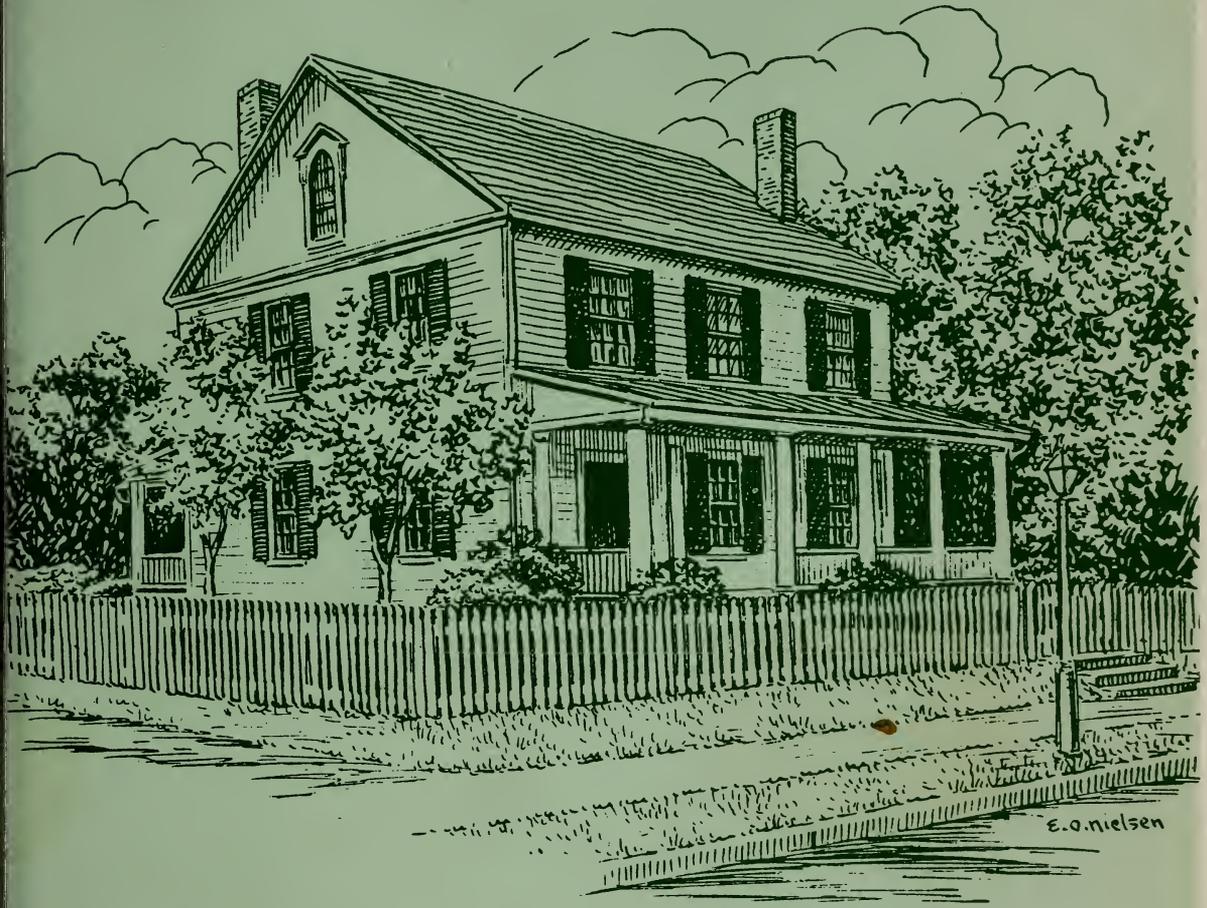


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Spring 1962

THE NORTH CAROLINA HISTORICAL REVIEW

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COVER—This pen and ink sketch of the Rowan Museum is used with the permission of Mrs. Gettys Guille, Director. Salisbury's oldest dwelling was formerly known as the Maxwell Chambers House and was erected in 1819 by Judge James Martin. For an article on James Carter, one of the founders of Salisbury, see pages 131-139.

The North Carolina Historical Review

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JAMES CARTER: FOUNDER OF SALISBURY

BY ROBERT W. RAMSEY*

Beginning in 1747-1748 and continuing until the outbreak of the French and Indian War in 1754, thousands of German, Scotch-Irish, Welsh, English, and Huguenot immigrants streamed into the fertile valleys of western North Carolina. In 1753 because of the rapid influx of new settlers, the northern portion of Anson County was cut off and named Rowan.¹ The eastern boundary of the new county extended from where the Anson County border bisected Lord Granville's line north to the Virginia frontier. There was no limit to its westward extent.

In the spring of 1753, the court of Rowan set in motion the machinery for administering the new county. A courthouse was authorized, and was described as follows:

. . . the demention [*sic*] of the court be 30 feet long and [torn] and a story and a half ["half" scratched out] high with two floors framed . . . shingles of pine . . . with one good window [torn] of five lights of 8"/10" and one do. in each side [torn] ten foot from the end of the Courthouse with a door in the end opposite to the bench an oval bar with banisters and bench three feet above the floor a table and proper bars for the attorneys the said house to be enclosed with proper doors and window shutters and a seat for the clerk under the bench.²

The court also ordered that a tax of four shillings and one penny half-penny proclamation money³ be levied on each taxable⁴ in the county

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¹ David Leroy Corbitt, *The Formation of the North Carolina Counties, 1663-1943* (Raleigh: State Department of Archives and History, 1950), 8-9.

² Minutes of the Rowan County Court of Common Pleas and Quarter Sessions, 1753-1767, Parts I and II, State Department of Archives and History, Raleigh, 8-9 hereinafter cited as Rowan Court Minutes.

³ Proclamation money was "coin valued according to a proclamation of Queen Anne, June 18, 1704, by which the various colonial valuations of the Spanish 'pieces of eight' . . . were . . . fixed at six shillings." This attempt to unify the silver currency in the colonies failed. In March, 1754, every four-shilling proclamation bill was valued at three shillings sterling. James Truslow Adams, *Dictionary of American History* (New York: Charles Scribner's Sons [Second edition, revised], 5 volumes and index, 1942), IV, 353; William L. Saunders (ed.), *The Colonial Records of North Carolina* (Raleigh: State of North Carolina, 10 volumes, 1886-1890), V, xlv, hereinafter cited as Saunders, *Colonial Records*.

⁴ By an act of the Assembly of 1749, taxables were described as all white males over sixteen, all Negroes and mulattoes over twelve, and all white persons over

"for the Defraying the Publick Charges of this Province and Also Debts Due from this county and Publick buildin[g]s, etc."⁵

In the fall of 1753 the court authorized the purchase of a large number of books at county expense. These included William Nelson's *The Office and Authority of a Justice of the Peace* (probably the third edition, 1745); John Godolphin's *The Orphan's Legacy, Or a Testamentary Abridgment* (including sections on wills, executors, and legacies); Giles Jacob's *New Law Dictionary* (1729); and Cary's *Abridgment of the Statutes*.⁶ A certain James Carter was appointed commissioner to make the purchase.

The first step in the establishment of a town between the Yadkin and Catawba rivers was taken on March 21, 1754, when the court made the announcement that "James Carter, Esquire, his lordship's deputy-surveyor, produced a warrant for six hundred and forty acres of land for the use of the inhabitants of this county &c. and for the use of the prison courthouse and stocks & c. of said county by which warrant it appears he paid the sum of £1.6.8."⁷ On February 11, 1755, the town of Salisbury was formally created when William Churton and Richard Vigers, agents for Lord Granville, made the following grant to James Carter and Hugh Forster,⁸ trustees:

. . . Six hundred and thirty-five acres of land for a township . . . by the name of Salisbury . . . that they might and should grant and convey in fee Simple the several lots already taken up and entered . . . reserving the annual rent of one shilling for each lot . . . and likewise grant and convey . . . such lots . . . as are not already entered to such persons as shall respectively apply for the same on the payment of twenty shillings. . . .⁹

A certain James Carter, it will be noted, played a conspicuously prominent part in the establishment of the town. Not only was he a

twelve who intermarried with Negroes. Walter Clark (ed.), *The State Records of North Carolina* (Winston, Goldsboro, and Raleigh: State of North Carolina, 16 volumes and 4-volume index [compiled by Stephen B. Weeks for both *Colonial Records* and *State Records*], 1895-1914), XXIII, 345.

⁵ Rowan Court Minutes, I, 21.

⁶ Rowan Court Minutes I, 23; Leslie Stephen, Sidney Lee, and Others (eds.), *The Dictionary of National Biography* (London: Oxford University Press, 22 volumes [including first supplement], reprinted, 1922; and 6 supplements, 1922-1959), VIII, 41; X, 553; XIV, 215.

⁷ Rowan Court Minutes, I, 34.

⁸ Forster was a saddler from Cecil County, Maryland. In 1753 he settled on Horsepen Creek of Haw River in Orange County. Jane (Baldwin) Cotton (ed.), *The Maryland Calendar of Wills* (Baltimore: Kohn and Pollock, Inc., 8 volumes, 1904-1928), VII, 211, hereinafter cited as Cotton, *Maryland Wills*; Rowan County Deed Books, Office of Register of Deeds, Rowan County Courthouse, Salisbury, Deed Book III, 114, hereinafter cited as Rowan Deed Books.

⁹ Land Grant Records of North Carolina, Office of the Secretary of State, Raleigh, Land Grant Book VI, 114, hereinafter cited as Land Grant Book with the correct number.

deputy surveyor and trustee for the newly created township, but also he held the offices of justice of the peace¹⁰ and register of deeds.¹¹ On March 8, 1753, Carter bought from James Allison¹² a three hundred-fifty acre tract which adjoined the town land on the south and which included approximately sixty-seven of the town's two hundred fifty-six lots.¹³

Who was this man? From whence had he come? The New Castle County, Delaware, trial dockets reveal that a James Carter appeared in a case in November, 1736.¹⁴ In March of the following year the court of Cecil County, Maryland, recorded the fact that "James Carter, late of Cecil County, carpenter, was attached to answer unto William Hutchinson of a plea of trespass."¹⁵ Two years later Carter appeared again in the Cecil County Court where he was referred to as a millwright.¹⁶ On April 28, 1739, William Williams, a settler in the Appoquinimink Creek district of New Castle County, made the following statement when interrogated regarding the boundary controversy between Maryland and Pennsylvania:

. . . about two years ago and since, part of the said land within the fork of the main branch of Appoquinak [*sic*] Creek has been entered on by one Mathew Donohoe, James Carter, Augustine Noland and James Poor, pretending to be tenants of one Mr. James Paul Heath of Cecil County and province of Maryland. . . .¹⁷

¹⁰ Rowan County Trial Dockets (1753-1767), State Department of Archives and History, 1.

¹¹ Rowan Court Minutes, I, 11.

¹² Allison, from Cecil County, Maryland, had obtained the land in 1751. Cecil County Deed Books, Office of the Register of Deeds, Cecil County Courthouse, Elkton, Maryland, Deed Book VII, 164; Rowan County Will Books, Office of the Clerk of Court, Rowan County Courthouse, Salisbury, hereinafter cited as Rowan Wills; Land Grant Book XI, 1.

¹³ Map of the Town of Salisbury, N. C., drawn by W. Moore, surveyor, August 7, 1823, North Carolina Room, University of North Carolina Library, Chapel Hill.

¹⁴ New Castle County, Delaware, Court Judgments, 1703-1750, Hall of Records, Dover, Delaware, Folder No. 23 (1734-1736), 56. Although not conclusive, the available evidence strongly indicates that Carter originated in Southampton Township, Bucks County, Pennsylvania, and that he was born between 1700 and 1710. Abstracts of Bucks County Wills, 1685-1795 (handwritten and in bound volumes), 19, Collections of the Genealogical Society of Pennsylvania, Historical Society of Pennsylvania, Philadelphia; Alfred R. Clark Genealogical Collection, "CA-CLARK" Volume, 29, Historical Society of Pennsylvania, Philadelphia; Land Grant Book XI, 15; Rowan Deed Book I, 57; III, 5, 514; Rowan Court Minutes, I, 15-16, 32-33; Rowan Wills, Book A, 43; Bucks County Miscellaneous Papers, 1682-1750 (2 bound volumes), I, 135, Historical Society of Pennsylvania, Philadelphia; A. Van Doren Honeyman (ed.), *Documents Relating to the Colonial History of the State of New Jersey* (Somerville, New Jersey: The Unionist Gazette Association, Volume XXX of the First Series, 1918), 47, 189, 327; Cotton, *Maryland Wills*, III, 126; VII, 9, 174.

¹⁵ Cecil County Judgments, 1723-1730, Hall of Records, Annapolis, Maryland (accession No. 9236, S.K. No. 3, 182), hereinafter cited as Cecil County Judgments.

¹⁶ Cecil County Judgments, 1736-1741 (accession No. 9238, S.K. No. 5, 299).

¹⁷ Samuel Hazard (ed.), *Pennsylvania Archives. Selected and Arranged from Original Documents in the Office of the Secretary of the Commonwealth, Conformably to Acts of the General Assembly February 15, 1851 and March 1, 1852* (Philadelphia: Joseph Severns and Company, First Series, 12 volumes, 1852-1856), I, 563-564, hereinafter cited as Hazard, *Pennsylvania Archives*.

The deposition of Thomas Rothwell, living in the same area, was to the effect that

. . . a certain James Carter, also pretending to be a tenant of the aforesaid James Heath, entered on the aforesaid tract of land (though often required to forbear) and built a house about 200 yards within the line and cleared some of the said land, and often left it when said small settlement was entered on about four months ago by one James Poor. . . .¹⁸

In the summer of 1740, Carter found himself "a languishing prisoner in the Cecil County Gaol."¹⁹ At the instigation of William Rumsey of Bohemia Manor, Cecil County, an act was promulgated in the Maryland Assembly for the release of Carter and others. The Act read in part:

. . . Whereas the said . . . [debtors] . . . have set forth that they have continued Prisoners for Debt in the custody of the several sheriffs . . . and not being able to redeem their Bodies with all the Estate or Interest that they have in the world . . . unless relieved by a particular Act passed in their Favour . . . they must inevitably continue Prisoners for Life. . . .²⁰

Carter was freed the same year. His wealthy friend and benefactor, William Rumsey, died in February, 1742, leaving a considerable estate and a widow, Sabinah Rumsey.²¹

Hounded by the courts, heavily in debt, and bereft of his patron, Carter left Cecil County and headed westward. Within two years he had made his way into the Shenandoah Valley; and, in 1744, he obtained a three hundred-acre tract adjoining John Campbell on the Great Calfpasture River in Augusta County.²² During the next three years, Carter built one or more mills in Augusta,²³ and (probably in company with Hugh Forster and John Dunn) associated himself with

¹⁸ Hazard, *Pennsylvania Archives*, I, 564.

¹⁹ W. H. Browne and Others (eds.), *Archives of Maryland* (Baltimore: Maryland Historical Society, 65 volumes, 1883-1952), XLII (1740-1744), 146, hereinafter cited as Browne, *Archives of Maryland*.

²⁰ Browne, *Archives of Maryland*, XLII, 146.

²¹ Cotton, *Maryland Wills*, VIII, 200. Rumsey was a distinguished surveyor who laid out Fredricktown, Maryland, and undoubtedly taught Carter the trade. It is believed that Rumsey was the surveyor of the temporary line between Maryland and Pennsylvania in 1739. Besides being one of the largest landholders in Cecil County, he was collector of customs at the Head of Bohemia. His will was witnessed by James Carter and John Dunn.

²² Plan of 16,500 Acre Tract of Land on the Great or West River of the Calfpasture, 1744. The Preston and Virginia Papers of the Draper Collection of Manuscripts, Duke University Library, Durham.

²³ Lyman Chalkley (ed.), *Chronicles of the Scotch-Irish Settlements in Virginia, Extracted from the Original Court Records of Augusta County, 1745-1800* (Rosslyn, Virginia: The Commonwealth Printing Company, 3 volumes, 1912), I, 21, hereinafter referred to as Chalkley, *Chronicles of Augusta County*.

Morgan Bryan, Squire Boone, and Edward Hughes.²⁴ It was probably in Augusta, too, that Carter's two daughters were married, Mary to Jonathan Boone, son of Squire, and Abigail to Robert Gamble.²⁵

By 1747 in the manner typical of the merchants and promoters of Chesapeake Bay and the Delaware Valley, Carter began to seek additional sources of income. It is impossible to conclude other than that he and his associates agreed upon the organization and development of a settlement and town in the Yadkin Valley of North Carolina. The land in Carolina was cheap, fertile, well-watered, and virtually treeless. Moreover, the Indians were not troublesome and Lord Granville was highly desirous of new settlements in the back country.²⁶ Carter and his friends realized that the Valley of Virginia was rapidly filling and that a mass movement southward to Carolina was imminent.

Accordingly, Carter's group joined the vanguard of the southward surge, purchased thousands of acres of the best land in Anson and Rowan,²⁷ contacted Churton and Vigers, and organized the township of Salisbury. John Dunn became attorney for the province and the first clerk of the court of Rowan County.²⁸ Carter and Forster were appointed trustees for the town land, while Bryan probably supplied much of the capital needed for the enterprise. Boone, Hughes, and Carter became three of Rowan's first fourteen justices.²⁹ David Jones, a Welshman, originally from Chester County, Pennsylvania, became the new county's first sheriff.³⁰ Between 1750 and 1756 James Carter

²⁴ Carter, Dunn, and Forster were all in Cecil County at sometime between 1736 and 1742. Hughes and Boone, both Quakers, removed to the Valley from Philadelphia County, Pennsylvania; Bryan was in Chester County, Pennsylvania, in 1724. In 1730, in partnership with Alexander Ross, he obtained one hundred thousand acres near Opequon Creek in the lower Shenandoah Valley for the purpose of establishing a colony of Friends. Hazel A. Spraker, *The Boone Family: A Genealogical History of the Descendants of George and Mary Boone Who Came to America in 1717, Containing Many Bits of Early Kentucky History: Also a Biographical Sketch of Daniel Boone, The Pioneer, by One of His Descendants* (Rutland, Vermont: The Tuttle Company, 1922), 27-32; H. Frank Eshleman, "Assessment Lists and Other Manuscript Documents of Lancaster County Prior to 1729," *Papers of the Lancaster County Historical Society*, XX (1916), 181; John W. Wayland, *The German Element of the Shenandoah Valley of Virginia* (Charlottesville, Virginia: Wayland Publisher, 1907), 45; Chalkley, *Chronicles of Augusta County*, III, 340.

²⁵ Rowan Deed Book III, 367, 527; Rowan Wills, Book A, 43.

²⁶ Samuel James Ervin, Jr., *A Colonial History of Rowan County, North Carolina* (Chapel Hill: The University of North Carolina Press, Volume 16, No. 1 of *The James Sprunt Studies in History and Political Science*, 1917), 10.

²⁷ Rowan County deeds and the land grant records in Raleigh reveal that Bryan purchased 4,088 acres before 1763; Hughes, 3,170 acres; Boone, 1,280 acres; Dunn, 2,062 acres and a lot in Salisbury; Forster, 1,535 acres; and Carter, 6,674 acres.

²⁸ Rowan Court Minutes, I, 31; II, 75.

²⁹ The other justices were Walter Carruth, Andrew Allison, Alexander Osborne, John Brandon, John Bravard, Robert Simonton, John Hanby, Alexander Cathey, Thomas Potts, John Lynn, Thomas Lovelatt, George Smith, and Joseph Tate. Rowan Court Minutes (taken from typed copy housed in the Rowan Public Library, Salisbury), I, 7-8.

³⁰ Philadelphia Landholders, 1734 (handwritten and in scrapbook form), Historical Society of Philadelphia; Chester County, Pennsylvania, Tavern Petitions (1700-1754,

became a wealthy man. In the year 1753 he bought nearly four thousand acres of land, ranging in location from the South Fork of the Catawba to the South Fork of Deep River and from the Granville Line to Barsheaby Creek adjoining the Moravian Tract. His affluence may be traced largely to income derived from his various offices. In addition to money received from his activities as innholder, millwright, county surveyor, and justice of the peace, Carter (together with Forster) conveyed no less than one hundred town lots to fifty-six different persons between 1755 and 1762.³¹ Several of these lots were conveyed at different times to different purchasers, indicating fraudulent sales by the trustees.³²

That Carter possessed indentured servants and Negro slaves is clear from a perusal of the Rowan County records. The court minutes for March 20, 1754, reveal that

. . . James Carter, Esq^r produced an Orphan boy named James Fletcher and prays that the said orphan may be bound to him until he arrives to age, the consideration of this court was that the said James Fletcher should be bound to the said James Carter until he arrive at ye age of 21 years. . . . The said James Carter herby [*sic*] oblige himself to pay the fees that may become due to my lords office for the clearance of two certain tracts and entrys of land in this county left to him [Fletcher] by William Bishop deceased and also to pay the quit rents hereafter may grow due until ye servant come to the age aforesaid and also to teach or instruct him the said servant to read English and to write a legible hand.³³

Carter's ownership of slaves is indicated by his sale in July, 1756, of a Negro man and woman to his son-in-law, Jonathan Boone.³⁴

By February 27, 1754, Carter was a member of the North Carolina Assembly from Rowan County; and (probably with the outbreak of the French and Indian War) was commissioned major in the colonial militia.³⁵ Carter's three years of service in the Assembly were active ones. Eight days after becoming a member he was appointed to a committee to prepare a bill for "granting an Aid to his Majesty for defence of the Frontier. . . ." ³⁶ The following month Carter introduced a bill, which passed the Assembly, for inspecting indigo, rice, pork, beef,

Volumes I-X), II (1729-1736), 55, 56, Chester County Historical Society, West Chester; Rowan Wills, Book A, 33. Jones also seems to have moved before 1734 from Chester to Philadelphia County, where he joined the Boones.

³¹ Rowan Deed Books III, IV, V, VI, and VII, *passim*.

³² Rowan Deed Book II, 363-365; III, 533.

³³ Rowan Court Minutes, I, 33.

³⁴ Rowan Court Minutes, II, 126.

³⁵ Saunders, *Colonial Records*, V, 182, 810.

³⁶ Saunders, *Colonial Records*, V, 246.

pitch, and tar.³⁷ In October, 1755, he joined Cornelius Harnett in bringing up a bill for directing the method of selecting vestries on those parishes lacking legal vestries.³⁸

The great war with France had a profound effect upon the frontier settlements in Carolina, and James Carter's career was radically altered as a consequence. Indian raids and the need for militiamen caused many settlers to flee their homes or go into hiding. The payment of taxes and fees became more sporadic and uncertain. Due in part to questionable financial transactions, and in part to reduced income, Carter became involved in ruinous litigation.

In May, 1757, John McGuire of Rowan County recovered £30.11.5 proclamation money against James Carter in a court held at Salisbury for the counties of Orange, Rowan, and Anson before James Hassell, Chief Justice. In order to raise the money, Sheriff David Jones sold Carter's tract on Second Creek to Hugh Montgomery.³⁹ In the same month it was announced in the Assembly at New Bern that

. . . Mr. James I. Carter one of the members thereof for Rowan County having been Intrusted [*sic*] together with one Mr. John Brandon with the Sum of Five Hundred Pounds Proclamation Money to be by them applyed [*sic*] in Purchasing arms and ammunition for the Defence of the Frontier County of Rowan and have neglected to Apply the said Money for the Purposes aforesaid and also have hitherto neglected to Account for the same and further moved That the said James Carter may be called by this House to answer for such his neglect.⁴⁰

Carter was apparently unable to account satisfactorily for his misuse of public funds for he was relieved of his position as a justice of the peace for Rowan and forced to resign his major's commission in the county militia.⁴¹ In November, 1757, he was expelled from the Assembly.⁴²

In June, 1757, one Conrad Michael, a twenty-eight year old tanner from the Rhenish Palatinate,⁴³ acquired at auction Carter's three hundred fifty-acre tract adjoining the town land in a transaction which furnishes further insight into the difficulties of the redoubtable Carter. At a court held at Enfield, North Carolina, "Sabinah Rigby, executrix,

³⁷ Saunders, *Colonial Records*, V, 266.

³⁸ Saunders, *Colonial Records*, V, 504.

³⁹ Rowan Deed Book II, 390.

⁴⁰ Saunders, *Colonial Records*, V, 846.

⁴¹ Saunders, *Colonial Records*, V, 810.

⁴² Saunders, *Colonial Records*, V, 892.

⁴³ Ralph Beaver Strassburger and W. J. Hinke (eds.), *Pennsylvania German Pioneers, A Publication of the Original Lists of Arrivals in the Port of Philadelphia from 1727 to 1808* (Norristown: Pennsylvania German Society, 3 volumes, 1934), I, 609-612; Rowan Deed Book VI, 170.

did recover against James Carter, late of Rowan County, gentleman, otherwise called James Carter of Cecil County, millwright," £200 currency of Maryland (valued at £150 sterling), a debt to be discharged upon Carter's payment of £100 (valued at £75 sterling) with interest, dating from 1738.⁴⁴ Sabinah Rigby was the widow of William Rumsey,⁴⁵ and it is probable that the money owed by Carter was originally loaned him by Rumsey.

In 1756 at the time his financial difficulties began, Carter transferred to his daughter Mary Boone "all and singular my goods and chattels now belonging to my present Dwelling House . . . known by the Name of Bristol Hall."⁴⁶

By the spring of 1761 Carter had been forced to sell or surrender at auction nearly all the land obtained by him during the previous ten years. The only tract left to him was one on Potts Creek, where he received a permit to build a public mill,⁴⁷ and where he probably spent his last days.

The founder of Salisbury was not always well liked by his fellows. A multiple officeholder of Carter's stature was rarely popular on the frontier, and his necessary duties as justice of the peace did not serve to increase his popularity. In October, 1756, a certain

. . . Andrew Cranston of Rowan County Chirurgeon . . . with force of arms to wit Swords Clubs etc in and ag^t James Carter Esq^r . . . in the execution of his [Carter's] office as his Majesties Justice of the Peace . . . comitted [*sic*] an assault did make and him the s^d James Carter then & there did beat bruise wound & evily [*sic*] Intreat [*sic*] soe [*sic*] that of his life he was much dispaired and other Enormities in and ag^t the s^d James he offered. . . .⁴⁸

As surveyor, too, Carter's actions were not always of a kind calculated to earn the good will of the frontiersmen. In December, 1758, it was resolved in the Assembly that

. . . James Carter a Surveyor in the Earl's Office [Granville], under Pre-
tence of receiving Entries and making Surveys, has at different times,
exacted and extorted considerable sums of Money from several Persons,

⁴⁴ Rowan Deed Book II, 244.

⁴⁵ Cotton, *Maryland Wills*, VIII, 200; Maryland Testamentary Proceedings, 1657-1777, Hall of Records, Annapolis, Maryland, XXXIV, 120.

⁴⁶ Rowan Deed Book III, 367. It is of interest to note that Bristol, located ten miles southeast of Southampton Township, was the county seat of Bucks County from 1705 to 1725.

⁴⁷ Rowan Court Minutes, 110. Potts Creek flows into the Yadkin immediately south of old Jersey Church in what is now Davidson County.

⁴⁸ Rowan County Civil and Criminal Cases, 1753-1756, State Department of Archives and History.

without returning the same into the Office; by which they have been prevented getting their Deeds.⁴⁹

James Carter's last years cannot have been happy ones. Broken by financial disaster and bereft of his vast landholdings, the aging promoter sank rapidly after 1761.⁵⁰ His role in the early history of North Carolina had been played. A new generation of leaders was already springing up about him; men such as Maxwell Chambers, Francis and Matthew Lock (Locke), John Steele, David Caldwell, Richmond Pearson, and William Lee Davidson. But their contribution to North Carolina and American history would have been impossible without the accomplishments of their able, calculating predecessor. Though all but forgotten, James Carter must surely be numbered among those pioneers who provided the best, as well as the worst, in the character of Frederick Jackson Turner's American frontier.

⁴⁹ Saunders, *Colonial Records*, V, 1,092.

⁵⁰ Carter died in 1765. Rowan Wills, Book A, 43.

SAGA OF A BURKE COUNTY FAMILY

BY EDWARD W. PHIFER*

PART II

THE PARENTS

Isaac Thomas Avery was born at "Swan Ponds" September 22, 1785, four years after his father had moved to Burke County. During his childhood, his father's estate prospered with the acquisition of more slaves as well as additional farm land adjoining "Swan Ponds" and large tracts suitable for grazing in the mountainous country to the west. In 1801, when his father was incapacitated, it became imperative that Isaac accompany him on many journeys necessary for the continued practice of law. Administrative duties associated with the operation of a large plantation⁵⁷ fell early upon his powerful young shoulders.⁵⁸ Unlike his father, he had little opportunity for formal education. He attended Washington College near Jonesboro in Washington County, a school founded and operated by a strait-laced, stubborn, and hide-bound old Presbyterian minister named Samuel Doak who had attended Princeton University, studied at Hampden-Sydney College, supported the American Revolution, and favored the formation of the State of Franklin. From him Isaac acquired an adequate education in the classics and such knowledge of the sciences as was absolutely compatible with the Book of Genesis. Young Avery showed an early interest in politics and represented Burke County in the legislature for the first time in 1809, when he was only twenty-four years old. He re-

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⁵⁷ In addition to "Swan Ponds" plantation, Isaac Avery inherited or acquired 50,000 acres of fine grazing land in what is now Mitchell and Avery counties. He bred and raised more horses and cattle than any other person in that section of North Carolina. By 1850 his slaveholdings in Burke County alone had increased to one hundred and forty-two. Manuscript on Avery family, George P. Erwin Papers, in possession of Adelaide Erwin White, Morganton, hereinafter cited as George Phifer Erwin Papers; *Seventh Census of the United States, 1850*. Census of Burke County (North Carolina), Schedule II, Slave Inhabitants, hereinafter cited as *Census of 1850*.

⁵⁸ Mary J. Avery, "The Place that Lured Waightstill," *Charlotte Observer*, September 30, 1928, hereinafter cited as Avery, "The Place that Lured Waightstill."

turned to the lower house in 1810 and 1811.⁵⁹ His election at this youthful age indicates the paucity of eligible candidates for public office in a western county at this stage of the State's development. Nevertheless, it also indicates that he was unusually able for a man of his years. After 1811, he never again sought elective office, but continued to be a formidable figure in western North Carolina politics until the end of his days. Aligning himself with the Democratic-Republican party during its formative years, he soon became an ardent advocate of the principles of the great southern Democrat,⁶⁰ John C. Calhoun. Later in life, he was three times appointed a member of the Governor's Council, a body that advised the Chief Executive on political appointments. In 1824 he was a presidential elector from North Carolina at which time he initially supported his favorite, Calhoun, who championed internal improvements. When Calhoun's star faded, he reluctantly supported Andrew Jackson over William H. Crawford who was strongly against internal improvements. In 1828 he was a presidential elector for John Quincy Adams.⁶¹

In 1815 he married Harriet Eloise Erwin, oldest daughter of William Willoughby Erwin and Matilda Sharpe Erwin. W. W. Erwin was an elder in the Presbyterian Church and a member of a prominent Burke County family of Scotch-Irish extraction. Mrs. Erwin was the daughter of William Sharpe,⁶² the Salisbury lawyer who had been on the Holston River Treaty Commission with Waightstill Avery. W. W. Erwin had sixteen children who reached adult life and they married into many prominent North Carolina families.⁶³ Harriet Erwin was a kind and courageous woman who obtained an education by riding to Raleigh on horseback and there attended the school established by Dr. William McPheeters.⁶⁴ She was a militant practicing Christian—a lifelong member of the Presbyterian Church and earnestly supported

⁵⁹ Wheeler, *Historical Sketches*, 62.

⁶⁰ Josephus Daniels, newspaper clipping of an address dated April 11, 1933, memorializing Judge A. C. Avery, North Carolina Collection, University of North Carolina Library.

⁶¹ *North Carolina Free Press* (Tarboro), November 7, 1829, December 5, 1828, hereinafter cited as *Free Press*; Samuel A. Ashe, *Biographical History of North Carolina, From Colonial Times to the Present* (Greensboro: Charles L. Van Noppen, 8 volumes, 1905-1917), VII, 6-8, is the only source found which indicates Avery was a Jackson elector in 1824. He was never a Jackson supporter thereafter.

⁶² William Sharpe held many public offices in North Carolina and served two terms in the Continental Congress from this State. It was he who first introduced a bill in the legislature of 1784 for the implementation of Article Forty-one of the North Carolina Constitution to establish a State university. The bill failed to pass at this session. Sharpe's wife was a daughter of David Reese, an alleged signer of the Mecklenburg Declaration.

⁶³ This family was commonly referred to in Burke County as the "Belvidere Erwins."

⁶⁴ A. C. Avery, *History of the Presbyterian Churches at Quaker Meadows and Morganton from the Year 1780 to 1913* (Raleigh, 1913), 76, hereinafter cited as Avery, *History of the Presbyterian Churches*.

its every function. Her children, and the plantation Negroes as well, received indoctrination in the Christian faith and regular instruction in the teachings of the Bible largely through her efforts. Like many women of her period in this locality, she lived a life of continuous submission to the wants, desires, and necessities of others—her husband, her children, her guests, and the Negro slaves. It was her lot to walk through life in quiet dignity, oblivious of the sorrows that wrenched her heart and tolerant of the faults and frailties of those around her. Harriet Avery gave birth to sixteen children, but six of these died in infancy or childhood.

Only four of the sixteen children were daughters. Leah Adelaide was born December 20, 1822, was never married and died January 20, 1896. Mary Ann Martha was born May 20, 1831, and died January 22, 1890. On June 26, 1855, she was married to Joseph F. Chambers of Iredell County. Chambers was a merchant in Salisbury for many years and also owned and operated a farm near Statesville. He died while living in Morganton, August 20, 1877. Harriet Justina, the third daughter, was born September 2, 1833. She married Major Pinkney B. Chambers on August 11, 1853. He was a farmer and teacher; his home and farm were near Statesville. Laura Mira, the youngest daughter, was born November 15, 1837; she did not marry and died August 22, 1912.

In 1829 Isaac Avery was appointed head of the Morganton branch of The North Carolina State Bank.⁶⁵ He continued in this capacity for thirty years. These were the times when the gold mines at Brindletown in southern Burke County were producing profitably; Avery was extremely optimistic regarding the future of this industry in western North Carolina. "The country [i.e. western North Carolina], I may say, is unexplored by the eye of science," he wrote Samuel P. Carson.⁶⁶ The year 1830 was a boom year; as the precious metal was recovered, it was rushed to the bank at Morganton where it was cached until a quantity sufficient for coinage had accumulated and then it was consigned to the mint which in turn converted the gold dust into specie. Avery also took an active interest in the State internal improvement program as envisaged by Archibald D. Murphey after 1818. This program was intended to improve the State's economic status through construction of roads and canals and the improvement of existing navigable waterways. Avery was a member of the State Board of

⁶⁵ *Free Press*, May 15, 1829; Isaac T. Avery was designated agent for the bank until it became a branch bank, then he became cashier.

⁶⁶ Twenty-second Congress, First Session, *Report No. 39*, 23, a letter from Isaac T. Avery to S. P. Carson.



ISAAC THOMAS AVERY

This picture of Avery was reproduced from an engraving in Samuel A. Ashe and Stephen B. Weeks (eds.), *Biographical History of North Carolina*.

Internal Improvements for the years 1821-1822 and was for many years president of the Catawba Navigation Company which attempted to render this river navigable from its upper reaches to the South Carolina line. The project was unsuccessful, apparently, because of inadequate capitalization, incompetent technical assistance, and the eventual development of the steam locomotive as a more efficient mode of transportation.⁶⁷ When the Morganton Agriculture Society was formed in 1821, Avery was elected one of its officers; he attempted to familiarize himself with the newer concepts of farming and delivered public addresses in an effort to disseminate information on better methods of farming throughout the county.⁶⁸ In 1831 he was appointed on a commission to plan and supervise the construction of a permanent courthouse in Burke County and he served on this commission until the work was completed.⁶⁹

⁶⁷ Isaac T. Avery to Archibald D. Murphey, December 1, 1820, Hoyt, *Murphey Papers*, I, 178.

⁶⁸ *Western Carolinian*, October 2, 1821.

⁶⁹ Legislative Papers, 1830-1831, State Department of Archives and History; *Public Laws of North Carolina*, 1830-1831, C. XC.

He was a towering, big-boned, loose-jointed man with large craggy features and "hair parted on each side and brushed up high in the middle of his head."⁷⁰ His voice was deep and his language formal. He was regarded as a man of culture and learning, and it was said of him that "there was scarcely any subject on which he was not well-informed." Forced into a life requiring largely executive and administrative talents, he was primarily a classical scholar, as was his father before him. He collected copies of the works of all the principal Latin writers as well as the works of Shakespeare and even "in his old age he is reported to have read Latin with the greatest facility."⁷¹

As Isaac Avery's family grew, the old brick house which his father had built became inadequate and a new and larger house was erected in 1848⁷² in order to "meet the demand of hospitality."⁷³ Between the old and new house was an uncovered bridge about six to ten feet long connecting the two buildings. The kitchen was 150 feet from the house with laundry, storeroom, sewing room and "weave" room adjoining. The furnishings of the house were simple—there were few pictures on the walls. The yard was covered with unkempt grass and planted with trees common to the area: chinaberry, cedar, white pine, and locust. A circle, thirty feet in diameter, of tall cedars was in front of the old house. On the south side was a large flower garden that "like everything else about the place,—suggested the idea of being kept up solely for the flowers it grew."⁷⁴

All guests were welcome at "Swan Ponds," particularly "those who brought from the outside world a new thought or were able to report a new phase or a change of trend in the political world"⁷⁵—the large table in the hall was always covered with the better American newspapers and frequently with some English newspapers. The arts and sciences may have had their moments at "Swan Ponds"⁷⁶ but politics was the order of the day and the ladies, as well as the men, were encouraged to take part in the discussions. More often than not, though,

⁷⁰ J. Lenoir Chambers, *The Breed and the Pasture* (Charlotte: Presses Observer Printing, Inc., 1910), 75-84, hereinafter cited as Chambers, *The Breed and the Pasture*.

⁷¹ Owen M. Peterson, "W. W. Avery in the Democratic National Convention of 1860," *The North Carolina Historical Review*, XXXI (October, 1954), 466, hereinafter cited as Peterson, "W. W. Avery."

⁷² Thomas Lenoir Diary, October 4, 1848, Lenoir Family Papers, University of North Carolina Library, hereinafter cited as Thomas Lenoir Diary.

⁷³ Chambers, *The Breed and the Pasture*, 79.

⁷⁴ Chambers, *The Breed and the Pasture*, 81.

⁷⁵ Chambers, *The Breed and the Pasture*, 79.

⁷⁶ André Michaux, the famous French botanist, was a guest at "Swan Ponds" May 2, 1795, and March 31, 1796, during his visit to this country to study the fauna and flora, Thwaite, *Early Western Travels*, III, 55, 100.

the conversation was in a lighter vein and lightheartedness and laughter were pervasive, as indicated in this entry by Thomas Lenoir:

Got to I. T. Avery's about 2 and shortly after sat down to dinner with Harriett and Betsy Oneal (Mira McDowell daughter of Charles had just come). C. M. Avery, William Walton and his sister Elizabeth came about 4 o'clock, and I. T. Avery William W. Avery and William Mills att. came after darke and we all supped together shortly after. I. T. Harriett and myself had much talk in her room, the young folks in the Hall. Went to bed about 1 o'clock.⁷⁷

One had only to look at their economic predicament, however, to understand why politics was uppermost in their minds. Aside from a burst of gold mining, farming was the sole major industry of the county, and the character of the terrain mitigated against farming on a large scale. With slave labor, farming methods were crude even for that day and under this system only the river "bottoms" could be farmed profitably. Since the number of slaves constantly increased, the acquisition of more bottom land was necessary in order that the slaves might be utilized. This forced the small non-slave-owning farmer to farm the upland where his enmity for the planter increased and his rations often became shorter. Furthermore these "bottoms" were particularly vulnerable to inundation since the waters of the Catawba were totally unbridled; and great floods, such as the freshets of 1836 and 1844,⁷⁸ periodically caused crop loss and extensive property damage. Corn and small grain were the only crops grown extensively and the major part of this produce was needed at "Swan Ponds" to feed Negroes and livestock.⁷⁹ Cattle were raised on the fine grazing lands which Isaac Avery owned in the mountainous tracts to the west. Says J. Lenoir Chambers: "In the summer months, as I remember, they killed a beef every day and never sold a pound. Even the hide was tanned on the place and made into shoes by hand. The only source

⁷⁷ Thomas Lenoir Diary, January 31, 1840.

⁷⁸ Thomas Lenoir Diary, August 21, 1836; A. C. Avery, *History of the Presbyterian Churches*, 18.

⁷⁹ In 1850 in Burke County he owned 850 acres of improved land and 3,385 acres of unimproved land. His farm was valued at \$20,000 and his farm implements at \$750. He owned 10 horses, 16 mules, 12 milk cows, 100 sheep, and 300 swine. In 1850 his farm produced 9,000 bushels of corn, 1,000 bushels of oats, 850 bushels of wheat, and 200 bushels of rye. Cattle were not listed for 1850 but in 1860 he owned 180 cattle, 160 sheep, 250 swine, and 30 milk cows. The livestock was valued at \$7,000. His farm produced in 1860 4,500 bushels of corn, 1,000 bushels of wheat, 500 bushels of rye, 100 bushels of oats, 2,500 lbs. of tobacco, 450 bushels of peas and beans, 60 tons of hay, 50 bushels of Irish potatoes, 50 bushels of sweet potatoes, 300 pounds of butter, 200 pounds of honey, and 10 pounds of wax. *Census of 1850* and *Census of 1860*: Schedule IV, Agriculture. His real estate in 1860 was valued at \$45,500 and personal property valued at \$73,450. *Census of 1860*: Schedule I, Free Inhabitants.

of wealth was the increase in the number or value of the slaves, and this was not available except by sale. None were ever sold.”⁸⁰ Their economic plight was further worsened by the absence of any mode of transportation. The Catawba River was the largest available stream and it was inadequate for travel and commercial transport. Overland transportation was little, if any, better. As late as 1816, the nearest stagecoach lines from the east terminated at Salisbury, eighty miles away. Moreover, the roads were so rudimentary that it required three days to travel this eighty miles on horseback or in a gig.⁸¹ Although the first steam locomotive appeared in this country in 1830, the North Carolina Railroad from Raleigh did not reach Salisbury and Charlotte until 1856. The Western North Carolina Railroad from Salisbury had not reached Morganton at the time of the Civil War. With no staple crops and no system for transportation of produce to market, it became imperative that every necessary item be homegrown or home-manufactured.⁸² All of this added up to unprofitable operations for the planters and “Swan Ponds” was no exception. The Piedmont and Mountain west were the poorest and most backward sections of the State. Many planters moved to the cotton lands of the far South.⁸³ Others, like Isaac Avery, stayed on because of sentimental attachments, the high price of the cotton lands, and the impracticability of disposing of large landholdings and moving such large numbers of slaves. To top it off, there soon came out of the cold North the high-pitched shriek of the Radical Abolitionist not only condemning slavery as an institution, but slaveholders as a class.

For Isaac Avery, planter and son of a planter, this was more than he could tolerate and his reaction was relentless and unremitting. Like many others he grasped the doctrine of State Rights—the right of a sovereign State to secede—and it was his until the end. With Calvinistic fervor, risking and sacrificing all for an ideal, he followed Calhoun and his tenets down the bloody road to war. After living to see his world

⁸⁰ Chambers, *The Breed and the Pasture*, 83. This statement does not entirely conform with Thomas Lenoir Diary, November 30, 1844, which says: “W. Waightstill gone to Raleigh and Lenoir to Charleston with cattle. . . .”

⁸¹ Mary J. Avery, newspaper clipping in the North Carolina Room, The University of North Carolina Library, citing letter of April 20, 1816, Waightstill Avery to his nephew, James Avery, in Philadelphia. Typewritten copy of letter also in possession of writer.

⁸² Lefler and Newsome, *North Carolina*, 299-311, 246-248.

⁸³ Waightstill Avery to James Avery, January 23, 1816, Waightstill Avery Papers, Southern Historical Collection. In this letter he states: “Many of the Inhabitants of this part of the Country are looking to the Westward. A number of Wealthy people from North and South Carolina and Georgia have removed into the Mississippi Territory. . . . Several to Madison County in the Bent of the Tennessee; from thence, their cotton and tobacco can be conveyed by water to New Orleans by the Steam Boats and the Freight will not be high. . . .”

collapse about him, he died on the last day of the year—1864. He was in his eightieth year. They buried him in the family burial ground at “Swan Ponds.”

[To be concluded]

ASPECTS OF THE NORTH CAROLINA SLAVE CODE, 1715-1860

BY ERNEST JAMES CLARK, JR.*

The North Carolina slave code was not a product of legal theory or abstract thought, but developed gradually in response to definite needs. It was expanded or revised as necessity demanded. The slave code had two basic purposes. First, the code was intended to be a police system for controlling the Negro population. Early in the colonial period a second purpose developed, that of establishing and maintaining a unique social standard in the community. Slavery became as much a means of assuring white supremacy as a method of police control of labor, and the resistance of the South to emancipation which culminated in civil war arose in large measure from southern aversion to accepting Negroes as social equals. The South always feared that emancipation would lead to social intercourse of the races on the basis of equality. The colonists from the first regarded the Negro as an inferior being, and the slave code by marking off the status of the Negro did much to further and develop the idea of Negro inferiority.

In the course of the ante-bellum period a third purpose of the slave code was evolved. The slave code was increasingly liberalized with the purpose of extending to slaves many basic civil privileges and a large degree of personal security. This development took place mainly in the years between 1780 and 1820. No doubt this liberalization of the code originated in the natural desire of slaveowners to protect their property, but by the first decade of the nineteenth century the results had gone far beyond the original desire. The extension of privileges, or "rights," to Negroes was definitely a secondary and incidental result of the code, and it should be noted that the slaves received many civil privileges by court interpretation rather than by positive legislation. In the years after 1800 the State's highest Court became almost a champion of the rights of slaves to procedural privileges in court and to personal security.

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The purpose of the following pages is to demonstrate that the trend in ante-bellum North Carolina was to extend to slaves virtually the same procedural privileges enjoyed by white citizens in court. It will also be revealed that Negro slaves in ante-bellum North Carolina received an increasing measure of personal security from both the slave code and the State courts. The primary purpose of the code was to preserve white supremacy, and only when the community was assured that this goal was achieved were privileges extended to the Negroes. But once the slaves were granted procedural rights in North Carolina, those rights were not curtailed even in the bitter decade of 1850-1860. It should be noted that during the ante-bellum period the federal Supreme Court played no part in the interpretation of the code, and the State Supreme Court was the court of last resort in cases arising under the code.

Slavery took root in North Carolina because it provided an adequate labor force for the cultivation of the great colonial staple, tobacco. In the middle decades of the seventeenth century settlers from Virginia established the institution of Negro slavery in the Albemarle Sound region of North Carolina. The number of slaves in the Carolina province increased slowly, and in 1712 they numbered only 800.¹ In the course of the eighteenth century the colony expanded rapidly and the slave population greatly increased. By 1764 North Carolina contained approximately 114,000 white residents and 30,000 Negro slaves.²

The earliest slave laws of North Carolina were drawn from the code of Virginia, where Negro servitude had existed since 1619. In 1712 North Carolina compiled its first complete slave code. Most of the statutes applied equally to Negro slaves and indentured white servants. At first Negro laborers stood before the law in almost the same position as indentured servants. The freeing of Negroes at the end of a term of service, required under the laws of indenture, posed a social and economic problem which was overcome by the expedient of holding Negro servants for life service. From this position the transition to a system of full chattel slavery was not difficult. By the beginning of the eighteenth century it was an unwritten principle of law in North Carolina that the child of Negro parents was born in bondage.

Throughout the ante-bellum period all persons of "black complexion" were presumed to be slaves, and any person of color who disclaimed

¹ John Spencer Bassett, *Slavery and Servitude in the Colony of North Carolina* (Baltimore, Maryland: The Johns Hopkins Press, 14th Series, No. IV-V, of The Johns Hopkins University Studies in Historical and Political Science, H. B. Adams [ed.], 1896), 21, hereinafter cited as Bassett, *Slavery and Servitude*.

² Bassett, *Slavery and Servitude*, 21.

the status was required to prove his freedom in court.³ During the colonial period slave offenders of the law were tried by special courts variously called "slave courts" or "negro courts." The code of 1715 provided "that where any Slave shall be guilty of any Crime or Offence whatsoever the same shall be heard & determined by any three Justices of the Precinct Court . . ." and three freeholders, or a majority of them, residents of the county wherein the offense was committed.⁴ The justices were authorized to hold the court at any time and place they chose. Often sessions of the slave court were held in the home of some locally known planter. As a protection to the slave the statute required that the freeholders be eligible to serve on the court only if they were slaveowners. This provision might also have been intended to prevent emancipationists, such as Quakers, from participating in the trials.⁵ The court had full power "to pass Judgment for life or Member or any other Corporal Punishment on such Offender & cause Execution of the same Judgment to be made & done."⁶

Contemporaries could not have regarded the summary jurisdiction of the slave courts as exceedingly harsh. The colony was sparsely populated and the judicial machinery of the day seldom functioned smoothly. Offenders, slave or free, had to be tried and punished quickly because there were no facilities for holding prisoners for trial. Colonial jails were few in number and poorly kept. As late as 1766 inability to hold prisoners was given as the reason for issuing commissions of Oyer and Terminer for the trial of offenders.⁷

A revision of the North Carolina slave code occurred in 1741, inspired largely by the bloody Stono Revolt near Charleston, South Carolina, in 1739.⁸ The mode of trial for slave offenders was altered. The act of 1741 provided that any slave offender be committed to the county jail and held for trial. The sheriff was then to summon two justices of the peace and four freeholders who possessed slaves. These six men composed the slave court and met at the county courthouse to

³ *The State v. Thomas J. Miller*, 29 N. C. 275 (1847).

⁴ Walter Clark, *The State Records of North Carolina* (Winston, Goldsboro, and Raleigh: State of North Carolina, 16 volumes and 4-volume index [compiled by Stephen B. Weeks for both the *Colonial Records* and the *State Records*], 1895-1914), XXIII, 64, hereinafter cited as Clark, *State Records*.

⁵ For the conflict between the Quakers and slavery, see Stephen B. Weeks, *Southern Quakers and Slavery: A Study in Institutional History* (Baltimore, Maryland: The Johns Hopkins Press, 1896), Chapter XIV, hereinafter cited as Weeks, *Southern Quakers and Slavery*.

⁶ Clark, *State Records*, XXIII, 64.

⁷ Clark, *State Records*, XXIII, 701.

⁸ Ulrich Bonnell Phillips, *American Negro Slavery: A Survey of the Supply, Employment and Control of Negro Labor as Determined by the Plantation Régime* (Gloucester, Mass.: Peter Smith [Reprint of D. Appleton and Company, New York and London, 1918], 1959), 473.

hear the case. The court had jurisdiction over all offenses and could "pass such Judgment upon such Offender, according to their Discretion, as the Nature of the Crime or Offense shall require; and on such Judgment . . . award Execution."⁹ This broad grant of power not only made the slave court the court of trial, but in large measure allowed the court to legislate in each case, determining at its discretion what punishment was proper for the offense committed. The law of 1741 remained in force throughout the colonial period.

During the period 1790-1830 a number of statutes were enacted by the State legislature which radically altered the mode of trial for slave offenders. These statutes extended to slaves most of the procedural rights of white men, and included trial by jury, challenge of jurors, counsel, and appeal to the Supreme Court of the State.¹⁰ The right to trial by jury was granted to slaves by an act of the legislature in 1793. The act provided for a jury of twelve slaveowners to hear every case involving a crime "the punishment whereof shall extend to life, limb, or member. . . ." ¹¹ Jury trial was never extended to slaves charged with trivial offenses and tried before a single justice of the peace. But the slave was entitled to trial by jury when tried on serious charges in Superior Court.

The right to challenge jurors is necessary to give meaning to the right of trial by jury. Slaves were first given the right to challenge jurors in 1816. The slave had to show cause for challenge and the challenge could only be made "by and with the advice and assistance of his owner or . . . of his counsel."¹² An act of 1818 provided that "all slaves on trial for capital offences shall by themselves, masters or counsel, have the same right to challenge Jurors, that a free man is now entitled to by law. . . ." ¹³ It should be noted that the law allowed any Negro slave to challenge up to twenty-three jurors in capital trials without showing cause. This was the same number of peremptory challenges allowed to white men.¹⁴

The law required that when a slave was apprehended for any offense, the punishment for which would affect life or limb, the master had to be notified at least ten days in advance of the trial.¹⁵ This was

⁹ Clark, *State Records*, XXIII, 202.

¹⁰ Frederick Nash, James Iredell, and William H. Battle (revisers), *Revised Statutes of North Carolina, 1836-1837* (Raleigh: Turner and Hughes, 2 volumes, 1837), I, c. CXI, ss. 44, 45, 46, 48, 49, hereinafter cited as *Revised Statutes of 1837*.

¹¹ *Laws of North Carolina, 1793*, c. V, s. 1.

¹² *Laws of North Carolina, 1816*, c. XIV, s. 3.

¹³ *Laws of North Carolina, 1818*, c. XIV.

¹⁴ Bartholomew F. Moore and Asa Biggs (revisers), *Revised Code of North Carolina, 1854* (Boston: Little, Brown and Company, 1855), c. 35, s. 32, hereinafter cited *Revised Code of 1854*.

¹⁵ *Laws of North Carolina, 1793*, c. V, s. 2.

to allow the master an opportunity to make a defense for the slave. If the master was unknown the court was authorized to appoint counsel for the Negro defendant.¹⁶ The master was liable for the cost of the appointed counsel as part of the costs of the trial.

The master was in all cases liable for the costs of defending his slave in court. The State Supreme Court declared in 1838 that the relation of master and slave imposed upon the master "the obligation of the slave's defense, and the law generally charges him with it as a duty alike to the slave and to the fair administration of public justice."¹⁷ The courts were authorized to collect the costs by proper action against the master, or from his estate if he died without paying the costs.

The right to remove a case to an adjoining county for trial was extended to slaves. Such cases were removed upon the affidavit of the master or of the slave's counsel that such a removal was necessary. If the presiding judge was convinced that the slave could not receive a fair trial, the judge ordered the trial removed to a neighboring county. This was the same procedure followed in removing trials of white defendants. A slave's trial could be removed by the Negro's counsel even if the master refused to make an affidavit for the purpose.¹⁸

The rules of evidence for slaves in court differed from the rules of evidence for white men. "All negroes, Indians, mulattoes, and all persons of mixed blood . . ." within the fourth degree were competent witnesses against one another, but none could testify against any white person.¹⁹ This law was rigidly upheld in court. In most cases this was doubtless justifiable, but often strict enforcement resulted in injustice to colored persons. This was particularly true in cases brought by free Negro women against white men for the support of bastard children. The State Supreme Court repeatedly expressed the opinion that proof of Negro blood within the fourth degree barred such women from testifying against white men. Thus white men escaped responsibility for their illicit children.²⁰ It is interesting to note that a free Negro, convicted of being the father of a bastard child by a white woman, was held liable for the support of the child. Free Negroes could hold property, sue and be sued, and testimony of white witnesses was acceptable

¹⁶ *Laws of North Carolina*, 1793, c. V, s. 3.

¹⁷ *The State v. James Leigh*, 20 N. C. 126 (1838).

¹⁸ *Revised Statutes of 1837*, I, c. CXI, s. 44; *Laws of North Carolina*, 1816, c. XIV, s. 2.

¹⁹ *Revised Statutes of 1837*, c. CXI, s. 50.

²⁰ *The State v. James Barrow*, 7 N. C. 121 (1819); *The State v. Thomas Long*, 31 N. C. 488 (1849).

against them in court. Therefore free Negroes were held responsible for their bastard children.²¹

Although a slave could not testify against a white person in court, a slave could testify to certain facts in civil suits. The State Supreme Court ruled that in a civil suit for the value of an injured slave, the testimony of the slave concerning his health and the condition of his body was admissible as evidence.²²

Until 1821 a slave on trial for a capital offense could not be convicted on the testimony of a single colored witness. Such testimony had to be supported by a "credible witness," which meant a white person. The object was to protect slave defendants from the perjury of colored persons. It was especially feared that colored persons might commit perjury in order to injure the master by causing the conviction and loss of his slave. The State Supreme Court in 1821 pointed out that the need for "credible witnesses" in support of colored testimony against slaves was necessary before trial by jury was extended to slaves. But after 1793 such supporting testimony was unnecessary, and Chief Justice John Louis Taylor ruled in 1821 that the unsupported testimony of one colored witness could convict a slave of a capital crime, if the jury believed the witness. This placed the slave defendant on the same level with white defendants in capital crimes, for one witness could convict a white man charged with homicide.²³

When the judicial process was exhausted for a slave charged with a capital offense there remained for him one hope of avoiding the hangman. The slaves in ante-bellum North Carolina had the privilege of appeal to the Governor for executive clemency in capital convictions. This appeal was usually made by the owner of the slave, but it sometimes was made by the slave's attorney or by interested white persons in the community. In some instances entire communities petitioned the Governor in behalf of convicted slaves. Such appeals for clemency were frequent in North Carolina, and in many instances the appeals resulted in full pardon for convicted slaves.²⁴

Slaves never received the privilege of instituting proceedings in the State courts, but had to rely upon friendly whites to institute suits for them. Throughout the ante-bellum period punishment for violation of minor police regulations was inflicted upon slaves by the county slave patrols without the formality of a trial. The most common violation

²¹ *The State v. Williamson Haithcock*, 33 N. C. 32 (1850).

²² *Thomas Biles v. Moses L. Holmes et al.*, 33 N. C. 16 (1850).

²³ *State v. Ben, a Slave*, 8 N. C. 434 (1821).

²⁴ Letter Book of Governor Montfort Stokes, May 1, 5, and December 5, 1831. Governor's Letter Books No. 29, State Department of Archives and History, Raleigh.

was being at large without a written pass from some responsible white citizen. The patrol could not legally inflict greater punishment for any offense than fifteen lashes, though an additional thirty-nine lashes could be inflicted for insolence.²⁵ Patrols were not liable to civil action by the master for imposing excessive punishment upon a slave unless their conduct showed malice against the owner.²⁶

The "nigger trader" was a person who earned part or all of his livelihood by bartering with slaves and free Negroes. These traders were a universal and inevitable accompaniment of southern slavery. Small storekeepers, peddlers, tavern keepers and distillers, small farmers, and free Negroes participated in the trade. Most white citizens frowned upon the trade because it gave the slaves a strong incentive to steal. Most North Carolinians agreed with the contributor to the *Farmers' Register* who warned that Negroes

. . . should in no instance be permitted to *trade*, except with their masters. By permitting them to leave the plantation with the view of selling and buying, more is lost by the owner than he is generally aware of.²⁷

Despite public opinion the trade continued throughout the ante-bellum period. Slaves naturally sought to procure many articles which most masters did not provide—trinkets, bright clothes, knives, fancy food, or liquor. With the exception of a few articles, such as liquor and firearms, the law permitted trading. The object of the law was to regulate the trade, not absolutely to prohibit trading, and trading was circumscribed only in order to protect the community from theft. Unscrupulous men would accept any goods from slaves, perhaps even encourage them to steal. The principle of the law was to punish the trader more severely than the slave. This made the trader less willing to accept stolen goods and reduced the slave's incentive to steal. The law was always more concerned with what a slave might give to a trader than with what the slave might receive in exchange.

The first enactment regulating the trade with slaves was a statute of 1715. This act provided that "whosoever shall buy, sell, Trade, Truck, Borrow or Lend to or with . . ." any slave without the written permission of the slave's master would be liable for "treble the Value of the thing . . ." traded. The act further provided that the offending trader pay £10 to the master of the slave.²⁸ No provision was made

²⁵ Weeks, *Southern Quakers and Slavery*, 210, 215, 218, 229; *Revised Code of 1854*, c. 83, s. 3.

²⁶ *Tate v. O'Neal, et al.*, 8 N. C. 418 (1821).

²⁷ *Farmer's Register*, III (June, 1836), 114.

²⁸ Clark, *State Records*, XXIII, 64.

for punishing the slave, that duty apparently being left to the discretion of the master. In 1741 the fine imposed upon violators was reduced from £10 to £6, with a provision that if the trader could not pay the fine he would be hired out by the county court.²⁹ In 1778 physical punishment was introduced with the provision that traders convicted under the act should serve ten days in jail in addition to paying a fine.³⁰

A statute of 1788 remained the basic act regulating trading with slaves throughout the ante-bellum period. The act required that a slave possess written permission from his master for each act of trading. The written note was to describe the article which the slave offered for sale. Traders who accepted articles from slaves who did not possess written permission were punished by fine and imprisonment. The fine was limited to £10 and damages, and the prison sentence could not exceed three months.³¹ In 1826 the legislature enumerated those articles which a slave could not sell without written permission from his master. The list included cotton, tobacco, corn, pork, farming utensils, nails, meal, flour, liquor, vegetables, livestock, lumber, potatoes, and other items which a slave might steal from his master. Violators of this statute could be fined \$50 or imprisoned for three months upon conviction.³² The act of 1826 also provided a fine of \$100 as punishment for those convicted of giving forged permits to trade to slaves.³³

The legislature was aware that slaves sometimes stole goods in order to trade with one another. The act of 1826 provided that any slave who bought or received any articles of food or personal property from another slave "contrary to the true meaning of this act . . ." should upon conviction before any justice of the peace receive thirty-nine lashes "well laid on. . ."³⁴

The legislature realized that as "long as a slave had the price of an article, a tradesman was not likely to ask him to show his trading permit."³⁵ Many owners of small stores and taverns were inclined to trade with slaves regardless of the prohibitions of the law. In order better to regulate such tradesmen and to make certain they did not trade illegally with slaves, the legislature made it illegal for any slave to enter any "store house, ware house, tippling shop, or other place

²⁹ Clark, *State Records*, XXIII, 194.

³⁰ Clark, *State Records*, XXIV, 220.

³¹ *Laws of North Carolina*, 1788, c. VII, s. 1; see also *Laws of North Carolina*, 1791, c. IV.

³² *Laws of North Carolina*, 1826, c. XIII, ss. 1 and 2.

³³ *Laws of North Carolina*, 1826, c. XIII, s. 3.

³⁴ *Laws of North Carolina*, 1826, c. XIII, s. 4.

³⁵ Guion Griffis Johnson, *Ante-Bellum North Carolina: A Social History* (Chapel Hill: The University of North Carolina Press, 1937), 533.

fitted up for trading, unless sent by his, her, or their owner . . ." after nine o'clock at night or before daybreak and on Sundays. Even those slaves who possessed legal permits could remain in such establishments only fifteen minutes at a time during the proscribed periods. The slave patrol was authorized to punish violators of this act. The act further provided that if any slave carried any of the enumerated goods into a trading establishment and did not bring the same goods out again, or if he brought out different goods, this would be accepted as presumptive evidence of illegal trading in the trial of the storekeeper.³⁶

The legislature in 1798 prohibited the sale of liquor to any slave except for the use of the slave's owner or overseer.³⁷ Slaveowners demanded this legislation because unrestricted sale of liquor to slaves often incapacitated slaves through drunkenness. Sometimes harassed masters publicly notified local traders of an intention to prosecute any traders who supplied their slaves with whiskey.³⁸

An act of 1826 provided that when a slave was convicted of illegal trading and sentenced to receive thirty-nine lashes by the court of the single justice of the peace, the master could appeal the slave's sentence. All prosecutions for violations of the statute had to be instituted within twelve months after the violation occurred.³⁹

The practice of emancipation was as old as the institution of slavery. A statute of 1715 simply stated the custom of the colony, that any master could liberate a slave "as a Reward for his, or their honest & Faithful service." It was expressly stated that no "Runaways or Refractory Negroes . . ." should in any case be emancipated. Emancipation of such troublemakers would encourage other slaves to misbehave in the hope of receiving emancipation from the harassed master. Even as early as 1715 free Negroes were not considered a desirable element of society, and the act of 1715 required all emancipated Negroes to leave North Carolina within six months of their emancipation. Freedmen who refused to leave the province were sold by the precinct court for a term of five years to "such person or persons as shall give security for their Transportation. . . ." In view of the fact that the number of free Negroes in North Carolina exceeded 30,000 in 1860, the deportation provisions of the emancipation laws could not have been strictly enforced.⁴⁰

³⁶ *Laws of North Carolina*, 1826, c. XIII, s. 6.

³⁷ *Laws of North Carolina*, 1798, c. XVIII, s. 8.

³⁸ *Hillsborough Recorder*, January 16, 1822.

³⁹ *Laws of North Carolina*, 1826, c. XIII, s. 7.

⁴⁰ Clark, *State Records*, XXIII, 65; John Spencer Bassett, *Slavery in the State of North Carolina* (Baltimore, Maryland: The Johns Hopkins University Press, 17th Series, No. VII-VIII, of The Johns Hopkins University Studies in Historical and Political Science, H.B. Adams [ed.], 1899), 77.

A statute of 1741 prescribed the method whereby a master could legally emancipate a slave in North Carolina. The master was required to prove to the county court that the slave he intended to emancipate had performed "meritorious services." If the county court was satisfied that the Negro had performed extraordinary services and deserved emancipation, the Court issued a license to emancipate to the master.⁴¹ The license itself did not constitute an emancipation, but only gave the sanction of the law to the master's act of emancipation. Emancipation always remained the private act of the master and a license to emancipate simply protected the freedom of the Negro after he was liberated. The act of 1741 governed emancipation in North Carolina until 1830.

During the ninety-year interval from 1741 to 1830 it became apparent that the county courts were abusing the power to grant licenses to emancipate. In most of the courts licenses were freely granted upon the request of the master, without regard to the performance of the "meritorious services" required by the law. As the national debate over slavery began to develop, an increasing number of white citizens viewed with alarm the mounting number of freedmen in the State. This alarm caused the legislature in 1830 to remove from the county courts the power to grant licenses to emancipate. The law of 1830 established the following procedure for emancipating slaves. Any master who wished to free a slave was required to file a petition with one of the superior courts of the State. The petition contained the name, age, and sex of the slave to be liberated. The superior court considered the petition, and if the petition were granted, two additional requirements were made of the master. First, the master had to give notice at the county courthouse and in the *State Gazette* at least six weeks prior to the hearing, saying that he intended to liberate the slave. This was to protect all creditors or parties who had an interest in the slave. Second, the master was required to post a bond of \$1,000 for each Negro emancipated. The bond was forfeited if the slave did not "honestly and correctly demean him[self] . . ." while he remained in the State and if, within ninety days of the emancipation, the slave did not leave the State and "never afterwards come within the same."⁴² A master wishing to emancipate any slave over fifty years of age for meritorious services was required to give a complete statement of the reason for granting the emancipation, and had to take an oath that he had not received money or other consideration from the Negro as an

⁴¹ Clark, *State Records*, XXIII, 203-204.

⁴² *Laws of North Carolina*, 1830, c. IX, s. 1.

inducement to grant the manumission. Such an emancipated slave could remain within the State if he chose.⁴³

The State courts were in sympathy with the prevailing attitude that few slaves should be emancipated. Many masters attempted to evade the law by providing for emancipation with the intention that the freedman remain in the State. But after 1830 the deportation clause of the emancipation law was regularly enforced, and when it was clear to the courts that a master intended to evade the deportation provision, this was sufficient to revoke the attempted emancipation.⁴⁴

The question of how much personal security the law should extend to slaves posed a serious problem in ante-bellum North Carolina. The use of physical coercion by the master was absolutely necessary to enforce the labor of the slave, but at what point should the power of the master be curtailed by law? Population was too sparse and individualism too strong to allow government agencies to determine each infringement of discipline on the part of a slave, and the discipline of the Negroes was necessarily in the hands of the individual slaveowners. The legislature extended statutory protection to the slave in the form of acts to punish the homicide of slaves. But it was left for the courts to determine how much punishment short of death a master might inflict upon a Negro. In performing its duty the State Supreme Court established a number of precedents which limited the power of the master over the slave. The most important of these will be considered below.

Until 1774 North Carolina did not consider the killing of a slave homicide. The only security the slave enjoyed was the right of his master to enter suit against anyone who killed his slave. Such a suit was for recovery of the value of the Negro, and was not intended as punishment for homicide. In 1774 the State enacted a statute which made the deliberate homicide of a slave punishable by an imprisonment of twelve months, and on a second conviction, death. One who murdered a slave of another, on conviction, was liable to the owner for the value of the slave.⁴⁵ Considering this law "disgraceful to humanity and degrading . . . to the laws and principles of a free christian and enlightened country . . ." the legislature in 1791 provided that "if any person shall hereafter be guilty of wilfully and maliciously killing a slave such offender shall . . . suffer the same punishment as if he had killed a free man. . . ." ⁴⁶

⁴³ *Laws of North Carolina*, 1830, c. IX, s. 4.

⁴⁴ See *Thomas D. Bennehan's Executor v. John W. Norwood, Executor, et al.*, 40 N. C. 106 (1847); *David Green et al. v. Hardy B. Lane et al.*, 43 N. C. 70 (1851).

⁴⁵ *Laws of North Carolina*, 1774, c. XXXI, ss. 2 and 3.

⁴⁶ *Laws of North Carolina*, 1791, c. IV, s. 3.

The structure of the act of 1791 was fatally deficient. In 1801 the Court of Conference⁴⁷ pointed out that the statute did not clearly make the deliberate killing of a slave a felony, because the law read "as if he killed a free man," and not "as if he wilfully and maliciously killed a free man. . . ." The statute failed to differentiate the various degrees of homicide. The homicide of "a free man" could fall into one of three divisions—murder, manslaughter, and simple homicide which carried no punishment. Associate Justice John Hall noted that punishments "ought to be plainly defined and easy to be understood; they ought not to depend upon construction or arbitrary discretion." The offense of killing a slave was not clearly a felony under the act of 1791, therefore the benefit of the doubt was accorded the defendant in the case which tested the act.⁴⁸

Because of doubts concerning proper construction of the 1791 law, the General Assembly strengthened the wording of the statute to provide that "if any person shall hereafter be guilty of feloniously, wilfully, and maliciously killing any slave . . ." he should suffer death without benefit of clergy.⁴⁹ This law also contained a fatal loophole. It provided only for punishing the manslaughter of a slave; extenuation had the effect of freeing those on trial under this law.⁵⁰

In 1817 the legislature finally enacted an effective law extending protection to the life of the slave. The statute provided that the offense of killing a slave should "hereafter be denominated and considered homicide, and shall partake of the same degree of guilt when accompanied with the like circumstances that homicide now does at common law."⁵¹ This statute raised the thorny question of extenuation of homicide between the two races. The legislature wisely made no attempt to enumerate all the provocations which could extenuate a homicide between the races, but left the courts free to determine each case on its merits. A few decisions of the State Supreme Court in homicide cases involving both races will illustrate the liberal trend in the Court.

In *State v. Weaver* the Court ruled justifiable homicide on facts showing that a master used force in an effort to extract obedience from his slave. When the slave resisted, the master attacked the slave and killed him.⁵² This decision was rendered in 1798. In 1839, however, the Court ruled that where death resulted from excessive punishment of a slave, the master was guilty of murder. The Court noted that punish-

⁴⁷ This term was used prior to the establishment of the State Supreme Court in 1818.

⁴⁸ *State v. Boon*, 1 N. C. 191 (1801).

⁴⁹ *Laws of North Carolina*, 1801, c. XXI.

⁵⁰ *State v. Tackett*, 8 N. C. 210 (1820).

⁵¹ *Laws of North Carolina*, 1817, c. XVIII.

⁵² *State v. Weaver*, 3 N. C. 54 (1798).

ment of slaves was often necessary, and stated that if death resulted accidentally during moderate punishment, the master would receive consideration from the Court. But when the punishment was barbarous and immoderate and denoted the intention of the master to terminate the life of the slave, he was held to be guilty of murder. The sentence of death against the master was upheld by the State Supreme Court.⁵³

In *State v. Robbins* the Court further declared that a master had no legal right to inflict punishment upon a slave with any deadly weapon, such as a buggy whip, an axe, or a gun. If death resulted from such punishment, the Court warned, the master would be guilty of murder.⁵⁴

In 1801 the question arose whether slaves in North Carolina were included under the protection of the common law. The common law of North Carolina derived from the English common law, and in 1711 the North Carolina Assembly had specifically declared that the English common law was in force in the colony.⁵⁵ The English common law, however, did not recognize the existence of the institution of slavery.⁵⁶ The North Carolina Court determined that general criminal statutes did not include slaves unless they were specifically mentioned.⁵⁷ In 1823, however, the State Supreme Court had ruled that an indictment for murder of a slave was sufficient under the common law.⁵⁸ The Court also ruled that an unprovoked battery upon a slave by a party having no authority over the Negro was indictable at common law.⁵⁹ This decision served to restrain white men from wanton attacks upon Negroes, enhanced the personal security of each slave, and gave added protection to the property of the master.

It must be noted that the owner of a slave could not be indicted for an assault upon the Negro, even if the assault was unprovoked and excessive. Only if the Negro died from excessive punishment would the law interfere, and in such instances the master was indicted for murder. The threat of indictment must have restrained some masters who would otherwise have inflicted immoderate punishment. But having established that an unprovoked assault upon a slave by a white man having no authority over him was an indictable offense at common law, the

⁵³ *State v. John Hoover*, 20 N. C. 500 (1839).

⁵⁴ *State v. Christopher Robbins*, 48 N. C. 250 (1855).

⁵⁵ Kemp P. Battle, *An Address on the History of the Supreme Court, Delivered in the Hall of the House of Representatives, February 4th, 1889* (Raleigh: Edwards and Broughton, 1889), 13-14.

⁵⁶ *Somerset v. Stewart*, 98 English Reports, Court of King's Bench 499 (1772).

⁵⁷ *State v. Tom, a Slave*, 44 N. C. 214 (1853).

⁵⁸ *State v. Reed*, 9 N. C. 454 (1823).

⁵⁹ *State v. Hale*, 9 N. C. 582 (1823).

State Supreme Court proceeded to create a body of precedents governing assault upon slaves.

In *State v. Hale* the Court stated that in cases of assault upon a slave a defendant could claim as provocation acts of a slave which would be no provocation between social equals. Chief Justice John Louis Taylor stated that many circumstances would constitute a legal provocation for an assault upon a slave "which would not constitute a legal provocation for a battery by one white man on another. . . ." It was impossible for the Court to enumerate every circumstance which might justify an assault upon a Negro, but Taylor stated that "the circumstances must be judged of by the court and jury with a due regard to the habits and feelings of society." Taylor emphasized the point that an unprovoked attack upon a slave was indictable at common law.⁶⁰

In *State v. Jarrott* a slave had been insolent to a white man, and the white man attacked the Negro with a piece of fence rail and a knife. The Negro resisted and killed the white man. The sentence of death passed in superior court was reversed by the Supreme Court because the assault upon the Negro, although deserved, was excessive. The Court declared that insolence from a slave justified a white man in administering moderate punishment with an ordinary instrument of correction. But the Court warned that such provocations did not authorize excessive punishment with a dangerous weapon.⁶¹ This decision clearly established the right of a slave to resist an unprovoked or excessive battery by a white man who was not his owner.

In 1834 the issue was raised whether a slave could legally resist an excessive battery by his master or overseer. The slave defendant, Will, had performed a breach of plantation duty and then fled punishment. The plantation overseer shot Will and then overtook him. Although wounded, Will was able to use his knife, and he wounded the overseer so severely that the overseer died within a few hours of the struggle. Convicted of murder, an appeal was taken to the State Supreme Court.

The Court stated that Will deserved punishment for his breach of duty. But the overseer had no right to shoot Will with a shotgun, not even to prevent his escape. After Will was wounded it became natural passion for him to fight for his life. The Court ruled that the homicide of the overseer was not murder but was only manslaughter. Will was subsequently sent to Mississippi by his master, but trouble dogged Will's steps. The fate of Will was revealed in a remark by his wife who later returned to North Carolina. "Will sho'ly had hard luck. He killed

⁶⁰ *State v. Hale*, 9 N. C. 582 (1823).

⁶¹ *The State v. Jarrott, a Slave*, 23 N. C. 76 (1840).

a white man in North Carolina and got off, and then was hung for killing a nigger in Mississippi.'"⁶²

It became the established opinion of the State Supreme Court that a slave could not resist a moderate and deserved punishment from his master. If he did, his act justified the master in inflicting severe punishment. But if the master inflicted excessive punishment which might result in death the Court ruled that a slave was justified in offering resistance. And if resistance terminated in the death of the master the slave could only be guilty of manslaughter, not murder.⁶³

Thomas Ruffin was one of the most distinguished jurists of antebellum North Carolina and he served as Chief Justice of the State Supreme Court from 1833 until 1852. Ruffin vigorously dissented from the majority opinions which allowed a slave to plead extenuation in the homicide of a white man. Ruffin considered it dangerous to society and incompatible with the continuance of the institution of slavery for a slave to offer resistance to his master or overseer for any reason.⁶⁴ Although Ruffin argued warmly and well he never succeeded in winning the majority of the Court to his point of view, and the decisions cited above became precedents for the superior courts in trials of slaves charged with the homicide. Judge Joseph J. Daniel had earlier held that an overseer could correct a slave for leaving work without permission, but he had no right to use a deadly weapon when the slave offered no resistance.⁶⁵ Ruffin warned that indulgence by the Court would result in a fatal weakening of the discipline necessary to preserve the institution of slavery.⁶⁶

Slavery existed in North Carolina before a slave code existed in the province. The code gradually developed as necessity demanded and the content of the code became increasingly concerned with the protection of the slave not only as property but as a human being. Many men realized that the institution of slavery was the only alternative the South had to universal emancipation and acceptance of Negroes on a level of equality with white citizens. Since few southerners would accept Negro equality, and the expense of emancipation *and* removal of the Negroes was prohibitive, there was no alternative for the people of the South except to maintain the institution of slavery. But slavery itself was liberalized and the Negroes given as much security as was possible

⁶² Joseph H. Schauinger, *William Gaston, Carolinian* (Milwaukee, Wisconsin: Bruce Printing Company, 1949), 169.

⁶³ *State v. Negro Will, slave of James S. Battle*, 18 N. C. 121 (1834); *State v. David, a Slave*, 49 N. C. 354 (1857); *The State v. John Hoover*, 20 N. C. 500 (1839); and *The State v. Jarrott, a Slave*, 23 N. C. 76 (1840).

⁶⁴ *State v. Caesar, a Slave*, 31 N. C. 391 (1849).

⁶⁵ *Martha Copeland v. John F. Parker*, 25 N. C. 513 (1843).

⁶⁶ *State v. Caesar, a Slave*, 31 N. C. 391 (1849).

under the circumstances. The only area in which the North Carolina code truly fell short of giving the slaves a maximum of protection was the failure of the State to recognize the validity of slave marriages. But between 1776 and 1830 the slaves of North Carolina received many valuable privileges before the law. Among these were the privileges of trial by jury, challenge of jurors, and appeal; protection by statute law from homicide; personal security under the provisions of the common law; appeal to the Governor for clemency in capital convictions; and benefit of clergy. It is to the credit of the people of North Carolina that these privileges were not taken from the slaves even during the years 1845 to 1860, when the national debate over slavery became increasingly bitter. During these years the lower courts displayed a tendency toward stricter enforcement of the code, but the number of reversals of lower court decisions by the State Supreme Court testifies to the fact that the Supreme Court upheld the rights of the slaves before the law throughout the ante-bellum period. Probably by 1860 the Supreme Court was more generous toward slaves than was the society in which the Court functioned.

The severity of the slave code is often attacked as unreasonable and as proof of the condition of fear in which the white people of the South lived. Certainly the slave code canvassed the activities of slaves thoroughly. By 1860 slaves in North Carolina could not legally bear arms, be taught to read or write, assemble without written permission, or leave their place of residence without permission from the master. But it is true that most provisions of the code were not regularly enforced. The people of North Carolina enforced only as much of the slave code as seemed necessary at a given time. This was due in part to the difficulty of enforcement. The State was sparsely settled, and nothing short of chains could have prevented the unauthorized assembling of slaves in the woods and byways of the countryside. Moreover, enforcement officers were not given to over-exertion when there was not unusual need for rigorous enforcement of the law. General discontent among the slaves was rare and violent uprisings few. Usually the slaves went about their tasks in their slow and inefficient way. If by night they left the plantation without a pass to visit a friend on a nearby farm, or congregated in a patch of pines for a "social bout," this only served to keep them contented and required no enforcement of laws against such activities. The intense individualism of the average Carolina farmer also made enforcement of the code difficult. If a master needed a slave who could read, he would instruct one of them without much regard for the law. This was true of any task or trade

which the master wished his slaves to learn. The master felt that his farm was his own domain, and the instruction of his slaves a private concern. This individualism served in some instances to prevent the full operation of laws designed to protect slaves. A master often meted out punishment in such measure as he thought necessary, and if it were excessive and cruel, the privacy of the act often protected him from prosecution.

There was much oppression and brutality in the slave regime—although one may say with U. B. Phillips, “where in the struggling world are these absent?” The sweeping statements that Negroes had no rights in the Old South, or that white men were rarely punished for crimes against slaves can no longer be accepted. At least in ante-bellum North Carolina these statements do not apply, and the time has come to turn from generalizations to a study of the legal documents available throughout the area which comprised the slaveholding South.

THE LOCAL RECORDS PROGRAM IN NORTH CAROLINA

BY JOHN ALEXANDER MCMAHON*

This opportunity to describe North Carolina's Local Records Program grows out of a panel discussion in which I participated this past October. It took place at the annual meeting of the Society of American Archivists in Kansas City. The panel described the assistance to local officials rendered by the State archival agency in three States, including ours, and I thoroughly enjoyed describing what we know to be the best program in the United States. I wish that all local officials could obtain the help from their own State agency that local officials in North Carolina receive from our State Department of Archives and History, for local officials in other States need the help just as badly as we do.

It will be helpful in the beginning to look at the size of our local records problem in North Carolina. A certain portion of you may be aware of some of these records, but few, I suspect, are aware of all of them. Many of these records have great historical interest, while others have transitory importance. It is, therefore, necessary in this welter of paper to distinguish the records of permanent value from the rest, to protect and preserve them, and to keep them readily available, first for administrative use, and second for historical research.

(1) There are the minutes of the meetings of 100 boards of county commissioners, 400 city and town boards, 173 school boards, elections boards, welfare boards, health boards, ABC boards, planning and zoning boards, and many others.

(2) There are the records generated by meetings of these boards, including ordinances, petitions, letters, claims, appointments, contracts, and so on.

(3) There are the fiscal records: budgets, tax records, receipts, invoices, payrolls, checks, ledgers, bank statements, reports, and audits, as well as the memorandum records kept in the various county and

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municipal departments covering expenditures of hundreds of millions of dollars.

(4) There are the records of clerks of superior court and other court clerks: dockets, minutes, case records, indexes, wills, records of estates, divorce proceedings, adoptions, guardianships, special proceedings, and so on.

(5) There are the records of registers of deeds: deeds, maps, mortgages, birth and death certificates, and many, many others.

(6) There are election records and registration books; public welfare case records and other documents; public health reports on inspections, diseases, and other activities; public school and activity records; sheriff, police department, and fire department activity records; and so on, and on, and on.

Imagine what would happen if some of these records were destroyed; the legal problems that would arise from the loss of deed and plat books in the register of deeds' office; the marital problems that would arise from the destruction of marriage records in the register's office or divorce records in the clerk's office; the confusion that would arise from the destruction of records involving the settlement of estates in the clerk's office; and the multitude of similar problems that could arise from the destruction of other records.

Yet half of our counties have experienced fires bringing such destruction. Some records have suffered from neglect in offices where everything is retained and nothing is protected. And some records have been destroyed in offices where all but the immediately needed records are discarded.

The partial list of records outlined above shows the size of the problem. These records are being created daily in thousands of offices. They are threatening to engulf our courthouses, city halls, and office buildings. Space is needed to house the important ones, and this space is costly. If we are not careful, we may find ourselves building costly space for unimportant records.

As is so often the case, the stating of the problem, the recognition of the problem, suggests solutions.

First, we need to analyze the mass of records, destroy the useless, identify the period of usefulness of the temporarily useful, and designate the permanent.

Second, we need to protect and preserve permanent records against neglect, defacement, mutilation, fire, theft, and the public enemy. These important records effect the lives and property of all of us, and

they should be preserved for that reason as well as for their priceless historical value.

Third, we need to give attention to the more efficient and economical creation and utilization of records.

But county officials, busy with day to day activity and unskilled in the science of archival management, need help. Your Association recognized this almost fifty years ago. In 1914 it adopted a resolution calling on the State to help counties protect and preserve records, so they would be accessible for historical purposes. The beginning was slow, and it consisted mainly of visits to courthouses to seek the transfer of historically valuable records to the State Archives, where they would be more accessible. But the activity has increased in scope and intensity, until today our Department of Archives and History conducts the most comprehensive assistance program to local officials to be found in the United States.

The Department is now carrying on a three-part program to assist local officials with their records problems.

First, there is the records disposal program. Our Public Records Act of 1935, after directing the custodians of public records to safeguard them, to make them available to the public, and to turn them over to their successors, went one step further. It prohibited public officials from destroying or disposing of public records without the consent of the State Department of Archives and History (then the North Carolina Historical Commission). Specifically, the 1935 Act provides that when the custodian of any official records concludes that they no longer have use or value for official business, they may be turned over to the State Department of Archives and History; or if they have no further use or value for research or reference, as determined by the Department, the records may, with the approval of the county or municipal governing body, be destroyed.

It was through the judicious exercise of this authority over destruction and disposal of public records that the State Department of Archives and History earned the confidence of local officials and the General Assembly. This confidence led to the more recent developments, and the remaining two parts of our three-part program.

Second, there is the microfilming program. The 1959 General Assembly, at the specific urging of the local officials who came to appreciate the help of the State Department of Archives and History, directed the Department to undertake a program of inventorying, repairing, and microfilming county records having permanent value. The goal, of course, is a security copy of permanent records, filed in the

State Archives, to guard against the possibility of destruction by fire, theft, disaster, or neglect. But in the process, at the county level, we obtain an inventory of all records, restoration of records in need of repair, schedules for destruction of records after they have served their purpose, and plenty of sound advice on the solutions to a multitude of records problems.

Third, there is the records management program. The 1961 General Assembly directed the State Department of Archives and History to administer a records management program to apply "efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records." Boards of county commissioners and governing bodies of municipalities are directed "to cooperate with the State Department of Archives and History in conducting surveys and to establish and maintain an active, continuing program for the economical and efficient management of the records of said [county or municipality]." We are just getting into this program, the newest of the three.

This interest in records, and their historical as well as administrative importance, is typical of the far-sightedness of our legislature. Our State has gone far beyond most others in taking this interest in local records problems. And it is, I believe, a matter of some historical interest in its own right to take a look at how it came about.

Two separate and distinct developments shed light on how this State assistance program came to be. One is our history of State-local relations. And the other is the activity of the Department of Archives and History itself.

County officials have regularly turned to State officials for help, and we have developed a high degree of State-county co-operation. As early as 1925, our Association requested Governor McLean to appoint a commission to study county government and to make recommendations for its improvement. In the years since, we have requested the creation of other agencies to provide help and assistance. Moreover, the General Assembly, to insure uniformity in the performance of functions that the State had an interest in, has granted supervisory power to State agencies for county school, welfare, health, hospital, library, agricultural extension, civil defense, and other programs. And when local debt problems became almost unmanageable in the late 1920's and early 1930's, the General Assembly created and gave to our Local Government Commission supervisory authority over county and municipal debt. Thus it is quite natural for counties to turn to the State for help and quite natural for the State to provide it.

The second development that sheds light on our State-assistance program is the way the Department of Archives and History has operated over the years. Had our State Archivist been too aggressive in telling county officials how to manage records, State-county co-operation would have died a-borning. By being available to help when help was needed, however, and by relying more on giving advice than giving directions, our Department obtained the confidence of county officials. By calling on local officials to help in developing the advice that was given, the Department was able to give advice that had the flavor of common sense and practicality that made it readily acceptable. The word has spread from satisfied official to satisfied official by phone, by letter, and through discussion at meetings of associations of the county and municipal officials involved.

The archivists at the recent meeting in Kansas City were very much interested in what our county officials thought of our State-assistance program. In my talk there I emphasized, particularly, the value to our smaller counties.

Large counties have advantages that small ones do not. First of all, they have a tax base sufficient to buy modern equipment. They can hire consultants, and with a large population they generally have people close at hand with the *expertise* to solve almost any problem.

Small counties are not so fortunate, either from a monetary standpoint or from a population standpoint. They need help just as badly—problems vary so often only in degree—yet they cannot afford consultants to present solutions, and often they cannot afford the solutions themselves. In the records area, the people in our State Department of Archives and History have assumed a leading role. They are available to consult with county officials in all of our counties, particularly the small ones who would otherwise probably have gone without help. They have undertaken the microfilming of permanent records, which in many small counties, because of long distances from population centers and low volumes of records to process, would have been prohibitively expensive.

So our small counties, particularly, but the larger ones too, have found in our Department both the advice and the procedures that would have otherwise been unavailable. The decade of the 1950's was, as we all know, a period of records explosion just as it was a period of population explosion. The first, of course, is a factor of the second, as well as a result of the postwar upswing in the economy. This presented space problems to many of our counties, small and large, as courthouses threatened to burst at the seams with growing numbers

of records. The Department of Archives and History was available and helpful. It has encouraged the destruction of records no longer needed, to provide space for new records within existing walls. Creating and working with an Advisory Committee of County Records, it has created a manual to guide county officials on the useful life of the many hundreds of records found in our courthouses. This manual lists the records to be found in our counties, lists for each the period of administrative usefulness, recommends the period of retention, and gives procedures for destruction of records no longer useful.

So our officials have found assistance from the Department in determining, as custodians of public records, just how long records should be retained to protect the rights and interests of persons, for the orderly operation of government, and for historical and research purposes.

With a new program of records management soon to begin, our county officials now look forward to advice on creation and utilization of records, with a view to more efficient and economical operation of activities which involve records.

But these are words. Some specifics may document the assistance provided.

First, some examples of problems presented by the accumulation of records. The Clerk of Superior Court in Halifax County was about to outgrow his office space. After a visit from Admiral A. M. Patterson, our experienced and capable Assistant State Archivist, a large number of records no longer in current use were scheduled for disposal. Sufficient usable space was thus provided to meet needs for another ten years. The Clerk of Superior Court in New Hanover County had records that had overflowed his own office, into the basement, and into the attic of the courthouse. Following a survey by Admiral Patterson, one truck load of permanently valuable records was transferred to the State Archives, and two truck loads were destroyed. Space was thus provided for preserving valuable records and for providing access to current records, and a serious fire hazard was removed. Guilford County has been assisted in determining record space needs, and regular schedules for record destruction have been prepared. In the municipal area, the Raleigh city government recently moved into a new and modern city hall. Department personnel assisted in scheduling for destruction a large accumulation of records in the old city hall that had no further administrative or historical use, thus enabling the city to clean house before moving to the new location.

Second, some examples of help in disasters. A 1960 hurricane flooded the first floor of the Hyde County Courthouse to a depth of nine inches. Innumerable records were water soaked. A representative of the Department assisted in drying out the records, and five volumes of permanent value were rebound in a restoration project. In the same year, the basement of the Robeson County Courthouse was flooded. After Admiral Patterson inspected the damage, records in current use were set up on end to dry, and pages were separated frequently to prevent sticking. Records no longer in current use were then and there scheduled for destruction.

Third, some examples of restoration projects. A year ago, the Register of Deeds in Wilson County discovered that some record books, recorded a number of years ago by photostatic process, were fading rapidly because of faulty processing. These record books were microfilmed to preserve them before they faded out completely. A somewhat similar problem developed in Bertie County, where, several years ago, a commercial company had been employed to repair pages of a number of old deed and will books. Sheets of some transparent substance were glued to each side of the pages in an effort to prevent further deterioration and loss. Through the years, the glue became darker and darker until eventually the text could no longer be read. Fortunately, the Genealogical Society of the Church of Jesus Christ of Latter-Day Saints had microfilmed these books before the unsatisfactory attempt was made to repair them. The Department is obtaining page prints of affected pages, and is restoring the volumes by lamination and binding. Just imagine what would have happened without this help.

Finally, let's take a look at what is now going on in each county as a result of the program to microfilm permanent records begun two years ago.

First, Department personnel contact the board of county commissioners, to explain the program.

Second, they inventory records in every office in the courthouse, listing records by title, dates, quantity, and location. To this is added a schedule, indicating how long records are to be preserved, whether permanently or for a specified number of years. This inventory-schedule is mimeographed, assembled into a volume, and distributed to all interested officials. By following the schedule, county officials can insure preservation of essential records, timely disposal of nonessential records, and economy in space and office operation. Moreover, transfer of records of no administrative value, but of historical value, to the



The local records program involves the following steps: (1) the inventorying and scheduling of all records of the county; (2) the repair and rebinding of deteriorating records of permanent value; (3) the microfilming for security of records of permanent value; and (4) the transfer to the State Archives of permanent records that are not needed in the administration of the county.

The above photos illustrate steps 2 and 3. In upper left is shown a Cameraman from the Department of Archives and History microfilming the deed books in a county courthouse. At upper right, a member of the Department's laminating staff is disassembling a badly worn deed book in preparation for laminating. At lower left the leaves of the book, after having been treated with chemicals for the removal of acids, is being "sandwiched" between sheets of acetate and tissue. Finally, at lower right, the "sandwiches" are being run through the Barrow Laminator. The pages are then reassembled and rebound, thus resulting in preserving the record for posterity.

State Archives here in Raleigh makes these records more accessible to historians and researchers.

Third, permanent records in need of repair are restored by lamination and rebinding.

Finally, all permanent records are microfilmed. Negatives are stored in security files in the State Archives. Positive copies are catalogued in the search room, and put in cabinets in the microfilm reading room for reference purposes.

The advantages are obvious, to the counties as well as to the public. Little wonder that county officials—county commissioners, registers of deeds, clerks of court and others—strongly support our Department of Archives and History. The programs, moreover, deserve the support of the public, who are the ultimate beneficiaries.

Of course, some problems have developed. They always do. And yet, the problems that have developed are surprisingly few in number, and quite low in their intensity.

In spite of the help available, there has been some lack of interest, particularly in records destruction and records management. All of you, I am sure, are aware of the traditional reluctance of many custodians of records to destroy anything. The amazing thing, I suppose, is that so much useless material has been disposed of or destroyed. Time, of course, is overcoming this lack of interest, because all counties are running into problems, some of one kind and some of another. Space itself may be the greatest stimulus to interest, because sooner or later all counties run into space problems. As the interest increases, and the examples of successful projects mount, the lack of interest is declining substantially. Those of you with historical interests can help, because good records programs mean that records of historical value will be preserved and available.

These State-assistance programs ran into opposition from one individual. He served notice on the Department that he would oppose the efforts to expand the programs and the authority of the Department, and he served notice on his fellow county officials at the same time. Interestingly enough, his opposition never really got to the General Assembly, because the legislator from his county, with years of experience at all governmental levels, immediately saw the value of the proposed programs. Incidentally, the formerly hostile individual is no longer actively opposing the Department's programs.

Some additional problems will arise in the future. The Department is, after all, dealing with a thousand or more local officials, and it will be surprising if problems do not develop. But we are building such a

solid base of satisfactory experience in State-county co-operation that dealing with problems will present little or no difficulty.

Let me conclude by emphasizing, once again, that the Department of Archives and History is providing a tremendous service to counties, and through counties to people whose lives and property are affected by records and to people interested in their historical value.

You can help too. By understanding the need for a sound records program in counties and municipalities; by supporting the Department and the counties in their efforts to protect and preserve essential records; you can help make sure that the records you are interested in will end up where they ought to be—preserved and available.

A LAND MORE LARGE THAN EARTH

BY BERNICE KELLY HARRIS*

"To find a land . . . more large than earth," Thomas Wolfe wrote not long before his death in 1938. "Though winning near the goal—yet, do not grieve," the poet bade the Attic youth, forever panting in pursuit of fair objective. "What a beautiful view," Alan Shepard said of Earth on May 5, 1961, as he left it for outer space.

Life continues to be quest. Literature and history record the quest for truth on many levels. Beyond the pursuit of beauty in dales of Arcady or of stars by Astronauts, the search for largeness is man's creative contribution, the basic intent of his culture. The poet and the space-explorer, along with mankind in general, could find ugliness and futility in a close-range view of earth this December, 1961. But the continuity of pursuit of that land envisioned by Thomas Wolfe has its own beauty and largeness beyond material winning or loss. As illuminated in the tales and traditions of man, in his mores and beliefs, his history and literature the search for "a land more large" reflects the spiritual content of his effort, cumulatively impressive and worthy to be continued.

Today's exponents of this cultural continuity have a responsibility to clarify anew the identity of the searcher in this space age, to refuse to package his search under shopworn labels and slogans or to lose it amid automation and megatons. There is need for affirmation of man's individuality and its austere relation to a largeness in culture. Too often now attainment is defined in terms of personal comfort, amusement, mass-getting and consuming without relation to the context of creative existence.

In this context identity is not status. The man who declared he was concerned not about what he voted for, but only in being a voting man was confusing identity with symbols. Status symbols are, indeed, confusing. It appears they are currently extending beyond citizenship privileges, education and income to include nonfiction reading, along

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with labels worn and ties with tradition sometimes anachronistic in impact. A certain homeowner, for instance, packaged his identity with the historical past by installing outside his split-level, all-electric residence two flickering gaslights such as were used in another century. Identity beyond any symbols displayed means everything a person is. When individuality and individual worth are left out of the concept, the search for a largeness will waver more unsteadily than those gaslights that flickered outside the electrically equipped residence of the status seeker.

Within the framework of cultural continuity there is the responsibility individually and in mass to stem the current tendency of presenting life in packages, of selling fun and good living and intrinsic values by creating images rather than by projecting the reality. To mass appeal an emotional response, not based on fact or reason, is sought by the image cultists. Sometimes they even sell children the impression that instruction is supposed to be fun. (It is to be hoped that this illusion will not extend to quality education.) Young people are encouraged to study and do well because it is fun. It is fun to join civic and religious groups. So the image of youth laughing and playing its way to education and citizenship here and hereafter is created.

Political candidates and commercial products likewise are often sold on the images they present rather than on their record. Tainted with untruth are the images of the man of distinction; the double-good twins who symbolize the real joy of good living if consumers move up to a certain brand of chewing gum; of the bright wash that solves the complexities of family life if a certain kind of soap powder is used; of a great white father beaming from a national armchair or of a school-boy President standing before Schoolmaster Uncle Sam who is seated in a rocking chair made in North Carolina.

It is estimated that nine billion dollars a year can be counted on from the youth market alone. In the package, crowding the wholesome products, there are horror films, psychopathic thrillers, fast-draw gunmen, sirens and Lotharios, pornography and comic books reputed to have sold in one year four times the budgets of all public libraries, profane bums and angry young men who tell off the world from their lazy lounge chairs, but do nothing to help set it right.

If the level of taste is one measure of a culture, these trends unchecked portend a taint upon its largeness. The taint touches literature. Not many years ago one of the best-known New York publishers ran book ads in the *New York Herald-Tribune* that were like Burma-shave

jingles, only less clever. One was: "The world is moving along so fast, It's out of the safety zone, The age of the atom is here at last, But Sex is still holding its own." Another, with a sly leer in the lines, was: "An evening of pleasure—! The recipe? That best-selling novel [The name of the novel in which Sex was still holding its own was added], College professors, critics too, Read it in secret, Why don't you?" Degradation is even packaged in literary form, at least in some of the tell-all books designed for mass appeal rather than for any kind of catharsis of self or society.

Even Deity is offered in a package. He is a chum, a buddy, the man upstairs who is ever ready to do a pal a favor, but who never says Thou-shalt-not. (It is modish to go back to past centuries for gas-lights, but not for moral imperatives.) Outgrown as buddy or as cosmic Personality, Deity is packaged under space age labels as Energy.

Survival of the human race may become packaged. The insidious image of family fall-out shelters, mounted with machine guns or equipped with small arms, could be projected by the hard-sell cult. The slogan could be: A family split-level fall-out shelter beside every swimming pool or a cut-rate package for only \$499. The image of this kind of survival tends to invalidate the community sense and the moral imperatives of civilization.

Out of the package often come insecurity, lawlessness, a sense of futility or a stultifying uniformity that turns potential searchers of a largeness into status seekers. The rhythms of living are set to theme songs and slogans. Have-gun-will-travel is modified to replace self-reliance with multitudinous props. "What do I get out of it?" becomes the response to challenges. "Gimme-gimme-gimme" becomes baby's lullaby and "I Want To Be Evil," the American song export to the court of her Majesty, Queen Elizabeth II.

In the scope of marketable images and easy slogans there is little coherent sense of the real self in its relation to creative direction. A character in a play expressed it thus: "I don't know what I want, and I wouldn't want it if I did." So the cultists resonate but do not reason, do not come to terms with reality.

(Parenthetically, this is not to suggest that traditional culture is in a tailspin, not with agencies such as have met in Raleigh this week steering toward a "land more large." Melody gives way to agony singing, the dance to the Twist, "I Want To Be True" to "I Want To Be Evil." Beauty-is-truth is translated into measurements, 34-24-36. Happy endings provoke discontent. One girl complained when she left the picture show, "There are no happy endings any more. Every

picture I've seen lately winds up with the couple getting married and living happy ever afterward." Alas! While these do portend crash landings, they indicate the cultural gyroscope may need adjustment.)

The trends that negate basic values must be rejected, the reality behind the image must be affirmed and first reverence be given to a Reality greater than physical Energy. As has been stated, the best defense of nations, in time, has proved to be a people worthy of defense. Force and Bigness are not the authoritative finality that commands the spirit of man or evokes his worship. There is the awesome beyond the marvels of technology. There is the continuing miracle of infinitesimal seed evolving into sustaining plants, of zygotes into living beings, of humanity's aspirations into books and paintings and music and legislation.

The intimations of cosmic vastness command wonder and awe and quest. But man remains a frontier, a cosmos to explore, "a land more large than earth" in his spiritual potentialities. To break the barriers that keep him from realizing his identity and from understanding and respecting identities of persons on this planet is comparable in its urgency to breaking the sound barrier.

There is challenging mystery in mankind. Man has areas unexplored and perhaps as unexplorable as space. For all the little petulancies, the shabby motivations, the relentless striving after pelf and power, there is in humanity the spark of a largeness harmonious to creative purpose.

The largeness is based on enduring values and their orderly relation to the individual. A sense of identity will come from a conviction about what is right and wrong and from the exercise of good choices. Good and evil are not X, Y, Z. They are essentially known through ancient answers still apposite to present complexities. Reverence for these known realities and for the reality of revelation, recognition of human dignity even among the lowliest, respect for the laws of man, tolerance—intolerance, too, as against profanation of principle—justice, compassion, courage, truth are as timely and powerful ultimates as megatons.

They are validated in human beings, not in machines. To search for "a land more large" is to go, figuratively, on a safari among people and to encompass them in a creative understanding. It is to perceive the spiritual elevation inherent in common humanity, to help modify the urgencies of people in life and in literature to demand the truth about the human experience without caricature or distortion or propaganda.

Some of yesterday's urgencies have been modified by mechanization and industrialization. But human problems and exigencies remain. Technology for all its marvels has not yet solved unemployment and substandard housing in eastern North Carolina or in Djakarta, Indonesia; has not solved earth's over-population and surpluses and starvation and next spring's rains.

The proximate view as against Alan Shepard's would reveal much that is alien to largeness. It would also reveal beauty amid starkness, beauty among the Nez Perce Indians, up and down King Street in Asheville or high on a hill. Persons along the little roads project humanity as truly as George Apley of Boston or Franny and Zooey of New York. Wretchedness is evident in village and Gotham. Yet, jollity and good humor even amid starkness, tenderness and decency are the human story too. Human dignity is in its drama, and the triumph of the human spirit is its catastasis.

There was the hopelessly wretched tenant farm woman along a North Carolina byway who, after the recital of her incredible miseries one winter day, lifted her head and cried: "But you just wait till the turkle crawls again, and I'll be out there a-trying. Me and the turkle will crawl again."

There was the old lady along a North Carolina road who at seventy-five started attending an adult illiteracy class to learn to read. And with what creative identification she stood out in the floor and read the Psalmist's testimony that he had been brought to a large place.

There was the penniless little Northampton woman who on foot over a ten-mile range peddled vegetables from her garden and berries from the briar patches. When evicted because she could no longer pay rent on her cabin, she set up housekeeping under the open sky alongside the highway near town and there held Open House more memorable than those under social datelines.

There was the very old man of ninety-seven who, when chided for doing a chore beyond his strength and assured it would be attended to for him, retorted: "Yes, but I've got a walking stick, and you haven't!"

There was the farm tenant in eastern North Carolina who had only \$4.90 left at settlement time to live on, whose house was crumbling around him, whose wife was endlessly "tired and hurting," whose high school son against any possibility of fulfillment looked forward some day to being a Carolina Playmaker at Chapel Hill. Together they sang about "home, sweet home," accompanying themselves on a broken organ and a banjo with two strings.

There was the deformed hunchback who had to lie across a chair to make baskets and ferneries and lamps. Yet at forty he counted himself lucky because he could crawl around the house, fill his orders for baskets and after worktime sing a "mean bass." Nematodes, in literary culture?

The turtle crawls again. The homeless hold Open House. The centenarian defies the uselessness of old age with his walking stick. The deformed cripple sings a "mean bass" after worktime. The landless translate their aspirations into title deeds to pass on from heir to heir and into white steeples to worship under. The Lady of the manor sits on a lonesome porch. Sis Goose, no less of ANIMAL FAIR than HUMAN, keeps her lonely vigil, steadfast to the faith that Cudin Flying Squirrel was less of earth than heaven. The scholar, tracing literary growth, finds nematodes in his garden of poetry signify. The Lost Colonists walk in annual reclamation. They are the human story. In them is validated the search for a largeness.

On this December 1, 1961, it is surely the will of the North Carolina Literary and Historical Association to say to the Ultimate Reality of the Judean poet, "Bring us to a large place."

THE SOUTH ON THE EVE OF THE CIVIL WAR

BY LENOIR CHAMBERS*

If we had all been in the capital of the Confederacy a hundred years ago this evening, we should have agreed with the historian of that beleaguered city who recorded that "the autumn of 1861 was long and fine . . . : sparkling days warmed by brilliant sunshine and evenings so mild that ladies whose friendships had begun when their husbands held congressional or official posts in the old days at Washington sat chatting on the steps of their hotels by the light of the gas street-lamps."

The Richmond of 40,000 people was full of soldiers, coming and going. The summer had been full of fears about the unknown. June had brought good news from Bethel on the Lower Peninsula, but signs from the States west of the Blue Ridge were different. First Manassas in July created the first great excitement and exultation, but once again news from the West, in present West Virginia, dulled the edge of this achievement for those willing to realize it.

Thereafter the pace of the war seemed to slow down. Good news came in from Missouri in August, bad news the same month from Hatteras on the North Carolina coast. In October the occupation of Port Royal in South Carolina disturbed the South Carolinians, but seemed a little remote in Richmond. It was pleasanter to think of the affair at Ball's Bluff on the Potomac above Washington.

By November people were living in a lull. McClellan was organizing an army somewhere near Washington, but he showed no sign of movement. No serious threat was visible anywhere else. "The enemy," our historian of Richmond wrote down, "had been driven away . . . Richmond drew a long breath and turned with alacrity to enjoying itself."

The city had new reasons to do so. The Davises had moved in July from their early weeks in the Spotswood Hotel into the Brockenbrough mansion at Clay and Twelfth Streets, and a White House of the Confederacy was not only in being: it was also the scene of pleasant social events that set a pace for the city.

* Mr. Chambers, who recently retired as Editor of the *Norfolk Virginian-Pilot*, is the author of a two-volume biography of Stonewall Jackson. This paper was presented at the evening session of the North Carolina Literary and Historical Association, December 1, 1961.

Old Richmond sometimes looked askance at New Confederacy, but sometimes there were two sides to that. Old South Carolina, well represented in the new capital (some people said overly-represented), had its own opinion of personalities and manners too. There were affairs at the outposts, it is true, and the Dead March in *Saul* could be heard at the funerals, and once heard was never forgotten. But the casualties were still few. The economy was looking up. The blockade was not yet effective, and the ships that came through often carried more luxury items than military supplies. War was stimulating Richmond industry. The stores had goods and sold them. The dinners in high places that the diaries tell us about were imperial. Inflation had not really begun to take its bite. Richmond was enjoying a boom.

So it was on the surface this moment a century ago. But the surface could not really conceal all. The government was beginning to creak at its joints. Mr. Davis, who had been almost sacrosanct at first, was feeling the barbs of political criticism and backstairs gossip as well as the broadsides of part of the press. The Vice-President, Mr. Stephens, was unhappy in Richmond and not much happier in Georgia. Mr. Toombs had given up the Secretary of State portfolio, and Mr. Hunter was struggling with it. He would not last long. Mr. Walker had resigned as Secretary of War, under heavy pressure from the President, and Mr. Benjamin had come in from the Justice Department to succeed him; he would not last long either. The War Department was to see six secretaries before the war ran out, more than any other cabinet post, and the reason, in the sharp judgment of one critic, was that, paradoxically, that department never had any secretary of war—Mr. Davis was always secretary of war, he said, and the secretaries were clerks.

Logistically, the government was learning that something more was needed to fight a modern war against an emerging industrial state than the élan that is inherent in a revolutionary movement. Enormous development, enormous improvisation, would be necessary to overcome the South's economic deficiencies.

Nor had commanders in the field turned out quite as hoped. Beauregard, a hero after Sumter, had become a demi-god after First Manassas, and enough glory spread out to endow Johnston's name. But neither got along with Davis, nor Davis with them; and Beauregard went West until late in the war, and Johnston faced a bad winter and a worse spring.

Lee had tried to co-ordinate two armies in western Virginia and had not succeeded. He was along the South Carolina and Georgia

coasts now, looking after defenses. He seemed far from the center of the picture. Jackson had not emerged, though some people remembered events on the Henry House hill at First Manassas. Nor had Longstreet risen high. Nor had Stuart.

It was clear now that Maryland, Kentucky, and Missouri would not join the Confederacy. The West had seen no major collisions, and there was hope that Albert Sidney Johnston could deal adequately with the enemy when there were. But Forts Henry and Donelson were just around the corner of the winter, and Shiloh and New Orleans would darken next April.

The British were not in a responsive mood, and people were not so sure now that cotton would bring Western Europe to taw. Among men who thought hard the signs of a long and perhaps desperate struggle were disturbing.

Davis had thought so all along. As early as June 28 of this year, that extraordinary woman, Mary Boykin Chesnut, in her superb social document, *A Diary from Dixie*, had written these memorable words:

In Mrs. Davis's drawing-room last night, the President took a seat by me on the sofa where I sat. He talked for nearly an hour. He laughed at our faith in our own prowess. We are like the British; we think every Southerner equal to three Yankees at least, but we will have to be equivalent to a dozen now. . . . Mr. Davis believes that we will do all that can be done by pluck and muscle, endurance and dogged courage, dash and red-hot enthusiasm, and yet his tone was not sanguine. There was a sad refrain running through it. For one thing, either way, he thinks it will be a long war. That floored me at once. It has been too long for me already. Then he said that before the end we would have many a bitter experience. He said only fools doubted the courage of the Yankees, or their willingness to fight when they saw fit. And now we have stung their pride, we have roused them till they will fight like devils.

Thus the President of the Confederate States of America to a good friend on June 27, 1861. And now, by the calendar we are observing, it is December of that first year of the war. The conflict is six months old; and perhaps more people than the surface gaiety might suggest were thinking the long, hard thoughts of people in trouble. At the very least this was not going to be easy.

How had the southern States got themselves into this difficult situation? If we could shift our calendar a year earlier to one hundred and one years ago tonight—December 1, 1860—we should find ourselves three and a half weeks after the most significant presidential election in American history, before or since. Probably we could have foreseen the election of Lincoln and Hamlin and the rout of the two badly

divided Democratic tickets, the Douglas-Johnson ticket and the Breckinridge-Lane ticket, and of the Bell-Everett ticket of the Whigs and the Know-Nothings.

For the first time since the division of thought within the United States had seemed to be approaching what William H. Seward called an "irrepressible conflict," the South, the States' Rights philosophers, the Cotton Kingdom, the Slave Power politicians—call them what you will—had lost control of their destiny. For the first time a political party founded on the doctrine of a firm attitude toward the "peculiar institution" of the South was in the saddle. We might have foreseen something more. We should hardly have been surprised that three days after the election the General Assembly of South Carolina—which continued in session before, during, and after the election, and did so by deliberate intent—called for a constitutional convention. The formal purpose was "to consider the dangers incident upon the position of the state in the Federal Union." The meaning of the words was not in doubt.

Six weeks ago (by our calendar of one hundred and one years ago) a group of South Carolina officials, including all but two of the State's congressional delegation, had agreed that secession should be the State's action if Lincoln was elected. The followers of Robert Barnwell Rhett had been looking toward an immediate constitutional convention in order to carry the State out of the Union while resentment was still at its height if Lincoln was elected. Porcher Miles, the Congressman, and a Secessionist of influence, had said specifically that he hoped the State would act swiftly and with a minimum of talk if Lincoln was elected. Governor Francis W. Pickens declared that Lincoln had run "upon issues of malignant hostility and uncompromising war to be waged upon the rights, the interests, and the peace of half the states of the Union." Such a moderate as James L. Orr—who was badly defeated because he was a moderate when he ran for election as a delegate in the constitutional convention—had said last August that "no Black Republican president [should] ever execute any law within our borders unless at the point of the bayonet and over the dead bodies of . . . [our] slain sons."

The mood of South Carolina was not in doubt a hundred and one years ago tonight.

On December 20, three weeks from tonight, by our calendar of one hundred and one years ago, the South Carolina constitutional convention will vote unanimously—169 to 0—to repeal the State's action of May 23, 1788, by which the Constitution of the United States had been

ratified. It will declare "that the Union now subsisting between South Carolina and other states, under the name of 'The United States of America,' is hereby dissolved." Thus, South Carolina reasoned, it will place itself in its original position of individual State sovereignty and become therefore a sovereign State.

Twenty days will pass before any other State acts. Then from January 9 through February 1 of 1861, Mississippi, Florida, Alabama, Georgia, and Louisiana, in this order, will vote in convention to secede from the Union, and Texas will do so by popular vote.

But then, as we know now, the movement stopped. It was not until April 17 of 1861 that Virginia voted to secede. North Carolina and Arkansas followed in May, Tennessee in June; and these four decisions did not come until after, and as a result of, Lincoln's call for volunteers after the bombardment and surrender of Fort Sumter.

The secession movement extended thus for six months, from December to June; from South Carolina the first to Tennessee the last; from a period of peace while Buchanan was still in the White House to a time when young men in uniform were dying in agony and First Manassas was only a month away.

These conditions suggest that the term "the South" is deficient in important respects. Obviously, when the issue came to secession there were at least three Souths.

First, the South of the seven States which seceded in the first six weeks after Lincoln's election.

Second, the South of the four States, stretched like a band across the top of these seven States—that is, Virginia and North Carolina, then Tennessee, which borders on both, and then Arkansas, which geographically is a western extension of Tennessee. All of these waited five to seven months after Lincoln's election before seceding.

And, third, a still more northerly band of States, part southern, part northern, which did not secede at all: Delaware, Maryland, the western counties of Virginia, which formed West Virginia, and then Kentucky and Missouri.

As we look at the South on the eve of the Civil War, we see not only that there were many Souths: there were many southerners. Not only were there clashes of opinion and political philosophy and economic interest between the North and the South: there was also a long series of differences, divisions, and clashes within the people of the South.

In this struggle for the mind of the people of the southern States, the best-known leaders, in the period with which we are concerned, were obviously the immediate winners, the ones whose views prevailed.

They were the men under whose leadership the southern States evolved, refined, and toughened their States' Rights philosophy, and in the end put it to the test.

But it is not fair or accurate to set them apart as the only extremists in the land. Many parts of the North, notably New England, did not lack for counterparts. The heat in the hills of the one could be just as hot as—sometimes hotter than—the heat in the bayous of the others. Before Sumter there was no action from the South that matched, in purpose or ultimate effect, John Brown's raid from the North.

It is probable, therefore, that most people in the North, as they looked toward the South, would have thought principally of men like South Carolina's Robert Barnwell Rhett and his family's *Charleston Mercury*; or Alabama's William L. Yancey, the most persuasive man on a platform in his region; or Louisiana's Rev. Dr. Benjamin M. Palmer, who sought to equate slavery with Christianity; or Georgia's Howell Cobb and Joseph E. Brown, the latter a war governor whose insistence on his State's rights, as he defined them, proved an embarrassment to the Confederacy's central government; or Texas' Louis T. Wigfall, who prevailed over Texas' Sam Houston; or Virginia's Edmund Ruffin, who smuggled his way into the ranks of the Virginia Military Institute cadets at Charlestown in order to see John Brown hanged, who was to pull the lanyard on one of the first guns—perhaps the first gun—that fired on Fort Sumter, and who after Appomattox blew his brains out rather than face the new order; or Florida's Governor Madison S. Perry, who told South Carolina's Governor William H. Gist back in October that Florida would follow any other State that seceded; and, of course, the ghosts of John C. Calhoun and Robert Y. Hayne and what some people might have called the evil spirit of Preston Brooks—not to mention the sinister figure of Simon Legree.

For when the southern States had gone into secession, especially the first seven under the leadership of such men, they seemed to be animated by an almost universal spirit, sometimes by an almost unanimous public opinion, and in the end by an all-southern support. It is this picture of the South to which I direct especially your attention this evening. For in some important respects it is not true.

It is not true even in South Carolina and even despite the unanimous vote by which South Carolina's constitutional convention decided to secede. The official action of the delegates conformed to the views of most of the State's political leadership, and most of the people's convictions. South Carolina had attempted nullification as early as 1832. It was the spearhead of States' Rights-ism. It had long contemplated and frequently discussed secession as a possibility.

But this state of mind does not mean that no moderate men lived in South Carolina. James L. Orr tried long to work out arrangements for protecting southern "rights" within the Democratic Party. Benjamin F. Perry struggled for years to bring his State more in line with national thinking. Christopher G. Memminger, later Secretary of the Treasury in the Confederate cabinet, was not regarded by secessionists as one of them. Chief Justice John B. O'Neill pleaded for delay to see whether Lincoln actually injured southern interests. As late as 1860 Senators James H. Hammond and James Chesnut, Jr., were unwilling to climb on the secession bandwagon. Rhett said that the South Carolina delegation to the Democratic National Convention in Charleston in April, 1860, was largely "conservative"—though a good deal depends on the definition of that word—and had no intention of walking out of the convention when it reached that city.

Other relatively unknown men and such well knowns as Charleston's heroic James L. Petigru, that man of "antique virtue," who never espoused the cause of secession and yet was allowed to live untouched in his city, attest the existence of an appreciable—though in the end completely ineffective—minority.

In every other southern State the minority was stronger. Mississippi debated throughout November and December on the merits of secession as opposed to "co-operation"—co-operation, that is, with other southern States in contrast to single-State action. Mississippi "conservatives" denounced secession as "a surrender of Southern rights, a cowardly fleeing from the enemy, and an abandonment of sound constitutional positions."

Only 60 per cent of those who had voted in the presidential election of November 6 voted for delegates to the constitutional convention, and the vote was not overwhelming. It was (in the opinion of one historian) "close enough to leave considerable doubt as to the true attitude of the people of Mississippi." Jefferson Davis believed in the principle but did not lead—far from it—in the practical secession movement.

But every moment the convention itself continued, the pressures for secession grew stronger. A motion to submit the issue to popular vote lost by 70 to 29. With that decided, secession itself won by 85 to 15.

In Florida, the third seceding State, Governor Perry had favored secession in event of Lincoln's election as far back as October, as we have seen. But Senators David L. Yulee and Stephen R. Mallory (who later was the Confederacy's Secretary of the Navy) were more conservative. Though the State legislators pushed straight ahead, some

evidence indicates that perhaps a third of the members were conservatively inclined. In the subsequent constitutional convention the co-operationist strength has been put at from 36 to 43 per cent. A motion to delay action on secession lost by 43 to 24. Another move to suspend action until Georgia and Alabama had acted lost by a narrow margin—five votes would have changed the result. In the end secession carried with only seven opposing delegates. But obviously there was a minority.

In Alabama the campaign for delegates to a constitutional convention has been called "one of the bitterest campaigns in the history of the state." Yet the vote for the election of delegates was only 75 per cent of the vote in the November election. The elected delegates were divided 54 for secession, 46 for delay—although Alabama knew that South Carolina had already seceded and although the Alabama government had already seized Federal forts in the State.

In the constitutional convention the drive for immediate action gained strength daily, led by Yancey; and in the end the vote to secede was 60 to 39—approximately the proportion of three to two. The contrast to South Carolina's unanimity is striking.

In Georgia there had been a strong conservative school of thought since 1850. Robert Toombs and Howell Cobb had once belonged to this school, but in later periods they favored more direct action. Alexander H. Stephens, Vice-President of the Confederate States later; Herschel V. Johnson, vice-presidential candidate on the Douglas ticket in 1860; and Benjamin H. Hill were respected men of influence who stood for the concept of the Union, or at least for "sober deliberation." In practical politics Governor Joseph E. Brown was stronger than any of these. He addressed a message to the legislature recommending secession if Lincoln should be elected. After Lincoln's election the legislature called in various recognized leaders for advice, in a kind of public hearing, and contrasting views were freely presented. The legislators refused to act, although under pressure to do so, but called a constitutional convention.

In the election for delegates to the convention the popular vote was 50,243 for secession delegates, 37,123 for a vague coalition of co-operationists and varying types of Unionists.

In the convention itself, after a bitter debate on the merits of two resolutions, one for secession, the other calling for a convention of southern States, the count was for secession by 166 to 130—effective, but no landslide. By the time the ordinance of secession was reported, this vote had shifted to 208 to 89 for the ordinance. In the end only

six delegates refrained from signing the ordinance. Still, it had been a fight.

Louisiana, the next State to secede, had a name for Unionist sentiment, and for specific reasons. The Mississippi River connected the State to northern and northwestern regions by direct commercial ties which some other southern States did not have in like degree. The protective tariff which South Carolina condemned had positive benefits for Louisiana's sugar. Whig influence, in the years of that party's affluence, had been strong. John Slidell, perhaps the most respected political leader in Louisiana, leaned toward Unionism. In the November presidential election—the one held three and a half weeks ago, I remind you again, if you can continue to transplant yourselves a hundred and one years backward—the Deep South's candidate, Breckinridge, polled fewer votes in Louisiana than the moderate Douglas and Bell combined.

These influences weakened after Lincoln's election. They weakened perceptibly after the entry into public discussion of a group of clergymen, preaching Dr. Palmer's doctrine of "Slavery a Divine Trust." In the election of delegates the secession forces polled 22,448 and the co-operation coalition 17,296. In the convention this secessionist strength beat off efforts for delay or more co-operation with other southern States and adopted the ordinance of secession.

"At the time, and since," that distinguished Louisianian, Richard Taylor—a delegate there and a fine officer in the Confederate Army later—wrote in his *Destruction and Reconstruction*, "I marveled at the joyous and careless temper in which men, much my superiors in sagacity and experience, consummated these acts," and "laughed to scorn" any mention of difficulties ahead, or ascribed their mention to "timidity and treachery."

In Texas, the last of the seven to secede, the struggle was more complicated than in most other States, being involved with the complaint of Texans against the Union for lack of frontier protection against Indian raids. Sam Houston was a stout Union man, and although he lost out as governor in 1857 he was back in 1859. The John Brown raid at Harper's Ferry shook Texas, as it did the whole South, but Houston fought hard against radical action. He refused to call the legislature into session, maneuvered this way and that, and spiritually never did give in.

In the end the secessionist influence prevailed in a popular vote of 46,000 to 14,000, but again, and significantly, only after a struggle.

What emerges from this brief review of the first seven seceding

States? First of all, the fact of secession stands out, bold and unprecedented. Nothing in the record compares with the stark political reality of secession.

But second only to secession itself are the clearly demonstrable uncertainties, doubts, and outright resistance to secession in every one of the seven, less in South Carolina than in the others, but emphatically in the others, and for a substantial time seemingly almost equal in political strength to the secessionist forces.

In State after State the secessionist movement was the cause of the dominant politicians and their political organizations. Had there been a positive and united resistance from the non-political elements of the population in some of these States, it might well have had its influence on the political leadership. Such a resistance to secession did not make itself effective. It was not united. It was not specific in its objectives, which ranged all the way from second looking, more sober consideration, co-operation in various forms, to determined refusal to leave the Union. Resistance to secession was not professionally led. It did not enlist many hesitants who did not know what to do. Against the expertly managed political forces that knew exactly what they wanted, this loose kind of coalition stood little chance. Perhaps it never had a chance. But that it existed there is no doubt.

The picture accordingly is not one of swift and universal agreement. Careless, as well as confident, many of the hot-heads may have been, but they had a struggle all along the line. In State after State, it was only when emotionalism took hold, it was only when the bandwagon psychology took possession, it was only when the social pressures and the pleas for loyalty to friends and neighbors mounted, it was only when words and actions in the northern States made many men in the South fear the unknown possibilities from what they interpreted to be a hostile people—it was only in such circumstances that resistance to precipitate an unparalleled action in withdrawing from a greatly loved union collapsed, and the issues were decided.

The record of resistance to secession in this crescent of seven States from South Carolina to Texas is, of course, less impressive than the record in the four other States that eventually joined them.

Virginia had voted for the Bell-Everett ticket, not for Breckinridge and Lane. When the General Assembly met in January, Governor John A. Letcher's message reflected middle-ground thinking. Though he believed in the theory of secession, he opposed the calling of a constitutional convention. The legislators were more interested then in setting up a peace conference to bring together the Union govern-

ment in Washington and the newly rising government to the south. But peace failures on the one hand, and pressures on the other, led eventually to the call for a convention.

In the election more than 100,000 voters favored the requirement that any action by the convention be referred to the people, and only 45,000 opposed doing so. Of the delegates elected, only 30 out of 152 favored secession, and 122 opposed secession.

Virginia wished very much to wait to see, and when a secession proposal came to a vote on April 4—a month after Lincoln had been inaugurated, and after the seven seceding States had already formed a government—the convention beat it by 88 to 45.

But Sumter and Lincoln's call for volunteers brought matters to a head. Then, but only then, Virginia voted for secession, although even then the decision was only by 88 to 55.

North Carolina had voted for Breckinridge and Lane, but only with 48,539 votes against 44,990 for Bell and Everett. The General Assembly that met in November received from Governor John W. Ellis a recommendation for a constitutional convention and a conference of all southern States. But the legislators would have neither.

Reassembling after Christmas of 1860, the legislators changed to the extent of approving a referendum on whether a convention should be called and simultaneously of electing delegates if a convention was approved. But the voters turned down the proposal for a convention by a small margin, 47,323 to 46,672. Of the delegates chosen for a not-to-be-held convention, 42 favored secession, 78 favored the Union, conditionally or unconditionally, with the unconditionals stronger by nearly two to one. North Carolina, too, preferred to wait and see. But North Carolina had reversed its course when Sumter and the call for volunteers thundered the ancient question: "Under which king, Bezonian?"

In Tennessee and Arkansas the story was in principle much the same.

Arkansas showed little interest in secession before Lincoln's election. Then Governor Henry M. Rector, Senator Robert W. Johnson, and Representative Thomas C. Hindman led a campaign for seceding. The legislature was hesitant and uncertain. It waited until January and then authorized a referendum on whether a convention should be called. The convention won approval, but a majority of the delegates elected at the same time favored adherence to the Union or at least opposition to withdrawal. Ultimately, under heavy pressure, the legislators decided on a policy of co-operation, but with "border slave

states," not with the original seven seceding States, and postponed further decision until an election to be held in August.

But Sumter and the call for troops violently altered the scene, and Arkansas took its place with the South.

Finally, in Tennessee, where Union sentiment was strong, neither Lincoln's election nor the secession of neighbors to the south excited most people. Governor Isham Harris called the legislature into special session and asked for a convention. The legislators referred this question to the people. The people voted 68,282 to 59,449 against a convention and voted in the proportion of 91,803 to 27,749 for delegates with Union sympathies.

But once again events outside the State changed Tennessee. After Sumter and the call for volunteers, and much else, for there were confusing issues here, Tennessee's judgment, as reflected by a vote of 104,913 to 47,238, was for secession.

The intensity of the struggle within these four States of Virginia, North Carolina, Arkansas, and Tennessee is unmistakable. It points clearly to the greater unwillingness to secede by States still farther to the north (which were influenced also by vigorous action from the North), and to the consequent cutting short of the secession movement at this line; and there is no need for further detail.

It points—this struggle that I have been suggesting—to something more. On the eve of the Civil War all of the different Souths, far from plunging into combat with the joyful abandon of romanticists, wrestled with these problems they faced until the sweat ran out of their beings and they panted in their agony. The "joyous and careless temper" which Richard Taylor saw in control of the Louisiana convention is a fact of life, as well as a forerunner of death. But it is not the complete portrait of the South on the eve of war; it is not the portrayal of the South that was thinking hard though saying little, because it was perplexed, and leaderless, and unable to make up its mind, and sure only that it did not want to rush into secession, much less into conflict.

This was the more conservative South in 1860 and early 1861. It did not follow the Rhett and Yanceys. It was deeply troubled, but it did not seek war, accept war gladly, or regard war as the remedy. Nor, when it could see no other choice, did it shrink from war. But under the storm and fury of political action was a vast unrepresented body of southerners whose testimony comes to us through the years in their personal, not their united—for they were not united—expressions. These were the southern conservatives whom Avery Craven, the University of Chicago historian, has described in his book, *Civil War in the Making*:

There is no sadder story in all American history than that of the Southern conservatives in the final crisis. They probably constituted a majority against secession in the beginning but were too confused and divided to gain control. . . . Under such circumstances, the advantage was all with the smaller group of determined, exasperated radicals who now talked loudly of Southern rights and Republican threats. . . . They arrogantly assumed that they alone stood for the honor, the interests, and the rights of the South. They hurled the charges of disloyalty, cowardice, and weakness against all who would not join their ranks. They called them Abolitionists and Northern sympathizers.

Instead of fighting the common enemy, conservatives were thus forced to spend their energies defending themselves, explaining their position, and asserting their loyalty to the South. They steadily lost ground and number, and what was more important, they lost confidence in their own cause as radical Republican speeches came into print. Even fate was against them.

Of these southern conservatives, out of countless men, I give you words from only two. One taught physics in a military institute. Looking at the actions and words of people in the North, he said: "It is painful to discover with what unconcern they speak of war and threaten it. They do not seem to know what its horrors are. I have had the opportunity of knowing enough on the subject to make me fear war as the sum of all evils."

Looking around him at his own duties, he said—this was on February 2, 1861, after the first seven States had seceded: "I am much gratified to see a strong Union feeling in my portion of the state. . . . For my own part I intend to vote for the Union candidates for the [State] convention, and I desire to see every honorable means used for peace, and I believe that Providence will bless such means with the fruits of peace."

That was Thomas Jonathan Jackson.

The other witness I summon was a cavalry colonel. After the first six States had seceded, he wrote to his son on January 29, 1861:

I can anticipate no greater calamity for the country than a dissolution of the Union. I am willing to sacrifice every thing but honour for its preservation. I hope therefore that all Constitutional means will be exhausted, before there is a resort to force. Secession is nothing but revolution. The framers of our Constitution never exhausted so much labour, wisdom & forbearance in its formation & surrounded it with so many guards and securities, if it was intended to be broken by every member of the confederacy at will. It was intended for a perpetual [*sic*] union. . . . Still a union that can only be maintained by swords & bayonets, & in which strife and civil war are to take the place of brotherly love & kind-

ness, has no charm for me. . . . If the Union is dissolved & the government disrupted, I shall return to my native State & share the miseries of my people & save in her defence will draw my sword on none.

That was Robert Edward Lee.

For those in the North or in the South who (I quote Avery Craven again) "had been pushed into a war that few wanted and no one could prevent," there is the consolation which many of them may not have known, but which history recognizes and honors—the consolation that comes from the way they bore themselves, the way they did their duty, the way they fought the war. And here, at my conclusion, I call to my side another witness, from another age, who at the moment was deeply involved in another war.

The witness is Winston Churchill. The date is December 7, 1941. The testimony relates to his thoughts and feelings after he had heard all that Washington could tell him of the events of that historic day. This is how he thought and felt when he knew that the American people were going to war again:

Silly people—and there were many, not only in enemy countries—might discount the force of the United States. Some said they were soft, others that they would never be united. They would fool around at a distance. They would never come to grips. They would never stand blood-letting. Their democracy and system of recurrent elections would paralyze their war effort. They would be just a vague blur on the horizon to friend or foe. Now we should see the weakness of this numerous but remote, wealthy, and talkative people. But I had studied the American Civil War, fought out to the last desperate inch. American blood flowed in my veins. I thought of a remark which Edward Grey had made to me more than thirty years before—that the United States is like "a gigantic boiler. Once fire is lighted under it there is no limit to the power it can generate." Being saturated and satiated with emotion and sensation, I went to bed and slept the sleep of the saved and thankful.*

It was less easy a century ago to find the saved and thankful. It is less easy today. I do not pretend to know what faces today's generation of Americans. Their problems are extraordinarily complex. Their decisions may be even more important for them and for the world than the decisions of these earlier Americans whom we can see now standing in all their naked humanness before us. But my own conviction is that this generation of Americans today, if called upon to stand up to hard duty, will not be found less wanting in character than their ancestors.

* Quoted from Winston Churchill, *The Grand Alliance* (Volume III of *The Second World War*), 607-608, by permission of the publisher, Houghton Mifflin Company, Boston, Mass.

LETTERS FROM NATHANIEL MACON TO JOHN RANDOLPH OF ROANOKE

EDITED BY ELIZABETH GREGORY MCPHERSON*

No metric system has been devised for gauging a man's success. Although historians differ in their evaluation of Nathaniel Macon as a statesman, all agree that his potent influence was based on the confidence which his sincerity and honesty inspired. He had a background similar to that of Thomas Jefferson, and played an important part in the election of Jefferson as President in 1800. Macon remained a stanch Republican, but on occasions he refused to follow his party, when, in his opinion, it deviated from its true course.

Macon was born in Warren County, North Carolina, on December 17, 1757, where he died on June 29, 1837.¹ He was educated at Princeton University, fought in the American Revolution, came under the political influence of Willie Jones, served in both houses of the North Carolina legislature, opposed the federal convention, and advocated the rejection of the Constitution of the United States.² After North Carolina was admitted to the Union, he embarked on a career of national importance, but never neglected local interests. On October 26, 1791, he took his seat in the House of Representatives in Congress and served in that body continuously until December 13, 1815, when he resigned, having been elected to the Senate.³ He served in that capacity without opposition until he voluntarily retired on November 14, 1828, ending thirty-seven years of service in Congress.⁴ From 1801

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¹ *Biographical Directory of the American Congress, 1774-1949: The Continental Congress, September 5, 1774, to October 21, 1788, and the Congress of the United States from the First to the Eightieth, March 4, 1789 to January 3, 1849, Inclusive* (Washington, D. C.: United States Government Printing Office, Eighty-First Congress, Second Session, House Document No. 607, 1950), 1, 490, hereinafter cited as the *Congressional Directory*.

² Allen Johnson, Dumas Malone, and Others (eds.), *Dictionary of American Biography* (New York: Charles Scribner's Sons [Published under the auspices of the American Council of Learned Societies], 20 volumes, index [for Volumes I-XX], and Supplementary Volumes XXI and XXII, 1928-1958), XII, 157-158, hereinafter cited as Malone, *Dictionary of American Biography*.

³ Malone, *Dictionary of American Biography*, XII, 158.

⁴ *Congressional Directory*, 1,490; Samuel A. Ashe (ed.), *Biographical History of North Carolina, From Colonial Times to the Present* (Greensboro: Charles L. Van Noppen, 8 volumes, 1905-1917), IV, 300, hereinafter cited as Ashe, *Biographical History*.

to 1807 he was Speaker of the House and was elected President *pro tempore* of the Senate on May 20, 1826, January 2, and March 2, 1827.⁵ In 1825 he received twenty-four electoral votes for Vice-President of the United States.⁶

After his resignation from the Senate, he retired to "Buck Spring," his home in Warren County, with the expectation of remaining in seclusion. But he was frequently interrupted by callers, particularly young politicians who sought advice, and in 1835 he served as President of the State constitutional convention.⁷ In 1836 he became interested in the candidacy of Martin Van Buren and was an elector. In retirement he busied himself with his plantation, letter writing, and his favorite sports—tox hunting and horse racing.

One of his correspondents was John Randolph of Roanoke, with whom he was closely associated in Congress. Many towns and counties bear the names of these two men, and Randolph-Macon College was named in their honor. Most people who have studied the history of the United States during the first half of the nineteenth century are familiar with their leadership. Neither were profound thinkers nor profound statesmen, yet they were dominant political figures. William E. Dodd concludes that Macon was a stronger and a more influential man than "his brilliant but flighty friend of Roanoke."⁸ Of their correspondence no great number of letters is known to be extant. Macon himself ordered all of his papers burned before his death. Enough survived, however, to reveal the David-Jonathan friendship between the two men. Macon's letters show that he was acute and observant and had an interest in all the details of economic life which he saw about him as well as political affairs. He was genuinely interested in crops, commerce, and the tariff. The everyday comedy of life and its minutia attracted him. He was constantly doing small kindnesses pleasantly and graciously. He had the outward graces which are helpful to men in all walks of life, and particularly in politics. His letters also bear testimony that the impressiveness of his person and demeanor was never marred by the least haughtiness or superciliousness. His manners, though very dignified were perfectly simple and democratic. The fourteen heretofore unpublished letters from Macon to Randolph, dated from 1810 to 1830, are among the John Randolph of Roanoke Papers in the Manuscript Division of the Library of Congress.

⁵ *Congressional Directory*, 1,490.

⁶ *Congressional Directory*, 1,490.

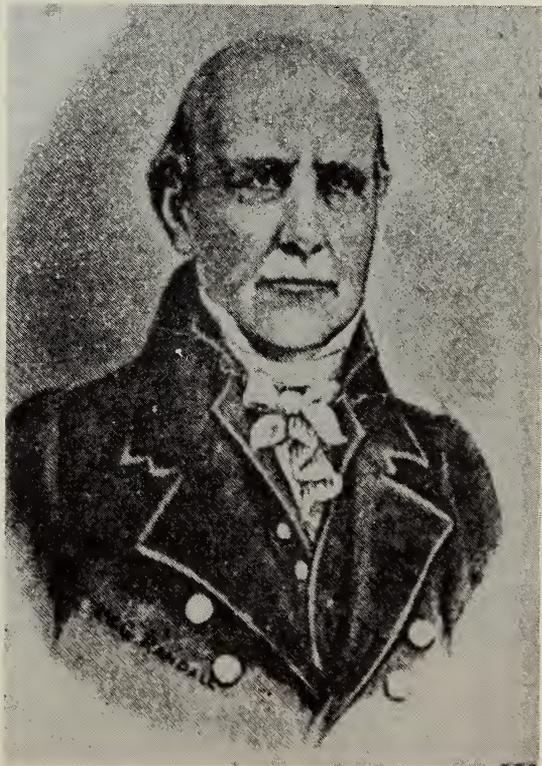
⁷ Ashe, *Biographical History*, IV, 302-304.

⁸ William E. Dodd, *The Life of Nathaniel Macon* (Raleigh: Edwards and Broughton, 1903), 400-401.



For years many people have understood that no portrait or likeness of Nathaniel Macon was extant. Reproduced here are two pictures of Macon. This photograph was taken from a portrait by Robert D. Gauley and hangs in the Speaker's lobby of the United States House of Representatives. It was obtained from The Library of Congress, Photoduplication Service, Washington 25, D. C.

This picture of Nathaniel Macon was given to *The Review* by Mrs. Minnie R. Norris of Raleigh. It appeared in W. J. Peele, *Lives of Distinguished North Carolinians*. According to Mr. Edward Seawell of Raleigh, who gave the picture to Mrs. Norris, it was used also in *History of Macon, Georgia*, by Ida Young, Julius Gholson, and Clara N. Hargrove.



Buck Spring 15 August 1810

Sir

The letter you wrote to me on the 2. instant has been received, the request therein complied with, except to R H Jones,⁹ who was at Mecklenburg, I believe every one of acquaintances at Warrenton made the enquiry

Col David R Williams¹⁰ of South Carolina, is here with his son, starts to day for Rhode Island

The Sunday we were at Bristow near Williamsborough, I had a little time a very hard rain, since which dry, dry, dry— corn nearly burnt up— every thing wants rain and a great deal of it, the wettest part of the branches in tobacco are vastly too dry—

Poor Moses,¹¹ you & Beverley can tell of your mishaps, well from my heart I am sorry for all that, tell B. I think of him with real pleasure, Williams almost prevents my writing, by saying remember me to Randolph

God bless you
Nath^l Macon

Washington 28 April 1820

Sir

I have been this minute presented with the enclosed; although I had no direction about the pictures, I thought it best to pay for them, and send them to Petersburg

The Mess,¹² and Hall,¹³ more often than any other, asks when did you

⁹ Robert H. Jones, a native of Virginia, moved to Warrenton, North Carolina, during the early part of the nineteenth century and in 1828 was appointed attorney general of the State. Lizzie Wilson Montgomery, *Sketches of Old Warrenton, North Carolina, Traditions and Reminiscences of the Town and People Who Made It* (Raleigh: Edwards and Broughton Company, 1924), 399-401.

¹⁰ David R. Williams (March 8, 1776-November 17, 1830), statesman, newspaper editor, cotton planter and manufacturer, brigadier general during the War of 1812, and a member of Congress (March 4, 1805-March 3, 1813), was active in South Carolina politics. He served as governor of that State and in its legislature. On November 17, 1839, he was accidentally killed while superintending the construction of a bridge over Lynch's Creek. Malone, *Dictionary of American Biography*, XX, 253-254.

¹¹ Moses was one of Randolph's slaves. When he returned from Russia in 1830, Randolph brought some of his field hands to serve as house servants—Moses was one of them. Randolph, who was by this time mentally ill, was soon heard saying, "Moses goes rooting around the house like a hog." William Cabell Bruce, *John Randolph of Roanoke, 1773-1833* (New York and London: G. P. Putnam's Sons, 2 volumes, 1922), II, 7, hereinafter cited as Bruce, *John Randolph*.

¹² Here Macon refers to the "Mess" as members of Congress who lived at a famous boardinghouse in Washington known as Dowson's, of which Alfred R. Dowson was the proprietor. The house was located on Square 687 between Delaware Avenue and First and A and B Streets, Northeast. For a list of members of Congress who lived there, most of whom were from southern States, see George Rothwell Brown, *Washington: A Not Too Serious History* (Baltimore: The Norman Publishing Company, 1930), 135-136.

¹³ Thomas H. Hall (June, 1773-June 30, 1853), a representative in Congress from North Carolina, was born in Prince George County, Virginia; studied medicine and later practiced in Tarboro, North Carolina; served in Congress from 1817 to 1825 and from 1827 to 1836; resumed the practice of medicine and engaged in agricultural pursuits until his death. *Congressional Directory*, 1,253.

hear from M.^r Randolph, the poor fellow, has been a little unwell for two days past, though not confined to his bed; I am not informed as to the state of the negotiations between Vice & the administration, things in Congress about as usual, no lack of speaking in the opinion of your friend

Nath^l Macon

Washington 6 May 1820

Sir

I have this morning received your letter of the 4. instant; McAlister has not sent me for you five dollars, nor have I heard from him, The sum claimed by Dixon was five dollars & eighty cents, which was paid

If you see Peter Brown[e],¹⁴ shake him by the hand for me

At breakfast your message to the mess was delivered, who all requested me, to return their thanks for your friendly remembrance, Hall and Burton¹⁵ reciprocate most perfectly your good will; & sincerely wish you an agreeable trip, a pleasant tour & safe return as does your friend

Nath^l Macon

I believe the sum paid for you, is seventeen dollars and thirty eight cents

N. M.

Washington 11 March 1822

Sir

Your note dated 9 O'clock yesterday, was picked up in the passage by John Sanders this morning at 20 minutes past 7— and brought to me; Mr. Alexander¹⁶ & myself examined your room immediately after it was

¹⁴ Peter Browne (1764 or 1765-1832), a native of Scotland, came to North Carolina, began to practice law in Windsor in 1796, moved to Halifax about 1798, and soon was a leading member of the State bar. He also served as President of the North Carolina State Bank in Raleigh. J. G. de Roulhac Hamilton (ed.), *The Papers of Thomas Ruffin* (Raleigh: The North Carolina Historical Commission [State Department of Archives and History], 4 volumes, 1918-1920), II, 55, 102-105, 490, 508, 543; William Henry Hoyt (ed.), *The Papers of Archibald D. Murphey* (Raleigh: The North Carolina Historical Commission [State Department of Archives and History], 2 volumes, 1914), I, 80-81n.

¹⁵ Hutchins Gordon Burton (1782-April 21, 1836), a member of the House in Congress from North Carolina, was born in Virginia. At the age of three his father died and Hutchins moved to Granville County where he was reared by his uncle, Colonel Robert Burton. He served in the State legislature (1809-1810) and as attorney general (1810-1816). He moved to Halifax County and in 1819 he was elected as a representative to Congress where he served from December 6, 1819, until his resignation on March 23, 1824, having been elected Governor of North Carolina, in which capacity he served until 1827. When General Lafayette visited Raleigh in 1825, Burton served as his official host. *Congressional Directory*, 925.

¹⁶ Mark Alexander (February 7, 1792-October 7, 1883), a native of Mecklenburg County, Virginia, graduated from the University of North Carolina, practiced law in Boydton, Virginia, and served in the Virginia House of Delegates (1817-1819) and as a member of Congress from March 4, 1819, to March 3, 1833. During the second winter that he was in Washington he was a member of the "mess" which consisted of John Randolph, Nathaniel Macon, Thomas Hart Benton, Weldon N. Edwards, Thomas W. Cobb, and Edward F. Tattnall. *Congressional Directory*, 770; Bruce, *John Randolph*, I, 601, 651; II, 6.

handed to me, but the cushion was not there; enquiry was then made among the servants for it, one of the boys said, it was under the bed that your man Johnny slept in; he was sent for it, & it is now ready at 8 O.Clock to be forwarded by the first stage to you at Barnums; Had the note been received in time, every effort should have been made, to have sent it by the first stage this morning, by your friend

Nath^l Macon

Turn over

Monday Morning

Alexander has keep [*sic*] the key of your room & the door has been constantly locked since you left it; so that the cushion must have been out, before you went to Baltimore; a little after 8 O'clock, George was sent to the office, with a request, that the stage might stop at Dowson's, to take for me a small bundle to Barnums Baltimore, he reported it would stop; Three quarters past ten, the stage called, & took the cushion; it is tied up in newspaper, a sheet of white paper on one side, directed to you, at Barnum's Baltimore

God bless & preserve you
N.M.

Washington 11 May 1828

Sir

I have received a letter from M.^r William Leigh,¹⁷ dated the 6-instant, in which he informs me, that you had got home, & was very sick the night before he wrote, but much better at the time he was writing; I need not tell you my feelings on reading it, because you know them; the last part was as pleasing as it could be, & I hope that it may be the last severe attack, you will have, & that home & rest, may make you a well man & that you may be here next winter to see Jackson president

I propose to you, to strike out the last part of M.^r Leigh's letter, which relates to what may be said after your death

My tobacco plants I am informed are very small & much injured by the frost & the fly; My crop of last year has been lately sold for \$150. after paying the carriage to Petersbrug, say lb 5242 of tobacco & 306-of cotton, about enough to pay the overseer & the taxes; The gust injured me last year, a good deal

Col Tattnall¹⁸ was to leave Middletown about the 6 instant for New York on his way to Georgia

¹⁷ William Leigh was a close friend of Randolph. Both Judges Leigh and John Marshall strongly urged Randolph not to accept the post of Envoy Extraordinary and Minister Plenipotentiary to Russia in 1830. Bruce, *John Randolph*, II, 623-624.

¹⁸ Edward F. Tattnall (1788-November 21, 1832) served in Congress representing Georgia from March 4, 1821, until his resignation in 1827. In the duel between John Randolph and Henry Clay on April 8, 1826, Tattnall served as second for Randolph. *Congressional Directory*, 1,896; Bruce, *John Randolph*, I, 515-525.

Col Benton¹⁹ will I think make Webster tired of the Senate, if he has not already done it

Do not plague yourself to answer my letters, though it would gratify me very much, to know that you had recovered your health

Will you offer to M^r Leigh the esteem & respect of

Your friend
Nath^l Macon

Buck Spring 14 May 1828

Sir

Since I got home, I have had some girts wove, two of them were intended for you, yesterday M.^r George Barkerville took them for you, & promised to hand them to our good friend Mark Alexander, with a request, that he would contrive them to you, one is entirely cotton, the other half wool, half cotton, as I never saw one of either kind, I cannot tell how they will answer, the[y] are free of tariff in every respect, the produce & labor of the plantation

I have had since being at home, two middling severe attacks of diarrhoea each continued three days, I am now not altogether well, but well enough to be about

My crops of corn & oats look well for the quality of the land, tobacco mostly planted since my return with sorry plants, wheat not good

I wrote you & put the letter with the girts the same in substance as this

I have not seen a single person who reads news papers enough to give the abuse they contain, I have nothing to tell you nor offer you, which has not been told & exposed often before, but it may be repeated, as it is true, that your friend, & that you have my best wishes, & that every good may attend you

Nath^l Macon

N.B. I would have made the girts, but had no leather fit to put the buckles to, I write this by mail, under the expectation, that you will get it before you hear from Mark— farewell —

N M

The girts are about two inches longer than common because your horses are large & fat

Nath^l Macon

¹⁹ During the latter years of Randolph's Congressional career, among his most intimate friends were Macon, Thomas Hart Benton, James Hamilton of South Carolina, and Mark Alexander. Often Alexander served as Randolph's amanuensis. Of Benton, whose rooms were very near Randolph's, Alexander wrote on March 4, 1820: "Benton . . . was always reserved, with no intimate association or friendship, but always master of the subject he discussed, and whose lamp never went out at night until one or two o'clock." Bruce, *John Randolph*, II, 314, 336, 356, 374, 381, 407, 452, 544, 623, 624, 688.

Buck Spring 1 Jan^r 1829

Sir

I cannot conceal from you, that I am very much gratified, with your letters & that of M.^r Garnett,²⁰ & if I was to attempt to conceal it, you would know the fact, yours of the 26 instant was this day received, I read the whole news papers that you sent & scarcely any thing else; most of the ills in England & the U.S. may be traced to the paper system adopted in each country, the case of M.^{rs} Saunders and her husband was no doubt produced by that of England, that of the drunkard not so certain; but a desire to appear rich is I think one of the effects of it, & that too without doing any labor or business to get rich

I went yesterday a hunting, continued trailing one or more foxes, till I got in the afternoon with M.^r G— Alston's²¹ & went to his house, found him not well, & I fear in a bad state of health, & this morning coming home, was joined by several of his neighbors & caught a fox, after an agreeable chase, it was not the less agreeable, as one of my dogs was generally considered the best²²

I am not a little pleased, that M.^{rs} Decatur²³ remembers me, in the friendly manner she expressed to you, it is a proof of her magnanimity, when you see her I must trouble to say to her, that she has my old fashion good will & respect.

If you should write to M.^r Garnett, while at Washington, pray remember me to him, in your most friendly manner, & assure him of my continued regard & esteem— I neither read the proceedings of Congress & nor the assembly, but am certain that both will do too much, to do any good, if that is not a paradox

The weather warm & pleasant no use for a great coat, though boots, not shoe boots are necessary, on account of the bad roads

Yours ever & truly

Nath^l Macon

²⁰ James M. Garnett (June 8, 1770-April 23, 1843) was a member of Congress from Virginia and served from March 4, 1805, to March 3, 1809. He was a close friend of Randolph and accompanied him on numerous bird hunts. Their hunting ground was in the District of Columbia, a little north of the Capitol. *Congressional Directory*, 1,197; Bruce, *John Randolph*, I, 565.

²¹ Gideon Alston of Halifax County, North Carolina, was a councilor of the State from 1807 to 1831. R. D. W. Connor (comp. and ed.), *A Manual of North Carolina, 1913* (Raleigh: North Carolina Historical Commission [State Department of Archives and History], 1913), 429-432.

²² Macon's home, "Buck Spring," was about twelve miles north of Warrenton, and his nearest neighbor's house was about five miles distant. Here he entertained simply, but his hospitality was famous. He was exceedingly fond of fox hunting and kept approximately a dozen pureblooded foxhounds. Alston and Randolph were among his most frequent companions on these chases. In 1819 when James Monroe was on his southern tour, he visited Macon and enjoyed a foxhunt. Ashe, *Biographical History*, IV, 293.

²³ Susan Wheeler Decatur, daughter of Luke Wheeler, Mayor of Norfolk, Virginia, married Stephen Decatur March 8, 1806. Malone, *Dictionary of American Biography*, V, 188.

Washington 8 Feby 1829

Sir

Yesterday was quite warm, in the last night it began to rain & seems likely to rain all day: The earth was wet & miry before, the weather has for some time been unfavorable for ploughing, & too much rain for stock, especially for lambs, calves & pigs, indeed it injures all ages

The people in some parts of the U. S, are become very subject to foreign fevers, as soon as they get on the mend from one they are attacked by another, though they do not employ doctors, they pay to get cured, though each makes the bill, for himself or herself; men, women, & children are all I believe subject to it, whether the colonizing fever be foreign or not I cannot undertake to decide, but surely the South American, the Greek & Irish are all foreign: The people most subject to these fevers, whenever attacked, cry out for a new tariff to enable them to pay their bills, that of 1816 might be called the South American, that of 1824, the Greek & that of 1828, the Irish, In all these fevers, there is a strong desire manifested, to make the South side of the Potomac, pay the expense of the cure, which it does, after a little fuss, I am already getting scarce of provinder for cattle, & the wild turkies I fear have destroyed my oat stacks, they have certainly injured them more, than could have been expected, they were in a field some distance from the house, which was not frequented by any person, & the injury was accidentally discovered

I was hunting yesterday, & again trailed a fox till the afternoon, without starting, they are very scarce, & travel much in the night

I have this minute received the note, in which you, tell me, that Major Hamilton regrets, the non publication, of my last speech on the Tariff, I wished it published myself, but waited so long for the short hand man, to send it to me, that I could not trust myself to do it, when he sent, he only sent his notes, which were of no use to me; I believe I still have my notes, those of the short hand man, were returned by M.^r D. Turner²⁴ to Gales & Seaton, his name, I believe was Sparhawk;²⁵ Turner can tell

M.^r Madison I expect, begins to wish that he had not written his two letters, to prove that he was an old man, & I seem to be following his example, except I wrote to different sort of men, I do not know his correspondent,

I am doing this year, what I never done before, that is, to turn my ewes as fast as they have lambs on the wheat patch, it is a patch, & not a field; any thing to keep the Tariff men, from my plantation

If I write you the same thing twice, you must place it, to its proper cause forgetfulness

²⁴ Daniel Turner (September 21, 1796-July 21, 1860) graduated from the United States Military Academy in 1814; served in Congress from 1827 to 1829; was principal of Warrenton (North Carolina) Female Seminary; and later served as superintending engineer of construction of the public works at the Navy Yard, Mare Island, California. *Congressional Directory*, 1936.

²⁵ Edward Vernon Sparhawk, a reporter for the *National Intelligencer* (Washington, D. C.), was a target for the complaints of John Randolph concerning the accuracy of the reports of his debates. *Register of Debates in Congress, 1825-1837* (Washington, D. C.: 29 volumes, 1825-1837), Twentieth Congress, First Session, 186; *National Intelligencer*, January 15, February 18, March 10, 13, 1828.

Tell Major Hamilton,²⁶ that I am not a little gratified, that he wished the speech published, & that I regret his being out of Congress hereafter

Yours ever & truly
Nath^l Macon

Buck Spring 22 Feby 1829

Sir

This afternoon I was gratified with the receipt of your letters of the -12-13-15 & 18- instant, could you only have added, I am well, the gratification would have been complete, some company was here when they & the news papers were brought home, which prevented my reading the newspapers; I am now trying to write by candle light, because I expect to start early in the morning to Warrenton, a place I have not seen since Christmas; when I last wrote to you, the morning was wet & warm, it cleared up about noon with a northwest wind, strong & cold, uncommonly so considering the warmth of the morning, the wind was nearly equal to such you have in Washington on the next day, yesterday it was too cold to work, to day quite pleasant

I have always had a dread, that such men as Lee would flock about the General, he should only have the upright about him,

Say to Major Hamilton I am too contented at home, to undertake to write out the speech delivered under strong feelings & great excitement, but if he will call here as he returns, he shall have the notes read, he could not read them; when speaking I said many things, I never thought of before, & they had left me, when I made an attempt here to write it

The General's calling to see you, augurs well, but he must (as said before) only have the upright about him, it was a great point in Washington's character, that he never had the wicked about him

The loss of a friend at our age is irreparable, & that of a female friend whose kindness & goodness we know, is vastly more distressing than that of male, but your friend may be yet alive, & live to see you, God Grant that she may

Taylor's land adjoins Frank Jones, & was not I am informed sold; I go to no sales, of course you must have what I hear

Remember me to the Mess, I shall put this in the mail at Warrenton tomorrow

Yours ever & truly
Nath^l Macon

Buck Spring 6 March 1829

Sir

Since my last to you, I have received, your letter of the 19- 21- 22- 23- 25-26- & 27 ultimo: The cabinet has made the supporters of the President

²⁶ James Hamilton, Jr. (May 8, 1786-November 15, 1857) was born in Charleston, South Carolina, served in the War of 1812 and in Congress as a State Rights Free Trader (1822-1829), and was governor of his native State from 1830 to 1832. *Congressional Directory*, 1,258.

silent, particularly Ingham,²⁷ his former report on the post office, is remembered but enough, it is often happened [*sic*] that the effects of a victory has been almost lost, by improper doings after it has been dearly gained; a vote from me, on some of the nominations would have been useless; Home is the place for me, though nothing but the strongest conviction, that it was my duty induced me to quit the ship when I did, & I have never once regretted it

February has been an unfavorable month to the planters, & as yet march no better, the ground badly was fit to plough, I have heard of only one man who sowed oats; For poor Dawson²⁸ I am truly sorry, but one not connected with the government, except to pay taxes, has no weight nor would I know to whom, to write to expect the least luck for a recommendation

This is the second letter directed to Charlotte C-H- Last Wednesday, I met some of the neighbors to hunt, while the dogs were trailing a fox in pretty good style a dog which was one of them brought, not a full hound I expect, got a head of them, started, run the fox off & lost him, after a long trail, he was again started, & caught after a severe race

Yesterday & last night, we had a good deal of rain, I discovered too late, that I had begun to write on the wrong part of the paper

M^r Madison must be tired of his letters about the power to encourage manufactures, he must have forgot himself, old horses, that have never been run hard & taken from the turf for years, rarely succeed well, in a second training

That blessing upon blessing may attend [yo]u is the cordial wish of

Your old & sincere friend
Nath^l Macon

Buck Spring 26 April 1829

Sir

Your not writing since the 30 of last month, has made me very apprehensive, that severe indisposition has prevented, I am sure that some strong cause prevented, & your long bad health, at once suggests, sickness: I earnestly hope, that the suggestion may not be true, & that you have been too much engaged in the agreeable amusement of attending to your plantations, to spare time to write

I have for the last two months had a sick family of negroes, I believe, in my last I told you, of the death of the most valuable young woman, that I owned, two young ones, women, are now sick & have been for some time; & two old, a man & his wife are complaining a good deal, & several have uncommonly bad colds— My plantation far from being in good order, the creek low grounds have more clods than I ever saw, I shall try to break them, as soon as I can

²⁷ Samuel D. Ingham (September 16, 1779-June 5, 1860) was born in Bucks County, Pennsylvania. He served at intervals in Congress from 1813 to 1829 and as Secretary of the Treasury in Andrew Jackson's cabinet from March 6, 1829, to June 21, 1831. *Congressional Directory*, 1,358.

²⁸ Beau Dawson was buried at public expense. Bruce, *John Randolph*, II, 318.

You have been mentioned in the way you wish, to all your friends in Warren, that I have seen since your request was received, all glad to be remembered by you

I stay almost constantly at home, but have to go to Granville & to G. Alston; as soon as I can with propriety leave the sick negroes

We had frost last night, which I fear has injured the fruit & mast, & so cold to day, that I am writing near a pretty good fire; tobacco plants uncommonly small, for the time of the year, & I do not believe that I have one as large as the eighth of a dollar; More tobacco intended to be planted in the county this year than last, one of the county men, cured his tobacco in the new way, & sold it for thirteen dollars, a hundred, it was sold immediately afterwards for 14\$, mine old fashioned, averaged a little more than 4—: I expect to be scuffled to keep even with the world, in money affairs, but shall try to do it, my own wants are not many, but others who think, they have just claim on me, for support, are not so limited; they are young, but not extravagant for the times

The hollow horn among my cattle & distemper among the goats, has reduced my stock of both very much, the latter more than half

I expect the roads are now good, & the weather not too warm to be disagreeable, & hope very soon to be informed when you will be here, bring any friends with you, that you may wish; The faithful Mark will come with you

I have had the skirts of an old coat cut to mend the sleeves, & a pair of pantaloons, this was done because I had not time to have clothes spun & wove, as yet, I have kept clear of the *accursed thing*—Tariff—

I had written this much, when your letter of the 9 & 14 instant were handed to me, I cannot express my feelings on reading them; your health not improved, it must then, be worse, My first thought was, that if he (yourself) cannot come to see me, I will try to borrow a carriage & horse & go to see him, I must see him, do not therefore be surprised if I visit you, as soon as I can leave with propriety my sick negroes, another, a man the foreman, has this minute sent me word that he was sick: I cannot say certainly, that I will visit you or when, but I can say, that I will try to do it, I expect that I may borrow something that will take me to Roanoke

Leofborough's²⁹ letter is returned, it is written with his usual good sense, he would have made a comptroller or an auditor worth much to the people; printers are printers, the trade is to support them, & Editors & printers of newspapers are like the long S & the short S or the straight d & the round d- all the same: I am certain that you will never repent retiring from public life, though no man ever retired, when retiring was more regretted by the honest good livers of the country,—a government of Editors, would be a government of the hungry, if half they state about themselves be true—

Do not look for me, or expect me, because it may happen, that I cannot leave, or get to your house, but I shall try, if you cannot come here

²⁹ Nathaniel Loughborough of Grassland, near Washington, D. C., was a close friend of Randolph. The two men were probably drawn together because of their "common passion for horse-flesh." At one time Loughborough considered publishing a compilation of Randolph's table talk and speeches. Bruce, *John Randolph*, II, 631-633.

I finished planting corn last week, & hope to plant cotton this, My last crop of tobacco was good, cured in the old way, & only sold for a little more than \$4, a hundred,

Suffer me to say, on your account, I am sincerely glad, that you have quit Congress, but not so on account of your good constituents, they will, & so will all the good people of the states miss you; your being in Washington was a check to the intriguers

Plutarch I think compares many of the Greeks & Romans: could he compare the Secretaries of some of the departments in the U.S. Government

Farewell & farewell, God bless you & give you health so long as he permits you to stay in this world,

Your old & sincere friend, now & forever
Nath^l Macon

D.R.W Is not I am certain a tariff man, if he is, he [is] much changed—

N.M.

Buck Spring 26 Oc^{-tr} 1830

Sir

Your man Edmund started from here yesterday morning, with three fawns, a buck & two does, one of the does was rather younger, than I wished, but I had no other, M.^r Eaton³⁰ was from home & in King William County Virginia, had he have been at home, I should no doubt, have got one older from him M.^r Leigh sent the cart & waggon covers both; with them I could not so fix the cart, as to carry the fawns, with any prospect of certainty, I therefore had a cage made & put in the cart, which I expect will carry them safely. Edmund could not carry provender sufficiently for his horse, & told me, that he had no money to buy any; I gave him one dollar to purchase what he might want, he requested me, to inform both you & M.^r W.^m Leigh of the fact, This is only done, because he requested it. The cage is entirely seperate [*sic*] from the cart, & the cart returned exactly as it came

The fall has been dry & warm, now almost summer, through there has been much cloudy weather

Edwards went from here to day, he made as friendly enquiries after you, as he could, & concluded by wishing that you was a member of the Senate of the U—S—

Saunders went from here on Sunday the day before yesterday, he likewise made as many enquiries after you & had the same wish

Mr. Leigh wrote to me, by Edmund, & informed me, that you wrote to him, off Copenhagen,³¹ & that you had a cold, but was getting better

³⁰ William Eaton, a wealthy planter of the Roanoke River, married Signiora (also spelled Seignora), daughter of Nathaniel Macon. Kemp P. Battle (ed.), *The Letters of Nathaniel Macon, John Steele, and William Barry Grove* (Chapel Hill: The University of North Carolina, *James Sprunt Historical Monograph* No. 3, 1902), 40.

³¹ Randolph sailed from Norfolk, Virginia, on the "Concord" on June 28, 1830, for Russia and reached St. Petersburg on August 10. He took with him three of his slaves—John, Juba, and Eboe—and also wine, books, firearms, a barrel of bread, a coffee pot, and a coffee mill. Bruce, *John Randolph*, I, 636-638.

The mast it is thought, will fatten hogs in some places, not so about me; Old corn is now three dollars a barrel, the new crop not great, wheat in no demand

If there was capital at Weldon or Halifax the Roanoke navigation would no doubt succeed, as most people seem anxious to carry their crops to one of the places

The young doe fawn sent, eats very well & will I expect be easily raised; M.^r Leigh & Edmund were both informed, what all of them would eat, & how to manage them

The crop of cotton is like to turn out, much better than was expected, that of corn will not I am sure in this neighborhood; The fall has been fine for saving every kind of crop, & stock of all kind, looks well; The ground is now too hard to plough

Edwards told me, that he had a great crop, of corn & cotton, My dogs have caught six foxes, I was only out at the catching of three, they have also lost three; The distemper has killed one, ruined another, & injured several, They are now old, middle aged & young, of course hard to keep together

Clays speech at Cincinnati & Johnson's eight points which you have doubtless seen; surpass all the electioneering, that I have ever seen; one a candidate for the presidency, the other a supreme Judge I cannot comment on either, they both seem to go too far for me, to say a word about them; but when candidates for the presidency, make electioneering speeches, & Judges of the Supreme Court decide political & Judicial questions out of court, the republic cannot be in a good way; Taylor got the better of the Judges; I write under the belief, that you see more American News papers than I do.

Last month Spot was sick a day or two, it was discovered in the morning by the old man, that feeds him, he was much swelled in his body; a dose of lard relieved him; since which he has been a little lame in one of his fore legs, no cause for it has been discovered, he has been hunted only twice, no fox started either time he is now well

The administration continues to be approved in this part of the country

Doctor Hall was here in the Summer, made enquiries about you often the two days he staid here, & I believe he regrets declining a re-election; Saunders told me, there was some talk of electing him in the district, without his being a candidate, he also wishes you in the Senate

Burton is engaged at the Gold mines & says he is doing well, I have not seen Mark Alexander since he returned from Washington, I have heard that he went to the Virginia Springs last summer; I told Edmund to try to get to his house on Monday night, I hope you will excuse this freedom; I done it for the best, that he might not stay at any place, where the fawns might be plagued or troubled

I have written exactly as the thoughts occurred & am

Your friend now & ever

Nath^l Macon

This is the fourth letter

Buck Spring 31 Dec.^r 1830

Sir

I have received two letters from you since you left Virginia, the first dated from August 5/ 18 to 18/ 22 the other September the 8/ 20 to 17/ 29 both of this year; I have read them repeatedly, with feelings that cannot be described; with sorrow & grief for your sufferings, & that of poor Juba, & with satisfaction & gratification, that in your constant pain & trouble you should exert yourself to write to me, & I must add with pleasure & joy at the reception the Court of Russia gave you; Such a mixture of feelings never before agitated the breast of any man old or young I fully believe; The company of the Russian General, who gave the information about the war, must have been quite pleasing at any time & in any situation; but the time & place must have made it truly interesting & highly pleasing. It was fortunate that you found the kind M.^{rs} Wilson; her house was no doubt the best suited to you, of any in St Petersburg

The winter with the exception of a few days has been damp & warm lately a good deal of rain, & a smart fresh in the river, if smart can be properly so applied, the weather too warm to kill hogs, I have been desirous for more than a week to kill mine, & they are eating corn that I cannot conveniently spare

The cotton crop if it can be saved will turn out better than was expected, tobacco pretty good quality, though not much planted in this county, Indian corn about middling crop, wheat that was sowed in time likely, hogs rather scarce with me, I have tried to have meat enough by killing fat weathers [*sic*]

It is 51 years this day, since I came to live on this plantation, which though of no consequence, you will not be unwilling to read; & my health has been better the last five month than it has been for several years past; my neck continues a little stiff, & makes it difficult to suit a pillar to it, when I ly [*sic*] down

My dogs have caught 15 foxes this season they have not been as successful as in past years, nor have they been hunted as much by me, because I was kicked by a horse on the left leg, which prevented my going out for a month, it is now I hope well, at least it is so, that I have been at the catching of 5 or 6 foxes since the kick, two on last thursday

I this minute with Nash brandy grog drink your speedy recovery, & hereafter better health than you have had for the last 40 years, as good as one of your age can have

In one of my former letters I mentioned the death of M.^{rs} Turner, since which M.^r Park has gone to live at his plantation in Mecklenburg, Virginia; I now have to add that M.^{rs} Alston the wife of Gideon is also dead; & that her death will I fear shorten the life of her husband; General D. R. Williams of South Carolina has been killed, by the falling of the timber of a bridge, he was attempting to raise over Lynches creek; this year I have lost three real friends; & two now in bad health a situation, not to be coveted, especially at 72 years old

I have heard that a good deal of produce has gone to Weldon & Halifax, & that there are many boats constantly on the river; I shall I now expect send my little crop to Petersburg either from habit, or ancient

attachment formed in hard times or because N. M. Martin is there; though Petersburg is not now in no respect what it was in 1798 & 99

I know nothing of what any Legislature in or out of the United States is doing or attempting to do & I know as little about European Revolutions as any one, I take no news paper, but a little one printed at Warrenton truly little in every respect: but half revolutions, like half reformation does not do much good; Had Luther have gone the whole, Calvin would have had no plan to have stood on, to put him out of the way

I earnestly hope, that you may commence the year with health, happiness & prosperity, & that your days of pain & suffering are past

This is the fifth letter to you

Your predecessor has only I believe done in Europe what he done in America, a public man in a foreign country, ought to regard the morals of the world, as a part of his duty to his country, if he does not, he ought to be recalled instantly—I should have written you sooner after the receipt of your first letter, but I had nothing to communicate, yet I might as I have now done, written that which could not be interesting or worth reading

I am daily anxious to hear the state of your health, let me know it as often as you conveniently can

Yours now & for ever
Nath' Macon

Spot since I informed you, that he had been sick & lame, has been perfectly well, & so gaily, that I have not ventured to ride him hunting, since I wrote, that I had changed him with a man who was with me; The minute the dogs begin to give mouth, he begins to fret, & wants to run them, as fast as he can go; although he is as gaily as a colt, has not since the day he was sick, fattened the least, that I can perceive, & has not during the season been at the catching of three foxes; & is now straining over the stable lot, his sickness though half a day long reduced him more than could have been supposed, the lameness slight, & not more than 3 days long— Your message has been delivered to every one that I have seen all were gratified & pleased that you remembered them, & desired me, to assure you of their respect & esteem; Gideon Alston added & desired me, to assure you of their respect & esteem; Gideon Alston by G-d. I wish Virginia would elect him Senator to Congress, this is a general wish in the part of the country

Buck [Spring]

Sir

I went yesterday to see M.^r Turner and returned to day, found him much better than when M.^r Park wrote, and left him mending this morning; Your message was delivered to him, his lady, M.^r Park & Edwards, all of whom desire to be remembered to you in the most friendly manner, & requested me also to tender you their thanks for you kind notice; Turner added tell him; come & see us, & not be in a hurry to go home; though pleased to hear from him, I had much rather see him, & take him by the hand, so say I

I begin to want rain a good deal— After opening my letter of the 20-instant; I found that my sealing wax was not good, & fear it may rub off

More cotton planted in this neighborhood than was last year; great complaint in Mecklenburg & Brunswick of the chintz bug in the wheat & some little with us

Pray write often, that I may know the state of your health: I forgot in my last to state your friend Hall had an opponent

Tell Old man Essex, Johnny & Juba Howdy^e & that I have a regard for their fidelity & attachment to you

That health & happiness may attend you is the sincere wish of your friend

Nath^l Macon

[P.S]

Robert G. Martin is here, by him I send your recollections of his parents to them

N. M

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BOOK REVIEWS

History of North Carolina. By Francis Lister Hawks. (Spartanburg, South Carolina: Reprint Company [Reprint of the original printed by E. J. Hale and Son, Fayetteville, 1857 and 1859], 2 volumes, 1961. [Volume I] Pp. 254; [Volume II] Pp. 591. [Volume I] \$8.00; [Volume II] \$12.50.)

Francis Lister Hawks (1798-1866) was born at New Bern, graduated at the University of North Carolina in 1815 with first honors, studied law under Judge William Gaston, and later attended the famous law school of Tapping Reeve and James Gould at Litchfield, Connecticut. He was a very successful lawyer and from 1820 to 1826 was reporter of the Supreme Court of North Carolina. He abandoned the legal profession in 1826 and studied theology. He was ordained a deacon in 1827 and a priest of the Episcopal Church two years later. In 1830 he was made professor of divinity at Washington [now Trinity] College at Hartford. In 1831 he became rector of St. Stephens and later of St. Thomas, New York City, and held the latter post until 1843. In 1835 the General Convention of the Episcopal Church appointed him to collect material on the history of the Anglican Church in the colonies, and he went to England and brought back a great mass of materials, some of which he edited. In 1844 Hawks became rector of Christ Church at New Orleans and was elected first president of the University of Louisiana. In 1846 he volunteered to become professor of history at the University of North Carolina, but the chair was not established. He then went to New York, where he lived until 1862, when he went to Christ Church, Baltimore. Three years later he was back in New York.

Hawks was an omnivorous reader and a prolific writer. For some time he was editor of *Appleton's Cyclopaedia of Biography*, he wrote books for children, he published studies dealing with such varied subjects as the monuments of Egypt and Peruvian antiquities, and he edited works in church history.

Hawks had the broadest scholarship and highest literary attainments of any of the nineteenth-century historians of North Carolina. His formal training was far superior to that of his predecessors (Hugh Williamson, F. X. Martin, and John H. Wheeler) and his researches

were more extensive. He also had the advantage of being able to use materials collected by George Bancroft, documents on church history which he had collected himself, and historical records in the State which were being brought together and put in usable condition. His two-volume *History of North Carolina* was of high literary quality, scholarly, original, and, according to a competent contemporary reviewer, "remarkably accurate and sound." His style was clear, forceful, and at times eloquent, but he tended to be bombastic at times. He wrote with the dogmatic authority of a pulpit orator, which he was.

The most striking feature of Volume One of Hawks is to be found in the reprint of many rare and valuable documents, such as the Raleigh charter of 1584, Barlowe's narrative, the account of the Grenville expedition, and Thomas Hariot's narrative. He said that "the use of documents constantly diminished as he travelled upward through the story, because of the diminished necessity of reprinting that which, beside being generally known, is easily accessible in other forms."

Hawks' second volume covered the political, social, and economic history of the Proprietary Period (1663-1729). Following a topical rather than the chronological plan used by his predecessors he had chapters, always accompanied by documents, on law and its administration, agriculture and manufactures, navigation and trade, religion and learning, civil and military history, manners and customs. In fact, he devoted a larger proportion of his book to social, economic, and cultural history than any of the general historians before—or after his day.

Hawks believed that the real history of a State was to be found in "the gradual progress of its *people* in intelligence, refinement, industry, wealth, taste, civilization, &c." He admitted that his history was a labor of love, but that his primary concern had been to tell the truth. He endeavored to "enliven the dullness and relieve the quaintness of these worthy old chroniclers by such notes and remarks as may serve to link pleasantly together the past with the present."

The original edition of the Hawks history has been out of print for almost a century. Copies of it are extremely difficult to come by. The Reprint Company is to be congratulated for a splendid job of reproducing this important publication and making it available to those who are interested in the early history of North Carolina.

Hugh T. Lefler.

The University of North Carolina.

The Highland Scots of North Carolina, 1732-1776. By Duane Meyer. (Chapel Hill: The University of North Carolina Press. [1961.] Notes, maps, figures, and index. Pp. xii, 218. \$6.00.)

This is an important work. It tells in interesting detail the story of the largest Scottish Highlander settlement in America prior to the Revolution. Professor Meyer denies explicitly the long held belief that large numbers of Highlanders came to North Carolina immediately after the Battle of Culloden Moor to escape Hanoverian persecution and to achieve pardon for their support of the Stuarts. Rather, he shows that immigration after the Forty-five did not really get underway until 1749 and developed slowly until the early 1770's. Moreover, the true motives for this migration were changes in agricultural practices in the Highlands which produced rack rents and frequent evictions, the decay of the clan system, and overpopulation.

The denial of the exile theory of Highland settlement makes less baffling what has been a major mystery in North Carolina history. Why did so many of the Highlanders who had fought so ardently against the House of Hanover in the Fifteen and the Forty-five become Loyalists upon the outbreak of the American Revolution? The answer to this, Meyer contends, lies in the conciliation which the British had effected with the Highlanders since the dark days of Culloden, the land grant policy of Governor Josiah Martin, the fear of British reprisal, and the influence of retired Highlander officers in North Carolina.

The finest portion of this work is that which describes the when and where of the Highlander settlements in North Carolina. This presents an excellent example of the use to which dry as dust land records can be put in writing readable history.

Herbert R. Paschal, Jr.

East Carolina College.

The Age of Orange: Political and Intellectual Leadership in North Carolina, 1752-1861. By Ruth Blackwelder. (Charlotte: William Loftin, Publisher. 1961. Illustrations, notes, bibliography, and index. Pp. xi, 216. \$4.95.)

The hundreds of frustrated scholars who hope that some day they will find time to turn their boxes of notes into a published volume should take heart from Miss Blackwelder's success in producing a book

out of research done twenty or more years ago. The greatest hazard of such delay is that in the meantime someone else will come out with a book on the same subject, and that is exactly what has happened here; in 1953 Hugh Lefler and Paul Wager edited a collaborative history of Orange County, to which Miss Blackwelder herself contributed.

This book differs from its predecessor in doing both more and less than the 1953 work. On the one hand, it is much less comprehensive, as the subtitle implies; it confines itself to politics, schools, and newspapers, and stops at 1861. On the positive side, it is based on more extensive research than the hurried book of 1953. Miss Blackwelder has combed the official records, both printed and manuscript, as well as private papers, she has read the surviving newspaper files, and she has studied the pertinent works of other scholars, even including masters' theses, down to 1942. Footnotes and bibliography make this information readily available to others working in the same field. The author's failure to organize the accumulated facts into a meaningful story, however, makes the book difficult going for the average reader, who will prefer the Lefler-Wager history.

Marvin W. Schlegel.

Longwood College.

A New Geography of North Carolina. Volume III. By Bill Sharpe. (Raleigh: Sharpe Publishing Company. 1961. Pp. 1,115-1,680. Maps, illustrations, and index. \$6.00.)

This is another of those books which ought to be owned, used, or at least known about by everyone interested in North Carolina.

As in the first two volumes, Bill Sharpe has brought together in one binding his articles on various counties as previously published in *The State*. Volume III contains reprints of the articles on the counties of Anson, Bladen, Catawba, Chowan, Cleveland, Craven, Cumberland, Currituck, Edgecombe, Graham, Harnett, Jackson, Lenoir, Lincoln, Macon, Madison, Montgomery, Northampton, Pamlico, Pender, Polk, Sampson, Stanly, Surry, Washington, and Yancey.

It is easy to criticize a book of this sort for not being what it should be. But since the author makes no claim for the book as an authoritative and exhaustive history (or geography) of the counties covered, it must be judged only on the author's purpose. As an interesting and readable

sketch of each county, he has accomplished that purpose with distinction.

Contained in the twenty-six chapters are many of the highlights of the history of the various counties, along with anecdotes, place names, character sketches of prominent personages, and statistics on agriculture, manufacturing, and population. Many interesting tidbits that would have eluded a professional historian have been included.

The articles deserve a better map than the small highway map cutouts used in the book. A full-page map for each county containing the names of streams and small settlements mentioned in the text would have increased the value immeasurably.

These volumes may perpetuate some myths, but viewed as a collection of readable and interesting articles on the various counties, they are a welcome addition to the still meager but slowly growing literature on North Carolina counties.

H. G. Jones.

State Department of Archives and History.

A Goodly Heritage. By Emma Woodward MacMillan. (Wilmington: Privately printed. 1961. Illustrated. Pp. 105.)

The reminiscing of a good storyteller adds something of infinite variety and value to the written history of a family or of a town. This little volume is just such an effort by a good storyteller, and what Mrs. MacMillan—"Miss Emma" to several generations of public library users in Wilmington—has written here is a real help in the understanding of Wilmington's past.

The memories, of course, are of most interest to those of her own family. But there is in them a flavor which would be of help to any outsider trying to understand something of the Wilmington of the turn of the century. She covers a variety of subjects, the big race riot, Hemenway school, the keeping of Sundays, and Front Street.

Herbert O'Keef.

Raleigh.

A Condensed History of Flat Rock. By Sadie Smathers Patton. (Asheville: Church Printing Company. 1961. Illustrations. Pp. 73. \$3.00.)

In this unpretentious book, Sadie Smathers Patton, one of the most knowledgeable students of western North Carolina history, has recounted with affection and authority the story of the Flat Rock community in Henderson County.

The story begins in the fourth decade of the last century when the first visitors from the Charleston region built their summer homes and established an enclave in what was then a frontier region.

It ends a half-century later when Flat Rock began to lose its Charleston make-up and flavor. By that time many of the old homes had passed out of the ownership of the families which had built them originally and the coming of the railroad was opening up all of the mountain region to permanent residents and summer visitors.

At the peak of its provincial glory, Flat Rock was truly a "little Charleston in the mountains." Its summer residents were drawn from the most prominent families of the Low Country. Here they came by stage coaches or carriages, bringing with them their servants, their social distinctions, and their spacious ways of life. They even built their own church, "St. John in the Wilderness," where they worshipped and buried their dead.

A Condensed History of Flat Rock is the harvest of long and painstaking research. It possesses the supreme merit of accuracy and represents a valuable contribution to local history.

D. Hiden Ramsey.

Asheville.

The School of Pharmacy of the University of North Carolina: A History.
By Alice Noble. (Chapel Hill: The University of North Carolina Press.
1961. Illustrations, notes, appendixes, and index. Pp. viii, 237. \$5.00.)

A brief introduction relates the pharmacists of North Carolina and the University of North Carolina to the great self-impelled drive of American pharmacists to raise the legal and educational standards of their ancient and honorable profession. North Carolina followed the national pattern by establishing the School of Pharmacy of the University of North Carolina in 1897, after two unsuccessful experiments with private schools.

The history proper follows the evolution of this tiny but sound one-man, one-room beginning through depressions, wars, and political

changes to its present status: (1) one of the finest and best-equipped buildings in the nation; (2) a nationally distinguished faculty; (3) instruction up to the best national standards at both the undergraduate and graduate levels; (4) research fostered by the unique North Carolina Pharmaceutical Research Foundation. A healthy profession and a healthy university mutually aid each other.

The chapters are organized around the successive deans of the school. The tremendous and dedicated efforts of the pharmacists and the school are related in a discerning chapter of political analysis, *Pharmacy Licensure Legislation*. The work is thoroughly documented, enriched with pertinent appendixes, attractively illustrated, and superbly indexed. The historian has lived with the subject intimately since 1921, serving both the school and the profession as secretary, librarian, archivist, editor; and she continues at present as Historian of the North Carolina Pharmaceutical Research Foundation.

The book is sound history of pharmacy, education, the University of North Carolina, and of North Carolina. The full tide of the commonwealth flows through the story in the best tradition of Battle, Henderson, and Wilson. Alice Noble is a workman worthy of her history-minded father, M. C. S. Noble.

R. B. House.

The University of North Carolina.

The Historical Foundation and Its Treasures. By Thomas Hugh Spence, Jr. (Montreat; Historical Foundation Publications. 1960. Pp. xii, 171. Revised edition.)

“The object of an institution such as the Historical Foundation is to enable one to show appreciation of, to profit from, and to enhance the heritage passed down from the fathers of the flesh and of the faith.” These are the words Thomas Hugh Spence, Jr., uses to rationalize the existence of the Historical Foundation, the historical agency of the Presbyterian Church in the United States. And of history, Mr. Spence says that “the Christian interpretation of history lies in the idea of time as having been both tempered and transformed by the specific entrance of the Eternal. Herein lies the key to the understanding of all history; for, from the standpoint of the Christian, there is in reality no such thing as secular history.”

Thus the Historical Foundation which this book describes is in the eyes of its author, who is also the Director of the Foundation, not only dedicated to history but to church history.

The Historical Foundation and Its Treasures describes the record of the origin, growth, resources, and work of the Historical Foundation. It does this under the headings of history, home, and holdings. Just as documents that are the sources for historians have interesting histories themselves, so this depository, recognized as one of the finest church archives in the nation, has an interesting history. This institution, like most that have consequence, came into being as the result of the dreams, hard work, and generosity of many people. Dr. Spence records the struggles of Samuel Mills Tenny, founder of the Historical Foundation, in gathering the materials and the equally important support necessary for making his dream of a permanent depository a reality. From the first location in a bank vault in Texarkana, Texas, to the modern Historical Foundation building at Montreat, North Carolina, was a long trek which is described interestingly and with numerous references to the contributions of the many who helped along the way.

The present home of the Foundation is discussed in Part II and plans, preparations, physical equipment, and the problems and "pleasures" of building are described in considerable detail.

Part III, "Holdings," is the heart of the matter for researchers. The author points out that the nature of Presbyterian church government, with the gradations of session, presbytery, synod, and general assembly, and the dependence of one of these bodies on the records of another in the event of an appeal, resulted in the creation of a large body of records. The fact that these records have been preserved and are being preserved is due to the foresight and perseverance of the past and present directors of the Historical Foundation.

In addition to the official archives of the Presbyterian Church in the United States, the Foundation has accepted the responsibility for collecting books, especially Bibles, religious papers, and journals. This volume performs a real service in listing the holdings in the Foundation of these numerous journalistic endeavors, and in tracing the chronology of the journals and papers as they merged or split apart. Certainly the Foundation has performed a real service to all historians by collecting and preserving this material that in all likelihood would not have been preserved by any other library or archival agency. One of the most valuable features is the Appendix, which lists a substantial portion of the records and minutes to be found in the Historical Foundation.

Cyrus B. King.

State Department of Archives and History.

A Woman Rice Planter. By Patience Pennington. Edited by Cornelius O. Cathey. (Cambridge, Mass.: The Belknap Press of Harvard University Press. 1961. Introduction, footnotes, and illustrations. Pp. xxxiii, 446. \$6.00.)

Another in the distinguished series of John Harvard Library reprints, this volume is the four-year diary of an indomitable South Carolinian who attempted to cultivate rice in the Low Country long after rice growing had been generally abandoned there. The diary was written between 1903 and 1906, and the book was apparently published originally in 1913. "Patience Pennington" was Elizabeth Waties Allston Pringle, widow of John Julius Pringle and daughter of Robert Francis Withers Allston. Strong sentimental attachment led her to purchase, on credit, one plantation that had belonged to her husband's family and a second that was about to be sold to settle her own family's estate. Circumstances of economics, of sociology, and of nature militated against the success of her venture, but the force of tradition proved powerful; her father, once the governor of South Carolina, had been one of the largest and most successful of the ante-bellum rice planters, and both her mother and grandmother in widowhood had played the role of woman rice planter.

Patience Pennington's diary records with straightforward simplicity her heroic struggle to revive rice cultivation on White House and Chicora Wood plantations near Georgetown. More than this, the diary is an unconscious tribute to the human spirit as it reveals, day by day and season by season, the manner in which a cultured and sensitive yet practical and energetic lady of sixty faced the problems, emergencies, sorrows, joys, rewards, and satisfactions of her unusual situation. Widowed and childless, "Miss Pashuns" served as plantation manager, legal adviser, nurse, disciplinarian, confidante, angel of mercy, Sunday School teacher, and church organist to the many Negroes in her employ—most of them descendants of her father's slaves. The book is especially interesting in its account of her relationships with the Negroes and in its sharp delineation of their personalities. Eighty-six drawings by Alice R. Huger Smith add to the reader's pleasure.

Professor Cornelius O. Cathey of the University of North Carolina, a specialist in agricultural history, has written an informative introduction of twenty-two pages. In it he sketches the broad outline of rice culture in South Carolina from its beginning until 1906, when Patience Pennington, for reasons quite beyond her control, was compelled to give up her grand enterprise. Particular attention is paid to the ac-

complishments of Robert Allston and, of course, to the early career of his daughter. Professor Cathey accurately assesses the diary when he says: "Patience Pennington in her narrative succeeds in presenting accounts of even commonplace events, developments, and persons with vividness equal to that of the good artist who embodies his impressions on canvas. . . . Nearly every facet of her character is revealed by the tenderness, sympathy, and modesty with which she treats her subjects." And the publisher is correct in referring to *A Woman Rice Planter* as "this classic of Southern life."

Stuart Noblin.

North Carolina State College.

Van Meteren's Virginia, 1607-1612. By John Parker. (Minneapolis: University of Minnesota Press. 1961. Notes and index. Pp. x, 102. \$5.00.)

Emanuel van Meteren, Dutch historian and consul to Antwerp merchants in London from 1583 until his death in 1612, wrote a *History of the Netherlands* that was first published in 1593 and went through several editions in both German and Dutch both before and after his death. Resident in London in an age when strong commercial, cultural, and military ties bound the English and Dutch closely together, Van Meteren devoted considerable attention to the story of Anglo-Dutch overseas expansion and was particularly interested in England's experiment in Virginia. In the handsome little book under review, John Parker, Curator of the James Ford Bell Collection of the University of Minnesota Library, reprints from the *History* an English translation of the sections on the Virginia enterprise from its inception until Van Meteren's death as well as the accounts of Henry Hudson's explorations and the initial settlement of Bermuda, weaving them into the more comprehensive tale of Anglo-Dutch friendship and co-operation in their mutual rivalry with Spain. Although the sections from the *History* add a few new details to the Virginia story, this book is mainly interesting as a study of the extent of Dutch interest and involvement in the origins of the English overseas empire and as a successful attempt to put the founding of Virginia in its proper international setting.

Jack P. Greene.

Institute of Early American History and Culture,
Williamsburg, Virginia.

The Poems of Charles Hansford. Edited by James A. Servies and Carl R. Dolmetsch. (Chapel Hill: The University of North Carolina Press. Published for the Virginia Historical Society. Virginia Historical Society Documents, Volume I. 1961. Frontispiece, appendixes, and notes. Pp. xlv, 95. \$5.00.)

"A Clumsey Attempt of an Old Man to turn Some of his serious Thoughts into Verse." These words with which Charles Hansford pre-faced his poems disarm criticism, especially when the reader knows that the old man was a blacksmith, largely self-educated, who wrote the verses about the middle of the eighteenth century. Of him an admiring friend wrote: "His life was innocent, his conversation cheerful, his manners modest and obliging."

The manuscript of the four poems—*Of Body and Soul, Some Reflections on My Past Life and the Numberless Mercies Receiv'd from My Maker, Barzillai, and My Country's Worth*, about 2,000 lines in all—was preserved by this admiring friend, Benjamin Waller. He also affixed to the manuscript a biographical sketch and two laudatory poems, one of them his own.

In the stiff iambic pentameter couplets, the form in which virtually all serious poetry of the nineteenth century was written, the reader is impressed with the dullness rather than the clumsiness of the poems. Nevertheless in them one occasionally catches charming glimpses of the cheerful piety of the old man. He wrote to "sprightly youth" concerning the loquacity of age,

And now, young man, let an old man beseech
 You not to laugh at us till you do reach
 To our age and, then, if you think fit,
 You have my leave to laugh till you do split!

Contemplating the approach of death, he wrote,

Great God, let me but in Thy favor die;
 I am not careful where my bones do lie!

and again,

Great God, give me Thy Grace, let me live so
 That "Come!" may be my sentence and not "Go!"

The full introduction, the copious notes, which show careful research worthy of a historical society, together with the excellent binding, paper, and print would undoubtedly have delighted the heart of Charles Hansford.

Mary Lynch Johnson.

Meredith College.

My Dearest Polly: Letters of Chief Justice John Marshall to His Wife, with Their Background, Political and Domestic, 1779-1831. By Frances Norton Mason. (Richmond: Garrett & Massie, Incorporated. 1961. Illustrations, genealogical tables, notes, and index. Pp. xiv, 386. \$5.00.)

My Dearest Polly is a clever title but a misnomer. The subtitle, indicating that the letters from Chief Justice John Marshall to his wife are given with "their background, political and domestic," is an accurate description of the book. Written in a popular, easy-to-read style, Mrs. Mason describes the life of the Marshalls and their kin, and she discusses the national and Virginia issues in which the Chief Justice played a part. Marshall's responsibilities necessitated long separations, and forty-three letters which he wrote to Mary Willis Ambler Marshall are inserted in appropriate places in the text.

John Marshall is regarded as a towering figure in the history of American jurisprudence. His letters show that he was a very human person as well. After administering the oath to President Jackson, "A great ball was given at night to celebrate the election. I of course did not attend it" (p. 307). Marshall did attend and enjoy numerous social functions, which he described to Polly. He also told her of his daily routine when he wrote, "I take my walk in the morning, work hard all day, eat a hearty dinner & sleep sound at night, and sometimes comb my head before I go to bed" (p. 317).

Frequently Marshall expressed concern about his wife's health. Because of her frailness, he felt it necessary to write to a neighbor, complaining of the "incessant barking of your dog . . ." which disturbed his wife's sleep (p. 308).

Among other sources, Mrs. Mason used the Papers of John Marshall at the College of William and Mary, various secondary sources, notes taken by Marshall's grandchildren, and a source of dubious reliability, "Richmond tradition and Marshall family memories" (p. 354).

Genealogical tables of various branches of the family, notes on each chapter, and an index are included at the end of the volume.

Memory F. Blackwelder.

State Department of Archives and History.

Virginia Railroads in the Civil War. By Angus James Johnston. (Chapel Hill: The University of North Carolina Press. 1961. Pp. xiv, 336. \$6.00.)

The Civil War was the first railroad war—a fact historians have long recognized. And in recent years several very good works have been

published on the subject. The volume under review, unlike these other accounts which deal with northern and southern railroads in general, focuses only upon the railroads of Virginia. Dr. Angus Johnston selected Virginia as a case study because the "Old Dominion" was the major battleground of the war and the State with the most railroad mileage in the South. The purpose of this study, as stated by the author in his preface, "is to demonstrate the effect of the war on the railroads as well as the effect of the railroads on the war." This twofold object is skillfully accomplished and the result is an excellent book.

During the early stages of the war railroads made possible "the collection and maintenance" of larger bodies of troops than had ever been assembled in this country. Railroads also gave the armies a new mobility. Beauregard and Johnston used the Manassas Gap Railroad to win the Battle of First Manassas. Nearly half of the troops that fought on the Confederate left this hot summer day had been moved by rail at the last minute from the Valley to the battle line. "Obviously, without the services of the railroad, inadequate and unpredictable though its performance had been, the troops that tipped the scale of victory in favor of the Confederacy would not have been there." Confederate leaders also introduced new techniques of warfare. Joe Johnston built the world's first military railroad from Manassas Junction to Centerville, Virginia. Lee designed the first railroad gun and Jackson was the first to demonstrate "the meaning of modern, economic, total war" by his raid on the Baltimore and Ohio. Soon the standard tactics on both sides called for the destruction of railroad communications.

As the war progressed, attrition caused by the Federal blockade, deterioration of rolling stock, inflation, labor and material shortages, and indifference of the Confederate government, caused Virginia's railroads to decline in efficiency. And with this decline went the hopes of ultimate victory for the Army of Northern Virginia. General Lee, faced with a monumental supply problem, "was doomed to the unhappy fate of winning battles only to lose campaigns." Grant was fully aware of his adversary's difficulties. As a result he devoted a great deal of his energy during the last months of the war to cutting Lee's railroads. "Events in the spring of 1865 proved the Union commander's strategy to be correct when the resistance of the Army of Northern Virginia collapsed a week after the loss of its last railroad supply line."

Footnotes, bibliography, index, illustrations, and tables add to the value of the book.

John G. Barrett.

Virginia Military Institute.

The Wartime Papers of R. E. Lee. Edited by Clifford Dowdey. Associate Editor: Louis H. Manarin. (Boston: Little, Brown and Company. 1961. Illustrations, maps, notes, and index. Pp. xiv, 994. \$12.50.)

Next to the restoration of the Old Capitol in Mississippi, the publication of the wartime papers of Robert E. Lee, under the sponsorship of the Virginia Civil War Commission, is the most distinguished effort in commemoration of the American Civil War yet seen by the reviewer. This handsomely-bound, well-edited, thousand-page volume containing more than a thousand documents is a fit shelf companion for Freeman's *Lee* and dwarfs into insignificance most of the centennial literature.

Only about one-sixth of the Lee wartime correspondence extant is reproduced, the remainder having been put aside as repetitious, routine, minor, or administrative paper work brought to Lee for his signature. His battle reports for 1864 and 1865 are missing (they were burned in wagons on the road to Appomattox) and there is no way, of course, to recall those all-important verbal exchanges made during the heat of battle. The evidence is sufficient, however, to show that Lee the tactician was in no manner inferior to Lee the master strategist.

Lee's military correspondence is interspersed with his letters to his semi-invalid wife and five of their seven children (Mary and R. E. Lee, Jr., having failed to preserve their father's letters), as well as sundry other relatives. The seventeen chapters in the book, from the first, on the mobilization of Virginia (April-July, 1861), to the last, having to do with the Appomattox campaign (February-April, 1865), are introduced with authoritative running narratives of from two to seven pages. In these Clifford Dowdey sets the stage, introducing material taken from excluded documents and making up in part for the lack of letters to Lee. The editor is sometimes critical of his subject, is almost always antagonistic toward Davis, and once in a while allows himself the use of some very careless language.

The documents reveal Lee as a soldier and as a man, probably without changing in a substantial way the picture already formed by any knowledgeable person. The official correspondence emphasizes that Lee not only fought campaigns but kept reorganizing his Army of Northern Virginia, maintaining it as well as he could, and providing it less and less effectively with food and forage. He *was* definitely concerned with problems of the whole Confederacy, yet never really had unrestricted control of his own army. His deference to "His Excellency," President Davis, is almost oppressive, as is his willingness to work uncomplainingly with what he had. He anticipated success until

late summer of 1863 when he realized that his magnificent army had passed its peak.

The more personal letters bring sharply to mind Lee's patience, humility, strict honesty, and his deep religious conviction—"Our life in this world is of no value except to prepare us for a better." Though he disliked slavery and opposed secession, he saw independence as a legitimate objective. The private letters ("I never write private letters for the public eye.") reveal a less somber individual, a Lee who could fret about his failure to return a bucket which had come to him filled with butter, one who indulged in quiet humor and occasional badinage. He carried on with his wife a four-year debate as to the numbers of pairs of socks in the bags she kept sending, at one point expressing his pleasure that there was "arithmetic enough" in the family to count to thirty. Lee may well have been the victim of hypertension and sometimes showed his irritation with newspaper editors, draft dodgers, the Confederate Congress, speculators, and those of the enemy who engaged in wanton destruction and other unworthy deeds.

The Wartime Papers of R. E. Lee deserves serious consideration for commendation by the Civil War Centennial Commission.

James W. Silver.

University of Mississippi.

Lee's Maverick General: Daniel Harvey Hill. By Hal Bridges. (New York: McGraw-Hill Book Company. 1961. Pp. viii, 323. Notes, bibliography, and index. \$7.50.)

This valued addition to Civil War literature is a biography at last of hard fighting, ill-tempered Major General (temporarily Lieutenant General) Daniel Harvey Hill, one of the high ranking soldiers North Carolina sent to the Confederate army.

Fortified by exacting research and possessing an easy writing style, the author has produced as good a book as is ever likely to be written about the high spirited eccentric he aptly terms Lee's maverick. If it is not altogether satisfying the fault is mainly in the subject. Though Mr. Bridges deals sympathetically with Harvey Hill, sides with him during a vast amount of in-fighting against associates in gray as well as enemies in blue, generously admires his tactical competence and softens his failure at Chickamauga, the composite picture he presents is that of a beset and unhappy man.

Harvey Hill complained against or quarreled in varying degrees of anger with Stuart, Longstreet, Toombs, Howell Cobb, Polk, Mahone, Gorgas, Bragg, Cooper, and Lee, and eventually engaged in a long and bootless wrangle with President Davis from which he was certain to emerge a loser. The fiery Toombs challenged him and Billy Mahone nearly did. When Hill, whose courage was well known, refused Toombs for reasons of the war, the Georgian called him a "poltroon." Perhaps no other would have employed that term who watched Hill in action: at Seven Pines, South Mountain or along the "Bloody Lane" at Sharpsburg. But he seemed alert for conspiracies against him and satisfied himself by finding them.

Devout, touchy and intensely partisan—his arithmetic problems before the war were worded to illustrate Yankee perfidy—he prodded his superiors and criticised Lee's generalship. He took time to chide the stay-at-homes and skulkers "lying around the brothels, gambling saloons and drinking houses of Richmond." He attributed Confederate reverses to the profanity of the soldiers.

Lee imputed to Hill or Hill's headquarters staff the loss of the order which apprised McClellan of his plans and led to the futility of the Maryland campaign in 1862. Author Bridges defends Hill and comes up with the curious suggestion that Lee's dispatch bearer may have been a Federal spy. The patient Lee finally shied away from Hill and after the war said he "croaked." In dealing with their strained relations the author does not quote this word of Lee's, but he does quote Bragg, who also applied it: "His open and constant croaking would demoralize any command in the world."

The author tends to exonerate Hill also for failure to capture the two Federal divisions exposed in McLemore's Cove below Chattanooga, which neither Bragg nor much historical judgment has been prepared to do. He accepts the version that Hill delayed because, among other things, General Cleburne was ill, a condition of which Cleburne apparently was unaware. Hill's nomination to be lieutenant general was never confirmed after Chickamauga.

Mainly because of his prickly traits, resulting no doubt from a painful spinal ailment brought on by poliomyelitis, Hill sat on the sidelines much of the closing period but appeared in minor roles and commanded one of Johnston's depleted divisions against Sherman at Bentonville. The author puts the chief blame throughout on Hill's superiors, especially Bragg, an overworked scapegoat, but not absolving Lee.

Mr. Bridges, a Professor of History at the University of Colorado, has written a badly-needed, thoroughly-documented biography of

one of the brisk, nettlesome, pugnacious figures of the Confederacy who will always have his school of admirers. Every ardent North Carolina buff will require this book.

Glenn Tucker.

Route 1, Flat Rock.

Full Many A Name: The Story of Sam Davis. By Mabel Goode Frantz. (Jackson, Tennessee: McCowat-Mercer Press, Inc. 1961. Illustrations, bibliography, and index. Pp. 143. \$3.95.)

Tennessee's Confederate hero, Sam Davis, facing death on a Federal gallows as a spy, chose not to divulge details of his activities as a scout bearing intelligence from Middle Tennessee to General Braxton Bragg at Chattanooga in November, 1863. As a consequence, he was hanged, a boy of 21. Davis, selected for scouting activity from Company I, First Tennessee Infantry, died on November 27, 1863, in Pulaski, after Union General G. M. Dodge was unable to get the youth to talk about his assignment. He was buried later at the home in Smyrna.

This is a commendable effort to tell the epic story, beginning with his ancestry in southside Virginia, his education, enlistment for military service in the early days of the conflict, the dark days after Shiloh, and events that led to his capture, trial, and execution. At times it is skimpy for the reader who has not "grown up" on this epic, needs more research, particularly the legality of the trial. The author has done a service in making the Sam Davis story available for young and adult readers during this period of opulent writings on the Civil War.

Tennessee and the world can proudly remember Sam Davis. Although he was wounded at Shiloh and executed at Pulaski, he never suffered any damage to his honor and devotion to what he believed to be right.

T. Harry Gatton.

Raleigh.

From Shiloh to San Juan: The Life of "Fightin' Joe" Wheeler. By John P. Dyer. (Baton Rouge: Louisiana State University Press. 1961. Pp. xii, 275. \$5.00.)

Although the Army of Tennessee never won a victory it was never routed when it withdrew from an engagement. The commander of the

army depended on General Joseph Wheeler, Chief of Cavalry, to cover the retrograde movements. This Wheeler did very successfully. He was described by one of his friends as the "gamest banty" of the Confederate Army.

Born at Augusta, Georgia, in 1836, Wheeler entered West Point in 1854. He graduated fourth from the bottom of his class in 1859, making his poorest grades in cavalry tactics. Later he was commissioned second lieutenant in the cavalry. When Georgia seceded he left Fort Craig to tender his services to his State. He first saw service under Bragg at Pensacola and joined the Army of Tennessee when Bragg's command was ordered to join the army at Corinth. At the Battle of Shiloh he commanded a regiment. During Bragg's Kentucky campaign Wheeler was appointed Chief of Cavalry, and after the campaign he was promoted to Brigadier General, Chief of Cavalry, Army of Tennessee. He served in this position until the end of the war. In 1881 he was elected to the House of Representatives from the Eighth District of Alabama. When the Spanish-American War came he offered his services and was appointed Major General of United States Volunteers and placed in command of the cavalry. Thus he made the transition from Blue to Gray to Blue. He actively served with the invading army throughout the campaign, and returned to his seat in the House when it was over.

"Fightin' Joe" Wheeler did his best fighting when he was ordered to cover the rear and flanks of the Army of Tennessee. Although several of his raids were partial successes they did not accomplish everything desired. The author points out that Wheeler was not a master of every phase of the military art. In his contrast of Wheeler with Forrest Mr. Dyer concluded that Wheeler worked better with the army, whereas Forrest was more at home on a raid. Mr. Dyer came to the conclusion that Wheeler was a soldier first and a fighter second, whereas Forrest was a fighter first and a soldier second. Although he did not have Forrest's dash, he was a trained officer who could be depended upon.

The book is very well balanced. Mr. Dyer does not overemphasize Wheeler's Civil War career, but covers his life with equal treatment. In developing the campaigns, military and political, the author presents the necessary facts and does not belabor a particular campaign because of its over-all importance in a period of history. He develops Wheeler's part in it.

This book is a revised edition of Mr. Dyer's "*Fightin' Joe*" Wheeler, published by the Louisiana State University Press in 1941. Since the

publication of the earlier work Mr. Dyer states that no new source material on Wheeler has been uncovered. The revised edition places more emphasis on Wheeler's Civil War career than does the earlier edition. The historian and Civil War enthusiast will regret that all footnotes have been omitted in the revised edition. However, the author's Critical Essay on Authorities will be very helpful for those who wish to do further research.

There are several general maps of the campaigns of the Army of Tennessee which will assist the reader in understanding the campaigns. Well-indexed, this revised edition of a long out of print work is a definite contribution to Civil War literature. It should rank as one of the finest biographies of Confederate generals.

Louis H. Manarin.

North Carolina Confederate Centennial Commission.

Reconstruction after the Civil War. By John Hope Franklin. (Chicago: The University of Chicago Press. 1961. Illustrations. Pp. x, 258. \$5.00.)

The history of Reconstruction began to be written almost before the program had been completed and has continued to attract the interest of professional historians ever since. William A. Dunning's *Reconstruction, Political and Economic, 1865-1877*, published in 1906, is characterized by Professor Franklin as "the definitive statement of the most influential of the earlier historians of the period." Dunning's interpretations, propagated by his students and followers, were long accepted by most professional historians. Claude G. Bowers with *The Tragic Era* and George Fort Milton with *The Age of Hate* popularized the Dunning interpretation. In 1939 Francis B. Simkins in "New Viewpoints of Southern Reconstruction" and Howard K. Beale in "On Rewriting Reconstruction History" (1940) called for a revision of the Dunning interpretation. Before this call was sounded monographs had appeared differing in some particulars from the interpretations of the Dunning school, and since then many more have been published. Now in 1961 we have two general treatments of Reconstruction. One of these is David Donald's revised edition of James G. Randall's *The Civil War and Reconstruction* first published in 1937, the other is the subject of this review. They are similar in that they incorporate the findings of the revisionist writings of the past twenty years; and that they treat Reconstruction more as a national than a sectional problem, give more attention to business, labor, and farm movements, deal more moderately

with Negroes, carpetbaggers, and scalawags, find more constructive features in Radical Reconstruction, and are less favorably disposed toward conservative white Bourbons of the South than the Dunning school of writers.

As Professor Franklin himself states his contribution is found in the new emphasis and interpretations of known facts, not in unearthing new sources or the discovery of new factual information. He points out many misconceptions and false interpretations which he proposes to clear up and correct. Space permits only a few examples. Earlier writers claimed that "huge military forces" were kept in the South for a long period of time. Not so, says Franklin. Post-war demobilization was rapid and only a skeleton army remained after 1866. Where earlier writers charged that Republican carpetbaggers tried to "Africanize" the South, Franklin says that they enfranchised the Negro for political control but "did not intend any revolution in general social relations between Negroes and whites." Earlier writers made the Negro the villain of Reconstruction, exaggerated his role in government, and found him ignorant, incompetent, and corrupt. Franklin says they ignored the fact that many Negroes who held office had gone to great pains to educate themselves, were honest and competent, and made significant contributions to the establishment of liberal democratic governments in the South. The early writers also exaggerated political corruption in the South and ignored the fact, says Franklin, that corruption was not peculiar to that region but prevailed throughout the country and was in truth "bisectional, bipartisan and biracial."

Professor Franklin condemns the Black Codes for their restrictions on the rights of the ex-slaves and praises the Freedmen's Bureau for its activities in health, education, and general well-being of the Negro. Over-all he finds Radical Reconstruction moderate rather than extreme. It accomplished significant reforms in public education, public welfare, and the advance of democratic principles. He sees the tragedy of Reconstruction in its failure to give the former slave economic independence and stability. In explaining how the utterly defeated South in a short time effectively escaped the terms imposed by the victorious North, Franklin emphasizes the influence of organized violence in the Ku Klux Klan. He concludes, however, that Reconstruction could have been overthrown without the use of violence. The North had grown tired of the struggle and was anxious to get back to business as usual. Furthermore Northerners had acquiesced "in the Southern view of the Negro," and had conceded that the Negro was not yet ready to take his place as an equal of the white.

Professor Franklin's interpretations are generally sound and valid, but like most writers who propose to correct long established interpretations he has gone too far in some cases. For instance, he underestimates the extent of both political democracy and public education in the Old South; credits the Radical Reconstruction with more good deeds and greater advances than it actually performed; and is in error when he says that the Reconstruction constitutions were so satisfactory "that for a generation no serious constitution-making was undertaken." Several Reconstructed States held conventions to rewrite their constitutions in the 1870's. Even so he has written a significant book, and while the pendulum of interpretation may swing back its arc has been permanently shortened by Professor Franklin.

Fletcher M. Green.

The University of North Carolina.

The South in the New Nation, 1789-1819. By Thomas P. Abernethy. Volume IV of A History of the South. Edited by Wendell Holmes Stephenson and E. Merton Coulter. (Baton Rouge: Louisiana State University Press and the Littlefield Fund for Southern History of the University of Texas. 1961. Maps and charts, prefaces, critical essay on authorities. Pp. xvi, 529. \$7.50.)

In the volume under review Professor Thomas P. Abernethy provides the reader with an excellent analysis of the most obscure period of southern history. Considering the fact that the author's main reliance had to be on primary materials and that the author had no pattern to follow in presenting the results, the volume is excellent. Although some of the topics discussed have been the subjects of outstanding monographs (for example, Professor Abernethy's own *The Burr Conspiracy* and Professor I. J. Cox's *The West Florida Controversy*), this is the first time that the entire period 1789 to 1819 in the history of the South has been discussed in one volume by an authority in the field.

To Professor Abernethy the hot and cold war waged for the Old Southwest, the westward movement of population, and the growth side by side of a democracy and a landed gentry are the important themes. This reviewer agrees with the author's position that "sectionalism . . . [should take] a secondary place in this volume." Although the author maintains that space did not permit him to trace the economic and social development of the region, this is the major weakness of the volume. In an age when historians are increasing the emphasis on these forces, it is regrettable that the author did not reduce

the space devoted to the story of the conquest and settlement of the Southwest in order to concentrate some attention on the social and economic development.

The maps and charts in this volume are quite numerous and help the reader to understand the text. They are far superior to the usual maps and charts. The volume maintains the high level of the series and is a credit to the author, the editors, and the press responsible. This reviewer hopes that the two remaining volumes to be published will appear soon and will be as well worth waiting for as Volume IV has been.

John Edmond Gonzales.

Mississippi Southern College.

The Negro in the American Revolution. By Benjamin Quarles. (Chapel Hill: The University of North Carolina Press. Published for the Institute of Early American History and Culture. 1961. Bibliography and index. Pp. xiii, 231. \$6.00.)

In this volume Professor Quarles, historian of the Negro in the Civil War, has given us a lively, detailed account of the manifold activities of Negroes in the War for Independence and the extent to which the war advanced the Negro on the slow, doubtful, but inevitable road to emancipation. At the outset of the book Mr. Quarles points out how the need for man power in the patriot forces, plus the doctrines of the enlightenment given transcendent form in the Declaration of Independence, induced hesitant slaveowners and legislatures to enlist Negroes in the patriot armies with a promise of freedom for the bondsmen at the conclusion of the war. The British, who had nothing to lose and much to gain by such a policy, enthusiastically urged slaves to desert their masters, serve in the loyalist forces, and receive their freedom at the hand of the king. Thus the war brought an unexpected, if temporary opportunity for thousands of bondsmen to shake off their shackles.

In the remainder of the book Mr. Quarles follows the careers of the slaves in the armed forces as soldiers, sailors, spies, guides, informers, laborers, and artisans. According to nearly all accounts they acquitted themselves creditably, which is not surprising in view of the reward they were striving for. Unfortunately, an almost total lack of materials makes it impossible for Professor Quarles to give us an accompanying analysis of the attitudes and inner motivations of the Negroes who set out on this hazardous highroad to freedom.

Mr. Quarles' treatment of Negro activities is considerably stronger than his analysis of the anti-slavery movement associated with the war. Ascribing the movement mainly to the doctrines of the Enlightenment, he does not discuss adequately the economic pressures which were being brought to bear on many large slaveowners. Because of the perennially low tobacco prices, slaves on many large plantations were simply not earning their keep. Diversification of agriculture and the building of industries appeared to many planters as the best way of stimulating the sagging economy of the upper South. Slavery they regarded as a bar to an effective use of these remedies. As philosophers, planters like Mason, Washington, or Robert Carter, might have a sincere desire to free the black men from their bondage, but as businessmen they were equally interested in freeing their region from a labor system which might threaten them with bankruptcy.

Elisha P. Douglass.

University of North Carolina.

The Triumphant Empire: Thunder-Clouds Gather in the West, 1763-1766.

By Lawrence Henry Gipson. (New York: Knopf, 1961 Illustrations, notes, and index. Pp. lxxv, 414. \$8.50.)

As Volume X of *The British Empire Before the American Revolution*, this is the last but one of the narrative volumes of the great work whose climax is being approached. The point of view, argument, and slightly altered plan of this book appeared, without the present richness of detail, in the first eight chapters of Gipson's *The Coming of the Revolution* (1954).

The theme is developed in two parts. The first eight chapters describe the sound financial condition of the American colonies after 1763, suggesting their ability to contribute without strain to the cost of imperial defense and administration. The remaining nine chapters discuss the financial problems of the imperial government, the attempts to raise a colonial revenue to support part of the burden of empire, the constitutional issues these efforts produced, the crisis over the Stamp Act, its repeal, and the effect of this rebuff to England upon the empire. In Gipson's view, England's financial demands were reasonable but the colonies themselves were different after 1763, and so the demands caused unanticipated reactions. The ensuing crisis was a constitutional crisis; what was needed was a revision of the im-

perial constitution about whose nature Americans and British disagreed.

The outlines of this story have been presented often before, but never better. Gipson's account, sympathetic to England's problems but understanding of the colonial reaction, is authoritative and clear. His thorough knowledge and use of the primary sources inspire admiration.

Carl B. Cone.

University of Kentucky.

The Antifederalists Critics of the Constitution, 1781-1788. By Jackson Turner Main. (Chapel Hill: The University of North Carolina Press. Published for the Institute of Early American History and Culture. c. 1961. Pp. xviii, 308. \$7.50.)

Here is the first comprehensive study of the Antifederalists of the 1780's. In the past much has been written about them, but only in scattered parts and bits here and there. Now we have a detailed treatment of them—in the light of geography, socio-economic interests, philosophy, politics, and other factors. One can but wonder that such a work was not produced long ago.

Beginning with a general statement regarding the Antifederalists' "Social and Political Background," the writer next analyzes their situation in each of the thirteen States. There follows a study of the conflict in every State between the Antifederalists (who he says should have been called Federalists in that they favored maintaining a federal form of central government) and the Federalists (who, states the author, should have been named Nationalists because they worked for a stronger nation—but they stole their name from their opponents) over strengthening the Confederation.

A very brief account of the framing of the Constitution is followed by a detailed statement covering the Antifederal objections to that instrument. Most of the group would have been willing to take certain actions to strengthen the government, but not to the extent that the proposed Constitution would do.

Finally, almost 100 pages are devoted to a study of the fight in each State over the ratification of the Constitution. In the main the interpretation of Libby and Beard is accepted, and the neo-revisionist thesis (or theses) of Robert E. Brown and Forrest McDonald is (or are) rejected. ". . . the struggle over the ratification of the Constitution was primarily a contest between the commercial and the non-commer-

cial elements in the population. . . . The Federalists included the merchants and other town dwellers, farmers depending on the major cities, and those who produced a surplus for export. The Antifederalists were primarily those who were not so concerned with, or who did not recognize a dependence upon, the mercantile community or foreign markets."

Six pertinent appendixes, a "Historical and Bibliographical Essay," and an index complete the work.

On the whole this is a valuable study, based on thorough research, well organized and presented, readable, reasonably objective. While the tone is more favorable to the Antifederalists than anything the present reviewer has ever seen, having read the book he feels that this group is justly entitled to such treatment, for up until now historians have failed to understand them or do them justice. All who had a part in the production of this book are to be congratulated for a job very well done.

Insofar as North Carolina is concerned, there are a few errors. Two of the counties are misspelled (Surry—p. 243, n. 74—and Edgecombe—p. 245). Worse is the reference to the *Halifax* convention (p. 244) when obviously *Hillsboro* is meant. Even though this slipped by the author, it would appear that it might have been caught by the publisher, whose headquarters are less than 15 miles from the town where the convention actually met.

Christopher Crittenden.

State Department of Archives and History.

The Letters of Stephen A. Douglas. Edited by Robert W. Johannsen. (Urbana: University of Illinois Press. 1961. Illustrations, notes, and index. Pp. xxxi, 558. \$10.00.)

Reading a collection of letters is like reading epigrams—one soon becomes surfeited; therefore a collected correspondence is usually bedtime reading or research reading, and there is not much middle ground. But perseverance is often rewarded with revelations and insights into the letterwriter's nature that have escaped the biographer. Whether such is the case with Robert W. Johannsen's finely edited *Letters of Stephen A. Douglas* is problematical. Only if Douglas was a pure political animal does he stand nakedly revealed in this collection of correspondence and assorted documents running from 1833 to 1861.

Mr. Johannsen has probably found most of the extant Douglas letters, and he has performed a valuable service in bringing them together. The political historian will be indebted to him even if the letters do add up to an unlovely self-portrait of a man; for one looks virtually in vain for wives (except for Mr. Johannsen's careful citation and indexing one would scarcely learn that Douglas had two), children, consummated loves and dreams, moments of anguish and terror in the night. Though perhaps it is a true picture of Douglas and the people he championed—bludgeoning, insensitive, acquisitive, bold, athirst for power.

This is essentially a scholar's book and Mr. Johannsen has discharged his scholarly obligation in fine fashion. The explanatory notes are meticulously done, apparently most everyone and everything mentioned in the letters and notes is indexed, and the location of every document is carefully given. There is also an introductory sketch of Douglas in which Mr. Johannsen probably lays out the thesis of the biography he is currently writing.

Peter F. Walker.

The University of North Carolina.

Origins of the TVA: The Muscle Shoals Controversy, 1920-1932. By Preston J. Hubbard. (Nashville: Vanderbilt University Press, 1961. Footnotes, bibliography, and index. Pp. ix, 340. \$6.00.)

Beginning with the authorization of a cyanamid-process plant for producing nitrates during World War I, the legislative history of Muscle Shoals is traced in this book in detail to the passage of the Tennessee Valley Authority Act in 1933. Professor Hubbard examines the conflict over the relative merits of rival processes for fixing nitrates; the clash over fertilizer production versus hydro-electric power at Wilson Dam; and, emerging near the end of the book, the gigantic struggle over private or public operation and over piecemeal or integrated development of the great Tennessee River resources. Clearly portrayed are the public characters of Henry Ford, Senator Tom Heflin, Senator George Norris, and, less clearly but nonetheless interestingly, Presidents Coolidge and Hoover. The complicated maneuvering of Congressional committees, lobbies, and private interests are followed as a small determined group of conservationists first defeated the offer of Henry Ford to acquire the property, then defeated the power companies in their bid for it, passed two public power acts only

to have them vetoed, and finally won victory under Franklin D. Roosevelt.

Professor Hubbard has courageously assaulted the masses of twentieth-century source materials which are as great a handicap to scholarly research as a dearth of data. Out of his embarrassment of riches he has written a clearly outlined, heavily-documented account. The first three chapters and the last are interestingly written, and the summaries at the ends of chapters show skillful synthesis. Inexplicably, however, the original Norris plan is never described, although from page 48 to page 313 constant reference is made to it and it was the basis of the TVA Act of 1933.

Research in depth is apparent but breadth is not yet present. More interpretation of events is needed in the light of national political movements, the abnormal value of the farm vote to southern congressmen, the Populist Revolt and the Roosevelt conservation movement, the socio-economic position of the Farm Bureau, to suggest a few lines of thought, although all the foregoing are mentioned briefly. The theme as indicated by the title is frequently lost sight of. Finally, while it is granted that the author must comprehend minute details in day-by-day chronology, it is this reviewer's opinion that clarity of exposition would be improved by greater terseness in describing Congressional hearings and the repetitive remarks of innumerable newspapers and pressure groups.

This book contains a vast amount of valuable information readily accessible. Professor Hubbard has done an excellent piece of research, and shows promise for further writings in a field chosen by too few historians—the recent years of the twentieth century.

Sarah McCulloh Lemmon.

Meredith College.

Grave Humor: A Collection of Humorous Epitaphs. By Alonzo C. Hall. (Charlotte: McNally, 1961. Pp. 102. \$2.95.)

During forty years or more, Alonzo C. Hall, now Professor Emeritus of the Woman's College of the University of North Carolina, has collected epitaphs from graveyards within his reach, mainly in North Carolina and Massachusetts but in other States and England as well. He has filled this small book with choice samples from the humorous epitaphs in his collection. Often the tombstone humor as he records

it was unintentional, obviously, but many times it was deliberate and in fact might have been dictated by the deceased or at least might have been acceptable to him. The book reminds us of something we may forget—that humor need not be light or frivolous, but that it sometimes has an appropriateness and a naturalness in man's response to the major affairs of existence.

Arlin Turner.

Duke University.

Guide to Photocopied Historical Materials in the United States and Canada. Edited by Richard W. Hale, Jr. (Ithaca, New York: Cornell University Press [for the American Historical Association]. 1961. Pp. xxxiv, 241. \$5.00.)

With the increasing acceptance of photocopies as research tools and as means of providing security copies of valuable manuscripts has come the need for a guide to photocopied historical materials available in the United States and Canada.

The Council on Library Resources, Inc.,—an organization to which every historian owes more than he realizes—in 1957 granted funds to the American Historical Association for the purpose of compiling such a guide. The Association's Committee on Documentary Reproduction undertook the task and appointed Dr. Richard W. Hale, Jr., as editor. After two and a half years of studying completed questionnaires, visiting hundreds of institutions, and tracing down the slightest hint of historical materials in photocopied form, Dr. Hale's guide has now been published.

It is an indispensable tool for every research institution.

Arranged by the geographical origin of the documents—foreign countries are included as well as all the Provinces of Canada and States of the United States—the *Guide to Photocopied Historical Materials in the United States and Canada* contains a listing of historical materials in photocopied form and indicates the source of the original, the holders of the master negative and positive copies, and the type of photocopy. Photocopies of printed materials are excluded except in unusual cases.

A study of the section relating to North Carolina materials reveals what a user must expect of such a formidable and complicated task: a few errors. Example: the original special schedules of the Censuses of 1850 through 1870 are credited to Duke University; they are in the State Department of Archives and History. But to itemize such errors

would be to cast unwarranted suspicions upon a monumental work for which all historians and research institutions should be thankful.

Dick Hale has, since editing the *Guide*, assumed the challenging post of Archivist of the Commonwealth of Massachusetts.

H. G. Jones.

State Department of Archives and History.

The Interurban Era. By William D. Middleton. (Milwaukee: Kalmbach Publishing Co. 1961. Illustrations, appendix of lines built, glossary, and index. Pp. 432. \$15.00.)

Though electric interurban railways spread over this country like a net in the first quarter of the twentieth century, this uniquely American phenomenon continued to be neglected by conventional railroad historians until the recent publication of a scholarly survey of electric interurbans in 1960 and the current publication of *The Interurban Era*. The present work completes the definitive assay of the interurbans' history, technology, atmosphere, and place in American life.

So completely have these lines vanished during the past forty years that of literally hundreds of intercity electric passenger carriers only two survive as passenger and freight haulers, both in the Midwest. Despite the obvious difficulties in reconstructing such an era in word and illustration, William D. Middleton (one of a quintet of top American interurban students) has reconstructed it in a comprehensive set of 560 photos, many very old and all historic. Nowhere is there available a collection of photos remotely equaling this. Nearly every company is represented, often in quarto illustrations. The photographs are supplemented with a fair amount of text, much of it in carefully researched chapter-introductions and liberal photo captions, chapters on history and technology, a list of lines, and an excellent glossary.

North Carolina coverage includes an extremely rare illustration of the Wilmington-Wrightsville interurban and specially-assembled set of seven photos of the Piedmont & Northern, financially the most successful of all interurbans.

This book is competently and responsibly done; it is interesting and handsomely executed. It merits a place in any library giving even minimum attention to railroad history or to Americana.

Michael J. Dunn, III.

Belmont Abbey College.

HISTORICAL NEWS

Department of Archives and History

Confederate Centennial Commission

Four new members have recently been appointed by Governor Terry Sanford to the North Carolina Confederate Centennial Commission. To the two-year terms the following were designated: Mr. George Myrover, Fayetteville; Mrs. Earl Teague, Statesville; Mr. Bedford Black, Kannapolis; and Mrs. Jessie Ruth Seagroves, Siler City.

Mr. Norman C. Larson, the Commission's Executive Secretary, discussed plans for commemorating the battles of New Bern and Roanoke Island with members of the Centennial Committees of New Hanover and Dare counties on January 3 and 4. He was again in New Bern on January 8.

Ceremonies commemorating the Battle of Roanoke Island were held in Manteo on February 7 and 8. Mr. Richard Iobst, former Staff Historian of the North Carolina Confederate Centennial Commission, was featured speaker for the event. Prior to Mr. Iobst's address, Mr. Larson presented, on behalf of the Commission and the State of North Carolina, two battle markers to Dare County.

On January 17 the Executive Secretary met with members of the Audio-Visual Committee at a supper meeting in Durham. Plans to secure network time for the WUNC-TV production of Manly Wade Wellman's "One Night in Chambersburg" were discussed. Mr. Larson and Audio-Visual Committee representatives were in New York January 27-29 to talk with representatives of NBC, CBS, ABC, NEBA, and NET in this regard.

At a program in Charlotte on January 31, the Nationwide Insurance Company presented identical Civil War medical exhibits to the States of North Carolina and South Carolina. The staff of the North Carolina Confederate Centennial Commission was present at ceremonies at which Governor Terry Sanford accepted the exhibit on behalf of the State of North Carolina.

A special Civil War Centennial Army Exhibit was shown in the Hall of History February 5-10. Governor Sanford officially opened the exhibit at a preview and reception on the night of February 5. Sponsored jointly by the North Carolina Confederate Centennial Commission, the Department of Archives and History, and the Raleigh Subsector Command, Twelfth U. S. Army Corps, the exhibit was shown along with items from the T. Price Gibson Collection of Civil War Memorabilia, Currier and Ives prints from the collection of Colonel L. C. Rosser, and Civil War small arms from the Sir Walter Gun Club of Raleigh.

Over seventy-five County Centennial Committee members representing some forty-five counties met in Raleigh on February 10 at a workshop meeting sponsored by the Commission. All phases of North Carolina's

Centennial program were discussed in the series of six panels which comprised the all-day program. Mr. Edmund Harding, "North Carolina's Ambassador of Good Will," was featured speaker at the luncheon at the Hotel Sir Walter.

A new addition to the staff of the North Carolina Confederate Centennial is Miss Jan Hayes, stenographer. Miss Hayes is a graduate of Robert E. Lee High School in Jacksonville, Florida, and is a former employee of the North Carolina State Department of Public Welfare.

Carolina Charter Tercentenary Commission

On January 17 a joint resolution was introduced in the United States Senate, by Senators Samuel J. Ervin, Jr., and B. Everett Jordan, to establish a federal commission which will co-operate with and assist the Carolina Charter Tercentenary Commission. The proposed North Carolina Tercentenary Celebration Commission would be composed of fifteen members: four representatives, four senators, and seven members appointed by the President. In addition to working with the Charter Commission on a program already formulated, the federal commission is expected to be prepared to communicate with the governments of any other nations when they are invited to participate in the Tercentenary celebration. The resolution was referred to the Judiciary Committee.

Other plans and projects were expedited at the meeting of the executive committee of the Commission on February 9 in Raleigh. A report by the Executive Secretary, General John D. F. Phillips, U.S.A. (ret.), outlined several projects which are either underway or in the planning stage. Among these are: a commemorative stamp to be issued in 1963 by the U. S. Post Office Department; a mobile history museum; documentary motion picture production; musical compositions; state-wide commemorative observances; visits by national and international notables during 1963; and historical pamphlets now being written by professional historians for use by school students. Six pamphlets currently in preparation are: *The Highland Scots in North Carolina*, by Professor Duane Meyer of Southwest Missouri State College; *Culpeper's Revolt*, by Dr. Hugh F. Rankin of Tulane University; *Indian Wars in North Carolina*, by Dr. E. Lawrence Lee, Jr., of the Citadel, Charleston, South Carolina; *The Proprietors of North Carolina*, by Mr. William S. Powell, Librarian of the North Carolina Collection, University of North Carolina Library; *Albemarle County, 1664-1689*, by Dr. Herbert R. Paschal, Jr., East Carolina College; and *Royal Governors of North Carolina*, by Professor Blackwell P. Robinson, Woman's College of the University of North Carolina. Three additional pamphlets will be commissioned at a later date. The Commission approved a budgetary request for 1963-1964 of \$54,821. Mr. Joel Fleishman, Legal Assistant to Governor Terry Sanford, was guest speaker at the luncheon. Speaking in behalf of the Governor, who could not be present, he challenged the Commission with the monumental task of "building a bridge between the history of our State to the people of North Carolina today to make them more conscious of our proud heritage." He further stated that "there can-

not be quality education in North Carolina until they are made fully aware of the origins of our State and our nation."

Mr. William C. Fields, well-known artist of Fayetteville, was recently appointed a Commission member by Governor Sanford.

Two new committees have been established by the Commission as a result of its broadening activities. The Committee on Public Information Activities, headed by Mr. Henry Belk of Goldsboro, will act as a steering group for the Public Information Program; and the Committee on Tourist Activities, with Mr. Dan M. Paul of Raleigh as chairman, will work with the North Carolina Travel Council and other travel agencies in encouraging tourist travel in the State during the Tercentenary year. Plans have been made for a travel workshop to be held in April and May to acquaint agencies and others interested in tourist trade with Tercentenary plans and opportunities in 1963.

The literary sub-committee, a part of the Committee on the Arts, recently announced a \$3,000 literary contest which should be of particular interest to all North Carolina authors and writers. This contest is open to all who have maintained either legal or actual physical residence in the State for a total period of three years. Each entry must be an original published work concerned with North Carolina history prior to the American Revolution. All entries and inquiries should be mailed to Box 1881, Raleigh.

There were five additions to the present staff during the last quarter. Mr. Robert C. Page, III, of Charlotte joined the staff as Public Information Officer. He was formerly associated with the *Charlotte Observer*, WIS-TV in Columbia, South Carolina, and WBTV in Charlotte. Working with Mr. Page as his secretary is Mrs. Billie Couch. Mrs. Grace Hale, formerly of Rocky Mount, is now employed as General Phillips' secretary. Two part-time stenographers have been added to the Colonial Records staff: Mrs. Audrey Piner and Mrs. Carol Teachout.

Director's Office

On December 12 the Governor Richard Caswell Memorial Commission adopted plans for the landscaping of the site which were prepared by Mr. Richard C. Bell, landscape architect of Raleigh, Mr. W. S. Tarlton, Superintendent of Historic Sites, and Dr. Christopher Crittenden, Director of the Department. Dr. Crittenden announces that, as a result of action taken in December, the Z. Smith Reynolds Foundation has granted \$7,000 to the Department of Archives and History for the restoration of the Birthplace of Wake Forest College in Wake Forest. The grant was made available "provided sufficient funds are received from other sources to complete this restoration." The Department has worked closely with the Wake Forest College Birthplace Society in attempting to preserve this historic building, familiarly known as the Calvin Jones House. On January 15 the Executive Board of the Roanoke Island Historical Association met in Raleigh and elected Mr. Edgar Thomas of Chapel Hill as Business Manager of "The Lost Colony," historical outdoor drama. Mr. Thomas was formerly connected with the Alumni Office of the University of North

Carolina. Mrs. Fred W. Morrison of Kill Devil Hills and Washington, D. C., is chairman of the Association and Mrs. Burwell A. Evans of Manteo is Secretary. On January 19 Dr. Crittenden attended the meeting in Chapel Hill of the Advisory Editorial Board of the Colonial Records project of the Carolina Charter Tercentenary Commission. He was present for the luncheon meeting and the opening of a special exhibit at the Greensboro Historical Museum on January 25. He met on February 6 with members of the Executive Committee of the North Carolina Literary and Historical Association and representatives of a number of other cultural societies to discuss plans for the annual Culture Week to be held in December, 1962. On February 14 the Raleigh Historic Sites Commission held its organizational meeting. The program of the Commission, its plans, and its projects were discussed. Previously appointed as members were Mrs. Edward Waugh, Chairman; Mr. William Henley Deitrick, Vice-Chairman; Miss Beth G. Crabtree, Secretary; Mr. Armistead J. Maupin, Treasurer; Dr. Christopher Crittenden, Consultant; Mrs. Raymond L. Murray, Mrs. Bruce R. Carter, Mr. W. S. Tarlton, Mr. Henry D. Haywood, Mr. Edwin Preston, Jr., and Mr. Jonathan Daniels. This group is expected to work closely with the City Planning Commission and to serve in an advisory capacity to the City Council. Meetings will be held the first Tuesday of each month.

Division of Archives and Manuscripts

Mr. H. G. Jones, State Archivist and Treasurer of the Society of American Archivists, and Mr. T. W. Mitchell, Assistant State Archivist and Chairman of the Society's Nominating Committee, met with members of the Council of that organization in Washington, D. C., December 27-29, in conjunction with the meetings of the American Historical Association. On December 11-15 Mr. Jones attended conferences in Dover, Delaware, and Washington, D. C., and on January 31-February 2 he represented the Society of American Archivists at the meeting in Chicago of the Survey and Standards Committee of the Survey of Library Functions of the States.

Mr. Francis J. Fallon, Secretary General of the National Archives of Argentina, visited the Department on December 5 and discussed archival problems and practices.

In the Archives Section almost 600 persons registered for research during the quarter ending December 31, and 654 persons were given information by mail. These figures do not include visitors and inquiries handled directly by the staff without reference to the Search Room. The following numbers of copies were furnished during the same period: 639 photocopies; 25 paper prints from microfilm; 68 typed certified copies; and 25 feet of negative microfilm.

Significant records accessioned recently include the official papers of Governor Luther H. Hodges for the year 1960. Work has been completed on processing the records of the office of State Comptroller and State Treasurer from the colonial period through the nineteenth century.

The Local Records Section completed arranging 110 boxes of Hyde County estates, court and miscellaneous papers, and 58 boxes of Forsyth County estates and guardian papers. These are now available to researchers visiting the Department. Work continues on the arrangement of Bertie, Chowan, and colonial court papers.

Records have been received from Northampton and Alamance counties. From the former 24 volumes and 96 cubic feet of court and estates records, deeds, dowers, and miscellaneous material were received, and from the latter 20 volumes of court and estates records were received.

The security microfilming of permanently valuable records continues with camera crews now working in Johnston and Duplin counties. Anson County is next on the schedule.

The Advisory Committee on County Records, established by the Director on December 7, met in the Department on January 9 and is engaged in the revision of *The County Records Manual*, published by the Department in 1960. Membership on the Committee includes: Mr. W. E. Church, Clerk of Superior Court, Forsyth County; Mr. P. W. Davenport, Assistant Tax Collector, Mecklenburg County and City of Charlotte; Mr. G. K. Eubank, Auditor-County Accountant, Onslow County; Mr. R. G. Hall, Jr., Assistant Director, Institute of Government, and Secretary, North Carolina Association of Clerks of Superior Court; Mr. L. R. Johnson, Register of Deeds, Chatham County; Mr. H. G. Jones, State Archivist; Mr. H. W. Lewis, Assistant Director, Institute of Government, and Secretary, North Carolina Association of City and County Tax Collectors; Mr. A. M. Markham, Assistant Director, Institute of Government, and Secretary, North Carolina Association of Registers of Deeds; Mr. D. M. McLelland, Clerk of Superior Court, Alamance County; Mr. J. R. Nipper, Clerk of Superior Court, Wake County; Rear Admiral A. M. Patterson, Assistant State Archivist (Local Records); Mr. F. G. Perry, Tax Supervisor, Forsyth County; and Mrs. Christine W. Williams, Register of Deeds, Duplin County.

In the State Records Management Section, the expanded program was inaugurated in January with the support of Governor Terry Sanford and Mr. Hugh Cannon, Director of the State Department of Administration.

On January 24 Governor Sanford in a letter to all agency heads called attention to the expanded records management program administered by the Department in accordance with legislation enacted by the General Assembly in 1961. The Governor noted that the initial emphasis of the program would be the completion of the inventories and schedules of all State records. As a guide to achieve this goal, the Department issued a *Records Management Handbook: Records Disposition* late in January. This 21-page offset publication was prepared by Mr. T. W. Mitchell, Assistant State Archivist for State Records, and staff members. A meeting of all agency Records Officers was held on February 14 at which the over-all records management program was discussed as were the steps that are necessary to complete the scheduling phase. Dr. Christopher Crittenden, Director of the Department; Mr. H. G. Jones, State Archivist; and Mr.

Hugh Cannon, Director of the State Department of Administration, participated in the discussion along with Mr. Mitchell.

Inventorying and scheduling activities were devoted principally to major revisions of the Department of Public Instruction and Board of Education schedules during the period ending February 15. The schedule for the Teachers' and State Employees' Retirement System was being revised also. Amendments to the Motor Vehicles, Department of Labor, Department of Archives and History, State Highway Commission, and Probation Commission schedules have also recently been adopted.

In the State Records Center, 1,510 cubic feet of records were accessioned and 1,274 cubic feet were disposed of, resulting in a net gain of 236 cubic feet. Agency representatives visited the Center 195 times to use records; and the Center staff handled 400 reference requests for 16 agencies. Plans have been prepared to increase the capacity of the Records Center by 12,400 cubic feet through additional shelving.

The Microfilm Project filmed 207 reels of microfilm during the quarter ending December 31, with a total of 983,493 images. An unusually large amount of time was spent in preparing material for filming.

Mr. Alexander R. Tuten joined the staff of the State Records Management Section on February 1, 1962.

A twelve-page brochure, *North Carolina Newspapers on Microfilm: A Checklist of Early North Carolina Newspapers Available on Microfilm from the State Department of Archives and History*, has been released and is available from the State Archivist, P. O. Box 1881, Raleigh, for twenty-five cents per copy. The checklist contains a descriptive list of issues available for all titles completed prior to February 15, 1962. More than 100 titles are included. Supplemental lists will be published from time to time.

Division of Historic Sites

Mr. Frank Walsh, formerly with the Kansas State Historical Society, Topeka, has been appointed as Exhibits Designer of the Division of Historic Sites, effective April 1. Bid opening on the Town Creek Museum-Visitor Center was held on January 11 in the office of Mr. W. S. Tarlton, Superintendent of the Division of Historic Sites. Contracts have been awarded to low bidders as follows: General, J. V. Barger and Company, Mooresville; Electrical, Winecoff Electric Company, Albemarle; Heating, Scholl Plumbing and Heating, Rockingham; and Plumbing, Clyde Whitley, Albemarle. The building is expected to be completed this spring. Mr. Tarlton attended a meeting of the North Carolina Travel Council in Charlotte on February 3, and on February 10 he spoke briefly on Civil War historic sites at the Confederate Centennial Workshop and attended a meeting of the Raleigh Historic Sites Commission. He spoke on February 15 to the Mecklenburg County Committee, Colonial Dames, on historic sites in North Carolina. On February 27 Mr. Tarlton spoke to the Watauga Club in Raleigh, and during the month of February he visited the Arcadia Community in Davidson County and inspected an early log schoolhouse and reported his findings to the local people. If it is decided to restore this building, the Division will serve in an advisory capacity.

The Division has reactivated its Historical Highway Marker Program and on February 1 Mr. Richard Iobst transferred from the Confederate Centennial Commission to the Division to conduct the marker program. He will continue to serve as historical adviser to the commemorative commissions. On February 6 he spoke to the Swansboro Historical Commission on a Confederate fort located nearby and other aspects of the Civil War in the area. He spoke on February 8 at ceremonies commemorating the 1862 Battle of Roanoke Island, and on February 16 he visited New Bern and Swansboro in connection with the marker program. Mr. Iobst has prepared an information sheet concerning the new program and a policy outline is awaiting completion.

Miss Nan Pattullo, Edinburgh, Scotland, a professional lecturer, photographed the interior of the Zebulon B. Vance Birthplace State Historic Site on February 5 for inclusion in a group of color slides made during her current tour of the United States under the auspices of the English-Speaking Union. It is expected that she will show the slides to audiences on her return to the United Kingdom. Col. Paul A. Rockwell, immediate past president of the Western North Carolina Historical Association, accompanied Miss Pattullo to the site. Mr. Robert O. Conway, Site Specialist at the Vance Birthplace, has spoken recently on the historic sites program to the following groups: the Biltmore Kiwanis Club, Rhododendron Club, and the Wilshire Park Community Club. From February 4 to 10 he presented seven programs in the Asheville and Buncombe County schools, the first in a series of programs to be given also to schools in other counties of the mountain area. The Vance Birthplace attracted 4,501 counted visitors in 1961.

Specific invitations have been extended to school classes of North Carolina history to arrange visits to Alamance Battleground State Historic Site as a part of their customary annual tours of the State capital and other places of interest. Mr. Walter R. Wootten, Historic Site Specialist at the Battleground, states that the educational program at the site has been completed and includes a slide-lecture, distribution of literature on the State's historic sites, special exhibits, and a tour of the battlefield. Mr. Wootten has been appointed to represent Alamance County on the Travel and Recreation Committee of the Northern Piedmont Development Association, an organization which has as one of its objectives to publicize the Alamance Battleground site as a tourist attraction.

Museum construction is underway at Town Creek Indian Mound State Historic Site with the J. V. Barger Construction Company handling the general contract. Initial planning for exhibits for the new museum has been undertaken by Mr. Bennie C. Keel, Archeologist in charge, and Dr. Joffre L. Coe of the University of North Carolina. The plans will be turned over to the new Exhibits Designer, Mr. Frank Walsh, for execution. It is hoped that the exhibits will be completely installed by October. During January Mr. Keel spoke to the Troy Parent-Teachers Association and to

the men of the Albemarle Lutheran Church on phases of the work at Town Creek. He has worked closely with the Order of the Arrow, Boy Scouts of America Council for Anson, Montgomery, Richmond, and Stanly counties in the preparation of a new lodge focused on the culture of the Town Creek inhabitants. In December two test excavations were made in one of the major village sites on the Indians who lived in the Pee Dee basin, using the Town Creek Mound as their political and ceremonial center. Investigation of this site and others similar are needed for a better understanding of the daily life of these people. Plans have been made for two television presentations in the early spring. Mr. Lee Kinard of WFMY-TV of Greensboro will return to the site and focus one program on the restored mortuary and the second show, entitled "Indians of the North Carolina Piedmont," will be filmed in Charlotte as a part of the Charlotte Children's Nature Museum series produced by WSOC-TV of Charlotte. Paving of the access road to the site is scheduled for April.

The restoration of the exterior of the old one-room schoolhouse recently purchased and moved to the Charles B. Aycock Birthplace State Historic Site by the Charles B. Aycock Memorial Commission has been completed by the E. F. Taylor Company of Goldsboro. Work included a new wooden shingle roof, a new chimney, replacing weatherboarding, and new doors and windows made by Langdon Woodworks of Dunn. The schoolhouse when completed will serve as an educational exhibit and as an assembly room for visitors to the site. Ten old two-seated type desks were presented to the site by the Pitt County Board of Education. Mr. Richard W. Sawyer, Jr., Historic Site Specialist in charge of the Aycock Birthplace, and other workers have removed the paint from the desks, washed the walls and ceiling and repainted them, and installed wooden blackboards (three of which are original) to reproduce the identical appearance of the interior. Mr. Sawyer made trips to Kenly, Elm City, Winterville, and New Hill to locate additional desks and other furnishings. Two desks were found and completion of the schoolhouse is slated for late spring. On February 8 Mr. Sawyer met in Fayetteville with Mr. Mason Hicks, architect for the Aycock Museum-Visitor Center. Construction of the center will begin in the early summer. The Fremont Garden Club has again presented the site with flower bulbs which have been planted at the sign on Highway 117 and at the entrance road to the site.

Mr. Stanley A. South, Archeologist in charge of the Brunswick Town State Historic Site, recently uncovered the palisade wall posts during excavations at Fort Fisher. He has also prepared a report on the ceramics from the ruins of Brunswick Town. He has prepared reports on the following excavations: the George Hooper House in Wilmington, the Ringware House in Swansboro, and an Indian mound near Brunswick Town. He has completed reports on "Nath Moore's front," the John Fergus House, the Hepburn-Reonaldi House, and the Roger Moore House in Brunswick. Work continues on clearing the ruins around Brunswick Pond, and some of the ruins of the James Espy outbuildings have been located. Mr. South has been working with the North Carolina Garden Clubs Council on the pro-

posed restoration of the formal garden of Judge Maurice Moore in Brunswick. He gave talks to the Defiance Chapter of the Daughters of the American Revolution in Wilmington and to a number of Boy Scout troops and school groups during the quarter ending March 31.

Mr. A. L. Honeycutt, Jr., Historic Site Specialist at Fort Fisher, reports that during recent excavations of a section of the palisade fence (originally nine-feet high, sharpened logs with a three-foot sand embankment behind), about two feet of the old pine logs were found to be well preserved. A portion has been left exposed and another portion reconstructed as an outdoor display at the site. Battery Buchanan has been cleared and picnic tables have been placed there for visitors. On January 7 Mr. Honeycutt spoke briefly on Fort Fisher at the district meeting of the Daughters of the American Revolution in Carolina Beach and on January 24 he attended the Fort Fisher-Southport ferry hearing before members of the State Highway Commission in Southport, where he talked briefly on the importance of the Fort Fisher site in development of the area. He attended the January 29 meeting of the Lower Cape Fear Archaeological Society at Wilmington College and on February 1 attended a meeting of the Wilmington Merchants Association to assist in planning a tour-a-rama of the Wilmington area to be held in late March. The George Davis Chapter, Children of the Confederacy, on February 3 presented Mr. Honeycutt with a check for \$75 with which to buy flags for Fort Fisher. On February 12 Mr. Honeycutt spoke to the Carolina Beach Lions Club on Fort Fisher. A committee composed of Mrs. Alice Strickland, Mr. Glenn M. Tucker, Hon. Robert Calder, Mr. Mike Hall, Mr. John Williams, Mr. Frank Turner, Mr. Ray Brady, Mr. W. S. Tarlton, Dr. Christopher Crittenden, and Mr. Honeycutt met with Governor Terry Sanford on February 14 to request funds from the Contingency and Emergency Fund to purchase 12 acres of private property essential to the development of Fort Fisher. The acreage contains the remains of three well-preserved gun emplacements and mounds of land defense, the section of land defense to be reconstructed across the World War II airstrip, the permanent Museum-Visitor Center and parking area site, and access to the section of land defense now exhibited by the State. Since August, 1961, visitors have parked at the end of an active airstrip and have walked three-tenths of a mile to the State property. On February 19 Mr. Honeycutt attended the meeting of the New Hanover County Confederate Centennial Committee at which time plans were made for a May 10 Confederate Memorial Day Service to be held at Fort Fisher. The Museum-Pavilion will be dedicated at the same time. On February 21 he attended the sixteenth annual Southeastern North Carolina Beach Association banquet held in Wilmington.

Mr. Nicholas B. Bragg, Historic Site Specialist for the Bentonville Battleground and Bennett Place State Historic Sites, represented the Department in Rocky Mount on November 14 at the organizational meeting of the Nash County Historical Society. He assisted during recent months with the development of the Averagesboro Battleground Site, making a preliminary survey and later presenting a master plan to the Chicora

Chapter of the United Daughters of the Confederacy as a guide. On November 28 he spoke to the Bentonville Battleground-Harper House Chapter, United Daughters of the Confederacy, on "North Carolina in the Civil War—1865," and on December 5 he installed a temporary display at the Bennett Place in preparation for the open house on December 10. In the December 23 issue of *The Raleigh Times*, Mr. Bragg had an article, "Johnston vs. Sherman in the Battle of Bentonville." On January 23 he gave a slide-lecture on the Civil War in North Carolina in 1865 to students at the Seymour Johnson Junior High School, Goldsboro, and gave the same program on February 2 to two twelfth grade history classes at Needham Broughton High School, Raleigh. He repeated this lecture on February 15 to the Benson Kiwanis Club. He spoke on "The Importance of Bentonville" to the Wake County Committee of the Battleground Advisory Committee at Balentine's Restaurant on January 25 and on January 29 he had a topographical survey done of the Bennett Place in order to facilitate future development. The fund-raising drive under the auspices of the Bentonville Battleground Advisory Committee was begun on February 6 with a donation from Governor Terry Sanford. The campaign is concentrated primarily in Wake, Johnston, Wayne, Harnett, and Sampson counties. Recent improvements at the site include the painting of the Harper House with the original colors—white with dark green trim and apple green ceilings on the porches. Plans for the Museum-Visitor Center, to be built with funds raised by the Advisory Committee, are being prepared by Ingram and Johnson, Architects, of Charlotte. A topographical survey of the site has been made to aid in planning construction of the museum.

Mr. Max F. Harris, on special assignment with the Division of Historic Sites to investigate the problem of Andrew Jackson's birthplace—whether in present-day Union County, North Carolina, or in present-day Lancaster County, South Carolina—has been preparing a preliminary report after utilizing the available primary and secondary sources in the State Archives and the Southern Historical and North Carolina collections at the University. Jackson said that he had been told he was born in South Carolina and referred to that State as his "native state." North Carolina's claim is substantiated by a number of affidavits dated around 1858. The two sites in dispute—the loghouse of George McCamie and the home of James Crawford, uncles of Jackson—are both in the Waxhaws less than two miles apart. Mr. Harris is interested in receiving information from primary sources relating to this problem and may be contacted at Box 1881, Raleigh.

Division of Museums

On December 1 the Victorian Christmas Exhibit was opened to the public in the Hall of History. It consisted of a Victorian parlor, occupied by a family, overlooking a street scene of the early 1900's.

Mrs. Joye E. Jordan, Museums Administrator, spoke to the Daughters of the American Revolution on November 27 in Lenoir on "Colonial Silver and Silversmiths." On the same date she spoke to the Caldwell County

Historical Society on organizing a small museum. On December 14 Mrs. Frances Ashford, Education Curator of the Division, gave a talk on "Early Christmases in North Carolina" to a group of students from the Josephus Daniels Junior High School in Raleigh. Mrs. Jordan, Mrs. Madlin Futrell, Photographer, and Mr. Robert Mayo, Exhibits Designer, were in Kinston on December 18 to photograph artifacts from the Ram "Neuse" and to advise local persons on their care. On January 9 Mrs. Jordan presented a slide-lecture on the Tryon Palace restoration to the Country Clods Garden Club and gave the same lecture to the Reviewers Book Club on January 23. Both clubs are in Raleigh. Mrs. Sue Todd, Mrs. Bonnie Walker, and Mrs. Futrell were in Weaverville January 21-25 to accession and photograph items at the Zebulon B. Vance Birthplace. On January 25 Mrs. Jordan attended the Council meeting of the American Association of Museums in Washington, D. C. From January 30 through February 1 Mrs. Jordan, Mrs. Todd, Mr. Mayo, and Mr. John Ellington, Exhibits Curator, were in Charlotte for the opening of the new regional Allstate Insurance Building. At the opening a new Civil War medical exhibit, designed and built by Mr. Mayo and Mr. Ellington, was presented to the State of North Carolina by Allstate. In this connection, a booklet, *Civil War Medicine and Home Remedies*, written by Mrs. Jordan, was distributed. During the stay in Charlotte this group inspected a number of artifacts to determine whether or not their purchase was feasible. The Hall of History presented on February 2 a lingerie fashion show, "Then and Now," to the wives attending the Engineers Convention in Raleigh. On February 9 Mrs. Jordan was in Goldsboro to assist a group of citizens planning a Wayne County museum. Mrs. Jordan and several members of the staff of the Hall of History participated in the North Carolina Confederate Centennial Commission Workshop on February 10. Mrs. Ashford and Mrs. Jordan were in Creedmoor to work with Granville County teachers and students in organizing Junior Historian associations. At present there are 60 active clubs in the State for whom two magazines have been published and distributed for their use as well as a "how to" projects manual for teachers.

Division of Publications

The Division of Publications has continued to publicize its program, and the efforts have resulted in increased sales. During the quarter October 1 through December 31, 1961, receipts from the sale of publications totaled \$5,889.62. Distributed during this period were 43 documentary volumes, 85 small books, 1,040 governors' letter books, and 22,592 pamphlets, maps, charts, and brochures. During the same period there were 49 new subscriptions and 454 renewals to *The North Carolina Historical Review*.

The successful sale of sets of *The Review* is being extended to accommodate those who failed to send their orders in before March 31. Through February 14 a total of 89 sets had been sold; in addition, numbers of people bought separate volumes to complete their sets. At \$25, *The Review* has been in demand, despite the fact that several issues are out of print. Numbers of persons and agencies have taken advantage of the sale and later subscribed.

The change in format of *The North Carolina Historical Review* has met with an unexpected amount of favorable comment. Numbers of letters and telephone calls, as well as visits to the Division, have indicated that the changes were approved by subscribers and other readers of the quarterly.

Because of continued demand for Dr. A. R. Newsome's two-part article, "Records of Emigrants from England and Scotland to North Carolina, 1774-1775," first published in the January and April, 1934, issues of *The North Carolina Historical Review*, the study has been reissued in pamphlet form. A copy may be purchased from the Division of Publications for twenty-five cents.

Mrs. Betsy J. Gunter, Editorial Assistant I, resigned as of January 31 and was replaced by Mrs. Mary A. Holloway on February 19.

The R. J. Reynolds Tobacco Company donated \$500 to be used in the publication of a brief study of the history of the tobacco industry in North Carolina. Mr. Jerome E. Brooks, author of *The Mighty Leaf*, has agreed to write the pamphlet as an addition to the series designed for school children. Pamphlets on North Carolina's role in the Spanish-American War, the War of 1812, World War I, and World War II are in the process of being written. Other subjects to be included in the Division's pamphlet series are North Carolina's signers of the Declaration of Independence and the Constitution, gold mining in the State, a history of the furniture industry, a history of the textile industry, ante-bellum transportation, ante-bellum agriculture, a history of colleges and universities in North Carolina, and a history of literature in the State, all of which are being prepared at present.

A grant of \$15,000 from the Z. Smith Reynolds Foundation will permit the publication of two additional volumes in the series, *The Records of the Moravians*. The editing is being done by Dr. Minnie J. Smith. Mrs. Memory F. Blackwelder, Editor, went to Winston-Salem on March 1 to confer with representatives of the Moravian Archives concerning the publication of these volumes. Plans were made to publicize the fact that Volume VIII of *The Records* is still available for \$3.00 from the State Department of Archives and History.

Editors are now working on the papers of the Pettigrew family and Governors Ellis, Jarvis, and Glenn. The second volume of the Hodges Letter Book and the fourth volume of the *Papers of William A. Graham* should be available within the next few months.

Mrs. Blackwelder spoke to a class at Meredith College on January 16 and to the Wake County Committee, Colonial Dames, on January 18; she participated in a panel on publications at the Confederate Centennial Workshop on February 10. Mrs. Blackwelder attended the luncheon meeting of the Greensboro Historical Museum members in Greensboro on January 25. She was recently appointed chairman of the committee on local historical societies of the North Carolina Literary and Historical Association.

COLLEGES AND UNIVERSITIES

The following members of the Department of History of the University of North Carolina presented papers at the seventy-sixth annual meeting of the American Historical Association in Washington, D. C., December 28-30: Dr. Fletcher M. Green, "Johnny Reb Could Read"; Dr. Stephen B. Baxter, "William III: The Professional Soldier in a Civilian Society"; and Dr. Henry C. Boren, "Social Justice in the Roman Republic." Dr. James E. King was Discussant at the session, "England and France in the Seventeenth Century."

Dr. Burton F. Beers of the Department of History and Political Science, North Carolina State College, read a paper, "China and Japan through American Eyes," at the first Southeastern Regional Conference on Asia held at Duke University, Durham, on January 27. Dr. Beers had an article, "Robert Lansing and His Policy toward Japan," translated into Japanese with notes on Japanese views of Lansing by Akira Iriye for publication in *Kokusai Seiji* (no. 1, 1961). He is the author of *Vain Endeavor: Robert Lansing's Attempts to End the American-Japanese Rivalry* published early this year by the Duke University Press. Mr. Sheldon F. Koesy and Mr. Frederic S. LeClercq joined the faculty, effective February 5, as part-time Instructors. Dr. Preston W. Edsall, Head of the Department, was elected in November, 1961, as President of the North Carolina Chapter of the American Society for Public Administration.

Dr. Henry S. Stroupe, Head of the Department of History of Wake Forest College, announces that Dr. Ottis C. Skipper, Professor of History, Mississippi State College for Women, will be visiting Professor of History at Wake Forest College during the Summer Session of 1962. Dr. Balkrishna G. Gokhale spoke on "The Western Impact on the Indian Caste System" at the Miami, Florida, meeting of the Southern Regional Meeting of the American Sociological Association. He is the author of an article, "India, America and Cornwallis," published in the *Journal of Indian History*, XXXIX (1961). Dr. Gokhale's book, *Indian Thought through the Ages*, was published by Asia Publishing House late in 1961. Dr. David L. Smiley's book, *The Lion of White Hall: The Life of Cassius M. Clay*, was published in January by the University of Wisconsin Press. Dr. Smiley was on leave for the winter semester and taught at the University of Wisconsin.

Dr. Donald G. Gillin, a specialist in Chinese history, was recently assigned the Far East Courses in the Department of History at Duke University and Dr. Charles Young has been assigned to conduct a senior-graduate course on Europe during the Middle Ages (395-1500). The Department has been accorded an endowed William K. Boyd Professorship, which is to be awarded to an outstanding historian not currently a member of the Department. The new chair has not yet been filled. Dr. Alfred P. Tischendorf and Dr. J. Fred Rippey co-authored an article, "The San José Conference of American Foreign Ministers," which was published in *Inter-American*

Economic Affairs (Winter, 1961). Mrs. Anne Scott, Visiting Professor, had an article, "Saint Jane and the Ward Boss," in *American Heritage* (December, 1961). Dr. Frederic B. M. Hollyday is editing for publication the posthumous volume of E. Malcolm Carroll, *The Western Powers and Soviet Russia, 1917-21*.

STATE, COUNTY, AND LOCAL

Mr. Manly Wade Wellman of Chapel Hill spoke at the November 22 meeting of the Moore County Historical Society. Mr. Wellman is writing the second volume of the history of Moore County which is scheduled for publication late in 1962. Mr. John A. McPhaul, Treasurer, gave a report. On January 30 Mr. Edmund Harding of Washington spoke to the same group in Southern Pines. Approximately 100 guests and members were present for the meeting and the social hour which followed at Shaw House in honor of Mr. Harding. Mr. Norris L. Hodgkins is President of the Society and presided at both meetings.

The Union County Historical Society met November 30, 1961, and re-elected Mr. S. Glenn Hawfield President for 1961-1962 and Mr. W. R. Bogan President for 1962-1963. Other officers elected to serve two years were Mr. E. H. Broome, Vice-President; Mrs. J. Conley Baucom, Secretary; and Mr. Claude Eubanks, Treasurer. The Society, which was organized five years ago, has as one of its projects the restoration of the George McCamie cabin site where some historians have stated that Andrew Jackson was born.

The Wayne County Historical Society met December 7 with Mr. Stanley A. South as principal speaker. Mr. R. L. Cox of Mt. Olive, President, presided. It was announced that the new Wayne County history by Mrs. Eleanor B. Powell will be published in 1962. Advance orders at \$10.00 per copy may be placed with Mr. B. G. Stowe, 318 E. Mulberry Street, Goldsboro.

The Christ Church Rectory in Raleigh has been officially recognized by the United States Department of the Interior as a historic building. The certificate, received by the Reverend B. B. Sapp, Rector, was signed by Mr. Robert E. Smith, Chief Architect, and Secretary of the Interior Stewart L. Udall. Originally housing the North Carolina State Bank, the building dates from about 1818 and was converted into a rectory in 1873. Drawings used to obtain official recognition are on file at the Library of Congress and the North Carolina State College School of Design. They were done by Mr. J. M. Peterson, Mr. I. M. Zubizarreta, and Mr. Charles H. Kahn.

The Catawba County Historical Association met on December 9 in Newton with Mr. J. Weston Clinard of Hickory as principal speaker. The group met again in January with Mr. Tom Warlick, Mr. Paul Wagner,

Miss Gladys Moody, and Mrs. Ray Setzer participating on the program. Mrs. J. M. Ballard, President, presided at both meetings and announced the availability of reprints of the old Lincoln County marriage bonds (1769-1867). Mrs. James Nowell of Newton presented a song to the Catawba Association at a meeting on February 10. The song was written by Howard Earnshaw, father of Mrs. Nowell, who retired to Newton after serving as conductor of the Pittsfield, Massachusetts, Symphony. It is a tribute to North Carolina, his adopted State. Mr. Neal Wilfong read a paper on pottery making in Catawba County.

Mr. T. W. Ferguson read a paper on the Civil War at the January 15 meeting of the Wilkes County Historical Society.

The Wake County Historical Society met on December 20, 1961, to hear General John D. F. Phillips discuss the program of the Carolina Charter Centenary Commission. Senator John R. Jordan, Jr., President, conducted the business session. New officers elected were Dr. A. M. Fountain, President; Mrs. J. Bourke Bilisoly, Vice President; Mrs. Memory F. Blackelder, Secretary; and Mr. Richard Seawell, Treasurer.

The Burke County Historical Society met January 16 in Morganton with President William A. Leslie presiding and Mrs. Paul Smith and Mrs. Hubert Rutherford making the principal speeches. New officers are Mr. W. Stanley Moore, President; Dr. Robert Pascal, Mrs. Walter W. White, and Mr. Samuel J. Ervin, III, all Vice-Presidents; Mrs. Finley W. Davis, Secretary; and Mrs. John I. Barrow, Treasurer.

At the December meeting of the Gaston County Historical Society in Gastonia Mr. W. T. Robinson of Cherryville was elected President and Mrs. Paul C. Jones of Belmont was elected Treasurer. Other officers have another year to serve. Mr. William M. Craig gave a slide-lecture on industries in Gaston County. Forty members attended. The Society met on February 2 in Dallas with Mrs. Carrie Puett Lewis as principal speaker. He talked on Dallas in the 1880's.

Trustees of the Cherokee Historical Association named Mr. Carol White, Manager (for a five-and-one-half-year period) of "Unto These Hills," and two other attractions for the coming season. A report showed 1961 income from the drama was down \$4,054 from 1960. The schedule for 1962 is: Indian Museum—open March 1 to December 1; Oconaluftee Indian Village—open from May 15 through Labor Day (September 3); and "Unto These Hills"—performed from June 26 through September 2. The ninth National Congress of the American Indians met in Cherokee September 2-4, 1961, according to Chief O. B. Saunooke—the first time this Congress ever met east of the Mississippi River. More than 400 Indians attended the sessions planned by both the Tribal Council and the Cherokee Historical Association as "Cherokee is looked upon as the model Reservation in the Nation."

A paper on Merriman Township history was read by Mrs. F. C. Salisbury when the Carteret County Historical Society met at the Webb Civic Center in Morehead City on January 27. Mr. F. C. Salisbury, President, conducted the business meeting and paid tribute to Miss Amy Muse who recently moved to Charlotte. She has served as Curator for the Society for a number of years.

The Brunswick County Historical Society met in the Parish House of St. Philips Episcopal Church in Southport on January 23 with Mrs. M. H. Rourk, President, presiding. The group voted to increase the number of meetings from four to six yearly (second Monday of every other month beginning with January). Mr. R. V. Asbury spoke briefly and members attending discussed ways to celebrate the Tercentenary of the Carolina Charter in Brunswick County.

The Western North Carolina Historical Association met on January 27 at Asheville-Biltmore College where they were greeted by Dr. Glenn Bushey, President, and led on a tour of the College. Mr. Weimar Jones, Editor of the *Franklin News*, made a talk and Col. Paul A. Rockwell spoke on "Sidelights of the Civil War in North Carolina."

The Rockingham County Historical Society met February 27 at the Williamsburg School. Mr. Allen Lewis, President, presided. The program was based on the Civil War and members visited the Civil War exhibit at the school.

The *Rowan Museum News Letter* for January, 1962, had articles on the Old Stone House, the membership drive, the registration room at the Museum, and letters from school children who have been visitors. Mrs. Gettys Guille is Director of the Rowan Museum.

The February, 1962, issue of the *Lower Cape Fear Historical Society Inc., Bulletin* contains a message from President R. Jack Davis; announcement of the February 14 meeting at which Mr. David Stick of Colington Island spoke on "Coastal North Carolina"; an article, "Nineteenth Century Wall Painting in North Carolina," by Mr. Ben F. Williams of the North Carolina Museum of Art; and a reprinting of "Mrs. Whistler's Letters, 1853-1877."

The *News Bulletin of the Moravian Music Foundation* for the fall, 1961, noted the receipt of the merit award of the American Association for State and Local History by the Foundation, announced new members of the Board of Trustees, and cited Mr. Irving Lowens of the Library of Congress as winner of the first *Moramus Award* for distinguished service in the field of American Music. The Foundation is presently conducting its annual Friends of the Moravian Music Foundation membership drive.

Officers elected on November 18 at the thirty-seventh annual meeting of the Society of Mayflower Descendants in the State of North Carolina are: Dr. Sturgis E. Leavitt, Chapel Hill, Governor of the North Carolina Society, Assistant General of the National Society; Mrs. W. O. Crotts of Charlotte, Secretary; Mrs. J. Frazier Glenn of Asheville, Treasurer; and Mrs. William T. Powell of High Point, Deputy Governor. The Society voted to present to Duke University a number of books donated to the Society by the late Burnham Standish Colburn. They will be cataloged as the Burnham Standish Colburn Collection of Mayflower Books.

The National Park Service recently released figures showing that during the year 1961 there were 257,109 visitors to the Wright Brothers National Memorial at Kitty Hawk.

The Nash County Historical Society held its organizational meeting on February 12, 1962. Officers elected were Mr. L. S. Inscoe of Nashville, President; Mr. Byron Hilliard of Rocky Mount, Vice-President; and Mrs. Frank Thigpen of Rocky Mount, Secretary-Treasurer.

The Department recently received a brochure, written by Dick Gorrell and Bruce Roberts, on the U.S.S. "North Carolina." The history of the battleship is reviewed from the date Congress authorized the building of the ship on June 3, 1936, until she was brought to North Carolina in 1961. The profusely illustrated brochure also gives information on other ships which have borne the name "North Carolina." Copies are available for twenty-five cents each from the Heritage Printers, Inc., 501 West Fourth Street, Charlotte 2, North Carolina.

On February 27 the Moores Creek Battleground Association and the Moores Creek Chapter, Daughters of the American Revolution, co-sponsored the 186th anniversary celebration of the Battle of Moores Creek Bridge. More than 85 persons attended the program in the Visitor Center at the National Military Park. Principal speakers were General John D. F. Phillips, Executive Secretary of the Carolina Charter Tercentenary Commission; Dr. William H. Wagoner, Superintendent of the New Hanover County Schools; and Mr. D. W. Lucas, President of the Pender County Historical Society. Also represented on the program were the Moores Creek, Rockfish, and Defiance Chapters of the Daughters of the Revolution; the local chapter of the United Daughters of the Confederacy; and the National Park Service. Mr. S. Michael Hubbell is Park Historian at Moores Creek.

A new book, *Wilmington, North Carolina, Historic Area: A Part of the Future Land-Use Plan*, by John Voorhees and Jerry Turner, was issued in March. It may be ordered for \$2.00 per copy from the Division of Community Planning, Department of Conservation and Development, Raleigh. The book is the result of a project to incorporate historic houses and landmarks into a rapidly expanding community of modern design. There are

numerous photographs by Mr. Chiles Larson of the Division of Advertising and a number of drawings and plates from the files on historic architecture of the School of Design at North Carolina State College. Mr. Voorhees directed the project and prepared the text; Mr. Turner was responsible for the design and layout.

MISCELLANEOUS

The New-York Historical Society Quarterly, XLVI (January, 1962), published an article, "The Early Blockade and the Capture of the Hatteras Forts—from the Journal of John Sanford Barnes . . . 1861." Edited by John D. Hayes and Lillian O'Brien, the manuscript journal is a part of the Naval History Collection of the Society. There are numerous illustrations in the 26-page article and the first page of Barnes' journal is reproduced. Individual issues of *The Quarterly* may be purchased for \$.75 from The New-York Historical Society, 170 Central Park West, New York 24, N. Y.

A volume of essays, based on papers presented at the 1960 meeting of the Philosophical Society of Texas, has recently been received by the Department. The 126-page book, *Texas: Today and Tomorrow*, was edited by Herbert Gambrell, with a preface by the President of the Society, George C. McGhee. Essays entitled "The Heritage and Goals of Texas," "Educational Resources in Texas," "The Wealth of Texas," and "The Economy of Texas," were written by W. St. John Garwood, Harry H. Ranson, Allan Shivers, and E. B. Germany. Published for the Society by the Southern Methodist University Press in Dallas, the book is available for \$3.00.



THE NORTH CAROLINA HISTORICAL REVIEW EDITORIAL POLICY

The Editorial Board of *The North Carolina Historical Review* is interested in articles and documents pertaining to the history of North Carolina and adjacent States. Articles on the history of other sections may be submitted, and, if there are ties with North Carolinians or events significant in the history of this State, the Editorial Board will give them careful consideration. Articles on any aspect of North Carolina history are suitable subject-matter for *The Review*, but materials that are primarily genealogical are not accepted.

In considering articles, the Editorial Board gives careful attention to the sources used, the form followed in the footnotes, the style in which the article is written, and the originality of the material and its interpretation. Clarity of thought and general interest of the article are of importance, though these two considerations would not, of course, outweigh inadequate use of sources, incomplete coverage of the subject, and inaccurate citations.

Persons desiring to submit articles for *The North Carolina Historical Review* should request a copy of *The Editor's Handbook*, which may be obtained free of charge from the Division of Publications of the Department of Archives and History. *The Handbook* contains information on footnote citations and other pertinent facts needed by writers for *The Review*. Each author should follow the suggestions made in *The Editor's Handbook* and should use back issues of *The North Carolina Historical Review* as a further guide to the accepted style and form.

All copy should be double-spaced; footnotes should be typed on separate sheets at the end of the article. The author should submit an original and a carbon copy of the article; he should retain a second carbon for his own reference. Articles accepted by the Editorial Board become the property of *The North Carolina Historical Review* and may not have been or be published elsewhere. The author should include his professional title in the covering letter accompanying his article.

Following acceptance of an article, publication will be scheduled in accordance with the established policy of the Editorial Board. Since usually a large backlog of material is on hand, there will ordinarily be a fairly long period between acceptance and publication.

The editors are also interested in receiving for review books relating to the history of North Carolina and the surrounding area.

Articles and books for review should be sent to the Division of Publications, State Department of Archives and History, Box 1881, Raleigh, North Carolina.

