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## GEORGE EDMUND BADGER IN THE UNITED STATES SENATE, 1846-1849

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George Edmund Badger was for a score or more years an outstanding personality in North Carolina politics. Although never very popular with the people of his state as a whole, he was highly respected by all. Those few who knew him intimately, and were of the same political faith, loved him and looked up to him as a man of unusual intellect and of great personal charm. As a statesman he received full recognition from his state and the nation. It would undoubtedly be very difficult for one of Badger's contemporaries, were he alive today, to understand how the career of one as prominent as Badger could have been almost forgotten by the people of North Carolina. No monument has been erected to his memory, nor has any public building in the state been named in his honor. To the great majority of North Carolinians today his name means nothing. It is partly for this reason that the writer has found the study of Badger's public career particularly interesting and inviting.

Although the purpose of this article is to study the work of George Edmund Badger in the United States Senate for the period 1846 to 1849, it will be necessary to review briefly the important events in his career prior to that time.

Badger was born in New Bern, North Carolina, on April 17, 1795. His father, Thomas Badger, came to North Carolina from Windham, Connecticut. His mother, Lydia Cogdell, was a native of New Bern. Badger received his secondary education in New Bern and in 1810 entered Yale University. He remained there only two years since he did not have sufficient funds to complete his course. After leaving Yale he

studied law under his maternal cousin, John Stanley, who was one of the foremost lawyers in North Carolina at that time. In 1815 Badger received his license to practice law. In granting him his license the judges of the Supreme Court overlooked the fact that he was still a minor because of the dependence of his mother and sisters upon him. His father had died in 1799.<sup>1</sup>

In 1816 Badger was elected a member of the House of Commons from the borough of New Bern. This was his first venture into public life and, considering his youth, he acquitted himself favorably. At the conclusion of his term in the General Assembly Judge Thomas Ruffin invited Badger to come to Hillsboro to take over his practice while he was on the bench. Badger gladly accepted this complimentary offer. In 1820 his ability as an advocate was recognized when he was elected a Superior Court judge. He remained on the bench until 1825 when he resigned because he could make more money practicing law, and he had to think of those dependent upon him.<sup>2</sup> After his resignation he took up the practice of law in Raleigh where he lived until his death.

Badger became a member of the Republican party when he reached his majority, supporting James Monroe in the election of 1816. He did not, however, take an active interest in national politics until the election of 1828. In this election he contributed much in behalf of General Jackson, writing the two most important addresses issued by the executive committee of the party. After the successful election of Jackson the Democrats of North Carolina expected Badger to be rewarded for his efforts. The party recommended him to Jackson as its choice for the cabinet post of Attorney General. The General, however, did not appoint him but chose another North Carolinian, John Branch, for the post of Secretary of the Navy. Badger's work in the campaign of 1828 was his last in behalf of the Democrats, for a few years later he became a member of the new Whig party. He left the Democratic party about the time that President Jackson made it known that he was definitely opposed to the recharter of the Bank of the United

<sup>1</sup> Graham, William A., *Discourse in Memory of the Life and Character of the Hon. George E. Badger*, p. 8.

<sup>2</sup> Hamilton, J. G., de R., ed., *The Papers of Thomas Ruffin*, I. 328.

States. Badger clearly indicated some years later that he was strongly in favor of a central bank. He also disagreed with Jackson on the question of internal improvements. After once joining the Whig party, he became one of its staunchest members. It is undoubtedly true that the Whig principles of centralized authority appealed more strongly to Badger than the Democratic doctrine of state rights. He was always a Hamiltonian in politics.

From 1828 to 1840 Badger took little interest in either state or national politics. During these years he devoted most of his time to the building up of a splendid law practice. In the campaign of 1840, however, he renewed his interest in politics to a greater extent than ever before. In the course of this campaign he delivered several important addresses, the most significant of these being the one delivered in Granville County on March 3. The *Raleigh Register* declared that this address might "safely be referred to as the text-book of the party."<sup>3</sup> In consequence of his valuable work in behalf of General Harrison, the Whig party of North Carolina recommended Badger to him for the post of Attorney General for which position it felt he was best qualified. Harrison, however, disregarded this recommendation and appointed Badger Secretary of the Navy, John J. Crittenden having already been selected for the post of Attorney General.

Badger accepted Harrison's appointment, and acquitted himself well in his duties as head of the Navy Department. On September 11, he resigned his post in President Tyler's cabinet, along with the other Secretaries, because of Tyler's lack of confidence in his constitutional advisors and his "want of sincerity."<sup>4</sup> Following his resignation Badger returned to Raleigh to take up again his law practice. Although he was actively interested in state and national politics from 1842 to 1846, he held no public office during that period. He contributed a great deal during that period to keeping the Whig party in power in North Carolina.

Badger's work in behalf of his party was rewarded and his ability recognized in 1846 when the Legislature of North Carolina elected him to the United States Senate to fill the unex-

<sup>3</sup> *Raleigh Register*, April 17, 1840.

<sup>4</sup> *Hillsborough Recorder*, Nov. 25, 1841.

pired term of William H. Haywood, Jr. Referring to Badger's election to the Senate and his earlier appointment to the Navy Department, the *Raleigh Register* declared: "It is a coincident worthy of remark, that in both instances where office has been conferred on Mr. Badger, it has been not only without his solicitation, but under circumstances which rendered it very doubtful, whether he would yield to the wishes of the appointing power."<sup>5</sup> He was elected by the legislature "while absent from the city, without ever intimating to any human being, that he would accept the appointment. . . ."<sup>6</sup> It is interesting to note what an out-of-state paper thought of Badger's election. The *Richmond Republican* had the following to say:

The election of this gentleman to the United States Senate, is hailed with universal joy by the Whigs of the nation. Mr. Badger, as a lawyer and a statesman, has long ago acquired an elevated fame. His accession to the Senate will be a valuable addition even to the number of eminent Whig statesmen who now adorn its councils. . . .<sup>7</sup>

Badger accepted his election to the Senate, notwithstanding several expressed doubts as to his assent. He liked public office as well as most prominent politicians of that period, although he did not often directly seek it.

On December 14, 1846, Willie P. Mangum<sup>8</sup> presented Badger's credentials, and he took the oath of office.<sup>9</sup> On the same day the Senate took up the election of its standing committees. Although a new member, Badger was appointed to the committee on military affairs, which was an especially important committee at this juncture.<sup>10</sup> A little later he was appointed to the relatively unimportant committee to consider French spoliation claims.<sup>11</sup> Since the Whigs were in the minority during almost all of Badger's career in the Senate, he never secured many important committee assignments. Although this fact prevented him from exerting as much influence as he otherwise might have, he was able to make an important

<sup>5</sup> *Raleigh Register*, Nov. 27, 1846.

<sup>6</sup> *Loc. cit.*

<sup>7</sup> Reprinted in *Loc. cit.*

<sup>8</sup> Willie P. Mangum was elected to the United States Senate by the same legislature as Badger. He, however, had already served two terms in the Senate prior to Badger's election.

<sup>9</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 28.

<sup>10</sup> *Ibid.*, p. 30.

<sup>11</sup> *Ibid.*, p. 52.

contribution as a legislator. An attempt will not be made here to discuss all the speeches Badger made in the Senate from 1846 to 1849; only the speeches on important issues of those years, such as the Mexican War and slavery in the territories, will be analyzed.

Badger entered the United States Senate during an exciting period of American history. The war with Mexico, which had begun in May, 1846, was well under way. The Whigs, the minority part of the Senate, were opposed to the war from the beginning, and did much to hamper the President in its conduct. They considered it much as a party issue in that they thought the Democrats were sponsoring the war largely for political purposes.

Badger's first opportunity to express himself on the conduct of the Mexican War was brought about by the introduction of a bill, on January 11, 1847, providing for the appointment of a lieutenant general to command the American forces during the war with Mexico.<sup>12</sup> A few days after its introduction he wrote: "We have just had a message from the Pres. recommending the appointment of a *Genl. in chief* during the war with Mexico—That is, to appoint Mr. Benton (as it is understood) *Lieut. Genl.* to supercede Scott and Taylor. . . ."<sup>13</sup> The Democrats were very much worried at this time for fear that General Scott, a Whig, would reap all the glory of the war, and were, therefore, anxious to have a Democratic general placed above him. The Whigs, quite naturally, were hostile to the measure. Badger stated in the Senate that he and John J. Crittenden had opposed the bill when it was under discussion by the committee on military affairs, while the other two members of the committee, Dix and Houston, had favored it. Thomas H. Benton, the chairman, was absent when the question was voted on in committee. Badger and Crittenden yielded the point since the other two members represented the majority party in the Senate.<sup>14</sup>

On January 15, Badger delivered an exhaustive speech on this measure. He declared that the major general, now in command of the troops in the field, could accomplish every-

<sup>12</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 165.

<sup>13</sup> G. E. Badger to W. A. Graham, Jan. 14, 1847, William A. Graham Papers, archives of the North Carolina Historical Commission, Raleigh.

<sup>14</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 177.

thing which could be expected from a lieutenant general; that elevating his title would not increase his authority; and that the President was still in supreme command and would have as much control over a lieutenant general as over a major general. He thought that the bill was not only useless, but would become harmful if it were passed and some junior officer placed above the present commanding major general. If someone were taken from civil life it would not only be an insult to the ranking major general but also to the other army officers. He pointed out that the title of lieutenant general had never been used in this country except in the case of Washington in 1798. Such an office had not been found necessary when the country was at war with Great Britain in 1812 to 1814. The President had said that the office of lieutenant general was needed because the war was being carried on by a large force composed of both regular and volunteer troops. The force used in the War of 1812 was also large and made up of the same type of troops. Prior to the introduction of the bill, according to Badger, he had been led to believe that the mode of filling the new office, if created, had not been decided upon. But, said he:

I learn from the honorable Senator from New York that no such state of uncertainty exists, and that the very purpose on the part of the President in asking us for the creation of the office is, that a civilian, a politician, may receive the appointment. . . .<sup>15</sup>

He particularly objected to this measure when he learned that whoever held the new office would be vested with powers other than those purely military. At the close of Badger's speech Senator Mangum moved that the bill be laid on the table which was agreed to by a vote of 28 to 21.<sup>16</sup>

This was the first important speech which Badger made in the Senate. It was highly praised by the northern press. Of it the *Baltimore Patriot* said: "The Speech of Mr. Badger in the Senate, yesterday, so ably discusses the question of creating such an office, that we have incorporated into the proceedings of the Senate, the full report of the speech made in the *National Intelligencer*."<sup>17</sup> The Washington correspondent of the *New*

<sup>15</sup> *Congressional Globe*, 29 Cong. 2 sess., pp. 184-186.

<sup>16</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 187.

<sup>17</sup> Reprinted in the *Fayetteville Observer*, Jan. 19, 1847.

*York Express* wrote of it: "The Senate Chamber was crowded today to hear a brilliant speech from Mr. Badger of North Carolina. It is spoken of in the highest terms of praise as an able and masterly speech.'" Continuing in this laudatory vein, he said: "The speech of Mr. Badger against the bill, I hear commented upon on all sides, as one of uncommon beauty, eloquence, interest and power.'"<sup>18</sup>

Another measure which aroused much opposition from the Whigs was that providing for an additional military force to be used in the war with Mexico. The Senate took up this bill on January 14. The most heated debate on it, however, came when Senator Cameron, of Pennsylvania, introduced an amendment calling for a grant of an half section of land to every volunteer and regular who should serve in the war. At the suggestion of other Senators, Cameron modified this amendment by reducing the amount of land to a quarter section, and by restricting the grant to only non-commissioned officers and privates. Benton opposed the amendment, declaring that the bill should not be clogged by it.<sup>19</sup>

Badger stated that he was strongly in favor of Cameron's amendment, but thought that it should be modified further before its adoption. In response to a statement made by Sevier, of Arkansas, that the war was only just beginning, Badger remarked that he was sorry to hear this, for he had hoped to receive some assurance from "some gentlemen on the other side of the Chamber, that there was some prospect of a termination of the war within a reasonable time. . . ." <sup>20</sup> He thought that if the government intended to ask the citizens to enlist voluntarily in the army for a war whose termination was distant and indefinite, then it was indeed important that Congress "throw out inducements to the people to peril their happiness, their persons, and their lives."<sup>21</sup> Badger's motion, made at the conclusion of these remarks, to postpone further consideration of the bill to the next day was carried. On January 15, Senator Benton announced that he would bring in a bill the following day for granting bounty lands to non-commis-

<sup>18</sup> *Ibid.*, Jan. 26, 1847.

<sup>19</sup> *Congressional Globe*, 29 Cong. 2 sess., pp. 171-172.

<sup>20</sup> *Ibid.*, pp. 172-173.

<sup>21</sup> *Ibid.*, p. 174.

sioned officers and privates. Badger replied that he thought the grant of bounty land should be by an amendment to the bill for the increase of the army and not by a separate measure.<sup>22</sup> The Senate did not agree to Benton's proposal.

The whole question of bounties had, by this time, become so involved with amendments to amendments, that on January 16, Benton moved to recommit the bill and all the amendments to the committee on military affairs. This motion was agreed to 44 to 1. On January 19, Benton reported a bill from the committee with an amendment providing for a land bounty of a quarter section to each non-commissioned officer and private. Houston, of Texas, on January 22, proposed an amendment to this bill which provided that the volunteer troops should elect their field officers. When the President was notified of the elections, he should commission the officers so elected.<sup>23</sup> The amendment had not been on the floor long before Badger arose to speak in opposition to it, stating in part:

Now, it was said—he did not intend to say whether it was true or not—that after a long period of public service gentlemen learned to look rather lightly on constitutional restrictions. If it were so he had not been here long enough to forget the limitations imposed upon us by that instrument.<sup>24</sup>

He thought the amendment was unconstitutional because the bill did not call out the militia but an auxiliary volunteer force whose officers should be officers of the United States army. Houston's amendment provided that these officers should be elected by "the men and commissioned by the President." According to the Constitution, Congress could vest the power of appointment of such inferior officers as it saw proper, "in the President alone, in the courts of law, or in the heads of departments." Houston's amendment did not provide that the volunteer officers should be appointed by any one of these constitutional modes. If this could be done, argued Badger, why then could not the people elect and have the President to commission those officers which the Constitution had stated that the President should appoint? He thought that this was "an in-

<sup>22</sup> *Ibid.*, pp. 174, 183-184.

<sup>23</sup> *Congressional Globe*, 29 Cong. 2 sess., pp. 194-195, 204-205, 232.

<sup>24</sup> *Ibid.*, pp. 236-237.

superable objection to the gentleman's amendment." When it came up for a vote the Senate rejected it.<sup>25</sup>

This was the first of many occasions in which Badger was to raise the question of the constitutionality of a measure. He had come to be recognized as one of the ablest constitutional lawyers in the country, and when speaking on constitutional questions was usually listened to with respect by the Senate. In regard to the bill under discussion, he brought out one other feature of it which he thought was not consistent. On January 28, he moved to amend the bill "by striking out the proviso conferring authority upon the President to appoint officers to the regiments during the recess of Congress." Badger had heard that the President had muster rolls before him with the names of officers, whom he intended to appoint, "and therefore it would be very easy to send in to the Senate those nominations." He was not "disposed to surrender the power of this body over nominations."<sup>26</sup> His motion was agreed to by a vote of 30 to 18. Finally, after a long and heated debate, the bill to increase the army, with an amendment granting a land bounty was passed on February 10, 1847.<sup>27</sup> Badger had exerted a considerable influence upon the final form of this measure which was of first importance to the administration in its plan for carrying on the war.

On February 16, Badger made his first speech in the Senate in opposition to the war with Mexico when the "Three Million Bill" was under discussion. This bill proposed an appropriation of three million dollars "for the purpose of bringing the existing war with Mexico to a conclusion." In the course of his speech he launched into a bitter criticism of Polk's administration, saying that the President had attempted

to control the freedom of discussion and freedom of action in the Halls of Congress; freedom of discussion and freedom of action in the Legislatures of the States of this Union; and still further to reach forward a proposal for arresting all freedom of speech, all discussion among the people of this country upon subjects relating to this war.<sup>28</sup>

He declared that every measure which the President desired was pushed through the lower house of Congress almost with-

<sup>25</sup> *Loc. cit.*

<sup>26</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 279.

<sup>27</sup> *Ibid.*, pp. 279-377.

<sup>28</sup> *Congressional Globe*, 29 Cong. 2 sess., pp. 428-430.

out discussion, and that the action of that House was held up to the Senate as an example worthy of emulation.

Referring now directly to the war, Badger argued at great length that it was not commenced by Mexico but by President Polk. Congress had been forced to recognize a state of war, not because we did not understand the wrong which had been committed upon us by the exercise of usurped power on the part of the President, but we felt the wrong the deeper because, in consequence of its commission, we were placed in a position in which duty to our country obliged us to support the war.<sup>29</sup>

He held that Congress alone had the constitutional power to declare war, to state its purpose, and to determine when its objects had been accomplished.<sup>30</sup>

Referring to the change which had taken place in the purpose of the war during the past year, he remarked: "It was now plainly and clearly a war of conquest, although the President in his message informed them that the war was not commenced for the purpose of conquest; that it was not intended to be a war of conquest."<sup>31</sup> Notwithstanding the opposition of Badger and most of the other Whig Senators, the "Three Million Bill" passed the Senate by a vote of 29 to 24.<sup>32</sup> This hostile attitude toward the war manifested by the Whigs of the Senate grew in intensity as the struggle progressed. Badger continued to criticize the administration in harshest terms. He seemed to entertain a real dislike for the President. It is interesting to note here that when Polk visited Raleigh in the spring of 1847, he made this comment in his diary concerning Badger:

During the whole of the last session of Congress he did not call on me. He is a bitter partisan, and is no doubt sensible that during the presidential canvass of 1844 he did me gross injustice. Among other things he took a leading part in propagating the basely false story concerning the Revolutionary services of my Grand-father, Ezekiel Polk. His own consciousness that he had wronged me probably prevented him from calling on me last winter or on my present visit to N. Carolina.<sup>33</sup>

There was a good deal of truth in Polk's statement that Badger was a partisan. Being a staunch Whig, Badger had little tolerance for an equally staunch Democrat.

<sup>29</sup> *Ibid.*, p. 430.

<sup>30</sup> *Loc. cit.*

<sup>31</sup> *Ibid.*, p. 431.

<sup>32</sup> *Ibid.*, p. 556.

<sup>33</sup> Quaiife, M. M., (ed.), *The Diary of James K. Polk*, III, 43-44.

An amusing incident took place in this session of Congress which illustrated Badger's dislike of questions of finance. On January 26, Senator Speight, from the floor of the Senate, asked Badger if he were going to speak that day on the loan bill, saying that the morning paper had intimated that he would do so. Badger replied that he was sorry such an impression was current, and that he supposed it was due to the fact that he had moved for an adjournment late last evening. Nothing was further from his mind, for he was not accustomed to speak "upon subjects that he did not understand," adding that like the poet, George Colman, he would confess "he never boasted much of his knowledge of arithmetic." He did not intend, therefore, "to take part in discussions upon schemes of finance. His only purpose of moving the adjournment was to get them all off the floor, not to get himself on."<sup>34</sup>

On the last day of the session Badger increased his popularity with the Whigs by blocking a pet Democratic measure modifying the sub-treasury act, which came from the House. Badger was opposed to its hurried consideration on the last day of the session. When the question came up whether it should receive a second reading, he objected, taking advantage of the rule which prohibited a bill being read twice on the day of introduction. In consequence of his objection, it was lost.<sup>35</sup> This action was applauded by the Whig press which considered it a patriotic and statesman-like move.

While Badger's first session in the Senate was not marked by a display of brilliant statesmanship, it was on the whole quite successful. Being a new member, he had not pushed himself forward unduly but had, nevertheless, made his influence felt on several occasions. Of his course in the Senate the Whig Philadelphia *North American* had the following to say:

We hailed the election of Mr. Badger to the highest Council of the nation with pride and pleasure, and predicted for him a distinguished career: his course since that time has more than justified the expectations of the country, and proved him worthy a high place among that noble band of statesmen and patriots—the Whig Senators of the South. Fearless, prompt, and powerful, he rises above every emergency.<sup>36</sup>

<sup>34</sup> *Fayetteville Observer*, Feb. 2, 1847.

<sup>35</sup> *Congressional Globe*, 29 Cong. 2 sess., p. 572.

<sup>36</sup> Reprinted in the *Raleigh Register*, March 30, 1847.

Badger returned to Washington in December 1847 to take up his work in the first session of the thirtieth Congress. This session was to be concerned with such important problems as the conclusion of the war with Mexico, the ratification of the treaty, and the disposition and status of the territory won from Mexico. The first important debate of this session on the war was initiated on January 3, 1848, when Cass, of Michigan, introduced a bill "to raise, for a limited time an additional military force," better known as the "Ten Regiment Bill." It was discussed at great length during the winter of 1848, the Whigs taking advantage of the opportunity afforded to criticize the administration's conduct of the war.<sup>37</sup>

On January 18, Badger made a powerful speech against this measure, taking as his text the President's action in beginning the war and his conduct of it.<sup>38</sup> He commenced his argument by saying: "First then, I will lay it down and endeavor to demonstrate, that, the war in which we are now engaged with Mexico was the immediate result of the unlawful and unconstitutional act of the President of the United States."<sup>39</sup> There was no gentleman on the floor of the Senate or elsewhere, said he, who supposed or believed that the war power of the nation was vested in the President. It was expressly conferred on Congress by the Constitution. The President would have no control over it except for his limited veto on the action of Congress, and except for the fact that he was the commander-in-chief of the army and navy. When Polk moved the troops under General Taylor to the Rio Grande and took possession of its left bank, "he committed a clear and undoubted act of war."<sup>40</sup> On July 8, 1845, the Secretary of War wrote General Taylor he had been informed that Mexican troops now occupied and had occupied for some time certain military posts on the east side of the Rio Grande. He, therefore, instructed Taylor that, "in carrying out the instructions heretofore received, you will be careful to avoid any acts of aggression, unless an actual state of war should exist." Taylor was further informed that the Mexican posts

<sup>37</sup> *Congressional Globe*, 30 Cong. 1 sess., pp. 86-87.

<sup>38</sup> Badger, G. E., *Speech . . . on the Ten Regiment Bill*, p. 1.

<sup>39</sup> *Loc. cit.*

<sup>40</sup> *Ibid.*, pp. 1-2.

now in the possession of Mexico should not be disturbed as long as peace continued between the two nations. When General Taylor was ordered, therefore, on January 13, 1846, to occupy a position on the left bank of the Rio Grande, territory already admitted to be in Mexico's possession, the President "ordered what he then, undoubtedly, understood to be an act of war." After Taylor had advanced to the Rio Grande, driven the Mexicans from their posts, and had occupied those positions, the President did not intimate to him that he had exceeded his orders and had thus been "the means of precipitating the country into a war, which by prudent forbearance, might have been avoided." On the contrary Polk had approved all that his general had done. If this action was not an act of war, said Badger, "it was plainly and manifestly an act which was likely to produce a state of war." Conceding this much, Badger asked: "Whence did the President of the United States derive his power to do this without the consent of Congress?"<sup>41</sup>

According to Thomas Jefferson, an act changing the relationship between the United States and another power from that of peace to war was "beyond the competency of the Executive, and to be passed upon only by Congress." Badger maintained that the movement of the troops upon the Rio Del Norte was an act of war, and, therefore, "an act which the President could not lawfully or constitutionally perform."<sup>42</sup> After proving, at least to his own satisfaction, that the President had, by an unconstitutional act, precipitated the war with Mexico, he next proceeded to argue at great length that Polk was prosecuting the war with a view of conquering at least Upper and Lower California and New Mexico.<sup>43</sup> This part of his speech, which he supported by documentary proof, was a severe indictment of the administration's course in California.

Specifically concerning the "Ten Regiment Bill," Badger declared that he could not vote for it since he believed that it would enable the Secretary of War, under the direction of the President, "to make a permanent conquest of the whole of Mexico." He was absolutely opposed to increasing the army for such a purpose.<sup>44</sup> The administration had stated that the

41 Badger, *Speech . . . on the Ten Regiment Bill*, p. 3.

42 *Ibid.*, p. 4.

43 *Ibid.*, pp. 4-7.

44 *Ibid.*, pp. 10-11.

ten new regiments would be used to over-awe the Mexicans and bring them to terms of peace, and would also be employed to hold the territory conquered from Mexico. The people of North Carolina, said he, did not wish to acquire anything from Mexico by force, or to hazard the peace of the nation and "weaken the bond of our Union, by any considerable acquisition of Mexican territory, however, freely surrendered and amply paid for."<sup>45</sup> He would not object, nor did he think the people of his state would be averse, to acquiring a bay upon the Pacific with the territory necessary to connect it with Oregon, provided that such was not obtained by force or coercion. If the views of his constituents were contrary to his, on this question, he would still feel obliged to sacrifice their wishes to what he believed to be "their highest honor and their best interest."<sup>46</sup>

In this speech Badger well illustrated his ability to make a logical analysis of a rather complicated subject. He was undoubtedly somewhat prejudiced in his presentation of the facts, but did not distort them to his own advantage. The Whig newspapers were loud in their praise of his efforts in revealing the "true" causes and purposes of the war. The *Fayetteville Observer* devoted a long editorial in commendation of this speech.<sup>47</sup> The *Philadelphia North American* was particularly flattering in its remarks:

The Senate and the country owe Mr. Badger much for his speech of this day. . . . It was a combination of searching legal investigation, combined with statesman-like comprehension, such as has seldom been witnessed in that Chamber, notwithstanding the great array of talent and learning of which it has been and is still composed.<sup>48</sup>

The Whigs of North Carolina endorsed Badger's speech and that of his colleague, Willie P. Mangum, in their state convention of February 22, 1848:

Resolved, That the position taken by our Senators in Congress, the Hon. Willie P. Mangum and the Hon. George E. Badger, in reference to the further prosecution of the Mexican War, meets our entire approbation; and that we fully endorse the sentiments expressed by the latter in his late able and unanswerable speech, in the Senate, on that subject.<sup>49</sup>

<sup>45</sup> *Ibid.*, pp. 14-16.

<sup>46</sup> *Ibid.*, p. 16.

<sup>47</sup> *Fayetteville Observer*, February 1, 1848.

<sup>48</sup> Reprinted in the *Fayetteville Observer*, Feb. 1, 1848.

<sup>49</sup> *Raleigh Register*, February 26, 1848.

Notwithstanding the Whig opposition, the "Ten Regiment Bill" passed the Senate on March 17 by a vote of 29 to 19. With the exception of John C. Calhoun all of the nineteen who voted against it were Whigs.<sup>50</sup>

While the debate on the "Ten Regiment Bill" was in progress, the Senate was intermittently discussing the treaty with Mexico which had been drawn up by the American representative, Trist, and the Mexican commissioners at Guadalupe Hidalgo on February 2, 1848. Little can be learned of the debates on the treaty since they were not published. On March 8, Badger moved to amend the treaty by striking out of it that part of article five which called for the acquisition of California and New Mexico.<sup>51</sup> He declared that he would "rather consent to wage that war for ten years than to end it by the acquisition of any territory which was to produce an internal disquiet and contest through the whole extent of our country."<sup>52</sup> His motion was defeated 35 to 15,<sup>53</sup> and on March 10 the treaty of Guadalupe Hidalgo was ratified by a vote of 38 to 14.<sup>54</sup> Badger's attitude towards the treaty was consistent with the views he had expressed in previous speeches on the war with Mexico. He never, in later life, intimated that he regretted the vote which he cast against the treaty.

After the conclusion of the war with Mexico, Congress next turned its attention to the disposition of the territory which it had acquired. One of the most significant measures taken up by this Congress was that calling for the establishment of a territorial government for Oregon. It called forth Badger's most important speech of the session. In it he revealed his ideas on the nature of the federal government and its powers in connection with slavery. On January 10, 1848, Senator Douglas, of the committee on territories, introduced a bill "to establish the territorial Government of Oregon." After two readings in the Senate, it was referred to the committee on territories from which it was reported by Douglas on February 7.<sup>55</sup> This bill received the intermittent attention of the

<sup>50</sup> *Congressional Globe*, 30 Cong. 1 sess., p. 503.

<sup>51</sup> *Executive Documents of the Senate*, VII, 30 Cong. 1 sess. (document No. 52), p. 24.

<sup>52</sup> *Congressional Globe*, 31 Cong. 1 sess., p. 373. Badger stated in a speech made in 1850 that he had made this statement when the treaty was under consideration by the Senate.

<sup>53</sup> *Executive Documents of the Senate*, VII, 30 Cong. 1 sess., (document No. 52), p. 24.

<sup>54</sup> *Ibid.*, p. 36.

<sup>55</sup> *Congressional Globe*, 30 Cong. 1 sess., pp. 126, 309.

Senate from that time until early August. It aroused much feeling and heated discussion between the northern and southern Senators.

After receiving a message from the President in the latter part of May, asking for prompt action on the bill, the Senate settled down to serious consideration of it. On June 2, 1848, Senator Berrien, of Georgia, moved to strike out the twelfth section of the measure which provided that "the existing laws now in force in the territory of Oregon, under the authority of the provisional government established by the people thereof shall continue to be valid and operative therein."<sup>56</sup> This motion precipitated a bitter debate, for one of the Oregon territorial laws prohibited slavery. If the twelfth section remained in the bill, Oregon would be a free territory; but if it were struck out, the question would be left for settlement by the people of Oregon through the government set up by this bill. Badger opposed Berrien's motion, for, said he, "Should this section be stricken out, the people of Oregon will be left in a situation in which they will have no laws which can be carried into execution." He pointed out that months would elapse before the government now to be set up could be made effective.<sup>57</sup> Badger thought that Congress must either give temporary sanction to the existing laws of Oregon or abolish them, and that "the inhabitants ought to have the power to establish their own municipal regulations, and that the restrictions contained in the Senate bill are sufficient to prevent any evil results."<sup>58</sup>

In his reply to several speeches made in opposition to section twelve, Badger insisted that "territories had no power to legislate independent of Congress," and "that they derived all their legislative authority from Congress." The inhabitants of Oregon had created a government without the authority of Congress, and it had continued "by sufferance and not by right" until Congress should have established it.<sup>59</sup> The debate on the measure was prolonged for the next few weeks with little progress. On June 23, Badger spoke again in favor of retain-

<sup>56</sup> *Congressional Globe*, 30 Cong. 1 sess., pp. 811-812.

<sup>57</sup> *Ibid.*, p. 311.

<sup>58</sup> *Loc. cit.*

<sup>59</sup> *Congressional Globe*, 30 Cong. 1 sess., p. 811.

ing section twelve, repeating many of his previous arguments. Referring to the law prohibiting slavery, then in force in Oregon, he declared:

I am willing to leave this subject to be legislated upon by the inhabitants of Oregon as they choose. I am willing to give validity to all their laws. I see no reason why we should except the law relating to slavery more than any other. If they choose to make laws prohibiting slaveholders or spirit dealers removing there, let it be so. Let them regulate their own affairs.<sup>60</sup>

This liberal view of the question was not shared by many of his fellow Senators from the South.

Senator Clayton, of Delaware, on July 12, spoke on the Oregon bill, saying that in his opinion the Senate was not getting anywhere in its discussion; and therefore, he moved that the question be recommitted to a select committee composed of four members from the South and four from the North. On the same day Senator Bright, of Indiana, proposed to modify Clayton's motion by relieving the committee on territories from further consideration of all that part of the President's message relating to New Mexico, California, and Oregon and turning those subjects over to the special committee. Clayton accepted this modification and the whole was adopted by the Senate. The next day the select committee was elected, he being appointed its chairman. On July 18, Clayton reported the work of the committee, stating: "I now, sir, have the honor to report, as an amendment and substitute for the bill referred to the select committee, 'a bill to establish the Territorial Governments of Oregon, California, and New Mexico.'"<sup>61</sup> This measure, which came to be known as the Clayton Compromise Bill, provided that the existing laws of Oregon should remain in force for three months after the first meeting of its legislature, leaving to it the question whether the territory should be free or open to slavery. The legislatures of New Mexico and California, however, were expressly prohibited from passing laws respecting the establishment or prohibition of slavery. The bill referred all questions in these territories growing out of the institution of slavery to the Supreme Court of the United States.

<sup>60</sup> *Ibid.*, p. 861.

<sup>61</sup> *Congressional Globe*, 30 Cong. 1 sess., pp. 927-928, 932, and 950

Following the introduction of this bill, there ensued an exciting and interesting debate. On July 26, Badger delivered a significant speech in opposition to its passage. He began by discussing the right of the United States to acquire territory, and the power of Congress to govern it. In his opinion the right of the federal government to acquire territory was expressly conferred on it by the Constitution. This power was derived from the provision in the Constitution granting the President, with the consent of the Senate, the power to make treaties, and from the provision granting Congress the power to declare war. He pointed out that this power was not limited since the Constitution did not specify particular kinds of treaties that should or should not be made, also that all treaties properly made should be "the supreme law of the land."<sup>62</sup>

In regard to the right of Congress to govern the territories Badger said that the Constitution granted to Congress the power to legislate for the government of the territories acquired by the United States, since it conferred on that body the authority "to make all laws necessary and proper for carrying into execution the powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." It was clearly evident to him that the federal government had the right to acquire territory under the treaty-making power, and that Congress had the power to legislate for such territory. His views on these constitutional questions were derived from the opinion of Chief Justice Marshall in the case of the American Insurance Company *versus* Canter.<sup>63</sup>

Upon the general subject of slavery Badger declared that: "Slavery, as it exists under the Constitution of the United States, is a State institution. It exists in the States which allow it, as a State institution, under their laws. It does not exist as an institution of the United States."<sup>64</sup> The Constitution did not recognize slavery other than as a state institution, and contained reference to it only in the provision guaranteeing the extradition of "persons bound to service or labor." "Where, then," he asked, "do gentlemen find ground for the conclusion

<sup>62</sup> Badger, G. E., *Speech . . . on the Compromise Bill*, p. 6.

<sup>63</sup> *Ibid.*, pp. 6-7.

<sup>64</sup> *Ibid.*, p. 7.

that, although Congress has power to govern these territories in every other particular, it has no power to govern them in regard to this particular question?" If Congress then did not have the right to exclude slavery from the territories, it certainly did not have the power to establish slavery in them.<sup>65</sup>

No one denied the right of every American citizen to go into the newly acquired territories. But it did not follow that because slavery existed as property in certain states, it existed as such in the territory to which an emigrant from one of those states might go. The paramount question was whether slavery existed as an institution in the territories prior to the time any slave was taken there by an American citizen. If so, slavery would be property by force of the laws of the territories. The institution of African slavery, as it was found in certain American states, did not exist in Mexico; therefore, it had no legal status in those territories acquired from Mexico until it was allowed by law.<sup>66</sup>

Badger maintained that slavery "owes its existence to positive law, to municipal law; that, independently of law authorizing it, it does not exist anywhere." He went so far as to say that whether slavery was introduced in the territories or "its exclusion continued, depends, in my judgment, upon the will of Congress. If nothing be done by Congress it remains excluded, and their power over the subject is complete and perfect."<sup>67</sup> Since he held these opinions, Badger declared that he could not return to his constituents and tell them that he had voted for a measure by which they were excluded from the new territories and by which they surrendered everything and gained nothing. He had been given to understand that certain portions of California were suitable to the cultivation of sugar-cane and cotton, and, therefore, he thought that the slaveholders should be permitted to settle there. He was also opposed to the bill because he was confident the Supreme Court would determine that slavery did not exist in the territories ceded to the United States by Mexico. In that case Clayton's compromise was as injurious to the South as if it contained the Wilmot Proviso. He concluded his speech by saying:

<sup>65</sup> Badger, *Speech . . . on the Compromise Bill*, p. 7.

<sup>66</sup> *Ibid.*, p. 8.

<sup>67</sup> *Ibid.*, pp. 9-10.

To any argument which should show that the adoption of this measure will settle a most agitating question, and give peace, harmony, and mutual confidence to the different sections of the country, I would yield a ready submission, and gladly surrender to it the opinions I have expressed.<sup>68</sup>

The day after Badger's speech, July 27, the Senate, by a vote of 33 to 22, passed the Clayton Compromise Bill after a continuous session of twenty-one hours. Badger, of course, voted against it, but his colleague, Mangum, voted for it.<sup>69</sup> The position which Badger took was roundly denounced by the Democrats, particularly by those of his own state. The Whigs as a whole supported his stand, but many were openly skeptical of his views on slavery and the powers of Congress. Badger's federalist tendencies were clearly indicated in this speech. There were few Southern Whigs who were willing to go so far as he in respect to the powers of Congress over the territories. Such statesmen as John J. Crittenden and John Bell were more in accord with his nationalistic propensities.

The Democrats of North Carolina derived much satisfaction from the fact that the two Whig Senators from their state had voted differently on the Compromise Bill. They thought they saw an opportunity to make political capital of this incident. The editor of the *North Carolina Standard*, a Democratic organ, trying to place the Whigs in an awkward position, asked the editor of the *Raleigh Register*, a staunch Whig Journal, to state who had voted right on the Compromise Bill—Mangum or Badger. The editor of the *Register* cautiously replied:

We believe they both were right in their votes, acting as they did under different impressions. Mr. M. believed it to be a fair and honorable compromise of this distracting question, and as settling the matter; while Mr. B. believed that its passage would be merely to postpone the question, not to settle it, or give any peace to the country—that it was, no doubt, framed with patriotic motives, but then it settled no principle, but merely postponed the decision of the question.<sup>70</sup>

The editor of the *Fayetteville Observer* declared that those who had been criticising Badger's vote on the "so-called Compromise Bill" should read a recent circular addressed to the freemen of Vermont by Senator Phelps of that state. Phelps was one of the eight who drafted the Compromise Bill and

<sup>68</sup> Badger, *Speech . . . on the Compromise Bill*, pp. 13-16.

<sup>69</sup> *Congressional Globe*, 30 Cong. 1 sess., p. 1002.

<sup>70</sup> *Raleigh Register*, August 5, 1848.

voted for it because, in his own words, "I voted for that bill with a settled conviction that its effect would be the utter and absolute exclusion of slavery from all those territories." This was, in the opinion of the *Observer*, "a most triumphant vindication of the vote of Mr. Badger, by one of the most distinguished Northern Senators and Jurists."<sup>71</sup>

Badger had a great love for the union and was always deeply grieved when anything seemed to threaten its continuance. He had little patience with those so-called "firebrands" of the South, and less with the rabid abolitionists of the North. Shortly after the agitation in Congress over the question of slavery in the territories he expressed his loyalty to the union thus:

I am a friend of the Union—I have sworn to support the constitution and will never concur in any movement which may however remotely endanger its continuance—certainly not for the privilege of carrying slaves to California or keeping up private gaols by slave dealers in this district—Would to Heaven there were a little *true* moderation in our Councils—and that southern gentlemen were less like a half blind horse, starting at every bush and even the shadow of a bush—<sup>72</sup>

In his opposition to the Mexican War Badger fairly represented the majority opinion of his party in North Carolina. It is safe to say, however, that his reactions to the territorial question were shared by only a minority of the Whigs of his state. On this issue Badger was too strong a nationalist for the average Southern Whig. In his expressed views on the powers of Congress he showed himself more in accord with the Hamiltonian philosophy of government.

The last session of Congress, December 1848 to March 4, 1849, in the term for which Badger had been appointed was consumed, for the most part, in the discussion of private bills. Badger made a few short speeches, but his part in this session was rather insignificant. In the course of the session the *National Whig* published sketches of the members of the Senate. It characterized Badger as:

Of a cheerful temperament and captivating manners as a public speaker, a correct and vigorous thinker, a sound judge of what the law is and ought

<sup>71</sup> *Fayetteville Observer*, Oct. 3, 1848.

<sup>72</sup> G. E. Badger to J. J. Crittenden, Jan. 13, 1849, North Carolina Letters from the Crittenden Papers, typescripts in the archives of the North Carolina Historical Commission, Raleigh.

to be, a diligent public servant, thoroughly learned in all that constitutes a statesman, possessing fine administrative abilities, an elegant and terse writer, eminently practical in his views and public acts, more useful than brilliant in his oratory, of incorruptible integrity, a steady pursuer of the right and intolerant of injustice, happy at repartee, though not sarcastic, fond of wit and a eminent wit himself.<sup>73</sup>

Although this estimate is most partial, it gives an excellent idea of how Badger was regarded by an official organ of his party. Other contemporary evidence reveals that this opinion of him was concurred in by many leaders in the Whig party.

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<sup>73</sup> Reprinted in the *Fayetteville Observer*, Feb. 27, 1849.

## THE FREE NEGRO IN ANTE-BELLUM NORTH CAROLINA

By JAMES BLACKWELL BROWNING

The term "free Negro" in North Carolina before 1861 included "all free mulattoes, descended from Negro ancestors to the fourth generation inclusive, though one ancestor of each generation may have been a white person. . . ." <sup>1</sup> In this state, as elsewhere, the free Negro population seems to have been made up of several elements: a small number of Negroes who probably came to the state as apprentices rather than as slaves; the children born of these parents, who likewise were free; and the children born of slave fathers and of Indian or white mothers, who also were free. The tremendous increase in the free Negro population after 1830 was due both to the natural increase and to additions from slaves who gained their freedom by purchase, by manumission and, in rare cases, by escape and the successful establishment of themselves as free Negroes.

The free Negro population in North Carolina increased from 19,543 in 1830 to 30,463 in 1860. <sup>2</sup> In the typical year 1850 the free Negro population was scattered in all counties of the state, but Craven, Granville, Halifax, Pasquotank, Robeson, and Wake counties each had over 1,000 free Negroes, while on the other hand Catawba, Gaston, Haywood, Lincoln, and Watauga counties each had less than fifty Negroes of free status. <sup>3</sup> There are reasons for believing that within the counties where the free Negro population was highest there was a further concentration of this population in such cities as Wilmington, Raleigh, and Charlotte.

As early as 1715 it was illegal to manumit slaves except as a reward for honest and faithful work. <sup>4</sup> But the fact that slaves worked better when they were able to look forward to the time "when ole marse would set 'em free," the ascendancy of the doctrine of the "rights of man," and the Quaker agitation for the liberation of the slaves—these and other factors

1. *Revised Statutes of the State of North Carolina, 1836-37*, I. 589.

2. *Negro Population in the United States, 1790-1915*, p. 57.

3. Wheeler, John H., *Historical Sketches of North Carolina, 1584-1851*, pp. 5 ff.

4. *State Records of North Carolina, XXIII*, 66.

gave rise to an appreciable free Negro element in the population. In spite of the fact that many of the manumitted slaves left for the free states and that scores of others, frequently the more wealthy, joined in the back-to-Africa movement sponsored by the American Colonization Society, the free Negro population in North Carolina came within approximately 8,500 of doubling itself during the thirty years between 1830 and 1860. This condition strengthened the belief on the part of many that the existence of free Negroes constituted a real menace to the community. The repressive laws which regulated the activities of the free Negroes were made even more stringent after 1831.

Perhaps the most significant event leading to the passage of the severe free-Negro laws was the Nat Turner insurrection of August 21, 1831. A contemporary described it as the most wretched incident he had ever seen and went on to say:

On Sunday night 21st August, 1831, with a band of some fifty or sixty, he (Nat Turner) murdered in cold blood fifty-five persons on the borders of our State, in the county of Southampton, Virginia. Murfreesboro was the nearest town to the scene of action, and thither persons fled for safety and succor. Well does the writer recollect Levi Waller running into town and describing with painful effort that his wife and ten children (one at the breast) were murdered, and that he only escaped to tell the dreadful tale. A troop of horses instantly were raised who scoured the country and aided in subduing the insurgents. Nat was taken and executed on the 11th of November 1831 with many others.<sup>5</sup>

Thereafter it became difficult to secure legal emancipation,<sup>6</sup> and even if a slave did succeed in doing so he faced many dangers, especially that of being kidnapped and sold back into slavery. If he escaped slavery the ordinary individual found it hard to secure work, food, shelter, and legal protection.<sup>7</sup> North Carolina did not allow free Negroes to immigrate within her boundaries; and the native free Negro, even though the object of the paternalistic care of a guardian, was almost certain to be handicapped. Nevertheless, this type of protection seems to have been secured, for the darker freemen did secure

5. Wheeler, *Sketches*, p. 210. In the face of this insurrection, however, a group of people in Anson County petitioned the legislature in the same year to allow a certain free Negro, Ralph Freeman, to preach. Legislative Papers, 1831, archives of North Carolina Historical Commission, Raleigh.

6. *Revised Statutes, 1836-37*, I, 585.

7. Petition of Quakers in Raleigh, Legislative Papers, 1832-33.

work, they did receive pay, and they were able to secure jobs which were definitely closed to the lesser whites. Methods of terror were used, however, as devices to make it clear to the free Negro that the state was a white man's domain in which every man had a place and every man must keep his place.

With the rising tide of anti-slavery agitation and fear of an increased number of slave plots and insurrections, the free Negro class came to be more circumscribed than formerly. A petition was presented to the legislature protesting the practice of allowing Negroes to vote, their equal rights in the courts were curtailed in 1832, the privilege of voting was denied them in 1835,<sup>8</sup> and intermarriage between whites and blacks, which had always been the exception rather than the rule, was made illegal in 1839.<sup>9</sup> Moreover, no longer were free Negroes to assemble without the presence of a white person, and they were forbidden in their businesses to trade with slaves for certain articles.<sup>10</sup>

Nevertheless, one finds a note of liberality even in these harsh North Carolina laws which indicates quite clearly that they were less severe than those of some of the states further south. In exceptional cases an emancipated slave might evade the law which compelled him to leave the state in ninety days, and might be granted permission by the legislature to remain. At least one free Negro who left the state convinced the legislature that he should be allowed to live in North Carolina near his wife and children, who were slaves.<sup>11</sup> When vagabond slaves were hired out for fines they could not pay, the law provided that they be accorded the treatment of apprentices and not of slaves, and the term of service was never to exceed three years.<sup>12</sup> To give protection to the free Negro population who, the Quakers said, were being sold into slavery, the law provided that ". . . taking a free person of color from this state to another with the intent to sell him is punishable with death. . . ."<sup>13</sup> Persons who sold free Negroes within the state were subject to fines of from \$100 to \$1,000 and imprisonment of not less than three months and not more than

8. Legislative Papers, 1834-35.

9. *Laws of North Carolina, 1838-39*, p. 33.

10. *Revised Statutes, 1836-37*, I, 591.

11. *Laws of North Carolina, 1832-33*, p. 64.

12. *Revised Statutes, 1836-37*, p. 588.

13. *Ibid.*, p. 193.

eighteen months.<sup>14</sup> Finally, free Negro musicians were still permitted to become members of the state militia.<sup>15</sup>

The status of the free Negro was reduced to that of a friendly alien or about the same as that of a friendly Indian. As might be expected, this attitude found expression in a number of court decisions. In general, the courts were favorable to ex-slaves when attempts were made to re-enslave them; and although the lawmaking bodies were trying to limit by statute the increase of the free Negro population, the courts allowed masters to will slaves with the understanding that they were to be held in trust and to enjoy practically all the rights of free Negroes. This is borne out in the case of *Evans vs. Kennedy*,<sup>16</sup> that of *Sampson vs. Burgwin*,<sup>17</sup> and the outstanding case of *Jarman vs. Humphrey* in which Justice Battle declared that where an owner had acquiesced in a slave's freedom for over thirty years and had himself actively participated in the previous proceedings for his freedom, the fact that the proceedings were not regular did not alter the status of the free person of color after such a long period of acquiescence.<sup>18</sup> These and other cases furnish some support for the thesis of the late Professor U. B. Phillips when he said:

. . . It became a fixed custom in most states to legislate in prevention of possible emergencies, with a consciousness that if the law should prove inconvenient to the community it should be allowed to lie unenforced until the occurrence of the contemplated emergency should call it into life. . . .<sup>19</sup>

From the founding of the colony of North Carolina almost down to the beginning of the Civil War, slaves were being emancipated, and at times on the heels of an insurrection. Although the policy toward allowing such emancipation grew more severe, the following cases will illustrate how exceptional slaves were granted the status of freemen. A slave Horace of Wake County was emancipated in 1833 following the Nat Turner insurrection.<sup>20</sup> A special act in 1833 allowed Britton Jones, a freeman who had gone to Alabama and before returning had

14. *Ibid.*, p. 208.

15. Haywood, John, *A Manual of the Laws of North Carolina, 1753-1826*, p. 52.

16. 2 *North Carolina Reports*, 422-23.

17. 20 *North Carolina Reports*, 28.

18. 51 *North Carolina Reports*, 28-31.

19. Phillips, Ulrich Bonnell, "Racial Problems, Adjustments and Disturbances," in *The South in the Building of the Nation*, IV, 200.

20. *Laws of North Carolina, 1832-33*, p. 68.

stayed longer than the law of 1826 allowed, to remain in North Carolina, in order that he might be near his wife and children, who were slaves in this state.<sup>21</sup> Ned Hyman, of Martin County, petitioned the legislature that he be given his freedom because he had had the good fortune to accumulate "an estate worth from five to six thousand dollars, consisting of lands, chiefly live stock, Negroes, and money, the rights and title to sell except the money is vested in your petitioner's wife (a free woman of color) Elizabeth"; and the legislature granted his request.<sup>22</sup> A bill to emancipate Caroline Cook and her four children, of Wilkes County, was ratified in 1838.<sup>23</sup> Samuel Macky, Abel and Patsey Payne, and Edmond and Cherry Malone were emancipated in 1847.<sup>24</sup> In the eighteen fifties when a bond of from \$500 to \$1,000 was required as security that the emancipated slave would not soon become a public charge, John Good of Craven County and Albert Hockody of Halifax County were able to secure the top security, \$1,000; and Betty, a slave of Cumberland County, and Louis Dunn, of the same county, \$500 each.<sup>25</sup>

The above-mentioned cases also illustrate the point that, at least for the individual slave in an isolated community, freedom was never completely beyond the realm of possibility, for even the legislature tended to humanize its laws by allowing the unusual slave to be emancipated when security could be posted and when it was clear that he was self-supporting.

Newspaper advertisements of escaped slaves indicate that in all probability an appreciable number of the members of this class who had learned trades during the period of enslavement were able to swell the ranks of the free Negro artisan group, for it seems logical that at least a few of these fugitives from slavery were able to establish themselves. For example, when a certain Sam escaped from his owner in New Bern, the newspaper advertisement stated ". . . Sam was raised by the Subscriber and is by trade a Carpenter; . . . I have been informed that he has procured a Seaman's Protection and obtained forged Free Papers. He has, no doubt, already gone or

21. *Ibid.*, p. 64. Chaney Moreman was emancipated for meritorious service. *Laws of North Carolina, 1833-34*, p. 157.

22. *Ibid.*, pp. 156-157.

23. *Laws of North Carolina, 1833*, p. 157.

24. *Laws of North Carolina, 1846-47*, pp. 296, 297.

25. *Laws of North Carolina, 1854-55*, pp. 89, 91.

[will] attempt to go to some of the Northern sea-ports."<sup>26</sup> Tom Walker, who escaped at the age of thirty-three, was advertised as being ". . . a blacksmith by trade and a noted fiddler."<sup>27</sup> Tom Whitfield was a painter<sup>28</sup> and Ulysses, a slave of O. S. Dewey, was a plasterer.<sup>29</sup> It is interesting to note that when a slave woman, Julia, escaped in 1861, the advertisement pointed out that ". . . Her husband Nelson is a pilot or fireman on the Str. [steamer] Douglas as I have been informed . . . owned by a gentleman in Wilmington."<sup>30</sup>

These free Negro artisans as a rule were members of the middle class of the free-Negro society. To a very large extent they were builders of the beautiful ante-bellum North Carolina homes and elaborately constructed business establishments and office buildings which remain today as monuments to the skill of the free Negro artisan.

A typical example of what happened in the case of the urban Negro artisans who owned slaves can be seen in the case of James D. Sampson of Wilmington. A kindly master, moved by scruples of conscience, about 1819 had brought Sampson at the age of eighteen or nineteen years to Wilmington and had established him in a carpenter's shop. He was now a freeman and became a contractor of no mean ability. His former owner brought several of his boy slaves to Sampson and instructed him to do for them " . . . what I have done for you." Conditions had changed since Sampson had been manumitted, however, and now a slave could become a freeman only by an act of the legislature. Hence he had many young men under him to teach the trade. They were his apprentices and he, unable to emancipate them, kept them as his slaves. But secretly they were given instruction in reading and writing, even though this was against the law. This noteworthy activity was hazardous because the penalty was thirty-nine lashes administered on the bare back.

Sampson was also a minister, but frequently after the Civil War he boasted of the fact that, when invited by the white people to address their slaves, he had never used the text, "Servants obey your masters," which he felt was over-worked.

26. *Carolina Centinel*, Dec. 2, 1820.

27. *Ibid.*, March 3, 1821.

28. *Ibid.*, Dec. 22, 1821.

29. *Newbern Sentinel*, Jan. 18, 1837.

30. *Fayetteville Observer*, March 3, 1861.

By building a house for a house, Sampson accumulated a large amount of real estate, gave employment to scores of Negro workers, filled his home with expensive furniture, sent his sons to northern colleges, and saw to it that his daughters were given training in dressmaking, embroidery, and music. The expensive silver and furniture still in the possession of his descendants testify clearly that he was a man of considerable fortune. One of his sons, Benjamin, graduated from Oberlin College and subsequently taught at Wilberforce University.<sup>31</sup>

In Fayetteville, Joseph Hostler and Horace Henderson, slave barbers, were able to become freemen. The former had so diligently followed his trade that his master agreed to liberate him for five hundred dollars. Hostler paid the amount and secured a receipt and a statement that he was worthy of the status of a freeman of color. For over four years, however, he continued to pay his former owner about ninety-six additional dollars a year, whereupon thirty citizens of Fayetteville petitioned the legislature that he be emancipated, and the plea was granted.<sup>32</sup>

Lovey Ann Henderson, a free woman of color, the wife of Horace, paid the owner of Horace eight hundred and seventy dollars for her husband's freedom and then persuaded some leading citizens of both Fayetteville and Raleigh to petition the legislature for a bill of emancipation. The legislature, while aware of the dangers involved in the emancipation of a large number of slaves, felt that these exceptional cases merited exceptional attention.<sup>33</sup>

The existence today of Negro barber shops which cater exclusively to a white clientele is but a faint reminder of the pre-war days when free Negro barbers had a veritable monopoly in this type of business. These barbers were well paid for their thorough mastery of the trade and their painstaking care in rendering the highest type of service.

In New Bern, as in Fayetteville, groups of free Negroes

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<sup>31</sup>. Interview with Mrs. Charles Dunston, of Raleigh, granddaughter of James D. Sampson. The writer interviewed no less than twenty other descendants of Sampson in Raleigh during the summer of 1936. See also McKenny and Jones, eds., *The Life of Rev. James D. Sampson*, and Washington, Booker T., "The Free Negro in Slavery Days," *The New York Outlook*, Sept. 18, 1909.

<sup>32</sup>. Legislative Papers, 1833-34.

<sup>33</sup>. *Ibid.*

gathered at the market place in large numbers to retail cakes, tobaccos, and liquors. Their contemporaries called them black peddlers and the fear on the part of the white population that their presence and activities might incite the slaves to rebellion led to a petition to the legislature asking that restrictive legislation be passed,<sup>34</sup> and this ultimately resulted in a law which compelled a purchaser from a free Negro to determine that he was not buying stolen property.

Far more numerous than the artisans, barbers, and peddlers were the free Negro washerwomen who were able to do a superior type of hand-laundering and who were in no small number of cases the chief supporters of free Negro homes. Personal and domestic servants were also among the bulk of the free Negro population and the positions which they held as cooks, waiters, porters, and house servants were absolutely closed to the lesser whites, who regarded the work as being "fit only for Niggers." The aristocratic whites seem actually to have preferred Negro to white household workers. Consciously or unconsciously, the aristocracy created a feeling of antipathy which was to the temporary advantage of the Negro worker, and which pushed the lesser whites further down the economic scale.

In Raleigh, Lunsford Lane rose steadily in the estimation of the better class of people, but here, as was the case in other sections, there was some bitterness on the part of the lesser whites and Negroes. Nevertheless, the industrious way in which he secured his freedom, his consistent religious life, and his honesty in business, all combined to create a genuine respect for his achievements. Speaking of his early business activities, Lunsford Lane said:

As my little means increased, I entered into a considerable business in firewood, which I purchased by the acre standing, cut it, hauled it to the city, deposited in a yard, and sold it advantageously as I could. To facilitate this increasing business, I kept one or two horses and various vehicles by which I was enabled to do a variety of work at trucking about town.<sup>35</sup>

Lunsford Lane later learned that he could use his abilities to greater advantage by turning his attention to the manu-

34. *Ibid.*, 1831-32.

35. Hawkins, W. G., *Lunsford Lane*, pp. 81-82.

facture of tobacco. This commodity was now replacing cotton as the most important staple of the region, and Lane was among those pioneers of North Carolina who realized that the Cotton Kingdom was moving westward and that tobacco was destined to be the chief staple of the North Carolina world. In time his product became exceedingly popular and the sales brought him a comfortable income.<sup>36</sup> In 1838 he bought a tract of property from Robert T. Jones and W. R. Gales ". . . known as part of Lot No. 53 on Cabarrus Street . . . adjoining William Ashley's, Peggy Eastwood and Ralph Smedley on the East, and John Compton and others on the West. . . ."<sup>37</sup> The ever increasing resentment of the white masses to the presence of a wealthy Negro in their midst was one factor which caused him to leave Raleigh, but by far the most important factor was his attempt to participate in the anti-slavery crusade, which caused him to lose caste with the white aristocracy upon whose sufferance his economic existence largely depended. In the end he preferred life on a meager existence in the North as an abolitionist crusader to economic security in the South where he could not oppose slavery.

The records present other examples of free Negroes whose advancement may be attributed to the liberality of the aristocrats. For example, Thomas Blacknall, a slave, was born in the town of Oxford in Granville County. He was a blacksmith and a bell-maker of superior ability; his master allowed him to go as far north as Baltimore and ply his trade. As a result of his unusual ability and the high esteem in which he was held by his master, he was allowed to buy his freedom for 1,000 acres of land and five slaves, valued altogether at \$1,275.<sup>38</sup>

John Chavis, a full-blooded Negro from the West Indies, was by far the most widely discussed free Negro in North Carolina prior to 1861. He was given an education of the higher sort on a wager that a Negro could not master the difficult subjects of a pre-Civil War liberal arts education. As a result of his success, Chavis was licensed to preach and was

36. *Loc. cit.*

37. Wake County Deed Books, No. 14, pp. 404-406, Wake County courthouse, Raleigh.

38. Seawell, J. L., *Law Tales for Laymen and Wayside Tales from Carolina*, pp. 209-216. Quoted in this work are a deed and a will executed in 1860.

allowed to open a school in Raleigh where both free Negroes and whites were taught.<sup>39</sup> He came into prominence as the arbiter of a dispute in which Governor John Owen and Senator Willie P. Mangum were involved.<sup>40</sup> Some of the money Chavis earned was invested in real estate. One tract in Wake County ". . . lying on the East side of Mine Creek, bounded by the lines of Willie Simmons, Isaac Hunter and Elias Bowden" was sold to a certain Abel Olive for \$700, and the Wake County deed books show other real property holdings of Chavis. The fears aroused by the Nat Turner insurrection curtailed Chavis's activities, however, and in his declining years he moved to Mecklenburg County, Virginia.<sup>41</sup>

Another free Negro, John C. Stanley, found certain influential white men who did not like the open business of sharp discounting and so they gave him the means to make loans from his barber shop. This business proved to be a very lucrative one and in time Stanley amassed a fortune of more than \$40,000 according to some accounts, but in his old age he lost much of it by bad management.<sup>42</sup>

In Bladen County, Lewis Sheridan was a merchant who, by hard work and with the coöperation of members of the dominant element of the population, piled up a fortune of \$20,000 and 20 slaves. Sheridan had extended business connections with New York merchants and when he was introduced to Arthur Tappan and Company on August 26, 1834, he had a letter from ex-Governor Owen of North Carolina which recommended that he, Sheridan, be given unlimited credit. Tappan, in turn, introduced Sheridan to several other New York merchants and on one occasion he purchased \$12,000 worth of goods on credit and later paid the amount with honorable fidelity.<sup>43</sup>

These and other exceptional free Negroes of North Carolina demonstrated quite vividly the fact that, given an opportunity in a favorable community, a Negro could achieve economic success which demanded superior intelligence.

<sup>39</sup> *Raleigh Register*, Aug. 25, 1808. On this paper the name is spelled Chaves.

<sup>40</sup> Deed Book U, pp. 91-92, and Deed Book T, p. 30, Wake County courthouse, Raleigh.

<sup>41</sup> Seawell, *Law Tales*, pp. 198-204.

<sup>42</sup> *Twenty-first Annual Report of the American Society for the Colonizing of the Free People of Color of the United States*, quoted in E. P. Southall, "Arthur Tappan and the Anti-Slavery Movement," *Journal of Negro History*, XV (1930), 169-170.

<sup>43</sup> *Twenty-first Annual Report of the American Society for the Colonizing of the Free People of Color of the United States*, quoted in E. P. Southall, "Arthur Tappan and the Anti-Slavery Movement," *Journal of Negro History*, XV (April, 1930), 169-170.

From the social point of view, the free Negroes attended churches where whites were in the majority, for the law did not permit them to have their own churches. Here, as is well known, they sat in sections provided for slaves and free Negroes. The poorer class of free Negroes, however, (and there were many) were not encouraged to attend church.

The public schools were closed to free Negroes, but the older members of this class had a passionate desire to see that the younger members were given the rudiments of a liberal education and some of the fundamental principles of a trade.

One of the most difficult problems of free Negroes was that of getting married. Unable as they were to marry either slaves or white persons, they carried on in-breeding to an appalling extent. Marriage bonds reveal the following typical cases: The marriage of Robert Chavis and Grezzey Chavis in 1852, Sewall Chavis and Sarah Chavis in 1855, and Daniel Chavis and Emily Chavis in the same year.<sup>44</sup> Naturally this practice tended to produce a low type of mentality, and doubtless it is at least a partial explanation of why some of the children of once wealthy and intelligent free persons of color no longer play a vital part in Negro life.

Briefly then, the story of the free Negro in ante-bellum North Carolina is the story of a group of people who labored under many hardships. These people faced periods of liberality during the colonial period, saw Quaker and other liberal groups fight relentlessly to better their condition up to 1830, witnessed a wave of stringent legislation after 1830, but saw this legislation lie fallow on the statute books to be used only in moments of stress and strain. Meanwhile their numbers increased and they developed occasionally as men of wealth and of middle-class respectability, but as a rule they were barely able to eke out an existence.

<sup>44</sup> Wake County Marriage Bonds, archives of North Carolina Historical Commission, Raleigh.

# THE PAPERS OF THE FOOD ADMINISTRATION FOR NORTH CAROLINA, 1917-1919, IN THE NATIONAL ARCHIVES

By WILLIAM DAVID McCAIN

Within twenty days after the United States entered the World War the House Committee on Agriculture began the consideration of means to provide "for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel."<sup>1</sup> The unusual and somewhat revolutionary character of the legislation which was proposed aroused bitter and determined opposition, especially in the Senate. After prolonged debate, during which public opinion was further excited by rapidly rising prices and decreasing supplies, the Food Control Act was finally passed on August 10, 1917.<sup>2</sup> On the same day President Wilson issued an executive order appointing a United States Food Administrator and creating the United States Food Administration.<sup>3</sup>

A general policy of decentralization in organization was immediately adopted in carrying on the educational work of the United States Food Administration and in undertaking more positive measures in regard to the production, conservation, and distribution of food. The main office was located in Washington, and Federal Food Administrators were appointed for each state and for Alaska, the District of Columbia, Hawaii, and Porto Rico.<sup>4</sup>

On August 22, 1917, Henry A. Page, a prominent business man and a member of the General Assembly, was appointed Federal Food Administrator for North Carolina.<sup>5</sup> He soon selected John Paul Lucas, President of the North Carolina Farmers' Convention, as Executive Secretary and Director of Publicity. He then proceeded to organize the state office at

<sup>1</sup> *Reports of the United States Food Administration and the United States Fuel Administration for the Year 1917* (Washington, 1918), p. 7.

<sup>2</sup> *Statutes at Large of the United States, 1917-1919*, XL, 276-287.

<sup>3</sup> Executive Order No. 2679-A, August 10, 1917. The executive orders of the Presidents are deposited in The National Archives.

<sup>4</sup> *Annual Report of the United States Food Administration for the Year 1918* (Washington, 1919), p. 6.

<sup>5</sup> "Final Report of the United States Food Administration," p. 44, The National Archives, United States Food Administration, FA 1H-A25.

Raleigh and to appoint food administrators for the counties. This was done with the counsel of an Executive Committee composed of the following: Dr. D. H. Hill, Chairman of the North Carolina Council of Defense; Dr. J. Y. Joyner, State Superintendent of Public Instruction; Major W. A. Graham, Commissioner of Agriculture; Dr. B. W. Kilgore, Director of Agricultural Extension Service; Mrs. Jane S. McKimmon, State Home Demonstration Agent; W. S. Crosby, Executive Secretary of the State Bureau of Community Service; Dr. Clarence Poe, Editor of the *Progressive Farmer*; and James H. Pou, an eminent attorney of Raleigh.<sup>6</sup>

Administrator Page called into service numerous prominent men and women of North Carolina, many of whom served without compensation. Among the more important appointments were the following: Mrs. F. P. W. Adickes, Chief Clerk; H. B. Varner, Director of Motion Picture Activities; J. B. Ivey, State Merchant Representative; George H. Humber, Special Agent; Mrs. Minnie L. Blanton, Director of Library Publicity; Mrs. Jane S. McKimmon, Director of Home Economics; Miss Minnie L. Jamison, Secretary of Volunteer College Workers; B. H. Griffin and A. H. Galloway, members of the Hotel Committee; Joseph B. Cheshire, Jr., Director of the Enforcement Division; Eliel Wilson, Assistant Director of the Enforcement Division; C. G. Keeble, Chief of the Sugar Division; P. H. Busbee, Assistant Chief of the Sugar Division; and Miss Marion Emeth Tuttle, Chief of the Price Interpreting Division. On July 1, 1918, Administrator Page appointed an inspector for each of the eight districts into which he had divided the state. These men rendered valuable service in investigating violations, in assisting county food administrators, and in helping to educate the public. They were J. L. C. Bird, P. E. Davenport, E. L. Harris, N. Lunsford, L. A. Martin, Carlos McLeod, M. W. Nash, and F. B. Pond.<sup>7</sup>

The North Carolina organization continued in full force until November, 1918. After the signing of the Armistice, its activities waned and it was gradually disbanded. The North

<sup>6</sup> The National Archives, FA 6H-C1.

<sup>7</sup> For pay rolls, certificates of appointment, and other personal records pertaining to North Carolina, see National Archives, FA 6H-A14; FA 6H-C1; FA 6H-F1; FA 19H-C1; FA 19H-C2; FA 19H-C7; FA 19H-C8; FA 19H-J13; FA 134A-C1; FA 134A-C2.

Carolina Historical Commission had early realized that the records of the North Carolina Food Administration would be a valuable addition to its extensive collections. On December 7, 1917, Secretary R. D. W. Connor informed Administrator Page that the State Food Administration was accumulating papers and records which would "some day . . . be of the greatest interest to the students of our history and which, therefore, ought to be carefully preserved." He called attention to the fact that the Historical Commission was "making a special effort to preserve all sorts of records bearing upon the State's part in the present war," and requested that the papers of the North Carolina Food Administration, when no longer needed, be deposited "with the Historical Commission for permanent preservation for historical purposes."<sup>8</sup> He was immediately promised: "Unless our records and correspondence are required and desired by the Government at Washington we shall be glad when the war is over and our work is finished to turn them over to the Historical Commission."<sup>9</sup>

Other states were also interested in having the records of their Food Administrations placed in the custody of state universities or historical associations. Administrators Harry E. Barnard of Indiana, Fred C. Croxton of Ohio, E. A. Peden of Texas, A. D. Wilson of Minnesota, and W. W. Armstrong of Utah, Senator Frank B. Kellogg, Senator Knute Nelson, Director Franklin F. Holbrook of the Minnesota War Records Commission, President Robert Ernest Vinson of the University of Texas, and many others made strenuous efforts to have the papers of their states deposited in their state institutions. The Law Department of the United States Food Administration held, however, that all files should be shipped to Washington and retained as records of the United States Government.<sup>10</sup> Administrator Page made a final ineffectual appeal for the North Carolina Historical Commission on February 18, 1919, concluding as follows:

I intended to consult you when I was in Washington about the rule requiring the shipment of Food Administration records to Washington. I

<sup>8</sup> R. D. W. Connor to Henry A. Page, December 7, 1917, National Archives, FA 134A-A1. See also *Annual Report of the American Historical Association for the Year 1917* (Washington, 1920), pp. 130-132.

<sup>9</sup> John Paul Lucas to R. D. W. Connor, December 11, 1917, National Archives, FA 134A-A1.

<sup>10</sup> National Archives, FA 6H-A9.

imagine they will be stored in some cellar until the room is needed, and then perhaps dumped into the Potomac, whereas we have in North Carolina an especially efficient State Historical Association, and these people are anxious for the records of the Food Administration to assist in getting a history of all war activities, and, if not absolutely imperative, I wish you would arrange so that I might deliver the said records to Hon. R. D. W. Connor, Secretary to the North Carolina Historical Association. I might say we are carrying out your instructions and packing for shipment to Washington, but I would be very happy if you can change this order for the benefit of the State.<sup>11</sup>

Despite all efforts, the papers of the North Carolina Food Administration were sent to Washington early in 1919.<sup>12</sup> There they were stored in various places and under various conditions until they were transferred to The National Archives in January, 1936, along with the rest of the papers and records of the United States Food Administration.

A survey of the North Carolina files, which were packed in very excellent condition in seventeen boxes and have a volume of approximately forty cubic feet, indicates that papers and records were kept mainly in the offices of the Federal Food Administrator, the Division of Enforcement, and the Sugar Division at Raleigh. The county food administrators also accumulated papers and records.

The bulk of the papers of the office of Administrator Page is comparatively large, for it includes the records and correspondence of many of his assistants. Thirteen series of correspondence, seven series of reports and questionnaires, six series of miscellaneous records, and one file of cards make up this collection. The general correspondence, which is arranged alphabetically by person or subject, is divided into four files and occupies 165 linear inches of drawer space. Another important file is composed of communications with county food administrators and contains 45 linear inches of material. Other series include the Women's Committee file, correspondence concerning cotton seed and baking, and correspondence with the inspectors, the Washington office, and the Milling Division. The report and questionnaire files are composed of weekly reports of bakers and questionnaires for millers, jobbers, whole-

<sup>11</sup> Henry A. Page to J. W. Hallowell, February 18, 1919, National Archives, FA 6H-A9.

<sup>12</sup> National Archives, FA 6H-A9.

<sup>13</sup> *Second Annual Report of the Archivist of the United States, 1935-1936* (Washington, 1936), pp. 13-14.

salers, and proprietors of hotels and restaurants. The miscellaneous records include accounting and personnel records, press releases and circular letters, certificates of appointment of township administrators, and daily reports of inspectors. The card file is a list of county and township administrators. The correspondence series measure 240 linear inches, the reports and questionnaires 24 inches, the miscellaneous records 54 inches, and the card file 5 inches.

The Division of Enforcement began to function soon after the appointment on April 8, 1918, of Joseph B. Cheshire, Jr., as Director. The division was concerned principally with the interpretation of rules, the investigation of complaints, and the hearing of cases pertaining to the violation of regulations.<sup>14</sup> In the course of its work it built up a large general correspondence file and four smaller groups of communications in regard to licenses, licensees delinquent in reporting, and violations of sugar, flour, and price regulations. These five series contain seventy linear inches of material.

The Price Interpreting Division was organized in September, 1918, by Miss Marion Emeth Tuttle. The work of the division was to direct and coördinate the Fair Price Committees, which had been selected throughout the state.<sup>15</sup> One file of correspondence was accumulated and it contains only six linear inches of documents.

On May 13, 1918, C. G. Keeble was appointed to supervise the rationing of sugar in North Carolina. All manufacturers were immediately required to submit sworn statements, which were used to determine their monthly allotments of sugar. On July 1 public eating places, bakers, and retail dealers were brought under the rationing plan and were required to file statements. Sugar distribution certificates, which were to be passed back from wholesalers through refiners and manufacturers of sugar to the Federal Food Administrator, were then issued to each firm for the amount of its monthly allotment.<sup>16</sup> During its period of work from May 15 to December 1, 1918,

<sup>14</sup> "Questionnaire No. 2 for Report of Federal Food Administrators, July 23, 1918," National Archives, FA 6H-C1.

<sup>15</sup> "Questionnaire for Report of Federal Food Administrators, Month of September, 1918," National Archives, FA 6H-C1.

<sup>16</sup> Joshua Bernhardt, *Government Control of the Sugar Industry in the United States* (New York, 1920), pp. 64-67; Albert N. Merritt, "War Time Control of Distribution of Foods," pp. 85-94, National Archives, FA 14H-C1.

when the control of sugar distribution was abandoned, the Sugar Division accumulated two small groups of correspondence and eleven groups of sugar statements, correspondence, and sugar distribution records. These thirteen series contain 155 linear inches of material.

Each of the one hundred counties and a few of the cities of North Carolina had food administrators. The files of only thirty of the county administrators, however, were forwarded to Washington. All county collections except those of Durham, Edgecombe, New Hanover, Vance, Wake, and Wilkes are very small.<sup>17</sup> The files of Durham and Wake are the only ones well arranged. The county material is largely composed of correspondence and printed and mimeographed matter from the Washington and Raleigh offices. Its volume is approximately 8 cubic feet and it occupies 150 linear inches of drawer space.

Papers and records pertaining to food control in North Carolina are scattered throughout the files of practically all the divisions of the Washington office of the United States Food Administration. The documents accumulated by the States Administration Division, "which served as a 'clearing house' for all matters flowing to and from the State Administrators";<sup>18</sup> the license applications and reports of licensees in the License Division; the publicity material in the Educational Division; and the reports and records of the Cereal Division and the Enforcement Division are especially important for students of North Carolina history.

The United States Food Administration, through its state and local organizations, touched the lives and affected the habits of all residents of this country. The papers and records of the Food Administration for North Carolina tell a vivid story of its influence and effect on the people of that state. The thousands of letters and the voluminous records give a dramatic picture of a gigantic campaign designed to induce a civilian population to deny itself food in order that Europe

<sup>17</sup> Other counties which sent in files were Alamance, Alexander, Alleghany, Anson, Buncombe, Carteret, Caswell, Chatham, Chowan, Clay, Cumberland, Gaston, Gates, Guilford, Haywood, Lincoln, Mecklenburg, Montgomery, Pitt, Polk, Rockingham, Tyrrell, Warren, and Wayne.

<sup>18</sup> "Final Report of the United States Food Administration," p. 46, National Archives, FA 1H-A25. See also Everett S. Brown, "Archives of the Food Administration as Historical Material," *Annual Report of the American Historical Association, 1917*, pp. 124-127.

might have sustenance—"to sit at a common table with the Allies." The historian interested in the political, economic, social, or intellectual life of the people of North Carolina will find a wealth of material in these files. A large part of the papers and records will be useful to persons interested in biography and family history. The great number of license applications of dealers, manufacturers, millers, and fishermen; the numerous reports and questionnaires submitted by licensees; and the large quantity of sugar distribution records will be of special value for the study of the industrial and commercial development of the state and the economic life of its inhabitants. These papers and records, now classified and available, remain almost untouched by the historian and offer to him sources of unquestionable value.<sup>19</sup>

<sup>19</sup> The following are the only extensive studies of state food administrations: Ivan L. Pollock, "The Food Administration in Iowa," *Chronicles of the World War*, edited by Benjamin F. Shambaugh (Iowa City, Iowa, 1923, 2 vols.); George Nox McCain, *War Rations for Pennsylvania, the Story of the Operations of the Federal Food Administration in Pennsylvania* (Philadelphia, 1920). Two other volumes of interest on state administrations are *Report of the New York State Food Commission for Period October 18, 1917 to July 1, 1918, with Supplementary Report for Four Months Ending November 1, 1918* (Albany, 1919); *First Annual Report of the Food Commission to the Governor of Porto Rico, May, 1917, to June 30, 1918* (San Juan, P. R., 1918).

## THE ORIGIN OF THE FRANKLIN-LEE IMBROGLIO

By THOMAS PERKINS ABERNETHY

The history of the commercial and diplomatic relations between America and France during the Revolution is largely a history of the quarrel which developed in Paris between Benjamin Franklin and Silas Deane on the one side, and William and Arthur Lee on the other. That which has been written on the subject is usually to the discredit of the Lees. They are pictured as perverse and quarrelsome men who did much to hurt the cause and to make life uncomfortable for the benign and amiable Franklin. So great is the reputation of the Philadelphia philosopher that almost no modern writer has undertaken to question the uprightness of his actions or failed to accept his testimony at face value, while the evidence given by the Lees, so far as it relates to Franklin, though supported in many instances by John Adams and other reliable authority, has been thrown out of court without serious consideration: Such historical practice is, of course, not justifiable. A discarding of hero worship and a careful weighing of all contemporary evidence would produce a conclusion quite different from that which has been reached.<sup>1</sup>

Perhaps the most profitable way in which to approach the problem would be to consider the circumstances under which the controversy between Franklin and the Lees first took shape. It seems strange that this has not been done before, for only in this manner can we properly understand the nature and merits of the case.

On March 3, 1776, Silas Deane was sent to France as agent for the Secret Committee and the Committee of Secret Correspondence of the Continental Congress. He was to act also in a private commercial capacity for Robert Morris. His duties were, therefore, partly diplomatic and partly commercial, partly public and partly private; and this mingling of private

<sup>1</sup>The case for Arthur Lee was briefly presented by the writer in *The American Historical Review*, XXXIX (April, 1934), 477-85. It is more extensively treated by Burton J. Hendrick in *The Lees of Virginia* (Boston, 1935). Mr. Hendrick, while condemning Deane, takes considerable pains to sustain the reputation of Dr. Franklin, and William Lee's experiences as commercial agent for Congress are dated two years later than they actually occurred (p. 255).

with public, and of commercial with diplomatic matters lay at the root of much of the trouble which later arose to becloud the history of our relations with France.

One of the duties entrusted to Deane by Morris was to look into the practicability of inducing the French ministry to permit American ships to use French ports for purposes of privateering. Thomas Morris, an inebriated half-brother to Robert, was already in Europe where Robert had sent him in the hope that a change of companions might work a reform in his habits. He was now instructed to join Deane in Paris and assist him in his work. Deane arrived in the French capital in July and found that Thomas Morris had preceded him by ten days.<sup>2</sup>

One of the earliest contacts which Deane made in Paris was with M. Donatien le Ray de Chaumont, once a prosperous merchant of Blois, now a government contractor and one of the Farmers General. He was a kinsman of the Comte de Maurepas, principal minister to the King. Through Chaumont and with the backing of Sartine, the minister of marine, the privateering business was presently arranged. It could not be done openly because treaties with England forbade it, but in a clandestine manner privateers were fitted out in French ports and the prizes brought in and sold. Both Morris and Deane invested heavily in such ventures, Deane using money that was intended for the use of Congress, and sometimes ships and officers were diverted from public to private use for this purpose. Large sums of money were made by the speculators in this way. When John Paul Jones pitted the *Bonhomme Richard* against the *Serapis*, his vessel was a privateer and both ship and commander were in the employ of M. de Chaumont.<sup>3</sup>

After the Declaration of Independence, Congress desired to

<sup>2</sup> Secret Committee to Deane, Aug. 7, 1776, *The Deane Papers*, Charles Isham, ed., in *Collections of the New York Historical Society*, 1886-1890; Deane to Secret Committee, Aug. 18, 1776, *ibid.*, I, 196; Robert Morris to Deane, Sept. 12, 1776, *ibid.*, I, 235; Secret Committee to Deane, Oct. 1, 1776, *ibid.*, I, 299; Morris to Deane, Oct. 4, 1776, *ibid.*, I, 306; Deane to Morris, Oct. 1, 1777, *ibid.*, II, 161.

<sup>3</sup> Deane to Morris, May 26, 1777, Stan. V. Henkels, pub., *The Confidential Correspondence of Robert Morris* (Philadelphia, 1917), p. 64; John Paul Jones to Robert Morris, Nov. 13, 1778, *ibid.*, p. 114; same to same, Oct. 13, 1779, *ibid.*, p. 117; Benjamin Franklin to Deane, June 10, 1777, *Deane Papers*, II, 70; Deane to John Ross, March 23, 1778, *ibid.*, II, 422; Franklin and Deane to Jonathan Williams, Nov. 15, 1777, Lee Papers, University of Virginia Library; Deane to—(?), Nov. 15, 1777, *ibid.*; Jonathan Williams to the Commissioners, Dec. 16, 1777, *ibid.*; same to same, Dec. 30, 1777, *ibid.*; William Lee to Richard Henry Lee, Nov. 30, 1779, *ibid.*; same to same, Oct. 15, 1778, *Letters of William Lee*, Worthington Chauncey Ford, ed., (Brooklyn, 1891), II, 487, and 493n; William Lee to Arthur Lee, Sept. 4, 1779, *ibid.*, III, 735; William Lee to Richard Henry Lee, Oct. 30, 1779, *ibid.*, III, 761; same to same, April 13, 1781, *ibid.*, III, 851.

have a more formidable representation in France, and on September 26, 1776, elected Benjamin Franklin, Arthur Lee, and Silas Deane to serve as its diplomatic agents at the Court of Louis XVI. The desirability of separating diplomatic from commercial affairs seems to have been realized at about the same time, and during the latter part of October the Secret Committee, having charge of the commercial affairs of Congress, selected Thomas Morris as its sole agent in Europe. Goods shipped under authority of Congress for disposal abroad were to be consigned to him, and he was to have complete charge of the privateering business. The diplomatic commissioners were to be supported at least partly by the proceeds that were expected to be derived from Morris's operations.<sup>4</sup>

On his first arrival in Paris, the younger Morris did not make a good impression on Chaumont and rendered Deane no assistance. Consequently he quitted France and went back to London. On December 4, 1776, Deane wrote the elder Morris that he had had unfavorable reports from London concerning the conduct of Thomas. On December 13 he wrote again to say that he was expecting the arrival of Franklin on the following day and that he had sent for Arthur Lee and Thomas Morris to join them.<sup>5</sup>

On January 31, 1777, Robert Morris, who now handled most of the business for the Secret Committee, wrote to Deane that he had heard of the bad conduct of his brother and that he was sending his friend John Ross with authority to take over the private and public business which had been committed to him in case it were found necessary to do so. In the same letter, Deane was notified that William Lee, brother to Arthur, had been selected by the Secret Committee as Thomas Morris's colleague in the commercial agency. Deane was to notify him to this effect.<sup>6</sup>

At this time William Lee was serving as alderman of the city of London. He had been in the mercantile business there for some years, and both he and Arthur had been active in promoting the cause of the revolting colonies. On February 18,

<sup>4</sup> Secret Committee to Thomas Morris, Oct. 25, 1776, Peter Force, ed., *American Archives*, 5th. series, II, 1237; Robert Morris to Deane, Oct. 23, 1776, *Deane Papers*, I, 331.

<sup>5</sup> Deane to Robert Morris, Dec. 4, 1776, *ibid.*, I, 399; same to same, Dec. 13, 1776, *ibid.*, 419.

<sup>6</sup> Robert Morris to Deane, Jan. 31, 1777, *ibid.*, I, 476.

Robert Morris, for the Secret Committee, notified the diplomatic commissioners at Paris of William Lee's appointment, and during the same month Deane received the letter from Morris directing that Lee be notified. But it was March 30 before Deane wrote to Lee, merely asking if he would accept the appointment, and sending the letter by ordinary post so that it was very likely to have been intercepted. An account of the appointment was announced in London before Lee himself received the letter.<sup>7</sup>

Settling his affairs in London as quickly as he could, William Lee left that city on June 7 and arrived in Paris on the 11th. He found only Franklin and Deane there, for his brother Arthur had gone off on a diplomatic mission to Berlin the middle of the previous month. The two remaining commissioners informed William that his commission had not yet arrived, although a copy of it had been sent to them in February. They told him that John Ross was with Thomas Morris at Nantes trying to untangle the inebriate's affairs, and advised Lee to remain in Paris until this should be accomplished. They did not inform him as to the real situation existing at Nantes.

During the absence of Arthur Lee in Germany, reports got into the London papers that a dissension had arisen between him and the other commissioners. Yet no break had occurred, and Lee suspected Deane of having been the author of the reports. On November 16, after his return to Paris, he wrote to Franklin mentioning the reports which had been circulated in his absence, and asking that the doctor assist him in discovering the author. No such assistance was forthcoming.<sup>8</sup>

On the day that Deane notified William Lee of his appointment, he proposed to Jonathan Williams, a young man of twenty-two and nephew to Franklin, that he undertake the commercial business of the commissioners at Nantes. Arrangements to that effect were soon made. Thomas Morris had already established himself in that port and was transacting

<sup>7</sup> Ford, *Letters of William Lee*, I, 185n; William Lee to John Jay, May 16, 1779, *ibid.*, II, 585; Robert Morris to Commissioners, Feb. 18, 1777, *Deane Papers*, I, 491.

<sup>8</sup> The origin of these reports is strongly indicated by a letter from Edward Bancroft to Deane, Feb. 7, 1777, saying, "I am very glad that 105 (Lee) is going to 165 (Germany?), and I am sure it will please 38 of 68, who is certain, according to what 70 tells me, that he communicates everything to his patron here to whom I know he has recently written." *Deane Papers*, I, 486. Bancroft was busy communicating information which he got from Deane, and this was not their last attempt to throw suspicion on Lee. Arthur Lee to Benjamin Franklin, Nov. 16, 1777, *Lee Papers*, *loc. cit.*; same to Samuel Adams, Feb. 17, 1778, *Deane Papers*, II, 368; *Letters of William Lee*, I, 208n.

his affairs through the agency of two Frenchmen, Messrs. Penet and Gruel. He remained drunk most of the time, and when Franklin called upon him for some of the money which Congress had instructed him to pay over to the commissioners, he said that he had no money to send. Franklin and Deane presently wrote to Congress complaining of his conduct, but Robert Morris supported his brother and Congress allowed him to retain his post. Thomas Morris went so far as to exhibit a letter from his brother in which he defied any attempt which the commissioners might make to remove him and put Jonathan Williams in his place.<sup>9</sup>

But Franklin and Deane, in the absence of Arthur Lee, had already taken the handling of prizes out of the hands of Thomas Morris and entrusted it to Williams. They had no authority for this act, but the prize business was profitable and important and they could not afford to let it fall into the hands of a man who would not coöperate with them. The clandestine sanction of the French ministry, acting through Chaumont, was essential; and Chaumont, Williams, and Deane entered into commercial relations for carrying it on. Some of the privateers were outfitted at the expense of the Paris commissioners to operate on public account, while others operated on account of Robert Morris and other speculators, both French and American. It was sometimes necessary to transfer ships from public to private account for purposes of deception, and such accounts as were kept made no clear distinction between public and private property.<sup>10</sup>

Franklin left the management of all commercial matters to Deane, and at one time Vergennes, the foreign minister, complained sharply that the commissioners ignored instructions of the ministry and sent ships to sea contrary to its positive orders. At another time it became necessary for the ministry to seize two prizes in order to save its face with the British, but it later gave 50,000 livres to Chaumont by way of damages. Chaumont turned the money over to Williams, who entered

<sup>9</sup> Benjamin Franklin to Thomas Morris, Jan. 26, 1777, *The Writings of Benjamin Franklin*, Albert Henry Smyth, ed. (New York, 1907), VII, 13; W. G. Sumner, *The Financier and the Finances of the American Revolution* (New York, 1891), I, 212; Thomas Morris to Deane, Jan. 30, 1777, *Deane Papers*, I, 475; John Ross to Deane, June 17, 1777, *ibid.*, II, 73; Robert Morris to Deane, June 29, 1777, *ibid.*, II, 77; Thomas Morris to Deane, Sept. 15, 1777, *ibid.*, II, 137; Deane to President of Congress, Sept. 27, 1777, *ibid.*, II, 145; Deane to Robert Morris, Oct. 1, 1777, *ibid.*, II, 156; Lupton to Eden, Oct. 15, 1777, *Letters of William Lee*, I, 255.

<sup>10</sup> Deane to Jonathan Williams, July 4, 1777, *ibid.*, I, 197.

it in his books as on public account although it was really intended for the American owners of the privateer which had captured the prizes.<sup>11</sup>

Meanwhile John Ross had been writing to Franklin and Deane from Nantes, complaining of the conduct of Thomas Morris. Some of the prizes had fallen into Morris's hands and with the aid of Penet and Gruel he transacted considerable business which he refused to surrender to Ross, despite the fact that the latter had showed him the instructions from his brother Robert. Ross thought it unfortunate that William Lee's commission had not arrived and hoped that the Virginian would soon be able to come to Nantes and take charge of affairs. Finally, on July 19, he wrote to Deane stating that he had just learned that Thomas Morris had for some time been in possession of Lee's instructions.<sup>12</sup>

Nine days later Franklin and Deane notified William Lee to this effect, and on August 2nd he left Paris for Nantes, arriving there on August 4th. At the same time Arthur Lee returned to Paris from Germany.

For several days after reaching Nantes, William Lee could not get an audience with his colleague. Then, on August 11th, he forced his way into Morris's room and found him drunk as usual. The next day Morris sent him some letters and admitted that he had his instructions, a copy of which he gave Lee within the next two days. Lee now felt that he could proceed to put the commercial business for Congress in order, and he had heard that Deane intended to place matters in his hands.<sup>13</sup> On August 21 he wrote to Robert Morris telling him of his brother's mismanagement and complaining of a contract which he had made with the Farmers General whereby all tobacco which Congress consigned to him was disposed of at a price much below its market value. But Franklin and Deane had made a similar contract which was even worse, and thus the

<sup>11</sup> Vergennes to Grand, Aug. 21, 1777, *Lee Papers, loc. cit.*; Jonathan Williams to Commissioners, Oct. 28, 1777, *ibid.*; observations of William Lee on the conduct of Franklin, Deane and Williams, n. d., *ibid.*; accounts of Jonathan Williams with the Commissioners, 1777-1778, *ibid.*; William Lee to F. L. Lee, Nov. 11, 1777, *Letters of William Lee*, I, 263; same to R. H. Lee, Nov. 30, 1777, *ibid.*, I, 279; Benjamin Franklin to Jonathan Williams, Feb.— (?), 1778, Smyth, *Writings of Benjamin Franklin*, VII, 113; Deane to Williams, March 21, 1778, *Deane Papers*, II, 419; R. H. Lee to Deane, Jan.— 22 (?), 1779, *The Letters of Richard Henry Lee*, James Curtis Ballagh, ed., (New York, 1911-14), II, 11.

<sup>12</sup> John Ross to Deane, June 2, 1777, *Deane Papers*, II, 64; same to Williams, July 1, 1777, *ibid.*, II, 86; same to Deane, July 19, 1777, *Letters of William Lee*, I, 199.

<sup>13</sup> William to Arthur Lee, Aug. 6, 1777, *ibid.*, I, 204; same to same, *ibid.*, I, 212; same to R. H. Lee, Aug. 12, 1777, *Deane Papers*, II, 102; same to same, Aug. 14, 1777, *ibid.*, I, 216.

only valuable export which Congress could obtain was squandered.<sup>14</sup>

But William Lee thought he was making progress. The day after he wrote to Robert Morris, he wrote to his brother Arthur saying that Penet and Thomas Morris had promised to settle their affairs, and that Jonathan Williams was doing all the business under his direction. He stated also that he wanted Deane to account to him for his commercial transactions, but a little later he and Thomas Morris wrote to Deane complaining that the prize business had been put into Williams' hands. These letters were not answered. On September 1st Lee wrote to the Secret Committee painting the picture of affairs at Nantes in their true colors, but he sent the letter to his brother Richard Henry and instructed him not to deliver it to the Committee unless he thought it wise to do so.<sup>15</sup>

On September 7th Deane wrote to Ross complaining of the insults which Thomas Morris and his agents had offered the commissioners, and of their refusal to turn over to the commissioners the funds in their hands. He said he thought William Lee would have remedied the situation had he been able to do so. Thus up to this time no open break had occurred between William Lee and Deane; but the former had discovered that Deane had instructed Williams to take the prize business out of the hands of the commercial agents of Congress and conduct it himself. Realizing then that he could not accomplish the objects for which he had gone to Nantes, he left that place on October 2nd and returned to Paris. Here was the real reason for the definite break between the Lees and the Deane-Franklin group.<sup>16</sup>

In Paris, on October 7th, William Lee received a commission from Congress appointing him its agent at the courts of Vienna and Berlin. On the 13th he held a conference with the Paris commissioners and asked them to take the prize business out of the hands of Williams and restore it to him and Thomas Morris. This they promised to do but failed to carry out the agreement, saying that Arthur Lee had not assented

<sup>14</sup> William Lee to Robert Morris, Aug. 21, 1777, *Letters of William Lee*, I, 223; same to President of Congress, March 8, 1779, *ibid.*, II, 545; document of April 27, 1779, Arthur Lee Papers, Harvard University Library.

<sup>15</sup> William to Arthur Lee, Aug. 22, 1777, *Letters of William Lee*, I, 227; same to Secret Committee, Sept. 1, 1777, *ibid.*, I, 231; same to Deane, Dec. 17, 1777, *ibid.*, I, 288.

<sup>16</sup> Deane to John Ross, Sept. 7, 1777, *Deane Papers*, II, 127.

to it. It was on the 16th that Arthur Lee wrote to Franklin complaining of the reports of a quarrel which had been circulated in his absence; and on November 24th William wrote to his brother Richard Henry criticising Deane's action in putting the prize business into the hands of Williams. This made it clear, he said, that he could not continue to act as commercial agent without coming into conflict with Deane, and since this was inadvisable, he wished to vacate the agency in favor of John Lloyd, a South Carolinian who was in business at Nantes.<sup>17</sup> Presently, by way of conciliation, he made a proposal to Franklin and Deane that Williams and Lloyd take over the agency at Nantes, and named other merchants who would be suitable agents in the principal ports. Franklin vetoed the suggestion as to Williams. Lee then made the other appointments and assigned the work at Nantes to a reputable merchant named Schweighauser. But during December John Ross had brought about an understanding between Williams and Thomas Morris, the former undertaking to do the business for the latter. He was to receive half the five per cent commission.<sup>18</sup>

Arthur Lee now wrote to Jonathan Williams and requested that he should no longer act upon instructions signed by Deane alone. He contended that such instructions should be signed by all three of the commissioners. Williams objected that this was impracticable. He took the matter up with Franklin, who wrote his nephew that though his instructions were signed by Deane alone, he had given his full approval to everything undertaken by his colleague.<sup>19</sup> There is no reason to doubt his word on this point. Reports from several people who came in contact with Franklin at this time indicate that he paid little attention to business and put implicit trust in men who flattered him, though some of them were agents in British pay,

<sup>17</sup> William to R. H. Lee, Oct. 7, 1777, *Letters of William Lee*, I, 254, same to same, Nov. 24, 1777, *ibid.*, I, 271; same to Deane, Dec. 17, 1777, *ibid.*, I, 288; Izard to Franklin, June 17, 1778, *ibid.*, I, 256; Deane to Williams, Jan. 12, 1778, *Deane Papers*, II, 327.

<sup>18</sup> Thomas Morris to Williams, Dec. 5, 1777, Lee Papers, University of Va.; Williams to Commissioners, Dec. 6, 1777, *ibid.*; same to same, Feb. 28, 1778, *ibid.*; same to Arthur Lee, April 18, 1778, *ibid.*; Deane to same, Dec. 13, 1777, *Deane Papers*, II, 272; same to Williams, March 15, 1778, *ibid.*, II, 407; Franklin to Williams, Feb.— (?), 1778, Smyth, *Writings of Benjamin Franklin*, VII, 113; same to William Lee, March 6, 1778, *ibid.*, VII, 116; William Lee to John Lloyd, Feb. 25, 1778, *Letters of William Lee*, II, 365; same to R. H. Lee, Feb. 28, 1778, *ibid.*, II, 370; same to Williams, March 5, 1778, *ibid.*, II, 387; same to Lloyd, March 7, 1778, *ibid.*, II, 392; same to R. H. Lee, March 23, 1778, *ibid.*, II, 406.

<sup>19</sup> Williams to Arthur Lee, Dec. 15, 1777, Lee Papers, University of Va.; Franklin to Williams, Dec. 22, 1777, *ibid.*

and he had been fully warned that his papers were being used for disloyal purposes.<sup>20</sup>

Meanwhile Robert Morris had received letters from John Ross which convinced him that he could no longer defend the actions of his brother. Late in December he wrote to the president of Congress and to Deane apologizing for his earlier stand, and stating that he wished Thomas removed from office. But this came too late. On January 31st, 1778, death instead of Congress removed Thomas Morris from the scene.<sup>21</sup>

This put the commissioners in an embarrassing situation. They knew that the government would seize the papers of the deceased, and feared that they would fall into the hands of Penet, whom they did not trust. Part of the papers were of a public nature, dealing with the Congressional account; and part of them had to do with the private account of Robert Morris. The agents of the Crown took them all and sealed them in a trunk, while the commissioners, choosing the lesser of evils, obtained from the ministry a permit giving William Lee the right to receive them. As colleague of Thomas Morris he was the only person in France who had a legal claim to take possession of the public documents, but the private Morris papers did not concern him.<sup>22</sup>

It was the intention of the commissioners that he should open the trunk and deliver the private accounts to John Ross. Ross, however, knowing that an examination of the papers would prove damaging to the Morris interests and acting apparently on a suggestion from Deane, refused to permit Lee to make any distribution of the papers or to attempt any settlement of the public affairs of Thomas Morris. He even went so far as to deny that Lee had any authority to act for Congress, claiming that authority which he himself had from Robert Morris was superior to any other. He also blamed the commissioners for having obtained for Lee the permission of the ministry to

<sup>20</sup> William to R. H. Lee, March 25, 1779, *Letters of William Lee*, II, 594.

<sup>21</sup> Robert Morris to Henry Laurens, Dec. 26, 1777, *ibid.*, I, 300; Deane to John Ross, March 21, 1778, *Deane Papers*, II, 417.

<sup>22</sup> Ross to Deane, Jan. 29, 1778, *Deane Papers*, II, 344; Deane to Ross, Feb. 3, 1778, *ibid.*, II, 353; same to same, Feb. 7, 1778, *ibid.*, II, 358; Ross to Deane, Feb. 7, 1778, *ibid.*, II, 358; Franklin to Ross, *ibid.*, II, 462; Ross to Arthur Lee, Jan. 31, 1778, *Lee Papers, University of Va.*; same to Deane, Jan. 31, 1778, *ibid.*; Arthur Lee to Ross, March 15, 1778, *ibid.*

take charge of the papers, and Deane backed him in his stand.<sup>23</sup>

Lee ended the dispute by having the trunk re-sealed and taken to Paris where he delivered it to Franklin. Arrangements were made for dividing the papers in the presence of the commissioners, but though Franklin at first assented, he later changed his mind and refused to take part in the transaction. He said he changed his stand because he had heard that Lee had privately examined the papers before having them re-sealed. Yet he did not hear this until ten days after he had altered his decision. It seems that Lee had examined the contents of the trunk and found that Thomas Morris had retained many letters which were not intended for him.<sup>24</sup>

When William Lee quitted Paris to take up his new assignment in Germany, Franklin was left in possession of the papers, but on September 4, 1778, Congress passed a resolution giving Robert Morris the right to them, and in November Franklin turned them over to Ross to deliver. Several times Congress called on the financier for a settlement of the accounts, but no settlement was ever made; and when Morris finally went to debtor's prison he took the papers with him. It is presumable that he also took possession of the papers of the Secret Committee, for they are not preserved in the archives of the Continental Congress.<sup>25</sup>

In the meantime, on December 8, 1777, Congress had passed a resolution recalling Deane. On March 4, 1778, he received notice to this effect, but continued active in public affairs until April, when he sailed for America bearing testimonials of esteem from Franklin and Vergennes, but no papers for the settlement of his accounts.

By April 13th John Adams had taken over the place in Paris left vacant by Deane's removal, and he and Arthur Lee now tried to bring some order out of the chaos which existed, but

<sup>23</sup> Deane to Ross, Feb. 7, 1778, *Deane Papers*, II, 359; Ross to Deane, March 3, 1778, *ibid.*, II, 385; Deane to Ross, March 21, 1778, *ibid.*, II, 417; William to R. H. Lee, Feb. 13, 1778, *Letters of William Lee*, II, 355; Ross to William Lee, Feb. 13, 1778, *Lee Papers*, University of Va.; William to Arthur Lee, Feb. 13, 1778, *ibid.*; Ross to William Lee, Feb. 15, 1778, *ibid.*; same to same, Feb. 16, 1778, *ibid.*; William Lee to Ross, Feb. 16, 1778, *ibid.*; Ross to Deane, March 28, 1778, *ibid.*

<sup>24</sup> Franklin to William Lee, March 2, 1778, Smyth, *Writings of Benjamin Franklin*, VII, 115; Ross to Commissioners, March 12, 1778, *Deane Papers*, II, 390; Deane to Ross, March 15, 1778, *ibid.*, II, 408.

<sup>25</sup> Franklin to Ross, Nov. 5, 1778, Smyth, *Writings of Benjamin Franklin*, VII, 199; Sumner, *Financier and Finances of the American Revolution*, I, 213; Franklin to Ross, Apr. 26, 1778, Francis Wharton, ed., *Revolutionary Diplomatic Correspondence of the United States* (Washington, 1889), II, 560-62.

neither Lee nor Adams was acceptable to the French ministry and they made little progress. Nevertheless on May 25th the agency for prize business was taken away from Jonathan Williams, and later John Ross was given to understand that he had no authority to act in a public capacity except to make certain purchases for Congress. Already, on February 9th, Congress had authorized the diplomatic commissioners to appoint commercial agents for France, and during May or June they took over control in these matters, William Lee thereby being relieved of all responsibility. On September 4th Franklin was made sole commissioner for France, and thus all diplomatic and commercial affairs centered in his hands. Life was certainly much less complicated for him after this time.<sup>26</sup>

There is no question that Franklin was very popular in France, nor that he was possessed of much shrewdness which he hid behind a mask of benign simplicity. A more honest agent would have had difficulty in dealing with Chaumont and the French ministers, as John Adams certainly did. But it is not true that America owes Franklin a great debt of gratitude for his services in Paris. France was anxious to help America in order to humble and enfeeble England, and would have done so if Franklin had never been heard of. In fact, it was Arthur Lee who first obtained French assistance for the revolting colonies, and it was the victory at Saratoga which produced the French alliance.

Franklin and Deane quarreled with the Lees primarily because the philosopher and the Connecticut Yankee were intent on taking the privateering business out of the hands of the agents appointed by Congress and retaining control of it for their own purposes. To this end they used every possible means to prevent William Lee from assuming his duties as commercial agent. It is true that Thomas Morris was thoroughly unworthy, but if William Lee had been given the backing of the commissioners, he doubtless could have righted matters, for Morris was never able to do much business for himself. And though privateering should have been a source of considerable profit to Congress, that body never derived any advantage from it. In fact, the public suffered seriously be-

<sup>26</sup> Ross to Commissioners, Oct. 8, 1778, Lee Papers, University of Va.; William to R. H. Lee, Feb. 25, 1779, *Letters of William Lee*, II, 531; *ibid.*, 434-38.

cause vessels, money, and men intended for the service of Congress were diverted into privateering on account of individuals.

Historians have usually condemned the Lees on the basis of loose and general accusations made by their enemies for obvious reasons. No serious charges have been proved against them, their real offense having been opposition to Franklin and Deane. Yet one charge, which has largely escaped attention, was true. William Lee, while acting as commercial agent, speculated on the London stock exchange as did Deane and his associates. Both William and Arthur were ambitious men and they certainly developed a bitter hatred of Franklin and Deane, but it was not the Lees who were responsible for the quarrel. One of their offenses was their insistence that public monies should be accounted for to Congress. Their efforts were of no avail and Franklin, Deane, and Robert Morris received huge sums for which Congress never got an accounting.<sup>27</sup>

<sup>27</sup> John Doran, ed., *Last Journals of Horace Walpole* (London and New York, 1910), I, 517-18; J. B. Sanders, *Evolution of Executive Departments of the Continental Congress* (Chapel Hill, 1935), pp. 82-83; William Lee to Thomas Rogers, Dec. 8, 1777, *Letters of William Lee*, I, 284; same to T. Adams (Edward Browne), Dec. 18, 1777, *ibid.*, I, 295; same to same, Jan. 12, 1778, *ibid.*, I, 341; same to same, Feb. 26, 1778, *ibid.*, II, 368. Sumner says that more than nineteen million livres received by the Commissioners in France was never accounted for. *Financier and Finances of the American Revolution*, I, 214.

On July 9, 1780, William Lee wrote to Samuel Stockton, "The league of Sam. Wharton, Jno. Ross, Dr. Bancroft, young and old Jona. Williams, seem to have no other contest, but who shall take to himself the best share of the public money that is intrusted to Dr. Franklin, in which sport they are most eminently assisted by Mr. Chaumont, who has young Moylan of Phila. as his agent at L'Orient, and young Williams at Nantes. The proceedings of these people with Dr. F. and Cap. P. Jones, respecting the Congress Frigate, the Alliance, for near two years past, are really too enormous for me to detail. . . ." *Letters of William Lee*, III, 812.

## UNPUBLISHED LETTERS FROM NORTH CAROLINIANS TO VAN BUREN

Edited by ELIZABETH GREGORY MCPHERSON

The papers of Martin Van Buren were presented to the Library of Congress by his descendants. In 1910 a calendar of this collection was made, but this calendar does not cover the papers presented in 1912—about one hundred and fifty pieces, covering the years 1813-1863. There are seventy-two bound volumes, of which sixty-one comprise Van Buren's correspondence, 1789-1869. The collection is composed of correspondence, state papers, autobiographical material, transcripts, and newspaper clippings. Practically all of Van Buren's correspondence relates to political questions of the period, both local and national. There are letters from Andrew Jackson, Francis Preston Blair, and other prominent politicians and statesmen. Among Van Buren's correspondents there were several outstanding Democrats from North Carolina. They often asked him for advice relative to state problems, made suggestions for the enactment of national legislation, and kept him informed regarding political trends in the State. Their letters throw considerable light on how the people of North Carolina thought and voted on state and national issues.

FROM NATHANIEL MACON<sup>1</sup>

Buck Spring 9 May 1823

Sir

I did not till yesterday receive the resolutions of the Republican Members of the Legislature of New York, for which accept my sincere thanks; their plan of national caucus, to nominate a candidate for the next president, is certainly preferable, to that of state nominations; The only objection to which, is that it produces so much electioneering among the members of Congress, that it seems to border on intrigue & bargain; and is not known to the constitution; A caucus is rarely called, unless a majority is known to be fixed, on some certain point, at least this is the result of my experience & prevents my attending

Nothing can be more objectionable, than that the electors should elect

<sup>1</sup> Nathaniel Macon (Dec. 17, 1757-June 29, 1837), soldier and statesman, had the distinction to serve in Congress, either in House or Senate, from March 4, 1791, to March 8, 1827; he was president of the constitutional convention of North Carolina, 1835; and was a presidential elector on the Democratic ticket of Van Buren, and Johnson. *Biographical Directory of the American Congress, 1774-1927*, pp. 1155-1156.

the president & Vice president, & but few things have excited more anxiety, among the most reflecting people, than the number of declared candidates for office, & all reported to be of the same party; This indicates a want of confidence, which is generally the forerunner of division, as that is of defeat

The resolution notice in the most honorable manner, the administration of Mr. Jefferson: The principles of which, are out of fashion; I fear gone like the history of the revolution, not to be recovered

I have written because you desired it, though I have nothing new or worth communicating, & to assure you that your expressions of respect & esteem, are perfectly reciprocated, by

Sir

Y<sup>r</sup>. ob<sup>t</sup>. Ser<sup>t</sup>—

FROM NATHANIEL MACON

Buck Spring 9 August 1830

Sir

I have this day received your letter of the 26 ultimo, & had been told for the first time yesterday, by two friends, that an extract of a letter from me, to some person in Washington, had been published in the *Richmond Enquirer*, with which they were much pleased: I answered, that must be a mistake: it was true, that I had written the substance, of what they stated to be the contents of the extract, to several friends during the last session of Congress, but that not one of them, would I was certain, publish any part, without my consent & that no one had applied for my permission, & that I believed, I would write to Ritchie,<sup>2</sup> to know who sent him the extract, I have thus been particular in stating the conversation, because one of the friends is not nor never was inhabitant of North Carolina. Permit me to add, that I have always thought it was improper to publish any part of a private letter, without the consent of the writer; because he could publish, if he thought proper, & that my opinion of the administration has been no secret in this part of the Country & further it is no secret, that I was much gratified, that Kindall<sup>3</sup> was approved by the Senate; He has proved, what I have often said & probably in your hearing, that I verily believed, there was much improper doings, with the money of the people at Washington & that no enquiry by a committee could do any public good, unless the administration gave its whole strength to assist the committee

Your publication has not diminished my friendly feelings toward you, though it may have diminished my confidence, in your being prudent at

<sup>2</sup> Thomas Ritchie edited the *Richmond Enquirer* from May 9, 1804, until he was called to Washington by President Polk in 1845 to edit *The Union*, the new Democratic organ. *Dictionary of American Biography*, XV, 628.

<sup>3</sup> Evidently Macon is referring to the appointment of Amos Kendall as Fourth Auditor of the Treasury.

all times & under all circumstances: Indeed it has long since been said, that no man is wise at all times

Purdie would ever offer a horse to win a race, if he could win without; So an administration gaining the affection of the people by the proper management of public affairs, need never publish the opinion of any Individual in its favor, to gain friends, it seems to show, that it had doubts of its good standing or of the capacity of the people to judge of its conduct, If the administration goes on as it has begun, it will equal, the first four years of the Jefferson administration & may as that did, put office hunters & takers (stealers) of the public money & property at defiance, above all things truth beneath the victory & honesty is the best policy: the Minister now going to St. Petersburg, & his high standing in the U. S. proves both the adages

I am with esteem & respect

Sir Y<sup>r</sup>. ob<sup>t</sup>. Sev<sup>t</sup>—

N. B. This will be put under cover, directed to the Secretary of State on the cover, & on this to you, Secretary &c marked private—

FROM NATHANIEL MACON

Buck Spring 1 Oct—' 1830

Sir

Your letter of the 15. ultimo was received in due season: I am much pleased, that the administration intends to persue the wise course it has adopted; but a half reformation, like a half revolution never produces lasting benefits; it bears half the bad seed, to sprout & produce an unprofitable crop, & the cockle if not destroyed, ruins the wheat, the restoration of the Stuarts & Bourbons are considered proofs of the facts, indeed the history of every country from the time of the Jews, Greeks & Romans furnish proofs, if thing attempted a half reformation or half revolution. I know, that some of the friends of Mr. Jefferson were alarmed & afraid of too much reform, & their unwillingness to do more; stoped his administration at the point at which it ceased to go on: It is probable, that owing to particular circumstances some of the friends of the present administration, may incline to the opinion, that it has done enough, one fact seems very clear to me at least, which is this, that applications for office, increases ten times as fast as the population, hence the present administration has more office hunting to contend with than that of Mr. Jefferson, though that had its difficulties on that point.

The payment of the public debt will place the administration on very high ground: the tariff made to bear equal on every state, would immortalize it, almost all the public money, is spent in the middle the Eastern & western states; the Carolinas & Georgia may truly say we have no part in it; This has been expressed without reference to what was once, the con-

stitution of the U. S. because there has long been considered dead; & unfashionable to name it in Congress

That the administration may succeed in the attempts to negotiate with the European powers, I most sincerely wish, if it does not the poor South will be taxed to pay for all the commercial depredations, perhaps worse, & more heavily than they were by Jays treaty, & after the depredations are paid for, we may have the New England militia claims to pay; all this will be, for no other purpose, than to prevent a reduction of the Tariff; I do not speak this in reference to the administration, because as far as it has gone I heartily approve of its doings, pardon me for troubling you with these crude observations, Your letter hurried me into them; though I constantly recollect, that I was done with politics: The West India trade with the high & heavy tax on rum & sugar would not be of much service to the South, but drowning men catch at straws.

I am with respect & esteem

Sir

Y<sup>r</sup>. ob<sup>t</sup>. Ser<sup>t</sup>—

P. S. Be please to forward the enclosed & oblige—

FROM JAMES GRANT, JUNIOR<sup>4</sup>

Raleigh, N. C. August 30 1832

Mr. Van Buren

An unknown individual pleases to address you, not to counsel but to warn. You will have received a communication from Shocco Springs ere this. It is from your friends, but God help such friends, their indiscretion may do you more harm, than benefit. If you can not answer the resolutions, without injuring your success in New York, it will perhaps, be best to refer the committee to your letter to the Baltimore Committee. If you are not in favour of a compromise this state will, I fear, go against you, otherwise, she will, I hope, be for you. We have no press of talent & circulation. In the absence of Mr. Ramsey the editor of the *Constitutionalist*, I have no[w] to attend to this paper. it circulates about 900. He is gone I expect to get money to enable him to publish 2000 copies every week. My father State comptroller, & myself put ourselves to much inconvenience in his absence. & he acts Sec. to a meeting which calls on you for an answer, that may endanger your election. I wish if he did not have more discretion he would stay at home

Yours.

<sup>4</sup> James Grant was the son of James Grant, comptroller of North Carolina from 1827 to 1834. *A Manual of North Carolina* (1913), p. 442.

FROM THOMAS H. HALL<sup>5</sup>H. Reps—2<sup>d</sup>. of January 1833.

Dear Sir

I have rec<sup>d</sup>. yours of 28<sup>th</sup> Dec. and forwarded Its enclosure to its address. I concur with you entirely with regard to what our good president has done, and what he is desirous to do, I am as much obliged to him as any friend he has—And have as great confidence, in the uprightness and purity of his purposes—to bring back the Gov<sup>t</sup>. to its proper principles. Upon this ground it was that I have supported him, and the undivided vote my neighbors have all give him, show their feeling generally—the remarks were intended for our friends and were sent, to him and yourself entirely in that spirit—They present some parts of the subject in what I conceive to be its new and irrefragable light. certainly not in the spirit, of mere ludicism, but as the suggestion of a sincere friend and supporter—I hope ere long to see our country assume a different aspect,—Those who contributed to calm, and remove our present troubles and place the government for the future upon a sounder footing than for some years it has been, will deserve well not only—of our people, but of the human race, my opinion is that no man has it more In his power, to do good and, no one more determined to do so than the president of the U. States—and it is our business as far as we can to aid and assist in the great work—may God smile upon our efforts. If Verplanks bill passes—it will cure all,

I am Sir

With great respect

Yours Sincerely

FROM WILLIAM H. HAYWOOD, JR.<sup>6</sup>

Written from Newbern, N. C.

10 Jany 1833

Dear Sir

I feel some apprehensions of being considered troublesome or (it may be) impertinent, but even at such a hazard I send this communication—As the purpose is in no sense a selfish one my intrusion must secure a ready pardon if your want of time or inclination lead you to slight my request—Before it is made however excuse me for reminding you of our acquaintance on your visit to North Carolina years ago—and to send with this the gratula-

<sup>5</sup> Thomas H. Hall was born in Prince George County, Virginia, and practiced medicine in Tarboro, North Carolina. He was a member of the national House of Representatives from 1817 to 1825, and from 1827 to 1835. *Biographical Directory of the American Congress, 1774-1927*, p. 1048.

<sup>6</sup> William Henry Haywood, Junior (Oct. 23, 1801-Oct. 7, 1852), was a member of the North Carolina House of Commons, 1831, 1834-1835; was appointed by Van Buren chargé d'affaires to Belgium, but declined; and served in the United States Senate from March 4, 1843, to July 26, 1846, when he resigned, having refused to be instructed by the state legislature. *Biographical Directory of the American Congress, 1774-1927*, p. 1081.

tions of the Republicans of N. C. at the triumph of *our cause*. as well as the defeat of *your enemies*. Tho: the battle is won—much remains to secure victory—The madness of our more sullen brethren has confounded—perhaps destroyed the democrattick ranks—unless indeed the firm and energetick demonstration of distinguished N. Y. Democrats like yourself will (after the cloud of fear is passed over) bring back the country to a recollection that Republican Democracy is a medium betwixt the anarchy of Nullif<sup>n</sup>—& the despotism of Consolid<sup>n</sup>.

We look towards you for our next Jeffersonian victory. But my purpose was not this. I am very desirous of light on a subject connected with the politics of my own State and venture to ask it from you—Will you be good enough to give me your views at large on it—which at your pleasure shall be for *private* use or not? The case is this: The *Constitution* of N. Car is very defective in the basis of representation—the State is divided on the question of change because the minority has power—the majority right—The parties are sectional and my *section* is in minority yet I have abandoned their service in the Legislature *because they will not allow me to vote for a Convention* but instruct me otherwise. All of us are perceiving daily the necessity for a compromise of this question, and lately an expedient has suggested itself about which there may be a difference in opinion—Certain amendments to the Constitution are prepared on principles of mutual satisfactory compromise & it is proposed to submit these amendments *directly to the people at polls* and I hope to be *favoured* with your opinion whether such a proceeding would be *justifiable* in a Legislature & consistent with the principles & theory of our Govern<sup>ts</sup>—?

You will refer to our State Constitution & there perceive that *no mode* for its amendment is provided but it is silent on that head—While such is not the case with any other Constitution in this Union! Suppose the Legislature will *not pass a law* for submitting distinct amendments to the people & will not vote for a Convention & yet a clear majority of the people unquestionably desire it & have pressed it in vain—Can that majority in our State meet in Convention after due notice & [a]tler the Constitution? or what must they do?

You must excuse me for this liberty and be assured that I appeal to you because I want to have the views of a man who has no interest to warp his judgment where political principles have secured by lenage & admiration—

With high respect I am

Your obt Ser—

Raleigh, N. C.

P. S Address me at Raleigh.

FROM NATHANIEL MACON

Buck Spring 2 March 1833

Sir

Accept my thanks for the message of your Governor & the report of a Committee on the acts of South Carolina, they are well written & seem willing to lessen the oppression of the South & show kind feelings for its suffering, but must have something, to maintain the tariff principle, which is not revenue: They forget the doings of the British Government or omitted to notice them, that a trifling tax on tea, must be paid to settle the question. I am still for the union, no nullifier, nor an approver of the proclamation, believe that a state may quit the union when she pleases, provided she will pay her part of the public debt, if there be any, but how is she to get into it again, is not quite so easy to settle: The right to quit, is the best and almost the only guard against oppression.

The causes of the ruin of the South, are the funding system, Bank, pensions, tariff & internal improvements, you may remember, they were stated to the Senate, but the stenographers never published them—A federal government founded on opinion & good will cannot be kept together by force, conquest of only one of the parties, puts an end to it

Yrs. in good will

FROM WILLIAM H. HAYWOOD, JR.<sup>7</sup>

[April—, 1833]

Dear Sir—

North Carolina has been long distracted by a sectional party feeling which has grown up under the unequal operation of her government—My residence is in that section which has always favored the *existing state of things*—Against my wishes & but a few days before the Election in 1831. I was nominated as one of the representatives of this County to our Legislature & returned by a large majority but a regard for principle obliged me to decline a further service in that station for reasons which you will find stated (if you have time to read it) in the enclosed circular. I have no reason to regret my course so far. Last year a new plan was suggested for healing our differences & I was honoured by being placed at the head of a Committee to address the people of this State on the subject of a change in our Constitution—The Constitution is silent as to the mode of change & it was intended that it might be done by a direct vote of the people authorized to be taken by act of Assembly—I inclined to believe that this mode was regular & free of valid objection—that indeed without a legislative enactment the majority of the People had a *right* to reform the

<sup>7</sup> This letter is a reply to Van Buren's of March, 1833, in which he discussed the possible methods by which the constitution of North Carolina might be amended. For this letter see Van Buren Papers, March, 1833, Library of Congress.

govern<sup>t</sup>. but that this latter slip could only be justified in extreme cases & was dangerous to liberty if generally acted on—and a principle is to be tested always by looking at it as a *general* rule I confess however that I was embarrassed by the want of political experience and as I know no men in our country whose judgment was so conclusive with me as yours I took the liberty of writing you—Other men of high virtue & exalted character I knew & honoured but their politics do not combine Democracy enough to claim any homage—I wrote only for light to guide my own private judgment—Without any design to communicate your letter or its subject even to my associates<sup>8</sup>—And I shall not upon this assurance and treat your letter as confidential—It occurred to me that an interference on your part would be deemed improper in the question & might affect your popularity in No Caro and I need not assure you that I ought never be looked on as one who will desire to abate one title of the high claim which your character & services give you upon the favor & confidence of No Carolina—It is due to you however now that I should state that your letter reached here while there was a high excitement in this City about the contemplated removal of our Post Master<sup>9</sup> and the jealous eye of party spirit has detected some deep design in these parts—“Your *frank* is seen in by box—” “Your letter is addressed to the Known auther of political address by which your character was defended in North Caro—previous to the last presidential & V Presidential election—” this is all—“enough’ it is to justify with foolish partizans a most gross & wanton charge against *you* and *me* I see that *hints* are making about it in the papers—*Juntos* are spoke of—Correspondents at Raleigh are talked of—&c &c. Under such circumstances I shall be gratified if you will allow me to use my *own discretion* for your defence & without exposing you to the imputation of interference in our politics I may be able to expose these shameless caluminators & tho; it may not correct them it will save the people from deception—Without such permission I will suffer martyrdom before your letters shall be seen or contents known—The P. Master is a good & honourable man—The best Post Master I ever knew & I would cheerfully show your letter to him (by your leave) and make him sign a certificate that it was shown & that it did not concern him or his office or any other affair &c—Which might *hereafter* be of use—I know that a move is contemplated here next winter to form an opposition to *you* for which the publick mind is to be prepared by rousing the peoples suspicion of a New York junto in N. C. the nucleus of which is at Raleigh—Doubtless strenuous efforts will be put forth to do their work and your former experience will convince you that the work of a detraction may find its hirelings even in N. Carolina—a prudent foresight sometimes enables one to confound the managers of plots by allowing them to

<sup>8</sup> On May 1, 1833, Van Buren consented to allow Haywood to use his letter of March; he was dubious about the advisability of such a procedure, however, because the next charge would probably be interference on his part in local politics. Van Buren Papers.

<sup>9</sup> Thomas G. Scott was postmaster in Raleigh, North Carolina. He served two years. *Official Directory of the United States* (Biennial Report), 1833, p. 175.

indulge their delusions while we are in possession of means of undermining the basis of their perverted arguments.—

I have been thus full in my statements that you might know the motives I had in writing you & at the same time obtain possession of the purpose—the only purpose I have in asking to be allowed my *discretion about the use of your letter*—I am not a politician by trade—but every good man feels some interest in his country & its government in these times & a bare sense of justice is enough to make one anxious to defeat the operations of the unpardonable slanderers—

I find I am getting quite out of my vocation & this letter which was intended for no more than a return of my thanks for your polite attention to me is likely to be too long & quite a string of political gossip—Pardon me for it—Accept my thanks for your letter and a renewal of my apology for the trespass I have committed on the time of one whom I know to be so busily engaged as you are.—

I write you in haste—in the midst of professional engagements & I would have done so earlier but your letter laid in the office 3 weeks in consequence of my absence from home.—With very high regard I am your friend

& obedient Servant

P. S. It is hardly necessary for me to add that this letter is a confidential one—Since it is a reply to one of that character

FROM NATHANIEL MACON

Buck Spring 24 May 1834

Sir

I have this day received your letter of the 24th of March, it has no doubt been at Warrenton several weeks; the speech of Mr. Rives<sup>10</sup> is worthy to be read by every person

I stay too much at home, to hear the opinion of the people of the county or state. Of one thing I am almost certain that the removal of the deposits never caused any distress, except that it might lessen the profits of the stockholders in U. S. B —

Banks are the nobility of the country, they have exclusive privileges: & like all nobility, must be supported by the people & they are the worst kind, because they oppress secretly

All banks are unconstitutional, the U. S. government, was made for hard money; before the introduction of banks, the states were able to have their own money taken care of

Biddle seems harder to conquer than Packingham; to pay the public debt

<sup>10</sup> Here reference is made to the speech of William C. Rives, Senator from Virginia, delivered in the Senate of the United States on February 17, 1834. Virginia instructed her representatives to oppose the removal of federal deposits from the Bank of the United States. Since Rives refused to obey instructions, he resigned his seat, February 22, 1834. *Dictionary of American Biography*, XV, 636; *Register of Debates, 23rd Congress, 1st sess.*, pp. 636-639.

with plenty of money against the will of Biddle, harder than to conquer Indians

The public money is about safe in one bank as another, if the directors be honest

If the U. S. B. be guilty of half they are charged with, the charters ought to be taken away

Yrs. very truly

Every person has trouble, to live well, requires industry & care. Every nation has trouble to be free, requires watchfulness & vigilance—When Mr. Madison dismissed F. J. Jackson the British minister, as well as I recollect, the senate passed a resolution approving his conduct, the H—of R—rejected it, on the ground, they had nothing to do with it

FROM ROMULUS M. SAUNDERS,<sup>11</sup>

Raleigh Augt. 20, [18]34

My Dear Sir—

Our elections for the State Legislature are over & altho' I cannot say victory is certainly ours—we at least are not beaten—The returns are not all in—The opposition of course claim the majority—my calculation is that of 200 members we have certain 100—that there are some 10 or 20 *doubtful* & tho' there generally in such cases are to be set down against us—yet from the sentiments of the people in town, we shall at least be able to command enough to carry Mr. Brown<sup>12</sup>—upon the whole the elections here terminated in a way that satisfies me a decided majority of the people of the state are with us & will remain so—Branch<sup>13</sup> is elected by only 14 votes—& our other candidate in the other branch of the Legislature in the same county got very largely the highest vote—I am free to say that the post office operations have been doing us doubly the injury of every thing else—we have had too many stages—Mr. Barrey<sup>14</sup> in his advertisements purposes a reform both injudicious & greatly to the prejudice of the State—This is a known matter & is strongly felt—but notwithstanding we hope to be able to maintain our ground—In this district represented by

<sup>11</sup> Romulus M. Saunders (March 3, 1791-April 21, 1867), served in the legislature of North Carolina; represented the State in Congress; and served as attorney general of the State and judge of the superior court of North Carolina. From 1846 to 1849 he was minister to Spain. He was also a member of the board of commissioners to revise the laws of North Carolina. *Biographical Directory of the American Congress, 1774-1927*, p. 1495.

<sup>12</sup> Bedford Brown was re-elected Senator from North Carolina in 1835 and served until November 16, 1840, when he resigned, because he would not obey the instructions of the legislature of the State. *Biographical Directory of the American Congress, 1774-1927*, p. 744.

<sup>13</sup> John Branch resigned as Secretary of the Navy in Jackson's administration; returned to North Carolina and became active in local politics; and served in the legislature prior to his appointment as governor of the territory of Florida. *Dictionary of American Biography*, II, 596-597.

<sup>14</sup> William T. Barry became Postmaster-General on March 9, 1829. From time to time during his postmastership proceedings were instituted to investigate the conduct of the department. *Dictionary of American Biography*, I, 657.

Barringer<sup>15</sup> & in which Mangum<sup>16</sup> also resides—every County has sent decided friends of the administration & their members without exception will vote for Brown—so much for his How. who professes to be *against* the U. S. Bks. in readiness for instructions—Will you pardon me now for say[ing] a word upon a matter of great delicacy—You have seen the lamented & afflictive death of Judge Johnson.<sup>17</sup> Mr. L—was just in readiness to have gone to New York—when we received intelligence of the operation & the next day his death—it is a heavy breavement—I do not know that it will change in any way my future of arrangements—You know they have no one to offer for his place from Georgia & I do not know any one of superior claim from S. Car—How would it do—if the request came from the South & he would consent to go to Georgia to give it our old friend McLane—he would be highly acceptable to the South & if he would go to Georgia I have no doubt, would be more acceptable in that State than to any one from So Ca—

We have often much difficulty & no little abuse in our State Papers. I have succeeded in getting up a paper at this place—it will be out as is expected by the first of Oct<sup>r</sup>.

Sincerely

Yr—

Hon. Martin Van Buren

FROM BEDFORD BROWN<sup>18</sup>

Caswell County, N. C. 24<sup>th</sup>. Sept. 1834.

My dear Sir:

I was very happy, to receive your letter, of the 7<sup>th</sup>. Inst. an answer to which, has been delayed, until this time, in consequence of the absence contemplated by you, on a tour in the western part of New York.

The result of our elections, for the State Legislature is, as you suppose, decidedly favorable, to the administration, I have no doubt, but the majority, for the administration will be, from twenty to thirty, on joint ballot, in our Legislature. The coalition presses here, as is their custom; in other States, *affect* a triumph, for the double purpose, of effect abroad, and to keep the spirits of their party up, in this State, in the hope, that they may be able, to produce a division, among the friends of the administration.

To accomplish this end, every artifice, has already been, and will con-

<sup>15</sup> Daniel Laurens Barringer (Oct. 1, 1788-Oct. 16, 1852), served in the legislature of North Carolina in 1813, 1814, 1819-1822; served in Congress from December 4, 1826, to March 3, 1835; and was an unsuccessful candidate for re-election in 1835. *Biographical Directory of the American Congress, 1774-1927*, p. 674.

<sup>16</sup> Willie P. Mangum (May 10, 1792-Sept. 14, 1861), was a member of the legislature of North Carolina, judge of the Superior Court, and a member of the United States Senate from March 4, 1831, until November 26, 1836. He was re-elected to fill the vacancy caused by the resignation of Bedford Brown and served from 1840 to March 3, 1853. *Biographical Directory of the American Congress, 1774-1927*, p. 1284.

<sup>17</sup> William Johnson (Dec. 17, 1771-August 4, 1834), was born in Charleston, South Carolina. In 1804 Jefferson appointed him as associate justice of the Supreme Court of the United States. *Dictionary of American Biography*, X, 128-129.

<sup>18</sup> See p. 62, note 12.

tinue to be, put in requisition by them. Unfortunately, their ability, to do mischief, in this way, is increased, by having two opposition presses, at their command, in the City of Raleigh while our cause, is without any aid, of that kind, at that important point. So firmly fixed however, is public sentiments, in this State, in favour of the President of the United States, that I am thoroughly convinced, that every effort, to shake it, will prove unavailing. Indeed, if any change, takes place, in public opinion, between this and the assembling of our Legislature, I am satisfied, it will be favorable, to the administration, The entire failure of the Bank, and its faithful allies, to produce the mischiefs and widespread ruin throughout the country, which were so vociferously proclaimed, by the leaders of the opposition from the Capitol, has become a standing pick, of derision and ridicule, even among the most illiterate classes, of our Citizens. Added to this, is the unusual State of prosperity which is at this time prevailing throughout our country, I am quite sure, that the people of N. Carolina are at the same time, enjoying more *solid and substantial* prosperity, than at any period, since my recollection. This of course, will powerfully aid, the good cause.

As regards my re-election, to which you so kindly allude, I entertain great confidence of success, unless some of our party, should imprudently, bring forward, another administration candidate, and thus by dividing the party, accomplish the wishes of the opposition. I do not believe, this will be done, as I have not heard of a single individual, who is elected a Member of our Legislature and who can be relied upon, as a friend of the administration, that has expressed any opposition, to my re-election. On the contrary, very many of the Jackson candidates (and indeed all of that party who expressed their opinion, as to the election of Senator, so far as I have been informed) declared themselves in the popular assemblies, in favour of my re-election.

Believing that you feel an interest, in my success, in my apology, for troubling you, with the details, above given.

I cannot, My dear Sir, conclude this letter, without recurring for a moment, to the scenes of the last eventful session of Congress. It was indeed well calculated, to test the firmness and resolution of those, who were participants in them. So no friend, of the administration, is more due, the need of the public approbation, for fixed and unalterable purpose to sustain it, at its period of greatest difficulty, than yourself. When others, of our friends, seemed almost to despair, I often heard you express, your entire belief, of the triumphant results, which are rapidly developing themselves, in the elections that are taking place in the different States.

This course cannot fail (as I know it has already), to add greatly to the favour which you before enjoyed, among the republican party in this, and in other States.

The contest in your State, will no doubt, be a Severe one, but I have great faith, in the democracy of New York, and cannot permit myself to doubt, that the result, will be, the complete overthrow, of the combined

forces, and that your State, will again add another claim, to the gratitude of the republicans—

I remain your friend.

Hon. Mr. Van Buren

ROMULUS M. SAUNDERS

Washington March 10 [18]35

My dear Sir

I enclose a list of some names of persons in different parts of our State according to request<sup>19</sup>—I have recommended to Mr. Woodbury<sup>20</sup>—Mr. Hutchinson a friend at Charlotte as commissioner for superintending the Buildings &c—and N. S. Bissell to be sent to Phila—to confer with V Moran as to machinery &c—if you see nothing objectionable & it comes in the way will you do me the favour to say something to the President on the subject—I do not know that I shall at any time desire to have anything to do with it—certainly not, should I find its duties such as I did not feel competent to discharge—& my family should still be opposed to the change

Yr truly

FROM ROMULUS M. SAUNDERS

Raleigh July 1<sup>st</sup> 1835

My dear Sir—

I am happy to inform you that I learn, a partial insurance had been

<sup>19</sup> The following list of names was enclosed in Saunders letter to Van Buren, March 10, 1834:

Dr. Alex<sup>r</sup>. Meban—Bertie County—N—C  
 Col. Maurice Moore—Brunswick Co<sup>y</sup>  
 Daniel Lindsay Esq. Currituck Co<sup>y</sup>.  
 Genl. R. C. Cotton—Chatham Co<sup>y</sup>  
 Dillon Jordan Jr. Esq. Fayetteville  
 James Wyche Esq. Granville Co<sup>y</sup>.  
 W. W. Cooper Esq. Gates Co<sup>y</sup>.  
 N. Edmanston Esq. Haywood Co<sup>y</sup>.  
 Michael Hoke Esq. Lincoln Co<sup>y</sup>.  
 William D. Masey Esq. Lenoir Co<sup>y</sup>.  
 James W. Guinn Esq. Macon Co<sup>y</sup>.  
 J. M. Hutchinson Esq. Mecklenburg Co<sup>y</sup>.  
 Owen Holmes Esq.—New Hanover Co<sup>y</sup>.  
 Sam<sup>l</sup> Arrington Esq.—Nash Co<sup>y</sup>.  
 Genl. Blount—do—  
 Wm. B. Lockhart—Blakely—Northampton  
 D. W. Montgomery—Orange Co<sup>y</sup>.  
 I. N. Williamson—Person Co<sup>y</sup>.  
 A. Staley Esq.—Randolph County—  
 Genl. P. I. Irian—Rockingham  
 B. H. Durham Esq. Rutherford Co<sup>y</sup>.  
 Archibald Marsh Esq. Sampson Co<sup>y</sup>.  
 H. M. Waugh Esq.—Surry Co<sup>y</sup>—  
 John Bragg Esq. Warren Co<sup>y</sup>.  
 W. N. Edwards Esq.—do—  
 Col. Allen Rogers—Wake Co<sup>y</sup>.  
 Sherman Boker Esq.—Yancey Co<sup>y</sup>.  
 W. H. Haywood Esq.—Raleigh—”

<sup>20</sup> Levi Woodbury became Secretary of the Treasury, June 27, 1834.

effected on a part of our Charlestown property, so that the loss will not be as great as I had been led to fear—indeed I flatter myself that while we may suffer some inconvenience from the loss of the rents, in the end the property will be rendered the more valuable to my children—

I find a decided majority of the opposition in the Convention—This not only stimulates them—but enables them whilst here to arrange their summer campaign—they are bringing out opposition to Congress every where they can—Crudup<sup>21</sup> a Baptist preacher formerly in Congress & a Calhoun man is brought out against Hawkins<sup>22</sup> & tho' formidable I think will not do—Genl. Speight<sup>23</sup> will beat his man—as will Connor—very easy—Bynum<sup>24</sup> & Hall<sup>25</sup> said to be doubtful—tho' it is thought both will succeed—In this district Montgomery<sup>26</sup> is out against Barringer<sup>27</sup>—we shall succeed very easily in electing Montgomery if we can only induce the people of Wake to vote on political grounds—Barringer has publicly asserted that he had been your friend until you came to Washington in 1832 & opposed the compromise of the Tariff treaty 4 of your friends in the N. Y—delegation voted for it—I am preparing an article on this matter & would be glad to hear from you, not of course to be used, except in my own name—I see the nullifiers both in this State & So. Carolina voted against it—the opposition are arranging matters so well that I fear they may gain a majority in our branch of the Legislature—tho' I think we shall be able to defeat them in the Senate & I hope in the other branch—Graham<sup>28</sup> I hear in his public addresses speaks in the highest terms of you—says he has seen less disposition in you to intrigue & electioneer for the presidency than any of yr—competitors—and tho' he may do this to aid himself still it is of advantage—I have no great hopes in Newlands<sup>29</sup> de-

21 Josiah Crudup (Jan. 13, 1791-May 30, 1872), studied theology at Columbian University. After he was ordained he continued his services as a minister except during the two years when he was in Congress (Mar. 4, 1821-Mar. 3, 1823). *Biographical Directory of the American Congress, 1774-1927*, p. 866.

22 Micajah Thomas Hawkins (May 20, 1790-Dec. 22, 1858), farmer, soldier, and politician, was elected as a Democrat to fill the vacancy in Congress created by the resignation of Robert Potter, and served from December 15, 1831, to March 3, 1841. *Biographical Directory of the American Congress, 1774-1927*, p. 1077.

23 Jesse Speight (Sept. 22, 1795-May 1, 1847), was a member of Congress from March 4, 1829, to March 3, 1837. From North Carolina he moved to Mississippi and again became active in politics. *Biographical Directory of the American Congress, 1774-1927*, p. 1553.

24 Jesse A. Bynum (May 23, 1797-Sept. 23, 1868), was elected as a Democrat to Congress and served from March 4, 1833, until March 3, 1841. *Biographical Directory of the American Congress, 1774-1927*, p. 772.

25 For Thomas H. Hall, see footnote 5.

26 William Montgomery (Dec. 29, 1789-Nov. 27, 1844), practiced medicine at Albrights, North Carolina. He was a member of the North Carolina Senate, 1824-1827 and 1829-1834; served in the House of Representatives in Congress from March 4, 1835, to March 3, 1841; but declined to be a candidate for re-election. *Biographical Directory of the American Congress, 1774-1927*, p. 1325.

27 For Daniel Laurens Barringer see footnote 15.

28 James Graham (Jan. 7, 1793-Sept. 25, 1851), was elected as a Whig to the House of Representatives in Congress and served from Mar. 4, 1835, until March 29, 1836, when his seat was declared vacant; he was re-elected as a member of the same Congress and served from December 5, 1836, to March 3, 1843. *Biographical Directory of the American Congress, 1774-1927*, p. 1027.

29 David A. Newland represented Burke County in the House of Commons of North Carolina, 1825-1828. In 1832 he was a candidate for Congress against James Graham. The vote was nearly a tie, and Graham's seat was contested by him. Since the House of Representatives was unable to decide, the election was referred back to the voters and Graham was elected. Wheeler, John H., *Reminiscences of North Carolina*, pp. 93-94.

feating him—upon the whole, whilst things are not such as I could wish, they are far from being desperate—

I learn in So. Carolina a warm contest is going on between Hamilton<sup>30</sup> & Gov. Burnett for the Presidency of the newly created Bank—a son of Genl. Williams, who dined with me yesterday thinks the result doubtful—old Mr. Macon is still with me & tho' feeble is quite well—he takes a decided interest in the contest—speaks openly in your favor—and feels more strongly as to the result, than he has for years—He desires to be remembered to you—with his best wishes &c—

Sincerely

Ys—

I want much a parcel of those pamphlets  
To Hon Mr. Van Buren  
Washington city—

FROM ROMULUS M. SAUNDERS

Raleigh August 25— 1835

My dear Sir

Our elections are over and we have full returns—For Congress we have lost Dr. Hall—and gained Dr. Montgomery—Pettigrew<sup>31</sup> is a gentleman—Barringer is a mischievous rascal—so in the end we have gained—one or both of the Shepards might have been beaten<sup>32</sup>—Graham has beaten Genl. Newland by only 18 voted—This was owing to a third candidate who said, he was not satisfied with Newland & declared himself for you—he received in his county 200 votes & thus defeated Newland—They stand 6 for 7 ag<sup>t</sup>—us<sup>33</sup>—For the Legislature, we have been more unsuccessful—

<sup>30</sup> James Hamilton supported Jackson from 1825 to 1829, then he became the recognized leader of nullification in South Carolina. Upon his election as governor in 1830, he established nullification clubs over that state. *Dictionary of American Biography*, VIII, 187-188.

<sup>31</sup> Ebenezer Pettigrew (Mar. 10, 1785-July 8, 1848), was a member of the state senate from 1809 to 1810; was elected as a Whig to the House of Representatives in Congress; and served from March 4, 1835, to March 3, 1837. *Biographical Directory of the American Congress, 1774-1927*, p. 1405.

<sup>32</sup> William B. Shepard represented the first congressional district of North Carolina in Congress from March 4, 1829, to March 3, 1837. *Biographical Directory of the American Congress, 1774-1927*, p. 1517.

Augustus Henry Shepperd was elected as a Jacksonian Democrat to Congress in 1826. He served from March 4, 1827, to March 3, 1839. He was an unsuccessful candidate for re-election but was elected as a Whig to the twenty-seventh Congress. *Biographical Directory of the American Congress, 1774-1927*, p. 1517.

<sup>33</sup> The following men were elected from North Carolina to serve in the House of Representatives:

- 1st District, William B. Shephard, Whig.
- 2nd " Jesse A. Bynum, Republican.
- 3rd " Ebenezer Pettigrew, Whig.
- 4th " Jesse Speight, Republican.
- 5th " James J. McKay, Republican.
- 6th " Micajah T. Hawkins, Republican.
- 7th " Edward Deberry, Whig.
- 8th " William Montgomery, Republican.
- 9th " Augustus H. Shepperd, Whig.
- 10th " Abram Rencher, Whig.
- 11th " Henry W. Connor, Republican.
- 12th " James Graham, Whig.
- 13th " Lewis Williams, Whig.

*Raleigh Standard*, August 27, 1835.

In the Senate there are 65 Members & we have 36 to 29—The Commons consists of 137—we have 74—they 63—upon all political questions the administration party will be still stronger They dare not attempt a repeal of the instructions to Mr. Mangum—and I doubt the policy of our making any move about them—I have endeavored to form as accurate a calculation as the elections in the different Counties would enable me I make a majority for Van Buren over Webster of about 5000—

There is some feeling in regard to the recent developments of the abolitionist—and so decided & united are our people, that the opposition may gain something in that way—I think it not unlikely that our Gov—who is a nullifier—tho' at heart for Webster—will make some recommendation on the subject—such as passing a more penal law against the circulation of pamphlets & make a call on the nonslave holding states also to pass some law against their printing R—such a law in New York should have a most favourable result—but it should not be undertaken without a certainty of success—

Altho' it might be gratifying to our friends to have Judge Ruffin<sup>34</sup> upon the Supreme Court Bench, yet we all here expect Mr. Taney's<sup>35</sup> nomination & will no doubt be satisfied with it—I shall return to Washington the 1. Oct<sup>r</sup>. by which time I presume you will have gotten back—

Yrs. sincerely

To Martin Van Buren Esq.

Hon. Mr. Van Buren

FROM NATHANIEL MACON

Buck Spring 24 Jan'y 1836

Sir

Ten days past, I received the enclosed, but nothing with it, I have waited till now, in the expectation, that the picture mentioned under the direction would come to hand: I believe you know, that I am no admirer of pictures, this however will be received with pleasure, & presented to my oldest great grandson whose name is Van Buren Martin. Will you be so kind as to inform Mr. Bragg of the fact, that the picture has not come to hand, it is probable that it may in Petersburg, & may be forwarded: Return the letter

I am Sir

Y<sup>r</sup>. obt. Sev<sup>t</sup> & friend

N B. I did not know, that I written, on a tore sheet till I was about to fold it

<sup>34</sup> Thomas Ruffin (Nov. 17, 1787-Jan. 15, 1870), graduated from Princeton in 1805. He supported Jackson and his administration. In 1835 he became Chief Justice of North Carolina and served until 1852 when he resigned. In the opinion of Justice Walter Clark, Ruffin was the "greatest judge who ever sat upon the bench in North Carolina." Ashe, Samuel A., ed., *Biographical History of North Carolina*, V, 350-359.

<sup>35</sup> Roger B. Taney succeeded John Marshall as Chief Justice of the Supreme Court of the United States.

FROM BEDFORD BROWN

Caswell, N. C. 11<sup>th</sup> October 1836

I have been intending, My dear friend, to write you for some time past, as to the respect of political affairs, in our State, but I have been, so much occupied, for some weeks, preceeding this, that I may say with entire truth, that almost constant engagement, has prevented me. The unexpected and somewhat disasterous result, of our election for governor, in August, made it necessary for our friends, to adopt the most active and efficient means, to bring our party *into position*, again, for the greatly more important conflict, in November next, I hope the result, in August, though in some respects, as I have said, disasterous, is not irreparably so, It necessarily had the effect, *at first*, to discourage, to some extent, our friends and to inspire the coalition with more confidence. I think, we have in a great degree, overcome the difficulty, of momentary despondency, among our friends, and whatever the result, may be in November, I am confident, that the democratic party, in N. Carolina, have never met their adversaries, in a finer spirit or a more determined one, than they will, at the coming election. I have written, to many of my friends, in the State, to animate them, in the struggle and to urge them, to the most vigorous measures. Their replies, many of them, are cheering, and more especially, from the West which contributed, so much, to Governor Spaight's<sup>36</sup> defeat. If we had any press, in that region, victory would be certain, but it literally overshadowed by the darkness of error, spread abroad by a number of Village opposition presses. I have been for the last week or two sending copies of my address, delivered at Milton, in that quarter, which I designed, specially for that purpose. Our Central Committee have also published an address, that I think very well written and will have a good effect. Its respects, the election for governor, *it was not a test*, as to public opinion, on the presidency, unless, I am much deceived by many of the most intelligent and respectable men, in this State. The remarks which you have probably seen, in some of our Democratic papers, as to the *local* objections to Spaight are undoubtedly true, but at the same time, it cannot be disguised that other causes, such, as the Slave question, the Land Bill, the surplus revenue, and the election, in Graham's district, all contributed, to weaken our strength, The latter cause, more especially, injured it, by the gross falsehoods, spread abroad, through the whole State, as to the contested election and the motives of those, who voted against Graham's retaining, his seat. The Land Bill and the distribution of the surplus revenue, have been operating for some time, prejudicially, to our cause, its regards the Slave question, I think the public mind, is becoming rapidly disabused of the gross frauds, sought to be practiced on it by the opposition.

Without pretending, to go into a detailed account, of the politics of

<sup>36</sup> Richard Dobbs Spaight (1796-May 2, 1850), was born in New Bern, North Carolina, was a member of the state legislature, was a member of Congress, and was governor of the State, 1835-1837. *Biographical Directory of the American Congress, 1774-1927*, p. 1550.

our State, I have merely *touched*, some of the leading causes, which led to the revolt in August.

I will now say, candidly, that I have good hopes, of a successful issue, in November. One thing is, certain, that our party, has, at this time, the most admirable spirit, and will go to the contest, without that sanguine expectation, of success, which often proves fatal, by too much supposed security, and, at the same time, without that despondence, which, discourages exertion.

If Conner's<sup>37</sup> impressions communicated in a letter, to me, a few days since, turns out to be true, as regards the vote of the Western part of our State, we shall undoubtedly, beat them, though, I fear he is too sanguine. His district borders on the three largest Western opposition Districts, and his opportunities for correct information, are good.

In letters, from Messrs. Rives and Ritchie I hear good tidings, from Virginia. They both think, you will get the vote of that State, though not without, much effort, by the friends of our party. In a few days we shall get intelligence from Georgia and Pennsylvania. If they, elect Members of Congress, in our favour, the influence will be fine and the battle in a great degree won.

With all best wishes, for a triumphant victory, in November, I remain

My dear Sir, truly  
and sincerely, Your  
friend,

FROM NATHANIEL MACON

Buck Spring 1 Jany 1837

Sir

On the 17 ultimo, being my birthday, I received your kind & friendly note, covering the message of the President to Congress, which message has my approbation; The U. S. constitution was made for hard money, all paper or rag money is the same, whether called bank bills or paper money, it is too easy made & a part of all people are willing to have it, because it is as easy got as made, though not worth much it will pay debts—I had written this much, before I recollected that I was writing to one engaged in political business. You must pardon it, & believe, that the sentiments of respect & regard, which you have expressed are perfectly reciprocated by

Yr. friend

Grove Hill. Warren County. is the nearest post office to me—  
The Vice President

<sup>37</sup> Henry W. Connor (Aug. 5, 1793-Jan. 6, 1866), farmer, soldier, and statesman, was born in Prince George County, Virginia; was elected as a Democrat to Congress; and served from March 4, 1821, to March 3, 1841. *Biographical Directory of the American Congress, 1774-1927*, p. 841.

FROM NATHANIEL MACON

Warren County June 18 1837

Sir

This will be handed you by My kinsman Mr. Joseph Seawell<sup>88</sup> Jones who I am anxious should make your acquaintance. He has studied our history and is better acquainted with North Carolina than any body else. My life is fast giving away—and I know that I must soon die. I have great confidence in your republican character—and wish you a happy administration—

Most Respectfully

Your obedient Servant

Mr President Van Buren

FROM WILLIAM HAYWOOD, JR.

Raleigh 21 Nov 1837.

Hon. M. Van Buren

President of U S

Sir

Providence has assigned for you a singular destiny Let the principles you have avowed be sustained by the people—let the position you have taken be defended by the publick voice and the renown of your administration will be great. On the contrary if your enemies misled by deception or “force by *sufferings*” a reluctant people to abandon you in that position the honour of having occupied your position will still be as lasting as popular liberty. This is the deliberate conviction of my understanding and it is any thing but the studied language of compliment. Like you I have an abiding confidence in the virtue of the people of this free country—I do not believe they will desert you & betray themselves and if it should be otherwise for a season; the day is not distant when they will remember your *service* and do justice to your *patriotism*. I fear you are to be greatly embarrassed by the insidious movements of the mongrel party that has split off from the ranks of republicanism. I am far from denying to some of them sincerity of motive & honesty of purpose but their conduct has an insidious effect. A proper measure of fearlessness in doing right when Virginia sat up for herself at the Baltimore convention would have saved the party from this difficulty. But the truth (were it spoken) would fix upon this schism the stamp of Virginia’s selfishness. I say noth-

<sup>88</sup> Joseph Seawell Jones is better known as “Shocco Jones.” He was born near Shocco Springs in Warren County, North Carolina. In order to defend the State against Jefferson’s attack, he wrote the *Defense of North Carolina*, over which he fought a duel in defense of his native State. From North Carolina he went to Mississippi and associated with Sergeant S. Prentiss whom he introduced into Washington society. From Mississippi he went to Texas where he died a hermit. He was a graduate of Harvard. Creecy, R. B., *Grandfather’s Tales*, pp. 96-100; *Appleton’s Cyclopaedia*, III, 469.

ing of the history preceding the period of my own observation. She has presumed too much upon her ancient laurels, not recollecting that it is with states as with individuals a poor merit to have renowned & virtuous ancestors, whose virtues we do not practice & whose renown we heighten by contrast only—Pardon me when I add that I know your partialities to the commonwealth—& do justice to my candour when I confess that her course has excited my prejudices—But when did Virginia give a permanent & efficient aid to any administration that was not a Virginia adm.n? Her statesmen were for & against your predecessor—Her legislature was not half opposed to Nullification & yet not more than half the friend of So. Carolina—There is something peculiarly appropriate in her proud title ancient *Dominion*—for verily it must be her *Dominion* else she is restless in her support—if not bitter in her opposition. Whence is it that against her former principles and contrary to her ancient faith her leading men are now advocating the State Bank system: Experience has at all events never increased the claims of that system upon the support of republicans—Grant that the “Experiment has not failed” yet it must be granted to us that it has not *succeeded*. Look at the condition of Virg<sup>a</sup> Banks! Mark the alacrity with which her legislature was convened for the purpose of giving a relief—law to the Banks! and recurring to the habitual selfishness of her political course we cannot fail to perceive that Virg<sup>a</sup>. is in favor of the State Bank-system—simply because *her state Banks need the patronage of the nation.* & Virg<sup>a</sup>. expects the U. S. to act as Virg<sup>a</sup> & Virg<sup>a</sup> interest require. What a ridiculous figure is exhibited in the unforgotten picture of Virg<sup>a</sup>. Bank resolves against the Directors entering into compact with Secy. of Treasry. but a few years ago! How much more than ridiculous is Virginias attitude in respect to Deposites—Depoite-warrants—& her present clamors for connecting the Banks & the National Govern<sup>t</sup>.!! In the law which her legislature passed for accepting the Deposites, whilst the love of self was too strong to reject the Boom—she churlishly *protested* against the law and the commentary is found in her subsequent *protesting* the warrants of the Treasury in order to sell them to the B<sup>k</sup> of U. S. for a profit! Had, No Car: acted a part so unworthy of herself I should say of her as I now think of the *old Dominion* “she is sold to her Idols. & her Idols are the creatures of her own hands.” Much sooner would I have voted to sell her mutilated Statue of Washington for the price of her profits than have sanctioned such an act—I think there is more of the spirit of Wall Street than of ’76 in this transaction. And very little of the spirit that is requisite to sustain you in the great battle that is now waging. This is *conservatism!* A notion that as it has nothing else to commend it has very wisely appropriated a good name to itself to escape the doom it merits—I see you smile at me and if some of our good Virginia friends chanced to know how freely I painted *in truth’s* colors the vascillation—selfishness—& . . . but no matter—I thank heaven that there are no *such conservatives* in No Carolina—When we abandon the standard of our friends we

will at least go over like men & take our position with the enemy—I can assure you that I have made diligent enquiries and if there is a single man in the State who follows this new *Standard* of “Conservatism” I cannot learn his name or his habitation.—

I never speak more confidently on such subjects than I have just reason to feel, & every one who knows any thing of No. Caro: politics knows that it is impossible to collect publick sentiment so as to be sure of the sentiments of our people before they speak for themselves—I entertain fears that the State Right’s party have not come out for the Sub. Treasury so generally as had been expected The Federal party make the strength of the opposition in this State but its life & activity have been derived for some years from the Nullifiers—The latter will be softened & are divided and this will aid any arrangement of our Congress—men to produce concert and secure a triumph next August I have however already intimated to them that activity and zeal are *necessary*.—It would afford me great pleasure to say that our State is certain in her support of her people’s principles but I do not feel authorized to do it—and if the opposition were equally scrupulous they would occupy the same Box—The people are republican—the Federalits are active and zealous . . . No one can foresee the result—

I do not know what are your views in respect to the course which ought to be pursued about the 4<sup>th</sup> Instalment of Deposites—I wish to suggest to your consideration a few things that have occured to me—If they are worth hearing you will weigh them—if not you will pardon me—I attach very great consequence to this subject in its bearing on the Elections—

1. Congress passed the Deposite Act & Genl I approved it—
2. The present Congress deliberately *suspended* 4<sup>th</sup> . . . Instalment & by this action repudiated the idea of *total* suspension
3. You have approved this act.—

The opposition will take benefit from it as fully as if it were a total repeal—considerations which I need not repeat to you will make this a powerful instrumnt in some states (otherwise favorable to *republican party*) for deceiving and prejudicing the people. Indeed whether the original act was right or wrong it is far from being clear that Congress ought (except from necessity) to embarrass the States about legislation which that act *invited*—at least *produced*—The publick man of the States who voted for these state laws will justify themselves on the plea that the money was given without asking—& they will shift the odium of necessary taxation to keep up the credit of the States from their shoulders to those of the adm<sup>n</sup>. party in Congress. Could it be wrong in any sense that the President shall in his message to the coming session recommend Congress to pursue such a course of economy &c as may put it in his power to fulfill the law in Jan'y 1839? Thereby those clamors are silenced—the States are at once assured of the designs of the Adm<sup>n</sup>.—your friends

in State contests are strengthened instead of being crippled—and other beneficial results will grow out of it which I need not suggest to one who is much better informed on this & every other subject of the kind. In this State we need such aid as little as in any other—We are not at all embarrassed by the suspension & never do I detect the slightest selfishness in pressing this topick—Do not misunderstand me—I seek no abandonment of principle—The Congress of U. S. has twice sanctioned the principle—It is uncertainty which makes the subject dangerous to our politics, & if my views do not meet approbation is due to the States that they shall be *assured at once* whether the adm<sup>n</sup>. is resolved to recommend & pursue a course calculated to assure the execution of the Deposite-law. I think it is emphatically their interest. I doubt not it is their duty to do it. Or else to propose & insist at once upon a total repeal of it.

I judge of other people by ours in this State (& think I do them no injustice by it) and sure I am that the reckless efforts of the Federal party would effectually destroy our strength in No Caro. if we had improvidently legislated as some other State have, & no assurance (affirmatively) were given of the purpose of the Adm<sup>n</sup>. to delay no longer than 1<sup>st</sup>. Jan'y 1839

I have not the opportunity to go into a consideration of the means by which this might be effected beneficially if indeed such would not seem to be an effort of verity however well meaning. I submit it to your good judgment & undoubted patriotism. For myself I must repeat that I have regarded it as a very important step—calculated to ensure the stability of those States that are not infected beyond hope of cure by the blighting influence of Banks & Bank Interests—

I think it not unworthy of consideration how far it might be expedient to refer your executive recommendation for *Sub-Treasury* to a *Select Committee* at the next Congress-Session. The Committee on Ways & Means have already acted upon it—They endeavored to force the fine issue between Ban—& Gov<sup>t</sup>. Treasury! By the skill & dishonesty of the opposition this issue was avoided. It is confessedly important to bring the issue speedily & plainly before the people. Might it not be better therefore to have the subject referred to a select Committee and let *the Speaker give the opposition a decided majority in that Committee* & thereby oblige them to bring forward a proposition for Bank or else report against your recommendation & offer no substitute. Thus you will obtain a *direct vote*. There does not appear to me any escape for them under this arrangement & in every point of view it seems best. If the Adm<sup>n</sup>. party can keep their purposed secret & procure from the opposition such a motion & then pass it for them I feel assured it will put them in position whence they cannot escape without either proposing their *panacea a Bank* or else incur the odium of the whole country by retreating to the non-committal policy.

Moreover this must & will force back to their true position the honest part of the Virg<sup>a</sup>. schismatics—and oblige the dishonest ones to play the part of men & exhibit their colors to the people.

But Sir I find that I am writing a letter almost as long and quite as tedious as a speech in Congress. It is the first time in my life that I ever ventured to write a political letter—You will recollect perhaps that you invited me to this trespass on your time by the courteous assurance that you “would be pleased to hear of me” And believing that one who occupies your station might not be unwilling to be troubled with the plain thoughts of a blunt plain man who aspires not to the station & character of a politician and yet feels an ardent wish to see your administration succeed in all things for the welfare of our Country I have stolen an hour from the labors of my profession—and forgetting the elevated station you fill have frankly written to *him* who occupies it (by your leave) with the freedom of a friend “*currente calamo*” If I have said any thing worth reading I shall be gratified at having so far served you—if I have not then I am contented with knowing that at least I have afforded to you the gratification of a *surprise* at receiving such a long letter from me.

I almost detect verity myself in the request yet I must venture to ask the favor of you to treat my letter as a *confidential* one.

If I have not adopted the studied phrases of a complaint & the more approved form of “his Excellency” and the like be assured that it is because the plainness of my address seemed better suited to the crude remarks I have ventured to submit and not because I do not feel a respect for you & your station perhaps higher than that which many others do who are better courtiers but not more sincere friends than I am when I subscribe myself

Yours most respects

FROM WILLIAM H. HAYWOOD, JR.

Raleigh 16 Dec 1837.

The Hon: M. Van Buren  
Pres<sup>t</sup> of U. S.

Sir

I have had the honour to receive your last Message accompanied with a short note from you expressing the “hope that it may find favor in my eyes”—I take the earliest opportunity to assure you that it has filled your friends here with a degree of enthusiasm and confounded your enemies so that even the malice of political rancour has scarcely found alimant for its support. I might undertake to give conjectures of the probable feelings and opinions of this State but they would be conjectures only. Such as you can form yourself by the known character of our State & the republican habits of our people. Others more sanguine than I can do estimate results with bolder confidence but I believe it is one of the peculiarities of No Caro: that her people seldom decide one question when they are voting upon another. It cannot be known therefore have we stand affected to the great question of an “Independent Treasury system” till it is brought directly before the voters of the State. I regard it as an omen favourable to the

cause that Warren County has taken a stand free from the frammels of Virginia influence—Virginia politicians must follow—not lead. And I think they would have fared better for some years if they had been humble enough to practise the habit. From the first your friends in this State have not halted at the result of State Elections in other States. It has been our habit to *do* as New York has done—to elect *State* officers on *State* politics—National officers on National politics. So far as it affects the Adm<sup>n</sup>. in the South those elections are beneficial. The high southern excitement created here last Nov<sup>r</sup>. has scarcely settled down into sober thought—it is now directed against those who created it by its own volition and the Ferderalists have a fair chance to be buried in “the pit which they digged for others.”

I fear to speak out all I feel in reference to your message—it would give my letter the appearance of adulation—I must content myself by adding that all of it meets my most hearty approbation in manner & matter—unless it may be those parts referring to *publick lands*. On these I am strongly inclined to believe you are right. But I am not master of the subject & never thoroughly examined it and whilst I do not dissent I should be approving that I don't understand if I *positively approved*. The subject (as far as I have looked into it) has always seemed to me full of difficulty and one which cannot be comprehended by a slight investigation. The earliest period of my own political life was marked by the encounter of harsh abuse and bitter reproach for recording my *protest* against certain resolutions instructing our Senators to “vote against reducing or graduating the price of publick lands because it was contrary to the interests of the *Old States*.” I then took the position that the question was a National one & that it dishonored No. Caro: to require her Senators to confine their vision to *her* interests alone &c. I have not been driven from this position by the vilest calumny of Federal politicians and feel strengthened in it by your Message. But I repeat that my approval of your recommendations on these subjects would be nothing beyond the *applause of ignorance* and therefore alike unacceptable to you and unworthy of me—

Great interest. I may even say an intense anxiety is felt in our State to witness Mr. Calhoun's next movement—The substantial democracy—the real people of No Caro: I mean our intelligent plain planters have been thus far only startled into a *suspension* of their former *grudges*—They may resume their confidence in Mr C's political character or not according as he is next seen in this struggle. Never having been one of his admirers I have of course no correspondence with him. But he mistakes his true position greatly if he thinks it is possible to preserve the confidence of Southern Democrats after a cold withdrawal from the labor & responsibility of metering the details of the measures necessary for giving a safe & practical operation to the *principle* he has advocated—He is a *legislator*—These details are the proper & legitimate business of legislation—And his peculiar position will make him responsible above all others (in the eyes of the people) for unwise or ill formed laws.

The fears felt in the circle of Democrats here are these: 1. Let the plans be what they may we have to encounter the bitter assaults of a Bank-Despotism struggling to regain power (by the overthrow of this system) united with the forces of several *Factions* who are equally solicitous to make publick stations vacant that they may occupy them. Hence the extremest caution ought to be observed in the out-set. 2. The bill before last Session of Congress seems to contemplate making *all* the Revenue officers keepers and disbursers of publick money. The multitude of these increases the chance of default and many of them will do what they can to traduce the system & make it odious. It is thought by some therefore that an improvement would be made if all those officers paid over to *one* or *two* whose sole business it would be to *pay* to Gov<sup>t</sup>. Drafts—The latter might be selected from amongst those who had characters & talents not for book-keeping merely but also sufficient to make the correspondence to the head of their Bureau profitable—alike in suggesting means to improve and the real operations of the system proposed. Inferior intellects are unsuited to this duty They will bring no aid beyond mere book-keeping whilst they can be a very effectual hindrence to the system—Moreover the selection of such men would give confidence to the publick and thereby strengthen the system still further in its unavoidable conflict with the allied powers of Banks and political Factions. Should Congress adopt the special Deposite scheme it would seem indispensable to these offices. Put the money of the publick in Banks to be kept in Special Deposite & it would necessarily oblige the Govern<sup>t</sup>. to employ officers to see that they were not deceived—that the money was really kept as a *special* Deposite. If these officers were bare visitors temporarily chosed all experience proves that this duty will be performed very imperfectly & after a little while things will resume the old channel till some catastrophe rouses the nation to witness another prostrate credit—and prepares the way for Federalists and Bank triumph over the people & the Govern<sup>t</sup>. If these officers are to be mere hirlings or even no more than clerks they will be useless to the purpose of checking Banks—Honest Banks (if there be such) will not require it—Dishonest ones will only cheat his vigilance or tempt him if not to do wrong at least not to do the things he ought to do.

The expense is not forgotten—On this subject they dishonour the people who think they will disapprove the necessary expense for whatever system is thought to be most perfect—This is true economy—And shall it be assured that the people are averse to an expenditure of a few thousand Dollars to shield them and to protect our free institutions from the machinations of a foe at once subtle & dangerous. As for patronage it is infinitely less than the power to convert every officer of the revenue into a keeper & disburser of publick money—to be changed into the single character of receiver and again restored to double duty at pleasure of the Sec<sup>y</sup>. of Treas<sup>y</sup>.

3 Again it has been suggested that this system might set out more securely if it were organized in a manner to separate the money or business

of the people from politics of the day. And that this might be effected through the organization of Departments auxiliary to the Treasury & wholly dependent on the Sec<sup>y</sup>.;—created for the purpose & charged with no other duty and thereby enabling the Govern<sup>t</sup>. to command the undivided labor of some eminent Financier for making and setting into operation this *great principle*—These are all probably very useless suggestions as they certainly are the crude thoughts of a plain Citizen—But if they are worthy of it I know they will command your notice—Sometimes one who does not aspire to be consellor may in his frank conversation strike out notions which a Statesman of ability & experience like you may find useful and turn to a profitable account. The dull coarse labors of—meaner intellects are required to excavate the stone which a sculptor polishes and fashions into a Statue of surprizing beauty—Believe me Sir it is no vain conceit that has led me to indulge in this strain—But a sincere desire to speak the truth to one who I think values it and will not feel humbled at hearing it because a free-man dares suggest—not a plan for his adoption but hints for his mind to enlarge and bring to form if they are susceptible of a practical use. Be assured of one thing that I write you thus without any intention of being dissatisfied because they are not approved—& if otherwise I shall be more gratified at having served the cause that called them from me than I should be honoured at knowing that my hasty letter was not consigned to the place where it must be that many such are deposited—A *place for rubbish*. I have not one sentiment of pride to be hurt for the rejection of these suggestions. If they do “find favor in your eyes” the motive which prompts them will vindicate me at the tribunal of your heart for uttering them against the suspicion of censoriousness or the imputation of verity—

I am with hight respect your friend

P. S. I have rec'd a letter from an admirer of Mr. Calhoun's which I have answered today—since I write the foregoing & have taken the liberty to say in my answer the same thing of Mr. C. that I have said herein—except that I have said nothing of the particulars plan I have heard suggested for a change of the details of the Treas'y Bill—The letter to me was written for the purpose of getting my opinion on Independent Treas<sup>y</sup>. system suggesting that they were *doubted at Washington*.

FROM WELDON N. EDWARDS<sup>39</sup>

Poplar Mount—near Warrenton—N. C

23<sup>d</sup>. Dec<sup>r</sup>. 1837.

My dear Sir

In thanking you for your kind remembrance in sending me the Presi-

<sup>39</sup> “W. N. Edwards,” as he signed himself, (Jan. 25, 1788-Nov. 18, 1873), was a member of the North Carolina legislature; served in Congress; and was elected to the state constitutional conventions of both 1835 and 1861, serving as president of the latter. *Biographical Directory of the American Congress, 1774-1927*, p. 937.

dent's message, which I had the pleasure to receive by last Monday's mail—I hope to be excused for expressing the high gratification its perusal afforded—and my entire approbation of all its principles. With that portion, in which is renamed the recommendation of the independent Treasury System, I am especially gratified. Without the Federal Government be allowed the exclusive and independent controul of its own resources—if it be made to consult state institutions (in which many states themselves are co-partners) and, of course, state legislation too, for its means of support, fearful embarrassments and an imbecility dangerous to its very existence must be the consequence.

The issue fairly presented by the message to the Country is, in my opinion, better calculated than any other to test the capacity of the people for self-government. Should they surrender the principle—which constitutes the very essence of free government, “that those to whom we entrusted the custody and management of the people's concerns and interests should be agents chosen by themselves or their organs—and subjected to the strictest accountability,” our sheet-anchor of safety is gone forever,—and my faith in the stability of our institutions will endure no longer. The Democracy of N. Carolina is not prepared for this. If I do not mistake their true character, they anxiously desire and will cordially support an entire disconnection of the fiscal concerns of government from all corporate and individual interests. They are not (at least hereabouts) at all dispirited by the late demonstrations in N. York—but rather see in them fresh motives for increased vigilance and activity. They will not abandon the best of causes, without duly estimating the cost and the sacrifice.

It seems to me the only effect of the plan of *Special Deposites* will be to furnish a pretext for Seceders to “backout.” I can see no merit in it except as a cover to the retreat of such malcontents as have gone over to the opposition. For with it will be continued much of the liability to the present distempered state of things—and from it but few of the benefits promised by a thorough seperation can be expected to be derived. Concessions, indeed! 'Tis passing strange, that a few disaffected should arrogate the right to claim that the many shall succumb. A spirit of dictation can ask no more.—

The people of N. C. are meek and unassuming & desire nothing more than that their government, State & Federal, shall be administered upon truly democratic principles. They need nothing but information to make them conform their acts to that desire. Deception can alone conquer them—and altho' the times are fruitful of expedients to that end, I have well grounded hopes that they will prove too intelligent and virtuous for the most artfully contrived machinations. It is true in the Editorial corps—we are greatly out numbered and, I fear, lack ability. But with only ordinary prudence—and a proper improvement of “the Talents” we have—the press speaking out—nothing fearing—the friends of Democracy will

have no cause to dread the result of our next summer elections. We go to secure a majority in the next Legislature—calculating that success in that regard will render our *after-work* very easy.

It will give me very great pleasure to hear from you—whenever leisure and occasion permit.

Pardon the freedom with which I write—and accept, if you please, disinterested assurances of my undiminished confidence, and of the perfect Regard & Esteem,

With which I am, much & truly

Y<sup>s</sup>.

FROM HENRY FITTS, SENIOR, AND OTHERS

Warrenton N. C. 4<sup>th</sup> March 1839

Sir

A portion of your fellow-Citizens in this County having understood that it was your intention to visit the South in the course of the spring—and that you would probably pass through their neighborhood; and being desirous of testifying their respect for the Chief Magistrate of the union—and their approbation of his eminently useful public services, have appointed us a Committee to invite you to partake of a public dinner at Mr<sup>s</sup>. Bellamy's<sup>40</sup> in the town of Warrenton on such day as may best comport with your convenience and arrangements—and to assure you of the great pleasure your sojourn among them long enough for that purpose would afford.

We should not do justice to our feelings—or the feelings of those we represent, did we not avail ourselves of the occasion to express their and our high admiration of the strict impartiality and patriotic devotion to the principles of the Constitution which have characterized your administration. In reviewing the measures and policy of the Government since you have been called to the Executive chair, we have the proud and cheering gratification of seeing exemplified the Statesman whose comprehensive patriotism and exalted views of public duty point to the guardianship and protection of every interest in every portion of our common Country—and who in administering the powers confided to the General Government, has made it the cardinal feature in his policy to extend the broad aegis of the Constitution every where—comprehending the good of the whole union and cautiously avoiding all undue sectional preferences—at the same time carefully abstaining from interference with, or invasion of the sovereignty and rights of the States—but leaving their internal police and domestic institutions where the Constitution left them, under the fostering care of the *reserved powers* of the States themselves.

We hail you then as the President of the *whole union*—and the faithful

<sup>40</sup> Mrs. Ann M. Bellamy was proprietress of the famous Bellamy Hotel, Warrenton, North Carolina, burned in a fire of June 21, 1881. Montgomery, Lizzie Wilson, *Sketches of Old Warrenton, North Carolina*, pp. 68-69, 97.

Centinel of *the States*, under whose patriotic and vigilant guidance the highest aspirations of every lover of the public liberty may be hoped to be realized.

We would be pleased to hear from you, at your leisure, on what day it would suit your convenience to participate in the proposed festival—and are

Very respectfully

Y<sup>r</sup>. fellow Citizens

Henry Fitts Sen<sup>r</sup>

P. C. Pope

W<sup>m</sup>. K. Keavney

W. H. Edwards

G. C. Baskerville

D. Turner

Jn<sup>o</sup>. Daly

Sam<sup>l</sup>. Williams

W<sup>m</sup>. Eaton Jr.

Thomas T. Twitty

John H. Hawkins

Step. Davis

L. F. Browne

Ed. Alston

Alex. Hall

W. Milam

J. B. Hawkins

O. D. Fills

John P. Nicholson

[*To be concluded*]

## BOOK REVIEWS

PUBLIC PAPERS AND LETTERS OF OLIVER MAX GARDNER, GOVERNOR OF NORTH CAROLINA, 1929-1933. Compiled by Edwin Gill; edited by D. L. Corbitt. (Raleigh: Council of State. 1937. Pp. lxiii, 788.)

The North Carolina Council of State and the Historical Commission are rendering a real service in publishing the public papers and letters of successive governors of North Carolina. The present volume is similar in format and organization to the letter books of Governors Morrison and McLean, likewise edited by Mr. D. L. Corbitt and published in 1927 and 1931, respectively. The papers are classified according to their nature—"Messages to the General Assembly," "Public Addresses," "Letters and Telegrams," etc.—and then are subdivided chronologically into the four years of the Gardner administration. The book also contains a forty-six page biographical sketch of Governor Gardner written by Commissioner of Revenue Allen Jay Maxwell.

Oliver Max Gardner was born in Shelby, North Carolina, March 22, 1882, the twelfth child of Dr. and Mrs. Oliver Perry Gardner. By the age of fifteen he had lost both parents and was left with little in the way of material inheritance. Upon graduation from Shelby High School, however, he won a competitive scholarship and entered the North Carolina Agricultural and Mechanical College in January, 1900. He was graduated with a B. S. degree in 1903 and was appointed instructor in chemistry in his Alma Mater. For two years he served in this capacity and at the same time studied law under the tutelage of Dr. Richard H. Battle of Raleigh. After a period of legal training in the University of North Carolina, he began the practice of law in Shelby in January, 1907.

O. Max Gardner's political career commenced with his appointment as state organizer of Young Men's Democratic Clubs in 1908. Henceforth, his rise in political circles was rapid. He served two terms in the state Senate and, in 1916, was elected lieutenant governor. In 1920 Gardner sought the Democratic nomination for governor but lost the primary race to Cameron Morrison. Eight years later he received the coveted

nomination without opposition. Though North Carolina in 1928 renounced the Democratic presidential nominee, Alfred E. Smith, Gardner was elected governor by a majority of more than 70,000.

In his inaugural address, delivered January 11, 1929, Governor Gardner sounded a liberal note, and his promises were promptly translated into action. He recommended to the General Assembly of 1929 the enactment of a secret ballot law and a workmen's compensation law. He also proposed that the State render additional financial aid to the poorer counties in the maintenance of public schools and roads. He was aware, however, of the large bonded indebtedness of the State, and cautioned the legislators to "have a care for the taxpayer."

There were early indications that the Gardner administration was destined to be a stormy one. In the autumn of 1929 serious labor disturbances broke out in the textile mills of Gastonia, High Point, Marion, and Rockingham. The governor sought to pursue a middle-of-the-road course between capital and labor, strictly enforcing the law and, at the same time, using his personal influence to effect a settlement of the strikes by means of conferences.

More serious troubles of a different nature were soon to follow. North Carolina, like the other American states, was plunged into the depths of the "Great Depression." The governor and other state officials had to battle the crisis for more than three years without any real federal aid. But Gardner was not swept off his feet. He rejected the idea of crop control by state legislation but strongly urged North Carolina farmers to raise food and feedstuffs along with market crops. This doctrine of individual self-reliance was spread by the proclamation of a "live-at-home week," by radio addresses, through the press, and through an essay contest open to public school children of both races.

As for public finances, it was apparent that retrenchment was necessary. The collection of taxes fell far below the estimates. Some economies were instituted in 1930, but it remained for the General Assembly of 1931 to do the major work of reorganization. Governor Gardner recommended a ten

per cent reduction in the salaries of state employees and a program of centralization which would enable the State to take over several of the functions formerly performed by the counties. The financial condition of many of the counties seemed to necessitate such a step. Accordingly, the General Assembly enacted legislation which placed upon the State full responsibility for the maintenance of all public roads and schools.

In the interest of efficiency and economy, the State Highway Department, Board of Agriculture, Department of Labor, Corporation Commission, Banking Division, and Board of Health were reorganized. Also, the University of North Carolina (Chapel Hill), North Carolina State College (Raleigh), and North Carolina College for Women (Greensboro) were consolidated under one president and board of trustees into a single institution to be called the University of North Carolina. Governor Gardner recognized the continued seriousness of the depression but was able to say after the 1931 session of the General Assembly: "We have put our house in order."

Of the papers of O. Max Gardner, those which reveal the formulation of his policies as a "depression" governor are probably of greatest interest to the historian. But there are many others touching a variety of subjects too numerous to mention. They range all the way from a tribute to the country doctor to an invitation to the Prince of Wales to visit North Carolina.

The biographical sketch of Governor Gardner is frankly laudatory. No attempt is made to analyze the policies of his administration in a critical light. Mr. Maxwell, however, writes with clarity and understanding concerning the financial problems which confronted the State during the trying years from 1929 to 1933. The editorial work of Mr. Corbitt is quite well done. The organization of the material seems logical, occasional footnotes help clarify the text, and the index is good.

WILLIAM ALEXANDER MABRY.

DUKE UNIVERSITY,  
DURHAM, N. C.

JOHN CARLISLE KILGO, PRESIDENT OF TRINITY COLLEGE, 1894-1910. By Paul Neff Garber. (Durham, N. C.: Duke University Press. 1937. Pp. xi, 412. \$3.00.)

John Carlisle Kilgo, president of Trinity College from 1894 to 1910, played an important rôle in the educational progress of the New South. During his presidency of sixteen years, confidence in Trinity College was restored, academic standards were raised, Trinity Park School was established, co-education was encouraged, library and laboratory facilities were greatly increased, the Law School was begun, a department of education was organized, intercollegiate football was abolished, liberal benefactions were obtained from the Duke family, religious and moral factors in education were stressed, and the institution obtained national recognition for the championship of academic freedom. Kilgo's contributions were made during a period of controversy in North Carolina, when the State was witnessing a struggle between the defenders of the *status quo* in political, economic, and social life on the one hand and the champions of the New South on the other hand. Kilgo did not believe that educational institutions should be isolated from the forces of society, and he was not afraid to take a definite stand on controversial problems for fear of adverse criticism.

He refused to allow Trinity College to adopt a spirit of intolerance in order to cater to public sentiment and his championship of academic freedom, which culminated in the famous Bassett episode in 1903, affected the future of higher education in the South.

Kilgo served as a preacher in the South Carolina Conference from 1882 to 1888 and became widely known for his pulpit oratory. As financial agent of Wofford College from 1888 to 1894, he succeeded in doubling the endowment of that institution. When he assumed the presidency of Trinity in 1894, he found the college in a pathetic condition, due to financial difficulties, faculty dissensions, and the lack of interest on the part of North Carolina Methodists in their college. But Kilgo was a fighter and he set out to make Trinity a great educational institution. He believed that the great need of the South was Christian education and he became the champion

of it as opposed to state education. He agreed with Mr. J. W. Bailey (now United States Senator) and other advocates of denominational education that if North Carolina had funds to appropriate for educational purposes, the development of a better public school system should be given first consideration rather than higher education. He did not believe that it was just to the church "to tax its members to carry on an educational work to the injury of the Church colleges, or to put the State colleges in unfair competition with the Church colleges," and he thought that it was "out of harmony with the principles of our government and morally wrong for the State to undertake to furnish free higher education to the few at the expense of the many."

Kilgo believed that education should be qualitative and not quantitative. He not only refused to lower standards and offer free tuition in order to secure a large student body, but he was always skeptical about a rapid increase in enrollment. He built up a strong faculty and insisted that each professor be a specialist in his own department. He opposed the founding of professional schools until strong undergraduate departments had been developed, and the law school was the only professional department established during his administration. He thought that the entrance requirements of all Southern institutions were too low and he succeeded in raising these standards for his own institution. The report of the Carnegie Foundation for the Advancement of Teaching, in 1906, rated the admission requirements of Trinity College as being higher than those of any other Southern institution except Vanderbilt University.

At a time when professionalism was rife in Southern colleges, Kilgo became the outspoken enemy of such practices. He said: "To impose on the public a professional player in the role of an amateur player is nothing short of falsehood. To boast victories gained by such misrepresentation is to inculcate into the mind of youth methods which in the end must be ruinous. . . . It leads to dishonorable methods in securing players who wish to sell their sporting ability." Intercollegiate football was abolished at Trinity in 1895, and the next year Kilgo reported to the Board of Trustees that the literary zeal

of the college had advanced to a very gratifying degree, and suggested that one of the causes was that the students were free of the demoralizing effects of over-strained athletics. He said further: "Trinity cannot waste time and money at such sports. They are students, not professional athletes."

Kilgo never allowed the constituency of Trinity College to forget that a large amount of money was required to maintain a modern educational institution. When he assumed the presidency of the college, it was common rumor that Washington Duke would give no further financial aid to the institution. But Kilgo was not discouraged. He became an intimate friend of the elder Duke, and it was not long before the Duke family was making large benefactions to the college. There was much criticism of Kilgo for accepting "blood money" from the Dukes at the time when the Methodist Church was severely condemning the use of cigarettes. Kilgo was not afraid to meet the issue, however. He said that if tobacco was an evil, it was so in any form; that if it was sinful to manufacture cigarettes, then it was a sin to grow tobacco. He insisted that if it was wrong for Trinity College to take money made from the manufacture of cigarettes, then no preacher should accept on his salary any funds donated by a person engaged in the tobacco business.

Kilgo attacked Southern political leaders who made use of the sectional issue, and he demanded a new leadership that would throw aside this emotional appeal. In his famous chapel talks he told the student body that it was absurd to become permanently aligned with any political party. He took a pronounced stand in favor of the industrialization of the South, and he defended Southern industrial leaders at a time when they were being bitterly assailed. One might suspect that his friendship for the Dukes had something to do with this attitude, but Mr. Garber does not offer this suggestion.

Mr. Garber has presented a full and interesting account of Kilgo's presidency of Trinity College. He has thrown new light on the Bassett episode, the Clark-Kilgo controversy, and other phases of Trinity's history. Although the volume has no great literary merit and is repetitious in places, the author is to be commended for the vast amount of source material

used. The book is heavily documented and there is an extensive, though uncritical, bibliography.

HUGH T. LEFLER.

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

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SCIENTIFIC INTERESTS IN THE OLD SOUTH. By Thomas Cary Johnson, Jr.  
(New York: D. Appleton-Century Company. 1936. Pp. vii, 217. \$2.50.)

The purpose of the author, as stated in the preface, is to show the "attitude of the planters, politicians, and professional men of the Cotton Kingdom and of their wives and daughters toward the natural sciences." In doing this he does not attempt a "detailed history of the scientific life" nor a comparative study of "scientific contributions of the ante-bellum South with those of any other section of the United States, or of Europe." The study is therefore largely a quantitative rather than qualitative one. In line with the purpose there are chapters as follows: "In College Halls," "Among the People," "Sweet Southern Girls," "The Glory That Was Charleston," "The Glamor of New Orleans," and "Scattered Scientists."

One may regret that Professor Johnson has chosen merely to indicate the South's interest in science rather than to evaluate its contributions to scientific knowledge, but no one can doubt that he has succeeded in showing that the South did have a remarkably widespread interest in scientific matters. His refutation of the thesis, so generally accepted by the general historians, that slavery and its defense stifled intellectual interests is most convincing. In his refutation Professor Johnson not only castigates the historians for their ignorance of facts concerning the South (pp. 3, 4, 197) but censures them for their false assumptions in regard to Southern creative thought. The reviewer, however, feels that the author claims too much for the South. For instance, is it accurate to claim for the South those scientists, born in the North, who moved to the South and also those, born in the South, who made their contributions while residing in the North? The author tabulates the number of college courses given in the sciences and offers this as evidence. This is not sufficient. We would like to know how many students took those courses. Professor John-

son quotes no less distinguished an educator than Dr. Thomas Cooper of South Carolina College to the effect that mineralogy and geology were almost unknown in the institutions of the South but at the same time claims that because the subjects were offered there was an interest in them. Again, does the fact that people attended scientific lectures prove conclusively that they were interested in science?

In spite of the mass of detailed information gleaned from college catalogs, newspapers, and fugitive sources there are some notable omissions both of names and achievements. Dr. Crawford W. Long, distinguished physician and the first to use ether in performing an operation, is not mentioned; and while Dr. Alexander Means, the Georgia chemist, is mentioned, nothing is said of his experiments with electricity and his utilization of electricity for lighting purposes. The demand for trained geologists, engineers, mineralogists, and agricultural chemists to develop the natural resources of the South was largely influential in the establishment of the state military colleges of the Old South. This factor is overlooked by the author.

But if there are omissions there is much to convince the reader that Southern men were in dead earnest to discover scientific truth. We are told that they were so inquisitive that the "digestive juices of alligators and the last vomit of a dying victim of yellow fever were alike subjected to the taste test by intrepid and nausea-proof investigators." Little wonder that the medical men of the Old South developed new theories concerning the dread diseases of cholera, consumption, and yellow fever.

Professor Johnson has given us a valuable study of the Old South, one which cannot be ignored by the serious student of ante-bellum culture, and one which will unquestionably have a marked influence on future interpretations of the region's history. The reviewer wishes, however, that he had made some attempt to answer the question, why did not Southern scientists, as well as those interested in intellectual pursuits other than science, make more valuable contributions to the literature of their field of interest?

FLETCHER M. GREEN.

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

ANGLO-FRENCH BOUNDARY DISPUTES IN THE WEST, 1749-1763. By Theodore Calvin Pease. (Springfield: Illinois State Historical Library. 1936. Pp. clxxi, 607.)

This large volume contains an introduction to and a documentary history of "the Franco-English diplomacy of the Seven Years' War." The introduction, in effect a monograph, traces with painstaking detail the intricacies of the negotiations between these powers in the period under consideration. In fact, it might almost be said that the introduction has been so thoroughly done as to make the documents unnecessary. Perhaps a better statement would be that it gives the documents a unity they might otherwise lack and enables the reader to look behind the scenes. The editor is at pains to give a pithy characterization of each of the principal actors. The documents have been assembled after extensive research in the Canadian Archives, in Ottawa; the Library of Congress in Washington; the Archives Nationales, Archives des Affaires Etrangères, Archives de la Guerre, and Bibliotheque du Senat, in Paris; the Public Record Office and the British Museum, in London; and the William L. Clements Library, in Ann Arbor, Michigan. The documents in French are accompanied by translations.

While it is not within the scope of this review to comment fully on the contents of the volume, one or two points may be mentioned briefly. The English negotiators were prevented from making the most of any given situation by the factional rivalries in internal politics. It was this dissension together with the amazing ineptitude of the Earl of Bute which kept the English from profiting fully by their eventual victory. Similarly, the French ministers were hindered by the constant necessity of making arrangements agreeable to Spain, at first a potential and later an actual ally. Though France and Spain each claimed always to act with the interest of the other at heart, each usually found an excuse for postponing any disinterested action.

The parts played by the Sardinian ministers to England and France in the negotiations that laid the basis for ending the war illustrate nicely the devious methods of eighteenth-century diplomacy. The English statesmen communicated their propositions to Comte de Viry, the London representative of Sardinia,

who passed them along, disguised in commercial idiom, to his colleague in Paris for delivery to the French ministers. The answers were transmitted by a reversal of this procedure. The desire of their government for peace, as well as their love and natural proclivity for intrigue, accounts for the interest of the Sardinians in the situation.

In collecting these documents from their widely separated depositories and in making them so easily available, Dr. Pease has performed a real service for students of colonial and diplomatic history.

CECIL JOHNSON.

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

## HISTORICAL NEWS

North Carolina is participating in the sesquicentennial celebration of the framing and ratification of the Constitution of the United States. On September 17, the one-hundred-fiftieth anniversary of the signing of the Constitution, ceremonies were held at various points throughout the state and a number of prominent officials and lawyers delivered speeches. The Hall of History has arranged a special display on North Carolina's part in this accomplishment. On November 9, Dr. C. C. Crittenden, secretary of the Historical Commission, spoke over Radio Station WPTF, Raleigh, on North Carolina in the framing of the Constitution. On December 3, at one of the meetings of the State Literary and Historical Association, Dr. Albert Ray Newsome, head of the department of history of the University of North Carolina, delivered an address on the same subject. *The North Carolina Historical Review* will publish in the near future at least one article relating to the ratification of the Constitution in this state.

On October 6 at Calvander, Orange County, there was unveiled a monument to General Thomas Lloyd, of the colonial period. Among the speakers were General Manus McCloskey and Dr. Archibald Henderson.

The Cabarrus County Committee of the North Carolina Society, Colonial Dames of America, on October 22 unveiled near Concord a marker commemorating the establishment in 1768 of Coldwater (now New Gilead) Reformed Church.

On November 4 at the county courthouse in Kinston the Lenoir County Committee of the North Carolina Society, Colonial Dames of America, unveiled a portrait of Governor Arthur Dobbs, royal governor of North Carolina, 1754-1765. Former Governor and United States Senator Cameron Morrison of Charlotte was the principal speaker.

On November 11 the town of Pittsboro, seat of Chatham County, celebrated the sesquicentennial of its founding. Addresses were delivered by General Manus McCloskey, Dr. Clarence Poe, and others.

Plans are being made to continue the production of Paul Green's historical play, "The Lost Colony," next summer on Roanoke Island.

Dr. David A. Lockmiller of the State College of Agriculture and Engineering of the University of North Carolina published an article, "The Settlement of the Church Property Question in Cuba," in *The Hispanic American Historical Review*, November, 1937. His volume, *Magoon in Cuba*, is scheduled for publication in January, 1938, by the University of North Carolina Press.

Dr. Josiah C. Russell of the University of North Carolina has published two articles: "Social Status at the Court of King John," *Speculum*, July, 1937; and "Early Parliamentary Representation," *American Historical Review*, October, 1937.

In connection with the centennial of the origins of Trinity College, the Duke University Press, Durham, N. C., announces a prize of \$1,500 for the best manuscript of not less than 50,000 words, to be submitted not later than October 1, 1938, on the social, literary, or artistic history of the United States.

Books received include: Louis M. Hacker, Rudolf Modley, and George R. Taylor, *The United States: A Graphic History* (New York: Modern Age Books, Inc. c. 1937); Leo Francis Stock, editor, *Proceedings and Debates of the British Parliaments respecting North America*, Vol. IV, 1728-1739 (Washington: The Carnegie Institution. 1937); Robert McElroy, *Jefferson Davis* (New York: Harper and Brothers. 1937); John H. Gwathmey, *Twelve Virginia Counties* (Richmond: The Dietz Press. 1937); James Welch Patton, editor, *Minutes of the Proceedings of the Greenville Ladies' Association in Aid of the Volunteers of the Confederate Army*. Historical Papers of Trinity College, Series XXI (Durham: Duke University Press. 1937); Guion Griffis Johnson, *Ante-Bellum North Carolina: A Social History* (Chapel Hill: The University of North Carolina Press. 1937); William E. Dodd, *The Old South: Struggles for Democracy* (New York: The Macmillan Company. 1937); Clarence Griffin, *The History of Old Tryon and Rutherford Counties, 1730-1936* (Asheville: The Miller Print-

ing Company. 1937); Clarence Edward Carter, editor, *The Territorial Papers of the United States*, Vol. V, *The Territory of Mississippi, 1798-1817* (Washington: Government Printing Office. 1937); Andrew J. Bethea, *The Contribution of Charles Pinckney to the Formation of the American Union* (Richmond: Garrett and Massie. 1937).

Recent accessions include: photostats of the minutes of the General Court of North Carolina, 1684-1783; a photostat of an unpublished act of the North Carolina Assembly, 1689, making illegal the use of "opprobrious" language against the governor; a map of the lands of the Cranberry Iron and Coal Company, Mitchell County, N. C., 1894; typed copies of letters of Elizabeth Sterchi, 1867-1869, in the Moravian Archives, Winston-Salem, N. C.; a carbon copy of the completed portion of the Guide to the Federal Archives in North Carolina; and typed lists of memoirs in the Moravian Archives, Winston-Salem, N. C.

The National Archives, Washington, D. C., recently announced the acquisition of sixty-five "volumes of records of the United States District Court for the Eastern District of North Carolina, 1791-1913, including dockets, calendars, minutes, records of copyrights (1796-1802, 1811-57), and correspondence and other records of the North Carolina Lumber Company of Tillery, N. C."

Construction work has begun on the new state building, to cost over \$500,000, of which the Historical Commission is to occupy the entire first floor and one-half of the basement floor. In these specially designed quarters the Commission will have a number of display rooms of varying sizes for the Hall of History, a large search room, stacks several times the size of the present ones, and more adequate offices.

On October 19 in Winston-Salem the annual meeting of the Wachovia Historical Society was held and the Society's new Hall of History was opened. This building cost more than \$30,000 and was erected as a Public Works Administration project.

The Southern Political Science Association held its tenth

annual meeting in Chapel Hill and Durham, November 5 and 6. Among those participating in the program were Professors E. J. Woodhouse, W. W. Pierson, Paul W. Wager, and Keener C. Frazer of the University of North Carolina and Professors R. Taylor Cole and Robert S. Rankin of Duke University.

The thirty-seventh annual session of the State Literary and Historical Association of North Carolina was held at the Woman's Club in Raleigh, Thursday and Friday, December 2-3. On Thursday evening, after the invocation by Rev. Forrest C. Feezor of Raleigh, Dr. William T. Laprade of Duke University, president of the Association, delivered the presidential address, "The Personal and the Popular in the Study of History," and Mr. LeGette Blythe, literary editor of *The Charlotte Observer*, read a paper, "Who Was Peter Stuart Ney?" A reception to members and guests of the Association, the North Carolina State Art Society, and the North Carolina Folk-Lore Society was then held. At the Friday morning session papers or talks were presented as follows: "North Carolina in the Federal Convention of 1787," by Dr. Albert Ray Newsome of the University of North Carolina; "Some Poems of the Coast Land," by Mr. Andrew J. Howell of Wilmington; and "North Carolina Books and Authors of the Year," by Miss Nell Battle Lewis of Raleigh. The following officers were elected for the ensuing year: Mr. Jonathan Daniels, Raleigh, president; Dr. B. B. Kendrick, Greensboro, first vice-president; Mrs. Guion Griffis Johnson, Chapel Hill, second vice-president; Mr. Fred H. May, Lenoir, third vice-president; Dr. C. C. Crittenden, Raleigh, secretary. The final session of the Association was held in the Hugh Morson High School Auditorium on Friday night. Mr. Burnham S. Colburn of Biltmore Forest announced the Mayflower Cup award for 1937 and presented a replica to the winner, Dr. Richard H. Shryock of Duke University, whose book, *The Development of Modern Medicine*, had been adjudged the best original work by a resident North Carolinian during the year ending August 31. President Laprade then introduced Dr. Dumas Malone, director of the Harvard University Press, whose address, "Varieties of American Greatness," brought the meeting to a close.

The twenty-sixth annual session of the North Carolina Folk-Lore Society was held at the Woman's Club in Raleigh, Friday afternoon, December 3. Dr. George P. Wilson of Greensboro delivered the presidential address and papers were presented as follows: "The Gullah," by Mr. Mason Crum, Durham; "A Manuscript of Old Songs," by Dr. W. Amos Abrams, Boone; "A Brief History of the Society," by the Secretary, Dr. Frank C. Brown, Durham.

The North Carolina State Art Society held its annual meeting at the Mint Museum, Charlotte, on December 4. After a brief address by the president, Mrs. Katherine Pendleton Arrington, Mr. Richard Lahey, director of the Corcoran School of Art, Washington, D. C., gave a lecture, "The Artist's Point of View." An exhibition of American oil paintings, assembled through the courtesy of Grand Central Galleries, New York, was opened.

The Works Progress Administration Historical Records Survey is continuing its listing of county archives and its cataloging of manuscript collections. Inventories of the records of more than sixty counties have been prepared for the press, and the early release of the first volume of these inventories, covering the records of twenty-four counties, is expected. This volume is being published by the North Carolina Historical Commission.

The youths of a National Youth Administration project, working under the supervision of Mr. D. L. Corbitt, a member of the staff of the North Carolina Historical Commission, have continued rechecking the marriage bonds in the archives of the Commission and indexing John W. Moore, compiler, *Roster of North Carolina Troops in the War between the States*. They have indexed 619 pages of the *Roster*. To date 500 boxes of marriage bonds have been rechecked and abstracts of 121 boxes have been forwarded to the Genealogical Society of Utah, Salt Lake City, where typed indexes are prepared. It will require several more months to complete this project. Approximately \$285.00 has been spent during the last three months.

The Survey of Federal Archives, a state Works Progress Administration project under the supervision of Miss Emily Bridgers, is continuing the preparation of the Guide to the Federal Archives in North Carolina.

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