



Friends of Hyde County's Historic 1854 Courthouse

HISTORIC RESEARCH COMMITTEE CHAIRMAN'S FINAL REPORT

March 28, 2011

***FRIENDS OF
HYDE COUNTY'S HISTORIC 1854 COURTHOUSE***

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I

HYDE COUNTY COURTHOUSE BUILDING HISTORY SWAN QUARTER, NORTH CAROLINA THE FIRST ONE HUNDRED YEARS

Preface

As committee chairman in charge of historical research for the *Friends of Hyde County's Historic 1854 Courthouse*, I have conducted research at the N.C. State Archives Building over the past several months in order to ascertain the names of the various justices who presided over the Hyde County Court of Pleas and Quarter and also the Superior Court Justices. Ancillary to that research, I have noted inclusions in various minutes of the court that shed light on the original construction date of the Hyde County Court House and subsequent renovations that were undergone. Research to date includes review of Court of Pleas and Quarter Minutes from 1836 to 1868, County Commissioners Minutes from 1868 to 1938, and Superior Court Minutes from 1836 to 1938, the following highlights being offered by David C. ("Mack") McLawhorn this 28th day of March, 2011. As this information is, in some instances, in direct conflict with previous milestone dates published or perpetuated by other individuals, to wit I have referenced my sources, I offer my apologies and welcome any comment.

1836 Swan Quarter named County Seat of Hyde County.

Note: All court minutes from 1836 to Nov. 5, 1838 reference that court was "held in community homes".

March 6, 1837 2 acres (approx.) land was purchased from Nathaniel Credle by the Court of Pleas and Quarter Court for the purpose of building a Court House and Jail. (*Ref. County Court Minutes, 1837, Pg. 257.*)

The following is the text of the deed as recorded in the minutes:

State of North Carolina

Hyde County

Know all men by their presence that this Indenture made this 6th day of March in the day our Lord One thousand and Eight hundred and Thirty seven, (1837) between Nathaniel Credle of the one part and the Justice of the Court of Pleas and Quarters session of the County of Hyde of the other part all of the county and state aforesaid that the said Nathaniel Credle for and in consideration of the sum of One Hundred and Fifty Dollars to me in hand paid at and before the signing and sealing of these present the receipt and payment of monies, I do herby acknowledge myself satisfied,

contented, and paid, have bargained and sold and by the present do hereby bargain, sell, enfeoff, convey, set over and deliver unto the said Justices and their successors in office a certain tract, piece or parcel of land lying and being in the county of Hyde and Settlement of Swan Quarter adjoining the southwest corner of Zechariah Gibbs field which said land is purchase by the said Justices of foresaid for the purpose of erecting a Court House and Jail for said County agreeable to an Act of Assembly passed at the session of the Legislature of the State aforesaid in the year Eighteen Hundred and Thirty Six and Seven which tract of land is butted and bonded as follows (vizs beginning at the a stake in the fork of the road near the Liberty Pole running with the said road So. 30 degrees East 28 pole thence So. 69 degrees West 11 ½ poles thence North 30 degrees West 28 poles thence North 64 degrees East 11 ½ poles to the beginning containing two acres or thereabouts) to have and to hold to said Justices as aforesaid and these Justices in Office as aforesaid for the purpose above mentioned and the said Nathaniel Credle for myself my heirs, executors, administrators and assigns doth and will forever warrant and defend the right and interest of the said Land to the Justices aforesaid and their successors as aforesaid in fee simple, free and clear from all encumbrance whatsoever.

In Testimony whereas I henceto set my hand and seal this day and date above written.

Nathaniel Credle (SEAL)

Signed and Sealed in presence of
Test. _____Bridgman
_____Gibbs

North Carolina

Hyde County Court of Pleas and Quarter session, May Term there was this Deed duly proven in open Court by the oath of __Gibbs an evidence thereto let it be registered.

Test. Riley Murray Elk
By B.F. Midgett, Ct. Reg.

Registered 29th day June 1837

(Ref.: Land Description-Court Minutes, 1837, Pg. 258)

Note: Having conducted a site survey, with reference to historical photographs, it is my considered opinion that the original Courthouse

building front face (main entrance) was 36 ft. long and paralleled Oyster Creek Rd. It was 30 ft. deep. The building was located in the extreme NNE corner of the lot. The jailhouse was on the SE corner of the lot. An interior survey of bearing walls and later additions indicate the original Courthouse had 3 usable floors. It is likely offices were on first or ground floor, courtroom on second and judges chamber/jury room on 3rd (finished attic) floor.

- 1837-1838** Court House and Jail were under construction.
- Nov. 5, 1838** Superior Court holds its first session “in the Court House in Swan Quarter”, the Honorable John D. Toomer presiding. (This is the first court of any type held in the new Court House.)
(Ref. Superior Court Minutes, Fall Term, 1838)
- Feb. 25, 1839** First Court of Pleas and Quarter held in new Court House. Tilson G. Credle, Robert Jennett, and Ananias Sadler presiding Justices of the Peace.
(Ref. County Court Minutes, Court of Pleas and Quarter, Feb. Term, 1839)
- Spring, 1892** Grand Jury reports the Court House is in need of enlargement to accommodate seating for superior court. Grand Jury admonishes County Commissioners to take immediate action.
(Ref. Superior Court Minutes, Spring Term, 1892)
- June 7, 1892** County Commissioners Meeting held. Ordered that W.L. Carter Jr., H.B. Gibbs, and George Credle are hereby appointed to a committee “whose duties it shall be to [review and]accept such plans for improvement [of the courthouse].... [to] sufficient size and convenience [to accommodate seating] and to award the Contract for making said repairs at such a sum as to them may seem reasonable, such sum not to exceed \$2,500.00. They are directed to commence said work as early as possible and to make report of progress made from time to time to this board at its regular meetings. ...said work to be completed with all due dispatch and in a manner satisfactory to the Body Politic of Hyde County”
(Ref. Minutes, page 120, Board of Commissioners Meeting, June 7, 1892)
- July 11, 1892** County Commissioners Meeting. “Contract and Specifications for rebuilding and repairing Court House having been exhibited before this Board, they were accepted by said Board”.
(Ref. pg. 128, Minutes, Board of Commissioners Meeting, July 11, 1892)
- Oct. 10, 1892** Magistrates Meeting. Authorizes and empowers Board of Commissioners of Hyde County to borrow the sum of \$2,300.00 payable at 8% interest for the purpose of said repairs to Court House. Repayment provisions to be arranged by Board.

Commissioner ordered certain records to be removed from Court House for safe keeping during construction phase; also, payment arrangements were made to various people for moving miscellaneous buildings off the Court House lot.

(Ref. Commissioners Meeting Minutes, Oct. 10, 1892, pg. 143)

Exemplary of one such loan, the following entry to the minutes was noted:
Ordered Hyde County Treasurer to pay T.M. Makely starting Feb. 1, 1893 the sum of \$900.00 with interest to be paid annually for money borrowed for the purpose of repairing and enlarging courthouse.

Dec. 1892

Commissioners Meeting. Building committee makes final report for accepting contract for remodeling and repairs. On motion of W.W. Swindell, the report is accepted and ordered to be registered and filed. Committee is relieved of responsibilities.

(Ref. Commissioners Minutes, pg. 150)

Note: The 1892 addition was added to the back (SW) side of the 1838 courthouse in order to accommodate additional seating. The addition was 30 ft. wide and 25 ft. deep, expanding the total depth of the courtroom to 55 ft. Unlike the original courthouse, the rafters in the 1892 addition portion are exposed on the 3rd (attic) floor.

May 10, 1909

Superior Court, Spring Term

“The Grand Jury for the term of the Court respectfully report that we have finished all work assigned to usWe have examined the Court House and find it to be in a very unsatisfactory condition and recommend that the County Commissioners at once furnish anolium [archaic for linoleum] to cover the upper floor of the Court House”

(Ref. Spring Term, Superior Court Minutes, page 489)

Note: Present day site survey of structure indicates that this floor covering was never installed on the 3rd floor, the original Grand Jury Room. It would stand to reason that, with the decision to build the 2nd addition, as explained below, the Grand Jury would have a new meeting place on the 2nd floor behind the existing Court Room and this issue became a moot topic.

Aug. 2, 1909

Commissioners order issuance of 10 bonds at 6% payable annually. Cost \$500.00 per bond for a total aggregate of \$5,000.00 “for the purpose of providing funds for building an addition to the Court House and constructing therein fire proof vaults; for repairing and improving the County Jail and public roads, bridges

and for paying off such indebtedness as has been incurred or may be incurred in such improvements, under and by virtue of the General Assembly of the State of North Carolina, duly passed and ratified on the 6th day of February, A.D. 1909 entitled 'An Act to authorize the Commissioners of Hyde County to issue bonds and levy a special tax' and in accordance with a resolution duly passed on the 2nd day of August A.D. 1909 ”.

(Ref. Hyde County Commissioners Meeting Minutes, page 50_)

Sept. 7, 1909

Commissioners acknowledge indebtedness to B.F. Smith and Co. \$1,500.00 “for construction of fire proof vaults”. The bonds have not yet been delivered and Commissioners estimate it may be as much as 15 days before the money from the bonds is available, so they motion to take Bank of Belhaven up on offer to lend them \$1,500.00 so they can pay Smith now. Final resolution this date is for a \$2,000.00 loan for 90 days; “Whereas there are outstanding claims against the County of Hyde which should be paid, many of them being held by people living outside the County and others by people living inside the County who are in need of the money...there being no money in the treasury to pay said outstanding claims....”

(Ref. County Commissioners Meeting Minutes, page 511)

“Ordered that W.F. Berry be allowed \$66.00 for superintending the work on the Court House annex 44 days”

(Ref. same, page 513)

Note: Present day survey of bearing wall members indicates that this 2nd addition consisted of two floors on the SW end of the first addition. The ground floor accommodated the vaults and the second floor accommodated a new Judge's Chambers and Jury Room behind the wall of the existing Bench.

Sept. 25, 1909

Newspaper Article published

“The new addition to the court house is quite an improvement and the vaults are a great protection to the very valuable records of Hyde County.”

(From *The Outlook* - The 1st newspaper ever published in Hyde County, Swan Quarter - September 25, 1909; A. BERRY, Editor Proprietor)

II.

HYDE COUNTY COURT HOUSE IN SWAN QUARTER RANKS NUMBER EIGHT AS OLDEST NORTH CAROLINA COURTHOUSE

DATE BUILT (remodeled)	COUNTY	CURRENT USE	REGISTRY
1767	Chowan	Museum	NR
1790 *	Orange	Church	NR
1800 *	Carteret	Museum	HD
1820	Beaufort	Library	NR
1825	Perquimans	Courthouse	NR
1830 **	Surry	Residence	HD
1836 (1904)	Gates	Public Library	NR
1837 (1892, 1908)	Hyde	(Pending)	NR

HD= Historic District registry

NR= National Registry

* First of two courthouses built at this current County Seat.

** Building located in Rockford, original County Seat of Surry. Seat moved to Dobson township later where another courthouse was built.

Information taken from “North Carolina’s Historic Courthouses- Status and Use Summary” with the exception of Hyde County, where I have changed the dates to reflect accurate building dates per courthouse minutes retained at the NC State Archives and as cited in Chapter I of this presentation. Without this change, our ranking would be #14.

David C. (“Mack”) McLawhorn
Historic Research Committee Chairman,
Friends of Hyde County’s 1854 Courthouse

III.

HYDE COUNTY SUPERIOR COURT HELD IN SWAN QUARTER COURT HOUSE

The first 100 years 1838-1938

Chronological Listing of Justices Presiding

Year	Term	Date	Judge's Name (1 st appearance bold italic)	Home County	Comments/ Term Served
1838	Spring	7-May	(no record)		Court Held in Community Home
1838	Fall	Nov. 5	<i>Hon. John D. Toomer</i>	Cumberland	1837-1840 FIRST session in new ct.hse.
1839	Spring		<i>Hon. John M. Dick</i>	Guilford	1835-1861
	Fall	Nov. 4	<i>Hon. Thomas Settle</i>	Rockingham	1833-1854
1840	Spring	Mar. 5	Hon. John D. Toomer		
	Fall	Nov. 19	Hon. John M. Dick		
1841	Spring	May. 8	<i>Hon. John L. Bailey</i>	Pasquotank	1837-1863
	Fall		(no record)		
1842	Spring	May. 8	<i>Hon. William H. Battle</i>	Wake	1841-1848/ 1849-1852
	Fall	Nov. 7	<i>Hon. Matthias E. Manly</i>	Craven	1841-1859
1843	Spring	May. 8	Hon. John L. Bailey		
	Fall	Sept. 5	<i>Hon. Horace R. Semson (spelling?)</i>		(no information)
1844	Spring	May. 6	Hon. Matthias E. Manly		
	Fall		(no record)		
1845	Spring		(no record)		
	Fall	Nov. 5	<i>Hon. George Bultty (spelling?)</i>		(no information)
1846	Spring	May. 5	Hon. Matthias E. Manly		
	Fall	Nov. 9	Hon. John L. Bailey		
1847	Spring	May. 3	<i>Hon. Richmond M. Pearson</i>	Davie	1837-1848
	Fall	Dec. 1	Hon. Matthias E. Manly		
1848	Spring	May. 31	Hon. John M. Dick		
	Fall	Nov. 29	Hon. Thomas Settle		
1849	Spring	May. 30	Hon. William H. Battle		
	Fall	Nov. 28	Hon. Matthias E. Manly		
1850	Spring	May. 29	<i>Hon. John L. Bailey</i>		
	Fall	Nov. 2	<i>Hon. John W. Ellis</i>	Rowan	1848-1858
1851	Spring	May. 28	<i>Hon. David F. Caldwell</i>	Rowan	1845-1860
	Fall	Nov. 26	Hon. John M. Dick		
1852	Spring	May. 20	Hon. Thomas Settle		
	Fall	Dec. 1	Hon. William H. Battle		

1853	Spring	June. 1	Hon. Matthias E. Manly		
	Fall	Nov. 30	Hon. John L. Bailey		
1854	Spring	May. 31	Hon. John W. Ellis		
	Fall	Nov. 29	<i>Hon. Frederick L. Roper</i>		(no information)
1855	Spring	May. 28	Hon. Frederick L. Roper		
	Fall	Nov. 20	Hon. Frederick L. Roper		
1856	Spring	May. 26	<i>Hon. Romulus M. Saunders</i>	Wake	1853-1865
	Fall	Nov. 24	Hon. Matthias E. Manly		
1857	Spring	May. 25	Hon. John L. Bailey		
	Fall	Nov. 30	Hon. John W. Ellis		
1858	Spring	May. 24	Hon. David F. Caldwell		
	Fall	Nov. 29	<i>Hon. Robert R. Heath</i>	Cumberland	1858-1858
1859	Spring	May. 30	<i>Hon. Jesse G. Shepherd</i>	Chowan	1858-1865
	Fall	Nov. 28	Hon. Romulus M. Saunders		
1860	Spring	May. 28	<i>Hon. George Howard Jr.</i>	Wilson	1860-1865
	Fall	Nov. 26	Hon. John L. Bailey		
1861	Spring	May. 27	Hon. Robert R. Heath		
	Fall	Nov. 25	Hon. Robert R. Heath		
1862	Spring				(no information 1862-1865)
1865	Fall				
1866	Spring	May. 29	<i>Hon. Daniel G. Fowle</i>	Wake	1865-1867
	Fall	Nov. 26	<i>Hon. Edward J. Warren</i>	Beaufort	1865-1868
1867	Spring	May. 27	<i>Hon. Anderson Mitchell</i>	Iredell	1865-1868
	Fall	Nov. 25	<i>Hon. William M. Shipp</i>	Lincoln	1865-68 / 1882-90
1868	Spring	May. 25	Hon. Edward J. Warren		
	Fall	Oct. 19	<i>Hon. Edmond W. Jones</i>	Edgecombe	1868-1871
1869	Spring	Mar. 1	Hon. Edmond W. Jones		
	Fall	Oct. 4	Hon. Edmond W. Jones		
1870	Spring	Mar. 7	Hon. Edmond W. Jones		
	Fall	Oct. 3	Hon. Edmond W. Jones		
1871	Spring	Mar. 6	Hon. Edmond W. Jones		
	Fall	Oct. 2	<i>Hon. William A. Moore</i>	Chowan	1871-1878
1872	Spring	Mar.4	<i>Hon. Samuel W. Watts</i>	Franklin	1868-1874
	Fall	(unkn)	Hon. William A. Moore (Slated) Court convened and adjourned by Sheriff		Ford R. Caldwell, Governor due to illness of Moore
1873	Spring	Mar. 3	Hon. William A. Moore		
	Fall	Sept. 30	Hon. William A. Moore		
1874	Spring	Apr. 13	Hon. William A. Moore		
	Fall	Oct. 19	<i>Hon. Mills L. Eure</i>	Gates	1874-1882
1875	Spring		Hon. Mills L. Eure		
	Fall	Nov. 19	Hon. Mills L. Eure		

1876	Spring	May. 1	Hon. Mills L. Eure		
	Fall		Hon. Mills L. Eure		
1877	Spring	May.	<i>Hon. James L. Henry</i>	Buncombe	1868-1878
	Fall	Oct. 29	Hon. James L. Henry		
1878	Spring	May. 6	<i>Hon. David M. Furches</i>	Iredell	1875-1878
	Fall	Nov. 11	<i>Hon. John M. Cloud</i>	Surry	1868-1894
1879	Spring	May. 12	<i>Hon. Alphonso C. Avery</i>	Burke	1878-1888
	Fall	Nov. 10	<i>Hon. James C.L. Gudger</i>	Haywood	1878-1886
1880	Spring	May. 10	<i>Hon. Jesse F. Graves</i>	Surry	1878-1894
	Fall	Nov. 15	<i>Hon. David Schenck</i>	Lincoln	1874-1881
1881	Spring	May. 16	<i>Hon. John A. Gilmer</i>	Guilford	1879-1890
	Fall	Nov. 14	<i>Hon. Risden T. Bennett</i>	Anson	1880-1882
1882	Spring	May. 15	<i>Hon. Allmand A. McKay</i>	Simpson	1874-1885
	Fall	Nov.	<i>Hon. Henry A. Gilliam</i>	Edgecombe	1882-1882
1883	Spring	May. 14	<i>Hon. James E. Shepherd</i>	Beaufort	1882-1890
	Fall	Sept. 12	Hon. Alphonso C. Avery		
1884	Spring	May. 12	Hon. James C. L. Gudger		
	Fall	Nov. 10	Hon. Jesse. F. Graves		1878-1894
1885	Spring	May. 11	Hon. William M. Shipp		
	Fall	Nov. 16	Hon. James E. Shepherd		
1886	Special	Feb. 1	Hon. James C.L. Gudger		
	Spring	May. 10	Hon. James C.L. Gudger		
	Fall	Nov. 15	Hon. William M. Shipp		
1887	Spring	May. 16	Hon. Alphonso C. Avery		
	Fall	Nov. 11	Hon. Jesse F. Graves		
1888	Spring	May. 14	<i>Hon. Henry G. Connor</i>	Wilson	1886-1893
	Fall	Nov. 12	<i>Hon. James C. MacRae</i>	Cumberland	1882-1890
1889	Spring	May. 13	<i>Hon. Edwin T. Boykin</i>	Sampson	1886-1897
	Fall	Nov. 11	<i>Hon. George H. Brown Jr.</i>	Washington	1886-1904
1890	Spring	May. 12	<i>Hon. Spier Whitaker</i>	Wake	1890-1894
	Fall	Nov. 10	Hon. Henry G. Connor		
1891	Spring	May. 11	<i>Hon. Henry R. Bryan</i>	Craven	1890-1906
	Fall	Nov. 16	Hon. George H. Brown Jr.		
1892	Spring	May. 16	<i>Hon. George A. Shuford</i>	Buncombe	1892-1894
					Grand Jury reports Court
					House needs enlarging
	Fall	Nov. 14	<i>Hon. William A. Hoke</i>	Lincoln	1890-1904
1893	Spring	May. 15	<i>Hon. John G Bynum</i>	Burke	1890-1894
					1 st superior court session
					held in 1892 expansion
	Fall	Nov. 13	Hon. Jesse F. Graves		

1894	Spring	May. 14	<i>Hon. Robert F. Armfield</i>	Iredell	1889-1890/1890-1894
	Fall	Nov. 12	<i>Hon. James D. McIver</i>	Moore	1890-1898
1895	Spring	May. 13	Hon. Edwin T. Boykin		
	Fall	Nov. 11	<i>Hon. Leander L. Green</i>	Watauga	1894-1898
1896	Spring	May. 11	<i>Hon. William S. O'B Robinson</i>	Wayne	1894-1902
	Fall	Nov. 16	<i>Hon. Edward W. Timberlake</i>	Franklin	1894-1902
1897	Spring	May. 10	Hon. Henry R. Bryan		
	Fall	Nov. 15	Hon. George H. Brown Jr.		
1898	Spring	May. 16	<i>Hon. William L. Norwood</i>	Haywood	1894-1898
	Fall	Nov. 14	Hon. William A. Hoke		
1899	Spring	May. 15	<i>Hon. Jacob W. Bowman</i>	Mitchell	1898-1900
	Fall	Nov. 13	<i>Hon. Henry R. Starbuck</i>	Forsyth	1894-1902
1900	Spring	May. 14	<i>Hon. Albert L. Coble</i>	Iredell	1894-1902
	Fall	Nov. 12	<i>Hon. Thomas A. McNeil</i>	Roberson	1898-1906
1901	Spring	May. 13	<i>Hon. Oliver H. Allen</i>	Lenoir	1898-1923
	Fall	Nov. 25	Hon. George H. Brown Jr.		
1902	Spring	May. 5	<i>Hon. George A. Jones</i>	Franklin	1901-1902
	Fall	Nov. 24	<i>Hon. Frederick Moore</i>	Buncombe	1898-1908
1903	Spring	May. 4	<i>Hon. Michael H. Justice</i>	Rutherford	1902-1919
	Fall	Nov. 23	<i>Hon. William B. Council</i>	Watauga	1900-1910
1904	Spring	May. 9	Hon. William A. Hoke		
	Fall	Nov. 21	<i>Hon. Erastus B. Jones</i>	Forsyth	1902-1910
1905	Spring	May. 22	<i>Hon. George W. Ward</i>	Pasquotank	1904-1913
	Fall	Nov. 20	<i>Hon. Thomas J. Shaw</i>	Guilford	1898-1906
1906	Spring	May. 21	<i>Hon. Walter H. Neal</i>	Scotland	1902-1908
	Fall	Nov. 19	Hon. Thomas A. McNeil		
1907	Spring	May. 13	<i>Hon. William R. Allen</i>	Wayne	1902-1910
	Fall	Nov. 25	Hon. Oliver H. Allen		
1908	Spring	May. 17	<i>Hon. Charles M. Cooke</i>	Franklin	1902-1916
	Fall	Nov. 30	<i>Hon. Owen H. Guion</i>	Craven	1906-1901
1909	Spring	May. 10	<i>Hon. Robert B. Peebles</i>	Northampton	1902-1916
					Grand Jury reports Court needs fire proof vaults
	Fall	Nov. 29	<i>Hon. George W. Ward</i>	Pasquotank	1904-1913
					Probable 1 st superior court session in 1909 addition
1910	Spring	May. 16	<i>Hon. Garland S. Ferguson</i>	Haywood	1902-1918
	Special	July. 20	Hon. George W. Ward		
	Fall	Nov. 28	<i>Hon. Joseph S. Adams</i>	Buncombe	1908-1910
1911	Spring	May. 22	Hon. Oliver H. Allen		
	Fall		(no information)		

1912	Spring	May. 20	<i>Hon. Stephen C. Bragaw</i>	Beaufort	1912-1914
	Fall	Nov. 18	<i>Hon. Henry P. Lane</i>	Rockingham	1910-1926
1913	Spring	May.19	<i>Hon. Harry W. Whedbee</i>	Pitt	1901-1919
	Fall	Oct. 13	Hon. Stephen C. Bragaw		
1914	Spring	May. 19	Hon. Garland S. Ferguson		
	Fall	Oct. 19	<i>Hon. Frank Carter</i>	Buncombe	1912-1918
1915	Spring	May.17	Hon. Harry W. Whedbee		
	Fall	Oct	<i>Hon. O. W. Cook</i>		(no information)
1916	Spring	May. 22	Hon. Oliver H. Allen		
	Fall	Oct. 16	Hon. Harry W. Whedbee		
1917	Spring	May. 21	<i>Hon. Frank A. Daniels</i>	Wayne	1910-1935
	Fall	Oct. 15	<i>Hon. John H. Kerr</i>	Warren	1916-1923
1918	Spring	May. 20	<i>Hon. George W. Callwell</i>		(no information)
	Special	July.1	<i>Hon. William Bured (spelling?)</i>		(no information)
	Fall	Oct. 14	Hon. W.W. Bured		
1919	Spring	May. 19	<i>Hon. William A. Devin</i>	Granville	1914-1935
	Fall	Oct. 13	<i>Hon. Chatham C. Lyon</i>	Bladen	1907-1922
1920	Spring	May. 17	<i>Hon. Edward H. Cranmer</i>	Brunswick	1920-1939
	Fall	Oct. 18	<i>Hon. Thomas H. Calvert</i>	Wake	1917-1937
1921	Spring	May.23	Hon. Oliver H. Allen		
	Special	July.18	<i>Hon. O.H. Allen</i>		(no information)
	Fall	Oct. 17	<i>Ho. J. Lloyd Horton</i>	Pitt	1920/1921-1925
1922	Spring	May. 22	<i>Hon. W. M. Bond</i>		(no information)
	Fall	Oct. 16	<i>Hon. John H. Kerr</i>		Grand Jury reports that Jail in unsanitary condition/needs new locks
1923	Spring	May. 21	<i>Hon. George W. Connor</i>	Pitt	1914-1924
	Fall	Oct. 15	<i>Hon. William M. Bond</i>		(no information)
1924	Spring	May. 19	<i>Hon. A.M. Stack</i>	Union	1923-1935
	Fall	Oct. 13	<i>Hon. Neil A. Sinclair</i>	Cumberland	1923-1939
	Special	Oct. 20	Hon. Oliver H. Allen		
1925	Spring	May. 17	Hon. Edward H. Cranmer		
	Fall	Oct. 18	Hon. Thomas H. Calvert		
1926	Spring	May. 17	<i>Hon. Henry A. Grady</i>	Simpson	1923-1939
	Fall	Oct. 17	<i>Hon. Romulus A. Nunn</i>	Craven	1926-1931
1927	Spring	(none)			
	Fall	Oct. 17	<i>Hon. Garland E. Midyette</i>	Northampton	1925-1933
1928	Spring	May.21	<i>Hon. Maurice V. Barnhill</i>	Nash	1925-1937
	Fall	Oct. 15	<i>Hon. Walter L. Small</i>	Pasquotank	1928-1938
	Special	Dec. 17	Hon. Neil A. Sinclair		
1929	Spring	May. 20	Hon. Walter L. Small		

	Fall	(none)			
1930	Special	Feb. 10	<i>Hon. G.V. Cowper</i>		(no information)
	Spring	May. 19	Hon. Romulus A. Nunn		
	Fall	Oct. 13	<i>Hon. William C. Harris</i>	Wake	1927-1954
1931	Spring	May. 18	Hon. G.V. Cowper		
	Special	Sept.	Hon. Clayton Moore		
	Fall	Oct. 19	<i>Hon. J. Paul Frizzelle</i>	Greene	1931-1960
1932	Spring	May. 23	<i>Hon. Clayton Moore</i>		(no information)
	Fall	Oct. 17	<i>Hon. Robert H. Parker</i>	Halifax	1932-1952
1933	Spring	May. 22	Hon. Maurice V. Barnhill		
	Fall	Oct. 16	Hon. Walter L. Small		
1934	Spring	May. 21	Hon. William A. Devin		
	Fall	Oct. 15	Hon. Neil A. Sinclair		
1935	Spring	May. 3	Hon. Edward H. Cranmer		
	Special	July. 15	Hon. Robert Hunt Parker		
	Fall	Oct. 14	Hon. William C. Harris		
1936	Spring	May. 18	Hon. Clayton Moore		
	Fall	Oct.	Hon. J. Paul Frizzelle		
1937	Spring	May.	<i>Hon. Clawson L. Williams</i>	Lee	1935-1964
	Fall	Oct. 18	<i>Hon. Robert Hunt Parker</i>		Grand Jury recommends Co. Commissioners contact WPA to rebuild jail
1938	Spring	May. 23	<i>Hon. C. Everett Thompson</i>	Pasquotank	1938/1939-1947
	Special	Aug. 15	Hon. C. Everett Thompson		
	Fall	Oct. 17	<i>Hon. C. Everett Thompson</i>		Jail Condemned Prisoners moved to Belhaven

IV.

Note: Asterisk by last name indicates biography excerpt available in chapter V.

Hyde County Superior Court Judges sorted by Year/Date Served						
Year	Term	Date	Judges Name (1st appearance bold)		Home County	Comments/Term Served
1838	Spring	7-May	(no record)			Court Held in Community Home
1838	Fall	Nov. 5	Hon. John D.	Toomer*	Cumberland	1837-1840 FIRST session in new ct.hse.
1840	Spring	Mar. 5	Hon. John D.	Toomer		
1839	Spring		Hon. John M.	Dick *	Guilford	1835-1861
1840	Fall	Nov. 19	Hon. John M.	Dick		
1848	Spring	May. 31	Hon. John M.	Dick		
1851	Fall	Nov. 26	Hon. John M.	Dick		
1839	Fall	Nov. 4	Hon. Thomas	Settle *	Rockingham	1833-1854
1848	Fall	Nov. 29	Hon. Thomas	Settle		
1852	Spring	May. 20	Hon. Thomas	Settle		
1841	Spring	May. 8	Hon. John L.	Bailey *	Pasquotank	1837-1863
1843	Spring	May. 8	Hon. John L.	Bailey		
1846	Fall	Nov. 9	Hon. John L.	Bailey		
1850	Spring	May. 29	Hon. John L.	Bailey		
1853	Fall	Nov. 30	Hon. John L.	Bailey		
1857	Spring	May. 25	Hon. John L.	Bailey		
1860	Fall	Nov. 26	Hon. John L.	Bailey		
1842	Spring	May. 8	Hon. William H.	Battle *	Wake	1841-1848/ 1849-1852
1849	Spring	May. 30	Hon. William H.	Battle		
1852	Fall	Dec. 1	Hon. William H.	Battle		
1842	Fall	Nov. 7	Hon. Matthias E.	Manly *	Craven	1841-1859
1844	Spring	May. 6	Hon. Matthias E.	Manly		
1846	Spring	May. 5	Hon. Matthias E.	Manly		
1847	Fall	Dec. 1	Hon. Matthias E.	Manly		

1849	Fall	Nov. 28	Hon. Matthias E.	Manly		
1853	Spring	June. 1	Hon. Matthias E.	Manly		
1856	Fall	Nov. 24	Hon. Matthias E.	Manly		
1843	Fall	Sept. 5	Hon. Horace R.	Semson?		(no information)
1845	Fall	Nov. 5	Hon. George	Bultty?		(no information)
1847	Spring	May. 3	Hon. Richmond M.	Pearson *	Davie	1837-1848
1850	Fall	Nov. 2	Hon. John W.	Ellis *	Rowan	1848-1858
1854	Spring	May. 31	Hon. John W.	Ellis		
1857	Fall	Nov. 30	Hon. John W.	Ellis		
1851	Spring	May. 28	Hon. David F.	Caldwell *	Rowan	1845-1860
1858	Spring	May. 24	Hon. David F.	Caldwell		
1854	Fall	Nov. 29	Hon. Frederick L.	Roper		(no information)
1855	Spring	May. 28	Hon. Frederick L.	Roper		
1855	Fall	Nov. 20	Hon. Frederick L.	Roper		
1856	Spring	May. 26	Hon. Romulus M.	Saunders *	Wake	1853-1865
1859	Fall	Nov. 28	Hon. Romulus M.	Saunders		
1858	Fall	Nov. 29	Hon. Robert R.	Heath *	Cumberland	1858-1858
1861	Spring	May. 27	Hon. Robert R.	Heath		
1861	Fall	Nov. 25	Hon. Robert R.	Heath		
1859	Spring	May. 30	Hon. Jesse G.	Shepherd	Chowan	1858-1865
1860	Spring	May. 28	Hon. George	Howard Jr.	Wilson	1860-1865
1866	Spring	May. 29	Hon. Daniel G.	Fowle *	Wake	1865-1867
1866	Fall	Nov. 26	Hon. Edward J.	Warren *	Beaufort	1865-1868
1868	Spring	May. 25	Hon. Edward J.	Warren		
1867	Spring	May. 27	Hon. Anderson	Mitchell *	Iredell	1865-1868
1867	Fall	Nov. 25	Hon. William M.	Shipp *	Lincoln	1865-1868
1885	Spring	May. 11	Hon. William M.	Shipp		1882-1890

1886	Fall	Nov. 15	Hon. William M.	Shipp		
1868	Fall	Oct. 19	<i>Hon. Edmond W.</i>	<i>Jones</i>	Edgecombe	1868-1871
1869	Spring	Mar. 1	Hon. Edmond W.	Jones		
1869	Fall	Oct. 4	Hon. Edmond W.	Jones		
1870	Spring	Mar. 7	Hon. Edmond W.	Jones		
1870	Fall	Oct. 3	Hon. Edmond W.	Jones		
1871	Spring	Mar. 6	Hon. Edmond W.	Jones		
1871	Fall	Oct. 2	<i>Hon. William A.</i>	<i>Moore</i> *	Chowan	1871-1878
1872	Fall	(unkn)	Hon. William A.	Moore (Slated)		
			Court convened and adjourned by Sheriff due to illness of Moore			
1873	Spring	Mar. 3	Hon. William A.	Moore		
1873	Fall	Sept. 30	Hon. William A.	Moore		
1874	Spring	Apr. 13	Hon. William A.	Moore		
1872	Spring	Mar.4	<i>Hon. Samuel W.</i>	<i>Watts</i>	Franklin	1868-1874
						Ford R. Caldwell, Governor
1874	Fall	Oct. 19	<i>Hon. Mills L.</i>	<i>Eure</i>	Gates	1874-1882
1875	Spring		Hon. Mills L.	Eure		
1875	Fall	Nov. 19	Hon. Mills L.	Eure		
1876	Spring	May. 1	Hon. Mills L.	Eure		
1876	Fall		Hon. Mills L.	Eure		
1877	Spring	May.	<i>Hon. James L.</i>	<i>Henry</i> *	Buncombe	1868-1878
1877	Fall	Oct. 29	Hon. James L.	Henry		
1878	Spring	May. 6	<i>Hon. David M.</i>	<i>Furches</i> *	Iredell	1875-1878
1878	Fall	Nov. 11	<i>Hon. John M.</i>	<i>Cloud</i>	Surry	1868-1878
1879	Spring	May. 12	<i>Hon. Alphonso C.</i>	<i>Avery</i> *	Burke	1878-1888
1883	Fall	Sept. 12	Hon. Alphonso C.	Avery		
1887	Spring	May. 16	Hon. Alphonso C.	Avery		
1879	Fall	Nov. 10	<i>Hon. James C.L.</i>	<i>Gudger</i> *	Haywood	1878-1886
1884	Spring	May. 12	Hon. James C. L.	Gudger		
1886	Special	Feb. 1	Hon. James C.L.	Gudger		
1886	Spring	May. 10	Hon. James C.L.	Gudger		
1880	Spring	May. 10	<i>Hon. Jesse F.</i>	<i>Graves</i> *	Surry	1878-1894
1884	Fall	Nov. 10	Hon. Jesse. F.	Graves		1878-1894

1887	Fall	Nov. 11	Hon. Jesse F.	Graves		
1893	Fall	Nov. 13	Hon. Jesse F.	Graves		
1880	Fall	Nov. 15	<i>Hon. David</i>	<i>Schenck</i> *	Lincoln	1874-1881
1881	Spring	May. 16	<i>Hon. John A.</i>	<i>Gilmer</i> *	Guilford	1879-1890
1881	Fall	Nov. 14	<i>Hon. Risden T.</i>	<i>Bennett</i> *	Anson	1880-1882
1882	Spring	May. 15	<i>Hon. Allmand A.</i>	<i>McKay</i>	Simpson	1874-1885
1882	Fall	Nov.	<i>Hon. Henry A.</i>	<i>Gilliam</i>	Edgecombe	1882-1882
1883	Spring	May. 14	<i>Hon. James E.</i>	<i>Shepherd</i>	Beaufort	1882-1890
1885	Fall	Nov. 16	Hon. James E.	Shepherd		
1888	Spring	May. 14	<i>Hon. Henry G.</i>	<i>Connor</i>	Wilson	1886-1893
1890	Fall	Nov. 10	Hon. Henry G.	Connor		
1888	Fall	Nov. 12	<i>Hon. James C.</i>	<i>MacRae</i>	Cumberland	1882-1890
1889	Spring	May. 13	<i>Hon. Edwin T.</i>	<i>Boykin</i>	Sampson	1886-1897
1895	Spring	May. 13	Hon. Edwin T.	Boykin		
1889	Fall	Nov. 11	<i>Hon. George H.</i>	<i>Brown Jr</i> *	Beaufort	1886-1890-1904
1891	Fall	Nov. 16	Hon. George H.	Brown Jr		
1897	Fall	Nov. 25	Hon. George H.	Brown Jr		
1901	Fall	Nov. 15	Hon. George H.	Brown Jr		
1890	Spring	May. 12	<i>Hon. Spier</i>	<i>Whitaker</i> *	Wake	1890-1894
1891	Spring	May. 11	<i>Hon. Henry R.</i>	<i>Bryan</i> *	Craven	1890-1906
1897	Spring	May. 10	Hon. Henry R.	Bryan		
1892	Spring	May. 16	<i>Hon. George A.</i>	<i>Shuford</i>	Buncombe	1892-1894 Grand Jury reports Court House needs enlarging
1892	Fall	Nov. 14	<i>Hon. William A.</i>	<i>Hoke</i> *	Lincoln	1890-1904
1898	Fall	Nov. 14	Hon. William A.	Hoke		
1904	Spring	May. 9	Hon. William A.	Hoke		

1893	Spring	May. 15	Hon. John G	Bynum	Burke	1890-1894 1st superior court session held in 1892 expansion
1894	Spring	May. 14	Hon. Robert F.	Armfield *	Iredell	1889-1890/1890-1894
1894	Fall	Nov. 12	Hon. James D.	McIver	Moore	1890-1898
1895	Fall	Nov. 11	Hon. Leander L.	Green	Watauga	1894-1898
1896	Spring	May. 11	Hon. William S. O'B	Robinson	Wayne	1894-1902
1896	Fall	Nov. 16	Hon. Edward W.	Timberlake	Franklin	1894-1902
1898	Spring	May. 16	Hon. William L.	Norwood	Haywood	1894-1898
1899	Spring	May. 15	Hon. Jacob W.	Bowman	Mitchell	1898-1900
1899	Fall	Nov. 13	Hon. Henry R.	Starbuck	Forsyth	1894-1902
1900	Spring	May. 14	Hon. Albert L.	Coble	Iredell	1894-1902
1900	Fall	Nov. 12	Hon. Thomas A.	McNeil	Roberson	1898-1906
1906	Fall	Nov. 19	Hon. Thomas A.	McNeil		
1901	Spring	May. 13	Hon. Oliver H.	Allen	Lenoir	1898-1923
1907	Fall	Nov. 25	Hon. Oliver H.	Allen		
1911	Spring	May. 22	Hon. Oliver H.	Allen		
1916	Spring	May. 22	Hon. Oliver H.	Allen		
1921	Spring	May. 23	Hon. Oliver H.	Allen		
1921	Special	July. 18	Hon. Oliver H.	Allen		
1924	Special	Oct. 20	Hon. Oliver H.	Allen		
1902	Spring	May. 5	Hon. George A.	Jones *	Franklin	1901-1902
1902	Fall	Nov. 24	Hon. Frederick	Moore *	Buncombe	1898-1908
1903	Spring	May. 4	Hon. Michael H.	Justice	Rutherford	1902-1919
1903	Fall	Nov. 23	Hon. William B.	Council	Watauga	1900-1910

1904	Fall	Nov. 21	<i>Hon. Erastus B.</i>	<i>Jones</i>	Forsyth	1902-1910
1905	Spring	May. 22	<i>Hon. George W.</i>	<i>Ward</i>	Pasquotank	1904-1913
1909	Fall	Nov. 29	<i>Hon. George W.</i>	<i>Ward</i>		Probable 1st superior court session in 1909 addition
1910	Special	20-Jul	Hon. George W.	Ward		
1905	Fall	Nov. 20	<i>Hon. Thomas J.</i>	<i>Shaw</i>	Guilford	1898-1906
1906	Spring	May. 21	<i>Hon. Walter H.</i>	<i>Neal</i>	Scotland	1902-1908
1907	Spring	May. 13	<i>Hon. William R.</i>	<i>Allen</i>	Wayne	1902-1910
1908	Spring	May. 17	<i>Hon. Charles M.</i>	<i>Cooke</i>	Franklin	1902-1916
1908	Fall	Nov. 30	<i>Hon. Owen H.</i>	<i>Guion</i>	Craven	1906-1901
1909	Spring	May. 10	<i>Hon. Robert B.</i>	<i>Peebles</i>	Northampton	1902-1916 Grand Jury reports Court needs fire proof vaults
1910	Spring	May. 16	<i>Hon. Garland S.</i>	<i>Ferguson</i>	Haywood	1902-1918
1914	Spring	May. 19	Hon. Garland S.	Ferguson		
1910	Fall	Nov. 28	<i>Hon. Joseph S.</i>	<i>Adams</i>	Buncombe	1908-1910
1912	Spring	May. 20	<i>Hon. Stephen C.</i>	<i>Brawgaw</i>	Beaufort	1912-1914
1913	Fall	Oct. 13	Hon. Stephen C.	Brawgaw		
1912	Fall	Nov. 18	<i>Hon. Henry P.</i>	<i>Lane</i>	Rockingham	1910-1926
1913	Spring	May. 19	<i>Hon. Harry W.</i>	<i>Whedbee</i>	Pitt	1901-1919
1915	Spring	May. 17	Hon. Harry W.	Whedbee		
1916	Fall	Oct. 16	Hon. Harry W.	Whedbee		
1914	Fall	Oct. 19	<i>Hon. Frank</i>	<i>Carter</i>	Buncombe	1912-1918
1915	Fall	Oct.	<i>Hon. O. W.</i>	<i>Cook</i>		(no information)
1917	Spring	May. 21	<i>Hon. Frank A.</i>	<i>Daniels</i>	Wayne	1910-1935

1917 1922	Fall Fall	Oct. 15 Oct. 16	<i>Hon. John H.</i> Hon. John H.	<i>Kerr</i> Kerr	Warren	1916-1923 Grand Jury reports that Jail in unsanitary condition/needs new locks
1918	Spring	May. 20	<i>Hon. George W.</i>	<i>Callwell</i>		(no information)
1918 1918	Special Fall	July. 1 Oct. 14	<i>Hon. William</i> Hon. W.W.	<i>Bured</i> Bured		(no information)
1919 1934	Spring Spring	May. 19 May. 21	<i>Hon. William A.</i> Hon. William A.	<i>Devin</i> Devin	Granville	1914-1935
1919	Fall	Oct. 13	<i>Hon. Chatham C.</i>	<i>Lyon</i>	Bladen	1907-1922
1920 1925 1935	Spring Spring Spring	May. 17 May. 17 May. 3	<i>Hon. Edward H.</i> Hon. Edward H. Hon. Edward H.	<i>Cranmer</i> Cranmer Cranmer	Brunswick	1920-1939
1920 1925	Fall Fall	Oct. 18 Oct. 18	<i>Hon. Thomas H.</i> Hon. Thomas H.	<i>Calvert</i> Calvert	Wake	1917-1937
1921	Fall	Oct. 17	<i>Hon. J. Lloyd</i>	<i>Horton</i>	Pitt	1920/1921-1925
1922 1923	Spring Fall	May. 22 Oct. 15	<i>Hon. W. M.</i> Hon. William M.	<i>Bond</i> Bond		(no information)
1923	Spring	May. 21	<i>Hon. George W.</i>	<i>Connor</i>	Pitt	1914-1924
1924	Spring	May. 19	<i>Hon. A.M.</i>	<i>Stack</i>	Union	1923-1935
1924 1928 1934	Fall Special Fall	Oct.13 Dec. 17 Oct. 15	<i>Hon. Neil A.</i> Hon. Neil A. Hon. Neil A.	<i>Sinclair</i> Sinclair Sinclair	Cumberland	1923-1939
1926	Spring	May. 17	<i>Hon. Henry A.</i>	<i>Grady</i>	Simpson	1923-1939
1926 1930	Fall Spring	Oct. 17 May. 19	<i>Hon. Romulus A.</i> Hon. Romulus A.	<i>Nunn</i> Nunn	Craven	1926-1931

1927	Fall	Oct. 17	<i>Hon. Garland E.</i>	<i>Midyette</i>	Northampton	1925-1933
1928	Spring	May.21	<i>Hon. Maurice V.</i>	<i>Barnhill</i>	Nash	1925-1937
1933	Spring	May. 22	Hon. Maurice V.	Barnhill		
1928	Fall	Oct. 15	<i>Hon. Walter L.</i>	<i>Small</i>	Pasquotank	1928-1938
1929	Spring	May. 20	Hon. Walter L.	Small		
1933	Fall	Oct. 16	Hon. Walter L.	Small		
1930	Special	Feb. 10	<i>Hon. G.V.</i>	<i>Cowper</i>		(no information)
1931	Spring	May. 18	Hon. G.V.	Cowper		
1930	Fall	Oct. 13	<i>Hon. William C.</i>	<i>Harris</i>	Wake	1927-1954
1935	Fall	Oct. 14	Hon. William C.	Harris		
1931	Special	Sept.	<i>Hon. Clayton</i>	Moore		(no information)
1932	Spring	May. 23	<i>Hon. Clayton</i>	Moore		
1936	Spring	May. 18	Hon. Clayton	Moore		
1931	Fall	Oct. 19	<i>Hon. J. Paul</i>	<i>Firzzelle</i>	Greene	1931-1960
1936	Fall	Oct.	Hon. J. Paul	Firzzelle		
1932	Fall	Oct. 17	<i>Hon. Robert H.</i>	<i>Parker</i>	Halifax	1932-1952
1935	Special	July. 15	Hon. Robert Hunt	Parker		
1937	Fall	Oct. 18	Hon. Robert Hunt	Parker		Grand Jury recommends Co. Commissioners contact WPA to rebuild jail
1937	Spring	May.	<i>Hon. Clawson L.</i>	<i>Williams</i>	Lee	1935-1964
1938	Spring	May. 23	<i>Hon. C. Everett</i>	<i>Thompson</i>	Pasquotank	1938/1939-1947
1938	Special	Aug. 15	Hon. C. Everett	Thompson		
1938	Fall	Oct. 17	Hon. C.Everett	Thompson		Jail Condemned Prisoners moved to Belhaven
1841	Fall		(no record)			
1844	Fall		(no record)			
1845	Spring		(no record)			
1862	Spring					
1865	Fall					(no information 1862-1865)

1911	Fall	(no record)
1927	Spring	(no record)
1929	Fall	(no record)

V.

A COMPILATION OF BIOGRAPHY EXCERPTS OF CERTAIN SUPERIOR COURT JUDGES WHO HELD COURT AT THE HYDE COUNTY COURT HOUSE LOCATED IN SWANQUARTER, NC FROM 1838 TO 1938

The following information is taken from various web sites on the internet in 2011. Where possible, we have referenced the site from which the information was gathered.

The biography excerpts found are listed in order of their first appearance at the Hyde County Court Bench in Swan Quarter.

1. JOHN DE ROSSET TOOMER

Source: Dictionary of North Carolina Biography by William S. Powell, 1996

"Toomer, John De Rossett (13 Mar 1784 - 27 Sep 1856), attorney, legislator, and superior court judge, was born in Wilmington, the son of Henry and Magdalene Mary De Rossett Toomer. Henry Toomer, who moved from South Carolina to Wilmington with his father, Joshua Toomer, in 1747. was a member of the Wilmington Safety Committee in 1775 and 1776. Magdalene, his third wife, was the daughter of Dr. Moses John and Mary Ivy De Rossett. After attending The University of North Carolina, John D. Toomer began to practice law in Wilmington. In 1815 he was county attorney. He moved to Cumberland county and was living in Fayetteville in 1824.

The General Assembly elected Toomer a superior court judge on 18 Dec. 1818 to fill a vacancy created when several superior court judges were sent to the state supreme court, but he resigned in 1819. Eight years later, in 1827, he was elected to the General Assembly to replace Robert Strange, who had resigned. Appointed an associate justice of the supreme court by the governor on 8 May 1829, Toomer resigned on 1 December of the same year. In June 1835 he was a delegate to the constitutional convention.

He was elected a judge of the superior court on 7 Jan. 1837 and served until 1840, when he resigned because of ill health. Sometime after this he moved from Fayetteville to Pittsboro, where he died.

In Wilmington on 9 Dec. 1805 Toomer married Maria J. Rhett Swann, who was born on 13 May 1787 in New Hanover County to John and Sarah Moore Swann. Sarah was the daughter of Brigadier General James Moore. The children named in Toomer's will were John, Henry, Duncan, Frederick, Lucy, Eliza (m. Thomas Hill), Sarah Ann (m. Albert Torrence), and Mary (m. Warren Winslow).

Both Toomer and his wife were buried in Pittsboro.

2. JOHN M. DICK

Judge John M. Dick, son of James, of the Rock Creek section, located in Greensboro for the practice of law in 1816. He married Parthenia Paine Williamson, of Person County, and their children were James W., Robert P., John G. A., William A., Edward L., Fred N., Susan, Mildred J. and Annie W. James W. married first Bettie G. Wright, and second Lucy M. Brown; Judge Robert P. married Mary Eloise, daughter of George Adams, of Pittsylvania County, Va., in 1848; John G. A. married Mary E. Dodson in 1861; William A. married Miss McQueen, of Wilmington; we have no record of Fred N.; Susan married first Absolom T. Humphreys, son of Henry, in 1842, second Dr. D. P. Weir, and third David B. Bell, of Enfield, N. C., in 1881; Mildred J. married Col. William S. Rankin, son of John Calvin, in 1867; Edward L. and Annie W. died unmarried. *[end of page 55]*

[Buffalo Presbyterian Church, Members of the Congregation, \(Part Three\) from Rev. Rankin's book](#)

Another Bridge petition from the Randolph County records in the State Archives in Raleigh...

This one is for the first bridge across Deep River at what is now US 220 Business in the City of Randleman;

Since only registered voters could sign the petition, it can't date any earlier than the 21st birthday of its *youngest* signer. I haven't checked them all, but James Dicks (son of Peter, b. 1804) and Jonathan Worth (b. 1802) wouldn't have been legal voters until after 1823 and 1825. The key signer, I believe, is **John M. Dick** (1791- 1861), a prominent resident of Greensboro who served as Guilford County as a state senator in 1819 and 1829-1831. The only reason I can see that a Guilford County citizen would sign this petition is the fact that he was elected to the Superior Court bench in 1832 [*John Hill Wheeler, Historical Sketches of North Carolina; Philadelphia, 1851*], and then, as now, Superior Court judges travel from county to county in a circuit. So I believe that the petition was signed during a court session in Asheboro by lawyers and officials whose travel time back and forth to Greensboro would be significantly improved by a bridge in this location

Wheeler's History of North Carolina

NOTE WHEELER DIED 1882 THEREFORE LATER INFORMATION MISSING IN SOME CASES

John M. Dick was also a native and resident of this county. He was born about 1791, studied law, and represented this county in the legislature in the senate in 1819, '20, '29, and '31, and in 1832 was elected one of the judges of the superior courts of law and equity, which he held until his death, this occurred while he was riding the Edenton circuit, at the house of Abram Reddick, in Hertford County

3. THOMAS SETTLE

ROCKINGHAM COUNTY.

Hon. Thomas Settle, sen'r. born 1791; died 1857; was born in this County. He was distinguished for his ability as a statesman and as a judge, and esteemed for his virtues, learning, and deportment. He entered public life as a member of the House of Commons from Rockingham in 1816 and in 1817 succeeded Bartlett Yancey as Representative in the 15th Congress, and was re-elected to the 16th Congress (1819-21,) when he declined re-election. He was succeeded by Romulus M. Saunders. In 1826 he was again returned to the Legislature, and re-elected in 1827-28. During the latter years he was Speaker of the House. His course as a member of the Legislature was marked by patriotism, consistency, and dignity. When the fiery crusade of party was directed against the banker's institutions of the State, led by the unscrupulous energy of Robert Potter, the bill was carried by one vote to prosecute and crush the banks, as Speaker, Judge Settle voted with the minority and prevented its passage.

In 1832 he was elected one of the Judges of the Supreme Court, which elevated position he held for nearly a quarter of a century with great satisfaction to the country and credit to himself. Increasing years caused his resignation. His health, from the labor of a long life, failed, and, universally lamented, he died in August, 1857.

He married Henrietta, the daughter of Azariah, and the sister of Hon. Calvin Graves.

We give a correct genealogy of this family from reliable and authentic sources. It is seldom that a family less numerous can show more distinguished members. In this table there are the names of two Senators in U. S. Congress, and four members in the House of Representatives, three judges, a governor, and a formidable aspirant for the Presidency, besides others distinguished for their ability integrity and virtues.

JOSEPH W. TODD, ESQ., was born in Jefferson September 3, 1834, was admitted to the bar after the Civil War, in which he had served gallantly. He is said to have been the only lawyer who ever told a joke (successfully) to the State Supreme court. He was never a very ardent student, but his wit, humor and resourcefulness, at the bar and on the hustings, were marked. He died June 28, 1909. His contest with the Rev. Christian Moretz for the legislature in the seventies is still remembered for the vigor and energy displayed by both candidates. He gave senate the name of "red-legged grass-hoppers" to the internal revenue agents, who, soon after the Civil War, were the first to wear leather leggins in their peregrinations through the mountains in search of blockade stills. Those who remember the famous joint canvass of Gov. Vance **and Judge Thomas Settle** in the summer of 1876 for the office of governor will recall that Vance made much capital of the red- legged grass-hoppers, a name he applied to all in the service of the general government until Settle showed that two of Vance's sons were in the service of the United States, one in the naval academy and the other at West Point. Mr. Todd's daughter still preserves a caricature of this canvass. He married Sallie Waugh of Shouns, Tenn

4. JOHN LANCASTER BAILEY

Connected with memories of the County is the name of **John L. Baily**, born August 13th, 1795; died June 30th, 1877 late one of the Judges of the Superior Courts of the State; who was the son of Gabriel Baily and born in Pasquotank County. He was educated at Chapel Hill, and studied law with Governor Iredell, at Edenton. In 1824 he represented this County in the House of Commons and was elected to the Senate in 1827 and 1828; he was elected one of the Judges of the Superior Courts in 1836, which position he filled with honor to himself and the great satisfaction of the country. He resigned in 1863. As a Judge he was patient, impartial, kind and learned; as a citizen, just and loyal; as a friend, sincere and genial. Preferring the bracing climate of Buncombe County, even to that of his native County, he removed to Asheville some years ago, where he died. His amiable wife, daughter of Thomas Brownrigg, of Chowan County, had died a few years before him. He was the father of Thomas B. Baily and Wm. H. Baily, Esqs., of Charlotte, as also of Mrs. Caine.

JUDGE JOHN LANCASTER BAILEY. He was born August 13, 1795, in eastern North Carolina; was married June 21, 1821, to Miss Priscilla E. Brownrigg; was admitted to the bar at some date prior to 1821; was representative from Pasquotank County in House of Commons in 1824 and a senator in 1828 and 1832; was a delegate to the State Convention of 1835; was elected judge of the Superior court January 11, 1837, and resigned there-from November 29, 1863, after a service of over twenty-six years; practiced law at Elizabeth City, and also taught law there, probably up to the time of his election as judge. It was about the time of his election as judge or a few years afterward that he removed to Hillsboro, and with Judge Nash taught school there. In 1859 he moved to Black Mountain, near what is now the intake of the Asheville water system and Mrs. J. K. Connally's summer home, where he taught a law school from 1859 to 1861. He moved to Asheville in 1865 and taught a law school there until about 1876. He also practiced law in Asheville in copartnership with the late Gen. J. G. Martin. He died June 20, 1877. Judge Bailey was loved and honored by all as an able and upright lawyer and a worthy and useful citizen. (For fuller sketch see "Biographical History of North Carolina, Vol. IV, p.52, and Vol. VI, p.6.)

CHAPTER XLIII.

PASQUOTANK COUNTY.

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of Buncombe County, even to that of his native County, he removed to Asheville some years ago, where he died. His amiable wife, daughter of Thomas Brownrigg, of Chowan County, had died a few years before him. He was the father of Thomas B. Baily and Wm. H. Baily, Esqs., of Charlotte, as also of Mrs. Caine.

5. WILLIAM HORN BATTLE

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The Battle family, one of the most numerous and distinguished families of the state, had its origin in this county. Elisha Battle, the progenitor of the family, was born in Nansemond County, Virginia, January 9, 1723. He moved to Tar River, in this county, in 1748. About 1764 he joined the Baptists, was chosen deacon, and continued a consistent and zealous member of this denomination until his death. Equally useful was he in the affairs of state; he was elected for twenty years successively to represent this county in the legislature; he was also a member of the provincial congress at Halifax, which formed the state constitution, and a member of the convention at Hillsboro, to deliberate upon the ratification of the Constitution of the United States. In 1742, he was married to Elizabeth Sumner; in 1799 (March 6th,) he died, leaving eight children.

William Horn Battle, late one of the judges of the supreme and superior courts of North Carolina, was a native of this county, born October 17, 1802. He was the son of Joel Battle, and grandson of William, the fifth child of Elisha Battle, just mentioned. His education was received at the university, where he graduated in 1820, delivering the valedictory, then the prize of the scholar second in rank. This was no small distinction among such scholars as Bartholomew F. Moore, Bishop Otey, Charles G. Spaight, and others of that class. He read law with Judge Henderson, and was licensed to practice in 1824. From his modest and retiring demeanor, his success was but slow, and gave but little promise of future eminence, and for years but few briefs engaged his services. But he persevered, and finally attained the highest honors of his profession. This example should certainly afford encouragement to young and briefless lawyers. His time was occupied in constant study, and in laying deep and broad his knowledge of the law. He prepared a second edition of the first volume of Haywood's Reports, greatly enhanced in value by the addition of notes showing the changes made in the course of forty years' legislation, and new decisions construing the law. This edition was received by the profession with great commendation, and gave Mr. Battle such a reputation that he was appointed by the governor, with other able jurists, to revise the statutes of the state. After the labor of three years, these "Revised Statutes" were submitted to

the legislature for ratification, and adopted.

Mr. Battle had been associated with Mr. Devereux as reporter of the decisions of the supreme court. On the resignation of his associate in 1839, Mr. Battle became the sole reporter. The fidelity and accuracy with which he discharged the duties of this post, won for him the approbation and applause of the profession on the bench and at the bar, and, therefore, upon the resignation of Judge Toomer, he was appointed by Governor Dudley, in August, 1840, one of the judges of the superior court, which appointment was confirmed at its next session by the legislature.

In 1843 he removed to Chapel Hill, and in 1845 was elected, by the trustees of the university, Professor of Law, conferring upon him, at the same time, the degree of LL.D. On the death of Judge Daniel, he was appointed (May, 1848,) by Governor Graham, one of the justices of the supreme court of the state, but this appointment was not confirmed by the legislature, although, by the same body, **upon the resignation of Honorable Augustus Moore, one of the judges of the superior court, he was elected to fill that vacancy. He held this position for some time. In December, 1852,** he was elected by the legislature one of the justices of the supreme court. The circumstances, so gratifying and honorable, connected with this appointment are best explained by the following correspondence:

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"CITY OF RALEIGH,
"HOUSE OF COMMONS,
"December 3rd, 1852.

"SIR: The general assembly of the State of North Carolina, now in session, on yesterday, with an unanimity seldom equalled in the councils of the state, have elected you to the elevated position of judge of the supreme court.

"This will be doubtless unexpected to you, but we trust that it will be gratifying. It was done without any caucus or convention arrangement; but both of the great parties, now so equally balanced in the legislature, have with patriotic unanimity thrown aside the shackles of party, and offer to your hands the highest office in their gift.

"In the language of one of your distinguished compeers, we can say: 'To give a wholesome exposition of the law, to settle the fluctuating and reconcile the seeming conflicting analogies of judicial decisions, to administer justice in the last resort with a steady hand and upright purpose,' are among the highest civil functions that in our republic a citizen can be called upon to discharge. This post we now tender to you. In this case 'the

office has sought the man, and not the man the office.' We sincerely hope that you will accept it.

"With assurance of our personal regards for your health and happiness, we are faithfully your friends,

"JNO. H. WHEELER,

"JNO. BAXTER,

"A. M. SCALES,

"J. A. WAUGH,

"C. H. WILEY,

"JOSIAH TURNER, jr.,

J. G. MACDUGALD,

W. K. MARTIN,

H. SHERRILL.

R. A. RUSSELL,

R. G. A. LOVE,

B. L. DURHAM,

"W. J. LONG.

"To Hon. WM. H. BATTLE,
"Raleigh, N. C."

"CHAPEL HILL,
"December 10, 1852.

"GENTLEMEN: Your note, directed to me at this place, informing me that the general assembly had elected me to the office of judge of the supreme court, and asking my acceptance of it, did not find me here, for the reason that I had not then returned from my circuit. You are aware that upon my arrival in Raleigh, on my way home, I addressed a communication to the honorable body, of which you are members, in which I signified my acceptance of the post which their partiality had assigned me. This would seem to render unnecessary any reply to your note, but the kind and friendly

spirit which dictated it, and the highly complimentary terms in which it is couched, forbid my leaving it unnoticed.

"I do not pretend to be exempt from the ambition of standing fair in the estimation of my fellow-citizens, nor can I receive with indifference any manifestation of their favor. I accept with a grateful heart the high and responsible office which they, by their representatives, have conferred upon me I accept it with a deeper feeling of gratitude because it was bestowed spontaneously and without distinction of party. I know full well that its duties are of the gravest and most important character, and that the successful performance of them demands the highest attributes of the head and heart; attributes which distinguished and illustrated the official life of him whose vacant place I am now called upon to occupy. I sometimes fear that I may not be equal to the task which I have consented to assume. I might shrink from the attempt were I not cheered on by the reflection that my labors for twelve years in a scarcely less responsible position have been approved by the present action of your honorable body. With this animating reflection, and trusting in the beneficence of that Providence which has hitherto upheld and supported me, I enter upon the discharge of the duties of my present office, determined to spend myself in the service of my native state, which has so highly honored me.

"For the kind and flattering manner in which you have thought proper to address me, please accept the assurances of my most grateful acknowledgments.

"I am, with sincere regard, very truly yours,

"WILLIAM H. BATTLE.

"To Messrs.

"JOHN H. WHEELER,

"JOHN BAXTER,

"ALFRED M. SCALES,

"J. A. WAUGH,

"CALVIN H. WILEY,

"JOSIAH TURNER, jr.,

J. G. MACDUGALD,

WM. K. MARTIN,

H. SHERRILL,

R. A. RUSSELL,

R. G. A. LOVE,

B. L. DURHAM,

"W. J. LONG.

"RALEIGH, N. C."

He held this high position until the civil war closed the courts, and in 1868 he returned to Raleigh. The space allowed for this sketch does not permit any extended comments upon the judicial decisions of Judge Battle. He

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won, by long years of diligence and labor, a reputation of the highest order for modest merit, extensive learning, associated with a firm and steady administration of justice.

His moral character was spotless; he was a consistent member of the Episcopal church. His death occurred at Chapel Hill, March 14, 1879. He was married June 1, 1855, to Lucy, second daughter of the late Kemp Plummer, a distinguished lawyer of Warrenton; she died February 24, 1874, loved and appreciated by all who knew her, for her accomplishments and virtues. The children of this distinguished couple are Dr. Joel D. (deceased,) Susan C. (deceased,) Kemp Plummer, Dr. William Horn, who married Miss Lindsay; Richard Henry, married the daughter of Judge Thomas S. Ashe; Mary (deceased,) married to William Van Wyck, of New York; Junius, killed at South Mountain, 1862; Lewis, killed at Gettysburg, 1863.

6. MATTHIAS EVANS MANLY

CHAPTER XXXV. IREDELL COUNTY.

Matthias Evans Manly, whose distinguished brother, Governor Charles Manly, we have already sketched, (see Chatham) lived and died in New Berne, July 2, 1881. He was a native of Chatham county; graduated at the university in 1824, in a class of great merit; William A. Graham, Augustus Moore, David Outlaw, and Thomas Dews, were among its members.

He studied law with Governor Manly and settled in New Berne. He entered the House of Commons in 1834, as the member from New Berne and re-elected in 1835, was last representative from New Berne, for in that year the convention abolished the borough members.

He was elected in 1840 one of the judges of the superior courts, which he held until 1860, when he was elected one of the justices of the supreme court; this he resigned when war and violence "exhausted the judiciary."

After the war was over, and the state reconstructed, Judge Manly was elected senator in congress, but was not allowed to take his seat.

He then, with commendable patriotism, presided as one of the county judges of Craven, devoting his learning and abilities to the good of his country.

There are few men of our state who possessed to a greater extent the sincere regard of their countrymen than Judge Manly.

7. RICHMOND M. PEARSON

Richmond M. Pearson, (born June 1805, died 1878,) Chief Justice of the Supreme Court of the State, was a son of the last named and the grandson of the progenitor of the family; he bore the patronimic of both. His early education was conducted by John Mushat of Statesville and at Washington city under the care of his uncle Joseph Pearson. He graduated at the University in 1823, in the same class with Daniel W. Courts, Robert B. Gilliam, Isaac Hall and others. He studied law with Judge Henderson, and was licensed to practice in 1826. He entered public life as a member from Rowan in the House of Commons in 1829, and continued until 1832; with David F. Caldwell, Thos. G. Polk and Charles Fisher, as colleagues. We pause to admire the distinguished delegation then representing this County and Borough, rarely equalled and never excelled. Presenting Speakers to both houses, (in 1830,) Caldwell in the Senate, and Fisher in the House.

In 1835, he was a candidate for Congress. His opponents were Abram Rencher and Burton Craige. Mr. Rencher was a State-rights Democrat, Mr. Craige a nullifying southern statesman and Mr. Pearson an old line Whig, or Federalist. The address of Mr. Pearson, to the freemen of the 9th Congressional district, was a powerful document, an early demonstration of his acute reasoning powers for which he became so distinguished. He was opposed to nullification as a doctrine dangerous to the existence of the government. Mr. Rencher was elected; Mr. Pearson accepted his defeat with that calmness which was characteristic of his nature.

In 1836 Mr. Pearson was elected one of the Judges of the Superior Courts, Thomas P. Devereux being his competitor, in 1848 he was elevated to the Supreme Court Bench, (to fill the vacancy occasioned by the death of Judge Daniel,) Robert Strange and Wm. H. Battle were his opponents.

In 1858 on the death of Chief Justice Nash he was appointed his successor. In 1865 he was a candidate for the Constitutional Convention held that year, and was defeated by Mr. Haynes, but the same year was (under the new Constitution,) again elected Judge of the Supreme Court; and by his associates, (Justices Battle and Reade,) again appointed Chief Justice. In 1868 upon a reorganization of this Court, he was by the people elected Chief-Justice, being nominated on both tickets, and this elevated and responsible position he held until his death January 5th, 1878; his life ended in paralysis of the brain, at Winston, as he was going to Raleigh to attend the January term of the Supreme Court.

He married first Miss Williams, daughter of Col. John Williams, by whom he left several children, and second Mrs. Bynum, relict of Gen. John Gray Bynum, *nee* McDowell, daughter of Capt. Charles McDowell of Burke County. We have sketched in an accurate manner the public services of Judge Pearson in chronological order. As a Judge he was unquestionably one of the ablest of his day. Judge McKoy who presided at a meeting of the Bar in Raleigh, on the occasion of Judge Pearson's death, stated: "As perhaps the great common-law lawyer of his age and time, I would say in my opinion no greater has ever lived. His loss will be felt and deeply deplored by those long accustomed to look for the productions of his brain and pen to illumine their journey through the mazes and labyrinths heretofore marked by no guide save principle, and no beacon save the lights of legallore.

"He taught the young to reason, and when once a conclusion was arrived at by the student

truth; and did honor to the teacher who planned and led the young mind along the channel of patient thought and thorough investigation. Although it was not my fortune, said Joseph McKoy, to have availed myself of his admirable training, yet as often as I met in argument those mental athletes, trained by his master hand, I have regretted that fate which denied to me similar advantages."

For many years Judge Pearson held at his home, at Richmond Hill, a law-school, where hundreds of young men have been trained, who now adorn the profession.

Illustrious as is his fame as a Judge, yet it is due to the integrity of history to say, that his course, to the minds of many, in the exciting and troubled scenes of 1871, shows more of the partizan than the patriot, and it was not passed unnoticed by the representatives of the people. His course in virtually denying the great writ of right, the *habeas corpus*, in the cases of Moore and Kerr, was the subject of much complaint, and tarnished the judicial ermine, that should always be worn pure, unstained and without reproach.*

* See pages 110 and 367 as to opinion of Judge Pearson, in the Kerr case.

8. JOHN W. ELLIS

John W. Ellis, (born 1820; died 1861,) late Governor of North Carolina, son of Anderson Ellis, was a native of Rowan County, of that portion now known as Davidson County. His early education was conducted by Robert Allison, at Beattie's Ford; continued at Randolph Macon, and finished at the University, where he graduated in 1841, in the same class with Thos. L. Avery, R. R. Bridgers, Robert Burton, Wm. J. Clark, Wm. F. Dancy, John F. Hoke, V. Mc. Bee, Montford McGehee, Richmond N. Pearson, Charles Phillips, Saml. F. Phillips, Thos. Ruffin, Jas. G. Shepherd, Robert Strange jr., Jas. F. Taylor and others. A large class and distinguished in after life for their ability and usefulness. He read law under Judge Pearson and was admitted to the bar in 1842; when he opened a law office in Salisbury; and there he practised with great success.

In 1844 he was elected a member of the House of Commons from Rowan, with Hon. Nathaniel Boyden, and Maj. John B. Lord as colleagues, (with a constituency opposed to his political views, as were his distinguished associates.) This proved the early and just appreciation on the part of the people of his worth and of their confidence in his character as a statesman; he was re-elected in 1846; and in 1848. His course in the Legislature was marked by candor, liberality and philanthropy. To his political opponents he was tolerant and candid, and his liberal support of the internal

improvements of the State, in supporting the Central and other rail roads in the country; and his support of the bill which he offered for the erection of an Asylum for the Insane (on the memorial of that "White Winged Messenger of Mercy," Miss Dix,) will perpetuate his philanthropy "to the last syllable of recorded time" So highly were his services appreciated that at this session (1848) he was elected one of the Judges of the Superior Courts of the State.

Among the youngest men (being only 28,) ever elected in the State, to so high a position. His career as Judge received the approbation of the bar and the press, and the country justified the wisdom of this selection.

As a Judge he was quick to perceive, prompt to decide and firm to act. Patient and polite, genial in private intercourse and easy of access without hauteur or levity, he bore his high honors to the satisfaction of the whole people of the State, and was so universally esteemed that in 1858, he was elected the Governor of the State, by the people by more than 16,000 votes over the eloquent and gifted, McRae.

He was re-elected Governor, by a large majority over Hon. John Pool. His administration fell upon troubled times. The civil war was inaugurated, and he, as Governor, was called upon by the President to furnish troops to carry it on. This he promptly refused.

On 15th of April, 1861, the President issued his proclamation for seventy five thousand men "in order to suppress combinations opposed to the government and to cause the law to be duly executed, to suppress wrongs already committed to repossess the forts, places and property which have been seized from the Union; orders more particularly to be sent through the War Dept."

To this Governor Ellis, replied on the same date: "Your despatch is received and if genuine, which its extraordinary character leads me to doubt, I have to say in reply that I regard the levy of troops made by the administration a usurpation of power. I can be no party to this wicked violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from North Carolina.

"I will reply more in detail when your call is received by mail."

The health of Governor Ellis, never robust, under the pressure of these fearful events so rapidly accumulating, completely gave way, and he died July 1861, at the White Sulphur Springs, amid the regret of his friends and to the great loss of the State.

Gov. Ellis had been twice married, first to a daughter of Col. Philo White, in 1843; and second to Miss Daves of New Berne.

9. DAVID FRANKLIN CALDWELL

CHAPTER XXXV. IREDELL COUNTY.

David Franklin Caldwell, born 1790, was a native of this county, educated at the University and studied Law with Archibald Henderson at Salisbury. He was a Member of the House of Commons from this county in 1816, '17, '18 and '19, and represented Rowan County in the Senate in 1829, '30 and '31, of which he was chosen Speaker. In 1844 he

was elected Judge of the Superior Court, the duties of which office he discharged with dignity and satisfaction.

He died after a short illness, respected and esteemed by all who knew him. He was twice married, first to Miss Alexander, and secondly, Mrs. Troy.

10. ROMULUS M. SAUNDERS

Probably there are few men, in either public or private life, who occupied during their

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term of life more of public notice than **Romulus M. Saunders.**

From the time he entered the legislature, in his 24th year, until his death, at which time he held the office of judge, he was either in office, or an applicant for office, or an aspirant for position. He was the son of William Saunders, born in Caswell County, 1791. His early education was defective.*

* From Raleigh Star, of March 29, 1819. The trustees of the university of North Carolina, have been obliged to perform the painful duty of expelling from the in situation John Allen of Pitt, Horace Burton, of Granville, Romulus Saunders, of Caswell County.

DAVID STONE, President.

He studied law, and practiced that profession with success. He early entered political life, which was more germane to his tastes than law. From 1815 to 1820, he was a member of the House of Commons, and twice its speaker. In 1821 to 1827, he was in Congress. In 1828, he was elected attorney general, which position he filled till 1833, when he was appointed a commissioner under the French Treaty, in which he served till 1835, when he was elected judge, which he resigned on being, in 1840, nominated candidate for governor, but was defeated by John M. Morehead. In 1841, elected to Congress, in which he served until 1846, when he was appointed Envoy to Spain, where he served till 1849; and in 1850, he was again elected a member of the House of Commons. In 1852, elected to House of Commons, and again he became Judge of Superior Courts, in which office he died, April 21, 1867.

A good story (says Moore I., 463) is told by Judge Badger, of this extraordinary propensity for office. Mr. Badger was asked who would be

the new Bishop, in place of Ives, on that prelate's defection to Rome: "I can't tell you who it will be, but I am certain Judge -- will be a candidate, as he wants everything else," replied the great lawyer.

From History of North Carolina, by J. W. Moore, II., page 98:

"In 1852-'53, the democrats had a majority in the legislature, but failed to elect a senator to succeed Judge Mangum. R. M. Saunders, as usual, was a candidate. He was one of our leading men but insatiable in his thirst for office. He was equally profound and adroit as a lawyer, greatly respected as a judge, and unsurpassed as a stump orator. His four years of acquaintance with the formal etiquette of the Spanish Court had failed to remove his native and inherent roughness of manners."

He was twice married; by his last marriage with a daughter of Judge William Johnson, of the Supreme Court of the United States, he left a son and two daughters.

That Judge Saunders possessed force of character and talents, the high positions he held are proof. But that he was selfish and uncertain in his friendships is admitted. The opinion expressed of Goldsmith by Dr. Johnson was realized by him: "his friendships were so easily acquired, and so lightly lost, as rendered them of but little consequence to any person." As a politician he was able and active, but even this character was obscured by the fact that he always hoped to be advanced personally. In a memorable contest in 1852 for Senator in Congress, when his party, with a majority of only one or two, and he himself a member of the body, nominated James C. Dobbin, than whom a purer man did not exist, Saunders refused to co-operate, bolted the caucus and with his friends, defeated the election of Dobbin.*

* This has been disputed by some friends of Judge Saunders. We quote from History of North Carolina, by John W. Moore, (page 227.)

"Mr. Dobbin succeeded Governor Graham as Secretary of the Navy, Mr. Dobbin was defeated for the United States Senate by the friends of Judge Saunders, and Judge Mangum's term having expired, the state for the next two years had but one senator."

In a subsequent contest for the same post he again played the same role, and thus defeated the election of Bedford Brown, who was the choice of the democratic party in 1842-'43, and so caused the election of William H. Haywood, whose career as a senator not being successful, he resigned. Had Saunders followed the advice

of the great Cardinal of Henry VIII. he would have been a happier, if not a wiser and better man.

--, I charge thee fling away ambition.
By that sin fell the angels; and how can man then--
The image of his maker--hope to win by it."

We would fain have made this sketch more favorable, but in pen pictures as in portrait painting the truth demands a faithful, not a flattering, likeness.

11. ROBERT R. HEATH

ASHE COUNTY. Jefferson.

Jefferson Inn

It was in this building also that Judge Robert R. Heath, sick and delirious, inflicted a wound upon himself from which he afterwards died (May 26, 1871).

12. DANIEL G. FOWLE

Judge Daniel G. Fowle resides in Raleigh. He was born and raised in Washington, Beaufort County, the son of the late Samuel R. Fowle, a prominent merchant at that place, a native of Boston, and a useful citizen. He studied law and has attained eminence in his profession. He served in the army as Lieutenant-Colonel of the Thirty-first Regiment and as Adjutant-General of the State. In 1865 he was appointed by Governor Holden one of the judges of the Superior Court. He is now in the successful practice of his profession and a prominent candidate for Governor, and known as the silver-tongued orator. He has been twice married: first to a daughter of Judge Pearson, and then to Mary, daughter of Dr. Fabius J. Haywood, of Raleigh.

13. EDWARD J. WARREN

Edward J. Warren lived and died in Beaufort County. He was a native of the State of Vermont. Came to North Carolina and settled in Washington, as a teacher.

He read law and attained great eminence in the profession. He represented the county in the Senate in 1862 and 1864, and was Speaker of the Senate. He was appointed by Governor Worth one of the Judges of the Superior Court.

He married Deborah, daughter of Richard Bonnor. He died in 1878, much esteemed and regretted, leaving Charles F. Warren, now at the bar, and Lucy, who married William Rodman Myers.

14. ANDERSON MITCHELL

Anderson Mitchell (1800 – 1876) was a [Congressional Representative](#) from [North Carolina](#); born on a farm near [Milton, North Carolina](#), June 13, 1800; attended [Bingham's School, Orange County, North Carolina](#), and was graduated from the [University of North Carolina at Chapel Hill](#) in 1821; studied law; was admitted to the bar and commenced practice in [Morganton, North Carolina](#), in 1830; moved to [Jefferson, North Carolina](#), in 1831; [court clerk](#) of the [superior court](#) of [Ashe County](#); moved to [Wilkesboro, North Carolina](#), in 1835, and resumed the practice of law; elected as a Whig to the Twenty-seventh Congress to fill the vacancy caused by the death of [Lewis Williams](#) and served from April 27, 1842, to March 3, 1843; unsuccessful candidate for reelection in 1842 to the Twenty-eighth Congress; member of the [State house of commons](#) 1852-1854; elected to the State senate in 1860; delegate to the State convention of May 20, 1861, that passed the [Ordinance of Secession](#), and voted against secession; was appointed [judge](#) of the superior court by [Provisional Governor Holden](#) in September 1865, subsequently elected and reelected, and served until June 30, 1875, when he resigned; died in [Statesville, North Carolina](#), December 24, 1876; interment in the Presbyterian Cemetery.

HON. ANDERSON MITCHELL

Anderson Mitchell was at one time a distinguished citizen of Wilkes; he was born in Caswell county in the year 1800; was educated at Bingham School and at the State University at Chapel Hill where he graduated in 1821. He read law under George Henderson and admitted to the bar in 1823.

Mitchell located in Jefferson, Ashe county, to practice his profession. In 1827, and 28 and 29 he represented Ashe county in the lower branch of the Legislature and in 1838 he was elected to the State Senate. In 1840 he moved to Wilkesboro and the same year was elected to the State Senate from Wilkes. In 1842 he was elected to Congress but resigned in 1843 to devote his entire time to the practice of law.

In 1859 he removed to Statesville. In 1866, he was appointed Judge of Superior Court, and in 1872 was elected, without opposition, to succeed himself as Judge and he served until his death in 1876 when Governor Brogden appointed D. M. Furches to succeed him.

On Dec. 24th, 1876, he died and was buried in the cemetery in Statesville.

Judge Mitchell's conduct during the Ku Klux era in North Carolina has won for him lasting fame. In his district there was no such thing as Ku Klux allowed; neither was there any necessity for such, for all the violators of the law were punished without fear or favor. Our distinguished county man Anderson Mitchell Vannoy

was named after him and was a close companion of the Judge until his death. Mitchell was an able lawyer, an excellent Judge, and a great and noble man.

15. WILLIAM M. SHIPP

William M. Shipp, graduated at University 1840, Judge of Superior Court, 1863, who now resides in Charlotte; one of whose sons is now a Cadet at West Point.

16. AUGUSTUS MOORE

Augustus Moore, born 1803, died 1851, lived and died in Edenton. He graduated at the university in 1824, in a class distinguished for ability, composed of B. B. Blume, John Bragg, (member of congress from Alabama 1851, and a judge in that state,) James W. Bryan, Matthias E. Manly, (judge of the supreme court of North Carolina,) David Outlaw, (member of congress 1747 to 1853,) and others; studied law with Charles R. Kinny, of Elizabeth City, and practiced with great success.

As an advocate, he had no superior for learning, diligence, accumen, or address. He was appointed judge of the superior court in 1848, and presided with great acceptability, learning, and integrity, but resigned the same year. He died very suddenly at Edenton, in 1851.

He married Miss Armistead and left several children. One of them, **William Armistead Moore**, late one of the judges of the state, and who wore with equal dignity and ability the ermine of his illustrious father.

17. JUDGE JAMES L. HENRY.

He was born in Buncombe county, in 1838, and received only such education as the schools of the county afforded. He was a son of Robert Henry and Dorcas Bell Love, his wife. He was elected Superior court judge of the eighth judicial district in 1868, and served till 1878, having previously acted as solicitor for that district.[32] He was editor at the age of nineteen of the Asheville served in the Civil War as adjutant of the 1st North Carolina Cavalry, and on Hampton's and Stewart's staffs, and as colonel of a cavalry battalion stationed at Asheville. He died in 1885.

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18. DAVID MOFFIT FURCHES

CHAPTER XXXV. IREDELL COUNTY

David Moffit Furches, Judge of the Superior Court, resides in this county. He is a native of Davie County, born April 2nd, 1832. Educated

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at Union Academy, he read law with Judge Pearson, and settled at Mocksville. He was a member of the Constitutional Convention in 1865, and '66. He removed to Staterville and was once a candidate for Congress, but was defeated by Major Robbins. He was made Judge, August, 1875, to fill the vacancy occasioned by the resignation of Judge Mitchell

19. ALPHONSO CALHOUN AVERY

EMINENT NORTH CAROLINIANS,

BY

**JOHN H. WHEELER,
AUTHOR OF THE HISTORY OF NORTH CAROLINA, AND MEMBER
OF THE HISTORICAL
SOCIETIES OF NORTH CAROLINA, VIRGINIA, GEORGIA,
AND PENNSYLVANIA.**

" 'Tis well that a State should often be reminded of her great citizens."

**COLUMBUS, OHIO:
COLUMBUS PRINTING WORKS,
1884.**

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Alphonso Calhoun Avery, now one of the Judges of the Superior Court, son of Colonel Isaac T. Avery, resides in Burke County. He is the eldest male survivor of this distinguished family. His three elder brothers, Waightstill, Clark, and Isaac J., (as we have recorded,) were killed in the late civil war.

He was born about 1837, liberally educated, graduated at the University in a large class of 70 members in 1857, among whom were B. B. Barnes, John W. Graham, L. M. Jeggitts, Thomas S. Kenan and others. In the proceedings of the commencement, Mr. Avery, then in his

sophomore year, received at the hands of Governor Swain a copy of Shakespeare, a prize offered by the professor of rhetoric for the best composition in that class. "Uni. Mag.," IV, 278.

He studied law, and was just commencing the practice when he obeyed the call of his country to do duty for her defence. He was engaged at the battle of Manassas, where his leader, the gallant Colonel C. F. Fisher, fell, and did noble service under Pender. During the last closing years of the war, he was on the staff of General D. H. Hill.

Since the war he has devoted himself to the practice of his profession, of which he was the pride and ornament, only occasionally interrupted by his election to the Legislature. He was a member of the Senate in 1866 and again 1867, and a member of the Constitutional Convention in 1875.

He was the Democratic elector in the 8th district; and by his ability and exertions did much to insure its success.

He was elected Judge of Superior Courts, which elevated position he holds now. He married Susan, youngest daughter of Rev. Robert A. Morrison, and sister of Mrs. Stonewall Jackson.

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In June, 1866, Colonel Avery secured his license to practice before the superior court, and at once entered upon the duties of his profession. In the fall of the same year he was nominated by the Confederate soldiers and elected to the North Carolina senate by a large majority from the district formed of Burke, Caldwell, and McDowell counties. This was the last legislative body convened in North Carolina which was elected exclusively by white voters.

Though the youngest member of the senate, he became a favorite with older senators, among whom were ex-Governor Clark, Judge Moore, Mr. J. H. Wilson, Colonel John W. Cunningham, Hon. Mason L. Wiggins, and Colonel Edward Hall, and succeeded in originating and securing the passage of laws which proved very beneficial to his constituents. The terminus of the Western North Carolina Railroad was then at Morganton. The charter provided that when solvent individuals should subscribe a million dollars or more to the capital stock of the company, the governor, upon that fact being certified by the president of the company, should cause double the amount so subscribed to be paid by the State in its bonds at par ; but the bonds could not be sold for more than a song, because the interest was not being paid on the outstanding bonded debt of the State. In this emergency the young senator conceived the idea of enhancing the value of the bonds thereafter to be issued for stock in the company by pledging an equal amount of the State's stock in the North Carolina Railroad Company for the payment of each state bond thereafter issued, and put his plan into execution by securing the enactment of chapter 106, Laws of North Carolina of 1866-67. I" less than six months the grading was let to contract from Morganton to Asheville, and within two years was completed to Old Fort. This work was paid for almost exclusively out of the proceeds of the enhanced bonds issued under the act referred to, though the

bonds sold for much less than par. The passage of this act gave rise to what is known as the "South Dakota Bond Suit," promised by the State, but it enabled the company to complete forty miles of road, extending it almost to the eastern portal of the

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tunnel, and to do much grading on and beyond the Blue Ridge.

Two years afterward, although there had been a readjustment of the senatorial district, he was again elected on the Democratic ticket, but as he had been elected solicitor of Burke County in 1861, the Republican senate, at the instance of Governor Caldwell, decided that he was barred by the provisions of the Thirteenth Amendment to the Constitution of the United States, and his seat was refused him. Thereupon he returned to Morganton and again took up his profession, acting as counsellor in many important cases. Although urged, he declined to be a candidate again for the legislature. In 1875 he was elected from Burke County as a member of the constitutional convention which revised the state constitution. He was one of the foremost members of that distinguished body ; was largely instrumental in perfecting its organization, in adjusting differences of opinion among its members and in drafting the important constitutional amendments it adopted, which were always revised and made ready for the reports of committees in a Democratic caucus.

Again, the subject of this sketch, being sent by the citizens of Morganton, in 1875, to Raleigh to aid in securing the passage of the bill, offered by Captain Mills in the senate, to provide for building the asylum at Morganton, found while there that some of the creditors of the North Carolina Railroad Company threatened to disregard a private agreement with Colonel S. McD. Tate and refused to settle their claims on the terms provided in Tate's bill, whereupon he drew up a resolution, subsequently offered by Major Erwin, representative from McDowell County, which brought the recusant creditors to terms. This resolution will be found on page 405, laws of 1874-75, and provided for reinstating and carrying on a suit in equity involving the validity of their claims, instituted by Governor T. R. Caldwell in the name of the State, in the Circuit Court of the United States, at Greensboro, in which a nonsuit had been entered, reserving to the State the privilege of reinstating the suit within a given time. The resolution empowered Governor Brogden and Speakers Armfield and James

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L. Robinson, of the senate and house, respectively, to cause the original suit to be reinstated on the docket pending negotiation for a compromise with the creditors of the Western North Carolina Railroad Company, and the suit was reinstated by them. •

Judge Avery was instrumental in compelling the Wilmington and Weldon Railroad Company to submit to taxation. Availing itself of the provisions of its charter exempting it from taxation, the Wilmington and Weldon Railroad Company successfully resisted all efforts in the courts and by legislation to tax its franchise and property up to January, 1891. The charter of the railroad from Weldon to Petersburg had expired in 1888 and had been reenacted for two years only, with the purpose of refusing a further reenactment unless the other company would consent to pay taxes. But the Wilmington and Weldon people, relying upon the authority conferred by several amendments to their charter, as well as the general law, defied the Legislature. The Supreme Court of North Carolina had held in *Railroad vs. Alsbrook*, no N. C. 137, that the branches of the Wilmington and Weldon Railroad, being created by acts passed under the clause of the Constitution of 1868, reserving to the State the right to alter and amend all charters thereafter enacted, were not exempt from taxation, while the charter for the main line, granted in chapter 78, laws of 1833-34, contained a provision exempting that line from taxation, which it was contended was in the nature of a contract, protected from being impaired by the Constitution of the United States. At the request of Elias Carr, afterward governor, but then at the head of the Farmers' Alliance, Judge Avery, in March, 1891, drew what was published as chapter 544, laws of 1891, which repealed all authority for connecting the line of the Wilmington and Weldon Railroad with the Virginia line between the Blackwater and the crossing of the Clarksville Road over the state line. The bill was offered by Mr. Jones, of Wake, and was passed after a bitter fight in both houses ; but the franchise and property of the railroad was on the tax lists for the next and subsequent years. Mr. Baylus Cade, who is still living, repre-

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sented Governor Carr in getting the bill from Justice Avery and having it offered by Mr. Jones.

In the presidential election of 1876 Judge Avery was a Tilden elector from the eighth congressional district, and made a favorable and extended campaign, being a strong, earnest speaker, and exerting a great influence throughout the piedmont region. Two years later he was elected judge on the Democratic ticket for the eighth judicial district, and served until 1886, when he was re-elected as judge of the tenth judicial district, in which position he served until January, 1889, when he ascended the Supreme Bench of North Carolina, having been elected associate justice in the preceding fall. This position he continued to fill until January, 1897. While on the Supreme Bench, Justice Avery prepared many opinions which are noted for their breadth of view and the rational manner in which he applied his extensive knowledge of the law and cited cases of precedents. At the very outset of his service upon the Supreme Bench he rendered marked service to the profession by certain decisions in which were crystallized rules of practice applicable to issues and the granting of new trials

upon newly discovered testimony. Later, the rules governing negligence, parole trusts, real estate, constitutional law, and other questions of importance were simplified and made to cover growing conditions of our new civilization.

In reviewing the dissenting opinion of Justice Avery in Emery's case, Mr. Desty, in a legal classic, said the rules governing the duties of judge and jury in trials of cases involving questions of negligence had never been more clearly expressed.

On the day before assuming the ermine of the Supreme Court Bench he was married to his second wife. Miss Sallie Love Thomas, a daughter of Colonel W. H. Thomas, of Jackson County, and a great-granddaughter of Colonel Robert Love, of Buncombe.

Judge Avery possesses in a high degree the judicial temperament, as would be inferred from the length of time he has been judge of the superior and supreme courts, resolute and flexible, yet cautious and tempering justice with mercy. The traits which

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he displayed upon the Bench he has carried with him through life, for the role of judgeship but displayed his qualities in the brighter light of publicity. While an unswerving Democrat, his politics have never influenced his judicial opinions, and he was fair and impartial in administering justice. By belief and early training Judge Avery is a Presbyterian, and he has been an elder in the First Presbyterian Church of Morganton for more than twenty-five years, and, indeed, he has carried his religion into his daily life. At college he was a member of the Beta Theta Pi fraternity. He is a Master Mason, an Odd Fellow, a member of the Royal Arcanum, and an honorary member of the Junior Order of United American Mechanics. In 1889 the University of North Carolina conferred upon him the honorary degrees of A.M. and LL.D., and the latter degree was likewise conferred by Trinity College, North Carolina.

Judge Avery is a member of the Southern Historical Society. He is especially interested in the history of the civil war period, and has prepared several sketches and articles covering incidents or actions of the war, the most important one being a sketch of certain North Carolina regiments, and he is considering the preparation of a personal memoir covering the entire period.

Among other publications that he has made is an extended historical account of Burke County, which is of great interest and value, published in Smith's "Western North Carolina."

Judge Avery has had eleven children, among them being Isaac Erwin Avery, the brilliant local editor of the Charlotte Observer, whose untimely death in 1904 was lamented throughout the entire State. W. W. Ashe,

20. JAMES C. L. GUDGER

<http://www.newriversnotes.com/nc/wnc15.htm>

He was born in Buncombe county, July 4, 1837. His father was Samuel Bell Gudger and his mother Elizabeth Siler Lowery, a daughter of Lowery who held a captain's commission in the war of 1812. He was educated at Sand Hill academy and Reems Creek high school, now known as Weaverville college. He was admitted to the bar in August, 1860. He enlisted in the 25th N. C. Infantry July 22, 1861, and served till the close of the war. He moved to Waynesville December, 1865. He was married to Miss Mary Goodwin Willis of Buncombe county August 28, 1861. He was elected judge of the Superior court in August 1878, and served eight years. He held a position in the United States Treasury for years. He died January 29, 1913.

"Willam Williams went from the mercantile counter to the bar but failed to reach 'the top.' I wrrn not class him with the 'skelpers'; but then he was what Capt. Jim Gudger would term 'shifty.' The word 'skelper' in fox hunter's parlance when applied to a dog means one that for want of bottom, cannot come down to 'dead packing' and follow the game tfrough all its windings and doubliugs, but short cuts and skims the high ridges and jumps high to see and catch the game unawares.

21. JESSE FRANKLIN GRAVES

Jesse Franklin Graves, one of the Judges of the Superior Court, a native of Surry County, is the grandson of Governor Franklin, whose sketch we have just given. He was born August 31, 1829. He read law under Judge Pearson, and was a member of Governor Ellis' council. He served in the Legislature in 1876-77, but has wisely preferred the quiet practice of the law to the varying fortunes of politics.

22. DAVID SCHENCK

David Schenck, one of the Judges of the Superior Courts of the State, is a native of Lincoln.

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The Schenck family is of Swiss extraction. In 1708, Henry, John, and Michael Schenck, who were Mennonites, where driven out of Switzerland by religious persecution, and being invited by William Penn, they with a number of other colonists, emigrated to the vicinity of what is now Lancaster City, Pennsylvania.

In 1729, these colonists were naturalized by a special act of Parliament on account of "their industry and their peaceable and religious conduct."

Michael Schenck who sprung from one of these three brothers, was

born February 28, 1737, and Michael Schenck, his son, was born near Lancaster, February 15, 1771. He immigrated to North Carolina about the year 1795. He was married, May 11, 1801, to Barbara, daughter of Daniel Warlick, who was killed in a fight with the Indians, on the Ohio frontier.

In the year 1815, Michael Schenck erected a Cotton Factory on Mill branch, two miles east of Lincolnton.

We were shown two spindles which were used in this, perhaps, the first cotton factory erected south of the Potomac river.

It was rather a rude structure, compared with our modern machinery. The whole consisting of only seventy-five spindles, the iron shafts of which were made in a blacksmith shop, by David Warlick, who was a superior workman in his day; and the spools and other wood work were made by Michael Beam, a neighbor of Warlick. The house containing the machinery, was a simple log structure twenty-five feet square.

The spinning was done by means, of what machinists call a mule--the thread being drawn out horizontally and then wound on bobbins. It was then reeled, and sold as fast as it could be manufactured at fifty cents per pound in specie.

This factory was erected and put in operation by Michael Schenck, who had emigrated to this county from Pennsylvania. It was placed on Mill branch two miles east of Lincolnton, and the first yarn was made in the year 1815.

This proved profitable enough to justify Mr. Michael Schenck in sending to Providence, Rhode Island, for more improved machinery, which was put in operation on the same site in 1818. This, in its turn, was laid aside, and Mr. Schenck, in copartnership with the late Colonel John Hoke, Sr., of Lincolnton, and Dr. Bivings, erected the large factory, on the south fork of the Catawba, two miles south of Lincolnton, but this was burned in 1863.

His son, Dr. David Warlick Schenck, son of Michael, was born at Lincolnton, February 3, 1809, and was educated at the Academy of that town. He studied medicine with Dr. James Bivings, and afterwards attended lectures at Jefferson College, in Philadelphia. He married Susan Rebecca Bevens, daughter of Simeon and Eliza Bevens, November 8, 1882, by whom he left two children, Barbara and David. He was eminent as a surgeon and one of the best read men in the State. He died at Lincolnton, December 26, 1861, a very encyclopedia of information.

His son, **David Schenck**, the subject of this sketch, was born at

Lincolnton. March 24, 1835, and was educated at the Academy, principally by Silas C. Lindsley, an eminent teacher of that day.

He read law two years with Haywood W. Guion and obtained his County Court license in June, 1856. He then went to Judge Pearson's Law School, at Richmond Hill, till June, 1857, where he obtained his Superior Court license, and settled immediately in Dallas, Gaston county, North Carolina. He was elected County Solicitor, and enjoyed a lucrative practice at once.

On August 25, 1859, he married Sally Wilfong Ramseur, daughter of Jacob A. and Lucy D. Ramseur, and sister of Major General S. D. Ramseur.

In November, 1860, he returned to Lincolnton, his native place, and in 1861, on the election

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of Hon. Wm. Lander to the Confederate Congress, he was elected to the State Convention to fill his place.

This was the only political office he ever held and he always refused to hold any other.

He practiced his profession in competition with such lawyers as William Lander, W. P. Bynum, Haywood Guion, and J. F. Hoke, and received his full share of business.

In 1874, he received the Democratic nomination for Judge of the Ninth Judicial District, and was elected by a majority of 2,100, nearly double the former Democratic majority. His term expired in 1882. He has a large family, and like "old Chuckey," he is "spreading himself" to take care of them.

David Schenck, grandson of Michael Schenck, was a great advocate and lawyer, a judge of the Superior Court and historian. He removed to Greensboro in 1882 and has a monument in the Guilford Battleground.

23. JOHN A. GILMER

John A. Gilmer, born November 4, 1805, died May 14, 1868, was a native of Guilford County. His family were of Scotch-Irish descent. His father, Captain Robert Gilmer, was a man of simple habits, of excellent common sense and inflexible integrity. He was a wheelwright by trade; by his wife Anne, *nee* Forbes, he had twelve children, of whom the subject of our

sketch was the oldest. His early education was such as could be imparted by the county schools and his own application; for, until he was seventeen, he worked on his father's farm in the summer, and attended school in the winter. He entered the grammar school taught by Rev. Eli W. Caruthers, who was the successor of Rev. Dr. Caldwell, where he continued for two years. His progress was rapid, and he became a good scholar in the ordinary branches of an English education, and in the higher branches of mathematics, also well versed in Latin and Greek. He went then to Laurens County, South Carolina, where he taught the Mount Vernon Grammar School for three years.

In December, 1829, he returned home and studied law with Judge Murphey; and 1833, was licensed as counsellor and attorney at law. With no friends to advance his fortunes, with no capital but industry and good habits, and surrounded by such legal luminaries as John M. Morehead, William A. Graham, Settle, Nash, Mendenhall, and others, his prospects were gloomy and progress painful and slow. But by energy and perseverance he was soon among the most successful, and in the course of a few years was considered a leader of the profession.

Fame and fortune followed his footsteps. Because of his abilities and his genial disposition he was popular with the people. In 1846 was elected to the legislature as senator from Guilford County, and continued without any successful opposition to 1854. His course in the legislature was liberal, patriotic, and philanthropic.

He was the advocate of the construction of the insane asylum, and as also of a liberal system of internal improvements.

In 1856, he was the whig candidate for governor, but was defeated by Governor Bragg, whose majority was over 13,000. In 1857, he was elected a member of the Thirty-fifth Congress, 1857-'59, and re-elected to the Thirty-sixth Congress in 1859-'61, in which he was chairman of the committee on elections. On the accession of Lincoln he was offered a seat in the cabinet as secretary of the treasury, but declined.

Although at all times opposed to the doctrine of secession, yet when the state seceded and the war came, he went with his state, and embraced the cause of the south with all his native force of character, and, like Abraham, he offered up his only son upon the altar of his country, and sent him forth to battle, his only injunction being, to discharge all the duties of a soldier with energy and fidelity; nobly did that son obey this mandate.

He succeeded James Robert McLean as a member of the confederate congress, and sat until its termination.

His son, John Alexander Gilmer, has recently been appointed one of the judges of the superior courts, and "wins golden opinions from all sorts of men," by his learning, patience, and fidelity. He was born about 1836 or 1837; graduated at the university in 1858; read law with his father, and practiced with success. Of his war record we have but little information, but we know that he was in the army and nobly did his duty; that after the war closed he returned to his practice, and on the death of Judge Kerr, (December 7th, 1879,) he was appointed by the governor judge of the superior court..

He married a daughter of Joseph H. Lindsay.

The father married on January 3d, 1832, Juliana, daughter of Reverend William Parish, and the granddaughter of Colonel John Paisley, an officer of the revolution, as also of General Alexander Mebane, whose sketch will be found in the Northampton County section.

He died at Greensboro, on May 14th, 1868. The melancholy effects of the unhappy intestine war preyed heavily on his spirits, naturally

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elastic, and on his robust constitution, and so brought his life to a premature close.

24. RICHARD TYLER BENNETT (aka. Ridsen T.Bennett)

Richard Tyler Bennett was born near Wadesboro. He was prepared for college by the Anson Institute, under the superntendence of Professor MeIver, and was for a time a student at the University. He read law under Chief Justice Pearson, and finished his legal studies at Lebanon College, Tennessee.

He ardently entered the Confederate service in the Civil War as a private, refusing the position of an officer; but afterwards, from his gallantry and usefulness, was promoted to a colonelcy. He was engaged in several battles, severely wonded, and finally taken prisoner, and confined in Fort Delaware until the close of the war.

Since the war he has continually resided at Wadesboro, and for some years was the partner of Hon. Thomas S. Ashe.

He was a member of the Convention of 1875, and of the House in 1873-'74. He was selected as elector for his [7th] district on the Hancock ticket, and was doing yeoman's service in this position when he was nominated as Superior Court Judge, in place of Judge Buxton, resgiend, in August, 1880.

"He is," says the Charlotte *Democrat*, "a gifted advocate, and highly esteemed by the profession."

25. GEORGE HUBBARD BROWN

(May 3, 1850 - Mar. 16, 1926)

[Source: Dictionary of North Carolina Biography edited by William S. Powell; Vol. 1; pg. 244]

[Portrait of George H. Brown in the Washington, NC Courthouse.]

George Hubbard Brown, superior court judge and associate justice of the North Carolina Supreme Court, was born in Washington, N.C. His parents were Sylvester T. and Elizabeth Bonner Brown. His paternal ancestors included the Revolutionary War soldiers General Thomas Holliday and Captain George Hubbard. A maternal ancestor, James Bonner, founded Washington. Brown lived in Washington until 1866, when he left for two years at Horner's School in Oxford. In 1868 his skill as a telegrapher secured him a position in New York City, where he worked at the desk next to Thomas Edison. He returned to live with his parents in 1870 and to study law in Wilson where they lived. In 1871 he and his parents moved back to Washington, and he began to study law with his future brother-in-law, James E. Shepherd. After passing the bar examination in 1872, he opened a law office in Washington. His law partner was Fenner B. Satterthwaite until the latter's death in 1882.

Active in politics, Brown served several years as chairman of the democratic party in Beaufort County. In 1880 he campaigned unsuccessfully for the Democratic nomination for Congress from the First Congressional District. As a presidential elector from the First Congressional District, he cast a vote for Grover Cleveland in 1888. After practicing law with John H. Small from 1885 to 1889, he was appointed by Governor A.M. Scales to a vacancy on the superior court in the First Judicial District in 1889. In 1902, Henry Groves Connor defeated him for the Democratic nomination for associate justice of the state supreme court. Two years later he was elected to an eight-year term as associate justice of the North Carolina Supreme Court, and in 1912 he was elected to a second full term. He declined renomination in 1920 because an attack of influenza in 1918 had left him greatly weakened.

Robert Watson Winston called Brown "our Dissenting Judge--he was unwilling to bend the law to meet difficult situations or to win popular favor." According to Winston, Brown was "the acknowledged exponent of the vested interest of the State....On the bench he stood for property and property rights as much as for the rights of persons."

After retiring from the bench in 1921, Brown served occasionally as a special judge appointed by the governor. Throughout his life he was fond of horses and enjoyed hunting. He died in 1926 of bronchial pneumonia. A lifelong member of [St. Peter's Episcopal Church](#) in Washington, he was [buried in Oakdale Cemetery](#) in Washington. He was survived by his widow, Laura Ellison Lewis, whom he had married on Dec. 17, 1874. They had no children. There is a portrait of Brown in the Supreme Court Building in Raleigh.

12. SPIER WHITAKER

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...was a prisoner of war at Governor's Island and elsewhere for four months. Upon his exchange he was, on the recommendation of Lieutenant-Colonel R. F. Hoke, appointed second lieutenant and assigned to Company K, Thirty-third North Carolina State troops, and participated in the battles of Harper's Ferry, Sharpsburg, and all the other battles in which that regiment so bravely fought, except one; for some time he was its adjutant, having been promoted to the office of first lieutenant

"In one battle his courage and coolness were so conspicuous that Brigadier-General James Conner, temporarily commanding his brigade, thought it due to him to commend him in a general order to General James H. Lane. . . .

"Adjutant Whitaker surrendered at Appomattox, and then went to his father's home in Iowa, but he did not remain away long, and in 1866 returned to the State to live. Having studied law under his father, he obtained his license to practice in the county courts in 1866, and settled in

Raleigh, occupying an office with Colonel Ed. Graham Haywood. In the winter of 1866 he removed to Halifax and made his home at Enfield. In 1867 he obtained license to practice in the superior courts, and soon there-

after was made solicitor of the county court. He soon commanded a good practice and became prominent in the politics of his county. In 1881 he served with credit to himself as a member of the state senate. To

enlarge his practice he returned to Raleigh in 1882 and formed a partnership with John Catling, Esq., a lawyer of distinguished ability. Their association continued until a short time before the death of Mr. Catling,

and the firm was justly regarded as one of the strongest in the State. During the continuation of the partnership and afterward Mr. Whitaker was diligent in the prosecution of his profession, though occasionally he

took a prominent part in the politics of the State. In 1888 he led the forces of Judge Fowle in the contest with Lieutenant-Governor Stedman for the nomination for governor before the Democratic convention, and, having succeeded, was made chairman of the Democratic State committee. He was skilful, bold, and aggressive in the campaign of that year, and success crowned his efforts.

"In July, 1889, he attracted much attention by the ability, skill, and courage with which he conducted an investigation of the conduct of certain

officers of the insane asylum, in which the public took very great interest

His exhaustive argument before the asylum board, composed of men of

distinction, was pronounced by all who heard it, and by the public who read it to be of rare eloquence and of great logical force.

"In November, 1889, he was appointed by Governor Fowle judge of the superior courts of the Fourth district, and, having been subsequently elected by the people, held the office until July 10, 1894* when he resigned and returned to the practice of law. In the preparation for his courts.

27. HENRY RAVENSCROFT BRYAN

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Author: Leonard Wilson (1916)

HENRY RAVENSCROFT BRYAN

JUDGE HENRY R. BRYAN, of New Bern, North Carolina, whose long life of conspicuous usefulness has made him one of the best known and most highly esteemed citizens of North Carolina, comes of a family which has been identified with that State for nearly one hundred and seventy years, which in that period has extended over the South Atlantic States from Virginia to Georgia, and in every generation has furnished a number of splendid citizens to the Republic.

This high type of gentleman was born at New Bern, March 8, 1836, son of John Heritage and Mary Williams Shepard Bryan. His father was a distinguished lawyer and prominent in his generation. He was born in New Bern in 1798, graduated from the University of North Carolina in 1815, was a member of the State Senate of North Carolina in 1823 and 1824, represented his district in the Nineteenth and Twentieth Congresses at Washington, declined re-election, and located in Raleigh where he practiced his profession. John H. Bryan was not twenty-seven years of age when he entered the Federal Congress, and had the distinction of being the youngest member of that body during the presidency of John Quincy Adams.

Hon. H. R. Bryan received his preliminary educational training at a famous old school in Raleigh, known as Lovejoy's Military Academy, conducted by J. M.

Lovejoy, one of the great teachers of his generation. From there, at the age of sixteen, Judge Bryan entered the University of North Carolina, in 1852, graduating with distinction in 1856, delivering the Latin Salutatory, which indicates his high standing as a student of the University. In June, 1857, he was licensed to practice law, and has followed his profession with eminent success for fifty-eight years. The earlier years of his life were spent in Raleigh. Since 1860 he has made New Bern his home. In 1860 he served as Clerk of the United States Circuit Court of Raleigh, and was a presidential elector on the Democratic ticket in 1882, when General W. S. Hancock was the nominee. In 1892 he was elected Judge of the Second Judicial District and served in that position by re-election for two terms, covering a period of sixteen years. He has been Mayor of his town and has served as Vice-President of the Penitentiary Board. With the exception, however, of these sixteen years on the Bench practically his entire professional life has been spent in the active practice of the law. During his whole professional career he has served as Attorney for several corporations, but general practice has consumed the most of his time.

He has given long and faithful service to the Protestant Episcopal Church, having served as a vestryman for about fifty years, is junior warden of his parish and Chancellor of the Diocese of Eastern North Carolina.

28. WILLIAM ALEXANDER HOKE

William Alexander Hoke (1851-1925) was a [North Carolina](#) politician and jurist who served as an associate justice (1905-1924) and [chief justice](#) (1924-1925) of the [North Carolina Supreme Court](#).

Born in [Lincolnton, North Carolina](#), Hoke's father was a cousin of General [Robert Hoke](#). He studied law under Chief Justice [Richmond Mumford Pearson](#). A [Democrat](#), "Alex" Hoke, as he was known, represented Lincoln County in the [North Carolina House of Representatives](#) in 1889 and was elected a state [Superior Court](#) judge the following year. He was elected to the state Supreme Court in 1904 as an associate justice. Re-elected in 1912 and 1920, Hoke was appointed chief justice on June 2, 1924 by Governor [Cameron Morrison](#), upon the death of Walter Clark. Although he was elected chief justice in November 1924, Hoke resigned in March 1925 due to failing health. He died on

September 13, 1925 and is buried in St. Luke's Episcopal Church Cemetery in Lincolnton, North Carolina.

A friend of [Zebulon B. Vance](#), Hoke chaired the commission to provide a statue of Vance for [Statuary Hall](#) in the [United States Capitol](#).

John F. Hoke, son of Col. John Hoke, won a captain's commission in the Mexican War, and commanded his company with gallantry in the battles of Cerro Gordo, Tolema and National Bridge. He was adjutant-general in North Carolina and colonel in the civil War. He was an able lawyer, and often the representative of Lincoln county in the General Assembly. His son, **William A. Hoke**, as citizen, lawyer, legislator, judge of the Superior Court, and now Associate Justice of the Supreme Court, occupies a large space in public esteem.

29. ROBERT FRANKLIN ARMFIELD

Robert Franklin Armfield was born July 9th, 1829, near Greensboro, and educated at Trinity College, North Carolina. He read law with John A. Gilmer, and has been in the continuous practice of his profession.

He was a member of the State Convention of 1861, which passed the Ordinance of Secession, but resigned and went into the army as a subaltern in the 38th North Carolina ReShepherdstowngiiment, of which he afterwards became Lieutenant-Colonel. He was wounded at the Battle of Shepherdstown, (1862). Whilst at home on furlough, wounded, he was elected Solicitor for the State in the Sixth Judicial District, in which capacity he served until removed by Governor Holden, in 1865. He has avoided political office, declining several nominations to the Legislature. he was elected however to the Legislature in 1874, as Senator from the counties of Iredell, Alexander and Wilkes, and here was chosen President of the Senate, and ex-officio Lieutenant-Governor of the State. He married Miss Mary A. Denny of Guilford, and is blessed with a large family.

30. GEORGE A. JONES.

He was born in Buncombe county February 15, 1849, a son of Andrew and Margaret Jones. He attended Sandhill Academy on Hominy creek while it was open during the Civil War, and early in the seventies removed to Franklin, Macon county, where he became an assistant in the high school and later principal. He was admitted to the bar in 1878, having married in December, 1875, Miss Lily Lyle, daughter of Dr. J. M. Lyle and Mrs. Laura Siler Lyle, his wife. There were six children by the union, and after the death of his first wife, he married, January 31, 1895, Miss Hattie B. Sloan, by whom he had four children. She was a daughter of Mr. and Mrs. W. M. Sloan. In 1889 Judge Jones represented Macon county in the legislature. In 1891 he was elected solicitor of the twelfth judicial district, and was reelected in 1895, serving two filil terms. In 1901 he was appointed by Gov. Aycock judge of Superior court of the newly created sixteenth judicial district and served about two years, when he resumed the practice of law at Franklin, where he died August 13, 1906.

31. FRED MOORE

JUDGE FRED MOORE was born in Buncombe county on the 10th day September, 1869. He was the son of Daniel K. Moore, and the grandson of Charles Moore and the great-grandson of William Moore, one of the pioneers who helped to drive back the Indians and establish peace in this section. He attended school at Sand Hill near his home, and was admitted to the bar at the September term, 1892, of the Supreme court. He spent part of his youth in Macon and Clay counties, and began the practice of the law at Webster, Jackson county as a partner of his cousin, Hon. Walter E. Moore. In 1898 he removed to Asheville and formed a copartnership with another cousin, Hon. Charles A. Moore. In 1898 he was elected judge of this judicial district. He died in August, 1908. Judge Moore's mother was a Miss Dickey of Cherokee, and his wife a Miss Enloe of Webster. He tried many important cases, and his rulings and decisions were fair and sound. His life was as nearly blameless as it is possible for human lives to be. When first made a judge he was probably the youngest who ever served on the Superior court.

VI
PRESIDING COURT OF PLEAS JUSTICES 1836-1868

Adams	James Sr
2/11/1856	2/18/1856 Special Court

Balance	Thomas
4th Monday, Aug 1849 - Ocracoke	

Benson	John	
5/2/1843	8/28/1843	11/27/1843
2/20/1844	5/27/1844	8/26/1844
11/20/1844	2/24/1845	Last Monday, Aug 1846
8/4/1848	4th Monday, Aug 1849	
11/9/1849	2/25/1850	5/4/1850
8/20/1850	2/24/1851	5/21/1851
11/24/1851	2/23/1852	5/24/1852
8/23/1852	5/30/1853	5/30/1853
8/22/1853	11/27/1853	5/29/1854
8/28/1854	5/11/1857	

Benson	Reuben Jr	
2/10/1862	5/12/1862	8/10/1862
5/9/1864	8/8/1864	11/14/1864
5/8/1865	5/11/1868	

Blount	Joseph
5/21/1851	

Blount	Will H
11/24/1851	

Burgess	Dan L	
2/1854	8/11/1856	11/2/1857

11/8/1858

Burgess **Francis M**

2/13/1865

Burris **Thomas S**

8/14/1865

Burris **Zachariah M**

11/14/1864

8/14/1865

11/13/1865

Carter **David Jr**

Feb 1847

Special Court 4/16/1847

Last Monday, May 1847

11/20/1847

2/28/1848

5/4/1850

8/20/1850

11/2/1850

2/24/1851

8/25/1851

11/24/1851

2/23/1852

5/24/1852

11/4/1852

2/27/1853

8/22/1853

11/27/1853

2/11/1856

2/8/1858

5/10/1858

8/9/1858

11/8/1858

2/14/1859

5/12/1862

Carter **Thomas S**

5/14/1866

Carter **William S**

11/13/1865

Credle **George**

2/13/1860

8/1860

5/13/1861

2/10/1862 4/9/1866 Special	5/12/1862	8/10/1862
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Credle 8/13/1866	George Lafayette
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Credle 11/14/1859	George Veal 8/12/1861
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Credle 2/13/1865	J G
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Credle Special Court 4/16/1847	John
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Credle 2/8/1858	John H
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Credle 5/9/1864	John T
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Credle 5/13/1861	Sam 11/11/1861
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Credle 8/12/1861 8/8/1864	Thomas 11/11/1861 11/14/1864	8/10/1862 5/8/1865
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Credle 5/13/1861 5/9/1864 4/9/1866 Special	Tilman 5/12/1862 8/8/1864	8/10/1862 11/14/1864
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Credle	Tilson Gibbon
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2/25/1839	5/27/1839	8/26/1839
11/25/1839	5/31/1841	8/30/1841
Last Monday, Nov 1841		2/28/1842
5/30/1842	8/29/1842	11/28/1842
2/27/1843	5/2/1843	8/28/1843
11/27/1843	2/20/1844	5/27/1844
8/26/1844	2/23/1846	Last Monday, Nov 1846
Feb 1847	Special Court 4/16/1847	
Last Monday, May 1847		8/1847 (Tues)
11/20/1847	2/28/1848	2/1849
5/9/1849	11/9/1849	2/25/1850
8/25/1851	5/14/1866	

Credle **Will**
11/12/1866

Credle **William**
8/25/1851

Credle **William J**
8/1860

Credle	Wilson	
8/30/1841	Last Monday, Nov 1841	
2/28/1842	5/2/1843	8/28/1843
5/25/1846	5/2/1848	5/9/1849
4th Monday, Aug 1849		11/9/1849

Davis	John	
2/1849	11/2/1850	8/8/1864

Davis	Mathew B	
5/12/1862	2/8/1864	5/9/1864

8/8/1864	8/14/1865	
Davis	Seth	
5/22/1855		
Davis	Seth B	
2/10/1868		
Farrow	Hezekiah	
11/27/1848		
Fortescue	John Elliot	
11/9/1849	2/25/1850	8/20/1850
2/24/1851	2nd Monday, Feb 1857	
5/12/1862	11/14/1864	
Gaskins	Benjamin	
2/24/1845		
Gerson?	Sylewtr M	
8/4/1848		
Gibbs	D S	
8/11/1856	5/10/1858	2/14/1859
11/12/1866		
Gibbs	Danil J	
11/2/1857		
Gibbs	David	
11/12/1860	11/14/1859	11/8/1858

2/11/1861	2nd Monday, Feb 1857	
5/1860	5/9/1859	8/1860
8/9/1858		
Gibbs	David G	
2/8/1858		
Gibbs	David L	
5/12/1856		
Gibbs	David S	
2/13/1860		
Gibbs	David T	
11/10/1856		
Gibbs	Seth W	
11/12/1866		
Gibbs	Willard	
2/13/1860		
Gray	Arnold	
8/4/1848	11/2/1850	8/25/1851
11/24/1851	2/23/1852	5/24/1852
8/23/1852	5/30/1853	8/22/1853
2/1854	5/29/1854	8/28/1854
Harris	Seth B	
5/27/1844	8/26/1844	5/12/1856

8/11/1856	11/10/1856	2nd Monday, Feb 1857
5/12/1862	8/10/1862	5/14/1866
8/13/1866	2nd Monday, Feb 1867	
11/11/1867	5/11/1868	

Hodges	? B
5/27/1839	

Hodges	G W
5/11/1857	

Horton	Jaby G
5/9/1864	

Hutson	J W
5/1860	

Jarvis	?
11/30/1840	

Jarvis	Aostin?
2/20/1844	

Jarvis	D W
5/9/1859	

Jarvis	Fertu?
5/2/1848	

Jarvis	Forster?
2/24/1845	

Jarvis	John C
8/1847 (Tues)	

Jarvis	John G	
11/1845	Last Monday, May 1847	
Jarvis	Josiah G	
5/26/1845	2/23/1846	Last Monday, Nov 1846
Feb 1847	2/28/1848	8/25/1851
Jarvis	M G	
8/25/1845		
Jarvis	Seth B	
11/27/1848	5/4/1850	8/8/1864
5/13/1867		
Jarvis	Thomas M	
8/14/1865		
Jarvis	William G	
8/12/1861	5/12/1862	8/10/1862
5/9/1864	11/14/1864	
Jasper	A B	
2/27/1843		
Jennett	Henry	
2/18/1856 Special Court		8/10/1857
Jennett	John	
8/10/1857	2/8/1858	
Jennett	John G	
2/25/1840		

Jennett	Robert ESQ	
2/25/1839	5/27/1839	8/26/1839
2/25/1840	Last Monday, May 1840	
8/31/1840	Last Monday, Feb 1841	
5/30/1842	8/29/1842	11/28/1842
2/27/1843		

Jennett	Thomas
11/13/1865	

Jennett	Thor
11/2/1857	

Joner?	A R
11/12/1866	

Jordan	Jephu
5/21/1851	

Latham	Augustus	
5/13/1867	11/11/1867	2/10/1868
5/11/1868		

Long	B A
5/11/1868	

Long	Sanford	
2nd Monday, Feb 1867		5/13/1867
11/11/1867	2/10/1868	

Mann	E L
11/12/1866	

Medgett **Burnes M**
5/13/1867

Midgett **Aniston**
2nd Monday, Feb 1867

Midgett **Banister**
11/11/1867

Midgett **J R**
11/14/1864

Midgett **Rinaldo**
11/20/1847

Midgett **Sam**
11/12/1866

Midgett **Zachariah R**
2/8/1864 8/8/1864 2/13/1865

Midgett **Zackarieh**
5/12/1862 8/10/1862

Moore **Bill G (R M G)**
8/22/1853 11/7/1854 5/22/1855

Murray **Daniel**
2/24/1851 11/27/1853

Northan **William**
5/2/1848

Pugh	D? J?	
8/14/1865		
Pugh	Thomas P	
2/8/1864	5/9/1864	11/12/1866
Quidley	Redin? R	
5/25/1846		
Ritch	L H	
2/1854		
Ritch	Simson H	
11/4/1852		
Roper	Rmy? R	
11/12/1866		
Rose	Jeptha	
2/27/1853	5/29/1854	8/28/1854
Ruffalon?	W H	
2/1854		
Russel?	Will	
2nd Monday, Feb 1857		
Russell	John S	
8/10/1857		
Sadler	Ananias	
2/25/1839	8/26/1839	2/25/1840

5/31/1841	Last Monday, Nov 1841	
2/28/1842	5/2/1843	8/28/1843
11/27/1843	8/26/1844	5/26/1845
8/25/1845	11/1845	2/23/1846
Last Monday, Aug 1846		Feb 1847
Last Monday, May 1847		8/1847 (Tues)
5/9/1849	11/9/1849	2/25/1850

Sadler	Bennett
11/25/1839	

Sadler	Cris
5/27/1839	

Sadler	Das? G?
11/30/1840	

Sadler	Grahams?
8/1860	

Sadler	Tolson? G ESQ
11/30/1840	

Sadler	William
8/9/1858	2/14/1859

Seath?	Gus? G?
2nd Monday, Feb 1857	

Selby	Jeremiah R	
5/24/1852	5/1860	8/1860

11/12/1860	11/11/1861	2/10/1862
5/12/1862	5/9/1864	11/14/1864
2/13/1865	5/8/1865	8/14/1865
11/13/1865	5/14/1866	8/13/1866
5/13/1867	11/11/1867	2/10/1868
5/11/1868		

Selby	R S
8/12/1861	

Shaw	Daniel ESQ
8/31/1840	Last Monday, Feb 1841

Smith	Arnold
2nd Monday, Feb 1857	

Smith	John
5/11/1857	11/2/1857

Smith	John B
8/26/1844	11/20/1844

Smith	John R	
5/30/1842	5/22/1855	8/10/1857

Smith	Thomas H
8/31/1840	Last Monday, Feb 1841

Smith	William J
11/12/1866	

Spencer	?
Last Monday, May 1840	

Spencer 11/20/1844	Jason G	
Spencer 2/1854 5/14/1866	Jones 11/13/1865	8/14/1865
Spencer 8/4/1848	Jony?	
Spencer 4/9/1866 Special	Josue?	
Spencer 8/13/1866	P H	
Spencer 5/10/1858	P W	
Spencer 5/10/1858	Peleage 11/8/1858	5/12/1862
Spencer 11/14/1864	Peleage H	
Spencer 2/11/1856 5/14/1866	Peleage W 11/2/1857	8/10/1862
Spencer 2/18/1856 Special Court	Peter J	
Spencer	Peter P	

2/11/1861

Spencer **Thomas G**

Last Monday, Aug 1846

Last Monday, Nov 1846

Special Court 4/16/1847

Sumett? **Joseph C**

2/27/1853

Swin? **C__nclues**

11/12/1866

Swindell **Albin Blount**

5/27/1839

11/25/1839

5/31/1841

8/30/1841

Last Monday, Nov 1841

2/28/1842

8/29/1842

11/28/1842

Swindell **Deicon**

11/12/1866

Swindell **Joseph**

11/12/1866

Swindell **Leroy M**

8/23/1852

Tham? **Dawl ?**

Last Monday, May 1840

Tham? **Dan**

5/26/1845

Tham? **Dane**

8/25/1845

Tham? **Daniel**
11/1845

Thorton **Jaby? G?**
11/14/1864

Tolston? **David**
2/11/1861

Tooley **A B**
2/8/1858

Tooley **John**
11/12/1866

Tooley **Thomas**
5/12/1862

Tooley	Will	
5/25/1846	5/12/1856	8/11/1856
5/9/1859	11/14/1859	2/13/1860
5/1860	8/1860	

Tooley	Will B	
2nd Monday, Feb 1857		11/12/1860
2/11/1861		

Tooley	Will R	
2/18/1856 Special Court		11/10/1856

Tooley **William R**
2/1849

Tooly	Will? G?	
2/23/1846		
Tualy?	Reading R	
5/2/1848		
Tunnell	Alexander	
5/1860		
Tunnell	Joseph G	
11/4/1852		
Wahab	R P	
11/12/1866		
Watson	Jabez G	
11/9/1863	2/8/1864	8/8/1864
2/13/1865	5/8/1865	
Watson	Joseph	
5/13/1861	8/12/1861	8/10/1862
2/8/1864	2/13/1865	5/8/1865
11/13/1865	4/9/1866 Special	
5/14/1866	8/13/1866	
Watson	Joseph M	
11/12/1860	2/11/1861	2/10/1862
5/12/1862	5/9/1864	8/8/1864
11/14/1864		
Wilkenson	J B	
2nd Monday, Feb 1857		

Williams	Nathaniel C?	
5/12/1862	8/10/1862	2/8/1864
8/8/1864	11/14/1864	

Williams	Seth
5/13/1861	

Young	Joseph
5/12/1856	2nd Monday, Feb 1857