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## THE PLANK ROAD MOVEMENT IN NORTH CAROLINA

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### PART I

North Carolina was considered a backward state during the nineteenth century, and was often referred to as "Old Rip." A noted traveler and engineer, Frederick Law Olmsted,<sup>1</sup> visited the slave states in 1853 and wrote:

North Carolina has a proverbial reputation for the ignorance and torpidity of her people; being, in this respect, at the head of the Slave States. I do not find the reason of this in any innate quality of the popular mind; but, rather, in the circumstances under which it finds its development.<sup>2</sup>

One of the "circumstances" which was a great handicap was the lack of adequate transportation facilities for moving native products to local and foreign markets. Although railroads had been constructed from Wilmington to Weldon and from Raleigh to Gaston, farmers and towns not served directly by a railroad suffered a great disadvantage in competition with those beside the "road of iron." As Olmsted traveled from Raleigh to Fayetteville, he observed "three thousand barrels of an article worth a dollar and a half a barrel in New York, thrown away, a mere heap of useless offal, because it would cost more to transport it than it would be worth."<sup>3</sup> This traveler told of a gentleman in

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<sup>1</sup> Frederick Law Olmsted was born, April 26, 1822, at Hartford, Connecticut. He was a student at Yale, was trained in engineering by a private teacher, and was an extensive traveler in New England, in Europe, and through the seaboard slave states. He was an employee of Benkard & Hutton (New York dry-goods importers), a traveling correspondent for *The New York Times*, a seaman, a farmer, an editor, a publisher, an author, a landscape architect, and general secretary of the United States Sanitary Commission during the Civil War. His pioneer landscape architecture was Central Park in New York City, followed by Prospect Park in Brooklyn, and the system of public parks and parkways of Boston, the grounds of the United States Capitol, the Biltmore Estate in North Carolina, and the grouping of the buildings for the first Chicago World's Fair.

<sup>2</sup> Olmsted, Frederick Law, *A Journey in the Seaboard Slave States*, p. 366.

<sup>3</sup> Olmsted, *Journey*, p. 330.

the vicinity of Raleigh who sold his wheat for \$1.20 per bushel. At the same time, as a result of inadequate means of transportation, forty miles from Raleigh wheat was selling for 60 cents per bushel.<sup>4</sup> Throughout the State muddy unimproved roads were a barrier to social, educational, and economic progress.

In a message to the legislature, November 21, 1848, Governor Graham stressed the "indispensible necessity of improving our Public Roads" when he said:

In surveying our territory, with an eye to the present interest and wants of the people, I am more than ever impressed with our destitution of facilities for cheap and speedy transportation. In this regard, however unpleasant may be the admission, I am forced to the conviction, that we labor under greater disadvantages than any State in the Union. And we never can be equal competitors with their citizens in our Agriculture, the predominant pursuit among us, until these disadvantages are in a great degree overcome. The man who is obliged to transport in waggons over no better roads than ours, a distance varying from sixty to two hundred and fifty miles, at the speed of twenty-five miles per day, can no more contend for profits with him who has the advantage of Railroads or good navigation, than can the Spinning Wheel with the Cotton Mill.<sup>5</sup>

The North Carolina plank roads were born of this great need for a cheap and improved system of transportation.

In his message to the legislature, November 27, 1848, Governor Graham asked that the counties be vested with power to alter and improve roads and "to make Plank Roads where necessary and practicable." He suggested that the legislature investigate the "recent improvement of the Plank Road," "the simplicity of their construction, the convenience and cheapness" of timber, and the adaptability of this new road idea for use through the "sand and swamp of the lower, and the clay soil of the upper country."<sup>6</sup>

Prior to North Carolina's plank road venture, there had been no real state effort to improve roads. Governor Graham said that the "bad condition of our public roads" had long been the "subject of general, and I apprehend, just reproach to the State." In his words, "these daily haunts of trade and travel"

<sup>4</sup> *Ibid.*, pp. 363-364.

<sup>5</sup> *Journals of the Senate and House of Commons, 1848-49*, p. 375. Hereafter cited as *House Journal* or *Senate Journal*.

<sup>6</sup> *House Journal, 1848-49*, p. 380.

had been allotted "too little space" in the State's "schemes of Improvement." He told the legislature in 1848 that "Our method of maintaining the public highways" had made no advance "beyond that existing in England, in the time of Phillip and Mary."<sup>7</sup> Roads were little more than routes; and there was an almost complete reliance upon nature for a roadbed. The "Collegiate Court of each county, made up of the justices of the peace," was charged with the "Administration of all road building activities of the community." The labor tax method was used for building and maintaining the roads. As no resource other than the labor of the road hands and the right to cut timber and take dirt from adjoining land was placed at the disposal of the overseer, very little improvement in roads was possible.<sup>8</sup>

The terrible condition out of which the plank road movement arose in North Carolina is told in the words of Olmsted. He said concerning the stage road over which he traveled when he came into the State that it was "as bad as anything, under the name of road, can be conceived to be."<sup>9</sup>

Fayetteville, an important market town situated near the falls of the Cape Fear River, led the plank road movement. The business men of that city dreamed of a day when great arteries of commerce would bring farm produce from various sections of the State. Prior to 1840 they had anticipated a railroad; but in that year Governor Dudley announced its failure. Books had been opened to obtain the prerequisite public subscriptions for the Fayetteville and Western Railroad Company to receive the State's subscription and to organize. The "poverty of the country through which the greater part of the road would pass, and the depression of the monetary affairs of the country" was Governor Dudley's explanation of the reason why the total public subscription was less than required by the State.<sup>10</sup>

Since the railroad had failed, Governor Morehead concluded a road to be the next best means of providing adequate transportation facilities between Fayetteville and the counties of western North Carolina. In 1842 he recommended that a charter be granted for the construction of such a road.<sup>11</sup> This recommen-

<sup>7</sup> *Ibid.*, 1846-47, p. 272; 1848-49, pp. 379, 380.

<sup>8</sup> Swaim, Benjamin, *The North Carolina Road Law, passim*; Brown, C. K., *The State Highway System in North Carolina*, pp. 6, 7.

<sup>9</sup> Olmsted, *Journey*, p. 311.

<sup>10</sup> *House Journal*, 1840-41, p. 340.

<sup>11</sup> *Ibid.*, 1842-43, p. 411.

dation was repeated in 1844 when he suggested "surveys and estimates."<sup>12</sup> The legislature passed a law providing for surveys "from Raleigh and Fayetteville, west, to the Georgia line."<sup>13</sup> The latter survey was adopted as the general route for the pioneer southern plank road which extended from Fayetteville to the Yadkin River valley.

Professor Elisha Mitchell of the University of North Carolina made the surveys and reported on the advantages of the two roads and the suitability of materials for construction. He doubted the legislature's willingness to build a real road: "A macadamized or Rock Turnpike cannot be constructed at any expense which the Legislature would be willing to incur, or which would be in the means of a chartered company; if for no other reason, from a deficiency of proper materials, through long distances." He suggested that the road from Fayetteville "should take the shortest route to Salisbury." He thought that a turnpike would turn the produce from South Carolina toward eastern markets in North Carolina. Nevertheless, the sandy roads near Fayetteville would probably be made worse, for "to throw this up in turnpike fashion, would do nothing but mischief — rendering the sand deeper than it was before." He recommended "those few improvements" through the sand area "which the constitution of the surface admits," and a turnpike on to Salisbury.<sup>14</sup> Following Professor Mitchell's report, Governor Graham's suggestion that plank roads be considered was included in the latter's message to the legislature, November 21, 1848.<sup>15</sup>

The "plank idea" was new when, in 1849, North Carolina chartered a plank road to be built along the course of Mitchell's survey. These roads had been introduced first in Canada in 1836 as an experiment.<sup>16</sup> Immediately following the construction of the first Canadian road, one was built in New York. By 1852 that state had invested \$3,860,298 in 2,106 miles, at an average cost of \$1,833 per mile. Roads constructed along much traveled routes between important towns reported "handsome" dividends. The Troy and Lansingburgh Road paid ten per cent semi-annual-

<sup>12</sup> *Ibid.*, 1844-45, pp. 416, 418.

<sup>13</sup> *Laws of North Carolina*, 1844-45, Chap. 72.

<sup>14</sup> Mitchell, Elisha, *Report to Governor Graham* (1846), p. 16.

<sup>15</sup> *House Journal*, 1848-49, p. 380.

<sup>16</sup> Gillespie, W. M., *A Manual of the Principles and Practices of Road Making*, p. 230.

ly; and the Utica and Burlington Road paid twenty per cent annually.<sup>17</sup>

The plank road movement was a popular topic of conversation, for the people of North Carolina saw in it a possibility of relief from their bondage of sand and mud. One month following Governor Graham's inaugural message, on December 22, 1848, James C. Dobbin, representative in the House of Commons for Cumberland County, introduced a bill to charter the Fayetteville and Western Plank Road Company.<sup>18</sup> The bill passed its third reading in the Senate, January 25, and was ratified on January 27, 1849.<sup>19</sup> Having failed in the effort to secure a railroad to the west, Fayetteville initiated a plank road movement as a substitute.

The citizens of Wilmington thought that these improved roads would be beneficial as "feeders" for the railroad from that city to Weldon, and followed Fayetteville's lead by planning several plank roads. Thus the Wilmington and Masonboro Plank Road Company and the Wilmington and Walker's Ferry Plank Road Company were chartered before the adjournment of the 1848-49 session of the North Carolina legislature.<sup>20</sup>

Interest in the plank road as an internal improvement movement had grown much before the opening of the 1850-51 session. Wilmington and Fayetteville had been the only towns to seek charters in 1848-49. During the 1850-51 session sixteen plank road companies were chartered,<sup>21</sup> and five additional acts were passed amending and regulating the activities of the companies. The towns mentioned in these sixteen charters were scattered across the State from Top Sail Sound on the Atlantic coast to Asheville in the mountains.

The spirit of the people which brought about the large increase in applications for charters can be understood by tracing

<sup>17</sup> *DeBow's Review*, XII (1852), 98.

<sup>18</sup> *House Journal*, 1848-49, p. 531.

<sup>19</sup> *Laws of N. C.*, 1848-49, Chap. 89.

<sup>20</sup> *Ibid.*, 1848-49, Chap. 213, 214.

<sup>21</sup> *Ibid.*, 1850-51, Chap. 133-153. The sixteen companies were: Western Plank Road Company (Jan. 28, 1851); Fayetteville and Warsaw Plank Road Company (Jan. 28, 1851); Raleigh and Summerville Plank Road Company (Jan. 27, 1851); Wilmington and Top Sail Sound Plank Road Company (Jan. 28, 1851); Fayetteville and Northern Plank Road Company (Jan. 28, 1851); Greenville and Raleigh Plank Road Company (Dec. 23, 1850); Concord and Taylorsville Plank Road Company (Jan. 28, 1851); Anson Plank Road Company (Jan. 28, 1851); Salisbury and Taylorsville Plank Road Company (Jan. 28, 1851); Fayetteville and Centre Plank Road Company (Dec. 28, 1850); Granville Plank Road Company (Jan. 27, 1851); Asheville and Greenville Plank Road Company (Jan. 15, 1851); Roanoke and Tar River Plank Road Company (Jan. 28, 1851); Fayetteville and Southern Plank Road Company (Dec. 28, 1850); Garysburg and Occoneechee Plank Road Company (Jan. 27, 1851); Charlotte and Taylorsville Plank Road Company (Jan. 28, 1851).

the movement in one section. Tarboro was a typical center. On October 23, 1852, the following article was printed in the Tarboro paper, *The Southerner*:

If other parts of the country improve their ways, and we do not, the life of business and enterprise will forsake our region for those more favored—and property must decline instead of advancing. As yet the game is in our hands—say, shall we win or lose?<sup>22</sup>

In the same edition of *The Southerner*, a mass meeting was announced:

#### PLANK ROADS

We have been requested to notify the citizens of Edgecombe that a mass meeting will be held in the Court House on Saturday, November 6th, to take into consideration the propriety of building a plank road from this place to Rocky Mount. A full attendance is desired.<sup>23</sup>

John S. Dancy was called to the chair when the citizens assembled in the Tarboro courthouse, on November 6. After three speakers had discussed the question of plank roads, committees were appointed to seek charters for the construction of roads from Tarboro to Rocky Mount, to Enfield, and to Joyner's Depot, and to "ascertain the amount of subscription that can be obtained for a Plank Road along the several routes proposed."<sup>24</sup>

On December 18, 1852, a long editorial in *The Southerner* discussed the advantages of the proposed roads.<sup>25</sup> Nevertheless, the mass enthusiasm seems to have subsided following the mass meetings. A January editorial extended a new challenge to the people: "We hear a great deal of talk about Plank Roads, but we see very few efforts making toward their construction in this vicinity."<sup>26</sup> The plank road spirit which flared in Tarboro in the fall of 1852 resulted in the chartering of three companies in December, the Tarborough and Endfield Plank Road Company, the Tarborough and Rocky Mount Plank Road Company, and the Washington and Tarboro' Plank Road Company.<sup>27</sup>

The general state-wide enthusiasm had grown so much that the legislature of 1852 passed thirty-nine plank road bills.

<sup>22</sup> *Southerner* (Tarboro), Oct. 23, 1852.

<sup>23</sup> *Loc. cit.*

<sup>24</sup> *Southerner* (Tarboro), Nov. 13, 1852.

<sup>25</sup> *Ibid.*, Dec. 18, 1852.

<sup>26</sup> *Ibid.*, Jan. 15, 1853.

<sup>27</sup> *Laws of N. C.*, 1852, Chap. 125, 126, 128.

Thirty-two<sup>28</sup> were charters, six were amendments, and one contained general regulations. The increase of interest was due in part to the popularity of the Fayetteville and Western Plank Road. Ninety-one miles had been completed, and a three and one-half per cent dividend had been paid.<sup>29</sup> Some of this enthusiasm, however, was a response to articles copied from out-of-state papers. A typical article was reprinted in a Fayetteville paper from a New York paper:

The success of nearly every plank road enterprise, financially, encourages the undertaking of others. The success is universal. We know of no plank road that does not pay a fair percentage, while very many are paying large dividends to stockholders. So superior are these roads for all the purposes of highways, that they are adopted by newly formed turnpike companies, while some of the old corporations are planking their tracks in compliance with public demand.<sup>30</sup>

Thirty-two charters for plank roads were granted by the legislature in 1854-55.<sup>31</sup> During this session seven amendments con-

<sup>28</sup> *Ibid.*, 1852, Chap. 92-130. Ashborough and Salisbury Plank Road Company (Dec. 25, 1852); Caswell Plank Road Company (Dec. 25, 1852); Chapel Hill and Durhamville Plank Road Company (Dec. 17, 1852); Charlotte, N. C., and Cheraw, S. C., Plank Road Company (Dec. 22, 1852); Concord and Anson Plank Road Company (Nov. 29, 1852); Chapel Hill and Raleigh Plank Road Company (Dec. 27, 1852); Duplin Plank Road Company (December 27, 1852); Fayetteville and Raleigh Plank Road Company (Dec. 17, 1852); Greensboro and Deep River Plank Road Company (Dec. 27, 1852); Gulf and Graham Plank Road Company (Nov. 20, 1852); Haywood and Chapel Hill Plank Road Company (Dec. 17, 1852); Haywood and Pitsboro Plank Road Company (Nov. 20, 1852); Haywood and Raleigh Plank Road Company (Dec. 27, 1852); Jacksonville and Trent River Plank Road Company (Dec. 27, 1852); Kingsbury and Locksville Plank Road Company (Dec. 27, 1852); Kinston and Snow Hill Plank Road Company (Dec. 27, 1852); Locksville and Hillsboro' Plank Road Company (Dec. 27, 1852); Lumberton and Cape Fear Plank Road Company (Dec. 18, 1852); Lumberton and Columbus Plank Road Company (Dec. 27, 1852); Neuse River and Snow Hill Plank Road Company (Dec. 27, 1852); North Carolina Steam Carriage and Plank Road Company (Dec. 25, 1852); Pedee Plank Road Company (Dec. 27, 1852); Robeson and Richmond Plank Road Company (Dec. 27, 1852); Rutherford and Cleveland Plank Road Company (Dec. 27, 1852); Salisbury, Mocksville and Wilkesboro' Plank Road Company (Dec. 22, 1852); Spartanburg and Rutherfordton Plank Road Company (Dec. 21, 1852); Swift Creek Plank Road Company (Dec. 27, 1852); Tarborough and Endfield Plank Road Company (Dec. 27, 1852); Tarboro' and Rocky Mount Plank Road Company (Dec. 27, 1852); Uharie and Yadkin Plank Road Company (Dec. 25, 1852); Winston and Wilkesboro' Plank Road Company, (Dec. 27, 1852); Washington and Tarboro' Plank Road Company (Dec. 25, 1852).

<sup>29</sup> *Third Annual Report of the Fayetteville and Western Plank Road Company*, April 1, 1852.

<sup>30</sup> *North Carolinian* (Fayetteville), May 15, 1852.

<sup>31</sup> *Laws of N. C.*, 1854-55, Chap. 51, 178-213, 299, 304. Mocksville and Wilkesborough Plank Road Company (Feb. 13, 1855); Salem and Clemmons Plank Road Company (Feb. 16, 1855); Greensborough and Martin's Lime Kiln Plank Road Company (Feb. 16, 1855); Greensborough, Madison and Virginia Plank Road Company (Feb. 10, 1855); Locksville and Cumberland Plank Road Company (Feb. 16, 1855); Snow Hill and Atlantic Plank Road Company (Feb. 14, 1855); Jacksonville and Trent River Plank Road Company (Feb. 14, 1855); Trenton and Hawlsville Plank Road Company (Feb. 13, 1855); Chapel Hill and Morrisville Plank Road, Tramroad and Turnpike Company (Feb. 3, 1855); Fair Bluff and Conwayborough Plank Road Company (Feb. 3, 1855); Pasquotank and Perquimans Plank Road and Turnpike Company (Feb. 14, 1855); Statesville and Wilkesboro' Plank Road Company (Feb. 13, 1855); Chatham and Randolph Plank Road Company (Feb. 14, 1855); Richlands and New River Plank Road Company (Feb. 12, 1855); Lenoir and Duplin Plank Road Company (Feb. 16, 1855); New River and Wilmington and Top Sail Sound Plank Road Company (Jan. 14, 1855); Iron Hill and Whiteville Plank Road Company (Feb. 16, 1855); Rocky Mount and Franklinton Plank Road Company (Feb. 16, 1855); Warrenton Plank Road Company (Feb. 14, 1855); Mineral Plank Road Company (Feb. 16, 1855); Rutherford and McDowell Plank Road and Turnpike Company (Feb. 14, 1855); Alexandrians

cerning former acts were passed. At this time the movement had reached its acme of popularity, and all sections of the State had been included in the proposed system of good roads. Almost all the towns and villages of the State were to be served directly by this internal improvement movement. In the 1856-57 and 1858-59 sessions of the legislature a total of seven acts amending charters were passed;<sup>32</sup> but there were no new charters. The 1860-61 session of the General Assembly chartered the last plank road company for North Carolina, authorizing the construction of a road from Dover to Trenton.<sup>33</sup> This was the eighty-fourth company chartered for the construction of plank highways in North Carolina. Plank road charters which had asked no aid of the State had been granted almost unanimously by the General Assembly. When state aid was an issue, however, debate was followed by a motion that the voting be recorded by roll call of "yea" and "nay" ballots.

The relative position of the Democrats and the Whigs toward state aid for internal improvement was shown when the Fayetteville and Western Plank Road Company's charter providing state aid passed the commons by the vote of 51 to 43, and the Senate by 22 to 19.<sup>34</sup> Forty-one Whig commoners supported and seven opposed the passage of the bill, while ten Democrats voted in the affirmative and thirty-six in the negative. In the Senate by 22 to 19.<sup>34</sup> Forty-one Whig commoners supported five Whigs and fourteen Democrats opposed it. In other words, eighty-two and six-tenths per cent of the Whigs and twenty-four and two-tenths per cent of the Democrats who voted favored the passage of this state-aid bill. The bill would not have passed had not some Democrats supported it; nor could it have passed "had not a large majority of the Whigs supported" it. The Whigs who opposed taxation for internal improvements were from "the extreme eastern and northeastern sections of the

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Plank Road Company (Feb. 14, 1855); Hillsboro' and Milton Plank Road Company (Feb. 14, 1855); Waccamaw and Shallotte Plank Road Company (Feb. 12, 1855); Chapel Hill and Durhamville Plank Road and Turnpike Company (Feb. 14, 1855); Raleigh and Cape Fear Plank Road Company (Feb. 14, 1855); Hillsboro' and Chapel Hill Plank Road Company (Feb. 10, 1855); Thomasville and Clemmonsville Plank Road Company (Feb. 14, 1855); Alamance and Caswell Plank Road Company (Feb. 13, 1855); Hamilton and Enfield Plank Road Company (Feb. 16, 1855); Salem, Winston and Virginia Turnpike and Plank Road Company (Feb. 16, 1855); Randolph and Thomasville Turnpike or Plank Road Company (Feb. 14, 1855).

<sup>32</sup> *Laws of N. C.*, 1856-57, Chap. 62-65; 1858-59, Chap. 157-159.

<sup>33</sup> *Ibid.*, 1860-61, Chap. 185.

<sup>34</sup> *House Journal*, 1848-49, p. 752; *Senate Journal*, 1848-49, p. 284.

state, and were disgruntled because they could get no aid for improving the waterways in their sections." At this time only the progressive Democrats supported bills proposing the expenditure of state funds for improvements.<sup>35</sup>

The plank road charters were similar, almost identical, concerning organization and regulation. Certain local conditions caused variations in the charters, and special sections were added for the companies receiving state aid. A charter provided first for the incorporation and organization, for the election of officials, and for the administration of the company. Then the privileges and powers of the company and its officials were stated. It was the practice of the authors of the plank road bills to conclude the charters with detailed specifications concerning the construction and operation of the roads.<sup>36</sup>

Section one of the charter named several men, from four to twenty-one in number, commissioners to open books for subscriptions along the proposed route. These commissioners were required to advertise the time and place for opening the books to secure funds for the construction of a road between terminals specified in the charter. The authorized capital ranged from \$10,000 to \$250,000; but a few charters left the amount to the discretion of the company officials, by giving permission for "obtaining subscription to a sufficient amount, in shares of twenty-five dollars each, to construct a plank road."<sup>37</sup> The total subscription required for a company to be declared incorporated varied from ten to twenty-five per cent of the maximum capital stock authorized. When the general bill was passed in 1855 for the chartering of plank road companies, twenty per cent was the amount specified for each before it would be declared incorporated.<sup>38</sup> When the commissioners received subscriptions, they collected one dollar for each share, and the "residue thereof shall be paid in such installments, and at such times as may be required by the President and directors of the Company."

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<sup>35</sup> Pegg, H. D., "The Whig Party in North Carolina," (a doctoral dissertation in the library of the University of North Carolina) pp. 175, 176.

<sup>36</sup> The study of plank road charters is based primarily upon three typical charters, the Fayetteville and Western (1849), the Concord and Taylorsville (1851), and the Locksville and Hillsboro' (1852). The variations, however, are taken from a study of all the charters granted for plank roads.

<sup>37</sup> *Laws of N. C.*, 1854-55, Chap. 202.

<sup>38</sup> *Ibid.*, Chap. 51.

Shares in some companies were \$25; in others, \$50; and in a few, \$100.<sup>39</sup>

When the amount required for incorporation had been subscribed, a meeting of the stockholders was to be called. The owners of a majority of the shares constituted a quorum. A president and several directors were to be elected annually by the stockholders. Though as many as nine directors were provided in many of the earlier charters, six was the number authorized in the general plank road bill of 1855.<sup>40</sup> By special provisions the presidents of a few companies were elected by the boards of directors from their membership.<sup>41</sup> All money collected by the commissioners was to be paid to the directors immediately after they were elected by the stockholders who attended the general meeting in person or by proxy.

The companies were incorporated under definite names and were recognized before the law with the privilege and power of owning property, of building roads, and "by said name, may sue and be sued; and may have a common seal." "All powers, rights, and privileges lawfully pertaining to other corporate bodies" were to be exercised "for the purpose mentioned in their acts of incorporation."

The president and directors were "invested with all the rights and powers necessary for the construction, repairs, and maintaining of a plank road." The president and three or more of the directors constituted "a board to do business." The board was responsible for transacting all business between general meetings, for appointing necessary officials and employees, for letting contracts for work, for locating the road, and for securing a right-of-way by friendly agreement, or by right of eminent domain when necessary. It was the board's duty to collect the subscriptions, to call emergency meetings of the stockholders, and to provide for the collection of tolls. A few charters authorized the boards to increase the capital, to reopen subscription books, and to construct branch roads. Some charters prohibited annual profits exceeding twenty per cent of the capital stock; others permitted twenty-five per cent. The president and directors were required to make an annual report to the

<sup>39</sup> *Ibid.*, 1852, Chap. 116; 1849, Chap. 89; 1852, Chap. 113, 121.

<sup>40</sup> *Laws of N. C.*, 1854-55, Chap. 51.

<sup>41</sup> *Ibid.*, 1850-51, Chap. 145, 148.

stockholders concerning the work accomplished and the accounts of the company. Companies assisted by the State were required to make annual reports to the legislature.

Though the first act chartering a plank road stated that the width should not be less than ten feet nor more than thirty feet, later charters specified eight feet as the minimum and sixty feet as the maximum. Not more than two acres of land could be condemned for the erection of a toll house. In case of disagreement, the land condemned was to be appraised by a jury. The company was made responsible for the expense involved.

The interest of the plank road companies was protected by their charters. A person was subject to indictment for damaging or obstructing, or for "aiding and counselling others to damage or obstruct the road." To prevent the use of the plank roads by persons who avoided the toll gates, a penalty of five dollars was prescribed for this offense. The Fayetteville and Western Plank Road Company secured an amendment to its charter in February, 1859, authorizing the appointment of traveling toll collectors to inspect tickets.<sup>42</sup>

The public roads were protected also by these charters. No plank road company could block or obstruct traffic along established roads. That they might not be hindered while constructing their roads, a provision was made for presidents and boards of directors to change the route of the public road. They were limited, however, by a clause stating that "previously to the making of any change, the said company shall make a road equally good with the portion" for which the new was to be substituted.

Special sections were included in the charters granted to companies receiving state aid. There were only two instances of the State's providing assistance to companies in the original charters. Of the two, the Fayetteville and Western received \$120,000,<sup>43</sup> three-fifths of its capital stock; whereas the other, the Mocksville and Wilkesborough Plank Road Company, failed to construct its proposed road and thereby lost the State's offer of \$60,000 which was to be three-fifths of the capital stock.<sup>44</sup> Two others, the Fayetteville and Warsaw and the Fayetteville

<sup>42</sup> *Laws of N. C.*, 1858-59, Chap. 158.

<sup>43</sup> *Treasurer's Report*, 1866-1867, Table D.

<sup>44</sup> *Laws of N. C.*, 1854-55, Chap. 178.

and Centre, were granted aid when their original charters were amended.<sup>45</sup>

The state treasurer was "authorized and directed" to subscribe to the Fayetteville and Western and to the Mocksville and Wilkesborough plank road companies by making a payment equal to one-fifth of the capital stock when the companies had secured one-fifth; and to add a two-fifths subscription when the companies had added an additional one-fifth. By providing for the State to hold three-fifths of the total capital stock in both companies, the charters gave the controlling power to the State as its voting power was proportional to the shares of stock owned. In 1855 the State invested \$10,000 in the Fayetteville and Warsaw Plank Road which had an authorized capital of \$125,000. Before the treasurer could advance the \$10,000, the president of the company was to certify that \$2,000 had "been paid and actually expended upon the said road." In the 1855 amendment the State changed the name of the Fayetteville and Centre to the Fayetteville and Albemarle Plank Road Company, and subscribed \$50,000. Of this sum, \$10,000 was to be used west of the Pee Dee River for the "construction and continuation of the said plankroad" to the town of Albemarle. The Fayetteville and Albemarle Road was required to apply profits first to the payment of interest on the bonds sold by the State for the State's subscription; and "if there be any sum remaining after such payment, the same shall be declared among all the stockholders, deducting from the State's share the amount of the interest so paid."<sup>46</sup> To pay the State's subscriptions to these plank road companies the treasurer was ordered to issue "bonds or certificates of debts under the great seal of the State" redeemable in twenty years.

Bills were passed during the 1852 and 1854-55 sessions to define the general duties and powers of the plank road companies. As a result, many of the plank road charters granted during the 1854-55 session consisted of only two or three sections providing the names of the commissioners, the location of the road, and the terms of incorporation.<sup>47</sup>

By 1852 the passage of a plank road charter through the

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<sup>45</sup> *Ibid.*, 1854-55, Chap. 183, 201.

<sup>46</sup> *Laws of N. C.*, 1854-55, Chap. 178, 183, 201.

<sup>47</sup> *Ibid.*, Chap. 205 and following.

legislature was considered a mere matter of form.<sup>48</sup> This idea was expressed in the *Salem Press* in January, 1855, when a letter from Raleigh assured the Salem paper that all the bills concerning plank roads in that vicinity would pass "as they contemplate no aid from the state."<sup>49</sup> All toll companies were forced by law to secure charters from the State before beginning operation. It was illegal "to establish a Plank Road, except by state charter, for passenger or freight transportation."<sup>50</sup> Joint stock companies had formerly been organized for constructing roads. The Fayetteville and Raleigh Joint Stock Company was, however, the only one to succeed in building a plank road.<sup>51</sup> In 1852 it was incorporated as the Fayetteville and Raleigh Plank Road Company.

The charter of the North Carolina Steam Carriage and Plank Road Company was strikingly different and merits individual attention. Edward Lee Winslow, president of the Fayetteville and Western Plank Road Company, George McNeill, and David A. Ray were "created a corporation and body politic" to construct and run steam carriages on plank roads. They were granted exclusive rights in North Carolina for twenty years provided one carriage was in successful operation within one year. To operate on private roads the owners' consent would have to be secured. A provision in the charter gave to the company "power to build a plank road from the Cape Fear River, at the town of Fayetteville, to the coal mines on Deep River."<sup>52</sup>

Enthusiasm caused the people of many North Carolina communities to overstep the bounds of reason. They proposed to do much more than they were able to do. Several roads were chartered for certain communities which were hardly able financially to construct one or two roads. When the available capital was divided by taking subscriptions for too many proposed plank roads, no one company would be able to secure the money needed for the construction of its road. Chapel Hill was one of the several centers where the people anticipated more than they were able to accomplish. Books were opened in Chapel Hill for subscriptions to seven plank road companies:<sup>53</sup> The

<sup>48</sup> *Raleigh Register*, Jan. 7, 1852.

<sup>49</sup> *Salem Press*, Jan. 20, 1855.

<sup>50</sup> *Revised Code of North Carolina, 1854*.

<sup>51</sup> *Fayetteville Observer*, July 19, 1851.

<sup>52</sup> *Laws of N. C., 1852*, Chap. 117.

<sup>53</sup> *Ibid.*, Chap. 96, 100, 107, 113; 1854-55, Chap. 189, 207, 209.

Chapel Hill and Durhamville Plank Road Company, the Chapel Hill and Raleigh Plank Road Company, the Haywood and Chapel Hill Plank Road Company, the Locksville and Chapel Hill Plank Road Company, the Chapel Hill and Morrisville Plank Road and Tramroad and Turnpike Company, the Chapel Hill and Durhamville Plank Road and Turnpike Company, and the Hillsboro' and Chapel Hill Plank Road Company.

Better transportation facilities and greater prosperity for North Carolina were discussed in every community. The spirit of progress was prevalent everywhere. In Greensboro the *Patriot* went so far as to apply the theory of "manifest destiny" to one of the roads planned for that vicinity when its editor wrote, "It is 'Manifest Destiny' that this road is to be built, and the sooner the better."<sup>54</sup>

The Internal Improvements Board joined in the spirit of the times and anticipated much as a result of the State's plank roads. It reported to the General Assembly during 1850 that:

This system of improved transportation is exactly adapted to the wants of our state, and particularly Middle and Western North Carolina. These Roads can be built cheap. Where Rail Roads cost thousands, the Plank Roads cost hundreds. Our people like to take their product to market; they have been raised to do so. They prefer to sell their produce and buy their supplies—to make their own trades.<sup>55</sup>

Governor Reid thought that the State's investment in them was wise. He reported in 1852:

The stock has already been paying dividends into the State Treasury. This not only bids fair to be a valuable improvement, but the stock it is believed will be a good investment for the State.<sup>56</sup>

The federal government realized the importance of plank roads for improved stage coach and mail service. In 1853 Congress resolved:

That the Postmaster General shall be and is hereby authorized in his discretion, to contract for carrying the mail on all the Plank Roads which have been or shall be constructed in the United States, and in all cases when in his opinion the public interest and convenience re-

<sup>54</sup> *Patriot* (Greensboro), Jan. 29, 1853.

<sup>55</sup> *Legislative Documents*, 1850-51, "Internal Improvements Board's Report E."

<sup>56</sup> *House Journal*, 1852, p. 65.

quire it; and, on such plank roads, or any part thereof, the same shall be declared to be a post road of the United States.<sup>57</sup>

Money was subscribed for roads by many men who were interested in community welfare. Other men responded because they wished to see a progressive North Carolina. The town, Fayetteville, sponsored several roads in order that it might become more powerful as a market town. Many men, however, bought stock primarily as a financial investment which promised profitable dividends. Whatever the local or community interest, people anticipated quick profits and a progressive state. The spirit of confidence and expectation that the people experienced during the chartering of the eighty-four plank roads was well expressed by a mountaineer in a letter to the *North Carolina Whig*: "I say hurrah for the Rail and Plank Roads. . . . They are heard and felt for fifty miles around: They give us Mountain boys a market."<sup>58</sup>

Enthusiasm waned following the chartering of many of the plank road companies, for securing a charter was an easy task in comparison with the problem of securing the subscriptions or building the roads. How plank roads were constructed in North Carolina must be generalized mainly from the experience of the Fayetteville and Western Plank Road Company, for its records are more detailed and much more complete than those of any other company. Too, the experience and experimentation of this company established the standards followed in the construction of the other plank roads in North Carolina.

✓ In the company's charter only a few regulations and limitations were imposed. The purpose of incorporating this company was for the "effecting a communication by means of a plank road from the town of Fayetteville to the town of Salisbury."<sup>59</sup> Other than specifying the location of the two terminals, the charter gave the president and the directors all "rights and powers necessary for the construction, repairs, and maintaining" of this road. They were authorized to condemn a right of way and as many as five acres of land for each toll house and gate. The road was required to be at least ten feet, but not more than thirty feet, in width. When constructing plank roads

<sup>57</sup> *North Carolinian* (Fayetteville), June 18, 1853.

<sup>58</sup> *North Carolina Whig* (Charlotte), March 16, 1853.

<sup>59</sup> The western terminal was later changed to Salem.

across established roads, plank road companies could not impede the transportation or passage of persons or property. Officials were authorized to change the established road by constructing a new section equal to the part for which it was to be substituted. The president and directors were responsible for the road and reported annually to the stockholders. They decided that the ten foot minimum width was inadvisable and adopted an eight foot minimum. This change was approved by the legislature in an amendment during the next session, 1850-51.<sup>60</sup>

That the officials might gain practical knowledge concerning the construction of roads, they decided it was wise for the company to construct the first section as a model. Contractors could profit by this plan, for they could learn from observation and could obtain a better understanding of the expense involved. Judgment concerning contract prices would be much more accurate. Since the construction of a road begins with the survey, the board ordered their engineer, Francis F. Cooper, to "report in writing, with a plot and profile of the lines from Fayetteville to Murchison's Factory." As soon as the survey had been completed, road construction began under the "immediate charge of the engineer."<sup>61</sup>

The first section of twelve and five-eighths miles was built during the fall and winter of 1849-50 by hands and teams hired as day labor. The foremen were "held accountable for the faithful discharge of duty by the men" in "gangs of 15, 20, and 25." Each foreman received for his services \$1.00 a day, and the hands "60 to 75 cents, finding themselves." Two dollars per day were paid for teams of two horses including the driver. Between October 1, 1849, and March 31, 1850, an average of 36 hands per day were employed to grade, scrape, and lay planks, and to hew stringers. Four teams of horses were used. On October 1 three-fourths of a mile at each end of the first section had been graded, making a total of a mile and a half. On November 4 the first planks were laid. By the last of March the first section had been completed, and was opened to traffic on April 1. Fifteen men could lay about 650 feet of plank per day if the road bed was prepared satisfactorily. Duncan

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<sup>60</sup> *Laws of N. C.*, 1850-51, Chap. 135.

<sup>61</sup> *Proceedings of the Second Annual Meeting of the Fayetteville and Western Plank Road Company.*

Morrison's crew, however, laid a "very favorable line, 1,000 running feet of Plank Road, in one day."<sup>62</sup>

In constructing the first section of the Fayetteville and Western Plank Road, the company first prepared the road bed. It was graded and opened for travel that it might settle before the planks were laid. The center of the road bed was elevated and ditches adequate for drainage were dug on each side. Four sills were imbedded for the support of the planks. They were five to six inches by eight inches, "hewed from small pine trees along the Road." It was claimed that these stringers were stronger than the ones sawed, though they were "more troublesome to lay down." Money was saved for they cost only about \$3.00 per thousand feet, and the sawed sills would have cost from \$5.50 to \$6.00 per thousand feet. Four large stringers were used, rather than two, for much heavy traffic was expected to pass over the road to Fayetteville. These sills were selected as long and straight as possible; and "the joints where they come end to end, should be well broken,<sup>63</sup> or the ends may sink." Across these stringers, at right angles, the boards were placed. In the vicinity of Fayetteville these planks were pine with the heart showing on the side placed next the ground. In some parts of North Carolina oak timber was used. Planks were eight feet long, three to four inches thick, and more than eight inches wide. When the road was kept dry and the earth "kept well up to the ends of the plank, no fastening" was required. It was necessary to have the road bed prepared carefully, so that when the planks were laid they would rest upon a solid earth foundation even with the top of the sills. Usually plank roads were single tracks, eight feet wide, located on the right side of the road bed leading to town in order that the heavily laden wagons taking produce to market would not have to leave the planks when meeting wagons returning from town. The other side of the road bed was graded, drained, and packed that it might be kept hard for the wagons which found it necessary to turn off the plank road in passing. To make it possible for wheels to regain the road without forming a rut beside the edge of the plank road, the ends of the planks were not "laid

<sup>62</sup> *Proceedings*, pp. 8-9, 17-18.

<sup>63</sup> "Well broken" means "well braced" or "reinforced."

evenly to a line." They projected three or four inches on each side alternately.<sup>64</sup>

After the planks were properly laid, they were covered with sand. The president of the Fayetteville and Western Road explained to the stockholders that the advantage of keeping the road "well sanded" was that "the sand gradually wears, under the pressure of the wheels and the tramp of the horses, into the plank, and makes the road more durable."<sup>65</sup> W. M. Gillespie, professor of Civil Engineering in Union College, in his *Manual of the Principles and Practice of Road-Making*, discussed the advantage of using sand for plank roads:

The planks having been properly laid, as has been directed, should be covered over one inch in thickness, with very fine gravel, or coarse sand, from which all stones, or pebbles, are to be raked, so as to leave nothing upon the surface of the road, that could be forced into and injure the fibres of the planks. The grit of the sand soon penetrates into the grain of the wood, and combines with the fibres, and the droppings upon the road, to form a hard and tough covering, like felt, which greatly protects the wood from the wheels and horses' shoes.<sup>66</sup>

After the "sanding process" the roads were opened for toll-traffic. The toll gates were located approximately eleven miles apart on the road from Fayetteville to Salem, though it had been thought at first that it would be necessary to place one every six or seven miles. The toll houses and gates were built by the company when the road was being constructed. The first toll house and gate in North Carolina for plank roads was located "on the hill, about 1¼ miles from Fayetteville." The land was bought for \$114.75, and the house and gate cost \$375. James Meachum was the first toll collector and received an annual salary of \$150.<sup>67</sup>

Although the first sections of the Fayetteville and Western and the Fayetteville and Northern roads were built by the companies,<sup>68</sup> practically all the construction in North Carolina was by contract. Announcements of the letting of contracts for timber and for road construction were published in the papers. Preference was usually given, however, to stockholders. Slaves

<sup>64</sup> *Proceedings*, pp. 9, 11-12; Gillespie, *A Manual of the Principles and Practices of Road-Making*, pp. 236-244.

<sup>65</sup> *Proceedings*, p. 12.

<sup>66</sup> Gillespie, *Manual*, p. 244.

<sup>67</sup> *Proceedings*, p. 12.

<sup>68</sup> *North Carolinian* (Fayetteville), Jan. 3, 1852.

were sometimes used by the contractors. Having secured the contract for the construction of the Fayetteville and Western Plank Road through the Cameron community, Major Dougald MacDougald used his slaves and hired others from a neighbor to be used in constructing the road.<sup>69</sup> Often the contractors would accept stock from the company as part payment. In their contract with the Western Plank Road Company, Guion and Hoke agreed to accept "one-half of their contract in company stock." The contractors, Oates and Whistnant, were to accept two-fifths.<sup>70</sup> Contractors played a game of chance then, as they do now, for Major MacDougald, his brother, and two sisters who had signed his note for the safe return of the slaves, were forced to sell almost all of the large MacDougald plantation to pay for the slaves he had hired, since most of them died of typhoid fever.<sup>71</sup> Jonathan Worth had to replace a \$3,000 sawmill which burned while in his possession.<sup>72</sup> The companies had found it necessary to purchase sawmills to enable the contractors to provide lumber as rapidly as needed. The Fayetteville and Western Company owned five mills which were operated day and night by the contractors.<sup>73</sup>

Branch roads and extensions were considered by many companies, and the Fayetteville and Western Company completed three; one to Gulf, one from the fork of the Gulf road to Ennis's Mills,<sup>74</sup> and the Uwharie branch to Dunbars Bridge.<sup>75</sup> President Edward Lee Winslow recommended in 1854 that "hereafter no branch road shall be taken into this company until the said branch shall be ready for toll."<sup>76</sup> Thus the company would not be responsible for the construction of additional mileage, but was willing to incorporate branches to be operated.

The cost of plank road construction varied according to the condition of the land, the grading required, and the cost of labor and materials. In his *Manual*, Gillespie gives the following

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<sup>69</sup> Mrs. Elizabeth Blue Borst, granddaughter of Major Dougald MacDougald, lives in Cameron, N. C. By correspondence, I learned these facts concerning Major MacDougald from her during the summer of 1936.

<sup>70</sup> *Report of the Western Plank Road Company*, 1852, p. 4.

<sup>71</sup> See note 69.

<sup>72</sup> *Third Annual Report of the Fayetteville and Western Plank Road Company*, p. 18.

<sup>73</sup> *Loc. cit.*

<sup>74</sup> *Fifth Annual Report of the Fayetteville and Western Plank Road Company*, p. 4.

<sup>75</sup> *Seventh Annual Report of the Fayetteville and Western Plank Road Company*, p. 1.

<sup>76</sup> *Fifth Annual Report of the Fayetteville and Western Plank Road Company*, p. 5.

table as the minimum and maximum estimates of "Cost per mile":<sup>77</sup>

Plank: 160 M.; \$4 to \$10 per M.;	\$640 to \$1600
Shaping and Laying; 30 cents to \$1 per rod,	96 to 320
Gate-houses; per mile	50 to 150
Engineering and superintendence,	100 to 100
Contingencies,	100 to 200
	<hr/>
	\$986 to \$2370

According to his estimate the possible range of cost would vary from \$1,000 to \$2,400. The first section of the Fayetteville and Western Road averaged \$1,465.27 per mile. When eighty-eight miles had been completed, excluding cost of steam mills and salaries of officials and engineers, the road had cost \$1,478.68 per mile. The total cost of the first ninety-one miles was \$160,877.82, for an average cost of \$1,748.56 for each mile.<sup>78</sup> More than \$2,000 per mile was spent on the plank road leading from Salisbury toward Statesville. Since the expense was so much greater than had been anticipated, this Salisbury and Taylorsville Plank Road Company was financially embarrassed before the road had been completed to the Iredell County line.<sup>79</sup> In his report to the stockholders, September 24, 1852, the president of the Western Plank Road Company estimated the average cost per mile for the road from Charlotte to Lincolnton to be \$1,640.03. This estimate did not include the expense involved in constructing culverts nor the bridge over the Catawba River.<sup>80</sup> To make the construction and operation of a road profitable an able executive was needed to guard against spending too much money. The officials' salaries, the workers' wages, the cost of timber, appropriations for bridges, and the danger of loss from inefficiency and carelessness had to be borne in mind. Otherwise, the original investment in a plank road might be more than the project would justify.

The progress of road work was controlled by the efficiency of the road superintendent and the road force, the supply of materials, and the financial condition of the company. The av-

<sup>77</sup> Gillespie, *Manual*, p. 245.

<sup>78</sup> *Proceedings*, p. 16; *Third Annual Report of the Fayetteville and Western Plank Road Company*, p. 20.

<sup>79</sup> *Carolina Watchman* (Salisbury), May 4, 1854.

<sup>80</sup> *Report of the Western Plank Road Company*, 1852, p. 5.

erage of approximately 650 feet a day as constructed on the first section of the Fayetteville and Western Road would be almost one mile a week, or about forty miles a year, laid by only fifteen workers. The roads were usually divided into large sections, however, and these sections in turn were divided into short divisions. Sometimes the divisions were contracted by different men and many forces would be at work at the same time which would enable each contractor to finish his contract quickly. If materials were provided and the grading was completed, by working at the fast pace set by Duncan Morrison's men who laid 1,000 feet in a day a crew of 15 men could have completed the 129 miles from Fayetteville to the final terminal at Bethania in 680 days. The Greenville and Raleigh Road had 6 miles "next to Greenville" ready for tolls in March, 1852. A year later, March, 1853, the road was in successful operation from Greenville to Wilson.<sup>81</sup> The 120 miles from Fayetteville to Salem were under construction from the fall of 1849 until the spring of 1854. The western end of the road required much more grading, which slowed the work in that section. The progress of this road was praised by the officials and the newspaper reports, especially during the year 1851. It was being completed by the time construction was just being started on the North Carolina Railroad, though both were chartered the same day.<sup>82</sup>

One advantage that favored the North Carolina plank roads was the abundant supply of pine and oak timber. President Winslow of the Fayetteville and Western Company in his annual report of 1850 said that men from the North had said that northern companies would not put such good lumber in plank roads. Concerning the source of timber supply he said:

In no part of the country can a covering of plank be obtained of better and more durable material than in the section through which this Road passes for the greater portion of the line. The pitch pine plank forms the best material.<sup>83</sup>

Although many companies failed to construct their proposed roads, the lack of native timber could not be given as a satisfactory explanation.

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<sup>81</sup> *Southern* (Tarboro) Feb. 28, 1852; Mar. 26, 1853.

<sup>82</sup> *Fifth Annual Report of the Fayetteville and Western Plank Road Company*, 1854.

<sup>83</sup> *Proceedings*, p. 11.

During the late forties North Carolina turned to plank roads for a cheap means of transportation which would free her citizens from the bondage of primitive roads. Before the popularity of this movement passed, the legislature chartered 84 companies. The construction of the roads was under the supervision of the presidents and the boards of directors. The building of plank roads was usually done under contract, and it was often a slow and difficult task. During the decade prior to the Civil War, however, approximately 500 miles of plank road were constructed and operated in North Carolina.

[ *To be concluded* ]

## BOURBONISM IN GEORGIA

By C. VANN WOODWARD

As applied to that class of men who seized power in the South after Reconstruction, the term "Bourbon" has enjoyed a remarkable success as a political epithet. In this sense, in fact, it has become a part of the American language. Webster's *New International Dictionary* defines the word as, "A ruler or politician who clings obstinately to ideas adapted to an order of things gone by;—sometimes applied to Democrats of the Southern United States." By implication the word suggests that these men belonged to the old ruling class, and further, that after overthrowing the Reconstruction regime, they obstinately sought to rehabilitate the ante-bellum order. Having caught the fancy of a suspicious North, and having been adopted by the South itself, this term "Bourbon" continues in use today. Only recently an eminent American historian used it. "Nevertheless," he writes, "the whole Reconstruction effort collapsed. By 1871 a number of Southern states had been 'redeemed'; their former Bourbon masters were again in the saddle."<sup>1</sup>

This article is limited to a consideration of "Bourbonism," or what has been called Bourbonism, in Georgia. Even within these limits, however, a little study of the period makes apparent the need for a thorough reevaluation of the assumptions commonly made by laymen and historians alike in their thinking about Southern history after Reconstruction. Professor Arnett pointed out this need fifteen years ago in his excellent pioneer work on Populism.<sup>2</sup> Thus far his challenge has gone virtually unanswered. The two decades that lie between the restoration of home rule and the advent of Populism have received less attention, perhaps, than any period in Southern history. Where the Dunning school left off, no one has taken up, and it is the interpretation of that school that has largely colored the current attitude toward the period that follows Reconstruction.

In October, 1880, Joseph E. Brown applied the term "Bourbon" as an opprobrious epithet in a speech denouncing the ideas

<sup>1</sup> Hacker, Louis M., "Why Reconstruction Failed," *New Republic*, LXXXII (Oct. 27, 1937), 346.

<sup>2</sup> Arnett, Alex M., *The Populist Movement in Georgia*, especially Chap. I.

of Robert Toombs, who represented to him "the sentimentality of the South and the Bourbonism of the past." Because "the country must move forward," said Senator Brown, "we are obliged to leave him [behind] and let him cuss."<sup>3</sup> Hardly a more legitimate application of the word Bourbon could have been made than this. Example par excellence of the unreconstructed and unregenerate rebel, General Toombs was undoubtedly a member of the ante-bellum ruling class, the planter oligarchy, and he made no secret of his hatred of the new order. In 1870 Toombs had joined hands with Brown to overthrow the Bullock Reconstruction administration. "You know my rule," he wrote Stephens, "is to use the devil if I can do [no] better to save the country."<sup>4</sup> With that, Toombs' brief alliance with the new order came to a definite end. In 1872, he and Stephens made a fight to prevent Southern Democrats from joining with the Northern wing of the party in a "New Departure" to nominate Greeley for President. They were overwhelmingly defeated. Toombs's next defiance of the New Departure met with more success. In spite of powerful opposition by Brown and the corporation interests, Toombs was able to dominate the Constitutional Convention of 1877 and write into the new Constitution prohibitions against monopolistic combination of railroads, irrevocable franchises and immunities, state aid to railroads, and the purchase of railroad securities by the State.<sup>5</sup> "The great question is," said Toombs at the Convention, "shall Georgia govern the corporations or the corporations govern Georgia? Choose ye this day whom ye shall serve!" On the subject of railroads and corporations Toombs sounded very much like the Populists twenty years later.

Assisting the overthrow of Reconstruction and influencing the new Constitution were the last triumphs of the Bourbons of the old school. Of the ante-bellum triumvirate, Howell Cobb died in 1870; Alexander Stephens was subordinated to a minor place until he made common cause with the new rulers in the last years of his life; and Robert Toombs continued disfran-

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<sup>3</sup> Quoted in Fielder, Herbert, *The Life and Times of Joseph E. Brown*, pp. 536-559, especially p. 550.

<sup>4</sup> Quoted in Phillips, Ulrich B., *The Life of Robert Toombs*, p. 264.

<sup>5</sup> Small, Samuel W., *Stenographic Report of the Proceedings of the Georgia Constitutional Convention . . . 1877*, pp. 407-409 and *passim*; Phillips, *Life of Toombs*, pp. 269-272; Stovall, Pleasant A., *Life of Robert Toombs*, pp. 337-352; Avery, Isaac W., *History of Georgia, 1850-1881*, pp. 528-530.

chised, barred from holding federal office, and not even a citizen of the United States. These men whom Brown called "Bourbons," then, were not representative of the new order, and in the main were out of sympathy with the new rulers.

The nature of the new order in Georgia may be revealed in a number of ways: first, by a study of the new rulers themselves. During the interval between 1872 and 1890 either General John B. Gordon or Joseph E. Brown held one of Georgia's seats in the United States Senate, and after two terms as governor, General Alfred H. Colquitt occupied the other Senatorial seat. During the major part of the same period either Gordon or Colquitt occupied the governor's chair. So regularly were these offices bandied about among these three men that they came to be spoken of as the "triumvirate." It appears to have been the leaders of the Independent party, a small-farmer agrarian movement that made common cause with Toombs against the new order, who fastened upon the new rulers the epithet "Bourbon."<sup>6</sup> At any rate Brown, Gordon, and Colquitt were called "Bourbons" in the eighties, and "Bourbons" they have remained—"The Bourbon Triumvirate."

The facts of the early career of Joseph E. Brown, especially of his term as governor of Georgia before the war and of his service as war governor, are better known than his post-bellum career. Yet for a quarter of a century after the surrender, Brown's influence was powerfully exerted in Georgia and in the South. "The statesman, like the business man, should take a practical view of questions as they arise," wrote Governor Brown in his letter of resignation, June 29, 1865.<sup>7</sup> One of his admirers is responsible for the assertion that "We have never in the South had a more practical man than Governor Brown."<sup>8</sup> Among the first to counsel Southern acquiescence toward Radical Reconstruction policy, Brown became a Republican himself temporarily and under the Bullock administration accepted the office of chief justice of the state supreme court. While holding that office he was closely associated with several men who were beneficiaries of the notorious bonds issued to railroad promoters by the Reconstruction administration. Some \$4,450,000 worth

<sup>6</sup> Felton, Rebecca L., *Memoirs of Georgia Politics*, *passim*.

<sup>7</sup> Quoted in Avery, Isaac W., *History of Georgia*, p. 340.

<sup>8</sup> *Ibid.*, p. 339.

of such bonds were later declared fraudulent and were repudiated.<sup>9</sup> In 1870 the Western and Atlantic Railroad Company, of which Brown was president, was awarded the lease of the state road by one of the last acts of the Reconstruction legislation just before Bullock left the State. Later investigation proved the obtaining of the lease and the formation of the company to be fraudulent, but the new legislature did not break the lease, in spite of the attempt led by Toombs.<sup>10</sup>

By his admirers Brown was said to be the wealthiest man in Georgia, and one of the largest railroad promoters in the South. During the next decade he was occupied with a multiplicity of industrial developments. At one and the same time he was president of the Western and Atlantic Railroad Company, the Southern Railway and Steamship Company, the Walker Coal and Iron Company, the Dade Coal Company, and the Rising Fawn Iron Works. His mineral interests alone were said to cover the greater part of three counties.<sup>11</sup> In his Dade County coal mines Brown employed a force of some 300 convicts for whose labor he paid about seven cents a working day to the State from which he leased them for twenty years. They were worked from ten to twelve hours a day, until those limits were removed by the legislature in 1876.<sup>12</sup>

At the time of Georgia's secession John B. Gordon, then a young and unknown man of twenty-nine, was in the extreme northwestern corner of the State engaged in the development of coal mines. Impetuously he dashed into the Confederate military service and in the next four years achieved fame as the most celebrated military figure in the history of his State.<sup>13</sup> In the South he became a folk hero, and for forty years after the war he was popularly regarded as the very incarnation of the Lost Cause. In 1872 Gordon defeated Alexander Stephens in a race for the Senate. At Washington the General served not the planter class, with which his aristocratic manner and his mili-

<sup>9</sup> Thompson, C. Mildred, *Reconstruction in Georgia*, Chap. IV; Fielder, *Life of Brown*, pp. 465-480; Avery, *History of Georgia*, pp. 495-497.

<sup>10</sup> For differing views on the fairness of this lease see Thompson, *Reconstruction in Georgia*, pp. 251-254; Pearce, Haywood, Jr., *Benjamin H. Hill*, pp. 218-230; Arnett, *Populist Movement in Georgia*, pp. 26-27; Fielder, *Life of Brown*, pp. 480-483; Felton, *Memoirs*, pp. 62-63, 68-78.

<sup>11</sup> Avery, *History of Georgia*, p. 606; Fielder, *Life of Brown*, pp. 488-490.

<sup>12</sup> "Report of the Investigating Committee on Convict Lease," Georgia Legislature, in *Georgia Laws, 1908*, pp. 1059-1091; Felton, *Memoirs*, pp. 583-596; Cable, Georgia W., "The Convict Lease System in the South," *Century Magazine*, V (1884), pp. 582-599.

<sup>13</sup> Gordon, John B., *Reminiscences of the Civil War*, I, 40, 65.

tary fame associated him in the popular eye, but the rising capitalists and industrialists with whom he was identified both in personal fortune and in political alliance. Throughout the eighties and nineties Gordon was almost continuously engaged in a succession of promotions, schemes, and business ventures. To name only a few, there were the Southern Publishing Company, organized to print books "that will not slander our people," the Southern Insurance Company, which went bankrupt, the Georgia Pacific Railroad, of which he was president, and the International Railroad and Steamship Company, which he promised would make Florida "the great commercial center of the Western World."<sup>14</sup> The general was accustomed to speaking in terms of "millions" in discussing his plans. After the Florida venture collapsed he turned to still other schemes. Like Brown, Gordon employed convicts whom he leased from the State.<sup>15</sup>

In 1884 the publication of the Collis P. Huntington letters showed that Gordon willingly gave ear to the shady lobby of the Western railroad barons. The letters revealed that while Gordon was in the Senate he was in close contact with Huntington, introduced bills at his request, and organized senatorial tours of the West in his behalf.<sup>16</sup> As a comment upon the times it is interesting to note that Gordon was subsequently elected governor of Georgia, and later returned to the Senate. In 1888 he was spoken of as "the most popular man in the state, if not in the South."<sup>17</sup> The taste for irony was not cultivated in the Gilded Age, and Gordon's contemporaries saw nothing incongruous in electing him commander-in-chief of the United Confederate Veterans, an honor he held from 1890 to 1904.

Another military hero, though not so celebrated, was General Alfred H. Colquitt. The third member of the triumvirate presents the most plausible claim to a logical application of the term "Bourbon." He was a gentleman of "family," the son of Walter T. Colquitt, the ante-bellum statesman. He was also the owner of one of the largest plantations in the State, and a prominent churchman, serving once as president of the International

<sup>14</sup> *Augusta Chronicle*, July 6, 1883; Felton, *Memoirs*, pp. 484-485, 494-495, 502.

<sup>15</sup> *Ibid.*, pp. 498-501.

<sup>16</sup> "Report and testimony taken by U. S. Pacific Railway Commission," *Senate Executive Document* No. 51, 59th Cong., I Sess., Vols. II, IV, V. See also, Felton, *Memoirs*, pp. 82-83, 89, 100, 115.

<sup>17</sup> Field, H. M., *Bright Skies and Dark Shadows*, pp. 102-103.

Sunday School Convention.<sup>18</sup> Governor Colquitt's connections with Brown and Gordon, however, were financial as well as political, for besides his planting interests, Colquitt was an industrial promoter. In one ambitious venture, the Georgia Pacific Syndicate, with a capital of twelve and one-half million dollars, he was associated with General Gordon, who was president of the syndicate. Like both of his colleagues Colquitt was especially cordial in welcoming Northern and Eastern financiers to the South.<sup>19</sup>

Certainly no one of these men "clung obstinately to ideas adapted to an order of things gone by." Nor, it seems, did the great majority of their associates, the lesser rulers of Georgia in the same period. Of the thirty-four Congressmen from the State in the seventies and eighties, three only were planters, and only one was a small farmer. Farmers were even relatively rare in the state legislature. "Before the Alliance was organized," observed the *Macon Telegraph*, a corporation paper, "it was a rare occurrence for a farmer, or a farmer's son to receive honor and recognition. The offices all went to the towns and to the lawyers. . . ."<sup>20</sup>

Restoration of home rule, then, did not mean restoration of the old order, or of the old rulers. Willing hands were speedily found in the South to carry forward the work of economic revolution that Reconstructors began. These willing hands were not all recruited in Georgia. The fact that some of them are associated in legend and history with the old order does not alter the case, but merely confuses the unwary. "Governor Colquitt and General Gordon," writes one historian in perfect good faith, "stood as striking types of the most cherished sentiments and practices of our ante-bellum civilization."<sup>21</sup> It would seem that behind this term "Bourbon" lies a confusion more fundamental than a mistaken terminology, and that a golden voice and a courtly manner have been accepted at face value for "the cherished sentiments and practices."

The year 1880 marks the consolidation of power by the new rulers in Georgia. Brown then stepped from his place as a "hid-

<sup>18</sup> Avery, *History of Georgia*, p. 535; Knight, L. L., *Standard History of Georgia*, II, 880.

<sup>19</sup> Avery, *History of Georgia*, p. 635.

<sup>20</sup> *Macon Telegraph*, March 22, 1891; Arnett, *Populist Movement in Georgia*, p. 31.

<sup>21</sup> Avery, *History of Georgia*, p. 604.

den power" behind the scenes into the open. That year Gordon suddenly resigned his seat in the Senate, only three weeks before the end of the session. He explained that a pressing, though vaguely described, railroad offer in Oregon, necessitated the resignation.<sup>22</sup> Colquitt immediately appointed Brown to fill the vacancy, and a few months later the legislature elected him in his own right. Colquitt followed Brown to the Senate two years later, and Gordon became governor in 1886. In a speech supporting his candidacy in October, 1880, Brown voiced the dominant mood of the eighties. "If the people of Georgia think that a man should be sent to the Senate to represent that sentiment of the old ruling class . . ." declared Brown, "then I admit my honorable opponent [Lawton] is a fit representative." If on the other hand they agreed with him that "we live in a new era, and the New South must adopt new ideas, must wake up to new energy," he was their choice. As to the class he represented he left no doubt. I seek "to build up the manufacturing interest of the country . . . we have in future no Negroes to buy; we are making money; we shall want investments." He promised to tell Northern capitalists of "our advantage in cheap labor," and of "the profits made by our Augusta mills."<sup>23</sup>

The International Cotton Exposition that opened in Atlanta in October, 1881, might be regarded as the inaugural ceremony of the New South—of the industrial revolution. Senator Brown was the first president of the exposition, Governor Colquitt the second. Senator Zebulon B. Vance, in an address at the opening ceremony, extended a "soulful Southern welcome," inviting visitors "to see that we have renewed our youth at the fountains of industry." Out of the enthusiasm engendered the *Industrial Review* was founded; the very exposition buildings were converted into a cotton factory; between 1880 and 1885 the number of cotton spindles in the Southern states doubled. Between 1879 and 1894 the value of cotton factories in Georgia increased nine-fold, and the value of railroad property shot up from nine millions to thirty-nine millions.<sup>24</sup>

<sup>22</sup> *Ibid.*, pp. 560-561; Knight, *Standard History of Georgia*, II, 898-900.

<sup>23</sup> Fielder, *Life of Brown*, pp. 536-559.

<sup>24</sup> *Atlanta Constitution*, October-November, 1881; Appleton's *Annual Cyclopaedia*, 1881, pp. 260-271; Avery, *History of Georgia*, p. 650; Wilson, P. M., *Southern Exposure*, pp. 141-143; Howell, Clark, *History of Georgia*, II, 677.

Hailed widely as the cultural capital of the New South, Atlanta was appropriately selected host of the exposition. Atlantans were pleased to describe their city as "the Chicago of the South," or "the city of self-made men."<sup>25</sup> A. K. McClure, in 1886, described Atlanta as "the legitimate offspring of Chicago," with "not a vestige of the old Southern way about it." "Here the most advanced leaders of the whole South have their homes," he discovered, men who were contemptuous of "effete pride," who had learned that "hardness ever of hardiness is mother," who had "revolutionized Georgia," and were overrunning the South. "There are more potent civilizers in Georgia than I have met with in any portion of the South," he declared. They were "the foremost missionaries of the new civilization in the South."<sup>26</sup> William D. (Pig-Iron) Kelley of Pennsylvania was equally enthusiastic, and was especially delighted with "the elegant residences of Atlanta's millionaires."<sup>27</sup>

Other cities and would-be cities of Georgia, and throughout the urban South, strove to keep step to the new music. Augusta, which took pride in the millions that Jay Gould invested in its factories and railroads, boasted of being "the Lowell of the South." Columbus aspired to be "the Pittsburg of the South." "Sandersville is fast assuming 'big city' proportions," it was said. "Capitalists are invited to investigate." "That booming town of Wadley. . . ." "Even Odum booms. . . ."<sup>28</sup> A present-day writer has caught the attitude in an inimitable phrase: "'Yes sir-ree, it's a regular little old metropolis—New York of the South we call it, 89,000 people in the last census—and *Progress*? Gen-tle-men, *Progress*? I'll say *Progress*!'"<sup>29</sup> At Vanderbilt University, then recently endowed by the Commodore, a professor rejoiced in the triumph of the new spirit and blandly prophesied that "Southern millionaires there will yet be, and not a few, who will use their wealth, righteously gotten by their own honest labor, to develop their land and bless the race."<sup>30</sup> Patrick Calhoun proclaimed that "The future of the South is commercial and manufactural. She will exchange the modest civilization

<sup>25</sup> Clarke, E. Y., *Atlanta Illustrated* (Atlanta, 1881), *passim*.

<sup>26</sup> McClure, A. K., *The South: Industrial, Financial, Political*, pp. 58-76.

<sup>27</sup> Kelley, W. D., *The Old South and the New*, pp. 13-14, 162.

<sup>28</sup> *Augusta Chronicle*, Nov. 3, 1891; *Macon Telegraph*, Aug. 21, 1888, Apr. 3-9, 1890.

<sup>29</sup> Wade, John D., "Old Wine in New Bottles," *Virginia Quarterly Review*, XI, 239-252.

<sup>30</sup> Tillett, W. F., "The White Man of the New South," *Century Magazine*, XXXIII (March, 1887), 769-776.

of the country gentleman for the bustling civilization of the towns." Calhoun was the grandson of the great Carolina statesman. He was also a wealthy railroad lawyer in the employment of Jay Gould, and he was spoken of as "Wall Street's biggest representative in the South."<sup>31</sup> Henry Watterson most accurately expressed the spirit of his times by saying, "The South, having had its bellyfull of blood, has gotten a taste of money, and is too busy making more of it to quarrel with anybody."<sup>32</sup>

"For four hundred years," observes Professor Preserved Smith, "law, divinity, journalism, art, and education have cut their coats, at least to some extent, in the fashion of the court of wealth."<sup>33</sup> This generalization seems to apply as well to the Industrial Revolution as it did to the Reformation. Deploring the rise of commercial greed and acquisitiveness in the South, Sidney Lanier wrote in 1872: "Our religions, our politics, our social life, our charities, our literatures, nay, by Heavens! our music and our loves almost, are all meshed in unsubstantial concealments and filthy genitures by it."<sup>34</sup> Poets, novelists, preachers, educators, journalists, historians—professionals once in the service of an agrarian state—swung rapidly into procession behind the new leaders. Paul Hamilton Hayne, in "The Exposition Ode," written in 1881, rejoiced that he had been "Set by the steam-god's fiery passion free."<sup>35</sup> A novelist, through thinly disguised fiction, celebrated the exploits of Joseph E. Brown, and proclaimed him "the most representative man of our new civilization," and "perhaps the richest man in the state."<sup>36</sup> Historians echoed with chapters upon the "splendid demonstration of individual management, and formidable coalitions of capital and genius," "dramatic audacities of railway enterprise," "enterprise full of romantic eventfulness."<sup>37</sup> Fifteen religious institutions of five denominations in the South were

<sup>31</sup> *Atlanta Constitution*, May 23, 1883.

<sup>32</sup> Quoted in Nevins, Allan, *Grover Cleveland*, p. 323.

<sup>33</sup> Smith, Preserved, *Age of the Reformation*, p. 552.

<sup>34</sup> Sidney Lanier to Paul Hamilton Hayne, April 17, 1872, quoted in Starke, Aubrey, *Sidney Lanier*, p. 201.

<sup>35</sup> *Atlanta Constitution*, Oct. 6, 1881.

<sup>36</sup> Trammell, William Dugas, *Ca Ira*, *passim*, especially pp. 303-304.

<sup>37</sup> Avery, *History of Georgia*, pp. 630-637; Fielder, *Life of Brown*. There are also numbers of allied writings, among them the following: Edmonds, Richard H., *The South's Redemption*; Cowan, George B., *The Undeveloped South*; Atkinson, Edward, *The Future Situs of the Principal Iron Productions of the World; South Carolina in 1884 . . . A Brilliant Showing*; McKissick, E. P., *A Story of Spartan Push, the Greatest Manufacturing Centre in the South* (pamphlet); Newton, J. C. C., *The New South and the Methodist Episcopal Church, South*.

recipients of gifts from Joseph E. Brown ranging from \$500 to \$53,000. His smaller charities were said to be "simply innumerable."<sup>38</sup>

The regimentation of opinion was not, of course, complete. But many sincere and intelligent men, who had resisted the new spirit in the past or came to denounce it in the future, were temporarily confused and swept along with the tide. Sidney Lanier, whose sentiments on the New South have already been noted, could also write enthusiastically of:

The South whose gaze is cast  
No more upon the past,  
But whose bright eyes the skies of promise sweep,  
Whose feet in paths of progress swiftly leap;  
And whose fresh thoughts like cheerful rivers run  
Through odorous ways to meet the morning sun.

A Georgia novelist of the period begins a supposedly autobiographical story with a voluntary exile in France, after service in the Confederate Army. There he joined the French communists and shed blood on the barricades of the Paris Commune. Deported from France he returned to Atlanta, where he was met at the station by cheering admirers. "Citizens!" he proclaimed, "I have fought two months in Paris for what many in this crowd fought four years [for] in Virginia and the West." He forthwith plunged into the work of the Ku Klux Klan, and followed that exploit by joining Joseph E. Brown in the work of "civilizing" the South, as he put it.<sup>39</sup>

Another confused young man was Thomas E. Watson. Though he entered politics in 1880 as a bitter opponent of the new order, one discovers him writing in 1883: "In the name of the future let the dead past bury the dead. The world moves, let us move with it. Let us get out of our Egypt." Prophets are not wanting, and "Should our path be blocked by the sea, the master will divide it. Should our lips grow parched with famine the rock will give forth water, the desert manna." The South must prepare for prosperity. "It will come by the stream where the factory moves. It will come through the streets busy with hurry-

<sup>38</sup> Avery, *History of Georgia*, pp. 568-587.

<sup>39</sup> Trammell, *Ca Ira*, pp. 239-240. "I think," says the protagonist, "the reasoning of the Commune itself ought to be satisfactory to everybody—except 'divine right and lilies of Bourbon' people." *Ibid.*, p. 264.

ing feet."<sup>40</sup> Though temporarily deflected from his course, Tom Watson was one of the first to regain his poise, and later headed the movement of revolt against the New South.

Most pathetic was the confusion of the agricultural masses, who took up the slogans handed down from the city industrialists and repeated them with something like despair. Speaking before the State Agricultural Society in Atlanta in 1883, a man who described himself as a dirt farmer exclaimed:

We must get rich! Let the young South arise in their might and compete with them [Yankees] in everything but their religion and morals. Don't mind old fogies like myself and others of the same age who are sulking in their tents.

Life is real, life is earnest;  
In this modern fight of life,  
Be not like your old ancestors,  
But let money be your strife. . . .

Get rich! Sell everything marketable and live on the culls. Let every yellow-legged chicken, dozen of eggs and pound of butter look in your eyes as fractions of a dollar, and act accordingly. Get rich! If you have to be mean! The world respects a rich scoundrel more than it does an honest poor man.

Poverty may do to go to heaven with. But in this modern times. . . .

Get rich! and the south will no more beg for settlers; the sails of your vessels will whiten every sea; emigrants will pour in; capitalists will invest. . . .<sup>41</sup>

The presiding genius of the New South, and the most eloquent spokesman of its rulers (though always with a word for the "Heroes in Gray") was Henry W. Grady. At the attractive young editor's side, though keeping always shyly in the background, was the most lovable literary figure in the South, Joel Chandler Harris, chief editorial writer of the *Constitution*. There was no resisting this partnership of major prophet of the New South and tenderest chronicler of the Old South. Southerners generally quite lost their hearts to the two of them.

Grady's services to the new order were manifold. He contributed much to its ethos by glorifying the new way of life, and surrounding it with a romantic appeal. In his newspaper and

<sup>40</sup> MS. Journal 2, pp. 317-331, Watson MSS., University of North Carolina Library, Chapel Hill, N. C.

<sup>41</sup> *Atlanta Constitution*, Aug. 16, 1883.

in his speeches he was wont to dwell upon the obscure stories of the self-made men, the industrialists and capitalists, telling of their rise to wealth, polishing their histories till they took on the lustre of his imagination. "They have sunk the corner-stone," he declared, "of the only aristocracy that Americans should know."<sup>42</sup> A more tangible service, perhaps, was the perfect flood of publicity that Grady gave to Southern resources for industrial development. His oratorical poems picturing "mountains stored with exhaustless treasures, forests, vast and primeval, and rivers that, tumbling or loitering, run wanton to the sea" were one long hymn of invocation to preëmption and exploitation. From Boston to Dallas thousands were enchanted by his vision of the New South: "I see a South the home of fifty millions of people; her cities vast hives of industry; her countryside the treasures from which their resources are drawn; her streams vocal with whirring spindles. . . ."<sup>43</sup> "Every train brings manufacturers from the East and West seeking to establish themselves or their sons near the raw material in this growing market," he told eager Southerners, and he added: "Let the fullness of the tide roll in."<sup>44</sup>

Henry Grady, it is held by some, was chiefly significant as a prophet of reconciliation—reconciliation between sections, between classes, and between races. In a certain sense that is true. In the last year of his life Grady addressed a letter to the leader of the Farmers' Alliance movement in Georgia marked "Strictly confidential." "Let me give you an idea," he said. "Put yourself in line with the movement to bring about peace between the agricultural and commercial interests of the state which is now threatened by the Alliance. . . . The man who does it will be master of the situation."<sup>45</sup> Addressing a convention of Alliancemen Grady said: "There is no room for divided hearts in the south . . . without regard to class."<sup>46</sup> No division was possible because of the threat of "Negro Domination." The only "hope and assurance of the South," thought Grady, was "the clear and unmistakable domination of the white race. . . ."

<sup>42</sup> *Ibid.*, Mar. 24, Aug. 15, 1880, and generally the articles and editorials in this paper from 1880 to 1889.

<sup>43</sup> Harris, Joel C., *Henry W. Grady*, p. 182.

<sup>44</sup> *Ibid.*, p. 82.

<sup>45</sup> Henry W. Grady to William J. Northen, Mar. 4, 1889, MS. in Northen Scrapbooks, III, 264 (Atlanta).

<sup>46</sup> *Atlanta Constitution*, Oct. 25, 1889.

Year	Whisky		Wine		Beer		Total		Total (1870-1879)
	Value	Quantity	Value	Quantity	Value	Quantity	Value		
1870	100	100	100	100	100	100	300	300	300
1871	105	105	105	105	105	105	315	315	315
1872	110	110	110	110	110	110	330	330	330
1873	115	115	115	115	115	115	345	345	345
1874	120	120	120	120	120	120	360	360	360
1875	125	125	125	125	125	125	375	375	375
1876	130	130	130	130	130	130	390	390	390
1877	135	135	135	135	135	135	405	405	405
1878	140	140	140	140	140	140	420	420	420
1879	145	145	145	145	145	145	435	435	435
1880	150	150	150	150	150	150	450	450	450
1881	155	155	155	155	155	155	465	465	465
1882	160	160	160	160	160	160	480	480	480
1883	165	165	165	165	165	165	495	495	495
1884	170	170	170	170	170	170	510	510	510
1885	175	175	175	175	175	175	525	525	525
1886	180	180	180	180	180	180	540	540	540
1887	185	185	185	185	185	185	555	555	555
1888	190	190	190	190	190	190	570	570	570
1889	195	195	195	195	195	195	585	585	585
1890	200	200	200	200	200	200	600	600	600
1891	205	205	205	205	205	205	615	615	615
1892	210	210	210	210	210	210	630	630	630
1893	215	215	215	215	215	215	645	645	645
1894	220	220	220	220	220	220	660	660	660
1895	225	225	225	225	225	225	675	675	675
1896	230	230	230	230	230	230	690	690	690
1897	235	235	235	235	235	235	705	705	705
1898	240	240	240	240	240	240	720	720	720
1899	245	245	245	245	245	245	735	735	735
1900	250	250	250	250	250	250	750	750	750
1901	255	255	255	255	255	255	765	765	765
1902	260	260	260	260	260	260	780	780	780
1903	265	265	265	265	265	265	795	795	795
1904	270	270	270	270	270	270	810	810	810
1905	275	275	275	275	275	275	825	825	825
1906	280	280	280	280	280	280	840	840	840
1907	285	285	285	285	285	285	855	855	855
1908	290	290	290	290	290	290	870	870	870
1909	295	295	295	295	295	295	885	885	885
1910	300	300	300	300	300	300	900	900	900
1911	305	305	305	305	305	305	915	915	915
1912	310	310	310	310	310	310	930	930	930
1913	315	315	315	315	315	315	945	945	945
1914	320	320	320	320	320	320	960	960	960
1915	325	325	325	325	325	325	975	975	975
1916	330	330	330	330	330	330	990	990	990
1917	335	335	335	335	335	335	1005	1005	1005
1918	340	340	340	340	340	340	1020	1020	1020
1919	345	345	345	345	345	345	1035	1035	1035
1920	350	350	350	350	350	350	1050	1050	1050
1921	355	355	355	355	355	355	1065	1065	1065
1922	360	360	360	360	360	360	1080	1080	1080
1923	365	365	365	365	365	365	1095	1095	1095
1924	370	370	370	370	370	370	1110	1110	1110
1925	375	375	375	375	375	375	1125	1125	1125
1926	380	380	380	380	380	380	1140	1140	1140
1927	385	385	385	385	385	385	1155	1155	1155
1928	390	390	390	390	390	390	1170	1170	1170
1929	395	395	395	395	395	395	1185	1185	1185
1930	400	400	400	400	400	400	1200	1200	1200

NOTE: Figures are based on the following schedule: 1870-1879, 1880-1889, 1890-1899, 1900-1909, 1910-1919, 1920-1929, 1930-1939.

in his speeches he was wont to dwell upon the obscure stories of the self-made men, the industrialists and capitalists, telling of their rise to wealth, polishing their histories till they took on the lustre of his imagination. "They have sunk the corner-stone," he declared, "of the only aristocracy that Americans should know."<sup>42</sup> A more tangible service, perhaps, was the perfect flood of publicity that Grady gave to Southern resources for industrial development. His oratorical poems picturing "mountains stored with exhaustless treasures, forests, vast and primeval, and rivers that, tumbling or loitering, run wanton to the sea" were one long hymn of invocation to preëmption and exploitation. From Boston to Dallas thousands were enchanted by his vision of the New South: "I see a South the home of fifty millions of people; her cities vast hives of industry; her countryside the treasures from which their resources are drawn; her streams vocal with whirring spindles. . . ."<sup>43</sup> "Every train brings manufacturers from the East and West seeking to establish themselves or their sons near the raw material in this growing market," he told eager Southerners, and he added: "Let the fullness of the tide roll in."<sup>44</sup>

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<sup>46</sup> *Atlanta Constitution*, Oct. 25, 1889.



TABLE I.—(Continued.)

No.	1880		1881		1882		1883		1884		1885	
	Jan.	Dec.										
36	100	100	100	100	100	100	100	100	100	100	100	100
37	100	100	100	100	100	100	100	100	100	100	100	100
38	100	100	100	100	100	100	100	100	100	100	100	100
39	100	100	100	100	100	100	100	100	100	100	100	100
40	100	100	100	100	100	100	100	100	100	100	100	100
41	100	100	100	100	100	100	100	100	100	100	100	100
42	100	100	100	100	100	100	100	100	100	100	100	100
43	100	100	100	100	100	100	100	100	100	100	100	100
44	100	100	100	100	100	100	100	100	100	100	100	100
45	100	100	100	100	100	100	100	100	100	100	100	100
46	100	100	100	100	100	100	100	100	100	100	100	100
47	100	100	100	100	100	100	100	100	100	100	100	100
48	100	100	100	100	100	100	100	100	100	100	100	100
49	100	100	100	100	100	100	100	100	100	100	100	100
50	100	100	100	100	100	100	100	100	100	100	100	100
51	100	100	100	100	100	100	100	100	100	100	100	100
52	100	100	100	100	100	100	100	100	100	100	100	100
53	100	100	100	100	100	100	100	100	100	100	100	100
54	100	100	100	100	100	100	100	100	100	100	100	100
55	100	100	100	100	100	100	100	100	100	100	100	100
56	100	100	100	100	100	100	100	100	100	100	100	100
57	100	100	100	100	100	100	100	100	100	100	100	100
58	100	100	100	100	100	100	100	100	100	100	100	100
59	100	100	100	100	100	100	100	100	100	100	100	100
60	100	100	100	100	100	100	100	100	100	100	100	100
61	100	100	100	100	100	100	100	100	100	100	100	100
62	100	100	100	100	100	100	100	100	100	100	100	100
63	100	100	100	100	100	100	100	100	100	100	100	100
64	100	100	100	100	100	100	100	100	100	100	100	100
65	100	100	100	100	100	100	100	100	100	100	100	100
66	100	100	100	100	100	100	100	100	100	100	100	100
67	100	100	100	100	100	100	100	100	100	100	100	100
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The only "hope and assurance of the South, thought Grady, was  
 "the clear and unmistakable domination of the white race. . . .

<sup>42</sup> *Ibid.*, Mar. 24, Aug. 15, 1880, and generally the articles and editorials in this paper from 1880 to 1889.  
<sup>43</sup> Harris, Joel C., *Henry W. Grady*, p. 182.  
<sup>44</sup> *Ibid.*, p. 82.  
<sup>45</sup> Henry W. Grady to William J. Northen, Mar. 4, 1889, MS. in Northen Scrapbooks, III, 264 (Atlanta).  
<sup>46</sup> *Atlanta Constitution*, Oct. 25, 1889.

What God hath separated let no man join together. . . . Let no man tinker with the work of the Almighty."<sup>47</sup> Finally, Grady preached reconciliation between sections—that is, between the industrial East and the New South.

Here in substance was the political philosophy of the new order in Georgia: the enthronement of business enterprise as the ideal of the good life; the reconciliation of classes; that is, reconciliation of the farmers and laborers to the continuation of the business man's regime, in the name of "White Supremacy"; reconciliation of the races; that is, the reconciliation of the Negro race to the domination of the white race; reconciliation between sections; that is, an alliance—cultural, financial, and political—between industrial East and New South; and finally, a type of reconciliation about which Grady had nothing to say, reconciliation of the workers in the new factories to their lot—whatever that might be.

This philosophy is better understood in contrast with the creed of the Populists—who challenged every one of its tenets. The Populists, of course, glorified the farmer and his way of life; they preached reconciliation between sections; that is, between agrarian South and agrarian West; reconciliation between races; that is, between Negro farmer and white farmer, between Negro worker and white worker, on a basis of equal political rights for both races and support by both of the Populist platform. But the new prophet of reconciliation, Tom Watson, came not to send peace but a sword, and to set brother against brother—that is, farmer and laborer against capitalist and industrialist.

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<sup>47</sup> Harris, Joel C., *Henry W. Grady*, pp. 99-101.

# A NORTH CAROLINA CITIZEN ON THE FEDERAL CONSTITUTION, 1788

Edited by JULIAN PARKS BOYD

The unsigned, undated manuscript essay on the Federal Constitution which now appears in print, apparently for the first time, might have been intended for the *Edenton Intelligencer* or the *State Gazette of North Carolina*, though hardly for the Anti-federalist *Wilmington Centinel and General Advertiser*.<sup>1</sup> It might also have been intended as an addition to the flood of pamphlets dealing with the great issue of a century and a half ago. The unknown author, casting his essay in the form of a letter to a friend equally anonymous and perhaps fictitious, was, however, definite as to his purpose of preparing the mind of the populace for the reception of the Constitution "by giving a fair and plain answer to all the objections that are capable of answer or explication." He had no illusions about the difficulty of his task, for he viewed with astonishment "the behaviour of some men, who have, with very little reading or thinking, perhaps none at all, pronounced sentence of condemnation on the several parts of the Constitution as fast as they have heard or read them." And he was well aware of the fact that "some of our farmers have not books and will not read or think: yet they will talk and judge and condemn."

The populace, influenced by such varied leaders as the Etonbred aristocrat, Willie Jones, the backwoods Baptist demagogue, Lemuel Burkitt, the Pennsylvania classical scholar, preacher and physician, David Caldwell, the versatile Cape Fear blacksmith and politician, Timothy Bloodworth, and the near-illiterate Tory-hating Irishman, General Griffith Rutherford, was likely to pay little heed to our unknown author's effort at a calm and judicial analysis of the Constitution. It was more exciting to the populace to hitch its horses outside Elder Burkitt's church in Hertford County and listen to an emotional harangue than to read a temperate essay which made use of Blackstone's *Com-*

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<sup>1</sup> The manuscript of this essay is to be found in the archives of the North Carolina Historical Commission, Miscellaneous Papers, Series One, Vol. 1, 1755-1788, Sept. 20-Nov. 20, pages 137-141. Efforts to identify the handwriting of the author have been unsuccessful. He was doubtless a man of education and perhaps of some wealth. I am inclined to believe that he was, or had been, a military man and that he came from the interior or western part of the State. This tentative assumption is based on the very slim evidence in his essay wherein he evinces a high regard for the Society of the Cincinnati and shows a familiarity with the objections of some of the Germans.

mentaries, Burgh's *Political Disquisitions*, and "Rosseau." The fact that this was the gravest and most far-reaching issue ever set before a people doubtless augmented rather than decreased the inclination of the populace to take part in heated and ill-informed arguments in taverns and shops: tenacity of opinion on this great subject, and warmth in expressing it, was apt to be in direct ratio to the lack of information. With the populace the talk of paper money was intensely practical. With them our author's abstract of the *Essay on Money* would have been a subject to be listened to, if at all, with boredom and probable incomprehension.

Nevertheless, the very attributes which made this essay ill-adapted to its purpose in 1788 have caused it to be of value to the historian. The author of *The Ratification of the Federal Constitution in North Carolina*, well aware of the high quality of Hugh Williamson's *Letters from Sylvius*, of James Iredell's *Marcus*, and of Archibald Maclaine's *Publicola*, referred to it as "the best summary of the objections made in North Carolina to the Constitution."<sup>2</sup> It probably does not rank with any of these in the force of its defense of the Constitution, but its catalogue of objections is so complete as to include that which made the very number of objections an additional one. The long analysis of the *Essay on Money* is enlightening for two reasons: it gives emphasis to the importance of paper money as an issue in the ratification question in North Carolina and it calls attention to the relative scarcity of pamphlets within the State.

The essay was written in the spring of 1788, probably late in April. It is apparent from internal evidence that it was written after news of Massachusetts' ratification had been received,<sup>3</sup> but before the author had heard of the ratification by the seventh State.<sup>4</sup> The reference in the first paragraph to the "late elections" undoubtedly refers to the elections held on the last Friday and Saturday in March for selecting delegates to the Hillsborough Convention of July 21. The returns for this election came in slowly during the early days of April, and it was probably the news of such turbulent electioneering as that in Dobbs

<sup>2</sup> Trenholme, Louise Irby, *op. cit.* (New York, 1932), p. 123.

<sup>3</sup> Massachusetts ratified on February 6, 1788. The *State Gazette of North Carolina* announced the action of Massachusetts on March 27.

<sup>4</sup> Maryland, the seventh state, ratified on April 28, 1788.

County that caused our author to reach for his pen. The defeat of an outstanding citizen like Richard Caswell by an obscure Baptist parson no doubt filled him with a well-grounded fear for the outcome of the Hillsborough Convention. The election of such able supporters of the Constitution as James Iredell, Samuel Johnston, William R. Davie, Richard Dobbs Spaight, and Archibald Maclaine and such substantial citizens as John Steele, Stephen Cabarrus, Whitmell Hill, and John Gray Blount did not offset the anxiety aroused by the election of Willie Jones, David Caldwell, Timothy Bloodworth, General Thomas Person, General Griffith Rutherford, Elisha Battle, and some of their followers who were described as "extremely obscure and unfit from excessive ignorance—as is alledged—to discuss or decide upon so great a question."<sup>5</sup>

Those who fought in vain for the ratification of the Constitution by the Hillsborough Convention were in a minority, and no doubt it was a minority which had on its side the superior weight of education, wealth, and talent. But the Federalists had a monopoly neither of patriotism nor of anxiety for the future. History has apparently invalidated the major premise of the Anti-federalists but it has also endorsed the logic of their argument, particularly with respect to the nature of the Union. When Patrick Henry asked by what authority the members of the Federal Convention could "speak the language of *We, the people* instead of *We, the States*" he doubtless voiced a provincial sentiment, but his question remained unanswered for three-quarters of a century. Even our *Federalist* author prophesied "some distant difficulties and dissensions about the true sense of certain Articles and sections." It requires no great amount of discernment to perceive the century-and-a-half-old shade of the Anti-federalist as he stalks in the halls wherein contemporary constitutional forensics take place.

Sir

At your request, as well as for my own satisfaction, I have taken a few leisure moments to review the Constitution, and the popular objections against it. Indeed I design to consider all the Objections I have ever heard; but especially those of the populace, who have shewn us at the late elections that they are much divided in their sentiments

<sup>5</sup> John Brown Cutting to Thomas Jefferson in July, 1788; quoted in Trenholme, *op. cit.*, p. 115.

about it: and while they have discovered a spirit of liberty which gives me no small pleasure they have also shewn a temper not well prepared for receiving the Constitution if it should be received. This gives me pain.

Which way soever I turn myself the prospects [are] disagreeable. If the constitution be rejected the consequences are plain and obvious; and the rejectors ought most certainly to answer for them.—Our foreign creditors will immediately take measures to indemnify themselves.—The adopting States will call upon us for some security for our quota of the national debt—we shall be separated from the Union—obliged to maintain all the officers, and expenses of a separate nation—and perhaps be refused admission to the Union when a foreign or domestic war may compel us to sue for it.

We are by no means in the same situation in which we stood before the Constitution was formed. We seem to have passed the Rubicon; and I am yet to learn how we are to get back. We are not in the same situation, neither in the view of foreigners, nor of each other. A Creditor sees his debtor in a very different situation before he has made a grand effort to make payment and after that effort has proven totally abortive; and different debtors jointly and severally bound, see themselves in a different state, when they are making a . . . [illegible] effort and after they have quarreled, parted, and gone to law with each other about their respective shares of the debt. I insist upon it that unanimity about a bad measure at this critical moment, provided that measure may be rectified hereafter is preferable to that division, and political distraction which will certainly attend delay.

Let us view on the other hand the consequences of adopting the Constitution. No man can account, or should be made accountable for forced unnatural consequences that cannot be easily or possibly foreseen: but I think according to the common course of events the following may be foreseen—respectability in the eyes of foreign nations,—the revival of commerce now almost expiring—national strength and vigour for a number of years at least—the advancement of literature and (unless some few alterations or rather explications be made especially in the military part of the constitution) some distant difficulties and dissensions about the true sense of certain Articles and sections. And finally a great deal of dissatisfaction in the minds of the people at its first reception, for the effects of which I cannot account: Unless the opposers will promise to be generous & candid but will venture to say that according to present appearances they will not be worse, nor in my humble opinion half so pernicious as those of the final rejection of the Constitution, either by 9 States or but one of them.

These, my good friend, are my views of the subject on all sides: and this the only immediate disagreeable consequence on the side of its reception. The other ill consequences are I think remote, if this one

can be gotten over, and may be altogether prevented by a few amendments.

But Sir there is no time nor way at present to make these amendments but by adoption. On this subject I am quite clear. I have many other reasons besides this one namely that 6 states have already adopted it: but this alone is sufficient.

It only remains then to make some attempts to prepare the minds especially of the populace for its reception by giving a fair and plain answer to all the objections that are capable of answer or explication; and candidly to acknowledge the force of those objections that appear to have their weight; and propose them for amendment: and if 9 States agree about any one matter, it must certainly be amended.

I confess that I have not read as much as the Author of Thoughts on the present State of affairs<sup>6</sup> requires, in order to judge of the several parts of the constitution: nor do I consider myself master of every part of so vastly extensive a subject: however by the assistance of the Essay on money<sup>7</sup> I consider myself fully master of that part of the subject, and it is by no means the least popular part. I shall now take the liberty of laying before you all the objections that I have ever thought of or heard in conversation, or collected from reading; not in the confused, and promiscuous order in which I have noted them down as they have occurred; but in the order in which the several parts of the constitution will arrange them, leaving it with you, my honest friend, to make any use you may think proper of my thoughts on this important subject, a subject so important and extensive that I feel myself stung with some degree of self reproach for even complying with the request of a friend.

Your request is one apology, another is that I have not been hasty in coming to a determination; I have been astonished at the behaviour of some men, who have, with very little reading or thinking, perhaps none at all, pronounced sentence of condemnation on the several parts of the Constitution as fast as they have heard or read them. I assure you that this has not been my conduct. I have viewed and reviewed the subject, attempted to divest myself of all prejudice and prepossession, listened attentively to the objections, called in all my little reading to assist me in comparing it with other constitutions; and the result of the whole you find in the following objections acknowledgements, and answers.

The objections are either general or particular and have become so numerous that their very number has added one more; for it is not long since I heard it urged as an Objection that there were so many

<sup>6</sup> This may refer to Thomas Paine. His *Common Sense* was issued in 1776 in Newport under the title, *Thoughts on the Present State of American Affairs: Extracted from a Pamphlet lately published in Philadelphia, Entitled Common Sense, Addressed to the Inhabitants of America.*

<sup>7</sup> Hugh Williamson's *Letters from Sylvius.*

objections against the constitution. Some thing it is said must certainly be the matter with a Constitution against which lie so many objections. Our State Constitution was received without any.

This must be acknowledged in part, and in part only. I have compared the State and federal Constitutions, and I confess that I can see some difference: but this respects in my opinion, the manner or style, rather than the substance.

Besides more objections are naturally to be expected in the one case than in the other. It is much easier to consult the interest of one, than the interest of 13 men. The interest of individuals prepared them for receiving the State-Constitution; and for *objecting* against the federal one. Men that have made fortunes or expect to make them by speculating on paper-money or by Western territory – men that are involved in debt or that have long held places of profit or honour in the State may be expected to object, for no man wants a master.

If it be said that there are more objections against this than against the former feodral plan, I reply that this also is to be expected; any government will be popular that leaves too little power in the hands of rulers, and when people have lived a while under such a government, they will cry out against one that gives rulers no more powers than are really sufficient to enable them to govern. This is very natural, and therefore may be expected.

I also confess that the new, is not as plain, nor expressed with as much precision in all its parts as the former Plan: but upon the whole I think it is preferable, I shall instance in a few particulars perhaps there may be others that do not occur at present.

1 The President and Vice-President are now chosen by the People.

2 The People have the choice of members of Congress. Each State in proportion to its numbers.

3 Provision is made for settling disputes between the United States, and respecting Ambassadors &c &c

4 The Legislative, Judicial and Executive departments are now seperated according to one of the first principles laid down in our State Constitution. So that in general it is certainly more *popular* than the Old Plan, and this induces me to believe that men's minds were some how previously prepared to object, otherwise this would have hardly been overlooked; and yet I have seen very few who have observed it.

But another objection is taken from the conduct of the members of convention. It is said that they surpassed the powers granted to them. They were appointed to amend the old constitution they have formed a new one; and instead of calling for another convention to deliberate on this new constitution, alter or amend it, They have proposed it for adoption or rejection.

To this the short and I apprehend true answer is They saw what we all now see Viz, that some more efficacious Plan than that by which

we were formerly governed was necessary; and that it was a saving of time and expense to hand it out to the people in this manner in which they have done: tho I think it is to be wished that another Continental Convention had been called to alter amend ratify and confirm it: but on this subject I cannot be positive because I know not the reasons that induced the members to adopt the present mode of offering it to the consideration of each particular state. This is a subject about which I wish the members of convention would be pleased to inform us.

The Constitution is objected to because there is no bill of rights prefixed. To this I think the answer is plain short and easy. It is all a bill of Rights, and every right not there expressed is retained by the several States.

The Constitution itself passes without any particular objection till we come to Sect 4. Artic I

The times places and manner of holding elections &c &c. This is said to be an encroachment on the liberty of each state.

In answer to this it may be asked, why may not the citizens of this State as readily confide in men chosen by themselves to represent them in Congress as in men chosen also by themselves to represent them in Gen: Assembly? Some have openly declared that there is no sett of men on earth in whose wisdom and integrity less confidence need be placed than in the very men that generally form our Assemblies, and that it is nonsense to suppose that every right granted to one or two men is in danger of being lost; while every right granted to 2 or 3 men is perfectly secure, and yet this nonsensical objection is at the bottom of this and almost all the other objections against the Constitution.

I do not like to speak evil of dignities: but I cannot forbear to think that our public affairs are at present in great confusion. There are more proofs of this than the state of our Western affairs; I believe that this confusion has arisen partly from ignorance, partly from knavery: but originally from each State's being so much its own master, and subject to no superior controul; it is therefore the interest of every private citizen that our rulers should have one head: but it is their interest to be head themselves.

While will not these men be satisfied with that power they already possess? Are they not authorized to chuse 2 men the same time that the private citizens chuse 5; Why should they regulate the times of our elections (I speak as a private citizen, one of the populace of which number I really am) No; let them chuse the place of their own meeting i e let them chuse 2 Senators *wherever* they please: but let a superior power regulate all the rest, and why should we not confide in that power when chosen by us, and accountable to us?

But it will be asked what would be the consequences if Congress should make a law that there should be no elections for 7 years? I will answer this question by asking another as foolish as itself. Namely

what would be the consequence if our Gen Assembly should pass such a law?

It may be added, by way of explication, that there is propriety as well as justice in this Section: and that it was intended to fix the *place* of election in the centre of the electors, and to make the time uniform throughout the united States, to prevent that electioneering that might take place where the time, &c to be different. and that the laws might be uniform

Another very popular objection lies against the 6<sup>th</sup> Section which gives the members of Congress a right to fix their own salaries. And the short answer is that the members of our Assembly exercise the same right. Here again I cannot but think that the minds of people were prepared for objecting; because they have taken no notice of Objections exactly parallel in other cases, and the reasons of such a preparation or prepossession I have assigned above

The 8 Sect: has afforded another objection Viz that Congress shall have the power of both *laying* and *collecting* taxes, I answer have not each Assembly the same power? Is a power of laying without collecting any power at all? Let each state make the collection, and we are in our present wretched inefficacious condition exactly.

This same Sect. affords another objection. The purse and sword are in the same hands. This is too much. In England the king draws the sword: but the commons hold the purse strings. This objection is very popular: but has arisen either from ignorance or inattention; for in Artic I Sect 7 It is expressly said that all bills for raising revenue shall originate in the house of Representatives; and Artic II Sect 2 declares the the President shall be commander in chief. These 2 Sections shew that the purse and sword, so far from being in the same hands, are as far apart as they can possibly be placed.

This same 8 Sect (a very unfortunate one indeed) has offered another objection Viz the *necessity* of raising a standing army. I reply that the *necessity* is absolutely denied, and only the *power* asserted; and I assert the absolute necessity of such a power existing in some *one* place in the 13 States.

What in the name of heaven is to be done on an invasion? Where are your arms amunition money? &c &c In 13 different places? or more probably in *no place* at all? Where are your leader or leaders? No less than 13 of them, and who shall command? Mean time the States are pillaged and plundered and before we are ready for action the foe is gone off with the booty. This may be an answer to

Another objection Viz: The claiming a right to a certain tract of soil in some of the States for keeping military Stores &c

Another objection is taken from the 9 Sect: Viz that foreigners migrating to any of the 13 States must be taxed.

Ans This is absolutely denied; and the whole has reference only to servants of a certain Class, and slaves,

From the same Sect. State of public expenditures shall be made known from time to time. This is too vague. Ans It may refer to the *time* of appropriation which must be made by law. This answers

Another objection Viz: that money may be appropriated for 2 years, then 2 more &c &c for ever: but all this must be done by law, which supposes the concurrence of the very men with whom originates all money-bills. See Section 7, and these men are chosen by the people.

But one of the most popular objections is that the Constitution will sweep off all our paper-currency, and leave no money at all for the payment of taxes. &c &c.

In answer to this, I will just take the liberty to compendize the Essay on Money, without adding many observations to it, for the author has given a systematic view of the subject.

In the first ages, no money was needed. Commodity was bartered for commodity and all that was wanted was

1 A standard of computation equally known to both parties. This at first was the ox: as much as to say This article is worth an ox, yours is of equal value, let us exchange.

2<sup>d</sup> Because some commodities were not portable, it became necessary that this standard of computation should have a *Sign* This sign was at first the sign, or picture of the ox, stamped on some *matterial* gold silver leather &c. Servius Tullius, a Roman King stamped some pieces with the ox. Hence pecunia money from pecus cattle, and hence even in the 13 Century cattle were called *viva pecunia* live-money (See magna charta, granted by king John of England. Charter of the Torist. Rapin. Vol. II.) the language of all this was "Here is my Ox stamped on this matterial for your live-Ox. Individuals or society have aggreed to give you an Ox for it, whenever you wish to exchange.

3<sup>d</sup> It became necessary that the matter or substance of the sign should (without any respect to the stamp) have as many of the properties of the substance or thing signified as possible. That is to say 'I have not the substance; but I have an article that is in intrinsic or commercial value altogether equal I have not the ox but I have something as good; something that will equally claim the confidence of society.' Now the question is what article is that which will not only be a convenient sign: but also a saleable commodity, or substance when it is no sign or has no stamp on it at all? Or what are the properties of the most saleable commodity? I answer the more any thing be possessed of the following properties the more saleable.

- 1 Valuable or useful in life
2. Rare or hard to find
- 3 Portable or easily carried

4 Divisible into small parts

5 Durable

6 Equable i e all its parts and parcels from whatever different places collected, equal in value.

The more any commodity possesses of these properties the more valuable it is as a substance, and the more convenient as a sign of substance. Now where shall we look for something possessed of these properties?

There are but three regions to which we can apply—the mineral—vegetable—and animal worlds. And accordingly signs of substance have been taken from each of these. From the Animal — Leather (as in Sweden See Rosseau) and Shells. — From the Vegetable, bark of trees and paper — And from the Mineral gold, silver, copper or brass (which is only a composition of copper and calomine clay) and iron.

Now the metallic substances have undoubtedly most of the above properties, and gold and silver, more of them than any other metals.

1 They have an intrinsic commercial value; not only as signs of substance; but as substance itself. They are really useful in life. This appears from their being passed by weight (See Zen XXIII 16) perhaps before any impress was made on them by authority of society. 'And indeed the stamp impress'd on coin is only to witness that the piece thus marked is of such a value'. Rosseau.

But paper iron &c have also their intrinsic commercial value. Ans yes; and if you take them to the blacksmith, silversmith or printer, you will find the respective value of each: your paper shall be 4 or 5/ the quire; your iron 10<sup>d</sup> or 1/ per lb: your silver about 1 Dollar per ounce; and your gold in proportion. And all this without any stamp of public authority on either one or other of these commodities.

2 Gold and silver are rare. They are so rare that the whole mass of them in all places of the earth; and in all their parts and parcels can be converted into money: and the whole mass not more than sufficient for a circulating medium all the world over; without confining them to one country and excluding them from another.

Now this could once have been said of copper and iron, and then copper or brass and iron were money: but this cannot now be predicated of them, nor of paper, nor any other article that I know of, except gold and silver.

3 They are portable, especially gold. Silver indeed is becoming rather too plenty so that the value of any very valuable article in silver is not portable. One hundred dollars in value is about 8 lb in weight, and so on in proportion. And it may not yet become all the world over as it was in judea 'Nothing counting of (see 1 Kings X 21. Even now if there were but half the quantity, one dollar would be equal to two.

This shows the folly of those who complain of the want of a cir-

culating medium, and urge the scarcity of hard money as a reason for emitting a paper currency. There is a great want of industry and frugality: but no want of silver. The industrious frugal man in North Carolina can dig as much as he pleases out of the Spanish mines; and it is out of the power of the Spaniard to prevent it.

4 They are divisible in this respect they have no very peculiar advantage above paper iron or other signs. But

5 They are more durable than paper; or any thing else formed from the animal or vegetable world. And

6 They are said to be more equable than any other metal or perhaps any other thing. Iron tin or copper from different mines have different qualities, some coarse, some fine: but all gold and silver are said to be alike in quality, from whatever part of the globe they may have been brought.

The advocates for a paper currency will possibly own that paper is not in all these respects equal to Gold & silver: but they will say that it has properties sufficient to recommend it. As

1 It is confessed to have some intrinsic and commercial value as a commodity.

2 Tho the Universal quantity of paper be too great to be converted into money; yet the legislators may take only such a quantity as will be portable for that purpose, and leave all the rest to be, as it was before, not a sign of substance but a commodity itself, or an article of commerce only.

3 That paper is divisible, and tho not durable, nor each kind equal in quality and value to other kinds: yet considering the vast quantity – the ease with which bills worn out can be replaced – and the firm quality with which paper can be formed for that purpose; it may be thought upon the whole to be no contemptable sign of wealth.

To all this it may be replied That tho paper has a commercial value: yet this is so inconsiderable that a valuable horse could scarcely carry his own price in it Nothing ought to be made money the whole of which in all places, and in all its *parts* and *parcels*, could not. Silver and gold ought not to be made money if *all* silver and gold were not money. Because it would open the door for counterfeiting speculating and other ills. Now let a man strike a counterfeit stamp on *any* gold or silver whatever; I care not, he gets nothing by the bargain; and I lose nothing. Gold is gold, and silver is silver. Let him strike his stamp on base metal, Archimedes has taught one how to detect the fraud: but let the false impress be made on paper; there is so much *other* paper – one impress may be so much like another and one scrap of paper so much like another that there is danger in position. This is thought to have been the reason why James II king of England could not enforce his base metal as good money. There was so much *other* base

metal, and the counterfeiting therefore so easy that the people refused to give it credit.

It may be further objected that paper is capable of receiving a Legislative value. It can be *enforced* as a lawful tender, and the counterfeiting punished with death.

In answer to this it may be said that such laws are unwise – unjust – in a great degree impracticable – and pernicious as far as they can be carried into effect.

1 – Unwise – a wise government studies to prevent crime. This lays temptations to commit them: – a wise government always tries to find a justification of the punishment in the feelings of the human heart; this does not and cannot find it – a wise government makes no unnecessary laws: these laws are unnecessary; there is more than a sufficient quantity of silver; a considerable part of it has ceased to be money, and has been converted into house furniture horse trappings and other decorations of the like nature.

2 – Unjust – because they open a wide door for speculation. There are some men in this State who have encouraged the striking of paper-money – then contracted large debts – then depreciated the money – and finally paid of their debts with about two thirds of their real value in paper-bills. This has occasioned one of our \*best politicians to say

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\* See Sylvius' Letters

that government might with equal justice pass a law that debts should actually be paid with two thirds of their value; and that it should be by law put out of the creditor's power to recover any more of his just debt. The speculators are now the warmest advocates for paper-bills; tho some honest men have joined with them from mistaken principles.

Such laws are unjust because they destroy the nature of contracts, which always require that they be free and mutual. These contracts can subsist between individuals and government, as well as between two individuals. Now where is the contract in this case? You shall receive this as tender says Government. The individual has no choice.

3<sup>d</sup> Laws to keep the value of paper-bills, and punish depreciators speculators & counterfeiters are impracticable; they are like the attempts to regulate commerce which will regulate itself in spite of all laws. Such laws are impracticable, because there is nothing in the feelings of the human heart to justify the penalty: the punishment is therefore often evaded, and addresses to government in behalf of criminals are signed by those, whose feelings would rise up, and cry out 'Let a murderer die.'

If it be plead that paper-bills have been once current in this country, and are still so in other countries, I answer to this

1st The time was, and may return when this late war is totally forgotten, and we as before subject to a foreign government: but he is certainly a very puny politician who cannot see that the cases are altogether different, and that the former can never return.

With respect to other countries, their paper are only bills on banks – promissory notes – not even signs of substance: but only signs of signs; as signs of a certain sum of Gold and silver which can be called out at any time or sued for if detained.

These circumstances together with the convenience of carriage have given them in Holland an Agio or advance above even gold & silver themselves: but in no country have they been made a tender except in America, and it remains with the advocates for paper money to explain the reasons why a measure should be adopted here that has never been taken any where else.

4 Attempts to carry tender-laws into effect are attended with pernicious consequences. the

1<sup>st</sup> is the banishing of gold and silver, which must be made use of in all foreign payments, and which must be very considerable, especially in this State, where the ballance of trade is so much against us. The

2<sup>d</sup> is the encreasing the price of domestic industry, not the price gotten for our industry from foreigners this were to be desired: but the price paid for it to domestics.

3<sup>d</sup> It discourages foreign commerce; merchants do not chuse to hazard their goods for a kind of money that will pass no where else, and those who have done it have been often forced to *run away* from their debtors for fear of payment. Whatever can produce such a monstrous effect as this must certainly be wrong at bottom.

But if we have no paper-money we shall have no money at all. I answer this is a great mistake, we shall only have less, and less will be sufficient. four pence is as good as 4 shillings if it fetch me as much property. The English historian (Rosin) tells you that in the 13 Century in the reign of Henry Beauclerk king of England there was so great a dearth that a sheep was sold for four pence; and yet adds the historian there was, in common, a great plenty of all things in the reign of that prince.

Were there no other nation under heaven but America there would be but one or two weighty objections against paper money – it would be easily counterfeited – and therefore cruel to punish counterfeiting with death.

Or were this country properly peopled i e had we about 10 times our present number of inhabitants: paper-money would be an expedient to destroy foreign trade and encourage domestic manufacture. At present we have not hands who are able and willing to cultivate the soil much less to manufacture all its various productions.

But even the advocates for paper-money have in 2 or 3 instances condemned it themselves.

1 By making a tender-law, they owned that the money was not good in fact. Why make a law to oblige men to take money when it is offered? Are there any who refuse when it is good? If it be necessary to force them does not this demonstrate that it is not good?

2 — By providing a sinking fund. Does not this admit that the bills will do evil if they continue to circulate? When you own gold and silver do you provide for sinking them?

3 — By signing petitions in behalf of criminals condemned for passing counterfeit bills; when the petition has set forth in express terms that there was no *proportion* between crime and *punishment*. This was perfectly right. It did honour to their humanity: for in signing such petitions they *felt* as men— but in passing or appraising of the law they only *reasoned* as legislators or statesmen.

I have now given you a short compend of the Essay, copies of which are very scarce. I wish a number were struck off by some of our printers.

Another objection arises from the II Article Sect. 1. The President is not rendered ineligible at the end of his term of 4 years. This will make him at last a hereditary monarch, or Emperor or at least give him gradually the powers of the Stateholder in the 7 provinces.

I cannot here forbear to remark how well the people were once pleased with the British constitution, and how loudly they complained when deprived of it by a British ministry. Now be pleased to compare their constitution with ours.

1 The king, hereditary unless in extraordinary cases (See Blackstones Commentaries) the President chosen every 4 years.

2 The king, a negative on all laws — the power of making treaties — declaring war — concluding peace &c. The President alone not one of these powers.

3 The house of Lords hereditary. The senators chosen by the several legislatures.

4 The commons chosen by about one ninth part of the people (See Burg's Pol. Disqo) The Representatives chosen, each one by 30,000 electors.

But the President will undoubtedly be a Stateholder at least, if he should not be a king.

The disputes between the Stateholder, and the patriotic party in Holland have happened in the very worst time in which they could possibly have fallen out to strike unthinking minds: who do not consider that debates may be at *any time*, and in *any* government on earth.

I think however it were to be wished that the President had been rendered ineligible at the end of 4 years, except in time of war, when his reëlection might be necessary, especially if he should happen to be

another Washington: in common when a man is thrown out of office by the constitution, he goes off with a good grace – he goes off without a struggle. When otherwise he feels himself neglected and injured; and will therefore make some struggles to hold his office.

Perhaps the most popular of all the objections has been raised against the military part of the constitution. It has been said

1 That the militia may be called out of the United States and 2<sup>d</sup> That they may be called out for any term of time, nay, even sold, say some of our Germans, to pay the national debt.

I confess that these 2 things are not as explicit as they ought to be for

1 Congress ought to be possessed of an express power to call the militia out of the United States in some cases, and these cases should be especially named. Suppose another war with Great Brittain – suppose a Brittain army from Nova Scotia – they ravage the country – the militia are called from several northern states – the enemy retire beyond the line – they sit down quietly with their booty – the militia refuse to follow – they cannot be commanded – they return home – with the enemy at their heels for a 2<sup>d</sup> booty. To come nearer home you may suppose a Spanish war, and the same scene to be enacted on the borders of Georgia.

2 The term of time for which the militia may be called out, ought also to have been explicit, and, the few cases of necessity defined in which they might be held longer than that term.

After all, I cannot see what motives might be supposed to induce a sett of men dependent on the people for their political existence, to drag that people into the field without necessity; and without necessity to hold them there.

Two things are as explicit as they can be: first That each state shall train its own militia 2<sup>d</sup> That the militia of each state shall be commanded by their own officers; and these I believe to be the two principal matters regarded by the militia in common.

With respect to the selling of them, it is a most extravagant idea; and as it is made by the Germans only: it is plain that it has arisen not from the constitution; but from the Hessians, who are commonly said to have been sold by their prince to the king of great Brittain in the late war.

Another objection is raised against the whole of Artic; III, either

- 1 That Congress should appoint no judges; or
2. That their power should be far less; or
- 3 That they will interfere with the state-judges

To the first I reply that no legislative body can exist without judges to determine to what men the rewards and punishments should be distributed, and that these judges ought to be a sett of men distinct from the legislators. These are 2 political maxims so universally received

throughout the states, that some prejudices must be operating on the mind to explode them in this particular case and admit them in all others.

As to the 2<sup>d</sup>, it does not appear that they have more power than the judges in each State. There shall be a 'Trial of all crimes except in cases of impeachment, by jury. And 'Appellate jurisdiction both as to law and facts. If I understand this, the meaning is, not that the supreme court, or judges alone, shall have original jurisdiction of law and fact, without jury: but that there may be an appeal (apellate is not original jurisdiction) – an appeal in cases both of law and fact; and the trial in the supreme court, on such appeal, may be either with a jury or without one, as the case may have been either a point of law, or of both law and fact.

3<sup>d</sup> It is finally alledged that these judges will interfere in their business with the State-judges.

I answer No; the objects of their jurisdiction are ascertained with too much precision. The doubts suggested by Aristides do not respect the objects of jurisdiction: but only the mode of appeal, whether for instance a trial may be entered into the State Court, or court of Congress at pleasure, whether an appeal will lie equally from each to the supreme Court of Congress &c. &c See Aristides all which I understand as he does, tho I confess that he was the first who suggested the doubts to me: but

The sweeping objection is that each State gives away all its rights except two see Artic IV Sect. 4.

1 That each shall have a republican form of government –

2 That each shall have the common aid of all in case of insurrection or invasion.

As this is a question of facts it can be absolutely determined.

1 Then has the liberty of the Press been given away or the erection establishment or endowment of universities, colleges, academies or other seats of learning?

It is my opinion that this last ought to be in the hands of Congress. We would no more see so many little petty seats of learning rising up to the total destruction of one another, no less than 6 or 7 chartered seminaries in this State, and half that number in S<sup>o</sup>. Carolina, when both states are no more than able to support two. We would see some uniformity in our litterary measures were they conducted by one sett of men. The continent would assume a likeness of litterary features – the inhabitants would appear like children of the same family only educated in different places. And this would in my humble opinion be a firmer and more lasting cement of Union between the States than the Society of the Cincinati.

With respect to military matters, each State has expressly retained the two important articles of training and officering their own militia.

As to commercial matters, I defy Congress to make them worse that they have been made by each State. They ought to be in the hands of Congress, and they never will thrive till the[y] be placed there. Suppose 13 Parliaments in England: or suppose that each of the 3 kingdoms undertake to regulate their own commercial affairs. He ought not to be a member of the convention at Hillsborough who could not tell what would be the consequence.

We submitted the regulation of our commerce to the British Parliament, a set of men in whose election we had no choice and are now afraid to commit the same matter to men of our own chusing.

With respect to the legislative judicial and executive rights retained by each State: they are so many that it is easier to express those given away than those retained. This is the reason why there is no bill of rights prefaced to the constitution.

Two observations may be made here

1 - That it is impossible to form a bond of union without giving up some rights

2 That these very rights so given, are delivered into the hands of men as much dependent on the citizens of each state, as the members of their own respective assemblies.

There is another popular objection which I can hardly prevail on myself to mention. There is something in it that has the appearance of destroying the Union, and casting off all government. As it is gone abroad and as it has defeated its own purpose by making some converts to the constitution I will take the liberty to suggest it

The objection (see Artic VI sect 1) is that the expenses incurred by the late war must be paid, if we adopt the Constitution: and it is the interest of N: Carolina to oppose on this principle, that Congress have refused to admit our State-accounts in the national debt.

There are not many of the people who understand the state of our public accounts. All they know is that Congress had authority by a majority of votes, to determine the quota of each State. And that this has been done; the members for this State being present: but they are told that they have no authority to compel this State to pay the quota apportioned by a *majority of votes in Congress*. Then how wretched our present form of government, says every sensible man and when will our public debts be paid when 'Every state' may do that which is right in its own eyes?

The last objection is (see Artic VI) there is no religious test. I find more fault with the manner than matter of this Article. There is no distinction made between different kinds of religious tests.

There are in my opinion 2 kinds of tests 1 Particular, to discriminate one religious denomination or society of Christians from another. Such are the tests in England. These are invidious detestable, and ought by all means to be thrown out of all civil institutions.

But there are general tests by which we own the truth of christianity, and a future state. These 2 things are implied in the Oath of office, required by this Article, administered in the common form.

The members of Convention, I doubt not had their eye on a particular test, why then did they not say "There shall be no particular test? This would have rendered the 2 parts of the Article consistent, and not liable to objection. At present it stands

1 Clause there shall be a general test for such is a [torn] oath

2 Clause There shall be no test at all: But I profess I feel ashamed of myself for making this remark: tho I believe it to be just. it looks too much like a mere critique on words.

Aristides<sup>8</sup> I have read with great pleasure. It ought to be reprinted, with the Essay on Money, which I have compend<sup>ed</sup> for you. Had Aristides come sooner to hand, I would have taken in some of his ideas. His objections are very different from those of the populace, and the excellencies he has pointed out in the constitution almost entirely overlooked by them.

To the reading of some parts of Montesquieu [and] Blackstone prescribed by him I beg leave to add the constitutions and history of antient Greece and Rome, Venice Switzerland and the Seven Provinces. These should be read [and] understood especially by every man who is to form a public judgment for his country. And after he has read these with attention and candour and compared them with the new Plan and rules prefixed for [such] let him prove an Antifoederalist if he can

But some of our farmers have not books and will not read or think: yet they will talk and judge and condemn. If a man would only compare with attention and candour the constitutions from the short accounts given in the Georgraphy it would be some aid to him in judging.

The common people have unhappily taken up the idea that the system is formed for commerce, and not for them. Can the interest of the merchant and farmer be separated? I confess I cannot tell how you will separate them. "The intercourse of the arts consists in the exchange of industry; that of commerce in the exchange of commodities; that of bankers, in the exchange of bills and money: all these things are connected." Rosseau.

Upon the whole, Sir, I shall wait with anxiety for the meeting of the Convention at Hillsborough; and if the constitution should be rejected I retract what I said when I . . .

<sup>8</sup> [Alexander Contee Hanson] *Remarks on the Proposed Plan of a Federal Government, Addressed to the Citizens of the United States of America, and Particularly to the People of Maryland, By Aristides.* (Annapolis, 1788). Hanson was a member of the Maryland Convention. P. L. Ford reprinted the pamphlet in his *Pamphlets on the Constitution*, pp. 216-257, quoting Noah Webster's remark on *Aristides*: "These remarks are not all original, but they are very judicious, calculated to remove objections to the proposed plan of government."

# UNPUBLISHED LETTERS FROM NORTH CAROLINIANS TO POLK

Edited by ELIZABETH GREGORY MCPHERSON

Among the manuscript collections of the Library of Congress are the papers of James K. Polk, 1777-1849. In addition to one hundred and thirty-five bound volumes of correspondence, there are three volumes containing the papers of Mrs. Polk, 1838-1891; twenty-five small volumes of Polk's diary, 1845-1849; thirteen small volumes of notes and memoranda books; the "partnership book" of Aaron V. Brown and James K. Polk, 1822-1826; an Executive Record, 1846-1847; and one volume of printed speeches. In this collection there are numerous drafts of Polk's speeches, public addresses, campaign material, notes on committee reports, credentials, printed documents, and letters. His correspondence deals with local and national elections, Congressional legislation, presidential appointments, administrative duties, and to some extent the economic and social events of the time. The letters from North Carolinians to Polk here presented derive their value both from the importance of the era with which they deal and from the relation of Polk to the events of that era. In the wider historical field to which the correspondence relates one can scarcely expect from it new facts of the first importance or startling interpretations. Yet these letters throw fresh light on well-known events and help in understanding the period both in North Carolina and in the United States at large.

FROM WILLIAM POLK<sup>1</sup>

Columbia Feb<sup>r</sup>. 17, 1821.

Sir.

Herewith you will find a note on Clemens [*sic*] & Martin for \$105, which bears interest from the date in consequence of the want of a prompt payment, which if he does not pay on being presented, I wish

<sup>1</sup> "Will Polk," as he signed himself (July 9, 1758-Jan. 14, 1834), was the son of Thomas and Susan Spratt Polk. He was born near Charlotte, North Carolina, and was educated at Queen's College. He became surveyor general of the North Carolina land office in what is now Davidson County, Tennessee, in 1783; represented his native county in the North Carolina house of commons, 1785-1787 and 1790; served as supervisor of internal revenue, 1791-1808; was president of the bank of North Carolina, 1811-1819; was for a time president of the Neuse River Navigation Company; was trustee of the University of North Carolina, 1799-1834; and served in the Revolutionary War and the War of 1812. He not only supported Jackson for president but managed his campaign in the State. *Dictionary of American Biography*, XV, 43.

suit to be brought immediately – This note together with those Chambers & Clements [*sic*] already in suit, for my account. I wish you to press pay<sup>t</sup>. for as fast as the *Law* will admit; & when the monies on ha[n]d to advise me thereof at Raleigh.

I also send you with the note the return list for taxes in lists for 1821, which I beg the favor of you to have so placed, as shall not involve me in double Tax.&C and whilst at Pulasky to rent the Land where Clements did live, if it is not occupied by any one taking a note for the rent as well as note from David Groves for the present years rent should he remain on this Land if not to rent this also. Upon the rec<sup>t</sup>. of monies from those where you had bro<sup>t</sup> suit against viz Miller Howell &C. be good enough to place the sums in bank, sending on a Deposit check for the amount after deducting your fees.

I am D<sup>r</sup> Sir

respectfully

Yr mo Hble

FROM WILLIAM DAVIDSON<sup>2</sup>

Charlotte January 22<sup>d</sup>. 1825.

Dear Sir

I receive<sup>d</sup>. your letter together with the answer you Prepar<sup>d</sup>. to which I was qualified agreeable to your instructions And have forward<sup>d</sup>. it to the Clerk of Equity at Columbia as you directed

I was somewhat longer in forwarding my answer than I Could have wish<sup>d</sup>. M<sup>r</sup> Wilson my atto. Here was absent at Raleigh and did not return until within a few days, I had a wish to see him before I sent On the answer &c. The answer I believe Contains all the material Facts of the Case.

Those persons to whom I sold land, And Who are also parties in the suit, ought to feel an interest In the lease, I sold to them under the belief that the Decision of our Court was full and Conclusive, and that I had full and ample authority to Sell, I will thank you to mention to them that they must not Omit their — I have of attention to the Suit

I should be glad to hear from you When Convenient, And should also be glad when you have Reflected fully on the Case that you would Give me your Opinion as to the final disposition of the Case in your court. The Case is of importance to me in several respects, I sold Under the belief that I had an honest legal right to do so & feel my-

<sup>2</sup> William Davidson (Sept. 12, 1778-Sept. 16, 1857) was born in Charleston, South Carolina, but in his youth moved with his parents to Mecklenburg County, North Carolina. He served in the state senate, 1813, 1815-1819, 1825, and 1827-1830; was a member of the national House of Representatives, December 2, 1819, to March 3, 1821. *Biographical Directory of the American Congress, 1774-1927*, p. 883.

self persecuted in some degree by the oppont [*sic*] party From whom I had a right to Expect a different Course,

I want your serious attention to the suit And should I succeed as I have reason to think I will you may Expect a liberal addition to what you have earn<sup>d</sup>.

I should like to know where your Court Comes on, And whether my presence will be necessary

I should be glad to get you to Settle my business with David W. McGee, I Call<sup>d</sup>. On him at Florence, but he was unprepar<sup>d</sup> to Settle I said that Some papers were in the hands of the Late Judge Trimble which were necessary for him On Settlement, I have Just understood that Mr. M<sup>c</sup>. Gee Drew a draft upon me which has not yet been presented I do not know the Amt. And Mr. M<sup>c</sup>.Gee never mentioned The Subject to me, I had a note of his in my hands for Collection, On which the draft was probably grounded — This Note I return<sup>d</sup>. to him at Florence. I will write you Again on the Subject. And Send on Some papers or Accounts necessary for me on Settlement,

I am D<sup>r</sup> Sir respectfully yours

JAMES K. POLK Esq.

FROM WILLIAM DAVIDSON

Charlotte N.C. Sept. 18<sup>th</sup>. 1826

Dear Sir

I expected to have been in Tennessee this fall Otherwise I should have wrote you before this time It is probable that my suit in Chancery will be Tryed [*sic*] At your fall Term, I know of nothing now to communicate To you in relation to the suit, I believe you and Co<sup>l</sup>. Crab [*sic*]<sup>3</sup> are in possession of all the Evidence in the Case And of the disposition of sundry suits in N. Carolina Brought by the same parties, you mentioned in your Last letter that some proposition of compromise had Been made by the Council of the opposite side, Therefore Said nothing to me On the subject, and if they had It would have been un-availing, I shall be governed Entirely by your Judgment, And will do nothing without Your advise, Indeed I should prefer Trying the case On its Merits, I still flatter myself and feel much encouraged By your opinion that the final issue of the Case will Not be against me, If however we should be unfortunate In the Chancery Court, I hope we shall be more successful In your Supreme Court, The suit is One of Importance to me As well as to the person in possession of the Land. I feel Extremely anxious that they should not be disturbed in Their Just rights, for I never should have sold any Part of the Land, if I had not

<sup>3</sup> Henry Crabb was attorney general of the United States for West Tennessee. Bassett, John Spencer, ed., *The Correspondence of Andrew Jackson*, II, 436.

been advised by the Best Council in N. Carolina that I had a full and Just Right to sell, & agreeable to the decision of the Superior Court of N. C. my titles to the Land would be good To the purchaser, And as I before observed the Case Is One of importance will require considerable attention Labour On the part of my Council and in Case we Are Successful I will do as I have heretofore said A liberal part by my Council.

I have been neglectful in not Making some arrangement to settle with David W. McGee It was his request I should do so, and desired that I should get you to make the settlement, you advised Me however that your feeble duties render it Inconvenient for you to attend to it, but that your Father would probably do me this favor, I intended To have wrote to him On the Subject, but believe I never did, I have understood that Mr. McGee has left alabama and is now living in Columbia And probably will continue to attend to my business If however he should wish a Settlement, I hereby Authorize you to make it with him, and in case you cannot attend to it, be so good as to speak To your father to oblige me so far as to settle with Mr. McGee in such way as he may think Just and Equitable, and Take the notes and papers into his Possession.

I intend if I live to be in Tennessee next spring I should have been out this fall, If I could have collected as much money as I wanted to have brought with me, money however is very scarce, we in truth have had and have still pretty hard times in this Country in the money way and indeed we have Tougher times this summer as to bread and meat. Corn has generally sold at One Dollar & One Dollar 25 cents pr Bushel and much of the corn brought from beyond the mountains – the oats crops has entirely fail<sup>d</sup>. There is not seed in the County we shall have to Depend on the upper counties for our seed,

Be so good as to write me Soon as Convenient.

Honble  
James K. Polk  
P. S.

Yours respectfully

You feel some interest in the next election for president very little is said on that subject in N.C. The public presses have not Taken their stand, Gen<sup>l</sup>. Jackson got the state before and it is more than probable that he will get the state again, that will however depend on circumstances, I will write you more fully on the subject at some other time

FROM WILLIAM DAVIDSON

Charlotte N.C. Feb 4<sup>th</sup>. 1827

Dear Sir

I address<sup>d</sup>. you a letter last fall in Tennessee I presume however that it has not come to hand Previous to your leaving home otherwise I

should Have heard from you, I feel more solicitous in Regard to my suit and should be glad to be informed How the case now stands, I am also desirous to Know something of Mr McGee, I have understood that he had Removed from Alabama, and had again located himself in Columbia, when I saw him in Florence he Was unprepared for settlement, and requested me to get You to settle with him, I wrote you to that effect, and Received your answer, you informed me that your feeble duties rendered it inconvenient for you to attend to it But stated that you had mentioned the subject to your Father who said he would do me that favour (if not Too troublesome) I have neglected the business and Presume it still stands unsettled, in my letter last Fall I authorized you to make the settlement (if not already done) and if not convenient for yourself, to appoint some Person to do so, I should prefer your father, and believe I will write him on the subject, indeed I made choice of him when I saw Mr McGee, But I thought he seemed rather to object, but made choice of you and seemed Very desirous you should make the settlement & C.

In your last letter which is some Considerable time ago you mentioned that the Opposition party had made some proposition of compromise. They have said nothing to me on that subject And if they had, I Certainly would do nothing without your advice, and your sanguine opinion as to the final issue of the Case, gives me every Encouragement to hope for the best, If however we Should fail in the Court of Equity I wish the case Taken as far as there is ground to go upon I think however if any respect is paid to the decision of our Court that the Case must ultimately terminate in my favor, in which event I shall be enabled To render you satisfactory compensation &c

I observe from the papers that Judge Haywood has recently died, and that Col. Crab has been appointed a Judge in his Place, I do not know what effect that will Have as regards my suit, or who will succeed to Col. Crab's practice

I should like to hear from you when you have leisure to write

I observe that the new president has got into Trouble And I should think rather prematurely I should like to know from a private Confidential Source whether there is or not any Corrupt design On Calhoun by the War department &c-

The subject of who shall be our next president is very little spoken of here Indeed the Country is too much embaras<sup>d</sup>. [*sic*] In their pecuniary affairs to think much about political matters - the result of the vote of N Carolina will very much dep[end] On the friends of Mr Crawford. They are Considered the strongest party at the last Election and if they should hold together Can Turn the scale of Election,

that to me now is too remote to say anything with certainty On this subject

Yours respectfully

Hon

James K. Polk

FROM WILLIAM DAVIDSON

Charlotte N. C Aug<sup>t</sup>. 30<sup>th</sup>. 1827

Dear Sir

I am desirous of knowing the situation of David W. McGee. I have wrote to him several Times and have received no answer, I will Thank you to inform me where he lives at this Time, his brother Winslow is dead, and his Widow and sons have requested me to inform Wilson of the fact, I wrote to Wilson but as I before stated have received no answer, Winslow's family Is poor and needy. his sons are tolerably smart Boys and with proper [*sic*] management might make useful citizens

I am also desirous of Knowing what disposition M<sup>r</sup> McGee has made of my business as regards settlement, &c.

I suppose my suit in Equity will probably be tryed [*sic*] this fall, if not, I presume there will be no tryal [*sic*] before next fall as your feeble duties will prevent your attendance In the spring. and I should not wish the case tryed unless you were present.

I have not understood who succeeds to Judge Crabb's business, perhaps I should forward some additional fee to the person who succeeds to his business

You will please advise me of any thing you think necessary for me to do -

I will thank you to mention To your father, that I should be glad he would write me, and let me Know to whom I am to make titles for his part of 1000 acres of Land in Carroll County, or whether he would commute the land for money and at what price

When convenient I shall Be Glad to hear from you

Yours respectfully

Hon<sup>ble</sup>

James K Polk

FROM WILLIAM DAVIDSON

Charlotte N.C May 21<sup>st</sup> 1828

D Sir

I have authorized Doctor Caldwell To settle with D W McGee (provided he has not already settled with you) And to Take into his posses-

sion all The notes that M<sup>r</sup> McGee has received for land The Doctor is interested in The land And in the settlements, and I will thank you to render him any assistance that may be Convenient, And also Any information you deem necessary in Relation to my law suit,

John H. Davidson and I have been Talking something about Compromising but have not yet done any Thing.

Yours respectfully

Jas. K. Polk Esq

FROM WILLIAM DAVIDSON

Charlotte N.C Aug<sup>t</sup>. 19<sup>th</sup>. 1828

D. Sir

M<sup>r</sup> John H Davidson and me have come To an understanding of compromise of the suit now Depending in your Court between us, we have Agreed upon the several contentions of Compromise He would not agree to idemnify against all The others but would agree to relinquish The suit and let the Court decree the land to me- He has wrote to his Council to this Effect.

Our understanding in this I have agreed to give a certain sum, which He has agreed to have proved there is a final Termination of the suit as regards all The Claimants, he was unwilling to indemnify But was under the impression - that by giving Up the suit and permitting a decree in my favour It would be the same as a final decree-

Both parties being desirous To terminate the Controversy between us have agreed On the terms above mention [*sic*]. This agreement however will be void unless as I before stated the suit shall be fully and finally settled so that I shall hereafter Have no further Trouble from the same parties. Whether The Court would, by this withdrawing their pleas, give a decree in behalf of me and the purchaser in Such way as to put a final end to the controversy was what neither of us know, Consequently we made a Conditional agreement. Should the Court however make such decision as will put a final end to the Business then every thing between us will be settled If the suit should go off in any other way, it Is not probable that it would be recovered by Any other person -

I will therefore rest the matter with you. I am anxious to settle the dispute-But want it done in such way as not to be troubled Hereafter, if a disposition of the Case has not been made under the circumstances above mentioned I suppose we had better let the suit go on upon Its merits. Should you have deem [*sic*] it necessary To have further instruction. perhaps it will be Better not to press the Case this Court.

Our agreement has not been made and I write in hast [*sic*] as the mail is waiting. I will again next week.

Yours respectfully

Col J K Polk

FROM WILLIAM DAVIDSON

Charlotte N.C. Aug<sup>t</sup>. 23<sup>d</sup>. 1829[8]D<sup>r</sup> Sir

I received your letter of the 12<sup>th</sup> of June last and Should have returned you an Earlier answer but was desirous to have the business as well arranged Between John H. Davidson and myself as possible We have agreed upon plan of settlement, and are desirous that the suit so long depending between Us in Tennessee should be disposed of as soon as Possible in the way and manner as you have been Heretofore advised, and so fare [*sic*] as practicable to Put a full and final end to the controversy between us In the disposition of the case I should be Glad How full you can get the record so as to show The merits of the Case in my favour, In fact such Is the way I am sanguine the case would be disposed of if disposed of otherwise than agreed upon -

It is the sincere desire of John H Davidson and myself that a final End should be put to The controversy between us, we are both tired of the Case and we Trust with Judicious management I will not hereafter be disturbed -

I wish you to call on M<sup>r</sup> McGee and get the notes and papers that he had in his Hands, I wish the money collected as soon as possible Some correspondence had heretofore pass<sup>d</sup>. between us and also with M<sup>r</sup> McGee so that I presume nothing more is wanting But to call and receive the notes - So soon as the money is collected I will come or send out and make full settlement as to my part of the cost &c.

John H. Davidson has or will again write his Council I should be glad To hear from you as soon as convenient after your Court both as to the disposition of the Case and as to the notes and papers in M<sup>r</sup> McGee's hands -

Yours respectfully -

Hon James K Polk

FROM SIDNEY I. HARRIS

Lincolnton, N.C. Oct. 22, 1828.

Dear Sir

According to a bequeathment made me by Major Thomas Harris,<sup>4</sup> my Grandfather, I have an interest in a tract of land, located by your father lying on Tennessee river in River's Bend. At the death of my Grandfather your father's agency expired. Dr. George F. Graham who married a legatee (of whom there are four) was then appointed our attorney I regret to state that he also is dead, a fact with which I

<sup>4</sup> Thomas Harris was appointed first major of the Anson County militia by the Provincial Council of North Carolina, February 28, 1776. Saunders, W. L., ed., *The Colonial Records of North Carolina*, X, 472.

presume you are acquainted. Not having acted as agent before he died, the business remains precisely as it was at your father's death.

Be good enough to let me know before you set out for Congress, what you know about this land (from your fathers papers) and if it will suit your convenience to act as agent for the legatees.

Very Respectfully &c

FROM WILLIAM D. MOSELEY<sup>5</sup>

Raleigh Dec<sup>r</sup>. 1<sup>st</sup>. 1830

My friend,

I rec<sup>d</sup> your letter dated the 6<sup>th</sup> Jany. some few weeks after it was written. It was to me more than welcomed and I have to reproach myself for not having replied [*sic*] to it at an earlier period. But the care of a large family electioneering campaigns, attending courts, and superintending a farm will I hope measurably answer for an apology. I have not your letter at this time near me, so that it will be impossible for me to answer it in detail – some of our old acquaintances and classmates have long since “gone to that home where no troubles return,” others are figuring on the stage of life, enjoying that reputation of honest men, and useful citizens, and one, viz, Mr. M Green, fast approaching a dissolution from Consumption. This to me, is a source of deep regret– as I knew him as a man and value him as a friend– your inquiries (if I do not misremember) were somewhat intimate as to your friend Owen Holmes,<sup>6</sup>– He is now in the full tide of prosperity, enjoying the luxury of a young wife, and the reputation of a valuable citizen. He was married on the very day of the date of your letter 6<sup>th</sup> Jany. to a Miss Ashe in the neighborhood of Wilmington and I think has made a very prudent connection – He is at this time a very large man, and considerably grey– He has a fair prospect of a family of children<sup>7</sup>– I must speak a little of myself before I close my sheet – I have a beautiful wife and three children, the largest of whom

<sup>5</sup> William Dunn Moseley (Feb. 1, 1795-Jan. 4, 1863), son of Matthew and Elizabeth (Herring) Moseley, was born at Moseley Hall, Lenoir County, North Carolina. He was a classmate of James K. Polk at the University of North Carolina; served in the state senate, 1829-1836; and was president of that body, 1832-1836. In 1835 he bought a farm on the Micosoukie Lake, Jefferson County, Florida, where he moved the following year and resided until 1851, except when he was away on official duties. In 1840 he became a member of the territorial assembly, and in 1845 he was elected the first governor of the State serving until 1849. In 1822 he married Susan, daughter of Thomas H. Hill of Wilmington, North Carolina, by whom he had six children. *National Cyclopaedia of American Biography*, XI, 377-378.

<sup>6</sup> Owen Holmes (1795-1840) was born in Clinton, North Carolina. He was graduated from the University of North Carolina and was a member of the state senate in 1834 and 1844. Grant, Daniel Lindsey, *Alumni History of the University of North Carolina*, p. 292; *A Manual of North Carolina*, 1913, p. 723.

<sup>7</sup> Samuel Ashe Holmes (Dec. 20, 1830-Dec. 10, 1894) was born in Clinton, North Carolina; graduated from the University of North Carolina in the class of 1857; served as an ordnance sergeant of the 28th Mississippi cavalry of the Confederate army; moved to California where he became a member of the state assembly; and later served as judge of the superior court of that state, 1880-1884. Grant, *Alumni History*, p. 292.

is already advanced in the elementary branch of his education—The breast pin which you gave me upon our separation, my wife values as one of her richest jewels, being the gift of early friendship—She is too a real Jacksonian, and as an evidence of it, she has the Presidents message on Satin suspended in a large gilt frame— you are probably aware of the fact that I voted against Gen. Jackson, as President, This I did conscientiously after mature deliberation, although I placed the highest estimate on his military skill, I did not think he would make a safe President of the United States— In his *veto message* however, all my fears have been dissipated and I am now perfectly satisfied of the fact, that however great he may have proved himself to be, as a general, he is certainly much greater as a President— I think you informed me that you were married but that you had no children and that you were not satisfied at the result— This I am satisfied is true because I have your own word for it, but I have been married long enough to know that however indifferent any *Gentleman* may *appear* as to this *privation*, their "*better part*," are on this point, much more sensitive—

Your friend

FROM MARSHALL T. POLK<sup>8</sup>

Charlotte N.Ca. Dec. 6<sup>th</sup>. 1830

Dear Brother

I rec<sup>d</sup>. with much pleasure your letter in reply to my two to you. It was the first and only letter I had rec<sup>d</sup>. from my leaving Tennessee The subject matter of my last communication to you I have still in contemplation and hope that you will not loose sight of it Of one thing you may rest assured that the expectation or probability of receiving an appointment shall not, nor has interfered in the slightest degree with my present Professional occupation. I will pursue it with an unwavering step & steady purpose— unseduced by any the brightest hope that may in its transit, *seem* to light my prospect. The one is certain— the other untried.

I would be much pleased with some *profitable* appointment— to the fulfillment of whose duties I might be deemed adequate. Such an opportunity might give me a more complete & advantageous command upon my future course.

My prospects in this country I have no right to complain of— particularly when I continue in the enjoyment of perfect health. You inquire as to the reality of an alleged sale of a gold mine by me. The fact is so. I sold an interest of one eighth for \$5000.00— It was an interest formerly owned by Mr. Wilson & bought after his death at

<sup>8</sup> Marshall Tate Polk was a younger brother of James K. Polk. He attended the University of North Carolina, where he graduated in 1825. Grant, *Alumni History*, p. 498.

execution sale by myself & M<sup>r</sup> Alex.[ander] for \$1640.00— The sale or rather its advantages to me are felt at present only in being able to extinguish a bank debt Mr A & myself had assumed for the estate of the amount of \$1000.00. The negroes & other property— The homestead tract of land & C were sold & bought by M<sup>r</sup> A & myself & the amount of the purchase money assumed in the bank to the benefit of the creditors. By the sale of the gold mine I paid off this bank debt & now hold the negroes & other property. We calculate on letting Mrs. W. have the use of the property during her life.

I suppose at this very moment you are organizing yourselves in the House— If there be any thing of peculiar interest during the session which I will not find in the public journals I would be glad to get it from you.

We are all well —

Yours

respectfully

FROM JAMES A. CRAIG<sup>9</sup>

Hawfields N.C. 23<sup>rd</sup>. Dec. 1830—

My Dear Sir—

I will take it as a special favour if you will send me from time to time during the present Session, any Congressional Documents you may deem of Interest to me, & if ever it lies in my power be assured I will most cheerfully reciprocate the compliment —

Permit me to congratulate you upon the success of “Jackson & reform”— I have Just read the President’s message to the present session, It is a masterly piece— I was charmed with that part especially which treated upon removing the Indians— M<sup>r</sup>. Adams with all his Rhetoric has nothing to compare with it— It is altogether Idle to talk of opposition to Gen<sup>l</sup>. Jackson. I would not be surprised if by the next election M<sup>r</sup>. Clay himself was withdrawn. M<sup>r</sup>. Clay’s germandering [*sic*] made of Electioneering was truly disgusting; I have often regretted that *Calvin Edson* (the living skeleton) could not have been nominated his Vice-President— If any thing could have made *Calvin* thrive It would have been these *Barbecues* of Kentucky pork,— What think you of the plan? But as some facetious Editor has said “M<sup>r</sup>. Clay has eaten himself up.”

Our old friend Judge Morgan was a few days ago elected U. S. Senator— Gov. Miller<sup>10</sup> of S.C. has beaten Senator Smith, Gen<sup>l</sup>. Green<sup>11</sup>

<sup>9</sup> James Alexander Craig (1790-1849) was born in Lincoln County, North Carolina. After graduating from the University of North Carolina he studied medicine and became a practicing physician in Alamance County. Grant, *Alumni History*, p. 137.

<sup>10</sup> Stephen D. Miller (May 8, 1787-Mar. 8, 1838) was governor of South Carolina, 1828-1830. As governor he aroused the people on the question of nullification. *Dictionary of American Biography*, XII, 640-641.

<sup>11</sup> By this time Duff Green represented the Calhoun wing of the Democratic party.

will no doubt be gratified much at the result of this election, Smith & Green has some sharp sparring— S. I am fearful is not altogether an honest politician— There is a strong probability that Gov. Miller<sup>12</sup> of Mis. [*sic*] will oust Barton — I trust is a *Bona fide* republican, I have for some years noticed his messages to the Legislature and looked upon them as able state documents.

I was much gratified to find you was in nomination last year for Minister to Russia, this is an earnest of your standing with the Republican party— you are yet young & remember the field of promotion is yet before you.

I must beg the favour of you to Send on Congressional documents as hitherto, for which favour I am under many obligations to you; It is probably I may oppose D. L. Barringer<sup>13</sup> (the present incumbent) at the next election, I trust he will not be able much longer to sustain himself as a *Jackson* man, which he most unequivocally professes to be amongst the people.

I am desirous of getting a Journal of the H. R. for the last session Could you procure me one?

Ever yours  
Washington City.

Hon. J. K. Polk,

FROM MARSHALL T. POLK

Charlotte Dec. 31<sup>st</sup>. 1830

Gentlemen:

The Deputy Marshall of this State Mr. Joseph McConahaugh has made an application to Congress for an extra allowance for taking the census of this County. The grounds of the application you will perceive from the petition sent on. The usual care and labors employed by Mr. Mc.C in taking the census and the doubtless correctness of it— render it a desire on my part to see him receive — not your miserable allowance but a compensation proportional to his actual labor — By giving this application your support— you will confer a favor on one who will fully appreciate your liberal kindness— dispensed in an act of *sheer justice* — and thereby you will lay under additional obligations

Your

Messrs. Jas K Polk  
& S.P. Carson  
Washington City

Very ob't S'v't

<sup>12</sup> John Miller (1780-Mar. 18, 1846) was the third governor of Missouri, serving from 1826 to 1833. He recommended the establishment of military posts to protect the settlers from Indian outrages. From 1837 to 1843 he was a representative in Congress. *National Cyclopaedia of American Biography*, XII, 302.

<sup>13</sup> Daniel L. Barringer (Oct. 1, 1788-Oct. 16, 1852) served in the legislature of North Carolina, 1813-1814, 1819-1822; served in Congress from December 4, 1826, to March 3, 1835; and was an unsuccessful candidate for reelection in 1835. *Biographical Directory of the American Congress, 1774-1927*, p. 674.

FROM WILLIAM H. HAYWOOD, JR.<sup>14</sup>

Dear Sir/.

I have had the honour to receive under *frank* from you a Copy of the report made from a Committee of Congress directed to consider of the question touching the *surplus revenue* – I was afraid the author of that report had forgotten ‘auld acquaintances’ – or that my cautious absence from the field of political strifes (where I am always proud to see him figure as he does) had kept from his view my name and habitation. My mind however is not unconcerned for our country and I trust my heart is far from indifferent– The subjects you have so satisfactorily handled were in part those on which I had long ago decidedly avowed my opinions (among my neighbors only) – We agreed– and your report & arguments have led me easily from these to other points w<sup>h</sup>. you have occupied.– I am so warm an admirer of Gen<sup>l</sup> J–my confidence in his “*amor patriae*” is so unequivocal that I find it hard to resist the force which his simple recommendation gives to any proposal– I have looked out for misreport– not knowing from whom it would come– and it has entirely satisfied me. –

Our people are a good deal charmed with Mr. Benton’s Bank – Speech–For myself I am delighted with it – nor is my admiration the result of a devotion to the same side of the question, for his remarks have come on me with much inclination to the opinion that tho: unconstitutional the Bank might not be so *dangerous* & mischievous as is supposed by many. I like to have both sides presented to the view of the *people* & therefore felt gratified that something like a reply is furnished to the reports of Committees.– There is so much *partizan* fury among the editors that little reliance is now placed on what the publick Journals furnish of their own– and a man who takes two papers of differing opinions & relies on those for political information is about as well off as he who takes none at all.–

But in sending me the copy of your report you hardly expected to be troubled with the crude slang of a homespun politician & persuaded as I am that your time can be more profitably occupied I conclude what indeed threatened severely to spin itself into a passing sheet or two – Accept my thanks & the sincere expression of a respect which I always felt for you and which your political course is increasing greatly.– Should it fall in your way to gratify your curiosity about the

<sup>14</sup> “Will H. Haywood, Jr.” as he signed himself (Oct. 23, 1801–October 7, 1852), graduated from the University of North Carolina in 1819, studied law, and was admitted to the bar in 1822. He was a member of the North Carolina house of commons, 1831, 1834–1836, serving the last year as speaker; was appointed chargé d’affaires in Belgium by Van Buren, but declined; was a member of the United States Senate from March 4, 1843, to July 25, 1846, when he resigned, having refused to obey instructions from the legislature of North Carolina. *Biographical Directory of the American Congress, 1774–1927*, p. 1081.

prospects & life of an old college friend Gen<sup>l</sup> Dudley<sup>15</sup> – or Rencher<sup>16</sup> from this state know *all about me*

Fare the well – your friend

Raleigh 17 February 1831.

FROM WILLIAM DAVIDSON

Charlotte N.C. March 8<sup>th</sup>. 1831–

D Sir

Inclosed you have a deed from my Children for the Maury County Land, circumstances Prevented my Getting it sooner, I hope there Will be no farther obstacles in the way of collecting The money due for land sold by Mr McGee, I am Desirous that you should press collections as Soon as possible, I am needing the money both On my own Acc<sup>t</sup>. and on Acc<sup>t</sup>. of those with Whom I made the compromise, so soon as you can possibly make collections, you will Please Try and Get me a draft from the United States bank a[t] Nashville, on the United States Bank at Fayetteville N.C, I will forward you A power attorney to make Titles to land Sold by Mr McGee and to sell any remaining Portion of said Land

You will please write me on Receipt of this and advise me of the prospects of spring collections, I should like for you To see James Lutet about the draft mentioned In my former communication, Marshall is Out on his circuit when he returns I will send The power of attorney,

Mining for Gold in all the Rage here Marshall, Julius A – & McGee are about Trying their Luck, and from the prospects No doubt will do well, your Brother is getting a very promising practice in our court and I think from what I understand gets a full share of practice in all the courts he attends Wilson McGee was a good deal depressed when He first returned to this country, he is however now in better spirits, and the business in which He is now engaged will give him active employ [*sic*] and I think will make money

Remember me to your mother & family and accept for yourself my best respects

Hon<sup>le</sup>. James K. Polk

<sup>15</sup> Edward Bishop Dudley (Dec. 15, 1789-Oct. 30, 1855), farmer, soldier, statesman, and railroad president, was the son of Chester Dudley. His marriage to Elizabeth Haywood, daughter of William Haywood, Jr., further strengthened his political influence in North Carolina. He served in both branches of the state legislature and in the national House of Representatives, and was governor of the State from 1837 to 1840. He supported Jackson for president in 1824 and 1829, but later became a Whig. As governor he favored internal improvements and the establishment of public schools. *Dictionary of American Biography*, V, 480-481.

<sup>16</sup> Abraham Rencher (Aug. 12, 1798-July 6, 1883) graduated from the University of North Carolina in 1822; was admitted to the state bar in 1825; was a member of the national House of Representatives, March 4, 1829-March 3, 1839, and March 4, 1841-March 3, 1843; served as United States minister to Portugal, 1843-1847; and was governor of New Mexico, 1847-1861. He then returned as a capitalist and agriculturalist to his home in Pittsboro, North Carolina. *Biographical Directory of the American Congress, 1774-1927*, pp. 1453-1454.

FROM WILLIAM HILL<sup>17</sup>Hon<sup>e</sup>. James K. PolkRaleigh 11<sup>th</sup>. May 1832.

Dear Sir

Your favour of the 6<sup>th</sup>. instant enclosing the Declaration of W<sup>m</sup>. Brown, was received this morning, and I regret that after careful examination of the rolls in my office I am compelled to give an unfavourable answer. I find the name of W<sup>m</sup>. Brown twice on the rolls, first as a private in Cap<sup>t</sup>. Tatums Company of the 1<sup>st</sup>. regiment enlisted on the 1<sup>st</sup>. Sept<sup>r</sup>. 1777 for 3 years or the war. Second as a private in Cap<sup>t</sup>. McCrory's Company of the 9<sup>th</sup>. Reg<sup>t</sup>. enlisted 1<sup>st</sup>. Sept<sup>r</sup>. 1776 for 3 years, neither of these you will readily see is any thing like the present applicant's case.

Gen<sup>l</sup>. Rutherford was a Militia Gen<sup>l</sup>. and Tate and Alston must also have belonged to the Militia as there are no such officers named on the rolls of the regular Army.

Very respectfully  
Your Ob<sup>t</sup>. Serv<sup>t</sup>.

FROM WILLIAM J. BINGHAM<sup>18</sup>

Hon. James K. Polk—

Hillsboro, N. C. Nov<sup>r</sup>. 20<sup>th</sup>. 1832

Dr. Sir—

Your brother W<sup>m</sup>— arrived on Sunday last <sup>19</sup>. *The letter in advance*

<sup>17</sup> William Hill was born in September, 1773. In July, 1795, he moved from Stokes County, North Carolina, to become clerk to James Glasgow, secretary of state. In 1798 William White was elected secretary of state, and served until 1811. On White's death Hill became secretary of state and continued in office until 1859. His first wife was Salley Geddy and after her death he married Frances Connor Blount. Wheeler, John H., *Historical Sketches of North Carolina*, II, 419; *A Manual of North Carolina, 1913*, p. 441.

<sup>18</sup> William James Bingham (April 6, 1802-February 19, 1866) was the son of Reverend William Bingham who established the Bingham School in 1793. It was moved from New Bern to Hillsboro and subsequently to Mebane where it continued to function until after the opening of the twentieth century. Upon the death of his father in February, 1826, just a year after his graduation at the University of North Carolina, he became principal of the school, in which capacity he served until 1863. In 1827 he married Alves Norwood. Grant, *Alumni History*, p. 51; Ashe, Samuel A., *Biographical History of North Carolina*, VI, 69-73; Wheeler, John H., *Reminiscences of North Carolina*, p. 336.

<sup>19</sup> William H. Polk matriculated at the University of North Carolina during the 1832-1833 session. In the James K. Polk Papers there are several letters written by his brother while the latter was attending Bingham Military School and the University of North Carolina. The following was written immediately after he arrived at Hillsboro, North Carolina.

"Hillsboro Nov. 21st 1832"

"Dear Brother

"I arrived here last Sunday and went to see Mr. B. and he said that there was a class that would enter college next June and that he would put me in it and if I could keep up I would enter at the same time. I spoke to him about Boarding he said that he could not board me this session but procured it for me at a place about a mile from Town George Polk is boarding at the same place and is in the same class and I would prefer boarding at the same place next session with him he says that he has been boarding there for two years write me if you have any objections Sister Laura found her mother very ill and did not expect her to live long when I left there little Marshall improved very much on the way. Mr. Fulsom would start back on last Monday the horses stood the trip very well, write me as soon as you receive this so I will get it before the beginning of the next session.

"Your Brother

"W. H. POLK

P • Give my love to sister Sarah and tell her she must write to me."

of him had reached me in due time. I regret much that my rooms were all occupied, so that it was impossible for me to accommodate him. One of my boys leaves in a month, and W<sup>m</sup>. can fill the vacancy. Until then, I have placed him at M<sup>rs</sup>. Burgwin's., where his cousin George Polk boards. I think it rather probable that like most boys, he will prefer *absence* from the immediate and constant supervision of his teachers, & will therefore incline to remain in his present quarters:- In which event, it will be necessary, *either for you* to write again on that subject, or *for me* to make use of your first communication.

Of W<sup>m</sup>. acquisitions I am not yet able to speak positively, having given him a very slight examination. He wishes to enter a class preparing for the Freshmen in the Univ.- next July- The effort seems rather herculean; but *energy* and *capacity* may achieve it. At all events the effort will be of service to him, & I feel disposed to encourage it. It implies unremitting labour during both the winter and summer holidays, and this he professes willingness to encounter. He can join the class on Latin, and I will give him private tuition in Greek. The necessity of his taking private tuition makes it additionally advisable, as a matter of convenience, that he should be an inmate of my family: and yet I should be unwilling to receive him, were he not *perfectly* willing to come. I wish this matter settled at once, as there are already two applications for the vacancy above alluded to, and I am disposed (should it be *perfectly agreeable* to himself) to give the preference to the brother of my departed friend.-

It is our custom to require board & tuition by the session in advance.- Board is \$10 per month - \$53.33  $\frac{1}{3}$  for the first session of the year - 5  $\frac{1}{3}$  months- and \$46.66  $\frac{2}{3}$  for the second session 4  $\frac{2}{3}$  months. Tuition is \$15.50 a session - Vacation tuition is equal to that of the session. However \$15.50 shall cover your brother's tuition for the remaining month of the present session as well as the vacation. The next session will commence about the 20<sup>th</sup>. Jan<sup>y</sup>.- His board & tuition charges till then will amount to \$35.50. - for the next session \$68.33  $\frac{1}{3}$ -. Books will not cost much, & you will know what allowance to make for clothing.- From the above data you will be able to form an estimate of the advance proper to be made at the beginning of the next session.-

May I request you to inform the Hon W<sup>m</sup>. B. Shepard of N. C- that his letter is rec<sup>d</sup>- & the arrangement made,-perfectly convenient & satisfactory.

I am Sir,

very respectfully

Your obed<sup>t</sup>- serv<sup>t</sup>-

P.S. Board including lodging , fuel, candles & washing \$10. per month.

FROM WILLIAM D. MOSELEY

Raleigh Nov. 29. 1832

My dear Sir

The time has at length rolled around, where according to our usage for the last four years. I again have the pleasure of writing you: a pleasure which is greatly esteemed, from the expectation of a speedy reply—

I had the pleasure of receiving your best wishes for my welfare by our mutual friend Holmes and now take this occasion to tender mine in return, being well assured that the pleasure will be reciprocated. Since I last saw you, indeed at the commencement in June last, I visited Chapel Hill as one of the trustees, and I assure you I can scarcely describe my sensation on again visiting (this almost consecrated spot, after the absence of so many years)— Since we left there as students, a great many alterations have taken place. But I visited with delight the old room where we have spent so many tedious and laborious hours in attempting to discover the beauties of Cicero and Homer and the less interesting amusements of quadratic equations, and composition— But enough of this — I am now a member of the Legislature of N.C. and we are very busily engaged in attempting to elect a Gov. The late Sen.<sup>r</sup> John Branch,<sup>20</sup> your kinsman T. G. Polk,<sup>21</sup> and R. D. Spaight<sup>22</sup> are the opposing candidates—what will be the result it is now impossible to determine—But I incline to believe that R. D. S. will be elected—<sup>23</sup> at all events this is my wish upon the subject—

Permit me now Sir to address you on a subject on which I feel more than ordinary interest—Should a vacancy occur among the Secretaries of Legations to any of the Courts of Europe, it would give me great pleasure; *it would in fact be gratifying to the eastern part of North Carolina*, should such vacancy be filled by the appointment of Mr Charles Sheppard of Newbern— He is a young gentleman, possessed of talents of the first order, a democrat of the old school, and the warm supporter of Jackson & Vanburen —Perhaps the best recommendation that I can give him is the statement of the facts, that last year he ven-

<sup>20</sup> After John Branch retired from Jackson's cabinet he was elected to the twenty-second Congress and served from May 12, 1831, to March 3, 1832. He declined to be a candidate for reelection. *Biographical Directory of the American Congress, 1774-1927*, p. 729.

<sup>21</sup> Thomas G. Polk received the A.B. degree from the University of North Carolina in 1809 and the M.A. degree in 1816. He represented Mecklenburg County in the general assembly, 1823-1825. Grant, *Alumni History*, p. 498; *North Carolina Manual, 1913*, pp. 699, 700.

<sup>22</sup> Richard Dobbs Spaight (1796-May 2, 1850) was born in New Bern; graduated from the University of North Carolina; was a member of the state house of commons, 1819-1822; was elected as a Democrat to the national House of Representatives (Mar. 4, 1823-Mar. 3, 1825); served as a member of the state senate, 1825-1826; and was the last governor of the State to be elected by the assembly, serving from 1835 to 1836. *Biographical Directory of the American Congress, 1774-1927*, p. 1550.

<sup>23</sup> After struggling for several days over electing a governor, the legislature elected David L. Swain of Buncombe County. He took his oath of office on December 6, 1832. Ashe, Samuel A., *History of North Carolina*, II, 350.

tured to oppose the celebrated Mr. Gaston<sup>24</sup> for the Town of Newbern (which by the by is a Federal Town) and was only beaten by one vote. This year he again took the field and is returned a member of the Legislature for the Town of Newbern without opposition - He is the brother of W. B. Sheppard<sup>25</sup> the member from the Edenton district and very decidedly his sup<sup>r</sup>. in point of talents - What makes the young gentleman's claims peculiarly prominent, are the facts that he is now & ever has been an unwavering republican, that he is the warm supporter of the administration and that too, when his brother-in-law, Mr. John H. Bryan,<sup>26</sup> his brother W. B. S. and in fact the whole of his influential relations, have been politically opposed to him - You have no doubt seen the result of the Presidential election in this State; my county is Lenoir- I am not ashamed of its vote. Had the day been fair, we should have shown very different results, every Clay man voted, as they were entirely confined to our county town. The whole strength of 19- In the Town of Newbern Jackson had a small majority - This was the Spaight and Sheppard party - In conclusion upon this matter I do not believe that the President could make an appointment of that class, that could be more acceptable to the republicans of Newbern than the appointment of Mr Sheppard to a Secretaryship N. Carolina is now, and has been devoted to Gen Jackson but I am seriously fearful, that the same devotion will not extend to Mr Vanburen when his name is no longer connected with that of the President - Great efforts will be made in this state by the Calhoun party; which I assume is no way contemptible, notwithstanding the vote at the late election Then While "the day is ours, let us be up and doing."

- *Our votes cannot be purchased; but cold unmerited neglect, breeds no friends (By the way "a stitch in time saves nine")* Should Gen<sup>l</sup> Speight<sup>27</sup> make an application in behalf of Mr Sheppard; should the testimonials which I have furnished you of Mr Sheppard's qualifications be sufficient to induce you to recommend him, it will add *another* to the many *obligations* which you have already placed me under to you, *by acts of singular Kindness.*

Your friend

Hon. J. K. Polk

<sup>24</sup> William Gaston (Sept. 19, 1778-Jan. 23, 1844) was a member of the state senate, 1800, 1812, 1818, and 1819, and of the house of commons, 1807-1809, 1824, 1827-1829, and 1831. He was a member of Congress, 1813-1817. In 1833 he was appointed judge of the supreme court of the State, and held this office until his death. *Biographical Directory of the American Congress, 1774-1927*, p. 1004.

<sup>25</sup> William B. Shepard, after leaving New Bern, resided in Elizabeth City where he was engaged in banking and the practice of law. He represented the first congressional district of North Carolina from March 4, 1829, to March 3, 1837. *Biographical Directory of the American Congress, 1774-1927*, p. 1517.

<sup>26</sup> John H. Bryan's wife was a sister of Charles B. and William B. Biddle. Bryan and Mrs. Bryan's brothers were members of Congress. Wheeler, John H., *Historical Sketches of North Carolina*, II, 120-121.

<sup>27</sup> Jesse Speight served in the national House of Representatives from March 4, 1829, to March 3, 1837. *Biographical Directory of the American Congress, 1774-1927*, p. 1563.

FROM WILLIAM POLK

Dear Sir

Raleigh Dec<sup>r</sup>. 6 1832

I am in receipt of your letter of the 2<sup>d</sup> and 27<sup>th</sup> of Nov<sup>r</sup>. The former would have been answered sooner, had I been certain where to address it. The latter give me the first information of William's having reached Hillsborough. Doctor Polk leaves this morning, by whom I write my son, G.W.P.<sup>28</sup> directing him to ask William to accompany him to Raleigh, to spend his vacation which commences sometime next week.

I will with pleasure take charge of such funds as may be placed in my hand for the use of your Brother; and will deal it out to him with the liberality & economy I do my son, which has been sparing, but sufficient for all his wants. The transmission of funds from Tennessee to N. C. are entirely stoped [*sic*] except through friends who may be coming from there to this place— hence it will not be convenient to make the advances, depending on the uncertainty of a regular remission— Checks on the State Bank of N. C. or any of the Eastern U. S. Banks can be negotiated here without difficulty.

The *hydra Democracy* is about to devour all order here, as well as in some other places. The Legislature appears determined to give to the People more power than they are capable of managing for the best weal of the state by investing them with authority to elect all the officers of the state civil and military —To them the right of ruling the Judges of the Courts have not yet be [*sic*] given, but I have no reason to doubt but at perhaps the present or at all events the next session will be granted Such is the fruits of the Jeffersonian doctrines of 1798 — see as proof positive the South Carolina Legislative ordinances & Laws. With Lafayette I had hope not to have long enough lived to see the work I had aided in producing broken and the nation thrown into convulsion & ruin under the governments of small and important Democracies.

What is to be done?

The President's message has not yet been rec<sup>d</sup>.

respectfully

Yo Mo. Ob<sup>t</sup> -

FROM JAMES A. CRAIG

Hawfields (P.O.) North Carolina

12<sup>th</sup>. Decem[be]r 1832

Hon: James K Polk -

Dear Sir -

I must again solicit you to do me the favor of sending me during the present session of Congress, such Documents as you may deem

<sup>28</sup> George Washington Polk (1818-Jan. 8, 1892) was the son of Frances Devereux, third wife of William Polk. He studied at the University of North Carolina from 1833 to 1837, and married Sallie Hilliard. Ashe, *Biographical History of North Carolina*, II, 365-366; Grant, *Alumni History*, p. 498.

interesting to me, any communications on the leading topics of congress would be also thankfully received, and add one more to the many obligations of friendship I owe you.

With much esteem,

I remain Dear Sir,

Very truly yours

P.S. Some half dozen applicants for Pensions under the act of 7<sup>th</sup>. 1st June, entered their applications to me to forward on to the Pension office, which I did about the middle of September last, I do not know whether they have been passed upon yet or not, I will beg you to give me as early information as you well can, for the question is often put to me by them, "Have you had an answer from the pension office?" As you are no doubt acquainted with W. Edwards, I hope it will not be imposing to [*sic*] much upon your goodness to make the inquiry, when I assure you it is at the instance of some of the best patriots of '76.

J. A. Craig.

What will the pay of a *captain* be, who served full time (2 years)?  
What the pay of a *private*, who served full time?

FROM OWEN HOLMES

Wilmington [N.C.] Dec<sup>r</sup> - 22<sup>d</sup> 1832

My Dear Sir

My friend Cap<sup>t</sup> Samuel C. Mabson<sup>29</sup> who will present you this, is desirous to obtain some situation from the Government, which will afford him a support -The Captain entered the army in the year 1808, and served during the whole war-He is personally acquainted with Gen<sup>l</sup> Jackson, and was with him at New orleans- He is a gentleman for whom I feel a great regard & will be devoted to his business, I therefore solicit your assistance in procuring an appointment for him-

I am, my dear Sir

Yours sincerely

Hon<sup>ble</sup>- James K Polk

FROM J. N. JOHNSON

Palmyra N.C December 24<sup>th</sup> 1832

Dear Sir

Since my letter to you. I have changed my profession from that of a Lawyer to a farmer, and have declined all idea of resuming the practice again, I am aware of the exertions yourself & Grundy would, or

<sup>29</sup> See letter of Samuel C. Mabson to Polk, Dec. 25, 1832.

probably have made for me, and I sincerely hope, that I shall have it in my power to assist you boath [*sic*].

I must therefore request of you boath, if you have said nothing about my nomination, to the President not to do so, and if you have to withdraw the application,— I should be glad to hear from boath of you when convenient

Believe me to be sincerely

Your friend

FROM SAMUEL C. MABSON

Wilmington No Carolina  
December 25<sup>th</sup> 1832

To the Honorable  
James K Polk  
Sir

At the time, I received the inclosed letter, from our mutual friend Owen Holmes Esq<sup>r</sup>,<sup>30</sup> it was my earnest wish, & intention to have gone on to the seat of government, and to have had the pleasure of presenting it to you in person, But circumstances beyond my control, have since intervened to its entire preclusion,

I therefore Sir have taken the liberty of addressing you this note, to request as a particular favor, that you will act for me on the occasion as may best seem fit to you, the situation I should like to obtain, is one in the Revenue department of this Post, commonly called the Revenue office and now filled by a Mr Samuel Potter,<sup>31</sup> a very rich man, who does not stand in need of it, & who at the same time is a Bitter enemy, of our good and venerable President, I think Sir, that this office, is within the control of the Treasury department of the U S, If however, this situation can not be procured, any other within the gift of the government, will be truly and thankfully accepted,—

I have the Honor to  
Remain

Very respectfully, your  
obedient honorable servant

The Honorable  
James K Polk

FROM WILLIAM POLK

Raleigh Dec<sup>r</sup>. 26, 1832

Dear Sir.

Your letter of the 13<sup>th</sup>. instant covering a check on the U. S. Bank for \$100 has been rec<sup>d</sup>— At the time of the rec<sup>t</sup>. William was with me

<sup>30</sup> See Owen Holmes's letter to Polk, Dec. 22, 1832.

<sup>31</sup> Samuel L. Potter was captain of the revenue boat, for which services he received \$480 per year. *United States Official Register*, 1831, p. 70.

having come down with George when the session closed— he stayed with us about ten days; and returned with the intention of attending his studies so as to enable him to enter College in July next, and assured me he would make every exertion to accomplish that object. He informed me that it was your wish that he would board with Mr. Bingham and solicited my permission, that he might remain where he had been at Mr. Burgwins — he says & George supports the fact, that at Mr. Bingham's the rooms are small and uncomfortable; & that a great proportion of boarders are small boys — under these representations, I gave William liberty to remain with Mr. Burgwin at where he has been.

William informed me that he had expended all the money that was given him, but about \$10 or 15 in getting to Hillsb<sup>o</sup>. in the purchase of books— I therefore gave him the 100 sent by you to me for his board & C. for the next session telling him that it behooved him to act economical, for that unless he could show a satisfactory disbursement, he had got all that he might expect until [sic] next session — I think he promises to do well— his conduct whilst here, was such as entirely to meet my approbation.

respectively

Y<sup>o</sup> mot.

FROM WILLIAM J. ALEXANDER<sup>32</sup>

Charlotte Decr 29<sup>th</sup> 1832

Dear Sir

A mechanic of this place has a claim against the family of your brother M. T. Polk for work done on the late to the amount of \$400 or thereabouts and altho the work done was necessary to make it a convenient dwelling for the family there seems to be some difficulty as the payment. Mr. Smith will not indeed cannot pay it and the man looks to me to remunerate him I write you as the guardian of the children to know what to do. If Laura and the children have been as I presume they will they ought to keep the house. I will settle with the workman, if I can in any reasonable time be refunded the money I should be much obliged to you to write me what had best be done

Laura has united her possessions to Dr Caldwell<sup>33</sup> her brother in law and lives with him. Her mother resides with me — The expenses of

<sup>32</sup> William J. Alexander represented Mecklenburg County in the house of commons, 1826-1832 and 1833-1834. *A Manual of North Carolina, 1913*, p. 700.

<sup>33</sup> David T. Caldwell (1796-Dec. 25, 1861) son of S. C. C. and Abigail Bain (Alexander) Caldwell, graduated from the University of North Carolina in 1820. Six years later he married Harriet Davidson, daughter of William Davidson. After the death of his first wife he married a Miss Hutchinson of Rock Hill, South Carolina. Alexander, J. B., *The History of Mecklenburg County*, pp. 71-72.

Laura<sup>34</sup> & her children<sup>35</sup> will be inconsiderable for several years to come. so that almost every thing that can be made from M. T. Polks estate in Tennessee may be applied to the debts.

Genl Jackson's proclamation will not satisfy the South. It is thought to be an abandonment of the rights of the states I hope Tennessee & N Carolina may interpose to check S Carolina in her rash measures so that time may get to settle the dispute. Unless something similar to what is proposed in the Legislature of Tennessee be successful I am fearful that our union will be shaken to the very foundation.

Give my respects to Mrs Polk

I am Dear Sir with respect

Yours &

SPIVEY MCKISSICK<sup>36</sup>

Roxboro N C 18<sup>th</sup> Jany 1833

Dear Sir

Living at this time remote from my home and friends in the western country and in bad health and hearing much of nullification and anxious to know what will be the final result of all this excitement I have thought none could give me more light or information upon the subject than my representative in the National councils and have addressed this letter to you under an impression that you will devote a few moments of your time in giving me your view upon the South Carolina doctrines we hear but very little difference of opinion in North Carolina in Person County I understand we have only one nullifier and he is trying to work out of former Opinions we believe, in this part of the state that the president in his proclamation has given us the true doctrines of the constitution and have no doubt at this time but what General Jackson is more popular with the people in this part of the state of North Carolina than previous to the presidential election

Mr. Smith of Roxboro wrote on to Mr Blair<sup>37</sup> to send him his paper Mr Smith is a solvent and respectable man please know his reasons for not forwarding the paper present my respects to Mrs. Polk and receive the same from your friend & C

<sup>34</sup> A few years later Mrs. Marshall T. Polk married Dr. William C. Tate of Morganton, North Carolina. After her death in 1847 she was survived by Marshall T. Polk, the only surviving child by her first marriage, her husband, and several children by her second marriage. Quaife, Milo Milton, ed., *Diary of James K. Polk*, III, 435, 507-508.

<sup>35</sup> Marshall T. Polk, Jr., went to Washington to live with his uncle, James K. Polk. On September 15, 1845, he matriculated at Georgetown College, now Georgetown University. He later attended school in Alexandria, Virginia, and the United States Military Academy at West Point. Quaife, ed., *Diary*, I, 26; II, 62; III, 145, 187, 481, 507-508.

<sup>36</sup> On the verso of the letter is a notation identifying the correspondent as Dr. Spivey McKissick.

<sup>37</sup> Francis Preston Blair was editor of the *Globe*.

FROM WILLIAM POLK

Raleigh Oct 22<sup>d</sup> 1833

Dear Sir

On my getting to Chapel Hill I sent for William, and upon interrogating him with regard to his wants and debts; I found both to be considerable<sup>38</sup>— Since which I learn that he is quite destitute of shirts and some other cloathing: which I deemed necessary he should be furnished with immediately — I wrote him last week to come down and to bring his unpaid accounts— he has done so and I find his debt to one house for goods & C. upwards of \$80— that his board is for the present session unpaid; and I presume upon some other small debts— He has an account with a Merchant Taylor of \$40— and for purchases made of a Merchant about \$19,— making an agregate debt *due* of about \$180 — His want of cloathing I considered as indispensable — and have therefor advanced him the whole of the money sent by me viz. \$80 which as you will observe not half meet his present wants.—

respectfully

Yo mo ob

WILLIAM D. MOSELEY

Raleigh Dec<sup>r</sup>. 21. 1833

My D. Sir

I have to acknowledge the rec<sup>t</sup> of your last letter together with sundry valuable announcements & papers : for which I return you, my most hearty thanks. From your letter I infer, that much excitement prevails in the National Legislature; not only in the House but also in the Senate. You also seem to think, that a coalition is formed between the leaders of consolidation and nullification and predict the

<sup>38</sup> In the meantime Polk had written his brother inquiring about the latter's reported extravagance. To this inquiry William H. Polk replied as follows:

"Chapel Hill 1833

N C November 25

"Dear Brother

"I received your letter of 21st Oct. in which you said you did not know how it was that I spent more money than Col Polk's son I can account for that very easy he gets all his clothes from home and I have to buy mine If you will send me money enough to pay all my debts and 150 at the beginning of every session I will not ask you for any more and I think it will be little enough.

"I owe about thirty dollars more for my winter cloths I would not have got them any other way. If you intend to let me have money to pay my debts you must send it to me as soon as you can for they are pushing me for it and I cannot study when I have such things on my mind.

"Genl Polk of Salisbury passed through here on yesterday and said that he saw sister Laura and the children and they was very well give my love to sist [*sic*] Sarah and tell her she must excuse me for not answering her letter and I will write to her in a few days

"Your brother

"WILL H. POLK"

"James K. Polk"

most awful consequences to our beloved Country, for this unhallowed Union – From what I have recently heard I was almost prepared to hear anything; but that the antipodes in politics should have met and help<sup>d</sup> each other, is going a step farther, than my credulity would have ever carried me, had *you not asserted* that the fact exist – Can it be possible, that he who would shed a brother's blood rather than submit to the Tariff of '32 (and that too upon the score of its unconstitutionality) will embrace with a brother's love, the very party who gave birth to the System; merely because they have made an additional infection upon that *Sacred Compact*, in endeavouring to force upon the Country that monster of Corruption, that engine of corruption consolidation of the Bank? (which, if *not now made to feel the power of an indebted and injured people*, may hereafter violate with impunity this charter of our liberties, and repel with aristocratic disdain all intercessions in behalf of its sanctity) I must confess, that hitherto upon the score of expediency, I esteem<sup>d</sup> the Bank a valuable institution, but at the same time, was fearful of its power, if it should be control<sup>d</sup> by a corrupt directory – I have liv<sup>d</sup> long enough to see the time when (in the sincerity of my heart.) I believe that dreaded event has occur<sup>d</sup> – Else, why this large salary of Editors; of newspapers; not only in Washington; but in New York, Ohio, Pennsylvania & elsewhere, these plums, to be professional gentlemen; and they, the avowed guardians of our liberties in the National Legislature? why is it, that Biddle may expend its funds without accountability and without limit? Go tell all this to its minions; to those who live upon its bounty, fatten upon its bribery, and riot in corruption, and they will tell you it was necessary in self defense – But tell it to him, whose judgement has not yet been warp<sup>d</sup> by prejudice, nor corrupted by bribery; him whose party animosity has not yet been contaminated by its influence; and with native honesty; he would reply, *Bribery; Corruption* I have read with great interest the Presidents reasons for refusing his signature to the land bill. If his premises be true, his conclusion is irresistible. It is a masterly production – I have read with equal interest Mr. Sec<sup>ty</sup>. Taney's report (or more properly speaking his reasons for removing the deposits.) To me (as thus advised) they are equally conclusive – I perceive by the papers that you are a majority in the House, but a minority in the Senate. From this state of affairs, little is to be expected, towards advancing the interest of our Country – I wish it were otherwise – They may abuse old Hickory, thwart his measures, and distract his councils, but his native honesty, ardent love of Country, inflexible justice his firmness of purpose and his high, honorable, and chivalrous spirit; throws itself, in his every act, and every word – Then Huzza! for old Hickory, and to this, *the people* still cry, *Encore Amen !!!* we have done but little in the assembly, a resolution was this day introduced in the senate, in behalf of Rob<sup>t</sup> Potter – It met with almost instant death –

I had almost forgotten to say, that I showed your letter to Messrs Mayo, Allen, Montgomery and Spaight; and we all think, it is the best you ever wrote— I shall show it to no other person.

When I commenced writing I really thought I would write only a few lines and conclude; for you must know, my hand and arm, are still, and perhaps, allway' [*sic*] will be, partially parallized (though it is not perceptible to a common observer) but gives me no inconvenience except in writing— I however fil<sup>d</sup> up three sides, and am now on the fourth and can only account for my volubility of ideas, upon the score, of their emptiness— you required me to show your letter only to our friends, and to trust it to no one, I have complied strictly with your orders; though, from its real intrinsic merit, I felt strong disposition to violate them, now then as a reward for my fidelity, I require and charge you— neither to show nor to communicate the contents of this letter to any one, *friend*, or *foe*; — for to my foes, it might furnish a theme for amusement and to my friends (if I have any, not forgetting J. K P.,) [*sic*] it might furnish the basis of an inquisition of Lunacy—

I think it probable that I shall start for Florida, or Alabama with my negroes, about the 15 Jany— Poverty and an increasing family,<sup>39</sup> force me from the land of my birth, and to dissever ties of friendship— I hope I may soon find friends, equally sincere in the land of my adoption.

W. D. M.

Tuesday morning and all well

<sup>39</sup> See note 5, p. 62.

[*To be continued*]

## BOOK REVIEWS

THE HISTORY OF LAND TITLES IN WESTERN NORTH CAROLINA. By George H. Smathers. (Asheville: The Miller Printing Company. 1938. Pp. xv, 148. \$5.00.)

If this book had been produced in 1934 it would have saved many a new federal title attorney and abstractor headaches, labor, and suspense. We refrain from mentioning also "expense," since we were on a spending spree where such subjects were unpopular. Today I refer all these same "new" federal men, and all others seeking knowledge of Western North Carolina land titles, to *The History of Land Titles in Western North Carolina*, into which the dean of title experts has written a study of his lifetime experience, which for \$5.00 may save \$500 to \$5,000 worth of work and suspense.

After having abstracted some 45,000 original state land grants, covering Western North Carolina from the foot of the Blue Ridge to the borders of Virginia, Tennessee, Georgia, and South Carolina, and after supplementing that work with abstracts of all Indian treaties, cession treaties, laws setting up the various counties and their boundary locations, and abstracts of all land and title laws promulgated since the dawn of the colony, I still find Mr. Smathers' book and its later eleven-page supplement very interesting reading. Especially interesting are his comments on title laws, and his remarks on interpretations by state and federal courts, with citations to various decisions.

Beginning with an autobiographical sketch, the eighty-four-year-old author goes into the history of the Cherokee Indian lands, quoting from the various treaties, and showing the gradual restriction, and final extinction, of the Cherokee Indians' title to their former lands. Then he gives the laws setting up the counties of Western North Carolina in their order of formation. Land grant laws, procedure of obtaining grants, registration laws, etc., are quoted, and many grants that have been in prominent litigation are quoted in abstracts with plats traced from original surveyors' maps. The Moffett map (in a pocket inside the back cover of the book) is a valuable addition, showing the counties of Western North Carolina, Indian treaty lines, and the placement of a number of important land grants to which reference is made in the discussion of their validity, court decisions, etc.

After my surveying experience covering the United States and her possessions, I can name no area with more complicated land title history than that of Western North Carolina. Mr. Smathers' book is the first comprehensive attempt that I have so far encountered to explain and reconcile the various title laws, usage, etc., necessary to a thorough understanding of titles in our extreme southwestern counties. He carefully cites his authorities, histories, laws, etc., and goes into registration acts, probates, officers with authority of acknowledgment and probate, non-resident's ability to take grants and administer estates, heirship, evidence of heirship, and laws and decisions relative thereto.

There are certain title laws that apply only to certain counties of Western North Carolina—preemption rights, for instance—and Mr. Smathers sets these forth with the reason therefor. To me the most interesting part of his book comes in his brief discussion of color of titles, fee simple titles, statute of presumptions, statute of limitations, and title by prescription or possession. Also his discussion of the Torrens Act and its usage is a valuable bit of title knowledge which should be of interest to the general public.

Under date of August 4, 1938, Mr. Smathers has appended an eleven-page supplement to his *History*, in which he corrects and discusses what may have been errors in certain statements of his *History*. This later information coming to him regards the repeal of certain acts prohibiting entry of lands reserved to Cherokees, the lines of certain counties, and the validity in whole or in part of certain grants.

From experience in collaborating with Mr. D. L. Corbitt in the abstracting and plotting of county boundaries for his history of the North Carolina counties, we agree with Mr. Smathers that many grantees did not know exactly what county they were in, nor did the legislature seem to know just where they wanted these county lines to run. In many cases the decision apparently was left up to the surveyor's discretion. And sometimes he was years late in running out the lines called for (or about as called for), in the legislative act. In some cases commissioners were set up to select the county boundary lines.

North Carolina had the most lax land grant system of any we have yet known. There was no law requiring grants to be tied to

some natural object, or to another survey—unless it bordered that survey. Thus the State had no system of checking a location of land, to see if such land had already been granted. We have found, therefore, instances of as many as five grants overlapping the same land. The senior grant, if it was in legal order, carried title. The surveyor had to cite his authority (entry) for making the survey, and had to give the watershed on which the grant lay. But he was not required to give the main stream, and every river in North Carolina has, or has had, several “Buffalo,” “Beaverdam,” etc., creeks.

In Western North Carolina the average grant began at a chestnut and ran so-and-so to a chestnut, etc. Mr. Tom Cox tells of hearing an attorney make an old surveyor admit that he had located the same grant on three different watersheds. In most cases only three sides of a grant were run out on the ground. Rarely was the closing line ever run. Surface measure made a closure almost impossible anyway. Often a tree was selected as the beginning corner and was marked; and the oldtimers went home to dinner, hunting, or fishing. Land was cheap, and if no neighbors had yet set up contiguous boundaries, the fellow would go out and use about what he thought he ought to have.

Yet, my experience has been, the older surveys were far more accurate than those about the time of, and following, the Civil War. Surveys made during the eighteenth century were nearly always correct, and fairly well marked. And reading Mr. Smathers's *History* has relieved my mind of one uncertainty incident to my abstract and location of Western North Carolina grants. Georgia once claimed about a thirty-mile strip of what is now Macon, Clay, and Cherokee counties. Buncombe County claimed the area as its own, but when its sheriff went down to collect taxes the people told him they resided in the county of Walton, Georgia, and that he had better go home where he belonged. Then when the Georgia sheriff went up to collect Walton County taxes the inhabitants told him they lived in Buncombe County, North Carolina. Civil war was averted by referring the problem to Congress, which in turn referred it back as a matter of state rights and advised the employment of an “Astronomical Artist” to set up the thirty-fifth parallel. The “artist” started right, but slipped down into Georgia as he worked west. I could find no

Walton County grants issued by Georgia and validated by North Carolina, and this had worried me until finishing Mr. Smathers' *History*.

In conclusion, Mr. Smathers gives the origin of title to lands now owned by Cherokee Indians in North Carolina, which, he states, many people erroneously believe were reserved to the Indians by treaties entered into from 1790 to 1799. Following this discussion he gives the laws setting up newer and last-formed counties of Western North Carolina, and concludes with acknowledgments to those helping with information and historical data, as of June 1, 1938. The book is indexed for quick reference.

W. T. COMBS.

LEAKSVILLE, N. C.

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THE STORY OF RECONSTRUCTION, 1865-1877. By Robert Selph Henry. (Indianapolis: The Bobbs-Merrill Company. 1938. Pp. 633. \$5.00.)

Designed as a sequel to the same author's widely read *Story of the Confederacy* (1931), this volume is written in similar style and follows the same plan and method used in the earlier work. The purpose of the book is described as being "not so much an attempt to enlarge the knowledge of the period treated as to organize and present it in direct narrative form." With this end in view the author has undertaken to put together, in one continuous thread of story, the main political happenings in each of the Southern states, from Maryland to Texas, and in Washington, and to include in that story something of the attempts at rebuilding the shattered agricultural, industrial, and social life of the South that occurred in the years immediately following the Civil War.

The story begins on April 2, 1865, with the Confederate cabinet abandoning its capital at Richmond, and ends on April 24, 1877, when at New Orleans "the troops of the United States vacated their quarters adjoining the last state house of the last of the Reconstruction governments and marched back to Jackson Barracks." The fifty-one chapters are divided into three "books" of approximately equal length—Restoration, Reconstruction, and Redemption. Book One carries the story through the passage of

the Reconstruction Act of March 2, 1867; Book Two begins with the creation of the five military districts in the summer of 1867 and ends with the final admission of Georgia in mid-July, 1870; Book Three chronicles the counter-revolution by which, beginning with Tennessee in 1870, the Southern Democrats gradually swept away the reconstructed state governments and thereby regained the supremacy in Southern politics. Although the political and constitutional phases of the story occupy the greater amount of space and receive the more emphasis throughout the volume, there are other aspects of the period which are not neglected. Chapters on "The Business of Living," "Churches and Schools," "Memories and Hopes," "Reconciliation and Rehabilitation," and "Gains in Agriculture, Education, and Transportation" clearly demonstrate that the political disorder of the time did not necessarily result in a disordered economic and social life.

The author's frame of reference is that of the Dunning-school-of-Reconstruction historians, whose works constitute his principal sources. Reconstruction is treated as essentially an attempt to make the South safely and solidly Republican; a movement of the North against the South, black against white, poverty against property, in which prejudices were appealed to, jealousies inflamed, and hatreds bred; a movement which left the Negroes, in most ways, worse off than it found them, which denied its own name by setting back the restoration of the South by a generation; and which was based on ignorant voters, with no appreciable stake in the country, with a keen sense of the gifts of government, and with no conception of its burdens. It is obvious that such an interpretation fails to take into consideration the findings of the more recent writers, who project the period of Reconstruction upon the wider plane of national politics and view it with reference to national political movements and nineteenth century economic forces. To criticize the book on this ground is somewhat beside the point, however, since the author is, by his own confession, not a research historian, but primarily a story-teller, and is after all entitled to the privilege of selecting the type of story that he chooses to tell.

In general the text is based on published works, chiefly the various state histories of the Reconstruction period which appeared during the first quarter of the present century. The

author states that "contemporary newspapers, old railroad and business reports, and family records and letters" have also been used to a considerable extent; but a collation of the text with the published sources seems to indicate that a majority of the newspaper quotations have been lifted from reproductions in secondary works. There are no footnote references, "the source of information being indicated in the text itself where it seemed desirable." There is also no formal bibliography, but a selected list of books—ranging from the solid volumes of Burgess and Dunning through the sensational Otto Eisenschiml's *Why Was Lincoln Murdered?*—is included among the author's acknowledgments.

The author's style is clear and readable, with the result that as a synthesis of the works upon which it is based the volume leaves little to be desired. Relatively few errors are noted. To say that "the Constitution forbids the vice-president to take part in the impeachment trial of a president" (p. 304), although substantially correct, is rather awkward phraseology; and to characterize Josephus Woodruff and A. O. Jones as "the colored clerks of the two houses of the [South Carolina] legislature" (p. 495) ignores the fact that the first was white, the other a mulatto. But in general the author has faithfully reproduced the facts as he has found them.

In addition to the attractive binding and format, the appearance of the volume is enhanced by some thirty or more excellent illustrations reproduced from *Leslie's Illustrated Newspaper* and Edward King's *Southern States of North America*. There is a comprehensive thirty-three-page index.

JAMES W. PATTON.

CONVERSE COLLEGE,  
SPARTANBURG, S. C.

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EARLY AMERICAN HISTORY (1492-1789): POLITICAL, SOCIAL, ECONOMIC. By Jennings B. Sanders. (New York: Prentice-Hall, Inc. 1938. Pp. xxi, 705. \$3.75.)

This is a well-organized and clearly written textbook presenting the history of the American colonies from their founding up to the establishment of the United States government under the Constitution. The general plan of the volume is slightly different from that of other texts in this field. Part I is entitled, "Europe

in America to 1660"; Part II, "Colonial Expansion and Problems of Control (1660-1689)"; Part III, "The Colonies Come of Age (1689-1763)"; Part IV, "Colonial Civilization"; and Part V, "Revolution, Independence, The Constitution (1763-1789)."

Mr. Sanders begins his narrative with the antecedents of present-day American institutions in the European civilization of the discovery period and gives a brief analysis of the economic order and the political and religious schisms which formed such a deciding factor in the establishment of the English colonies. Each English settlement in what is now the United States is then discussed independently, its economic, political, religious, and cultural history being presented in separate chapters. Later the colonies are studied in regional groups, and finally as part of one nation. There are three chapters which deal with imperial regulation and control at various periods, and in these Mr. Sanders has given the clearest analysis of the administrative relations of England and the colonies which has appeared in any textbook. The most interesting portion of the volume is the part on Colonial Civilization, in which there is a very lucid discussion of colonial education, the church, literature and thought, the life of the people, the social structure, agriculture, industry, land, money, taxation, and other phases of the social and economic life of the colonials.

Four chapters are devoted to the period of the American Revolution, with more emphasis on social and economic forces, constitutional, financial, and diplomatic developments than on the military phases of the conflict. Mr. Sanders maintains a good sense of proportion until he reaches the close of the Revolution. There are only two chapters on the Confederation and the Constitution, which seems to be too little for this momentous period. But it must be remembered that no other text in this field gives any space to these years, since 1783 is the traditional date for the close of the colonial era.

As a text, this volume has many excellent features. An introduction to each part gives a brief overview of the period to be studied. There are many footnote citations giving exact page references, many of them to original sources. Mr. Sanders has made extensive use of one of the finest collections of manuscripts dealing with colonial history, the Shelburne Papers, which throw

new light on the history of the late colonial period. There is an excellent bibliography which includes the leading printed sources, pertinent articles, biographies, monographs, and general histories. There are four maps, but it is to be wished that there were more. The print is very good and the general make-up of the volume is excellent. Only a few minor errors of fact have been noted. Moravians did *not* come to Georgia as early as 1724 (page 384), and Anglican ministers in Virginia were *not* paid at the rate of £16,000 of tobacco a year (page 469). Mr. Sanders has made no attempt to catalogue facts in an encyclopedic manner, but to present a well-rounded text. The reviewer is using his text and is finding it very satisfactory.

HUGH T. LEFLER.

THE UNIVERSITY OF NORTH CAROLINA,  
CHAPEL HILL, N. C.

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PENNSYLVANIA IRON MANUFACTURE IN THE EIGHTEENTH CENTURY. By Arthur Cecil Bining. (Harrisburg: Publications of the Pennsylvania Historical Commission, Volume IV, 1938. Pp. 227.)

Since Pennsylvania became the greatest center of American iron manufacture in the nineteenth century, the story of the origin and early growth of that industry is of significance not only in the history of Pennsylvania, but also in the comparative study of infant industrialism in other states. Although Pennsylvania's first iron works were not erected until 1716, before the Revolution this colony was in the lead in production, and by the 1760's in the export of bar iron to England. The total output of all the colonies was not large in this pre-industrial age, but the rapid development of ironmaking in Pennsylvania before 1800 presents in miniature many of the problems of large-scale industry of a later time. The author's chief contribution in this study is the detailed picture of ironmaking in that typical rustic setting which conditioned most of the economic and social problems of the master and the workers.

In its early years the iron industry was usually subsidiary to agriculture. From the standpoint of the South, where the plantation system overshadowed all other forms of economic activity, this condition may not seem so strange as in the North, where

overpowering industrialism tends to becloud and distort one's historical view of the distant past. As in North Carolina, where the Brevard family was operating furnace and forge after 1800 to suit plantation needs, with distant markets down the river in South Carolina generally a secondary consideration, so in the eighteenth century Pennsylvania ironmaking was in the nature of a domestic industry, carried on primarily to meet local demands. Where ore deposits were conveniently located and the timber supply was plentiful for charcoal, an expanding market for ironware in the neighboring towns and countryside might induce the owner of the works to concentrate upon this industry. Thus developed the iron plantation with its "mansion house," workmen's cottages, furnace and forge, store and grist mill. In his account, Mr. Bining has interwoven skilfully the economic, religious, and social elements, gleaned from a wide variety of manuscript and printed sources.

In his chapter on the technique of iron manufacture the author describes clearly both the direct and indirect processes, the former requiring only the bloomery, anvil, and hammer, the latter soon replacing the former by using the blast furnace, refinery forge, and trip-hammer, or molds for casting the molten pig. This improvement in technique doubtless helps to explain the rapid development of the industry in Pennsylvania, in contrast to the more primitive methods which persisted and retarded progress, as, for example, in North Carolina. In the remote valleys of the Great Smokies, isolated bloomeries were operated as late as the end of the nineteenth century. Further evidence of progress in the North is the appearance of a few steel furnaces and air (resmelting) furnaces shortly before 1800; slitting-mills and nail works were also running, especially in Philadelphia. Students of economic history will welcome this chapter, enriched by contemporary illustrations of machinery and iron products. Dr. Bining is among the first to show adequately how the old ironworks were operated; he does not always explain why economically one process or step was preferred over another.

The human element in industry, frequently disregarded by historian as well as by manufacturer, enlivens the story of Pennsylvania's ironworks. The author correlates factors of labor and

technique and emphasizes the significance of the scarcity of labor during this period. In depicting the ironmasters he points out how the business attracted men from a variety of pursuits and interests as investors and operators—another evidence of greater opportunities afforded by an expanding industry. After a chapter on relations with England, in which he summarizes from a previous book his treatment of this subject for the colonies as a whole, he concludes with a sketch of the progress of the industry throughout the period. The volume contains a table of all the Pennsylvania ironworks to 1800, but unfortunately no map was included to show their location, especially in connection with Chapter III on the establishment of the industry. What Dr. Bining has done so well for Pennsylvania and Dr. Kathleen Bruce for Virginia needs to be done for other states as ground work for a comparative treatment of the iron industry during the eighteenth century.

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HISTORY OF AMERICAN CITY GOVERNMENT: THE COLONIAL PERIOD. By Ernest S. Griffith. (New York: Oxford University Press. 1938. Pp. 464. \$3.75.)

Although this country evolved and gave to the world the city manager, this is the first history of city government in the United States ever written. The present volume, the first of four projected, concerns itself with the founding and development of the American city during the colonial period when it was more or less a British outpost. The second volume will cover the period 1790 to 1870, when the city was forming its own American tradition; the third will cover the period 1870 to 1920 when it rose to its dominant position in national life; the final volume will embrace the years since 1920, which have been the city's "age of administration."

The author has made an exhaustive study of available source materials, and bases the work on extant city charters, corporation minutes, British and colonial official records, account books, private correspondence, and other contemporary sources.

The book naturally begins with the English background of the American city. In its origin the British municipal corporation

represented a contracting out of the jurisdiction of the manor or hundred, or even of the county. Accordingly, it constituted not an area, a body of residents, or even an instrument of government, but rather a "bundle of privileges." By 1600 there were several hundred of these British incorporations. In most cases their rights and privileges had been incorporated in a formal document or charter and most of them represented direct grants from the crown. From the royal point of view, the boroughs in the seventeenth century were thought to be agencies to foster trade and commerce or instrumentalities to enhance the royal revenue. If they were hostile to the sovereign they were to be bent to his will or crushed. Both the Tudors and the Stuarts granted and revoked charters as a means of strengthening royal authority. Though most provided for a close corporation, the populace appeared to raise little protest.

The early settlers and their sponsors naturally transmitted English institutions to the New World because they had been a part of their experience. There was, however, one essential difference. In the colonies for a hundred years the people concerned themselves with an idealized future rather than a realized present. In a land in which a civilization was in the making municipalities were chartered, partly at least, because they were associated with a developed state. Thus Governor Culpepper of Virginia in 1680 announced that the king was determined that there should be towns as "no nation has ever begun a colony without them and none thrived without their development."

Agamenticus in Maine was probably the earliest English municipal incorporation in the colonies that actually functioned as such. It was chartered in 1640 or 1641.

Ten boroughs were chartered in North Carolina, beginning with Bath in 1705, and followed by New Bern, Edenton, Wilmington, Brunswick, and Halifax in the next half century. In the closing years of the colonial period, charters were granted to Salisbury, Hillsborough, Campbellton, and Tarborough, but in the case of these last four they merely gave the right to send borough representatives to the assembly.

For the most part, it was to control trade and derive revenue therefrom that governors and proprietors promoted incorporations. The inhabitants' own urge to incorporate was later in its

appearance, but when it did appear the motive was to obtain a special privilege. This might be to conduct an annual or semi-annual fair, to enjoy a port monopoly, or to secure for the merchants and artisans protection from the competition of foreigners or peddlers. There were, however, certain governmental as well as economic advantages that might be obtained through incorporation, chiefly the privilege of a separate local court and separate representation in the assembly.

In his chapter on "Control of Economic Life" the author considers the controls from the standpoint of the various classes for whose benefit they were designed—buyers, sellers, consumers, craftsmen. It was the Dutch in Albany and on the Delaware that seem most to have developed the use of the incorporation as a weapon in the interest of the buyers. One of their concerns was that "some people do not hesitate to ruin the trade with the Indians by running up the price of deerskins." Far more usual were the efforts to safeguard the vested rights of local merchants and tradesmen. New York City was originally granted a port monopoly, and Westchester in 1697 went so far as to forbid the establishment of any sawmills other than those owned by the major. But by 1725 interest in enforcing such monopolies had begun to wane throughout the colonies. Regulation for the benefit of the consumers was equally widespread, but met with equal difficulties. The underlying struggle was between the ideal of a fair price and good quality, and the tendency of human nature then as now to "chisel." Bread, meat, and firewood were the three commodities most frequently singled out for regulation. It must be remembered that this period was socially an era of unchallenged rank and status. In the eyes of the people it was right that the rich and high-born should not only rule but also should entrench themselves with economic privileges.

Whether as town or borough, each American community first passed through what might be called the "intimate" stage of its governmental development. Social pressure instead of legal pressure could ordinarily be counted upon to assure the necessary degree of coöperation in community projects. Each did his stint of service on the roads, took his turn in the watch against fire or Indians, provided a fire bucket or two, and hung a lantern at his door at night. The community spirit did not extend, however,

to regard for another's sensibilities. For example, the borough of Edenton insisted that only inhabitants are to keep horses in town limits, and they are limited to six sheep, one cow and one horse to run at large within bounds.

Eventually, if the community grew, there came a kind of transition stage in which the former intimate arrangements began to break down. This was partly due to conflicting economic interests and partly to a more heterogeneous population. That there was a disorderly element in the population is indicated by the fact that in Wilmington, N. C., the constables were directed to walk the streets during divine service to prevent disturbance. A further mark of this transitional stage was the increasing difficulty in enforcing the obligation of individual service for the watch or for work on the streets. The earliest record found of a paid watch was that of one in Albany in 1659, but it was a hundred years later before this was usual. Philadelphia in 1765 requested a higher tax levy to add to its 320 street lamps, its 120 public pumps and the 18 watchmen then under its care. This development in colonial days was, however, a product of size far more than of the date of the action.

While in only the larger towns could there be noted the beginnings of a mechanized order during the colonial period, there were signs of an emerging urbanism. The regulation of trade by the individual community was cracking under the strain of an increased mobility. Heterogeneity of population was weakening the social sanctions back of the by-laws which dealt with religion and morals. Yet it was largely urbanization itself that was forcing improvements in paving and lighting, in cleaning and policing; as well as urbanization that was even then creating problems of poverty and crime. Into this dawning complexity of urban government and administration the War of the Revolution was precipitated.

It was not the royal governors but the colonial legislatures which concerned themselves most intimately with the affairs of the cities. Thus the records of each session of the North Carolina legislature are filled with such acts as those empowering Wilmington to appoint guards and watchers, or New Bern to levy a tax for a fire engine, or Bath to prohibit swine from running at large, or Edenton to build a pound. Though the colonial acts in respect

to the municipalities went into minute detail, this was because the local units so requested. The author states that he has not uncovered a single instance in which a request from a municipal corporation for further powers was denied. In his opinion, the cities had little cause to complain and much to praise in the British overlordship. This is further evidence, he says, that it was not so much any day-to-day autocracy or maladministration on the part of the British that was responsible for the Revolution, but rather deep, underlying forces of an economic and psychological nature.

This volume should be welcomed by students of government for the light it throws on the origin and early evolution of our urban culture and institutions. It should be equally welcomed by historians for the wealth of authentic information it furnishes on an important segment of colonial life. Though based almost wholly on documentary materials, with complete footnote references thereto, the book is not dull reading. On the contrary, the material is skillfully woven into a smooth and intensely interesting presentation. Direct quotations from the documents are used only when they lend color and richness to the description. The book helps fill a gap in the literature of American government and the remaining volumes in the series will be eagerly awaited.

PAUL W. WAGER.

THE UNIVERSITY OF NORTH CAROLINA,  
CHAPEL HILL, N. C.

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JEFFERSON DAVIS: THE UNREAL AND THE REAL. Two volumes. By Robert McElroy. (New York: Harper & Brothers. 1937. Pp. xiii, 783. \$8.00.)

The seventy-fifth anniversary of Gettysburg and Vicksburg is a fitting time in which to consider a life of Jefferson Davis. These twin disasters, which marked the high-water mark of Confederate success, jointly emphasizes Davis's outstanding characteristic—loyalty. Loyalty to those in whom he placed his confidence, loyalty to the cause he served. He supported Lee, the master, in defeat as in victory, and refused his proffered resignation; he supported Pemberton, the bungler, and sought to retain him in high command. His courage and his belief in ultimate success did not waver. Until the very last, Davis hoped and

worked for victory, undaunted by defeat, discord, divided counsels, and steadily weakening economic and military power. A weaker, less determined leader would have stepped down, either by resignation or ignominious flight, to make way for another.

Dr. McElroy's biography of Davis divides itself naturally into three parts. Davis's early army career and first marriage are presented more fully than usual, but the ante-bellum account is conventional and is made up of what amounts to an apology for Davis. No particular effort is made to understand and explain why and how Davis and his supporters came to accept and apply their defense mechanism in justification of slavery; nor why their course could lead only to complete surrender or open conflict. Davis's arguments in defense of Negro slavery placed him in the position of "defending the lowest of social institutions, though holding the loftiest of political ideals" (p. 107). He perhaps unconsciously "arrayed himself as the champion against change, which is evolution, a fact which," the author thinks, "explains much, otherwise inexplicable" (p. 63). "His tenuous philosophy aimed but to save an interpretation of the slave clauses of the Constitution which time and progress and an awakening conscience were rendering obsolete" (p. 110). Davis came into active leadership in a time when this interpretation was rapidly becoming untenable.

A chapter is captioned "Secretary of War," but there is little in it concerning Davis's constructive achievements in this administrative interlude in his political career. Politics and the sectional conflict are almost the sole topics of discussion. There is nothing to justify a later view that Davis was "the best Secretary of War" (p. 173). There is a good account of Davis and the final movement for secession. He opposed secession, but when his state left the Union, he resigned his seat in the Senate. "He followed not his star, but his conscience," his destiny (p. 258). For this period, in general, too much space is devoted to a discussion of Davis's political philosophy as a justification for his selection to lead the seceded states.

The Civil War was the most important period in Davis's life. The account here given is too hurried, brief, uncritical, and partisan in controversial matters to be in any way satisfactory. It lacks all semblance of unity. Politics, finance, relations with

Congress and generals, military operations, and peace efforts are jumbled together with little organization. In all disputes with the opposition factions Davis is favored. J. E. Johnston and Beauregard are always in the wrong; no critical effort is made to get at the reasons for the failures of Bragg, Pemberton, and Hood. Nor is any effort made to evaluate the benefits, handicaps, and effects of Davis's direction of and interference with the military conduct and leadership of the Southern effort. The war account is almost entirely devoted to a discussion of *Effects*, with no search for *Causes*. In general, because so brief, the account presumes a knowledge of men and events not likely to be possessed by the average reader. No perspective of the military situation on the far-flung battle line from Virginia to Texas is given so that the reader may see and understand the manifold problems with which Davis had to cope.

The narrative of the post-bellum years constitutes the best part of Dr. McElroy's book and is a contribution to the history of this period of Davis's life. There is a detailed discussion of the quibbling evasion that kept Davis a prisoner in jail for two years without trial or bail, though even Thaddeus Stevens was one of those who proffered his services as legal counsel (p. 561). It is true that Stevens was not animated by any tender consideration for Davis. His action in volunteering "was not service to Davis, but disservice to the detested President Johnson" (p. 569). The author nowhere gives a definite opinion as to why Davis was so long imprisoned. The nearest approach is to attribute it to an unidentified "hidden power" (p. 577). In general, Davis became a pawn of the Radicals in their conflict with Johnson and it was not until they were safely in control that they were willing to grant that Davis might be a prisoner, entitled to fair trial before a civil jury, rather than a traitor who had revolted against and tried to destroy his country's government (pp. 587-88, 599 ff.).

The disappointments, the poverty, the physical suffering, and the frustration of Davis in the closing years of his life are well and sympathetically told. He had come to epitomize both the Old South and the Lost Cause. There is no indication of the initial printing of or income from Davis's magnum opus, the *Rise and Fall of the Confederate Government* (p. 659); rather curiously, the date of his death is implied, not stated (p. 698).

This work is well and attractively printed and bound and contains a number of illustrations of Davis from youth to old age. There are no footnotes, but there is an extended bibliography that loses some of its effectiveness because of the manner of its printing. There are many, entirely too many, typographical errors, due, apparently, to careless proofreading.

Davis had hope, ambitions and plans for an independent South, but too often he courted theory and was vague when he sought to move into action. He did not realize that economic forces were moving faster than the forces that urged the South to secession and that in the end engulfed it. Leadership of the individualist was beginning to give way to the mechanism that industry was creating and a servile form of labor had to go down in the crash. In the din of guns and high resolves and impracticable ideas of sectionalism, the Old South passed to make one of the most tragic fragments of history. Feudalism, likewise, came to an end. Davis, the ardent exponent, lingered awhile and then he, too, passed. The age of iron and steel reigned supreme.

THOMAS ROBSON HAY.

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THE CONFEDERATE IRONCLAD *Virginia* (*Merrimac*). By Harrison A. Trexler. (Chicago: The University of Chicago Press. 1938. Pp. vii, 95. \$2.00.)

Although much has been written about the famous battle between the *Monitor* and the *Merrimac*, this is the first attempt which has been made to trace in detail the life-story of either of these vessels. Every schoolboy knows (or is presumed to know) how this combat led to the junking of the wooden navies of the world, but few know the interesting details of the *Virginia's* construction and operation, and fewer still are acquainted with the effect which this iron-clad had upon the strategy of McClellan's campaign against Richmond. To the extent that this little book throws additional light upon these two phases of the *Virginia's* history, it justifies its existence.

In painstaking detail, the author describes the transformation of the *Merrimac* into the iron-clad *Virginia*, shows its size and armament, relates the damage it caused the Union and the protection it afforded Confederate ships, and deals interestingly

with the drawn battle between the *Monitor* and the *Virginia*. Professor Tréxler then describes Stanton's fear that Washington would be attacked by the *Virginia* and McClellan's necessity for changing his plan of campaign. (By closing the James River to transports, the *Virginia* forced McClellan to abandon his plan of landing men on both sides of the peninsula.) The book ends with a description of the destruction of the iron-clad by the Confederates, when the capture of Norfolk became inevitable.

In addition to his assessment of the *Virginia's* significance, Professor Tréxler has given much detailed information concerning this vessel, which previously was not readily accessible. The general reader is likely to be surprised at the size, number of guns, and cost of the *Merrimac* before her transformation (p. 2). The reader will learn that she was one of the most formidable vessels in the United States navy, and that after being refitted as an iron-clad the *Virginia* caused wild hopes to spring in the hearts of the embattled Southerners. It is surprising, moreover, to discover how much war materials the Federals left at Norfolk in 1861 (p. 8); and the extreme difficulty of destroying heavy guns, when their capture by the enemy was inevitable, is not without interest to the general reader.

Almost no omissions or inadequacies, in the opinion of the reviewer, mar the work. The chapter title, "The *Virginia* Harasses the Union Navy," is somewhat misleading, for in the period dealt with by this chapter no important attacks were made on Federal vessels. But as a constant threat to the Union navy, the *Virginia* undoubtedly was "harassing." The author relates that Southerners expressed high hopes that the *Virginia* would make a material contribution to victory, but he neglected to give excerpts of newspaper editorials, speeches, or letters, which would have rendered an interesting description of what the South expected from its famous iron-clad. These, however, are small matters and do not detract materially from the excellence of the study.

Included in the volume are two sketch maps showing the waters in which the *Virginia* won her fame, and there are two simple drawings of the *Virginia* and the *Monitor*. The index is satisfactory so far as names of individuals and places are concerned, but in other respects it could be improved. References

and notes are placed at the back of the book—this is a reason for complaint, but since the practice has become so general there is no longer any occasion for surprise.

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THE HERMITAGE: HOME OF OLD HICKORY. By Stanley F. Horn. (Richmond: Garrett & Massie. 1938. Pp. xi, 225. \$3.00.)

This book will not edify the historian, for it contains few facts that are not already known, and it lacks such earmarks of scholarship as footnotes and bibliography. This failure to cite the sources, however, will not inconvenience those who have available a set of John Spencer Bassett's edition of the *Correspondence of Andrew Jackson*. Over against these shortcomings and the inadequacy of the two-and-a-half-page index may be set the more than forty attractive illustrations, the floor plans of the Hermitage, and the architectural drawings of its front and rear elevations, which have been made into attractive front and end pieces. In brief, the historian finds little to praise in this book; neither does he find much to censure, although he will be irritated and placed upon his guard by Mr. Horn's zeal for correcting the spelling and punctuation of President Jackson. But this book was evidently written not for the historian but for the general public and particularly, it may be supposed, for that portion of the public that visits the Hermitage. It is only fair, therefore, that it should be evaluated as an attempt at popular historical writing.

As was faintly suggested by the uncanonical editing of documents, the general purpose of this book is to enhance the reputation of Jackson and his home by proclaiming the beauties of the Hermitage, the attractiveness of life within those precincts, and the virtues of General Jackson as husband and homemaker (if this word can be applied to a man, and to such a man as Jackson). Luckily, there is more than enough evidence to support these and similar contentions, for the Hermitage speaks for itself, and it is generally agreed that the best of Jackson's traits were revealed in his home.

About all that is known of him who named the Hermitage is that he was a false prophet, for this plantation had more of the characteristics of a hotel or an orphan's home than of an abode of a recluse. In addition to Andrew and Rachel, the household consisted of their adopted son, Andrew Jackson Donelson, and, in time, his wife and children. Another permanent resident was R. E. W. Earl, an artist. Major Henry Lee was a guest for two years, and the Hermitage gave shelter to Lyncoya, an Indian boy, whom Jackson had taken from among the dead after the battle of Tallushatches and sent to Rachel with the explanation that "although he is a heathen he is an orphan." From time to time the household contained wards left in Jackson's care by friends and relatives. Of course there were numerous slaves of whom the most distinguished was Uncle Alfred. The reader is never certain of the exact number in the household at any one time, and he suspects that at times Andrew and Rachel were likewise ignorant, particularly if casual visitors be considered. The plantation's hospitality was often put to the test, but doubtless never more strenuously than the day when a regiment of nine hundred Texas volunteers appeared for lunch.

One might suppose that the bustling activity at the Hermitage as well as the responsibility of maintaining such an establishment sometimes taxed Jackson's strength and patience. He was often sick in body; the irresponsibility of his adopted son was disturbing; and financial burdens pressed heavily at times. But under the influence of his beloved Rachel, Jackson showed a self-restraint and gentleness that was almost startling to those who had known him only as a domineering and sometimes irascible statesman and soldier.

In setting forth this aspect of Jackson's character, Mr. Horn has acquitted himself well. In another direction he is not so fortunate. In seeking to prove that Jackson was "no mere backwoodsman or ruffian . . . [but] a man of genteel characteristics, of refined, though simple taste," (p. 3) he stakes his case on the fact that Jackson built and lived in the Hermitage. But no evidence is produced to show that Jackson had any share in designing the structure, and when, after the destructive fire in 1834, it was rebuilt, Jackson was in Washington. About all that is certainly known is that Jackson wanted a large house

and had one built, which neither proves that he had refined tastes nor the contrary. And of course this is not to say anything derogatory about the Hermitage, whose attractive features can be seen by all who visit it. Those who cannot have the pleasure of a pilgrimage can yet learn from this volume much about its appearance and furnishings.

In addition to telling about Jackson and his home, Mr. Horn's book contains some information about the Ladies Hermitage Association. The history of this organization inclines one to the belief that its members have displayed as much resourcefulness and courage in protecting the Hermitage as General Jackson displayed on his campaigns. And who can say that their cause has been any less worthy than his?

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## HISTORICAL NEWS

The thirty-eighth annual session of the State Literary and Historical Association of North Carolina was held in Raleigh, Thursday and Friday, December 1-2, 1938. On Thursday evening at the Sir Walter Hotel Mr. Jonathan Daniels of Raleigh, president of the Association, delivered the presidential address on Thomas Wolfe and his work, and Mr. George Stevens of New York, editor of *The Saturday Review of Literature*, spoke on book reviewing. A reception to members and guests of the Association, the North Carolina State Art Society, and the North Carolina Folk-Lore Society followed. At the Friday morning meeting at the Sir Walter Hotel Dr. Archibald Henderson of Chapel Hill reviewed North Carolina books and authors of the year and Mrs. Charles A. Cannon of Concord presided over a discussion of the desirability of forming a society to preserve North Carolina antiquities. The discussion was led by Mrs. Arthur P. Wilmer, president of the Association for the Preservation of Virginia Antiquities. A committee, with Mrs. Cannon as chairman, was elected to proceed with the formation of such a society in North Carolina. The following officers of the State Literary and Historical Association were chosen for the ensuing year: Dr. A. R. Newsome, Chapel Hill, president; Mrs. Marian Sims, Charlotte, first vice-president; Judge Heriot Clarkson, Raleigh, second vice-president; Mr. Richard Dillard Dixon, Edenton, third vice-president; and Dr. C. C. Crittenden, Raleigh, secretary. The final session of the Association was held in the Hugh Morson High School Auditorium on Friday evening. Mr. Macon R. Dunnagan of Raleigh, historian of the Society of Mayflower Descendants in North Carolina, announced that Mr. Jonathan Daniels, for his book, *A Southerner Discovers the South*, had been awarded the Mayflower Society Cup for 1938. Governor Clyde R. Hoey then presented Count René Doynel de Saint-Quentin, Ambassador of France to the United States, whose address on Conrad Alexandre Gérard, the first French representative to the United States, brought the meeting to a close.

The twenty-seventh annual session of the North Carolina Folk-Lore Society was held at the Sir Walter Hotel in Raleigh, Friday afternoon, December 2. Dr. George P. Wilson of

Greensboro delivered the presidential address, "Southern Folk Proverbs and Sayings," and papers were presented as follows: "Onomostica Aethiopica, or the Science of Naming Negro Babies," by Dr. A. P. Hudson of Chapel Hill; "Uncle Remus and His Creeturs," by Mr. J. Roddey Miller of Greensboro; and "Along the Sandbank from Manteo to Hatteras," by Mr. William A. Blair of Winston-Salem.

The North Carolina State Art Society met in annual session at the Sir Walter Hotel in Raleigh, Wednesday and Thursday, November 30-December 1. On Wednesday afternoon a reception was held. On Wednesday evening Mrs. Katherine Pendleton Arrington of Warrenton delivered the presidential address; Professor Russell T. Smith of Chapel Hill spoke on "Some New Aims for the State Art Society"; and Mr. W. T. Benda of New York presented a mask-pantomime, featuring his masks, with dancing. A business meeting took place on Thursday morning.

Captain Samuel A'Court Ashe died at his home in Raleigh on Wednesday, October 10. Born in 1840, he had served in the Confederate armies, had practiced law, had been a newspaper editor, had been president of a manufacturing company, and had served as clerk of the United States District Court in Raleigh. He was the editor of a *Biographical History of North Carolina* (eight volumes) and the author of a *History of North Carolina* (two volumes) and of a number of pamphlets and magazine articles.

A number of North Carolina historians participated in the program of the Southern Historical Association in New Orleans, November 3-5, 1938. Dr. Fletcher M. Green of the University of North Carolina presided over a luncheon conference on "Frederick Jackson Turner's Theories and the South." Dr. B. B. Kendrick of the Woman's College of the University of North Carolina led the discussion at the conference mentioned above and presided at a session on "Suggested Points of View for the Future Historian of the South." Dr. Charles S. Sydner of Duke University read a paper titled "The Theory and Practice of Geology in the South." Dr. C. C. Crittenden of the North Carolina Historical Commission presided at a "Conference of Historical Agencies," and Dr. J. G. deR. Hamilton of the Uni-

versity of North Carolina presided at a session on "Historians and Economists of the South." Dr. Sydnor was elected president of the Association for 1938-39, and Dr. Green was reëlected secretary-treasurer.

Mr. A. L. Brooks of Greensboro is writing a biography of the late Justice Walter Clark of the North Carolina Supreme Court and will be glad to receive information on Clark or to be informed of the location of source materials on this subject.

Dr. J. C. Sitterson of the University of North Carolina has published an article, "Magnolia Plantation, 1852-1862," in the *Mississippi Valley Historical Review*, September, 1938.

Dr. David A. Lockmiller of the State College of Agriculture and Engineering has published a biography of Sir William Blackstone (University of North Carolina Press). He is now writing a history of State College, 1889-1939, and will be glad to receive information or to learn of materials on this topic.

Professor Paul H. Clyde of Duke University, who has been on leave of absence travelling in the Orient, will resume his teaching the second semester.

Judge Robert W. Winston would be glad to learn the name of the owner of the sword presented by the North Carolina legislature to Major Joseph Winston about 1790. Address the secretary, State Literary and Historical Association, Box 1881, Raleigh, N. C.

Dr. A. R. Newsome, head of the Department of History at the University of North Carolina, spoke on "What Next in Archives" at the dedication of the new archives building in Springfield, Illinois, October 26, 1938. He presided at the second annual meeting of the Society of American Archivists in Springfield, October 24-26, and delivered the presidential address on "Uniform State Archival Organization." He was reëlected president. The next annual meeting of the Society will be held in Annapolis, Md., in October, 1939.

Mr. D. L. Corbitt, a member of the staff of the North Carolina Historical Commission, attended the second annual session of

the Society of American Archivists in Springfield, Illinois, October 24-26. He was on the program for the session on "Classification and Arrangement."

Professors Joseph C. Robert of Duke University and J. C. Russell of the University of North Carolina attended the Eighth International Congress for Historical Sciences at Zurich, Switzerland, which lasted from August 28 to September 3, 1938. Professor Russell read a paper on "Decline in Population, 200-700 A. D., and Its Intellectual and Social Results" and presided over one session of the section on Social and Economic History of Medieval and Modern Times. He is remaining in England this year upon a grant-in-aid from the American Philosophical Society, studying the population of medieval England. In the summer of 1938 appeared the 1937-38 supplement to Dr. Russell's *Dictionary of Writers of Thirteenth Century England* in the *Bulletin of the Institute of Historical Research* and an article, "Chroniclers of Medieval Spain," in the *Hispanic Review*.

Books received include: *Papers in Illinois History and Transactions for the Year 1937* (Springfield, Ill.: The Illinois State Historical Society. 1938); John H. Scarff, editor, *The Bicentenary Celebration of the Birth of Charles Carroll of Carrollton* (Charles Carroll of Carrollton Commission); Robert B. Downs, editor, *Resources of Southern Libraries. A Survey of Facilities for Research* (Chicago: American Library Association. 1938); Julia Cherry Spruill, *Woman's Life and Work in the Southern Colonies* (Chapel Hill: The University of North Carolina Press. 1938); George Lewis Chumbley, *Colonial Justice in Virginia* (Richmond, Va.: The Dietz Press. 1938); Frank J. Klinberg, *Old Sherry: Portrait of a Virginia Family* (Richmond, Va.: Garrett and Massie. c. 1938); David A. Lockmiller, *Sir William Blackstone* (Chapel Hill: The University of North Carolina Press. 1938); Edna L. Heinzerling, *The History of Nursing in North Carolina* (Chapel Hill: The University of North Carolina Press. 1938); Hope Summerell Chamberlain, *This Was Home* (Chapel Hill: The University of North Carolina Press. c. 1938); Hugh L. Hamilton, *A Second Constitution for the United States of America* (Richmond, Va.: Garrett and Massie. c.

1938); Charles M. Andrews, *The Colonial Period of American History*, Vol. IV; *England's Commercial and Colonial Policies* (New Haven, Conn.: Yale University Press. 1938); and John A. Cutchins, *An Amateur Diplomat in the World War* (Richmond, Va.: The Commanders Committee of the American Legion. 1938).

More than forty manuscripts have been received by the Duke University Press from writers competing for the \$1,500 prize to be awarded next March for the best scholarly work on the social, literary, or artistic history of the United States. A faculty committee of seven will select the three best manuscripts to be submitted to the final judges. The latter are: Dr. Merle E. Curti, professor of history at Smith College; Dr. Norman Foerster, director of the School of Letters and professor of English at the University of Iowa; and Dr. Arthur M. Schlesinger, professor of history at Harvard University.

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