

“2 Uniform Coats \$45.00”: Investigating Material Culture, 1861**Era: Civil War and Reconstruction (1850-1877)**

Document Citation: Amended Declaration, April 23, 1869, *Eben Swift v. Hannibal and St. Joseph Railroad Co.*, Case 2768, Law and Equity Case Files, 1838 - 1912, U.S. Circuit Court, Eastern District of Missouri, Eastern Division, St. Louis, MO, Record Group 21 (RG 21); National Archives-Central Plains Region, Kansas City, MO.

Background:

In 1869, Brigadier-General (US Army) Ebenezer (Eben) Swift sued the Hannibal and St. Joseph RR Co for \$5,958 in personal property lost in an 1861 railroad fire. Because Swift was a citizen of a state other than the one in which the railroad was incorporated, he filed his civil suit in Federal court. The Constitution gives the judicial power of the United States jurisdiction over suits between citizens of different states (Article III, Section 2).

Swift was born in Wareham, Massachusetts in 1819. After studying medicine, he entered the Army in 1847 as an acting assistant surgeon. During his military career, he served at many different posts, eventually attaining the rank of brigadier-general. He maintained an interest in medical research during his leisure time. Swift took a lengthy trip to Europe in 1859-1860 while he recuperated from a serious illness. After returning to the United States, he was posted to Fort Leavenworth, Kansas, and then to Fort Randall, Dakota Territory. In 1861, he was ordered to report to Cincinnati, Ohio.

Fort Randall was located on the Missouri River, and the Swift family's possessions may have traveled by boat down the Missouri River to St. Joseph, Missouri, where the goods, which he estimated weighed 2,700 to 2,800 pounds, were placed on a train belonging to the defendant. On the night of December 31, 1861, the baggage car containing Swift's possessions as well as those of two companies of the Fourth Artillery caught fire. The car was locked—probably because it also contained 9,000 musket cartridges—and none of the baggage could be saved.

Many of the luxury items Swift reported losing had been purchased in Paris, Rome, Naples, Florence, and New York during his stay in Europe. Other items had been purchased in St. Louis, Missouri and Leavenworth, Kansas. While many of the clothes seem luxurious attire for a frontier fort, Swift testified that his wife “needed all the fine articles. An officer's wife dresses like a lady wherever she may be. The officers dress well—the same wherever they may be.”

However, the greatest loss to Swift was an almost completed manuscript on the veterinary care of horses. He testified that he had spent 5 years of leisure time preparing the manuscript, and he estimated its value at \$2500, or \$500 per year for labor. Alex Martin, whom the judge assigned to assess the fair value of the lost property, concluded that the manuscript was worth only \$1000. However, Martin added 6% interest for the 8 years that had elapsed since the fire, bringing his

total assessment to \$6,537.50. The judge awarded that sum to Swift, and the defendant appealed the case to the Supreme Court, which upheld Swift's award on November 20, 1871.

Suggested Teaching Activities.

1. Pass out copies of the document to the students before telling them anything about the background of it. Have students read and analyze the document. What is this document? What type of person or family do you think owned these items? Do you think they were wealthy or middle class? Can you guess what the occupation of was of the person these items belonged to? Did they have children? Are there any clues given as to their leisure activities? Were they literate? Why do you think this list was made?
2. After students have had the opportunity to analyze the document, tell them the background behind it, and then go into the other lessons you have outlined.
3. The Constitution gives Federal courts jurisdiction over suits between citizens of different states. Ask students to consider, in light of this case, why the framers of the Constitution included this provision. Would a trial held in a Missouri state court have favored one of the parties? What about a trial held in Swift's home state?
4. Brainstorm reasons why the ability to sue for damages helps to preserve an individual's rights and helps to "insure domestic tranquility". Put reasons on the board, and discuss.
5. Use an online calculator or a reference source in your library to convert the cost of certain items still available today into modern dollars. Then compare the prices to what you might expect to pay for such items today. Have the relative values of certain goods risen or fallen in the last 140 years due to changes in production methods or need?
6. Use an encyclopedia, dictionary, or other resource to identify some of the less-familiar items listed, such as a *cravat* and a *mantilla*. If possible, view an example in a museum or an online exhibit. Explain what these items looked like, how they were used, and whether ownership was generally confined to a certain segment of society.
7. Create a diorama, collage, or other visual representation of the Swift's Fort Randall parlor as it might have appeared in 1861. "Furnish" it with some of the items they owned. Add Capt. Swift, Mrs. Sarah Swift, and their son, Eben Jr., age 6. Research the fashions of the time, and add a few accessories mentioned in the list of their possessions.
8. Almost half of the money Eben Swift requested was to compensate him for the loss of his unpublished manuscript on veterinary surgery and medicine. In court, he estimated that it would take at least three years to redo it. In addition, some of the illustrations had been obtained during his travels in Europe, and would be difficult to replace. Discuss how one might place a value on an unpublished manuscript or work of art, and debate whether Swift should be compensated for his labor.

9. As a final activity, ask students to consider the following questions: If you went on a trip and your luggage was lost, or if you moved and the moving van full of your household goods was lost, would you be able to itemize every item you had in your suitcase? Would you be able to assign a monetary value to it? What would be the most important possessions you have that you would want to replace? Discuss students' answers to these questions in class. What do they reveal about material culture today?