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## William Alexander Graham

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By Chief Justice WALTER CLARK.

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William Alexander Graham, Speaker of the House of Commons, Governor of North Carolina, Secretary of the United States Navy, Senator of the United States and also of the Confederate States, nominee of the Whig Party for the Vice Presidency, was born at Vesuvius Furnace, the residence of his father, General Joseph Graham, in Lincoln County, North Carolina, 5 September, 1804. He sprung from that sturdy Scotch-Irish race which has furnished so many prominent men to the Republic. His mother was Isabella, daughter, of Major John Davidson, who was one of the signers of the famous "Mecklenburg Declaration of Independence" at Charlotte on 20 May, 1775, of which John Adams wrote: "The genuine sense of America at that moment was never so well expressed before nor since."

The father of Governor Graham, General Joseph Graham, merits more than a passing notice. At 18 years of age he entered the Continental Army in 1778, soon became Adjutant and was promoted to Major of 4 North Carolina (Continental) Regiment. He was in many engagements and was often wounded. At the capture of Charlotte by Cornwallis 26 September, 1780, he received nine wounds (six of them with sabre) and was left on the ground for dead. He was a member of the State Convention of 1788 and also of 1789, served in several legislatures and in the war of 1814 commanded a brigade from this State and South Carolina sent by President Madison to the aid of General Jackson in the Creek War. William A. Graham was the youngest son in a family of seven sons and three daughters who grew to ma-

turity. One of his brothers, James Graham, was a member of Congress from this State, continuously from 1833 to 1847, except one term. One of his sisters married Rev. Dr. R. H. Morrison, President of Davidson College, and was the mother of the wife of Stonewall Jackson.

The subject of this sketch began his academic education under Rev. Dr. Muchat, at Statesville, a scholar of repute. Thence he was sent to Hillsboro, where he was prepared for college. He entered the University of North Carolina in 1820. At school and college he evinced the characteristics which distinguished him in later life—studious, thoughtful, courteous, considerate of others, with great natural dignity of manner, and marked ability. His schoolmate, Judge Brevard, said of him at this early age: “He was the only boy I ever knew who would spend his Saturdays in reviewing the studies of the week.” He graduated in 1824 with the highest honors of his class, which he shared with Matthias E. Manly, afterwards a Judge of the Supreme Court.

After a tour of the Western States, made on horseback, as was then the most convenient and usual mode, he began the study of law in the office of Judge Ruffin, at Hillsboro, and was admitted to the bar in 1826. Though his family connections were numerous and influential in Mecklenburg, Cabarrus and Lincoln, he decided to locate at Hillsboro, among whose resident lawyers then were Thomas Ruffin, Archibald D. Murphey, Willie P. Mangum, Francis L. Hawks, and Frederick Nash; and among the lawyers regularly attending from other courts were George E. Badger, William H. Haywood and Bartlett Yancey. At this bar of exceptionally strong men, he quickly took first rank.

In 1833 he was elected a member of the General Assembly from the Town of Hillsboro, one of the boroughs which up to the Convention of 1835 retained the English custom of choosing a member of the legislature. It is related that he was chosen by one majority, the last vote polled being cast by a free man of color, this class being entitled to the fran-

chise till the Constitution of 1835. Being asked why he voted for Mr. Graham, the colored voter, a man of reputation and some property, replied: "I always vote for a gentleman."

His first appearance on the floor of the House of Representatives was on a motion to send to the Senate a notice that the House was ready to proceed to the election of a Governor for the State, and to place in nomination for that office, David L. Swain, who had been his college mate at the University of North Carolina. Two days later he had the satisfaction to report his election, and was appointed first on the committee to notify him of his election. The relations of these two distinguished men remained singularly close and cordial through life. In 1834 and again in 1835 he was re-elected for the borough of Hillsboro, and at both sessions he was Chairman of the Judiciary Committee, then as now, deemed the highest position, next to the Speaker. In 1838, as Chairman of the Judiciary Committee, he submitted the report of the Commissioners who had prepared the "Revised Statutes." ·

It was to him that in 1834 Judge Gaston, who was a Roman Catholic, addressed his open letter in defence of his acceptance of a seat upon the Supreme Court, notwithstanding the provision in the old Constitution (repealed by the Convention of 1835) which declared incapable of holding office all those who "deny the truths of the Protestant religion." With all deference to the writer thereof whose name will always command the highest respect, that letter will remain a plausible instance of special pleading whose defective logic has been pardoned by reason of the inherent opposition of all generous minds to the constitutional provision which gave rise to it, and the eminent public services, ability and popularity of its author.

In 1838 and again in 1840, Mr. Graham was elected to the General Assembly from Orange County, and was Speaker of the House of Representatives in both. The journals, during his legislative career, attest his great industry and his

leadership. He introduced the first bill that was passed to establish a system of common schools, and the bills introduced or supported, or reported by him on the subjects of banking, finance, education, and internal improvements, demonstrate the broadness of his views, and that he was one of the most progressive men of his time.

In 1840, Judge Strange and Hon. Bedford Brown, the United States Senators from this State, resigned their seats rather than obey instructions which had been passed by the General Assembly. Willie P. Mangum, of Orange, was chosen to succeed Brown, and though Mr. Graham was from the same county and only 36 years of age, he was elected to fill Mr. Strange's unexpired term. This was a most emphatic testimonial to his commanding position in the Whig Party, which held so many eminent leaders, and in the State at large. He was among the youngest, if not the youngest member, of the United States Senate, when he took his seat. He commanded the respect and attention of that body upon all occasions, and we are told by a member of that Congress that "Mr. Clay regarded him as a most superior man, socially and intellectually."

The time of Mr. Graham's service in the Senate was a stormy period. President Harrison, who had gone into office upon a tidal wave, died just one month after his inauguration, and was succeeded by the Vice-President, Mr. Tyler, who soon placed the administration in complete opposition to the policies of the party by which he had been elected. Upon all the most important measures which came before the Senate, Mr. Graham impressed himself by arguments which received general approbation and which drew forth specially commendatory letters from Clay, Webster, Chancellor Kent, and others.

At the expiration of his term in March, 1843, Mr. Graham resumed the practice of his profession, the Democratic Party having secured a majority in the General Assembly and chosen a member of that party, William H. Haywood,

Jr., to succeed him in the Senate. In 1844 he was nominated by the Whig Party for Governor. He had not sought nor desired the nomination. The salary of the office was small and its expenses great. In 1836 he had married Susan Washington, daughter of John Washington of New Bern, a lady of great beauty of character and person, and a young and growing family made demands upon his income, which was impaired by the inroads which public life had made upon his law practice. But true as always to the calls of duty, he yielded to the representations of gentlemen of high standing in all parts of the State. His Democratic competitor was Hon. Michael Hoke, like himself, a native of the county of Lincoln. Mr. Hoke was about the same age, of fine presence, decided ability and great popularity. After a canvass whose brilliancy has had no parallel in the history of the State, save perhaps that between Vance and Settle in 1876, Mr. Graham was elected by a large majority. His competitor died a few weeks after the election, his death having been caused, it was thought, by the great physical and mental strain of the campaign. On 1 January, 1845, Governor Graham was sworn in, with imposing ceremonies, which, for brilliancy and the size of the audience, were till then without precedent.

His inaugural address was especially noteworthy, not alone for its purity of style and elevation of thought, but in its recommendations. The Asylum for the Insane, and for the Deaf, Dumb and Blind, and the Emmons Geological Survey all had their genesis in this Inaugural, the first two being established by laws enacted during his administration and the latter just afterwards. He also laid special emphasis upon the Common School System, then lately inaugurated, and the first act in favor of which had been introduced by himself when a member of the legislature. Mr. Webster in a letter specially commended the address for its wisdom and progressiveness, as did Prof. Olmsted for its recommendation in favor of the establishment of a Geological Survey.

His aid to our new and struggling railroads built by State aid was invaluable.

In 1849 he delivered the address before the Literary Societies at the University. This address remains to this day one of the very best of the long series delivered since the incipency of the custom. Upon the success of his party in the election of President Taylor, Senator Mangum, one of the confidential advisers of the new administration, wrote Governor Graham that he could make his choice between the Mission to Russia and the Mission to Spain. Subsequently the Mission to Spain was tendered him and declined.

Upon the accession of President Fillmore, Mr. Graham was tendered the appointment of Secretary of the Navy in a very complimentary letter from the President, who urged his acceptance. In July, 1850, he entered upon the duties of the office. Such was his diligence that his first report, 30 November, 1850, embraced a review of the whole naval establishment with recommendations for its entire reorganization. Even an opposition Senator, Thomas H. Benton, joined in the commendation of his report, and wrote with special reference to the Coast Survey service: "I consider it one of the most perfect reports I ever read—a model of a business report and one which should carry conviction to every candid inquiring mind. I deem it one of the largest reforms, both in an economical and administrative point of view, which the state of our affairs admits of."

His administration of the Navy Department was marked by one of the most remarkable enterprises, whose success has been of world wide importance—the organization of the Perry Expedition to Japan, which opened up that ancient empire to modern civilization. The success of that expedition constitutes one of the principal claims of Mr. Fillmore's administration to the admiration of posterity and was, indeed, an era in the history of the world, of which the events of the last few years are striking results. The expedition was conceived and inaugurated by Mr. Graham and was executed

upon the lines laid down by him, and the commander, Commodore Perry, was selected by him, though the expedition did not actually set sail till after he had resigned. In 1851 Mr. Graham also sent out under the auspices of the Navy Department, an expedition under Lieutenant Herndon to explore the valley and sources of the Amazon. The report of this expedition was published by order of Congress in February, 1854, and was noticed by the London "Westminster Review" of that year, which bestowed high praise upon the author for his conception, and the thoroughness and wisdom of his instructions to the commander.

The great compromise measures of 1850, which would have saved the country from the terrible civil war, if it could have been saved, received strong aid and support from the then Secretary of the Navy, who was on terms of intimacy and personal friendship with Clay, Webster and other leaders in that great movement to stay destructive tendencies, which proved, "alas, too strong for human power." When the Whig National Convention assembled in June, 1852, it placed in nomination for the presidency, Winfield Scott, and William A. Graham for Vice-President. With a delicacy which has been rarely followed since, he resigned "to relieve the administration of any possible criticism or embarrassment on his account in the approaching canvass," and the President appreciating the high sense of delicacy and propriety "which prompted the act, accepted his resignation with unfeigned regret."

It may well be doubted if any of his predecessors, or successors, either in the office of Secretary of the Navy or Governor of North Carolina, has shown as much progressiveness, and as large a conception of the possibilities of his office, in widening the opportunities for development of the country. Certainly none have surpassed him in the wisdom and breadth of his views, and the energy displayed in giving them successful result. It is his highest claim to fame that he was thoroughly imbued with a true conception of the possibilities

and needs of the time and his whole career marks him as second to none of the sons whom North Carolina has given to fame.

In 1852, after his retirement from the Cabinet, he delivered before the Historical Society of New York his admirable and instructive address upon "The British Invasion of the South in 1780-81." This address preserved and brought into notice many historical facts, which with our usual magnificent disregard of the praiseworthy deeds of our State had been allowed to pass out of the memory of men and the record proofs of which were mouldering and in danger of being totally lost.

Mr. Graham was State Senator from Orange in 1854-55, took, as always, a leading part, and gave earnest support to Internal Improvements, especially advocating railroad construction. He and Governor Morehead headed the delegation to the Whig Convention in 1856 at Baltimore, which endorsed the nomination of Mr. Fillmore. He was one of that number of distinguished men from all sections, who met in Washington in February, 1860, and who in the vain hope of staying the drift of events towards a disruption of the Union and Civil War, placed before the country the platform and the candidates of the "Constitutional Union" party.

In February, 1861, he canvassed parts of the State with Governor Morehead, Judge Badger, Z. B. Vance, and others, in opposition to the call of a State Convention to take the State out of the Union, which was defeated by a narrow margin and doubtless by their efforts. But the tide of events was too strong. The fall of Fort Sumter 13 April, 1861, and the call by Mr. Lincoln upon North Carolina for her quota of 75,000 men—a call made without authority—changed the face of affairs. The State Convention met 20 May, 1861, and on the same day unanimously pronounced the repeal by this State of the Ordinance of 1789 by which North Carolina had acceded to the Federal Union under the Constitution of the United States. Mr. Graham, Judge



Badger, and others concurred in the result, after first offering a resolution (which was voted down) basing the withdrawal of the State, not upon the alleged inherent right of the State to withdraw from the Union at its will, but upon the right of revolution justified by the action of the Federal authorities.

One of Mr. Graham's most eloquent and convincing speeches was that made before the Convention in December, 1861, in opposition to an ordinance requiring a universal test oath, which was defeated. While giving to the Confederate Government his full support, he earnestly opposed arbitrary measures which indicated any forgetfulness of the rights of the citizen, and in March, 1861, he procured action by the Convention which caused the return to his home of a minister of the Gospel in Orange County, who had been illegally arrested by military order and confined in prison at Richmond. His speech against the test oath was used by Reverdy Johnson in arguing *ex parte Garland*, in the United States Supreme Court.

In December, 1863, Mr. Graham was elected to the Senate of the Confederate States by a vote of more than two-thirds in the General Assembly, and took his seat in May, 1864. It was at a troublous time and his counsel was, as usual, earnestly sought. In January, 1865, after consultation with General Lee, and with his full approval, Senator Graham introduced the resolution to create the Peace Commission, whose adoption caused the Hampton Roads Conference, 3 February, 1865, and might have saved the brave lives so uselessly sacrificed after that date, but that President Davis declared himself without power to come to any terms that would put an end to the Confederacy. Thereupon Senator Graham gave notice that to save further useless effusion of blood he would introduce a resolution for negotiations looking to a return to the Union, but the notice was unfavorably received, and he decided that the introduction of the resolution would be unavailing. Had it passed, we might not only have

saved much useless bloodshed, but have avoided the unspeakable horrors of Reconstruction. But blindness ruled those in power. His course has been thought like that of North Carolina—reluctant to leave the Union, opposed to usurpations by the new government, willing to negotiate for honorable peace when hope was gone, but that being denied, holding out to the end. Five of his sons, all of them who were old enough, were in the Confederate Army to the end, and each of them was wounded in battle.

The Confederate Senate adjourned 16 March, and on the 20th he visited Raleigh at request of Governor Vance, and in the conference told him that he left Richmond satisfied that all hope for the success of the Confederacy had passed; that Mr. Davis had declared that he was without power to negotiate for a return to the Union; and that each State could only do that for itself; but he advised Governor Vance that should he call a meeting of the Legislature to consider such action, Mr. Davis should be apprised. To this Governor Vance assented. But before further action could be taken the approach of General Sherman made it useless. On 12 April, 1865, Governor Vance sent ex-Governors Graham and Swain as Commissioners to General Sherman, then approaching Raleigh, with a letter asking a suspension of arms with a view to a return to the Union. The letter is set out in "North Carolina Regimental Histories" Vol. I, page 58. General Sherman courteously received the Commissioners but declined the requested truce. Of course Governor Graham's course in this trying time expressed the views of all those who saw the hopelessness of the situation, and who felt that the lives of the gallant men who had served their country faithfully should now be preserved for its future service in days of peace. He was not wanting in this supreme hour in the highest fidelity to the people that had honored and trusted him.

Of especial interest, showing his wisdom and foresight are his letters to Governor Swain, of this period, published in

Mrs. Spencer's "Last Ninety Days of the War." He was the trusted adviser of Governor Vance, who in his life of Swain says: "In those troublous years of war, I consulted him more frequently perhaps than any other man in the State except Governor Graham," adding, that "in him there was a rounded fullness of the qualities, intellectual and moral, which constitute the excellence of manhood in a degree never excelled by any citizen of North Carolina whom I have personally known, except by William A. Graham." Governor Graham was also the sure reliance of Governor Worth, whose most important State papers are from his pen.

In 1866 Mr. Graham was elected to the United States Senate with his former classmate and competitor at college, Hon. Matthias E. Manly as colleague, but the Republican majority in Congress was contemplating Reconstruction and they were refused their seats. When such legislation was enacted, a universal gloom fell upon the entire South. In its midst a Convention was called of all conservative citizens, irrespective of former party affiliations to meet in Raleigh, 5 February, 1868, over which Mr. Graham was called by common consent to preside, as our wisest citizen. His earnest, able and statesmanlike speech had a powerful effect, it aroused the people from despondency and infused into them that spirit of determination which continued to grow in strength till the State returned to the control of its native white population. In this speech, he was the first, in view of the recent Act of Congress, conferring suffrage upon the colored race, to lay down the necessity for the Whites to stand together, and he enunciated the doctrine of "White Supremacy" as indispensable for the preservation of civilization in the South. While others favored efforts to obtain control or guidance of the Negro, he, with a better knowledge of that race, insisted upon the solidarity of the Whites as our only hope. The event has proved the accuracy of his foresight. This speech while the Convention was in session was as brave as any act of the war.

He was prominent in asserting the right of the citizens to the writ of habeas corpus in 1870, when Judge Pearson declared the "judiciary exhausted"; and when Governor Holden was impeached in December of that year, his was the first named selected among the eminent counsel, who were retained to assist the managers appointed by the House of Representatives in the prosecution. His speech was one of great ability, but singularly free from personal denunciation of those who had trodden under foot the Constitution and the laws.

He was selected by the great philanthropist, George Peabody, as one of the board of eminent men whom he requested to act as trustees in administering the fund donated by him to the cause of education in the South, which had been so sorely impoverished by the war, and attended its sessions with great regularity.

He was also selected by Virginia to represent her upon the Board of Arbitration appointed by that State and Maryland to settle the disputed boundary between the two States.

On 20 May, 1875, he delivered an address at Charlotte upon the celebration of the Centennial Anniversary of the Meeklenburg Declaration of Independence and arrayed in a masterly manner the historic evidence of its authenticity.

Among his many valuable addresses is that delivered at Greensboro in 1860 upon the services of General Nathanael Greene, and memorial addresses upon the life and character of Judges A. D. Murphey and George E. Badger and Chief Justice Thomas Ruffin. His address at the State University and that upon the British Invasion of North Carolina in 1780-81 have already been mentioned. Notwithstanding his frequent public services, in the intervals he readily returned to his professional duties and to the last was in full practice at the bar. His argument before Judge Brooks in 1870 at Salisbury on the habeas corpus for release of Josiah Turner and others was a masterpiece.

He was nominated by acclamation in Orange County to the State Constitutional Convention of 1875. His declining health prevented his taking part in the canvass. He issued a strong address to his constituents which was widely circulated throughout the State, with great effect. His election was a matter of course, but before he could take his seat, he had passed beyond earthly honors. He was at Saratoga, N. Y., attending the session of the Virginia and Maryland Boundary Commission when renewed and alarming symptoms of heart trouble appeared. The best efforts of medical science proved unavailing, and he passed away early in the morning of 11 August, 1875, being nearly 71 years of age.

Numerous meetings of the Bar and public bodies, not only in North Carolina, but elsewhere, expressed their sense of the public loss, and the great journals of the country responded in articles expressive of the national bereavement. The States of Maryland and Virginia took care that his remains should be received with due honor and escorted across their borders. At the borders of North Carolina they were received by a committee appointed by the Mayor and Common Council of Raleigh, a committee appointed by the bar of Raleigh, and another by the authorities of the town of Hillsboro, by officials and many prominent citizens of the State and conveyed by special train to Raleigh where they were escorted by a military and civic procession to the Capitol, in whose rotunda, draped for the occasion, they lay in state. Late in the afternoon of the same day, attended by the Raleigh military companies and by special guards of honor, appointed by cities and towns of the State, and by the family of the deceased, his remains were carried by special train to Hillsboro, where they were received by the whole population of the town and escorted to the family residence, where they lay in state till noon on Sunday, August 15th. At that hour they were conveyed to the Presbyterian Church, and after appropriate funeral serv-

ices were interred with solemn ceremony, amid an immense concourse gathered from many counties, in its historic graveyard, where rest the ashes of William Hooper, A. D. Murphey, Chief Justice Nash, Judge Norwood, and many others, worthily prominent in the annals of the State.

Governor Graham left surviving him his widow, who subsequently died 1 May, 1890; seven sons, to wit: Dr. Joseph Graham, of Charlotte (died August 12, 1907); Major John W. Graham, of Hillsboro; Major W. A. Graham, of Lincoln; Captain James A. Graham (died in March, 1909), and Captain Robert D. Graham (died July, 1904), both resident in late years in Washington City; Dr. George W. Graham, of Charlotte; Judge Augustus W. Graham, of Oxford; and an only daughter, Susan Washington, who married the author of this very imperfect sketch of his life and services. She died in Raleigh 10 December, 1909.

Fortunate in his lineage and the sturdy race from which he sprung, strikingly handsome in person, of commanding appearance and stature, courteous in his bearing toward all, high or low, of high mental endowments, of a personal character without spot or blemish, true to all men, and therefore true to himself, possessed of undaunted courage, moral and physical, with remarkable soundness of judgment, conservative in his views, but progressive in his public action, abundant in services to his State and to his country, holding the entire respect of all and the hatred of no one, North Carolina has laid to rest in her bosom no son greater or more worthy than William A. Graham. His fame will grow brighter as the records are examined and weighed in the cold, clear, impartial light of the future.

To North Carolinians, the name of William A. Graham is the synonym of high character and true service, and in rendering to him and his memory high honor, the people of the State have indicated those traits of character which most strongly command their approbation.

*Stat nominis umbra.*

