

The Lenoir Topic.

VOLUME X.

LENOIR, N. C., WEDNESDAY, APRIL 15, 1885.

NUMBER 30.

GEN. LEE'S SURRENDER.

Col. Marshall's Recollections of the Final Scene at Appomattox.

By C. MARSHALL.

The incidents of the surrender of General Lee's army to Gen. Grant at Appomattox Court House have attracted additional interest recently, and several statements have been published. Ex-Gov. John T. Hoffman writes as follows to the New York Herald: "The Herald and other papers quote what others say about Gen. Grant refusing to receive the sword of Gen. Lee at the surrender. I have no doubt he did, and think, but am not sure, he told me so. I recollect he did once, in giving me a detailed account of that eventful day, tell me, among other things, that in the morning when he received Lee's message asking a meeting he was suffering from a sick headache, which almost disabled him; that the headache left him as he mounted his horse; that when he reached the place of meeting he found he had left his sword behind, while Lee wore his and was in full uniform. When he said this he smiled, and I have always suspected he went without his sword so that he could have a good and delicate reason for not accepting that of Gen. Lee. It was just like him. I think his conduct at the surrender was one of the noblest of his acts in connection with the war."

Col. Charles Marshall, of the Baltimore bar, and who, as Gen. Lee's chief of staff, was one of the chief actors in the memorable events at Appomattox, yesterday related the incidents in a general conversation with a reporter of the Sun at his law office, on St. Paul street. The Confederate forces were intrenched to meet an attack. In a message sent by Gen. Lee on April 8, in reply to the historical demand of Gen. Grant for the surrender, Gen. Lee had designated a location where he would be prepared to receive the answer. On the morning of April 9, Gen. Lee, accompanied by Colonel Marshall, and with one orderly, rode from the front of the Confederate lines back to where Gen. Grant's communication was expected. There they met a colonel of Gen. Humphrey's division, who brought Gen. Grant's answer. Gen. Lee had asked for a conference, at which the general terms for a peace would be discussed. This Gen. Grant declined, on the ground that he had no power. The Federal colonel and Col. Marshall, both dismounted, carried on this interview, Gen. Lee having halted a few yards away. Col. Marshall was told that the Federal forces were preparing for an immediate attack, and their moving troops were plainly in sight. Gen. Grant, he was told, had gone around to his front, and was at that moment about four miles distant. Col. Marshall expressed his regret that there was to be further effusion of blood, and at the dictation of Gen. Lee he wrote the message to Gen. Grant asking for a conference to discuss the terms of surrender. This was carried to Gen. Humphrey, who immediately sent it to Gen. Grant by the shortest route. Gen. Lee and Col. Marshall then rode to the Confederate front, where firing was going on. The firing ceased before they reached there. It was a cavalry skirmish, and Gen. Fitz Lee was coming in with a couple of guns and several hundred prisoners that had been captured. This was the last skirmish. Shortly after a flag of truce approached from the Federal lines, and Col. E. E. Babcock, of Gen. Grant's staff, accompanied by an orderly, rode up. He brought a message from Gen. Grant asking General Lee to designate the place of conference, either in the Confederate or Federal lines. Gen. Lee immediately mounted his horse and, with Col. Marshall, Col. Babcock and several orderlies, rode into the Federal lines. Col. Marshall rode in advance to select a place for the meeting. He met Mr. McLean, a citizen, on the road, who had his home on the first Manassas battlefield and moved to Appomattox Court House to get away from the armies, as he hoped. Mr. McLean took Col. Marshall to an unoccupied house, which was rejected because it was without furniture. He then offered his own residence, on the outskirts of the little village. This was accepted, and Gen. Lee and Col. Babcock soon arrived, and, with Col. Marshall, they went into a room and awaited the arrival of Gen. Grant. That general, when he sent Col. Babcock to General Lee, started forward himself with a numerous retinue of his officers. When Gen. Grant reached Mr. McLean's house he and his officers alighted. When shown into the room he advanced and shook hands with Gen. Lee. The Federal commander was in undress uniform and without side arms, while Gen. Lee was in full uniform. He wore a handsome sword and gold hilt, which was a gift from English friends. He also wore a sash which was never seen except at special reviews or on dress occasions. General Grant, by way of apology to Gen. Lee for coming without his side-arms said that his sword was with his baggage, and because of his desire to reach the place for the conference he had hastened on in undress uniform.

This was the only allusion to a sword that was made at the interview. The other Federal officers were introduced to Gen. Lee, and the conversation for a short time was general. Gen. Lee requested Gen. Grant to put into writing the terms upon which he asked the surrender of the Confederate forces. Col. Parker, of Gen. Grant's staff moved over to his chief, a small table that was in the room, and upon this Gen. Grant wrote in pencil the terms of surrender. This was submitted to Gen. Lee, who objected to the demand for the surrender of the horses of his men. He said that most of the men owned their horses, which would be useful to them for work at their homes, to which they were about to return. He asked that horses which were private property and not furnished by the Confederate government be excepted. Gen. Grant agreed to this, and with his pencil interlined the words in the written terms. Field paper was used for the document, which made two copies at one writing. Colonel Parker was then instructed to make an ink copy of what Gen. Grant had written, and Col. Marshall wrote for Gen. Lee the acceptance of the terms of surrender. A bottle of ink that was too thick for use, but is now highly prized, was produced. Col. Marshall had with him a bottle of ink that he used for writing when in the field. The two documents were written with this ink. Col. Marshall wrote with his own pen, and he is not certain that Col. Parker did not use the same pen. Gen. Grant affixed his signature to the document written by Col. Parker, and Gen. Lee signed the one prepared by Col. Marshall, about the wording of which he was consulted at the time of writing. Gen. Grant's paper was handed to Col. Marshall and Gen. Lee's was given to Colonel Parker who retained them for their chiefs. These are the papers which are familiar to readers of the history of that era. While the staff officers were preparing these papers, Gen. Grant and Lee engaged in conversation, and the other Federal officers were also in the room. Gen. Lee and Col. Marshall were the only Confederates present. Gen. Sheridan called across the room to Gen. Sherman to inquire how many rations he could furnish. Gen. Grant explained that he had advised that Gen. Lee's forces had a number of Federal prisoners, who, like their captors, were out of rations. Gen. Sherman replied that he could supply 25,000 rations. Gen. Grant then instructed him to send 25,000 rations to Gen. Lee's commissary. After the interview Gen. Lee asked for Gen. Williams, and thanked that officer for kindness shown to his son, Gen. Custis Lee, who had been captured several days before. When General Lee and Colonel Marshall rode off the Federal officers filled the front porch. Col. Marshall is not sure that Gen. Lee was among them, for his thoughts were busy with other matters at the time. It was known in the Confederate lines that Gen. Lee had gone to meet General Grant, and the soldiers crowded around to learn the result when he returned. Gen. Lee addressed his men on that occasion. He then retired to his tent and selected the commissioners who, with a similar commission named by Gen. Grant, were to carry out the details of the surrender. The next day, when the paroling of the men was going on, Gen. Lee had another interview with Gen. Grant, at the request of the latter. Gen. Grant was anxious to have a meeting between President Lincoln and Gen. Lee. Here Gen. Lee interposed the same objection that Gen. Grant had made the day before. He said he had no authority in the affairs of the Confederacy beyond the command of his army, and that authority ended at the surrender. Col. Babcock who was accidentally drowned in Florida last summer, had a conversation with Col. Marshall about the surrender only a short time before he lost his life. He said he had prepared a statement of the incidents as he saw them, and hoped that Col. Marshall would do the same. Col. Babcock remarked, "It is time the stories of the Appomattox apple tree and Gen. Lee's sword were exploded."

Col. Marshall, in closing the conversation yesterday, alluded to the statements about what Gen. Lee would have done if Gen. Grant had demanded his sword and the side-arms of his officers. Col. Marshall said that question did not come up at all in connection with the surrender. The only allusion to a sword was when Gen. Grant excused himself to Gen. Lee for coming to see him without wearing one. Colonel Marshall thought that if books were written to tell the things that men might have done if something else had occurred except what really happened, there would not be enough libraries to hold them.

A German went into a restaurant, and as he took his seat, an Irish water came up and bowed politely. "Wie gehts?" said the German, also bowing politely. "Wheat cakes!" shouted the waiter, mistaking the salutation for an order. "Nain, nain," said the German. "Nine!" said the waiter. "You'll be lucky if you get three."

Make no haste to be rich if you would prosper.

GENSURE OF JURIES.

BAKERSVILLE, N. C., April 8.

TO THE EDITOR OF THE TOPIC.—In looking over your issue of March 25, I see I have unwittingly called down upon my "poor devoted head" the "logical" and powerful articles of "Foreman of the jury," to which is added the awful grandeur and sublimity of the thunders of Sinai by the attachment of his name in full. In such terrible presence I admit I ought to and would remain silent were it not that neither the letter of one of the Jury nor that of foreman of the Jury was the first or last of the flings at editors and outsiders, and that these classes have some rights even jurors are bound to respect, and that in the whole of foreman of the jury's article are only one or two sentences worthy of a reply; hence I am in print to repel an attack not commenced by myself, and in which foreman of the jury rushes to the front, consigning one of the jury to the rear, the place he most probably occupied on that jury. In replying to foreman of the jury I wish to reproduce a few sentences which he introduces as "reasoning" in his able, fair and logical "argument" in reply to my first article. Here follow some of his arguments against my quotations of the evidence and the law in the case: "Charge made by a person signing outside. * * * Perverts the latter's meaning. * * * Uncautious person. * * * Reckless and untrue. * * * Calumnious person. * * * &c. How convincing such arguments must be to disinterested outsiders who read my first article and can see how appropriately they reply to my quotations. Here follow a few sentences from Foreman of the jury's very "fair" article which may be counted worthy a passing notice: "As to his argument, it would not, I imagine, be very difficult to show that, in order to make it what it is, that which was evidence in the case is illogically jumbled with that which was not, and, therefore, that deductions drawn from such treatment of a subject are of not one particle of value."

of the jury goes on to explain to some one his position and presence upon that jury, which he evidently thought needed some explanation, and then winds up by saying: "But if the question is one of murder it is necessary that the proofs should establish murder according to its definition, the act of killing a human being with malice prepense. And that is just where, in this case, the proof failed, and the sole reason for an omission to convict by the jury." As foreman of the jury attaches not a fraction of importance to my opinions, I will simply ask him if the remark of the Judge, in passing sentence, did not seem to imply that the prosecution had proved the act of "killing a human being with malice prepense"? The value of my opinions will, undoubtedly, be differently estimated by different individuals, and, I opine, neither of us have the time or inclination to discuss their relative values. Those extracts or quotations, however, which I gave as evidence or law in the case either are what they purport to be, or I have subjected myself to the charges of perversion and untruth. The records of the trial are open to the inspection of those interested. Let them be examined and the charge of untruthfulness rest where it belongs. Of the temper or ability of the letter of one of the jury I have nothing to say, but I wish to ask foreman of the jury "by what moral" or other right he arrogates the sole privilege of interpreting the meaning of that letter?

Foreman of the jury devotes some fifty or sixty lines of explanation—not, be it understood, "to this calumnious person—but to those in Caldwell county, whose good opinions he values," in which he says: "Two customary questions were not asked me when I was accepted as a juror." If my memory serves me, none of the customary questions were asked him when he was accepted as foreman of the jury admits to the fullest extent all I wrote to claim, to wit: the right of the public honestly and fairly to criticize trials and verdicts, I have nothing to contend for on that point, and as, in my first letter, I disclaimed the purpose to make any charge against the jury or their verdict, and as I imagine you have had enough, this closes my part of the discussion, unless my facts are met by something more pertinent to the case than mere epithets. I have my opinions of the intent of this discussion which I shall give at another time. As for the charges which are made against myself as outsider, I accord to them the same "fractional importance" accorded to my opinions by foreman of the jury—and no more! And now I will close this already too long letter, by hoping that foreman of the jury approached the solemn duty of arriving at a verdict in that trial in a spirit of more fairness, and a greater desire to do justice, than he has manifested in arriving at his unjust and strained conclusions and treatment of the letter of "Outsider."

D. S. ELLIOTT,
Editor Western Democrat.

Gen. Grant's Dream.

Baltimore Sun.

Gen. Grant passed a comparatively sleepless night. Soon after awakening Saturday morning he related to the physicians, not without some humor, a dream he had had while under the influence of the anodyne. He said he thought he was off traveling somewhere afoot, carrying a satchel. He thought he was very poor, only half dressed and without money. This worried him a good deal, although, as he said, "I thought I ought to be used to it by this time." He thought himself altogether in a bad predicament, without money and without friends. He came to a fence and got over it very awkwardly, there being a stile on one side only. When he got over he found that he had left the satchel on the other side, and that he could not get it unless he paid duty on every step of the stile as he went back. Then he thought he would go back home and borrow the money of Mrs. Grant. He found she had only \$17, and that was not enough and then he was very glad to wake up.

Why He Got There.

Statesville Landmark.

Doubt touching the authenticity of the first news of this appointment was expressed in these columns last week. This doubt arose from the fact that neither of our Senators holds cordial relations with Mr. Jarvis, and from the knowledge that no North Carolinian can hope for anything except through their influence. A moment's reflection shows a probable theory in the case. Gov. Jarvis has for some time been in training for the senatorship. His adroitness as a politician is such that he is not to be despised by even so adroit a politician and popular gentleman as Senator Ransom. As this gentleman's time will expire in the course of years, he has no doubt seen it to his interest to secure the banishment of Jarvis, and this we take it, is the secret of the senatorial support which the ex-Governor could never otherwise have had.

Hitting the Nail on the Head.

Davidson Dispatch.

It is very common for people to complain that they cannot get justice in the courts, and occasionally there may be ground for complaining; but if the article dispensed in our superior court during the term just closed may be taken for a fair sample of justice, it is time for the public to cry out for protection. We have no desire or intention to question the motives of the judge who sat upon the bench or to find fault with the law which invests him with so much discretion in dispensing justice; but in the name of the law-abiding citizens of North Carolina, we protest against the indiscriminate turning loose of law-breakers upon condition of paying the costs of prosecution.

We find, upon examining the State docket, that during our two weeks term of court, about twenty-five cases were disposed of. Of these, seventeen were discharged upon payment of costs; two boys who stole a pocket book containing a sum of money, were bound out to secure costs and the payment of part of the stolen money; a negro boy who also stole a purse full of money, was discharged on payment of costs and making an arrangement with the loser of the money; a man who was convicted of firing with a gun into a yard in front of a house and killing a dog, was sentenced to pay the costs and five dollars for the dog; two boys, other than those mentioned above, were convicted of stealing money, and bound out for costs and a fine. If the public cries out against such justice as that, is it to be wondered?

Our opinion is, and we believe that the object sought in punishing law-breakers is to set an example that will deter others from offending in like manner. Now it occurs to the writer,—and this is probably the only point on which the judge disagrees with him,—that the wholesale turning loose of criminals with light punishment, or no punishment at all, is not likely to put evil-doers in terror of the law. It says in effect, that men may commit petty offenses (usually called misdemeanors) and get off by paying the costs, and that they may steal, and if caught, go free by restoring a part of the stolen property and paying costs of prosecution. By and by, if things are to go on in this way, there will be no protection for person or property. Even now the people ask what is the use of having laws and courts; and this is why they resort to lynch law so frequently. We do not question the motives of anybody; but we think that the public would be more secure in person and property if the courts would dispense more justice and less mercy.

You Must Register Your Deeds.

A BILL TO BE ENTITLED AN ACT TO REPEAL SECTION 1245 OF THE CODE AND REQUIRE THE REGISTRATION OF DEEDS.

The General Assembly of North Carolina do enact:

SEC. 1. That section one thousand two hundred and forty-five of the Code be stricken out and the following inserted in lieu thereof:

No conveyance of land, or contract to convey, or lease of land for more than three years shall be valid to pass any property, as against creditors or purchasers for a valuable consideration from the donor, bargainor or lessor, but from the registration thereof within the county where the land lies. Provided, however, that the provisions of this act shall not apply to contracts, leases or deeds already executed, until the first day of January, 1886. Provided further, that no purchase from any such donor, bargainor or lessor shall avail or pass title as against any unregistered deed executed prior to the 1st day of December, 1885, when the person or persons holding or claiming under such unregistered deed, shall be in the actual possession and enjoyment of such land, either in person or by his, her or their tenants at the time of execution of such second deed, or when the person or persons claiming under or taking such second deed had at the time of taking or purchasing under such deed actual or constructive notice of such unregistered deed, or the claim of the person or persons holding or claiming thereunder.

SEC. 2. That any person or persons holding any unregistered deed or claiming title thereunder, executed prior to the 1st day of January, 1885, may have the same recorded without proof of the execution thereof: Provided, that such person or persons shall make an affidavit before the officer having jurisdiction to take probate of such deed, that the grantor, bargainor or maker of such deed, and the witnesses thereto are dead, or cannot be found, and that he, she or they cannot make proof of their handwriting. Such affidavit shall be written upon or attached to such deed, and the same, together with such deed, be entitled to registration in the same manner and with the same effect as if proven in the same manner prescribed by law for other deeds.

SEC. 3. That all deeds, contracts

or leased, before registration, except those mentioned in sec. 2 hereof, shall be acknowledged by the grantor, lessor or the person executing the same, or their signatures proven on oath by one or more witnesses in the manner prescribed by law, and all deeds so executed and registered shall be valid, and pass title and estates without livery of seizin, attornment or other ceremony whatever.

SEC. 4. That for the probate of all deeds, including the privy examination of a *feme covert* executing the same, executed prior to January 1st, 1885, the clerk shall receive fifteen cents for each name, and the register, for recording the same, fifty cents for the first three copy sheets, and five cents for each additional copy sheet.

SEC. 5. That this act shall be in force from and after the first day of December 1885, and the Secretary of State shall cause the same to be published in at least three newspapers in each judicial district in the State for six weeks before the day—and shall furnish to each clerk and register in the State a copy thereof, to be posted in their offices.

N. C. Agricultural Society, Fair 1885.

The State Agricultural Society, which has for several years been somewhat embarrassed, we are pleased to learn, has adjusted all its debts and is now on a solid financial basis.

We have been furnished with the following statement, which with pleasure lay before our readers: Some ten years since the Society purchased ground and erected large and commodious buildings for the annual Fair, costing \$60,000, for which the property was mortgaged. The heavy interest to be paid prevented the liquidation of the principal as rapidly as was desirable. However, the debt has from time to time been reduced until it is now only \$26,550, all told. Within the last few months the Society has issued bonds for the above amount, running twenty years, thus relieving it from any further embarrassment. These bonds bear six per cent interest, and are pledged to learn, have every one been taken at par. This is an exact statement of the financial condition of the Society.

The great success of the State Exposition has revived the interest of our people in such matters, and we are pleased to learn that, while the next Fair will not be as grand an affair as the State Exposition was, it will be one of the best ever held in the State, will renew their interest in this great State institution and aid in making it an honor to North Carolina.

A Lesson in Finance.

Boston Herald.

Some years ago there lived in a village which is now included in the limits of Boston, a blacksmith. He was a master workman, his custom was large and the owners of fine horses for miles around were in the habit of taking them to Green's to be shod. One day a new customer but not a stranger to the old gentleman, drove up. His name was Blodgett, but he had passed a season abroad and returned considerably Frenchified, as well as Anglicized and his name had been transformed into Blogee. He wanted a shoe set and after the job had been completed in the usual excellent manner, he inquired:

"Ah how much is the charge, Mr. Green?"

The reply came short and sharp, "Half a dollar."

"Hawf a dollar! hawf a dollar! Why, weally, I've been out of the country so long that I don't know what hawf a dollar is, don't you know," answered Mr. Blogee, handing over a dollar bill.

The blacksmith stood a moment in speechless amazement; then thrusting the bill into one pocket, brought forth a quarter from another, and handing it over to Blogee with the remark, "I thought every darned fool knew a half dollar was seventy-five cents," marched back to his forge.

Death of the Sheriff of Alleghany.

SPARTA, N. C., March 30, '85.

TO THE EDITOR OF THE TOPIC.—Our people have again been called upon to mourn the loss of one of our best citizens. Mr. George M. Bledsoe, high Sheriff of our county, died at his residence five miles from this place, Saturday evening at 11 o'clock, p. m., after a short illness of only five days of Pneumonia, it being the third attack.

Sheriff Bledsoe was highly appreciated as an officer and his prospects for a business officer bid fair to success. He had enjoyed the honors of Sheriff but a short time, but in that time made lasting impressions on the minds of the citizens of Alleghany county. He was a Democrat of the strictest sect.

Now our Commissioners will be called upon to appoint a Sheriff to fill the unexpired term of our brother Bledsoe.

Mr. Bledsoe was buried Monday while surrounded by many friends and relatives. A FRIEND.

Wallace
Bros.,
STATESVILLE, N. C.

Wholesale Dealers

General Merchandise

Largest Warehouse
and best facilities for handling
Dried Fruit, Berries, etc., in the State.

RESPECTFULLY

Wallace
Bros.

August 27th, 1884.

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Graduate Baltimore Dental College,
Dentist.
Lenoir, N. C.
Uses no Impure Material for Filling Teeth.
Work as Low as Good Work can be Done.
Patients from a distance may avoid delay by informing him at what time they propose coming.

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