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## PUBLIC BUILDINGS IN CRAVEN COUNTY 1722-1835

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### I

No greater problem faced the counties of early North Carolina than the periodical new construction and almost continuous demand for repair of public buildings. The costliness of some materials and the scarcity of skilled labor were only part of the trouble. The frequent indifference of officials and their ineptness at collecting and accounting for revenues added to the difficulty. Public building was therefore a long-drawn-out undertaking. Construction of a courthouse might last a decade or more, and during these years taxes would sometimes double, so far as county levies were concerned. The erection of such a building required much effort, and its completion was a real accomplishment—one which this opulent generation, with its federal grants-in-aid and easy long-term borrowing, cannot fully appreciate.

Today's epidemic of federal construction has resulted in the erection of so many public buildings of all kinds that perhaps, too, it is difficult to realize just how important these structures were to the early life of North Carolina. The jails with their pillory, stocks, and whipping post, the powder magazines for the militia, the courthouses and later pest houses and poor houses, served as a kind of common social denominator in whose creation everyone who paid taxes had a share and in whose benefits or miseries a large proportion of the population took part. The courthouses are a good example of this. Not only did they house the county records, the county administration and provincial or state and federal courts; they also served as meeting places for the nomadic assembly and sometimes as marketplaces. In every sense they were community buildings, where public dinners, balls, and even religious worship were

held. In view of the importance of these buildings, it is no wonder that the assembly of 1795-1796 authorized the counties to appoint a special officer, the Treasurer of Public Buildings, to deal with their construction and maintenance.<sup>1</sup>

The subject of county public buildings gives us a rather good picture of local conditions, both social and economic, and therefore it is significant in the study of local history. It is of some interest in the field of state history, too, for the counties were dealing with this vexing problem some half a century before the provincial administration got around to doing anything definite about it. From the standpoint of both local and state history, public building in Craven County is worth some attention because of its connection with the early effort to establish courts and fix the seat of government in a central location. As early as 1736, Governor Gabriel Johnston recommended to the Board of Trade that New Bern, in Craven County, "at present the most central place of the Province," should be the seat of a biennial court of chancery and that he should be empowered to move the other courts there if he thought best.<sup>2</sup> That this recommendation did not bear fruit probably was due to what Johnston himself admitted in a letter from New Bern, that nowhere could he find suitable quarters for government offices, a shortcoming which he made clear applied not only to New Bern.<sup>3</sup> Nevertheless in time New Bern did become a most important center for courts, both the law, equity, land, and admiralty courts of the crown and the state and federal courts. In 1746 the later-disallowed act naming New Bern as capital evoked again the question of whether the county's public buildings were adequate, and this was debated at some length by the governor and council. By the advent of Tryon on the North Carolina scene, they could indeed be called satisfactory, a two-story brick courthouse being at that time in process of erection. This no doubt served, if not to influence Tryon's decision, at least to remove one of the many objections to the town as the seat of government.

## II

The history of courts in Craven County goes back to the days of its first settlement. Among the oldest documents extant concerning Neuse River settlers as a group is an undated petition for a court. It asks the council to relieve these settlers of the neces-

<sup>1</sup> *Laws of N. C.*, 1795, chapter IV.

<sup>2</sup> W. L. Saunders, ed., *The Colonial Records of North Carolina*, IV, 206.

<sup>3</sup> *Colonial Records*, IV, 243.

sity of making the "tedgous journey" to the Bath Town for the assizes. Since the petition identifies the twenty-eight signers as inhabitants of Neuse rather than of any local government unit, it may be that the petition antedates the setting up of Archdale Precinct, the parent of Craven, in 1705. At all events, a court was set up at an early date, no doubt in response to this "humble petition."<sup>4</sup> The earliest minutes which have come down to us begin with the sessions of January, 1712-13, but there is nothing in these minutes to indicate that they are those of a newly organized court.<sup>5</sup> Furthermore there is evidence that there was a court about 1710 or shortly after the founding of New Bern. At least it would seem so in view of the fact that one of the Swiss settlers, Johann Jacob Botschi, styled himself "Clerk of Court and Captain in Carolina."<sup>6</sup>

The earliest building which might correspond to a courthouse was destroyed by fire during the Indian warfare of 1711. This was referred to as the "office" of Craven Precinct, and probably was no more than a private house in which official records were kept. Some of the records, we know, were burned, for one of the justices of the peace made oath four years later that a certain deed recorded in this "office" had been destroyed in the fire.<sup>7</sup> The earliest courts of which there is a record were meeting from 1713 to 1716 in the homes of private individuals—first at the house of the Palatine Jacob Miller (Muller) and later, from 1715 to early 1716, at the home of William Hancock. From this latter date to 1730 there is a hiatus in the minutes, which makes it impossible to know what sort of building the public was making use of. It may be, however, that at the conclusion of the Indian fighting an improvised courthouse was fitted out, for in a land grant of 1720 there is a mention of there having been by 1719 a "Craven Court House."<sup>8</sup>

From the Indian war developed the first attempt by the proprietary administration to see that the precinct governments were properly housed. An act of 1722 fixed the various precinct seats (New Bern being designated for Craven) and directed the erection, six months from ratification, of courthouses six-

<sup>4</sup> This petition is in Albemarle County Papers, vol. II (undated). (Unless otherwise indicated all manuscripts cited in this article are in the North Carolina State Department of Archives and History, Raleigh).

<sup>5</sup> Minutes of Craven County Court of Pleas and Quarter Sessions, (cited hereafter as "Craven Court Minutes."). The court was the county administrative body.

<sup>6</sup> The German is "Landschreiber und Hauptmann in Carolina," and the translation is that of Vincent H. Todd and Julius Goefel in *Christoph von Graffenried's Account of the Founding of New Bern* (North Carolina Historical Commission Publications, Raleigh, 1920), pp. 209, 312.

<sup>7</sup> Craven Court Minutes, Session of (June ?), 1715. A copy of this item appears in the Craven County Deed Records, Courthouse, New Bern, II, 626.

<sup>8</sup> Land Grant Records, Secretary of State's Office, Raleigh, II, 213.

teen by twenty-four feet in dimensions.<sup>9</sup> Another law assigned a sheriff's office and clerk's office for Craven Precinct to New Bern.<sup>10</sup> Due to the gap in the court minutes, there is no record of the building and financing of this courthouse. It seems to have been erected within a period of eight years at the most, however, for by 1730, according to the minutes, the justices were meeting "in the Court house in Newbern Town."<sup>11</sup> This building was without doubt a wooden one and certainly no larger than the dimensions mentioned in the act of 1722. Deeds of later years seem to indicate it stood at the intersection of Craven and South Front streets, possibly on the northwest corner.

The life of this courthouse probably was a brief one, and it doubtless soon fell to pieces. In 1739 William Wilson and Walter Lane, of the Craven delegation to the assembly, introduced a bill for a new courthouse and prison.<sup>12</sup> Although the bill failed of enactment, it is significant because it was proposed just at the time when the assembly began to meet in New Bern and thus end the Albemarle's long monopoly on legislative sessions. A few years later the county court levied the first building tax of which there is record. Undoubtedly the inhabitants of the county had paid taxes for this purpose before. The act of 1722 authorized the county courts to levy up to five shillings per poll per annum to pay for the courthouses to be erected under its terms. But in 1741 we find in the Craven court minutes the first mention of any taxes for public building. This was a levy of two shillings and sixpence per tithable for buying standard weights, scales, and measures and for repairing the courthouse and prison.<sup>13</sup> A little over a year later a sixpence tax for two years was decided upon to finance the construction of a new prison.<sup>14</sup> In 1743 a tax of eight pence per tithable was levied by the court, as authorized by act of assembly of that year, to provide a magazine for the county.<sup>15</sup> The act suggested only the "hire" of a place for ammunition, however, so it seems certain that no new building was done.<sup>16</sup>

The jail, however, was erected—after so long a time. Captain John Bryan, a member of the court, who served as sheriff from

<sup>9</sup> Walter Clark, ed., *The State Records of North Carolina*, XXIII, 100-102.

<sup>10</sup> *State Records*, XXV, 181.

<sup>11</sup> *Craven Court Minutes*, June, 1730.

<sup>12</sup> *Colonial Records*, IV, 376.

<sup>13</sup> *Craven Court Minutes*, June, 1741.

<sup>14</sup> *Craven Court Minutes*, September, 1742. It was also levied in 1745 and 1746. *Craven Court Minutes*, September, 1745.

<sup>15</sup> *Craven Court Minutes*, June, 1743.

1745 to 1749, was selected to carry out the construction of a building thirty feet long, eighteen feet wide, and ten feet high, to be completed in twelve months.<sup>17</sup> For this work Bryan was to receive the flat sum of £1,200—a sad commentary on the laxity of the court's control over its building finances. The twelve-month time limit was entirely too optimistic. Not until 1747, after five years of delay and time extensions, did Bryan finish the jail and present it for public use.<sup>18</sup> Even then there must have been serious defects in the building, for in that same year it was completed, the sheriff—none other than John Bryan, who himself had seen to its construction—complains of its “insufficiency” and requests authorization for its repair!<sup>19</sup> A few months later Bryan, having been ordered according to his recommendation to make the jail secure, was directed to line it with timber and brick, repair the windows, and “make a vout [vault?] & chimney” for it.<sup>20</sup> Scarcely three years elapsed, however, before the jail was said again to be “not in Sufficient Repair,” so it is not hard to realize what a truly endless task it was to maintain this necessary structure.<sup>21</sup>

Part of the jail tax apparently was used to repair the courthouse, for it is specifically stated that the sixpence tax should continue for 1745 and 1746 not only to build the new prison but to repair the courthouse as well.<sup>22</sup> Some years later, Sheriff Bryan was ordered “to furnish the Court House with a Sufficiency of Benches & to brand the Same [,] likewise to Repair the Windows [,] Shutters & c. a.”<sup>23</sup> Into such a condition had the courthouse fallen that the justices reverted to the old practice of meeting in private homes. The home of the Frenchman John Fonveille, a Christ Church warden, near Union Point;<sup>24</sup> the “new house of Mr [John] Campbell;”<sup>25</sup> and “Mr [John] Rice's Red House,” a noted landmark on Broad Street<sup>26</sup>—all were places of meeting for the wandering county court. From about 1761 to the completion of the first brick courthouse in 1764, the justices convened at the house of one Margaret Adams, to whom were paid certain sums for repairs in consid-

<sup>16</sup> *State Records*, XXV, 232-233.

<sup>17</sup> Craven Court Minutes, September, December, 1742.

<sup>18</sup> Craven Court Minutes, June, 1747.

<sup>19</sup> Craven Court Minutes, December, 1747.

<sup>20</sup> Craven Court Minutes, March, 1748.

<sup>21</sup> Craven Court Minutes, June, 1751.

<sup>22</sup> Craven Court Minutes, September, 1745.

<sup>23</sup> Craven Court Minutes, June, 1748.

<sup>24</sup> Craven Court Minutes, March, 1748.

<sup>25</sup> Craven Court Minutes, September, 1748.

<sup>26</sup> Craven Court Minutes, January, 1761. Rice was an attorney and former clerk of the court.

eration of the court's use of her dwelling.<sup>27</sup> A favorite practice of the justices was to convene in a local tavern. The ordinaries of John Foster,<sup>28</sup> Richard McGraw<sup>29</sup>, and Lawrence Donaldson<sup>30</sup> were some of these meeting-places. Perhaps the best known of all the taverns used was that of Richard Cogdell (1724-1787), sheriff from 1761 to 1765, chairman of the New Bern Committee of Safety during the Revolution, and borough member in the lower house of 1778 and 1779. On two occasions he was allowed seven pounds and five shillings for the use of his building.<sup>31</sup> An interesting practice reveals itself in these tavern meetings. It was frequently the custom to "adjourn" to one of them just before the justices called an end to the session and departed to their various homes in the county. Needless to say, with most of their work behind them, little "business" seems to have been transacted, at least none that could not be settled over a bottle of Madeira or a tankard of Bristol beer.

A less pleasant picture of colonial life appears from the references in the court minutes to the jail. Sanitary conditions were appalling. In 1752 the sheriff was ordered to find some "Safe Secure Method for Carrying Off" the waste from the prison.<sup>32</sup> Not until nearly twenty years later did the court see fit to expend four pounds on "a necessary house" (say the minutes) behind this building for the use of the prisoners.<sup>33</sup> Disease found a fertile breeding-place in these crude prisons of early North Carolina, where physical discomforts must have been as much a part of the punishment as the restriction of liberty itself.<sup>34</sup> Fire was another terrible hazard which hung over the heads of the wretches confined in these buildings. The Craven jail burned twice before the Revolution, once about 1758 and again ten years later.<sup>35</sup> There is no telling how many unfortunates lost their lives by being trapped amid the flames. We find record of the loss of a black man—and that because he was a slave and his master sought compensation for his death. This petition, "praying to be allowed the price of a Negro which was burnt in the public Goal," naturally gives

<sup>27</sup> Craven Court Minutes, October, 1764; April, 1765.

<sup>28</sup> Craven Court Minutes, September, 1748.

<sup>29</sup> Craven Court Minutes, September, 1749.

<sup>30</sup> Craven Court Minutes, November, 1751.

<sup>31</sup> Craven Court Minutes, November, 1758; October, 1761.

<sup>32</sup> Craven Court Minutes, August, 1752.

<sup>33</sup> Craven Court Minutes, June, 1770.

<sup>34</sup> For example, James Iredell complained that his client, Benjamin McCulloh, when convicted of fraud, had been confined in a rude and noisome cell, "whose stench was intolerable." Griffith J. McRee, *Life and Correspondence of James Iredell* (New York, 1858), II, 156.

<sup>35</sup> Craven Court Minutes, February, 1758; *State Records*, XXIII, 744-745.

no inkling of the whites who perished.<sup>36</sup> No one could claim a "price" for their lives! It is no wonder, then, that the prisoners often made a dash for freedom. In 1749 an indictment was presented to the court against two men "for breaking the Goal of Craven County"—and at the same session seven pounds and ten shillings was ordered paid out for repairs, presumably to patch up the damage they did in escaping.<sup>37</sup> A temporary jail, probably a private house, was used to confine the county's prisoners after the fire of 1758, and it was pointed out to the justices, who had designated two men to keep watch every night, that the inmates had several times attempted to break out.<sup>38</sup>

An equally interesting social picture is reflected in the crime and punishment of the times. Even so mild an offense as playing "bandy wicket" on Sunday would elicit a fine and no doubt a sharp reprimand from the court.<sup>39</sup> A common punishment for crimes such as petty larceny, especially involving slaves, was the culprit's loss of both ears at the public pillory at high noon, followed by a painful laying-on of lashes at the whipping post.<sup>40</sup> As a consequence of this practice, it was so humiliating to lose an ear, no matter in what manner, that we find the following petition in the court minutes:

It being made to appear . . . that John Holloway junr of the County of Craven had the misfortune to have a part of his right ear bit off in a riot which took place at the election at Cox's ferry in the year 1797—the Court therefore, to prevent the character of the said Holloway from being rendered suspicious on account thereof, have ordered the same [i. e., the incident] to be made a record.<sup>41</sup>

Debtors of course were put behind bars; and felons were thrown into irons.<sup>42</sup> But it was outside the jail that examples were made of many lesser wrong-doers. Drunkenness, for example, might be punished by a fine of two shillings, sixpence or a two-hour stay in the stocks.<sup>43</sup> The stocks apparently were placed just below the pillory, and the whipping post was usually nearby.<sup>44</sup>

This cruel set of apparatus apparently was reserved for male offenders exclusively. There is only one case on record where

<sup>36</sup> Craven Court Minutes, February, 1758.

<sup>37</sup> Craven Court Minutes, September, 1749.

<sup>38</sup> Craven Court Minutes, November, 1758.

<sup>39</sup> Craven Court Minutes, March, 1743.

<sup>40</sup> Craven Court Minutes, March, 1814.

<sup>41</sup> Craven Court Minutes, March, 1798.

<sup>42</sup> Craven Court Minutes, August, 1752; February, 1756.

<sup>43</sup> Craven Court Minutes, February, 1753 (?).

<sup>44</sup> Craven Court Minutes, December, 1804.

there is any suggestion to the contrary, and in this the woman was ordered to be stripped to her waist to receive twelve lashes at the public whipping post, but the sentence was suspended on condition she "lead and a regular and Sober life."<sup>45</sup> Women, however, were not exempt from confinement in the jail. A servant girl in 1756 was imprisoned on complaint of her master but soon freed.<sup>46</sup> In the same year another woman, "in custody in the Common gaol for sundry Crimes & misdemeanors," was released on condition that she leave town.<sup>47</sup> In a sense, it is not surprising that women should have shared the punishment of men in so far as confinement in the "Common gaol" is concerned. Throughout colonial days they lived a less sheltered life than one usually credits them with. They ran public houses and even ferries, in addition to being the household mistresses of plantations that must have required a capacity for administration far from typically feminine.

Constructing and keeping in repair the stocks, pillory, and whipping post were a definite part of the duties of the county court and its executive officer, the sheriff. In 1751 the sheriff was ordered to build a whipping post with stocks and pillory—the first mention we find of the latter two, though the whipping post was certainly a replacement.<sup>48</sup> Ten years later he was instructed to erect a whipping post and stocks (pillory not mentioned), and with the passing of another decade a new pillory and stocks were authorized to be built.<sup>49</sup> It would seem from this that the life of these exposed frame-works was very short. In 1795, "it appearing to the Court that there was no pillory in the County," the sheriff was again directed to supply one, this being the last of the old stationary public pillories of Craven County.

### III

While the old wooden courthouse was falling to decay and the justices of the peace were meeting in various homes and taverns, a movement was underway to make New Bern a center of courts and government offices. This had some effect on public building in the county. Johnston's attempt in 1736 to carry out this centralization has already been mentioned. Ten years later he succeeded in having passed an act, later repealed, which

<sup>45</sup> Craven Court Minutes, September, 1740.

<sup>46</sup> Craven Court Minutes, August, 1756.

<sup>47</sup> Craven Court Minutes, August, 1756.

<sup>48</sup> Craven Court Minutes, June, 1751.

<sup>49</sup> Craven Court Minutes, October, 1761; March, 1771.

fixed the court of chancery, the general court, the offices of their clerks, and the office of the secretary of the colony at New Bern.<sup>50</sup> A tax of four pence per poll was levied for two years to be used in part to erect the public buildings thus made necessary. Circumstances arose which prevented any building for several years. For one thing the governor and council wavered in their choice of a capital. In 1748 they debated

. . . whether instead of New-Bern the present Seate of Government, it would not be more eligible to make and establish the same upon Trent River the public buildings not being yet erected at New Bern pursuant to Act of Assembly in regard of the known unhealthiness of the former place[,] from the badness of the water and other Causes, And the want of proper Accomodations in the said Town.<sup>51</sup>

Just where they intended to put the capital on Trent River does not appear, but it not important because this idea was soon dropped. Two more years passed and still nothing was done toward beginning work. In April, 1750, an "additional act" was passed which blamed the negligence of the commissioners who had been appointed to superintend the building.<sup>52</sup> The act named new commissioners and provided for the issuance of more than £21,000 in paper money to carry on the building, since it was said the four-penny tax had proved insufficient. At the same time the assembly resolved, the council concurring, that these public buildings should consist of a brick courthouse fifty feet long by thirty feet wide, and fifteen feet high; and two other buildings, a council house and clerical offices.<sup>53</sup> In pursuance of this act and resolution, lots were purchased in New Bern as sites. By deed dated April 17, 1750, Jeremiah Vail, John Starkey, and Edward Griffith, the new commissioners, had conveyed to them Lots 248, 249, 250 and 251, the southern half of the block upon which the present courthouse stands in New Bern.<sup>54</sup>

Further delays resulted. To prevent the lots from reverting to the town commissioners for lack of a building on them—since the law required a building on a lot eighteen months after the Commissioners had sold it—Vail, Starkey, and Griffith, in October, 1751, obtained an act of assembly which confirmed the lots to the use of the public and prevented the titles

<sup>50</sup> *State Records*, XXIII, 252-267; *Colonial Records*, IV, 836.

<sup>51</sup> *Colonial Records*, IV, 898.

<sup>52</sup> *State Records*, XXIII, 347-348. *Colonial Records*, IV, 1064.

<sup>53</sup> *Colonial Records*, IV, 1063-1064.

<sup>54</sup> *State Records*, XXIII, 364-365.

from lapsing.<sup>55</sup> Some funds had apparently by this time been paid out and some work started, for the law declared that its purpose was to prevent "the Money already Expended toward the Public buildings now begun" from being lost.<sup>56</sup> Thus we may date the beginning of the second courthouse from about 1751. The financing of the work was slow and uncertain. The order issued by the Crown in 1754 repealing the act of 1746 and leaving the province again without any legally fixed capital seems to have prevented the issuance of the £21,000 in public bills authorized in 1750. The four-penny tax collections came in so slowly that Commissioner Starkey wanted to begin suits against the delinquent sheriffs, but was prevented from doing so by the assembly.<sup>57</sup> This revenue apparently was the main reliance for the financing of the building. At any rate we know that certain funds from it were turned over to the commissioners and presumably spent to forward the work.<sup>58</sup> Another fact which may be taken as evidence of financial difficulties is that the original specifications set by the assembly resolution were scaled down by the county court. Instead of a building fifty by thirty feet, the court ordered a brick structure forty by twenty-five feet raised on twelve-foot pillars.<sup>59</sup> A tax of one shilling per poll was to be levied throughout the county, payable to John Williams and the printer James Davis, who were named commissioners for the construction. Thus the problem, from being the concern of the whole province, had apparently reverted to being merely a county one. The reason for this undoubtedly lay in the bitter opposition of the Albemarle counties to fixing the capital at New Bern. In the face of this unarmed rebellion, the task of erecting public buildings in Craven was made doubly complex and uncertain due to the semi-provincial nature of the undertaking.

From 1751 to 1761 little was done to further the work. That is apparent from the unusual amount of legislation passed in an effort to facilitate the construction. One can picture the partly erected building, abandoned by the masons and growing old in sun and rain before ever it had a chance to become the "new" courthouse. In 1754 the assembly passed a bill empowering the county court to sell the old courthouse lot with its

<sup>55</sup> *Colonial Records*, IV, 1274; *State Records*, XXIII, 364-365.

<sup>56</sup> *State Records*, XXIII, 365.

<sup>57</sup> *Colonial Records*, IV, 1292.

<sup>58</sup> *Colonial Records*, V, 965.

<sup>59</sup> *Craven Court Minutes*, August, 1753. The order also provided for a prison thirty by twenty feet, two stories high, and "Built of Brick, and sealed, with Two Inch Oak plank."

building "fallen greatly to Decay," and to build a prison on the rear of the lots bought for the new courthouse.<sup>60</sup> This "new" building, said the act, was to be erected on pillars at the intersection of two streets [Broad and Middle], so a market might be held beneath it. A few years later another act named John Fonveille the sole commissioner to complete the courthouse.<sup>61</sup> In 1758 he reported that he had spent £306:3:9 on the prison and on laying foundations for the prison "office," but he says nothing as to what had been done on the much-delayed courthouse.<sup>62</sup> In January, 1760, the assembly again took notice of the situation at New Bern.<sup>63</sup> This act declared that the partly finished courthouse "now lies in a ruinous condition and the Work not carried on, by the Reason of a Commissioner [Fonveille] appointed by an Act of Assembly wholly neglecting the same."<sup>64</sup> It named seven commissioners to let out the work to the lowest bidder, who should give bond and contract to do the work in a specified time. In spite of censurè, Fonveille was not too ill-thought-of, for he himself was among the seven new commissioners! A little more than a year later this act was repealed. Before this bill passed, the council amended it to enlarge the dimensions of the courthouse from fifty by thirty feet, as it was written in the draft then before the lower house, to sixty by forty feet, "as such alteration," said the council, "will make it much more convenient for the sitting of the Courts and Jury rooms And also be attended with very little more expense."<sup>65</sup> The act as finally passed recited the usual complaint against the commissioners for neglect and authorized a two-shilling poll tax for three years in Craven County, to be paid to Richard Speight, Joseph Leech, and John Fonveille, who were appointed as "new" commissioners to carry on the work.<sup>66</sup> Actually, both Speight and Fonveille had been members of the former commission. The act provided that the courthouse might be built either on the public lot "nearly opposite Mr. Rice's red house" or on the one at the intersection of Broad and Middle streets, "where a court house is already begun." The commissioners chose to proceed on the site already selected, and the northeast corner of this intersection accordingly remained for over a century the site of the Craven County courthouse.

<sup>60</sup> *State Records*, XXV, 265-266; *Colonial Records*, V, 208.

<sup>61</sup> *State Records*, XXV, 358-359.

<sup>62</sup> *Colonial Records*, V, 969.

<sup>63</sup> *Colonial Records*, VI, 184.

<sup>64</sup> *State Records*, XXV, 401-402.

<sup>65</sup> *Colonial Records*, VI, 652.

<sup>66</sup> *State Records*, XXV, 462-463.

Not until three more years had passed was the courthouse at last ready for occupancy. During all this time the public was subjected to a considerable burden of taxation. An idea of the extent of this burden, exclusive of the province-wide four-penny tax levied by the act of 1746, may be gathered from comparing the building tax with the total county tax and total provincial tax over the period from 1753 to 1764. The following table, which though incomplete serves the general purpose, covers the period from the year in which the first tax was laid specifically for a new courthouse to the year in which the tax for this particular building was levied for the last time. The total county tax does not include the parish tax, as this is not available due to the loss of the records of Christ Church.

	1753	1754	1755	1756	1757	1758	1759	1760	1761	1762	1763	1764
County building tax	1s	1s	1s	1s	1s	1s	1:4	?	2s	2s	2s	1s
Total County tax <sup>67</sup>	1s	2:10	2:8	2s	2s	2:6	2:4	?	2s	2s	2s	1:2
Provincial tax <sup>68</sup>	?	1:8	5:7	7:7	10:1	12:1	10:1	6:8	7:3	6:2	7:2	7:6

The first thing one notices about this comparison is the increase in the building tax itself. Those in charge of the courthouse construction either underestimated the cost of the building; or else it proved impossible to collect the tax properly. A second interesting point is the size of the provincial tax at this period. When one considers that the courthouse was financed while the people were paying the burdensome taxes occasioned by the Seven Years War, the accomplishment seems all the greater and the delays and difficulties more understandable. Certainly the importance of public building in the life of colonial North Carolina is brought home by these figures. Any special tax which amounts to from thirty-five to more than fifty per cent of the county tax, and sometimes amounts to the whole of it, is obviously levied for a purpose of vital importance to the people who pay it. That the building tax should constitute so large a pro-

<sup>67</sup> The total county tax includes a variety of levies besides the building tax: for example, building a town fence, purchasing law books for the use of the county, and paying jurors' expenses.

<sup>68</sup> This list of the provincial tax, 1754-1770, is printed in *The North Carolina Gazette*, March 24, 1775. All sums, of course, are in proclamation money.

portion of the total county and provincial taxes, is ample proof that public buildings stood in high rank among the services being offered by the Crown government.

The justices met in the new courthouse for the first time on July 3, 1764.<sup>69</sup> Just before Christmas of the same year, the new governor, William Tryon, who by the erection of the Palace two years later made New Bern the capital, was entertained in the courthouse. The first floor was transformed for the occasion into a "Ball-Room," and in the "Long Room" upstairs, where courts apparently were held, a dinner was served by members of the Masonic lodge at which officials of the borough were present.<sup>70</sup> Soon after the completion, the town government decreed markets every Wednesday and Saturday beneath the tall arched pillars.<sup>71</sup> This open first floor was paved with brick or stone, for we have record of a man who had damaged the paving being ordered to repair it.<sup>72</sup> The courthouse was not entirely popular as a marketplace, however. The diarist Attmore, who visited New Bern in 1787, says that though some marketing was customary, actually "little provisions are carried there." "People coming in Boats or Canoes," he writes, preferred to do business at the riverside, where the wharves of the town and shipping lay.<sup>73</sup>

At one time, quite ironically, the high arches of the courthouse were a rendezvous for those who preferred settling their grievances, not by law, but by duelling, and to "meet me under the court house" was one way of expressing a challenge to defend one's honor.<sup>74</sup> Even so, the building rendered long and valuable service to the purpose for which it was primarily intended. New Bern was at this time the seat of a number of courts, and in the new courthouse convened not only the county justices but the three-judge superior court of New Bern District as well. By Tryon's time there was in addition a court of admiralty, which may also have sat in the courthouse.<sup>75</sup> Apparently there was a surprising amount of formality about these early dispensaries of justice, for Attmore records, visibly impressed after visiting a court at New Bern, that "The Judge & Lawyers in this Country dress in black Robes & white Tunics like parsons."<sup>76</sup>

<sup>69</sup> Craven Court Minutes, July, 1764.

<sup>70</sup> *The North-Carolina Magazine; or, Universal Intelligencer*, December 21-28, 1764.

<sup>71</sup> *The North-Carolina Magazine; or, Universal Intelligencer*, September 7-14, 1764.

<sup>72</sup> Craven Court Minutes, June, 1778.

<sup>73</sup> Lida Tunstall Rodman, ed., *Journal of a Tour to North Carolina by William Attmore, 1787, The James Sprunt Historical Publications*, XVII (1922), 46.

<sup>74</sup> Colonial Records, VII, 435.

<sup>75</sup> Colonial Records, VII, 435.

<sup>76</sup> Rodman, *Journal of Attmore*, 19.

Although it had been completed for occupancy, expenditures for the courthouse continued. Soon after the justices held their first court, four pounds were paid out for "work to be done Putting up a Barr with Bannisters and makeing the Table three feet Wider."<sup>77</sup> A hint of a serious construction fault is contained in an order issued early in 1766 directing the employment of "some Skillful person to Erect or put up such pillars or other security for the support of the upper Floor in the Court House and all such other Repairs as they shall Judge necessary."<sup>78</sup> At the next session five commissioners were named to "complete and finish" the courthouse, the previous ones, it was said, having neglected to do so.<sup>79</sup> Among these was Samuel Cornell, the well-to-do merchant, formerly of New York, who as a member of Tryon's council helped by a timely loan to finance the construction of the governor's Palace, and who a year later was allowed by the county court more than £157 "for Sundrys Furnished for the Court House."<sup>80</sup> Since the Palace itself began to rise in 1767, it is not surprising that the courthouse should have still another kinship with this first public building erected to house the provincial government. The "Skillful person" hired to remedy the sagging upper story was none other than John Hawks (1731-1790), designer of the Palace and first professional architect in America, who was ordered paid twenty pounds for "Superintending and Designing the Works on the Court house."<sup>81</sup> Bills presented to the court for materials during the succeeding years indicate the building was kept in good repair. There are accounts "for three Keggs of Paint" and for "lathing."<sup>82</sup> In 1771 the court ordered the marketplace paved and "Benches, Turnpikes [,] Rails &c for Inclosing the Same, and Kirbs . . . Round the Pumps."<sup>83</sup> For some time after the completion, various orders were issued relative to the settling of accounts for the building.<sup>84</sup> And not until 1771 did John Fonveille render final account of his superintendency and receive fifty pounds due him for his fee.<sup>85</sup> Thus the building of the courthouse and subsequent difficulties lasted the better part of twenty years. That in itself is a revealing fact about public building in early North Carolina.

<sup>77</sup> Craven Court Minutes, October, 1764.

<sup>78</sup> Craven Court Minutes, April, 1766.

<sup>79</sup> Craven Court Minutes, July, 1766.

<sup>80</sup> Craven Court Minutes, April, 1767.

<sup>81</sup> Craven Court Minutes, October, 1766.

<sup>82</sup> Craven Court Minutes, October, 1767; December, 1769.

<sup>83</sup> Craven Court Minutes, September, 1771.

<sup>84</sup> Craven Court Minutes, October, 1764; July, 1765.

<sup>85</sup> Craven Court Minutes, June, 1771.

## IV

The Revolutionary War had a decisive effect on public buildings in Craven County, as it no doubt did in other local governments. Structures of any size required, either in the building or maintenance, certain articles of hardware which could not be produced locally and which were therefore imported from England. The ending of commercial relations with the mother country and the pressing need of the colonies for munitions cut off the supply of these articles and thus hastened the deterioration of the buildings erected prior to the Revolution. It is known that the war caused the rapid decay of Tryon's Palace, many of whose fixtures, metalwork in particular, either were stripped for the purpose of using them in arms-making or were stolen by vandals. These "pannels of glass," locks, hinges, and sashes, nearly all of which had been imported from the British Isles, could not be readily replaced in wartime and their lack hastened the decay of the building. It is a reasonable assumption that something close to this situation obtained with regard to the county public buildings, for their state after the Revolution was a most lamentable one. Repair must have been difficult, and anything that involved new construction even more so. James Iredell, writing from New Bern in 1780 about a friend's dwelling being destroyed by fire, speaks of "the present difficulty of building."<sup>86</sup> Three years later William Hooper, in a letter to Iredell, calls attention to the overcrowded condition of the town—"not a room to be had," he writes<sup>87</sup>—so it is a fair assumption that construction of all kinds, even in this boom period, was at a standstill. Furthermore, revenue which would have gone into public building was diverted to other purposes by the war. Just before the outbreak an act had been passed by the assembly enabling Craven and other "maritime counties" to levy a poll tax and raise one hundred pounds for building in each a pest house in which to confine persons having smallpox and other contagious diseases.<sup>88</sup> But although this money was raised and set aside for the purpose specified by law, the building was never erected.<sup>89</sup> The entire sum, lacking a very few pounds, was used up from late 1775 to early 1776 by the newly recruited troops, whose pay early in the war had not been provided by legislation and who depended upon ad-

<sup>86</sup> McRee, *Life of Iredell*, I, 445.

<sup>87</sup> McRee, *Life of Iredell*, II, 76.

<sup>88</sup> *State Records*, XXIII, 957.

<sup>89</sup> Craven Court Minutes, September, 1774.

vances made to them by patriotic individuals. Richard Ellis, Charles Crawford, and William Fenners all received reimbursement for their generosity in this matter out of the hundred pounds raised for the pest house.<sup>90</sup>

In his letter to Iredell referred to above, Hooper remarked that the governor's Palace at this period "has more the appearance of a neglected jail than anything else."<sup>91</sup> The comparison has an almost proverbial flavor, as if jails, of all structures, were suffering the ultimate in neglect. Certainly the condition of the Craven County jail left much to be desired.

This building had been completed just before the outbreak of the Revolution. Early in 1768 the assembly had passed an act for a jail and jailor's house or "office" to serve for the six counties then composing the District of New Bern.<sup>92</sup> Five commissioners were named, among them Hawks and Cornell, to supervise the building and complete it within two years. A tax of two shillings was levied on Craven County tithables and one shilling, four pence on those of the counties of Dobbs, Carteret, Pitt, Beaufort, and Hyde. These taxes were to continue for three years, and were to provide for the county the first outside assistance it had received in constructing a public building. The familiar story of delay and false starts was repeated. Three years passed and no jail had been erected. In the meantime the county court named a separate set of commissioners to build a temporary jail, sixteen by twenty-four feet, "until the Goal of the District be finished."<sup>93</sup> A temporary jail of some sort apparently was provided within the next two years, for by 1770 Sheriff William Bryan raises the familiar protest that it is inadequate to retain the prisoners.<sup>94</sup> In the following year another district-jail bill was enacted.<sup>95</sup> This appointed new commissioners in place of those named by the 1768 act, and rebuked the former ones for neglect of their trust. Within the next few years this building was completed.

The new jail was sorely tried by the large increase in prisoners resulting from the war. Besides the usual runaway slaves and ne'er-do-wells, it became necessary to confine there the motley flotsam of these troubled times—drunken French adventurers, English and Irish prisoners of war, and seamen of

<sup>90</sup> Craven Court Minutes, December, 1775; March, 1776.

<sup>91</sup> McRee, *Life of Iredell*, II, 76.

<sup>92</sup> *State Records*, XXIII, 744-745; *Colonial Records*, VII, 623.

<sup>93</sup> Craven Court Minutes, January, 1768.

<sup>94</sup> Craven Court Minutes, December, 1770.

<sup>95</sup> *State Records*, XXIII, 832; *Colonial Records*, VIII, 384.

many parts of the British Empire, some of them the savage wretches known as "man o' war's men." Suspected Scottish spies and even prominent New Bernians of doubtful loyalty were thrown summarily behind these bars. John Edge Tomlinson, the well-to-do merchant and shipowner—"Hard Money" Tomlinson, whose supply of ready currency was the envy of his fellow-traders—was jailed there for his refusal to take the oath of allegiance to the colonies.<sup>96</sup> Many other Tories less well-off were crammed into this overflowing building.<sup>97</sup> Feeding the prisoners was a problem in itself. By 1779 the keeper was protesting to the council of state that due to the wartime increase in prices he could not feed his charges on the allowance made him.<sup>98</sup> An even greater problem was preventing them from breaking out. In 1777 the "Middle Wall" of the jail was ordered to be "carried up a Sufficient Height to prevent Prisoners from escaping."<sup>99</sup> New locks were purchased, and the jail was ordered brought into better condition. Two years later the state government was forced to take notice of the situation at New Bern:

Colonel John Bryan, the Sheriff of Craven County . . . informed the Council that a great number of capital offenders are in jail at New Bern; that he is apprehensive they will endeavor to make their escape; and that by the Governor's order he has only a guard of thirteen men, which he thinks quite insufficient.<sup>100</sup>

The council recommended that the governor supply at least fifty men from the Craven militia to prevent the inmates from overpowering their captors. If fifty men guarded one small prison, there is no telling how many wretches were jammed at one time into this inadequate building. The location of this jail, and perhaps that of its predecessors, was the public lot now occupied by the Craven County courthouse, on the northwest corner of Broad and Craven streets.<sup>101</sup>

In the closing years of the Revolution, the county court began once more to meet in private homes or in places other than the courthouse. It is probable, therefore, that "the present difficulty of building" referred to by Iredell had had its effect in hastening the deterioration of this structure also. In 1781 the justices

<sup>96</sup> British Public Record Office, Audit Office, Class 13, Bundle 123, transcripts at the North Carolina State Department of Archives and History, Raleigh.

<sup>97</sup> The most prominent prisoners of war in Revolutionary New Bern were Captain Lord Charles Montague and General Donald McDonald, commander of the Highlanders at Moore's Creek Bridge, both of whom were briefly held there, though not of course confined in jail. *State Records*, XV, 764; XVI, 740, 743.

<sup>98</sup> *State Records*, XIV, 333.

<sup>99</sup> Craven Court Minutes, September, 1777.

<sup>100</sup> *State Records*, XXII, 960.

<sup>101</sup> *North-Carolina Gazette*, May 23, 1795.

were convening at the home of Henry Purss, a former town constable, who, interestingly enough, was allowed at the height of the inflation the sum of £2,500 for firewood!<sup>102</sup> Two years later the court was meeting in the "State House"—that is, in the abandoned governor's Palace, of which Abner Nash and his family had been the last occupants.<sup>103</sup> The county made some effort to repair the courthouse. The windows and sashes were patched up, for example, and a new staircase was installed.<sup>104</sup> The state also took some interest in the condition of county buildings, for by a law of 1784 a number of county courts, among them Craven's, were authorized to levy a tax up to four shillings per hundred pounds value of property and a poll tax of the same amount, this revenue to be used to repair public buildings.<sup>105</sup> No tax of this amount was ever levied in Craven, however, so the act did not benefit the buildings there. Most of the effort at repair, on the part of both the state and the county, seems to have been in behalf of the prison. In 1783 an act of assembly levied in Craven a tax of eight pence per hundred pounds value of property and eight pence per poll on every person whose property was not valued as high as that; and in the eight other counties of New Bern District a poll and property tax of half that amount, for the purpose of repairing the district jail, which was said to be "in a ruinous state, and by no means sufficient for the safe-keeping of felons and others committed."<sup>106</sup> This law appointed John Hawks, Thomas Sitgreaves, and John Fonville as superintending commissioners, but a subsequent one blamed them for "not inclining to act" and named two new commissioners while reappointing Hawks.<sup>107</sup> Little seems to have come of this effort. The tax money was never properly applied, for as late as 1801 the sheriffs of the district counties had not turned in all the revenue.<sup>108</sup> The courthouse, meanwhile, was steadily deteriorating. By century's end it was in such shape that the justices found it impossible to hold courts there during the winter months. The minutes tell of adjourning to the house of Samuel Chapman, clerk from 1788 to 1807, "on Account of the Cold Weather and the Shattered condition of the Court House."<sup>109</sup> By this time the need for a well

<sup>102</sup> Craven Court Minutes, December, 1781.

<sup>103</sup> Craven Court Minutes, December, 1783.

<sup>104</sup> Craven Court Minutes, December, 1784; September, 1785; June, 1786; September, 1787; September, 1792.

<sup>105</sup> *State Records*, XXIV, 594.

<sup>106</sup> *State Records*, XXIV, 522.

<sup>107</sup> *State Records*, XXIV, 699.

<sup>108</sup> Laws of 1801, chapter XCI.

<sup>109</sup> Craven Court Minutes, December, 1798.

kept courthouse was as great if not greater than ever, for in addition to the county and state courts, the newly established federal court of New Bern District was holding sessions in the town.

## V

The "Shattered condition" of the courthouse resulted in 1798 in the levying of another special building tax which was to be levied every year for eight years and provoke much complaint. At first this tax was designed simply to finance repairs on the courthouse and jail, but it soon became apparent that no amount of repairs could rescue the former from the ravages of time.

Before relating certain facts about the building of Craven's third courthouse, something should be said about the enactment of a far-reaching public building law by the assembly of 1795-1796. This was entitled "An Act to amend the laws heretofore passed concerning courthouses and prisons, and to provide for the safekeeping and humane treatment of persons in confinement."<sup>110</sup> The chief provision was an authorization to each of the county courts to appoint an officer to deal exclusively with the problem of public building, though it also contained rather elaborate and advanced measures for jail improvement and administration, including the separation of races and classes of prisoners. This officer was to be known as the Treasurer of Public Buildings, as distinguished from the County Trustee or Treasurer. He was to be bonded, and his duties were to

. . . superintend the public buildings, and from time to time report the state and condition thereof; to recommend alterations, repairs or improvements, together with the sums requisite for carrying such alterations, repairs or improvements into effect; to call to account and settle with all former Commissioners who may have received county or district monies for such purposes; to hear the complaints of persons confined respecting their diet and treatment; to examine into the conduct and character of the Jailer, and make information thereof to the court or grand jury of the county or district, as circumstances may require; to apply for and obtain from the clerk, all papers and documents properly attested, which may be necessary for the collection of the taxes laid by the court; to see that the same be collected, accounted for and applied according to the intentions and provisions of this act.

In mid-year the court chose Isaac Guion as the first Treasurer of Public Buildings for Craven County.<sup>111</sup> A year later he rend-

<sup>110</sup> Laws of 1795, chapter IV.

<sup>111</sup> Craven Court Minutes, June, 1796.

ered a report on the needs of the jail which resulted in the eventual repair of that building.<sup>112</sup> As timely and salutary as this act was, it did not end all troubles so far as collecting building revenues was concerned, for two years later Guion was sued by his successor William Shepard, who was awarded certain funds which Guion had had disbursed to him by the State Treasurer "for the use of the Public Buildings [probably the jail] in Craven County."<sup>113</sup>

In June, 1800, the county court formally gave its approval to erecting a new courthouse. This came in the form of adopting a report of Thomas Webber, who had succeeded Shepard as Treasurer of Public Buildings, on "the necessity of repairs to be made &c. and for rebuilding the Court House."<sup>114</sup> The court ordered Webber to purchase materials, make contracts and begin work whenever he saw fit. The justices, however, were far from being unanimous on the matter; and it is illustrative of the burden which such a building caused that several of them made a strong effort at the next session to have the order for a new courthouse rescinded.<sup>115</sup> This opposition failed, and the motion was voted down. To lessen the cost of the new building, it was decided to sell such of the material of the old one as could not be salvaged and used. So badly was revenue needed that an act of assembly was passed, obviously at the behest of the county, to authorize the County Treasurer to call on the sheriffs of the other counties in the district for the money raised by the four-penny tax of 1783.<sup>116</sup> This was to be applied toward completing the courthouse, and in defense of this rather unusual procedure, the act recalled the fact that Craven had previously spent large sums in repairing the district jail. It is doubtful whether this yielded much help. In 1803 the building commissioners were authorized to borrow up to £650 in anticipation of tax revenue.<sup>117</sup> By this time the building must have been well advanced except for the interior, because the loan apparently was designed to further the work inside. So strained were the county's finances that in December, 1805, John Frink Smith, the Treasurer of Public Buildings, reported that the "ordinary" tax of the next year—as distinguished from the

<sup>112</sup> Craven Court Minutes, June, 1797; December, 1798.

<sup>113</sup> Craven Court Minutes, September, 1798.

<sup>114</sup> Craven Court Minutes, June, 1800.

<sup>115</sup> Craven Court Minutes, September, 1800.

<sup>116</sup> Laws of 1801, chapter XCI.

<sup>117</sup> Craven Court Minutes, March, 1803.

specified building tax—would be needed to complete the work.<sup>118</sup> The building was completed about 1806, but there is no record of when the justices first met in it. The tax for it, as has been stated, was levied over the period 1798 to 1805 inclusive. An idea of the size of this tax in comparison with the "ordinary" tax may be realized from the following:

		1798	1799	1800	1801	1802	1803	1804	1805
County	Per 100 acres	6d	6d	6d	6d	6d	4d	6d	1s
	Per poll	1s	1:6						
	Per £100 town property	1s	1:6						
Public Building	Per 100 acres	6d	6d	6d	8d	1:6	10d	10d	4d
	Per poll	1:6	1:6	1:6	2:6	4:6	2:6	2:6	1s
	Per £100 town property	1:6	1:6	1:6	2:6	4:6	2:6	2:6	1s

A year after the discontinuance of the building tax, the county tax began to drop sharply until in 1809 it reached a low of one penny per hundred acres, and two pence per poll and per hundred pounds of town property. Obviously this was a much-needed relief from an unusually heavy tax program.

What manner of building was it which had thus, at so much expense, been erected? It was of brick, and the geographer Guthrie wrote soon after its completion that it was "three stories high, with a handsome spire."<sup>119</sup> This spire, or more accurately cupola, was the outstanding feature of the building. In it was a large bell. In 1828 a new bell, not over eight hundred pounds in weight, was ordered to replace the original one.<sup>120</sup> In that same year, the Town Commissioners were given permission to install a clock in the cupola.<sup>121</sup> This brought its problems, for the Treasurer of Public Buildings was ordered a few months later to stop too frequent ringing of the bell lest the clock be

<sup>118</sup> Craven Court Minutes, December, 1805. Apparently this meant the so-called "county" or "contingent" tax, which was not specifically ear-marked for any one purpose, and not "ordinary" meaning a tax on taverns.

<sup>119</sup> William Guthrie, *A New Geographical, Historical and Commercial Grammar* (Philadelphia, 1815), quoted in C. L. Coon's "North Carolina in the School Geographies 110 Years Ago," *North Carolina Historical Review*, III, (1926), 47-49.

<sup>120</sup> Craven Court Minutes, May, 1828.

<sup>121</sup> Craven Court Minutes, May, 1828.

damaged by it!<sup>122</sup> The County Register, the Clerk of County Court, and Clerk of Superior Court all were housed on the first floor.<sup>123</sup> On the third floor was the office of the Clerk and Master in Equity for New Bern District.<sup>124</sup> All of these rooms had been built with a special view to housing records.<sup>125</sup> As to where the court room was, there is no way to say definitely. Since Venetian blinds had been ordered for the second story windows, however, it is a reasonable supposition that they were used (just as they are for court rooms today) to shade the place where the justices convened.<sup>126</sup> This room was cut off from the rest of the building by a door which could be locked when the courts were not in session.<sup>127</sup> A railing, of course, separated the justices and others on immediate court business from the audience.<sup>128</sup> Furthermore the sheriff was under strict orders to post a constable to prevent anyone from entering this railing "except the lawyers, students of law and such persons as are called within the bar by some lawyer."<sup>129</sup> The court room was either painted or white-washed; and the offices, jury rooms, and passages were kept calcimined for the sake of appearance and sanitation.<sup>130</sup> The value of the building may be guessed from the negotiations over insuring it. In 1827 a New York underwriter valued the courthouse at \$11,500 and its bell at \$300.<sup>131</sup> The court thought this too high, and in the following year made another effort to insure the building, this time at a valuation not to exceed \$7,000. Finally, in 1831 a committee was named to insure the courthouse for \$5,000.<sup>132</sup> Whether the court actually ever insured the building does not appear. Its true value must lie somewhere between the extremes. Perhaps when it was new it was worth nearer the top valuation than the bottom figure proposed by the court.

Whatever its monetary worth, the courthouse was of great value to the community, judging from the number of uses it was put to. The town military companies held courts martial there and perhaps drills.<sup>133</sup> These organizations were ordered on one occasion to hold fewer of their functions there because

<sup>122</sup> Craven Court Minutes, November, 1828.

<sup>123</sup> Craven Court Minutes, June, 1807.

<sup>124</sup> Craven Court Minutes, March, 1806.

<sup>125</sup> Craven Court Minutes, March, 1806.

<sup>126</sup> Craven Court Minutes, December, 1805.

<sup>127</sup> Craven Court Minutes, February, 1827.

<sup>128</sup> Craven Court Minutes, December, 1807.

<sup>129</sup> Craven Court Minutes, September, 1807.

<sup>130</sup> Craven Court Minutes, August, 1825.

<sup>131</sup> B. J. White to Hardy Whitford, January 29, 1827; Letters to Clerk of Court, Craven County, 1827-1886.

<sup>132</sup> Craven Court Minutes, May, 1831.

<sup>133</sup> Craven Court Minutes, March, 1808.

some damage had previously been done to the windows.<sup>134</sup> In 1807 the town commissioners were given permission to hold sessions in the courthouse.<sup>135</sup> Religious groups, too, used the building. In 1814 the Episcopalian congregation was granted permission, obviously for lack of a bell of their own, "to ring the Court house bell on Sabbaths provided the [Church] Wardens . . . appoint some one person for the purpose."<sup>136</sup> The Presbyterian, Baptist, and Catholic congregations were authorized to meet in the courthouse for purposes of worship; and it appears that a bishop of the Catholic faith, John England, preached there in 1824.<sup>137</sup> When the New Bern Library Society was formed in 1803, one room was set aside in the courthouse "for the safe keeping of their books."<sup>138</sup> This was one of the earliest subscription libraries in the state.

The completion of the courthouse marked the beginning of an era in which the records of the county were for the first time well cared for. The earliest expenditure for this general purpose was in 1758, when the minutes tell of an allowance by the justices of six pounds to Clerk Peter Conway, who had purchased a desk "for the Preservation of the records of this Court"<sup>139</sup> During the eighteenth century, however, little or nothing was done to save the various documents from the wear of use and the tear of time. As late as 1789 some of the records were not being kept in the courthouse at all, for in that year the justices ordered the County Register to keep his deed books and his office there.<sup>140</sup> Again in 1806 the justices found it necessary to enjoin the Register to keep the public records "in one of the Rooms fitted for such purpose in the Court House."<sup>141</sup> That these rooms had been constructed with a view especially to housing records was, of course, a long step forward. Until this time some of the records were still in a loose state. In 1805 action was taken to remedy this when the court engaged Salmon Hall, the newspaper publisher, to bind both the inferior and superior court records.<sup>142</sup> The deeds continued to give trouble. In 1813 the "ruinous situation" of these books provoked the court to appoint the brothers, John Stanly and James Green Stanly, the latter then

<sup>134</sup> Bills for replacement of window glass were fairly common, indicating, to say the least, a robust use of the building or its grounds.

<sup>135</sup> Craven Court Minutes, September, 1807.

<sup>136</sup> Craven Court Minutes, March, 1814.

<sup>137</sup> Craven Court Minutes, December, 1818; March, 1819; February, 1824.

<sup>138</sup> Craven Court Minutes, December, 1803.

<sup>139</sup> Craven Court Minutes, November, 1758.

<sup>140</sup> Craven Court Minutes, March, 1789.

<sup>141</sup> Craven Court Minutes, March, 1806.

<sup>142</sup> Craven Court Minutes, December, 1808; March, 1809.

clerk of the county court, and Francis Hawks, son of John Hawks and collector of customs for the port, to obtain someone to transcribe them.<sup>143</sup> This transcription seems to have been done. As yet, however, there was no adequate index. In 1823 Register of Deeds Barthwick C. Gillespie began compiling "a new & entire Index," listing the records by both grantor and grantee; and with the completion of this work three years later these vital property records were put into their present usable form.<sup>144</sup> The system of double indexing from then on became a part of the policy of the Register's office.<sup>145</sup> All of this work was financed by means of the "one shilling tax laid on all deeds proved in this Court."<sup>146</sup> All of these records were kept in trunk-like chests which, being moveable, could be hauled out in case of fire. Not until 1829 were special cases fitted with doors and locks ordered for them.<sup>147</sup> In addition to the county records, a law library of unknown proportions seems to have been kept in the courthouse for the use of the judges and lawyers. Prior to the Revolution this consisted of only four books — Burns *Justice*, Cay's *Abridgement of the Statutes*, Godolphin's *Orphan's Legacy*, and Jacob's *Law Dictionary*.<sup>148</sup> This collection however must have grown considerably with the passing of the years.

The last building erected by Craven County prior to 1835 was a jail which, for its day, must have been a model in every respect. In the entries regarding it which appear in the court minutes, there is evident for the first time of a real concern for the well-being of the prisoners—a touch of social consciousness which probably was an echo of the jail reforms begun in England in the latter part of the eighteenth century. As early as 1805, before the courthouse had been completed, the justices were appraised of the need for "very expensive repairs" to the old jail. The Treasurer of Public Buildings recommended the erection of a new one, but the justices decided that it would not be "just" to the inhabitants of the county to levy a new tax on them after they had labored so many years under the burden of financing the courthouse.<sup>149</sup> Furthermore, the court pointed out, the county had kept the district jail in repair for over twenty years without any assistance from the rest of the dis-

<sup>143</sup> Craven Court Minutes, June, 1813.

<sup>144</sup> Craven Court Minutes, November, 1823; August, 1826.

<sup>145</sup> Craven Court Minutes, August, 1833.

<sup>146</sup> Craven Court Minutes, November, 1823.

<sup>147</sup> Craven Court Minutes, May, 1828; May, 1829.

<sup>148</sup> Craven Court Minutes, April, 1765.

<sup>149</sup> Craven Court Minutes, December, 1805.

strict except for two hundred pounds granted "some years ago" by the assembly.<sup>150</sup> In the following years the matter was considered at length. It was said that the state of the jail "renders it inhuman to confine therein persons, many of whom, misfortunes & not their crimes, have reduced to distress."<sup>151</sup> It was also pointed out that "the situation of the Jail in a central and improving part of the town, exposes the building to danger from fire & the prisoners to the immediate influence of prevalent diseases."<sup>152</sup> The court decided to seek an act of assembly authorizing the appointment of commissioners empowered to sell the old jail and purchase a site for the new one. This act was passed the following year, but nothing was done.<sup>153</sup> Not until ten years later did the court finally take advantage of this enabling act by appointing the commissioners as authorized.<sup>154</sup> Beginning in 1818, a building tax was levied which continued long after the completion of the jail as a maintenance tax. This was the same as the county tax—twenty-five cents per poll and eight cents per \$100 valuation of land. Construction of the jail began about 1821. The commissioners in that year were authorized to borrow up to \$4,000 in anticipation of revenue so that the work might be started.<sup>155</sup> It was specified at this time that the building "should be covered with metal or plate" to lessen the hazard of fire. The jail was completed late in 1824 and occupied early the next year.<sup>156</sup>

This was a two-story brick building. One room on the first floor and two on the second floor were occupied by the jailor and his family.<sup>157</sup> At least two rooms, and more if necessary, were available for debtors "as sex and circumstances may require."<sup>158</sup> One room was reserved for criminals of a minor sort; one room for Negroes; and five rooms or cells "for felons and culprits generally." Thus the new jail embodied the rudiments of an elementary penal classification system, which thanks to the public building law of 1795 was a part of state policy. The progress in social consciousness so evident in the court records regarding the jail showed itself in still another way. The pillory and stocks, which seem to symbolize the worst

<sup>150</sup> This may refer to the four-penny tax of 1783.

<sup>151</sup> Craven Court Minutes, September, 1806.

<sup>152</sup> Craven Court Minutes, September, 1806.

<sup>153</sup> Laws of 1807, chapter XXXIV.

<sup>154</sup> Craven Court Minutes, June, 1817. Several sets of commissioners were appointed, Francis Hawks being a member of every group. Craven Court Minutes, December, 1818; June, 1819; and June, 1820.

<sup>155</sup> Craven Court Minutes, March, 1821.

<sup>156</sup> Craven Court Minutes, August, 1824; February, 1825.

<sup>157</sup> Craven Court Minutes, February, 1825.

<sup>158</sup> Craven Court Minutes, February, 1825.

features of eighteenth-century civilization, were doomed to vanish as a permanent part of the town scene. By 1826 so far had the public delicacy advanced that these engines were thought better to be kept out of sight except when occasion arose for their use. The sheriff in that year procured on order of the court a movable pillory and stocks to be "put up only when they shall be necessary."<sup>159</sup> Slight though it may seem, this was a definite advance—a prophetic token of the day to come when they would be consigned to a well earned oblivion.

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<sup>159</sup> Craven Court Minutes. August, November, 1826.

## CAMP NEWSPAPERS OF THE CONFEDERACY

By Bell Irvin Wiley

Life in the Confederate Army had its full share of excitement and glamour when fighting was the order of the day. But during the long lulls that spaced battles, soldiers complained repeatedly of the monotony and dullness which beset them. This was particularly true of the period from December to April when both 'Rebs and their opponents were wont to go into a state of premeditated inactivity commonly designated as winter quarters. During these months of hibernation drill was irregular and camp duties were haphazardly performed. Even in summer when the full course of roll call and drill from reveille to tattoo was faithfully followed, there was plenty of time for nostalgia and boredom to play havoc with morale.

The attitude toward the question of morale in the 1860's was very different from that which prevails at the present. Today those who are responsible for carrying on war make it their business to see that soldiers are kept in a healthy state of mind. Elaborate organizations have as their chief function the provision of facilities for the entertainment and diversion of men in camp. Athletic teams are sponsored. Reading material is made easily available. Social functions are systematically arranged. No effort, in fact, is spared to combat homesickness and ennui. But during the period of the Confederacy civil and military authorities gave little heed to the matter of mental health. Their efforts to mitigate the monotony of camp life went little beyond the granting of furloughs. And so frugal were they in the dispensation of leaves that comparatively few men were affected.

High-officers realized the salutary influence on morale of religious services and, therefore, regardless of their own spiritual conditions, supported the waves of revivalism which recurrently swept over the Southern encampments. In other respects their policy in reference to diverting activities was largely negative. They simply told the men what they could not do—such as taking overdoses of intoxicants, brawling, gambling, and pillaging. If 'Rebs wanted recreation, it was up to them to seek out their own devices. And be it said to the credit of the men who wore the grey, they were surprisingly successful in developing modes of entertainment—most of which came within the limits of army regulations. Amusements ranged from snowball battles to cock-

fight, from equestrian tournaments to louse races, from four-man bull sessions to full-dress theatricals, from off-key vocal solos to regimental glee club concerts, and from draw-poker to chuck-a-luck.

One of the most interesting of the diversions resorted to by Confederate soldiers was the issuance of camp newspapers. While the printing and circulation of such papers by and for the soldiers of the Union Army has been an item of fairly general knowledge, little information has been compiled about those which circulated among Confederates.

The Rebel camp paper which seemingly had the longest run was a sheet put out by men of Morgan's command. This paper was entitled the *Vidette*<sup>1</sup> Its beginning was entirely fortuitous. In the autumn of 1862 when Morgan's forces came into Hartsville, Tennessee, they discovered a press and a supply of type in a deserted building which had formerly housed a printing establishment. Gordon E. Niles, one of the officers of the command who had once been an editor, decided immediately to issue a paper for the benefit of his fellow soldiers. A staff was organized, several printers who belonged to the Second Kentucky Regiment were called in, and in a comparatively short time Morgan's followers and the citizens of Hartsville were reading the first issue of the *Vidette*. This and subsequent numbers of the paper contained news about recent movements of the command, brigade orders, Morgan's official reports of battles, routine notices by the quartermaster and other staff members, sundry jibes at the Yankees, and announcements of lost and stolen articles.<sup>2</sup>

On account of the frequent shifting about of Morgan's forces, only a few issues of the *Vidette* were printed at Hartsville or at any other one place. The press and other equipment seems not to have been carried about—limited transportation facilities and the rapidity of movements would doubtless have made such impracticable; the policy was rather to appropriate from place to place the facilities conveniently abandoned by printers of Union proclivities.<sup>3</sup>

The *Vidette* had several editors. Niles was killed in an engagement with the Federals only a short time after he inaugu-

<sup>1</sup> Winifred Gregory, ed., *Union List of Newspapers*, p. 655, mentions two issues of this paper; one dated Aug. 16, 1862, is in the office of the *Vidette* at Hartsville, Tennessee, and the other, dated August 24, is in possession of the Ohio Historical and Philosophical Society at Cincinnati.

<sup>2</sup> Basil W. Duke, *Morgan's Cavalry*, p. 154.

<sup>3</sup> Duke, *Morgan's Cavalry*, p. 206.

rated the sheet. His successor was Captain Alston. Major Gano is also said to have held the editorial post for a while.<sup>4</sup>

The format and general appearance of the *Vidette*, as might be expected from the peculiar circumstances of publication, varied considerably from time to time. The color of the paper ranged from drab brown to pale rose; and one issue came forth in a pea green garb.<sup>5</sup> Composition was hasty and typography indifferent. But such imperfections were no bar to the avid readers. The paper's issuance was anticipated with as much interest by the soldiers of the command and by the country people, according to one of Morgan's associates, "as the *Tribune* by the reading public of New York."<sup>6</sup>

Another camp paper which seems to have had a considerable run was the *Missouri Army Argus* published by a group of soldiers belonging to Price's command. This sheet made its first appearance at an encampment near Neosho, Missouri, on October 28, 1861 and was published irregularly until May, 1862. Like the *Vidette*, it followed the army, issuing successively from presses in Neosho, Pineville, Greenfield, Osceola, and Springfield, Missouri; from Cave Creek, Arkansas; and the final number seems to have been printed at Corinth, Mississippi.<sup>7</sup> In February, 1862, J. W. Tucker was editor, and William F. Wisely was listed as "Army Printer." The content of the paper was similar to that of the *Vidette*. A variety of subjects was covered, but the emphasis was on the doings of the military.<sup>8</sup>

A paper which cannot be definitely identified as a camp organ, but which from internal evidence seems undoubtedly to have been printed for soldiers of the Army of Tennessee, was a sheet bearing the title the *Daily Rebel Banner*. Only one copy of one issue of this paper has been located by the writer, though a careful search has been made of newspaper collections in public depositories and in private possession.<sup>9</sup> This copy, dated December 23, 1862, was published at Murfreesboro, Tennessee; it is labelled "Vol. 1, No. 45." Joseph Wight is given as the pub-

<sup>4</sup> Duke, *Morgan's Cavalry*, pp. 154-206; Mrs. Irby Morgan, *How It Was: Four Years Among the Rebels*, pp. 79, 189. Mrs. Morgan records the fact that at the time of her writing she had several copies of the *Vidette* in her possession. On pages 187-204 of her book she gives a summary of the contents of the issue of August 24, 1862.

<sup>5</sup> Duke, *Morgan's Cavalry*, p. 154.

<sup>6</sup> Duke, *Morgan's Cavalry*, p. 206.

<sup>7</sup> Gregory, *Union List of Newspapers*, p. 344. The Library of Congress has several numbers of the *Missouri Army Argus* for 1861-1862; the Minnesota Historical Society and the Missouri Historical Society each has a copy of the issue for November 30, 1861; and the Confederate Museum at Richmond has a copy of the issue for February 13, 1862.

<sup>8</sup> *Missouri Army Argus* (Springfield, Missouri), Feb. 13, 1862.

<sup>9</sup> This item is in the Tennessee State Library at Nashville. For a summary of the contents of another issue (Dec. 29, 1862) of the *Daily Rebel Banner* see the *Confederate Veteran*, IV (1896), 344.

lisher and Charles D. Kirk as editor.<sup>10</sup> In all respects the *Daily Rebel Banner* is a more pretentious sheet than the *Vidette* or the *Missouri Army Argus*. Its size approaches that of contemporary civilian sheets; paper and print are of good quality; editorials are well written; and the fact that it was published every morning, "Sundays excepted," gave it apparently a claim to unrivalled distinction among army periodicals. Subscription rates are listed as \$10 per year, \$5 for a half year, and \$1 per month. Contents range from poetry to politics; from general orders to advertisements for substitutes; and from "northern items" to rewards for the apprehension of runaway body servants. The great bulk of news is of a military nature.<sup>11</sup> It is unfortunate that no more issues of this interesting paper are extant.<sup>12</sup>

The vicissitudes of army life and the general scarcity of facilities precluded the issuance of printed papers in the great majority of Rebel camps. But the urge to journalistic expression has ever been a strong one; and it is not surprising to find that men in grey devised a means of "flanking" prohibitions against the usual sort of news organ. If papers could not be *printed* and circulated in large numbers, they could be *written* and passed about among a few vitally interested subscribers. And this very solution was rather widely adopted by Rebel soldiers in both camp and prison.

One of the most interesting of these manuscript newspapers was a little sheet devised by a group of young soldiers stationed at Fort Barrancas, near Pensacola, in 1861. The first two issues of this paper, which bore the caption the "Pioneer Banner," have been preserved in the Military Records Division of the Alabama Department of Archives and History at Montgomery. In the initial issue, dated February 23, 1861, the editors expressed the intention of getting out a number thrice each month. But this schedule proved too ambitious, and when "Vol. 1 No. 2" finally appeared on April 29 it carried the notice: "The Pioneer Banner is published semi-occasionally for the young Ladies of the Union Female College," with an apology to the fair recipients for editorial delinquency and a promise "in future to cause the Banner to appear at its irregular periods."

<sup>10</sup> *Daily Rebel Banner*, Dec. 23, 1862.

<sup>11</sup> *Daily Rebel Banner*, Dec. 23, 1862.

<sup>12</sup> In a letter written to his mother, Jan. 13, 1862 (MS. North Carolina State Department of Archives and History, Raleigh), Thomas P. Devereux of the 43rd. North Carolina Regiment mentions a notice he had seen in "the regimental paper." The writer was not able to find any information about this paper.

Both numbers carried detailed news of camp activities. The first one told of arrival at the Fort of the "Pioneer Guards," the company to which the editors belonged, and expressed determination to live up to the motto carried in bold letters beneath the paper's title: "Give Us Liberty or Give Us Death." A letter to the publishers from a member of the "Eufaula Rifles" gave an account of the doings of that organization, a company that had just come to Pensacola. The final item was a moonlight-and-magnolia-flavored bit of poetry, dedicated "to Miss . . . of Eufaula." It began:

When memory scans the past  
And all its pleasures lost  
My heart grows sick within me  
And I am tempest tossed.

And after meandering uncertainly along by-paths of elusive romance it concluded with the doleful note:

But alas I am sadder still—  
Oh! my heart how drear—  
I fear 'twill be long before—  
Thy gentle voice I hear.

The second number, though shrunk somewhat in size, was much superior to the original issue in both format and content. The script was elegantly executed, and the second page was adorned with an original drawing of Fort Pickens—a Federal bastion situated across the harbor from Barrancas—that revealed outstanding artistic ability. Beneath the picture was this note:

The above is a representation of Fort Pickens by moonlight—Drawn by 'our special artist on the Spot.' The Ladies must excuse any inaccuracy from the distance which the Artist was compelled to occupy whilst making the Sketch—He hopes at no distant period to give you a nearer view—when it will probably be brilliantly illuminated by a Pyrotechnic display of fireworks—Till then—he remains yours respectfully.

The writer of this note proved to be a better editor than a prophet, for Fort Pickens remained in Union hands throughout the war. The fate of the "Pioneer Banner" is not known. If it went the way of most of the migratory species to which it belonged, it became extinct after a few issues. But while it lived it must have had an enthusiastic following among the fair maids to whom it was addressed.

A manuscript paper similar to the "Pioneer Banner" was is-

sued by a group of Rebs who spent the winter of 1863-1864 on the northeastern border of the Confederacy. From the name of the river along whose banks their log cabins sprawled, these soldiers dubbed their news sheet the "Rapid Ann." But that the implications of the caption were not entirely geographic is suggested by an amatory take-off on Hardee's *Tactics* which one of the issues carried. This article, headed "Tactics of Kissing" prescribed the following procedure for those who contemplated osculation:

Recruit is placed in front of the piece. First motion—Bend the right knee; straighten the left; bring the head on a level with the face of the piece; at the same time extend the arms, and clasp the cheeks of the piece firmly in both hands. Second motion—Bend the body slightly forward; pucker the mouth, and apply the lips smartly to the muzzle mouldings. Third motion—Break off promptly on both legs, to escape the jarring or injury should the piece recoil.

How the veterans of Lee's army must have chortled at this delicious perversion of Professor—now General—Hardee's dignified manual of military convolutions.<sup>13</sup>

Soldiers stationed at Port Hudson on the Mississippi during the war's second winter issued a manuscript sheet which they entitled the "Mule." The caption was probably suggested by one of the pet sayings of the Confederate Army—"Here's your mule"—a phrase that had about as much meaning as the present-day American Legion gag, "Where's Elmer?" The "Mule" was devoted mainly to material satirizing efforts to drill lay officers and men belonging to outfits other than that of the editors. In retaliation to the taunts which they thus received, some of the victims initiated a rival paper bearing the title the "Woodchuck."<sup>14</sup>

Members of the Washington Artillery, a crack organization recruited largely from New Orleans, also launched a manuscript paper. The venture was undertaken early in 1862 while the battalion was quartered near Blackburn's Ford, at a camp named "Waltonville" in honor of the Colonel, J. B. Walton. At the initial meeting of the board of editors, a bottle of whiskey was passed around to prepare the minds of the executives for the great problems that lay before them. Under the warming influences of the liquid inspiration some one proposed for the paper the name "Waltonville War-Cry," with the subtitle, "A National

<sup>13</sup> Robert Selph Henry, *The Story of the Confederacy*, pp. 300-301.

<sup>14</sup> Edward Y. McMorries, *Historical Sketch of the First Alabama Volunteers*, p. 51; Stanley Horn, *Army of Tennessee*, p. 469.

Paper Issued Occasionally." This designation was considered appropriate by all, and in due time a spicy vehicle, written on foolscap, was making the rounds of the camp. Plans were eagerly discussed for the preparation of further numbers, but alas! General Lee had conflicting aims, and marching orders, announced only a few days after its first issue, brought the "Waltonville War-Cry" to a premature but permanent end.<sup>15</sup>

One of the most pretentious of all the manuscript papers issued by Confederate soldiers was a sheet "printed" by members of the W. P. Lane Rangers. This company served at various posts on the Texas frontier during 1861-1862. While the Rangers were stationed at Camp Hudson they launched a paper entitled the "Camp Hudson Times." Beneath the title there appeared the motto, "The South and her institutions: The Frontier and its protection," followed by the business-like notice that the "Times is published weekly . . . by Reese, Elgin & Cosgrove, Editors and proprietors. Terms: 1 year 1 copy \$5.00, 6 Mos. \$3.00, 3 Mos. \$2.00. No subscription received for less than three months."<sup>16</sup> That the soldier editors experienced financial difficulties similar to those of regular newspaper firms was indicated by a notice inserted in the twenty-first issue calling attention of readers to the fact that it was "utterly impossible to carry on a paper as *extensive* as this without the funds," and urging delinquents to remit the sums due for subscriptions.<sup>17</sup> Contents of the paper included "professional cards" of physicians, veterinarians, saloon keepers, and druggists; obituaries; camp gossip; and "original poetry" of a character that must have made Pegasus hide his head in shame beneath his stalwart wing.<sup>18</sup> For the most part, however, the matters to which the "Times" devoted its space were of a ludicrous nature. Messrs. Rees, Elgin, and Cosgrove, for instance, advertised for a printer, stating preference for a party that would not chew the editors' tobacco.<sup>19</sup> Another notice offered apology for the scantiness of the paper's current number explaining that all the editors were absent and "this is gotten out by the Devil."<sup>20</sup> There were several take-offs of subscriber advertisements, one of which read as follows:

Jas. R. Chambers, wholesale Grocer! No. 1 Main street, Camp Hudson, Tex. Has just received a large supply of *salivated* Bacon, Weevil eaten

<sup>15</sup> Wm. M. Owen, *In Camp and Battle with the Washington, Artillery*, pp. 73-74.

<sup>16</sup> W. W. Heartsill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 56.

<sup>17</sup> Heartsill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 59.

<sup>18</sup> Heartsill, *Fourteen Hundred and 91 Days in the Confederate Army*, pp. 56-59.

<sup>19</sup> Heartsill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 60.

<sup>20</sup> Heartsill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 60.

Crackers Freeholders Beans and a greate many other delicate-eatables such as soap *Soop* and *Candles*. Give him a call."<sup>21</sup>

A number usually concluded with a miscellany of humorous items, of which the following is a sample:

Soldier Boy!

The Lightnings flashed,

The thunders roared

The Geese swam up the Creek

My child! my child, she's gone, she's went."<sup>22</sup>

When the Rangers moved to Fort Lancaster in February, 1862, they changed the name of their paper to the "Western Pioneer."<sup>23</sup> Of the "Pioneer's" career little is known, but the probabilities are that it flourished for a brief span and then gradually dwindled to extinction.

An idea of the procedure followed in getting out manuscript papers is given by W. W. Heartstill, a member of the W. P. Lane Rangers, in his unique book, *Fourteen Hundred and 91 Days in the Confederate Army*.<sup>24</sup> The editors "get up one copy in regular newspaper style," he says, "then copy off as many as they wish, then let those who wish a copy to write it off," thus he adds, of each issue "there is several copies which are sent back home."<sup>25</sup>

When circumstances would permit, Rebs in Northern prisons sought to break the tedium of confinement by preparing and circulating manuscript sheets done up after the fashion of newspapers. An interesting example of such a project is the "Lee Club Gazette," issued at Fort Pulaski, the first issue of which is preserved in the Virginia Room of the Confederate Museum at Richmond. This number, dated March 2, 1865, gives as the sponsors of the paper the "Lee Chess Clubs" that had for some time been functioning in the Federal prison. The head of the first page is elaborately adorned with an emblem featuring Confederate flags, chess men, and a chess board. The title lettering is exquisitely done, and the "print" throughout is neat and meticulous.

The terms of subscription are given as "Single copy, 10 cents. Per month (in ad.), .25," but in an editorial comment the reader is assured that there is no pecuniary motive back of the project. "We have decided on a subscription price," says the writer,

<sup>21</sup> Heartstill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 61.

<sup>22</sup> Heartstill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 62.

<sup>23</sup> Heartstill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 62.

<sup>24</sup> Heartstill printed the book himself on a hand press which he had on his home premises. The author illustrated his book by pasting in original photographs of comrades in the Confederate Army.

<sup>25</sup> Heartstill, *Fourteen Hundred and 91 Days in the Confederate Army*, p. 56.

"of stationary [*sic*]." "Moreover," he adds, "who ever heard of a newspaper unheaded by the imposing and dignity-begetting words [*sic*] 'Terms.'"

The four pages of reading matter that make up the paper consist of a long poem captioned "The Oath" which pledges undying opposition to the South's invaders, and a shorter verse entitled "No Surrender"; compliments to various members of the club and "staff" for their coöperation in getting out the first issue; a lengthy letter allegedly written to one of the club members by a Reb who had recently escaped from Fort Pulaski; the "Regulations and Roll of the Lee Chess Club"; a sample chess problem; and a series of notices headed "Amusements of the Day." Listed as current diversions are theatrical performances directed by Captain De Hammaki, musical soirees given at the north end of the prison block, and gymnastic feats performed by "the celebrated acrobat Capt. M. . . . ." A column headed "Graphic and Telegraphic" contains a dispatch purporting to come from Secretary J. P. Benjamin conveying to the paper and to the club congratulations of President Davis, and expressing hopes that "a Jeff Davis Club will not be very far behind." Finally there is a "Local Item" section, containing this one squib of burlesque:

*Horrible and Distressing Accident*—We were pained to learn that Capt Briggs 157 N. Y. has fallen from the top of the flag Staff and broken his left leg in four places just below the calf. The unfortunate sustained no other injury, and as the limb was a wooden one strong hopes are entertained of his ultimate recovery.<sup>26</sup>

The preparation and reading of camp papers, whether in prison or in the field, and whether the various numbers came from printing presses or from the hands of slow functioning scribes, afforded a happy respite from depression and nostalgia. While it must be admitted that the schedule of publication was irregular, that type and paper were frequently bad, that contents were meagre, and that the number of copies available were woefully inadequate, it can be said on the other hand that few journals have had a more complete and eager reading than these sparse sheets which passed from cell to cell, from campfire to campfire, and from home to home during the period of the Confederacy.

<sup>26</sup> A paper similar to the "Lee Club Gazette" was issued in 1863-1864 by a group of officers imprisoned at Fort Lafayette. Extracts from this paper were published in a book entitled *Fort Lafayette Life 1863-1864, in Extracts from the Right Flanker* (London: Simpkins, Marshall and Co., 1865).

EXTRACT FROM A LETTER BY PASTOR STORCH  
IN NORTH CAROLINA, DATED SALISBURY,  
JANUARY 20-FEBRUARY 25, 1796

Translated and edited by Joseph Stewart

Among the German ministers who came to North Carolina were men of great ability who remained almost completely unknown to the majority of the residents of the state. This is easily understood when it is remembered that these men spoke a foreign language and worked among non-English speaking people. Almost any one of them would have been an honor and an acquisition to any college or university in the land. They were talented, possessed profound learning, and were devout. Moreover they were highly cultured and refined, having been reared in the best of society in Europe.

The German settlements of Pennsylvania are well known, while those of the Carolinas are less known. As it became more difficult to obtain land in the Middle Atlantic states, especially Pennsylvania, the Germans began their immigration to North Carolina, some coming from the Northern states and others direct from Germany.

Missionaries were sent out from the home-land, notably by the Helmstaedt Mission Society. Among those who came as assistant ministers was Pastor Karl August Gottlieb Storch. Pastor Storch came to North Carolina from Germany in 1788. The Reverend Adolph Nuessmann had requested Dr. Velthusen, a professor of Theology in Helmstaedt and director of the Helmstaedt Mission Society, to send him several assistant ministers.

Fortunately Pastor Storch kept a journal, so that we now know about his early life. He was born in Helmstaedt in 1764, the son of a merchant. In 1779 he was confirmed by Dr. Velthusen. His education was acquired at the gymnasium of his native city and at the university there. After he had studied theology for three years, he was recommended by Dr. Velthusen as tutor to a young nobleman, von Hodenberg. Later he was tutor for two years in the home of a merchant in Fresenhede near Bremen. In 1788, when the young Storch was called to go as a missionary to North Carolina, a committee was appointed to examine and ordain him.

In May of the same year, he left Germany, arrived in Balti-

more in June, and then proceeded by boat to Charlestown. After making a trip of 300 miles on horseback, he arrived in September at the home of Reverend Nuessmann. Pastor Storch took up residence in Salisbury and was also minister of the congregation on Second Creek (Organ Church).

Pastor Storch enjoyed a long and fruitful service as minister among the Germans in North Carolina. He was highly respected for his learning and numerous good qualities. Reverend Roschen wrote of him: "He is treated with such love and respect by his congregation, as are very few ministers in Germany."<sup>2</sup> A similar opinion was held by the Reverend Nuessmann who in writing to Dr. Velthusen says: "I love him [Storch] on account of his learning, virtue, spirit, and friendship which he had already commenced to manifest in Germany. All who see and hear him, love and honor him."<sup>3</sup>

Pastor Storch subsequently left Salisbury and served Buffalo Creek Church. In 1810 he was re-elected president of the Lutheran Synod. Finally in 1821, too feeble to continue in the ministry, he bade his congregation at St. John's Church (Cabarrus County) farewell and in 1823 he resigned from the Organ Church after thirty-five years of faithful ministry. In 1831 Pastor Storch died.

Not only was he a man of devout nature, but also he had a most versatile and thorough education. In addition to training in theology, he knew Hebrew, Greek, and Latin and was said to be able to converse fluently in five or six languages. For a time he taught Hebrew in the academy in Salisbury. Pastor Storch possessed a large library, most of which was bequeathed to North Carolina College at Mount Pleasant. In fact, an interest in books was characteristic of the Germans in North Carolina, because from old records one can see that they expended surprisingly large amounts of money for the importation of books.

These immigrants were noted among their English-speaking neighbors as being honest, thrifty, industrious citizens. Misdemeanors of any kind were almost unknown among them. With the passing of time most of them exchanged their own language for English, and the German worship became practically extinct.

Even though the Germans of North Carolina have not been

<sup>1</sup> *Neues Hannoeverisches Magazin, Hannover (Germany)*, Jahrg. 6, 1796, pp. 1185-1192.

<sup>2</sup> This letter was written to Dr. Johann Caspar Velthusen, the director of the Helmstaedt Mission Society, who had it published in this journal.

<sup>3</sup> G. D. Bernheim, *History of the German Settlements and of the Lutheran Church in North Carolina* (Philadelphia, 1872), p. 342.

<sup>4</sup> Bernheim, *German Settlements*, p. 327.

widely known, their progress, records, and experiences are no less interesting than those of any other group.

The following letter from Pastor Storch to Professor Velthusen, the director of the Helmstaedt Mission Society, gives us an insight into the conditions during this period.

[Salisbury, January 20—February 25, 1796.]

From one of my last letters you have seen the irreparable loss for us ministers and for the congregations here of our unforgettable senior minister, Pastor Nuessman.<sup>4</sup> He passed away November 3, 1794. A gangrenous ulcer of the breast which was apparently incurable tore him away all too soon from his family, his congregations, and from us—his colleagues. I was at his bedside and wondered with deep-felt emotion at the Christ-like fortitude and the confident awaiting of a blessed immortality with which he viewed his transition to the better life. What this unusual man had been while in health, he remained during the most violent pain. At the approach of the last moments he was the personification of composure, devoutness, of unquivering trust and of peacefulness. Pastor Roschen<sup>5</sup> and I were at his burial. A multitude of people such as is seldom seen at such occasions, a solemn stillness, sighs and tears of many righteous people while the casket was being lowered into the grave were all telling evidences of the feeling of our great loss. The pulpits of the deceased have not yet been filled. However, the parishioners have hope to get a minister of their own very soon. Herr Faber,<sup>6</sup> a teacher in Charlestown, wrote me last September that two young ministers from his native land<sup>7</sup> were on their way to America. But in the last week of last year they had not yet arrived in Charlestown. So far, we have preached alternately to these congregations every five or six weeks. The congregation of Buffalo Creek<sup>8</sup> is increasing remarkably. Last summer when I was there, there were thirty-one children to be baptized; six weeks later when Pastor Roschen was there, already sixteen more were ready for baptism.

In the other congregations everything is in as good order as can be expected of our feeble powers and under the circumstances. Industrious-

<sup>4</sup> "In 1772 Christopher Rintleman of Orange Church in Rowan County and Christopher Layerly of St. John's Church in Cabarrus County at their own expense made the long journey to Hanover, Germany, in search of a permanent minister and a school teacher for the little bands of faithful Lutherans in the Yadkin Valley. They obtained promises of help from the Consistory of Hanover and the Helmstedt Missionary Society and returned in 1773 bringing with them the Reverend Adolphus Nuessmann as their minister and John Gottfried Arends as their teacher." Guion G. Johnson, *Ante-Bellum North Carolina*, p. 359.

<sup>5</sup> During the Revolutionary War Pastor Nuessmann was often in despair of his life because of his liberal views. On one occasion he was obliged to hide in tall undergrowth to escape the fury of Tories, who prowled about destroying lives and robbing people of their property.

<sup>6</sup> Bernheim states that Pastor Nuessmann (1739-1794) died of cancer of the neck. At the time of his death he was serving the congregation of Buffalo Creek. Bernheim, *German Settlements*, pp. 341, 342, 367.

<sup>7</sup> Reverend Arnold Roschen, a native of Bremen, also sent by the Mission Society, arrived in North Carolina a few months after Pastor Storch's arrival. He became a coworker and friend of Storch. In 1800 he returned to Germany. Bernheim, *German Settlements*, p. 316 ff.

<sup>8</sup> In 1787 Reverend John Faber had come to Charlestown where he was minister of the German church. According to Dr. Velthusen, Faber enjoyed unusual success in this work. In 1800 he resigned because of failing health. Bernheim, *German Settlements*, p. 281.

<sup>9</sup> Wuerttemberg (from a footnote in the letter).

<sup>10</sup> Buffalo Creek Church, also known as St. John's in Cabarrus County, was served by Pastor Nuessmann. After Nuessmann's death, Pastor Storch was the minister. It is interesting to note that during the American Revolution a number of Hessian soldiers deserted from the British army, came to Buffalo Creek, intermarried with German settlers there, and thus became permanent settlers. Bernheim, *German Settlements*, p. 246 ff.

ness and thrift, which characterize the Germans here, place them increasingly in a position to contribute to the maintenance of the church and her servants in a plenteous manner, and their respect for and trust in their ministers make them willing to do this.

The stone church of my congregation on Second Creek was completed last autumn and will be consecrated on Easter of this year. It is fifty feet long, forty wide and about twenty feet high; it cost 1100 to 1200 Spanish taler. A similar Reformed church was begun last summer about two miles from ours and will be completed this year.

The progress of this country to greater and greater heights is evident everywhere. Trade, agriculture, the arts and sciences enjoy a corresponding development. Last year a new town on the Yadkin River, located about thirty miles from Salisbury was begun. It is possible for rather large boats from South Carolina to come up the river to the new town, hence it is expected that this town will very quickly become an important trade-centre. Also, I hear, a landing-place is to be established seven miles from here on the Yadkin.

The university<sup>9</sup> founded in this state in 1793 is progressing nicely. The gifts of our government and of private individuals were considerable, so that there is already a large fund. The place where it is located is called Chapel Hill, approximately twenty-five miles from the town of Raleigh, the meeting place of our assembly. A brick building, three stories high, and one hundred feet long, has been completed, besides other smaller buildings. It is said that a second brick building will be commenced next summer. The number of students thus far is sixty. They have three professors and other teachers who give instruction in all subjects. The first two examinations in this new seat of the muses have turned out to the general satisfaction of everyone. A German Catholic priest, Delvaur,<sup>10</sup> who came here several years ago from Luxembourg, was named an instructor in Latin and French several months ago. My friend, known to you through Pastor Nuessmann's letter, the worthy Presbyterian minister, M'Corkle,<sup>11</sup> was the first professor appointed. He teaches moral and natural philosophy.

For several years there has been a Library Society here in Salisbury, consisting of about fifteen members. Each of these contributed ten Spanish taler to the fund at the founding of the society, and each contributes three taler annually for the purchase of additional books. Their collection of books is good and during the years has become rather large. Every month the members meet to discuss the books they have read. In Salem a nice

<sup>9</sup> The University of North Carolina was incorporated by the legislature in 1789, the corner stone of the first building was laid in 1793, and instruction was begun in February, 1795. In 1796 Joseph Caldwell was chosen Professor of Mathematics and became in 1804 the first president of the University. Although he resigned the presidency in 1812, his devotion through the forty years of his connection with the University helped build it into one of the leading universities of the nation. W. H. Foote, *Sketches of North Carolina History* (New York, 1846), p. 530 ff.

<sup>10</sup> Of the five teachers in the service of the University in 1797, one was a Roman Catholic ex-monk. Nicholas Delvaux. He taught in the preparatory department, of which he later became head teacher. His students in French and Latin were found to well instructed. Due to differences with another teacher in the preparatory department, Richards, he left. Richards had been a strolling player and was a deserter from the English merchantile navy. Thus one can see the difficulty of obtaining teachers in North Carolina at the end of the eighteenth century. Kemp P. Battle, *History of the University of North Carolina*, I, 71 ff.

<sup>11</sup> Reverend Samuel E. M'Corkle was selected as professor of moral and political philosophy and history. "On account of some objections made by General Davie, one of the board, which led to a correspondence between him and the Hon. John Steele, brother-in-law of Mr. M'Corkle, and which was followed by an apology, the appointment was not accepted." Foote, *Sketches*, p. 358.

building for a Latin school has been erected. Two teachers give instruction there in two classes. Near Salem a paper-mill established three years ago is in good progress. In one of the northern states a successful attempt has been made to use saw-dust for the manufacture of paper.

Not very long ago a most peculiar discovery was made in our section and may prove important for the history of this part of the world. Near a small river, called South River, which flows into the Yadkin not far from here, a regular wall was discovered in a fallow field where the water had opened many ditches. From reliable eye-witnesses I know that, so far as it has been uncovered, it is two feet thick everywhere and is uniformly and quite firmly constructed. In the entire region far around, there is no trace of limestone. They have dug only fifty feet in length and thus far no end has been found. Perhaps a closer investigation will place me in a position to give you more detailed information before long.

The effect of the tragic war in Europe which is continuing so long and also of the unusual revolution in France can be felt even in our land here. Foods of every kind have almost doubled in price during the past year. A very detrimental result of the agitation beyond the sea is, it seems to me, a spirit of insolence and frivolity in religion which can be seen here quite plainly. Deist principles have been prevalent for several years. A book by Thomas Paine, entitled *Age of Reason*, which is quite widely read, causes much unwholesomeness in religious thinking. A frivolous-minded person finds in it assertions conformable to his wishes and thus becomes steeped in unbelief.

Our congregations are in as good a state of mind as can be expected in view of the conditions of the country and of our feeble endeavors. We serve indeed a mighty Lord, even though in weak congregations. I, at least, as far as my congregations, as well as my domestic circumstances, are concerned, am more fortunate than I ever expected or deserved to be. Should not this feeling, together with the manifestations of affection and trust of so many righteous people continually strengthen and encourage me to continue confidently on the pathway of duty?

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<sup>12</sup> "Paine's *Age of Reason* passed from hand to hand, and the infidel productions of France flooded the country." "It was while infidelity of which Paine's *Age of Reason* was a text-book was striding our land, the University went into operation." Foote, *Sketches*, p. 545 ff.

# RECONSTRUCTION LETTERS FROM NORTH CAROLINA

Edited by  
James A. Padgett

## PART IX

LETTERS TO BENJAMIN FRANKLIN BUTLER  
[Continued]

Shelby N. C. Dec 5" 1870.

Gen B. F. Butler  
Washington D. C.

Dear General,

Your favr 27<sup>th</sup> to hand. Awaiting your advice I shall now proceed to rent the Dysartsville property to the best tenant that I can find and place everything in his charge and forward you a list of the property in his hands.

I have no arrangement for the coming year, and if I can serve you in any way, or you can secure me any position suited to my tastes, I shall be happy to serve you, or thank you for any aid you can give me. Unless the war was over there is no prospect of effecting sales. I did everything I could possibly do to sell your property and I believe if the war<sup>94</sup> should speedily terminate you will reap the reward of your liberality and secure a good price for the Dysartsville Mine tract. "Nomen et praeterea nihil" expresses the magnificent position to which I was chosen and the War in Europe I am told is the cause of its being merely nominal. The road will be built and if I could wait upon events I might possibly be the constructing engineer, but I must be moving and at work or my time and money are lost. While this uncertainty hangs over all business I cannot advise you to push the mines further, although I have never permitted an opportunity to pass to show or offer them for Sale. I shall remain here until 1<sup>st</sup> . . . Jany 1870 [*sic*] and if I can do anything to advance your interest I shall most cheerfully do so.

Wherever I am I shall always remember you in Kindness and with gratitude and perhaps as the wheels are rolling I may be more of service to you than I was during last year. Hoping to hear from you soon-I am your obt servt. J. F. Alexander

N. B. If you wish me to try another year I will make the sacrifice although I am not making a living. I believe the property will sell and next year may be the great year for selling real estate. Or I will try it for six months and take up other properties and enlarge the same on the scheme of M. F. Maury if you will give a credit to your tenante of Five years without interest. I will send the M. F. Maury plan by next mail.

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<sup>94</sup> He here refers to the Franco-Prussian War which lasted from mid-summer of 1870 to the spring of 1871, with France completely defeated by a combination of the German states. Just before the termination of the war the North German Confederation annexed the South German states and formed the German Empire.

Shelby N. C.  
Dec 30 " 1870

Gen B. F. Butler  
Washington D. C.

Dear General-

I can rent the property at Dysartsville on these terms. The renter keeping-up the fence, paying the tax and keeping the Mill, furnace and other mining appurtenances in good order but not to work the mine for gold. The renter to be paid for his crop should a sale be effected and his expense of moving to Whiteside Settlement a distance of (12) Twelve miles which would cost about 10 Dolls. The crop to be rated by the number of acres cultivated. The renter is David Whitner with his family who will live in the houses and keep the property in order. He refuses to give security, but stand well in his neighborhood. What must I do? Let him take possession under a written agreement to this effect. If so I must close with him before the 20<sup>th</sup> Jany

I have just returned to this point from Dysartsville and now await your orders, before turning over the mine.

Your Obt Servt

J. F. Alexander

Comparative statement showing the Amount Collected (less the Tax on Cotton) in the 6<sup>th</sup> District of No. Ca. during the months of May, June, July, Aug, Sept'r & Oct'r 1868, and the Corresponding Months of the Year, 1869.

Time	Collected on Distilled spirits			Collected on Tobacco			Collected from Other sources			Totals						
1868, May	\$	4	310	58	\$	4	441	75	\$	7	315	81	\$	16	068	14
" June		3	405	87		3	153	30		5	833	19		12	392	36
" July		1	168	41			687	80		3	510	84		5	367	05
" Aug		1	586	93		3	891	62		1	521	45		7	000	00
" Sept'r		4	181	70		1	282	19		1	536	11		7	000	00
" Oct			915	35		5	146	69			937	96		7	000	00
	\$	15	568	84	\$	18	603	35	\$	20	655	36	\$	54	827	55
1869, May	\$	5	855	49	\$	5	801	38	\$	10	821	16	\$	22	478	03
" June		3	897	13		12	242	66		3	821	69		19	961	48
" July			674	29		20	815	18		2	212	40		23	701	87
" Aug-		2	147	80		22	132	07		1	697	19		25	977	06
" Sept'r		4	843	07		11	448	90		2	927	76		19	219	73
" Octr		8	183	78		12	349	14		1	020	42		21	553	34
	\$	25	601	56	\$	84	789	33	\$	22	500	62	\$	132	891	51

Hon. B. F. Butler,

Sir: From the above statement you will see the increase of taxes in this district, since I came into office

Respectfully

W. F. Henderson<sup>96</sup>  
Assessor.

North Carolina January 21 " 1871

Hon B. F. Butler

Dear Sir -

If you are willing and Will, you will oblige me in making application for the payment of the following property belonging to me appropriated by Gen Thomas Army while in this State

One large mule	150
one black mare	175
one sorrel mare	175
one bay mare	150

---

\$650.00

The four animals amounting to six hundred and fifty dollars; out of which you may if successful retain one hundred dollars for your services I did not belong to the army - remained at home most of the time during the rebellion I gave no aid to either side except a compulsory one under the circumstances inasmuch as I was not a soldier but a private citizen, Congress should Compensate me for the above property and enable me to love our Country for its honesty for the payment of its honest debts.

Respectfully, S. W. Bright<sup>97</sup>

Post Office                      Kinston Lenoir County  
North Carolina

P. S. If you think it is useless, that compensation will not be allowed that not any thing can be recovered; you will please let the matter drop say nothing about                      Respectfully                      S W Bright

<sup>96</sup> William F. Henderson ("who stole Darr's Mule." or "who was acquitted of stealing Darr's mule." as characterized by Josiah Turner.) was unique in North Carolina politics. In 1868 he was president of the Heroes of America. His address to them on August 26, 1868, was a masterpiece and must have been written by some one else for Henderson was almost illiterate. He was nominated for Congress in 1868, but in the political squabble he withdrew in favor of I. G. Lash, the sitting member, and in 1874, after seventy ballots, he was nominated as a sacrifice candidate for it was known that the Democrats would carry his district. He attended the famous Pool-Holden meeting on June 8, 1870, when it was decided to send Kirk against the Ku Kluxers. He was Holden's trusted advisor, and wrote him that Kirk's movement was necessary for the success of the party and for his (Holden's) political advancement. He was assessor of internal revenue and offered freedom for all Ku Kluxers who would give evidence implicating J. M. Leach, who had defeated him for Congress. Although he was uneducated, almost illiterate, and not of the type that had any interest in education, he did a notable work in helping to rebuild the University after the close of the Civil War. Hamilton, *Reconstruction in North Carolina*. pp. 247n, 281, 364, 367, 388, 497, 505, 580, 601, 623.

<sup>97</sup> After considerable research the editor has been unable to identify S. W. Bright.

Shelby N. C.  
January 24 " 1871

Gen B. F. Butler.  
Washington, D. C.

Dear General.

I write to inform you that I have secured a tenant and as soon as the weather will admit of my travelling through the mountains I shall forward you the papers secured for the proper care of your property. I have also rented the property on the Shelby mine and the renter is to take possession on February 1<sup>st</sup> I shall after securing all the necessary papers and forwarding them to yourself change my residence and seek a habitation in quarters more congenial -

I am sir, Your obt servt

John F. Alexander

Shelby N. C.  
February 8<sup>th</sup> 1871

Gen B. F. Butler

Washington  
D. C.

Your fav to *hand*. In regard to renting the property I made the following arrangement with the renter. He is *not to work* any of the veins or the *deposits* upon the mine, but he may grind ores brought to the mill from other properties upon toll, provided he reserves one half of toll so obtained to pay for use of mill and Keep same in order. All tools, machinery and mining appertenances to be retained unused subject to you order. He (the renter) to pay all taxes and under no circumstances to permit any of the property to pass out of his hands unless from an order from yourself. The renter is a Mr D. Whitener who is represented as an honest and upright man although to me personally unknown. I thought it best to remove those tools which were easily carried off. So I have removed to my house the large tool chest with files, planes, chisels saws &c; also the lathe and its tools, about 150 to 200 pounds of Quick-silver and the Fan and the loose steel - These are subject to your wishes. If they had remained on the mine they would have been stolen-If I had the money in hand I would certainly come to see you but unfortunately I have not been able to collect any for my labor since Jany and the little I had is consumed in my store bills for family supplies. I am trying my best to work myself out of the country and if so fortunate I shall rejoice.

But while here I shall be glad to serve you and shall look after your interest. If these things would bring anything like their value I should advise a sale but they will not- Can you secure me any position among your friends north?

I am sir your obt S'vt

John F. Alexander

Hon . . . Benj F. Butler.

Dear Sir

At the request of several - if not all the Republicans of the General Assembly of this state- as Secretary of a Caucus- lately held in this city, I write you to ascertain [*sic*]- - and trust the information will be of no trouble to you to give- whether or not you think there is a probability for securing an appointment for the Hon R. W. Lassiter<sup>97</sup>- of this state in the Internal Revenue Department. We have a splendid Petition [*sic*] signed by Every officer from the Governor down- the Entire Assembly An [*sic*] we expect a little assistance from you, when our Committee arrives, the Armies meet

Resp.

G. M. Arnold<sup>98</sup>

Raleigh, N. C.

Febr 13 th 1871

Chapel Hill, Feb, 14<sup>th</sup> 1871

Senator Butler,

Dear Sir, I have a claim against the Government for property the Indians destroyed for me in 1849, in Florida. My friend Govner [*sic*] Holdin [*sic*] requested me to write to you & ask you to help me to get it, he said you & some of his other friends he thought would get it for me that he would give me letters of recommendation [*sic*] & so will Hon Samuel Phillips<sup>99</sup> [*sic*].

The Gov. Said he thought I ought to be paid & wood [*sic*] if the head men of congress understood how it was. I am poore [*sic*] widow & I need it so much I will pay you for your trouble & besides be under meney [*sic*]

<sup>97</sup> Robert W. Lassiter was on the penitentiary committee and was involved in the graft connected with this committee. He was nicknamed "Kildee" Lassiter by Joseph Turner. He was in the state senate in 1870, but L. C. Edwards contested his seat, the committee recommended that he take the seat, and in January the report was adopted. He was elected secretary-treasurer of the University committee to keep the University of North Carolina open after the war. For holding this office he drew a salary of \$1,000 even if he did not have any work to do. Reverend James Reed, John Pool, and Lassiter wanted to keep the University on a political basis. Hamilton, *Reconstruction in North Carolina*, pp. 380, 388, 534-535, 623, 629.

<sup>98</sup> The editor has been unable to identify G. M. Arnold.

<sup>99</sup> Samuel F. Phillips was unanimously chosen speaker of the assembly of North Carolina on November 27, 1865. When the convention met in adjourned session in May, 1866, Phillips proposed that it adjourn and call a convention for 1871, and then amend the constitution relative to a new basis of representation, which seemed to be the chief matter of discussion, but he lost. He headed the board of managers in the impeachment of Judge Edmund W. Jones; was one of the committee of three in 1869 to investigate the charges of universal fraud in the North Carolina government. For some unknown reason he became dissatisfied with the Democrats. When the Republican convention met in May, 1870, the main contest was over the nomination for attorney general. The leaders, having agreed upon Phillips, gave him the nomination on the first ballot. Everything had been carefully arranged and he appeared in the convention and accepted the nomination in a lengthy well prepared speech. Among other things in the elaborate speech he said: "The constitution framed by the state convention of 1868 will live in history as one of the grandest and most beautiful instruments of the character ever formed. The spirit of magnanimity alone which pervades it will render it imperishable." He denied the charges of extravagance and corruption and endorsed the financial policy of the party without reservation. The Democrats were shocked without expression. His intimate friends said that he had turned Republican with the idea of "putting on brakes," but his later extreme radicalism, especially as chairman of the Republican executive committee, does not lend much weight to this argument. He was defeated by William M. Shipp by a majority of 4,221. He was a leader in the Republican convention of 1876, but the switch did not advance him politically. Hamilton, *Reconstruction in North Carolina*, pp. 124, 142, 172, 404, 494, 522, 537, 562-563, 566, 577, 578, 580, 583, 645, 646.

obligations to you. The Government sent my brother to Fort Capron<sup>100</sup> to stop smuggling [sic] & false lights from being put on the beach to misguide vesels [sic] so to reck [sic] them The Indians came & Kild [sic] my brother & shot the other & I got in a small boat & went up the River one hundred & fifty miles in the hot sun not so much as bonet [sic] to protect me from the hot sun in July not one morsel to eat or drink as soon as they [sic] plundered the house they set fier [sic] to it The Government [sic] said thay [sic] would pay us if we lost aney [sic] thing by them. Please get my pay for me you can cary [sic] in the bill for me Mr. John Pool said he will help me. Gen. *Dinuck*<sup>101</sup> of the U. S. Arme[y] [sic] was sent to Fort Capron can you tell me any thing of him or is he living. please let me here [sic] from you soon

yours truly

Minerva Tilley<sup>102</sup>

N Carolina Kinston Lenoir County

Gen B F Butler

Dear Sir I received your letter dated Jan 26<sup>th</sup> in due time giving the proper intelligence I will not exhibit it to any one. I was not aware of the offense in regard to the retainer but was of the opinion that individuals of any circumstance or position might make contracts and the retainer was simply a payment of the agreement or fruit welling [sic] up out of the contract to the partys [sic] rendering a service I do not wish either of us punished for the offense, nor do I wish to trouble any one to do me a favor for nothing I would not have written to you at all concerning the appropriated property had I not thought my claim just having taken the oath of allegiance prior to its appropriation I am convinced from your letter that the country will not pay such debts as mine until able therefore I must take advantage of your wholesome advice wait the proper time In conclusion I acknowledge myself under obligations to you for the letter and its information

Respectfully

S W Bright

February 14<sup>th</sup> 1871

<sup>100</sup> Fort Capron, Florida, was opposite Indian River Outlet, Heitman. *Army Register*, II, 486.

<sup>101</sup> Justin Dimick (August 5, 1800-October 13, 1871) was born in Connecticut and died in Philadelphia. He graduated from West Point in 1819 and fought in the Seminole War, in the Canadian border trouble in 1838-39, and in the Mexican War. He rose to lieutenant colonel on October 5, 1857, and to colonel on October 26, 1861, and commanded the depot of prisoners at Fort Warren, Massachusetts, until January 1, 1864; was governor of the Soldiers' Home, Washington, D. C., from 1864 to 1868; and was brevetted brigadier-general on March 13, 1865, "for long, gallant, and faithful services to his country." *Appleton's Cyclopaedia of American Biography*, II, 179.

<sup>102</sup> The editor has been unable to identify Minerva Tilley.

Greensboro N. C. Feb. 16, 1871.

Hon. B. F. Butler,  
Wash<sup>n</sup>. D. C.

Sir:

When the "Ku Klux Commissioners Bill," as it is called in the telegrams, is framed, I respectfully suggest that jurisdiction be not confined to the County for which the Commissioner is appointed, but that it extend to the next adjoining Counties. The reason as that, in the Republican party South, you will scarcely find persons in Every County competent for the work. By this plan, if a County chances to furnish a good man, that County is all right; if not, the testimony can be taken, perhaps, in another County.

Respectfully yours,

Wm. S. Ball

W. S. Ball,  
*U. S. Commissioner.*

Thos B. Keogh,<sup>102</sup>  
*Register in Bankruptcy.*

BALL & KEOGH,  
ATTORNEYS AT LAW

Greensboro, N. C.

Particular Attention given to U. S. Internal Revenue Causes.

COLLECTIONS PROMPTLY MADE.

[The above is on one of their cards.]

Shelby N. C.  
March 11<sup>th</sup> 1871

Gen B. F. Butler  
Washington D. C.

Dear General-

I wrote you sometime since, and I have not heard anything from you- Will you be in Washington within the next two weeks, if so I expect to visit you. I have been studiously watching your interests and now that the war in Europe has terminated I hope an opportunity will present itself for a disposition of the properties. I expect I shall still be able to realize some-

<sup>102</sup> Thomas B. Keogh was a carpetbagger from Wisconsin. When Colonel Bates of the United States Army was sent on a tour of the late insurrectionary states with a United States flag to prove that the South was quiet, Holden sent Keogh to offer him \$10,000 if he would abandon his journey and to report that he was forced to do so on account of fear for his life. When the Republican convention met in Raleigh on July 12, 1876, Keogh was chairman of the platform committee, and assisted in drawing up a severe denunciation of the Democrats. On the day of the election it was reported by a telegram to the chairman of the Democratic committee that General Kirkpatrick was coming to count the state for Hayes. He got off the train at the edge of town and went in a closed carriage to Keogh's room without even registering at the hotel. Only the strong stand of the Chief of Police Basil Manly prevented serious trouble when the crowd threatened to rush the door of the hotel. He made his position as referee in bankruptcy pay and pay well. Hamilton. *Reconstruction in North Carolina*. pp. 282, 646, 653.

thing from them, for the time and money expended must not be lost, and shall not be if steadfastness can accomplish a purpose- Respectfully Your  
Obt Servt-

John F. Alexander

New Bern N C

March 20 1871

Major Gen Butler

Dear Sir

I will Communicate To you in regards to the Ku Klux of North Carolina, and all So Other South States, a Union Man is Not Safe in these States. I think the Only Way that rebels Can be Cut down in the South, , is for Congress to take holt [*sic*] and See that the Law is prossecuted [*sic*] the Ku Klux is the Proken [*sic*] elements of the rebels of the late War, , I all So Would Say to you Look Out for the members in Congress From the South States, for the most of them feel and Sympathise With the rebels of the South. I can Say to you With Safity [*sic*] that a Union man Chance is Slender hear [*sic*] in North Carolina. All of the republicans look for Congress To aid them

Please let me hear from you

yourse truly frend [*sic*]

E. A. Smith<sup>104</sup>

Lieut Late War

New Bern N C

March 23<sup>d</sup> 1871

Hon B. F. Butler,

My Dear Sir,

I have always been a consistent Union man, I love my Country, and the union of the States, I would glory to see this the greatest, and freest Country on earth, and love, and good feeling, existing between every section of this glorious union.

I am astonished at a man of your ability, and influence, to exert your fine talents in trying to keep up a continual bad feeling between the North & South.

I would be glad to know that every citizen in this broad land, had such love for his country, that if it was invaded, by a foreign *foe*, he would rush to his countrys defence. It is with you, in a great measure, to bring about that feeling. Take warning from History, and exert your influence for *peace* and *good will*. For example look at Poor unhappy

<sup>104</sup> Elijah A. Smith was in the lumber business in New Bern. His business was at 16 Metcalf Street. *New Bern, N. C., Directory, 1904-05*, p. 141.

France, if they had been united in feeling, they could have conquered Europe. Suppose for instance a Foreign foe was to invade the U. S. with the present sectional feelings, do you think we could make as strong a fight, as if every mans heart was in the defence of his country? No there are many who would stand off and take no part in our defence.

Now my dear sir, change your course, "let us have peace" & good feeling, and induce every citizen to love his country, and let us have peace and good will, and a union of states from the Arctic ocean to the Isthmus of Darien.

That is the platform I want to see every good man stand on. Let me hear from you. Send me *some documents*.

You can do more than any man in Congress to restore peace, union, and good feeling between the states.

Suppose you try kind words, and good treatment to your southern neighbors. You will soon see the good results from such a course.

Don't throw this letter away among the rubbish look at it, and think seriously of what I say.

Very Respectfully

Henry Covert<sup>106</sup>

Address P. O. Box 488  
New Bern N. C

P. S. I, built the Seceder, a Schooner, for Benj Butler of Manchester in 1824.

H. C.

New Bern N. C.  
April 3<sup>d</sup> 1871

Hon Benj F. Butler,

Dear Sir,

Your letter of 29<sup>th</sup> ult<sup>o</sup> was duly received. To let you know who I am, I would say that I was born in New York, ship carpenter by trade, helped to build the Seceder at Manchester in A. D. 1824, so you see that I am an old man (71 years old) I have lived in North Carolina *forty years*.

My dear sir you will please not consider me presumptuous in writing to you, for I done it with the purest motives thinking that your mind had been biased by statements made by designing parties.

I am as firm for the union to-day as any man that lives. I was so when W. W. Holden voted for secession. When he and others were using their influence to break up the government I was abused by his party, for being for the union then.

You allude to the killing of Senator Stephens in your letter. There is no doubt on the mind of any North Carolinian (with a fair insite [*sic*]

<sup>106</sup> It would be very difficult to identify this old ship builder, who must have wandered from place to place following his trade.

into the matter) but will say that the instructions give certain colored men, by W. W. Holden, was the true cause of Stephen's death.<sup>106</sup>

Now sir, I am here where I can see things as they are, and am free to confess, that nine tenths of all the murders and outrages committed in this section have been done by negroes set on by bold designing men for political purposes.

You seem to think that a Union man's life is not safe in N. C. I am and always have been an avowed Union man. I have never been threatened or interfered with, since the days of the Confederacy, then I was threatened with a coat of *Tar* and *Feathers* for my union sentiments.

A course of persecution towards the South by Congress will not make Union men any safer, living in the south; but on the contrary (my friend pause & change) I wish you would come down south and see things in their true light. Any man from the east, or the west to come here with good intentions to settle or remain, will be kindly and respectfully treated. But if he comes here to excite mobs, or to burn barns, or to encourage others to do, he will be looked upon as an enemy. Do me the kindness to send me some documents.

Very Kindly and Respectfully

Henry Covert

April 10 "

Hon. B. F. Butler

Dear Sir

I would be pleased to have a very short interview with you-when it may suit your convenience.

Very respectfully yours

R W Lassiter  
of N. C.

<sup>106</sup> The Union League was under the direction of John W. Stephens, a detective for the governor, and a man of evil political life and of bad character. He advised Negroes and gave them matches to burn barns. One night he gave matches to twenty and that same night nine barns were burned. The Ku Kluxers punished his brother-in-law, at whose house he held the meeting, by whipping him. Stephens was to blame for most of the trouble in Caswell County. He contested the right of Bedford Brown to a seat in the senate from Caswell County in 1868 and had a new election called. The Democrats marked him after his brother-in-law, Jones, confessed and their chance came later. In March, 1870, a large conservative meeting was held at Yanceyville, and Stephens took notes on the speech of Judge Kerr. Some one requested him to come down stairs, and while he was led through the crowd to an unoccupied office seven men seized and closed the door. The court house was full of people. They took three revolvers from him; bound and gagged him; and laid him on a pile of wood in the corner. They planned to hang him on the square that night, but feared delay. They then cut his throat, drew the rope tight around his neck, and stabbed him in the heart. The next day his body was discovered. The Ku Klux Klan was accused of the murder, but some say that his own party leaders killed him to get him out of the way, for he was becoming too powerful in the party. Hamilton, *Reconstruction in North Carolina*, pp. 301, 376, 379, 384, 388, 405, 471, 574-474, 484, 487, 488, 516, 652.

Charlotte N C  
April 14<sup>th</sup> 1871

Hon B F Butler

Dear Sir

I have understood that you had some months ago, an agent in this part of the country hunting for minerals, principally Corundum and others with an Aluminate base, and reporting generally upon the Mines Country &c

Now Sir I know where there is from all accounts I can gather, the largest mass of Corundum in the world, and of a very superior quality, sufficiently near a R R for transportation cheaply, as for quantity it is perfectly inexhaustible. The land on which it is found can be bought for almost nothing, not above three or four dollars per acre. The "Outcrop" extends for two miles over the mountain. I have no doubt but Sapphire will be found when it is worked

On the same tract are found Garnet Beryl Zircon and all the Silicates of Alumina of value and even Diamonds have been found in the neighborhood. There is no doubt but western. N. C. is one of the richest mineral districts in the world, and will be found so when sufficiently examined Its geographical formation is so different from the preconceived notions of Mineralogists that it has deceived almost every one that has ever examined it. Most of the Sulphweits Sulphates & most especially the Silicates of Alumina, both in America & Europe have been found in white limestone consequently agents not acquainted with this country do not sufficiently examine such regions as may be at variance with preconceived opinions, hence their bad success.

Another reason for so little being known of the mineral wealth of this country is that no one about here ever bothers their brains about such subjects as Mineralogy & Kindred studies, being too firmly wedded to working with cotton three fourths of the year & starving the other one. I am almost if not the only *young* man (I know three old ones one of them is my father Dr. Daniel Asbury) in this section of country who make such things a study.

Now sir my object in writing to you is to inquire whether or not you would like to employ me as an agent to look for such things for you or if there is any way in which we could be of mutual interest to each other. I think you will admit it is best to procure an agent who is acquainted with the country desired to be examined I can give you sufficient reference as to my character and qualifications for such a purpose though I am by no means a good mineralogist, what little I know of the subject, having been picked up, here and there as I have a natural taste that way-

If you wish to buy sell or lease the Corundum lands above spoken of you can easily do so

I would like very much to be employed by some to look over that part of country I speak of, as I am not able to give up the business in which I am engaged unless I could make as much by it. it is a region in which great mineral discoveries are to be made. I would be pleased to hear from you on the subject, but if you do not care to engage in the matter yourself, you have a large acquaintance with men of means desiring investments I

would esteem it a great favor if it is not asking too much of a gentleman as busy as you must of necessity be, to recommend some of them to me.

Excuse this miserable scrawl as I have at present nervous affection in my right-shoulder Hoping to hear from you soon I remain

Ever your hunble servant

Vernon Asbury<sup>107</sup>

April 25<sup>th</sup> /71

Maj Gen B. F. Butler,

Sir:

Will you for once in your life, win a grateful *blessing* from a southern girl, and procure two places in the Treasury Department for myself and my sister?

You can do it with but little trouble, and gain two firm friends that are not so powerless as one would infer from this request.

Act immediately in the matter, and oblige,

Respectfully,

Mary Sinclair<sup>108</sup>

Address Miss Mary Sinclair  
Williamsboro',  
Granville Co.,  
North Carolina.

Best references given from prominent men.

Wilmington N. C.

April 28 1871

My Dear Sir-

I am informed by Major J. W. Schenck,<sup>109</sup> charman of the com. of arrangements on the part of the Grand Army of the Republic, that they have extended to you an invitation to deliver the annual address at the National Cemetery in this city on the 31<sup>st</sup> of the next Month.

It would be very gratifying to your many friends here if you would

<sup>107</sup> *Hirst's Directory of Charlotte, N. C.*, 1889, p. 67, lists quite a number of Asbury's in Charlotte, but Vernon did not live there.

<sup>108</sup> The editor has been unable to identify Mary Sinclair.

<sup>109</sup> James W. Schenck of Pennsylvania and New York became first lieutenant and regimental quartermaster of the 22d New York infantry on September 5, 1861; was made captain and assistant quartermaster of volunteers on July 8, 1863; and was honorably mustered out on November 27, 1865. Heitman, *Army Register*, I, 864.

honor them by acceding to their request, and I would add that it would be a special personal gratification to myself.

Very Truly

Joseph C. Abbott<sup>110</sup>

Shelby N C

June 12 " 1871

Gen. B. F. Butler.

Lowell Mass

Dear General-

I have been detained here on important business which sprang-up since my return- I shall however leave here, if nothing happens to hinder, by next Thursday, and will not permit anything to delay the further development of my Steam and Air Engine- Hoping to see you soon I am your obt Servt

John F Alexander

Swan Quarter

Hyde County N. C.

June 24 1871.

Hon B. F Butler

Dear Sir:

I have seen through the papers that there is an effort sometimes made to get the "French Spoilation Claims" allowed, and as I am interested in those Claims I would like to know if there is any prospect of Congress allowing them; or if there is any thing necessary for claimants to do in order to get them allowed, if so what? I write to you knowing that you are an influential member of Congress and would be more likely

<sup>110</sup> Joseph Carter Abbott was born in New Hampshire on July 15, 1825; was admitted to the bar in 1852; soon became a newspaper man; but entered the army as soon as the Civil War broke out. He became lieutenant-colonel of New Hampshire volunteers on December 13, 1861; colonel on November 17, 1863; and brevet brigadier-general of volunteers on January 15, 1865, for gallantry at the capture of Fort Fisher, on that very day. He was honorably mustered out of service on July 17, 1865; moved to Wilmington, North Carolina, and soon became commandant of the city; served in the constitutional convention of 1868; was a member of Senate from July 14, 1868, to March 3, 1871; was later inspector of the coast of the South under Hayes; and at one time was special agent for the Treasury. He was a lumber manufacturer, and for some time he was the editor of the *Wilmington Post*. He died in Wilmington on October 8, 1881. *Biographical Directory of Congress*, p. 621.

<sup>111</sup> In one of the two treaties with France in 1778, in return for France's guaranteeing America's "liberty, Sovereignty, and Independence," the United States guaranteed not only French possessions in the western hemisphere but any new land France might gain as the result of the war with Britain. When the French Revolution became a world war, France expected us to keep this promise, but America failed her old ally. This led to the undeclared war between France and the United States from 1798 to 1800, resulting in the peace of 1800. By this treaty the United States was relieved from the provisions of the treaty of 1778, but the negotiators put in the treaty the provision that, since the parties could not agree on the indemnities mutually due or claimed, the parties would negotiate on the question at some future time. Before ratifying this treaty the United States Senate expunged this article. When the treaty was sent to Napoleon he promptly annexed the provision: "Provided, that by this retrenchment the two states renounce the respective pretensions which are the object of the said article." In this way claims amounting to tens of millions of dollars (the French Spoilation Claims) were thrown from France upon the American government. As early as 1802 these claimants

to do something for Claimants than any other member; and be assured that you would be remembered (in the event of getting those Claims allowed) by a large number of my family connections who are interested, please answer this and if necessary I will consult with other claimants.

Very Respectfully

B. G. Credle<sup>122</sup>

New York Sept 1 " 1871

Gen B. F. Butler.  
Lowell Mass.

Dear General.

I am happy to inform you that I am pushing my business in Engines and that I am confident that I shall soon see success crown my efforts.

Today I took Mr Meigs down on Centre Street New York, to see an Engine which I built to introduce among the tea Stores of New York. He can tell you how handsomely it worked. These Engines with boiler can be built for 100 Dollars and a profit of 33 1/3 per cent. They are about 1 Horse power and will be used by the Tea Company to run the wheel of sign-turns which the Company wishes to place in one or two windows of every one of its branch stores. This Company will take 20 or 30 of these Engines.

My large engine will soon be completed and when finished I shall be able to command a trade in them.

I propose renting me a room in which to exhibit these engines and solicit orders and sell engines already built. As soon as I gather some money from their sale I shall advertise them extensively and push them into market as rapidly as possible.

As I shall need the balance of our agreement I have drawn through I. F. Darrow for 200 and Mess Whittaker & Hubbard for 50 which closed the amount which you agreed to let me have. I do hope general that I shall soon be repaying you for the kindness and that we may see the Engine a big success. Hoping you much success in your gubernational [*sic*] labors and that I shall soon have the honor of addressing your excellency as Governor of Mass- I am Your obt servt-

John F Alexander

---

began to appeal to the government for their money. By 1885 forty-eight committee reports had been made on these claims, all favorable except one Senate and two House reports. Finally, in 1885, President Arthur signed a bill allowing these claims to be taken before the court of claims. Between March 3, 1891, and February 24, 1905, in four appropriation bills, Congress paid \$3,950,452.26. The court of claims examined 6,479 and decided 4,626 against the claimants and 1,853 in favor of the claimants, for a total amount of \$7,149,306.10. By 1915 the court of claims had finished all cases which were not barred by the statute of limitations, but Congress has refused to appropriate any more money for these claims. Between 1906 and 1914 seven different times the friends of these claims tried to push a bill through Congress appropriating the money, and since 1921 no less than fourteen different bills for this purpose have been introduced in Congress, but they were not passed. Since no government ever pays claims to insurance companies, it would take only \$1,291,479.91 to finish paying individual claimants, but they cannot be paid until Congress votes the money. Hunter Miller, *Treaties and Other International Acts of the United States*, II, 16-17, 39-40, 49-52, 240-241, 262, 458-462, 482-484; *Senate Document No. 451*, Vol. 43, pt. 3, 64th Congress, 1st sess.; *Congressional Record*, *passim*.

Charlotte N. C.  
Sept 8<sup>th</sup>, 71

Hon. B. F. Butler

Dr Sir

The First National Bank of Charlotte N. C. is in the daily habit of violating the 30 sec of the U. S. currency act, by charging from 18 to 24-per cent on their loans, and on speculating largely on stocks- Rail Road & other stock, using the name of one of their officers-

My purpose in bringing this matter to your attention is that I desire to procure your assistance in prosecuting this Bank in the U. S. court on the 53<sup>d</sup> Sec. of said act,-The Comptroller of the Currency<sup>133</sup> has the names of some of the best men amongst us, before him as witnesses, who can prove this charge beyond a question, But he hesitates about it because of the letters he has rec<sup>d</sup> from the President of this bank on this charge.

I have been prompted to this course by the iniquitous conduct of this Bank in charging me with \$2,000 without any consideration whatever- The history of which is not necessary at present to give-

I have no doubt the Bank would pay liberally rather than have the charter taken from them and I will give you all that can be recovered, if you will get me released from the payment of \$2,000-

To this end I desire to employ you as a lawyer and hope you will give the subject your consideration and write to me-

Very respectfully your Obt serv<sup>t</sup>

W. F. Davidson <sup>134</sup>

<sup>132</sup> The editor has been unable to identify B. G. Credle.

<sup>133</sup> John Jay Knox (March 19, 1828-February 9, 1892) was born in New York, graduated from Hamilton College, and became a banker. In 1862 he wrote articles urging the organization of a national banking system, for which he was given a clerkship in the Treasury Department. He was cashier of a bank in Norfolk in 1865; returned to the Treasury Department; discovered a loss to the government of \$1,000,000, in the sub-treasury in New Orleans; was made deputy comptroller of the Treasury on October 10, 1867; and was promoted to comptroller on April 24, 1872. He was a noted financier of his time; made a report in 1870 which led to the coinage act of 1873, which led to his being blamed for the "crime of '73," or the demonitization of silver; and he resigned from his office on May 1, 1884, to return to banking. *Dictionary of American Biography*, X, 477-478.

<sup>134</sup> William F. Davidson resided at 204 South Mint Street, Charlotte, North Carolina. *Turner's Third Annual Charlotte City Directory*, 1889-90, p. 47.

## OFFICE

*Daily and Weekly Chronicle,*<sup>115</sup>

511 NINTH STREET,

Terms of Subscription:

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Chronicle Publishing Co.

John M. Morris, President

James O. Ladd, Treas. and Supt.

John R. Faust, Secretary.

Washington, D. C., Oct 12, 1871

Hon. B. F. Butler.

My dear Sir: I thought it advisable after seeing you, to advise with Mr. Morris.

He suggests that you omit six lines on Mr. Wilson's<sup>116</sup> defeat in his own town, leaving in all other allusions to him. We do not feel willing to print any thing unheard towards him, as he has been a good friend to both of us.

And then add a few words, or pages would be better as to who Butler's friends were, why they were his friends, their energy and pluck in the canvass, and the root and meaning of the Massachusetts movement. We think it has a national significance. It must have permanent strength. We must triumph in 1872 at all hazards, but there are certain elements that will, after that, shape the action of the nation at the ballot-box.

You are regarded as a sort of embodiment of Loyalty and Labor. These are great words. They embrace every thing of value in the nation.

With these suggestions I return the manuscript. If you agree with us please add the pages solicited and return the manuscript. We can have it out on Saturday morning.

Very truly Yrs

W. W. Holden.

[Same heading as on previous letter]

Washington, D. C., Oct. 13 1871.

Hon. B. F. Butler.

Dear Sir: The request made for a statement of facts in Massachusetts was conceived in a friendly spirit. Our sympathies were with you on several

<sup>115</sup> The *Washington Daily Chronicle* was published from November 3, 1862, to 1877, and the *Washington Weekly Chronicle* was published from March 31, 1861, to 1911. *Union List of Newspapers*, pp. 85-6.

<sup>116</sup> Henry Wilson was born in New Hampshire on February 16, 1812; changed his name from Colbath to Wilson when he was twenty-one; moved to Massachusetts in 1833 and became a shoemaker; served in both houses of the state legislature; left the Whig party and became a Free-soiler; and served in the Senate from January 31, 1855, to March 3, 1873. He was Vice President until his death on November 22, 1875. During the war he raised and commanded the 22d regiment of Massachusetts volunteers. Butler was defeated for governor in 1871 in the Republican convention and again in 1872; was defeated for Congress in 1874; was defeated as a candidate for governor as an independent in 1878 and as a Democrat in 1879, but was elected governor by the Democrats and Greenbackers in 1882. *Biographical Directory of Congress*, pp. 768-769, 1713.

accounts, and especially because of your devotion to the cause of Labor. Though defeated by a powerful combination, and, it may be, not fairly defeated, you nevertheless, like a good Republican, bowed to the action of the Convention, and you are now, as we are, supporting the nominee.

We suggested a slight alteration in the statement, and an addition of what we thought would be just to yourself and friends, and at the same time beneficial to the Chronicle. Do not forget that we also have some rights in this matter.

It did not occur to us that it was suggested that the additions referred to should contain any laudations of yourself or friends. We thought simply of facts showing the cause of the great ground swell in Massachusetts which gave you so much strength against so formidable a combination. We desired to do what we thought was wise and useful both to you and ourselves. We are ready to do so now.

Our whole course in this matter has been friendly and respectful towards yourself, and we feel obliged to say that we regard your note of last evening as rather curt.

Very Respectfully,

John M. Morris.

W. W. Holden.

Beaufort N C

Oct 14 1871

Hon Benjamin F. Butler

Dr Sir I Will Communicate to you in relation to private business. I Should like To be Come, as agent for Some partys [*sic*] out North. I will Sell goods on Commission for any party I Will allso [*sic*] buy Cotton for the Same party or any thing Els [*sic*] that they like to deale [*sic*] in. I Whould, [*sic*] be under many Obligations to you if you would give me a recommendation

To Some party to that affect, I am Sure they Can be money maid [*sic*] at that kind of business [*sic*] hear [*sic*] in North Carolina if properly attended to.

Please let me hear from you on the Subject.

Yours truly Friend

E. A. Smith, Lt. late War

W. S. BALL

LAW OFFICE  
OF  
BALL & KEOGH.

THOS. B. KEOGH.

*Private**Greensboro, N. C. Nov. 25- 1871-*

Gen. B. F. Butler

Sir: As you did me the honor last winter to submit to me your scheme for manipulating the South- politically- which was afterwards matured and developed in what was called the Cobb Ku-Klux bill,<sup>137</sup> I take the liberty of communicating to you the result of some of my reflections on the same subject. If the matter has been discussed before I feel certain that you know all about it. As far as I am concerned my plan or scheme is original with me.

The old aristocracy and slave owners of the South are soreheaded; thus far they have refused to be comforted by any sanctifying grace flowing from republican sources. Their hostility to the republican party and their hatred of the U. S. government drove them into the Ku Klux organization. They hoped that by means of that wicked order they would get undisputed control of the South, and with the assistance of Tammany they would walk into the White House in 1873.

To Gen. Grant for his prompt and faithful execution of the enforcement act, and to your friend Judge Bond<sup>138</sup> for his bold and fearless administration of the law, the loyal people of the South owe much. To them is due in the greatest measure the credit of having brought to punishment many Ku Klux criminals;- breaking up the dens of midnight murderers, and rendering practically true-"the wicked flee when no man pursueth." Our mountain fastnesses and those of So. Car. are full of self-condemned Ku Klux-concealed to avoid the U. S. Marshals they imagine pursuing them.

This period of great confusion seems to me te proper time to fling a bone. The masses of the Ku Klux are terrified, and many of them only want some excuse to become republicans. Their second attempt at rebellion has mailed.-it has been foiled, and nipped in the bud. What can be done to attract the whole Southern people to the Republican Party?

Your act providing for a "sugar coated" loyal claims Commissioner in each County in the South failed to pass. We have in its stead a Commission sitting at Washington Special Commissioners are appointed throughout the South to take testimony and claimants have to pay them large fees for their services. You proposed in your act that the Govt. should pay these Commissioners- Persons of limited means cannot afford to

<sup>137</sup> The so-called Ku Klux bill was passed on April 20, 1871. It provided heavy penalties for those who could conspire to prevent any one from voting or wear hoods on the highways, or prevent the free exercise of the right of suffrage. It provided for Federal supervision on elections where Congressmen were elected. The provisions providing for supervisors at the elections and special deputy marshals only applied to the large cities, but a later law extended the provision to the small towns and counties. William MacDonald. *Documentary Source Book of American History*, pp. 560-564.

<sup>138</sup> Hugh Lenox Bond was born in Baltimore, Maryland, on December 16, 1828; moved to New York early in his life; graduated from the University of the City of New York in 1848; and began to practice law in Baltimore in 1851. He joined the Know-Nothing party; was judge of the Baltimore criminal court from 1860 to 1868; advocated the induction of Negroes into the army; worked for the education of the Negroes; and made a fearless and fair judge in those trying years. When the Democrats won, he retired to his legal practice but on July 13, 1870, he became judge of the fourth United States circuit court comprising Maryland, Virginia, West Virginia, North Carolina, and South Carolina. In 1871 he heard the famous Ku Klux cases in North Carolina and South Carolina. He was later made chief justice of the United States circuit courts, a position he held until his death in Baltimore, on October 25, 1893. *National Cyclopaedia of American Biography*. XI, 408.

prosecute claims, consequently the Commission is of no benefit to us, *politically*.

The Southern States are hopelessly insolvent. The despondency of the masses of the Southern people is owing to the fact that they can see no way out of their financial embarrassments. They are so far behind in payment of interest that they can not ever hope to meet that. Look at it in the most hopeful manner, there is nothing before the Southern States, but loss of credit, reputation and ruin.

We made four millions of slaves freemen. We liberated and left them in a section of country that is impoverished. The United States ought to do something at least to help them. It can be done by relieving the Southern States from their old debts.<sup>119</sup> Unless this is done that portion of the National heritage falling to the colored wards of the nation will be fruitless, for want of credit; and blackened with the stigma of repudiation. My proposition is this: Because of the affection that the republicans have for the South, and their anxiety to restore her to prosperity, they say it is the duty of the National Govt. to assume the principal of the debt of each Insurrectionary State which was outstanding on the 2<sup>nd</sup> day of March 1867; the date of the commencement of Congressional reconstruction-Pay it off with 30 year bonds bearing 4% interest-

Frame a bill covering all the important features and have it favorably reported to the House- Have some good republican speeches made in favor of it.- pass it and send it to the Senate there to be held until the Dec. session 1872. We would then have the benefit of this noble movement of the dominant party to relieve their Southern brethren [*sic*]. The South would go republican next year without doubt- The price would be *big* if such a bill should happen to pass; but after election you could do as you pleased with it. Kill it in the Senate or let it go through- I do believe that the carrying out of such a thing in good faith would be a great benefit to our whole Country- It certainly would dispell the bitterness and revive the dormant energies of the Southern people- With such a bill *hanging* in Congress during next Summer and fall, we could send republican members to Congress from every district in this State- What a shell would be thrown among democratic politicians if Gen. Grant in his message should recommend anything like action by Congress such as I have been speaking of.

I hope you will pardon me for this lengthy letter. I would not intrude upon you did I not feel that if ther'e [*sic*] is any merit or virtue in my ideas above given that you are just the man to put them in proper shape and use them in a dextrous [*sic*] manner. Mr. Peter Lawson of your place knows me and I take the liberty of referring to him-

Very respectfully yours-

Thos. B. Keogh.

<sup>119</sup> The Confederacy and the various Southern states issued bonds and treasury notes; specie was mostly sent abroad for medicine and munitions; paper money rapidly depreciated; and towns, counties, insurance companies, and mining companies even issued "I Owe Yous." The Confederacy alone issued paper money and bonds to the amount of more than \$1,000,000,000; produce bonds were used; and bonds were given for cotton, tobacco, and turpentine. In the campaign of 1876 the Republicans said if the Democrats won they would pay the Southern debts; pay for the slaves, and the losses and damages during the war. Hewitt got Tilden to say that he would veto every bill providing for such payments and then published it. John Spencer Bassett, *Short History of the United States*, p. 590; James Ford Rhodes, *History of the United States*, VII, 287.

State of North Carolina [sic]  
 Henderson County Mills River Township No. 7  
 Febuary [sic] 2<sup>nd</sup> [sic] A. D. 1873

Hon B. F. Butler

Dear Sir I take this oppertunity [sic] of addressing you uppon [sic] an important subject we the Republicans of the south have bin [sic] outraged & our Property [sic] taken & destroyed for our Fidelity to the Union & not a single sent [sic] have we bin [sic] Paid the parties all Bankrupt & in great many instances [sic] have flead [sic] & gon [sic] & we Sufferd [sic] here a Sorely [sic] on the account of Principal [sic] I had to hide as closely in the Mountains for 14 months as a Fox then my Family was abused & my Propprty [sic] taken but I never sholderd [sic] a Gun against my Government [sic] I was as good a Unionest [sic] as any man & are still I Lost some 12 or 15 hundred Dollars woth [sic] of Propety [sic] & if Congress dont help me I have none

You introdused [sic] a bill covering the case & thought we would get pay Congress does pay when it was taken by Federals but it ought to be allowed from what ever sorce [sic] as your bill Provided a Man had to be Loyal during the war & Reman [sic] Loyal still & to be Provin [sic] by his Loyal neighbors this no can do not very Plenty now sir have something up in the shape you had befor [sic] &c in confidence if you can you will Receive [sic] a compensatuon [sic] when collected I can send you any Kind of a Recomdation [sic] as to my Loyalty A. H. Jones<sup>120</sup> our Late member in congress from this district knows me &c Pleas [sic] se [sic] what can be done soon if you think woth [sic] while Let me here [sic] from you &c

My address is A Q Moore<sup>121</sup>

Averys Creek

Buncombe County N. C.

Fort Macon N. C.

April 6<sup>th</sup> 1873-

Hon B. F. Butler  
 Washington D C.

Sir

I trust you will pardon my boldness in thus addressing you, dirrectly [sic] being an utter stranger as to the prescribed forms in which an appeal like this should be construed.

<sup>120</sup> Alexander Hamilton Jones was born in Buncombe County, North Carolina, on July 21, 1822. He attended the common schools; became a merchant; entered the Union army; was captured in East Tennessee in 1863 while raising a regiment of volunteers; and was imprisoned in Asheville, at Camp Vance, at Camp Holmes, and at Libby Prison, Richmond. He was conscripted for the Confederate Army, but soon escaped and entered the Union Army at Cumberland, Maryland. He was in the convention of 1865; was elected to the thirty-ninth Congress, but was not permitted to take his seat; served in Congress from July 6, 1868, to March 3, 1871; was defeated in 1870; and then dropped from public life. He lived in Washington, D. C., until 1876; in Maryland until 1884; in Asheville until 1890; in Oklahoma until 1897; and at Long Beach, California, until he died there, on January 29, 1901. *Biographical Directory of Congress*, p. 1159.

<sup>121</sup> The editor has been unable to identify A. Q. Moore.

My wretched feelings at present actuates me to anoy [*sic*] you, for a recommendation to clemency. In pursuance General Court Martial Order No 92 Hd Qrs Dept South November 29<sup>th</sup> 1872 I am undergoing a Sentence of 3½ years having been found guilty and convicted of Theft and Desertion.

I would kindly call your attention to the following facts.

While under the influence of Liquor, I took from the Stable a Sadle [*sic*] Blanket and sold it to a Negro for 50c thinking at the time it was my *own* but discovered the mistake after I got sober, but it was then too late. I begged my Captain not to punish me, and promised [*sic*] it would never occur again, but in vain. I was confined and charges preffered [*sic*] against me and while awaiting Trial I walked out of the Tent where I was Confined and went to Charlotte N. C. about 30 Miles from Camp. it took me about 2 Days to get there. when I arrived I met the 1<sup>st</sup> Srgt of Battery "A", 4<sup>th</sup> Artillery and others in a Salloon drinking. I unfortunately kept on drinking (this being the 3<sup>d</sup> day) and must have told him that I belonged to Troop "H" 7<sup>th</sup> Cav. he arrested me and took me to the Post. I was then tried for Desertion, and solumly [*sic*] swear that I had no intention what Ever to Desert but being so much under the influence of liquor, that I did not know what I was doing.

I would most respectfully Call your attention, to my past Service as a Soldier. In 1862 I had the honor to serve under your Command, when Stationed on the St Jarlies River, point of Rocks. During the War my Troop the 1<sup>st</sup> New York Mounted Rifles Commanded by Col Underdunk was detailed as orderlies to *you* and your Staff. I was private Ordierly [*sic*] to you at the time your Army moved to Drury's Bluff. in 1867 I joined the 7<sup>th</sup> U. S. Cav. Troop "A" and served 5 years was *honorable* [*sic*] Discharged July 26<sup>th</sup> 1872. a few days after I reenlisted in Troop "K" 7<sup>th</sup> Cav and served honestly and faithfully, up to the time I got into this trouble, that sent me to this unhuman place for punishment. I have been about 7 months in confinement.

In conclusion I will say if you will use your influence with the Secretary of War to procure my Pardon or at least have some part of my Sentence remitted.

Your human exertions in my behalf will not pass unnoticed [*sic*]  
Hoping the above will meet favorable consideration.

I am Sir Very respectfully

Your humble Servant,

Charles Carrol<sup>122</sup>  
(Late) Private Troop "K" 7<sup>th</sup> Cav.  
(a Prisoner)

P.O. adress [*sic*]  
Charles Carroll  
Fort Macon N. C.

<sup>122</sup> The editor has been unable to identify Charles Carrol.

Crow Island N C.  
Feb. 18./74

My Dear General

Since writing to you, I have remembered that the new light house station at Whale's Head on the beach, 3 miles from here is dependent upon Capt Cains steamer for its mail Communication- Capt Cain brings down their mail to Knotts Island, the nearest point, & from there it is forwarded as occasion serves.

Sincerely yrs

Wm Sohler<sup>123</sup>

Wilmington No Ca  
14th March 1874

General B. F. Butler  
U. S. House of Representatives  
Washington D. C.

General;

I was equally astonished and pleased, to be informed a few days since by a trusted friend, that, -contrary to all I've heard and believed,- you are frequently willing to assist Southern individuals, and in the hope of invoking your undoubted political influence in my behalf- I am induced to make this appeal and solicit your assistance.

Since the commencement of Mr Pierce's<sup>124</sup> administration, to February 1861- I was a citizen appointment in the U. S. Army; Resigned when my native State (Georgia) passed the ordinance of secession and soon after joined the C.S. Army and remained in it until the surrender of Genl Joseph E. Johnson [*sic*] at which time I held the rank of Colonel in his forces.

Since the war I have earned a precarious support as Editor of a Conservative Journal and as an Insurance solicitor, but the last is worse than ever since the financial panic commenced, last September, and I find myself daily becoming poorer and running- for the first time- in debt, when nothing can be more Foreign to my habits or taste.

Now I am competent for a position in the custom House of a large city, (speaking and writing French, fluently- and German tolerably,) or as a Consul abroad, and none of my party having any influence with the powers that be, I frankly appeal to your magnanimity to kindly assist a political opponent and thus afford me one more ray of sunshine before my

<sup>123</sup> The editor has been unable to identify William Sohler.

<sup>124</sup> Franklin Pierce was born in New Hampshire on November 23 1804; graduated from Bowdoin College in 1824; began to practice law in 1827; served in the state house of representatives from 1829 to 1833; in Congress from March 4, 1833, to March 3, 1837; in the Senate from March 4, 1837, to February 24, 1842, when he resigned; and then resumed the practice of law. He declined office of Attorney General under Polk; was a colonel in the Mexican War, being made a brigadier-general in March, 1847; was a delegate to the New Hampshire constitutional convention in 1850; was President of the United States from March 4, 1853, to March 4, 1857; and then returned to his law practice until his death on October 8, 1869. *Biographical Directory of Congress*, p. 1411.

Career is forever closed; and so also make a friend on whom you may count- for real gratitude- as long as we both shall live- and where your fame most requires an advocate.

Honl A. M. Waddell<sup>125</sup> from this District, knows me well, and can inform you if I am worthy or unworthy your kindness if you elect to aid me- as requested? tho' I trust you will, in any event, keep the contents of this probably unwarranted letter strictly *entre nous*?

I would prefer going aboard; but would gladly take a position any where, I can make a decent support, and if you like I am sure you can put me in the Boston Custom House, and find in me both an honorable and useful friend when an opportunity presents itself for requiting [*sic*] a kindness.

If your relations are such that you do not choose to communicate with Mr. Waddell, Col Brink<sup>126</sup> Post Master, here, is of your political faith, and yet knows me quite intimately and will doubtless inform you of my personal status and reputation

Very respectfully

St. Clair Dearing <sup>127</sup>

U. S. Rev" Stmr" "Stevens."

New Bern N C

March 20<sup>th</sup> 1874

Hon Benjamin F. Butler.

Member of Congress.

Washington D C.

Sir.

Having noticed in one of the public Journals. (of recent date.) that a bill had been introduced by the Hon" Mr Crossland.<sup>128</sup> of Ky. to abolish the Revenue Marine Service. Dismiss all the Officers. and turn the Service over to the Secretary of the Navy. I therefore take the liberty of writing asking your views on the matter. and I Pray. for your valuable assistance

<sup>125</sup> Alfred Moore Waddell was born in Hillsboro, North Carolina, on September 16, 1834; graduated from the University of North Carolina in 1853; was admitted to the bar in 1855; and began to practice in Wilmington. He was clerk of the court of equity from 1858 to 1861; was a delegate to the Constitutional Union convention in Baltimore in 1860; was a lieutenant colonel in a North Carolina regiment in the Civil War; served as a Democrat in Congress from March 4, 1871, to March 3, 1879, but was defeated for re-election in 1878. He returned to the practice of law and literary pursuits. He had edited the *Wilmington Daily Herald* for a short time in 1860-61; was editor of the *Charlotte Journal-Observer*, during 1881 and 1882; was a delegate to the Democratic National convention in 1880 and 1896; was a Presidential elector in 1888; was mayor of Wilmington from 1898 to 1904; and died in Wilmington on March 17, 1912. *Biographical Directory of Congress*, p. 1653.

<sup>126</sup> On February 3, 1871, Grant nominated Edwin R. Brink to be deputy postmaster in Wilmington, North Carolina, in place of Edwin R. Brink whose commission expired on July 15, 1871. It was referred to the committee on postoffices and postroads and the nomination was confirmed on February 8, 1871. *United States Senate Executive Journal*, XVII (1869-71), 638, 639, 642.

<sup>127</sup> Saint Clair Dearing lived on Market Street between 8th and 9th Streets. *Sheriff & Co's Wilmington City Directory*, 1875-1876, p. 53.

<sup>128</sup> Edward Crossland was born in Kentucky on June 30, 1827; was admitted to the bar in 1852; was sheriff of Hickman County from 1851 to 1852; was a state representative in 1857-58; was a captain in the Confederate Army and rose to the rank of colonel, serving until the end of the war; was judge of the court of common pleas from August, 1867, to November 1, 1870, when he resigned; and was in Congress from March 4, 1871, to March 3, 1875. He returned to his law practice; and was judge of the circuit court of the first judicial district of Kentucky from August, 1880, until his death on September 11, 1881. *Biographical Directory of Congress*, p. 863.

in our behalf. as this branch of public Service. has had good record. since 1817. and many of the Officers grown old & infirm. from exposure & Whilst many. others. (myself included.) served faithfully. during the Rebellion. (Which the record will show.) and I cannot but feel. that there are those in your Hon" body. (yourself included.) Who will show Justice in our case.

You may recollect me. as being attached. to the Cutter "Mc"ulloch." on your trip to Prince Edwards Island, in 1868.

Trusting this will not be intruding. on your valuable time. and asking for a word in reply.

I am Your Obdt Servant,

A. F. Rockefeller.<sup>120</sup>

Asst. . Engineer.

Cutter "Stevens"

New Bern N. C

ED R. BRINK.

Personal

POSTMASTER.

POST OFFICE,

WILMINGTON, NORTH CAROLINA,

March 28<sup>th</sup> 1874

Gen B. F. Butler

Dear Comrade

The Communication of Capt E. M. Rosafy,<sup>120</sup> - which this letter will accompany, I assure you, Contains suggestions worthy the Consideration of the statesmen of 1874.

There is a class of Citizens in the Southern States, "not to the maner [*sic*] born," but true american citizens,- fully identified with every interest of their adopted states. These men are not adventurers, neither are they vagabonds, but solid inteligent [*sic*] Citizens, and friends of Sustaining the principles of the National Government.

The Constant prayers for the extermination of these people of the Southern States do not Come from your friends , or the friends of this Republic, but from those who very Correctly estimate the influence of these people as against the enemies of the administration.

I Commend the letter of Capt Rosafy to your Careful perusal, and assure you of his favorable standing in his Community.

I am General

Very Gatefully Your in F C & L

Ed R Brink

Com Prov Dept of N C

G. A. R.

<sup>120</sup> A. F. Rockefeller was born in and appointed from New York as second assistant engineer repair man in Baltimore at a salary of \$1,200 per annum. *United States Official Register*, 1873 P. 195.

<sup>120c</sup> See page 370, note 144.

Wilmington N. C

March 28<sup>th</sup> 1874

Hon B. F. Butler. M. C  
Washington F. C.

Sir:

I pray you to grant cursory perusal of the herein appeal.

It is the appeal of but one humble stranger, of foreign birth, yet is the subdued cry of a proud American citizen of twenty years standing, and the constrained shriek of a wounded soldier wounded in his more than life, honor,- Will Massachusetts' great Commoner lend his ear to the citizens cry, and will the friend of the soldier loan his heart to the shiek of a comrade, low in rank, Gen. Butler's companion in arms for all that?

Since the close of the war I have been a bona-fide settler of the State of North Carolina, and for the last three years occupied the position of Inspector of Customs at Smithville, Brunswick County, where I am still Chairman of the Executive County Committee of the Republican Party, whose victories for six years past I have helped to organize and insure, on September las t1873, D Rumley<sup>121</sup> Esqr. an obscure native of the State, for an by virtue of his office Republican, has, as Collector of the post of Wilmington and with the ill disguised view of wresting the management of the affairs of my country from the hands of the Carpet-bagger, thereby enchanting [*sic*] the congressional aspirations of his "particular friend" and through him his own meagre personal prospects of re-appointment on February next 1875.-caused my removal from office as Inspector, upon charges basely coined, clandestinely preferred, and accompanied by malicious insinuations and secret confidential reports to the Department, the existence of which which letter, by him brazenly denied, has since been established.

The motives of the Collectors action have by himself been illustrated, and the personal outrage rendered public, by the appointment in my place,-greatly to the injury of the customs service and the commercial interests of the port of Wilmington- of an illiterate and incompetent youth of 21 years of age- hitherto of rebel proclivities, with nothing to recommend him except that he is to the soil born, and that his father is a friend of the "house of Russel" and a follower of the judge<sup>122</sup> and "particular friend above alluded to.

Not in idle lamentations, therefore, of the office lost, but on account of a soldiers ruthless immolation to the tyranny of Southern nativism, on the simple representation of a pseudo Republican,- do I presume upon your

<sup>121</sup>On July 6, 1867, President Johnson nominated Denard Rumley to be collector of customs for the district of Wilmington, North Carolina, in the place of James P. Foster, who had resigned. On July 17, his name was referred to the committee on commerce; on July 20, his name was reported favorably; and the appointment was confirmed the same day. *United States Senate Executive Journal*, XV, pt. 2 (1867), 821, 844, 856, 857.

<sup>122</sup>Daniel Lindsay Russell was born in North Carolina on August 7, 1845; spent two years at the University of North Carolina; entered the Confederate Army as a captain; was sent to the legislature when only nineteen, although he was still in the army; was elected again in 1865; was admitted to the bar in 1866; and practiced at Wilmington. He was elected a judge of the superior court in 1868; was sent to the state legislature in 1876; was in Congress from March 18, 1879, to March 3, 1881; was elected governor in 1896 on the Republican ticket; and after retiring from the governor's mansion he practiced law in Wilmington. *National Cyclopaedia of American Biography*, XIII, 356.

leisure, General; and my main reason for venturing to address you is that, by your power in the land, opportunity may be afforded me to vindicate my honor against charges, which upon the sacred word of a soldier and gentleman, I pronounce to you as I have declared under oath officially, false and malicious. Your attention is besought, not to the fact of my simple discharge, but to the wrong and the significant circumstances, that I have been dismissed by the Department *without hearing*, and that such hearing even when asked for, was not granted.

The Governor<sup>133</sup> and Lt Governor<sup>134</sup> of the State, together with a majority of the Republican Legislators at Raleigh, also the prominent officers and members of the Republican Party at Wilmington, have all forwarded petitions to the Hon. Secretary of the Treasury,<sup>135</sup> endorsing my character and standing in the party and the community, and asking my reinstatement into office upon the ground that my removal was both unjust and unwise, but their honest efforts, to, unravel the knot of red tape, proved unavailing, even unnoticed, with the Hon. Secretary, who never having shouldered a musket himself cannot feel the wrong and injuries of a soldier, and who, because himself of great renown, can not deign to listen to the unknown

General!- The foregoing portion of my necessarily lengthy appeal was directed to you as the nationally recognized first and foremost friend of the Union Soldier, and as that leading Representative in Congress, who, on soldiers wrongs at least, is supposed to stand nearer to our Soldier President<sup>136</sup> than certain of his constitutional advisers; in the following, however, I take the liberty to develop the above with facts and matter

<sup>133</sup> Tod R. Caldwell was born in Morganton, North Carolina, on February 19, 1818. His father was a native of Ireland, and migrated to Morganton in 1800, where he became a prosperous merchant. Tod graduated from the University of North Carolina in 1840; studied law; entered politics as a Whig; was Presidential elector in 1848; was a Union man during the Civil War; and was a member of the convention of 1865. He was elected lieutenant governor with Holden in 1868 and when the latter was removed by conviction on impeachment Caldwell took his place as governor in 1871. He was then elected for a full term, but died on February 11, 1874, before the end of his term. *National Cyclopaedia of American Biography*, IV, 428.

<sup>134</sup> Curtis Hooks Brogden was born in Wayne County, North Carolina, on December 6, 1816; picked up a little education; taught an "old field" school; and had a life equal to an Algerian boy. He had never been at a militia muster until he was ordered to the field, and the second time he appeared he was made captain, and rose to the rank of major-general. He had never heard a political speech or seen a candidate for the legislature until July 4, 1838, when he plowed until eight o'clock, rode ten miles to the muster field, drilled his troops for three hours, marched to the courthouse where the candidates were announcing themselves for the legislature, and, although he was only twenty-one and a half years of age, he made a speech that electrified the crowd and he was chosen. For eighteen years he served in one house or the other of the legislature. He was elected again, but resigned; was comptroller of the state, which office he held by subsequent elections from January 1, 1857, to January 1, 1867; was elected to the senate in 1868 and 1870; was collector of internal revenue in 1869; was elected lieutenant governor in 1872; and became governor on February 11, 1874, upon the death of Caldwell. He was in Congress from March 4, 1877, to March 3, 1879; retired to his home; was sent to the legislature in 1886 again; and then retired from public life. He was never married and was noted for his integrity, honesty, industry, and virtue. *National Cyclopaedia of American Biography*, IV, 428-429.

<sup>135</sup> William Adams Richardson was born in Massachusetts on November 2, 1821, and died in Washington, D. C., on October 19, 1896. He graduated from Harvard Law School; was judge advocate of Massachusetts; and then entered banking. He was judge of probate in 1856; served as judge of probate and insolvency from 1858 to 1872; became assistant secretary of the Treasury in 1869; was sent to Europe as a financial agent of the government in 1871 where he sold bonds; and became Secretary of the Treasury in 1873, but resigned in 1874 to become a judge of the court of claims; and was made chief justice of this court in 1885. He was also an editor of note. *Appleton's Cyclopaedia of American Biography*, V, 243-244.

<sup>136</sup> Ulysses S. Grant was born in Ohio on April 27, 1822, and died in New York on July 23, 1885. He graduated from West Point; served in the Mexican War; fell to heavy drinking; and was forced to resign on July 31, 1854. He tried the real estate business, farming, and clerking in a leather and hardware store. The Civil War brought him into prominence; he was President from March 4, 1869, to March 4, 1877; toured Europe; and then retired to private life. *Appleton's Cyclopaedia of American Biography*, II, 709-25.

worthy of your passing thoughts as a Statesman, and as the American Darius,<sup>127</sup> whose keen blade of bold and advanced ideas has already cut more than one Gordian Knot<sup>128</sup> in our National politics.

Parties, like families, have their skeletons in the Closet, ours, here in the eastern section of North Carolina is the man D Rumley Collector at Wilmington, appointed under Johnson's administration, selected from among the class of men called "buffaloes" (men that ran for dear life at the approach of either of the armies) formerly a vender of claims and itinerant picture taker in Carteret Country, with no more fitness than antecedents for federal office,- he was the silent resignation carried as ballast in the good ship of our party, until his dead weight and actual political putridness became dangerous to the true freight of the vessel and his good riddance became a theme of confidential discussion in the inner circle of leading Republicans, as, however, under our reformed civil service, there is no chance of merited removal for political reasons alone, although such were ample and satisfactory,- we feel compelled, to reveal to the Department in formulated charges the whole truth concerning the character as public officer, man and gentleman, of the obnoxious incumbent. Whereupon two special Agents, Messrs Martin and Ayres were sent here, under instruction, to examine into the charges, and at the very start by virtue of said instructions, they denied the Prosecution the permission to appear with counsel, also publicity of proceedings, none but the accused, the nominal accuser, and one witness at the time being admitted to their Star Chamber investigations.<sup>129</sup> From the questions propounded, and the way in which they were put by the agents to the several witnesses; also from their efforts to suppress all damaging testimony, such as relating to the gambling propensities of the collector, and his practice of petty speculation; lastly from the way in which they have emasculated in writing such testimony as could not or would not be ruled out under any pretext of the law on evidence,- it became from the very beginning manifest to all observers, that the diligence of the Commissioners was with or without instructions, given to the exoneration [*sic*] of the accused. Yet notwithstanding the heroic efforts of the agents, worthy of a better cause, to construe malfeasance into misfeasance, crime into error, the collector was proven guilty of frequently with-holding and appropriating to his own use the salaries of his subordinates, white and colored, and of never having repaid in some instances portions of such public money to whom due; "he was proven Guilty of" having been found in a state of beastly intoxication

<sup>127</sup> Darius, the great Persian King, who ruled from 521 to 486 B.C. did great things for his country. He re-organized the government; made many conquests; but at Marathon, Greece, in 490 B.C., the liberty-loving Greeks turned him back toward Asia. *Century Dictionary and Cyclopaedia*, IX, 308-9.

<sup>128</sup> Gordius, King of Phrygia, is said to have tied a knot connecting the pole and the yoke on an ox cart in which he was riding when he or his son Midas was made king of Phrygia. It was so intricate as to defy all attempts to untie it, and an oracle in the temple where the cart was preserved declared that whoever should succeed in undoing it would become master of Asia. Alexander of Macedon, or Alexander the Great, solved the difficult problem by cutting the knot with his sword. *Century Dictionary and Cyclopaedia*, III, 2577.

<sup>129</sup> The Star Chamber was a room in the Royal Palace of Westminster where the king's councillors were called. It received its name from a star fashioned on the roof. Later more of the councillors and judges sitting in this chamber as a court, without a jury, often resorted to torture to force confession. It was so hated on account of its severe penalties and high-handed methods that an act of Parliament in 1641 abolished the court of the Star Chamber and greatly abridged the judicial privileges of the councillors in the Privy Council. *Encyclopaedia Britannica* (14th edition), XXI, 331.

during official hours" and of being by the sworn testimony of 16 gentlemen of political and social standing in the community "notoriously an habitual liar" His own witness Judge D Russell aforesaid, described him under oath as a man "of uniform purposes, whose character lacks firmness and stability, and whose veracity is that of a very ordinary politician."

The truth then, as established under oath is, that D Rumley, Collector of the post of Wilmington, is guilty of malfeasance in office on various particulars, and of conduct unbecoming a gentleman and high officer of the government; yet the submitted report of the agents, is the reverse of all this, and as such an inposition upon the demands of justice, an insult to the honor of the witnesses- all gentlemen of unquestioned veracity- an outrage upon the moral conviction of the agents themselves as privately expressed by them to several parties in Wilmington.

To the naturally arising question "wether [*sic*] the agents were instructed to act and report as they did?" an answer may be gathered from the fact, that when Ex Senator General J. C. Abbott, on request, plead with the Secretary to pass from the Commissioners report to the evidence before the Department, the Asst. Secretary declined, not firmly but un-courteously, to comply, and with the answer thus found, my republican allegiance to the Administration is restive as to an appeal to the American public at large, to a country of a generous and justice loving people, against that newly inaugurated system of civil service or rather civil servitude, by the virtue and under the operations of which simple clerks and assistants can through the magic rotation alone, become heads of Departments, Cabinet-officers, Statesmen, and with and by their consent, the honor and fall of a subordinate is at the mercy of his immediate superior, against whose persecution there is no help except in the infallible decision of petty pontiffs, specially instructed and trusted agents. Yes, I feel restive as to an appeal to the vetrans of our army, to all the Posts of the G. A. R against a system of civil service under the sanctioned operations of which a Union Soldier and working Republican, though amply and fully endorsed by the representative men of his party, is dismissed without hearing, while a worthless fence rider, simply because of his higher rank, is retained in office even when found guilty, proven a reproach to his party and government,- Surely this is not the reform that either the country or the party that saved it has the right to expect from a twice honored Chief Magistrate; and it is equally certain to my mind that what is rotten in the State of Denmark, is so unbeknown to the President.

True, that it is currently rumored and without contradiction asserted by the Southern press of late, that a dream has come over the White-house, that a change of base is contemplated by its illustrious occupant, a change not inimical, at least discriminating between the Northern and native elements of new Dixie, in reputation of the former and in favor of the latter, unauthorized. I feel it still my duty to convey to you, General, the honest appreciations of many of the good and faithful, regarding the much talked of new policy of the President, as indicate and foreshadowed in the opinion of some- by the complained action of the Secretary of the

Treasury, and his minions the special Agents. In consideration of the fact that, however baneful the influence of some new-comers might have been in two of the reconstructed States, the carpet baggers<sup>140</sup> of North Carolina, being all or nearly all Knap-sackers, have no sin of either omission or commission to answer for,- it cannot be believed, that the great libel of old Horace Greeley<sup>141</sup> now mouldering in his grave, or the wrongs of which libilous statements against Carpet-baggers he hoped to fly into the presidential chair, are even in part credited by that very chieftain, in whose favor North Carolina was first to stem the tidal wave of Greeleyism, and stemmed it without recognition to any one of her either native or adopted sons.- While therefore, it is admitted by all, that without the busy brains to place, and the active work to carry out of the Yankee Soldiers that are now resident Citizens of the State,- North Carolina would not occupy to day the position she maintains among the reconstructed and the republican sister States of the Union, neither could she hold her own and balance to the side of the administration in the coming August election with unjust umbrage cast upon her northern element, it was unwise statesmanship, fatal policy to heed the jealousies of some of the small native file-leaders, and discriminate in favor of that class of Republicans in our State, whose reputation is not only demanded, but would be felt, if not resented by the prominent natives themselves, by Pool,<sup>142</sup> Settle,<sup>143</sup> Caldwell Etc.- The problem of adjusting the balance between the three constituent elements of the Republican party South is certainly one pregnant with danger, therefore claiming imminent solution from the hands of the national leaders of our party; but who of all our prominent Men, not directly interested, that have access to the heart of the President, the good will of his Administration, can give bolder, yet more delicate treatment to the subject than without servile adulation be it said- You, General, the soldier statesman of New England.- If by obtaining the favor of your consideration to my personal gravaman [*sic*], some good should accrue to the higher interest that become involved in the

<sup>140</sup> Carpet-bagger means one who travels with a carpet bag, and takes up residence with no other property than that which he carries in his carpet bag. In the West the term was applied to a wild-cat banker who travelled from place to place, and after the Civil War it was applied to a newcomer from the North who took advantage of the disorganized conditions in the early years of Reconstruction to gain control of the public offices and to use their influence over Negro voters for selfish ends. *Century Dictionary and Cyclopaedia*, I, 830-831.

<sup>141</sup> Horace Greeley was born in New Hampshire on February 3, 1811, and died in New York on November 29, 1872. After a hard struggle he became a newspaper editor and started the *New York Tribune*. In 1872 the Liberal Republican party nominated him for President, and the Democrats later agreed to support him. His wife died in the midst of the campaign, and he soon followed her to the grave on account of over work. *Appleton's Cyclopaedia of American Biography*, II, 734-741.

<sup>142</sup> John Pool was born in Elizabeth City, North Carolina, on June 16, 1826; graduated from the University of North Carolina in 1847; was admitted to the bar the same year; and practiced in Elizabeth City, from 1847 to 1856 and engaged in agriculture. He was in the state senate in 1856, 1858, 1864, 1865; was elected to the United States Senate in 1865, but was not permitted to take his seat. He served in the Senate from July 4, 1868 to March 3, 1873; did not run for re-election in 1872; and settled in Washington, D. C., where he practiced law until he died on August 16, 1884. *Biographical Directory of Congress*, p. 1421.

<sup>143</sup> Thomas Settle was born in Rockingham County, North Carolina, on January 23, 1831; graduated from the University of North Carolina in 1850; served in the legislature from 1854 to 1859; was Presidential elector in 1856; supported Douglas in the contest in 1860; opposed secession; but entered the Confederate Army as a captain of a North Carolina regiment, serving only one year. He was solicitor of the fourth district; was speaker in the state senate in 1865; was a judge in the state supreme court from 1868 to 1871; was sent as minister to Peru, but after a few months returned to the United States, on account of ill health; was defeated for Congress in 1872; was President of the National Republican convention in 1872; became a justice of the state supreme court in 1873; was defeated for governor in 1876; and in 1877 became United States district judge of the Northern district of Florida. *Appleton's Cyclopaedia of American Biography*, V, 466.

same, I should but rejoice, even with wrongs and injuries unredressed, to remain the little spark that has kindled a goodly conflagration.

I have the honor to remain, General,

Very Respectfully

Your obedient Servant

E. M. Rosafy<sup>144</sup>  
late Capt. U. S. Vols

Smithville  
Brunswick Co No Ca  
March 1874

[*To be continued*]

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<sup>144</sup> E. M. Rosafy was inspector of customs at Smithville, North Carolina, at a salary of four dollars per day. He was born in Hungary, but was appointed from North Carolina. He must have been highly educated for he writes an excellent hand and had wonderful ability to use the English language. *United States Official Register*, 1873, p. 178.

## BOOK REVIEWS

THE FREE NEGRO IN NORTH CAROLINA, 1790-1860. By John Hope Franklin. (Chapel Hill: The University of North Carolina Press. 1943. Pp. x, 271. \$4.00.)

Ever since Joel Chandler Harris wrote "Free Joe and the Rest of the World," the tragedy of the free Negro in Southern society has been poignantly presented. This study of the free Negro in North Carolina by Dr. Franklin is a model of dispassionate writing, but the facts that he brings forward quiver with the feeling of pathos and frustration. How was it possible for the free Negro to enjoy a decent life in a society where there was a lurking fear of insurrection that made the free Negro a suspect, where white artisans resented his competition, and where he became more and more isolated from companionship with his black brothers in slavery? Until 1830, Dr. Franklin shows, the lot of the free Negro was not a bad one in comparison with the condition of the slaves, and, I might add, of the poor whites. But from that date, which marks the excitement caused by David Walker's incendiary *Appeal*, to 1860 his status progressively deteriorated. The real contribution of Dr. Franklin's volume is the masterly tracing of that deterioration, as public opinion changed from liberalism to pronounced hostility. Especially to be noted were the laws of 1831 restricting the right of free Negroes to preach, and the disfranchisement of free Negroes by the Constitutional convention of 1835. The vote on this measure to deprive the free Negro of the right to vote was sixty-six to sixty-one. At the end of the antebellum period there was a formidable legislative movement to expel all free Negroes from the state. Thus the free Negroes had become what the author calls "an unwanted people."

The free Negro in North Carolina, Dr. Franklin points out, was conditioned by the fact that in this state he was an agricultural, rather than an urban, element of the population. Only 10 per cent of the 30,000 free Negroes of North Carolina lived in towns, while in neighboring Virginia the ratio was 21 per cent, in Maryland 34 per cent and in Louisiana 75 per cent. Although the free Negro was handicapped in cultural development by rural conditions, he gained from his dispersion in the country the advantage of a more lax enforcement of the law and less bitter prejudice than was suffered by his urban brothers. From the pages of Dr. Franklin's book arises a composite picture of

the free Negro in North Carolina—a Negro with a considerable infusion of white blood, living mostly in the eastern plantation districts, with little property (a per capita wealth of \$34.00 in 1860), and confronted with the ever-present peril of losing his freedom. In some cases he was a slaveowner, but chiefly his ownership of slaves was motivated by humanitarian reasons, to emancipate relatives or protect them. There was a great decline in the ownership of slaves by free Negroes, from a high point in 1830 of 191 free Negroes owning 620 slaves to the virtual disappearance in 1860 of free Negro ownership of slaves. Some of the most refreshing pages in this book deal with the success of certain Negroes of extraordinary energy and shrewdness, such as John Chavis who had an incredible school in Raleigh for white children of aristocratic families, Louis Sheridan, the wealthy merchant, and John Stanley, the barber and plantation owner.

I believe that Dr. Franklin could have added strength to his admirable study by making a more extensive comparison of the treatment of the free Negro in the North with the tolerance he received in the slave states. The callous treatment of the Negro in the North, where there was not the palliation of the fear of a slave insurrection that existed in the South, is one of the remarkable ironies in race relations. Calhoun in his famous letter to Pakenham of April 18, 1844, pointed out this degraded condition in the free states, where the number of Negroes who were deaf and dumb, blind, idiots, insane, paupers, and in prison was one in six, while in the slave states the ratio was only one out of every one hundred and fifty-four. I wish also that Dr. Franklin had extended his researches to include more of the social history of the free Negro, including such subjects as superstition, humor, music, and especially the modifications of the white man's religion made by free and slave Negroes. As far as his study goes, Dr. Franklin has done an excellent job. Extremely cautious in generalizing where his evidence is inadequate, he has produced a work so carefully done that it is relatively free from errors. Professional historians will feel greater confidence in his conclusions because of his skillful use of source materials and because he has absorbed much of the realistic and critical point of view of his Harvard teacher, Professor Arthur M. Schlesinger.

CLEMENT EATON.

RHINELANDERS ON THE YADKIN: THE STORY OF THE PENNSYLVANIA GERMANS IN ROWAN AND CABARRUS. By Carl Hammer, Jr. (Salisbury, N. C.: The Rowan Printing Company. 1943. Pp. 130. \$3.00.)

Having recovered from the terrible devastation of the Thirty Years War, the Rhineland of Germany underwent new terrors when Louis XIV of France cast his eyes toward the fertile and pleasant Rhine country and saw there a site which his enemies could use as a granary and base of attack against him. Small wonder, then, that the troubles caused by this new scourge, coupled with the War of the Spanish Succession, the religious persecutions and oppression by tyrants at home, and the glorious descriptions of the New World, led thousands of Germans—especially those of the Rhenish Palatinate—to emigrate to America and settle there—most of them in Pennsylvania.

From Pennsylvania the *Deutsch*, later to be called “Dutch,” spread out, some reaching the central part of North Carolina, where they found the rolling country of southeastern Rowan County and adjoining Cabarrus County pleasing, both for its fertility and the many scenes which recalled the homeland, over 3,000 miles away. It is these settlers who form the subject of this interesting book.

The newcomers quickly took root and by 1775 were playing a prominent part in the political and social life of the counties. They learned English quickly, Anglicized their names, and soon were at one with their neighbors. (Dr. Hammer reports that one old man named Klein had great-grandchildren who signed themselves Klein, Kline, Cline, Small, Little, and Short.)

There was one thing, however, which remained German. It was, of course, the church—Lutheran or Reformed—around which the life of the immigrants as a group was centered. The Lutherans built three churches which are the “mother churches” of the Lutherans in that part of the state: Old Organ, southeast of Salisbury; St. John’s in Salisbury; and St. John’s in Cabarrus, three miles west of Mt. Pleasant. The German Reformed congregations also built three famous churches: Pilgrim and Beck’s churches in Davidson County, and Lowerstone in Rowan. It was in these buildings that such powerful ministers as Nuessmann, Storch, Henkel, Suther, and Boger preached.

Farm life of the German-Americans was a mixture of work and play. Blessed with prosperity, they were able to carry on some of the pleasant and interesting customs to which they had been accustomed in Germany.

Dr. Hammer, a member of the department of German of Vanderbilt University, in his volume gives an informative and well written account of all aspects of the life of the people. His work evidences much patient and sympathetic research. The smoothly flowing manner in which it is written makes for pleasant reading. Enlivening it are occasional touches.

Unfortunately the book lacks a complete bibliography in one unit, publication details are given only in the footnotes. To be greatly deplored is the lack of an index, which, for a work like this one, is almost a *sine qua non*. The reviewer overlooked it.

ROY E. LEAKE, JR.

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THE LIFE OF JOHNNY REB: THE COMMON SOLDIER OF THE CONFEDERACY.  
By Bell Irvin Wiley. (Indianapolis: The Bobbs-Merrill Company. 1943.  
Pp. 444. \$3.75.)

The common soldier of the Confederacy has often been glorified by Southern orators and patriotic groups. Anecdotes of his feats have been told and retold around country store, in the pulpit, on the hustings, and by the fireside. But strangely enough until this year there was no reputable history of Johnny Reb. This fact alone would justify Mr. Wiley's study. More important, however, is the fact that he has done a thorough and scholarly job and he has done it in an attractive manner.

Professor Wiley's story is based on original sources, mainly letters, diaries, and reminiscences of the Confederate soldiers. He has also examined muster rolls, general orders, official correspondence, court martial procedures, newspapers, periodicals, and secondary accounts. The reviewer was very much impressed by the thoroughness of the search.

The author has succeeded in producing more than a scholarly work: it is readable. Here the common soldier really lives, often through his own words. It is an intimate picture of fighting men who were not often heroes or cowards, but always human beings. They were indefatigable letter writers. There was no censorship; and so they wrote freely about the war and their experiences. Many were illiterate, but their illiteracy did not prevent their conveying their thoughts in a most effective manner. One private, for instance, wrote his wife that the Yankees were "thicker than lise on a hen and a dam site ornraier!" (p. 205).

Johnny Reb, according to the author, entered the war with great enthusiasm, impatient to get into the thick of the fight. Later, when he found that war was not just a matter of battles, his ardor waned. Before the war was over, he was thoroughly sick of the struggle and wanted to go home. Some common soldiers deliberately sought small wounds as means of obtaining release from the army. Others deserted. A considerable number, however, felt as a private who at the time of Lee's surrender told General Grimes, "God bless you, we will go home, make three more crops, and try them again!" (p. 149).

Professor Wiley treats many phases of Johnny Reb's army life—his morals, religion, morale, diversions, equipment, clothes, food, discipline, punishment, and love affairs. He found that the private complained constantly but usually adjusted himself to his inconveniences. The food was scarce and poorly prepared by untrained soldiers themselves. The author suggests that the great amount of sickness in the army was due mainly to this unwholesome food. He also makes a point of the fact that the shortage of clothes disastrously reduced the number of effectives on many battlefields.

Little organized propaganda was used to keep up the fighting spirit. Few common soldiers, however, have been more bitter towards their foe than Johnny Reb. One wrote his wife: "Teach my children to hate them [Federals] with that bitter hatred that will never permit them to meet under any circumstances without seeking to destroy each other" (p. 309).

These soldiers, according to Mr. Wiley, were not fighting for states' rights or slavery; the former they did not understand, and the latter did not directly affect many in the army. Instead, Johnny Reb was primarily concerned over white supremacy. He was also influenced in his hostility by his dislike for the "Yankee," who to him was a thief, a crude, vulgar, deceitful, and tricky invader. He even looked upon the Northern soldier as a coward who only fought bravely when he was intoxicated. One private of the South accused the "Yankees" of being unchivalrous since they concentrated their men where the Confederates were weakest.

The Johnny Reb whom Mr. Wiley portrays was a very human American—not well educated, quite prejudiced, a soldier who hated discipline, but whose "achievement against great odds in scores of desperate battles through four years of war is an

irrefutable evidence of his prowess and an eternal monument to his greatness as a fighting man" (p. 347).

The book has the notes at the back, a critical bibliography, a satisfactory index, and some excellent illustrations and pictures. The minor inconsistencies in the notes and the few typographical errors are not sufficiently serious to mention.

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LETTERS OF GENERAL J. E. B. STUART TO HIS WIFE, 1861. Edited by Bingham Duncan. Emory University Publications, Sources and Reprints, Series I. (Atlanta: The Emory University Library. 1943. Pp. 7, 30. \$0.50.)

One of the stronger institutions of learning in the South is Emory University. Conservatively progressive, Emory has of recent years been part of a movement to make Atlanta more of a cultural and educational center, in which she has been joined by Agnes Scott College and the Georgia System. It is gratifying to observe, therefore, that Emory has appreciated the importance of collecting and preserving the literary and historical records of her state and section without which graduate students and faculty in the social sciences would be bereft of essential tools. It is especially good to see that Emory is ready to share the treasures of her library with scholars and the interested public through the publication of selected manuscript materials.

The first publication in the present series is well printed and carefully edited. Presumably it contains all the Stuart letters in the Emory collection, though this is not definitely stated. If the letters are not of striking importance they are nevertheless of great interest. Jeb Stuart letters have never been plentiful. Here we have thirteen letters to his wife within the period of May 9—December 29, 1861, at the very beginning of a critical period which was to see the young cavalry leader become one of the most romantic and dashing heroes of the Confederacy. The letters reveal his genuine affection for his wife and family and his distress when his father-in-law and his wife's brother retained their commissions in the United States Army. They reveal also some of the trials of an army officer, the petty jealousies, the apparent indecisions of the War Department, and the real tragedies of Mars' bloody fields. A more intimate glimpse is had when we find Stuart assuring "Dear Flora" that he still retains

his flowing beard, or concerned about Christmas presents for the children, or advising his wife how to behave towards "Mrs. G. W."

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MONETARY AND BANKING THEORIES OF JACKSONIAN DEMOCRACY. By Sister M. Grace Madeleine. (Philadelphia: The Dolphin Press. 1943. Pp. vii, 186.)

Probably no nation's past furnishes the student of money and banking with richer and more provocative materials for study than does the history of the United States. Circumstances forced the colonies to use a great variety of media of exchange, some of them makeshift and—from the point of view of conservative English merchants—very unsound. Barter, bills of credit, commodity money, bills of exchange, and coin were all used at one time or another, each colony having its own local valuations for specie and its own issues of paper currency. The efforts of the mother country to remedy the confusing money situation aroused widespread colonial hostility and contributed no little to the complex of causes which precipitated the Revolution. The unorthodox monetary upbringing of the colonies naturally led to later heresies of such stubbornness that they survived more than one figurative auto-a-fe.

Although Sister Madeleine may well have been tempted to draw on the instructive American colonial experience as background for her *Monetary and Banking Theories of Jacksonian Democracy*, she has with good justification chosen to begin her monograph with the drafting of the Federal Constitution. The book is in fact an illuminating survey of American banking and monetary thought and experience from Alexander Hamilton down to the Civil War but with major emphasis on the somewhat indefinite period indicated by the phrase, "Jacksonian Democracy." The author has made judicious use of the standard secondary works, and, more important, has shed much new light on the subject by going to and digesting a large body of primary source materials. The seven chapters of the book present contrary theories respecting a national bank, decentralized banking, and independent treasury system, "Free Banking," and money. In addition to the more or less familiar ideas formulated on these problems by leaders such as Hamilton, Jefferson, Clay,

Jackson, and Biddle, the reader is introduced to the monetary and banking theories of William M. Gouge, Condy Raguet, and other more obscure writers of the period.

The dramatic clash between President Jackson and the Second Bank of the United States seems the necessary denouement after reading the author's analysis of state bank history during the 1820's, a time during which "the question of a national bank had become intricately interwoven with the all-pervading political issues of State sovereignty, constitutional interpretation, scope of judicial authority, and relief measures." (p. 34). Jackson's ideas on money and banking, however they may be rated by the economist, were in harmony with a large body of opinion which welcomed his dynamic leadership in a war on any concentration of money power. The impact of his philosophy on the existing situation facilitated a phenomenal increase in state banks and state bank currencies, encouraged speculation, and helped to prepare the way for years of complete chaos in American money and banking practices. The reviewer is reminded of Joseph G. Baldwin's ironic description of developments in the Lower South during this period as being "the era of the second great experiment of independence: the experiment, namely of credit without capital, and enterprise without honesty. The Age of Brass has succeeded the Arcadian period when men got rich by saving a part of their earnings, and lived at their own cost and in ignorance of the new plan of making fortunes on the profits of what they owed."<sup>1</sup>

After years of ideological and political conflict, the Sub-Treasury System was finally established in 1846, an event which signaled the temporary abandonment by the federal government of any control over currency and banking. The states in the meantime tried out a number of plans to safeguard bank notes against depreciation and still other schemes were plausibly outlined but failed of adoption. The conclusion to a long and controversial chapter in American monetary history was at last written during the Civil War with the enactment of the national banking legislation which eliminated state bank currency.

*Monetary and Banking Theories of Jacksonian Democracy* is well-written, carefully documented, and historically objective. While it can be read with profit by all who are interested in American economic history, it is especially recommended to

<sup>1</sup> Joseph G. Baldwin, *The Flush Times of Alabama and Mississippi* (New York, 1853), p. 81.

those theorists who are prone to forget that "the principles of money have been discovered largely in the laboratory of history and are constantly being tested by practical experience."<sup>2</sup>

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NORTH CAROLINA: THE OLD NORTH STATE AND THE NEW. By Archibald Henderson. (Chicago: The Lewis Publishing Company. 1941. Volume I, pp. xvii, 654. Volume II, pp. 833. \$14.00.)

The author of this latest two-volume history of North Carolina is a mathematician by profession and an historian by inclination. Professor Archibald Henderson of the University of North Carolina is well known to the historical guild for his numerous articles and monographs dealing with various phases of local history and tradition. This treatment of the entire course of North Carolina history from Sir Walter Raleigh to Kay Kyser is, according to the author, "the culmination of studies in North Carolina and national history covering more than thirty years."

In the foreword, the reader is assured that this history is not written to please North Carolinians. The author proposes to hew to the line and let the chips fall where they may. Yet the results are certainly not disparaging to the Old North State—or to the New. The story which Professor Henderson tells is one of great accomplishment by a sturdy and resourceful people. North Carolina has given to the nation a long list of famous names—James K. Polk, Thomas Hart Benton, Andrew Johnson, Walter Hines Page, William S. Porter (O. Henry), William C. DeMille, Thomas Wolfe, and others too numerous to mention. But more important is the record of the struggle to develop the natural resources of the state, to banish ignorance, and to provide for the well being of the people—white and Colored.

A significant feature of the work is the very positive stand which the author takes on several controversial questions. He is quite certain, contrary to the findings of Marquis James and other recent biographers of Andrew Jackson, that "Old Hickory" was born in North Carolina and not in South Carolina. Again he runs counter to the conclusion of William Henry Hoyt and, in fact, to that of most professional historians who have investigated the subject, in asserting that there was a real

<sup>2</sup> From Foreword by Prof. E. W. Kemmerer to Richard A. Lester, *Monetary Experiments* (Princeton, N. J., 1939).

“Mecklenburg Declaration of Independence”—a document drawn up on May 20, 1775, in addition to the set of Mecklenburg Resolves of May 31, 1775, certified by the Secretary of the Convention as being derived from the records of the Mecklenburg Committee of Safety” (II, 759). This “Davie Copy” the author located in the Southern Collection at the library of the University of North Carolina and identified to his own satisfaction as authentic.

One of the major reasons which Professor Henderson gives for undertaking a general history of North Carolina is his desire to remedy what he considers to have been the “unpardonable sin of omission” on the part of other historians of North Carolina in leaving untold the story of the cultural growth and development of the people of the state. He accordingly devotes more than a dozen chapters in the two volumes to social and cultural history. Unquestionably he has brought together in these chapters much interesting material. His inference, however, that other recent historians of the state, such as Professors Connor, Hamilton, Newsome, and Lefler, and the late Professor Boyd, have neglected the field of cultural history would not seem to be borne out by the facts. In his survey of North Carolina historiography Professor Henderson refers to Guion Griffis Johnson’s *Ante-Bellum North Carolina—A Social History* (1937) as an “amazingly informative volume, a huge respository of data gathered from every conceivable source.” This is evidently an exception to his blanket charge that the cultural history of the state had been neglected. (Foreword, p. vi).

The volumes have an adequate index and contain a goodly number of illustrations, photographs, and facsimile reproductions of documents, title pages of early books, newspapers, and other items of interest. There are, however, neither footnotes nor bibliography. Indeed, the author is quite scornful of the use of footnotes—“the perennial curse of the history written for the historian . . . the swarm of numerical gnats which appear to have settled on the page.” The reasons given for the omission of a bibliography are that about one hundred pages would be required to list the sources consulted and that the reader with sufficient curiosity can look up the sources for himself. The historians, he adds, will certainly want to do that anyhow. The work would, nevertheless, be of greater use to historians if the text had been documented and if it had contained at least a selected bibliography.

But, clearly, Professor Henderson has not written primarily for the historians. He has written for the general reading public. His stated objective was the writing of "an absorbingly interesting story of the evolving genius of a people, from the pioneer and crude stage of 1584 to the enlightened civilization of today." In the main, the volumes are interestingly written. The author tells best those stories with which he is most familiar. The narratives of the War of the Regulation and of the Trans-Appalachian Expansion, for example, are superior to some of the later chapters which tend to become collections of factual material with relatively little interpretation. Critical readers may well disagree with some of Professor Henderson's conclusions but most will likely recognize that his work of nearly fifteen hundred pages contains an imposing array of North Carolinians, some of which is not readily available elsewhere.

W. A. MABRY.

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## HISTORICAL NEWS

Under authority of an act passed in 1943, Governor Broughton in April appointed a commission to preserve the Andrew Johnson birthplace in Raleigh. The first meeting of the commission was held on April 21.

At the request of the State Department of Archives and History, Governor Broughton on May 24 wrote to request the head of each state department, institution, or agency to name a member of his staff so serve as records administrator to cooperate with the Department of Archives and History in the solution of problems involving the handling, disposal, and preservation of official records. In most cases the response was favorable, and on June 15 a meeting of the records administrators was held in the offices of the Department of Archives and History, when Governor Broughton emphasized the importance of the program; Dr. R. D. W. Connor, chairman of the Department, told how such problems are met by the United States government; and Dr. Christopher Crittenden and Mr. D. L. Corbitt of the Department's staff explained how the Department will cooperate with other state agencies in (1) the preservation of valuable non-current records, (2) the disposal of useless non-current records, and (3) the solution of problems involving current records. Since the meeting a number of requests for service in this field have been met.

The North Carolina General Assembly early in 1943 passed a bill authorizing the governor to appoint a commission to preserve the house in Statesville in which Governor Zebulon B. Vance made his home for a short time in the spring of 1865. In June Governor Broughton appointed the commission, with Senator Hugh B. Mitchell of Statesville as chairman. During the summer the group held three meetings and launched a campaign to raise \$25,000.

A legislative act, 1943, authorized the governor to appoint a commission to erect a memorial to the three North Carolina Presidents of the United States, Andrew Jackson, James Knox Polk, and Andrew Johnson. In June Governor Broughton appointed the commission and the first meeting was held on July 27.

Collectors of war records have been appointed for ninety-seven of the state's one hundred counties. In addition, one hundred twenty-two assistant collectors have been named. To date an estimated total of 37,550 war record items has been collected, including soldiers' letters, press releases, posters, pictures, newspapers, and museum items.

On August 18 a one-day school for collectors of war records was held in Chapel Hill, sponsored by the Office of Civilian Defense, the State Department of Archives and History, and the Institute of Government. In spite of travel difficulties, no less than seventy persons were present from all parts of the state. Leading the discussion were Mr. R. L. McMillan, state Director of Civilian Defense; Dr. R. D. W. Connor, chairman of the State Department of Archives and History; Professor Phillips Russell, president of the North Carolina Society of County Historians; Miss Pauline Hill of the State Library; and Dr. Christopher Crittenden, Mr. D. L. Corbitt, Miss Charlie Huss, and Mrs. Ellen M. Rollins of the State Department of Archives and History. It was felt that the meeting was stimulating and informative to all present.

Mr. Wilfred B. Yearns, A. B. Duke University, M. A. University of Georgia, and recently a graduate student at the University of North Carolina, has been made an instructor at North Carolina State College to give courses in connection with the Army Specialized Training Program.

At North Carolina State College the Army Specialized Training Program, which went into effect on August 9, has resulted in a large expansion of the work of the history department. This expansion is in addition to that which occurred in connection with the Army Air Corps Training Program, beginning last March 1.

Dr. John Hope Franklin, formerly a member of the faculty of St. Augustine's College, Raleigh, has joined the faculty of the North Carolina College for Negroes in Durham.

Miss Nettie S. Herndon, who taught history and economics at Meredith College from 1926 to 1937 and who was a graduate student at Duke University from the latter date until recently, is now assistant professor of economics at Alabama College, Montevallo, Alabama.

Miss Nell Hines has been a member of the staff of the State Department of Archives and History since July. A native of South Carolina, Miss Hines is a graduate of Winthrop College, received a master of arts degree in history from Columbia University, and has completed much of her work for the doctorate in history at the University of North Carolina. She is assisting in the program of collecting war records.

Professor Loren C. MacKinney of the University of North Carolina, with the assistance of the library staff and the department of Romance languages, is preparing a list of fotofacsimiles (photocopies and films) at the University of North Carolina. Of special importance are the copies of European manuscripts, the originals of which may have been destroyed or may be inaccessible for years to come. Among the outstanding materials already listed are copies purchased for individual research projects by grants from the University's Smith Fund; films of medieval manuscript sources concerning alchemy; and the holdings of University alumni, even though the holdings are not now at Chapel Hill. Any alumni or friends of the University possessing fotofacsimiles of rare books or manuscripts are asked to communicate with Dr. MacKinney.

Mr. Earl Pomeroy of the University of North Carolina has published "Mercantilist Aims and British Expansion in the Lesser Antilles, 1713-1730," *The Historian*, spring 1943; and "The Visit of the Russian Fleet in 1863," *New York History*, October, 1943.

Books received include: Mary Patterson Clarke, *Parliamentary Privilege in the American Colonies*. Yale Historical Publications, Miscellany, volume XLIV (New Haven: Yale University Press. 1943); George W. Bagby, *The Old Virginia Gentleman and Other Sketches* (Richmond: The Dietz Press. 1943); Maude King Murphy, *Edgar Gardner Murphy* (New York: published for the author. 1943); Curtis Wiswell Garrison, *The United States, 1865-1900: A Survey of Current Literature with Abstracts of Unpublished Dissertations*, volume I, September, 1941-August, 1942 (Fremont, Ohio: The Rutherford B. Hayes-Lucy Webb Hayes Foundation. 1943); Hunter Dickinson Farish, editor, *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion* (Williamsburg, Va.; Colonial Williamsburg, Incorporated. 1943); Matthew

Page Andrews, *The Soul of a Nation: The Founding of Virginia and the Projection of New England* (New York: Charles Scribner's Sons. 1943); Robert Douthat Meade, *Judah P. Benjamin: Confederate Statesman* (New York: Oxford University Press. 1943); Arva Colbert Floyd, editor, *The Diary of a Voyage to China, 1859-1860*, by Young J. Allen (Atlanta: Emory University. 1943); Sarah Jones Tucker, compiler, *Indian Villages of the Illinois Country*, volume II, Scientific Papers, Illinois State Museum, part I, Atlas (Springfield, Illinois. 1942); and Richard Barry, *Mr. Rutledge of South Carolina* (New York: Duell, Sloan and Pearce. 1943).

Recent accessions of the State Department of Archives and History include seventeen photocopies of maps of North Carolina and adjacent regions, 1647-1844; the personal letters of William Bailey Clement, Confederate officer, 1858-1868; records of the North Carolina Press Association, 1942-1943; miscellaneous business papers of John R. Huss of Gastonia, 1860-1900; a typescript list of births and deaths recorded in the *Greensboro Patriot*, 1826-1899; the John Alexander Robeson collection, 1734-1941, including Revolutionary materials and genealogical data; and nine scrapbooks from the American Legion Auxilary, Raleigh.

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