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Judge David Schenck

Shepherd



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# AN ADDRESS

BY

HON. JAMES E. SHEPHERD

ON THE

Life and Character of the Late

## JUDGE DAVID SCHENCK

Delivered at Guilford Battle Ground on the Occasion  
of the Unveiling of a Monument to His  
Memory—July 4, 1904



Published by  
THE GUILFORD BATTLE GROUND CO.  
Greensboro, N. C.



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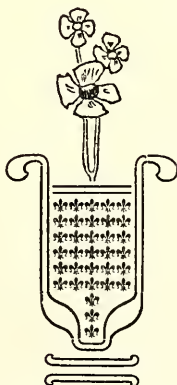
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# THE ADDRESS

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*Mr. President, and Ladies and Gentlemen—*

From the busy haunts of men, from the din and bustle of the world, with all its restless activities and selfish strivings, where the highest and lowest aspirations “chase each other even as the sunshine and the shadow”; from out of the weary scenes of conflicting interests and classes, and often unholy warfare upon each other, we come to this quiet, hallowed spot with hearts full of reverence, to commemorate the deeds of those who fought and who died here to maintain that sublime declaration of human rights upon which this great Republic was founded. We come to renew our allegiance to those great principles, sealed with the blood of heroes, and to seek new inspiration to preserve in all its pristine purity and glory the priceless legacy they have bequeathed us.

To those who stood here on this and other battlefields this would have seemed an easy thing to do. Their hearts were glowing with the fires of patriotism. They were standing, shoulder to shoulder, battling against the most powerful nation on earth, for the noblest cause that man can strive for. Theirs was a singleness of purpose, born only of a common cause and a common danger. All other considerations and interests sank into insignificance before the majestic shrine of Freedom, to which they had dedicated their lives, their fortunes, and their sacred honor.

“Then none was for a party;  
Then all were for the State:  
Then the great man helped the poor,  
And the poor man loved the great.”

It is in such crucial hours as these that men become exalted and seem “to overleap the destinies of their mortal state and claim a kindred” with higher beings. It is in the cause of freedom and the defense of home and fireside that war, with all its horrors, is glorified by the sense of sacred duty.

“The sword!—a name of dread! yet when  
Upon the freeman’s thigh ’tis bound—  
While for his altar and his hearth,  
While for the land that gave him birth,  
The war-drums roll, the trumpets sound—  
How sacred is it then!  
Whenever for the truth and right  
It flashes in the van of fight—

Whether in some wild mountain pass,  
 As that where fell Leonidas;  
 Or on some sterile plain and stern—  
 A Marston or a Bannockburn:  
 Or mid fierce crags and bursting rills—  
 The Switzer's Alps, gray Tyrol's hills:  
 Or, as when sunk the Armada's pride,  
 It gleams above the stormy tide:—  
 Still, still, whene'er the battle's word  
 Is Liberty—when men do stand  
 For Justice and their native land—  
     Then Heaven bless the sword!''

Inspired by the loftiest sentiments that can animate the hearts of men, conscious of their unselfishness and devotion, risking all and daring all, these soldiers of the Revolution could not have conceived that the holy fires of patriotism could ever grow dim, and that the great principles for which they gave their blood and treasure could ever be endangered by the baser passions of the people. It is true that even they, soon after the achievement of liberty, met with great difficulties in so regulating its exercise as to prevent it from degenerating into license and anarchy, and in chrystalizing it into a government under which freedom in the highest sense might be preserved and enjoyed. But these difficulties did not long stand in the way. The same unselfish spirit that had united them in the dark and bloody days of war, was now to show itself by mutual concessions and sacrifices; and out of these there came this great American Republic and its wonderful Constitution. If this same spirit could now prevail, there could be no just apprehension as to the endurance of this, the greatest experiment in the world's history of republican government.

But alas! This ideal government "of the people, by the people, and for the people", has often been tried and as often failed. It was the dream of Athens, and like a dream it vanished. It was for years a glorious realization in Rome, but the greed and corruption of accumulated wealth and the demoralization incident to extended conquests undermined the great principles upon which it was founded, and it fell helplessly into the arms of imperialism. Today, with the exception perhaps of Switzerland, there is no republican government worthy of the name throughout the whole of enlightened Europe. After the fearful experience of the French Revolution, Europe seems to have concluded that the people are incapable of self-government under the form of a republic. How startling this may sound to an American citizen, the inheritor of the great work of our Revolutionary fathers! Yes, it



seems to have been the fate of all republics that as they grew in population and wealth and territory, these very elements of progress and greatness have borne within them the germs of destruction.

Standing here then today, my friends, on this sacred ground, and celebrating with joyous hearts the anniversary of this great natal day of Independence, should we not deeply consider these lessons of the past? Should we not resolve to devote the best efforts of our minds and hearts to reverse what seems to be the verdict of history? Should we not swear by the God of our Fathers that this great Republic shall not pass away, but shall continue for all time to vindicate to all the world the right and the capacity of the people to govern? We have many difficulties to encounter, many grave problems to solve. The immense increase of population, the infusion of a large, ignorant, and untrained foreign element, the remarkable development of our resources, the tremendous activity of commercial and industrial agencies, their conflicting character and interests, the old and apparently never-ending strife between combined capital and labor, the greed and aggression of organized wealth, provoking at times violent resistance to law and weakening confidence in all law and government, the acquisition of foreign territory, necessitating, for a while, at least, government contrary to the genius of the home government, the centralizing tendencies of the Federal Government, and, last but not least, the never silent voice of the demagog. These and many others, involving profound political and economic questions, are sufficient to excite our solicitude and demand the exercise of our highest and most unselfish consideration.

Let it never be said that a country which has produced a Washington, a Lee, a Jefferson, and a Madison, and all its brilliant galaxy of soldiers and statesmen—soldiers, who, whether they wore the gray or the blue, or the plain homespun of the Revolution, have won their title to immortal renown by their matchless courage—statesmen who, as Mr. Gladstone said, produced a constitution “which is the most wonderful work ever struck off at a given time by the brain and purpose of man”—a country which is among the foremost in its inventions, and its arts, and its sciences; a country whose flag is respected by all the nations of the earth, and under whose ample folds the oppressed and down-trodden of all lands seek protection. Let it never be said, I repeat, that such a country is to furnish the last and convincing proof of the incapacity of the people for self-government.

True there is much to discourage us, but there is also much in our favor: and by the blessings of God we shall win! We occupy geographically an isolated position, and I trust that a sentiment will be created that will put an end to the acquisition of any more territory. Conquest of territory, with the necessity of governing it by unrepublican forms and principles was, says Mr. Fronde, one of the chief causes of the fall of the great Roman Republic. I believe that the people will realize the dangerous rocks upon which we are drifting, and that this great menace to republican institutions will not long be continued or repeated. We must avail ourselves of our isolated position by following as far as possible the parting advice of Washington, to avoid entangling alliances. We have more than enough to engage our attention at home. We are blessed with a great heritage, the habitable area of the United States being about 2,500,000 square miles, with a capacity, it is said, of supporting comfortably 400,000,000 inhabitants. At the present ratio of increase, our population would approximate 300,000,000 or more in the year 2,000. Even if this were the natural increase of the existing population, it would present a serious problem for the future. But such is not the case. A very large part of this increase is due to foreign immigration, and so lax are the immigration and naturalization laws and their administration, that a most dangerous element is being rapidly introduced into our social and political systems. We have the power to prevent this practically indiscriminate immigration and naturalization, and that this power will be rigidly exercised constitutes one of the strongest hopes of the Republic.

We have much to hope for in a written constitution, which, if properly interpreted by the Supreme Court, will preserve the autonomy of the States: and in the preservation of this autonomy, in spirit as well as in form, lies the great barrier against the centralization of the government and its consequent destruction. Again: the nature of our land laws is such that great freedom and facility is afforded in its transfer, and its quantity and cheapness enables almost every industrious citizen to acquire a home. Every title deed, it is said, is a security for the public peace. It is one of the strongest ties that bind a citizen to his government, and a potent influence against agrarianism. The restriction of corporate ownership of lands to their legal limits is also an all-important feature of our laws. It is in the power of the people to see that this is not evaded, and also to provide further laws against monopolies, trusts, and other means of aggression on the part of combined wealth.

Another feature in our government is a free but unlicensed press. This is truly the life-blood of all free government, and without it they must perish. It is true that it often follows where it should instruct and lead, but even with this imperfection its freedom is the palladium of Republican government.

Among other things, and not the least, which gives us hope, is the history and character of the people who constitute the dominating political force in our country. We are endued with those principles of liberty dear to the heart of every Anglo-Saxon, but which were denied us by a hostile ministry under George the Third. These principles were the growth of centuries. The downfall of the Saxon nobility at the battle of Hastings elevated the middle classes, of which they became a part, and this middle class, representing the democratic element, was courted by the other two classes represented by the King and the Nobility. So that these three political elements were developed *pari passu*, each tempering the other, and thus producing that splendid conservatism for which the English-speaking people are noted.

While we are thus disciplined in the school of conservatism, there nevertheless exists among our people a bold, hardy, independent spirit, which in the end, if necessary, will rise in its might and majesty, and resist all aggressions of one class or interest against another. The knowledge of the existence of this spirit, this sleeping giant with its vast physical power, serves as a warning against too great an excess of class greed and selfishness. It plainly says that there is a point to which you may go and no further. This, we hope, will be sufficient to repress such evils. Even if the laws should be evaded or corruptly administered and the people at last driven to force, it will not be the blind fury of the undisciplined French Revolution, resulting in anarchy and despotism, but it will be a force conservatively directed to restore and purely administer the government of their adoption. We have very, very much to hope for in this great characteristic of our people. We have many other things to bid us hope, such as the education of the people in the fundamental principles of government, so that they may appreciate the dignity and responsibility of republican citizenship. There must of course be moral education also, for it is upon the great moral principles of equality and justice that true republics are founded. Above all, there must be cherished with increasing devotion the memory of the men and the events which made this free government possible. The scenes of their heroic

struggle must be rescued from oblivion, and their courage vindicated against the aspersions of ignorance or malice. Here and there, dotted all along the Atlantic slope, are monuments erected to their memory. They are so many Meeças of liberty towards which thousands of pilgrims turn their faces on every recurrence of this illustrious day. He, who in the midst of the busy pursuits of life, devotes his best energies to this great work, who has been directly instrumental in restoring one of these battlefields, and who has successfully vindicated the conduct of those who fought there, is not only an educator in the highest sense, but a grand patriot whose memory a grateful people will not willingly let die. It is in honor of such an one that this beautiful monument is unveiled today.

Descended from Swiss ancestors, who were exiled because of their undaunted adherence to the principles of religious freedom, David Schenk was born in Lincolnton, North Carolina, on March 24, 1835. Judge Schenk was educated at the High School of Silas C. Lindsay, an eminent scholar, studied law with Honorable Haywood C. Guion, and graduated at the Law School of Chief Justice Pearson. He began the practice of the law in 1857, and his promising abilities were almost immediately recognized by the County of Gaston, where he had settled, which made him its solicitor in the following year. On the 25th of August, 1859, he was married to Sallie Wilfong Ramseur, a sister of the distinguished Major-General Stephen D. Ramseur, who was mortally wounded while gallantly leading his men in the battle of Cedar Run, Virginia. She is still living, lending the influence of her sweet, gentle, Christian character to all about her. Returning to Lincoln County in 1860, he was made its solicitor, and in 1861 was elected to the State Convention to fill the vacancy occasioned by the election of Honorable Wm. Landor to Congress. This, considering his years (he was the youngest member of that body), was a great honor, and indicates the high esteem in which he was held by the people of his native county. So distinguished were his abilities that in 1874 he was nominated and elected Superior Court Judge of the Ninth Judicial District. In 1875, the Constitution was amended so as to require the Judges to "rotate", and in this way the whole State became familiar with his high judicial qualities. He was universally regarded as a man of massive intellect and rare judicial attainments. The demands of a large family compelled him to resign, and in 1881, he became General Counsel of the Richmond and Danville Rail-

road system. While in this position, he was tendered the appointment of Associate Justice of the Supreme Court of this State, which he also declined. These honors, together with the degree of LL.D. conferred by the State University in 1878, and honorary membership in various historical societies throughout the Union, were most richly deserved.

As a lawyer, I will say it is to be regretted that our judicial reports are not enriched by his learning and remarkable powers of clear exposition and vigorous, logical reasoning.

He removed to Greensboro in 1882, where he continued to reside until the end of his useful life. Although as General Counsel of a great railway system, and there were imposed upon him the most weighty responsibilities, he neither forgot or neglected his duties as a citizen, and a citizen of old North Carolina. In his new home he became a leader in all that tended to its moral elevation and material progress. He consented to serve as a town commissioner, and it is said that his untiring zeal and good judgment laid the foundation of the splendid school system of the now rising City of Greensboro, and its many improvements. Upon the conclusion of his service as commissioner, the leading paper in the city, voicing the sentiments of its people, paid him the following tribute:

“The beautiful city of Greensboro of today—the paved streets and sidewalks, the fine public schools, the superb fire department, the beautiful cemetery, the water works and electric lights, and the grand progressive spirit and public energy of our citizens, are as much the fruit of the mental and physical labors of Judge Schenck and the result of his tireless energy and force of character as are all the evidences of industry and devotion shown by the restoration of the Guilford Battleground. Before these things came under his controlling influence we had a town noted for inertness and lack of public improvements, and Guilford Battleground and its illustrious dead had about passed out of tradition and local recollection. The unselfishness and public pride thus exhibited are so rarely seen, that our people should be reminded of them, if for no other reason than to attempt to arouse the spirit of emulation.”

What a proud summary is this of the modest and unselfish labors of one great public-spirited citizen! His public spirit was not confined to the limits of his adopted home. It was as broad as the State itself, and was devoted also to the vindication of North Carolina and her soldiers in the Revolutionary War. His book, “North Carolina—1780-'81”, is the result of long, patient, self-sacrificing labor and research. “The neglected, though admitted war-time glory of North Carolina in her achievements at Cowpens and King’s Mountain, is luminous from the touch of his pen. Guilford is transferred from an obscure disgrace to its rightful rank as a splendid victory in

result", the conduct of the militia vindicated, and the claim established that North Carolina riflemen from Wilkes, Surry, Stokes, Forsyth, and Guilford, "were the very last soldiers to leave this field of battle".

Henry Cabot Lodge in his "Life of Washington", says: "It was a sharp and bloody fight; the British had the advantage, and Greene abandoned the field, bringing off his army in good order. Cornwallis, on his part, had suffered so heavily, however, that his victory turned to ashes. On the 18th he was in full retreat, with Greene in hot pursuit." The author speaks of this battle with the movements that followed it, as altering "the whole aspect of the war"; and such seems now to be generally conceded. Is it too much to say that but for the labors of Judge Schenck, this battle would have been considered by many a reproach, instead of a pride to North Carolina? A man who, by untiring labor and unselfish devotion has reversed such an erroneous but common verdict, so deeply affecting the honor of his State, in what is regarded as the great pivotal event in one of the greatest of the world's struggles for independence, is a patriot deserving not only this monument, but a lofty and enduring place in the history of North Carolina. He has dispelled the cloud that has so long hovered over her, and another jewel is glittering upon her already richly-decorated brow.

But the work of Judge Schenck did not stop here. When he came to Greensboro, it is said that out of a population of three thousand people he could not find a half-dozen persons who could point out to him the scene of the battle. A greater part of the land was "a tangled wilderness of briars, old field pines, broom sedge, and every species of wild growth which comes up on old worn-out fields", the remaining part being neglected forest. The ancient roads leading through the battlefield had been abandoned, and there was nothing to mark the scene of the memorable conflict. On one of his frequent visits here (the distance from Greensboro being only four or five miles), Judge Schenck conceived the idea of purchasing the battlefield, and before returning home bargained for 30 acres of it from one Emsly Sikes, at \$10 per acre. Afterwards he purchased twenty acres more of the Dennis heirs, at twenty dollars an acre. Considering the character of the land and the enormous price, "No consideration" says his report "was extended to the sentiment which underlaid the object of the purchase". Other land was afterwards acquired, and the "Guilford Battle Ground Company" now has the title to it all. The charter of

this Company was obtained in 1887, and it was organized on the 6th day of May, 1887, by J. W. Scott, David Schenck, Julius A. Gray, D. W. C. Benbow, and Thomas B. Keogh, Judge Schenck being elected president, Mr. Scott treasurer, and Mr. Keogh secretary. These patriotic incorporators deserve the gratitude of the State for the substantial aid and enthusiastic encouragement they gave the president in the prosecution of his noble work. Shares of stock were issued, and subscribed for by the citizens of Greensboro and of other parts of the State, and soon enough money was raised to pay for the land and leave a moderate surplus in the treasury. This was used for the purpose of clearing the land of brush and old pines, filling up gullies, and other work, until the field was developed in a very similar condition to what it was in 1781. There has been but small aid from the State, and this remarkable development we witness today is largely due to the contributions of patriotic citizens.

In November of that year (1887), so indefatigable had been the efforts of the president, that the Company passed a resolution of thanks for the "zeal, diligence, and fidelity with which he had discharged the trust committed to him and his untiring efforts for the success of the patriotic enterprise in which we are engaged".

The first celebration was on the 5th of May, 1888, and there were fully fifteen thousand people present. The president delivered an address on the battle of Guilford Court House, and in vindication of the North Carolina militia. This afterwards formed a part of his famous book.

To show how much his great work, both as a writer and as a restorer of the battlefield was appreciated, I will quote from the response of the Governor of the State. It was that noble old hero, whose memory all North Carolinians delight to honor and cherish, Alfred M. Scales. Among other things, he said: "The battleground itself has been neglected and left without a monument to mark the spot, save its desolation. It has been reserved for my distinguished friend, Judge Schenck, the orator of the day, more distinguished than ever before, to uncover the truth of history and tell the tale of this battle as it was actually fought. He it was, that while a comparative stranger to our people, though a native of North Carolina, conceived the idea of forming the Guilford Battle Ground Company, to purchase and adorn the grounds. He it was who raised the money that was necessary, contributing a large share thereof himself, to investigate the truth of history, and he it is

that by patient and wide research and months of incessant labor collected the evidence from friends and foes, at home and abroad, which has enabled him to wipe out forever the stain that rested upon our home militia. In the name of the descendants of these brave men, in the name of our great State, I thank him for this great work."

In asking for a copy of the address for publication, he wrote: "I heard today with profound satisfaction your noble and complete vindication of North Carolina militia who fought at the battle of Guilford. For years these brave volunteers have rested under charges that dishonored them and were a source of mortification to the people of the State. Today the stigma is wiped out, and henceforth they will stand in history as men who fought bravely and most efficiently for the cause of American independence, and did not retire from the field until they did so in accordance with the orders of General Greene himself."

At the time of this meeting but two monuments had been erected, the first an unpretentious one donated by those public-spirited gentlemen, Messrs. Galliard and Huske, quarrymen, of Kernersville, Forsyth County. It marks the spot where Captain Arthur Forbis fell, mortally wounded, and bears an inscription in honor of this noble patriot. The other was prepared by the State under the direction of Governor Seales. This pyramid of granite blocks beginning with a base of five feet square and running up to the height of nine feet, is known as the "Battle Monument", and on it is inscribed "Guilford Battle Ground, Thursday, March the 15th, 1781." Since 1888 there have been regular annual celebrations.

In 1889 Governor Vance delivered the address and received an ovation "never seen before". In 1891 Honorable Kemp P. Battle, LL.D., delivered an address on the life and character of General Jethro Sumner, one of the greatest North Carolina soldiers of the Revolution, whose remains had been removed to the battlefield at the expense of the State and a monument erected over them. In the same year a monument was erected over the remains of Captain Tate, which had been exhumed near New Garden (where he fell in the early part of the battle), and removed for re-interment in this consecrated ground. Two years afterwards, the remains of Captain John Daves, of New Bern, who belonged to the North Carolina Continental line, and who was promoted for gallantry at Eutaw Springs, were removed here, and a tomb erected over them.



The generosity of William P. Clyde and Leonidas Springs had supplied handsome pavilions over the springs that now bear their names. A museum had been erected, the repository of many interesting relics of the battle. In 1892, the beautiful Lake Wilfong was constructed, and the annual address delivered by Associate Justice Clark of the Supreme Court, on the Life and Service of the illustrious William R. Davie, a gallant participant in the battle, and afterwards Governor of the State, founder of the University, and Minister to France. In October of the same year the handsome Maryland Monument, in honor of the intrepid soldiers of that State (who with the men of Delaware, "The Blue Hen's Chickens", won immortal renown for their magnificent courage), was unveiled, the presentation address being delivered by Professor Edward Graham Daves, of Baltimore, which was responded to by Professor E. A. Alderman. All of this had been done before the fourth of July, 1893, the date of my last visit to these grounds. Many monuments have been erected, celebrations had, and addresses made since then, but the leading spirit of all this wonderful restoration and creation, in failing health and with but little hope of surviving another year, welcomed the celebration of 1893 as the crowning event of his life. With the noble assistance of those patriotic co-incorporators, whose names I have mentioned, and the support of the people to whom he had so eloquently appealed, he felt that he had accomplished the great work to which he had dedicated so many days of his life. While the sun seemed to be setting for him, he could see its rising splendor gilding with a new glory the history of North Carolina and her soldiers in the great Revolution.

That generous and patriotic son of North Carolina, Ex-Governor Thomas M. Holt, has erected yonder beautiful and imposing monument, known now as "The Holt Monument". It was in honor of the North Carolina Riflemen under Major Joseph Winston, Major Jesse Franklin, and others, who were, as we have said, the last to leave the field of battle. It was to make good this claim and to receive this massive memorial that Judge Shenek had prepared a most admirable address. Against the advice of physicians and friends he arose from a bed of sickness and appeared here to perform this great and apparently closing duty. It was "the most impressive, elaborate, and wonderful celebration" he said, of all that had preceded it, and "thousands and thousands of citizens assembled to witness the splendid ceremonies". Well do I remember that bril-

liant scene and the distinguished men who were present. Among these were the munificent Ex-Governor Holt, Governor Carr, Judge Clark, Judge Graves, Judge Dick, Bishop Cheshire, Dr. Kemp P. Battle, Dr. George T. Winston, Colonel Julius Gray, Colonel (now Judge) Boyd, Mr. R. M. Douglass, now a Justice of our Supreme Court, Honorable C. B. Watson, Mr. Scott, and Colonel Keogh. Many of these have crossed over the river and now rest in the spirit land. Here, too, as master of ceremonies, was that gallant old soldier and patriotic son of North Carolina, Colonel Joseph M. Morehead. I am thankful that he is here today, and I pray that his life may long be spared to assist in preserving and beautifying this battleground, towards which he has already contributed so nobly.

He is now the president of this Company, and right worthily does he bear the mantle of his noble predecessor, Judge Schenek. From the beginning he has aided with heart and soul in the good work, and from 1896 he has lent his active aid in securing the continuance of the State's subscription, in continuing the annual celebrations, and in the erection of every monument except that of Oak Ridge. Let us not forget our patriotic friend and those who have acted with him. All honor and gratitude to those generous spirits.

After prayer by the Rev. Dr. T. H. Pritchard, Judge Schenek was introduced and most enthusiastically received by the vast assemblage. "He arose" (I quote from an intelligent reporter, Mr. Howard A. Banks), "leaning upon his long staff. For the first time in four weeks, he said, he had left a sick chamber. There was a stoop in his great, broad shoulders, and feebleness in his step as he came to the front of the platform. He asked that he might be excused if he should break down before he finished. But it soon became apparent that there was no danger of this. The old lion was aroused. As he progressed in his defense of the much-slandered North Carolina troops who participated in the fight at Guilford Court House, he forgot that he was a sick man. At the first mention of the criminal injustice done to our soldiers in this engagement by historians, a feeling of righteous indignation pervaded the whole being of the speaker. It sent the blood tingling to his very finger tips, it brought the fiery flash to his eye. There was no longer the stoop in his shoulders, the halt in his gait. In thunder tones he denounced the slanderers." He was exhausted towards the conclusion of his eloquent and powerful

address, and there never was anything more deeply pathetic than when, looking once more over the scene of years of consecrated labor, and feeling that his long-cherished hopes had been accomplished, he exclaimed in tremulous tones, "Lord, now lettest Thou Thy servant depart in peace". What wonder that the hearts of the multitude were touched as never before, and that they silently responded, "Well done, thou good and faithful servant", ere the welkin rang with cheers for this grandly patriotic man!

Other addresses were made by distinguished gentlemen present, all of whom spoke of his great work and expressed their gratitude in unmeasured terms. The Right Reverend Bishop Cheshire said that he came "also to honor a man whose generosity has made him the champion of the unknown dead, and who has spent not only money, but the energies and resources of his very life, in vindicating the reputation of our State. I have felt myself stirred to a more earnest love of my country as I listened to the eloquent words of Judge Schenck, and saw how his heart throbbed and his eye kindled with ardor in behalf of those who for a hundred years had found no friend or advocate among us all."

Through much suffering Judge Schenck lingered in steadily-declining health until the 26th day of August, 1902, when he passed through the dark and silent valley to the shining heights beyond. During this period his interest in this great work of the battleground never for a moment relaxed, and it was with the consciousness of a great duty performed that he entered upon his eternal rest. The whole State mourned his loss, and many were the eulogies pronounced upon his life and character by the press and the bar. In these he is declared to be a great jurist, a most patriotic citizen, a devoted husband and parent, and more than all, a sincere Christian.

At an annual meeting of the Guilford Battle Ground Company on March 16th, 1903, resolutions were adopted in commemoration of "its distinguished and beloved president, who was its originator and creator, to whose active brain, tireless energy, and ardent patriotism, this company is largely indebted for the grand work already accomplished in vindicating the truth of history and the fair name of North Carolina, and in reclaiming and perpetuating the historic spot on which was fought the pivotal battle of the great Revolution".

After paying a glowing tribute to his distinguished abilities, it was further resolved, "That this Company desires to record in permanent form its indebtedness for and its appreciation of

his great and unselfish services, and to proclaim itself the crowning work of his busy life and an enduring monument to his memory.

“That it is the sense of this Company that a monument be erected to his memory on the field of the Battle of Guilford Court House.”

It is in pursuance of these resolutions that this monument is unveiled here today. It is a fitting tribute to one of the most patriotic of North Carolinians, and the Company has well performed its pious duty. Beautiful as it is, and enduring as it may be, it is, however, unnecessary in order to preserve his memory. “The memory of us”, says Pliny, “will last if we have deserved it in our lives”. Tested by this, the memory of David Schenck will be forever cherished in the history of this State. This restored battlefield and his great book in vindication of the men who fought here, have indissolubly connected his name with one of the greatest events of the Revolution, and are memorials which will live always in the hearts of his countrymen. Rest in peace, dear, faithful friend. Your name and your work will never be forgotten by North Carolinians.

As I have said, one of the strongest hopes we have of preserving this great republic is in the cultivation of the spirit of patriotism; and how can this be better done than by the study of the heroic devotion of our revolutionary soldiers, and the marking and adornment of the scenes of their struggles? These are true fountains of patriotism. It is in this way that we can understand and appreciate the self-sacrificing spirit that won our independence and established this government; and it is in this way that we may be inspired by a similar spirit to preserve them. We have here a grand example of the patriotic citizen; and if all men were imbued with this spirit of devotion to the principles of the Revolution, then, no matter how threatening the storms may be in the future, no harm can come to the Republic.

It has been said, and truly said, that North Carolina makes history but never writes it. Never was there such an instance of neglect, and never was there a richer field to explore. We have seen how long this State has been misrepresented and slandered as to the conduct of her soldiers on this battlefield. For a century it has been suffered to remain under this disgrace. We have seen how her soldiers have been vindicated in this great and decisive event of the long and bloody struggle. But in addition to this, and apart from the brilliant courage of her sons at Moore’s Creek, King’s Mountain, Cowpens, and in

other battles, there are two other events which crown old North Carolina with unfading glory, and should inspire every heart with pride in her history. They place her even ahead of her illustrious sisters in the great struggle for independence. First, it was her people who committed the first overt act in assertion of the principles of the Revolution. There may have been elsewhere a few instances of mob violence against individuals, but here was the armed and organized militia of two counties drawn up in battle array, commanded by such men as Colonel Waddell and Colonel Ashe, openly defying the English sloop of war, *Diligence*, of twenty guns, as she came to anchor off the town of Brunswick on the Cape Fear. They notified the Commander that they would resist the landing of stamps and would fire on anyone attempting it. This was on November 20th, 1765. "Here was treason, open and flagrant, and in the broad light of day; treason armed and led by the most distinguished soldier of the province, and the Speaker of the Assembly." "This", says that distinguished North Carolinian, the Honorable George Davis, "was more than ten years before the Declaration of Independence, and more than nine years before the battle of Lexington, and nearly eight years before the Boston 'Tea Party'. The destruction of the tea was done in the night by men in disguise. And history blazons it, and New England boasts of it, and the fame of it is worldwide. But this other act, more gallant and daring, done in open day by well-known men, with arms in their hands, and under the King's flag—who remembers, or who tells of it?"

It is hardly to be credited that this act, so illustrative of the advanced spirit of liberty in North Carolina, and which places her far in advance of the Revolution, should not be blazoned forth to all the world. But so it is. As Mr. Davis says, "who remembers it, or who tells of it?"

The second great event is the Mecklenburg Declaration of Independence. The declaration drawn by Jefferson and made on the 4th day of July, 1776, was the declaration of the Continental Congress. It was on the part of all the Colonies, and the anniversary of the day of its adoption is justly a great day of national celebration. It is nevertheless a fact to be proud of, and of itself places North Carolina in the foreground, that some months before, on May 20th, 1775, immediately upon hearing of the Battle of Lexington, the patriots of Mecklenburg County made their famous declaration. In the language of Senator Boutwell in his address on "The Progress of Amer-

ican Independence", before the New York Historical Society, "The citizens of Meeklenburg County, North Carolina, had anticipated the declaration of Jefferson and in some respects its exact language, and yet there is no reason to believe that the substance of the document was known to any member of Congress, and there is much evidence that neither Mr. Jefferson nor any one of his colleagues of the Committee was aware of its existence". What a glorious record is this which we can truthfully present to our posterity, and how every heart re-echoes the words of the immortal Lee, "God bless old North Carolina".

Yes, let her true history be written, and the old State will come forth resplendent with revolutionary glory. Let her true history be written, and it will be seen that our revolutionary fathers were worthy ancestors of the men, who, under the banners of Lee and Jackson, and other great leaders, filled the world with wonder and admiration by their matchless deeds of arms and heroic devotion. Let her true history be written, and there will rise in the hearts of her children a spirit of patriotism which will guard and maintain the great principles of republican government which underlie our constitution.

Let us, my friends, as we leave this consecrated ground, resolve to devote our minds and hearts to this great end. Let us vindicate the capacity of man for self-government: and when we have done this, we shall have furnished a light and a hope to all nations to guide them in the ways of peace, justice, and harmony; and we may look forward with confidence to the time when armies will be disbanded, when the "war drums" will throb no longer, "and the battleflags be furled—in the Parliament of man, the Federation of the World".

1781—1904

Program of the Annual Celebration

AT THE

GUILFORD BATTLE GROUND

GREENSBORO, N. C.

MONDAY, JULY 4, 1904

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“The Life and Character of Judge David Schenck”

HONORABLE JAMES E. SHEPHERD

ORATOR OF THE DAY

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The Procession will form at the President's cottage at 10.30 a. m. in the following order:

MARSHAL AND ASSISTANTS

PROXIMITY BAND

GATE CITY GUARDS

MAJOR JOSEPH M. MOREHEAD,

President of the Guilford Battle Ground Company,

and

JUDGE SHEPHERD,

Orator of the day,

with Mrs. Judge Schenck and Miss Schenck

DAUGHTERS OF AMERICAN REVOLUTION

Chaplain, Master of Ceremonies, and Distinguished Guests, in Carriages;

Directors and Stockholders of the Battle Ground Company;

Citizens Generally.

Procession when formed will move to the Grand Pavilion.

ORDER OF EXERCISES AT THE GRANDSTAND.

MUSIC—"America".....By the Band

PRAYER BY THE CHAPLAIN.

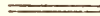
REV. HENRY W. BATTLE, D. D.

ORATION.

HONORABLE JAMES E. SHEPHERD.

SHORT SPEECHES BY GUESTS.

MUSIC—"The Old North State."



Procession to be re-formed and march to the Monument to Judge Schenck, then to be unveiled.

ADJOURN TO DINNER.

At 2.30 p. m. the people will re-assemble at the Grandstand recalled by music by the band. Addresses will be delivered by distinguished visitors from different sections of the Union on the unveiling of the patriotic Marker to Generals Washington and Greene. "No North, no South."

R. D. DOUGLAS,

MASTER OF CEREMONIES.







UNIVERSITY OF N.C. AT CHAPEL HILL



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THE NORTH CAROLINA COLLECTION

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