



17: David Gilmour Blythe *Trial Scene (Molly Maguires)* (ca. 1862–63)

Kerry Anne Morgan

In a dark and shabby room a motley assortment of men have assembled. Although some of them smoke pipes, play cards, and whittle away at sticks, most watch and listen attentively to a loutish man who stands ranting before them, his mouth wide open and right arm upraised and fisted. Directly behind the standing man sits a shackled prisoner who is separated from the other men by a wood railing. Even though rifles rest in the hands of some of these oafish-looking spectators and revolvers and knives lie about, the real threat of punishment lurks in the shadows near the two card players in the form of a pail and sack, labeled “tar” and “feathers,” respectively. The scene resembles a court in session, but the law being enforced is clearly not one of lawyers, judges, and jurors. Extra-legal violence will most likely result if the virulent speech succeeds in inflaming the passions of the mob. Who exactly are these ruffians and what particular message might this painting have imparted to a mid-nineteenth-century audience?

Although the painting’s indeterminacy is a part of its appeal, the miscreants most likely represent members of the Molly Maguires, an allegedly secret Irish miners’ society active in the anthracite or hard coal region of northeastern Pennsylvania in the 1860s and 1870s. The Molly Maguire reference accompanied the painting when the Memorial Art Gallery acquired the work in 1941 from the New York art gallery M. Knoedler & Company. The painting then bore the long, awkward title: “Trial Scene, possibly of a feud such as the ‘Molly Maguires’ affairs in Pennsylvania.” Based on what is known about the painting’s creator, David Gilmour Blythe, and the Molly Maguires, the accuracy of the first part of the title is open to debate. As Blythe scholar Bruce Chambers has noted, “It is not in all probability even a trial which is being conducted (although one of the criminals is still shackled), but a harangue by the Maguires’ leader prior to a night of guerilla terror.”¹

Blythe spent much of his peripatetic life in Pennsylvania before his death in 1865, and he was undoubtedly familiar with the mayhem that erupted between 1862 and 1864 when the “Mollies” were blamed for violent work stoppages and resisting the Civil War draft.² Indeed, the artist shared the same political ideology as the man who first employed the term “Molly Maguire” in the Schuylkill County newspaper, the *Miners’ Journal*, in 1857. In reference to a political election scandal, the newspaper’s owner and editor, Benjamin Bannan, claimed that the inspectors indicted for fraud “were Irishmen, belonging no doubt to the order of ‘Molly Maguires,’ a secret Roman Catholic association, which the Democracy is using for political purposes.”³ Both Blythe and Bannan had been Whigs and became staunch supporters of the Republican Party. As proponents of “free labor,” they blamed Irish Catholics for supporting pro-slavery Democratic candidates. Their antipathy toward this particular new immigrant class was also based on a certain stereotype of the Irish character—poor, drunk, and lazy, and prone to criminality, insanity, idolatry, and political corruption. Neither artist nor newspaperman would have had sympathy for the Irish mine laborers whose illicit activities were seen as no less than treasonous during the Civil War.⁴



David Gilmour Blythe,
1815–1865
Trial Scene (Molly Maguires)
(detail), ca. 1862–1863
Oil on canvas, 22 1/4 x 27 in.
Marion Stratton Gould Fund,
41.24

(Facing page)

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Blythe’s decision to portray the Molly Maguires on canvas was unique for a mid-century artist, but not out of character for Blythe himself.⁵ In the mid-1850s he stopped taking portrait commissions of respectable citizens and began painting those whom he thought were jeopardizing American democracy—ignorant immigrants, greedy politicians, and corrupt lawyers and judges. Even when other genre painters addressed some similar themes, such as the injustices that plagued the legal system, none of them



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did so with such cynicism and sardonic wit.⁶ Like the English eighteenth-century graphic artists William Hogarth, James Gillray, and Thomas Rowlandson whose political cartoons influenced him, Blythe employed techniques of exaggeration to satirize human depravity. Vicious caricature and parody play a vital role in Blythe's work, as paintings like *Trial Scene (Molly Maguires)* attest. Painted in a coarse, unfinished style, the Molly Maguires are heavy-jowled low-lives who have adopted the machinations of judicial practice for extra-legal purposes. And if the democratic system can be mimicked so easily, who is to say the process provides any guarantee that right or justice will prevail?

In an effort to explain Blythe's cynicism, biographers have emphasized the Scottish Presbyterian upbringing that instilled in him a fierce appreciation of individual rights, freedoms, and responsibilities. Blythe's outlook dimmed over his lifetime as he saw these values continually compromised and as he weathered several personal misfortunes.⁷ The self-taught artist was born to emigrant parents in East Liverpool, Ohio, in 1815, the fourth of six sons. He left home and moved to Pittsburgh at age sixteen to work as an apprentice to a well-respected woodcarver and cabinetmaker. Three years later Blythe completed his apprenticeship and soon after joined the navy. In 1840 he returned to his hometown and over the next decade and a half worked as an itinerant portraitist and woodcarver. The death of Blythe's young wife in 1850 after just two years of marriage led the artist to despair. Over the next two years he also endured his father's passing away and the failure of an ambitious moving panorama of the Allegheny Mountains that he had financed with two partners. In 1854 he again returned to East Liverpool where for two years he continued painting portraits and began to depict genre subjects. By the time he made Pittsburgh his home base in 1856, Blythe was no longer interested in the commercial side of art making and turned all of his energies to humorous genre paintings. He refused to sell his paintings himself and instead left them with his dealer J. J. Gillespie, who hung them in his shop window. Many of the works that Blythe completed over the last nine years of his life were sold in this fashion.⁸

Blythe's disinterestedness in seeking public approval gave him the freedom to create wholly unique paintings like *Trial Scene (Molly Maguires)*. The fact that his work found local buyers who likely shared the artist's disillusionment with certain American institutions did not seem to influence him. When Blythe died of complications resulting from alcoholism at just fifty years of age, he no longer believed in the promise of democracy in America; it was too easily compromised and corrupted.



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