

THE ALABAMA HISTORICAL QUARTERLY

MARIE BANKHEAD OWEN, Editor
EMMETT KILPATRICK, Co-Editor



Published by the
STATE DEPARTMENT
OF
ARCHIVES AND HISTORY

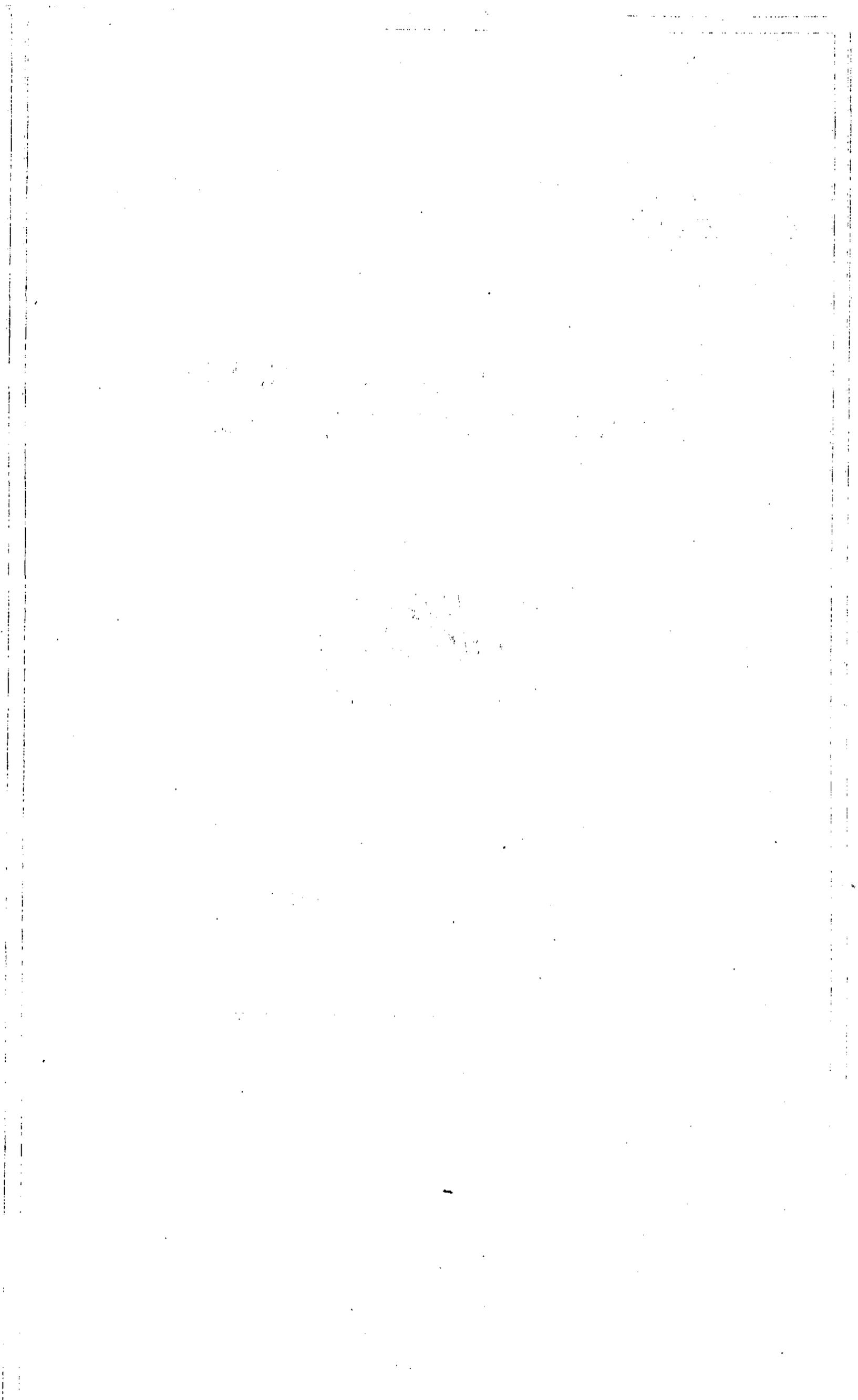
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FALL ISSUE

1945



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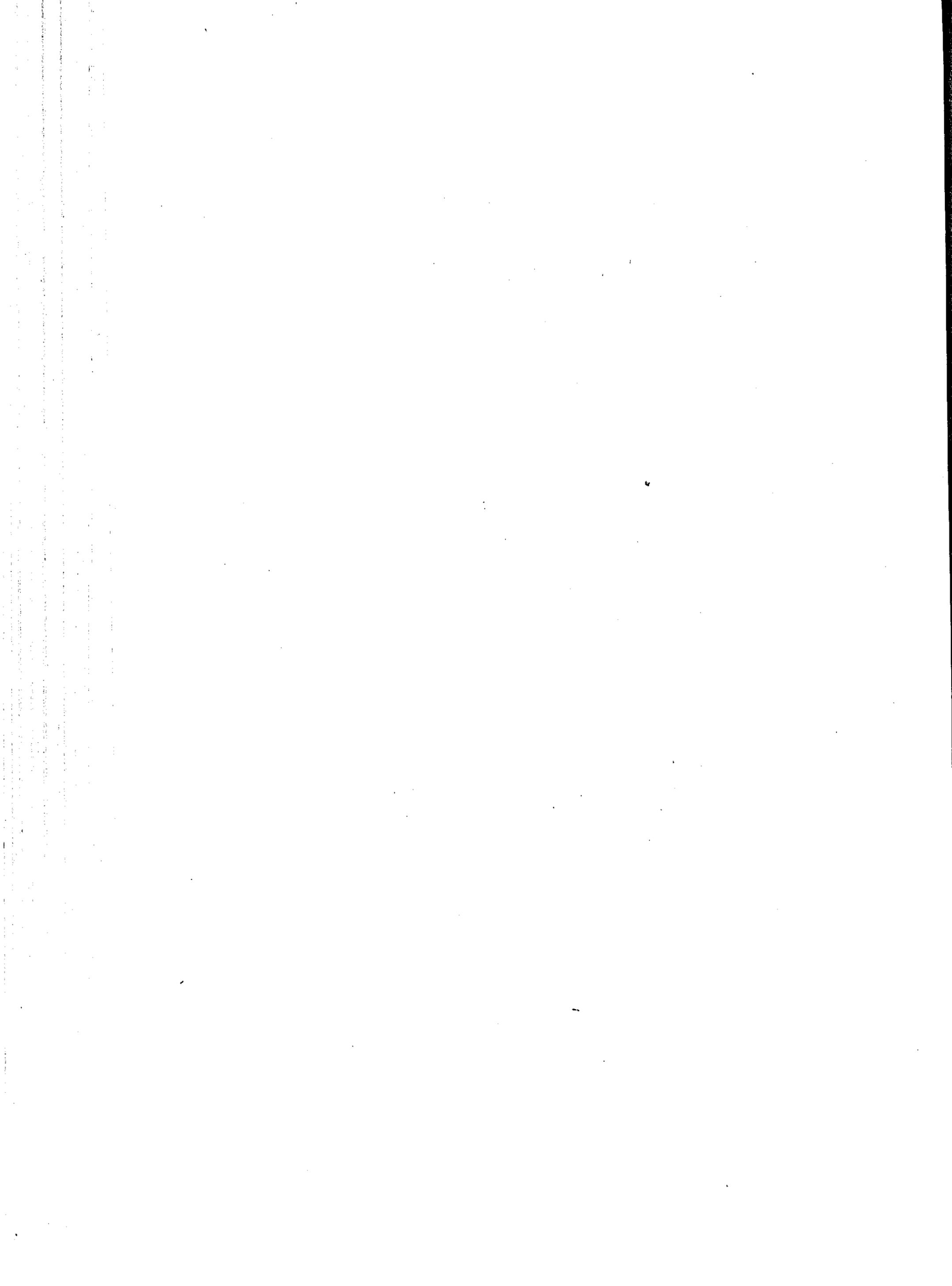
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EDITORIAL

The Editor of the Alabama Historical Quarterly regrets that the magazine has not in recent months been issued on time, the explanation being, as stated in the Summer issue, that the cost of publication has more than doubled and the annual appropriation is not sufficient to bring out four numbers each year. This condition will be improved, however, if the Legislature now in session carries out the budget for the Department of Archives and History as recommended by the Interim Committee held in the late Spring. That budget doubles the appropriation for the Quarterly and will make it possible to bring it out on time.

The articles in this issue are varied in subject matter, each an interesting presentation of certain phases of our history. Material for the Winter issue is well in hand but it will be several months before it can be published for lack of funds.

MARIE BANKHEAD OWEN, Editor.





Presentation of bronze bust of former Governor William C. Oates to the State Department of Archives and History by his grand-daughter, Mrs. Thomas Leiter (Marion Oates) of Washington, D. C.

WILLIAM CALVIN OATES

November 30, 1833 - September 9, 1910

Twenty-ninth Governor of Alabama

By Walter B. Jones, Presiding Judge,

Fifteenth Judicial Circuit of Alabama.

(The occasion of this tribute was the presentation of a bronze bust of former Governor Oates to the Alabama State Department of Archives and History by his grand-daughter, Mrs. Thomas Leiter (Marion Oates) of Washington, D. C., December 2, 1946. The exercises took place in the Spanish-American War lobby in the marble hall of the World War Memorial Building and brought together a number of State officials and personal friends of the Oates family. Lucien D. Gardner, Chief Justice of the Alabama Supreme Court, presided. The bust is the work of Bryant Baker, an eminent British and American sculptor.)

We are met here this afternoon to pay tribute to the memory of one of Alabama's most useful and most distinguished sons, William Calvin Oates. He lived from 1833 to 1910, a little less than eighty years. Those were the years in which he lived and made the record of his life. And what a record! So glorious and so useful! And it is our happy privilege this afternoon to turn our hearts and minds back over the period in which this good and great man lived.

The record of Wm. C. Oates is a record that will ever live in the history of our State. It is a record which for countless generations to come will be an inspiration to the boys and girls of Alabama, especially those who have to contend with poverty and adversity. It is a record which the historian of the past has found pleasure in considering, and it is a record which the historian of the future will take delight and pride in preserving. It is the record of an outstanding son of our State, one who loved Alabama all the days of his life, one who was nursed at her breast, and one who now sleeps peacefully in her bosom. It is the record of a son who was happiest when serving his State and his people. This record is a record, too, which wears in its crown those things which men and women hold dearest: courage, honor, patience, toil, loyalty and high-mindedness.

We Marvel at His Accomplishments.

As we study this record and look back on the life of the man who wrought it, we are amazed at the things he accomplished and the number of military and civil offices Wm. C. Oates held. He was a country school teacher, the editor of a country weekly, a member of the General Assembly of Alabama, a member of two Constitutional Conventions, 1875 and 1901, a congressman of the United States for six consecutive terms, a leader of his political party for more than half a century, the governor of his State, an author of distinction, and a soldier in two wars—captain and colonel in the armies of the Confederate States during the War for Southern Independence, and a brigadier general in the war with Spain, 1898. No other son of Alabama in all the long history of the State has ever held so many different civil and military offices as did Wm. C. Oates.

The great Alabamian we honor here this afternoon in the capital city of his State, and within little more than a stone's throw of the home in which he lived for the last fifteen years of his life, not only held all these positions of trust, but he held them with honor and distinction. This great patriot discharged every duty that came to him with fidelity, ability and loyalty. His State and his people honored him time after time. Wm. C. Oates was grateful, for his was a grateful heart, and he showed his gratitude by giving to the service of his people the noblest and best that was in his heart and mind. Alabama takes a deep pride in the memory of Wm. C. Oates, and will ever cherish the greatness of his deeds and the nobility of his soul.

Brief Review of His Life.

A brief review of the life of him in whose honor we meet today tells us that the twenty-ninth governor of Alabama was born November 30, 1833, one hundred and eleven years ago last Saturday in what is now a part of Bullock County, Alabama. On the spear side of the family his ancestors were Welsh, and on the distaff side they were French and Irish.

Young Oates had limited educational opportunities and, as he said himself, he was "born in poverty" and "reared in adver-

sity." But, being ambitious and studious, he largely educated himself. Then, next, he became the teacher of a small country school. But his desire for a better education sent him back to school; after teaching for a few months he again became a student and finished the equivalent of a high school course at old Lawrenceville.

Then young Oates realized that the profession of law presented opportunities for public service. So, in the offices of a distinguished firm, Pugh, Bullock & Buford, at Eufaula, he began the study of law. The law never had an apter student. Studying for four months continuously, sixteen hours a day, he mastered the fundamentals of the law, stood a rigid examination and was admitted to practice law in 1858. At once he opened a law office at Abbeville, and at the same time edited a country newspaper.

Invasion of the South Calls Him to Battle

Young Oates, however, was not for long to remain a lawyer and editor. Soon he was to be called to the field of battle. January 11, 1861, Alabama, her constitutional rights derided and flouted in the Union, found it necessary for her welfare to withdraw from the federal union and to resume her full sovereignty. April 12, Abraham Lincoln, violating his pledge, attempted to reinforce the garrison at Fort Sumter, South Carolina. The guns of the Confederacy reduced the fort to rubble and the garrison to surrender. The War for Southern Independence was now begun. Young Oates immediately buckled on his sword, organized a company of infantry among his fellows, and soon marched off to the battle fields of Virginia to become a part of the Fifteenth Alabama Regiment of Infantry.

The young Alabamian, of commanding presence, was a born fighter and leader. He led his command bravely in more than twenty-five battles and fought his way to a colonelcy in the Confederate Army. At Gettysburg his regiment held the extreme right of Longstreet's Corps in the Confederate line when it assaulted the federal forces posted on 'Little Round Top,' July 2, 1863, and came very near turning the battle into victory for the armies of Robert E. Lee. Colonel Oates' regiment arrived on the battle field after a forced twenty-eight mile march. It was here too that Colonel Oates lost his beloved brother, who "fell

upon the heights of Gettysburg, pierced through with eight bullets."

Battle after battle saw Colonel Oates swing into action. He was with Hood's division in the West. His sword flashed high amid the smoke and cannonade at Chickamauga. It swung high before the regiment at Lookout Mountain, and it flashed in the early morning sun at Fussell's Mill, near Petersburg. There on August 16, 1864, Wm. C. Oates gave his right arm for the Confederacy. It was the loss of this arm which prevented the Confederate warrior from becoming a brigadier general in the Confederate Army, a promotion which General John B. Hood, commanding the Army of the Tennessee, had recommended.

After that grievous wound had healed, Colonel Oates returned to his military duties. And when the Confederacy forever furled her battle flags and her banner became the Conquered Banner of song and story, at Appomattox Court House on that historic Palm Sunday, April, 1865, the one-armed, Alabama colonel made his weary way back to his native State and resumed the practice of his profession.

The Years Pass By

The years pass slowly by, and we see the former Confederate soldier back among his people, laboring for their good. The Democratic and Conservative Party needs him to battle for the success of its principles, and in 1868 the party sends him as a delegate to the National Convention at New York City.

Colonel Oates' people recognize his ability and character. They send him to the General Assembly of Alabama, and that body makes him the chairman of its important Ways and Means Committee. No member exceeds him in industry and ability.

In 1875 Alabama, having redeemed itself from the rule of the Scalawags, Carpet Baggers, Radicals, and Black Republicans, has need of a new constitution. The State calls a constitutional convention and Colonel Oates takes his seat as a delegate. He serves all through the convention from Sept. 6, 1875 to adjournment on October second, and was the chairman of the con-

vention's judiciary committee. Six weeks later, November 17, the people of the State adopted the Constitution by an overwhelming majority of votes, and it became the organic law of the law of the State and remained so for more than a quarter of a century.

Spends Thirteen Years in Congress

Colonel Oates resumed his law practice, but the people had need of his great learning and experience again. So, in 1881 the people of his district sent Colonel Oates to the National House of Representatives at Washington. They kept him there just as long as he wished to remain. Six consecutive times they sent him back to Washington. He was an able and courageous congressman for thirteen years.

In Congress Colonel Oates devoted his great talents to the advancement of education and agriculture. He did not always vote strictly with his party. At times he felt some of the measures sponsored by it were not for the good of his country. So he voted against these, having the same conviction with President Rutherford B. Hayes, that he serves his party best who serves the country best.

Congressman Oates was always opposed to special and class legislation. When Congress sought to pass the direct refunding tax bill, he opposed the measure vigorously and led against it the longest filibuster that had occurred up to that time. "The Hero of Little Round Top" deadlocked the House of Representatives for eight days and nights and prevented the passage of the bill at that session.

The Governor of Alabama

In 1894 Alabama needed the strong will and indomitable courage of Wm. C. Oates as her chief executive. One of the greatest struggles ever made against a Democratic nominee in the State was directed against Colonel Oates. But he defeated Capt. Reuben F. Kolb, the candidate of the Jeffersonian Democrats and also backed by the Populists and the Republicans. Oates's majority was more than 27,000 votes.

Governor Oates handled the affairs of the State with sound

common sense, marked ability and great success. He established five additional agricultural schools, set up county and municipal boards to equalize the burdens of taxation, and favored measures to set up a sinking fund and gradually reduce the State debt. The Governor's special message on the public school system in Alabama ranks as one of the State's great State papers. He served only one term. During his canvass he announced that, if elected, he would not be a candidate for a second term, and the Governor held to his resolve. He retired December 1, 1896.

Appointed Brigadier General by McKinley

Retiring from the Governor's office, and now a little over sixty years of age, Governor Oates re-opened his law office in Montgomery, with the hope that his public duties were ended. But the Governor was not to remain in private life very long. For in 1898, April 19, the anniversary of the Battle of Lexington, 1775, the United States declared War on Spain. The regular army was not sufficient in size or strength to combat the foe. Volunteers flocked to the colors. William McKinley, President of the United States, looking for experienced military talent to command the volunteer armies, stepped across the old lines of sectional hate and misunderstanding, and William C. Oates became a Brigadier General of United States Volunteers.

"I Am Now a Yankee General"

In accepting his new military rank, the old Confederate Colonel who had so often led his forces against the United States Army, said: "Times change and we change with them. I believed implicitly in the righteousness of the cause of the Confederacy, and served it to the best of my ability until it went down in smoke and blood. The United States is now my government, and with my one arm I will serve it as faithfully as I did the Confederacy. I now don the Uniform and wave the flag upon which many times from 1861 to 1865 I ordered my command to fire. **I am now a Yankee General, formerly a Rebel Colonel, and right each time!**"

General Oates commanded three different brigades during the Spanish-American War. His brigades were composed largely of soldiers from Northern States, and they soon learned to love and respect the old warrior who had been with Lee at Gettys-

burg. But the war did not last very long, and the General did not get to see active service in Cuba, much to his great disappointment. He resigned his General's commission March, 1899, and again went back to his beloved law books.

A Constitution Maker Again in 1901.

If the old warrior, now 66 years old, thought that he was out of the public service, he thought incorrectly. In 1901 the people of Alabama decided that the Constitution of 1875, which the General helped to write, needed revision. A constitutional convention was called. William C. Oates again became a member, this time taking his seat as a delegate from the State-at-large. In a body where there were many able and wise statesmen, there was none abler nor wiser than Wm. C. Oates. The convention met at the State Capitol, Montgomery, May 21, and remained in session until September 3, 1901.

General Oates took an important part in the work of the convention and was chairman of the convention's Committee on the Legislative Department. He was also a member of the Committee on Suffrage and Elections.

General Oates, in common with many high-minded Alabamians in and out of the convention, did not believe in the 'Grandfather Clause' and did not give support to the blanket disfranchisement provisions of the proposed constitution. He felt that the 'Grandfather Clause' violated the United States Constitution and also objected to it because he said it was un-American and anti-Democratic and belongs to a regal or kingly form of government.

In his last speech to the convention General Oates explained the differences that had arisen between himself and the other delegates. "They contended," he said, "the convention was called to disfranchise the Negro. I contend that this view of the purpose was too narrow; that the convention was called to so reform and elevate the suffrage as to secure honest elections."

Feared Only to Do Wrong.

Once when General Oates was absent from the Convention because of a pressing engagement elsewhere, an important vote

was taken. Someone suggested that he was 'running away' from the vote. As soon as the old warrior and fighting Democrat heard this, he took the floor of the convention, and, rising to a question of personal privilege, thundered a scathing rebuke against the delegate who made the remark, saying:

"I never ran away from it. I don't know that it is wise, but I am not afraid of anything in God Almighty's world, except one thing, and that is to do wrong. Nothing else do I fear."

These are not words of self-praise; they are but the statement of a truth known to all—the courage that was ever in his soul.

Voted at the Polls to Ratify.

General Oates supported the new Constitution. He declared that it was not such an instrument as the people of Alabama were entitled to, and had a right to expect. But it was far better than the 1875 constitution and he thought it for the best interests of the State that it be ratified by the people. The election was held November 11, 1901. More than 135,000 voters went to the polls. The vote against ratification was 54,875; for ratification 81,734, and the Constitution of 1901 was ratified by a majority of 26,879 votes. Under this Constitution, which Wm. C. Oates helped to form, Alabama has prospered and grown great in strength and spirit.

Again Opens His Law Books.

Governor Oates again returned to his law books. His public career was ended. He was happy in private life with his family and the practice of his profession. In 1882 he had married Sarah Toney of Eufaula. She was born September 28, 1862. She was the devoted companion of his life. To them was born one child, a son, William Calvin Oates, Jr., at Roseland, Alabama, May 20, 1883. Governor Oates took great pride in his son and made him his executor. In his will (See Record of Wills, Vol. 8, pp. 146-148) probated in 1909 in Montgomery County, the father says: "William is now 25 years old, a well informed, young lawyer, and a man of good sense and good character. In him I have the utmost confidence." Wm. C. Oates, Jr. served as a captain in the First World War. Upon his return home he was elected the first commander of the American Legion Post here. In later

years Captain Oates served as the secretary of the State Securities Commission. He did his important work ably and faithfully. It is not an exaggeration to say that as a result of the fight Captain Oates waged against wild-cat stocks, the wise laws he framed for the State of Alabama to prevent frauds in the sale of stocks, the people of our State were saved many millions of dollars. Will Oates's memory should not be forgotten. William C. Oates, Jr. married Miss Georgia Saffold, of Montgomery, and this handsome gift to Alabama today comes from the generous heart of Governor Oates's granddaughter, Marion Oates Leiter, the only child of his beloved son.

At the Grave of Governor Oates.

Early today, as the first rays of the morning sun shone on the tombs at Oakwood Cemetery, I stood by the last resting place of Alabama's faithful and loyal son, in that peaceful city of the dead. A few feet south of his grave sleeps the companion of his life, the good wife, who died July 2, 1933. A few feet north of the Governor's grave rests the ashes of his only child and son, who died February 6, 1938.

In the center of the plot stands a majestic, marble monument, supporting a handsome bronze statue, eight feet tall, of the old warrior and statesman. On the east side of the monument is carved these words, written by William C. Oates to be his epitaph:

WILLIAM C. OATES
BORN NOVEMBER 30, 1833
DIED SEPTEMBER 9, 1910

BORN IN ADVERSITY, REARED IN POVERTY, WITHOUT EDUCATIONAL ADVANTAGES, YET BY HONEST INDIVIDUAL EFFORT HE OBTAINED A COMPETENCE AND THE CONFIDENCE OF HIS FELLOWMEN. WHILE FAIRLY LIBERAL TO RELATIVES AND THE WORTHY POOR. A DEVOTED CONFEDERATE SOLDIER, HE GAVE HIS RIGHT ARM FOR THE CAUSE. HE ACCEPTED THE RESULT OF THE WAR WITHOUT A MURMUR; AND IN 1898-9 HE WAS A BRIGADIER GENERAL OF UNITED STATES VOLUNTEERS IN THE WAR WITH SPAIN.

On the west face of the monument is this inscription:

"A SOLDIER IN TWO WARS, CAPTAIN, COLONEL, AND GENERAL; LEGISLATOR, MEMBER OF CONGRESS, AND GOVERNOR."

The Dead—They Are So Soon Forgot.

This monument was erected, and the inscriptions carved thereon, in obedience to the provisions of the Governor's Last Will. In Item 11 he says: "The dead, they are so soon forgot." And he directs his executor to erect the monument and specifies the words he wishes engraved on it. Explaining the inscription, the Governor says: "These inscriptions are not designed for ostentatious display, but to point the way to success to others who come after me."

William Calvin Oates wanted to live in the memory of his fellowmen, and in the memory of generations to come after him. "The dead, they are so soon forgot," he says in sharply affecting words.

But Alabama will not forgot her noble son, William Calvin Oates. He lives in the history of his State and in the memory of a grateful people.

This afternoon, as I think of this great Alabamian, I recall the words he spoke in the General Assembly of Alabama one day in November, 1871, when he paid tribute to the immortal General James H. Clanton of Alabama:

"No man ever lived within her borders, who was more devoted to his State than was the deceased to his beloved Alabama. Every measure calculated to redound to her glory, and add to her material prosperity, found in him a sincere friend and a fearless advocate. Whatever tended to her dishonor, foremost among her staunch defenders, he was ever ready to resist to the utmost extremity. His courage, both physical and moral, was of the highest order, yet it did not surpass his generosity. In his charge at Booneville, like the leader of the Old Guard at Waterloo, he displayed a sublimity of courage equal to the French Marshal whose response to the demands of his enemies was: "A Marshal of France never surrenders." He excited in his enemies both terror and admiration, as Murat did of the Cossacks; yet all the blows he ever inflicted, all his exertions, both mental, and physical, were but the outpourings of his generous nature, for the relief of the oppressed, and in the cause of right. Notwithstanding his impetuosity, when the exigency demanded it, he was cool, deliberate and cautious in counsel."

These eloquent words of tribute to General Clanton are the

true and fitting tribute also to General William C. Oates.

May the sun that lights the world by day, and the stars that shine by night, keep watch and ward over the grave of William C. Oates, and may the soul of Alabama's beloved son be with our Father in eternal and everlasting glory.