shouted: "Grandy IS POLITICALLY DEAD AND DONE FOR." Perhaps the County and Elizabeth City were not as quiet as one may have hoped. At any rate, Mr. Grandy, who was then one of two First District State Senators (1872-1874), was defeated in the town’s mayoralty race. Politics, politics. Moaned Palemon John a week earlier (May 7), "most" of the colored people were "deceived" into voting for Mr. Grandy: the attorney received five white, and forty-four Negro, Republican votes plus 115 from the Democrats - totaling 164 for him versus 196 for the winner, James H. Shaw. (Nominee Brothers won 178 votes.)

Cale presumably took full notice of events but went about his duties. The county commissioners voted him $18.00 in their May 12, 1873 meeting. This was for listing property, "for the year 1873." In their July 7 meeting, they allowed him 75 cents for sending a pauper to the Poorhouse "in July 1873." On August 1, he was with equally peaceful activity nominated as one of seven magistrates for Elizabeth City Township. This occurred during the Township’s Republican convention held that day (Friday) in Elizabeth City’s courthouse. Cale and J. S. Wilcox served as secretaries for the convention. Three days later (August 4), the City’s commissioners voted Hugh $34.25 for "hauling on streets," John T. Price, mayor pro tem, participating in the said meeting.15

Things were indeed relatively quiet - until August 13, 1873. That day, Pasquotank County voted 923 for, and 364 against, a railroad proposal whereby the Atlantic Coast Line would be aided in building from Norfolk to Wilmington, with a stop at Elizabeth City and other points. The North Carolinian (that date) enjoined Pasquotank to support the railroad idea.

15 North Carolinian, May 14, July 6, August 6, 1873 (p. 2, in each instance).
Pasquotank's commissioners began funding steps. The uproar over the legality thereof, in terms of method, was wondrous to behold. A phase of it even caused Mr. John T. Price to present "A Card" in defense of allegations that he had been busy "influencing the colored [county] commissioners." The editor borrowed from Hamlet in deciding that "never was a party more completely hoist by his own petard."

Amid the racket one might miss the fact that Elizabeth City's elections "passed off very quietly" with "little opposition" and "not a full vote." One might miss the fact that Hugh Cale won 240 votes for re-election as a magistrate in August, 1873. The county commissioners so certified him for this third term, on August 9.16

Cale proceeded as usual. The "usual" included fee collections for services performed ($65.83 from the City's commissioners for "hauling on streets" and $18.00 from the County's commissioners for "18 days services," both allowances being voted on October 6).17 A little less peaceful was the case of Jacob Salomonsky's store. According to the North Carolinian of November 5, 1873, the establishment was "burglariously entered" on October 19. Suspicion pointed to a Negro male who hid in a woods for ten days. Now he was tired, cold, and hungry. If Mr. Salomonsky would "promise not to shoot him," suspect would meet him and others, and tell all. Said suspect did so, and two more fellows were eventually arrested - one white, one Negro. When the matter came to trial before George W. Cobb, justice of the peace, Cale and a certain Charles McDonald acknowledged testimony previously given, as being what suspect had

16 North Carolinian, August 13, p. 2 (the "Card"), p. 3 (the election), August 27 (p. 2), September 3 (p. 2), et seq. (for the railroad matter) - all, 1873. John H. Wheeler's Legislative Manual and Political Register of ... North Carolina, for ... 1874 (Raleigh: Josiah Turner, Jr., 1874) lists the eighteen justices on p. 306 (Cale is the sixteenth listed) and gives Cale's date of qualification as August 18, 1873. County Commissioners' Minute Book 2, p. 30, has the certification.

17 North Carolinian, October 15, 1873, p. 2.
told them earlier. After "able argument on both sides by eminent counsel," the three men were given time. Not all of Mr. Cale's public involvements were happy events.

On November 3, 1873, city commissioners allowed Cale $28.75 for hauling in the streets. This was the day before the court case. On February 2, 1874, county commissioners allowed him $4.60 for "witness ticket rendered." So went the fortunes of men.

Also concerning the fortunes of men was a letter Conservatives wrote for publication in the *North Carolinian*. That organ obliged in its March 11, 1874 edition. Dated March 5, the letter requested Pasquotank's Republicans to nominate just three of five persons needed to fill positions on the county and city commissioners' boards (five places each). This would give the minority some representation, the Conservatives felt. Dr. John recommended accepting their request since it was so "respectful" in "tone and temper." The gesture may have suggested magnanimity but one could ponder whether the Republican's political bank account really could afford it. Whatever the situation, Pasquotank's Republican Executive Committee met March 25, 1874 with five men present, including Committeeman Cale. They named J. S. Wilcox permanent chairman of the Committee and put the election machinery into motion. Wilcox was to call a county convention to elect delegates to the district convention. He would also call a county convention to draw a slate for Pasquotank. This would come after the first meeting, but ten days before the Congressional convention. Cale and colleagues having made these arrangements, politicking meshed gears.

---

18 *North Carolinian*, November 12, 1873, p. 2; February 4, 1874, p. 2. Cale also received $65.83 - providing oil and hauling, and $3.00 - three days' service as township trustee, both on December 1, 1873 (*ibid.*, December 10, 1873, p. 2).
Elizabeth City Executive Committee Chairman Palemon John called the voters to order at the courthouse, Friday, April 17. W. A. Price became chairman; J. S. Wilcox and Robert Fearing, secretaries. Thomas A. Sykes was named to the nominating committee. While the group was absent, drawing together a slate, John, Willis Morris, Cale, and others gave "short addresses" to the gathering. Although John was nominated a commissioner, Cale was omitted from any nomination. This, however, did not mean that Hugh had neglected his politics. When the county convention took place May 9 (10:00 a.m., courthouse), a little something became available for him, too. First, Wilcox called the meeting to order, then Dr. John moved that former Representative Sykes be chairman. So ordered. Other convention officers were elected. Next, Chairman Sykes appointed delegates to the several district parleys. Among those to visit Plymouth, North Carolina for the Congressional convention were Dr. John and Hugh Cale. The chairman and three secretaries, of course, were added to the delegations for all three conventions - congressional, judicial, and senatorial. Then, after resolutions endorsing President Grant, Governor Caldwell, Congressman Clinton L. Cobb, Judge Jonathan W. Albertson, and Attorney (and future Representative) Willis Bagley of Perquimans County, the Republicans adjourned.

Perhaps it was time to to so. The same Saturday (May 9, 1874), some must convene at 2:15 p.m., for the county nominating convention. Mr. Wilcox called this one to order (held in the Register of Deeds' office). Colonel Guirkins was named chairman, and T. P. Wilcox, secretary. First came the Resolutions Committee's report denouncing Party-joiners who bolted because they received no nominations. That taken care of, the convention then declared as "first choice" for a district senator, the Honorable Thomas A. Sykes. Next came balloting for a House candidate. On the first ballot for the Lower House, Cale won seven votes; Jesse R. Brown, three;
Ivey Roach¹⁹ and William J. Munden, ten each. On the last ballot, it was Munden, 16 votes; Roach, 13; Robert Fearing, 1.

For the second time (the first in 1872), Mr. Cale missed gaining a countywide candidacy for North Carolina's House of Representatives. Dr. John had comments on the election outcome: "Some of the colored people claim that they are entitled to the candidate for the Legislature. We concede this. But then they had the matter in their own hand. Instead of uniting upon a representative man of their own color they brought *three candidates into the field.* Had they united upon Cale or Roach, or Brown they would have nominated without the least difficulty. But they did not do so. They divided and nominated Munden. That he will be true to them in every respect no one questions. It is their duty to rally to his support. *They made him the nominee.* Good faith demands that they stand by him" (italics as in the source).²⁰

A fellow could take home a little consolation, however. Elizabeth City's "old Board of Municipal officers retired" and the new one was installed "Wednesday evening last" (i.e., May 6, 1874). The Board was comprised of three Republicans and two from the "opposition." Thursday, May 7, they met to elect other officers, naming Thomas Gaskins, clerk; Hugh Cale, treasurer; and Walter F. Pool, Esq., attorney.²¹ The election of Mr. Cale as treasurer probably

---

¹⁹ Mr. Roach's name almost always appeared as "Ivey" (rather than "Ivy"), and therefore is so repeated in the present text. With a number of black clergymen surfacing in the political arena, it is assumed that Elder I. B. Roach, Moderator of the Roanoke Association (1887, 1899-1909), was the gentleman appearing among the 1874 House candidates. (Dates for Moderator taken from "Roanoke Historical Table," p. 43.) "The Ivy Boone Roach descendents" - who include famed drummer, Max Roach - "celebrated their first family reunion at the Holiday Inn in Elizabeth City," July 28-30, 1989, with notice of "Mr. Roach's roots in Barbados" (*Daily Advance*, August 13, 1989).

²⁰ *North Carolinian*, respectively, April 1, April 22 (p. 2), and May 13 (pp. 2 and 3), 1874. Each township had nominated delegates to the county convention, which explains the small vote totals. Elizabeth City Township in its meeting on Friday evening, May 8, 1874 (in the town's courthouse), had elected Sykes, Robert "Bow" (Bowe), G. B. Thompson, Guirkins, and Benjamin Gaskins, as delegates. Dr. John chaired the session (*ibid.,* May 13, 1874, p. 2). "New Land" Township in its Saturday, May 2, session had instructed its delegates to vote for Roach (*ibid.,* May 6, 1874, p. 2).

²¹ *North Carolinian*, May 13, 1874.
cushioned some effects of the May 9 situation. Also, a soothing memory could be his - having spoken to the Camden County (North Carolina) Republican convention upon "loud calls" for his and other speeches - on the day he was elected treasurer of Elizabeth City.

On this Camden occasion for speech-making, Cale and the other persuaders quite naturally were reported as busy "advocating the principles of the party and giving satisfaction to all present" - an interesting stance for Persuader McDonald Lindsey,\textsuperscript{22} former Secessionist. One could hope that Treasurer Cale also derived some satisfaction from this event even though he had just missed a trip to the North Carolina General Assembly. However, a toughening hide being salutary for politicking, perhaps Mr. Cale began adding still other layers to his own epidermis. The game was not over yet. Furthermore, initial appearance of the Republican Party's symbol, on November 7, 1874\textsuperscript{23} - six months to the day after Cale's election as City Treasurer, should reassure the Gentleman once he saw it. An elephant's tough hide was as legendary as his reputed long memory; Cale could use both attributes.

\textsuperscript{22} North Carolinian, May 13, 1874, p. 2. Speakers included Mr. Grandy and Camden's congressional nominee, Daniel McDonald Lindsey, formerly a Camden state senator (1862, 1864) and before that, a Currituck County delegate to the 1861-1862 Secession Convention. (See Cheyney, Government, pp. 328, 330, 386, 400 n 21, 824, 1027 n 25.)

CHAPTER 7: MUCH NOISE AND A WIN (1874-1876)

Amid the speech-making and position-jockeying which jostled Pasquotank Republicanism in May 1874, the forthcoming Plymouth convention probably was as much a mental focal point as any other circumstance. It would be at this district conclave where one acquired the rarer political fruits.

May 21, 1874 finally arrived; the delegates were in place; and at 10:00 a.m., Republicans got their proceedings underway by putting together a credentials committee. Aspiring state senator Thomas A. Sykes and the Pennsylvania physician now Pasquotank politician, Palemon John, were named to this committee. Dr. John reported for the Committee, certifying delegates from fourteen counties (but none from Hyde County) and, of course, including appropriate seating properties for such persons as himself, Mr. Sykes, and Delegate Hugh Cale. Also deemed to be a regular delegate was a certain J. R. Rooks of Gates County. Next, the permanent organization of the convention was accomplished with W. L. Cherry of Pitt County being named chairman. Messrs. Sykes and O. F. Gilbert (the latter from Chowan County)¹ conducted Mr. Cherry "to the stand" from whence he briefly addressed the gathering.

Post these formalities, the expected outcome came. Clinton L. Cobb was renominated to Congress (10 1/2 votes) over Colonel D. McD. Lindsey (3 1/2 votes), the latter gentleman being Camden County's choice and erstwhile co-speaker with Mr. Cale before that county's convention. The election of Mr. Cobb was then made unanimous and this announcement "created the most

¹ Oliver Fearing Gilbert was father-in-law of Mary Purefoy Meekins Gilbert (1908-1993), a Trustee of Elizabeth City State University (1973-1979). Mrs. Gilbert's obituary notice may be found in the Daily Advance, April 2, 1993. Her parents were Isaac Melson and Mrs. Lena Allen Meekins - Judge Meekins, a former Mayor of Elizabeth City, appearing more than once in the present text (William C. Meekins, Jr's biography of the judge is DNCB, IV, p. 249). The 1903 Meekins residence (begun ca. 1890) and located within a Historic Districts area, became the residence of Dr. & Mrs. Herman L. Brown in 1987, and was featured in Daily Advance articles, April 30, 1990 and December 10, 1993.
intense enthusiasm." After adjournment there was a ratification meeting - the "largest ever held in Plymouth" - during which Cobb said he would serve faithfully, and John, Sykes, and the Reverend Lemuel W. "Boon" - erstwhile senatorial candidate - gave short pep talks. "The remarks of every speaker was applauded [sic] and the enthusiasm was intense."

Another meeting, post adjournment, was held by a reported six persons with Cyrus Grandy as chairman. Edward Ransom of Tyrrell County, previously withdrawn as a Congressional candidate in the District session, was nominated a candidate for the United States Lower House. Dr. John politely ridiculed this session.

Congressman Cobb subsequently came to Elizabeth City for a weekend. He was regaled with speeches by Sykes, John, and others. The Weldon, North Carolina News was quoted in the North Carolinian as saying the "Radicals" in Plymouth had nominated Cobb by a "close" vote. John debunked the News and produced a lengthy editorial on the unsuccessful attempt by the "opposition" to break up the Plymouth convention and block Cobb's nomination.² So it went. By being on the scene, Hugh Cale, delegate, had taken one of his advanced courses in politics.

Whatever office others gained, one still had his own to tend. On June 1, 1874, therefore, Mr. Cale presented his treasurer's bond to the Elizabeth City commissioners. It was accepted, provided the bond was "properly justified before the Mayor." The North Carolinian, reporting the matter on June 3, also remarked editorially about learning the "true and exact financial condition of the Corporation" - referring to Elizabeth City. Some index of this was the report of the town's Finance Committee. It included a statement which read: "We find in examining Dr. Joseph Commander's Clerk account that he owes the Corporation Ten Dollars for errors in

² Convention proceedings from North Carolinian's editions of May 13 (p. 2) and June 3 (p. 2), 1874.
not charging Hugh Cale's License." According to the committee members (M. B. Culpepper, chairman, and Messrs. Dashiell, T. A. Commander, and John T. Price), Commander owed $20.00 in all. The best of men made errors; the county commissioners sought to keep their's at a minimum by continuing to order payments for a myriad of services.

Among the services, Cale was allowed $10.00 by the county commissioners in their meeting of June 1, 1874, for "taking lists of property for taxation 1874." The North Carolinian (June 3, 1874 edition) duly reported this latter transaction on page two and seemed happy that "garrulous Josiah" Turner had been defeated in Raleigh, as a Congressional candidate. Mr. Cale would have occasion in 1879 to hear numerous words spoken by Mr. Turner.

Meanwhile, the United States Senate had passed a civil rights bill. The Carolinian printed its text, and that of the Fourteenth Amendment, and advanced a few opinions: "Talk about social equality is all moonshine. Is any man fool enough to believe he cannot regulate his own social associations, go where he may? Is any man so lost to his own self respect, be he rich or poor, that is not indignant at the idea of being told that he is, will, or can be 'forced,' in every relation of life, to live on terms of equality with any body [sic], white or black? Even had the Civil Rights bill passed, it contemplated no mixed associations of the people socially. No law ever can regulate a man's social associations" (italics as in original).

Nor was that all. Dr. John, now on the Republican executive committee of the First Congressional District, continued his exhortation: "The Republican party of North Carolina are [sic] not in favor of mixed schools. The white Republicans have never advocated it, the colored have never asked for it. Both ask, nay demand equality before the law, nothing more, nothing less." Then he quoted Robeson County (North Carolina) Republicans as exactly expressing his
sentiments: "That in the public schools maintained by the State, we are opposed, unalterably to the commingling of the white and colored races in the same. That in the question of education, as in all other questions affecting the different races, the Republican party holds the doctrine of equal rights, without commingling of races, which secures to the children of the color'd [sic] man a course of educational training in the public schools devoted to his race equal to that which the children of the white man enjoy in the schools devoted to his. Equality of training and educational advantages, in quality and quantity, but always separate schools'." (Italics as in the source.)

These sentiments seemed to be widely approved, John added, editorializing that, "As We Understand It: The idea of 'mixed schools' is as repugnant to the colored people as it is to the whites." Why, even the very best colored people looked with favor upon separate-but-equal, the editor insinuated; he reported Congressman John R. Lynch, former Speaker of Mississippi's House of Representatives and himself a Negro, as not troubled by the failure of the Civil Rights Bill in the United States House of Representatives. Mr. Lynch, Dr. John reported, felt that Republicans had been "true to his race in the past and would continue to be so in the future." Not reported in the *North Carolinian* were any attitudes on the subject, held by the chief educational officer of Mr. Lynch's Mississippi - a certain Mr. Cardozo. Editor John then cited Horace Greeley's advocacy of mixed schools as example of a reason for voting Cobb into Congress from North Carolina's First District. Mr. Greeley, of course, was now dead; earlier, John had extolled him upon his passing, following still earlier castigation of Greeley's politics.

---

3 The San Francisco *Elevator*, January 24, 1874, had printed a speech on the subject by Congressman Robert Brown Elliott, a Negro. In this instance, as among others, the American Negro could not complain of lack of news coverage; he could and did complain about the the tenor of much of it.
All this was quite normal for the times. The race issue was getting its periodic prominence as a scarecrow in political fields about to be harvested.

The *North Carolinian* then accused the Democrats of using the "Ku Klux" to murder colored men for voting Republican; cited Cobb's introducing a bill in Congress to break up such procedures; then adjured, "Colored men! remember this on the day of election." Mr. Cobb, John reported, had been in favor of "giving the colored man his freedom"; the opponent, Major Jesse J. Yeates, had been "opposed to it." Advised the editor, "Choose ye between them."

The editor also debunked rumors that federal office-holders were a big percentage of delegates who renominated Mr. Cobb to Congress (only eleven such persons out of 92 delegates), and reported that the said editor had been ill for the past ten days. Negro voters may also have experienced some illness at tactics for coralling votes while their persons were nominally rejected; at the obvious pressure Republicans were experiencing since they must resort to diapason stops to announce principles; and at the spectre of Democratic ascendancy, realizing that their vote-influencing methods were much more direct than those of Republicans. Hugh Cale, aspirant for political heights, as well as the plain voter who might forget politics quickly, might ponder with good reason the question, what might be the best course for a sepia citizenry really in a sort of political no-man's land. Meanwhile, many citizens over the State mourned Governor

---

4 Such political tactics reverberated throughout the nation. Reprinting from the Washington Republic, the San Francisco *Elevator* in October and November 1874 editions, listed atrocities "against white and colored Republicans in the South" representing "White League Outrages - Appalling Record of Crime." Although Alabama led in column inches, North Carolina also appeared in the November 14, 1874 *Elevator*, which cited the September 26 murder of "State Representative" George W. Daniel (a Negro from Halifax) via buckshot, which the newspaper charged to one, Joseph H. Branch, a "Kuklux Democrat." Mr. Daniel, a former Halifax County Commissioner, the paper said, reportedly survived the attack for an hour. This Daniel is not listed in Cheney, *Government, but Representative "W. A." Daniel appears for "1866-67" (ibid., p. 1151). Philip Alexander Bell (1808-1889) established the *Elevator* on April 18, 1865. "Bell's dates, biography, and journalistic significance appear in the invaluable Irvine Garland Penn, *The Afro-American Press, and Its Editors* (Springfield, MA: Willey & Co., Publishers, 1891; hereinafter referred to as Penn, *Afro Press*), pp. 32, 33, 91-96: photo, p. 93. An earlier and different (but also black) *Elevator* appeared in 1842, Albany, New York (*op. cit.*, pp. 48, 49).
Tod Robinson Caldwell, who died in office on July 11, 1874.\textsuperscript{5} The North Carolina Senate, 1868, had given this its president a gold watch. It was regrettable that he had so little time to enjoy it.\textsuperscript{6}

Giving impetus to the news column verbiage on politics was, of course, the forthcoming election - a reason for it in the first place. Philosophizing exercised the reflective faculties; gloating over the election’s outcome was more serviceable to the ego. The trouble was, this time the Republicans could not gloat, only explain.

"The election is over and the verdict has been rendered at the ballot box," the \textit{North Carolinian} acknowledged on August 12, 1874, minus the customary bold face capitals following elections. It continued: "We are defeated but not dismayed. Two years hence we'll marshall our forces again and, without a shadow of a doubt, will redeem the State and District as in 1872 we gained what we lost in 1870. It will be remembered that in that year the Democrats carried the State and that in the counties \textit{now} composing the Congressional District\textsuperscript{7} they had a majority

\textsuperscript{5} \textit{North Carolinian}, June 17 (pp. 1, 2), June 24, July 1 (both, p. 2), July 8 (p. 3), July 22, July 29 (both, p. 2), 1874. Cobb was also supposed to have had on hand $16,000 to distribute in thousand-dollar lots to each county voting for him. This, too, was denied (\textit{ibid.}, July 29, 1874, p. 2).

\textsuperscript{6} \textit{Senate Journal} (July, 1868), p. 258, cites the gift. Dates in Cheyney's monumental \textit{Government} indicate Caldwell's 32-year state government career. A Republican from Burke County, Caldwell was a member of the House of Commons, 1842-1849, 1858-1859 (\textit{ibid.}, pp. 312, 313, 317, 326, 354 n 498); State Senator from the 48th District, 1850-1851 (\textit{ibid.}, p. 318); Delegate and Secretary pro temp, 1865-1866 Constitutional Convention - whose work was rejected by voters in August 1866 (\textit{ibid.}, respectively, pp. 832, 796); President of the Senate and North Carolina's first Lieutenant Governor, 1868-1870 - the latter a new office mandated by Article III, Section 1 of the 1868 Constitution (\textit{ibid.}, respectively, pp. 447, 449, 450, 424, 433 ["Lieutenant Governors"] n. 1, 554 notes 54 and 55); Governor (1870) upon W. W. Holden's impeachment, 1870-1874 (\textit{ibid.}, pp. 423, 433 ["Governors"] notes 1 and 2). See also William C. Harris' biography of Caldwell, \textit{DNCB}, I, pp. 305-306.

\textsuperscript{7} Federal- and state-induced redistricting - sometimes impolitely dubbed "gerrymandering" - was ever a political fact of life. Its gyrations generated dozens of clarifying maps in Cheyney, \textit{Government}, four of which (pp. [446], [452], [462], [470]) are needed to cover 1868 to 1901 - the time frame for Cale's office-seeking/holding although the only change in the First Senatorial District was adding Currituck and Hertford counties (1872-1901) to the five which obtained, 1868-1872 (viz., Camden, Chowan, Gates, Pasquotank, and Perquimans). In 1992 remarkable redistricting would result in The Honorable Eva McPherson Clayton being the Black "Phoenix" returning to the United States House of Representatives, predicted 91 years earlier by an embittered and Black Congressman George Henry White.
of over 1,100. But in 1872 we carried the State and District by handsome majorities" (its italics). Since John mentioned 1870, who was the 1874 scapegoat since Cardozo, inconsiderately absent from the precincts, was now embattled in Mississippi? Another change in the local political landscape was Thomas A. Sykes' absence from customary local press coverage after June, 1874. He apparently had moved to Tennessee.

Back in Pasquotank however, no solace to defeated Republicans was available from Elizabeth City's [Albemarle] Register, published in "Woods Building, First Floor, Road St," and "devoted, to the Political Restoration, and the Moral, Material and Intellectual Improvement of the Albemarle" - all for $2.00, annually. In its Tuesday, August 25, 1874 edition - during its fledgling year - the Register quietly announced that "the official majority of Major Yeates is 1[,] 481." Next, it editorialized ("Pity 'tis, 'tis True") that the "defeat of Mr [Clinton L.] Cobb has taken the wind out of the sails of certain parties which have for the want of brain - subsisted on official pap. The crown has been cut clean off of the political ro[os]ters. One especially [sic] seems to be where moses [sic] was when the light went out." The Register concluded its polite summary with a reference to "Gas bags" whose proclivity was to "float well when inflated with government money" but otherwise "collapse in a most pitable [sic] manner when fed by homespun talants [sic]."

Alleged facts plus comfort for the sepia electorate could be found in the letter, "Our Recent Victory - Congratulatory Address," from William R. Cox, State Executive Committee

---

8 Whether the columnist would regret the calumny nearly five years later is unknown. There was sobering news in the May 6, 1879 North State Press that "Ex-Congressman, C. L. Cobb, of Elizabeth city [sic], who represented the First District in the 41st, 42nd and 44th Congresses, and who was defeated in 1874 by Jessie J. Yeates, died at his home, on the 30th of April last" (Raymond A. Winslow, Jr., "Marriage and Death Notices from Miscellaneous Washington, N.C., Newspapers, 1807-1881" [The North Carolina Genealogical Society Journal, XII-1, February 1986], p. 28). Kolchin's statistics led him to conclude that "in the top ranks of the party the appearance of the sizeable number of scalawags was clear evidence that the Republicans were in trouble" (Kolchin, "Scalawags," p. 76). Congressman Cobb's "49.5% black" First District (ibid., p. 70) had not been sufficient to prevent his defeat. C. Sylvester Green's biography of Cobb is DNBCB, I, p. 390.
Chairman, Democrat Department. This appeared in Column 2 of the same edition of the *Register* and was dated Raleigh, August 21. Future Superior Court Judge (1877-1878) and U.S. Congressman (two terms, 1881-1885) Cox⁹ gave readers six "grievous evils" of Republicans: "great corruption"; "fraudulent misuse of legislative power" which generated an "appressive [sic] public debt"; "the sacrifice of the State's interest in nearly all of her public works"; "the protection of our system of internal improvements" - an evil?; "imbacility [sic] and malpractices of many minirters [ministers?] of the law"; and lastly, an omnibus which included "other invasions of the liberties of the people." Chairman Cox then delivered several column inches on the "odious, iniquitous" Civil Rights Bill - "fraught with the most direful consequences to all of our people and especially to the laboring classes ...." The Chairman did not forget to praise Republicans who voted Democratic and assured "colored people ... that all their privileges now guaranteed them will be faithfully observed - and their interests will be better subserved by the public affairs being administered by efficient officers rather than by corrupt and incompetent men." He warned them to cease "tyranny" and "mob-spirit" to solve political disagreements; he neglected citing the KKK in those dicta.

With the Chairman's message before the populace, local Democrats could hope that pesky and dusky Republicans would cease their iniquities meanwhile ignoring The *Register*'s September 1, 1874 editorial *against* having an 1875 Constitutional Convention. The problem was that some Republicans were hard-of-hearing, hard-headed or both; they simply would not hide because of a defeated nominee, but they would, could, and did adjust attitudes where Republicans of color were concerned. One such melanin-infected voter stubbornly continued to aspire for political plum-picking, and it is a fair guess that Aspirant Cale handled the local version of Republican

---

racism as gracefully as could be managed when it came time to look for favorable ballots. Meanwhile, Cale, a practical man, attended to practical matters.

As justice of the peace, he had tried a case at some point before September 8, 1874, when the county commissioners authorized his fee of $1.10 for having done so. Later, he gave services as a township trustee (two days, two dollars) and during October 28-30, 1874, reportedly participated in the second annual Fair sponsored by the Albemarle Agricultural Society. In the "Farm and Garden Products" division, Cale won a "diploma" for his exhibit of "yellow corn in ear." Apparently the Gentleman also had a way with crops, among other abilities.

By March 1, 1875, Cale had served again as a township trustee (again, two days, two dollars) and still again by September 6, since Pasquotank's commissioners on that date allowed him Bill #6, for $1.00. He had served at court ($24.00) and in general had abided peacefully in the comings and goings of the town. Political matters were in hiatus - if one discounted the innuendoes of which personality was congratulated for what item displayed during the Fair - but more definite stirrings could be noticed, now that Spring approached.

The county commissioners, for example, had this little item in their minutes for March 1: "In accordance with Section I of the Charter of Elizabeth City William Green, Hugh Cale add [sic; and] John A. Raper were appointed Inspectors of the Municipal election to be held on the first Monday in May next." Then, it was announced in April that the Legislature had called a convention "to revise the present Constitution of the State." There were those who felt the document of 1868 left something to be desired. Following that, Cale was to be found on Thursday evening, April 22, 1875, as a member of the nominating committee during Elizabeth City's Republican nominating convention. Next, after that municipal election of May 3, for which he was an inspector, the new and Republican city commissioners elected Cale treasurer
of Elizabeth City (on May 17, 1875) for another term. J. S. Wilcox, now Mayor, and the commissioners, accepted Hugh’s bond on June 7, and the second-term Treasurer was sworn into office. Quite satisfactory to a treasurer was the good grade given that month by the town’s Finance Committee, after its thorough check of the Corporation’s funds.¹⁰ For a treasurer - and particularly Treasurer Cale, Negro handler of the town’s coffers - that was perhaps sweeter music than even resounding tones of approval at the ballot box; but, of course, one did not ignore the existence of that box.

Pasquotank’s Republicans had their county convention - a delegates’ assembly - on July 15, 1875, at 11:00 a.m., it was reported. Mayor Wilcox and Ivey Roach were secretaries. Representative Munden, W. F. Pool, Cale, and John, were placed in nomination for the State Legislature. "Before balloting Hugh Cale in a few remarks withdrew his name." Munden then got a majority on the first ballot, and Roach moved to make it unanimous. It was done and the ballot box - for the State Legislature at any rate - once again was beyond Cale’s reach, this time seemingly by his own hand. The situation was a bit more involved than that, however.

Dr. John, assuming an outraged posture (his own non-election seemed not to bother him), launched verbal rocketry on July 21. This illuminated some details of the backstage scenario: "The Republican convention of this county on Thursday last, after a session of some hours, adjourned without making a nomination. In the evening a portion of the delegates reconvened, locked the door and nominated W. J. Munden. A large portion of the Republicans of the county, including the entire Nixonton delegation, deny the legality of the nomination, but as the Democrats have placed a man in the field we give Mr. Munden the benefit of the doubt and hoist

¹⁰ North Carolinian, September 16, November 4, 11, 1874 (all, p. 2); March 3, April 28, May 19, 26, June 9, 30, 1875 (all, p. 2).
his name among the nominees. As for the Executive committee said to be appointed (it was done in secret session,) its legality is not admitted nor its authenticity acknowledged. One man cannot appoint himself the chairman of a county Executive committee. The proceedings, as prepared and handed in, do not state all the facts. They were written by the self-constituted chairman."

(Italics as in the source.)

A bit of political science seemed appropriate (italics from the original): "Three or four men acting in the capacity of a committee have no legal power to dictate the action of a Convention of delegates elected direct from the people. Delegates thus appointed represent the people, WHO ARE SOVEREIGN, and in the Convention have the right, and should at all times exercise it, of adopting the rules by which they will be governed." The prose had a righteous ring. John’s next motifs, however, might have been a little incongruous with his preceding themes: "We have received a strong and earnest protest signed by the Nixonton delegation stating their reasons for withdrawing from the Pasquotank convention on Thursday last. That the action of the chair in denying said delegates, representing the strongest Republican township in the county, a hearing in the convention has caused a storm of indignation is true, but as the Carolinian is the organ of the party of the District, and as Pasquotank is only one county of the fifteen, it would not be right to too much annoy the Republicans of other counties with the troubles of our own." Palemon John, later on, would decide that Nixonton’s protest was eligible for printed enunciation after all. His explanation then for doing so, would be about on a par with the present excuse for not printing it.\footnote{See also Appendix 2, pp. 454-462, containing various local citizens’ late-1875 reflections on the political climate at that time and place.}

How all of it would have been, had Cale not withdrawn his name (as he is reported to have done), is speculation. One nonetheless speculates. In 1872, although he was far behind Mr.
Godfrey as a nominee for North Carolina's House of Representatives, he had edged Mr. Munden. In 1874, he had trailed Munden but was ahead of another candidate and, according to the local Republican organ, the Negro delegates were not together in their thinking. In 1875, therefore, it was not impossible - even probable - that Cale could have made a good showing. He probably pondered such things and may have felt, with King Henry, that some sitting on a "molehill" was not inappropriate while adjusting thoughts; but not for too long a time. Meanwhile, it is probably safe to assume that "party harmony" motivated Cale’s latest political action.

During the ensuing months, Cale performed his duties amid relative journalistic quietude. He did what a City Treasurer was supposed to do (including collecting his salary); attended court; served as township trustee; "hauling" on the streets; and the county commissioners appointed him a poll inspector on December 6, 1875 for an election to be held the second Thursday in January, 1876.12 He probably joined in respectful gestures upon the death of Vice President Wilson.14 Thus, 1875 drew to a close. 1876 was a Leap Year. Would Cale’s fortunes leap also? If the North Carolinian had anything to do with it, perhaps so. Editor Palemon John reportedly had expressed the allegation that electing the Right Republicans was a safe and sane practice.

He told Republicans on January 19, 1876 that what they needed was "back bone... BACK BONE ... BACK BONE" (his italics). Earlier, he had printed a gentleman’s opinion that another gentleman was a "liar" in saying that the party of the first part had voted for mixed schools during the Constitutional Convention (edition of October 20, 1875). The North

---

12 The question to be decided was a $40,000 matter involving the Atlantic Coast Railroad. Railroading was then a big issue, statewide and in Elizabeth City; therefore, a man could be trusted less than be put at the polls when a phase of the matter was to be settled.

13 See the North Carolinian, August 4, September 1, 15, October 6, December 1, 1875 (all, p. 2); February 9, 1876, p. 2; Commissioners’ MS Minute Book 2, pp. 147, 172.
Carolinish explained to subscribers on November 1, 1876 that Jefferson Davis was "merciful in comparison with [Zebulon] Vance" and advised, "Read!! Read!!" all about it.\footnote{It was not the North Carolinian's first attack on Mr. Vance. The February 8, 1870 edition had trumpeted its feelings. Stating that Democrats elected Vance to the United States Senate "in open defiance of the plain provisions of the amended Constitution...", John’s journal then delivered a blast. Vance, it said, was "one of the most conspicuous and conservative of the rebel Governors...[and] followed the fortunes of Jeff Davis to the end. Nor have we any evidence that he has changed in sentiment or feeling...[H]e has continued to manifest a sullen hostility to the Federal Government." More recently, the Raleigh News and Observer (November 1, 1970, Section IV, p. 7) reminded readers in a feature article on North Carolina in the Congress that Vance "opposed leaving the Union" and "sorrowfully left" the 36th Congress. Further reflecting a century's difference, Negro North Carolina congressmen of yesteryear also were included in the Observer's straight-news retrospection. By this time, of course, Mr. Vance would be imperturbable and enshrined via Statue of Zebulon Baird Vance Erected in Statuary Hall of the United States Capitol by the State of North Carolina Proceedings in S? and in the Senate and House of Representatives of the United States Upon the Unveiling, Presentation, and Acceptance of the Statue of Zebulon Baird Vance from the State of North Carolina 64th Congress Compiled Under the Direction of the Joint Committee on Printing (Washington: Government Printing Office, 1917). Robert L. Daughton's House of Representatives speech is pp. 83-87 of the booklet; there are other warm speeches by Claude Kitchin, Lee S. Overman, et al.}

During 1876, slackening notices about Cale in the Republican organ of course did not mean less activity by Republicans. In fact, their meetings gave delight to the local "opposition" newspaper, the Economist, edited by Dr. John's "genial and pleasant friend" (John's 1872 label), Richard Benbury Creecy.\footnote{Editor Creecy (1813-1908) may be found, e.g., Year Book of the Pasquotank Historical Society, I (1954-1955), p. 121, and Betty Wales Silver's biography in DNCH, I, pp. 460-461.}

The Economist had fun deriding Republican proceedings - as for instance in its April 26, 1876 issue which headlined the "Radical Muncipal Bow Wow." According to Mr. Creecy's journal, the "Radical party of E. City [sic], held their annual municipal bow wow at the Court House on Friday night.... We were not there, but we learned from one who was, that there was no big row. A little breeze at first, over the chairmanship.... The contest was between Manuel [Emanuel] Davis and C. W. Grandy, representing the two wings of the party - the black rose and the white - Grandy triumphed and Davis bit the dust. Dr. Palemon John, who, it is said, usually runs the machine, was tendered the honors ... [but] declined.... The compound ticket ... is seen in another place." The Economist (taddling from the New York Evening Mail) also noted that
the "bullfrog was the first circulating greenback," the breed being "inflationists ever since." This led to a one-liner inferring economies in government effected by Democrats.

Such divertissement helped the year move along. Meanwhile, for Hugh Cale, not very much seemed to happen during most of that new year of 1876, other than continuing city service or at least, so far as the North Carolinian felt constrained to report. Its June 21, 1876 issue was the last one, for the time being, in which Cale was listed among the town’s officers as treasurer. Other than such listings, Cale’s name was seldom mentioned in the Republican party’s local herald during that period. In fact, it appears that by Friday evening, July 28, Cale had come to hold no political office at all for the first time in some seven years, and he would appear to have performed far fewer civic services, if reporting them was any gauge. His office as Treasurer of Elizabeth City now seemed to be over. He had been appointed a juror on July 3, for a second week of court. Otherwise, he was absent from the news. He was not even listed among those attending the meeting of colored Republicans of Elizabeth City Township, held on the same Friday, July 3. For that meeting, the gentlemen met in the "normal school building" to determine the legal chairman of the Township’s executive committee. They listened to speeches or remarks by Emanuel Davis, Wilcox, Miles Commander, Krauss, and other politicos. Allen Dozier was chairman for the meeting; A. A. Small, secretary. By a 97-3 vote, Nixon Spellman was declared the legal chairman. Hugh Cale was in no way alluded to - even if one may assume that he was present.16

Later on, appropriate township officials met in "Normal Academy" on Thursday, August 10,1876, at Chairman Spellman’s call. This session elected delegates to the county nominating convention. Cale was again invisible, so far as concerned the North Carolinian’s edition of

16 See the North Carolinian, August 9, 1876, p. 2.
August 16, which reported the affair. He was listed neither as a delegate, nominator, an officer of the meeting nor appointed to the Republican executive committee for the township. His residence was within the township; he was far from being a stranger in the precincts; thus his apparent absence was conspicuous.

If one judged from newspaper reports - or more accurately, the lack of them - the period from June to September of 1876 was thus far perhaps the political bottom for Hugh Cale or maybe better, hiatus. Since he was not known as a "bolter" or a disrupter of party harmony, and apparently kept his political fences in as good repair as anyone and better than some, the seeming eclipse does not lend itself to ready explanation.

Whether or not Mr. Cale’s name reached the public print, politics moved into higher gear to prepare for another round of electioneering. And finally, in the October 4, 1876 edition of the North Carolinian, Mr. Cale, too, received notice, albeit in almost incidental fashion. An editorial chortled: "The agony is over. The Democrats in Pasquotank held their convention Saturday and ‘fixed up’ a ticket. For the Legislature Dr. R. K. Speed was nominated by acclamation. Hugh Cale will beat him 300 votes...."

This notice was in distinct contrast to earlier trumpeting for candidates. That Cale finally had won what appeared to be a clear candidacy for the Legislature was not headline material. Other candidates had higher priority. Nonetheless, Cale was to re-ascent the political ladder (presuming that he had somehow descended), but the ladder seems to have been located for him in a dim light.

Editor Creecy’s Economist sought to increase the illumination. In the September 13, 1876 issue for instance, Democrats and others were presented alarming news and hair-raising facts concerning deeds resulting from Republican - but most terribly, Negro - office-holding.
Republican "Defalcations and Embezzlement" were headlined as well as "Race Trouble in Louisiana"; it was obvious what brand of politics was at the root of the troubles. Earlier, in its August 2, 1876 edition, the *Economist* had reminded readers of the "barbaric orgies of black and tan rascals" at the "Canby Convention" which produced the "miserable Canby Constitution" representing a "fetid cancer of the body of North Carolina." Creecy's organ was really reaching backward for ammunition.

The August 9 *Economist* gently announced the "Republican Ratification Bow Wow" (instead of a "Radical Municipal" one, this time around) and the edition of August 23 appealed to the honor of local white mothers and daughters, who presumably would influence proper local balloting at the proper time. The same issue warned "WHITE MEN" to beware of the "gizzard footed negro" serving on Pasquotank's Board of Commissioners and pointed to a situation in Jones County, North Carolina as a dire example of what could happen by allowing incumbency with such hue and pedal extremities. Considering such malformed office-holders, it was no wonder that the *Economist* earlier (July 26) had reported the "most ardent enthusiasm" at the Democratic district convention in Edenton, which enthusiasm "inspired [delegates] with the determination to crush out tho [sic; the] oppression, misrule and corruption of this wicked Republican party."

Mr. Creecy's journal quite naturally saved its loudest howls for so special an exhibit as the current nominees for Republican office-holding. This atrocious circumstance resulted from a meeting on September 9, 1876, a Saturday. In the September 13 *Economist*, which reported the event, each Republican candidate was donated a descriptive paragraph. Mr. Cale was not

---

17 As pointed out earlier in the present text, General Canby was not a favorite of some North Carolinians. One study of his regime is Max L. Heyman, Jr., "'The Great Reconstructor': General E. R. S. Canby and the Second Military District," *North Carolina Historical Review*, 32 (1955), pp. [52]-80.
slighted. Entitled "The Radical Outrage on Saturday," the Democratic journal fulminated: the nominees "are an outrage and insult to every decent white man and woman in the county, and to every negro [sic] who cares anything at all for the character of the place where he lives." For the nominee for Register of Deeds, there was "Professor Fribbley" - another 'Professor Cardoza'." (Mr. Cardozo thus got swats from Pasquotank Republicans and Democrats.) Concerning the nominee for treasurer, the gentleman was a "big black buck negro" which no water could wash clean nor cologne deodorize, it said. Finally, the Economist advised: "And next comes the Hon. Hewy Kale, presented to us as a candidate for the Legislature, to sit in the councils of the State and represent our county, to be our law-giver, our Moses, to represent the citizens of Pasquotank county in grave legislative deliberations and stand up for their rights and honor before the assembled wisdom of the State. Who is Hewy Kale? He is a negro [sic], not of the Guinea type, but to those who can draw nice distinctions in colors, perhaps we may make ourself understood by describing him as something between a full blown tulip and a bacon ham. But if Hewy Kale was as black as Jack Johnson [Republican nominee for treasurer] he would be no more fit to represent Pasquotank county in the Legislature than he would be represent [sic] to the United States at the Court of St. James."

Mr. Cale was not going to London. He did intend a trip to Raleigh if all went well. The North Carolinian sought to give direction to those who might assist him and other nominees, the proper slate of candidates accordingly appearing in its October 25, 1876 edition. Just to keep the home fires burning, the cherished ticket was repeated in the November 1 issue and a light salvo fired into the existing flames: "The Republican ticket for Pasquotank is - For the

19 W. F. Fribbley (or Fribley) of Pasquotank's Salem Township was approved by the 1876-1877 Legislature for a two-year term (1877-1879) as magistrate (documents in Division of Archives and History).
Legislature Hugh Cale.... Remember that a U. S. Senate is to be elected [by the several state legislatures] and the Member from Pasquotank may [his italics] decide who that Senator shall be [from North Carolina]. Dr. Speed would vote for a Democrat. Hugh Cale would vote for a Republican. Every Republican who scratches the name of Hugh Cale does that much towards making the Legislature Democratic. Vote for Cale." Eight years earlier, Editor John was thanking Physician Speed for a basket of pears.

John’s journal apparently did not harm the Republican effort. Roared the North Carolinian on November 8: "Bring out the big Gun / PASQUOTANK HERSELF AGAIN! / A Grand Old fashioned Republican Majority." What "again" may have referred to, was that in 1870, Republican Thomas A. Sykes had edged Francis M. Godfrey in the legislative election (891-831) while Mr. Godfrey, an "Independent Republican" then, and sometime colleague of Cale’s as a county commissioner later on, had become Pasquotank’s representative during 1872-1874 (Godfrey had switched to fulltime Republican membership). Nor was John any better satisfied with the 1874-1876 Representative, William J. Munden. Now, Mr. Cale, unwavering Republican - for balloting purposes - had won the 1876 race for the County’s legislative seat. Thus, as Dr. John viewed it, Pasquotank was "herself again."

The good news was detailed for readers: "The following is the vote on the National, State, District and County Tickets.

<table>
<thead>
<tr>
<th></th>
<th>Vote</th>
<th>Republican Majorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hayes</td>
<td>1,218</td>
<td>371</td>
</tr>
<tr>
<td>Tilden</td>
<td>847</td>
<td></td>
</tr>
<tr>
<td>Settle</td>
<td>1,220</td>
<td>381</td>
</tr>
<tr>
<td>Vance</td>
<td>839</td>
<td></td>
</tr>
<tr>
<td>Lindsey</td>
<td>1,194</td>
<td>350</td>
</tr>
<tr>
<td>Yeates</td>
<td>844</td>
<td></td>
</tr>
<tr>
<td>Pool</td>
<td>1,243</td>
<td></td>
</tr>
</tbody>
</table>
Coke, 823  420
Cale, 1,141  
Speed, 840  301

Editor John indicated that 797 voted for, and 1,219 against, a proposed Constitutional Amendment, and that the average majority on the county ticket was 340. He concluded: "Pasquotank sends greeting to her sister counties of the District and State. If all have done near as well everything is safe." By "safe," Dr. John may also have had in mind "safe" from activities he publicized throughout the campaign under the caption, "Democratic Stealings." The North Carolinian claimed $93 million lost because of Democratic rule.

Pasquotank’s commissioners, in their meeting of November 11, 1876, indicated that Cale won 1,140 votes, versus 840 for Speed - the exact 300 majority predicted by the Republican journal. Some citizens may have noted the coincidence. The commissioners had the result "proclaimed at the Court House door" and thus helped usher Cale into his first role as representative from Pasquotank County to the North Carolina General Assembly.

The vote tally appearing in the November 15 North Carolinian, under the heading, "Official Vote of Pasquotank November 7, 1876," acknowledged the one-vote adjustment for Cale’s total. In addition, Pasquotank Republicans were reported as having delivered 1,218 votes

---

19 Commissioners' Minute Book 2, p. 188.

20 The one-vote error in Cale’s majority also appears in Shotwell and Atkinson, page 24. Cale carried five of eight Pasquotank precincts.

It might be pointed out that, besides authorizing balls-and-chains for prisoners constituting road gangs (1869), Pasquotank’s commissioners on March 24, 1869 had ordered established the Mt. Hermon and the Cartwright election precincts in the county. With this voting apparatus, Cale needed all the ballots he could get. In his five bids for the State Legislature, he won Cartwright Precinct only twice and Mt. Hermon but once. More convenient voting locations serving a more favorably disposed electorate, had their effects on political fortunes. On the other hand, Pool’s School House election precinct, located within the Nixonton precinct, was established on May 25, 1870. Cale carried both of these in all his attempts to win a House seat. (See also, Appendix 1 pp. 446-449.) Specifically on the Election of 1876, one view was that, "Probably never before in North Carolina and certainly never since, were so many voters reached by campaign speakers." (J. G. de Roullac Hamilton, Reconstruction in North Carolina [reprinted by Peter Smith, 1964], p. 649; hereinafter referred to as Hamilton, Reconstruction.) Another germane view, expressed six years earlier in 1870, but applicable on the local level to all elections of the period, had come from Palermo John in a bitter blast at his former political friend, Thomas W. Cardozo. Cale had his memories.
for Oliver H. Dockery as Elector-at-Large, against 847 votes for his opponent, Daniel G. Fowle, who would become Governor in 1889.\footnote{Fowle, who died in office on April 7, 1891, was an Adjutant General (1863), State Representative from Wake County (1862-1863, 1864-1865), and Superior Court judge (1865) - Cheyney, Government, pp. 183, 198 n 106, 330, 332, 357 n 607, 362, 371 n 118, 423, 433 "Governors" n 10.)

The defeat for Dr. Rufus K. Speed probably cost him much.\footnote{Doctor Speed's 1876 defeat illustrates the turnarounds which politics can provide. Almost exactly 15 years earlier, in October 1861, Speed - as Mayor of Elizabeth City - was signing scrip ("shinplasters") issued by the Corporation of Elizabeth City, in 10 cents, 25 cents, and 50 cents denominations. This scrip was a means of undergirding the town's Confederate War effort; but such purpose did not deter someone from counterfeiting one of the issues - allegiance to greed being stronger than allegiance to a "cause." (Information on the Elizabeth City scrip derived from Jerry R. Roughton's meticulous catalogue, North Carolina County Scrip 1861-1862 ... [n.p., Black Crow Press, 1986], pp. 41-42, 45-47.) Now in 1876, the former Mayor not only must view his losing his bid for the State House, but losing it to a Negro. The voters seemed to ignore Speed's other previous offices, e.g., Pasquotank's Delegate to the Secession and Constitution Conventions, 1861-1862; and State Senator - from Chowan (1838-1841), from Pasquotank (1866-1867), and again from Chowan (1870-1872). (See Cheyney, Government, pp. 308, 309, 334, 387, 450, 825.)} He had gamely announced that, despite his age, he would do his best. As might be expected, the Carolinian did nothing to aid his attempt. The Economist, also as might be expected, solidly backed Speed and in fact emphasized the possibility that he could become North Carolina's Secretary of State (e.g., in its May 17, 1876 issue). Speed had been given due recognition at the Democratic State Convention where he and Editor Creecy were among the delegates (as reported in the June 7, 1876 Economist). None of this was enough, it seemed. The voters gave their choice, and that choice was Cale.

It was also possible that preposterousness by the Economist harmed rather than aided Dr. Speed, some related pronouncements by the Republican organ notwithstanding. This may not have been the best time in northeastern North Carolina to scream 'nigger'. In addition, the Republican organ, for now, kept intact its policy of wooing Negroes with a certain directness; the same could not be said for its opposite - quite aside from any basic merits in such tactics.
The same Democratic organ which praised James Walker Hood early in 1876, condemned that widely-known Negro bishop later in the year during election fever (he was reported as having performed an interracial marriage in 1867 and having it legalized in 1868). The fever was so blinding that an April 11, 1876 Economist editorial could be entitled, "'Thou shalt not bear false witness against thy neighbor'" but, a few months later, produce verbiage calculated to do just that.

After almost a decade of Republican and Democratic nominations and office-holding of a biracial character, locally as elsewhere, it did not seem very reasonable that Republican nominations in 1876 were as grossly insulting as the Democratic journal would have readers to believe. On the other hand, this was an election period; the thirst for power was great. Perhaps the real difficulty was separating 'Democans' from 'Republicanats' - Negroes excepted. For the latter electorate, melanin already had provided ready-made political and other distinctions.

Out of the turmoil, Mr. Cale finally gained a nice present for party loyalty and, it seems safe to say, for personal integrity. The opposition and others might take cues for their own conduct from both the apparent methods and personal characteristics of Pasquotank's most recent selection for North Carolina's House.

William Hine's statement about a particular locality is probably apt summation of the entire period: "Few groups in United States history have provoked greater controversy and inflamed passions more than black men who rose to political prominence during Reconstruction."23 Mr. Cale, Representative-elect, was now one of the provokers.

---

23 Hine, "Black Politicians," p. [555]. Thomas Cardozo is unmentioned by Hine although his brother, Francis, and their father, are cited.
CHAPTER 8: HOUSE WORK, 1876-1877

The locale which Hugh Cale represented in the North Carolina General Assembly off and on over a fifteen-year period, is an old and proud one. In terms of European political takeover, Pasquotank County lies in and is almost the oldest political entity in North Carolina and its Albemarle Region. The agrarian County is blessed with rather marked scenic beauty. "Wet" is also a frequently accurate description - in climate and strong beverage availability.

In the chief municipality of the Albemarle Region and of Pasquotank County - Elizabeth City - some elderly and other not-so-old Negro gentlemen add to the picturesque. Their mien solemn, their bearing dignified, their hats or caps most frequently an essential part of sartorial completeness (but otherwise rather informal in attire), these citizens were once often seen pedalling their bicycles to some important destination. Frequently, the bicycles seemed to have as much age as their riders.

As for the word, "Albemarle," it derived from the Englishman, George Monck (1608-1670), first Duke of Albemarle. Like Cale and many others of the New World region, Monck's education reputedly was "very meagre." The Duke was variously engaged in English politics: "charged with high treason" and accordingly serving two years in the Tower of London; grantee of various sums from Parliament; active assistant in the restoration of Charles II; commander of the regiment now known as the Coldstream Guards.¹

In 1663, the now extinct Albemarle "Precinct" was created in those lands below Virginia, called "Carolina" (a vast acreage bestowed upon Sir Robert Heath by Charles I on October 30, 1629), and in so doing George Monck figuratively was settled in his New World possessions,

¹ Abstracted from a pamphlet of anonymous authorship providing a biographical sketch of the Duke (Elizabeth City, NC: City Council, n.d. [ca. 1964]), passim.
which stretched from the Atlantic to the Pacific. His Grace, of course, never came to inspect the slice of continent donated him.

Depending upon the source used, Albemarle Precinct via its subdivision Carteret Precinct, was divided in 1672 or 1682 into Currituck, Pasquotank, Perquimans, and Chowan Precincts - now, counties. Whenever divided, local "Indian" tribes - as they were collectively dubbed - were thus commemorated in name or approximations thereof even if survivors of decimation were not subsequently honored with a voice in governing their ancient homelands. The growing body of European immigrants handled the latter function. They brought their laws and a deadly disease or two and sometimes bore interesting names - like their predecessors in medieval times. For instance, North Carolina's first "General Assembly," meeting at Halls Creek in the present Nixonton section of Pasquotank County on February 6, 1665, had as its chairman-speaker a certain George Catchmaid. Pasquotank County during the following century was represented in the General Assembly by such gentlemen as Edward "Everagin" or "Evergin" (Everagain; sometime vestryman) who served in 1785 and 1789 (Senator, 1782-1783); Devotion Davis3 (1788-1792); and in 1791, by Thaddeus Freshwater. Exactly a century later, the County would be represented by a gentleman whose name was evocative of a vegetable.

---

3 "1666," according to "The Work Done By the D. R. [Daughters of the (American) Revolution] in Pasquotank County," North Carolina Booklet, IX-3 (January, 1910), p. [183]. Lawmakers returned there, April 17, 1963, as part of the State's Tricentennial Celebration. The ECSU Choir and town and gown officials also participated (documents in ECSU Archives). This was the Assembly's first return; the second was the ECSU Centennial, 1991 (see, p. xvii, supra).

3 The reference to Everagain's vestry service is in Lambeth, Memoirs, p. 41. Balancing surnames in Pasquotank were Thomas "Evergan," a free Black at 1830 (Woodson, Free Negro, p. 120), and the 19th-century Black carpenter, John Freshwater, Sr (Butchko, Shores, p. 318).
These lawmakers of yesterday met in various towns of the eastern North Carolina area for the most part, but the center of government was moving westward. Before it reached its present locus which seems to be permanent, Raleigh, it paused in Fayetteville in 1793 to set aside on the Pasquotank River a village known by several previous names, and today as Elizabeth City.⁴ By then, Pasquotank had provided the State’s first school (1705) and church (1706 - a Quaker meeting).

When Mr. Cale first went to the State Legislature, he was the latest in a procession of Pasquotank lawmakers dating from some 173 years earlier. Simultaneously, 83-year-old Elizabeth City - which did not expend most of its efforts on innovation - supplied the second known Negro in Pasquotank’s history to join that procession (the first being Representative Sykes, 1868-1872). When Cale left the Legislature in 1891, Pasquotank’s Representative ‘hue’ remained mostly unrippled in politics, and definitely in pigmentation, for more than a century.

Among those "gentlemen" who had arrived at the State Capitol in Raleigh on Monday, November 20, 1876 and "answered to their names, came forward, were sworn and subscribed to the oaths required by law...," was "Hewey" - forty years old and approaching a birthday. With his oath taken, following House acceptance of Pasquotank Sheriff James S. Wilcox’s November 16, 1876 certification for "Hugh Cale, Esqr" accompanied by Clerk of Superior Court Miles

⁴ Abstracted from Jerome B. Flora [Jr], A Historical Sketch of Ancient Pasquotank County North Carolina 1586?-1793, Mimeographed booklet (Elizabeth City, NC: n.p., 1953), pp. [1], 2, 15. Some different dating and other data on the County are at pp. xxvii, 171-172, 273-274 of David Leroy Corbitt, The Formation of the North Carolina Counties, 2nd printing (Raleigh: State Department of Archives and History, 1969), this source acknowledged in Cheyney, Government - the latter used here, passim. Flora, father and son, were both Mayors - the elder Flora (1850-1914) in office 1911-1913; his son, 1927-1947. Their photos are among the array honoring former mayors (with incumbency dates), located at the entrance to the City Council Chamber in the A. Parker Midgett Municipal Building (Elizabeth City’s current city hall).
Commander's floridly signed certification of Sheriff Wilcox, "black" registered voter No. 111 in the County of Pasquotank now became the Honorable Hugh Cale, Member of the House of Representatives of the North Carolina General Assembly.

Opening formalities settled, Representative Cale prepared to cast his votes for House officials as a minority House member (26 white, and 11 Negro, Republicans). He was present for action at that Monday evening's session which began at 7:00 p.m. He was outvoted on all winning nominees since he voted for none of them. The tallies (winning totals given first), Cale in the minority, were:

for Speaker - former State Senator Charles Price of Mocksville (Davie County) versus 31-year-old Judge Daniel Lindsey Russell (Brunswick County), 66-27, Mr. Price thus becoming Speaker at the ripe age of 29;

for Principal Clerk - John Donald Cameron, newspaper editor from Hillsboro (Orange County), versus Edward Graham Haywood, Jr. (Wake County), 66-25;

Following are the other Negro representatives, as abstracted from Shotwell (a Mecklenburg Representative and former Klansman) and Atkinson: Willis Bunn of Battleboro (Edgecombe County), Wilson Carey ("Cary"), of Fitches Store (Caswell County), Hawkins W. Carter of Warrenton (Warren County), William Henry Crews of Oxford (Granville County), Joseph Corbin Hill of Wilmington (New Hanover County), Alfred Lloyd of Topsail Sound (Pender County), John Thomas Reynolds of Enfield (Halifax County - appears as "J. S." Reynolds [Cheney, Government, p. 457]), Henry Clay Rogers of Oxford (Granville County), John A. White of Scotland Neck (Halifax County), and John Hendrick Williamson of Louisburg (Franklin County). In the Senate, there were John R. Bryant of Halifax, Hanson Truman Hughes of Oxford (Granville County), William P. Mabson of Tarboro (Edgecombe County), George Allen Mebane of Windsor (Bertie County - and later a figure in Elizabeth City), and William H. Moore of Wilmington. (The present author's North Carolina's Black Legislators was also utilized.) Frenise A. Logan, "Black and Republican: Vicissitudes of a Minority Twice Over in the North Carolina House of Representatives, 1876-1877," North Carolina Historical Review, 61 (1984), pp. (311)-346, hereinafter referred to as Logan, "Representatives, 1876-1877," appears to be in error with inclusion of "Daniel R. Johnson" - recte Johnston, and "Henry H. Simmons" (passim) and mis-dates "1889," for the 1885 Cale photo (p. 331). Robert C. Kenzer's biography of Senator Mebane is DNCB, IV, p. 246.

Representative Cale was present throughout almost all of the 81-day session. He took but four leaves of absence, being granted one on Saturday, December 9, 1876 "from and after Monday next"; another on Thursday, February 1, 1877 "from to-morrow until Wednesday next" and on Friday, February 2, an extension ("until Thursdy" [sic]); and finally an indefinite leave on Saturday, March 10, 1877. By then, a leave was almost unnecessary since the following Monday was the last day of the Session, after a Saturday legislative stint divided into morning, 3:00 p.m., and 7:30 p.m. sessions (Cale present for all of them). Cale also was present for the inevitable roll calls, whenever arguments on pending legislation were thick and bill-sponsors or opponents noted a thinning membership or sought delaying action. There were five instances: Saturday, December 30, 1876, when no quorum was available;
for Assistant Clerk - John Bryan Hussey of Stateville (Iredell County) - 30-year-old wounded Civil War prisoner who enlisted at age 15, now an editor - versus "Mr. Roberts," 66-27;

for Principal Doorkeeper - John H. Hill (Randolph County) versus W. P. McDonald (Richmond County), 66-27.

The story read the same way after the session for Wednesday, November 22, during which additional officers were elected:

for Engrossing Clerk - Warren J. Barrett, wounded Confederate Major from Kinston (Lenoir County), versus Martin V. B. Gilbert7 (Wake County), 77-33;

for Assistant Doorkeeper - James P. Norton (McDowell County) versus O. J. Speller (place not given), 76-26;

for Enrolling Clerk - Richard Granger versus Mr. Gilbert, 75-30 (places not given).

Nor was it any different on November 28, when Matthew W. Ransom won a seat in the United States Senate over his opponent, Oliver H. Dockery, 82-31, Cale in the minority. For the present, Mr. Cale would have to be satisfied with his winning a Saturday, November 25, appointment to the Joint Committee on the Library. A nine-man committee (three senators, six representatives), it had two Negroes, Willis Bunn and Cale.8

Monday, January 1, 1877, when one was; Saturday, January 20: 82 present; Tuesday, January 30: 90 present; Saturday, March 10: 66 present.

7 Taken to be the same Martin Van Buren Gilbert who was on the Republican slate for First District senator during the election of July, 1870 and who, in 1858, had been a co-owner of the Elizabeth City Democratic Pioneer (for the latter, see Elizabeth City Daily Economist, December 21, 1905, p. 4). Mr. Gilbert was paired with Lemuel W. Boone for the senatorial race. Gilbert and Boone won over their Conservative opponents, so far as Pasquotank County was concerned. Cale had been a delegate (from Elizabeth City Township) to the convention which nominated Gilbert (see the North Carolinian, May 19, July 14, August 11 and 18, 1870).

8 Seating, voting, committee membership from House Journal, 1876-1877, respectively, pp. [3]-7, 18-20, 22, 49-50, 36; Senate Journal, 1876-1877, p. 33. On voting, Cale was with the majority in one election (on February 16, 1877): that of John M. Moring (Chatham County) versus S. L. Johnston (Washington County) for Speaker pro tem (75-4), House Journal, 1876-1877, p. 491. For Dockery, see also Michael J. Fawcett's biography, DNBCB, II, pp. 88f.
Since this was Mr. Cale's only committee assignment during the 1876-1877 Session, some of its work might be reviewed here. (Only three specific references to the Committee were seen in the House Journal [pp. 17, 619, 971]. For Library matters in the Senate, its Journal has items at pp. 556, 571-572, and 575.)

The Library Committee apparently buried a resolution to furnish the Congressional Library with journals and documents of the North Carolina Legislature. The Committee amended a Senate Bill (SB 729, HB 717) related to the State and Supreme Court libraries and the Bill was tabled. Another of the comparatively few matters referred to the Committee was a resolution related to the report of the State Geologist (HR 77, SR 538) which was ratified. Still another matter considered by the Committee should rank high in the evolution of the present State Library.

The Committee's February 14, 1877 Report was strongly worded and in most respects contained joy for bibliophiles and their company. The Committee felt the "State Library" was in "as good condition and as well managed as the present limited and inadequate accommodations will admit of." Then the Committee launched into defects and recommended improvements: "It is a matter of impossibility that any Librarian, however experienced and diligent should properly dispose of and care for the 40,000 volumes of books, prints, plates, maps, charts, engravings, newspaper files &c. - together forming so extremely valuable a property - in the inconvenient and absurdly small room now known as 'the Library'. Hence it is that costly works - many of them rare and impossible to replace, of art, literature and science: contributions of inestimable

9 The trail to ratification is House Journal, 1876-1877, pp. 176, 397, 398, 403, 590; Senate Journal, 1876-1877, pp. 389, 502, 519, 552; Public Laws, 1876-1877, p. 598.
value to present or future historian: a collection, in short, of which our people should be proud; and which redounds to the credit of those who have gone before us; are being abused, damaged, destroyed and lost. With due deference, we must say that the attention given to our Libraries of late years, by those whose duty it has been to foster and protect them has not been commensurate with their importance and value; and we believe that more stringent laws and regulations should long since have been adopted and enforced in regard to them." The Committee ("Regretting that the present financial condition of the State will not justify us in urging the immediate erection of a building ... worthy of a great Library, a great people, and a great State") then recommended four steps to ameliorate bibliophilic ailments: place infrequently used materials "in the Arsenal building or elsewhere about the Capitol"; move all law books from the "dark and dusty 20 x 30 feet" ‘State Library’ area to the Supreme Court Library; State and Supreme Court librarians give bond and detailed reports "to each Legislature"; and "the present Legislature" make it a misdemeanor for unauthorized removals and laggard returns of library matter. Two senators and five representatives signed the Report, Mr. Cale being one of the latter. Mr. Bunn was not a signer.

The Joint Library Committee was only a sample. If one preferred a profusion of issues, a state legislature should keep a man reasonably satisfied. Hugh Cale received a liberal education as bills and resolutions in both whole numbers and fractions thereof rapidly presented themselves for decisions.

The 1876-1877 Session included a carry-over of impeachment fever, after successful proceedings earlier against former Governor Holden. It sought protection for buzzards and king
snakes while wishing to prohibit exporting partridges. Some citizens wanted towns incorporated; others, counties created (Scuppernong and Bragg among those proposed) or boundaries of existing domains altered. William H. Battle's 1873 collation of the State's public statutes was a favorite hunting ground for those with zest for amending something.

To give an overview of Representative Cale's participation, one might summarize by providing examples of issues he was "for," and those he was "against," with yes-no vote tallies included. This would leave for more detailed examination some matters reflecting perhaps greater involvement on his part.

Cale voted for such assorted items as the following: two amendments favoring Negroes, in a tussle on revising laws relating to maintenance of the poor (30-68, 41-56) - a bill eventually tabled; indefinite postponement of a bill favoring soldiers from North Carolina who lost both eyes in Confederate service (19-77); regulating the holding of superior courts in the First Judicial District (82-10); tabling a substitute bill amending sections of laws related to suits and referees therein (68-20); two amendments to a bill favoring the speedy completion of the Western North Carolina Railroad (48-42, 53-54) - a railroad which caused enormous wrangling; revising and consolidating the public school laws (99-0); building a turnpike from the towns, Hayesville to Murphy (76-0); supporting the North Carolina Institution for the Deaf, Dumb, and Blind (90-0); amending the Landlord and Tenant Act (88-10); accepting a substitute bill related to the Governor's Mansion (28-62); amending measures related to probating deeds and conveyances (30-61); and reconsidering a vote on a measure related to whisky makers and the retailing of their product (38-22).\textsuperscript{10}

Cale voted against such items as these: indefinitely postponing a resolution of thanks to the President of the United States (64-30); refusing to receive a petition from working-men and mechanics of Raleigh (25-75); and indefinitely postponing a measure making it a misdemeanor to carry concealed deadly weapons (7-94) - a bill variously assaulted with amendments to add or delete "side arms," "razor," "slung shot," "brick bat," Pender County, etc.

Representative Cale also was against: establishing three new townships in Lenoir County (72-29) and one in Chowan County (64-26) - evidently having some suspicions about the measures; some of the parliamentary maneuvering on a resolution inquiring into the right of Henry Carter Maddrey¹¹ (of Hertford County) to be seated in the House - which he eventually was; amending the charter of the town, "Newbern" (52-23); amending a bill repealing sections of a law concerning the powers of the president and trustees of the deaf and mute asylums (50-46); allowing the Dan River Navigation Company to use convicts (53-26); tabling a resolution asking the Governor to offer a reward for the arrest, dead or alive, of a wanted person (46-55); amendments affecting the town of Tarboro (57-20); amending the charter of Raleigh (61-25); amending Section 5, Article V and Section 2, Article VI of the North Carolina Constitution; some amendments to a bill moving Beaufort County from the second to the first of nine judicial districts to be established; amendments to the charter of Fayetteville and proposed regulations for electing its mayor and commissioners (61-22); amending the so-called

¹¹ Maddrey's being seated drew protest from twenty-five representatives from nineteen counties, including nine of the eleven Negro representatives. Only Cale and Hawkins W. Carter did not have their names appearing among the group. The protest contended that John J. Horton, then seated, was in fact the legally elected representative from Hertford County (House Journal, 1876-1877, pp. 330-331). Cale either thought differently and/or abstained from the protest; he was present at the session, then and earlier. The Archives and History manuscript text of the case covers quite a sheaf of papers. His surname appears as "Madrey" in Cheney, Government, pp. 457, 555 n 90; Mr. Horton was seated in the 1879 session (listed, Cheney, Government, p. 459).
agriculture bill by raising the poll tax from 86 cents to 89 cents, and concerning all matters pertaining to the bill; and measures and motions on the maintenance of lunatics outside the asylum (48-27, 49-27).\textsuperscript{12}

Aside from concerns such as these, there were the many counties desiring permission to levy special taxes for needed repairs in the machinery of local goverment. This included reducing debts or building jails, bridges, courthouses, etc. Approved sums often had ceilings - $1,500 or $14,000, as examples - but more frequently there was concern in some quarters over amendments to the bills which would allow voters first to decide about having the tax. Yet, most of these tax bills eventually passed the House with little or no dissenting vote, or unanimously. Cale's affirmative vote is recorded for twenty-one of the bills including, of course, that one favoring his own base of operations.\textsuperscript{13}

Town incorporations for which Cale's vote is recorded (affirmative in all instances) are the following, which include a few of the colorful names with which North Carolina abounds: Beaufort (Carteret County), Burnt Chimney (Rutherford County), Cameron (Moore County), Contentnea (Greene County), Denver (Lincoln County), Gatesville (Gates County), Holly Springs (Wake County), Morganton (Burke County), Ringwood (Halifax County), and Vanceboro (Craven County).\textsuperscript{14}

\textsuperscript{12} House Journal, 1876-1877, respectively, pp. 41f, 47, 193, 196, 296, 228-229 and 234-238, 283, 344, 416 417, 606, 639, 677, 698, 712, and 857-860, 736-737, 776-778, 965-966.

\textsuperscript{13} They were the following counties: Alexander, Alleghany, Beaufort, Cabarrus, Chatham, Cherokee, Chowan, Graham, Hyde, Lenoir, New Hanover, Onslow, Pasquotank, Perquimans, Person, Robeson, Sampson, Swain, Tyrrell, Washington, Yadkin.

\textsuperscript{14} Named for Zebulon Baird Vance, for whose politics Cale apparently had little love, although one commentator stated otherwise in Cale's obituary. There was also a move in the Senate to establish the present Vance County but, for the time being, it was scuttled (Senate Journal, 1876-1877, pp. 529, 592.)
The "County Governments Act," often cited for its role in ousting Negro office-holders in North Carolina, was predictably a battleground. The General Assembly even set up field headquarters for the measure in the form of a joint committee on the subject. Some half-dozen or more bills from the Senate and House favored assorted changes. As expected, these were amended with varying success, and the amendments attacked with still other amendments. Cale voted for some of these, against others, according to the degree of self-government and/or non-disfranchisement each represented. Parliamentary strategy was called upon again and again: the House went into a committee of the whole; refused to adopt resolutions of the minority; adjourned; re-opened discussion; and finally sent its version of the bill to the Senate on Thursday, February 15, 1877. Cale fought almost every step and was especially against Section 4, allowing justices of the peace to elect county commissioners. The Bill (SB 408, HB 434) did not pass the House by lopsided majorities, had considerable opposition all the way, and took some nineteen pages of the House Journal to report its trip through that chamber. On the other hand, receiving their $4.00 per diem may have lightened the legislators' mood.  

Another debate involved setting up inferior courts (HB 458). Cale voted for every proposed revision of the Bill which would allow the people some voice in the matter (e.g., they would elect officers of the courts rather than justices of the peace doing that job). He was a consistent if quite often unsuccessful fighter for voters' rights (which of course included those of Negroes) whenever the franchise issue appeared. This was true in general, as for instance in reference to this Bill, and in specific situations, like some to be enumerated.

---

15 On this Act, see, e.g., House Journal, 1876-1877, pp. 449-452, 461-464, 471, 479, 544, 546. House certificates of eligibility Numbers 385, 547, 840 favored Cale's 60 days' attendance, January-February, 1877, totalling $240 (documents in Division of Archives and History).
The town of Wilmington, for example, was affected by the bill organizing its government. Cale voted for the minority report on the bill and amendments favoring elections by the citizenry. In New Hanover County's situation, he voted for $2,000 instead of $2,500 salary for the judge of a criminal court to be established there (79-8); for the judge and solicitor to be elected by the people (27-59); for striking $500 per annum salary in reference to the solicitor (68-10); and against passing the bill (55-30). The story was nearly identical in the proposal to establish a criminal court in Wake County, including submitting the question to voters as to whether they would approve such a court. The proposed establishment of Neuse River Township in Wake County seemed to be related to the exercise of voting privileges. Cale and some colleagues, evidently skeptical about who would get what, voted against the measure. When it came to establishing criminal courts in Franklin, Warren, Northampton, and Halifax counties, again the maneuvering was swift, the issues were Negroes. The Bill squeaked through the House; Cale and others had fought their fight.

With the time arriving to elect judges and solicitors for New Hanover and Wake counties, enough artillery having been mustered to get their criminal courts through the lines in the first place, there was little else to do but cast one's vote for the person about whom one had least reservations. It would seem that, for Mr. Cale, party considerations did not enter too greatly into the matter, but vote tallies could lead to an opposite assumption. Cale did not take part in voting for the judge of New Hanover (O. P. Meares elected) but was in favor of B. R. Moore as solicitor, versus John E. Bledsoe (77-12, Moore elected); and against John W. Dunham as clerk, versus J. J. Fowler (70-18, Dunham elected). For the Wake County court, he favored George V. Strong as judge (elected); was against T. P. Devereux as solicitor, versus, T. R.
Purnell (67-15, Devereux elected); and for Weston R. Gales as clerk (elected) - Cale in this being instance recorded in the Journal as "Cole."\(^{16}\)

The matter of who would elect who was so much an issue that three pages of motions and counter motions were required to cover a minority report of the Assembly's committee which had selected justices of the peace for the several counties. This of course was part and parcel of the County Government Act - select JP's acceptable to the power structure, arrange it so they could elect county commissioners and judges, then local government would be in 'safe' hands. It is a tribute to Cale that, although he was already twice elected a justice of the peace and thus given noticeable power on the local level (on paper, whether or not he used all of it), he tenaciously fought existing procedures by which his own and other such elections had taken place. He became even more visible in condemnation by signing a statement protesting the whole Act.

Thirty representatives from twenty-two counties, including all but one of the Negro representatives (as listed), blasted the County Government Act - "this usurpation of power." Naturally the opposition did not smile sweetly during all this. Nine representatives inserted their own opinions in the Journal, these being not so much against the Act itself as against having colored justices of the peace. However, "... we hereby distinctly disclaim any desire to deny the colored race the equal rights before the law guaranteed them by the 14th and 15th amendments to the Constitution of the United States,"\(^ {17}\) the nine were careful to point out.

---

\(^{16}\) Data on the criminal courts abstracted from *House Journal, 1876-1877*, pp. 571-584, 654-657, 676, 714-718, 726-730, 740, 762-766, 877-885, 892-895. A protest against establishing the New Hanover court (rights of JP's allegedly infringed) is *ibid.*, pp. 783f. Whatever the merits of individual cases, one should also consider Dr. Logan's opinion that, in general during the period 1876-1894, "the Supreme Court of North Carolina was the single conspicuous protector of the suffrage rights of the Negroes of the State" (Logan, *Negro*, p. 71). Local abuses could be, and were, remedied.

\(^{17}\) Texts of both Protests may be found Appendix 3, pp. 484-488. Cale listed as "Cole" and Carter listed as "S. C. W." (The Senate protest of the Act is identical with the House, therefore only the House text is given.)
If Representative Cale strongly disapproved of legislative choreography in electing officials, he had equally strong approval for items designed to advance education. In the House it was Halifax Representative John Thomas Reynolds who was a hard pusher for bills and resolutions which would establish normal schools. Mr. Reynolds began his educational campaign on Tuesday, January 16, 1877, with Raleigh’s Shaw University as a focal point. He introduced a bill to establish a "normal department at Shaw University, for the education of colored teachers for the State of North Carolina." This forward-looking idea was referred to the Education Committee and ordered to be printed. It also went into a sort of limbo for a month. On February 17, Mr. Reynolds did something about that, presenting a resolution to raise a committee to report the bill. This idea went on the Calendar. Next (same day), the Halifax Representative decided to almost blanket the State with education.

He put in a bill establishing a network of normal schools, stretching along the entire coast, dotting the northeastern section, and handling points in between - from Fayetteville in the south to Charlotte in the west - sixteen locations in all. (Coincidentally, that number and some of the locations equalled the present University of North Carolina system a century later.) The University, then solely at Chapel Hill, and Shaw University, were to be the key centers. These thoughts should have attracted attention. The Bill was put on the Calendar to expedite its receiving further attention.

With Monday, February 19, came some action. The Resolution (HR 154) to appoint a committee was adopted, and Reynolds moved to withdraw his two Bills (respectively, HB 296

---

18 Whites would be taught at the department to be established at Chapel Hill; Negroes at Shaw; and for "like purposes" a "normal department" was to be established (in the order given) at Fayetteville, Charlotte, "Newberne," Wilmington, Tarboro, Enfield, Murfreesboro, Henderson, Elizabeth City, Plymouth, Warrenton, Goldsboro, Edenton, and Louisburg.
and HB 595) from the Calendar and refer them to the ad hoc committee. The House so ordered. On Thursday (February 22), Mr. Speaker Price appointed Representatives James D. McIver (Moore County), J. P. Dillard (Rockingham County), and Reynolds to the special committee. The next day, McIver had his report ready. The committee recommended a substitute covering both of Reynolds’ bills and adoption thereof. On the following Wednesday, Representative Reynolds accepted the substitute bill; moved to postpone it indefinitely; had a second thought and withdrew his motion; and the Substitute Bill passed its second reading. For its third and final House reading, however, Davidson County Representative James A. Leach demanded the ayes and nays. The call was sustained and HB 595 passed the House 78-18, with orders to transmit it to the Senate without engrossment. Among the eighteen negative votes were those of Leach and five of the nine representatives who had protested having Negroes as justices of the peace.19 Among the approvers were Representative Cale and eight other Negro members (votes for the three remaining, not recorded). Across the lobby, in the meantime, normal school sentiments had also been aired: Senator Thomas A. Nicholson (34th District) had put in his own bill to establish such entities, on February 1. (Governor Vance, of course, already had talked about "graded and normal schools for the education of both races." ) Nicholson’s proposal endured committees; amendments (including one by Senator W. C. Troy of Fayetteville, to establish a colored normal school in the home territory);20 motions to table and to recommit;

19 Representatives John M. Houk (Caldwell County), James R. Powell (Chatham County), A. C. Sharpe (Iredell County), J. E. Hartsell (Stanly County), and the presenter of the protest, A. G. Moseley (Duplin County).

20 Mr. Troy lost his amendment, which would hardly improve his disposition later, upon losing a bid to extend Fayetteville’s corporate limits. He protested the latter loss (printed at p. 558 of the Senate Journal, 1876-1877). Besides Troy’s attempt, at least two other bills dealt with schools for Negroes. One by Senator J. William Thorne (19th District) proposed establishing an Industrial Education College for colored youth of both sexes (SB 250). This got no further than a series of postponements, on Thorne’s motions, and being tabled on Senator Finger's motion (Senate Journal, 1876-1877, pp. 165, 333, 373, 401, 403, 456, 490). The other was the bill of Senator T.
more committees; more voting and re-voting, until on February 28, the Bill passed the Senate. That day, Reynolds' Bill (now HB 743, SB 775) reached the upper House. Now there were two.

Senator Sidney Michael Finger (37th District), on Friday, March 2, moved to table the House Bill. It was done. Much effort by many legislators - not the least of them Mr. Reynolds - vanished even though the idea was still alive. Mr. Finger would later become State Superintendent of Public Instruction.

On the same day, March 2, Mr. Nicholson's Senate Bill (SB 472) went to the House Education Committee. Education gave SB 472, HB 774 the green light on March 3. It passed the House on March 8; was there ratified on March 9, 1877 (winning Senate ratification on March 12, according to the Senate Journal); and became Chapter 234 of the Session Laws. North Carolina had widened considerably its educational possibilities, including, it developed, its first normal school for Negroes - the present Fayetteville State University.

J. Moore of Charlotte (SB 257, HB 358), introduced January 10, ratified February 10. This Act incorporated Biddle University (Session Laws, Chapter 23), now better known as Johnson C. Smith University.

See pp. 437-438 of the Laws. The Act made it lawful for the State Board of Education to establish normal training for whites "in connection with the state university": for Negroes, at "any place" the Board "may deem most suitable." Training was for men only, Negroes having to be between 15 and 25 years of age; whites, no age specified. Two thousand dollars for 1877 and 1878 was set aside for both training groups. The Act desired graduates of the programs to teach in North Carolina for at least three years. Data on this normal school movement are from House Journal, 1876-1877. pp. 225, 497, 498f, 514, 565, 568, 643-644, 669, 689, 783, 864; Senate Journal 1876-1877. pp 320, 339, 421-422, 502, 594-595, 598, 605, 620, 632, 863. House Journal (p. 990) shows Reynolds' initial as J. "S."

Professor Luckey credits The University of North Carolina with being "among the first institutions of higher education in the South to make provision for the special preparation of teachers," citing this 1877 Act. Luckey dates the legislation at March 9 (when in fact it was March 12) and cites UNC beginning its Normal Program in July 1877, at $2000/year appropriation. The Program was summer only until 1885, when a "Normal Department" began; and UNC President Kemp Plummer Battle is credited with the "origin and success of the movement for normal instruction." (George Washington Andrew Luckey: The Professional Training of Secondary Teachers in the United States [New York: Macmillan, 1903], pp. 88f.) W. Conard Gass' biography of Battle is DNBC, I, pp. 114-115.
According to the record, fifteen Negro legislators plus Representative Reynolds had done what a minority could, to help along the improvement of educational matters for all the people.

An entirely different kind of education was lodged in a Resolution concerning relations between whites and Negroes in North Carolina. Cale and others registered antipathy to this pernicious statement with varying success. It also depended upon whose resolution said what and who was present and voting. Rightly or wrongly, the Negro representatives voted, often, as independently as anyone else.

The movement in behalf of this race relations statement - which finally became part of the public laws - seems to have begun officially on November 29, 1876. Representative Lyndon Swain of Greensboro introduced his resolution that day "concerning the relations between the white and colored people of the State," which proposal was placed on the Calendar. As eventually ratified, the text noted that "in the providence of God, the colored people have been set free"; that there is "duty of the stronger race to uphold the weaker"; that Negroes were "erroneously taught that legislation under democratic auspices, would be inimical ... causing numbers of them to entertain honest fears ...." It applauded "equality before the law," upheld suffrage rights for "people of color," and suggested reserving legislative and executive functions to "men of the highest intelligence." HR 26, as this Relations Resolution became known officially, was put on its second reading on December 1, whereupon Perquimans County Representative Willis Bagley (of Hertford) moved to postpone it indefinitely. The vote on that motion having been lost, HR 26 went to the Committee on Propositions and Grievances. There being no Committee report by January 3, 1877, Swain moved to suspend the rules and put his Resolution on its adoption. Parliamentary obstruction arose. Mr. Bagley moved to amend;
Alleghany Representative E. L. Vaughan (of Gap Civil) moved to table then withdrew the motion "for the present"; Franklin Representative John Hendrick Williamson, a Negro from Louisburg (Franklin County), moved to amend; Davidson Representative Marshall H. Pinnix (of Lexington) called for the ayes and nays; and the House refused to table, 30-52, Cale in the losing affirmative column. Madison Representative Hezekiah A. Gudger (of Marshall) moved for the previous question. Williamson's and Bagley's amendments were then defeated. Stokes Representative Walter W. King (of Danbury) called for ayes and nays on passage of Mr. Swain's Resolution and it won the House, 60-24 - Cale now in the losing negative column. The Senate picked up the matter on January 4, 1877 (it had become HR 26, SR 193). That chamber passed the measure around for committee work, amendments and postponement until January 31, when it was ratified and sent to the Secretary of State. All things considered, it would seem that the General Assembly had some difficulty in agreeing on the proper relations between two of North Carolina's great bodies of citizens.

Other weighty matters also claimed attention. For instance, there were measures for the benefit of former governor Holden - lately impeached to the satisfaction of some and disgust of

---

22 Mr. Williamson was a member of North Carolina's 1868 Constitutional Convention; was in the House, 1868-1869, 1869-1870, 1870-1872, 1872-1874; and following this session, would return in 1887 (Ballou, North Carolina's Black Legislators).

33 Mr. Gudger resigned the House, February 1877, to assume superintendency of the Asylum for Deaf, Dumb, and Blind (see, e. g., House Journal, 1876-1877, p. 922). Eugene R. Cook's biography of Gudger is DNCB, II, pp. 382f.

24 The Resolution appears at pp. 589-590 of the 1876-1877 Session Laws; its text may be read in Appendix 3, pp. 477-478. For its Assembly trip, see House Journal, pp. 55, 66-67, 144-145; cognate Senate Journal, pp. 136, 224, 290, 309.

Another resolution of a racial nature was introduced by Senator William H. Moore (a Negro from Wilmington). It passed the Senate after an elaborate excursion through that chamber, but was short-circuited by a House motion to table (Senate Journal, 1876-1877, pp. 398, 557). A third resolution, on equality (by Senator Thorne), was short-lived (Senate Journal, pp. 332, 461). For the first two resolutions, Negro representatives and senators wound up voting against each other in their respective chambers.
others. HB 165, on "changing the time of the commencement of the Governor's term of office" and thus proposing to alter the State Constitution, was amended to remove Holden's "disabilities." This was rejected (34-70), Cale voting for the amendment. Cale then voted against the Bill's passing its second (77-29), and final (77-27), House readings.

On the other hand, Representative Cale's vote was not recorded on Representative John H. Williamson's resolution to instruct North Carolina's congressman and senators on colonizing colored people (eventually tabled),\(^\text{25}\) nor on another instruction to the national lawmakers, introduced by New Hanover Representative Joseph Corbin Hill\(^\text{26}\) in reference to the Freedmen's Savings Bank. Representative Cale's opinions were recorded, however, concerning the not so eye-catching but equally important "Homestead Bill" (HB 218). It aimed to "secure to owners of real estate in this State a homestead in fee simple." Cale objected to tabling it (38-65), but also objected to the Bill, as amended by the House Judiciary Committee, being passed on its second reading (61-43). Later, for its third reading, he wished the measure referred to the Judiciary Committee (36-55), to a select committee (33-62), then - since he felt it was not in the best interest of a certain body of citizens - objected to its passing the House (67-26).\(^\text{27}\)

Representative Cale was even more active - and expectedly so - in matters directly affecting primarily his own constituency. Some of these items were of concern to all his

\(^{25}\) Logan, Negro, p. 130 and Halsey, Hunter, pp. 40-41, elaborate on the proposal.

\(^{26}\) Ratified February 21, 1877, the Resolution appears in the 1876-1877 Session Laws at p. 595. Congress had closed the Bank, which had branches in Wilmington, New Bern, and Raleigh. The Resolution cited "gross mismanagement." The Assembly sought return of deposits and to deal "according to law" with persons responsible for the bad state of affairs.

\(^{27}\) House Journal, 1876-1877, pp. 636-638, 657-659.
county's citizens. Others were comparatively tiny issues, albeit able to evoke gratitude or condemnation from those immediately involved.

Mr. Cale's first piece of legislation was his bill "to allow John T. Price, former sheriff of Pasquotank County, to collect arrears of taxes." This was introduced Monday, November 27, 1876 (Cale's birthday?); was sent to the Finance Committee; and there buried. A possible reason for its demise is the resolution introduced by Representative Bagley (Hertiford, Perquimans County) for the relief of Pasquotank's Sheriff J. S. Wilcox, which was presented Tuesday (November 28) and just managed to pass its second reading before that day's adjournment. Bagley's Resolution mentioned Mr. Price. On November 29, the Resolution (HR 23) came up for its third reading; Columbus Representative V. V. Richardson of Whiteville put in an amendment (adopted); and HR 23 passed the House - complete with a motion to reconsider the vote on its third reading, and another to table the said motion (it was tabled). The Senate received the measure for Pasquotank's sheriff on November 29, put it on the Calendar, adjourned to elect a United States Senator, and reconvened. Senator Octavius Coke of Edenton (1st District) moved to take the matter from the Calendar. HR 23, SR 72 passed its second reading, and then its third (41-0). On December 2, Sheriff Wilcox's matter was reported duly enrolled and it was ratified. Mr. Cale's first round might be called a draw.

---

18 The Resolution appears at pp. 569-570, *Session Laws, 1876-1877*. Data on it, and Cale's Bill, abstracted from *House Journal, 1876-1877*, pp. 39 (Cale), 53, 56-57; cognate *Senate Journal*, pp. 45, 46, 57. Mr. Price sometimes seemed to attract controversy or vice versa. Price earlier had thought it wise to place a "Card" in the *Elizabeth City North Carolinian* (April 29, 1874, p. 3) asserting there was no truth to the allegation that, if he were elected sheriff, he would appoint J. S. Wilcox his deputy. After being the object of political assaults in 1873 and 1874, it might have been far more agonizing when tragedy struck: he and his wife, Mrs. Dollie D. Price, lost their 22-month-old daughter, Daisy D., on June 25, 1874 (*North Carolinian, July, 1874*, p. 2).
Representative Cale's next piece of legislation resulted in a win. On Saturday, January 20, he introduced a bill to incorporate the United Order of Brothers and Sisters of Love and Charity. It was not the first florid name the House had encountered. This Bill went to the Committee on Corporations which reported it favorably on January 31 (now known as HB 329). Next the Bill, "on motion of Mr. Cale, was put on its several readings and passed, and was ordered to be engrossed and transmitted to the Senate." That body received it on February 1 (now HB 329, SB 464 - the House having approved engrossment that day); sent it to its Corporations Committee, which approved it the next day; and then failed to pass it on the second reading during the evening session of February 16. Senator George Allen Mebane (from Windsor) came to Cale's rescue by moving to reconsider the vote by which the Bill failed to pass. It was so ordered; the Bill then passed both its remaining readings; and on February 19, 1877, it was ratified and sent to the Secretary of State. Representative Cale and the people back home could later read the Act as Chapter 28 of the Private Laws.  

While all this was going on, Cale joined other legislators in their "Battle fever," making his own assault on these statutes. January 27 apparently seemed a good time to introduce his bill, to amend Section 13 of Chapter 111 in Battle's Revisal. (The Section provided that municipal elections were to be held on the first Monday in May.) Representative Cale's Bill went on the Calendar. Not satisfied with waiting for normal

---

29 The Act is at pp. 650-651. The incorporators had title abbreviations as fancy as the name of the group. Data on the Bill are from House Journal, 1876-1877, pp. 262, 332, 337, 342; cognate Senate Journal, pp. 319, 331, 462, 474. The Elizabeth City Love and Charity group was well-liked by Cale - as noted in earlier text.

events by that method, he then moved that HB 375 (the number assigned) be "taken from the calendar and put on its second reading, and, on motion, was referred to the committee on the judiciary." That Committee, through Guilford Representative John Staples, reported Mr. Cale’s Bill unfavorably (January 30).\textsuperscript{31} Now the Gentleman from Pasquotank had an even record: one draw, one win, one loss.

As with his Bill for former Sheriff Price, a Senate development may have explained the defeat of the present measure. Cale’s Bill would change municipal election times on a statewide basis - which may or may not have been what he and/or his constituency desired. Senator Coke, however, introduced SB 694 on February 21, to change the election time in Elizabeth City. Coke’s Bill passed the Senate but was temporarily halted in the House by an amendment from Representative Bagley which Cale favored but the majority did not (29-41). Mr. Coke’s Bill (SB 694, HB 765) therefore passed the House to become Chapter 96 of the Private Laws (ratified March 12, 1877)\textsuperscript{32} and, in effect, amended the town’s charter. Perhaps, in considering this development, one might also amend Mr. Cale’s score - two draws, one win, no losses.

It is not impossible that, in the preceding issue, Coke and Cale may have agreed on the aim if not the method. But, in the next home matter to come to Cale’s attention, chronologically speaking, the two legislators were in complete agreement - as was everyone in the Assembly who voted on it. Mr. Coke introduced SB 235, on January 9, to allow Pasquotank’s commissioners to levy a special tax, limited to $5,000, in order to "meet the current expenses of the county, and

\textsuperscript{31} House Journal, 1876-1877, pp. 308, 309, 328.

\textsuperscript{32} The Act is pp. 737-738 of the Session Laws. Data are abstracted from Senate Journal, 1876-1877, pp. 510, 574, 599, 605 (here called SB "694"); 856; cognate House Journal, pp. 669, 690, 855 (Cale)-856, 978. There existed two Senate bills numbered "694."
to pay its indebtedness...." This, with accompanying petitions, went to the Judiciary Committee, came back in good health, traveled through the Senate, 40-0 and 33-0, and arrived in the House on January 29. There, the trip was equally pleasant, the Bill (SB 235, HB 389) winning its readings 88-0 and 83-0 (Cale obviously in the affirmative in both instances). The measure reached ratification on February 3, 1877.\footnote{See the earlier of two pages 119 appearing through a typographical error in the Session Laws, 1876-1877. Data from the cognate Senate Journal are at pp. 166, 225, 256, 272, 280, 293, 340; and House Journal, pp. 320, 325, 338-339 (Bill here numbered "289"), 347 (Cale)-348, 364. Pasquotank’s commissioners had voted on January 1, 1877, to memorialize "the Leg," requesting such an act. They desired the $5,000 to "defray the necessary expenses of this County for the next Two Years" (Minute Book 2, p. 201).}

The House gave a much less friendly reception to the fourth proposal by Representative Cale. On Monday, February 12, he introduced a petition from "citizens of Elizabeth City, on the subject of free trade, which was referred to the committee on finance."\footnote{House Journal, 1876-1877, pp. 427-428. Coke also presented petitions, two of them from Pasquotank citizens. These went to the Senate Propositions and Grievances Committee which apparently buried them. They were introduced February 23 and 28 (Senate Journal, 1876-1877, pp. 532, 589). Free trade was much aired in Pasquotank, the North Carolinian being against it. The issue had bearing on later "Farmer’s Alliance" and "Populist" politics. Bennett L. Steelman’s biography of Coke is DNCB, I, p. 396.} Nothing more was heard of the petition; the Finance Committee had done it again. It would seem that Cale’s score now must stand at two draws, one win, and one loss.

Not daunted, Cale showed himself to be a person interested in moral betterment beyond matters of elections and voting rights and charitably inclined social organizations; in short, practicality did not occupy his entire waking moments. He introduced, on Monday, February 19, a bill to "appoint a minister to preach to the penitentiary convicts." The proposal was referred to the Committee on Propositions and Grievances which simultaneously acquired from other representatives three bills in relation to countenancing or prohibiting the sale of spirituous
beverages. The next day (February 20), the Committee reported favorably a bill countenancing the sale of liquor and unfavorably on HB 603, Cale’s Bill for preaching to convicts.\textsuperscript{35}

House Bill 603 became the last measure Cale introduced during the Session. However, there were still a few other home matters to attend to before the Assembly finally adjourned. One of these dealt with revising the boundaries of Elizabeth City. In this matter, Senator Coke had been busy again. Senate Bill 678, which he introduced on February 21, called for the boundary change. SB 678 passed the Senate and the House Corporations Committee gave it a favorable report (now SB 678, HB 763) but on March 9, Representative Cale gave it a little bouncing. There was no damage. "Mr. Cale offered an amendment which was rejected, and the question recurred on the passage of the bill on its second reading. Mr. Cale demanded the ayes and noes. The call was sustained and the bill passed its second reading...." 47-26, Cale in the negative. Eight of the other Negro representatives also were in the negative (votes for Messrs. Bunn, Carey, and White were not recorded). A disposition of the measure on its third reading was not found in the House Journal, but the Bill was ratified on March 12, 1877.\textsuperscript{36} And, during this period, the Assembly strove hard to wind up its eighty-one-day session.

Three other items demanded Cale’s attention. One was electing trustees of The University of North Carolina. Cale nominated W. "L." Martin (middle initial "F"?) of Pasquotank on March 2. The vote tally on March 5 was three votes for Martin. The gentleman (a colonel?) may have appreciated the gesture nonetheless; many nominees got

\textsuperscript{35} \textit{House Journal}, 1876-1877, pp. 512, 529. Text of Cale’s Bill in Appendix 3, pp. 481-482.

only one vote.\textsuperscript{37} The second item as was Cale's learning that he had been elected a justice of the peace for a six-year term for Elizabeth City Township.\textsuperscript{38} He would have a little something to take home.

The last item - his final official act for the Session - was to join the other representatives on March 10 in a unanimous rising vote by which they adopted a resolution of thanks to Mr. Speaker Price. This resolution was introduced by Representative William Henry Crews of Oxford.\textsuperscript{39} Cale then went on an indefinite leave of absence. On Monday, March 12, those who were still left also took their leave: "... the gavel fell and Speaker Price declared the House of Representatives adjourned \textit{sine die}."

There was an interesting thing about that General Assembly, especially as one held it to reflect the people: the attitudes of two different American minorities - a hundred years apart - showed some resemblance. The North Carolina Session of '76 (and '77) had elements suggesting the earlier American "Spirit of '76."

In the first '76, American colonists were a minority in comparison with Tories and Indians and wished freedom from these outside agitators. They fought vigorously for it, killing Tories and continuing to exterminate Indians, with losses of their own population. The result - dramatic and traumatic.

\textsuperscript{37} \textit{House Journal}, 1876-1877, pp. 675, 704. Representative W. S. Carter (Hyde County) nominated George W. Brooks of Pasquotank, already celebrated as a jurist (\textit{ibid.}, p. 359).

\textsuperscript{38} \textit{House Journal}, 1876-1877, pp. 831, 942. A certain D. L. Cale was given a two-year term as a justice of the peace in Windsor Township, Bertie County (\textit{ibid.}, p. 796); see also, Appendix 1, p. 445.

\textsuperscript{39} \textit{House Journal}, 1876-1877, p. 975.
A century later, Conservatives ("Democrats" or whatever) considered themselves a minority if judged by their own estimate of equitable office-holding, and zealously fought for freedom from Republicans, Negroes, and others deemed to be undesirable, uncredentialled agitators. The Negroes meanwhile had waited some 250 years for their freedom by the second '76, and would wait another 100 or so for its closer reality.

Some thirteen years of "bondage" for Conservations seemed much longer. Power lost created hunger for its restoral and any avenue would do. If Democratic press and Democratic handbills could kill, the opposition would have been liquidated already. Since this was not the case, sometimes pistols and ropes substituted for the press in the name of this "minority" - often minus its public consent, of course. Again, results were dramatic and traumatic.

Real or imagined lack of freedom could impair one's health. The ailment was painful, the convalescence lengthy, and sometimes the drama and trauma, cyclic in fashion, made it less than clear where oppression began and ended. That could be confusing and therefore became a problem addressed by the late 20th Century's Second Reconstruction - thus far, with inconclusive success.
CHAPTER 9: HOUSE WORK, 1879

State House incumbency evidently agreed with Citizen Cale’s constitution. In 1878, he ran again for Pasquotank representation. Implicit in this latest contest was his having the blessing of the County’s Republican nominating convention, in comforting contrast to the situation in 1872, 1874, and 1875. It is unlikely that Cale had forgotten those unsuccessful years.

The election took place on Thursday, August 1, 1878. This time there were two opponents instead of one; Cader Perry and Samuel J. Halstead both had visions of North Carolina’s capitol city. Matters worked themselves out, however. Of 1,737 votes cast, Perry won 221; Halstead, 535; and Cale, 981. Meanwhile the Economist, vociferous in the campaign of 1876, was uncharacteristically reserved in 1878. The August 6, 1878 edition of that Democratic organ (p. 3) quietly reported election returns.

Hugh Cale polled 56.4% of the vote whereas he had 57.5% in his 1876 bid; but his numerical margin was wider this time. He won by 300 votes in 1876. Now, he had an edge of 446 over his nearest opponent (Mr. Halstead) and carried six of eight precincts. He thus gained one precinct over his previous total two years earlier.

It was possible that, many months later (December 24, 1879), the North Carolinian had reflected on such political progress by local and other Negro citizens. John’s journal invoked Frederick Douglass as an object lesson and guide: Mr. Douglass was reported as being against Negro migration from southern states. The North Carolinian editorialized: "Stay.... A brighter and better day, politically and materially, is about to dawn upon the Old North State." The thought was encouraging. Some citizens also may have looked to the forthcoming legislative session to help the idea along. In any event, Mr. Cale would seem to have benefited by remaining in his precincts.
At noon, Wednesday, January 8, 1879, Pasquotank's Representative was in the State Capitol with 104 other House members. For his second term, Cale favored more winning candidates for House officerships. Of the seven officials elected,1 he voted in behalf of four of them, in contrast to his voting against almost all the candidates who won in the Session of 1876-1877. This thaw (and perhaps embryonic seniority?) possibly did no harm to his committee memberships. Representative Cale was appointed to those on Corporations (January 11) and on Immigration (January 14).2

With Mr. Cale in the House were four of the Negro legislators who had been in the 1876-1877 Session. These were Representatives Carter of Warren County, Carey of Caswell County, Reynolds of Northampton County, and White of Halifax County. Among the nine other Negro representatives3 also present for the 1879 Session was Stewart Ellison of Raleigh. In the Senate, however, while no Negro member of the 1876-1877 Session had returned, Senators Isaac Alston (Warren), Franklin D. Dancy (Edgecombe), and Henry Eppes (Halifax) were there.

---

1 Between John M. Moring (Chatham) and former State Senator Richard M. Norment (Robeson) for Speaker, the vote was 69-26 (Cale for Norment). Principal Clerk John D. Cameron (Orange), Reading Clerk R. W. Best (Wake), and Principal Doorkeeper John H. Hill (Randolph), all received Cale's vote. Assistant Doorkeeper J. P. Norton (McDowell) won over Representative Ellison's candidate, O. M. Roane (Wake), 83-18 (Cale for Roane). Engrossing Clerk A. D. Brooks ( Alamance) won over candidates W. K. Price (New Hanover) and A. Douglas (county not given), Cale for Price. (House Journal, 1879, pp. 9-12, 15.)

2 The Corporations Committee had thirteen members: Edmund Jones of Patterson (Caldwell County), E. J. Holt of Princeton (Johnston County), W. H. Orchard of Concord (Cabarrus), W. R. Lindsey of Pleasantville (Rockingham), G. F. Smith of Linwood (Davidson), J. W. Grant of Garysburg (Northampton), W. G. Melson of Fort Landing (Tyrrell), J. C. Hines of Clinton ( Sampson), G. W. Lamb of Wallace (Duplin), J. J. Ferrell of Fish Dam (Wake), T. F. Bird of Mills River (Henderson), Cale, and Hawkins W. Carter of Warrenton (Warren). The eleven-man Immigration Committee, besides Hines, Lindsey, Ferrell, Norment, and Cale, included J. S. Anderson of Haysville (Clay County), L. Harrell of Brier Creek (Wilkes), A. C. Meares of Shallotte (Brunswick), D. Barringer of Salisbury (Rowan), L. E. Powers of Shelby ("Cleveland" County), and Dred Wimberly, a Negro from Tarboro (Edgecombe County) who would also serve in 1887 (House) and 1889 (Senate).

3 Representatives Clinton W. Battle (Edgecombe), Lewis T. Christmas (Warren), John Newell (Bladen), Willis D. Pettipher (Craven), Augustus Robbins (Bertie), Henry E. Scott and William H. Waddell (New Hanover), and Dred Wimberly (Edgecombe). (Ballou, North Carolina's Black Legislators.)
Mr. Cale and others of his political persuasion still constituted a minority, of course, but the Gentleman from Pasquotank was a "no"-man on fewer issues in this Session than during 1876-1877. Yet one "no" that was consistent related to Zebulon Baird Vance. The election of a United States Senator involved Vance versus Ralph T. Buxton. Mr. Vance won the North Carolina House, 77-39, but not through Cale's efforts. In addition, Representative Cale perhaps had a certain commitment to Republican Party Candidate Buxton.4

The General Assembly of 1879 need not fear monotony. Correctly or unfairly a butt of ridicule in some quarters (as for instance, Palemon John's North Carolinian), Representative Josiah Turner produced resolutions in wide assortment - against the "Ring," against members of the legal profession, against railroads, against members of his own House of Representatives, and so forth. He presented protests, amendments, motions, and oratory. He was eventually reprimanded.

Also in the purview of the House were bills or resolutions prohibiting "wanton fighting of game cocks and preventing betting"; making slander of women indictable; one to "prevent the stealing of dead bodies"; another prohibiting liquor sales within two miles of a certain Zion African Methodist Church; altering the State Constitution to "include the punishment of whipping" (but no whipping of women); and continuing the Act establishing normal schools and to extend their benefits to women. Also available were measures prohibiting sale or donations of "spirituous liquors at political speakings" (would the "speakings" be less reckless?); to "punish more effectually" the act of horse stealing; and against enticing seamen from vessels.

4 Voting is in House Journal, 1879, pp. 101-103, 110.
Other items: exempting preachers from working on the public roads; considering the Alabama Legislature's resolution on jurisdiction of United States courts (transmitted by North Carolina's governor); pondering the creation of new counties (Richland, Scotland - formed in 1889, and Jarvis proposed among others); petitioning Congress to refund taxes collected in Orange County in 1865 (Mr. Turner's idea); establishing a normal school for each race (Negro and white) in each Congressional district of the State; and dealing with part of the dividing line between North Carolina and Georgia. Representative Reynolds wished to establish in several counties a "House of Refuge for friendless children"; the House adjourned for the day before considering a resolution on the "bad treatment of convicts engaged upon the public works of the State" (eventually adopted and sent to the Senate); and the House Judiciary Committee mulled over "degrees of kinship in which persons in this State may not marry."

In educational matters, the Propositions and Grievances Committee reported unfavorably on increasing the length of school sessions, regulating textbooks, and exempting public school teachers from public road work. It thought well of a salary scale whereby teachers of first grades earned $2.00 a day, second grade - $1.50 daily, and third grade - $1.00 per diem. A much better posture came with adjourning in memory of North Carolina's late (February 15, 1879) Secretary of State, Joseph A. "Engelhard" (Englehardt) and joining his funeral procession. Also salutary was a bill to educate the "poor children of North Carolina."

Reaction to a proposed resolution to the United States House of Representatives may have been mixed; this was an idea by Representative John A. White (black carpenter from Scotland Neck) requesting approval for establishing a university in the Second Congressional District of North Carolina, specifically "for the colored race." Also provoking comment was a
proposal on not running trains or doing other work on railroads "within North Carolina" on the Sabbath, and another item to amend the much debated "County Governments" Act.

Well received was the idea to authorize a history of North Carolina for use in the common schools of the State; likewise another proposal favoring North Carolina's memorial arms "in honor of Gen'l George Washington." Punishment for abducting children received consideration, and the Messrs. Lewis and Clarke were House tellers for the election of magistrates.

If one wearied of proposed legislation, one could contemplate names involved in some of it: Goose Greek Island (Pamlico County), Iron Duff Township (Haywood County), Bull-head (formerly Bull-doze) Township (Greene County), Chickamaconoco Township (Dare County), and Hogback Township (Transylvania County). After that, one could make a decision about a measure prohibiting gambling on railroad cars. If that palled, one could contribute to the six pages of recorded debate on revising the public school laws. That would be less injurious to people than rejecting an amendment that "no convict shall be whipped or maltreated at the Penitentiary...."

Less gloomy perhaps was considering the Senate bill to incorporate the "Anglo-American Colonization and Improvement Company in the State of North Carolina," and Representative Stewart Ellison's resolution on "Sunday-school teachers at the Penitentiary." For the latter, Mr. Turner of Orange County amended the Bill to read: "that fifty dollars be given to the Shaw Collegiate Institute, the St. Augustine [sic] Normal School and Johnston Graded School, all colored, of this city [Raleigh]." The amendment was rejected but not the Resolution. Also not rejected was Representative Wilson Carey's amendment to a resolution, authorizing an orphan
asylum to be built "for the colored children in the State that have no friends to take care of them" and that it be constructed at the town of Oxford at a cost not exceeding $2,000. A distinguished institution thereupon had its legislative impetus.

With at least one thousand eighty-five bills and about 250 resolutions, members of the North Carolina General Assembly of 1879 need not become drowsy. More accurately, perhaps, the job for senators and representatives - Mr. Cale not insignificantly among the latter - was how to stay above the avalanche of paper and retain auditory acuity after all the talk.

The foregoing shows the range of items which Cale as a House member surveyed. More specific is a summation of issues on which his votes are recorded. Obviously many pieces of legislation passed or were rejected with no recorded voting details. Aside from his own proposed legislation, the many other matters perhaps may be grouped for convenience.

An example is the question of special tax levies desired by different counties. These were requested in this Session, just as in 1876-1877. According to the recorded voting, Representative Cale, like almost all his colleagues, was in favor of most of these proposals, most of them passing the House with little or no dissenting vote. Cale's affirmative votes were recorded for tax authorizations for the following counties (two vote tallies indicating those for second, and third, readings of a bill): Anson (79-0); Harnett (82-0, 83-0); Haywood (67-[0], 65-0); Hertford (75-4); Lenoir (92-2, 75-1); Lincoln (87-3, 77-6); McDowell (72-5); Macon (89-[0], 83-3); Mitchell (63-3) - with the consent of a majority of its justices of the peace (79-5); Perquimans (90-0, 84-1); Richmond (88-1, 75-1); and Transylvania - for a courthouse and jail - which passed its second and third readings, 67-1.
Caldwell County's bid did not move as smoothly. Cale was against it (24-80) as were the majority of members, and the Bill went to the Judiciary Committee. On its return with a favorable report, Cale voted for both its second and third readings (89-[0], 63-[0]). On the other hand, Sampson County's bill received a curious negative vote from Cale on its second reading (56-8) whereas he favored it on its third (61-2). Chowan County's bill was buffeted a bit. Cale favored tabling it (34-39) and failing that, voted against it on second reading (48-32). He was for the tax levy if voters could decide on the matter - a not unreasonable amendment which had been offered - but that amendment was defeated (40-46) and he voted against the measure on its third reading (50-38). Representative Cale in 1879 was consistent with his 1876-1877 stance (whether it was or was not with the majority of House voting): seeking to ensure that the electorate had a voice in its governance.

Less controversial were proposed incorporations of towns. These are those for which Mr. Cale's votes are recorded (all favorable):

<table>
<thead>
<tr>
<th>Town</th>
<th>County</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Brevard's&quot; Station</td>
<td>Gaston</td>
<td>84-0, 95-0</td>
</tr>
<tr>
<td>Burgaw</td>
<td>Pender</td>
<td>66-0</td>
</tr>
<tr>
<td>Davidson College</td>
<td>Mecklenburg</td>
<td>89-[0], 83-0</td>
</tr>
<tr>
<td>Forestville</td>
<td>Wake</td>
<td>81-1, 72-2</td>
</tr>
<tr>
<td>Hickory</td>
<td>Catawba</td>
<td>83-1, 91-1</td>
</tr>
<tr>
<td>Manly</td>
<td>Moore</td>
<td>71-0</td>
</tr>
<tr>
<td>Matthews</td>
<td>Mecklenburg</td>
<td>75-0</td>
</tr>
<tr>
<td>Roxboro</td>
<td>Person</td>
<td>72-0</td>
</tr>
<tr>
<td>Saul's Cross Roads</td>
<td>Wayne</td>
<td>84-0</td>
</tr>
<tr>
<td>Troy</td>
<td>Montgomery</td>
<td>67-0, 76-[0]</td>
</tr>
</tbody>
</table>
Of greater interest to Cale, quite possibly, were bills introduced to incorporate or otherwise deal with organizations in which he was himself quite active. Senator George H. Snow of Raleigh introduced one such measure on January 24, to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity. Cale, it may be remembered, had introduced his own measure on behalf of the Elizabeth City branch of this group, in the 1876-1877 Session, and the Raleigh organization was not to be outdone in fancy nomenclature. Snow's Bill arrived in the House on February 28, and went to Corporations where, one may be reasonably certain, at least Committeeman Cale gave it a friendly reception. By March 8, 1879, SB 248, HB 866 (as the Bill came to be numbered) had been enrolled for ratification.\(^7\)

Another such bill was that introduced by Representative Ellison on January 13. This would amend Chapter 10 of the 1876-1877 Session Laws (Private); more specifically, the bill would allow a "beneficial department" to be established by the "Independent Order of Good Samaritans and Daughters of Samaria in America, Lodge No. 2, of N. C." Known as HB 63, it traveled a wriggling route through the Judiciary Committee; the Corporations Committee (which recommend a substitute bill - although we do not know pro-Samaritan Committeeman Cale's sentiment on it); was held up until a motion to adjourn was defeated; passed its readings as HB 456 (the number for the substitute bill); went to the Senate's Corporations Committee which amended the substitute bill (now HB 456, SB 448); passed the Senate as amended with a return

\(^7\) Senate Journal, 1879, pp. 142, 284, 376, 438, 489, 633; cognate House Journal, pp. 609, 645, 695, 723. As an Act, it is Chapter 59 of the Session Laws (Private), pp. 658-659. Representative Edmund Jones (of Caldwell County) introduced a bill on January 20, to incorporate the Love and Charity Society of "Wilson's" Creek Academy in Caldwell County. This reached ratification on March 4(?) and had traveled through the Assembly as HB 197, SB 283 (House Journal, pp. 89, 95, 147, 412; Senate Journal, pp. 155, 282, 288, 331).
to the House for concurrence (granted); and wearily reached enrollment for ratification on March 4.\textsuperscript{8} The goodness of the Samaritans had been well tested.

Meanwhile, a legislator had more to concern him on the floor or in his committee sessions that his pet charities. Railroading was one of these concerns, during the Session and throughout the State. A primary consideration was that financing run as smoothly as locomotive drive wheels; the latter were conceivably affected directly by the former.

Various lines desired aid. Representative Cale favored amending charters of the Mount Airy Railroad (88-1, 91-1), the Northwestern North Carolina Railroad (88-0, 72-2), and amending the incorporation of the North Carolina Border Railroad Company (93-[0]). He was against restricting the sale, below par, of bonds in a property deal whereby the Western Railroad Company was to change its name and consolidate with the Mount Airy Railroad Company (39-39), and also against restricting a proposed mortgage to $50,000, with proceeds applicable to the line’s indebtedness (33-50), as he likewise disfavored striking two sections from the Bill - HB 367 as a substitute for HB 139 - (38-46). As can be seen, voting was close. The earlier tie vote of 39-39 was broken by Representative E. L. Vaughan (Alleghany County) who was then in the chair, his being a negative vote.\textsuperscript{9} Cale did vote in the affirmative on the Bill’s passing its second reading as amended (59-27) and on the third reading (52-35).\textsuperscript{10}

\textsuperscript{8} House Journal, 1879, pp. 30, 69, 229, 256, 272, 608, 634; cognate Senate Journal, pp. 241f, 357, 434, 439, 489, 516, 554f. Representative W. C. Etheridge of “Coleraine” (Bertie County) introduced HB 778 on February 24, to incorporate the "State Grand Lodge, No. 10, Independent Order of Good Samaritans and Daughters of Samaria," but although the Corporations Committee reported it favorably on February 27, with an accompanying (and unexplained) minority report from the Committee, no further action on the Bill was discerned (House Journal, 1879, pp. 461, 584). Mr. Etheridge’s being involved in a contested election case for his House seat, could have had some bearing on the matter.

\textsuperscript{9} Camden's Representative S. J. Forbes also had voted in the negative, "but his response was inaudible" (House Journal, 1879, p. 265).

\textsuperscript{10} The vote was finally 52-35, since Representative Turner (Orange County) switched from aye to nay (House Journal, 1879, p. 280).
On still other railroad matters, Representative Cale was against various features of the proposed incorporation of the Lincoln and Catawba Railroad Company (44-50); favored aiding the construction of the Caldwell and Watauga Narrow Gauge Railroad (67-0), and aiding the Winston, Salem and Mooresville Railroad (71-1, 86-0). He also favored the incorporation of the Oxford and Henderson Railroad Company (66-3, 81-0) and allowing various townships in Rockingham County to subscribe to the stock of a railroad (73-1, 79-2). In addition, he voted for a bill related to bonds of the Williamston and Tarboro Railroad as part of the State debt (52-59), and for tabling a motion to reconsider the vote by which this measure passed its third reading (50-48). He likewise voted for amending the Act allowing the town of Milton to subscribe $15,000 in payment of stock in a railroad (79-0). He desired to keep the Carolina Central Railroad Company unconnected with other lines until it met certain conditions (49-45); was against tabling a bill to aid the completion of the Raleigh and Seaboard Railroad (13-51); and then voted for that bill (38-30).

The Western North Carolina Railroad took up its own space - as in the previous Session and as it would in a special session. Mr. Cale was against referring to a committee a resolution to raise a select committee inquiring into the management of the Railroad (39-63), and when the subsequently established select committee had its report ready, he was for suspending the rules to take up its findings on having investigated fraud in the matter (85-6). The report given, he voted against sending it back to the Committee (64-28) and gave an affirmative vote on tabling an amendment to Chapter 106, Laws of 1876-1877, aiding the "speedy" completion of this Railroad (67-25).11 In the State Capitol where many were considered, as in Elizabeth City earlier
when one or two were, railroads as they involved Mr. Cale’s and everyone’s attention generated steam entirely aside from locomotive boilers.

Likewise involving money matters was the issue of a privilege tax on merchants. Gentlemen in Asheville had gathered great sheaves of petitions decrying such a burden - among other moves accompanying that tax issue. Cale was against an amendment to a proposal altering the statute (28-88) but favored the proposal itself (98-11). In other areas of finance, he favored furnishing tabular statements of the State’s interest in all public works (82-20), and voted for settling the State debt (91-19) although he was characteristically in the minority in favoring the Bill’s not being binding until the people could vote on it (23-87). Later, he voted for adjusting and renewing a portion of the State debt (78-8).

He was against a phase of the revenue bill whereby an amendment to it would substitute 75 cents for 60 cents in a certain computation (36-64) and he generally did not like enough features of the Bill to vote for its passing the House - although it did (66-33). He was for suspending the rules to take up a resolution on public printing (54-48) but against referring it to the Printing Committee (65-33) just as he was on tabling a motion to reconsider the vote by which the resolution was referred (64-35). He, of course, favored reducing and regulating public printing (93-17).  

In reference to state agencies, he favored abolishing the office of State Geologist (104-5) and a two-year suspension of operations for the Agricultural Department and Geological 

---

12 House Journal. 1879, respectively. pp. 19, 20; 65; 592, 590; 736; 659, 660; 45, 46, 48, 55.

13 Paul W. Wager and Donald B. Hayman explain relationships to education on the part of the State Geologist and other agencies, in their Resource Management in North Carolina - A Study in Public Administration (Chapel Hill: Institute for Research in Social Science: University of North Carolina, 1947), e.g., pp. 5, 6, 7, 8.
Survey - with funds coming into either department being turned over to the State’s general fund (47-35). Mr. Cale favored tabling a bill creating a Board of Internal Improvements (51-47) but was against tabling a bill to amend the Act establishing a Department of Agriculture, Immigration and Statistics, 36-59 (Chapter 257, Laws of 1876-1877). He also voted against referring this Bill to the House Agriculture Committee.\(^\text{14}\)

Town matters must be considered. Wilimington wanted to pay its bonded indebtedness; Cale favored the Bill (69-3) but later voted to postpone a bill related to the town (40-52). Goldboro desired to issue bonds for a market house and town hall, and purchase a site for them; he favored that (85-0). Quhele (now Maxton?), formerly Tilden and before that, Shoe Heel, wished to be chartered; that was alright with everyone who voted (93-0, 78-0). Salisbury and Goldsboro received Cale’s affirmative vote on a bill authorizing these localities to collect taxes (77-1, 89-1). Asheville aimed for a special tax levy for graded schools; he voted "aye" (68-0, 84-[0]). Fayetteville needed an amended charter and appointment of a committee of finance; this was satisfactory (96-0, 93-0). Concord wanted its corporate limits extended - "aye" (74-0); Chapel Hill, its charter amended - satisfactory (75-4, 73-[0]); Winston’s charter needed revision - this was in order (82-0, 80-0); and Pittsboro, the same - also satisfactory (79-0). Nor did Mr. Cale or anyone else voting in the House object to consolidating the "towns of Salem and Winston" (79-0, 93-0).\(^\text{15}\) Thus was born Winston-Salem.

In the educational sphere, Cale favored revising and consolidating the public school laws (85-0, 90-0) and voted for the entire slate of University of North Carolina trustees. He was in

---

\(^\text{14}\) *House Journal.* 1879, respectively, pp. 56, 434; 373; 730, 771; 156, 166; 668; 579, 580.

\(^\text{15}\) *House Journal.* 1879, respectively, pp. 786; 789; 652, 708; 416, 451; 453; 580, 622, 653, 731; 706, 729.
agreement with amending Chapter 285 of the 1876-1877 Laws, which provided that townships having in them a city of 5,000 or more population was sufficient justification to allow "any one hundred respectable citizens" to petition for special tax levies favoring graded schools. The Bill to amend passed its reading 65-0 and 74-3.\textsuperscript{16} Aside from this Representative Cale was against a bill to establish normal schools at Trinity College and at Davidson College (56-41).\textsuperscript{17}

Counties presented varied problems. Bladen wished to fund its floating debt; Cale was for the Bill on its second reading (78-2) but against it on its third (70-8). For Brunswick's commissioners having the local citizenry vote on changing the county seat, Cale's votes were in the affirmative (70-2, 61-0). Cabarrus wanted to establish graded schools in its Township No. 12 - deemed a wise procedure (73-0). Craven wished to fund its floating debt and issue bonds; passed (69-6, 87-1). Edgecombe received a favorable response to funding its own floating debt (75-0), 64-1). Granville had failed to levy taxes in 1878; the House favored remedying the situation (100-0, 101-0) as did all but one member in reference to its funding its floating debt (72-1), although there was divided opinion on four days, rather than three, being the maximum period annually for which a man could be forced to work on its roads (24-65, Cale in the affirmative).

In reference to Halifax County, Cale favored reconsidering the vote defeating Representative Reynold's amendment to a bill (HB 484) prohibiting liquor-selling in the county,\textsuperscript{18}

\textsuperscript{16} Considering the attention given education in this and previous the Session, it may be appropriate to summarize school statistics in Cale's Pasquotank during the 1870s. Its Board of Education apportioned $195.78 to colored schools (@ 151 persons) for 1873, and reported 315 Negroes in the Elizabeth City school census at July 1, 1874, increased to 707 such persons at July 1, 1878 (Minutes, Board of Education 1872-1885, pp. 2-3). The North Carolinian (September 27, 1876) reported the school census for Pasquotank County as 2,736 (1,450 whites, 1,286 Negroes). Polk's Handbook of North Carolina for 1879, listed thirteen Negro schools in Pasquotank (p. 90), serving a black population of 3,951 (p. 264).

\textsuperscript{17} House Journal, 1879, respectively, pp. 686, 707; 122; 739, 759; 471.
this amendment being to submit the proposal to the voters (44-39). Naturally, Representative Cale then voted for Reynolds' amendment (45-39) but the whole thing went up in fumes since the prohibition bill eventually received indefinite postponement.

Harnett's request that the Upper and Lower Litte rivers be a lawful fence, created no such maneuvering - Cale and just about everyone else favored the idea (71-1, 73-3). Like treatment attended amending a bill allowing a road to be "put" from Quaker Bridge (Jones County) to a point near Tar River Landing in Onslow County (71-0, 76-4). Cale had no objections to a measure designed to prevent livestock from running at large in Rowan, Davie, and other counties (81-14, 81-18) and more than likely his was a resounding "aye" for repealing the Act passed in the 1876-1877 Session which had created a criminal court in Wake County - a vote on this being 52-44.18

Wide was the assortment of matters other than these, on which Mr. Cale's vote was recorded. He favored another bill on concealed weapons (that one of 1876-1877 mentioned only Alleghany County, as ratified) and, as amended, the tally stood at one point: 80 for, 27 against. As in the previous Session, the Bill itself was variously assaulted, one instance including insertion of "metallic" before the word "knuckles."

He voted for House consideration of private and local bills on Tuesday and Thursday nights (21-73). He favored relief for the blind (88-1). He once favored an adjournment (42-36) whereas he more often desired to keep at work.

He was against a resolution favoring enrolling and engrossing clerks (46-36) as well as provisions of a bill related to trumps (56-31). He did not approve a measure to recover certain

18 House Journal, 1879, respectively, pp. 388, 437; 360, 368; 440; 236, 240, 670, 745; 47, 62, 657, 384; 292, 293; 453, 463, 744, 760; 525, 717, 303.
State property and indicting persons for "spoliation of the State" (12-73). Cale also objected to reconsidering the vote on a joint resolution related to the election of magistrates (51-32) and to tabling a bill "concerning public officers" (65-29). He also was against tabling a bill enlarging and defining powers of justices of the peace (48-28) and tabling a bill to relieve merchants and traders "in certain cases" (40-33). He voted affirmative to relieving sureties on the bond of the "late" tax collector of Fayetteville (67-0, 77-0) and was against tabling; while favoring a resolution related to funeral expenses of Chief Justice Pearson (25-65, 55-27). Cale was for tabling a report regulating the practice of dentistry (42-44)\(^\text{19}\) but was against tabling another bill to prevent overcharges in the sale of merchandise (36-56 - a Better Business Bureau would applaud Grocer Cale). A proposal on "salaries and fees" took some pounding - the House and Senate versions alike: Cale favored another amendment (55-46) and yet another revision (58-43). On commuting, compromising and settling the State debt, he was for an amendment (52-64); against the Bill's passing the House (69-48); and against tabling a motion to reconsider the vote on its final House reading (68-46).\(^\text{20}\)

Other laws of a sweeping nature had their nettlesome moments. Cale was against substituting five dollars for fifty dollars in amending the law on maintaining lunatics outside the asylum (19-87) and likewise frowned on only the indigent insane benefitting from the measure

---

\(^{19}\) Before this close decision, Mr. Ellison moved to amend: "Provided, that no one applying for a license to practice dentistry shall be denied such license on account of race, color or previous condition of servitude" (italics as in original). A motion to table was lost; Ellison's amendment was adopted; the Bill passed its second reading only because Speaker Moring broke a 41-41 tie (House Journal, 1879, pp. 238, 239).

\(^{20}\) House Journal, 1879, respectively, pp. 482; 382; 305; 733; 330; 349; 575; 154, 159; 225, 774, 758; 755, 756; 239; 436; 479, 595, 712; 601, 602, 603. Richmond M. Pearson (1805 - January 5, 1878) was in the House of Commons (Rowan County), 1829-1833; Superior Court Judge from Davie County, 1837-1848; Justice, Supreme Court from Yadkin County, 1849-1858; Chief Justice, 1858 until his death (Cheyney, Government, pp. 294, 295, 297; 361, 370 n 85; 361, 368 n 51 |"Associate Justices":| p. 360 |"Richard", corrected p. 1411]; 368 n 39, 571, 581).
under consideration (53-55). Nor did he wish to alter the State constitution in reference to the insane (80-25). The whole Bill eventually was tabled on motion of Mr. Ellison. Later, however, there was another move to amend the State Constitution in reference to support of deaf mutes, the blind and insane - which Cale fought (78-16) as he did a measure related to insane persons not in asylums (50-41). Jailers' fees came to the forefront. Cale objected to reconsidering the vote which had been taken on the matter (56-26); was against reducing fees from 30 cents to 20 cents (46-32); and disapproved the Bill itself (45-32) - the measure obviously losing supporters as it moved along.

Mr. Cale favored amending a bill on revising and digesting the public laws of North Carolina (48-54) and, that amendment lost, he was against the Bill itself (23-80). He was for postponing indefinitely an amendment to Section 11 of the State Constitution, regarding crimes and punishments (58-45) and also wanted indefinite postponement of a bill regulating usury (62-27). He voted for (51-27) tabling reconsideration of the vote by which alteration to Section 2, Article VI, State Constitution, was tabled, as well as giving an affirmative on exempting capital cases, homicide, and assault with intent to rape, from non-removal of causes "except when the ends of justice absolutely require it" (35-66). He thought well of providing for impeachment procedure before a judge of superior court, and a measure concerning justices of the peace accused of public drunkenness or corruption in office (78-21). He saw no merit at all in tabling an amendment to the "County Governments" Act (66-48, which includes a negative vote by a House member who returned after his illness when the original tally was taken). Cale did not mind adjourning before considering a bill exempting sale under execution of personal property items (40-52); and he favored an amended bill related to public roads and highways (76-0, 82-3).
He also voted "aye" on Representative Reynolds' amendment to an election law proposal - Mr. Reynolds' revision providing stringent penalties for curiosities in voting procedures (28-59).  

A plethora of issues was indeed the circumstance for a member of the General Assembly. Perhaps it should also be remarked, again, that vote tallies involving Cale showed a certain independence. Sometimes his opinion was with the majority, sometimes not. Some House decisions were unanimous, still others very close, or ties. The voting of the Gentleman from Pasquotank as with other representatives was not necessarily a rubber-stamp procedure.  

What of proposals more directly involving or affecting Cale's constituency? What of his own bills, amendments, or other parliamentary maneuvers?  

One item in the local constituency category was SB 661, introduced by First District Senator R. White of Belvidere (Perquimans County) on February 24. This would change the time of elections in Elizabeth City. The Bill was put on the Calendar and, apparently, not heard from again. Faring better was White's SB 693 (introduced February 27) which would authorize Pasquotank to levy a special tax. This passed the Senate as amended, on March 3. The House received it on March 5; Cale and colleagues voted for it on March 8 (72-0); and it was enrolled for ratification on March 12 under the heading of SB 693, HB 923.  

Still another of Senator White's measures was SB 608, introduced on January 29 - the day Governor Vance's letter of resignation was received by the North Carolina Senate because he had been elected a United States Senator. This Bill would allow Pasquotank's county commissioners to determine the County's indebtedness and, as amended by the Senate Propositions and  

---

21 *House Journal*, 1879, respectively, pp. 400, 401, 404, 423, 688, 784; 355, 357; 180, 182, 194, 208, 225, 254; 407, 112, 114; 469, 656, 725, 693.  

22 *Senate Journal*, 1879, pp. 370, 490, 519, 539, 562 (called SB "593"). 686; *House Journal*, 1879, pp. 664, 743, 768f. 798. It is Chapter 21 of the 1879 Session Laws, pp. 577f.
Grievances Committee, it passed that chamber on February 4. Received by the House on February 11, its members approved it on March 8 (now SB 608, HB 572) and it was enrolled for ratification on March 10.23

One item went into a state of suspended animation, as nearly as can be determined from the House Journal. HB 597 provided for payment to jurors in Edgecombe County. Subsequently, various other counties were proposed for the Bill - Jones, Craven, Pitt, Bladen, Caswell, Warren, and Pasquotank - and the House Finance Committee, to which the measure was referred, reported it (March 12). That seemed to end the matter; the Assembly adjourned its 1879 Session that day.24

Long before final adjournment, however, a man could add to the decibel rating of the House by saying something more than "aye" or "nay." On Monday, January 20, "by consent, Mr. Cale introduces a bill to render jurors who have cases, on the civil or criminal docket competent to serve on the jury; which is referred to the committee on the Judiciary." While he waited for that group's decision on his idea, Cale presented a petition from Elizabeth City citizens to extend the town's corporate limits, and then he (Mr. "Cole") introduced the same idea in the form of a bill. This was on Thursday, January 23. Both of these items went to the Corporations Committee.

The next day, Friday, Representative Charles M. Cooke of Louisburg (Franklin County) gave the Judiciary Committee's report on HB 198, Cale's Bill on jurors. This, in effect, would


24 *House Journal*, 1879, pp. 732, 740, 797. Since SB 333, to pay jurors, reached ratification, it may explain the apparent absence of final action on Representative Clinton W. Battle's bills for Edgecombe County (the Black legislator introduced two such bills).
repeal Section 229g, Chapter 17, in *Battle's Revisal*. Specifically, Chapter 17 was the "Code of Civil Procedure" consisting of eighteen "Titles," Title X in this Code being named, "Of the Trial by Jury, and its Section 229g reading: "If any of the jurors drawn shall have a suit pending and at issue in the Superior Court, the scrolls of their names must be returned into partition No. 1 of the jury box." 25 The House Judiciary Committee, via Mr. Cooke, was unfavorably disposed to Representative Cale's measure. Furthermore, on Monday, January 27, Mecklenburg Representative J. L. Brown of Charlotte, moved that Cale's Bill be tabled and it was so.

Monday, January 27, was not improved for Mr. Cale by a measure from Representative James M. Woodhouse of Poplar Branch (Currituck County). Mr. Woodhouse introduced a petition against extending Elizabeth City's corporate limits. This, too, went to the Corporations Committee. Likewise illustrating that Monday was not Cale's best day was HB 16, to amend the 80-Section Act of 1876-1877 (Chapter 275) regulating elections. Up for its second reading that day, on motion of Representative E. A. Bizzell of "Harper's" (Johnston County), the Bill is "laid on the table, after an ineffectual call for the ayes and nays by Mr. Cale."

Better news came on Wednesday (January 29) when Representative Edmund Jones reported favorably HB 256, Cale's legislation to extend his town's corporate limits. On Friday (January 31) while awaiting more action, Cale voted for Representative E. L. Vaughan (Alleghany County) becoming Speaker pro-tem (93-[O]) and a week later (Friday, February 7) he heard Representative Woodhouse introduce a petition from Pasquotank citizens desiring a new charter for a railroad from Elizabeth City to Norfolk (referred to the Internal Improvements

---

25 Page 195 of *Battle's Revisal*. The "box" was described as just that - divided into two partitions and double locked with two different officials having keys. A child not over ten years old drew names (scrolls) from one side and these were deposited in the other part of the box. Approved names constituted the various initial juries.
Committee). Finally, on February 11, Representative Ira S. Blaisdell of Hertford (Perquimans County) moved that HB 256 - corporate limits of Elizabeth City, introduced by Cale - be put on its readings. It passed them and was ordered to be engrossed, meaning it had been amended, and sent to the Senate.

The day before this happened, Representative Cale put in a bill to "authorize the mayor and commissioners of Elizabeth City to pave and light the principal streets." This idea of Monday, February 10, was sent to the Corporations Committee. On Tuesday, Cale was granted his sole request for leave of absence, from "tomorrow until Friday." While he was gone, his Bill on extending limits was received by the Senate (February 12). Mr. Cale was back, on Friday, for the 7:30 p.m. session and presumably caught up on developments occurring during his absence. One such development was his corporate limits bill (now HB 256, SB 497) being enrolled for ratification on February 22, since by then it had also passed the Senate.

Another and earlier development was his Corporations Committee’s report, via Mr. Holt, recommending that "HB---" on paving and lighting Elizabeth City’s streets be referred to the Judiciary Committee. This was Tuesday, February 18. Three days later, Cale answered a quorum call during the 7:30 p.m. session. More interesting was a little event during that morning’s session when he probably felt a degree of pride, since "Mr. Cale, from the committee on Corporations, reports favorably on HB 678, a bill to incorporate the East LaPorte Masonic Lodge, No. 358, Jackson County." He could do a tiny bit of committee reporting, too!

That same day, Cale moved to amend HB 692 - which provided for keeping in order the public roads of the State - and joined eleven other representatives in receiving rejections for their several amendments to that measure. (Cale’s was to exclude Pasquotank; another legislator
desired to exclude ministers in good standing.) One gained a little, lost a little. The next day, Saturday, February 22, Cale lost a little more, when Representative Cooke presented an unfavorable report from the Judiciary Committee on HB 539, Cale’s paving and lighting proposal. Pavement and street lights came to Elizabeth City - there had been and continued to be local agitation for such - but those improvements did not occur at the time through this legislative effort by Hugh Cale.

Earlier in the Session, the Gentleman from Pasquotank had been against striking an amendment on adultery in reference to revising two Sections of Divorce and Alimony laws (58-53) - debate on this phase of the Bill’s passage having taken place before a cleared gallery and behind locked doors. Cale later voted for adopting a substitute to HB 14 (the number assigned the original Bill), it passing by a vote of 59-48. Now, not totally unrelated, there was before the House on Monday (February 24), SB 43, HB 297 - a measure to punish the seduction of women. Representative Jones moved to table the measure, Cale and some colleagues in agreement, but things reached a deadlock: the vote was 42-42. The Speaker broke the tie with a "no" vote and the Bill was not tabled. Next, the House adopted an amendment by Representative Ellison that, if the man were accused then married the woman on or before the trial, proceedings would be quashed and the defendant pay the costs. By a 33-32 vote (names not given) another amendment

---

26 Regulations for lamplighters had been formulated by the city commissioners in 1874 and Cale had earned $18.00 for doing the job during a Methodist conference held there that year (North Carolinian, May 27, 1874, p. 2; January 6, 1875, p. 2). Nonetheless, even by November 5, 1888, "Whitmel Lane and others" found it necessary to request a lamp "at Corner of African Church street and Lane - petition granted" (Corporation of Elizabeth City, Minute Book 4, p. 84). A half-century later, city-wide illumination was still in the future.

27 House Journal, 1879, respectively, pp. 92, 115, 118, 128, 158, 149, 152, 179, 207, 258, 301, 283, 304, 310, 447, 378, 438, 428, 432, 446; cognate Senate Journal, pp. 265, 284, 298, 331, 359. The Act on corporate limits is Chapter 21, Private Laws of 1879, pp. 577-578. The Public and Private Laws of this Session are in a single volume; Private Laws begin at page [551].
providing for false accusations by women, just passed its hurdle. Still another amendment stipulated that the lady must complain before a justice of the peace within sixty days; it was lost (27-41, again no names recorded). Also rejected was Representative Cale's amendment: "Provided, that women over forty-five years of age be debarred from the benefits of this act" (italics in original). The electorate would no doubt have mixed reactions to the whole affair.

Tuesday, February 25, involved less piquant issues. Up for election was a slate of justices of the peace to fill vacancies for terms expiring August, 1879. Elizabeth City's Marshall Bertrand Culpepper, of the gorgeous penmanship; James White, David Daily, Samuel J. Halstead, William J. Munden, and James S. Wilcox, also of the Elizabeth City area, were the nominees for Pasquotank's several townships - most of these men being well recognized personalities locally, and some (like former Representative Munden and others) known beyond the County. "Mr. Cale votes for the whole list presented except as to what relates to Sampson County." Meanwhile, Representative William E. Clarke of New "Berne" (Craven County) had given notice of protest from the minority, against nominations presented by the majority. On Wednesday, the tellers' report on magistrates elected was accepted by the House, Pasquotank's list remaining intact, as did many others. Also, it came to pass that justices of the peace would be, ex officio, rangers of townships in which they resided (SB 52).

Also on Wednesday, Mr. Speaker Moring presented three petitions from Pasquotank's citizens against enacting the "no fence law." He thus joined other legislators who reflected

---

28 *House Journal*, 1879, respectively, pp. 120, 118f, 121, 464-466. The Bill passed its second reading, 44-32 (no names recorded), but was held up from a third reading at the time by a 51-31 vote (no names) since the tally did not represent a needed two-thirds majority on suspending the rules.

29 *House Journal*, 1879, respectively, pp. 506, 521, 516, 537, 560, 578, 533.
home folks’ possibly bypassing Representative Cale in getting some matters before the Legislature. One other matter, however, was neither a bill introduced by Representative Cale nor an example of bypassing him (presuming the others were). What the bill did make possible, though, was addition to a growing aura of name-recognition for Mr. Cale.

Specifically, this item took shape in a measure (HB "639") introduced on February 17, 1879 by Representative W. H. Orchard (Cabarrus County), to incorporate the Zion Wesley Institute. The House Corporations Committee of which Mr. Cale was a member, reported the Bill favorably on February 18. It passed its readings as HB "638" on March 8; was reported correctly engrossed and sent to the Senate (with the latter bill number) on March 11; and was enrolled and ratified on March 14, 1879.\(^{30}\)

This school, sponsored by the African Methodist Episcopal Zion Church, came to be known as Livingstone College (located in Salisbury) and reflected Elizabeth City involvement almost from its earliest days. A. M. E. Zion Steward Cale had connection as a church-member; was a member of the legislative committee approving the school’s incorporation; was present during two legislative sessions (1879 and 1885) when the school’s interest came before the General Assembly; and at least twice through most of a decade, he was a member of its trustee board - not to mention Representative Cale being a well-known citizen of Livingstone President Joseph Charles Price’s native town.\(^{31}\)

---


\(^{31}\) Price (1854-1893) is honored with a State historic marker relocated to the Oscar V. Hobbs Park (dedicated 1985) on Elizabeth City’s Water Street. The marker was dedicated by A. M. E. Zion Bishop William Jacob Walls (March 14, 1968) with participation by the ECSU Band, Livingstone Choir, and Mt. Lebanon’s then pastor, The Reverend Carroll M. Felton, Jr. (ECSU Archives). The Price marker’s original location was adjacent to the former Albemarle Citizens Council’s park; “racial integrity,” the Council’s slogan trumpeted.
It was getting late and the work load had been heavy. Legislators were becoming invisible and quorums likewise. Thus, during the 7:30 p.m. session on February 28, there was a roll call; Representative Cale was present along with sixty-two other legislators.

On Monday, March 3, the House convened at 1:00 p.m., instead of the usual 10:00 or 10:30 a.m. It had a quorum call; it adjourned to 2:00 p.m. For once, Cale got caught; in fact, he apparently did not go to work that day. He did go back, of course, and was present for part or most of the Tuesday, March 11 session (as well as during preceding days) convening at 7:30 p.m. But, by the time of that latter session’s adjournment at 12:30 a.m., Mr. Cale was absent or not voting. Nor could evidence of his presence be found for Wednesday, Thursday (roll call; 61 present), and Friday. Thus it does not appear that Representative Cale was there personally for a testimonial of appreciation and a watch, presented with appropriate oratory to Mr. Speaker Moring on Wednesday, March 12. Representative Cale doubtless favored the spirit of the occasion despite his apparent absence.

One assumes Mr. Cale also would be favorable to a resolution of thanks to Raleigh’s "preachers" who had served the House. Also, had he been present, he may have been bemused by the fact that, in a way of speaking, Negroes closed the business of the 1879 Session in the House, as they had done for the Session of 1876-1877. The very last bill considered on the 57th day (Friday, March 14) was taken up on motion of Representative Ellison. This was SB 911, to remove incurables from the Insane Asylum and "provide for the curable." Pending its second reading, the Senate announced "the readiness of that body to adjourn. And a message is sent to that honorable body announcing the concurrent readiness of the House." That ended SB 911. Next, Representative Reynolds offered a resolution of thanks to the Speaker and House officers;
it was unanimously adopted. Lastly, Representative J. L. Brown (Mecklenburg County) offered a resolution of thanks "to the colored members of the House for the gentlemanly bearing and faithful and impartial discharge of duties"; this, too, was adopted unanimously. 32

Mr. Speaker Moring felt it proper to make a few "appropriate remarks." 33 Then he banged his gavel and the House went home.


CHAPTER 10: THAT RAILROAD AND OTHER MATTERS (1880)

A year and a day after the Session of 1879 adjourned, Representative Cale was back in Raleigh with his colleagues for a special session called by Governor Thomas J. Jarvis. The House convened March 15, 1880 at Noon, primarily to consider financial matters connected with the Western North Carolina Railroad, "to Ducktown and Paint Rock." The House, although advised by Governor Jarvis in his address to the General Assembly not to do so, also considered assorted other items during the Session, including a vote to expel one of its members.

Before putting members out, of course, there should come the matter of getting them seated. On Tuesday, March 16, HR 5 was put forth. It would allow a gentleman from Bertie County to be seated, but the House would not suspend the rules and consider the measure (45-53, Cale in the affirmative). In another contested matter, the representatives said "no" overwhelmingly to tabling HR 4: to investigate the facts for failure to sign into law the School Bill passed during the 1879 Session (6-93, Cale in the refusal column).  

---

1 For one account of his achieving gubernatorial status, including his wife's pro-Klan sentiments, see Elgiva D. Watson, "The Election Campaign of Governor Jarvis, 1880: A Study of the Issues," North Carolina Historical Review, 48 (1971), 276-300. Earlier, as Lieutenant Governor, Jarvis had addressed the Senate on January 2, 1877. He noted then that "certain features of the government of North Carolina passed quietly away" the year before; hoped "no bitter words" would accompany the demise; and extolled the "magic power" of Vance's name "that worked this mighty revolution in the State ...." He continued: "Yesterday the amendments to the constitution ... became a portion of our organic law... [and] gave us enlarged powers." "Many of our people," he said, "opposed this grant of power. Not a few of our colored fellow-citizens even to-day fear it will be used to their detriment. Let our acts teach them there was no cause for such fears, and that their rights will be held sacred by us." (Senate Journal, 1876-1877, pp. 124, 125.) Mrs. Jarvis' Klan opinions (e.g., recalling that: North Carolinians had to "go through the 'hell' of Congressional reconstruction, and drink deep of its fiery broth, before her Senators and Representatives could be admitted to their seats"; that the Negro's "crude self conceit was flattered" while the "'Carpetbagger' and scallawag [sic] population... churned up their witches cauldrons"; meanwhile ignoring "utterings of a people goaded to madness") may be seen in her "The Conditions that Led to the Ku-Klux Klans," North Carolina Booklet, I-12 (April 10, 1902); the quotations are pp. 12, 17. June Dunn Parker's biography of the Governor is DNBC, III, pp. 273-274.

2 An overview of the railroad matter (which was not restricted to the 1880s) is Margaret W. Morris, "The Completion of the Western North Carolina Railroad: Politics of Concealment," North Carolina Historical Review, 52 (1975), pp. 250-282.

3 House Journal, 1880, pp. [7], 14, 15.
Regarding still other matters, the tunes were familiar: considering incorporations, special tax levies, amendment of legislation previously enacted. These were the few instances when little or no controversy developed. Cale voted "aye" to constructing a bridge in Jackson County across the "Tuckaseige" River (94-1, 104-1); on submitting to affected voters a proposed special tax for Polk County (95-0, 90-[0]); for incorporating Middleburg in Warren County (87-0, 96-0); to amending the charter of High Point in Guilford County (93-0, 95-1); and for establishing graded schools in Salisbury and in the Township of Goldsboro (106-[0], 101-0). A little argument developed on renewing a lost amendment to the bill calling for free passage of fish, up the Cape Fear River; Cale was against renewal (50-33). On tabling a motion to reconsider the vote by which an amendment to Chapter 29 of the 1879 Laws lost its second reading, the vote was closer, Cale in favor of tabling (56-40). However, he was against tabling Josiah Turner's certain "resolution of inquiry," and among the minority in this instance (76-33).

Relative equanimity prevailed in incorporating Richlands in Onslow County (90-2, 77-0), Mebaneville in Alamance County (97-0, 91-0), and Aurora in Beaufort County (97-0, 87-1) - Cale favorable in each instance. On the "relief" of Beaufort County itself, he was consistent in favoring an amendment which would allow voters affected to decide the measure. That amendment rejected, he voted against the Bill (73-21). At its third reading, again the amendment was put, favoring voters - which Cale liked and the majority did not (45-54); he again voted against the Bill (68-34). The House quite peacefully approved incorporating Randleman Mills in Randolph County (60-1, 94-0), Mr. Cale

---

4 House Journal, 1880, pp. 20, 26, 33, 43, 51, 57, 70, 79, 76, 90, respectively.

5 Ibid., pp. 34, 52, 62.
favoring it, but for every other matter on which his vote is recorded, the bills - whatever their nature - received their lumps.

For instance, there was the relatively innocuous-sounding measure concerning the "King's" Mountain Centennial: it passed its second reading, 48-37, Cale against the measure. On passing the second reading of an amendment to the Revenue Act of 1879, the vote was 41-33, Cale favoring the amendment. On a March 26 motion to adjourn, the tally was 24-50, Cale against adjournment. A bill related to a canal in Duplin County passed its second reading, 72-19 (Cale, "aye"), and a Senate resolution favoring a citizen won its second reading, 58-22 (Cale favoring the citizen). On tabling "H. B. --," which would substitute for all bills on road laws offered during the Session, the vote was 38-55 (Cale against tabling it).

One could note rather determined objections to widely assorted matters. Ubiquitous contrariness from Representative Turner coupled with the Bertie County contest for representation perhaps did little to sweeten the mood of a House which was not at all apathetic in the first place about HB 1 - that Railroad, and the reason for the present Session.

The House settled first the matter of the Western North Carolina Railroad. One could expect the measure to be pummeled. Cale favored a proposal to take up the Bill by sections, amend these if a member must, then act on the amended section. The vote was 47-60, so that idea was derailed.

---

6 Ibid., respectively, pp. 78, 133, 93. 79, 120, 92, 83, 94.
7 House Journal, 1880, respectively, pp. 98, 121, 122, 131, 132, 85.
8 Ibid., p. 81.
On March 25, 1880, amendment fever perhaps reached a high point. Perhaps the process was not unlike that of hardworking, valuable switch engines assembling and dismantling over and again until finally the completed train is ready for the high iron. What resulted probably would not resemble the original dispatcher's design. And so, the amendments. Many were lost.

Representative Cale was with the majority rejection of one amendment (41-68) and in the minority for another relating to a favored location (37-61). It was perhaps safe to report that the Gentleman from Pasquotank more often voted with his judgement than his party affiliation.

Mr. Cale also gave notice of offering his own amendment, but before doing so he must cast his favorable and minority vote on an amendment regarding liens (42-63). Once again he favored a losing amendment (35-61), then he put and lost his own revision. This related to Section 6, Line 11, of the Bill wherein he would substitute "one hundred and twenty-five" for "one hundred and fifty" in reference to ________ (the tally on this was not recorded in the Journal).

The Railroad Bill passed its second reading (82-22, Cale with the minority). On March 26, the measure puffed to its third reading, passed it (89-21, Cale with the majority) and perhaps wheezed a bit before beginning the final leg of its run in the Senate.9

It was getting time to go home. This was, after all, a special session and presumably designed to be a short one. First, however, Surry County Representative N. P. Foard of Elkin, introduced a resolution to expel Mr. Turner (Friday, March 26, Representative Cale present). The gentleman in question had also been rather difficult to get along with during the 1879 Session.

9 House Journal, 1880. respectively, pp. 95, 101, 100, 104 (Cale), 105, 113. The measure was ratified March 29, 1880, and became Chapter 26 of the Session Laws (pp. 58-67).
Mr. Foard's Resolution was postponed for consideration until 8:00 p.m. that day. That evening, Wake County Representative Stewart Ellison (from Raleigh) moved to postpone the Resolution to the next day; he subsequently withdrew his motion. Union County Representative D. A. Covington of Monroe offered a substitute for Foard's Resolution which would censure rather than expel Representative Turner. The latter greeted this gesture with continued remarks of non-conciliatory nature, contrary to the rather pleasant description of him years later by J. G. Hamilton, so Mr. Foard renewed his resolution to expel. This time, the House was apparently exasperated. It put Mr. Turner out. Representative Cale was present and voting.

The following day, Saturday, the House turned its attention to the Bertie County matter. The member sitting was unseated; Representative-elect Augustus Robbins, a Bertie County Baptist church organizer, was then seated. That took care of that. Representative Cale was present and active with his colleagues.

Monday, March 29, the thirteenth day, Representative Ellison introduced a resolution to investigate "cruelties practiced upon convicts on the University railroad." It was placed on the Calendar. Later, the House adjourned until 12:40 p.m., to allow the Enrolling Clerk to catch up on his work. The House then adjourned for good, at 1:00 p.m. - various members apparently gone already, Cale included - and Mr. Ellison's measure thereupon became defunct, unfortunately for the convicts.

---

10 Hamilton, *Reconstruction, passim.*

11 *House Journal*, 1880, pp. 115, 118, 119, 125. Mr. Robbins would be a member of the 1881 House. He should not be confused with Representative Parker D. Robbins, also a Bertie County Negro, who served in the House, 1868-1872 (Balou, *North Carolina's Black Legislators*).

CHAPTER 11: HOME WORK

Unlike the dim days of mid-1876, Hugh Cale did not suffer a seeming eclipse after his most recent political service. But neither did Cale bask in the civic sunlight exclusively. A certain aura would naturally surround a two-term (and special session) member of the North Carolina House but that aura could acquire haziness when its bearer was a Negro office-holder. This would be expected as Democrats (locally and elsewhere) struggled against embattled Republicans in their (the Democrats’) unrelenting efforts for political supremacy. White Republican tactics in this continuing battle included adopting a more superior and less comradely posture with Negroes. The Negroes were still useful for votes, however, and Republicans still had time left before they must fold their political tents and move to smaller pastures. Thus, between the factors of vote-value and available time, maneuvering room was present for an energetic man, should he have political aspirations. Such a person could gear his actions to those which might keep reasonably intact such gains as already had been made. Mr. Cale, Representative-at-rest, had a vehicle or two for exploring such possibilities. For one thing, he was then a justice of the peace. Accordingly, we might catch up with his activities in this role and others which he had.

On June 10, 1878, Magistrate Cale was in session with other justices of the peace when they "Ordered that new registration of voters be had in Pasquotank County." The Order probably would not harm the Magistrate or potential office-seekers when it came time for voters to consider a bid for the Legislature and other posts.

Aside from updated voter registration, one’s attention was drawn to still other duties. Cale, justice of the peace, was notified on July 9, 1878, to be at the courthouse with other
Elizabeth City magistrates, on July 10, so that a new registrar of elections could be appointed. The current one was ill. Mr. Cale was somehow absent on the 10th. With his fellow justices, Cale did meet on August 5, 1878, to elect five county commissioners for a two-year period, beginning December 1, 1878. Among those elected was the Reverend W. W. Kennedy.¹ Later on, Hugh would have occasion to serve with him as a commissioner himself. Five days later, Saturday, August 10, Cale must meet with Pasquotank's commissioners in his role as justice of the peace. The issue was whether a tax should be levied to pay the full amount of a mandamus judgement against the Board. Hugh's opponent in the 1876 Legislative race, Dr. Rufus K. Speed, along with Cale and W. B. Pritchard (or Pritchetti), protested the commissioners' idea of not having a levy. Messrs. Cale and Speed made it clear that their protest was to be entered in the minutes. It was. The Board ordered that a property tax levy be 30 cents on $100 valuation to pay the judgement, plus 90 cents for "each poll." Cale then protested the 90 cents tax and was outvoted. He wished the protest to be in the minutes and it was recorded therein. The Board thanked Dr. Speed for presiding at the meeting.²

Besides being a justice of the peace (Cale also met in that role with the commissioners on August 4, 1879, for tax matters), he was suretor on a performance bond in 1879, on behalf of the county sheriff,³ and he was again Elizabeth City's treasurer - in 1879, 1880, and 1881.⁴ One vignette of his operation as funds custodian comes from the county commissioners' Order

¹ MS Minutes, Justices of the Peace 1878-1882, North Carolina Division of Archives and History (Raleigh).

² Commissioners' Minute Book 1, pp. 297-298; also, MS Minutes, Justices of the Peace 1878-1882, Division of Archives and History.


⁴ Minute Book 2, pp. 368, 398. He had served seven years as Treasurer by the time he returned to the House in 1885.
#699, that "Hugh Cale Treasurer of the Corporation of Elizabeth City be allowed $175 balance of the one-half which the Board agreed the County should pay on repairs of Long Bridge and Gaskins Bridge." This was in 1880.\textsuperscript{5}

Earlier and for some reason not determined at the time of this writing, Mr. Cale and Pasquotank's Board of Commissioners disagreed sufficiently to require the court's assistance in ameliorating the matter. Cale won his case (1877) and was awarded $600. Portions of the sum were paid through his attorney and former colleague, Cyrus W. Grandy, Jr., and the matter was finally settled.\textsuperscript{6}

Other money matters were less involved. On January 5, 1880, the commissioners of Pasquotank, via their Order No. 676, allowed Cale the sum of $5.40 for three jury tickets for August term, 1876, and for an unnumbered ticket for August term, 1875. For services as justice of the peace and "Supervisor," they allowed him $4.00 on February 2, 1880. For court cost and "limage," they paid him $10.00 on March 6. Quite a bit later, Cale was still connected with Poorhouse matters; on June 5, 1882, commissioners of the county reimbursed him for services rendered (quite likely, supplies).\textsuperscript{7}

Less prosaic was a reportedly gala occasion when one North Carolinian presented another, younger native son to an Elizabeth City audience, "densely packed with both white and colored, (notwithstanding an admission fee was charged at the door)." This occurred at Mt. Lebanon A.

\textsuperscript{5} Ibid., p. 408.

\textsuperscript{6} Judgments located in Pasquotank's Register of Deeds Office among MS documents entitled Old Papers - Board of Education, Etc."

\textsuperscript{7} Minute Book 2, p. 406; MS Record of Funds Paid, Office of Register of Deeds, pp. 195, 240, 241.
M. E. Zion Church, presumably during 1879, when the young native son was enrolled in the "Elizabeth City Normal School," Rooks Turner, principal. The occasion was commemoration of whichever young lady won "a very valuable prize" because she "raised the most money" in a Church-sponsored "entertainment." The winner chosen, 18-year-old Charles B. W. Gordon was given the dual honor of presenting the prize to her and orating in a style appropriate to the circumstances. First, the orator must be introduced. According to the teller of the story, the introduction of Gordon was as follows (italics as in source):

When the moment was up, Mr. H. Cale, who was then the representative in the Legislature of North Carolina from Pasquotank County, arose and introduced Mr. Gordon in the following happy style:

"Ladies and Gentlemen: I rise to introduce to you one of North Carolina's most promising sons; one who, if he continues as he has started, is destined to carve his name upon the very top round of his country's honor, er many months go by - (applause) - one whose gallant brow is wreathed the very token of fame and approaching greatness. (Applause.) The rural lad, the city genius, the rustic farmer, yet the polished suburban flower; in short, I rise to introduce to you the coming orator of Eastern North Carolina. (Applause.) I need not say that I refer to the right worthy Charles B. W. Gordon, who will address you." (Gordon - applause; Gordon - loud applause).

No other known account credits Hugh Cale with such florid verbiage. On the other hand, he had heard enough of it and doubtless decided to adopt some style features, possibly aside from editorial embroidery. In keeping with the spirit of things, young Gordon's reported reply to the Legislator's introduction, also had wind power (italics as in source):

Ladies and Gentlemen: While I feel highly flattered by my venerable friend who introduced me in such complimentary terms, and in so magnaminous a style, I am, nevertheless, happy and proud, as well as honored and flattered, with the privilege to speak to you on this auspicious and momentous occasion. I am very much obliged to my friend for the good things he has said of me, while I fear the manner in which I have been introduced to you will cause you to be disappointed, which, if you are expecting a fine

---

¹ This School was in the structure erected through Thomas Cardozo's efforts, its local Trustees maintaining the building, his former student now its head.
speech from me, you certainly will be. Yet, if the hard, earnest labor which I have undergone in grappling with difficulties and disadvantages, have assured my friend Cale of my future greatness, it is all the more gratifying to me.⁹

And so forth. No one could legitimately accuse some late-19th-century Negroes in Pasquotank County, North Carolina, with deficiencies in oratorical dalliance.

In a different vein, Mr. Cale, appearing in as many roles as he did, was bound to incur displeasure along the way. Besides instances cited or implied earlier, there was the occasion in 1883 when the former Representative was in disagreement with his colleague of thirteen years ago, former Elizabeth City Magistrate Jesse R. Brown. The cause is not known to us but there was apparently a change of heart by Mr. Brown and the disagreement no longer appears to have been a problem.

More serene perhaps, was Cale’s having served as a poll keeper and registrar later in 1883. For this, he was awarded the county commissioners’ Order #2465 on December 3rd, covering a $3.00 payment at $1.00 per day.

Events beyond the hearth should not occupy a man’s entire attention, of course. The 1880 Census shows the Cale Family to have grown to include a "niece." This person was Elizabeth Cale, listed as age 18 in that Census.

Elizabeth Cale could boast of having started teaching at about age 17. This was common for those times. As one assumes her parents to have been, Elizabeth was a native North Carolinian. How she received her own education had not been learned when this was written. It is not impossible that she learned her lessons at one or another of the schools for Negroes

⁹ William Henry Sherwood, *Life*, pp. 18, 19, 20. Appendix 1, "Huldah’s Increase" (pp. 450-453), has additional details on the Rev. Mr. Gordon
which reportedly had been in existence in Elizabeth City from 1865 and from the days of Thomas W. Cardozo, in 1869.

That Elizabeth was a teacher is borne out in manuscript records of Pasquotank County school funds. From December 6, 1879 to April 30, 1881, she received a total of $200. This was for services in School District 14 ("Col..." or "Cold.," both meaning "Colored"). She was listed in the records either as Elizabeth or as "Lizzie."\(^{10}\)

Cale’s niece evidently found things as they existed then, to be rather lonesome. So, on February 11, 1885, she married Junius Rooks. The marriage license listed Elizabeth as age 23, which lends weight to her birthyear being 1862; and her color was described as "Dark." That was an interesting description since most often the designations were the more clear-cut "black" or "white." Junius Rooks, the groom, listed as age 25, was from Gates County, North Carolina where his parents, James and Elizabeth Rooks, then lived. The Reverend O. C. Horton, a Baptist minister, married the couple at Cale’s residence. Witnesses were W. R. Riddick, E. P. Walsh, and Cale.\(^{11}\) And so, a member of Hugh’s household was launched on a new career.

One assumes that Mr. Cale was not averse to aiding the new couple. By 1879, he had been publicized as being "much more successful, financially, than many of his race, for his property is now valued at about $12,000.00." The marriage could also imply that Hugh was not intolerant concerning denominational lines. Though a "Methodist, and a steward in that church"

\(^{10}\) The sum was divided thus: $45.00 (December 6, 1879); $30.00 (January 31, 1880); $45.00 (April 24); $48.00 (December 11); $32.00 (April 30, 1881).

\(^{11}\) From manuscripts in the Office of the Register of Deeds, Pasquotank County Courthouse, and genealogical information developed from interviews with Rooks Family descendants, 1973-1976 (hereinafter referred to as Rooks-Lane Genealogy). See also Appendix 1, "Connections..." pp. ___., where Elizabeth’s dates are 1864-1922. There is the very interesting probability that the officiating minister was Oliver C. Horton (1841-1900), a highly regarded (and non-black) Sunday School Superintendent and Treasurer in Elizabeth City’s First Baptist Church (biographical data from Outlaw, First Baptist, pp. 195-196).
as early as 1879, a Baptist minister apparently was an entirely acceptable officiant at Elizabeth’s wedding.

Three other persons were objects of Cale’s solicitude during the period from late 1879 to 1885. These were his wards, including two orphans. Hugh faithfully performed his duties for these young people. In the meantime, the strong call of politics engaged Cale’s attention.

Elizabeth City’s Republicans met on Friday, August 20, 1880. Judge Commander was in the chair. It was not the easiest civic period, what with a riot in Plymouth during that general timespan; such upheaval could not but have ripple effect in Pasquotank and elsewhere.

For that Elizabeth City meeting, Paleron John, George W. Cobb (now returned to Party ‘love and charity’), and Hugh Cale spoke to the assemblage and then-Representative Cale was appointed to the executive committee. This was pleasant but on Monday, August 23, the county convention convened in Elizabeth City’s courthouse at 11:00 a.m., and Cale’s political horizon became clouded. Now something of a veteran politician with two sessions in the State Legislature to his credit (along with assorted other civic duty), Cale was nominated as a candidate for the 1881 session of the House. Also nominated were former Representative William J. Munden, John P. Overman, and Emanuel Davis (a Negro). Mr. Munden tallied 14 votes; Messrs. Overman and Davis, four each; and Representative Cale, just one!

Possibly the singleton could be explained - or rationalized. On August 2, Cale had attended a meeting in Elizabeth City with fellow justices of the peace. These officials considered a slate of thirteen candidates for a new board of county commissioners. The JP’s would decide

---

12 Quotations on property valuation and religious affiliation are from Tomlinson (1879), p. 104.

13 Record of Incorporation, 1, 1886-1912, Pasquotank County, Office of Register of Deeds; Orders and Decrees, Book I (1869-1887), Office of Clerk of Pasquotank County Superior Court.
whether the five-man group would be all, partially, or not at all consisting of new personnel. They gave twenty-one votes to Francis M. Godfrey. Among the four remaining winners was one person receiving thirteen votes\(^{14}\) - a round-about way of reporting that, like Godfrey, Representative Cale, justice of the peace, was elected a commissioner of Pasquotank County by his fellow JP’s.

In consideration of this development, a charitable if tenuous line of reasoning is that Cale’s one vote for the 1881 legislative nomination was a courtesy ballot (his own?). If so, perhaps August 23, 1880, was not so cloudy a day, politically speaking, after all. At any rate, the shades of the Gentleman - now decreed to be "in," instead of "from" Pasquotank - might appreciate the present rationalization a little better than what could have been the onetime reality.

Meanwhile, the days were getting shorter. Winter approached and with it the time for Cale to be sworn in, for the second time, as a county commissioner.

\(^{14}\) For the Republican nominating convention, see the *North Carolinian*, August 25, 1880, p. 3. For commissioners’ election, see MS Minutes, *Justices of the Peace 1878-1882*, Division of Archives and History.
CHAPTER 12: COMMISSIONER CALE, 1880-1882

The Gentleman from Pasquotank, as Commissioner, appears to have acquired duties on a somewhat larger scale than when he first held the position a decade earlier. First, of course, the Gentleman must vow to perform the duties. He and his colleagues did so on Monday, December 6, 1880, at 1:00 p.m.:

North Carolina
Pasquotank County

We, W. W. Kennedy, F. M.
Godfrey, Hugh Cale, D. A. Sawyer and John S. Morris do solemnly swear that we will support and maintain the constitution and Laws of the United States and the Constitution and Laws of North Carolina not inconsistent therewith and discharge the duties of a commissioner of Pasquotank County for the ensuing Term to the best of our skill and ability, so help us God.

Sworn to and Subscribed
before me, Dec. 6th 1880
M. B. Culpepper J. P.

Their oaths taken and signatures attached (Cale was the second to sign), they began business, unanimously electing Democrat Kennedy their chairman.¹ Times had changed.²


² Excepting Cale, commissioners’ occupations at the time were data only sketchily available, nor were they intensively researched. Branson (1890) cites Kennedy as a Methodist minister and a farmer from Elizabeth City. Mr. Kennedy had a tiff with Elizabeth City in 1852, regarding patrol duty (Guion Griffis Johnson, Ante-Bellum North Carolina - A Social History [Chapel Hill: University of North Carolina, 1937], p. 430). Kennedy was elected a county commissioner in August 1878 by JPs - Hugh Cale being one of the electors. His two-year term was to begin in December. Cale was also in the enviable (?) position of being among JPs who elected the 1880-82 city commissioners; JP Cale’s 1880 election as a city commissioner was from this source. Like former Mayor Speed for Elizabeth City, Chairman Kennedy was empowered to sign scrip issued in the name of Pasquotank County (see, e.g., Roughton, Scrip, pp. 27, 38, 39). Branson reports Godfrey as a lawyer from Newbegun (Pasquotank). Much earlier (December 1866), Godfrey was a member of the Commissioners’ Finance Committee and he was elected chairman of the commissioners on December 3, 1877 (MS Minutes, including Minute Book 2, p. 253). Year Book, Vol. 4, Pasquotank Historical Society (p. 109) cites Francis Marion Godfrey’s birth as September 29, 1834 in Pasquotank; that he was a Lieutenant, North Carolina State Militia; and that the Methodist Weeksville resident died April 21, 1914. Unmentioned was his 1872-1874 service in the State’s House of Representatives.
A first item was to get the sheriff bonded. This gentleman was Thomas J. Munden. Cale and two others were sureties for faithful performance of the sheriff’s duties. (Cale also had been a sheriff’s suretor in 1879.) Cale and three others were sureties on another bond for Munden in his role as county tax collector. Those items dispatched, talk of a needed courthouse consumed the remainder of that December meeting.

Cale missed the December 10 meeting since he was investigating a pending railroad matter. On the 16th, he was present; agenda items: report on road laying, action taken for a courthouse, and (as on the 10th) business related to the Elizabeth City and Norfolk Railroad.

With the new year, on Monday, January 3, 1881, the commissioners were in session again and a courthouse was still uppermost in their minds. In this instance, Cale met as a justice of the peace, helping to perfect a memorial to the Legislature concerning the proposed structure. The Board wanted $20,000 for the project. (February 7, Cale was allowed $3.00 for this service as a JP.)

Two days later (January 5), Mr. Cale and two colleagues met again. The business was routine. On January 11, Cale sat in a county-city joint session of the respective governing boards, with a forthcoming election as the topic. Next, the commissioners gathered on February 7 to draw jurors for the superior court. Among these prospects were four "(col.)" persons: Jerry Jennings, Nathan White (first list); Fred Sawyer, Edmund Fletcher (second list).

By then, Cale had attended seven meetings. On March 7, he was allowed $12.00 for services as a commissioner, at "$2" per meeting. Evidently one session was not counted in computing the honorarium.
Faithful in attendance, he was present for an April 4 meeting, as he was on Monday, May 2, when he met as a magistrate and later received $1.50 for this service, per Order #1321. Order #1324 also accrued to Cale that May day, this one allowing him $1.20 as half the fees in a court case. At noon, May 2, in addition, Cale and fourteen other justices of the peace considered negotiation of the courthouse bonds and voted down a motion to limit their building to $18,000.

On June 6, Commissioner Cale met in that capacity and as a magistrate. The purpose was to join other magistrates in electing a county superintendent of public instruction. The Board adjourned at 11:00 a.m., had the election, and John P. Overman was the unanimous choice. (The election may have consoled Mr. Overman, considering his earlier loss in 1880, as a seeker of Republican Party nomination for the North Carolina House.) Having gotten someone to take on the school headaches, the Board reassembled and allowed Cale $1.50 for services as magistrate that day (Order #1350) and $8.00 for his commissioner’s service, June 6 included (Order #1359).

Later that month (Saturday, June 18), Pasquotank’s governing body most likely met in a mood of elation. They were able to issue bonds for their proposed courthouse. While they are assembled, they also revised the jury box. As usual, Cale was present.

In the meantime, School Superintendent Overman may have stirred additional interest in education, for on Wednesday, July 6, 1881, the commissioners received a petition for a new school house via the District 8 school committee. The desire was for land condemnation to make way for a school "for the colored race." Cale and his four colleagues appointed a committee to investigate the matter. That done, the Board appointed poll inspectors for an election to be held the first Thursday of August (1881). The inspectors probably would be needed; an issue was "Prohibition."
July 18 at 9:00 a.m. found Commissioner Cale in a call meeting with Chairman Kennedy and Commissioner Godfrey. They appointed C. C. Allen, H. C. Godfrey, C. C. Brothers, and F. M. Cook as poll inspectors for an election on the "proposition of subscribing $25,000 to the E. C. and N. R. R." - meaning, of course, the same Elizabeth City and Norfolk Railroad which involved Cale's attention earlier. The meeting adjourned.

Meanwhile, the petition from District 8 was pending, so on August 1, it was reported that one acre would be condemned for a school site. This land belonged to Joseph Overman and was valued at $12.00. The necessary deed was ordered prepared and one more schoolhouse for Negroes was on its way; Commissioner Cale's vote had helped it along. That same session saw the jury drawn and an adjournment at 12:30 p.m., to turn to magistrate's matters. Cale, as magistrate, helped to levy taxes. This done, the Board reconvened as commissioners and among other actions, awarded Cale $0.50 (Order #1394) for serving as a jury of inquest for a man's body.

A week later (August 8), Commissioner Cale was present for a unanimous election of H. T. Greenleaf as county "processioner"3 - now called surveyor. Cale was paid $10.00 (Order #1407) for services as commissioner through that date. Otherwise, the Board discussed its problems incident to the sheriff; there would be occasion to do so again. Meanwhile, justices of the peace and commissioners had a joint session, August 14 (Cale present), during which jurors' pay was raised to $1.50.

On September 5, the Board reimbursed its faithful clerk, Benjamin Cartwright Brothers. On October 3, it turned to matters more grim and farmed out various jailed individuals. One

---

3 "One appointed to examine and formally determine the limits of an area of land," Webster's Third New International Dictionary ... Unabridged (1976).
prisoner was assigned to Cale to oversee the inmate working out his costs. Attention was given a requested liquor license; to payment of $9.00 to Cale as officer of the court; and to payments to him for services as justice of the peace and as a witness for the State. Cale was present for meetings on November 7 (three commissioners) and November 14 (four commissioners). The agenda included restoration of property previously sold for taxes; a school census payment; bills for cleaning the jail and guarding prisoners while in the jail yard; paupers; a jury of "Knobbs Creek Bridge"; and supplying the probate judge with stationery. Mr. Cale was reimbursed for his services but on November 14 it was decreed that he had been overpaid $2.00 and therefore received no salary for that meeting. Offers of 80 cents "in the dollar" from a Norfolk company and Elizabeth City investor, which would cover $8,000 of courthouse bonds, were rejected, "Cale voting in the affirmative; Morris and Sawyer in the negative."

By their December 5, 1881 meeting, Commissioner Cale and his colleagues could tally a year of considerable civic activity. With Mr. Kennedy re-elected chairman, the commissioners kept up their pace. The full agenda for that Monday meeting included receiving and filing a report on the Knobbs Creek Bridge and considering both lumber for a bridge in Nixonton, and services of a poll inspector. The Board also awarded to Dr. W. J. Lumsden the assignment of attending Poorhouse inmates (his bid was $160.00, including all medicines), and it reimbursed various commissioners for public services. This included allowing $54.00 to Chairman Kennedy for distribution to "outside paupers." Also, the sheriff's bond was desired to be strengthened.

The Board reassembled the next day, Tuesday, December 6. Bonds for county officers formed a topic. Sheriff T. J. Munden presented: (1) a bond of $10,000 for "faithful execution of all papers &c" (W. C. Harrison, T. D. Pendleton, Hugh Cale, sureties); (2) a $30,000 bond for
county and "poor" tax collections (Harrison, William Turner Pendleton, Cale, "surties" [sic]); and (3) a bond for State tax collections (Cale not a suretor). In addition, J. Heywood Sawyer presented a $10,000 bond as Clerk of Superior Court (Cale, Jeremiah Sawyer, Rufus Scott, sureties). All four bonds were accepted. Also accepted by implication was Mr. Cale's affluence. He, a Negro and once merely "black" Voter No. 111, was considered strong enough financially (whether or not there was fleeting consideration of possible economic down-fall later on) to help back up $50,000 worth of promised performance. Contrary to some literature, evidently not all legislators and other citizens 'of color' lacked responsible habits, intelligence, and economic impact.

On Monday, January 2, 1882, Commissioner Cale was present and accounted for when Pasquotank's Board considered routine matters, including transportation to Raleigh via Portsmouth, Virginia, to get persons to the Deaf, Dumb and Blind School in Raleigh. In addition, they dealt with board for prisoners and with incidentals related to a Christmas dinner given Poorhouse inmates. We also learn from Clerk Brothers' quite legible minutes: "Ordered [#1632] That Hugh Cale Treasurer of the Corporation of Elizabeth City, be allowed Four Hundred Dollars for half the cost of building bridge over Poindexter Creek." The meeting was adjourned.

What of the proposed new courthouse? The session of January 9, 1882 saw the commissioners attending to $6,000 worth of courthouse bonds. Taxes and sale of a pauper's property were probably minor agenda items that day; courthouse fever had caught the commissioners. On February 6, they "allowed" the Virginia Publishing Company (Norfolk) $4.10 for an advertisement soliciting brick and lumber for the proposed structure. They also
considered many other items that day but perhaps none of them was then as interesting as the building plans.

The Monday, March 6 meeting was equally busy. Again, taxes, paupers, printing ($20.00 to the Falcon Publishing Company, run by Democrats), and a liquor license swelled the agenda, as did granting $4.00 monthly to a woman to care for an expectant lady until the latter's confinement. The Board ordered lumber for "Symons" Creek Bridge; amended an heir case; and appointed a poll inspector for a municipal election in Elizabeth City, to be held the second Monday in April (1882). Perhaps more immediately significant to local citizenry was an item about boundaries for Newland Township. It would extend along the road "from Buffkins Corner (the terminus of the Up-Swamp Section) to Hinton's Turnpike, a distance of near two miles."

In its official records and otherwise, the County lacked neither colorful names nor quaint expressions. Other matters on March 6 were more stringent - requiring the sheriff to make a written report on tax collections; appointing a citizen to negotiate the courthouse bonds. The Board also considered itself, ordering that each member "be allowed their per diem up to and including to-day, - as follows, to-wit: ... Hugh Cale Five days [no mileage allowance, it seems] Ten Dollars."

On March 20, Cale present, courthouse bonds occupied the Board's attention primarily. On April 3, Commissioner Cale again present, it was ordered that a gentleman's application "for relief" be referred to Mr. Cale. Mr. Brothers also recorded the Board's concern with paupers; with care for a pregnant "girl"; and with appointing tax assessors for the several townships. Six dollars was voted for whitewashing the Poorhouse buildings, $3.00 for a person's midwife service, and $12.00 to Cale for six days' civic service at two dollars per day. But the courthouse
must have attention, too. The Board discussed the building committee's expenses and empowered the Chairman and Clerk (Kennedy and Brothers) to issue county orders on the County treasury for the courthouse Building Committee. And, with hiring out a woman for the duration of her six-month prison sentence, the men had about done their work.

On May 1, F. M. Godfrey serving as chairman pro-tem in Mr. Kennedy's absence, the commissioners dealt with fairly routine matters: $430.00 to be paid for a fireproof safe they had ordered; midwifing; electing a public auctioneer. Lambs Ferry Road would be the route to travel for a justice of the peace's jury. Cale received $0.70 as half-fee for court costs, Spring Term, 1882. Chairman Kennedy arrived just after adjournment, it seems. Came June 5, the warming days awakened thirsts; the Board must consider another liquor license. Otherwise, the deliberations embraced per diem allowances to date (Cale, four days, $8.00); paupers; buying record books for the Board and for the clerk of superior court; allowing $3.00 for a "sick and destitute" man; hiring out to the sheriff a man "of Color" for the balance of his prison term (involving $12.00 labor). The Sheriff himself had a committee overseeing his operations, with George W. Cobb, County Treasurer, being involved. In the meantime, Order #1794 said that "Hugh Cale be allowed Six and 87/100 Dollars for 2 1/2 Cords Wood furnished Poor House." (It would appear that Cale still conducted his grocery or general store business.) Then the commissioners attended to courthouse building fees.

Just one day before the Fourth of July (1882), the commissioners voted $75.00 for a chapel at the Poorhouse. Also, Order #1803 authorized that "Hugh Cale be allowed Forty-one and 25/100 Dollars for 15 cords wood furnished the Poor House." More interesting was the very next Order (#1804): "That Fifty Dollars ($50) be appropriated towards paying the expense of
the dinner upon laying the corner stone of the Court House on the 29th ult. and that an order for said amt. be issued to H. M. Fearing." Messrs. Kennedy, Cale, Godfrey, Morris, and Sawyer thus handled a business phase of a gladsome event. With that cornerstone laying of Thursday, June 29, 1882, a dream was to become reality. Whether Commissioner Cale attended the dinner is not known.

A highlight of the Monday, August 7, 1882 meeting was adjournment at 11:30 a.m., to a magistrate’s meeting to levy taxes and elect a county superintendent of education. (At 10:30 a.m., new county commissioners had been elected, Cale not among the winners.) The taxes were levied and votes cast for superintendent. Twenty-four persons were present. Twelve voted for R. B. Creecy, Jr.; ten, for John Benbury. Which two persons abstained was not recorded; however, Cale was present for both these sessions and thus could have a part in the proceedings. Nor would it be likely for him not to vote. He was also present when the Board reconvened at 1:00 p.m., to deal with routine items like bridges, elections, and taxes.

A week later (August 14), Cale and colleagues reconvened, revising taxes. What that would do to the summer temperature was anyone’s guess. Nor should heat waves have subsided

---

4 The Economist had an article on the impending courthouse, March 16, 1880. On July 4, 1882, the paper had an account of the previous Thursday’s ground-breaking ceremonies. Editor Creecy presided; the New Bern Fire Company was present; Masonic ceremonies were accomplished. Commissioners were not particularly mentioned. (Equal coverage on ceremonies marking the finished structure - if they occurred - had not been located when this was written.) Daniel Steigertwalt Kramer (1834-1899) was in charge of construction (Butchko, Shores, p. 319). A historic marker in front of the building has this succinct account of courthouse history in Pasquotank: "Pasquotank County / Courthouse / 1882 / Fifth Courthouse in County; second / on this site. Replaced wooden building / erected about 1799 and burned during / Federal Occupation of the city, 1862. / Records dating from about 1700 were / saved by Arthur Jones and hidden in / a barn until end of war." A pre-dawn fire in the building on February 28, 1968, luckily caused comparatively little damage and prompted the printing of a 1906 view of the structure from Museum of the Albemarle files (Daily Advance, February 28 and March 3, 1968). The Tar Heel (December 3, 1909) had a page-one piece concerning installation of the Courthouse vault. The Norfolk Virginian-Pilot (July 23, 1989; North Carolina edition) had an appreciative article on the 1883 Seth Thomas clock topping the Courthouse. Ratings of the structure (several stories) - prior to its 1980 enlargement - may be found in Robert P. Burns (ed.), 100 Court Houses - A Report on North Carolina Judicial Facilities, 2 Vols. (Raleigh: North Carolina State University, University Graphics, 1978), Vol. II, pp. 447-452.
for hunting up property in Elizabeth City T'w'sp. [Township] not on the Tax list." Mr. Cale was also awarded Orders No. 1836 and 1840, respectively, his per diem ($8.00), and for sending a pauper to Perquimans County ($1.75). As usual, there were courthouse costs to be settled.

On Saturday, September 16, Cale collected another $1.75 (Order #1859) for sending another pauper to Perquimans; it seems unlikely that he would be reimbursed twice for the same event and person. The commissioners, excepting one member who was absent, also revised the registration book and considered a favorite topic - taxes. The October 2 meeting somehow missed the tax topic but money was still a consideration. Familiar tunes could be heard - liquor licenses, paupers, reimbursement, courthouse costs. Also the sheriff’s bond was strengthened to $6,000 (a 4-1 vote, Cale in the affirmative). Poll inspectors were appointed for the forthcoming November 7th election. Four dollars and two cents reported found on a dead pauper was ordered turned over to the county treasury. Commerce and transportation also claimed their attention in the form of a petition "unanimously signed" for a free ferry between Pasquotank and Camden counties. The Board appointed a county citizen's committee to sit with its Camden cognate for deliberating the matter. (The Lizzie Burrus, a "new and comfortable steamer" which the Economist-Falcon advertised in 1891, may have been a later result of this petition.)

The Board’s session of November 6 included courthouse costs, appointments to the District 10 school committee, and reimbursement. The latter included a sum to Chairman Kennedy, who had searched for a person who "is missing and seems to have been dealt fouly with."

At what was Cale's last meeting as a Pasquotank County Commissioner (Saturday, December 2, 1882), there was an item or so to break the routine. Naturally the Board considered
taxes, costs, reimbursements (including Cale and his furnishing the Poorhouse); but there was also the following progresssive item: "The School Committee in Dist No. 4, having made application to this Board, to condemn, a site for School House for the Colored race in said Dist., [sic, comma] It is ordered that a committee be appointed for said purpose, the board appoint on said Committee, Wm Dance[,] Henry Winslow and Frederick Daily." In about a year a half (July 1881 - December 1882), Cale had been in on the proposed or actual inception of at least four schools in as many districts of the County. There had been still others, with more to come. A latter-day writer concluded that "not much progress" was achieved in Pasquotank's "public education from the period of 1860 until 1900" (that writer excepting Elizabeth City's State Normal School of 1891)\(^5\) but the printed and manuscript records distinctly show otherwise. Pasquotank perhaps had a good distance yet to travel in school matters but in the interim, the County did not stand still and moan; instead, it increased efforts. Sometimes it stumbled; it nonetheless kept moving.

All things considered, much the same could be said in terms of the broader scope of action which formed the duties of County Commissioners William W. Kennedy, Hugh Cale, Francis M. Godfrey, John S. Morris, and D. A. Sawyer. These men had paid close attention to upholding the trust placed in them. If all of them were not re-elected (only two were), it would not necessarily mean that they had done their jobs poorly.

As a matter of fact, as new commissioners, Chairman E. F. Lamb (Economist-Falcon Editor Creecy's son-in-law) and Messrs. Kennedy, Godfrey, William S. Temple, and R. Nixon Morgan (the latter three previously justices of the peace) had their work well outlined for them

---

\(^5\) See Pasquotank Historical Society, *Year Book II*, p. 79.
when they assumed office on Monday, December 4, 1882. After all, not only must they keep
Pasquotank County in working order, they perhaps must try a little harder. Their work would
be a bit more noticeable, now that a visible symbol of the County’s improving condition - its
Courthouse - was becoming reality. It embodied hopes, dreams, labor, and money; the structure
perhaps symbolized a new era - hopefully a better one - part of whose tangible design Hugh Cale
and his fellow commissioners had nurtured and helped bring into being.

A concrete slab, set in the floor of the arcade running through the courthouse, records the
year and those personnel most directly responsible for the structure. It reads:

<table>
<thead>
<tr>
<th>W. W. Kennedy</th>
<th>Building Committee</th>
<th>Architect</th>
</tr>
</thead>
<tbody>
<tr>
<td>F. M. Godfrey</td>
<td>W. W. Kennedy</td>
<td>A. L. West</td>
</tr>
<tr>
<td>D. A. Sawyer</td>
<td>B. C. Brothers</td>
<td>Superintendent</td>
</tr>
<tr>
<td>J. S. Morris</td>
<td>T. L. Sanderson</td>
<td>D. S. Kramer</td>
</tr>
<tr>
<td>H. Cale</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Proud citizens thus certified their sense of accomplishment. But a citizenry has the habit of
harboring differences of opinion. Someone, sometime later, attempted to obliterate Commissioner
Cale’s name - with a chisel, it is said. Cale’s race apparently was the wrong one for honors in
public concrete. Many citizens were indignant about this vandalism.6

Perhaps a thought could help assuage the sense of outrage: Hugh Cale had already
made a good mark more permanent than any which could be caused by a stonemason - or a
chiseler. That it would be 104 years before a certain Democrat, Whittier Crockett Witherspoon,

---

6 The defacement was repaired when the Courthouse was renovated and enlarged in 1980, which of course
would not eliminate similar urges. A 1995 North Carolina Central University student wanted “segregationist” Clyde
Roark Hoey’s name “chiseled off” a campus building or - at the least - a more acceptable name added to Hoey’s.
Blacks’ reactions were mixed (Elizabeth City Daily Advance, March 29, 1995). Democrat Hoey was in the North
Carolina House, 1897-1903; was a U.S. Representative, 1920-1921; Governor, 1937-1941; and a U.S. Senator, 1945-
1954, dying in office, May 13, 1954 (Cheyney, Government, pp. 423; 477, 479, 481; 714, 724, 725, 726, 745 n 128,
747 n 163).
seems to have become the first commissioner of color to succeed Cale (December 1986), probably would be of less import to the Gentleman than the fact that - eventually - it took place. When in December 1992, Commissioner Witherspoon became Chairman Witherspoon, succeeding Mrs. Patsy Rochelle McGee in that office - thus becoming the second of Pasquotank’s "first two"\(^7\) - Commissioner Cale would have truly beamed at the Board’s giving its top honor to a lady, who happened to be white, and a gentleman, who happened to be black. The Gentleman’s prophecy in 1902 would appear to have been accurate.\(^8\)

---

\(^7\) Mrs. McGee became Chairman in 1990. Mrs. Leronia Beasley Witherspoon, and Mrs. Karen Jennings of the Pasquotank County Manager’s office, kindly provided information - including 4-year instead of 2-year terms for Commissioners. (See also, Elizabeth City Daily Advance, November 5, 30 and December 1, 2, 1986; December 8, 1992.) Happily, the Board has not used the contrived title, "chairperson."

\(^8\) From many hundreds of examples nationwide, it may be appropriate to cite a few instate, late-20th-century illustrations which complement the Witherspoon circumstance and punctuate the General Assembly’s 1979 designation of a "Black History Week" for North Carolina: Supreme Court Justice Henry Edward Frye; House Speaker Daniel Terry Blue, Jr.; State Auditor Ralph Campbell, Jr.; Elizabeth City attorney Ronald Girard Penny, Director of State Personnel; First District U.S. Representative Eva McPherson Clayton; Attorney James Carlton Cole of Perquimans County, Chairman, 1st Congressional District Democratic Party; B. Everett Ward, former Executive Director of the State’s Democratic Party; former Elizabeth City Mayor pro tempore Albert Clinton Robinson, Jr.; Kermit Earle White, DDS, former Chairman, Elizabeth City/Pasquotank County Board of Education; College of The Albemarl e Trustees’ former Vice Chairman, Andrew Healon Williams; and, February 17, 1994, Judge Janice McKen zie Cole became U.S. Attorney for the Eastern District of North Carolina. Pasquotank’s Representatives Sykes, Newby, Hinton, and Cale would doubtless be rather pleased with such developments - and sincerely hope that none ‘misfired’. 
CHAPTER 13: LET MY PEOPLE LEARN

The old slave song said Moses was ordered to go "'way down in Egypt land" and "tell Ole Pharaoh" to "let my people go." Across the Atlantic, centuries later, a people had indeed been "let go" - finally - but most of them had lacked educational opportunities. "Ole Pharaoh" now needed to ‘let my people learn.’

The noticeable attention given education, both by local citizens and on a statewide basis, punctuates the present narrative. However, educational endeavor was not chosen for emphasis; it was an integral part of the place and period. Hugh Cale often appeared in that milieu. He enjoyed wearing his political hat and walked with fairly steady gait under all his assorted headgear, including his financial chapeaux. But perhaps his favorite if not necessarily the tallest politically, was his educational hat.

Because Cale was a county commissioner, he also was a member of the county board of education, a situation prevailing throughout the 1880s. Thus we already have seen various actions taken in behalf of education while reviewing Cale’s four years as a commissioner. Mr. Cale, however, had other opportunities not mentioned thus far, to serve local and area educational interests. These included the honor of membership on the school committee for District 14 during the eighties. This activity altered the shape of his educational hat and sometimes might cause headaches. Recalling that role also helps to portray contributions to education by other local citizens.
On January 18, 1883, Pasquotank's board of education through its secretary, 1 B. C. Brothers, notified Committeemen Cale, George W. Bell, and the Reverend W. W. Kennedy to appear before it on Saturday, February 24, 1883. The idea was to show cause, "if any you have, why you shall not be removed from the office of School Committeeman in Dist. No. 14." 2 Before being bounced, however, Cale should be appointed which first occurred September 1, 1879. Next, his colleagues-commissioners had constituted him and the other two men as school committeemen on December 6, 1881. Thus Commissioners Cale and Kennedy must work during that period in triple roles which included school committeemen and board of education members.

Examples of such activity may start with a meeting of September 5, 1881 when the commissioners, as a board of education, attended to countywide school matters just as they did in their meeting under the same circumstances on August 8. In the September 5th session (Cale present as in August), they had the simple task of ordering that John P. Overman, county superintendent of instruction, be allowed $13.00 for his services during August. Matters educational also claimed attention during the December 5 meeting. School committees for Districts 6 and 9 wished sites laid off and marked in order to "erect public school houses for the Colored race." This was granted. Samuel J. Halstead, James Bailey, and Henry Wilson were appointed a committee for District 6; William J. Harrell, William H. Reid, and Elisha Robins, for District 9. These gentlemen were to select a suitable site on unimproved land, "lay off" one

1 At the time, the clerk to the Board of Commissioners was, ex officio, secretary to the Board of Education. Then, whoever was county Register of Deeds, was also the commissioners' clerk. Mr. Brothers (1846-1919) is interred in the Episcopal Cemetery.

2 From document in file labelled Old Papers - Board of Education Etc., Office of Register of Deeds, Pasquotank County; also to be found in unpaged compilation, Pasquotank County, Minutes, Board of Education 1872-1885, Division of Archives and History.
acre, and assess damages to the owner(s). They were to report in writing on their progress, the first Monday in January, 1882. Cale was a commissioner during these actions.

On December 6, 1881 (the same day Cale helped back up $50,000 of performance bonds), the assortment was wider. First the board of education ordered that $2.50 be apportioned for each school child. Next, they heard the figures on the school census. After that, they received a catalogue of teachers who received certificates from July 14 through December 5, 1881. Nine Negroes qualified, including future State Representative Prince Albert Hinton, who was certified on July 14. Finally, they voted $49.00 to Superintendent Overman - $12.00 for his services during September; $10.00 paid for a blackboard; and $27.00 for services during October and November. Before adjourning, they appointed that school committee which Mr. Brothers, Clerk, would have occasion to call in, two years later.

The Commissioners also acted as a board of education on January 2, 1882. With Commissioner Cale present, they appointed a group to select a site for a new school for District 6 (colored), with an appropriate deed procured and filed. The School Committee for District 8 requested a deed for an acre of land, to be devoted to educational purposes for Negroes in that sub-division. An assessment for the acre was approved by the chairman and secretary, but the deed was returned in order to be perfected. Next came disbursements: $12.00 to the Superintendent for his services; $16.55, to the secretary of the Board.

Cale and other members were consolidation-minded on February 6. Negro school districts 15 and 16 were to become one; children in District 15 were to be allowed to attend school in District 16. Next, a previous order appointing a committee to condemn a site for Negro School

---

3 For the decision concerning Districts 6 and 9, see Commissioners' MS Minute Book p. ___.

✓
District 9 was revoked and the committee discharged. Instead, a committee was appointed "in said District to mark out, lay off and condemn a School House site for White."

March 6, 1882 found Cale present again for educational deliberations. The Superintendent was paid $3.00 for January and $27.00 for February; Cale was paid $4.00 for his services; the secretary was allowed $7.00; and then they formed a new district. Citizens of school districts 3 and 1 had petitioned for this creation, which was to come from parts of the original subdivisions.

A motion in favor of Negroes was approved by Cale and colleagues in the June 5 session: 
"... resolvoe that $60 be appropriated out of public school fund for Col. race to the managers of the teachers institute to be held in this county for Col. race." The "Col. race" was no doubt appreciative.

Cale met with the Board on September 4. Superintendent Overman was allowed $63.00, covering his services for the quarter, and $4.00 was allowed for advertising. This stage of chronology also brings us back to that "show cause" order for February 24, 1883.

In this matter, a certain A. L. Pendleton alleged that the Committee: (1) bought a "Red School House and lot" for $175, at about half its value; (2) hired "incompetent" and "inefficient" teachers; (3) allowed titles to some properties to have questionable status; and (4) was "further derelict in their duties" due to not providing "comforts of fire and furniture and such appliances as the School law requires." Mr. Pendleton therefore wanted the Committee dismissed. Instead, the charges were. Pendleton appealed.⁴

⁴ Unless otherwise noted, data taken primarily from Minutes, Board of Education, Pasquotank County, 1872-1885, Division of Archives and History, with a few items from the MS Minutes of the Pasquotank County Commissioners.
For all the fuss, the Committeemen’s image was not seriously damaged. In fact, on September 3, 1883, Cale had been allowed $14.91 (Order #2316) for taking the school census in "Dist No 14. Colored" and he performed the same task a year later (district unspecified but perhaps the same). For the latter, he was allowed $17.13 (Order #2979) on September 1, 1884, for counting a total of 571 children at three cents per name.\(^5\)

In different perspective from activities such as these, was Principal (later Congressman) Henry Plummer Cheatham\(^6\) of Plymouth Normal School,\(^7\) including a ‘plug’ for Cale in the schoolmaster’s printed report of the 1884 session (November 5, 1883 - March 29, 1884) to State

---


\(^6\) Cheatham (1857-1935) from Vance County in the "Black Second" District, served in the 51st and 52nd Congresses, 1889-1893. The Roanoke Missionary Baptist Association "prolonged the sitting ... thirty minutes for the purpose of hearing Prof. H. P. Cheatham, who addressed the body on the condition of our race with telling effect. Many tears were shed by those not used to weeping" (Roanoke Association *Minutes*, 1884, p. 5). Unlike most Black legislators at the state level, he did not suffer near total eclipse in relevant literature. *Journal of Negro History*, 21 (1936), has Cheatham’s obituary, pp. 96-98. His biography by William B. Gatewood, Jr is *DNCB*, I, pp. 359-360.

\(^7\) Plymouth became the site for one of eight normal schools authorized by the 1881 General Assembly (one of the sessions for which Cale did not have a winning nomination for candidacy) and following the black Washington County Representative Alexander Hicks’ petition to Governor Thomas Jarvis for a school there, with Hicks heading if (see Yearns, *Jarvis Papers*, I, pp. 363-365). The school was established and Hicks served as Principal until his death in 1883. Cheatham succeeded him.

This school been cited by some present-day Elizabeth City residents as the genesis - and some even claim, the original location - of the present Elizabeth City State University. The present author disagrees totally. By Plymouth being a recurrent political concourse during at least a portion of the last quarter of the nineteenth century, and site of the nearest Negro state-supported normal school, the idea can gain plausibility. Furthermore, people from Elizabeth City were in and out of Plymouth and P. W. Moore, first head of the Elizabeth City institution, had connection as a faculty member at the Plymouth Normal. However, the writer feels there was ample normal school precedent in Elizabeth City among Negroes, even though not state-supported, for the town and county itself to generate enough steam for its own state normal. By 1891, when Elizabeth City gained its own state-supported normal school, the town and county had enjoyed "normal school" activity and meetings urging more permanency for almost twenty-five years. This would be rather healthy foundational impetus for the new dimension. For these reasons, the writer feels the Plymouth Normal was, at most, among friends to or models for such local aspiration - nor does he ignore the school’s problems (e.g., Plymouth blacks’ 1889 castigation of eleven pages, for non-removal of a high-handed Plymouth Normal teacher who was an ex-con); or its lure, since Elizabeth City’s "Board of Aldermen" passed a resolution, April 30, 1901, "to try to retain the colored Normal School at this place; there being an effort made to remove the same to Plymouth, N.C." (*Minute Book* [5], p. 217). (The unsigned Plymouth letter, *To the State Board of Examiners*, is a photocopy from the State Archives.)