

REPORT

of the Investigative Committee in the matter of Professor Michael Bellesiles

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1. INTRODUCTION

The Investigative Committee's Charge:

The publication of Michael Bellesiles' Arming America: The Origins of a National Gun Culture (Knopf, 2000) set off a controversy which, beginning to some degree as a debate involving hot political issues, became something else: a dispute over perceived failures of scholarly care and integrity in the documentation, presentation and analysis of archival sources.

Allegations of scholarly misconduct on the part of a member of the Emory University faculty are dealt with under the University's official Policies and Procedures for Investigation of Misconduct in Research [The full text is in AA00003-AA00008.]

Under these "Policies and Procedures," "misconduct" includes "unethical behavior." "The commitment of fraud" in research is defined as follows:

This includes: the intentional fabrication or falsification of research data; the omission in publications of conflicting and/or non-conforming observations of data; the theft of research methods or data from others; the plagiarizing of research ideas, research results or research publication(s); or other serious deviations "from accepted practices in carrying out or reporting results from research."

Under "Principles and Responsibilities" the "Policies" state that:

The validity of research and other scholastic endeavors is based on the implicit assumption of honesty and objectivity by the investigator and on the explicit promise that research data can be verified.

The “Procedures” call for a preliminary inquiry of allegations of research misconduct by several members of the faculty, with a written report to the Dean. Should the report establish “credible evidence” for such an allegation, a formal investigation is initiated and an ad hoc committee appointed, to render a report that should include:

the allegation of misconduct; the procedure followed in the investigation;
complete documentation of the evidence that was considered by the Committee;
conclusions as to whether misconduct in research has occurred; and a statement
concerning any other related matters deemed important by the Committee.

It is under these “Policies and Procedures” that, after a preliminary internal report found cause to move to a next stage of inquiry, the University appointed an external committee of investigation. The present ad hoc Committee was asked to offer conclusions on the following (and ONLY on the following) five questions:

1. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from Rutland County, Vermont?
2. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from Providence, Rhode Island?
3. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from the San Francisco Bay area?
4. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records supporting the figures in Table One to his book, "Arming America: The Origins of a National Gun Culture"?
5. Did Professor Bellesiles engage in "other serious deviations “from accepted practices in carrying out or reporting results from research” with respect to probate records or militia census records by:
 - (a) Failing to carefully document his findings;
 - (b) Failing to make available to others his sources, evidence, and data; or
 - (c) Misrepresenting evidence or the sources of evidence."

It should be noted that Question #5 has the following footnote:

See Article 1 of the American Historical Association’s “Statement on Standards of Professional Conduct,” which states, in part, that “[h]istorians should carefully document their findings and thereafter be prepared to make available to others their sources, evidence, and data, including the documentation they develop through interviews. Historians must not misrepresent evidence or the sources of evidence.” [AA 00071]

Meetings and Procedures of Inquiry

The Investigative Committee held meetings on May 5 (in Washington, DC), May 31 (by conference call), June 10 (by conference call), June 14 (in New York City), June 24 (by conference call) and July 1 (by conference call).

At its initial meeting, the committee met first with Dean Paul and General Counsel Kent Alexander of Emory University; also present was Helen McLaughlin who was designated by the University as the Emory staff member responsible for liaison with the Committee. The Dean and the General Counsel offered a brief history of the case to that date, summarized the material that had been assembled for the committee's examination, and explicated Emory's policies and procedures on matters of scholarly misconduct within those policies and procedures. Following this discussion, the Committee met on its own to decide what further materials it wanted at that point to receive, what assignments to pursue over the next period of time, and when and how to schedule its meetings. The Committee also decided to initiate its own research related to at least some of the relevant sources with the aid of a graduate research assistant.

In subsequent meetings, the Committee continued to discuss its queries and findings as they evolved and to identify further materials for consideration as well as to determine what questions it wished to address directly to Professor Bellesiles. Lists of questions were twice forwarded to Professor Bellesiles ; he responded to these on May 29 and June 2. These questions and his responses are included as MB 00445 and MB 00446-MB 00454. A final set of questions was sent in preparation for meeting with Professor Bellesiles in New York on June 14. He responded to those in writing [MB 00443], and again in person in the interview held on June 14 to a number of the issues these questions reflect. Our conversation with Professor Bellesiles on that occasion was recorded and transcribed by a court reporter. On June 18 Professor Bellesiles again responded in writing to some of the questions raised in that interview. [MB 00419-MB00422]]

Materials:

The Committee's report is accompanied by three volumes of documentation. The first contains all the documents given the Committee by the University at the outset of its investigation, including the preliminary and confidential report of its internal committee that recommended a further inquiry, a large number of materials pertinent to that committee's review, and the responses of Professor Bellesiles to that report. The second consists of materials assembled for the Investigative Committee's review by Professor Bellesiles, including his statement of rebuttal to a number of the allegations made in relation to his work and a series of appendices. The third volume of documentation contains both the materials the Investigative Committee has requested from the University and from Professor Bellesiles in the course of its inquiry since April 18 and materials developed by the Committee itself during the same period (for example, documentation of research conducted under the Committee's auspices).

The following materials have been particularly important to the Committee's review and findings:

Michael A. Bellesiles:

1. Arming America (Knopf, 2000)
2. "The Origins of Gun Culture in the United States, 1760-1865," The Journal of American History, vol. 83 (1996), 425-455. [AA 00391 – AA 00442]
3. Volume #2: documentation submitted by MB, as noted above
4. MB responses to Committee's questions, as listed above
5. MB website material on probate records:
<www.emory.edu/HISTORY/BELLESILES/Probatehome.htm>
(This page contains links to the following: San Francisco Probate Materials; North Carolina; Gill and Curtis; Ohio; Rhode Island; Maine; Massachusetts; Vermont; Washington County, Tennessee; Westchester County, New York; Essay: "Probate records as an historical source")
6. Response of 5/9/02 to Lindgren review, "Fall From Grace" [MB 00381–MB 00389]
7. Draft Introduction to 2nd edition of Arming America [MB 00593-MB00606]
8. Transcript of interview of June 14 [AA 00704-AA 00773]
9. Post-interview letter to Committee of 6/18/02 [MB 00419-MB 00422] and accompanying document entitled "Vermont Probate Records, 1770-1790" [MB00423-MB 00442]
10. E-mail of June 27 to Helen McLaughlin [MB 00607- MB 00608]

The preliminary and confidential internal report, in vol. 1 of documentation [00013 sqq.]

Robert H. Churchill, "Guns and the Politics of History," Reviews in American History, vol. 29 (2001) 329-337 [AA 00382-AA 00390]

Forum, "Historians and Guns," in William and Mary Quarterly, vol.59 (2002), 203-268 [AA 00325]

James Lindgren and Justin L. Heather, "Counting Guns in Early America," William and Mary Law Review, vol. 43 no. 5, (2002), 1777-1842.

James Lindgren:

1. "Fall From Grace: Arming America and the Bellesiles Scandal," Yale Law Journal, vol. 111 no. 8, (2002), pp. 2195-2249."
2. Appendix/Selected Errors in Arming America" [AA00432-AA00675]
3. "Probate Gun Data, Vermont 1765-90" and spreadsheet entitled "VERMONT 1773-90, Lindgren Heather Data" [AA 00681-AA 00697]

Work of our Research Assistant

1. "Report to the Emory Committee: Massachusetts Probate Materials" Appendix B, No. 1
3. "Report to the Emory Committee: Militia Returns" Appendix B, No. 2
4. "Report to the Emory Committee: Travel Narratives" Appendix B, No. 3

2. FINDINGS

Identification of issues

Obviously it would be difficult for any committee to double-check every allegation made in the intense controversy over Professor Bellesiles' book, Arming America. The book is over 400 pages long and has over 120 pages of footnotes. Even the relatively small segment of the book we have been asked to review—the probate records and militia counts—involves complex materials scattered over many jurisdictions. We cannot claim to have undertaken a comprehensive review of every source in question. But we have done our best to review the major points at issue and to arrive at an independent judgment.

We began by surveying the work of other scholars, noting the criticisms directed at the book from experts in the field,. Because Emory's charge to the Committee emphasized probate records, we focused our investigation on clarifying and evaluating his work with those sources. We also examined scholarly comments on Professor Bellesiles' use of militia data.

We found the work of Professor James Lindgren on probate records of particular interest. In an article in the Yale Law Review, Lindgren summarized the central problems with Professor Bellesiles' summary of his probate research in Table One of Arming America: "The data fit together almost too neatly. In particular, if anyone had looked closely at the probate data, they would have seen that it did not look right. The regional differences were suspiciously slight; the increases over time were extremely regular; the study did not indicate which counties were in which categories; and in most unconventional fashion, the probate data were published with no sample or cell sizes." ["Fall from Grace: Arming America and the Bellesiles Scandal," The Yale Law Journal 111 (2002): 104.]

Evaluating Table One is an exercise in frustration because it is almost impossible to tell where Bellesiles got his information. His source note lists the names of forty counties, but supplies no indication of the exact records used or their distribution over time. After reviewing his skimpy documentation, we had the same question as Gloria Main: "Did no editors or referees ever ask that he supply this basic information?" ["Many Things Forgotten: The Use of Probate Records in Arming America," WMQ LIX: 213] We also agreed with Randolph Roth's observation that some of Bellesiles' percentages appear to be "mathematically improbable or impossible." As Roth explains, because three of the four numbers in column one are HIGHER than the average of the whole, Bellesiles' sample for the fourth category, "Frontier," would have to have been "enormous" to offset their effect. [Randolph Roth, "Guns, Gun Culture, and Homicide: The Relationship between Firearms, the Uses of Firearms, and Interpersonal Violence," WMQ LIX (2002): 228, note 17; Lindgren, Yale Law Journal, 104, note 25.] We are also inclined to agree with Lindgren, "This entire scandal might have been avoided in 1996 with more conventional editing at the JAH." [Yale Law Journal, 104].

The problems with documentation are compounded by the fact that to date no one has been able to replicate Professor Bellesiles' results for the places or dates he lists. In an effort to understand possible causes of the discrepancies between Professor Bellesiles' data and that of other scholars, we have done our best to clarify his research methods. We sent our research assistant to the Massachusetts State Archives to explore some of the sources he claims to have used, focusing on the nineteenth century, a period neglected in other critiques. Our assistant also provided independent counts of militia data used in the construction of Table Two and attempted to find the primary sources cited in the source note for Table Three. In addition, we gave careful attention to the sometimes controversial accounts of his work that Professor Bellesiles has made since the publication of the book. To make sure we understood his process, we sent queries to him via e-mail, and then interviewed him in New York on June 14. Finally, we carefully reviewed photocopies of research notes taken from his office on June 24. [MB00469]

In the process we added the following new findings to the record:

1. We established a chronology of Professor Bellesiles' probate research.
2. We secured from him a firmer description of his method of working with probate records.
3. We gathered additional information on archives that Professor Bellesiles said he used.
4. We compared the nineteenth-century results included in Table One with our own data on counties listed in his sources.
5. We checked the militia counts reported in Tables 2 and 3 and his discussion of Connecticut militia returns on page 141 of Arming America against his presumed sources.

A Chronology of Prof. Bellesiles Probate Research

The probate research reported in Arming America evolved in several stages. As Professor Bellesiles has made clear both in writing and in our interview on June 14, his initial probate research, undertaken in Vermont in 1983-1986, did not focus on guns. The data sheets provided to the Committee confirm this. As he went through probate files, he made entries on pre-printed forms under many categories, none of which required attention to the presence or absence of guns. He was interested in guns, and he listed them as he found them, sometimes in the margins, under “luxury goods,” but nothing in these data sheets suggests that they were the central concern of the project, nor do these data sheets suggest an effort at verbatim transcription. [See example of data sheets provided to the Committee. MB 00231—00241] These facts help to explain the differences between the Vermont data provided on his web site and that supplied by others.

The second stage in Professor Bellesiles’s research began as early as 1985, when he initiated work on what he thought would be a comparative study of frontiers. Although no data sheets survive from this period, his testimony before the committee indicates that guns were of interest to him primarily as an example of consumer goods available in newly settled areas. His initial research was in New England, but in the winter or spring of 1987, he made his first trip to western Pennsylvania, (there is some discrepancy here, for he said later he began research in Westmoreland County, Pa, in 1989), and in the spring of 1989 to North Carolina. He continued to take down information on data sheets printed on recycled paper, although he believes only those he used in Vermont have survived. Curiously, however, he has provided a detailed account of Westmoreland County research on his website and summarized it in a draft of possible revisions for his book. [MB 00404]

By 1992, he had decided to focus exclusively on guns. At this time, he initiated a broader study of probate records and began taking notes on yellow legal pads. According to Professor Bellesiles, all of the probate research on these pages perished when his office at Emory was flooded. In photocopies of loose papers sent to the Committee on June 25 we discovered one sheet that fits the description of these records – a brief account of 39 files from Northampton County, Pennsylvania (1773-1774). [MB 00469] We will have more to say about this below.

In 1994, he gave a paper at the OAH annual meeting, for which he provided a handout, “Examples from the probate records,” summarizing data from Massachusetts, Vermont, New York, and Indiana. [MB 00242] The 47 inventories from an unnamed county in Massachusetts date from 1680-1681. Although the handout does not identify the source, our research assistant determined that all of the information included can be found in the published Essex County probate records, volumes 2 and 3. The New York data appear to have come from Westchester County since the numbers are identical to those provided on Professor Bellesiles’ current website. On the website, he thanks “Field Horne of Saratoga Springs, New York,” for providing a count of guns from 209 Westchester County inventories dating from 1670-1795, 35% of which had guns. The Vermont names all

correspond to those now on Professor Bellesiles' website. The 18 inventories from Indiana ("one with a gun") are otherwise unidentified.

This handout (with the exception of the recently discovered loose sheet) appears to be the only surviving evidence of Professor Bellesiles's probate research until the publication of his article in the Journal of American History in 1996. That essay included a table summarizing the results of an apparently comprehensive survey of records from 38 jurisdictions. That table surely included the Vermont data collected in the 1980s and probably the 18 inventories from Indiana included in the 1994 handout, but according to the source note no records from New York state and nothing before 1765 from Massachusetts. Twenty-five of the 38 counties listed also appear in Alice Hanson Jones's collection. There is, then, a remarkable difference between the data he included in his handout in 1994 and that presented in the JAH article two years later.

In 2000, Professor Bellesiles published a revised and slightly expanded version of Table One in the JAH article as Table One in Arming America [p. 445]. Except for the addition of "San Francisco and Los Angeles, California," the sources listed are identical. The numbers in the first four columns are also identical. There are small changes in the numbers in column five (1849-1850), and a new sixth column presenting data for 1858-59. One can assume then, that most of the probate data summarized in Arming America first appeared in 1996 in the Journal of American History.

Professor Bellesiles responded to the intense criticism of his probate data in Arming America with a website that purported to move beyond his earlier work with new information gathered more systematically and with samples extending over several years. At this writing, the website includes only two areas cited in the sources for the JAH article and Table One in Arming America—the Vermont data that he gathered in the 1980s and a summary of an unknown number of probate files from Westmoreland, Pennsylvania. How the Westmoreland material survived the flood in his office, we do not know.

In summary, Professor Bellesiles' work with probate records evolved in several stages over a period of more than 15 years. Within this large body of work, however, only fragments of the research summarized in Table One are well-documented or survive in any detail. In fact, except for his Vermont research, Professor Bellesiles seems to have largely abandoned the sources he ostensibly used for Table One, choosing to collect new data from other jurisdictions rather than attempt to replicate either the numbers or the locations of the research first summarized in JAH and then in Arming America. [See, for example, his e-mail of 27 June. MB 00607-MB00608] Significantly, neither he in his subsequently published data nor any other scholar has been able to replicate the low percentages of guns reported in those tables for the eighteenth and early nineteenth centuries.

Working Methods

The committee had several questions about Professor Bellesiles' working method. We wondered if the discrepancies between his results and those of other scholars might be explained by differences in their definitions of probate inventories. We also wanted to know if something about Professor Bellesiles' research method might have introduced inadvertent errors.

Our concern about his definition of "inventory" was raised first by his conflating of "wills" and "inventories" in his handling of the Providence, Rhode Island inventories. Obviously including wills in the total count of records greatly reduced the percentage of guns in estates, since few wills list guns or any other specific kind of personal property. This hypothesis seemed confirmed when we read a draft of a revision he is preparing for the new edition of Arming America. [MB 00404] There he alternately refers to "inventories" and "probate files" in describing records posted on his website. In his summary of Lucy Gump's data from Washington County, Tennessee, he lumped together wills and inventories under the term "probate files." [See "Queries Concerning the Use of Probate Records in Arming America" for more details.] In our interview on June 14, however, he assured us that he did not include wills in the counts that comprised Table One.

In his written response to our query he did give a somewhat expansive definition of "inventory," however. In response to one of our queries, he wrote: "There are to my knowledge four types of probate inventories: the initial executors' inventory, a court-ordered second inventory for the confirmation of property, a probate auction, and a listing of the division of the estate." Since this definition of inventories is broader than most scholars would use, Bellesiles may in fact be counting things (such as "accounts of administration") that are totally irrelevant for his study. [See Appendix A to this report for definitions of probate inventories in articles by Gloria Main, Holly Izard, and Alice Hanson Jones]

The confusion about Bellesiles' methods is compounded by two other factors—his use of tick marks to record his data and his insistence that he used individual files rather than clerks' record books.

As he explained to us, after 1992 his data sheets consisted of yellow pads of paper with a line drawn down the center of the page. On one side he made a mark for each file he opened and on the other a mark for each file that contained a gun. Somewhat later, he added a third column where he noted the values of guns, though he did not explain exactly how he did that. His "two-column" method certainly preserved paper. In fact, with normal sized handwriting, he could easily have recorded all of his information on one legal size pad of paper, even allowing room to jot down the name and location of the archive and the date of a given record set.

Given his casual method of recording data and his expansive notion of what constituted an inventory, it would have been easy for him to have produced unusually low

percentages of guns, although the seriousness of the error would depend on whether he was searching individual estate files or clerks' books. Clerks' record books are organized chronologically with accounts of administration, inventories, auction records, and distributions for particular estates listed just as they come into the court. Thus the records of individual estates often appear on different pages (and sometimes in different volumes.) If he worked with clerks' books, did not take down names of decedents, and included anything that looked to him like a probate inventory, he could inadvertently have double counted some estates as well as included large numbers of records that would not ordinarily contain guns.

When we raised this possibility in our interview, Professor Bellesiles told us that he always worked with individual estate records. In that case, all the relevant records for a given estate would have been grouped together in a single envelope eliminating the possibility of double counting. It would not prevent his including materials that weren't true inventories, however, as he appears to have done in collecting his material from Contra Costa County, California. (See below.)

Although we think that the extraordinarily low percentages of guns in Professor Bellesiles counts may be a consequence of an unusually broad definition of what constitutes an inventory, that hypothesis is impossible to confirm without knowing exactly what materials he worked with and how.

Also relevant to the construction of Table One is Professor Bellesiles' use or non-use of data collected by Alice Hanson Jones in her three-volume study of wealth in 1774 in the British colonies in North America. In his Journal of American History essay [AA 003094], he says that he became interested in the topic of gun culture while "studying county probate records (inventories of property after a death)" for another project. In more than a thousand inventories from "the frontiers of northern new England and western Pennsylvania for the years 1765-1790" he found only 14 percent firearms. In the next paragraph he continues: "Integrating Alice Hanson Jones's valuable probate compilation into this general study and examining counties in sample periods during the eighty-five years from 1765 to 1850 reveals a startling distribution of guns in early America."

Since the source note for Table One in the JAH article included most of the counties in Alice Hanson Jones's compilation, and since he explicitly wrote of "integrating" her compilation into his larger study, most readers assumed that her 919 inventories were included in that table.

Yet after the publication of a review noting the much higher incidence of guns in Jones's inventories than in Table One in Arming America, Professor Bellesiles responded that he had not, in fact used Jones's compilation.

In his May 29 e-mail response to the committee, he seems to confirm that. He wrote: "When I began this project I turned to the counties that Alice H. Jones used in her American Colonial Wealth as that gave me an idea of which records existed. I did not

want to use her compilation though, because they covered a period when the colonial governments were distributing arms, which I thought would bias the listing for guns.”

In this regard, the recently discovered page of Northampton County, Pennsylvania records is particularly intriguing because it is from a place and year used in Alice Hansen Jones’s data base, because internal evidence suggests that he and she were working with the same records, and because his results (only 5 guns in 39 inventories) are so at odds with hers (5 in 21 inventories). Apparently his definition of an inventory was broader than hers. [See Appendix C] Unfortunately, it is impossible to fully check Bellesiles’ results against hers because he does not list names, file numbers, or individual file dates. All we have are tick marks on a lined piece of paper. The Northampton sheet does confirm, however, the casual approach Professor Bellesiles took to gathering his data. [MB00469]

Archives and Sources Used

Professor Bellesiles’ critics have charged him with claiming to work with records that do not exist. The San Francisco issue has been widely discussed. His critics have charged that he has fraudulently claimed to have read records that do not exist because the San Francisco records he claims to have used were destroyed in 1906. He has responded by saying that he at least thought he was using San Francisco records and has provided examples of several files from Contra Costa County that contain references to San Francisco.

If Professor Bellesiles did indeed read Contra Costa records believing they were from San Francisco, then the issue could again be one of extremely sloppy documentation rather than fraud. There are three aspects of this story, however, that raise doubts about his veracity.

- a. He didn’t accept the opportunity to go find the San Francisco records until a friend suggested he may have found them in Contra Costa. So the idea that he had confused the origins of the records seems to have come from outside. In addition, there is some question as to whether the records he now cites could indeed be ones that he had read in 1993.

Material dealing with discrepancies in Professor Bellesiles’ accounts of this matter, his initial reluctance to go to California to check on his San Francisco sources, his announcement of finding them in Contra Costa records, and the questions raised by the director of the History Center in Martinez, CA, is to be found most usefully in the following documents, attached to the preliminary and confidential internal report [Tab 3, Vol. 1 of documentation]:

E-Mail Correspondence, Tab 4C

AAOOO88, AA00091, AA00093, AA00096, AA00097. AA0107, AA00128
AA00134, AA00136, AA00138

Tab 4G: "Notes on Supposed San Francisco Records in the Contra Costa County Historical Society History Center, from the Director [AA 00266-69]

The Preliminary and Confidential Internal Report : The essential discussion is on pp. 16-18 [AA00029-31] and 21-25 [AA 00034-38]. On p. 25 of the report it is mentioned that the Contra Costa records in dispute and which Professor Bellesiles claimed to have read at the History Center in 1993 did not in fact go to the History Center until 1998 (they had earlier been stored in a county warehouse used to store records from the Contra Costa Superior Court.)

- b. The records he selected and photocopied from that Contra Costa archive were hardly random, but explicitly chosen because they had the words "San Francisco" in them, even though the records themselves clearly identify them as deriving from the Contra Costa court.
- c. The records he selected do not seem to provide the sort of information his project requires. They may be California records. They may bear the name "San Francisco" somewhere in the files, but they do not appear to be detailed inventories of personal property. The Welsh inventory includes only livestock and wheat, and the Crippen only livestock and a wagon. These do not seem to be appropriate sources for determining either the presence or absence of guns.

At issue as well is his claim to have read microfilms at the National Archives Record Center in East Point, Georgia. When told that the National Archives had no probate records, he responded that he read so-called "Mormon microfilm" that he brought with him to the archives. When others pointed out that those microfilms do not circulate, he responded that he got them through a friend. [AA 00136, MB 00025-271]

Since microfilms owned by the LDS Family History Library in Salt Lake City are freely available to the public through hundreds of small branch libraries all over the United States, we found this explanation puzzling. One need not be a Mormon or even know a Mormon in order to borrow microfilm through this library, and scholars can with permission of the original archive purchase film for a small fee. Wanting to make sure we had not misunderstood his story, we raised the question again in our written queries. He responded, "Over the time I was looking at probate microfilms, two graduate students in my department were working on dissertations that involved economic themes. All three of us benefited from our association with a member of the Mormon Church who assisted us in getting microfilms. At the time none of us thought anything about it, but I may have endangered his job by what I thought was an innocent activity." (Since branch libraries are staffed by volunteers, however, there was no "job" to endanger.) [MB 00450-00451]

When we asked Professor Bellesiles how his friend knew what microfilm to borrow on his behalf, he said that he selected them from "a binder" that listed the available records. While it is certainly possible that an unnamed friend provided Professor Bellesiles with the microfilms he needed, it would have been an extraordinary act of service and surely

would have merited thanks in the acknowledgements of a book. LDS branch libraries do not in fact contain records. What they hold is a catalog (initially on microfiche and later on computer) of the vast Salt Lake holdings. No binder could possibly contain this information. Significantly, Professor Bellesiles told us on June 14 that he had never visited one of these libraries. [Transcription of Interview, AA 00731-AA 00733]

Finally, there is the question of which archives Professor Bellesiles worked with in Massachusetts and when. Since that issue is related to our attempt to gather independent data, we will discuss it below.

Additional Data

On his website, Professor Bellesiles lists five Massachusetts courthouses among the sites where he did original research. Four of those five courthouses moved their records either to offsite storage or to the Massachusetts State Archives between November 1989 and the summer of 1992. When we told Professor Bellesiles about this, he assured us that he did his Massachusetts research in the mid-1980s. That would mean, of course, that he did his probate research in Massachusetts before he had shifted his focus from comparative frontiers to guns. Since Table One considers the period 1765-1860, none of the counties in question could possibly have fit his definition of frontier, which he defines as the first thirty years after settlement.

There is then a serious discrepancy between the claims of Table One and the sources listed. If he did include Essex, Suffolk, and Plymouth Counties in his gun counts for the nineteenth century, he was either unusually prescient in defining his research needs or he did that work after the move to the state archives.

Our concern about when—or whether—Professor Bellesiles did his Massachusetts research was increased, however, when our research assistant attempted to collect data on gun ownership in those counties in the nineteenth century. Professor Bellesiles included data for “Northern coast: urban” in his 1996 JAH article and added new data to that category for 1858-59 in Table One in Arming America. Since the source notes lists Essex, Suffolk, and Plymouth counties, which are all definitely northern and coastal, we assumed he included them in his table.

Our attempt to replicate his numbers failed. There are NO extant Suffolk inventories for 1849-50 or 1858-59. For the years 1830-31, our assistant found 133 inventories that enumerated personal property other than stocks, bonds, or debts [Suffolk County Probate Record Book, Vols. 128-129, microfilm reels #99 and #100]. Of these 133 estates, 10 (7.5%) contained guns. This, of course, is exactly opposite to Professor Bellesiles’ conclusion that gun ownership increased in the nineteenth century. (His figure for “Northern coast: urban” for 1858-59 is 25%).

The figures for Essex County were also troubling. Our assistant found inventories for 1858, but they were extremely difficult and time consuming to work with since they exist only as loose file papers stored in alphabetical order regardless of date. To find a sample

for a given year, she first had to locate appropriate names in a bound volume, then call each file up one by one. She was able to do this for ten files, but only six actually had inventories. One of these six listed a gun (16%).

She had better luck with Plymouth County, managing to examine 100 inventories recorded in the general probate books for 1858 (vol.s 100 and 101). Nine of the 100 listed guns. In contrast, Professor Bellesiles's table reports 19.2 % guns for "Northern coast – rural."

Militia Counts

Using the source note attached to Table 2 [Arming America, p.446], our assistant had no difficulty locating the records Professor Bellesiles used. Although her computations differ slightly from his, the differences are inconsequential. We see no problem with the presentation of this material. [See comparison of our assistant's counts and those of Professor Bellesiles in Appendix. B: Militia Returns]

We had more difficulty with Table 3 [Arming America, p.447] which purportedly describes "Private Gun Ownership in Massachusetts" from 1789 to 1839. The source note says these numbers came from Adjutant General, Annual Return of the Militia for Massachusetts and Quartermaster General's Letter Book 6: 9, found at the National Guard Armory in Natick, Massachusetts. Since Massachusetts militia records have since moved to an archive in Worcester and since no one was present on the day our assistant visited who could find the source for this material, we were unable to verify Bellesiles' information. That may be because the source does not exist, because the citation is inaccurate, or because the citation, though correct, refers to a source that has been misplaced. There is an alternate source for this table, however. Footnote 7 on page 264 of Arming America, which appears to refer to the same materials, cites a secondary source, George D. Moller, Massachusetts Military Shoulder Arms, 1784-1877 (Lincoln, RI, 1988), which offers numbers seemingly identical to those in Table 3. This may be the transcription at the American Antiquarian Society in Worcester that Bellesiles mentioned in his interview with the committee. [Transcription of interview with Bellesiles, AA 00771]

The issue with Table 3 seems to be less the existence of these annual militia censuses,, however, than with Professor Bellesiles' claim that they represent an accounting of "Private Gun Ownership in Massachusetts." As a number of scholars have pointed out, such censuses were actually counts of guns brought to the annual muster. [Robert Churchill review, AA 00382-AA 00390, James Lindgren review, AA 00339]

We also reviewed materials relating to Professor Bellesiles' discussion of 1746 Connecticut records. In Arming America, he wrote that in preparation for an assault on Canada, "Connecticut finally raised its six hundred troops, 57 percent of whom did not have guns." [Arming America, p. 141] Our assistant confirmed the problems other scholars had originally noted. The primary sources Bellesiles cites confirm that in extant reports from company captains 368 of 456 men (80.7%) were armed. Our hunch is that

Bellesiles skimmed the surface of these sources, relying instead on a passage from Harold Selesky, War and Society in Colonial Connecticut, “The volunteers in 1746 were not vagrants, although a few were ‘very poor,’ and many enlisted without a blanket or a gun. In some companies as many as fifty-seven of the hundred men lacked a firearm.” [New Haven and London: Yale University Press, 1990, 91.] Significantly, Selesky’s “some companies” became for Bellesiles the whole. Selesky’s own source is letter from Josiah Starr to Jonathan Law, August 6, 1746, which reported that he had a “full Compliment of Men Inlisted: all Clothed, & all of yt Company, Except fifty Seven provided, with a good Gun and are all Ready to move on first Notice.” (Appendix B: 2. Militia Returns) Curiously, James Lindgren, too, seems to have misread Starr’s letter. In his Yale Law Review article he claimed that Bellesiles had reversed the numbers, reporting 57% armed as 57% unarmed. In this case, Bellesiles’ number was right.

The criticism aimed at Professor Bellesiles’ handling of militia data is in some respects different from those we encountered with probate records. The issue is not whether the records exist. In most cases, Professor Bellesiles’ footnotes are both extensive and accurate. The problems have to do with his reading and interpretations of these records. Robert Churchill and others have noted both his failure to provide appropriate context and his often misleading use of statistics. Still, there are similarities to the problems we found with probate records. His lumping together of guns and ammunition in his discussion of Benedict Arnold’s march on the powderhouse in 1776 is reminiscent of his conflating of wills and inventories. His attempts to estimate ratios of guns to militia sizes show the same lack of skill with quantification as his probate computations. We do not see evidence of outright deception in this material, but we do see abundant evidence of superficial and thesis-driven research. We concur with Ira Gruber, that Professor Bellesiles’ “efforts to minimize the importance of guns, militia, and war in early America. . . founder on a consistently biased reading of sources and on careless uses of evidence and context.” [“Of Arms and Men: Arming America and Military History,” WMQ LIX (2002): 222]

3. CONCLUSIONS

We have, as we were instructed to do, confined our deliberations to the five questions listed in the charge within the context of the policies and procedures of Emory University and the Statement on Standards of Professional Conduct of the American Historical Association.

We should mention at the outset that we have not found Emory's statement of Policies and Procedures entirely adequate by itself in guidance for this kind of inquiry (unless it were, as the present allegation is not, one of plagiarism or manufacturing records,) since it seems basically designed for the investigation of alleged misconduct in the life and physical sciences. However, the AHA's Statement on Professional Conduct is, as Dean Paul has stated, taken to be descriptive of the meaning that the reference in the “Policies” to “other serious deviations 'from accepted practices in carrying out or reporting results from research'” might hold for historical scholarship.

The pertinent part of the AHA Statement on Standards is “Section 1: Scholarship.” Scholarship is defined by the AHA as “the uncovering and exchange of new information and the shaping new interpretations,” and is “basic to the activities of the historical profession.” [pp.2-3]

Scholars must be not only competent in research and analysis but also cognizant of issues of professional conduct. **Integrity** is one of these issues. It requires an awareness of one's own bias and a readiness to follow sound method and analysis wherever they may lead. It demands disclosure of all significant qualifications of one's arguments. Historians should carefully document their findings and thereafter be prepared to make available to others their sources, evidence, and data, including the documentation they develop through interviews. Historians must not misrepresent evidence or the sources of evidence, must be free of the offense of plagiarism, and must not be indifferent to error or efforts to ignore or conceal it. They should acknowledge the receipt of any financial support, sponsorship, or unique privileges (including privileged access to research material) related to their research, and they should strive to bring the requests and demands of their employers and clients into harmony with the principles of the historical profession. They should also acknowledge assistance received from colleagues, students, and others. [p.3]

The Investigative Committee decided at its first meeting that its task was to accept the mandate outlined in Dean Paul's memo to President Chace, Provost Hunter and Vice President for Research Stout [29 March 2002]:

The Investigative Committee will be asked to make findings as to each charge and to explain its findings in detail, addressing, among other things, the distinctions between research misconduct and scholarly debate surrounding any provocative or controversial work.

Our **Conclusions**, responding to each of the five questions in our charge, are as follows:

As to Questions 1 and 2, we cannot judge the issue of *intentionality*. We do not believe it possible to state conclusively that Professor Bellesiles engaged in “intentional fabrication or falsification of research data” given the evidence at our disposal. But we are seriously troubled by Professor Bellesiles' scholarly conduct in most of the contexts to which the first two questions refer.

Question 1. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from Rutland County, Vermont?

Our conclusion is that Bellesiles' account of the Vermont probate records contain extensive errors in part because they were not in fact collected with the purpose of counting guns. A chronology of his scholarship, confirmed in our interview, helps to illuminate this issue. The origins of the Vermont material help to explain the

discrepancies between his accounting of the inventories and those of others. It seems obvious that when Professor Bellesiles collected this data, he was only incidentally interested in the question of gun data. His data sheets have categories for many other things, but not for guns, which come in only as he happens to note them, sometimes in the margins of other entries. He did not make verbatim transcriptions, which also accounts for discrepancies between his notes and those of others. Unfortunately, this seemingly randomly gathered information later took on a life of its own. He appears carelessly to have assumed that his counts were complete, and moved forward with a larger project on the basis of this unsystematic research that appears to have involved dipping into rather than seriously sampling the records. While this certainly constitutes sloppy scholarship, it does not prove a deliberate attempt to mislead, however misleading the result.

Professor Lindgren also provided the committee with the Vermont probate data he and his assistant Justin Heather have collected. Although this information does reveal deficiencies in Professor Bellesiles' own counts from Vermont, we do not believe the evidence is as damning as Professor Lindgren has claimed. A careful examination of his spread sheets in relation to the Vermont names listed on Professor Bellesiles' website makes clear that he and Bellesiles worked with overlapping but somewhat different record sets. [AA 00681-AA00697; MB 00419-22]

Question 2. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from Providence, Rhode Island?

Our conclusion is that Professor Bellesiles' work on the Providence, Rhode Island records does not raise serious problems of fabrication or falsification of research data. The errors in the first edition of Arming America appear to be a consequence of his conflation of wills and inventories, his imprecision in the use of technical terms and his exaggeration of data. For example, he failed to note that some of the decedents were female because of his habit of using first initials rather than full names. When these errors were identified, he immediately corrected them.

Question 3. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records from the San Francisco Bay area?

Our conclusion is that we cannot prove that Professor Bellesiles simply invented his California research, but neither do we have confidence that the Contra Costa inventories resolve the problem. The discovery of the Contra Costa data appears to have been fortuitous, and there is some question as to whether he could have read these documents at the time he claims to have done so.

Question 4. Did Professor Bellesiles engage in "intentional fabrication or falsification of research data" in connection with probate records supporting the figures in Table One to his book, "Arming America: The Origins of a National Gun Culture"?

With respect to this question, unfamiliarity with quantitative methods or plain incompetence could explain some of the known deficiencies in the construction of Table

One, such as the author's failure to include numbers of cases or explain the strange breakdown of data. For example, when asked for specific information about his geographic categories, he told the committee that he had included Ohio in the "Northern coast" and counted all data from Worcester County, Massachusetts as "urban.")

But in one respect, the failure to clearly identify his sources, does move into the realm of "falsification," which would constitute a violation of the Emory "Policies." The construction of this Table implies a consistent, comprehensive, and intelligible method of gathering data. The reality seems quite the opposite. In fact, Professor Bellesiles told the Committee that because of criticism from other scholars, he himself had begun to doubt the quality of his probate research well before he published it in the Journal of American History. [Interview, p.35-6 AA 00764-764; MB 00448]]

The most egregious misrepresentation has to do with his handling of the more than 900 cases reported by Alice Hanson Jones. When critics pointed out that Jones' data disagreed with his, Bellesiles responded by explaining that he did NOT include Jones's data in his computations because her inventories, taken during the build-up to the American revolution, showed a disproportionately high number of guns! Here is a clear admission of misrepresentation, since the label on column one in Table One clearly says "1765-1790." If Professor Bellesiles silently excluded data from the years 1774-1776, as he asserts, precisely because they failed to show low numbers of guns, he has willingly misrepresented the evidence. This, compounded with all the other inconsistencies in his description of his method and sources and the fact that neither he nor anyone else has been able to replicate any part of his data, suggest that there is a real discrepancy between the research Professor Bellesiles did and his presentation of that research in Table One.

Question 5. Did professor Bellesiles engage in "other serious deviations 'from accepted practices in carrying out or reporting results from research'" with respect to probate records or militia census records by:

- (a) Failing to carefully document his findings;
- (b) Failing to make available to others his sources, evidence, and data; or
- (c) Misrepresenting evidence or the sources of evidence."

We have reached the conclusion with reference to clauses "a" through "c," that Professor Bellesiles contravened these professional norms, both as expressed in the Committee charge and in the American Historical Association's definition of scholarly "integrity," which includes "an awareness of one's own bias and a readiness to follow sound method and analysis wherever they may lead," "disclosure of all significant qualifications of one's arguments," careful documentation of findings and the responsibility to "thereafter be prepared to make available to others their sources, evidence, and data," and the injunction that "historians must not misrepresent evidence or the sources of evidence."

We have interviewed Professor Bellesiles and found him both cooperative and respectful of this process. Yet the best that can be said of his work with the probate and militia records is that he is guilty of unprofessional and misleading work. Every aspect of his

work in the probate records is deeply flawed. Even allowing for the loss of some of his research materials, he appears not to have been systematic in selecting repositories or collections of probate records for examination and his recording methods were at best primitive and altogether unsystematic. Bellesiles seems to have been utterly unaware of the importance of the possibility of the replication of his research. Subsequent to the allegations of research misconduct, his responses have been prolix, confusing, evasive and occasionally contradictory. We are surprised and troubled that Bellesiles has not availed himself of the opportunities he has had since the notice of this investigation to examine, identify and share his remaining research materials. Even at this point, it is not clear that he fully understands the magnitude of his own probate research shortcomings.

The Committee's investigation has been seriously hampered by the absence or unavailability of Professor Bellesiles' critical and apparently lost research records and by the failures of memory and careful record keeping which Professor Bellesiles himself describes. Given his conflicting statements and accounts, it has been difficult to establish where and how Professor Bellesiles conducted his research into the probate records he cites: for example, what was read in microfilm and where and in what volume, what archives, in some cases, were actually visited and what they contained. In addition to this, we note his subsequent failure to be fully forthcoming, and the implausibility of some of his defenses -- a prime example is that of the "hacking" of his website; another is his disavowal of the e-mails of Aug. 30 and Sept. 19, 2000 to Professor Lindgren which present a version of the location and reading of records substantially in conflict with Professor Bellesiles' current account. Taking all this into account, we are led to conclude that, under Question 5, Professor Bellesiles did engage in "serious deviations from accepted practices in carrying out [and] reporting results from research." As to these matters, comprehending points (a) – (c) under Question 5, his scholarly integrity is seriously in question.

In summary, we find on Questions 1 and 2, that despite serious failures of and carelessness in the gathering and presentation of archival records and the use of quantitative analysis, we cannot speak of intentional fabrication or falsification. On Question 3, we find that the strained character of Professor Bellesiles' explanation raises questions about his veracity with respect to his account of having consulted probate records in San Francisco County. On Question 4, dealing with the construction of the vital Table One, we find evidence of falsification. And on Question 5, which raises the standard of professional historical scholarship, we find that Professor Bellesiles falls short on all three counts.

APPENDIX A

FINDINGS: DEFINITION OF PROBATE INVENTORY

Gloria Main, "Probate Records as a Source for Early American History," William & Mary Quarterly, 32 (1974): 90, 91

"Probate records take three major forms: wills, inventories, and accounts of administration. The first directed the disposition of property. The second itemized and evaluated the forms of that property. The third furnished reports to the court on the disposition of property in intestacy cases and also in those cases where the will provided an insufficient guide to the legal settlement of the estate. Estates entering probate seldom required all three types of records nor, of course, did every decedent's estate go through probate." P. 90

Inventories "from the great bulk of probate records. The manuscript inventories most often encountered are clerks' copies of itemized lists of decedents' belongings with their values expressed in pounds, shillings, and pence. The lists were compiled and the property evaluated by appraisers appointed by a judge or commissioner of probate. These appraisers, usually two or three neighbors of the deceased, valued the assets according to what they would bring in a forced sale." P. 91

Holly V. Izard, "Random or Systematic? An Evaluation of the Probate Process," Winterthur Portfolio 32 (1997): 147-167

p. 153, "There were three principal forms of probate documents: wills, inventories, and accounts of administration." Accounts of administration included lists of things needed for support of family, costs of administration, debts paid or collected. "If the collected sum was not sufficient, creditors were paid out of the proceeds of the sale of 'so much of the personal estate' as was necessary to cover the balance." If the sale of personal property was not sufficient, then the court would sell real estate at public auction. "If debts exceeded total assets, the estate was declared insolvent," and debtors were paid prorated dividends.

Alice Hanson Jones, American Colonial Wealth: Documents and Methods (New York: Arno Press, 1977), I: 13-24.

Jones discusses probate inventories in detail, noting that they "were always handwritten, with an introduction which stated the decedent's name, sometimes his occupation, usually his residence, never his age" and that they "almost always showed the date of the appraisal and closed with the sworn signatures of the appraisers." (p. 15) She follows with a discussion of "Estate Accounts" (which others call "Accounts of Administration") (pp. 22), "Wills" (pp.22-24), and ends with a discussion of "Other Documents" (p. 24).

Under "Estate accounts," she discusses estate assets, such as "goods sold above appraisal" and estate debits, including "any amounts sold below appraisal."

APPENDIX B

REPORTS TO THE EMORY COMMITTEE FROM RESEARCH ASSISTANT

1. Report to the Emory Committee: Massachusetts Probate Materials Nineteenth-century Massachusetts Probate Materials

My inquiry into Bellesiles's use of nineteenth-century Massachusetts probate materials used to create Table One ("Percentage of Probate Inventories Listing Firearms") consisted of three parts. First, I established where the materials cited in his work are located. Second, I spot checked to see if those records contained material suitable for counting guns. Third, I counted guns in two small samples of nineteenth-century probate inventories to see if I could verify his results.

Location of Massachusetts Probate Materials (May 2002)

Bellesiles claimed to have done his research on Massachusetts probate materials at the individual county courthouses. Since many of those records are now housed in the State Archives at Columbia Point, I began by finding out which counties retained their records and how long the records in the State Archives had been housed there. Elizabeth Bouvier, Massachusetts State Archivist, provided me with the following information:

1. The State Archives hold original probate materials (1643-1894) for Essex, Suffolk, and Plymouth counties. The Essex County materials were moved in the summer of 1992. The Suffolk County materials were moved in November 1989 and March 1990. Plymouth's records were moved in November of 1990.
2. The State Archives does not hold Hampshire County's probate records. They remain in the probate registry in Hampshire County.
3. Worcester County's probate materials were moved to off-site storage in the spring and summer of 1990.

Suitability of Nineteenth-century Massachusetts Probate Materials (May 2002)

Throughout the colonial period inventories were usually a good indication of the items people owned at the time of their death. Although probate courts continued to require that administrators/executors return estate inventories through the nineteenth century, the ways in which those inventories were taken changed over time. Although probate inventories in some places continued to resemble colonial inventories in terms of detail and inclusiveness, in other places appraisers enumerated only very valuable assets, e.g. bonds, jewelry and cash, among the personal estate. While at the State Archives, I examined record books for Essex, Suffolk and Plymouth Counties to see if they contained

detailed inventories of personal estates for the year 1858. When they did not, I turned to the probate packets to see if detailed inventories of personal estates could be found there.

Suffolk County

I was unable to locate probate inventories which enumerated personal property in the detailed needed to count guns for Suffolk County for the year 1858. I reviewed all record books which included the year 1858 (with the exception of those which covered time spans approaching twenty years or more). The only useful information I encountered was in vol. 295 (Massachusetts State Archives, microfilm reel # 193). This book included appointments for appraisers. Many of these appointment letters had inventories appended to them, but none of the inventories were detailed. Because I could be sure that inventories had been taken for the estates in this book, I requested to see the original packets for ten of these estates to ascertain whether detailed inventories of personal estates survived as file papers. For nine of these estates, the unequivocal answer was no. One estate (# 41492) did include a partial inventory with some furniture listed. This docket file also included a packet of letters which suggested to me that the estate was unusual in some way and had, perhaps, required materials other than the usual ones to settle it. I do not believe that detailed inventories of personal estates survive commonly enough to be used to count guns for the year 1858.

Essex County

Detailed inventories of personal estates do survive as late as 1858 for Essex County. There are no probate inventories in the first one hundred pages of the main chronological record books for Essex County (Massachusetts State Archives, microfilm reel # 60). The 1858 inventories grouped in Essex County Probate Record Book vol. 214, 215 and 221 (Massachusetts State Archives, microfilm reels # 124 and 126) are almost completely lacking in detail. However, detailed inventories do exist as loose file papers in the individual probate packets. I examined ten packets whose docket numbers were listed in vol. 214. Six of these included inventories of personal estates which might be detailed enough to list a gun, and one of these estates did include a gun.

Plymouth County

Detailed probate inventories do survive as late as 1858 in the general probate record books for Plymouth County (Plymouth County Probate Record Book vol. 100, Massachusetts State Archives, microfilm reel # 110).

Counting Guns in Suffolk and Plymouth Counties (May 2002)

Finally, I attempted to spot-check Prof. Bellesiles's results using samples of approximately one hundred inventories from Suffolk and Plymouth Counties. I used record books in both instances and counted only those inventories which appeared to me to be detailed enough to list firearms. In each case I used the latest of Prof. Bellesiles's dates for which detailed probate inventories were available.

Suffolk County

The latest grouping of years for which I could find Suffolk County probate inventories in the main probate record books (as opposed to those books which were groupings of bonds, appointments etc.) was 1830-32.

I looked at 133 inventories which enumerated personal property other than bonds, jewelry cash etc. in some degree of detail, for Suffolk County in the years 1830-31. These records may be found in the Suffolk County Probate Record Book, vols. 128 and 129 (Massachusetts State Archives, microfilm reels #99 and 100). I did not include inventories from people who lived outside of Suffolk County but who owned real estate in Suffolk County. Neither did I include decedents from Maine. Although a few estates were in Chelsea, the vast majority were from Boston.

Of these 133 estates, 10 (7.5%) contained guns of some description. This compares with a figure of 20.8% given by Bellesiles for "Northern Coast – Urban" inventories. Three estates included two guns. The rest included one. None were identified as "broken" or "old." The guns ranged in value from \$1-10. 106 of the 133 inventories were from the estates of male decedents. All of the guns I found were in estates of male decedents. If female decedents are excluded, the percentage of estates containing firearms is 9.4%.

Plymouth County

I examined 100 Plymouth County inventories which included detailed listings of personal property for the years 1858-59. These records are located in volumes 100 and 101 of the Plymouth County Probate Records (Massachusetts State Archives, reel # 110 and 111). Nine of these included at least one gun (9%). One estate listed two guns. Two estates listed three guns. The other six estates listed one gun. All of the estates containing guns were those of male decedents.

It is hard to compare this sample with the figure Prof. Bellesiles gives because he does not define either "urban" or "rural." However, the figure is substantially lower than either the 25% he cites for "Northern coast – urban" inventories or the 19.2% he gives for "Northern coast – rural" inventories.

Seventeenth-Century Essex County, Massachusetts, Probate Materials (June 2002)

In addition to examining nineteenth-century probate materials, I also checked for published sources on a group of 1680-81 probate inventories which Prof. Bellesiles used in a 1994 talk and claims to have obtained through archival research. Prof. Ulrich gave me a list of fourteen last names with first initials only and asked me to see whether they appear in a published source. All of the names appeared in *The Probate Records of Essex County, Massachusetts*, vol. 3 (Salem, MA: Essex Institute, 1916-1920). In twelve cases, the inventory appeared in volume three. In two cases, the estate was referred to in volume three, but the inventory itself was listed in volume two. The names, places of residence and dates on which inventories were recorded are as follows:

T. Flint

Thomas Flint
Salem
attested 29 Sept 1668*
division of land allowed 29 June 1680
vol. 2, 139-40
vol. 3, 370-1

W. Flint

William Flint
Salem
TAKEN 22 Apr. 1673*
order to divide land 30 Dec 1680
vol. 2, p. 363-8
vol. 3, p. 394

J. Herrick

John Herrick
Beverly
attested 29 Mar 1681
vol. 3, p. 348-50

J. Hill

John Hill
Salem
attested 30 Dec 1680
vol. 3, p. 401-2

W. Hooper

William Hooper
No town given
attested 30 Apr 1680
vol. 3, p. 354-5

J. Lovejoy
John Lovejoy
Andover
attested 30 Dec 1680
vol. 3, p. 399

A. Pearce
Mrs. Abigail Pearce
Ipswich
attested 28 Oct 1680
vol. 3, p. 385-8

J. Platts
Jonathan Platts
Rowley
attested 28 Sept 1680
vol. 3, p. 390-2

W. Roper
Walter Roper
Ipswich
attested 28 Sept 1680
vol. 3, p. 388-90

H. Veren
Hilliard Veren, Jr.
Salem
attested 29 June 1680
vol. 3, p. 362-5

J. Moulton
James Moulton, Sr.
Wenham
attested 30 Apr 1680
vol. 3, p. 355-7

J. Ward.
Joshua Ward
Salem
attested 30 Dec 1680
vol. 3, p. 394-5

J. Collins.

John Collins

Lynn

attested 30 July 1680

vol. 3, p. 372-3

J. Harris

John Harris

No town given

TAKEN 27 Mar 1680 (no attested date given)

vol. 3, p. 359-60

Prof. Bellesiles said that his sample contained 47 inventories. The published records contain 45 inventories for 1680-81 as well as references to two additional inventories which Bellesiles used.

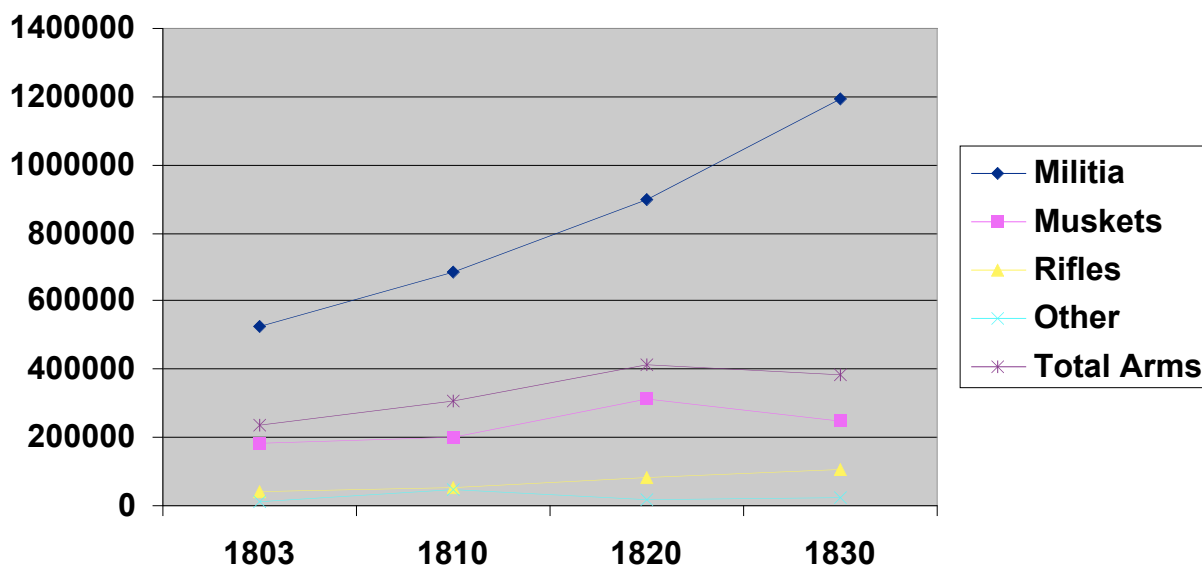
2. Report to the Emory Committee: Militia Returns

Militia Returns (June 2002)

I checked three different sets of sources with reference to militia returns. I reviewed the sources Bellesiles cites for Tables Two (“Census of American Militia Members and Firearms, 1803-30”) and Three (“Private Gun Ownership in Massachusetts”). I then explored James Lindgren’s charge that Prof. Bellesiles had misrepresented his 1746 sources on the Connecticut militia (see *Arming America*, 141).

Table Two: Census of American Militia Members and Firearms, 1803-30

In reconstructing this table, I used the passages from *American State Papers* which Bellesiles cites as well as the Second, Third, Fourth and Fifth Federal Census. In general, my results were very similar to Prof. Bellesiles’s and the resulting graph looks much the same.



1803

Bellesiles's Calculations:

524,086	militia members
183,070	muskets
39,648	rifles
13,113	other
235,831	Total Arms

My Calculations:

525,725	militia members (1636 more than Bellesiles)
183,070	muskets (same)
40248	rifles (600 more than Bellesiles)
13933	other (820 more than Bellesiles)
237,251	Total Arms (1420 more than Bellesiles)

Note: The difference in militia members may be an error on my part or on Bellesiles's part. It is also possible that he left out certain categories intentionally. Getting the number requires a very long list of calculations, and the difference is not particularly large in light of the total number. However, I am sure of my arms count. Bellesiles says that "other" includes pistols, fowling pieces, blunderbusses, and other curiosities. The other firearms listed in the militia returns are "Artillery Side Arms," "Pairs of Pistols" and "Fusees."

1810

Bellesiles's Calculations:

677,681	militia members
203,517	muskets
55,632	rifles
49,105	other
308,254	Total arms

My Calculations:

684,335	militia members (6654 more than Bellesiles)
203,517	muskets (same)
55,811	rifles (179 more than Bellesiles)
48366	other (739 less than Bellesiles)
307694	Total Arms (560 less than Bellesiles)

Note: Militia men are totaled in the 1810 return. Again, Bellesiles may be intentionally leaving out certain groups, but I cannot figure out which ones those might be. I am sure of my arms totals. Again, the firearms other than rifles and muskets listed on the returns are "Artillery Side Arms," "Pairs of Pistols" and "Fusees."

1820

Bellesiles's Calculations:

837,498	militia members
315,459	muskets
84,816	rifles
0	other
400,275	Total arms

My Calculations:

899,541	militia members (62,043 more than Bellesiles)
312,126	muskets (3,333 less than Bellesiles)
80163	rifles (4653 less than Bellesiles)
19691	other (Horseman's pistols)
411980	Total Arms (11,705 more than Bellesiles)

Note: Again, the returns give a total for militia members. Bellesiles says that his "other" category is included in the number of muskets for 1820. The return no longer lists artillery side arms, pairs of pistols, or fusees. It does, however, list horseman's pistols.

1830

Bellesiles's Calculations:

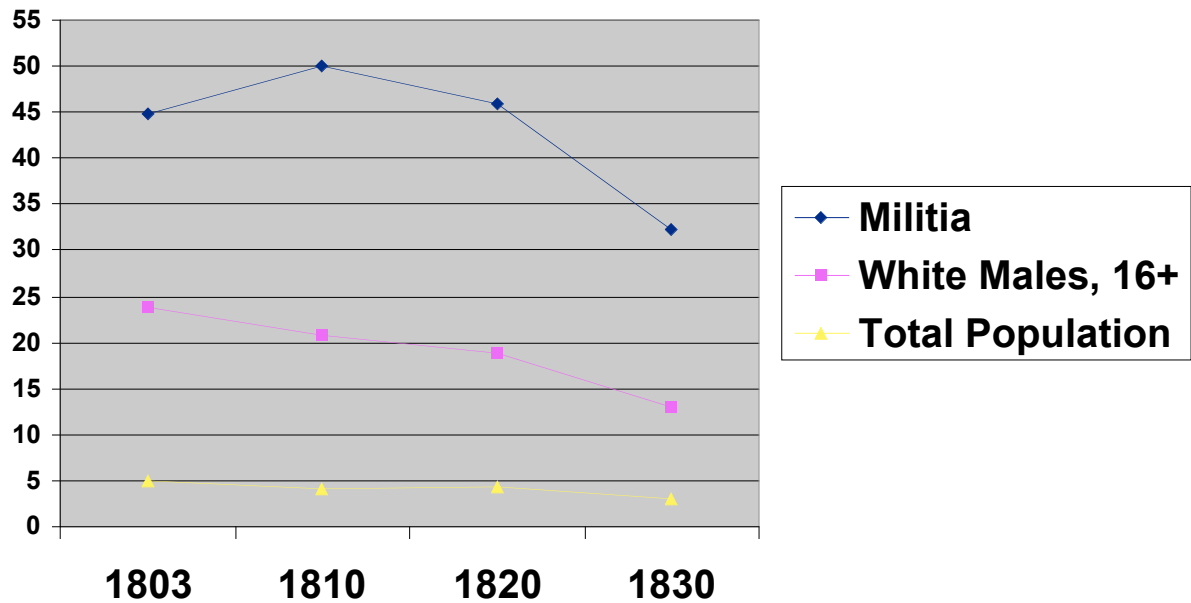
1,128,594	militia members
251,019	muskets
108,036	rifles
0	other
359,055	Total Arms

My Calculations:

1,190,853	militia members (62,259 more than Bellesiles)
251,019	muskets (same)
108,036	rifles (same)
24,986	other (Horseman's pistols)
384,041	Total Arms (24,986 more than Bellesiles because of horseman's pistols)

Note: Again, the return gives a total number of militia members. The returns used here are from *American State Papers*, v. 4, pp. 688-91. Belleville's gives pp. 683-85 in vol. 4. This is a list of field and company officers with a list of people on furlough.

Putting Census Numbers with Militia Returns



1803

These militia returns lack data on Delaware, Maryland and Tennessee.

Without these omissions:

Militia Members = 525,725 (44.9%)

White Males >16 Population = 1,087,990 (21.7%)

Total population = 5,309,942 (4.4%)

Calculations excluding Delaware, Maryland and Tennessee:

Militia Members = 525,725 (44.9%)

White Males > 16 = 995,691 (23.8%)

Total Population = 4,790,375 (5.0%)

1810

Militia returns complete.

Militia Members = 684,335 (50.0%)

White Males >16 = 1,484,680 (20.7%)

Total Population = 7,239,903 (4.2%)

1820

Militia returns do not include Arkansas Territory. The returns for Maryland, Delaware, South Carolina and Mississippi were all at least five years old.

Without these omissions:

Militia Members = 899,541 (45.8%)

White Males > 16 = 2,915,837 (14.1%)

Total Population = 9,625,734 (4.3%)

Omitting Arkansas:

Militia Members = 899,541 (45.8%)

White Males > 16 = 2,191,942 (18.8%)

Total Population = 9,611,461 (4.3%)

1830

These returns are a little complicated because:

1. Maine's number excludes seven infantry companies.
2. The adjutant general in Rhode Island estimated the whole number of militia at nearly twice the return.
3. The adjutant general in New York estimated the whole number of militia at about 2000 more than the return.
4. Delaware's return is more than 15 years old.
5. The adjutant general in Alabama estimated the return at "greatly below" the real strength of the militia.
6. The governor of Tennessee reported that "several" brigades had not been heard from.
7. The governor and adjutant general of Indiana certified that the strength of the militia was about three times what the return said.
8. According to the adjutant general of Missouri, the return include only two out of six total brigades.
9. The governor of Arkansas reported that four regiments' returns were either imperfect or not received.
10. Florida failed to make a return.
11. Two brigades in the District of Columbia failed to submit returns.
12. Pennsylvania arms return did not include arms stored in state arsenals.

See *American State Papers*, vol. 4, pp. 689, 691.

Without omissions:

Militia Members = 1,190,853 (32.2%)

White Males > 15* = 2,930,344 (13.1%)

Total Population = 12,854,890 (3.0%)

Excluding Florida:

Militia Members = 1,190,853 (32.2%)

White Males > 15* = 2,924,388 (13.1%)

Total Population = 12,820,160 (3.0%)

*The 1830 census divides males at age 15 rather than 16.

Table Three: Private Gun Ownership in Massachusetts (June 2002)

According to Prof. Bellesiles, this table is based a source called “Adjutant General, *Annual Return of the Militia for Massachusetts, and Quartermaster General’s Letter Book 6: 9.*” According to the citation, the document is located at the National Guard Armory in Natick, Massachusetts. There are two immediate problems. First, there are no National Guard archives in the Natick Armory. There was a Natick facility at one time, but the records were transferred to the Massachusetts National Guard Military Museum and Archives in Worcester in 1995. I visited the Worcester Facility on 14 June 2002 and spoke with the Director of Historical Services, Col. Leonid Kondratiuk, who told me that the reference I had given him did not correspond to a document.

Although I did not tell Col. Kondratiuk that I was checking Prof. Bellesiles’s footnotes, he recognized the reference from other researchers who had previously asked for information about the table. He told me that Prof. Bellesiles had been to the archives about eight years ago but that no one who had been at the archives at that time worked there any longer. Col. Kondratiuk made no attempt to conceal his negative opinions about Prof. Bellesiles or his book, and this is important because the archives manuscript resources are not accessible by card catalog, and I was forced to rely on Col. Kondratiuk’s knowledge of what materials the archive contained. I have no reason to believe that Col. Kondratiuk concealed information from me. He spent several hours with me, allowed me access to restricted space and showed me several letter books whose titles were similar to the one Bellesiles gave or which he thought might contain similar information.

The only source I found which might have been used in Table Three was the Massachusetts State Annual Returns of the Militia. These, like the Federal Returns used in Table Two, list both men and arms. Because of time constraints, I was not able to use these documents to calculate the number of firearms owned by Massachusetts militiamen. However, if Bellesiles did use this source to construct his table, it cannot have been the only one he used. His table includes rounded numbers of muskets and rifles for the years 1795, 1808 and 1815. He explains these numbers by saying that the adjutant general “tended to round up the numbers of muskets in that state.” The Annual Returns of the Militia were submitted to the adjutant general by individual brigades rather than being generated by him. Therefore, he could not have rounded the numbers. In order to get a rounded number from the militia returns, all of the brigades would have had to have submitted rounded numbers which is unlikely.

It is possible, as Col. Kondratiuk admitted, that there is a source for Table Three somewhere in the Worcester facility under a name other than the one Bellesiles gave. If that is the case, Col. Kondratiuk could not think of it and so I did not see it. Col. Kondratiuk expressed his doubts that such a source existed in the National Guard Military Museum and Archives.

The Connecticut Militia in 1746 (June 2002)

Bellesiles claims that, when Connecticut attempted to build up its militia in preparation for an invasion of Canada, the colony managed with no small difficulty to raise 600 troops “57 percent of whom did not have guns (*Arming America*, 141).” James Lindgren, following the lead of Robert Churchill, has countered that the Connecticut militia was 81.7% armed, that Bellesiles considered only the least well-armed company out of five who made a return, and that he misread the one source he did use. According to Lindgren, 57% of the least well-armed militia company had guns; 43% were unarmed.

The second part of Lindgren’s contention is inaccurate. The inadequately armed company was under the command of Capt. Josiah Starr. In his 6 August 1746 letter to Gov. Jonathan Law, Starr wrote “I have Called my Company together & find I have my full Compliment of Men Inlisted: all Clothes; & all of ye Company, Except fifty Seven, provided with a Good Gun... (*Connecticut Historical Society Collections*, vol. 13, 276) ” Since the six hundred men Connecticut was trying to raise were divided into six companies, it seems safe to assume that Starr’s “full Compliment” consisted of one hundred men (*Public Records of Connecticut*, vol. 9, 211-14). If all “Except fifty Seven” were armed, then 57% were, indeed, unarmed.

Lindgren is correct, however, in his assertion that Capt. Starr’s company was exceptional. The *Collections of the Connecticut Historical Society* include four full and one partial return in the form of letters. Capt. James Church informed the governor that he had one hundred men, “But as to our Equipment we are not Compleet we want about twenty fire arms.” Capt. Elisha Williams described his company as “compleat, well Cloathed, and furnished with Guns.” Capt. Elisha Hall wrote “four men are not Cloathed & the rest will be ready to Embarque according to Order & Equipt as to Arms & Cloathing.” Hall does not specify that his company was “complete,” but neither does he mention any deficiencies in terms of the number of his men. Capt. Samuel Talcott’s return was incomplete. He had enlisted 31 men, but “they want five guns and 3 Blankits have but two of them Hangers otherwise Expect they will be acquiped.” Presumably by “hangers,” Talcott meant that two of his men wavered in their commitment to enlist (OED, “hanger”). Talcott’s First Lieutenant, William Smithson, also made a return which listed nineteen armed and six unarmed men (*Connecticut Historical Society Collections*, vol. 13, 269-76) .

Captain’s Name	# Men	# Firearms
Church	100	80
Williams	100	100
Starr	100	43
Hall	100	100
Talcott	31	26
Talcott (Smithson’s Return)	25	19
Totals	456	368 (80.7%)

If we assume, as Lindgren apparently did, that Talcott's two "hangers" decided to opt out of military service and his five men lacking guns were "acquiped" before the expedition left for Canada, then 81.7% of the militia was armed with 454 men were carrying 371 guns.

Bellesiles's mistake might be understandable if he relied solely on Selesky's *War and Society in Colonial Connecticut* which he cites in his footnote along with selections from *Records of Colonial Connecticut* and *Collections of the Connecticut Historical Society*. Selesky states: "In some companies as many as fifty-seven of the hundred men lacked a firearm (Selesky, 91)." This is, of course, quite true albeit a little misleading. Bellesiles's statement that 57% of the Connecticut militia as whole was unarmed is, however, wrong.

3. Report to the Emory Committee: Travel Narratives

Travel Narratives (May 2002)

In his April 2002 article in the *Yale Law Journal*, James Lindgren calls into question Prof. Bellesiles's use of travel narratives. Although Lindgren is technically correct in his charges about the inaccuracies in Bellesiles's portrayal of these narratives, I am not sure that the evidence is as damning as it first appears. His charges focus on three documents: Frederick Gerstaecker's *Wild Sports in the Old West*; Ole Rynning's *True Account of America*; and Baynard Rush Hall's *The New Purchase*. Although Bellesiles would have done well to have been more forthcoming about his evidence, in most cases evidence from the narratives does not substantially undermine his argument in the ways Lindgren suggests.

The most straightforward question involves Gerstaecker's account. Lindgren is quite correct. Gerstaecker does not imply at any point close to the text Bellesiles is quoting that axes were useful as weapons. Bellesiles claims in his response to Lindgren that Carl Russell's book *Firearms, Traps, & Tools of the Mountain Men* was his source for the use of axes as weapons. Russell does not make a specific argument for the use of axes as a weapon – his book is primarily a catalog – but he does provide examples of axes being used as weapons and shows illustrations of military uniforms which include axes. I was somewhat confused by Lindgren's assertion that Bellesiles was pushing a “pro-axe theme.” Bellesiles certainly argues that bladed weapons in general were used more commonly than guns in inter-personal violence, but I fail to see any evidence, at least in the chapter Lindgren is critiquing, that Bellesiles felt the need to insert the paraphrase because he was pushing a specifically pro-axe agenda. Bellesiles was discussing the peaceful nature of the people he encountered, and frankly, his reference to axes seems superfluous in the context of his argument.

Likewise, Lindgren is correct that Bellesiles incompletely, albeit correctly, quoted Ole Rynning. The passage with which Lindgren takes issue reads:

Rynning advised his Norwegian readers to bring “good rifles with percussion locks” as such good guns were far too expensive in America and could be sold there for a solid profit. Guns thus had an economic value, but if thought requisite for self-protection, it remained in unstated assumption (*Arming America*, 341).

Lindgren, quoting from a secondary source, points out that Ole Rynning actually wrote that immigrants should bring “good rifles with percussion locks, partly for personal use, partly for sale.” Nevertheless, I would suggest that in this case Bellesiles is actually the more correct. Bellesiles wrote that if Rynning thought that guns were necessary for *self-protection* he left this idea as an unstated assumption. Lindgren has equated “self-protection” and “personal use,” and, in Ole Rynning's account, these two are *not* equivalent. The quotation in question occurs in a list of items Rynning advised Norwegian immigrants to carry with them. It reads:

Some good rifles with percussion locks, partly for personal use, partly for sale. I have already said that in America a good rifle costs from fifteen to twenty dollars.

Rynning's advice directs the reader, through the reference to gun costs, to an earlier passage in his pamphlet. That passage reads:

If a settler is furnished with a good rifle and knows how to use it, he does not have to buy meat the first two years. A good rifle costs from fifteen to twenty dollars.

Guns, Rynning claims, were very useful for hunting – which is problematic for Bellesiles's argument about hunting but quite consistent with the argument about violence which Lindgren is critiquing – but he makes no reference to the threat of interpersonal violence, and there is no reference to the necessity of guns for self-protection in Rynning's pamphlet. Indeed, Rynning portrays Illinois as a pacific place as long as one has no traffic with slavery. The one passage which raises the specter of physical danger from other human beings does so only to quiet that fear:

The *Indians* have not been transported away from this part of the country far to the west. Nowhere in Illinois is there any longer danger from assault by them. Besides, these people are very good-natured, and never begin hostilities when they are not affronted. They never harm the Quakers, whom they call *Father Penn's children*.

The most problematic charge Lindgren brings relates to Robert Carlton's narrative, *The New Purchase*. Bellesiles makes no specific reference to this narrative in his text, but he does list it in his footnotes as one of the eighty travel narratives he examined. Bellesiles's conclusion from these narratives is that "the travelers did not notice that they were surrounded by guns and violence." "Guns *and violence*" is the phrase repeated over and over in this section of chapter nine. Bellesiles's argument in this section is that the West was not a very violent place, and Lindgren does not take this into account in his critique. Indeed, the passage Lindgren quotes to refute Bellesiles is about hunting and marksmanship. Hall does refer to the rifle as an implement which "defends our homes" but these homes, according to Hall, require defending from "wild animals" and "varments" which invaded corn fields and hen-roosts. Bellesiles's larger argument is about the stereotype of the Old West which might lead us to imagine rifles as more useful to pick off hostile Indians at a distance or bands of marauding whites than against foxes and squirrels. I found no evidence to contradict Bellesiles's claim that Hall's narrative portrays the West as an essentially peaceful place.

Nevertheless, Lindgren has a point when he argues that the passage reveals "the passion for guns that Bellesiles argues was absent in early America." Bellesiles argues that a gun culture grew up among American whites only with the advent of the Mexican-American War and that, before that time, people did not romanticize, or indeed show much interest in, guns. The passage Lindgren quotes is only one example of several which demonstrates a fascination with, and even love of, guns. Perhaps even more

telling is Hall's tale about a stranded hunter forced to swim across a river and, loathe to leave his gun behind, nearly dying in the attempt:

The hunter immediately and voluntarily offered to adventure the first, promising on reaching the shore, to stand at the best landing point, and there shout at intervals as a guide to the others. Contrary to all entreaties and dehortations he was resolved to swim with his rifle – that weapon being, in fact, always in his hands like an integral part of his body. His only reply was – “She’s – (rifles in natural grammar are *she’s*; to a true woodsman a rifle is like a beloved sister; and he no more thinks of *he-ing* and *him-ing*, or even *it-ing* the one than the other) – “she’s bin too long in the family, boys, to be deserted without no attempt to save her; no, no, its not the fust time she’s been swimm’d over a river; uncle Bill, arter that bloody fight with the Injins, jumped down the cliff with her and swimm’d her clean over the Ohio in his hand, and I kin outrassel and outswim uncle Bill any way – no no – we sink or swim together; so good bye, boys, here goes, I’ll holler as soon as I git foothold.”

...

Yes! poor fellow – he had found his favourite too heavy, and one arm, powerful as it was, too weak for his long battle with a king of floods. Long, long, *very* long had he held to his gun; but half-suffocated, his strength failing, and he whirling away at times from the short, almost reached, to save his life he had at last slowly relaxed his grasp, and his rifle sank. Yet even then repenting, he had twice gone down to the bottom to recover the weapon: and happily, failing in finding it – his strength never would have sufficed incumbered again with a gun to reach the land.

Lindgren's example is consistent in terms of attitudes toward guns with several passages in Hall.

Although Lindgren does not use these narratives to critique Bellesiles's argument about hunting which occurs later in the chapter and is based primarily on early sporting magazines, his attack would have been more on target had he chosen to do so. Bellesiles argues that in this period hunting was confined primarily to eastern would-be aristocrats. Sensible Westerners knew that hunting was best left to Indians, and American white men who hungered for wild game relied on traps. Nevertheless, the narratives Lindgren mentions are full of apparently successful hunting. Gerstaecker's account is not a problem since he was a German who came to the United States in order to hunt. Even Rynning's reference to hunting might be written off since Rynning was writing for Norwegian immigrants and advised only those who were already familiar with rifles to hunt their food for the first two years. Again, Hall is the sticking point. It is difficult to read Bellesiles's passage about the people Gerstaecker encountered who, according to Bellesiles, “were not walking out from their farm on an afternoon for a quick kill in time for dinner” without thinking of a passage in Hall's narrative about a man who did exactly that. Hall recounts the tale of “Uncle Tommy” who turned to his wife one morning and . . . “Nancy, I dad, says I, I do believe I’ll jist take old Bet – (a rifle) – as we are out of meat, and go where I seen the turkeys roosting last night.” Uncle Tommy did return

home empty-handed, but the problem was his lousy sense of direction not his ineptness with firearms. Nor did all of Hall's tales end with an unsuccessful hunt. Hall describes a temperance dinner furnished by "labour with the rifle and the axe." Lest there should be any confusion, the rifles killed the meat. The axes furnished the tables.

Lindgren's critique is fairly damaging in some respects although his failure to take the context of Bellesiles's argument into account undermines his critique. Nevertheless, some of the material Lindgren references raise questions about Bellesiles's use of evidence in other parts of his argument.

Appendix C

Comments on Bellesiles' data sheet on Northampton, Pennsylvania [MB 00469]

Among papers given to Helen McLaughlin by a representative of Professor Bellesiles on June 24, 2002, was a single sheet of paper with the notation "Probate" at the top. It appears to be an original record of research conducted by Michael Bellesiles at the Northampton County court House, Easton, Pennsylvania.

This record was interesting to the committee as an example of the "tick mark" method of gathering data that he described for us in his interview. As he explained, he began focused work on guns sometime before 1992, using a short-hand method of computing the numbers of guns found in original probate files.

Closer examination of this sheet supports a number of comments Professor Bellesiles has made about his research:

1. It illustrates his habit of "stopping in:" at court houses. At the top of the sheet is the address for the Northampton county court house, at the bottom is a reminder to "check for directions to Westmoreland," and below that, as if hastily scrawled, an address with brief driving direction "watch for sign." The sheet bears all the marks of haste, as though, the author were in fact moving rather rapidly from one court house to another.
2. It shows the primitive nature of his record keeping. There are, in fact, just two columns, with tick marks on the left for each file read, and tick marks on the right for those that listed guns. Below these are various explanatory notes and a quick computation of results—5 of 39 12.8%, with a check mark in parenthesis beside the percentage (a reminder to check the computation with a calculator?)
3. It supports Bellesiles' contention that (in some cases at least) he used Alice Hanson Jones's compilation to identify sources, but that he didn't actually use her published transcriptions, going instead to the original files. Bellesiles' sheet suggests that he was in fact counting the very probate files that Jones used. It is not just that the dates 1773-1774 are identical, but the total count of guns, the number of "old guns," and the number of "rifles" are the same. Furthermore, Bellesiles' notes at the bottom of the page that "one file (sillman) reads gowne & gridell 7/." The question mark below the "w" in his transcription suggests he was not quite sure about that letter. In Jones', the estate for Alexander Sillman includes "2 Gowne and Gridell" listed at 9 shillings (American Colonial Wealth, I:95).
4. When compared closely with Jones' transcriptions, it provides further evidence that the low percentages of guns in his computations are an artifact of his counting method. Bellesiles doesn't provide file numbers, so we cannot be absolutely sure

that he used the exact files Jones did, but the overlap between the two results is striking. He counted 39 files. We don't know how many files Jones or her assistant opened, but we do that she found only 21 probate inventories between files numbered 590-640. Since both Bellesiles and Jones looked at Alexander Silliman's file (number 632), and since Jones, like Bellesiles, found five estates with guns (two with rifles and one with an old gun,) and an additional estate with a powder horn but no gun, all between file numbers 600-639, it is reasonable to think that they opened the same files. The difference is that Jones found only 20 INVENTORIES in those files. Five guns divided by 39 "files" yields Bellesiles' result—12.8%. Five guns divided by 20 yields a number more in keeping with other scholars—25%. Our assumption, then, is that Bellesiles included something other than inventories in his data set. The only way to check that, of course, is to examine the Northampton probate files that Jones discarded.

5. The Northampton data sheet also makes clear that, whether or not Bellesiles included the year 1774 in his data, he certainly collected it, at least for this jurisdiction.