

## 267 LIVERMORE, SAMUEL

Editor & Publisher

Richmond

Editor and publisher of *Virginia Patriot* (1809-10) at Richmond with Augustine Davis (119).

Livermore was an attorney and Federalist writer who had a short association with Virginia's print trade in the winter of 1809-10. He was born into a prominent New Hampshire family in 1786. His grandfather and namesake, Samuel Livermore (1732-1803), was a delegate to the Continental Congress, chief justice of the state's supreme court, its first Congressman, and then one of its U.S. Senators. His father, Edward St. Loe Livermore (1762-1832), was the state's U.S. Attorney, then an associate justice of the state's supreme court, before moving his practice to Massachusetts, where he also served in that state's legislature. His uncle, Arthur Livermore (1766-1853), served in both the New Hampshire House of Representatives and the Senate, as both an associate justice and chief justice of the state's supreme court, and as New Hampshire's representative in Congress. And his sister, Harriet Livermore (1788-1868), was a well-known feminist and millennialist preacher of the antebellum period. That background provided young Livermore with an elite education, capped by his graduation from Harvard College in 1804 and admission to the Massachusetts bar in 1805. His initial practice was in Newburyport, where his father had moved his family in 1802.

His connections to influential Federalists in Newburyport – the so-called Essex Junto headed by Theophilus Parsons – brought Livermore an invitation in 1808 to relocate to Baltimore to employ his literary talents in editing the *Federal Republican* there. Founded in July 1808 by Alexander Contee Hanson (1786-1819), the journal soon became the most vociferous and vituperative critic of the Republican administrations of Jefferson and Madison. Livermore's polemical skills were key to that notoriety, inducing Virginia's Federalist leaders to offer him a like role with the *Virginia Gazette and General Advertiser* of Augustine Davis in Richmond. On December 26, 1809, a recast *Virginia Patriot* issued its first number with Livermore in the editorial chair. But he soon found his new Richmond situation lacked the kind of backing that he had experienced in Baltimore; at the end of March 1810, Livermore sold his interest in the newspaper to Samuel B. Beach (468), a Northern Federalist lawyer like himself, and returned to Baltimore. His brief residence in Richmond, as well as the similar origins of the successive editors of Davis's newspaper, brought a biting commentary from Thomas Ritchie (360) in his very Republican journal, the *Enquirer*:

"A Virginia Patriot, is one who has been in Virginia but once, perhaps, in his life— whose very air is that of a foreigner; who is ignorant of our laws and manners; and, who comes as the missionary of truth, to convince us how much we have been mistaken, all this time, in our politics and rights."

Back in Baltimore, Livermore resumed writing for Hanson's *Federal Republican* while also conducting a legal practice there. In 1811, he used the Boston press of Thomas B. Wait to publish a commercial law tract that reflected his main professional focus: *A Treatise on the Law Relative to Principals, Agents, Factors, Auctioneers, and Brokers*. He published a revised version of the work in 1818 – *A Treatise on the Law of Principal and Agent; and of Sales by*

*Auction*, issued from the Baltimore press of Joseph Robinson, printer of Hanson's journal.

That publishing history evinces Livermore's continuing connections to both of these eastern seaboard ports, so obscuring the dates that he resided in each during the years just after his Richmond tenure. What is clear is that he was in Baltimore in the spring and summer of 1812, and had a hand in Hanson's war with the city's Republican artisans that attended the opening of the War of 1812. Two days after Congress declared war on Great Britain, Hanson excoriated Madison in print as being merely a French puppet, which led to a mob destroying the *Federal Republican* office. Facing a possible murder charge over the death of one man in that mob, Hanson fled to Georgetown and continued publishing his paper from the home of his partner, Jacob Wagner; but Republican supporters laid siege to Baltimore's post office to prevent its distribution. Hanson then rented a house in Baltimore as his new office, fortified it with a small cannon and three dozen supporters – Livermore among them – and issued the *Federal Republican* in the port city once again. In that first number, Hanson vilified the artisans who destroyed his original office, intentionally provoking another mob attack on his office, openly intending to meet force with force; after Hanson's partisans killed one of the invaders, a night-long siege of his office ensued, ending with the surrender of Hanson and his associates to the county sheriff and their confinement in the "safe haven" of the city jail. But one sympathetic jailor left an exterior door unsecured, and the mob swarmed the jail, severely beating Hanson and his supporters, killing five of them in the process. Hanson was crippled in the attack, yet was tried for manslaughter for the initial fatality, as were several others. They were all acquitted from a lack of specific testimony of each man's culpability. Livermore had a hand in defending Hanson and his co-defendants. It was his second such successful defense of Hanson, having previously assisted in defending his employer in a court-martial for "inciting mutiny" among Baltimore's militia units in 1809, a consequence of publishing anti-military articles in his *Federal Republican*.

After the riot trials, Livermore returned to Boston, evidently distancing himself from that festering controversy. But he soon was enmeshed in another notorious event of the War of 1812. In the spring of 1813, he signed onto the crew of the U.S. Navy frigate *Chesapeake*, then under the command of his close friend James Lawrence, as its acting chaplain. When the ship sailed from Boston on June 1st, it immediately encountered the British frigate HMS *Shannon*, commanded by Phillip B.V. Broke, and moved to engage the similar sized vessel. In the ensuing battle, *Chesapeake* was quickly crippled by *Shannon's* cannon-fire and then lost in a boarding action that mortally wounded Lawrence – who famously told his crew "Don't give up the ship" as he lay dying; Livermore was wounded when he tried to shoot Broke in revenge for his friend's death. *Chesapeake's* surviving crew was taken to a prison camp in Halifax, Nova Scotia; they were repatriated later that summer, Livermore among them. Still, the arch-Federalist remained in the Navy for the duration of the war, reporting later that he wanted retribution for the *Chesapeake* episode. He served on various ships, including the brig *Spark* during the brief war with Algiers in 1815. That same year, Livermore served as a judge advocate in a series of inquiries conducted into the loss of U.S. Navy vessels on Lake Champlain in 1813. He finally mustered out of the service in 1816.

Livermore shifted his attentions to commerce in the Mississippi Valley after the war, moving to New Orleans about 1819, following a return to Baltimore when he published his revised

treatise on agents and agency while serving as District Attorney for Maryland's 6th Judicial District. He became a formidable lawyer in Louisiana, "gaining reputation and fortune at the bar." While so engaged, Livermore published his last legal imprints from the New Orleans press of Benjamin Levy; in 1827, *An Argument, in a cause depending before the Supreme Court of Louisiana, between the Bank of the United States, the Bank of Louisiana, the Bank of Orleans and others, creditors of Joseph Saul, appellants; and Thomas H. Saul and others, children of the same debtor, appellees* appeared, weighing the community property rights of Louisianans who had acquired such property beyond the state's borders. In 1828, he carried his musings further with a treatise on conflicts in the statute laws of varying jurisdictions, *Dissertations on the Questions which arise from the Contrariety of the Positive Laws of Different States and Nations*, a tract that remains an essential part of the legal canon today. But Livermore's growing influence came to an abrupt and unexpected end in 1833; while journeying from New Orleans to New England – intending to visit his familial relations there after his father's death in 1832 – he contracted cholera; put ashore at Florence, Alabama, Livermore died in July 1833 after a two-week confinement. A life-long bachelor, Livermore left the bulk of his estate to the fledgling Harvard Law School, including a library of nearly 400 titles on Roman, Spanish, and French law.

An interesting coda to Livermore's life came in 1938 when he became the first navy chaplain to have a naval vessel named after him, even though he had never trained for such a role or ever again acted as one after the *Chesapeake* affair. USNS *Samuel Livermore* (DD-429) was commissioned in October 1940, operated on the North Atlantic convoy routes, patrolled the South Atlantic, and supported the landings in North Africa, Anzio, and southern France in World War II, before being assigned to the planned invasion of Japan. Her post-war service as a training vessel came to an end with a grounding off Cape Cod in 1950 and a subsequent deactivation; decommissioned in 1956, she was scrapped in 1961 near Baltimore.

### ***Personal Data***

Born: Aug. 26 1786 Concord New Hampshire.

Died: July 11 1833 Florence, Alabama.

Livermore never married and died without issue.

Sources: Imprints; Brigham; Archives of Maryland, biographical authority record; notices in *Virginia Patriot* (1808-09); commentary in *Richmond Enquirer*, Apr. 6, 1809; obituary in the *American* [New York], July 25, 1833; Nerone, *Violence Against the Press*; Warren, *History of the Harvard Law School* (1908); *Dictionary of American Naval Fighting Ships*.