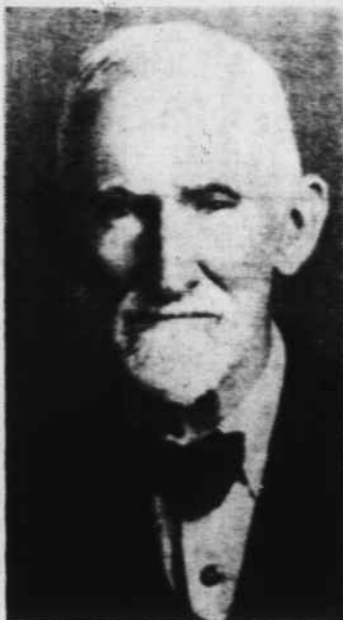


Rev. Davis Writes About Court House

Sitting in our spacious comfortable and up-to-date Court House this week I was impressed with the differences between the now and the then notably with regards to Court Houses and Courts. Thinking of that old Court House I might in speaking of our present one add the word elegant to those already used. It is no less than that, when you think of the one displaced, let the credit belong to whom it may. In all our hundred counties from Currituck to Cherokee or from Murphy to Macon there could hardly have been a more indecent or squalid one than ours was at one time. Some living now remember it at its worst. The lot itself was unsightly with a deep open ditch in front and a narrow wooden bridge leading from the street to the court square. The ditch was afterwards covered with a long wooden bridge, but for years it remained open, always with waste and water in its bottom. But in those days when cows and hogs roamed freely in our streets we were in blissful ignorance of germs, microbes and bacilli, though we were right well acquainted with chills and bilious and typhoid fevers. And the Court House itself—I speak of it now as it was more than fifty years ago before I left here and when I made my first appearance as a representative of the law before a judge and jury—to be related presently. Unhappily without, that old building was unsightly within, uncomfortable and inadequate even to the purposes of that day. There was an office, poorly furnished, for each of the County officers, viz: Clerk of the Court, Sheriff, Register of Deeds and Treasurer. On my first visit to that old temple of justice there was room on that lower floor, sitting in one of these offices or elsewhere for another official—the village tailor—whose table with him atop I will remember while around him were his little heater, basin of water, his cloths and shears and the first and only tailor's goose I ever saw. These all on the lower floor on either side of that dark hall with its uneven floor of protruding bricks on which many a luckless lad had stamped a toe. Above was the Court of Justice proper, bare as to furniture and comforts. The two most memorable features to me were the wooden benches running each way from the Judge's chair in centre and the course bagging on the floor with its accumulation beneath as it seemed to me of many years of dirt, filth and ex-tobacco chews. The first Judge I ever saw presiding over a Court was Judge Samuel W. Watts, a resident of Franklinton, familiarly known as Greasy Sam—a name given him by Josiah Turner, of the Raleigh Sentinel, on account of a large hog the Judge owned, said to weigh 1500 lbs. but how much of that was fact, how much fiction, how much pure lying I never knew. The hog dying not at the hands of the butcher, it was reported that the Judge would convert him into soap. Whereupon Turner said in the Sentinel, Greasy Sam can now get clean. How much law Judge Watts knew or where and how he obtained his license I do not know but they were the days of \$20 dollar lawyers, when according to Rev. Tom Dixon in Miss Lewis column in a recent issue of News-Observer, an act of the Legislature in reconstruction days empowered any Magistrate to issue such license on payment of that fee. I remember well sitting with other boys on a bench close to Judge Watts as he was holding court and receiving from his hand caricature pictures of the lawyers as they in their speeches were trying to enlighten him. At least he did not as another Judge after him did under similar circumstances, stuff his ears with cotton. What the Judge lacked in dignity the Solicitor of that day supplied—Wm. R. Cox—Confederate General, afterwards M. C. and Secretary of U. S. Senate, tall and handsome at that time always wearing his cloak of gray. Overcoats were not then in evidence. In those days there were just two sessions of the Superior Court each year—March and September. Sometimes protracted into two weeks, often concluding with one and that including civil as well as criminal docket. Tuesday of Court week was a big day in the town and at the Academy we always had holiday for a portion, if not all of the day. We boys thronged the Court House, the court square with its vendors of medicine and their attractions. Some living now must remember



REV. E. H. DAVIS

Dr. Nowitzky and Dr. Congleton— but especially were we drawn to Cedar Hill, famous far and wide for its horse trading. An account of the wonderful trades made there with some snapshot pictures of some of the specimens also of the most gifted traders would make a book worth reading and preserving. Another feature of every court of that day was Aunt Abby House, only a name or a tradition now but a very real person then—especially to boys who were all afraid of her and with good reason. Unique, independent, utterly fearless, with features so far from being attractive that they were repulsive, she was a character known far and wide, as far as Washington City, where she then resided, U. S. Grant, whom she hated on one occasion became her host. Aunt Abby was as much a feature of our Courts then as Cedar Hill, the medicine men or Greasy Sam. Boys would always want to see her and hear some word from her, but if there were anything like diversion or an attempt to make sport of her there was a tap on the head from the long stick she always carried. While there were only two sessions of the Superior Court each year in our County and we had no inferior or Recorder Court then—we had Magistrates or J. P.'s galore—elected by the people. Many of them were colored people, they

having but recently come into possession of the ballot and in many of the Eastern Counties doing most of the voting. It was so in Franklin. One of those colored Magistrates I remember well, Harry Webb. Judge Cooke then a young man, but recently out of Army had a case before Uncle Harry. Judge Cook showed the court just what the law in the case was and what sort of a judgment the court should render. But said Uncle Harry, "Mr. Cook there is no use in giving judgment against this man, he can't pay no costs." Speaking of Judge Cooke reminds me of another case and another court after I had become a practitioner. I was at the time resident in Wilson and had come up to Louisburg to attend court after the custom of the lawyers of that day who generally attended the courts of the district whether they had business or not. As I had a free ride up here and had relatives in the town I thought that even without a case I could under all the circumstances afford to come. There was a capital case on the docket, a man to be tried for murder, and my preceptor in the law Judge Cooke was counsel for the defendant—his only counsel until he himself associated Tom Wilder and myself with him in the management of the case. And so we sat with him at his table as he watched in the selection of the jury as he examined and cross examined witnesses, as he made his argument and appeal. He did it all with never a suggestion from us and never a thing done by me, as I now remember, except to go to his office one time for a book. And

when that case was over and the verdict of acquittal had been brought in what did this man with the big beard in him do by those two boys whom he had himself associated with him? Just exactly what you who knew him well would have expected. He handed us each a \$10 dollar bill which to me was the largest fee that I ever received for my appearance in a case. It did not lack so very much of being the only one.

E. H. DAVIS.

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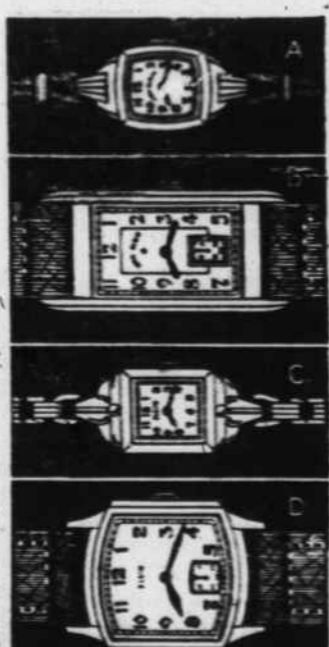
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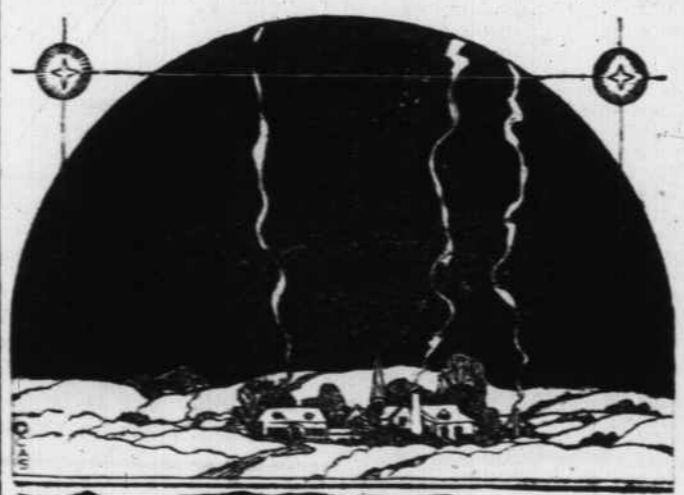
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