



PUZZLES IN THE LIGHT

SELECTED SOLUTIONS

INTIMATED, REVEALED, AND EXPLICATED

Gregory F. Jacob

MANY EXTRAVAGANT SUBSCRIBERS to the *Bag* were recently treated, as one of their promised “four extravagant surprises/year,” to a double-sided law-themed jigsaw puzzle. One side features a lively and colorful poster advertising “The Great Wallace Shows,” a late 1800s circus that will forever be enshrined in copyright lore through the Supreme Court’s decision in *Bleistein v. Donaldson Lithographing Co.*¹ The other side is a copy of the single-page handwritten opinion that Associate Supreme Court Justice James Wilson delivered on August 4, 1794, determining that the Whiskey Rebellion had become an armed insurrection beyond the power of federal marshals and ordinary judicial proceedings to contain:

From evidence, which has been laid before me, I hereby notify to you, that, in the counties of Washington and Alleghany in Pennsylvania, Laws of the United States are opposed, and the Execution thereof obstructed by Combinations too powerful to be suppressed by the ordinary course of judicial Proceedings, or by the Powers vested in the Marshal of that District.

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¹ 188 U.S. 239, 251-52 (1903).

These days, there would likely be much weeping and gnashing of teeth over decisions of such weighty public importance being rendered through “shadow dockets” and single-Justice rulings. But Wilson’s solo opinion was actually the result of congressional design: Congress’s 1792 “Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions” expressly provided that the findings required for the President to be empowered to call forth the militia should be made by “an associate justice or the district judge.”² This early quasi-venue provision may feel like an invitation to forum shopping, but in August 1794 Wilson presumably drew the lucky straw because (1) his legal acumen was highly regarded, (2) he was the only Supreme Court Justice hailing from Pennsylvania, where the asserted rebellion was taking place, and (3) perhaps most important of all, he actually lived in Philadelphia, which was the seat of the federal government at the time, and he was thus readily available during the heat of early August to adjudicate the matter at a time when many federal officials were disposed to leave town (Congress, for example, recessed that year from June 9 to November 3).

A *Green Bag* double-sided jigsaw puzzle would not be complete, of course, unless a further puzzle of some kind was stashed away somewhere within. It would be a bit like eating your way through a box of Cracker Jacks only to find that there was no toy surprise inside! Presumably without knowledge aforethought, Wilson (or perhaps the clerk who rendered the “true copy” of Wilson’s opinion reproduced on the puzzle) provided the *Bag* the perfect opportunity to deliver our extravagant subscribers an appropriate puzzle-completion reward by leaving a large open margin on the left side of his longhand written opinion. And so we were able to insert both a riddle and a cipher into the available space, ensuring the fun would not quite be done when the jigsaw was complete. Indeed, we hoped this addition would serve as a double-kindness to our subscribers, because the aforesaid left-hand margin resulted in two considerably sized blank areas in the opinion that might otherwise have rendered an already highly challenging puzzle (characterized by delicate script, no pictures, and limited colors) occasionally a trifle tedious. Not so with a riddle reward at your fingertips, that must literally be pieced together before it can be puzzled through!

² 1 Stat. 264-65 § 2 (May 2, 1792).



James Wilson (1742-1798) served in the Continental Congress, signed the Declaration of Independence, served at the Constitutional Convention, and sat on the Supreme Court.

Spoiler Alert: If you are an extravagant subscriber who has not yet completed your puzzle but intends to do so in the future, or if you have completed the puzzle but are still working on the riddle or the cipher, *Stop Now*. Move on to the next article, or set the issue aside for a while, and come back when your mission is complete.



But if you instead believe that you have unriddled the riddle or deciphered the cipher or both, and you are now seeking confirmation, then you have come to the right place. So, too, if you don't have a copy of the jigsaw puzzle but would like to take a shot at the riddle nonetheless. Read on.

It should come as no surprise that we at the *Bag* are rather fond of Bilbo Baggins, the diminutive and unusually adventurous (or perhaps just excessively Tookish) fellow who dwells at Bag End.³ In Bilbo's encounter with the wyrm Smaug deep inside the Lonely Mountain's treasure chamber, Bilbo famously withholds his name and instead describes himself to the dragon using an extended riddle:

"I come from under the hill, and under the hills and over the hills
my paths led. And through the air, I am he that walks unseen. . . .

I am the clue-finder, the web-cutter, the stinging fly. I was chosen
for the lucky number. . . .

I am he that buries his friends alive and drowns them and draws
them alive again from the water. I came from the end of a bag, but
no bag went over me. . . .

I am the friend of bears and the guest of eagles. I am Ringwinner
and Luckwearer; and I am Barrel-rider."

J.R.R. Tolkien tells us that "This of course is the way to talk to dragons, if you don't want to reveal your proper name (which is wise), and don't want to infuriate them by a flat refusal (which is also very wise). No dragon can resist the fascination of riddling talk and wasting time trying to understand it."⁴

In a tribute to both Bilbo and Tolkien, and with the deep suspicion that in this one respect at least our readers may have just a little bit in common with dragons, we crafted the following riddle of our own:

Who am I? Riddle me this! Or take the path of the puzzle, if you
wish.

Riddler's Route:

³ See, for example, our Lunchtime Law Quiz for April 21, 2014, greenbag.org/lunchtime%20law%20quiz/lunchtime_law_quiz.html.

⁴ J.R.R. Tolien, *The Hobbit* ch. 12 (1937) ("Inside Information").

Puzzles in the Light

I come from amity hill, and over the seas and through both houses
my paths led. By stylus' west wood, I am he elected unseen.

I am the dollar-dealer, the tax-cutter, destroyer of debt. I wielded
my unmatched might for nearly the unlucky number.

I am he that breathed second life into the felled creation of his foe.
I came from the place of junipers and peace, arrived in revolt, es-
tablished junipers and peace anew.

I am the friend of sphinxes and the guest of bulldogs and bears. I
am Station-stripped and Recess-wearer; and I am Peace-speaker.

Puzzler's Path (the puzzle is the key!): 5(2) 8(1) 11(3) 15(3) 17(2)
20(2) 58(1) 22(7) 25(1) 26(2) 31(4) 32(2) 36(3) 40(4) 49(8)
49(8) 52(1) 53(3) 54(5) 55(4) 61(1) 64(3) 70(3) 71(9) 80(5)
83(3) 81(5) 77(8) 83(2) 83(6)

So . . . who is it? Please do take your time; contra Tolkien, we don't think
it will be a waste at all.

And speaking of Tolkien, let us return to Bilbo and Smaug for a moment.
After Bilbo delivers his riddle to Smaug, Tolkien continues: "There was a
lot here which Smaug did not understand at all [], but he thought he under-
stood enough, and he chuckled inside." So even if you don't quite under-
stand everything, when you reach the point that you think you understand
enough, go ahead and turn to pages 76-82 below, where the riddle is fully
explained. And if you're inclined to try your hand at the cipher as well, do
recall that "the puzzle is the key," so you will need to have a copy of Wilson's
opinion firmly in hand to find your way through. Good luck, and see you
on the other side!

"WHAT HAVE I GOT IN MY [PUZZLE]?"⁵

Even as James Wilson was delivering his opinion in 1794, a budding
young statesman of a very different political stripe was meeting with
the insurrectionists — many of them his constituents. In 1792 he had
served as the secretary of an assembly in Pittsburgh hotly opposed to the

⁵ Early in his adventures, long before he encountered Smaug, Bilbo found himself riddling
for his life with the creature Gollum. Bilbo's final riddle for Gollum was "What have I
got in my pocket?" *Id.* ch. 5 ("Riddles in the Dark").

federal government's excise task on whiskey, and in that capacity he had affixed his name to a resolution that came quite close to encouraging violent opposition to the tax's collection:

Whereas, some men may be found among us so far lost to every sense of virtue and feeling for the distresses of this country as to accept offices for the collection of the duty.

Resolved, therefore, that in future we will consider such persons as unworthy of our friendship; have no intercourse or dealings with them; withdraw from them every assistance, and withhold all the comforts of life which depend upon those duties that as men and fellow citizens we owe to each other; and upon all occasions treat them with that contempt they deserve; and that it be, and it is hereby, most earnestly recommended to the people at large, to follow the same line of conduct towards them.⁶

By August 1794 the "contempt" that was advocated by the resolution had taken the form of shooting at marshals and tax collectors, burning their property, and the calling to arms of an anti-government militia of not inconsiderable strength.⁷ Secretary of the Treasury Alexander Hamilton was convinced that the subject of our puzzle was a ringleader of the rebellion, and after order was restored his agents sought to develop evidence against him for his prosecution. But no prosecution could be had, for throughout the summer of 1794 he had in fact consistently opposed violence, counseled in favor of moderation and obedience to the law, and in the end helped facilitate the region's peaceful submission to the authority of the federal government ("Peace-speaker").⁸

Born in Geneva, Switzerland ("the place of junipers and peace"),⁹ Abraham Alfonse Albert de Gallatin arrived in Boston, Massachusetts in July 1780 ("over the seas"), in the midst of the American Revolution ("arrived in revolt"). He decamped to western Pennsylvania ("stylus' west

⁶ George H. Thurston, *Allegheny County's Hundred Years* 32 (1888).

⁷ John Austin Stevens, *Albert Gallatin* 69-99 (1883; 4th ed. 1896).

⁸ *Id.*

⁹ The place-name Geneva means "juniper tree" or "juniper berry." See, nameberry.com/babyname/Geneva. Geneva, Switzerland has a long history of associations with peace-seeking treaties, agreements, and international organizations, including hosting the headquarters of the peace-seeking League of Nations in the early 20th century.

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Albert Gallatin (1761-1849) was elected to the Pennsylvania legislature and both chambers of the U.S. Congress, served as Secretary of the Treasury under Presidents Thomas Jefferson and James Madison, and participated in the negotiation of the Treaty of Ghent at the conclusion of the War of 1812.

wood”) in 1784 to pursue land and commercial ventures,¹⁰ and in 1788 he purchased a tract of land in Fayette County, Pennsylvania at which he

¹⁰ Henry Adams, *The Life of Albert Gallatin* 54-55 (1879).

established his permanent home atop the bluffs above the Monongahela River, dubbing his property Friendship Hill (“amity hill”).¹¹ Philosophically opposed to strong central government, he launched into politics in that same year to object to Pennsylvania’s ratification of the unamended United States Constitution, and was thereafter elected to the Pennsylvania House of Representatives in 1790, 1791, and 1792.¹²

In 1793, the Pennsylvania legislature elected Gallatin to serve as its Senator in the United States Senate (the first of the two “houses” through which his “paths led”). But although Gallatin had arrived in the United States in 1780, he had not taken an oath of citizenship to any State until 1785,¹³ whereas the Constitution specifies that Senators must be “nine years a citizen of the United States when elected.”¹⁴ Gallatin took his seat in the Senate on December 2, 1793, but after a Federalist-driven inquiry into his citizenship, he was disqualified from his Senate seat on February 28, 1794, by a vote of 14-12 (“Station-stripped”).¹⁵

Gallatin’s targeting by the Federalists for eviction from the Senate raised his profile considerably among Republicans, and his principled moderation during the most overheated days of the Whiskey Rebellion won him respect among a wide swath of western Pennsylvanians. In the October 1794 Pennsylvania elections, Fayette County returned Gallatin to the Pennsylvania House of Representatives unopposed. But the neighboring counties of Washington and Allegheny had a grander vision for him, and without his knowledge or consulting with him, added him to the ballot for the United States House of Representatives, and promptly elected

¹¹ See Friendship Hill National Historic Site at www.nps.gov/frhi/index.htm. He would later write of his home: “Although I should have been contented to live and die amongst the Monongahela hills, . . . I must say that I do not know in the United States any spot which afforded less means to earn a bare subsistence for those who could not live by manual labor” Adams 63.

¹² Adams at 76-77, 83-84.

¹³ *Id.* at 119.

¹⁴ “No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.” U.S Const. art. 1 § 3.

¹⁵ Adams at 120.

him (“[T]hrough both houses my paths led. By stylus’ west wood, I am he elected unseen”).¹⁶

In Congress, Gallatin quickly made a reputation as the Republicans’ leading expert on matters of government finance – among other things, conceiving what would become the House Ways and Means Committee for the purpose of consistently superintending government revenues and expenditures.¹⁷ During his six years in the House, Gallatin also devoted considerable energy to financial matters at home, founding the fledgling community of New Geneva near Friendship Hill (“established junipers and peace anew”), which he hoped would become a thriving commercial center.

As a prominent leader of the Republican cause in the House, it was only natural that Thomas Jefferson and Gallatin would become friends (“the friend of sphinxes”).¹⁸ After securing the Presidency in the election of 1800, Jefferson wanted Gallatin to serve as his Secretary of the Treasury. The outgoing Senate was still controlled by the Federalists, however, who had memorably ejected Gallatin from the Senate just six years earlier. Fearing a difficult and uncertain confirmation battle, Jefferson delayed his nomination and instead made Gallatin the Treasury Secretary through a recess appointment on May 14, 1801 (“Recess-wearer”). Jefferson waited nearly nine months, until January 6, 1802, to submit Gallatin’s nomination to the newly convened Republican-controlled Senate, which confirmed him on January 26, 1802.¹⁹ He would hold his office until February 8, 1814, a period of nearly 13 years, the longest tenure of any Secretary of the Treasury (“I wielded my unmatched might for nearly the unlucky number”).²⁰

¹⁶ *Id.* at 140-41.

¹⁷ *Id.* at 157.

¹⁸ See Joseph J. Ellis, *American Sphinx: The Character of Thomas Jefferson* (1998); Letter from Thomas Jefferson to Albert Gallatin (October 29, 1822) (“I retain however still the same affection for my friends, and especially for my antient colleagues, which I ever did, and the same wishes for their happiness.”).

¹⁹ Nicholas Dungan, *Gallatin: America’s Swiss Founding Father* 67 (2010).

²⁰ The earliest draft of our riddle stated that “I wielded my unmatched might for the unlucky number,” basing this statement on the National Park Service’s representation that “Albert Gallatin is best remembered for his thirteen year tenure as Secretary of the Treasury during the Jefferson and Madison administrations.” www.nps.gov/frhi/index.htm. This sentence appears on the National Park Service’s web page for Friendship Hill, and it is perhaps only natural that those charged with caring for Gallatin’s home should be

As Secretary of the Treasury (“the dollar-dealer”), Gallatin committed himself to implementing the Republican program of eliminating internal taxes, including the hated excise tax on whiskey (“the tax-cutter”), and working to pay down the national debt (“destroyer of debt”).²¹ Yet though Gallatin and Hamilton were fierce political enemies, in certain key respects Gallatin became a strong convert to elements of his predecessor’s financial program. The 20-year charter of the first Bank of the United States was set to expire in 1811. Gallatin, who continued to serve as Secretary of the Treasury under President James Madison, began advocating for the Bank’s renewal as early as 1809. He could not convince his party or Madison himself to support it, however, and after narrow votes in the House and Senate the Bank’s charter lapsed in early 1811.²² Gallatin tendered his resignation to Madison on March 4, 1811, complaining (among other things) that “Measures of vital importance have been and are defeated; every operation, even of the most simple and ordinary nature, is prevented or impeded”²³

Madison refused Gallatin’s resignation and persuaded him to stay on at the Treasury. But in the midst of the War of 1812, Gallatin took the opportunity to pointedly remind Congress that because it had refused his repeated entreaties to renew the Bank’s charter, the war could be financed only through the twin evils of new internal taxes and considerable additions to the national debt.²⁴ Gallatin, both on his own initiative and through his close friend and eventual successor as Secretary of the Treasury Alexander J. Dallas, continued ever after to strongly advocate for a national bank, and on March 3, 1816, Congress was finally persuaded to charter the second Bank of the United States (“I am he that breathed second life into the felled creation of his foe.”).²⁵

very proud of its first occupant’s accomplishments. No matter how we did the math, however, in the end we could squeeze out only a tenure just shy of 13 years as Secretary of the Treasury for Gallatin.

²¹ Gregory May, *Jefferson’s Treasure: How Albert Gallatin Saved the New Nation from Debt* (March 26, 2019 lecture), at virginiahistory.org/learn/historical-media/jeffersons-treasure-how-albert-gallatin-saved-new-nation-debt.

²² www.federalreservehistory.org/essays/first-bank-of-the-us.

²³ Letter to James Madison from Albert Gallatin (March 4, 1811), reproduced in Adams at 434.

²⁴ Adams at 450-51.

²⁵ *Id.* at 429, 480; David Thorson, Albert Gallatin (2020), at www.monticello.org/site/

Puzzles in the Light

On March 8, 1813, Emperor Alexander I of Russia offered to mediate a peace between Britain and the United States.²⁶ Gallatin asked Madison to send him as a peace commissioner, and Madison agreed, using recess appointments (again, “Recess-wearer”) to appoint a delegation consisting of Gallatin, John Quincy Adams (Minister to Russia), and James Bayard (moderate Federalist Senator from Delaware).²⁷ Gallatin arrived in St. Petersburg in July 2013 (“the guest of . . . bears”).²⁸ Once Gallatin was formally nominated, however, the Senate rejected his appointment as peace commissioner on the ostensible grounds that the post was incompatible with his role as Secretary of the Treasury (again, “Station-stripped”), news that reached Gallatin only in October 1813.²⁹ In all that intervening time, Britain had steadfastly refused to participate in any mediation of the conflict by a foreign power, and Gallatin and the other commissioners had found themselves in the frustrating position of having no real bargaining partner in St. Petersburg.

But although Gallatin was no longer a peace commissioner, he chose to stay on with the delegation (he was, after all, still Secretary of the Treasury) rather than return home, and he began a push to establish direct negotiations with England. He and his colleagues abandoned their fruitless efforts in St. Petersburg on January 25, 1814 and sailed for Amsterdam, while back home President Madison again nominated Gallatin to serve as a peace commissioner on February 8, 1814, while removing the Senate’s previous objection to the appointment by simultaneously nominating George Campbell to serve as Treasury Secretary.³⁰ In March 1814 Gallatin arrived in England and quickly got to work setting the stage for what he hoped would be a meaningful bilateral peace negotiation (“the guest of bulldogs”).³¹ But the diplomatic instructions that arrived with Gallatin’s new commission prohibited the American delegation from negotiating for peace in England’s

research-and-collections/albert-gallatin#footnoteref12_ijaz4me.

²⁶ *Id.*

²⁷ Recess Appointments: A Legal Overview p. 2, Congressional Research Service (August 29, 2014); Adams at 478-80.

²⁸ Adams at 495; *cf.* Tolkien ch. 7 (“Queer Lodgings”).

²⁹ *Id.* at 483-86, 501.

³⁰ *Id.* at 505.

³¹ *Id.* at 505-07.

home court at London, and the city of Ghent in Belgium was accordingly settled upon as the place for further negotiations.³² At Ghent, Gallatin proved himself an able diplomat, and in no small part due to his tactful and tireless labors, the Treaty of Ghent was signed on December 24, 1814, bringing the War of 1812 to its formal conclusion (again, “Peace-Speaker”).³³

Much more could of course be said of Mr. Gallatin, and of his further 25-year career as a diplomat, politician, bank president, and anthropologist. And indeed much more has been said – the footnotes to this article provide but a few examples of writings about him, and we commend them to you. But our own purposes are now at an end, for as we set out to do, the many clues in the riddle-puzzle are now fully explained, perhaps even a bit too fully. And now you know – if you had not already figured it out for yourself – what you have “got in [your puzzle].” If your initial reaction to our riddle tended toward some measure of sympathy with Gollum (“Not fair! Not fair! . . . It isn’t fair, my precious . . .”), we hope that on further reflection you will at least agree that the *Bag* gave you a bit more to go on than did Mr. Baggins.

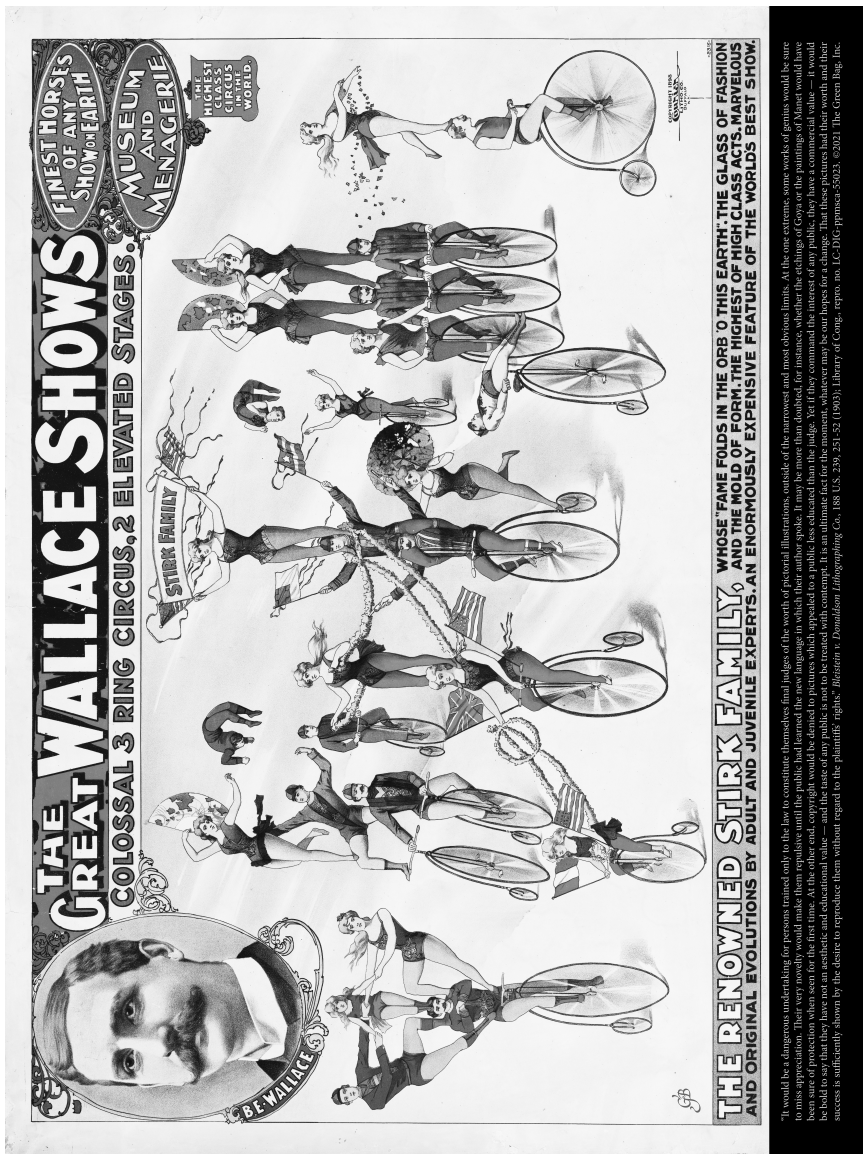
As to the cipher, the solution can be obtained by numbering each of the words that are found in James Wilson’s opinion, in the order in which they would naturally be read. For each paired set of numbers provided in the “Puzzler’s Path,” the first represents the word in the opinion that bears the corresponding number, while the parenthetical designates the number of the letter to use within that word.

³² *Id.* at 506, 518.

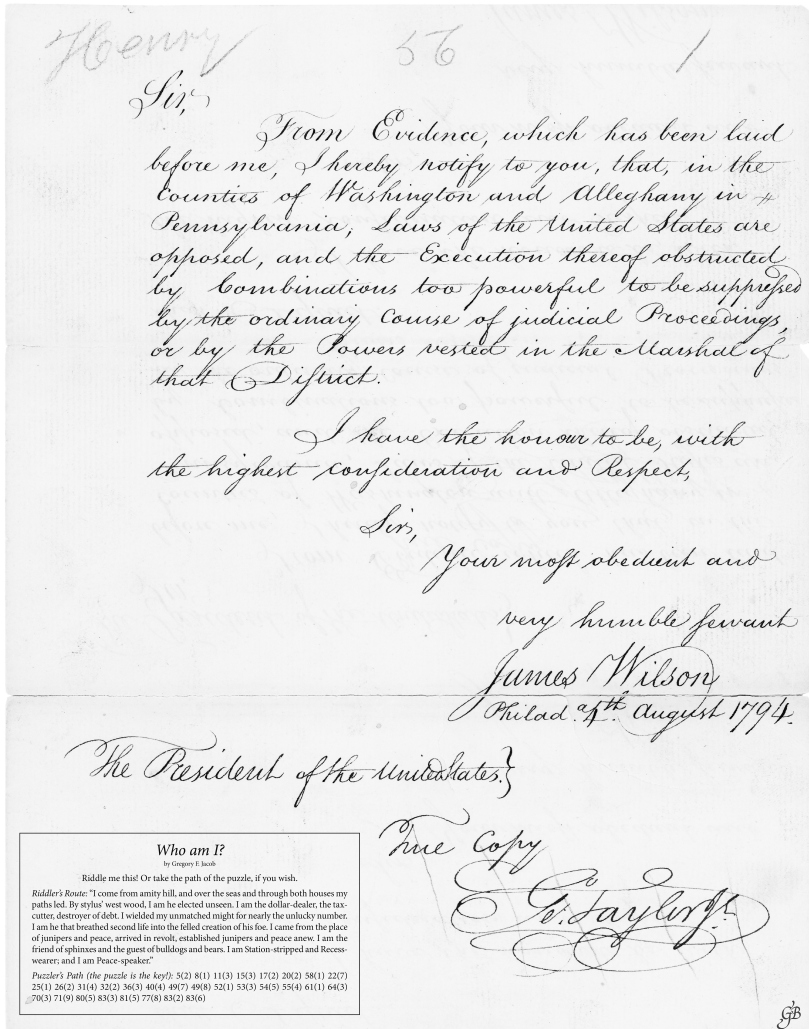
³³ *Id.* at 545-46.

APPENDIX TO THE
GREEN BAG'S FIRST JIGSAW PUZZLE

CONSISTING OF IMAGES OF THE
FRONT AND BACK OF THE PUZZLE,
INCLUDING A DETAIL SHOWING THE
WILSONIAN-GALLATINOUS RIDDLE AND CIPHER



Puzzles in the Light



Copy of Letter from Judge James Wilson reporting a rebellion and breakdown of law in Washington and Allegheny Counties, PA, August 4, 1794, RG 46, Records of the US Senate, SEN 3A-E1, Annual Messages of the President (November 19, 1794), Nat'l Archives & Records Admin.; 1 Am. State Papers: Misc. 85 (1834); An Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections and repel invasions, 1 Stat. 264 (May 2, 1792) (repealed by An Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions; and to repeal the Act now in force for those purposes, 1 Stat. 424 (February 28, 1795)). Yes, use of the serial comma was inconsistent. Was its original punctuational meaning, "meth, take it or leave it"? Let controversy commence! ©2021 The Green Bag, Inc.

Who am I?

by Gregory F. Jacob

Riddle me this! Or take the path of the puzzle, if you wish.

Riddler's Route: "I come from amity hill, and over the seas and through both houses my paths led. By stylus' west wood, I am he elected unseen. I am the dollar-dealer, the tax-cutter, destroyer of debt. I wielded my unmatched might for nearly the unlucky number. I am he that breathed second life into the felled creation of his foe. I came from the place of junipers and peace, arrived in revolt, established junipers and peace anew. I am the friend of sphinxes and the guest of bulldogs and bears. I am Station-stripped and Recess-wearer; and I am Peace-speaker."

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