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Vol. XIX, No. 4

APRIL-JULY, 1920

Vol. XX, No. 1

The North Carolina Booklet



GREAT EVENTS IN NORTH CAROLINA HISTORY



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The North Carolina Booklet

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The
NORTH CAROLINA BOOKLET

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While we live we will cherish, protect and defend her"*

Published by
**THE NORTH CAROLINA SOCIETY
DAUGHTERS OF THE REVOLUTION**

The object of THE BOOKLET is to aid in developing and preserving North Carolina History. The proceeds arising from its publication will be devoted to patriotic purposes.

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The North Carolina Booklet

Vol. XIX, No. 4

APRIL-JULY, 1920

Vol. XX, No. 1

Shall This General Assembly of North Carolina Ratify the 19th Amendment?*

BY HON. H. G. CONNOR, JR.

In approaching a consideration of this resolution, and in discussing it, I shall confine myself, as nearly as may be, to two questions or propositions, which, briefly stated, are as follows:

1. Has this General Assembly at this time the moral or political right to ratify this amendment?
2. Conceding the first proposition, is it expedient that we do so?

In approaching a consideration of the first proposition, certain fundamental principles which lie at the very foundation of that system of Government which we inherited from those who founded it should be borne in mind.

We are reminded in the Declaration of Rights of the first Constitution adopted in this State, that of 1776, that the opening words thereof are:

(1) "That all political power is vested in and derived from, the people only.

(2) "That the people of this State ought to have the sole and exclusive right of regulating the Internal Government and Police thereof."

Again, in the Declaration of Rights of the Constitution of 1868, which is our present Constitution, we read: "That all political power is vested in, and derived from, the people;

*This speech was delivered before the North Carolina Senate in August, 1920, when, under the superb leadership of Senator Lindsay Warren, the Rejectionists defeated the ratification of the proposed Nineteenth Amendment.

all Government of Right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole."

Again, we are told in this Declaration of Rights of the Constitution of 1868, "That the people of this State have the inherent, sole and exclusive right of regulating the Internal Government and Police thereof."

By whom was this Government founded? We are given the answer to this question in the Constitution of the United States and in the Constitution of North Carolina of 1776, and also in the Constitution of North Carolina of 1868. The Constitution of the United States and the Constitution of North Carolina of 1868, both open with "We, the people." The Constitution of 1776 opens thus: "The Constitution or form of Government agreed to and resolved upon by the representatives of the freemen of the State of North Carolina, *elected and chosen for that particular purpose*, in Congress assembled at Halifax, the 18th of December, in the year of our Lord, one thousand seven hundred and seventy-six."

To avoid any confusion of thought or understanding, let it be admitted at the outset that the words, "We, the people," in both the Federal Constitution and the State Constitution of 1868, and the word "freemen" used in the Constitution of 1776, mean one and the same thing; that is, they mean that portion of the people of North Carolina and the other States, who, under the laws of these States, at the time of the adoption of these Constitutions, were electors by the laws of the various States in which they lived. That is to say, the words, "We, the people," and "the freemen" mean "electors."

We are reminded by Chief Justice Marshall, in *McCulloch vs. Maryland*, that it was the people of the United States, and not the States, who adopted the Federal Constitution. We are all familiar with the historical fact that the convention at Philadelphia submitted the question of ratification, not to the Legislatures of the various States, but to con-

ventions of the people of the various States called for that purpose. It has always been understood that constitutional conventions in the American system of government were the creation of the people, the electors of the various States in convention assembled, through their representatives. It is our nearest approach to pure democracy.

May I not then be permitted to say that it is a fundamental principle of American government, that the people, the electors and they only, founded this system, under which we live. As a corollary thereto, the people necessarily reserved unto themselves the right to alter or amend it, and never intended to delegate that power to any but representatives chosen by them for that particular purpose.

I, therefore, contend that my first proposition, that is, "Have we the moral or political right to ratify this amendment?" is the proposition involved, and not "Shall we or shall we not adopt Woman Suffrage?"

If all the political power is vested in, derived from, the people, and government of right originates from them, as the people of North Carolina have on the most solemn occasions of their political existence declared and reiterated, what right, political or moral, have we to take it from them, that is, to deprive them of a right which they have reserved unto themselves?

The people of North Carolina have been especially cautious in reserving unto themselves the right to amend, alter, change or otherwise deal with their fundamental law. The Constitution of 1776 contained no provision whatever for amendments or for any future constitution.

During the long agitation leading up to and culminating in the convention of 1835, there was never a suggestion, so far as I have been able to discover, that the Constitution could be changed, other than by a convention of the people. The Act under which the convention of '35 was called, provided that the question of "Convention" or "No convention" should first be voted upon by the people.

The convention of 1835 adopted a method of amending the Constitution, which is in effect the same method as is contained in the Constitution of 1868. A reading of the section, being section 2 of Article IV of the Amendments of '35, as well as a reading of Article 13 of the Constitution of '68, clearly demonstrates that the people reserved unto themselves the right to pass upon each and every amendment, and the right to pass upon the question of "Convention" or "No convention." No Legislature has ever sat in North Carolina which was authorized by the people of North Carolina to change by the crossing of a "t" or the dotting of an "i" their fundamental law. They have ever been jealous of this right. In the face of these conditions, we now hear it seriously contended that this Legislature shall arrogate to itself, without authority given unto it by the people, not to change the Constitution of North Carolina directly, but to change that which is over, above and superior to it, the Constitution of the United States, and not only change the Constitution of the United States, but change it in such a way that the State Constitution itself is changed without regard to the question whether the people of the State approve it or not. To put it more clearly, but not less truly, it is seriously proposed that eighty-seven members of this Legislature, all chosen since the submission of this amendment, shall take from the people of North Carolina, and I mean the electors, the power and privilege of passing upon the question of ratification or no ratification by electing representatives who would vote in accordance with their wishes. Twenty-six men in the Senate, sixty-one in the House, supposing a full attendance, eighty-seven in all, by voting for ratification, may change the Constitution of the United States and thereby the State Constitution, regardless of the will of the other two and a half million people in the State or that portion of the two and a half million who are the electors, without any opportunity for these people to express their will thereon. With a bare quorum in the Senate, fourteen men, and a bare quorum in

the House, thirty-two men, forty-five in all, by arrogating and taking unto themselves this power, can forever take away from the people, their constituents, the power to pass upon this question. It is proposed that a majority of the present Senate and House, in a vital respect, without instructions from the people, without adopting any method of ascertaining their will in the matter, shall surrender a "right of regulating the Internal Government" of the State, a right which the Constitution we have sworn to support declares is a matter over which the people of the State have "the inherent, sole and exclusive control."

Seldom has it ever been suggested in a free country, that men who for the moment occupy particular offices shall exercise such autocratic power, or rather exercise power so autocratically, and it cannot be called by any other name, with any regard to the truth. Of course it should be needless to say that what the amendment accomplishes has nothing to do with the principle involved, but for the moment, permit me to repeat that this particular amendment does, in fact, take away from the people of the State of North Carolina, and from every other State in the Union, power which they now have. In language it confers nothing upon any one except upon Congress, but takes away from each and every State power which it not only now has, but which each and every State has always had since the foundation of this Government, and power which the people of North Carolina have repeatedly declared to be a matter of their "inherent, sole and exclusive" right to have and keep unto themselves.

I consider it a fundamental proposition, lying at the foundation of representative government, that no Legislature of this or any other State has the moral or political right to ratify an amendment which has been submitted by Congress, subsequent to the election of that particular Legislature. Any Legislature that does so in North Carolina, in my humble judgment, will suffer at the hands of the people when next the people are called upon to exert the residuum of power left in them.

The people of North Carolina were slow to ratify the Federal Constitution; they were slow to attempt to repeal the resolution of ratification in 1861. They are rather slow in moving politically, but when they do move, they are rather determined in their manner of moving. They have not given to this special session authority to change the State Constitution. They never intended to give it the right to change the Federal Constitution. I admit your power, but I decline to accede to your proposition that you have the right to do this thing.

At the risk of being tedious, I repeat: The control of the franchise is one of those "inherent, sole and exclusive" Internal Regulations which the people of North Carolina have declared again and again they propose to keep to themselves. This resolution of ratification proposes to surrender this to the United States Congress. It forever deprives the people of North Carolina of the power to pass upon this question themselves or by their instructed representatives. Not one of us was elected by the people to do this thing. We have no authority or commission from our constituents to act in the matter. We have neither the moral nor political right to act at all. We should await a mandate from the rulers, rather than obey one from their servants, chosen for an entirely different purpose.

Passing to the second proposition, that is, "Is it expedient that we ratify this amendment?" one of the questions which presents itself is, "why this sudden hurry?" We are told we will have the opportunity, the high honor, of conferring the suffrage upon all the women of the United States. I would state it rather in this way: That we may have the honor of taking away from every State in the Union the right to determine whether women shall vote within that State.

We are told that if we ratify that it will cause many women in States where they now have the privilege of voting to vote the Democratic ticket in November. Our Republican friends are told that their action in voting to

ratify will cause many women in such States to vote the Republican ticket in November. We, the Democrats, are further told that if we refuse to ratify we will cause many women to vote the Republican ticket, and my Republican friends, on the contrary, are told that if they refuse to ratify, they will cause many women to vote the Democratic ticket. If we both vote to ratify, certainly all these results cannot be accomplished. Just how all these various, inconsistent, opposite and entangled results are to be accomplished is not explained and will not be, for they are incapable of explanation. The proposition that the women of Arizona, California, Colorado, Idaho, Kansas, Michigan, Montana, Nevada, New York, Oklahoma, Oregon, South Dakota, Utah, Washington and Wyoming, the States in which they have full suffrage, will be influenced to vote in accordance with the action of the Democratic or Republican members of the Legislature of North Carolina, involves several fundamental errors.

One of these errors is that it is assumed that they will exercise their right of suffrage to reward or punish some party rather than exercise it for the purpose of assisting in solving the problems confronting the American people. I do not believe that the women of this country will be influenced by any such motive.

Assuming that women will exercise their right of suffrage where and when they have it to reward or punish, then it is further argued that suffrage is coming anyway, and that as a matter of expediency we should not stand in the way of its coming. Of course this is no valid argument, it is simply begging the question, but let us for a moment consider what lies at the bottom of this assumption.

There have always been those who attempt to calmly and coldly calculate the ultimate result and to act accordingly. This sort of thing has been by some called "getting on the winning side" and "getting on the band wagon." Men have played this game successfully and unsuccessfully, but seldom with honor. Admitting that this be the motive, men and

women of honor never judge such persons by their success in guessing, but they go deeper and very properly dismiss both, the successful and the unsuccessful, with the word "trimmer."

If this be the only reason which can be advanced, I trust that I will be honored by those who would advance it by having them pass me by. Comparisons are said to be odious, but without meaning to be odious, let us for a moment pause. Does any one suppose that Washington, Henry, Jefferson, Harnett, Hooper, the Adamses and hosts of others in 1776, stopped to calculate the chances of success of the three million colonists in the struggle with the greatest empire then in existence? If so, then no sane man could or would have calculated in 1776 that this handful of people, scattered along 1,500 miles of sea coast, with nearly one-third of them opposed to the movement, had the slightest chance of winning. Such, however, was not the make-up of those who brought this Nation into life and wrote her Constitution.

Does any one suppose that Lee, the Johnsons, the ancestors of some of my colleagues, when called to defend their States from invasion, stopped to ask whether they were doomed to ultimate defeat? Certainly they did not, but they obeyed the call of the Constitution of their States and their people. Such was the make-up of those men.

Has it come to pass that the blood which ran through their veins has become so weakened in this generation that their sons and grandsons would calmly listen to this proposition without a blush of shame?

These words are not applicable to any one who conscientiously thinks that he has the moral right to vote for the ratification of this amendment and that ratification will redound to the benefit of his State and country.

We are also told that as it is bound to come, that the delay which may be occasioned by our refusal to ratify may change the election of a President. Well, are we to amend the Constitution every four years to capture a presidency? If that

is the only way we can elect a President, we had best lose out. Did it ever occur to you that we might lose as many votes as we might gain? Neither is a reason for voting one way or the other upon this resolution, but there is as much danger in the one case as in the other. And, in passing, let me add: From my limited knowledge of the situation, speaking as a Democrat, we will stand an awfully good chance of losing very many votes if we ratify, and I think I know whereof I speak. We, as a party, will be held responsible, for we have the power and by its use shall we be judged.

Let's for a moment, however, consider what will be the effect of the passage of this resolution: Fifteen States have granted suffrage to women. We then have thirty-three States in which women do not vote. In these thirty-three, however, are included those in which they have Presidential suffrage.

If this resolution is passed by both Houses, then every woman in the United States will have the right to register and vote, if she can qualify under the election laws of her State. In those States in which they do not vote, there is not and cannot be any machinery or provision of law for the registration and voting of women. I do not see how it would be possible to avoid calling a special session of the General Assembly in the thirty-three States of the Union in which women do not have suffrage, in order that necessary laws providing machinery for the registration and voting of women in an election which is to be held within less than ninety days, be passed. If this is not done in each of the thirty-three States, then in the States in which it is not done there will of necessity, be chaos. Any man would be justified in refusing to act as a registrar or judge of election if this resolution is adopted and his State does not provide the machinery for the registration and voting of women. Suppose we were not in special session and this amendment were ratified by another State? How would it be possible for any registrar or judge of election in this State to determine what

woman was entitled to register and vote and what not? Which of the various qualifications shall be applied to woman and which not? If she and her husband live separate and apart, where is her residence? It may be easy to answer these questions on the floor of this Senate, but how about on election day? There every registrar and poll holder must answer at his peril. An incorrect answer may mean imprisonment.

Can it be expedient that we calmly and deliberately do an act which will of necessity cause thirty-three States to have special sessions, thereby putting the taxpayers of those States to the enormous expense incident thereto? Would this be a sisterly act on our part?

But it is said that the State Convention and the National Convention have called upon us Democrats to do this thing; that the present President, a Democrat, is urging it, and that the nominee of both great parties are also urging it. The National Democratic Convention held in the city of San Francisco was called to deal with national matters. The present President was elected to deal with national matters. One of the two gentlemen from Ohio who are running for the Presidency, will have to deal with national matters when elected. Neither the convention nor either of these three gentlemen had anything to do with the Internal Regulations of this State. The people have reserved that unto themselves. I venture the assertion that this General Assembly is better qualified to deal with this question than either of the national candidates or the present incumbent. To be perfectly frank with you, these gentlemen are walking in where they have not been invited; they are uninvited counselors.

However, suppose we consider the State platform for a moment: No one has been elected under that platform and no one knows whether that platform will be approved by the people or not, and no one is bound by it.

I do know, however, that we Democrats were elected upon a platform adopted in St. Louis in 1916, in which it is said:

"We recommend the extension of the franchise to the women of the country by the states upon the same terms as to men." You Republicans were elected upon a platform adopted in Chicago, which says: "The Republican party reaffirms its faith in government of the people, by the people, for the people, as a measure of justice to one-half the adult people of this country, favors the extension of suffrage to women, but recognizes the right of each State to settle this question for itself."

I congratulate my Republican friends upon their arrival at sound Democratic principles, for the planks in these two platforms are as sound Democratic doctrine as ever fell from the lips or pen of Thomas Jefferson, of Andrew Jackson, of Zebulon B. Vance, of Thomas J. Jarvis, of Alfred M. Scales, or of Charles B. Aycock. Upon that principle we Democrats have fought many political battles. It has been preached in every township in North Carolina, in every county, in every State in the Union.

North Carolina has been committed to it from its nativity. It is the foundation stone of local self government, for how can California or Maine have local self government when North Carolina dictates to either who shall vote in local elections?

Upon this principle thirteen States have granted suffrage to women. To this action on their part I have no complaint. I only want to refrain from taking that power from the other thirty-three, for such would be the effect of this amendment, if adopted, even though its adoption be for expediency's sake.

Shall we now depart from that principle? Shall we, for expediency's sake, join with those who for a half century have endeavored to take this right away from us?

I know not where others may stand, but as for me, I propose to stand by the teachings of my fathers in Democracy; to stand with Vance, Jarvis, Scales, Aycock and that great host who, leading the people of North Carolina, in their days

of trial, preached, yes preached, this as the very keystone of the arch. I shall not today repudiate them. I shall stand with the people of Maryland, Virginia, South Carolina, Georgia, Alabama, Mississippi and Louisiana, whose sons mingled their blood with the sons of this State, whose sons, under Lee and Jackson, shed their blood with our ancestors under Pettigrew and Hill, and Pender and Ramseur and Scales, upon many a bloody field from Bethel to Appomatox. In doing so I have the assurance, certainly of my own mind and conscience, that I am acting in obedience to the Constitution of North Carolina, the best traditions of her people, and obeying the dictates of sound, moral and political expediency, and this, I take it, is the measure and standard set by the fathers to the representatives of the people.

A Sketch of Fort Dobbs*

In Iredell county, upon an eminence about two miles north of the town of Statesville, stands a granite boulder which marks the site of old Fort Dobbs, that place of refuge to the early settlers, in the days when Cherokees and Catawbas roamed unmolested through the forests of North Carolina. The only remaining traces of the old fort are the marks of an excavation which show its location, and near by a depression overgrown with tangled clumps of bushes, said to be the site of the old well. Truly, it was an excellent site for a fort. That fact is still apparent even today, when it is but a quiet spot in the midst of cultivated fields, for from its walls the slopes of the seven hills, which surrounded it in the distance, could be plainly seen, and the approach of the enemy detected long before attack was made, while we can imagine that on many a night its light shone out for miles around, a beacon to guide the settlers, fleeing to safety within its walls.

On the first day of November, 1754, Arthur Dobbs, of County Antrim, Ireland, was made Governor of North Carolina to succeed Gabriel Johnston, who died in 1752. Governor Dobbs arrived during the French and Indian war, and finding the colony provided with very little means of defense, he immediately set to work to remedy this. He was especially interested in the western portion of the province, having himself received large grants of land between the Yadkin and Catawba rivers in 1745; and so in December, 1754, he persuaded the Assembly to vote money for the purpose of equipping a company of fifty men to defend the western frontier and assist in building a fort.

The news that a fort was to be built for their protection must have been very welcome indeed to the settlers in those troublous times, for they had been very much annoyed by

*This paper, written by Miss Rosamond Clark of Statesville, won the gold medal awarded by the North Carolina Society of the Sons of the American Revolution, in a State-wide contest. It is printed by request.

the Indians. There is a record of a meeting between the settlers and the Catawba Indians, held at Salisbury August 29, 1754, at which numerous charges were brought against the Indians by the settlers. (Col. Rec., Vol. 5, p. 143.) These charges were answered by King Haglar of the Catawbas, who brought some counter charges against the white men and asked that no more strong drink be sold his warriors. This treaty was closed with protestations of friendship on both sides, and there was no further trouble until September 16th. On that date a massacre was committed by the Cherokees at the homes of John Gutrey and James Anshers, in which seventeen persons were killed and ten afterwards reported missing. A petition for aid having been sent to Matthew Rowan, president of the council, he sent supplies of powder and lead, and ordered Colonels Smith, of Rowan, and Clark, of Anson, to see to the welfare of the settlers and put the Catawba Indians on the trail of the murderers.

In June, 1755, Governor Dobbs made a journey to the western frontier for the purpose of selecting a site for the fort and inspecting his claim. Three companies of men, under the leadership of Captain Hugh Waddell, were sent ahead to scout the country to the westward. In July, 1755, there was a meeting between the two parties and the site of the fort was selected. When the Assembly met at New Berne, the 28th day of September, Governor Dobbs "recommended the erection of a fort between Third and Fourth creeks, near the South Yadkin, in the county of Rowan (now Iredell), a central spot between the northern and southern boundaries of the province." (Martin's History, Vol. I, pp. 82 and 83.)

The work of constructing the fort was begun in the autumn of 1755, and it was completed the following year. It was constructed of oak logs and was "a good and substantial building, 53 feet long by 40 feet wide, the opposite angles 24 feet by 22 feet. In height $24\frac{1}{2}$ feet. It contains three floors, and there can be discharged from each floor at one and the same time about one hundred muskets." (Col. Rec., Vol.

5, p. 48.) The garrison of Fort Dobbs in the year 1756 consisted of 46 men, both officers and soldiers, and was in command of Capt. Hugh Waddell.

In February, 1756, Captain Waddell left the fort for a short time, having been sent out to negotiate treaties with the Cherokees and the Catawbias, and in May, 1756, there was another conference between the Catawba Indians and their white brethren at the home of Mr. Peter Arran in Salisbury. The Catawbias were led by King Haglar and Chief Justice Henley spoke for the settlers. A treaty was negotiated, and the Indians pledged undying friendship to the settlers.

Troops appear to have been kept in Fort Dobbs almost continuously from the time of its completion until about the year 1762. Williamson's History, Vol. I, p. 83, says that the garrison generally consisted of about fifty men. However, in 1757 Waddell and his company marched to the relief of Fort Loudon, a fort situated about thirty miles from the site of Knoxville, Tennessee; and again in 1758 Waddell, now Colonel Waddell, marched at the head of three companies to take part in the final expedition against Fort Duquesne. They were absent from the fort from the early summer until the winter of 1758, and during that time Fort Dobbs was left in charge of two men, Jacob Franks and an unknown assistant.

During the winter of 1758-59, the fort was of great service to the colonists, for the Cherokees were becoming more and more hostile. A great number of the settlers left their homes and came to dwell in the fort. The men went out in armed bands to work the fields and gather in supplies, while the women and children remained in the fort for protection. One of these armed bands was surprised and attacked by Indians at the home of Moses Potts, about four miles north of the present town of Statesville. Seven of the band were killed on the spot and tradition says that others fell on the way to the fort. One of these is said to have fallen and been buried by his comrades in front of the home of Mr. Alexander Hug-

gins, a short distance from the fort. This old house still stands.

The year 1759 found the raids of the Cherokees increasing, and Hugh Waddell was given power by the Assembly to call out the militia of Orange, Rowan and Anson counties in case of need. During the fall and winter of 1759-60, the fort was again used as a place of refuge, and on the night of February 27th, 1760, an attack was made by sixty or seventy Indians. This party was met by a party of about ten men, including the commanders, Andrew Bailie and Hugh Waddell, at a distance of about three hundred yards from the fort. In regard to this attack, Waddell says in his account: "I had given my party orders not to fire until I gave the word, which they punctually observed. We received the Indians' fire. When I perceived they had almost all fired, I ordered my party to fire, which we did, not further than twelve steps, each loaded with a bullet and seven buckshot. They had nothing to cover them, as they were advancing, either to tomahawk us or to make us prisoners. They found the fire very hot from so small a number, which a good deal confused them. I then ordered my party to retreat, as I found the instant our skirmish began another party had attacked the fort. Upon our re-enforcing the garrison the Indians were soon repulsed, with, I am sure, a considerable loss. From what I myself saw, as well as those I can confide in, they could not have less than ten or twelve killed and wounded, and I believe they have taken six of my horses to carry off their wounded. The next morning we found a great deal of blood and one dead, whom, I suppose, they could not find in the night. On my side I had two men wounded, one of whom I am afraid will die, as he is scalped; the other is in a fair way of recovery; and one boy killed near the fort, whom they durst not advance to scalp. I expected they would have paid me another visit last night as they attack all fortifications by night, but find they did not like their reception." (Col. Rec., Vol. 7, p. 229). Of the two men, who

are mentioned as having been wounded, one, Robert Campbell, afterward recovered; but R. Gillespie, Sr., who was scalped, died of his wounds."

There are no further records of attacks against the fort by Indians. During the summer of 1760 the tribe of Catawbas was almost annihilated by a terrible scourge of small-pox, and in 1761 Colonel Waddell led an attack against the Cherokees. They were defeated in a fierce battle near the present town of Franklin, peace was made and the settlers were once more able to dwell in their own homes in peace and safety.

Hugh Waddell, not being longer needed in Fort Dobbs, was allowed to retire from active service, and in 1762 he left the fort and settled upon a lot in Wilmington given him by his friend, Edward Mosely. Captain Andrew Bailie and the garrison of Fort Dobbs left soon after and Walter Lindsay was left to care for the provisions in the fort.

From this time forward we know little concerning Fort Dobbs. In February, 1764, the committee of public claims recommended to the Assembly that the supplies should be removed from the fort to avoid further public expense. There is a tradition that the fort was used for the storage of ammunition during the Revolutionary War, and also that in 1776 it was used as a refuge by settlers during a Cherokee uprising. The story runs that it was finally destroyed by fire, though probably not until the greater portion of it had been removed. The logs which were removed are said to have been used in the construction of the "Stevenson schoolhouse" on the Adderholdt plantation. Tradition also says that one of Governor Dobbs' cannon was thrown into a deep well near the fort, after it had ceased to be used as a stronghold, and in 1847 the old well was opened and excavated to a depth of 40 feet, but no cannon was discovered. It is probable that the cannon was thrown into another well, the traces of which have not been found.

How many settlers were sheltered in the old fort in those bygone days we cannot tell. It is certain that two children

were born in it, Rachel Davidson, in 1758, and Margaret Locke, in 1776. Imagination draws many a picture of the dangers and hardships in the life of the early citizen but the reality of it we may not know. Only a few brief records, with here and there a tradition, are left to remind us of the brave men and women who toiled and struggled for existence in the shadow of old Fort Dobbs.

It is the purpose of the North Carolina Daughters of the American Revolution to restore the Old Fort in the near future, so that we may hope to see erected upon this historic site a reproduction of Fort Dobbs, which will serve to perpetuate the memory of the Old Fort and the brave deeds of its people in the hearts of their descendants.

Old Waxhaw

BY LILY DOYLE DUNLAP.

Old Waxhaw Presbyterian Church is of national interest because of the active participancy of its people in the cause of American liberty. It was settled by a sturdy folk who were fleeing from religious oppression and unjust tyranny to freedom of faith and speech—folk who had “moved on,” and at every halt been sent further by the club of royal policemen until, taking their stand at Waxhaw, they swore to “run no more, but with God’s help and their swords to fight for liberty.”

Many of these families were chips from the landed gentry of Ireland and Scotland, and not of plebian ancestry. Years afterwards some of their descendants fell heir to earldoms which they refused to accept.

The date of the first building is not known as it was before the lot was deeded. We know this because the deed made the 9th of May, 1758, contains this phrase: “Beginning at a stake upon the south side of an house built for Divine Service,” etc. The deed is made by “Robert Miller and Jean, his wife,” to Robert Davis, Robert Ramsay, John Line, Samuel Dunlap and Henry White.

Other early elders of this church were Andrew Pickens, Sr., Patrick Calhoun, Robert Dunlap, Robert Crockett, James Walkup, Andrew Jackson, Sr., William Blair and others, including Alexanders, Hueys, Pinckneys, Crawfords, Jacksons, Montgomerys, Fosters, Carrutherses, Caldwells, etc.

Early ministers were Rev. Alexander Craighead, Rev. William Richardson, Rev. Hugh Waddell, Rev. Hugh McCain and others.

Andrew Pickens, Sr., was the father of Andrew Pickens, Jr., who was a brigadier-general in the Revolution and the

progenitor of a prominent South Carolina family—a governor, a diplomat to Russia, and Douscha Pickens Dugas, the “Joan of Arc of South Carolina.”

Patrick Calhoun was the father of John C. Calhoun, Vice-President of the United States. He was twice married—first to Jane Craighead, daughter of Rev. Alexander Craighead, who lived only a short time, and secondly to Martha Caldwell, the mother of John C.

The Dunlaps were of a noble old Scotch family who were intimate friends and court advisers of William, Prince of Orange. Eleven of the Waxhaw family were in the Revolution, most of them officers.

The Crocketts were a French Huguenot family who fled to Ireland and on to America. David Crockett, of Alamo fame, was descended from the Waxhaw Crocketts.

James Walkup was a staunch Scotchman and a captain in the war. He owned the mill where was fought the Battle of Walkup's Mill. He was a man who had money, and being much away in the army and knowing the disposition of the Tories he took the precaution to hide his gold and valuables in a pot which he cached in the bottom of the middle of his mill pond. As he had feared, the Tories came to his home plundering for treasure. Chagrined at finding none they hung his son Robert, who was little more than a baby, by his thumbs, trying to force him to tell where the money was hid. The child was too young to put sentences together intelligently but pointed to a stake that his father had driven in the pond to mark the place of the pot. The Tories thought that it was impossible to hide treasure under water, so after relieving themselves of their disappointment by torturing the child, went away.

William Blair was a Scotch-Irishman who, at a tender age, came with his parents to Waxhaw from Antrim, Ireland, in 1754. He, with several cousins, served valiantly in the American army. He was in many battles and in one engagement was wounded. After the war he was offered pay for his

services but replied: "If the small competence I now possess fail me I am both able and willing to work for my living, and if it again becomes necessary I am willing to fight for my country without a penny of pay." The wife of his first cousin, also William Blair, was one of those great souled Irish women whose heart melted at sight of suffering. Once, when returning from the American camp near Salisbury, N. C., wither she had been to take clothing and a basket of cheer to her soldier husband, she came upon a smoking ruin about which shivered a woman and several children, who were clad in nothing but night clothes. The Tories had burned their home and all their possessions. Mrs. Blair immediately doffed her skirt which she gave to the woman and went on her horse-back homeward way in her red flannel petticoat.

Andrew Jackson, Sr., was father of Andrew Jackson, Jr., seventh President. The interesting history of this family is known. Andrew Jackson never forgave the British for Tarleton's slaughter at Waxhaw and at the Battle of New Orleans he exclaimed, "Now, by h——, we'll give them a taste of Waxhaw!" and we all know how he kept those words.

Rev. Alexander Craighead was probably the first preacher at Waxhaw. He moved from there to Mecklenburg County, North Carolina, where he became famous as the sower of the seeds that sprouted the Mecklenburg Declaration of Independence. Some historians even claim that he was also the propagator of the spirit that culminated in the Philadelphia declaration. He was forced to move from Pennsylvania and Virginia because of royal disfavor to his doctrines.

Rev. Hugh Waddell, famous for his brilliance and deep piety, was another minister, and he married a Waxhaw girl, Catherine, daughter of Patrick Calhoun. There is a pretty romance about this marriage that makes an interesting story. The fame of Mr. Waddell had preceded him to Waxhaw, and when it was known that he was coming to preach there the eldership was much exercised over his entertainment,

each coveting the honor. It was finally settled that the senior elder should have the privilege and Patrick Calhoun became the host expectant.

The boy preacher, for he was barely out of his teens, was on his horse-back way all unconscious of the furore his advent was causing among the good blue stockings of Waxhaw.

The journey required many days of travel and wherever night overtook him there he slept, housed or unhoused as the situation admitted. One of these nights was like that of Jacob of old, fraught with dreams, not, however, of heavenly angels, but of an earthly angel, who was to ascend with him the hill of life. The end of his journey saw the consummation of this dream to the least detail, to the exceeding embarrassment of the young divine, an embarrassment mixed with joy for he realized that he had found his Rebekah, and she that her Isaac had come, so by and by they married.

John C. Calhoun spent much of his time with this brother and sister, who had laid in him the foundation that was his incentive to greatness.

Rev. William Richardson was the most famous resident minister of Waxhaw. He, like all Presbyterian preachers, believed that education was the first great help in establishing a true and useful religion, and so began a Latin school where many boys of the Carolinas received instruction that fitted them for large service. Of these youths Andrew Pickens, Sr., organized a military company, which exercise later stood them in good stead.

Rev. Richardson was given to attacks of melancholia, caused by the sufferings of his people in Scotland and the condition of the colonies. In one of these he committed suicide. This being deemed an unpardonable act, and one that, if known, would work serious harm to those good practices that he had labored to teach, it seemed expedient to keep the manner of his demise secret. But the suspicious soon detected signs ulterior and tongues began to wag with the result that the beautiful widow was openly accused of having be-

witched her husband to his death. The relatives of Mrs. Richardson were resentful and declared that she should be exonerated by a trial for witchcraft, which was that the corpse of the dead be exhumed and the accused one required to touch it, when, if guilty, blood would immediately gush forth. Accordingly a day was set, the congregation assembled, the buried man pulled up and Mrs. Richardson put to the test, but not a drop of blood appeared. 'Tis said that one man crushed her hand into the forehead in his eagerness to see the blood flow. The persecutors had lost.

In the assembly was a courageous youth whose disgust attained to such an height at this loathsome indignity to so sweet and innocent a woman that he followed her home and offered to her the comfort of his love and the protection of his strong arm. She no doubt felt the need of both in her childless widowhood, and she soon became Mrs. George Dunlap. When the Revolution came on she displayed heroism. With Mrs. Andrew Jackson, Sr., she nursed the wounded Americans after Tarleton's slaughter, and at Charleston, and was with Mrs. Jackson when she died, nursing her through her illness and preparing her for burial.

William Richardson Davie was a nephew and namesake of the preacher. His mother gave him to her brother and wife at his birth and when five years old he was sent over to his foster parents in the care of his father's nephew. Some years later Mr. and Mrs. Davie came over but little William continued with Mr. and Mrs. Richardson who took much pains with his rearing, intending him for a minister. But God had disposed otherwise and he became a great general in the Revolution, the third Governor of North Carolina, and envoy to France during the reign of Napoleon.

It was the first and second Maryland regiments of artillery under General De Kalb that went to relieve Lincoln, who were cut to pieces by Tarleton.

On the 8th of September, 1780, General Davidson, encamped at Waxhaw, wrote the commanding general: "No

people have a better right to protection than those of this country. They have fought bravely and bled freely."

The old church was used as a hospital after Tarleton's slaughter, and many a Carolina and Maryland soldier found their last home in the old cemetery.

These heroes and heroines, with numerous others, rest in this old spot where tall pines whisper requiems and fragrant thorn roses and blue starred periwinkle hold closely the earth about these hallowed mounds.

May our dear boys of today, like Jackson, remember Waxhaw in the spirit, not of hate to any people, but that autocracy must fall and liberty prevail throughout the world.

Pronunciation of "Raleigh"

BY CAPT. S. A. ASHE.

The Christian Science Monitor in a recent issue says:

"The preparations for the Raleigh commemoration bring up once more the question of how Raleigh should be pronounced. It is very common to hear the name spoken as if it were the Greek Ralli, yet Sir Walter, though spelling his name Raleigh as often as not, quite often spelled it Rauleygh and Raulwy, showing quite plainly that however it was spelt, and there was something like seventy variations of the name, it was never anything but Rauley to the ear. However, the matter is an unimportant one, though most people will admit that the owner of a name should be the person to decide as to its pronunciation."

And a friend asks me to say something about it.

Sir Walter's family name is now written in England as he himself generally wrote it—Raleigh; but over here we fancied Raleigh. But no matter how written the pronunciation might well be the same.

The family was a very old family of Devonshire. It is said—"A Raleigh matched with Damorye's daughter, by Elizabeth de Clare, a grand-daughter of King Edward, the First."

In that part of England, as I understand it, the old Anglo-Saxon *e* had the sound of *a*; and *a* had a sound like *aw* or *au*. So Raleigh would have been pronounced *Rawly*, or *Rauly*.

Sir Walter generally wrote his name Raleigh, as also did his wife; but some few of his letters are signed Rauleigh and Rauley. Some signatures are Raleigh; and his wife sometimes wrote Raleigh. Others, in writing his name, whether in letters or in court proceedings, appear to have followed the pronunciation.

His pedigree in the Herald's office, from the "Visitation of Devonshire" made in his lifetime, when he wanted to establish kinship with the Queen through Edward, the First, runs—"Sir Hugh Rawleigh," and so on down through ten generations to "Sir Walter Rawleigh," himself.

When he first went to court, Queen Elizabeth knew of him—for his Aunt Kate Ashley had in some measure raised her, and she certainly knew his name; and she wrote it "Rawley"; and she showed him favor and pushed his fortunes "as our Servant Walter Rawley," "in respect of his kindred that have served us near about Our person."

And in the entries in the court records he was "Rawley." "Sir Thomas Parrott and Walter Rawley, gentleman, being called before their Lordships for a fray between them;"—and as "Rawley" he was sent to Fleete prison, till he gave bond to keep the peace.

And when as a gallant he needed trimmings, the warrant book tells us that the Queen gave "to our well-beloved servant, Sir Walter Rawley, Knight, Captain of the Guard, six yards of tawney medley with a fur of black budge."

All through his life, among the courtiers, when they did not write it Raleigh, he was either Rawley, or Raughley, or Rawleighe.

And at his trial, old Coke wrote the name Rawley—and also Raleigh; while in the body of the proceedings he was called indifferently Rawlie, Rawly, Rawley, and his wife was "Rawlye's wife." Others wrote the name Rawleigh, Raghley, and Rawleighe.

But however it was written, the pronunciation seems to have ever been Rawly; and that conforms to the Anglo-Saxon *a* in Devonshire as I have understood it. Spellings vary, but the pronunciation of old names is maintained through generations. A recent letter from Brookline, a suburb of Boston, narrates: "I was enquiring for the store

of Mr. Pierce. Nobody knew; till finally one woman laughed at me, and said, 'Oh, you mean Mr. Prers.' "

In this State, the people commonly call the capital of the State "Rolly." I recall some doggerel of 1858:

"And ———, too, the jolly
Has gone up to Rolly."

Some of North Carolina's Notable Women

Colonial Heroines:

Eleanor Dare; Catherine Sherrill.

Revolutionary Heroines:

Miss Margaret McBride; Miss Ann Fergus; Mrs. Rachel Caldwell; Mrs. Robin Wilson, the heroine of Steel Creek; Mrs. Martha McFarlane Bell; Mrs. Brevard; Mrs. Elizabeth Forbis; Mrs. Elizabeth McGraw; Mrs. Sarah Logan; Mrs. Rachel Denny; Mrs. Mary Morgan; Mrs. Ashe, who gave eight sons to the rebel army; little Martha Lenoir.

Literary Women:

Miss Martha (or Pattie as she was more generally known) Mangum, of "Walnut Hall" in Orange County, daughter of the Honorable Wiley P. Mangum; Mrs. Mary Bayard (Devereux) Clark; Mrs. Cornelia (Phillips) Spencer; Mrs. Mary (Ayr) Miller (Mrs. Willis Miller); Mrs. Margaret (Mordcai) Devereux (Mrs. John Devereux) of "Will's Forest"; Christian Reid.

Belles, Beauties and Social Leaders:

Mrs. Delia (Haywood) Badger (Mrs. George Edmund Badger); Mrs. Lucy (Williams) Polk (Mrs. William Polk and sister-in-law of President James Knox Polk); Mrs. Dolly (Payne) Madison (wife of President James Madison); Miss Sue Pelham (of Granville County); Miss McNair, who married a Hines; Mrs. Jane (Saunders) Johnston (daughter of the Honorable Romulus M. Saunders, Minister Plenipotentiary to Spain, and wife of General Bradley Johnston of Maryland); Mrs. Maria (Somerville) Hoge (wife of Associate Justice John Blair Hoge of the Supreme Court of the United States); Mrs. Cora (Manly) Singletary (Mrs. George Singletary); Mrs. Cora (Morehead) Avery, of whom a Senator in the State Senate in speaking of a certain North Carolinian, said: "when kneeling at the shrine of her di-

vinity"; Mrs. Virginia (Tunstall) Clay-Clopton (Mrs. Clement Claiborne Clay, later Mrs. David Clopton).

The following have been written up in the *North Carolina Booklet*:

Little Virginia Dare; Betsy Dowdy; Penelope Barker and the fifty-one ladies of the Edenton Tea Party; Rebecca Lanier; Grace Greenlee; Elizabeth Maxwell Steele; Martha MacFarlane Bell.

The following list has been furnished by that gifted writer and charming lady, Mrs. Lutie Andrews McCorkle:

Lady Granganimeo

Isabel Johnston

Esther Wake

Flora McDonald

Miss Balfour

Lucy Alston

Mother of Andrew Jackson

Miss Bettie Haywood

Margaret Gaston

Mrs. Willie Jones

Mrs. Allen Jones

Aunt Abbie House

Mrs. Z. B. Vance (Harriet Espy)

Mrs. Stonewall Jackson.

Kiffin Yates Rockwell *

By R. B. HOUSE

(The North Carolina Historical Commission.)

On September 23, 1916, by cable, telegraph and wireless, news flashed around the world that the aviator, Kiffin Yates Rockwell, after so many miraculous escapes, had at last fallen in combat for France. His comrades in Escadrille 124 mourned him as their best and bravest; France mourned him as a fighter not to be replaced; America mourned him as the second of her sons to fall in air combat, following so closely in the steps of Victor Chapman, her first. All the world paid tribute to him. For Kiffin Yates Rockwell was a leader in that group of young men who left the paths of peace in their own neutral countries to fight for France, and in her person, for civilization. Chapman, Rockwell, McConnell, Genet—these men were the pioneers of America in France, and in the air. They have all fallen on the field of honor, fell there before America entered the war. And now that over sixty thousand Americans, fallen under the Stars and Stripes, sleep in France beside these men, we realize some of the full measure of their achievement, and honor them for leading the way.

But in 1916 the majority of Americans were in that state of mind that echoed the slogan, "He kept us out of war," over the country in a triumphant presidential campaign. Why American boys should give their lives in the European war except as in a gamble for adventure was not clear to most Americans; why they should give them to France was a problem that rankled in the minds of many of our citizens at that time, even pro-German.

*NOTE.—THE BOOKLET, in presenting this interesting sketch of one of the most renowned heroes of the World War, is departing from a long established custom since the history of the present has not heretofore been considered. The Colonial, Revolutionary and Confederate periods only have received attention. Publishing this is an exception and not intended to introduce a precedent.

And so it was that his mother, in Asheville, North Carolina, asked herself why it was that she, a Carolinian by birth and sympathy, should sacrifice her son in France, and her questions were augmented by similar ones from relatives and friends all over the country. Kiffin, though gloriously dead, might have been saved, it seemed. She had tried to save him from himself by persistent entreaties to the Department of State in Washington to get her boy out of the French army, and by similarly persistent demands to the French Government to release her son. But before Kiffin fell she had come to see what he was fighting for, and it was not long after he fell before she was a sister in suffering to thousands of other American mothers who likewise had come to see why it was that their sons had to die in France.

Kiffin Yates Rockwell was the first North Carolinian to give his life in the world war, the first American volunteer for service in France, the first American to bring down a German plane, the premier fighter of his time in the Escadrille LaFayette, and after Victor Chapman, his comrade, the first American airman to fall in battle. He belongs to North Carolina by parentage on his father's side, and by residence, to South Carolina by parentage on the side of his mother, and to Tennessee by the actual event of birth. So it is that the sister states who share in common the glories of achievement in the records of the Old Hickory and Wildcat Divisions, also share in the glory of their premier fighter.

The father of Kiffin Rockwell was James Chester Rockwell, of Whiteville, in Columbus County, North Carolina. By vocation he was a Baptist preacher, by avocation a poet of promise. The Rockwell family is of French extraction, being lineally descended from Ralph de Rocheville. The first of the name to settle in America was the Puritan deacon, William Rockwell, who came to live in Dorchester, Massachusetts, in the year 1630. When the family came into North Carolina is not clear, but they were established

in this State before the Civil War, for from North Carolina Henry Clay Rockwell, the aviator's grandfather, went as a captain in the Confederate Army.

Kiffin's mother was Loula Ayres, daughter of Major Enoch Shaw Ayres, of South Carolina, himself a Confederate veteran. She comes also of French Huguenot extraction. An early member of the Rockwell family was on the staff of General Washington.

From these parents Kiffin Yates Rockwell was born in Newport, Tennessee, September 20, 1892. His parents had moved to Newport sometime before this in search of health for his father. He was named Kiffin in honor of William Kiffin, an English home missionary in the fifteenth century, and Yates for Matthew Yates, a foreign missionary from North Carolina in the nineteenth century. At the age of 26 his father died, leaving his mother to care for Kiffin, his elder brother, Paul Ayres, and a younger sister.

His mother became a teacher, and founded the system of schools that obtains today in the little town of Newport. While Kiffin was still in the grammar grades she moved with her family to Asheville, to give them better opportunities in education and herself in business. She took up the successful practice of osteopathy. Kiffin entered the Orange Street school, where he became a favorite pupil of Mrs. Mary Walden Williamson. Dr. George T. Winston, in a memorial to Kiffin Rockwell, quotes Mrs. Williamson in the following description of Kiffin at the age of fifteen:

"A handsome, intelligent, chivalrous boy of fifteen, immaculate in person as in honor, impatient of the tedium of school routine, restive, though ever courteous under restraint; with serious deep-set, gray-blue eyes, aglow with enthusiasm over tales of daring adventure; breaking rarely into surprising light of merriment." Even this early Kiffin and Paul pondered over the history of their ancestral country, France, and reached the conclusion that if France were ever attacked they would fight for her.

Kiffin's mother had hoped for him to lead a life of scholarship. With this in view, she encouraged him to pursue studies at Virginia Military Institute, and later at Washington and Lee University. Although Kiffin spent some years at Virginia Military Institute and Washington and Lee, it was with no love for scholarship, and no intention of leading a scholarly existence. One real association of school days that inspired him to the day of his death was membership in the Sigma Phi Epsilon fraternity. Both he and his brother Paul were good fraternity men, loyal and ideal.

Without graduating he went from college into advertising journalism, organizing and conducting successfully a project for publishing advertising editions of newspapers. In this business he traveled over the United States and Canada, finally coming to rest in Atlanta, Georgia, as a member of the Massingale Advertising Agency. It was here that he was working when in August, 1914, Europe hurried into war. Kiffin and Paul Rockwell were on their way to France on August 3, 1914, by the first boat they could take. Landing in Liverpool, they made arrangements at the French embassy for entering the French army. From London they went by Havre to Paris, and there at the Invalides entered the French service on August 30, 1914. Training first at Rouen, then at Toulouse, and finally at Camp de Mailly, they made ready for a winter in the trenches with the Foreign Legion.

After many months in the trenches, he moved with his regiment to the 1915 battles in Artois. At the storming of Neuville-Saint-Vaast, May, 1915, he fell severely wounded in the thigh by a bullet. He recovered from his wounds, and by opportunity secured for him by influential friends, began the study of aviation, completing his education in the air in time to become, with Chapman, Prince, Thaw, Cowdin, McConnell and others, the organizer of the Escadrille LaFayette. His success was immediate. On May 18, 1916, at Hartmannsvillerskopp in Alsace, he brought

down the first German plane of the many to fall at the hands of the Escadrille LaFayette. In rapid succession he won the Medaille Militaire, the Croix de Guerre, and three palms for additional citations. He rose from pilot to brevet lieutenant in the space of four months. Over Verdun he was indefatigable, engaging in over thirty-four victorious flights, and winning the title, "Aristocrat of the Air." By September he had brought down three planes which officially were credited to him, and seven more of which there is no reasonable doubt as to his credit. Captain Thenault, his flight commander, said of him: "Where Rockwell was, the German could not pass, but was forced rapidly to take shelter on the ground." In one combat he was struck in the face by an explosive bullet. Refusing to retire for the day, he re-engaged the enemy and brought down another plane.

On September 23, 1916, Rockwell attacked the enemy near the same spot where he had won his first victory. Although he had come successfully through one hundred and forty-one previous battles, and single-handed had driven off ten German planes, this time fate willed that he should fall—killed by an explosive bullet from a German machine gun. He was buried at Luxiul with the honors of a general. "The best and bravest of us is no more," was the comment of his commander and his comrades.

Kiffin Rockwell's achievements in the air and previously in the trenches rank him as one of the greatest of the allied fighters. For his services he received the highest honor the French Government can give. But the most remarkable feature of his life is the perfect coordination of purpose and achievement in his spirit. He was indefatigable in battle because he was invincible in his conviction that he was defending civilization. In his school days, even, he had considered the possibility of France's being attacked and had resolved to fight for her. On August 3, 1914, he offered his services to the French Government. To his brother Paul he wrote, "If France should lose, I feel that I should

no longer want to live." But with all his love for France he retained his sense of responsibility as an American. "I am paying my part of America's debt for Lafayette and Rochambeau," was his expression that has been echoed and re-echoed by American fighters from private to General Pershing.

His attitude towards death was a triumphant assertion of immortality. In a letter to Mrs. John Jay Chapman about the death of Victor, he dwells repeatedly on the idea that death had no part in such a life as Victor's; that Victor is still alive and fighting because his spirit has passed into his comrades. On another occasion he gave expression to an attitude toward death that caught the imagination of the French, and became a part of their own thought. "From the day a man enters the army," he said, "he should consider himself as good as dead; then every day of life is just that much gained." Acting on this belief he hardly gave his attendants time to fill the gas tank of his plane and keep it in repair, so constantly was he fighting.

Not the least of his victories was his winning his mother's support. Mrs. Rockwell had rebelled against his going to France at all, and she had continued to move the American and French governments in efforts to get Kiffin back home, until finally Kiffin brought her to realize that he could not retire from the struggle to which he had committed himself, and that he would not if he could. For he wrote her in his last words that referred to death, "If I die I want you to know that I have died as every man ought to die—fighting for what is right. I do not feel that I am fighting for France alone, but for the cause of all humanity—the greatest of all causes." Catching up in these words the whole spirit of America as it arose at white heat for war, Kiffin not only won his mother to his cause, but his countrymen also. Of the thousands of Americans who followed him in death, he became an elder brother, a pioneer in the crusade for humanity.

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