] Ibid., 192. The commissioners or directors of the lighthouse were William Nelson, Thomas Nelson, William Byrd III, Severn Eyre, Matthew Phripp, Thomas Reynolds Walker, Joseph Hutchings, Thomas Newton Jr., James Holt, Paul Loyall, and John Hutchings.
\item[102] Journals of the Houses of Burgesses, 1770-1772, 192; The Statutes at Large, 8:540.
\end{footnotes}
November of that year and was to be collected by the naval officers of the various districts. The directors were also responsible for the placement and maintenance of buoys in the Bay. To impress upon the populace the importance of these aids to navigation, the punishment for tampering with or deliberately destroying these buoys was death. On the other hand, if the keeper of the lighthouse failed in his duty, he was subject to a fine of £200, a little less than half of his annual salary of £500. The directors or any seven of them were granted the power to appoint the keeper. Lord Dunmore, the new governor, approved the lighthouse act and a copy was dispatched to Maryland with a request that they pass similar legislation. As soon as Maryland acted, the existing directors, and any which Maryland might appoint, were authorized to contract for the construction of the lighthouse.

The following year Virginia, although still awaiting Maryland's legislation, moved ahead on the lighthouse project. Additional directors were appointed and were instructed to buy material as soon as possible and ship it to Cape Henry.

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103 The Statutes at Large, 8:540.
104 Ibid., 541.
105 Ibid.
106 Ibid., 312, 539.
107 Ibid., 653. John Page, Wilson Miles Cary, Henry King, Worlich Westwood, and Anthony Lawson were appointed. William Nelson and Severn Eyre had apparently died since the initial
The placement of the buoys was also to begin. The lighthouse project was gaining momentum in the midst of the greatest threat to its existence, namely the growing unrest between the American colonies and Great Britain. The dramatic events of 1773, however, took place far from Cape Henry, and the lighthouse inched closer to reality.

The Maryland lower house passed an "Act for Raising and Applying money towards erecting and maintaining a Lighthouse on Cape Henry" on December 15, 1773 and eight days later Eden signed the act into law. After such a long wait the act itself was unspectacular. In it Maryland agreed that a lighthouse would be equally beneficial to itself and Virginia and that both colonies would share the expense of building and maintaining the structure. The act adopted the four pence per ton duty until the initial £6000 was repaid and Maryland offered a sum not to exceed £3600 Maryland currency to be spent however the Virginia directors saw fit. Maryland appointed no directors of their own. To collect the necessary money, the act allowed the Virginia governor to grant a warrant which the directors could then submit to the office of the Maryland Commissioner for emitting Bills of Credit. Aside from the money, and even there they had little direct legislation.

108 Ibid.
109 Ibid., 81.
110 Ibid., 256-257.
involvement, Maryland had removed itself from further participation in the construction of the lighthouse.

Fifty-three years after Spotswood had first offered his proposal, the idea of a lighthouse at Cape Henry seemed about to be realized. All parties were in agreement as to its necessity and the manner of payment. The directors, composed primarily of Norfolk merchants, set out to build the long awaited beacon. What they did not anticipate was that the preceding fifty years were simply a precursor to the troubles they would face. The worsening crisis with Great Britain and the Cape itself would prove to be major obstacles to the completion of the lighthouse.
Beginning in June 1773 the Virginian directors began planning their efforts to build the lighthouse and place buoys in the Bay. For the next two years the directors went about their task diligently but met with frustration and made almost no progress on the lighthouse. The source of many of the problems encountered was the site for the lighthouse itself. Although difficulties in unloading stone from ships, carting materials to the work site, and keeping the area clear of sand were constant, the idea of actually relocating the proposed lighthouse was apparently never seriously considered. Had the Revolution not interfered, the Virginians appeared to be prepared to spend whatever was necessary to erect a lighthouse on Cape Henry. As it was, the only evidence of their endeavor was a pile of stone and a few buildings that would be buried in sand over the next two decades.

On June 24, 1773 the directors appointed to build the lighthouse at Cape Henry met for the first time. They appointed a clerk, Bassett Mosely, who would later acquire the
loftier title of treasurer.¹ Among those present were two future governors of Virginia, Thomas Nelson and John Page. William Byrd III, the less famous son of the man who had seen promise in the small town of Norfolk, also attended as did Wilson Miles Cary, a burgess from Elizabeth City. The rest of the directors at the inaugural meeting, Joseph Hutchings, Thomas Newton, Jr., James Holt, Paul Loyall, John Hutchings, Matthew Phripp, and Anthony Lawson were all from Norfolk. Loyall served as the mayor of Norfolk for four terms, as an examiner of river pilot applicants and later, as a state senator. He was the owner of seven slaves in 1776 and nearly twice as many six years later.² Newton, also a successful merchant and lawyer, would have the longest association with the lighthouse, seeing it through to its completion in 1792. John Hutchings served with Newton on Virginia's first Naval Board, helping to outfit a Revolutionary fleet.³ Matthew Phripp served as chairman of Norfolk's Committee of Public Safety in 1774 and he and Anthony Lawson led revolutionary


³Wertenbaker, 69.
militia units in the Norfolk-Princess Anne area.\textsuperscript{4} Joseph Hutchings became infamous as the drunken leader of a militia force routed by the British in October 1775.\textsuperscript{5} He and Lawson were beaten again a month later, allowing Lord Dunmore's forces to capture Norfolk. The majority of these directors, those from Norfolk, had a direct, for some a financial, interest in the completion of a navigational aid which would secure and promote commerce.

The methods of the directors in executing their contract provide an interesting look at the accepted business practices in the colonies on the eve of the Revolution. The directors held, in essence, a government contract, which covered all of their expenses incurred during time spent on the lighthouse project. When they travelled to Cape Henry on June 25, 1773, to survey the site for the lighthouse, lunch, including liquor, was charged to the colony. Paul Loyall made a tent for the directors to have lunch in and he was reimbursed for his trouble. The total bill for lunch, liquor, the tent, and the cost of hauling it to Cape Henry, came to over £59.\textsuperscript{6}

This lunch also reveals another aspect of the project, the use of the directors' own businesses and labor. Phripp, Loyall, and both Hutchings received "sailor's wages" for their

\textsuperscript{4}Ibid., 54; Parramore, Stewart, and Bogger, 86.

\textsuperscript{5}Parramore, Stewart, and Bogger, 91.

\textsuperscript{6}Proceedings, 17 February 1774.
work on the sloop Trial. Thomas Reynolds Walker charged £5 for clearing the site. Newton and Newton, Sons and Company provided a sail and cordage for the sloop and chains for the buoys. Phripp, Moseley, and another individual received nearly £100 for providing "sundries" for the sloop and the lighthouse. Alex Moseley and Daniel Hutchings both travelled to Annapolis to collect money from the Maryland Assembly and received payment of their own. These instances show that while the directors contracted much of the work for the lighthouse and the buoys, they themselves took an active role in the project and did not simply allocate money.

Some of the directors hired out their own slaves to work at Cape Henry. Walker, Holt, and Joseph Hutchings all received payment for "Negro Hire." The exact nature of the tasks the slaves performed is not specified and the occurrences are few, only one entry in the Account of

7Directors for Erecting a Lighthouse on Cape Henry, "Account of Expenditures, The Lighthouse, 1774," 28 and 29 October 1774, Scharf Collection, MDHR S1005 Accession no. 19,999-074-191, Location 1-8-5-56, Maryland State Archives. (Hereafter referred to as Expenditures); Proceedings, 28 October 1774.

8Expenditures, 25 February 1774.

9Ibid., 6 and 27 July 1774, 17 January 1775.

10Ibid., August, 1774.

11Ibid., 12 and 17 January 1775. The exact relationship of these men to the directors is not clear, but the names seem more than coincidence.

12Ibid., 29 October 1774, 10 and 12 January 1775.
Expenditures for each of the named directors. The entry for James Maxwell is the only one that gives a specific duration, one week, for his slaves' labor.\textsuperscript{13} The other entries for Dr. John Reide, William Fouchee, Seth Pointers, James Marsden, and Sam and William Calvert, occur only once and give no information on the number of slaves used, for how long, or for what task.\textsuperscript{14} So while slave labor was used during the lighthouse project, it does not appear to have been used extensively or for any length of time.

During the lunch excursion of June 25, the directors immediately discovered one of the primary obstacles to building a lighthouse, the swirling, shifting sands of the Cape. They realized that the depth of sand would make a solid foundation difficult to build. With this in mind, William Byrd III set off "Northward" to find an architect, a plan, information on the best materials, and an estimate of the cost.\textsuperscript{15}

Five months later Byrd presented to the directors, assembled in Williamsburg, estimates and plans for the lighthouses at Sandy Hook, New Jersey and Cape Henlopen,

\textsuperscript{13}\textit{Ibid.}, 19 October 1774.

\textsuperscript{14}\textit{Ibid.}, 10 December 1774, 10, 12, and 17 January 1775.

\textsuperscript{15}\textit{Proceedings}, 25 June 1773. Although no exact locations are given, Byrd presumably travelled to the Cape Henlopen and Sandy Hook lighthouses in Delaware and New Jersey respectively, since these were the structures in which the directors were most interested.
Delaware. The Sandy Hook light, finished in 1764, was a
masonry tower which served ships headed for New York City. The Cape Henlopen light, finished in 1767, was also a stone
tower and served vessels sailing to Philadelphia. Apparently the Cape Henlopen light was more impressive since
the directors instructed Byrd to contact a Mr. Willing to invite John Palmer, the builder of the Cape Henlopen
structure, to visit Cape Henry and provide an estimate for a lighthouse there. The directors assured Palmer that he would
be "compensated over and above his expenses" for his time. The Virginians moved boldly to secure the architect for a
project which awaited final approval in the form of legislation by the Maryland Assembly. In terms of the long
struggle for a lighthouse, however, the wait was amazingly brief and the Virginians' reward for their groundwork was the
Maryland act one month later.

John Palmer arrived in Virginia the following March to inspect the site at Cape Henry. The directors sent a message

16Proceedings, 24 November 1773.

17Holland, America's Lighthouses, 11; Stevenson, 178; Treasury Department, Lighthouse Service, Box 138, Sandy Hook, Lighthouse Site Files, 1790-1939, Records of the United States Coast Guard, Record Group 26, National Archives, Washington, D.C. (Hereafter referred to as Lighthouse Site Files). Two lotteries financed the construction of the lighthouse while a duty on tonnage covered maintenance expenses.

18Holland, 11; Stevenson, 179; Lighthouse Site Files, Cape Henlopen, Box 30, RG 26. A lottery also financed this light but bonds were needed to cover additional expenses.

19Proceedings, 24 November 1773.
to the Maryland Assembly to ascertain whether Maryland wanted to send anyone to confer with the Virginians and, if so, could they come quickly because Palmer was waiting and his stay would be brief. Maryland did not stray from its original plan and left the entire matter to the Virginians. Newton agreed to accompany Palmer to inspect the quarries on the Rappahannock and the Potomac to determine if enough quality stone could be procured to build the lighthouse. The directors authorized Newton to make a deal, "on the cheapest terms", with the quarries if Palmer found any suitable stone.

The trip was a success, for the following month an advertisement appeared in the Virginia Gazette seeking vessels to transport stone from the Rappahannock to Cape Henry. Having completed his survey of the site and the quarries and having provided an estimate for the structure, Palmer received £150 for his trouble. A few months later the directors instructed Palmer to purchase 3,000 bushels of lime to be shipped to the Cape in November or December of 1774. The directors last noted contact with Palmer came in January 1775

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20 Proceedings, 17 March 1774.
21 Ibid.
22 Virginia Gazette, Rind (Williamsburg), 28 April 1774.
23 Proceedings, 12 April 1774.
24 Ibid., 13 July 1774.
when they paid him £58 for the lime.\textsuperscript{25} The lighthouse during this period never reached a stage where Palmer's building skills would be needed. For all the stone eventually shipped to the site, there is no record that work began on the actual lighthouse, not even the foundation.

The directors, of course, did not envision that their plans would fail and so they began to ship enormous quantities of stone to Cape Henry. In April 1774 Newton reached an agreement with a Mr. Tutt for 3,000 perch of stone.\textsuperscript{26} The same month the \textit{Virginia Gazette} advertisement sought vessels to ship 6,000 tons of stone from a Mr. Brooks's quarry on the Rappahannock to Cape Henry.\textsuperscript{27} On June 16, 1774 Newton presented to the directors a bond from James Tutt and Richard Brooks for furnishing stone. On the same day a payment of £300 went to Tutt as the first installment for the stone.\textsuperscript{28} An additional £300 went to Tutt in November 1774 and when he

\textsuperscript{25}Ibid., 9 January 1775.

\textsuperscript{26}Ibid., 12 April 1774. A perch is a measure of solid stone usually $16\frac{1}{2}$ feet by $1\frac{1}{2}$ by 1 foot.

\textsuperscript{27}This stone apparently came from the same group of quarries on the Aquia Creek which supplied the materials for many buildings in Washington, D.C. Although it may appear as if the directors dealt with two different quarries, Tutt and Brooks apparently worked together.

\textsuperscript{28}Proceedings, 16 June 1774; Expenditures, 16 June 1774.
asked for an accounting of each vessel's load of stone, the directors also provided him with a keg of rum.\textsuperscript{29}

The first stone reached Cape Henry in the summer of 1774. Newton paid John Kidd five shillings a day to oversee the quarrying and loading of the stone on the Rappahannock.\textsuperscript{30} To assist in transporting the stone and to save money by eliminating freight charges, the directors purchased the sloop Trial for £350 in July 1774.\textsuperscript{31} When the Trial went to Philadelphia for lime, the directors recouped some of their expenses by hauling freight on the vessel.\textsuperscript{32} Since many of the freight vessels could not enter the shallow waters near the Cape, the directors contracted the construction of smaller boats to move the stone from the larger vessels to the shore.\textsuperscript{33} Once on shore, the transporters lowered the stone carefully to the beach so that the men carrying the stone back to the actual construction site would not have to dig it out of the sand.\textsuperscript{34}

\textsuperscript{29}Expenditures, 10 November 1774; Proceedings, 3 March 1775. As no mention is made of any money going directly to Brooks it seems reasonable to assume that Tutt acted as Brooks's business manager.

\textsuperscript{30}Proceedings, 13 July 1774.

\textsuperscript{31}Ibid., 13 July 1774.

\textsuperscript{32}Ibid., 5 October 1774.

\textsuperscript{33}Ibid., 5 May 1774; 28 October 1774.

\textsuperscript{34}Ibid., 25 November 1774.
While the arrangements for the purchase and transportation of the stone were underway, the directors also prepared for the placement of buoys in the bay. In February 1774 Joseph Hutchings presented the directors with the amount of materials needed to build eight buoys; 2,500 feet of juniper plank and 100 five by two and one half feet sheets of copper. The directors hired William Smyth to procure the materials and build the buoys at a cost of £5 each. Niel Jamieson provided £22 worth of lead for the buoys. To secure the buoys, the directors advertised for eight second hand anchors in the July 7, 1774 *Virginia Gazette*. The directors determined to place the buoys, upon completion, on the Middle Ground, the Horseshoe, Willoughby's Spit, York Spit, the Wolftrap, and Smith's Point. There is no mention of the actual placement of the buoys, but Virginia took the copper for its own needs during the war.

The directors did not receive a lump sum of money for the lighthouse. Instead they petitioned the assemblies of Virginia and Maryland whenever they needed funds. The Virginia Assembly awarded £6000 to the lighthouse and whenever

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35Ibid., 16 February 1774.

36Ibid., 16 February 1774; 27 June 1774. To preclude any difficulties, the directors determined that any questions concerning the quality of the buoys would be handled by arbitrators.

37Expenditures, 20 March 1775.

the directors needed cash, Bassett Moseley would simply request the money from the governor, for "carrying on the work of the lighthouse." The Maryland Assembly awarded £3,600 for the lighthouse, but the directors needed a warrant from the Virginia governor before the lighthouse money could be collected. In June 1774 the directors established the "Committee to draw for the Money that was voted by the Maryland Assembly" to do just that. The committee, consisting of Newton, Loyall, John and Joseph Hutchings, Walker, Phripp, Cary, Lawson, Westwood, and King, or any five of them had the power to ask for Maryland's share of the lighthouse money. The main function of this committee consisted of deciding when the money was needed and then asking Governor Dunmore for a warrant requesting the cash from Maryland. By December 1774 over £3,500 of Virginia's money had gone towards the project and the committee decided Maryland needed to contribute. Moseley collected the warrant from Dunmore asking Maryland for £2,148, "the proportion now due from the Province . . . ." On January 2, 1775 Alexander Moseley received the payment in gold from the Maryland Treasurer. The deteriorating

39 Proceedings, 12 April 1774; 16 June 1774; 13 August 1774; 14 December 1774.

40 Committee to Draw for the Money that was Voted by the Maryland Assembly, "Minutes from the Committee to draw for the Money that was voted by the Maryland Assembly", 17 December 1774, Scharf Collection, MDHR SI005 Accession no. 19,999-74-190, location 1-8-5-56, Maryland State Archives. (Hereafter referred to as Minutes).

41 Ibid.
political situation in Virginia made future payments less certain.

By the summer of 1775 the political situation in Virginia had deteriorated to the point where Dunmore and the Virginia General Assembly were no longer speaking and the future of the lighthouse looked bleak once again. On May 30, 1775 the directors made the final entry in their proceedings. Moseley was to ask the governor for the balance of the money due for the lighthouse. Two weeks later the directors presented a memorial to the Virginia Assembly, detailing what had been done at Cape Henry and requesting an additional £5000 to purchase material and labor to erect the lighthouse. The Assembly approved the request on June 17, 1775. Since Dunmore refused to meet with the Assembly, the act to grant the money did not pass.

The directors still believed they had business to conduct despite this setback. They resolved to send Maryland copies of the proceedings, the Account of Expenditures, and an estimate of the money still needed to complete the work.

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42 Proceedings, 30 May 1774.


44 Bassett Moseley, Norfolk, to Clerk of the Commissioners of the Treasury of Maryland, Annapolis, 4 July 1775, Scharf collection, MDHR S1005 Accession no. 19,999-74-196, location 1-8-5-56, Maryland State Archives.
Treasury of Maryland, remarked that this information would demonstrate to the Maryland Assembly how Maryland's money had been spent. Hutchings, along with Bassett Moseley, also informed Maryland of the £5000 approved by the Virginia Assembly in the hopes that Maryland would provide additional funds as well. This expectation seems a bit naive in light of Virginia's failure to pass the act.

The directors, not dissuaded by the fact that the breakdown of the legislative process in Virginia seemingly spelled disaster for the lighthouse, made one last, bold move to secure the remainder of the money appropriated by Maryland. One day after Moseley and Hutchings dispatched their letters to Maryland, the committee to draw money from Maryland met and decided that since the remainder of Virginia's original appropriation of £6000 had been granted by Dunmore, the remainder of Maryland's portion should also be collected.

Loyall, undeterred by the situation, travelled to Dunmore's man-of-war, riding in the York River and secured Dunmore's signature on the warrant asking Maryland for the balance of

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45 Joseph Hutchings, Norfolk, to the Clerk of the Commissioners of the Treasury of Maryland, Annapolis, 4 July 1775, Scharf collection, MDHR S1005 Accession no. 19,999-74-187, location 1-8-5-56, Maryland State Archives.

46 Hutchings to the Clerk of the Commissioners; Moseley to the Clerk of the Commissioners, Scharf collection.

47 Minutes, 5 July 1775, Scharf collection, MDHR S1005 Accession no. 19,999-74-188, location 1-8-5-56, Maryland State Archives.
its appropriation. Daniel Hutchings received the money, in gold, on July 13, 1775. This was the last money the directors received and the colonial efforts to build a lighthouse on Cape Henry effectively ended.

Although the directors failed to build the lighthouse, they made some progress in the transportation of the stone and the construction of the outbuildings. This work also demonstrated the difficulties of building on the Cape. The task of simply moving the stone from the beach to the building site proved to be a costly undertaking. In November 1774 the directors accepted the bid of Erasmus Haynes to carry the stone to the building site. In January 1775 Haynes received his first payment of £400 for carting the stone. He also received £100 for building a stable and house for the carters. Lawson employed three men to build a dray and a harness for four horses to carry the stone. By March the particular problems of the Cape were evident. Haynes found that he had to dig the stone, much of it deposited the previous summer, out of the sand before he could move it. The

48 Ibid.
49 Ibid.
50 Proceedings, 11 November 1774.
51 Ibid., 10 January 1775.
52 Ibid., 5 October 1774. Robert McSully furnished the harness for £6,1,8, James Lamb built the dray for £5,5 and George Jamesian received £12,12 for the iron work for the dray. Ibid., 28 October 1774; 25 November 1774.
directors asked him to keep track of this expense and perhaps in an effort to avoid the problem Haynes began to receive stone directly from the ships.\textsuperscript{53} The directors allowed Haynes until January 1, 1776 to cart the stone to the site since there was "no probability of getting the lighthouse built this summer."\textsuperscript{54} Haynes received the balance of his money for completing the house for the carters and a stable for the horses in March 1775.\textsuperscript{55} In April the directors contracted Haynes to provide cypress or juniper plank to build two cisterns with a capacity of 2,000 gallons each.\textsuperscript{56} There is no evidence that these cisterns were built. On May 30, 1775, the day Moseley asked for the remainder of Virginia's lighthouse money, Haynes received a second payment of £500 for moving the stone.\textsuperscript{57} One man had accounted for one sixth of Virginia's total expenditure for the lighthouse. The shifting sands of the Cape complicated Haynes's job and they would do so for future builders.

While Haynes wrestled with the stone, others began work on the keeper's quarters. In March 1774 the directors decided that a house should be built to house the builder of the

\textsuperscript{53}Ibid., 3 March 1775.
\textsuperscript{54}Ibid.
\textsuperscript{55}Ibid.
\textsuperscript{56}Ibid., 15 April 1775.
\textsuperscript{57}Expenditures, 30 May 1775.
lighthouse and later the keeper of the light.\textsuperscript{58} John Hutchings, Loyall, and Walker sought a builder for the house which they specified should have "inside brick chimneys, closets, and a staircase."\textsuperscript{59} The directors allowed Walker to hire laborers to clear the land, but he may have done the job himself since he received payment.\textsuperscript{60} In May 1774 Hardress Waller received £200 as a first payment for building "houses" at Cape Henry.\textsuperscript{61} A year later Waller completed his work and the directors paid him an additional £300.\textsuperscript{62}

The summer of 1775 saw all of the outbuildings, with the possible exception of the cisterns, completed, but little measurable progress on the lighthouse itself. Not all of the stone had been transported to the site since Haynes had until January to do so. The directors also encountered trouble in having other materials delivered. In January 1775 a William Cowper received £64, 18 shillings, 11 pence for planking for the lighthouse but a dispute arose over transportation of the plank to Cape Henry. The two sides settled on arbitration,

\textsuperscript{58}Proceedings, 17 March 1774. The house was to measure 60 feet long by 20 feet wide and was to have a kitchen 15 feet by 15 feet.

\textsuperscript{59}Ibid.

\textsuperscript{60}Ibid.; Expenditures, 25 February 1774.

\textsuperscript{61}Expenditures, 10 May 1774. The use of the plural may have referred to the quarters and the kitchen.

\textsuperscript{62}Ibid., 30 May 1775; Proceedings, 30 May 1775.
but the outcome is unknown.\textsuperscript{63} The results may not have been favorable to the directors for in April they turned to Haynes for 2,500 feet of cypress planking and another 1,000 feet of heart of cypress scantling, used for rafters.\textsuperscript{64} The directors also hoped to secure 70, 60 foot cypress poles and 60, 30 foot cypress poles, apparently to use as scaffolding or "stage poles" for the erection of the lighthouse.\textsuperscript{65} The estimate of expenses written up in May 1775 indicates that this material was never delivered.\textsuperscript{66}

On May 30, 1775, the day of the last recorded proceedings of the directors, the future of the lighthouse appeared bleak. The directors knew that the allotted amounts from the assemblies of Virginia and Maryland would not be enough to cover the project. Bassett Moseley asked for the balance of the appropriated amounts and work had yet to begin on the lighthouse itself. Moseley drew up an estimate of expenses to show what still needed to be done. The primary expenses were the workmen's wages at £2,000, their provisions at £700, and

\textsuperscript{63}Proceedings, 10 January 1775; 3 March 1775.

\textsuperscript{64}Ibid., 15 April 1775.

\textsuperscript{65}Ibid.

\textsuperscript{66}[Bassett Moseley],"Estimate of the Expenses which will yet accrue in building a lighthouse on Cape Henry; also the balance yet to be received of the money granted by the Assemblies of Virginia and Maryland for that purpose," 30 May 1775, Scharf collection, MDHR S1005 Accession no. 19,999-074-197, Location 1-8-5-56, Maryland State Archives.
the lantern and Palmer's labor at £1,000. Other expenses included oil for the lantern, the cypress staging poles, 6,500 bushels of lime, and the balances due for the stone, its freight to the Cape, and its carting to the site. Even with the remainder of the money promised by Virginia and Maryland, Moseley estimated that over £3,800 was still needed, and even that amount did not include certain, unnamed, costs. The directors even planned on selling the sloop Trial for additional funds.

The colonial governments of Virginia and Maryland did not appropriate any more money for the lighthouse beyond what was originally promised. The political situation of the summer of 1775 negated the Virginia Assembly's grant of an additional £5,000. But the grant itself seemed to confirm Virginia's dedication to the lighthouse. Even Dunmore, from the deck of his warship, took time to issue the warrant for Maryland's outstanding balance. Maryland's position on additional funding is impossible to gauge. In any event all work on the lighthouse ended in July 1775, but the idea remained on the minds of the directors and others.

Within six months of Dunmore's warrant for Maryland's money, the city of Norfolk was a ruin. British and American

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67Ibid.
68Ibid.
69Ibid.
70Ibid.
soldiers set the city on fire on January 1, 1776. The following month American troops destroyed the rest of the city to deprive Dunmore of a base. Cape Henry, however, proved to be of continuing interest during the war and beyond. In February 1777 James Hunter, Jr., suggested that two masts be erected on the Cape, to display a red flag, which would warn American vessels if the enemy were near and a white flag if all were clear. At night one lantern would be the signal for the enemy and two would mean all clear.71 Hunter also thought that a small fort and garrison might deter the enemy and that merchants would gladly pay for such a service.72 Although Hunter's exact scheme was not followed, Virginia did erect a fifty foot pole to fly a red and white striped flag during the day and one lantern at night when all was clear.73 Later, in December 1781, Major Alexander Dick also suggested a fort should be built on Cape Henry and that it should have a lighthouse, but no action occurred.74 Thomas Newton, Jr., reported to Governor Nelson that fighting was constant off the capes and merchant vessels could not pass the privateers.


72 Ibid.

73 Journal of the Council of the State of Virginia, 1:350, in [Osborne], The Old Lighthouse at Cape Henry, 9.

74 Calendar of Virginia State Papers, 2:671.
roaming the waters. Newton advised that two artillery pieces placed on Cape Henry would adequately protect the merchant ships.\textsuperscript{75} These ideas echoed earlier observations by Governor Dinwiddie and others that Cape Henry served a useful defensive position in the Bay.

The war took its toll on the lighthouse project. Since 1775 some of the directors had died and others simply could not devote any time to the project. A new group consisting of Newton, Loyall, John Hutchings, and newcomers George Kelly, William White, and Lemuel Cornick retained all the powers of the previous directors.\textsuperscript{76} These directors, appointed in May 1782, did little but preside over the adjustment of claims and determined the money still owed.\textsuperscript{77} In essence they brought to an end Virginia's efforts to build a lighthouse on Cape Henry. Thomas Newton, Jr., however, never lost interest in Cape Henry. In October of the previous year Newton voiced his concern to Governor Nelson that the Cape might become private property. Newton stated that private ownership of the land would deprive the state of its rights to the land and be detrimental to the fishing industry in the area.\textsuperscript{78} Newton

\textsuperscript{75}Calendar of Virginia State Papers, 3:133.

\textsuperscript{76}The Statutes at Large, 11:58. Any three of the members meeting together also held the same power.

\textsuperscript{77}Ibid.

\textsuperscript{78}Calendar of Virginia State Papers, 2:543, 593. Newton echoed the sentiments of a petition of Princess Anne citizens ten years before, in which they expressed their concern that "several gentlemen" would deny them fishing rights in the
also pointed out that the £10,000 worth of lighthouse material would become the property of the owner.  

In August 1782 Newton requested a copy of the lighthouse act, claiming that duties were not being paid "for want of it." Although all accounts had been closed out, Newton, at least, believed that the duties for building a lighthouse should still be collected. It seems that he was not alone in this opinion. An anonymous mariner suggested to the governor in June 1787 that a duty of one shilling per ton should be collected from all incoming vessels to help build a lighthouse on Cape Henry. The author thought that no one would object since the lighthouse was "intended for the general and publick[sic] good of all countrys[sic]."

Ships continued to be lost on and around Cape Henry. In August 1780 a supply ship from Rhode Island wrecked on the southside of the Cape. The following year the warship Dragon ran aground while leaving the Bay and in November 1782 a brig foundered near the Cape, costing a certain John Fisher area. Petition dated 3 May 1771, Colonial Papers, Folder 49, no. 3. Library of Virginia.

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79Calendar of Virginia State Papers, 2:543. Newton added a considerable amount to the reported value of the material in 1775.

80Calendar of Virginia State Papers, 3:244.

81Calendar of Virginia State Papers, 4:146.

82Ibid.

83Calendar of Virginia State Papers, 3:280.
all of his imported goods. During a storm in September 1785 two ships wrecked near the capes in a three day span and in the summer of the following year a Maryland ship wrecked on Cape Henry. The necessity of a lighthouse had not diminished following the war.

In March 1785 a small group of Virginians and Marylanders met at Mount Vernon to discuss maritime law and procedures on their mutual waters. Daniel St. Thomas Jenifer, Thomas Stone, and Samuel Chase represented Maryland while George Mason and Alexander Henderson spoke for Virginia. The Mount Vernon Compact produced by these men established protocols for vessels from each state entering common waters and those belonging to a specific state. It also defined common waters, such as the Potomac and spelled out exemptions from duties for vessels from both states.

The ninth section of the Compact dealt with lighthouses, beacons, buoys, and other aids to navigation. The two states agreed that lighthouses and other navigational aids should be built in the Bay, between the ocean and the mouths of the Potomac and Pocomoke Rivers, and on the Potomac at the expense of both states. These men took their cues from

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84 Calendar of Virginia State Papers, 1:501; 3:369.
85 Shomette, 76-77.
86 The Statutes at Large, 12:51.
87 Ibid., 52.
88 Ibid.
earlier legislation. The expense of any aid to navigation on the Potomac would be shared equally, but the expense of any aid on the lower Bay would be split as five parts Virginia to three parts Maryland, to be adjusted if necessary.\textsuperscript{89} Both states were to provide commissioners, no fewer than three, no more than five, from each state, to decide on the placement and cost of such aids.\textsuperscript{90} The parallels to the 1773 acts are obvious with the exception of Maryland's guarantee to provide commissioners. Perhaps the most interesting aspect of the Compact in regard to lighthouses is its complete omission of any reference to Cape Henry.

In 1773 the Cape Henry lighthouse finally seemed close to reality. After fifty years all parties concerned, most significantly the lower house of the Maryland General Assembly, agreed that a lighthouse at the entrance to the Chesapeake Bay was necessary to preserve trade. The directors for the lighthouse, all from Virginia, began their work in the summer of 1773. By the summer of 1775 the estimate of the cost of the project nearly doubled. The sands of the Cape covered much of the stone delivered only a year earlier and only the keeper's quarter's stood ready. But while the money and the sand could have been overcome, and the directors were evidently willing to continue the project at the selected site despite the setbacks, the coming Revolution could not. The

\textsuperscript{89}Ibid.

\textsuperscript{90}Ibid.
war put an end to colonial efforts to build a lighthouse, but not to discussions of Cape Henry as a defensive outpost or more significantly as a site for a lighthouse. Oddly enough the Mount Vernon Compact, a maritime agreement between Virginia and Maryland in 1785, made no reference to the Cape Henry lighthouse. But the materials for such a structure waited on the beaches of the Cape and they had not been forgotten. Soon they would be revealed to the fledgling federal government and it would embrace the lighthouse as its own.
CHAPTER FOUR
SUCCESS (1785-1792)

At the conclusion of the Mount Vernon Conference, Maryland suggested an additional agreement should be formulated with Delaware and Pennsylvania to foster trade between the Ohio River and the Chesapeake. The Virginia legislature, at the prompting of James Madison, went one step further by suggesting a meeting of all thirteen states to discuss commerce in the United States. Only five states sent delegates to the Annapolis Convention in September 1786. Unhappy with this lack of interest, Madison and Alexander Hamilton, representing New York, proposed another convention to meet in Philadelphia to discuss not just commerce, but all issues concerning the nation, and to formulate a constitution "adequate to the exigencies of the Union."\(^1\) Congress scheduled the convention to "revise" the Articles of Confederation for May 1787. The federal government designed

by this Philadelphia convention would be responsible for the construction of the lighthouse at Cape Henry.

One of the major weaknesses of the Articles of Confederation was the necessity for unanimous approval of legislation. Since each state, regardless of population, possessed an equal vote in Congress, measures which one state perceived as injurious to itself, could easily be defeated. This system led to difficulty in raising revenue for the central government. Even during the Revolution Congress failed to secure an import duty because of Rhode Island's veto. In 1783 an amendment allowing Congress to impose duties for twenty five years also failed. Each state decided its own duties including those affecting interstate trade.

Hamilton considered the lack of a power to regulate commerce a fatal flaw which negated perhaps the greatest source of revenue for the government. He argued that the United States had to rely on import duties as the main source of revenue for the government.\(^2\) Under the Articles of Confederation the states competed with each other and kept duties low so that one state would not have an advantage, but this lowered potential revenue.\(^3\) Hamilton also feared the


\(^3\)Ibid., 94.
proximity of the states and their common language would facilitate smuggling and further reduce revenue.⁴

To prevent these possibilities from occurring and to secure sufficient duties Hamilton advocated the regulation of commerce by the central government. He proposed that the unified Atlantic coast of the United States would be easier to patrol than the thirteen coasts of the confederated states.⁵ The imposition of one set of duties would be easier to enforce and the absence of interstate competition would permit higher taxes.⁶ Successful collection of import duties obviously also required the safe arrival of merchant vessels. Since lighthouses played a role in the safe passage of ships, Hamilton, as Secretary of the Treasury, would bring the regulation of lighthouses and other navigational aids under the control of the Treasury.

The southern states did not object to the federal regulation of trade but feared that laws which promoted the shipping interests of the North would do so at the expense of southern products. The southern states wanted a stipulation that all navigation acts be passed by a two-thirds vote in both houses but instead accepted a prohibition on Congress imposing export duties and a period of twenty years, rather than ten, before the slave trade could be outlawed. The

⁴Ibid.
⁵Ibid.
⁶Ibid., 95.
ratification of the Constitution was not a foregone conclusion, however, even after all the compromises were in place. At the Virginia ratification convention, among those voting in favor of the Constitution were the delegates from Norfolk; James Taylor, Anthony Walke, and Thomas Walke, and Littleton Eyre and Worlich Westwood, two of the colonial Virginia directors of the lighthouse project.7

On June 21, 1788 New Hampshire became the ninth state to vote for ratification of the Constitution. The new government could be established. By the time the first Congress began on March 4 of the following year, Virginia and New York had joined the original nine, and only North Carolina and Rhode Island remained on the outside.8 Although the delegates did not all appear promptly on March 4, the Congress wasted little time in addressing the issue of collection of import duties. On April 11, 1789 a committee, composed of one member from each state present, was created to draft a bill to regulate the collection of duties on goods imported into the United States.9 James Madison represented Virginia and George Gale,

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8North Carolina ratified the Constitution on November 21, 1789, while Rhode Island held out until May 29, 1790.

Maryland. On June 2, Congress presented this committee with additional instructions to prepare a bill for registering and clearing vessels, ascertaining tonnage, and for the regulation of the coasting trade, pilots and lighthouses.\textsuperscript{10} The connection between these acts is clear; in order to collect import duties, ships must arrive safely in port.

The act, like all legislation, went through several drafts, but present throughout most of them was the provision to build a lighthouse at the entrance to the Chesapeake Bay. When the first Congress assembled there were eleven lighthouses in the United States and one under construction at Portland Head, Maine. The absence of such a structure at the entrance to one of the busiest trading centers of the fledgling nation was not overlooked. Although Congress realized the importance of a lighthouse in general, no specific site for the lighthouse was mentioned in any legislation. The efforts of Virginia and Maryland were not unknown and an early version of the act called for the two states to pay the Federal Treasury all the money collected from duties designated specifically for the construction of

\textsuperscript{10}Ibid., 80.
the lighthouse.\textsuperscript{11} This requirement does not appear in the final version. Another version of the proposed legislation, submitted by a group of Philadelphia merchants, does not mention the Chesapeake at all, probably because it was not of major concern to these men. This version did, however, contain a clause on the regulation of pilots which found its way into the final act.\textsuperscript{12}

On Friday July 31, 1789 the Senate published its amended version of the lighthouse act. The Senate added the stipulation that the federal government should assume responsibility for all major aids to navigation. The expenses for all lighthouses, beacons, buoys, and public piers built before the act passed were to be defrayed by the federal treasury, beginning after August 15, 1789, for one year. If these navigational aids were not ceded to the United States by the end of that year, all payments would cease.\textsuperscript{13} The federal government did not force the states to turn over control of these structures, but the United States certainly presented an attractive option. On August 3, 1789 the Senate passed the act. On August 6, the Speaker of the House signed

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  \item \textsuperscript{11}Charles Bangs Bickford and Helen E. Veit, eds., Documentary History of the First Federal Congress of the United States of America, vol. 5, Legislative Histories (Baltimore: The Johns Hopkins University Press, 1986), 1253. (Hereafter referred to as \textit{First Federal Congress}).
  \item \textsuperscript{12}Ibid., 1251-52.
  \item \textsuperscript{13}Congress, Senate, \textit{Journal of the First Session of the Senate of the United States of America} (Washington, D.C.: Gales and Seaton, 1820), 50-51.
\end{itemize}
it and Washington followed suit the next day. The Federal government had taken its first step towards the construction of the Cape Henry lighthouse.

"An Act for the Establishment and Support of Light-Houses, Beacons, Buoys, and Public Piers," established the new government's role in the administration of these navigational aids. The first section contained a clause added by the Senate pertaining to those structures built, prior to the act's passage, "for rendering Navigation easy and safe." Not only the structure but the land, tenements, and "jurisdiction" associated with them was to be ceded to the United States.

The second section called for the erection of a lighthouse near the entrance of the Chesapeake Bay whenever land was ceded for that purpose. Section three placed all these and similar structures under the control of the Secretary of the Treasury. He was to solicit contracts for the Chesapeake lighthouse as well as for repairs and maintenance to existing structures. He also assumed responsibility for supplying the lighthouses, hiring the keepers and fixing their salaries. The final section called for pilots to continue under

14 First Federal Congress, 3:130, 136.
15 First Federal Congress, 5:1245.
16 Ibid.
17 Ibid.
regulations imposed by the states until further federal legislation.\textsuperscript{18}

The omission of a specific site for the Chesapeake lighthouse allowed Virginians the opportunity to promote Cape Henry as the best choice. In October 1789, Jacob Wray, the customs officer in Hampton, informed Hamilton that there were no lighthouses or buoys in the Bay, and suggested that a large lighthouse at Cape Henry and two smaller ones at Old and New Point Comfort would be beneficial and well received.\textsuperscript{19} In the same month the customs officer at Norfolk and Portsmouth, William Lindsey, provided Hamilton with an estimate of the cost of the lighthouse which was to have been built prior to the Revolution.\textsuperscript{20} Otho H. Williams, the customs collector at Baltimore, also told Hamilton that laws had been passed by both Virginia and Maryland to collect duties on vessels to finance the construction of a lighthouse.\textsuperscript{21}

Perhaps the most influential voice belonged to Thomas Newton, Jr. He served as a sales agent for Washington in

\textsuperscript{18}\textit{Ibid.}

\textsuperscript{19}\textit{Alexander Hamilton, The Papers of Alexander Hamilton,} ed. Harold C. Syrett (New York: Columbia University Press, 1962), 5:441. (Hereafter referred to as \textit{Papers of Alexander Hamilton}). The Old Point Comfort lighthouse, the second on the Bay, was completed in 1802. The New Point Comfort light was completed in 1805.

\textsuperscript{20}\textit{Ibid.}, 443.

\textsuperscript{21}\textit{Ibid.}, 431.
Norfolk and, therefore, had unique access to the president.\textsuperscript{22} Having learned that the federal government was assuming the administration of lighthouses, Newton, in a letter dated July 17, 1789, offered the new president an account of the materials at Cape Henry.\textsuperscript{23} In October, about the same time Hamilton received word from his customs officers, Washington accepted Newton's offer.\textsuperscript{24} On November 23, 1789 Washington thanked Newton for the information which was then sent on to Hamilton.\textsuperscript{25} Although the choice of Cape Henry seemed obvious, Newton took no chances and used his relationship with Washington to its full advantage. Both Newton and Washington would maintain close ties to the lighthouse.

Before the first appropriations for the lighthouses were made, Hamilton drew up a report detailing the existing condition of the lighthouses in the United States. Hamilton presented his findings to Congress on January 3, 1790. He listed the location and condition of ten of the completed lighthouses plus the incomplete Portland Head structure, noting that some were in good condition or were recently


\textsuperscript{24}\textit{Washington, Presidential Series}, 4:165.

\textsuperscript{25}\textit{Ibid.}, 320.
repaired. Georgia did not supply any information to Hamilton and so the Tybee Island light is not mentioned. Virginia and Maryland, of course, had no lighthouses, but Hamilton mentioned the material at Cape Henry and gave an estimate provided by "one of the Commissioners," Newton, of $34,076.66 to build a lighthouse. Since the lighthouse act of August 1789 called specifically for a lighthouse at the entrance to the Chesapeake, Hamilton advised that the "place best adapted for such an establishment," be determined so that the land could be ceded to the United States.

At the time of Hamilton's report, efforts were already under way to turn over the material and land at Cape Henry to the federal government. In October 1789 the Virginia General Assembly passed an act empowering the governor to cede two acres of land to the United States for the expressed purpose of building a lighthouse. The materials at Cape Henry were not included in the cession. The Virginia Assembly kept Maryland informed of any transactions involving the lighthouse by sending them copies of Virginia legislation.

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26 Ibid., 520-522.

27 Ibid., 522.

28 Ibid., 522. On November 21, 1789 Tobias Lear forwarded to Hamilton Newton's letter to Washington, containing an estimate for building a lighthouse, an account of the material at the site, and a plan of the intended lighthouse. Papers of Alexander Hamilton, 5:534.


30 The Statutes at Large, 13:4.
Virginians realized that they had several thousand dollars worth of material at Cape Henry that might well be useless. Sand began covering the stone only months after it was unloaded at the Cape, but now fifteen years had passed since the last load was delivered and there was no telling if the material was even retrievable. In December 1789 the Virginia House of Delegates asked the governor to send someone to the Cape to examine and report on the condition of the material and, if possible, to contract with someone to dispose of it.\(^{31}\) The Virginia Council recommended that Lieutenant Governor James Wood should be sent to Cape Henry to evaluate the situation.\(^{32}\) The day after this recommendation, December 18, 1789, Governor Beverly Randolph of Virginia wrote to Washington, informing the president of the act allowing the governor to cede the land to the United States.\(^{33}\) Randolph stated that he only awaited Congress's agreement to the cession and also mentioned that if the United States was willing to buy the existing material, then he, Randolph, would turn it over as soon as its value was determined.\(^{34}\)

\(^{31}\)Virginia General Assembly, Richmond, to Maryland General Assembly, Annapolis, 11 December 1789, Maryland State Papers (Series A), Unassigned collection, Accession no. MDHR 6636-68-54, location 1-7-3-68, Maryland State Archives.

\(^{32}\)Virginia General Assembly, Richmond to Maryland General Assembly, Annapolis, 17 December 1789, Maryland State Papers (Series A), Unassigned collection, Accession no. MDHR 6636-68-53, location 1-7-3-68, Maryland State Archives.

\(^{33}\)Washington, Presidential Series, 4:420.

\(^{34}\)Ibid.
clearly overstepped his bounds here since the act authorizing him to cede the land did not include the material at the Cape. Randolph simply wanted to get as much as possible for the stone and turn it over to become someone else's problem.

Wood's report on the materials at the Cape did not provide a promise of easy resolution. Ideally the stone would have been readily accessible for the contractor to use in the lighthouse, but this was not the case. On January 13, 1790, ten days after Hamilton's lighthouse report, Wood presented his findings. He learned from Newton that the colonial directors received approximately £5,418 from Virginia and £2,489 from Maryland for the stone and its transport and other items.³⁵ Wood found approximately 4,036 tons of stone which was to build an octagonal tower 72 feet high with a diameter of 26 feet, nine inches at the bottom and 16 feet, 6 inches at the top. The walls were to be 6 feet thick at the base and 3 feet thick at the top and the foundation was to be 13 feet deep.³⁶ The stone, purchased from a quarry on the Rappahannock, cost seven shillings per perch, a perch being roughly 3,004 pounds. The passage of each ton to Cape Henry cost approximately thirteen shillings, six pennies per ton and the carting to the construction site cost an additional six shillings.³⁷ Wood estimated that each ton cost the colonial

³⁵Calendar of Virginia State Papers, 5:98.
³⁶Ibid.
³⁷Ibid.
governments approximately twenty four shillings, four pennies
and that the 1790 price would be roughly twenty shillings for
purchase and transport.\footnote{Ibid.} According to Wood, to dig the
stone out of the twenty to fifty foot sand drifts that covered
it would cost nearly one half its value.\footnote{Ibid., 99.} The stone was all
that remained of the original materials. The copper for the
buoys was taken during the war and one hundred fifty hogsheads
of lime had been rendered useless by the elements.\footnote{Ibid.} Upon
hearing this account Newton suggested that the stone should be
turned over to the federal government to use or leave as it
was.\footnote{Ibid.} The Virginia Council agreed that the best action was
to give the problem to someone else and advised turning the
material over to the "General Government."\footnote{Ibid.}

Copies of Wood's report and the Virginia proceedings
concerning the materials at Cape Henry were sent to Maryland's
Governor John Howard.\footnote{Virginia General Assembly, Richmond, to John E. Howard,
Annapolis, 13 January 1790, Maryland State Papers (Series A),
Unassigned collection, Accession no. MDHR 6636-68-58, location
1-7-3-68, Maryland State Archives.} On January 14 Governor Randolph sent
a copy of Wood's report to Washington along with an offer of
the material to the United States.\textsuperscript{44} The president was not eager to take on the stone either. In his reply to Randolph, Washington reminded the governor that the land for the lighthouse still needed to be ceded to the United States and told him that Wood's report had been turned over to Hamilton, who was to provide the contract for building the lighthouse on the president's approval.\textsuperscript{45} As for the stone, Washington suggested that whoever Hamilton contracted with might purchase it thus saving the United States the trouble.\textsuperscript{46} Although the president expressed his desire for the "speedy accomplishment of the desired object," he was not about to take on the added burden of 4,000 tons of stone buried in fifty feet of sand.\textsuperscript{47} For the time being the unwanted stone remained Virginia's problem.

Although the question of the stone remained unsettled, the decision to place the lighthouse on Cape Henry apparently satisfied all parties. On March 2, 1790 the Secretary of the Treasury requested an appropriation to build a lighthouse at Cape Henry. Hamilton told Congress that a lighthouse at the entrance to the Chesapeake was crucial to the navigation of that part of the Union and should be built as quickly as

\textsuperscript{44}Washington, \textit{Presidential Series}, 4:574.

\textsuperscript{45}Ibid., 575; \textit{Calendar of Virginia State Papers}, 5:105.


\textsuperscript{47}Calendar of Virginia State Papers, 5:105.

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possible. On March 26, an appropriation act allowed a sum not to exceed $147,168.54, to be collected from duties on imports and tonnage, to build a lighthouse on Cape Henry and to cover other expenses stemming from the act for establishment and support of lighthouses, beacons, etc. The act called for the full amount of the previous estimate of $34,076.66 to be set aside for the Cape Henry lighthouse. Two specific appropriations were not included in the final version of the act. The first, presented by Smith of South Carolina, called for money for expenses of a lighthouse at the entrance to Charleston harbor, but the land had not yet been ceded to the United States. There were apparently no plans to do so and so the money was not allowed. The second was a motion by George Jackson of Georgia to allow money for the clearing of obstacles from the Savannah River, but this was disallowed perhaps because this type of action was not covered

48First Federal Congress, 4:110-111.
49Ibid., 105-106.
50Ibid., 120.
51Ibid., 132. The Cape Henry land had not yet been ceded either but negotiations were well under way and the importance of the lighthouse was well established. Land cession may have only been part of the problem for South Carolina. At a later date Hamilton informed a group inquiring about an unfinished lighthouse at Cape Fear, North Carolina that the United States could only maintain and repair existing structures, and that had an application been made to the federal legislature, as was done with Cape Henry, the inquirers might have found results. Papers of Alexander Hamilton, 8:464.
by the lighthouse act.\textsuperscript{52} With the money for the Cape Henry light granted, federal construction seemed assured, but matters such as the cession of the land, the stone at the site, and the architect remained unresolved.

The choice of Cape Henry as the site for the lighthouse troubled Hamilton. In May 1790 he wrote to Washington questioning the site "as being peculiarly exposed to accumulations of sand in its vicinity," and recommended that someone be appointed to survey the area.\textsuperscript{53} Hamilton informed Governor Randolph that Edward Carrington, the United States marshal for Virginia, had been appointed to select the exact site for the lighthouse.\textsuperscript{54} Carrington, however, could not complete the job and so Washington chose Newton to finish the assignment.\textsuperscript{55} On July 10, 1790 Newton informed Randolph that a site on Cape Henry had been chosen and all that remained was the cession of land to the United States.\textsuperscript{56} Newton had taken two local mariners to select the site. The stone brought in by the colonial government was within the two acres mapped out by Newton. He and the two mariners also suggested that wood be used instead of stone as they thought a stone tower would

\textsuperscript{52}\textit{First Federal Congress}, 4:132.


\textsuperscript{54}Ibid., 408; \textit{Calendar of Virginia State Papers}, 5:150.


\textsuperscript{56}\textit{Calendar of Virginia State Papers}, 5:183.
take three to four years to complete rather than one needed for a wooden structure.\textsuperscript{57} Newton offered his services to begin construction of the lighthouse quickly because he believed its absence hurt trade and endangered lives.\textsuperscript{58} On July 25 Newton told the governor that the survey of the two acre plot to be set aside for the lighthouse was completed.\textsuperscript{59} On August 9, 1790 Governor Randolph formally ceded two acres of land at Cape Henry to the government of the United States to build and maintain a lighthouse.\textsuperscript{60}

Mindful of the rights of the state of Virginia, the cession came with certain stipulations. The lighthouse had to be completed within seven years or the land would revert to Virginia. The land would also revert if the completed lighthouse were abandoned by the federal government for seven years.\textsuperscript{61} Virginia retained the rights to the stone already at the spot and Virginia citizens retained the right to haul their fishing nets on the shores of the Cape.\textsuperscript{62} By not forfeiting the stone, Randolph revealed his hope to regain

\textsuperscript{57}Papers of Alexander Hamilton, 6:491. The two seamen, James Maxwell and Paul Loyay(11?), also stated that they did not think that the drifting sands would pose a threat to the lighthouse. Ibid., 492.

\textsuperscript{58}Calendar of Virginia State Papers, 5:183.

\textsuperscript{59}Ibid., 190.

\textsuperscript{60}Ibid., 196.

\textsuperscript{61}Ibid.

\textsuperscript{62}Ibid.
some money for Virginia. Hamilton, apparently satisfied with Newton's report, accepted the two acres and promised prompt action to complete the lighthouse so "necessary to the Commerce of the States on the Chesapeake[sic]." The burden of erecting the lighthouse on Cape Henry finally passed from Virginia to the new federal government of the United States. All that remained for Randolph was the disposal of four thousand tons of stone.

By the end of 1790 Governor Randolph resolved to cut Virginia's losses by offering the stone to whomever contracted to build the lighthouse. In a letter dated December 1, Randolph informed Maryland's Governor Howard that the Virginia legislature had authorized him (Randolph) to dispose of the stone, the power which he had prematurely told Washington he possessed. Randolph wanted Maryland to "unite with us in this business," since Maryland's money was also invested. Randolph told Howard he was sure that the contractor would buy the material, but he did not expect to receive the full price since the stone would have to be dug out of the sand. For his part Howard did not seem overly concerned and informed

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63Ibid., 200.

64Beverly Randolph, Richmond, to John E. Howard, Annapolis, 1 December 1790, Maryland State Papers (Series A), Unassigned collection, Accession no. MDHR 6636-68-50, location 1-7-3-68, Maryland State Archives.

65Ibid.

66Ibid.
Randolph that whatever arrangements could be made by Virginia to sell the stone would be accepted by Maryland. Empowered by both Virginia and Maryland, Randolph had only to wait for the contractor to be announced before he could try to retrieve some of the losses incurred from the failed colonial efforts to build a lighthouse.

Solicitation of bids for the Cape Henry lighthouse began in October of 1790. Newspaper notices provided the required dimensions of the lighthouse, the keeper's house, and an oil vault. By December 31, 1790 Hamilton had received seven bids, five of which he rejected as being "inconsistent" with national interests because of alterations to the specified dimensions. Of those bids rejected, one came from James Tutt, who was recommended by James Monroe, and another came from a group recommended by Governor Randolph as "Mechanics of Character." From the remaining two bids Hamilton chose John McComb, Jr., of New York over Joseph Clarke of Annapolis.

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67John E. Howard, Annapolis, to Beverly Randolph, Richmond, 7 January 1791, Scharf collection, MDHR S1005 Accession no. 19,999-074-192, location 1-8-5-56, Maryland State Archives.


69Papers of Alexander Hamilton, 7:413.

70Ibid., 344, 377.
who had been recommended by Governor Howard. Clarke's bid was actually lower, but the plan of his lighthouse rendered a structure smaller than called for. Hamilton reported to Washington that McComb's plan resembled those of the structures at Sandy Hook and Cape Henlopen, both of which had fared well since their completion. The Secretary also noted that the ground upon which the two other lighthouses were built was similar to that of Cape Henry and since the foundations of those towers added to their stability, the larger foundation of McComb's design appeared to be the best. Washington agreed with Hamilton's assessment and ordered that a contract should be signed with McComb.

McComb and Hamilton signed the contract on March 31, 1791. McComb's price for building the lighthouse, the house (with kitchen), and the oil vault was $15,200. The contract specifications for the lighthouse differed little from the those of the colonial planners. The contract called for a foundation depth of 13 feet, a base diameter of 26 feet,

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71Ibid.
72Ibid.
73Ibid.
74Ibid.
75Ibid., 425.

76Treasury Department, Lighthouse Service, "Contract between United States and John McComb, Jr.," Lighthouse Deeds and Contracts, 1790-1806, Records of the United States Coast Guard, RG 26, 10.
walls 6 feet thick, a height of 72 feet, and an octagonal stone tower. The ventilator at the top of the lighthouse was to be in the shape of a man's head with a vane on top so that the smoke issuing from the mouth would always be vented leeward. 

John McComb, Jr., had no experience with lighthouses when he took on the task of building the Cape Henry light. His task, therefore, appeared somewhat daunting as he was called on not just to build a structure which must withstand the elements as few others, but also one which was to be the first of its kind built for the new United States government. His inexperience, however, did not dissuade his supporters. McComb, like his father, was a Master Builder and not a traditionally trained architect. There is no record that McComb ever received any formal training and most likely he learned his trade from his father and books. Although a novice in regard to lighthouses, McComb did have experience as the chief mason of St. Peter's Church, Barclay Street, New

77Ibid., 9.

78Ibid., 10.

79Watson and Henry Associates, "Historic Survey Report for the Old (1792) Cape Henry Lighthouse," (Bridgeton, New Jersey: Watson and Henry Associates, 1990), 7. (Hereafter referred to as "Historic Survey Report"). The Master Builder designed, formulated the method of construction, estimated the expense, and built the structure. In the contract for the lighthouse McComb was described as a carpenter, but this was later changed to bricklayer. Papers of Alexander Hamilton, 8:251.

York City and he also received a commission to design Government House, the proposed residence of the president in New York. The Chief Justice of the United States, John Jay, and the Sheriff of New York City both recommended McComb and Washington approved of him. The finished Cape Henry lighthouse so impressed Tench Coxe, the superintendent of lighthouses, that he suggested McComb for the Montauk Point, New York lighthouse contract, which he received. Hamilton was also apparently impressed as McComb built the Grange, Hamilton's summer house in Manhattan, in 1801.

In February 1791 McComb inquired about the stone buried at the Cape. He asked Governor Randolph for the price of the stone if dug out at the state's expense as compared to the price if McComb dug it out himself. Randolph probably did not seriously consider the first proposal since it would have involved additional expenditure on the part of Virginia. Newton told Randolph they would probably get less than the stone's value from McComb but if he did not purchase it, the loss would be greater. On March 27, 1791 Newton informed

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81 Ibid.
82 Ibid., 16.
83 Ibid., 6-7. McComb, Jr. finished the Montauk Point lighthouse in 1796 and another at Eaton's Neck, also in New York, in 1798.
84 Ibid., 7.
85 Calendar of Virginia State Papers, 5:262.
86 Ibid., 265.
Randolph that McComb agreed to purchase the stone for twenty shillings per ton, provided he could recover it from the sand. This was only a loss of about four shillings per ton by Wood's estimate of the value of the stone. With the price settled, McComb began the recovery process but soon encountered difficulty.

On July 22, 1791 McComb wrote Randolph that he (McComb) had been "deceived" by the depth of the stone, which was 10 to 25 feet down rather than the 8 to 10 feet McComb had estimated. Hoping that the buried stone would be cheaper than new stone shipped in, McComb raised 100 perch of stone for approximately £187. He discovered that his calculations on the cost of the stone were incorrect; he was spending more by digging the stone out than by shipping it in. McComb informed the governor that he would raise as much stone as needed for the foundation and then bring in new stone to finish the job. In the meantime Newton told Randolph that arbitrators would settle the matter of the cost increase McComb encountered raising the stone. On January 9, 1792 Newton informed Governor Lee that arbitrators, including the Norfolk customs officer William Lindsey, decided in favor of

87Ibid., 277.
88Ibid., 352.
89Ibid.
90Ibid., 343.
McComb, stating that the builder did indeed pay more for the buried stone than he would have for new.91

The saga of the stone at Cape Henry ultimately had an unhappy result for the treasury of Virginia. Modern architects have calculated that less than a third of the stone brought in the 1770s was used in the lighthouse.92 Not only did McComb believe he paid too much for the stone he retrieved, he thought that this sandstone, brought from the Aquia Creek, was too soft and weakened the structural integrity of the building.93 Benjamin Henry Latrobe, the architect of the United States Capitol, shared McComb's reservations, although Aquia Creek stone was used in the White House and the Capitol building.94 The remaining stone for the Cape Henry lighthouse came from an unknown quarry on the Rappahannock.95

Once the drama of the stone was concluded the construction of the lighthouse progressed with little incident. The sand continued to be troublesome, causing McComb to change his plan for the depth of the foundation,

91Ibid., 424.


93Ibid., 2.

94Ibid.

which he increased from thirteen to twenty feet. Newton served as the "Superintendent" for the laying of the foundation and even McComb's father visited the Cape to inspect his son's work. Newton, who had once declared that the drifting sands would not be a problem, told Hamilton that McComb deserved high praise for his work as the sand was "truly vexatious." Fifty cartloads were removed after the foundation was cleared for laying stone. Hamilton remained directly involved in the project, suggesting that the keeper's house be made of stone and disagreeing with McComb's notion to place the oil vault at the base of the lighthouse. His advice was followed in regard to the oil vault which was made a separate structure. The keeper's house, however, was built of wood. The lantern for the light held eight lamps in

96 Thomas Newton, Jr., Norfolk to Alexander Hamilton, New York, 8 August 1791, Cape Henry, Box 203, Lighthouse Site Files. Hamilton instructed McComb to "carefully and justly estimate" the added expense of the larger foundation, but noted that Washington had the final word, and if the estimate seemed to high the matter would be settled by arbitration. Papers of Alexander Hamilton, 8:450-451.

97 Newton to Hamilton, 8 August 1791, Cape Henry, Box 203, Lighthouse Site Files. While Newton was the "superintendent," Lemuel Cornick was the overseer or foreman of the construction of the tower. Cornick had also served as one of the replacement directors following the Revolution. Papers of Alexander Hamilton, 12:587.

98 Papers of Alexander Hamilton, 9:19.

99 Papers of Alexander Hamilton, 8:238. Newton also thought the vaults should be in the lighthouse since the sand would probably cover any outside structures and one great storm could cut off the keeper from the oil. Ibid., 555.

100 "Historic Survey Report," 22.
two tiers and the glass was covered by an arrangement of brass wire to protect the panes from hail and birds. McComb patterned the main tower of the lighthouse after the Cape Henlopen structure. On October 17, 1792 Tench Coxe sent Hamilton a certificate, forwarded by Newton and signed by Lemuel Cornick, stating that McComb had finished the lighthouse on October 2. Soon afterward the lamp burned for the first time. After seventy years of struggle a "good and sufficient light" guided ships into the Chesapeake Bay.

The appointment of the lighthouse's first keeper, a seemingly simple task, was in fact a minor struggle in itself. Two weeks before the lighthouse was completed Hamilton wrote to Washington stating that it would soon be necessary to find a keeper and that Governor Lee recommended John Waller Johnson, whom Hamilton knew nothing about, while another individual, Josiah Parker, recommended Thomas Herbert, who had served in the Virginia navy during the Revolution. Washington asked Hamilton for a list of applicants but dismissed Herbert since Newton confided that the man had a drinking problem. On October 13, 1792 Tobias Lear wrote

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101 Stevenson, 181.
103 Papers of Alexander Hamilton, 12:587. Coxe also noted the completion of three "beacon boats" which were to be placed on three shoals near the entrance to the Bay.
104 Ibid., 414.
105 Ibid., 515.
Hamilton that Washington had appointed William Lewis, the surveyor and inspector of the revenue for the port of Fredericksburg, to be keeper of the Cape Henry light with an annual salary of $400.\footnote{Ibid., 553.} Lewis's tenure was short, however. On November 28, 1792 Tench Coxe informed Hamilton of Lewis's death and suggested Cornick, the overseer of the construction, to be his replacement.\footnote{Papers of Alexander Hamilton, 13:242.} Three weeks later Washington appointed Cornick to the post.\footnote{Ibid., 357.} The following May Cornick resigned for unknown reasons and Laban Geoffigan became the new keeper.\footnote{Papers of Alexander Hamilton, 14:408.}

The Cape Henry lighthouse continued to duel with the sand for the rest of the century. In 1794 Tench Coxe, the Commissioner of Revenue, asked William Lindsey, who had become superintendent of lighthouses for the Chesapeake, if the oil vault, which was full of sand, could be salvaged or if a new one should be built.\footnote{Tench Coxe, to William Lindsey, 22 April 1794, Treasury Department, Lighthouse Service, Lighthouse Letters, 1792-98, Records of the United States Coast Guard, RG 26.} Coxe, obviously irritated, told Lindsey that the sand was a menace and that no other public buildings had similar problems.\footnote{Tench Coxe to William Lindsey, 15 December 1794, Lighthouse Letters, 1792-98.} The oil was soon stored
in Norfolk.\textsuperscript{112} When Benjamin Latrobe visited the lighthouse in 1798, he reported that sand completely surrounded the base of the lighthouse and the keeper's quarters, giving them the appearance of sitting in the bottom of a bowl.\textsuperscript{113} The shifting sand eventually swallowed the keeper's quarters as it had the oil vault.

The number of shipwrecks on the lower Chesapeake declined in the last years of the century, but it is impossible to determine the effect of the lighthouse on this trend. The last major wreck of the eighteenth century was that of the merchant ship \textit{Nancy} in December 1791, before the lighthouse was completed.\textsuperscript{114} This vessel ran aground on the Middle Ground and sank while attempting to reach Norfolk.\textsuperscript{115} No major wrecks occurred before the end of the century in the area of the Capes. It is impossible to determine whether this decrease occurred because of the lighthouse or that after nearly two centuries of sailing the waters sailor's charts finally mapped out all the dangerous ground in the Bay. It must also be remembered that part of the argument for the lighthouse concerned ships being delayed from entering the

\textsuperscript{112}\textit{"Historic Survey Report,"} 22.

\textsuperscript{113}[Osborne], \textit{Old Lighthouse at Cape Henry}, 10. To help combat the sand McComb added a platform around the lighthouse and the keeper's house. Apparently the platform worked and spared the keeper's quarters, at least for a time, from the sand. \textit{Papers of Alexander Hamilton}, 13:258.

\textsuperscript{114}Shomette, 79.

\textsuperscript{115}Ibid.
Bay. Since there were no statistics for this category, there is no way to determine if the lighthouse helped solve the problem. It seems quite likely, however, that mariners were indeed aided by the light which alerted them to their position in regard to Cape Henry. There were certainly no recorded instances of "wreckers" damaging the light as some had feared.

The irony of the Cape Henry lighthouse is that Norfolk, whose citizens fought more than any others for the beacon, never regained the economic glory of the mid-eighteenth century. The city, destroyed by fire during the Revolution, was still rebuilding when the lighthouse was completed. Within the next few years Norfolk regained some of its grain and West Indies trade and continued its shipbuilding enterprises.116 These gains could not offset the growth of Baltimore, however, as the major port on the Chesapeake Bay.117 One Norfolk citizen, however, remained interested in Cape Henry following the completion of the lighthouse. Thomas Newton, Jr., who carved his name into the lighthouse's foundation, reminded the state in May 1793, that it still owed him £2 for surveying the Cape Henry site.118

116Tarter, 17.
117Middleton, Tobacco Coast, 259.
118Calendar of Virginia State Papers, ed. Sherwin McRae, 6:380.
CHAPTER FIVE

CONCLUSION

The Chesapeake Bay continued to be one of the busiest trading centers in the new United States. Once the central government assumed control of lighthouse administration one of the major obstacles to the construction of the Cape Henry light, the concurrence of several governments, disappeared. The United States possessed the singleness of purpose to ensure the collection of import duties needed to build the lighthouse. During the colonial era the question of who would actually pay for the structure and the question of colonial duties as impediments to British trade clouded the issue.

As colonies of Great Britain, Virginia and Maryland existed largely to increase the wealth of the mother country. The desires of the colonists were never foremost in the mercantile system. The colonists of Virginia considered a lighthouse at the entrance to the Chesapeake Bay necessary to ensure that the products they purchased and the goods they sold arrived safely. Initially the Board of Trade and the English merchants did not share this view of a lighthouse as insurance of economic well being, but rather saw the venture
as an impediment to trade. Despite navigational arguments promoting sounding over a lighthouse, the true reason British merchants and the Board opposed the lighthouse was their reluctance to pay a duty to support it.

During the 1750's, for reasons not clearly delineated, the Board of Trade reversed its former position and announced its support for a lighthouse. Continued warfare with other European powers and the threat of privateers on the Chesapeake may have reinforced the idea of a lighthouse as a security measure. At the same time lighthouses were beginning to appear at other colonial sites and the argument of a duty impeding trade may have been stifled by sound navigational logic.¹

Constructing the lighthouse continued to present difficulties after British acquiescence because the Bay served Maryland as well as Virginia. The lower house of the Maryland Assembly simply refused to comply merely because their wealthier neighbor thought a lighthouse was a good idea. The primary reason for Virginia's failure to convince Maryland of the necessity of the lighthouse was a lack of supporting evidence. Beginning with Spotswood, the Virginia governors referred to unnamed supporters and lauded the lighthouse as

¹When Governor Spotswood presented his argument for a lighthouse only one other port, Boston, had erected such a structure. By 1750 Brant Point, Massachusetts and possibly Tybee Island, Georgia had similar structures and by the middle of the next decade sites such as Sandy Hook, New Jersey and Cape Henlopen, Delaware had or were in the process of constructing lighthouses.
advantageous without giving solid reasons why. The Marylanders, in fact, seemed insulted at Virginia's lack of supporting evidence for their request. Only in 1769, when Governor Botetourt provided a list of ships lost, did Maryland begin to show any interest in the project. Even then they still demanded numbers on import tonnage before they acted. Maryland certainly had a right to this type of information, but the previous Virginia governors viewed their northern neighbors as merely obstinate.

It is impossible to say whether Virginia would have finally built a lighthouse if the Revolution had not intervened. The approval of an additional £5000 showed that the Virginia General Assembly was at least willing to back the enterprise further. But the structure may well have been built fifty years earlier had not Virginia been the lesser partner in a mercantile system and had to share the Bay with another colony.

The federal government, unlike colonial Virginia, did not have to convince anyone besides itself of the necessity of a lighthouse at the entrance to the Bay. The first Congress made the administration of lighthouses, as a means of collecting revenue, one of its first priorities. Maryland and Virginia were not seen as two separate entities but rather as a part of a whole commercial system and the lighthouse served the central government more than either of the individual states. The Cape Henry lighthouse was the first of a series
of lighthouses built to ensure safe passage of ships and the collection of revenue for the United States. Alexander Hamilton, convinced that import duties were one of the best ways to raise revenue, included lighthouse administration in his own Treasury Department. The Board of Trade and the British merchants sought to make money from the colonies and did not want to lose profits to a lighthouse's duty. Hamilton sought to collect import duties from ships as a primary source of revenue and realized that a lighthouse could help ensure those duties. At the same time American merchants shared the same concern as their colonial predecessors, namely the safe and timely arrival of cargoes. If the United States sought to become a trading power, it needed to provide assurances to foreign vessels that they could navigate safely within the waterways of the new nation.

The Cape Henry lighthouse could have been built by the colonial governments of Virginia and Maryland. Eleven other colonial sites constructed lighthouses, proving the task not impossible. The federal government had only itself to convince of the necessity of the project. The lighthouse at Cape Henry demonstrated the United States' commitment to establish itself as a nation. The lighthouse helped to ensure revenue for the fledgling country by serving as a beacon to guide ships and their passengers and cargo to safety.
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95

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