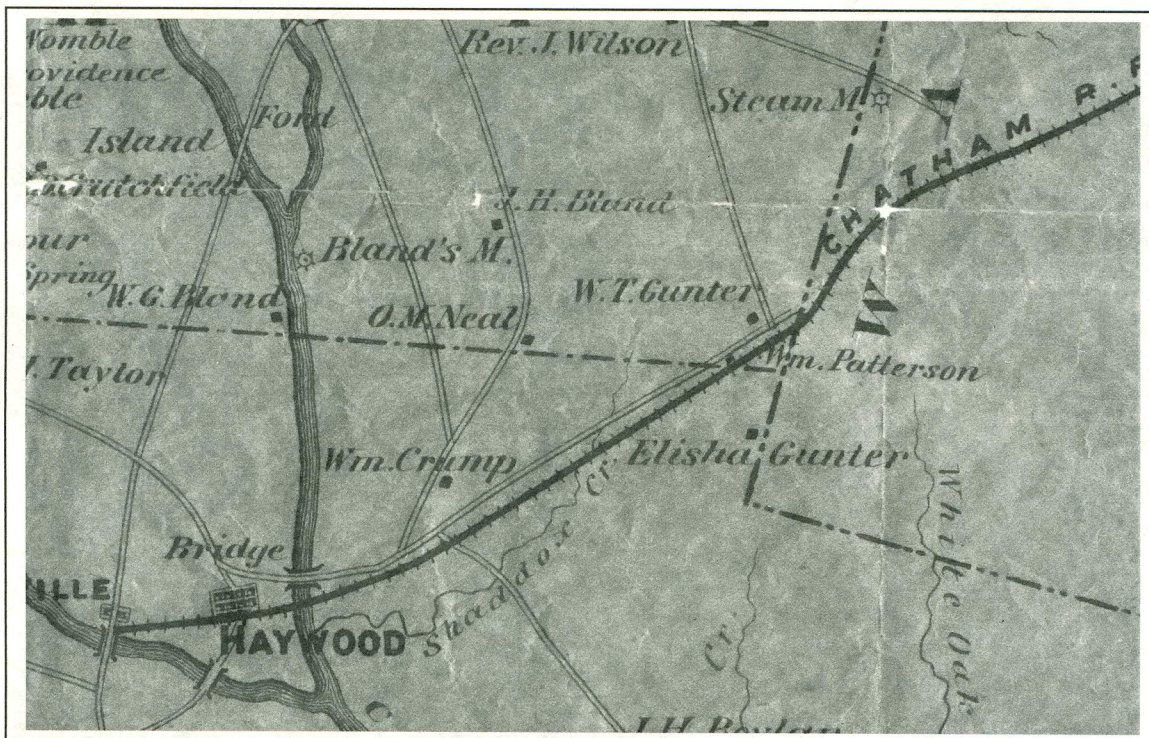


# THE CHATHAM RAILROAD

BY

ROBERT A. WIESNER



Detail, Ramsey's 1870 Map of Chatham County

CHATHAM COUNTY HISTORICAL ASSOCIATION, INC.  
PITTSBORO, NORTH CAROLINA

# **The Chatham Railroad**

**Robert A. Wiesner**

Chatham County Historical Association, Inc.  
2005

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*All photographs are from the North Carolina State Archives, Raleigh, North Carolina.  
The Wilkes map is in the North Carolina Collection, Wilson Library,  
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## Preface

The story of the Chatham Railroad is an outgrowth of my research on the Endor Ironworks, which began in 1988. The Endor Ironworks was built in south-central Chatham County in 1862 to produce pig iron for the Confederate Ordnance Bureau in Richmond. The railroad and the ironworks were related to each other through the officers of the Chatham Railroad and the Raleigh and Gaston Railroad, who were also among the third owners of the ironworks.

In 1863, nine men, in the name of the Lockville Mining and Manufacturing Company bought the Endor Ironworks, becoming its third owners. That was an unusual circumstance because the stone blast furnace, the focal point of the ironworks, had been started up only twenty months earlier, and during all of that time the South desperately needed pig iron. I know of no costlier private industrial undertaking to have existed in North Carolina before the Endor furnace was built. Of the nine Lockville owners, four were, or had been, officers or heavy stockholders of the Raleigh and Gaston Railroad or the Chatham Railroad. The Raleigh and Gaston Railroad later became a part of the Seaboard Air Line Railway.

The builders of the ironworks were from a family of railroaders in Wilmington who had a considerable interest in the Wilmington and Weldon Railroad, which later became part of the Atlantic Coastline Railroad. The Seaboard Air Line Railway and the Atlantic Coastline Railroad were fierce competitors.

The mission of the Lockville Mining and Manufacturing Company was to get the Endor furnace and other blast furnaces into operation to produce the original rails for the Chatham Railroad and replacement rails for the Raleigh and Gaston Railroad. It is my belief that the elements of the necessary rail-rolling mill were moved from the Atlanta Rolling Mill, which had been converted early in the war to produce armorplate for iron-clad naval vessels. The mission of rolling the rails was never accomplished.

The war ended with the Chatham Railroad having met only a negligible fragment of its original design objective. I have found no records indicating exactly how much was completed by the end of the war.

After the war a swarm of Northern carpetbaggers descended on North Carolina, as they did on other southern states, and the managers of the Chatham used a carpetbagger's manipulative skills with the North Carolina legislature to further their goal of completion of a rail line along a route completely different from the path envisioned in the railroad's second charter of 1861. Ironically, the largesse spread by that carpetbagger was furnished to him by a native North Carolinian.

One of the legislative acts in behalf of the Chatham Railroad, which was written by two officers of the Chatham road, provided funding for its construction and was undoubtedly eased through the legislature by the paid lobbyist. That act was later declared unconstitutional, delaying construction of the road.

By mid-1868 the Chatham management, without telling all of the stockholders, had decided to change the design objective of the railroad from that of a coal-carrying road terminating in the coalfields of Chatham County to that of a road forming a section of a coastal railroad from the Northeast to the deep South. It was not until 1869 that thirty miles of the road were finally completed from Raleigh to the vicinity of Haywood. At that geographical and chronological point for all practical purposes the Chatham Railroad expired, still under a legislative and legal cloud.

Most of the archival documentation for this story can be found in the North Carolina Collection and the Southern Historical Collection in the Wilson Library of the University of North Carolina in Chapel Hill. *The Chatham Railroad and Its Connections*, which is cited extensively herein, is in the Perkins Library of Duke University in Durham; other copies are in the North Carolina Collection. This reference includes the full text of all of the legislation pertaining to the Chatham Railroad referred to in this story. Accordingly, for simplification, the laws I cite herein use page numbers in *The Chatham Railroad and Its Connections* rather than their equivalent pages in the various issues of the Public Laws of North Carolina.

The photographs were obtained from the North Carolina State Archives. There are still many gaps in the documentation, and there is a good likelihood that other factual materials exist at other, unknown, locations.

Because I am neither writer nor historian by background, my deepest appreciation is directed to Jane Pyle, the secretary of the Chatham County Historical Association, for having extensively edited this story into its present shape, and to Cindy Edwards, past president of the Association, for all her efforts with Jane Pyle for looking after the busi-

ness aspects of publishing it. Special thanks are directed to Matthew W. Norman of Atlanta for having provided, from his research in the National Archives on the Spiller and Burr Confederate revolver, the material I used for several of my references.

Robert A. Wiesner

Williamsburg, Virginia  
December 1997



# 1

## Introduction

*Imagine a brightly painted wood-burning locomotive,  
chugging and puffing into a depot pulling two brightly painted  
cars and women in crinolines and men in stovepipes gliding  
and striding about the platform.*

*Well, that couldn't have been the Chatham Railroad.*

*Now conjure up an image of cigar-chomping business  
barons shuffling stacks of state railroad bonds in their smoke-filled  
board room.*

*That's more like the Chatham.*

The Chatham Railroad was, in reality, a railroad that never was. It was chartered in 1855 as a coal-carrying road which would run from Raleigh to the coalfields along the Deep River near Gulf in Chatham County, North Carolina. Construction began in 1864, but only a few miles of track were laid by the end of the Civil War. When it was auctioned off in 1871, it was thirty miles long – thirteen miles shy of the coalfields – with two locomotives, one passenger car, a baggage/mail car, and twenty-seven freight or coal cars. Author Jonathan Daniels called it a “bob-tailed line.”<sup>1</sup>

The political history of the Chatham Railroad is a memorial to its officers, who were among those whose actions influencing two state legislatures – those of North and South Carolina during Reconstruction – partly suggested later regulation of the railroads. Sev-

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<sup>1</sup> Jonathan Daniels, *Prince of Carpetbaggers* (New York: J. B. Lippincott Company, 1958), 178.

eral of the officers of the Chatham were involved in cases of conflict of interest and coercive legislative lobbying. They were also owners of the Endor Ironworks, which was to produce the original rails for the Chatham and also replacement rails for the Raleigh and Gaston Railroad. Not all of their actions of derring-do directly or indirectly involving the Chatham Railroad or other railroads, are told in this story.<sup>2</sup> Many others appear in the story of the Endor Ironworks. Some of those activities, while indirectly benefiting the railroad, were of primary benefit to the ironmaking enterprise then known as the Lockville Mining and Manufacturing Company, which will be considered here only in its relationships with the Chatham Railroad.

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<sup>2</sup> See Daniels, *Prince of Carpetbaggers*, for other incidents.

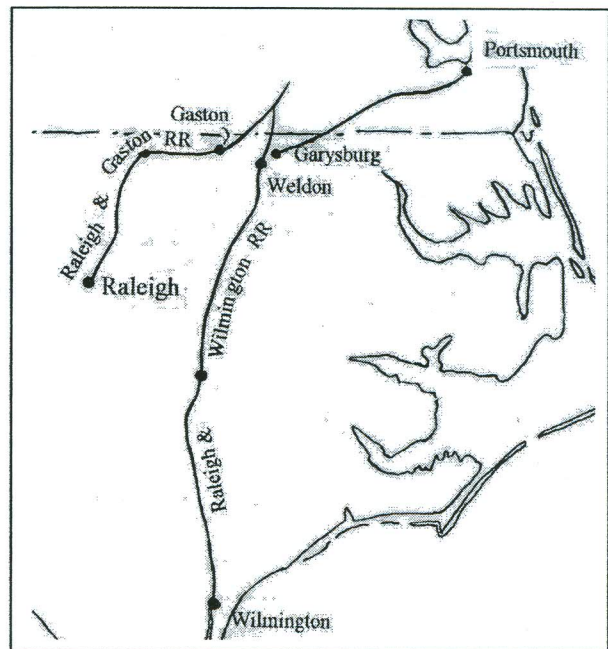
## 2

### The Chatham's Antecedents: The Raleigh and Gaston Connection

Before proceeding with the story of the Chatham Railroad, it would be useful to review the history of the Raleigh and Gaston Railroad until 1855 because of its very close connection with the Chatham Railroad.

In 1840, the only two completed railroads in North Carolina were the Wilmington and Raleigh, later called the Wilmington and Weldon, and the Raleigh and Gaston. [See map 1.]

The Raleigh and Gaston was chartered by the legislature in 1835, when the "lawmakers [were] willing to grant a charter for almost any sort of railroad, no matter how limited in importance or local in interest it appeared to be."<sup>1</sup> The company was organized in 1836 and construction began in 1837, with George W. Mor-



Map 1. - The completed railroads in North Carolina in 1840.

<sup>1</sup> Cecil K. Brown, *A State Movement in Railroad Development* (Chapel Hill: University of North Carolina Press, 1928), 29.

decai serving as its first president. It was completed between Raleigh and Gaston, North Carolina, in 1840. Although the Wilmington and Weldon Railroad was partially funded by the state in 1837 through use of funds made available to the state from a distribution of a surplus in the federal treasury,<sup>2</sup> the Raleigh and Gaston, in 1839, was the first railroad to get direct state financial aid.<sup>3</sup>

Throughout its early history the Raleigh and Gaston sought, "in keeping with the recommendation of the [North Carolina] internal improvement convention in 1833," an outlet south of its termination point in Raleigh and desperately needed "to extend its road to the South Carolina border."<sup>4</sup> In 1837, before it was completed, the railroad made a reconnaissance of the country between Raleigh and Columbia, South Carolina, in an effort to push south. Between 1837 and 1847 five formal attempts were made by, or at the behest of, the Raleigh and Gaston, through reconnaissance or legislative action, to run southward from Raleigh to Fayetteville or Cheraw, Columbia, or Camden, South Carolina.<sup>5</sup> None of these attempts were successful.

By 1847 it must have been frustratingly clear to the entrepreneurs of the Raleigh and Gaston Railroad that there was no commercial interest in their road as it was or in extending it southward. During the period from 1840 to 1845, without an outlet to the south, the income of the Raleigh and Gaston was abysmal, because in those times there was simply no real need for a railroad between its terminal points. The road could not maintain its equipment and roadbed while paying the interest on its indebtedness; it kept its books in a gothic manner; and it was foreclosed and purchased by the state in December 1845, then operated as a white elephant by the state until 1851.<sup>6</sup>

The Raleigh and Gaston was reorganized in 1851 under the same name, with several of the same management team in the new company. George Mordecai was again its president in 1852 and William W. Vass was again its treasurer. Dr. William J. Hawkins became president of the Raleigh and Gaston in 1857 and remained in that position until 1875, save two years.<sup>7</sup>

After reorganization in 1851 the Raleigh and Gaston built a 12-mile eastward extension in 1853 from its northern terminus near Gaston to Weldon, near Halifax. [See map 2.] At Weldon it connected to the Seaboard and Roanoke Railroad, which ran between

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<sup>2</sup> Brown, *Railroad Development*, 33

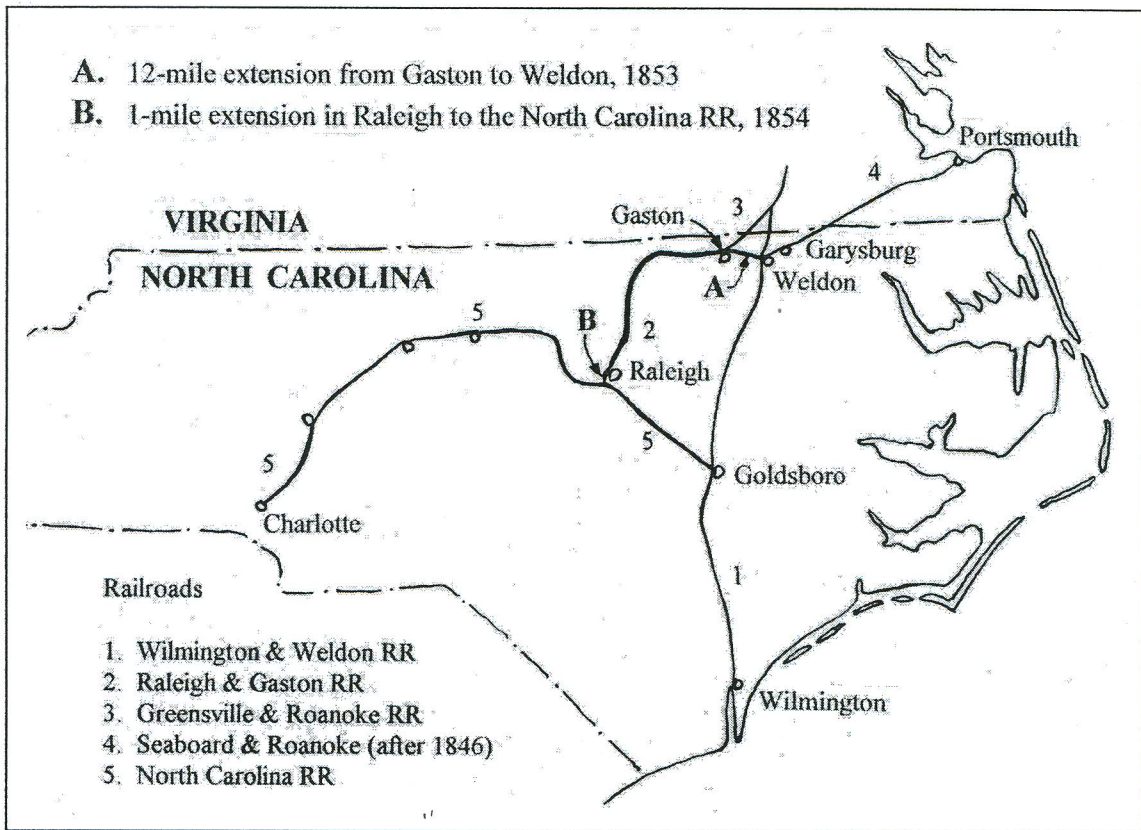
<sup>3</sup> *Ibid.*, 47-48.

<sup>4</sup> *Ibid.*, 46.

<sup>5</sup> S. David Carricker, *Railroading in the Carolina Sandhills*, vol. 1 (Matthews, N.C.: Heritage Publishing Co., 1985) 23, 29-30; Brown, *Railroad Development*, 46.

<sup>6</sup> Brown, *Railroad Development*, 48-58.

<sup>7</sup> Walter Clark, *History of the Raleigh & Gaston Railroad Company*. . . (Raleigh: Raleigh News Steam Job Print, 1877), table facing 140.



Map 2. - Extensions to the Raleigh & Gaston Railroad in 1853 and 1854.

Garysburg, North Carolina, and Portsmouth, Virginia, near Norfolk.<sup>8</sup> This extension gave the Raleigh and Gaston an outlet to a coastal port.

In 1854 it also completed a one-mile extension at its southern end in Raleigh to connect to the newly-completed North Carolina Railroad, which ran in a crescent from Goldsboro through Raleigh, Greensborough, and Salisbury, to Charlotte.<sup>9</sup> This provided the Raleigh and Gaston with an east-west connection at its southern end.

<sup>8</sup> Seaboard Air Line Railway Company, *Corporate History of the Seaboard Air Line Railway Company* (Norfolk: Burke & Gregory, 1922), 19.

<sup>9</sup> *Ibid.*, 19.

# 3

## Formation of the Chatham Railroad

Many years elapsed from the first mention of the coal road until the start of construction of the Chatham Railroad. The concept of a railroad, later to be called the Chatham Railroad, is first found in a report of the third annual meeting of the reorganized Raleigh and Gaston Railroad in November 1853.<sup>1</sup> It was cited there, unnamed, as the “road from Raleigh to the Coal Mines.”

In the report of the 1854 annual meeting the reference was repeated, and it was there projected to be “about 30 miles long.” From the Raleigh and Gaston station in Raleigh, the thirty rail miles end near Haywood, between the Haw and Deep Rivers in Chatham County. To reach the “coalmines” would have required an additional thirteen miles of road at least, if it were built on the north side of the Deep River. So in fragmentary form the long-term objective of the road’s entrepreneurs – that of providing a 30-mile increment of a thousand-mile east coast rail line from New York to Florida – can already be seen. But a clear path to that ultimate development is full of turns and twists and is hardly distinguishable again until 1868. The Chatham Railroad people would hammer away at getting the road to the coalfields, at least in public announcements, until 1868, when their objective became Columbia, South Carolina. The 13-mile appendage from Haywood to the coalfields would later get in their way, vex them, and never be undertaken.

The Chatham Railroad was granted a state charter in 1855, after glowing reports were written by several geologists and mineralogists describing the “inexhaustible” resource of

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<sup>1</sup> *Proceedings of the Third Annual Meeting of the Stockholders of the Raleigh & Gaston R.R. Company, Held at Raleigh, Nov. 10, 1853, with the Reports of the President, Treasurer, &c.* (Raleigh: 1853), 7.

coal in lower Chatham County.<sup>2</sup> The charter allowed the entrepreneurs to solicit funds to build.

The question arises as to why the Chatham Railroad was not undertaken as an extension of the Raleigh and Gaston Railroad. No documentation has been found to positively answer that question, but two related facts are relevant. In 1854 or 1855 the Raleigh and Gaston, the first railroad to have its bonds supported by the state, as noted above,<sup>3</sup> was politically and financially out of favor with the state since the state, between 1843 and 1854, "lost close to \$1,000,000 because of its financial entanglements with this railroad."<sup>4</sup> After 1855 it was crystal clear to the Raleigh and Gaston that an extension by it or even under the Chatham Railroad name could not be built without state funding.

The 1855 charter lapsed because construction requirements and funding provisions set by the legislature were so complex – and financial support so lukewarm – that the company failed to realize sufficient subscriptions within the period specified in the chartering act.<sup>5</sup>

The 1857 annual report of the Raleigh and Gaston contained the first reference to the "coal and iron fields in Chatham" (emphasis added), testifying to the discovery of iron ore at Buckhorn by William McClane around 1855.

While the Chatham road was conceived to carry coal to Raleigh, it would also act to extend the Raleigh and Gaston southward, thirty miles anyway, below its termination at Raleigh until something better in the way of a southern outlet could be worked out. A map prepared for the United States Senate in 1858<sup>6</sup> showed the route of a proposed, unnamed railroad from Raleigh to the Haw River at Haywood, which was supposed to be the Chatham. [See map 3.] That map also shows the proposed Cheraw and Coalfields

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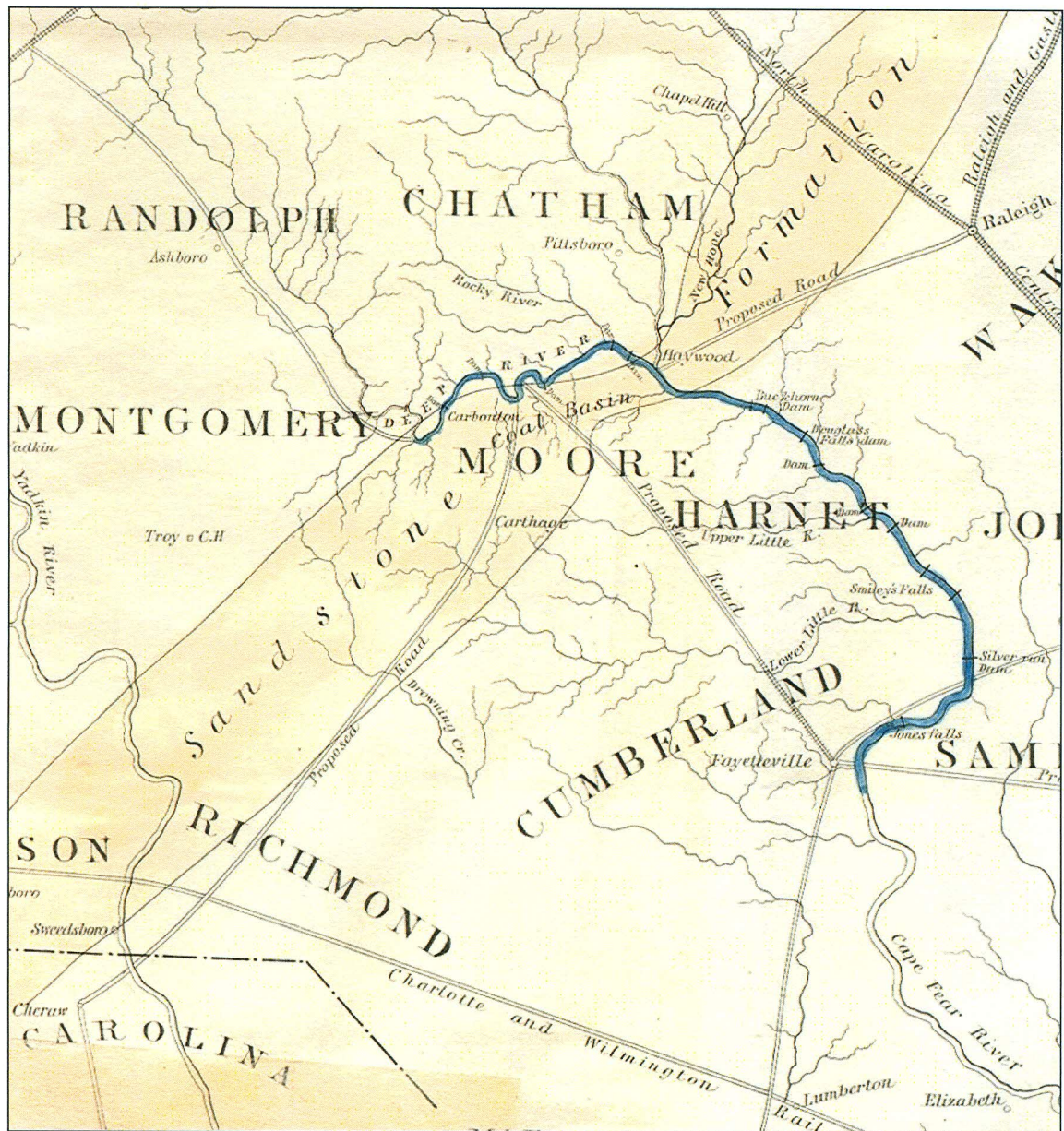
<sup>2</sup> Walter R. Johnson, *Report on Coal Lands of Deep River Mining & Transportation Co.* (Albany: Weed, Parsons & Co., 1851; [Ebenezer Emmons, North Carolina State Geologist], *Report of Professor Emmons on His Geological Survey of North Carolina* (New York: George F. Nesbitt & Co., 1858); Charles T. Jackson, "Report on Coal Lands of Egypt [and other plantations] on Deep River, North Carolina," *The Semi-Weekly Raleigh Register*, 7 January 1854, and (New York: George F. Nesbitt & Co., 1858); [William McClane], *Letter of William McClane, Esq., on the Supply of Bituminous Coal from North Carolina* (New York: G. F. Nesbitt & Co., 1854). For a report after 1855 see Captain Charles Wilkes, report to Isaac Toucey, Secretary of the Navy, 30 December 1858. Both Emmons's and Wilkes's reports were included in P. M. Hale, *In the Coal & Iron Counties of North Carolina* (Raleigh: P. M. Hale, Publ., 1883).

<sup>3</sup> See p. 3.

<sup>4</sup> Brown, *Railroad Development*, 48.

<sup>5</sup> C. L. Price, "The Railroads of North Carolina During the Civil War," (master's thesis, University of North Carolina, 1951), 41.

<sup>6</sup> U. S. Navy Department. Report of the Secretary of the Navy communicating the report of officers appointed by him to make the examination of the iron, coal, and timber of the Deep River Country. 35<sup>th</sup> Congress, Second Session, 1859. Senate Executive Document 26. This is the so-called Wilkes report (see footnote 2 above).



Map 3. - Map of a Part of North Carolina Showing the Routes Connecting with Deep River District, Constructing and Proposed (from Capt. Wilkes's report, 1858, footnote 6).

Railroad between Cheraw, South Carolina, and Carbondon in Chatham County, which entered the Chatham Railroad plans from 1863 until 1869.

The report of the 1860 annual meeting of the Raleigh and Gaston Railroad indicated that "a Rail Road from Raleigh . . . to the Coal and Iron mines of Deep River, is too important . . . to be delayed much longer. . . . The next session of our Legislature will doubt-



less be earnestly directed to this subject.”<sup>7</sup> This statement seems to call for fulfilling the strategy of providing a second outlet for Chatham County coal and iron ore, this one favoring Raleigh and Richmond, given the widening political breach between the Southern and Northern states.<sup>8</sup>

On 15 February 1861, the legislature passed an act to incorporate the Chatham Railroad, which was authorized to organize a management team after \$100,000 was subscribed to the enterprise.<sup>9</sup> This was a significant reduction from the \$300,000 required under the charter act of 1855 and was designed to hasten development of the road.

In the newer act, Henry A. London and Captain Elias Bryan of Chatham County, Kemp Plummer Battle, Dr. Thomas Devereux Hogg, and others of Raleigh and elsewhere were appointed commissioners to appoint other commissioners to open the books of the company and enroll subscribers. Another one of the commissioners, W. P. Taylor, was Chatham County Clerk of Court in the mid-1850s.<sup>10</sup> Kemp Plummer Battle was the Raleigh city attorney at the time the books were opened and subscribers could be enrolled.

Another act of the legislature, ratified a week and a day later, on 23 February 1861, was aimed at further expediting formation of the railroad. It would also change the concept of financing to something the promoters felt more comfortable with, i.e., government financing to build their road, by authorizing a loan of \$200,000 from the state to the company.<sup>11</sup> Under this act the state treasurer was authorized to sell, at not below par value, twenty-year, six-percent state bonds up to the amount of \$200,000 in behalf of the road. The railroad was required to deliver Chatham Railroad bonds of a like amount to the state treasurer, secured by a general mortgage on all railroad property, and was required also to “deposit with the Treasurer . . . sufficient bonds, made by individual stockholders . . . amounting to \$50,000 to secure the payment of interest” on the Chatham Railroad bonds.<sup>12</sup> In addition, the company was to deposit a bond of \$400,000 as a guarantee that the road would be completed within four years. On completion of the road the company bond would be voided. The terms were again so cumbersome that the entrepreneurs did

<sup>7</sup> *Proceedings, Raleigh & Gaston*, 5 July 1860, 10-11.

<sup>8</sup> Kemp Plummer Battle, *Memories of an Old-time Tar Heel* (Chapel Hill: University of North Carolina Press, 1945), 173.

<sup>9</sup> Price, “Civil War Railroads,” 41.

<sup>10</sup> *The Chatham Railroad and Its Connections, with Acts of Incorporation, &c, &c.* (Raleigh: Nichols & Gorman, 1870), 16. For W. P. Taylor see Wade Hampton Hadley et al, *Chatham County, 1771-1971* (Durham: Moore Publishing Co., 1971), 440, and typical Chatham County deeds, such as Book AH, 458, 535; Book AI, 176.

<sup>11</sup> Price, “Civil War Railroads,” 42; *Chatham Railroad and Its Connections*, 19-20.

<sup>12</sup> *Chatham Railroad and Its Connections*, 20.

not request any aid under this act.<sup>13</sup> These requirements appear to indicate that the state considered the venture risky.

The commissioners appointed under the act of 15 February 1861 held their first meeting in Raleigh on 3 April 1861. At this meeting Thomas D. Hogg was elected president of the Board of Commissioners of the road and Kemp Battle was elected secretary.<sup>14</sup>

Then, in the North Carolina Secession Convention, to which he was a delegate, Kemp Battle appealed for an early start for the Chatham Railroad.<sup>15</sup> As an outgrowth of Battle's appeal, an ordinance was ratified on 30 January 1862 repealing the act of 23 February 1861, which authorized the \$200,000 loan.<sup>16</sup> The newer ordinance yet again accelerated the formation of the company by allowing corporations to invest in the road, thus reducing the time needed for many individuals to invest. The Raleigh and Gaston Railroad was waiting in the wings for just such an opportunity.

The January 1862 ordinance allowed any solvent corporation to exchange its own six-percent, twenty-year corporate bonds for state bonds and subscribe the resultant state bonds with the Chatham Railroad. The total amount of bonds to be exchanged was limited to \$800,000, and the Chatham was required to execute a general mortgage to the state on its properties, as surety for the state bonds.

On 10 February 1862 the General Convention of North Carolina passed an ordinance in which commissioners were named in several locations to open the books of the corporation. George W. Mordecai and William W. Vass were named in Raleigh; H. A. London, John H. Haughton, and John A. Womack in Pittsboro; B. I. Howze, R. K. Smith, and Isaac N. Clegg in Haywood; and J. B. Batchelor in Warrenton, among others elsewhere.<sup>17</sup> At the Raleigh and Gaston stockholders meeting of 20 March 1862, its directors were authorized to subscribe for 2,000 shares (\$200,000 at par value) of Chatham Railroad stock.<sup>18</sup> Raleigh and Gaston bonds were exchanged for \$200,000 in state bonds and the state bonds subscribed in the Chatham.

By April of 1862 the requisite subscriptions had been gathered, and at a stockholders meeting on 16 April the company was organized with five directors: George W. Mordecai, Dr. William J. Hawkins, Captain Elias Bryan, J. E. Allen, and S. S. Royster. Kemp Battle was elected president of the road.<sup>19</sup> It is interesting to note that Battle's father was

<sup>13</sup> Price, "Civil War Railroads," 42-43.

<sup>14</sup> Walter Clark (comp.), *History of the Raleigh & Augusta Air Line R. R. Co., known originally as the Chatham Railroad Company*. . . (Raleigh: Raleigh News Steam Job Printer, 1877), 60.

<sup>15</sup> Battle, *Memories of an Old-time Tar Heel*, 171.

<sup>16</sup> *Chatham Railroad and Its Connections*, 21-24.

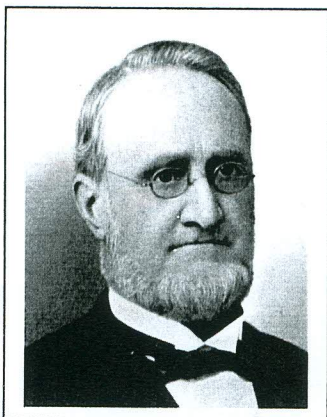
<sup>17</sup> *Ibid.*, 25.

<sup>18</sup> Clark, *Raleigh & Gaston*, 138; Price, "Civil War Railroads," 45.

<sup>19</sup> Clark, *Raleigh & Augusta*, 60.

among those who had opened the books of the Raleigh and Gaston Railroad in 1836. By 1860 the younger Battle had become a leading figure in the stockholder affairs of the Raleigh and Gaston.<sup>20</sup>

The business relations of the key men in the Chatham Railroad management at its formation are revealing. Dr. Thomas Devereux Hogg was president of the Raleigh Gas Light Company when it was formed in 1858, with Kemp Battle and



*Kemp Plummer Battle*

George Mordecai among its directors.<sup>21</sup> Then, in 1859, Hogg became the president of the Oak City Savings Bank of Raleigh, of which Kemp Battle was an incorporator.<sup>22</sup>

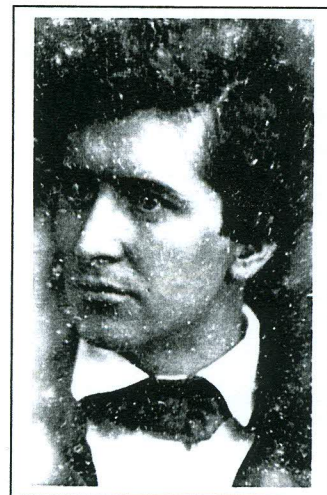
Battle was also a director of the Bank of North Carolina, of which George Mordecai was president.<sup>23</sup> Mordecai was a director, as well as one of the largest largest stockholders, of the North Carolina Railroad.<sup>24</sup> He was the president of the original Raleigh and Gaston in 1838 and 1839 and again in 1852 after its reorganization.<sup>25</sup> Mordecai became a director of the

Chatham Railroad in 1866 and

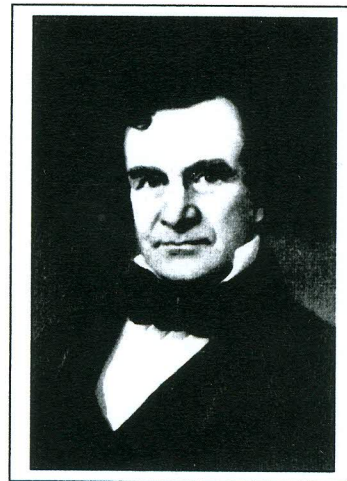
was a director of the Chatham Railroad in 1869.<sup>26</sup>

William Hawkins was president of the Raleigh and Gaston Railroad for many years, starting in 1857.<sup>27</sup> Mordecai had become a director in the Chatham Railroad after joining Hogg and Battle, Hawkins, Jonathan McGee Heck, and others in the formation of the Lockville Mining and Manufacturing Company in 1863. This company bought the Endor Ironworks in August 1864.<sup>28</sup>

*George W. Mordecai*



*Thomas D. Hogg*



<sup>20</sup> *Proceedings, Raleigh & Gaston*, 5 July 1860.

<sup>21</sup> Elizabeth R. Murray, *Wake* (Raleigh: Capital County Publishing Co., 1983, 279, 280).

<sup>22</sup> *Ibid.*, 272.

<sup>23</sup> Battle, *Memories of an Old-Time Tar Heel*, 157, 170.

<sup>24</sup> Mordecai director of North Carolina Railroad in Murray, *Wake*, 261.

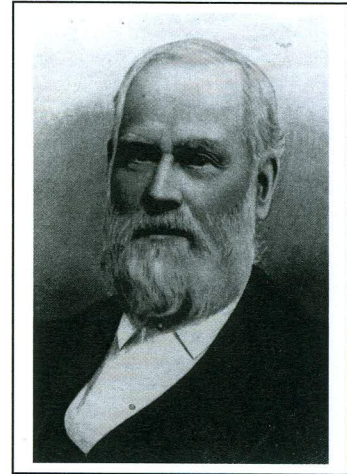
<sup>25</sup> Clark, *Raleigh & Gaston*, table facing 140.

<sup>26</sup> *Chatham Railroad and Its Connections*, 47.

<sup>27</sup> Clark, *Raleigh & Gaston*, table facing 140.

<sup>28</sup> Chatham County Deed Book AM, 402.

Because of their interest in the Raleigh and Gaston, the development of the Chatham Railroad was natural for Mordecai, Hawkins, and Battle. The Chatham would provide a step southward, allowing the Raleigh and Gaston to spring out of the geographic box that it was in. It could then prosper by having coal, sandstone, and possibly copper ore to carry by the Chatham Railroad to Raleigh, thence on the Raleigh and Gaston to points north and eastward. By 1858 there was also the potential of hauling materials for the possible future foundry and machine shops that the United States Navy was considering building in the Deep River region.



*William J. Hawkins*

Then, too, with access to coal found in the Chatham coalfields, Hogg's gas light plant could convert to coal from resinous pine and pine knots, which were then its process fuel, at considerable cost savings. Not all coals were satisfactory for gasification, but much of the coal found in Chatham County, especially around Gulf, could be used in this process.<sup>29</sup> It was estimated that the Chatham Railroad would be consequential in reducing the price of coal from \$18 per ton to about \$5 per ton in Raleigh.<sup>30</sup>

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<sup>29</sup> P. M. Hale, *In the Coal & Iron Counties of North Carolina* (Raleigh: P. M. Hale, Publ., 1883), 13.

<sup>30</sup> Price, "Civil War Railroads," 40.

# 4

## The Chatham Railroad's Market Dilemma

By 1862 (even as early as 1855) the concept of any railroad between Raleigh and a terminal as limited as the coalfields forty-three miles away was economically questionable.

The Western Rail Road was organized in 1853 to carry coal from the coalfields on the Deep River to Fayetteville. [See map 4, number 7.] It began building from Fayetteville northwestward in 1857, reaching McIver's Depot near the present Cotten Road outside Cumnock by early 1862.<sup>1</sup> The northern terminus of the Western was to be at the Egypt coal mine at Egypt, now Cumnock.

Egypt coal carried by the Western to Fayetteville, if not used there, would be barged down the Cape Fear River to Wilmington. The Western's main market was to be at Wilmington, where the coal would be used in steamships and for home heating in this, the largest city in the state. Quite possibly it could also be used as a conversion fuel in the Wilmington Gas Light Company plant, of which Colonel John McRae, one of the builder-owners of the Endor Ironworks in 1862, was president.

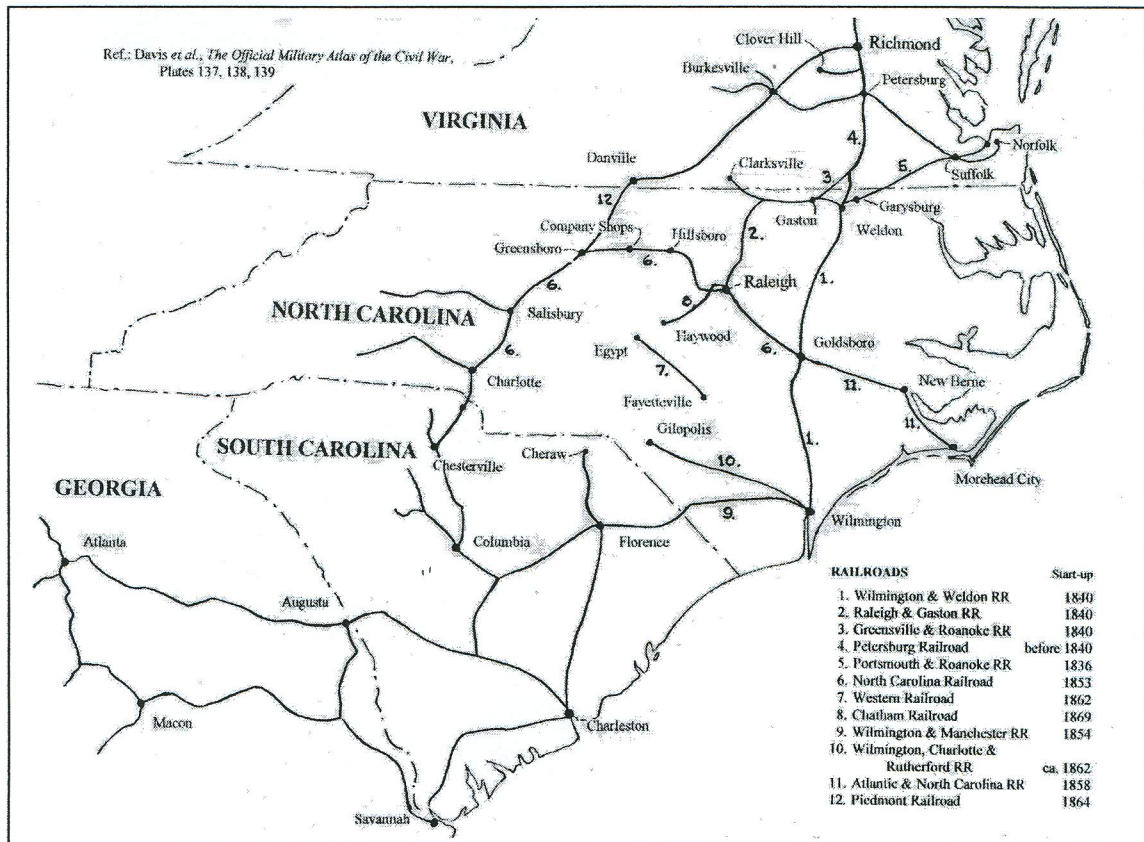
Even had the Chatham Railroad been built before the Civil War, it probably would not have been real competition for the Western Railroad. Raleigh at that time was characterized by Kemp Battle as "a mere country village. . . ."<sup>2</sup> The Chatham would have a market in Raleigh at several small foundries and in Thomas Hogg's gas light plant. However, a trip northward for Deep River coal over the Chatham and Raleigh and Gaston

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<sup>1</sup> Robert A. Wiesner, "The Men of Endor: Their Works and Their Times," (unpublished work, 1992), Chapter IX, 8.

<sup>2</sup> Kemp Plummer Battle, *The Early History of Raleigh . . .* (Raleigh: Committee on the Centennial Celebration of the Founding of the City, 1893), 89.

roads through Raleigh, Weldon, and Garysburg to the port of Norfolk via the Seaboard and Roanoke Railroad, which succeeded the Portsmouth and Roanoke after its foreclosure in 1846 [See map 4, number 5], would have been uneconomical because it was nearly twice as long as that for Clover Hill coal, mined southwest of Richmond and carried to Norfolk.



Map 4. - Selected railroads in North Carolina in 1869.

West of Raleigh there would have been little use for coal along the route of the North Carolina Railroad at that time, except for that railroad's use near present-day Burlington. By 1855 coal was needed at Company Shops, which was the site of the repair shops of the North Carolina Railroad at Burlington. Coal was not much needed in Charlotte until the Confederate Navy Yard was built there after the Civil War began. The Navy Yard would probably have been a prime market for Chatham coal had the railroad been completed before the war ended.

To the east, on the Wilmington and Weldon there was little need for coal between Goldsboro and Wilmington, where the Chatham's coal would not have been able to compete in price with coal coming down the Western Rail Road. But, east of Raleigh after the

Atlantic and North Carolina Railroad was completed in 1858, Chatham coal could be carried to Morehead City to fuel ocean-going steamers. [See map 4, number 11.]

# 5

## Chatham Railroad Construction

Even after Kemp Battle encouraged the start of construction of the Chatham Railroad at the state secession convention, as noted above, nothing material happened until January 1862, when the legislature repealed the re-chartering act of February 1861 and passed the 30 January 1862 ordinance wherein corporations could subscribe to Chatham stock using state bonds which they exchanged for their own bonds. This mode of exchange for the Chatham Railroad to obtain state bonds appears to have been Kemp Battle's idea.<sup>1</sup>

In April 1862 Isaac Newton Clegg, William McClane, B. I. Howze, Brooks Harris, L. J. Haughton, Captain Elias Bryan, and others of Chatham County granted the Chatham Railroad, for one dollar, the right to cross any of their lands.<sup>2</sup> However, the Chatham Railroad Company was never listed under its own name among the property deeds in Chatham County. The Raleigh and Augusta Air Line Railroad, the successor to the Chatham Railroad, is not listed as an owner of property in Chatham County until 1874, three years after the Chatham ceased to exist. These are significant facts because as early as the ordinance of 30 January 1862 the state was to have a lien on all Chatham Railroad property, both real and personal, secured by a mortgage registered in the register's offices of the counties of Chatham and Wake.<sup>3</sup>

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<sup>1</sup> Battle, *Memories of an Old-time Tar Heel*, 173.

<sup>2</sup> Chatham County Deed Book AP, 476.

<sup>3</sup> *Chatham Railroad and Its Connections*, 23.



Although no documentation has been found dealing with the specifics of the construction progress of the Chatham, it was found soon after D. E. Murchison and A. Frank Page, who were selected as the grading contractors, that the difficulties of procuring construction labor were insurmountable. They were later released from their contract by the Chatham Railroad board.<sup>4</sup>

In February 1863 an act of the legislature authorized the governor to subscribe, by the sale of state bonds at par value, \$10,000 in Chatham Railroad stock for each mile graded, up to a limit of \$250,000, or twenty-five miles.<sup>5</sup> The subscriptions were not to apply to grading west of Lockville, which was about thirty rail miles from Raleigh. The state subscribed to \$50,000 in Chatham Railroad stock under this act, the equivalent of five miles of completed grading.<sup>6</sup>

Kemp Battle said that the Wilkes brothers, who had finished their grading contract for the Piedmont Railroad [see map 4, number 12, p. 14], "were induced to enter on the grading of the Chatham Railroad."<sup>7</sup> It is certain therefore that significant grading began only in 1864, after the Piedmont road was completed. However, the Seaboard Air Line Railway, of which the Raleigh and Augusta Railroad, successor to the Chatham Railroad, was a part, stated that construction of the Chatham Railroad was abandoned in 1864 on account of the war.<sup>8</sup>

The Raleigh and Gaston Railroad saw significantly increased revenue from freight and troop passengers during the war; consequently, it authorized \$300,000 in the Chatham in 1864<sup>9</sup> and subscribed \$200,000 in 1865.<sup>10</sup> The North Carolina Railroad also subscribed to \$200,000 in 1864.<sup>11</sup>

In March 1865, one month before Appomattox, Kemp Battle advised Governor Zebulon Vance that eighteen of the twenty miles between Cary and the Haw River had been graded and ties were available to be laid upon fifteen miles of the graded roadbed.

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<sup>4</sup> Battle, *Memories of an Old-time Tar Heel*, 175. Before the war began, A. Frank Page built what is now known as the Page-Walker house in Cary. It is now used as the Cary Civic Center and houses a historical museum. The Chatham Railroad ran on the north side of the North Carolina Railroad's right-of-way westward from Raleigh, then turned south near the Page-Walker house.

<sup>5</sup> Carricker, *Railroading in the Carolina Sandhills*, 42.

<sup>6</sup> *Ibid.*, 42.

<sup>7</sup> Battle, *Memories of an Old-time Tar Heel*, 177. The Wilkes brothers were sons of Capt. Charles Wilkes [see p. 7, n. 2].

<sup>8</sup> Seaboard Air Line Railway, *Corporate History*, 31.

<sup>9</sup> Clark, *Raleigh & Gaston*, 138.

<sup>10</sup> Price, "Civil War Railroads," 46.

<sup>11</sup> *Ibid.*, 46.

Battle requested that twenty-two miles of rail be furnished to the Chatham through the good offices of the state.<sup>12</sup> Battle said that the employees of the Endor Ironworks could complete the road to the Raleigh side of the Haw River in less than thirty days. He could assure this because he had become one of the owners of Endor by that date.<sup>13</sup> By 6 March, the date of Battle's letter to the governor, part of Sherman's army was just south of Kinston, moving unremittingly toward Raleigh.<sup>14</sup> The rail was not made available through the state, but Battle said tearing up an unused side-line in Virginia made some rail available.<sup>15</sup> This rail might have been sufficient to lay about eight miles of track between Raleigh and Cary, where the Chatham contracted to build their road on the north side of the right-of-way of the North Carolina Railroad.<sup>16</sup> Kemp Battle said that after the war the North Carolina Railroad attempted in vain to cancel the Chatham Railroad's contract for this joint right-of-way.<sup>17</sup>

By the end of the war the Chatham Railroad had access to as much as \$800,000 with which to build. This sum was obviously degraded by rampant inflation from 1862 to the end of the war. It is estimated by the author that between \$800,000 and \$950,000 might have been expended before the war ended, if wartime inflation caused prices of railroad construction to run between three and four times their prewar levels. The Chatham had graded twenty-six miles of roadbed, probably laid eight miles of used rail from Raleigh toward Cary (but probably none from Cary toward Haywood), and had purchased no rolling stock.<sup>18</sup>

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<sup>12</sup> Kemp Battle to Gov. Z. B. Vance, 6 March 1865, Battle Family Papers, #3223, Series I, Southern Historical Collection, Wilson Library, University of North Carolina, Chapel Hill.

<sup>13</sup> Lockville Mining and Manufacturing Company bought the Endor furnace on 2 August 1864. Battle was an incorporator in Lockville Mining (*Private Laws of North Carolina, 1863*, c. 8, s. 2).

<sup>14</sup> John G. Barrett, *North Carolina as a Civil War Battleground* (Raleigh: North Carolina Division of Archives and History, 1990), 87.

<sup>15</sup> Battle, *Memories of an Old-time Tar Heel*, 178.

<sup>16</sup> *Ibid.*, 175; *Chatham Railroad and Its Connections*, 26.

<sup>17</sup> Battle, *Memories of an Old-time Tar Heel*, 175-176.

<sup>18</sup> Carricker, *Railroading in the Carolina Sandhills*, 42.

# 6

## The Chatham Railroad's Association With the Lockville Mining and Manufacturing Company

The Lockville Mining and Manufacturing Company was formed to mine coal and iron ore and to smelt and manufacture iron products in foundries and rolling mills. The concept of the Lockville Mining and Manufacturing Company was undoubtedly fostered by Jonathan Heck. He was joined by George Mordecai, William Hawkins, Kemp Battle, Thomas Hogg, and four other men.<sup>1</sup> All were railroad men, ordnance suppliers, or politicians.

Jonathan Heck was a lieutenant colonel who was captured with his Virginia regiment in one of the very early battles in West Virginia. He was paroled, allowed to bring his family to North Carolina in 1861, and later contracted with the Ordnance Department in Richmond to manufacture bayonets in Raleigh.<sup>2</sup> Unsatisfied with the deliveries of iron from Richmond under his bayonet contract with Major William S. Downer, Heck led the formation of Lockville Mining to furnish iron for his bayonets and for the original rails for the Chatham and re-



*Jonathan Heck*

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<sup>1</sup> *Private Laws of North Carolina, 1863, c. 8, s. 2.*

<sup>2</sup> Daniels, *Prince of Carpetbaggers*, 153; Robert M. Reilly, *American Socket Bayonets and Scabbards* (Lincoln, RI: Andrew Mowbray Publ., 1990), 78-80.

placement rails for the Raleigh and Gaston Railroad. Lockville Mining would establish blast furnaces and rolling mills on the Deep River.<sup>3</sup> The incorporation of Lockville Mining was ratified by the legislature in December 1863.<sup>4</sup>

In the 1862-1863 session of the North Carolina legislature, a bill was introduced in the House by Rep. Shepherd of Cumberland and Harnett Counties. This bill would allow reimbursement of up to \$100,000 for the erection of a blast furnace and rolling mill provided that the ironworks would produce railroad iron and that it would be obligatory upon the railroads in which the state had an interest to buy rail from such rolling mill.<sup>5</sup>

Another bill that would establish the "Triune Rail Road Ironworks," later renamed the "Henderson Railroad Ironworks," was introduced in the North Carolina Senate on 1 July 1863 and reported to the floor one week later. This bill authorized formation of a company to manufacture railroad iron for its major stockholders, which were to be the railroads of Virginia, North Carolina, and South Carolina, hence the name "Triune."<sup>6</sup> The relationship between these two ironworks bills is not clear and is still under investigation. My preliminary thinking is that the Chatham Railroad favored Shepherd's bill and that this bill might have led to the formation of the Lockville Mining and Manufacturing Company.

By February 1864, three months after the incorporation of Lockville Mining, William Hawkins, one of its owners, had been given the go-ahead by the Railroad Bureau of the Confederate government to rework blast furnaces "now out of blast in North Carolina."<sup>7</sup> This permission allowed exemption from impressment by the government of iron produced in the reworked furnaces, if used for railroad purposes. This authorization was given on 20 February 1864, six months before Lockville Mining bought the Endor furnace and three days before the Downer interest bought the furnace from the MacRaes, its builders. These actions make it clear that the second owners, who did not operate the furnace, "parked" it while the entrepreneurs of Lockville Mining pulled the strings in the wings to buy it so that they could produce from it under their own terms.

<sup>3</sup> Donald MacRae to John C. McRae, 24 December 1863. Hugh MacRae Papers, Special Collections, Perkins Library, Duke University, Durham, North Carolina.

<sup>4</sup> *Private Laws of North Carolina, 1863*, c. 8, p. 10.

<sup>5</sup> "A bill to provide for the establishment of iron works to manufacture railroad and all other iron," House Bill 271, General Assembly Session Records, January-February 1863, State Archives, Division of Archives and History, Raleigh.

<sup>6</sup> Triune Ironworks Bill; passed by North Carolina House, 3 July 1863, and by North Carolina Senate, 7 July 1863. General Assembly Session Records, State Archives, Division of Archives and History, Raleigh.

<sup>7</sup> Lt. Col. F. W. Sims to Dr. W. J. Hawkins, 20 February 1864, Battle Family Papers.

Lockville Mining and Manufacturing bought the Endor furnace in August 1864 from the second owners, a consortium formed by Major William S. Downer of the Confederate Ordnance Bureau. The Downer consortium included Edward N. Spiller, the owner of the Spiller and Burr revolver manufacturing company of Atlanta, Georgia, formerly of Richmond, and several men of Richmond who had contracts with Major Downer for supplying ordnance materiel. Jonathan Heck, the leader of the Lockville group, was at that time producing bayonets for the Ordnance Bureau under a contract with Major Downer.<sup>8</sup> Heck was in the process of moving his bayonet factory from Raleigh to the Deep River in Chatham County, where he intended to build blast furnaces and rolling mills.<sup>9</sup> He might have intended to build one rolling mill for rifle barrels and a larger mill for railroad rails.<sup>10</sup> "Chances [seemed] very favorable . . . to get" the Spiller and Burr revolver manufacturing machinery to the Deep River in Chatham County.<sup>11</sup> The rail rolling mill did not start up before the war ended. The possible rifle-barrel rolling mill is under investigation, but many details are still missing.

The Chatham Railroad was originally to run on the north side of the Deep River to Gulf passing the site of the Farmville coal mine, about one mile north of the Endor furnace.<sup>12</sup> Donald MacRae, the president of the Endor ironworks in 1863, believed that Jonathan Heck, Captain Elias Bryan, and Isaac N. Clegg purchased the Farmville coal mine,<sup>13</sup> but their names do not appear in registered deeds for the property now known as the Farmville coal properties. The Chatham would have carried Endor pig iron outbound, but it would not carry any furnace raw materials inbound.

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<sup>8</sup> Heck & Brodie Co. at Raleigh to Capt. James Dinwiddie, 19 September 1864. War Department Collection of Confederate Records, Record Group 109, c. 4, v. 93:59a, National Archives, Washington, D.C.; Reilly, *Socket Bayonets*, 78-80.

<sup>9</sup> Heck & Brodie Co. at Raleigh to Capt. James Dinwiddie, 6 September 1864, Record Group 109, c. 4, v. 93:143; Heck & Brodie to Dinwiddie, 19 September 1864, c. 4, v. 93:59a; Donald MacRae to John C. McRae, 24 December 1863, MacRae Papers.

<sup>10</sup> James H. Burton, Supt. Of Armories, to Brig. Gen. Josiah Gorgas, 15 February 1864, re: gun barrel rolling. *Compiled Service Records of Confederate Staff Officers*, Microcopy M-331, roll 42, National Archives, Washington, D.C.

<sup>11</sup> Matthew W. Norman, *Colonel Burton's Spiller & Burr Revolver* (Macon, Ga.: Mercer University Press, 1996), 83. See also "A Letter from Chatham County [from Reese H. Butler to his mother]," *Chatham Historical Journal*, 6, no. 1 (1993).

<sup>12</sup> Burton A. Konkle, "Railroad Map of North Carolina in 1865," *John Motley Morehead*, (Philadelphia: William J. Campbell, 1922), facing 412. The route shown by Konkle appears dotted and speculative from Cary to the vicinity of Caribton in Chatham County, but it is the only map route from Haywood to Gulf yet found in print. The route of the Cheraw and Coalfields Railroad is also shown on this map by a dotted line from Lilesville, North Carolina, above Cheraw, to Caribton.

<sup>13</sup> Donald MacRae to John C. McRae, 1 January 1864, MacRae Papers.

The original plan for the Endor furnace was that its pig iron would be used at the Tredgar Ironworks in Richmond. The delivery of that iron on Chatham Railroad cars would have simplified delivery considerably over the route envisioned when the furnace was being built. The original planning for the route of Endor iron would have been from the furnace via the Western Rail Road to Fayetteville, thence by barge to Wilmington, and from there via the Wilmington and Weldon Railroad and the Petersburg Railroad to Richmond. [See map 4, p. 14.] However, the Endor furnace did not produce enough pig iron during the war to require shipping any to Richmond. The Chatham, if built, could have carried Endor pig iron through Raleigh to Weldon on the Raleigh and Gaston Railroad and thence on the Wilmington and Weldon Railroad to Richmond through Petersburg, a greatly expedited route.

# 7

## Conflicts of Interest, Railroad Politicking And the Littlefield Lobby

In December 1865 Kemp Battle became state treasurer and held that office concurrently with his presidency of the Chatham Railroad. Two months later, seemingly under pressure, he resigned as president of the Chatham;<sup>1</sup> he held office as state treasurer until 1 July 1868. The dual role of railroad company president and state treasurer must have been viewed as a conflict of interest even in those days when apparently there were no norms prohibiting such relations. Battle was replaced as president of the Chatham by General William R. Cox, a brother-in-law of Battle's wife.<sup>2</sup>

When he left office, Battle became a consultant in the field of railroad financing to the succeeding state treasurer, David A. Jenkins. At the same time he was under retainer as attorney for three railroads, seeking passage of legislation in their behalf.<sup>3</sup> Again, today, those concurrent roles would be regarded as a conflict of interest.

In December 1867 a meeting was held in Raleigh, attended by George W. Swepson, William J. Hawkins, Samuel McD. Tate, and Augustus S. Merrimon, to work out the details of a program "to create a gigantic empire based upon control of the North Carolina railroads."<sup>4</sup> George Swepson was president of the Western Division of the Western North

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<sup>1</sup> Walter Clark, *Raleigh & Augusta*, 61.

<sup>2</sup> *Ibid.*, 61; Battle, *Memories of an Old-time Tar Heel*, 193.

<sup>3</sup> Battle, *Memories of an Old-time Tar Heel*, 220.

<sup>4</sup> C. L. Price, "Railroads and Reconstruction in North Carolina" (Ph.D. dissertation, University of North Carolina, 1959), 404.

Carolina Railroad and president and major stockholder in the Raleigh National Bank.<sup>5</sup> Samuel Tate was the president of the Eastern Division of the Western North Carolina Railroad.<sup>6</sup> Augustus Merrimon, a former justice of the North Carolina Supreme Court, was George Swepson's attorney.<sup>7</sup> William Hawkins, president of the Raleigh and Gaston Railroad, was also a director of the Raleigh National Bank and a close business associate of George Swepson.<sup>8</sup>

Swepson, Hawkins, Tate, and others went on to flesh out the program of obtaining state funds to finance some thirteen railroad projects.<sup>9</sup> Individually, Battle, Hawkins, and Heck, all owners of the Lockville Mining and Manufacturing Company, were influential in a total of seven railroads for which funding acts were passed in the notorious 1868-1869 legislative sessions.<sup>10</sup> In these sessions George Swepson would advance lobbying funds to General Milton S. Littlefield, "the Prince of Carpetbaggers," who would obtain support for railroad bills by making loans without due-dates to legislators. The Chatham Railroad, through William Hawkins, also engaged Littlefield's lobbying services to assure passage of a bill amending the Chatham's charter, for which he was to receive ten percent of the proceeds from the state. Littlefield's role in the legislative lobbying is treated more fully in Chapter 8.

An ordinance of the North Carolina Convention was passed on 11 March 1868, with Battle still state treasurer, authorizing the exchange of \$1,200,000 in state bonds for a like amount of Chatham Railroad bonds.<sup>11</sup> The purpose of the ordinance was to enable the Chatham Railroad to finish its road to Gulf. No work had been done on the Chatham road between the end of the war and passage of this ordinance.

On 13 March 1868, Jonathan Heck, the secretary of the Chatham Railroad, wrote to the Chatham's board of directors proposing that they obtain an act of the legislature calling for the state to transfer, at no cost, its interest in the Cape Fear and Deep River Navigation Company to the Chatham Railroad, with the proviso that "the said company

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<sup>5</sup> Price, "Railroads and Reconstruction," 399; "Report of the Commission to Investigate Charges of Fraud and Corruption," North Carolina Legislative Session 1871-1872, Document 11, 324. Hereafter cited as: Shipp Report.

<sup>6</sup> Shipp Report, 341.

<sup>7</sup> *Ibid.*, 141.

<sup>8</sup> Price, "Railroads and Reconstruction," 416, 432.

<sup>9</sup> J. G. deRoulhac Hamilton, *Reconstruction in North Carolina* (1914, reprint, Gloucester, Mass.: Peter Smith, 1964), 448. See also Wiesner, "Men of Endor," Table 12.1.

<sup>10</sup> Wiesner, "Men of Endor," Table 12.1.

<sup>11</sup> Seaboard Air Line Railway, *Corporate History*, 30; *Chatham Railroad and Its Connections*, 34-36.



should re-transfer the same to Heck & Co., upon certain terms as to carrying stone for the company's bridge at the Haw River and in regard to transportation of freight."<sup>12</sup> Ostensibly, this action was for the purpose of facilitating movement of stone on the Deep River in order to build the Chatham's rail bridge over the Haw River at Haywood.

Two days later, on 15 March, the General Convention of North Carolina passed an ordinance in which the state transferred its interest in the dams and locks of the navigation company to the Chatham Railroad, with the proviso that such interest could be transferred by the Chatham to others.<sup>13</sup> With such a fast response on the part of the state legislature, one must conclude that the legislature was very efficient, very compliant, or that the game was being played with special ground rules.

At a called meeting of the stockholders in early April 1868, Kemp Battle, still state treasurer, introduced a resolution to accept the transfer ordinance of 15 March, and Thomas Webb, then president of the North Carolina Railroad and a Chatham Railroad stockholder, formed a resolution allowing the board of directors to transfer those interests to Heck and Company, "if they should deem it advisable."<sup>14</sup> And, no surprise, they did so deem it advisable.

The transfer of the navigation system essentially steered state property (albeit considered worthless by some) through a private enterprise supported by the state to another private enterprise, not so supported, free of charge. Thereafter, the citations for this transaction are found to be fragmented, inconsistent, and clouded.<sup>15</sup>

Another action of the 1868 legislature was to authorize the Cheraw and Coalfields Railroad "to continue construction," probably between McFarlan and Lilesville, North Carolina. This railroad had been chartered in 1857 in North and South Carolina and the 1866 annual report of the Raleigh and Gaston mentioned a connection at Gulf with the Cheraw and Coalfields Railroad. It was planned to run along a line from Cheraw northward approximately through McFarlan, Lilesville, Eagle Springs, and up McLendon's

<sup>12</sup> Clark, *Raleigh & Augusta*, 62.

<sup>13</sup> Clark, *Raleigh & Augusta*, 57-58; Seaboard Air Line Railway, *Corporate History*, 30.

<sup>14</sup> *Ibid.*, 62-63; Daniels, *Prince of Carpetbaggers*, 155.

<sup>15</sup> Governor Jonathan Worth reported it sold in 1867 (J. G. deRoulhac Hamilton, Ed., *The Correspondence of Jonathan Worth* [Raleigh: Edwards & Broughton, 1909], 1229). It was cited as transferred to the Chatham Railroad (Seaboard Air Line Railway, *Corporate History*, 30; Clark, *Raleigh & Augusta*, 57-58). It was cited as given to the Chatham in Hamilton, *Reconstruction in North Carolina*, 429, and in Daniels, *Prince of Carpetbaggers*, 155. It was bought by the Deep River Manufacturing Company, of which Heck, Swepson, and Alexander B. Andrews were owners in 1870 (Chatham County Deed Book AS, 46, and AU, 9).

Creek to Gulf.<sup>16</sup> Thus, under this plan the Chatham Railroad, and thus the Raleigh and Gaston, would fulfill a “great hope” and achieve Cheraw by a complex, indirect route. The completion to Cheraw and eventually to Columbia would mitigate the stinging effect of the Piedmont Railroad’s considerable competitive market between Richmond and Columbia via Charlotte. The 1868 annual report of the Raleigh and Gaston stated that the completion of the Chatham Railroad was of vital importance to it and recommended that every suitable measure be taken to promote its rapid construction, but that report did not state where the western terminus would be. The plan of piggy-backing on the Cheraw and Coalfields Railroad from Gulf to Cheraw must have gone sour by mid-1868 but still lingered on the table for another year.<sup>17</sup>

The Chatham Railroad board elected William J. Hawkins president on 20 July 1868,<sup>18</sup> while he was also president of the Raleigh and Gaston Railroad. Hawkins’s mission was to get the Raleigh and Gaston to Columbia, South Carolina, by a direct route at any cost. On the same date, Hawkins and two directors of the Chatham signed a first mortgage to the state on the road’s property between Raleigh and Gulf, supporting the \$1.2 million bond issue authorized on 11 March 1868.<sup>19</sup>

Under Hawkins the Chatham’s legislative actions in Raleigh became more rapid-fire. By mid-1868 the Chatham’s management had decided to bypass Gulf completely and had determined to run directly to the South Carolina state line from Haywood. [See map 5, p. 33.] This would allow them to enjoy the benefits of being a fraction of a long road from the Northeast to the Deep South as an alternative to running to the coalfields. An attractive practical way to approach becoming a fraction of the interstate road was to run in as straight a line as possible from Raleigh to Cheraw by becoming chartered as a railroad in South Carolina. Meanwhile they would bypass Gulf, their only chartered destination. By that time the ardor for the coal resource near Gulf had chilled anyway.

This revised physical objective left the Chatham management with several great hurdles to overcome. A new state constitution was required for the state to regain admission into the United States, and the new constitution set ground rules for new and existing rail-

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<sup>16</sup> Carricker, *Railroading in the Carolina Sandhills*, 47; Battle, *Memories of an Old-time Tar Heel*, 176-177.

<sup>17</sup> Report of C. O. Sanford, Chief Engineer, to the President and Directors of the Chatham Rail Road Company, 19 July 1869, A. B. Andrews Papers, #3245, Southern Historical Collection, Wilson Library, University of North Carolina, Chapel Hill.

<sup>18</sup> Clark, *Raleigh & Augusta*, 63.

<sup>19</sup> Wake County Deed Book 26, 189-191.

roads supported by state funding. It was enacted several days after the Chatham's ordinance of 11 March was passed to "finish" its road between Raleigh and Gulf.

Under the new constitution, in order to get "aid in the completion" of railroads that were "unfinished" at the time of passage of the new constitution, or those in which the state had a "pecuniary interest," appropriate legislation had to be approved by a majority in a "direct vote of the people." The new constitution required that for legislation pertaining to new railroads the state bonds used to support them had to be selling at par (face value) and required, in the same bill, a special tax to pay the interest on the bonds.<sup>20</sup>

On 3 August 1868, the legislature passed an unfunded act in behalf of the Chatham Railroad to "extend its road from the . . . Haw River to the South Carolina State Line near Cheraw." This extension was to be along "the most approved route to be determined by the President and Directors of said road." A proviso in this act required "that the privilege [of this authorization] shall not be construed to relieve [the Chatham Railroad] from the obligation to build their road to the Gulf in Chatham County." Nor were they permitted to "expend any money on that portion of the line South of the intersection with the Western Railroad . . . until that portion . . . between its junction with the North Carolina Railroad and its intersection with the Western Railroad is completed and in operation" and until the line to Gulf was completed.<sup>21</sup>

Here was the first of the Chatham's legislative efforts in which the principals carefully concealed their intention as to the route of the road in ambiguous language for which they had their own unique interpretation. Neither the charter nor any of the previous legislation contained any hint about the "road from the graded terminus at or near the Haw River, to the South Carolina State Line near Cheraw." The provisos in this act, obliging the road to run to Gulf and not to spend any money on the portion south of intersection with the Western Railroad at Jonesboro until the road was completed to Gulf, were extremely discomfiting to the Chatham Railroad management, which was now bound to comply with the new state constitution. The management would therefore have to finesse or force a way to achieve the goal of a changed destination by shaping forthcoming legislation. The clear goal was to run a direct line from Haywood to the state line [see map 5] and to completely abandon Gulf as a terminal.

<sup>20</sup> Constitution of North Carolina 1868, Art. V, s. 5.

<sup>21</sup> *Chatham Railroad and Its Connections*, 36, 37.

Did the words in the act of 3 August cover an "extension" of the road, which was chartered to run to the coalfields if it "extended" from anywhere but Gulf to the state line? If the road from Gulf to the state line was an "unfinished" portion, then the Chatham did not fulfill the requirement of having had a direct vote of the people. If the road from Haywood to the state line or the road from Gulf to the state line was a new road, then the Chatham would have had to have arranged a special tax to pay the interest on the bonds that supported the new road. Either way, extended or new, the management was boxed out of getting what they wanted under their most recent legislative accomplishment.

On 15 August 1868 the legislature passed an act to amend the charter of the road and provide \$2,000,000 in state bonds for it to "finish" the road between the intersection with the Western Railroad and the South Carolina state line, in return for a first mortgage to the state on the portion of the line between its intersection with the Western Railroad and the state line.<sup>22</sup> While the wording was sharper in its focus on the route to South Carolina, this act was silent on the subject of completing the leg to, or through, Gulf. Kemp Battle and Jonathan Heck prepared the language of the act of 15 August.<sup>23</sup>

In order to understand the way the Chatham management was headed, it is necessary to elaborate on the words "finish" as used in the ordinance of 11 March and the act of 15 August 1868 and the word "extend" as used in the act of 3 August. In the ordinance of 11 March, the unequivocal interpretation was that the road would be "finished" to Gulf in the coalfields. In the act of 3 August the wording was a masterpiece of ambiguity. A nominal expectation was that the road would be run to Gulf and "extended" southward from there; the principals were still obliged to "build their road to the Gulf." Under this certainly rational interpretation, the portion south of the Western Railroad intersection to the South Carolina line would therefore be a *new* railroad. The word "extend" made the act of 3 August patently unconstitutional, because according to the new state constitution, the extension within the act implied that the road was an existing, unfinished road for which a direct vote of the people was required in order to be constitutionally authorized. The word "finish" as used in the act of 15 August merely continued the problem of constitutionality.

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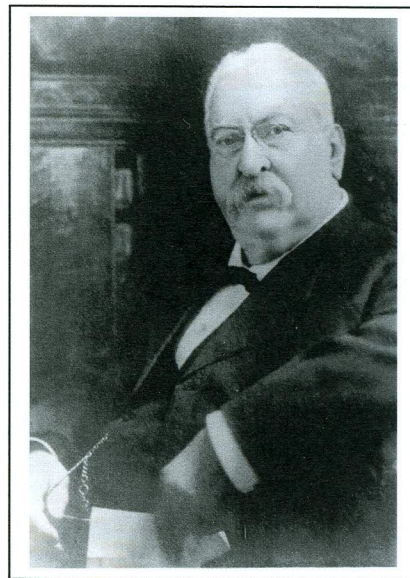
<sup>22</sup> Seaboard Air Line Railway, *Corporate History*, 30; *Chatham Railroad and Its Connections*, 37-39.

<sup>23</sup> Shipp Report, 567; Daniels, *Prince of Carpetbaggers*, 176.

Many senators protested the several acts passed in behalf of the railroads that came out of the special session of the legislature that convened 1 July 1868. In particular they objected to the 15 August act for the Chatham Railroad.<sup>24</sup>

It is obvious that the management was trying to have its cake and eat it too. The act of 3 August kept the obligation to build to the Gulf but named a new terminus at the state line, while the act of 15 August enabled them to finish the road to the state line, without mentioning the Gulf, as though their design had always been to run to the state line. They did not want to run to the Gulf. To run the road from the Gulf to the state line would have been an "extension" under the terms of their 1861 charter and not permitted under the new constitution without a vote of the people, besides being longer and more costly than the direct route.

Meanwhile, by 24 August 1868 Captain Alexander B. Andrews, William Hawkins' nephew and superintendent of the Chatham and the Raleigh and Gaston Railroads, was in Columbia working over the legislators to get a funding bill approved to allow the Chatham to build from Columbia northward to the South Carolina state line above Cheraw. This was the mirror image of the simultaneous funding action in Raleigh for the North Carolina portion. Accomplishment of the objectives of both bills would get the Chatham Railroad from Raleigh to Columbia on a direct line not involving the Cheraw and Coalfields Railroad.



*Captain A. B. Andrews*

On 28 August "a distinguished North Carolinian, long identified with the institutions of the State, and thoroughly familiar with its legislation concerning railroads" responded to a note he received from someone who, with the writer of the letter, was a "mutual friend" of B. D. Townsend, of the Cheraw and Coalfields Railroad.<sup>25</sup> This letter, in which its writer excoriated the Chatham Railroad, is found in its entirety in the appendix. It touches upon many of the circumstances mentioned in this story. While it represents the observations and attitudes of one person, most of the themes stated in the letter held up

<sup>24</sup> Price, "Railroads and Reconstruction," 385.

<sup>25</sup> "To the General Assembly," anonymous, privately published broadside, Columbia, South Carolina, 1868. North Carolina Collection, Wilson Library, University of North Carolina, Chapel Hill.

correctly in the way the facts surrounding the Chatham Railroad unravelled in the several years that followed.

Andrews sweetened the legislative pot in Columbia by providing \$80,000 to the governor of South Carolina "so as to enable [the governor] to pay the members of the Legislature."<sup>26</sup> On 9 September Hawkins telegraphed Andrews saying, "The [Chatham Railroad] Bill must become a law as it was introduced in House giving us three years to commence and 15 to complete. There must be no alterations whatever."<sup>27</sup> In another telegram on the same day, Hawkins advised: "If our Bill passes and becomes a law as it was introduced . . . we will aid the Governor in getting \$80,000 in sixty days. To do this the Governor might place as collateral to cover this amount and the [\$20,000] already advanced. . . . The papers [are] to be forwarded to the Raleigh National Bank and a Telegram that the Charter has become a law approved by the Governor[.] [U]pon the receipt of the paper the money [\$60,000] will be forwarded in five days at the rate of seven per cent per annum & three per cent commission."

Along with these telegrams in Alexander B. Andrews's papers there is an unsigned letter dated 10 September 1868 at Columbia, S. C. addressed to "Capt A. B. Andrews, Supt R & G RR," saying, ". . . Governor R. K. Scott of this state has been trying to negotiate a loan of sixty thousand (\$60,000) dollars so as to enable him to pay the members of the Legislature. If you will negotiate said loan within the next ten (10) days upon terms agreeable to the Governor, I will endorse his note for that amount provided you will pay me \$1000."

Then Hawkins again telegraphed Andrews: "Let the bill take its course if it can't be as we want it. We can't be expected to aid in contributing to the Governor's desires. . . ." On 18 September, Hawkins telegraphed: ". . . The Raleigh National Bank has the money ready. . . . The Banks can arrange with each other so as to get the money from New York." Finally, to round out the mission, Hawkins telegraphed Andrews saying: "The Bank here sent forward this evening as desired. . . ."

On 13 September 1868 W. B. Gulick, cashier of the Raleigh National Bank, wrote from Columbia to Capt. Andrews in Raleigh that he thought the railroad bill would be "fully passed tomorrow" and that the \$60,000 should not be reduced to \$50,000 so that it would "lay the foundation of a lasting influence over this Administration for any and all

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<sup>26</sup> Unsigned letter dated 10 September 1868 to Capt. A. B. Andrews, Superintendent, Raleigh & Gaston Railroad, Columbia, South Carolina, A. B. Andrews Papers.

<sup>27</sup> This and the following telegrams are located in A. B. Andrews Papers.

future arrangements.”<sup>28</sup> The concurrent bludgeoning of the two state legislatures was proceeding apace.

At this time the action returned to Raleigh. With the right to “extend” their road to the state line and their charter amended in the act of 15 August allowing them to “finish” their road to that point, the management of the Chatham felt free to unfetter themselves from running the road to Gulf. But in the legislature and in the press there was a rising clamor that the railroad acts passed by the special session of the legislature, and the Chatham Railroad acts in particular, were unconstitutional and that the lobbying power to get them passed was achieved by illegal means.

By the beginning of December the New York stock exchange stopped trading the Chatham Railroad’s bonds.<sup>29</sup> In an attempt to right the obviously controversial acts of 3 and 15 August, Kemp Battle authored a bill ratified 18 December 1868, which he expected would calm the furor. The preamble of the bill stated that “Whereas doubts have been raised as to the validity of bonds of the State issued to certain Railroad Companies, it is the purpose of this General Assembly to place the validity of such bonds beyond question.”

The act of 18 December provided that when the president of the Chatham Railroad certified that a contract had been let for grading between Cheraw and Gulf “or some other point on the Chatham Railroad between Raleigh and the Gulf,” the state treasurer, using \$2.0 million in new state bonds at par, would subscribe to \$2.0 million in preferred stock of the railroad while the road would surrender \$2.0 million of bonds authorized by the act of 15 August, which would then be burned. In addition, a special annual tax of one-twentieth of one percent was levied on all of the taxable property of the state to pay for the interest on the new bonds.<sup>30</sup>

Before the end of December the act of 18 December was challenged in state court, and it was later found to be unconstitutional.<sup>31</sup> On 29 December 1868 an injunction was sought to prevent the issuance of the new bonds authorized by the act of 18 December. The resultant suit over the injunction was appealed to the North Carolina Supreme Court in January 1869, and the act of 18 December was ruled unconstitutional by a 3 to 2

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<sup>28</sup> W. B. Gulick to Capt. A. B. Andrews, 13 September 1868, A. B. Andrews Papers.

<sup>29</sup> Price, “Railroads and Reconstruction,” 387.

<sup>30</sup> *Chatham Railroad and Its Connections*, 39-42.

<sup>31</sup> Price, “Railroads and Reconstruction,” 387-389.

vote.<sup>32</sup> Furthermore, the mortgage called for in the act of 15 August was found to cover lands not owned by the Chatham and the mortgage lacked the necessary federal transaction tax stamps.<sup>33</sup>

Although the acts of 3 and 15 August were found to be unconstitutional, the ordinance of 11 March was not, because it had been ratified before the new state constitution had been passed.

Then the Chatham went back to the legislative trough and an act was ratified on 10 April 1869 that allowed the company to borrow private money by issuing company bonds up to a limit of \$2.0 million to "complete" its road. In order to secure payment on these bonds the road would execute a first mortgage deed to the new bond holders covering all the company property between Raleigh and the South Carolina state line and execute a second mortgage deed to the state for the same properties before selling any portion of the first mortgage bonds. The second mortgage deed to the state was executed on 1 November 1869, and the first mortgage deed, to William H. Battle and William E. Anderson of North Carolina and William Allen Butler of New York City, was executed on 2 December 1869.<sup>34</sup>

After the episodes with the North and South Carolina legislatures in July and August 1868 to get the Chatham road to Cheraw by a direct route, it is ironic that it was stated in the 1869 annual meeting of the Raleigh and Gaston that the Chatham had eighteen miles of track laid and in use, five or six more miles where grading was nearly completed for the iron, and sufficient iron purchased to complete the road to Gulf during the next year, giving a connection to Fayetteville (via the Western Rail Road) and an outlet for the coal and iron of the Deep River valley. When connection was made to the Cheraw and Coalfields Railroad at Gulf, the report claimed, the Raleigh and Gaston would be "part of the great through line North and South." Pure bafflegab!

At the same time the Raleigh and Gaston board was meeting, a report was being prepared for the board of the Chatham Railroad by C. O. Sanford of Petersburg, Virginia, chief engineer of the road. Col. Sanford studied three routes from Raleigh to Columbia – a direct route and two similar routes with interior alternatives.<sup>35</sup> [See map 5.] In his re-

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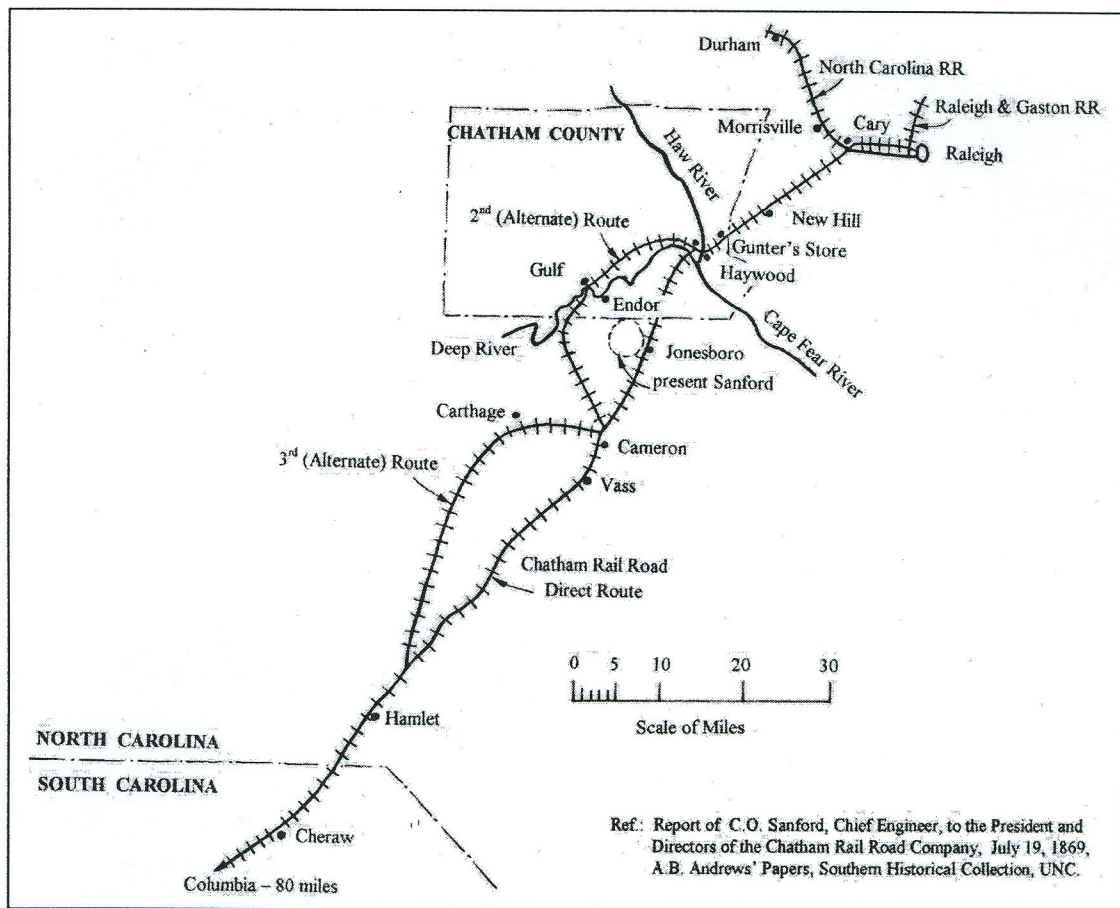
<sup>32</sup> Ibid., 388, 389.

<sup>33</sup> Hamilton, *Reconstruction in North Carolina*, 433, 434.

<sup>34</sup> *Chatham Railroad and Its Connections*, 42-64.

<sup>35</sup> Engineer's Report of C. O. Sanford to the Chatham Railroad, 19 July 1869, A. B. Andrews Papers.





Map 5. - Direct route and alternative routes of the Chatham Railroad described in the report of Chief Engineer C. O. Sanford, July 1869

port, Col Sanford, for whom the city of Sanford would be named, indicated that the Chatham road was graded and tracks laid from "Cary on the North Carolina Railroad to Gunter's Store, a distance of 17 miles." On an 1870 map of Chatham County, W. T. Gunter's homesite is shown along the Chatham Railroad in the southeast corner of New Hope Township.<sup>36</sup> On current maps the distance from Cary to this location is seventeen miles.

Sanford's report, in the second alternative, describes the Chatham running through Gulf but passing out of Gulf on a Chatham Railroad line to Cameron, without mentioning the Cheraw and Coalfields Railroad. A variation within this second alternative appears to

<sup>36</sup> Capt. N. A. Ramsey, "Map of Chatham County," (New York: Snyder, Black & Sturn, 1870). W. T. Gunter, a state representative from Chatham County, was labelled an "intense Republican" by historian J. G. deRoulhac Hamilton (*Reconstruction in North Carolina*, 402), thus associating him politically with the carpetbaggers. However, Hamilton is sometimes regarded as having seen a carpetbagger behind every tree.

have considered a route which must have been like that envisioned by the Cheraw and Coalfields but never built, south of Gulf. Colonel Sanford rejected this variation as being "crooked, rough, rocky" and requiring "maximum grades over which Engines could not convey as many cars." The cost of this variation was not estimated for the report. The cost of the second alternative through Gulf was the highest cost of the three alternatives studied, as might be expected. Thus ended the piggy-back concept using the Cheraw and Coalfields Railroad, which had first seen the light of day in the 1866 annual meeting of the Raleigh and Gaston Railroad.

As noted early in this chapter, Battle, Hawkins, and Heck were influential in a total of seven railroads, all of which succeeded in having funded legislation passed in their behalf similar to the Chatham Railroad bills during the three 1868-1869 legislative sessions.<sup>37</sup> These acts later became known as the Special Tax Acts, and before the 1868-1869 legislature adjourned, the special tax bonds were repudiated by the legislature, requiring return of the bonds already issued.<sup>38</sup> It was also rumored at this time that these acts had been passed after heavy lobbying funds had been spent on legislators.

Of the total of twelve legislative acts authorizing \$27.9 million for thirteen railroad projects, bonds totaling \$17.6 million were issued, of which \$4.3 million was returned as mandated and \$13.3 million was never recovered.<sup>39</sup> Nearly all the spent bonds, at least for other railroads, except \$686,000 used for construction by the Chatham Railroad, were squandered in various ways, such as across faro tables in New York City.<sup>40</sup>

Altogether, the Chatham Railroad received 3,200 bonds (each with par value of \$1,000) from the two 1868 funding acts, of which they spent 1,550 bonds (with net proceeds from each averaging about \$550, or 55 cents per dollar of par value), and returned

<sup>37</sup> Wiesner, "Men of Endor," Table 12.1.

The Eastern and Western Railroad and the Oxford Branch were subsidiaries of the Raleigh and Gaston, of which Hawkins was president. Hawkins was also the president of the Chatham Railroad.

Battle was the attorney for the Williamston and Tarboro Railroad, the Raleigh and Gaston Railroad, and the Raleigh and Augusta Air Line Railroad (Battle, *Memories of an Old-time Tar Heel*, 220); the Edenton and Suffolk Branch was to be funded in the same act as the Williamston and Tarboro Railroad. Battle was also attorney for the Atlantic, Tennessee and Ohio Railroad (*Report of the Railroad Investigation Commission*, North Carolina Legislative Session 1869-1870, 122. Hereafter cited as: Bragg Report.). He wrote legislative acts for the Chatham Railroad and the Williamston and Tarboro Railroad.

Jonathan Heck was the secretary of the Chatham Railroad and wrote legislative acts for it with Battle.

<sup>38</sup> Hamilton, *Reconstruction in North Carolina*, 448; Battle, *Memories of an Old-time Tar Heel*, 220.

<sup>39</sup> Hamilton, *Reconstruction in North Carolina*, 448, 449.

<sup>40</sup> See for example, Hamilton, *Reconstruction in North Carolina*, 444.

1,650 bonds to the state. Forty-eight of the spent bonds were directed to the construction contractor for the rail-iron account, 1,402 bonds were cashed to meet expenses, and 100 were "sold" to General Milton Littlefield for \$60,000, or at 60 cents on the dollar, in return for his lobbying effort to assure passage of the Chatham's \$2.0 million extension bill. The spent bonds and the interest thereon yielded a bit more than \$935,000, of which \$686,000 was spent before 1870 for engineering, construction, equipment, and salaries.<sup>41</sup> The balance, at the time of the return of the bonds to the state, was on hand in the form of United States treasury bonds and cash in George Swepson's Raleigh National Bank and the State National Bank.<sup>42</sup>

During the time in which the constitutional issues were in litigation, the question was raised of payoffs to legislators to assure passage of these railroad special tax acts. This issue took somewhat longer than the constitutional issue to mature, and after one aborted attempt by the Railroad Investigation Commission, known as the Bragg Commission, in 1870, it took until 1871, with the establishment of the Shipp Commission, to be addressed.

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<sup>41</sup> Price, "Railroads and Reconstruction," 498; Bragg Report, 102-103.

<sup>42</sup> The president of the State National Bank was John G. Williams, the purchaser of \$56,000 in state bonds issued to Jonathan Heck for the sale of 8,000 acres to the state as a site for the first state penitentiary along the Chatham Railroad. These bonds were later declared void by the state.

## 8

### Whitewash by the Shipp Commission

The fraud investigation commission known informally as the Shipp Commission was formed by the legislature in 1871 to "inquire into charges of Corruption and Fraud" dealing with the sale of the Cape Fear Navigation Company by the state;<sup>1</sup> the land purchase bonds for the state penitentiary issued to Jonathan Heck, involving Battle, Hawkins, and Andrews; the conduct of the University Railroad suit in the state supreme court involving Kemp Battle; the disposition of the Chatham Railroad bonds involving Kemp Battle, William Hawkins, and Jonathan Heck; the sale of \$180,000 in North Carolina Railroad bonds by the state, involving George Swepson and William Hawkins; general official venality in the state administration; and events related to other railroad bonding activities.

Even this airing by the Shipp Commission had severe limitations. Joseph B. Batchelor, one of the three commission members, had been a director of the Raleigh and Gaston beginning in 1861 and a stock subscription director of the Chatham Railroad as early as 1862.<sup>2</sup> At the Raleigh and Gaston stockholders' meeting of 7 August 1864, Batchelor introduced a motion to give a bonus of one hundred percent of their 1863 salaries to W. J. Hawkins as president and to the treasurer of the Raleigh and Gaston. Batchelor was a director and large stockholder in both the Raleigh and Gaston and the

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<sup>1</sup> Shipp Report, 3-11. The Cape Fear Navigation Company controlled navigation by dams and locks on the Cape Fear River from Fayetteville to Wilmington. It was a separate enterprise from the Cape Fear and Deep River Navigation Company, which controlled navigation from Fayetteville to Gulf.

<sup>2</sup> *Proceedings, Raleigh & Gaston*, 4 July 1861; *Chatham Connections*, 25.

Chatham Railroads at the time the Shipp Commission sat.<sup>3</sup> As a commissioner he took testimony from Kemp Battle, the past president, and Jonathan Heck, the past secretary, of the Chatham Railroad; from William J. Hawkins, the then current president of both the Chatham Railroad and the Raleigh and Gaston Railroad; and from Alexander B. Andrews, the superintendent of both the Chatham and the Raleigh and Gaston Railroads.

Also, during the war Battle had interceded with the governor in behalf of Batchelor, who missed military drill and was to stand for a court martial. Batchelor missed drill because he believed he was exempt since he was a director of the Chatham Railroad.<sup>4</sup>

Batchelor must have been relieved and may have led in the formation of the commission's position that it "has not thought it their province to enter upon a discussion of the facts, nor to state conclusions."<sup>5</sup> As a consequence, the commission would investigate only so deep as not to hurt those being examined.

One focus by the Shipp Commission was on the activities of Milton Littlefield. The commission found that the executives of eight or nine railroads,<sup>6</sup> seven of these roads within the influence of Battle, Hawkins, and Heck, had engaged his lobbying services. Littlefield was being provided his up-front lobbying funds – the immense sum for those times of \$240,000 – by George Swepson.<sup>7</sup>

If the lobbying monies spent by Littlefield generated a funded legislative act, his fee for that lobbying effort was to be ten percent of the funds provided by the legislature to that road.<sup>8</sup> By formula, that would have amounted to \$200,000 in the case of the Chatham Railroad, at a time when the heads of North Carolina companies were paid about \$3,000 per year. Littlefield as a lobbyist made loans without due dates to members of the legislature in return for their favorable votes for the various railroad bills on the floor of the legislature. After the act of 15 August 1868 was passed to extend the Chatham Railroad to the state line, Littlefield was "sold" one hundred Chatham Railroad bonds, each with a par value of \$1,000, by Jonathan Heck in New York City. Littlefield cashed these for roughly \$63,000, repaying a previous debt of \$60,000 to the construction contractor for the

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<sup>3</sup> Director: 1868 *Proceedings, Raleigh & Gaston*; stockholder: 1870 *Proceedings, Raleigh & Gaston*. In 1863 Batchelor held 37 shares of Raleigh and Gaston stock, Hawkins 304 shares, and Battle 40 shares (*Proceedings, Raleigh & Gaston*, 1863).

<sup>4</sup> J. B. Batchelor at Warrenton, N.C., to Kemp Battle, 11 November 1863 and 27 November 1863, Battle Family Papers.

<sup>5</sup> Shipp Report, 2.

<sup>6</sup> Shipp Report, 204, 205.

<sup>7</sup> "Account of G. W. Swepson with M. S. Littlefield," Shipp Report, 316-319.

<sup>8</sup> Shipp Report, 202-203.

Chatham.<sup>9</sup> He complained thereafter that Heck pocketed the first one hundred bonds, to which Littlefield felt entitled, on his trip to New York.

Of the more than one hundred witnesses who testified before the Shipp Commission, only Swepson and Littlefield faced charges arising out of the hearings. Littlefield did not appear before the commission and skipped from the state, never to return. Several attempts were made to extradite him, and in one action the governor concurred in a plan to kidnap him. Littlefield died in New York City in 1899 in very straitened circumstances.<sup>10</sup>

Swepson was as difficult to pin down financially as Littlefield was physically. Many of the bonds issued to the Western North Carolina Railroad, of which Swepson was president, were never recovered. He died in 1883 and was buried in Oakwood Cemetery in Raleigh, which he owned with Battle, Heck, George Mordecai, W. R. Cox, and others.<sup>11</sup> Jonathan Heck and Alexander B. Andrews were among Swepson's pallbearers.<sup>12</sup>

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<sup>9</sup> Price, "Railroads and Reconstruction," 415.

<sup>10</sup> Daniels, *Prince of Carpetbaggers*, 286-287, 297.

<sup>11</sup> Murray, *Wake*, 589; *Private Laws of North Carolina, 1868-1869*, c. 40, s. 1.

<sup>12</sup> Daniels, *Prince of Carpetbaggers*, 293-294.

# 9

## The Demise of the Chatham Railroad

The Chatham Railroad purchased its first locomotive in October 1868 and had purchased a total of twenty-seven freight cars, one passenger car, and a baggage car prior to 1871.<sup>1</sup>

John F. Pickrell and Company of New York was contracted in 1869 to furnish thirty miles of track and finish the first thirty miles of the road to the north side of the Haw River at Haywood.<sup>2</sup> This work was begun 1 March 1869. The used track removed from the Virginia sideline in 1865, previously mentioned, was no doubt worn out before being moved to North Carolina and required replacement in 1869 by new rail, if it was ever laid along the Chatham's route. By January 1870, thirty miles of track were completed to Haywood. As already mentioned, at the 1869 annual meeting of the Raleigh and Gaston stockholders, it was announced that eighteen miles of track were laid and in use and that grading was complete and ready for track on an additional six miles, with sufficient rail purchased to complete the road to Gulf. Despite this announcement at the annual meeting, it is obvious that privately the Chatham had no intention of building to Gulf.

The chaotic planning by the Chatham's management was questioned in March 1870 by Elias Bryan, a stockholder and former director, in a strongly-worded letter to the edi-

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<sup>1</sup> Carricker, *Railroading in the Carolina Sandhills*, 42; Bragg Report, 103.

<sup>2</sup> Price, "Railroads and Reconstruction," 497-498; Clark, *Raleigh & Augusta*, 64.

tor of the *North Carolina Standard*. Bryan complained about the lack of communication between the management and stockholders over the route through Gulf, as opposed to “a direct line to Cheraw.” He also spoke of the gift of the Cape Fear and Deep River Navigation Company to the Chatham Railroad and the “penitentiary cleck [clique],” later found by the Shipp Commission to involve primarily Jonathan Heck and to a lesser extent Battle, Hawkins, Andrews, and Littlefield.<sup>3</sup> It is apparent that this letter was passed from the *Standard* to Alexander Andrews without being published.

Unless C. O. Sanford’s report to the president and the board dated 19 July 1869, previously cited,<sup>4</sup> was a repeat of a previous cost estimate, the Chatham apparently had no engineer’s construction cost appraisal for the direct line to Cheraw before the management decided to build it in mid-1868, and according to Elias Bryan’s complaint the stockholders still did not know eight months after Sanford’s report where the line of the road was headed. Finally, in an act ratified by the legislature on 1 April 1871, the requirement of a terminus at Gulf was repealed.<sup>5</sup>

In the company’s only financial report, released in 1871, the road was described as being thirty miles long with 56-pounds-per-yard rail.<sup>6</sup>

In 1871 the Chatham was sold at public auction and in December of that year its name was changed to the Raleigh and Augusta Air Line Railroad, under the management of William J. Hawkins, Alexander B. Andrews, and others.<sup>7</sup>

The Raleigh and Augusta road was continued from the north side of the Haw River to Sanford, a distance of fourteen miles, in 1872. Neither the Chatham nor the Raleigh and Augusta ever reached the coalfields, which by this time were believed to contain far less coal than was touted for them in the 1850s. It may be of interest to local historians that, starting from the leg between the Haw River and Sanford, the Raleigh and Augusta leased and operated the line of the Pittsboro Railroad Company from Moncure to Pittsboro between 1887 and 1893.<sup>8</sup>

The Raleigh and Augusta was extended from Sanford, through Cameron and Vass, and reached Hamlet, a distance of fifty-five additional miles, by 1877. The Raleigh and

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<sup>3</sup> Elias Bryan to the Editor of the *N. C. Standard*, 21 March 1870, A. B. Andrews Papers; Shipp Report, 100-154.

<sup>4</sup> See p. 32, n. 35.

<sup>5</sup> Seaboard Air Line Railway, *Corporate History*, 30.

<sup>6</sup> Carricker, *Railroading in the Carolina Sandhills*, 42.

<sup>7</sup> *Ibid.*, 42.

<sup>8</sup> Seaboard Air Line Railway, *Corporate History*, 41.



Augusta later leased a line of the Palmetto Railway Company from Hamlet to Cheraw, South Carolina, beginning in 1895.

The Raleigh and Augusta Air Line Railroad was operated as part of the Seaboard Air Line operating association from 1893 until 1900 and was merged into the Seaboard Air Line Railway in 1901.<sup>9</sup> This action finally fulfilled the objective of the builders of the Chatham Railroad, since they publicized in 1870 that the road was designed to be a link in the chain of roads which advertised to be "one of the shortest lines on the Great Route from the North to the South."<sup>10</sup>

Thus, the Chatham Railroad never hauled a ton of coal from the Deep River coalfields, and its route provided only thirty miles of roadbed of one thousand miles of line north to south. By the time construction got under way, its market was questionable unless its completion was instantaneous. Then in the turbulent times after the war, when the coal resource in Chatham County was found to be largely myth, its principals resorted to exploiting human weaknesses to build one leg of the original route and to disregard forever the leg to the coalfields, originally its only destination. In 1871 the entrepreneurs claimed to have accomplished the purpose for which they originally set out in 1861, a purpose which they re-defined several times to suit existing opportunities and their own ambitions.

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<sup>9</sup> *Ibid.*, 41.

<sup>10</sup> *Chatham Railroad and Its Connections*, 1-2.

# 10

## Requiem for the Chatham Railroad

The Chatham Railroad was conceived out of the desperation of the Raleigh and Gaston Railroad to extend itself southward from Raleigh when the coal and iron resources of Chatham County still loomed large, a concept which the latter road realized as crucial to its success even before it was completed in 1840 from Gaston to Raleigh. There was insufficient investor interest in any of the several promotions from 1837 until 1846, when the state took over the line after protracted legal proceedings following default by the railroad in its interest payment in 1843 and foreclosure on its mortgage in 1845. The state owned and operated the line until 1851, when a new Raleigh and Gaston Railroad Company was formed and the line purchased by the new company from the state. By the time the concept of a coal-carrying railroad first appeared in 1855, the state had had enough participation in the Raleigh and Gaston; and since the coal-carrying road could not be built without state support, the extension would have to go forth under a new name: the Chatham Railroad.

Warily, when the Chatham was chartered in 1855, the legislature laced the charter legislation with enough confining clauses that the railroad did not move ahead to activate the charter. Railroading had become too sophisticated by 1855 for a line to succeed with the limited commercial objectives of carrying coal from a remote location in the wilderness of Chatham County to Raleigh, even while the amount of coal in these fields was still touted as being virtually inexhaustible. Therefore it took the prospect of the loss of coal to Richmond from western Virginia at the beginning of the Civil War for the pro-

moters of the Chatham Railroad to stimulate enough confidence within the legislature for it to ratify another chartering act in 1861 after the first chartering act expired.

In the hectic activity of the early days of the Civil War, the Chatham's management overestimated the availability of slave labor and underestimated the cost of construction in 1862 and 1863. The contractor was released from his contract, and management took over construction with its own forces. It was 1864 before the road again obtained the services of experienced contractors. One last valiant attempt was made, even as Sherman's forces were only two weeks away from Bentonville and moving toward Raleigh, to have the state obtain used track so that some of the path from Raleigh to the Haw River could be used, in conjunction with steamers on the Deep River, to get pig iron to Richmond from the Endor iron furnace. The furnace had still not produced anything for Richmond and was then owned by the principals of the Chatham Railroad. It was also argued that the road between Haywood and Raleigh could be used to move troops, if need be.

After the war North Carolina lay prostrate economically while some carpetbaggers, supported in their efforts by the principals of many railroads in 1868, induced the state legislature into a frenzy of legislation to benefit as many as ten new or extended railroads. The Chatham, under its president William Hawkins, took no chances with having legislators produce legislation for it and had Kemp Battle and Jonathan Heck, officers with Hawkins in both the Chatham Railroad and the Endor Ironworks, prepare legislation. Then, as the presidents of eight or nine other railroads had done, the Chatham enlisted Milton Littlefield to spread largesse among the legislators to assure passage of an act, later found to be unconstitutional, to extend the railroad to the South Carolina state line. At the same time, Hawkins sent his nephew to Columbia, South Carolina, to give direct, under-the-table aid to the governor to assure passage of similar legislation to build the Chatham from Columbia northward to the North Carolina state line. Both efforts were successful, but the road appears not to have had a current cost estimate for building the line, as it was then imagined, until mid-1869, nor more importantly, to have made a final decision on its route. Accordingly, the management had to keep its route secret from its stockholders, because that route would have flouted the terms of its charter, by which it was obligated to run to the coalfields. And by mid-1868, the Chatham had no intention of honoring that obligation.

The first construction of the line after the Civil War began in March 1869, and by January 1871 thirty miles of line were complete from Raleigh to Haywood. In April 1871 the Chatham was relieved by the legislature of its obligation to build to Gulf. After it had

been sold at auction in December 1871 and reorganized into the Raleigh and Augusta Air Line Railroad, and with an additional fourteen miles of road completed, the Chatham Railroad became defunct.

So ended all traces of the Chatham Railroad, the road that was to carry inexhaustible supplies of coal from fields that turned out to hold more hype than resource, the coal road that never carried a ton of coal, the road that was to run to Gulf but never came close. The Chatham Railroad – *requiescat in pace*.

## Appendix

*[The following anonymous, privately published broadside is copied in its entirety from a copy found in the North Carolina Collection, University of North Carolina at Chapel Hill.]*

### TO THE GENERAL ASSEMBLY.

*Gentlemen of the Senate and House of Representatives:*

As the application of the Chatham Railroad Company of North Carolina, for a charter to extend its line from Raleigh to Columbia, *via* Cheraw and Camden, is still pending in the Senate, it is important that all facts bearing upon this subject shall be laid before the General Assembly, to the end that you may arrive at just conclusions and vote under a proper sense of the responsibility you owe to your constituents.

The following letter will therefore be read with interest, coming as it does from a distinguished North Carolinian, long identified with the institutions of the State, and thoroughly familiar with its legislation concerning railroads. Further comment as to the propriety of passing the Chatham Railroad Bill is unnecessary.

---

RALEIGH, N. C., August 28, 1868.

*My Dear Sir:*

I have received your note making inquiries as to the Chatham Railroad Company, and informing me that its charter has already passed the House of Representatives.

It is a matter of extreme regret to all of us here that poor South Carolina is about to suffer like ourselves from the machinations of a few men, who for their own aggrandizement are inveigling the new authorities of the State into a policy that can only end in rotteness and ruin.

By the aid of money paid to the unscrupulous, promises of bonds made to the poorer legislators, and the employment of various outside corrupt influences, the endorsement of the State was given to the bonds of the Chatham Railroad to the amount of two millions of dollars, which added to other bonds issued by the Company, make the sum total of their bonds thirty-two hundred thousand dollars.

The road itself is a myth. During the war thirty miles were surveyed and graded, but no track has been laid, and were it not for the improper influences used, the North Carolina Legislature would never have jeopardized the interests of her general railroad system, by authorizing a single rail to be spiked to its bed. Indeed, our General Assembly, notwithstanding the effort made by nearly every railroad company in the State, utterly ignored the fact that the construction of the road would injuriously affect interests represented by over twenty millions of dollars, which North Carolina has in the several lines that radiate to and from her coast.

The effect of this endorsement by the State is already manifest. Our coupon bonds which before were worth from seventy-eight to eighty cents on the dollar, have suddenly depreciated to sixty and sixty-five, while bonds without coupons are slow of sale at even fifty. The debt of North Carolina has been swelled to the enormous sum of twenty-seven millions of dollars, proper security is lacking, and the capitalists of the North will scarcely touch our bonds as a permanent investment. There is no man who believes that the Chatham Railroad speculators have any idea of completing their so-called enterprise, even to our own State line. Their means will be exhausted by the reduction of more than half the value of their bonds in less than one year. South Carolina must then herself either guarantee additional bonds to the amount of two millions of dollars or the road will not be built upon her soil.

When your State commences to saddle the people with these burdens, at the beck and nod of the few intent on filling their own pockets, and despite the real interests of the mercantile and planting community of the State – especially when, as in the case of the Chatham Railroad, less than an hour is saved in time and thirty miles in distance – “Woe, woe, woe unto you.” You will go the way of Tennessee, whose credit has been reduced one hundred per cent. in less than four months; you will follow in our own sad footsteps,

and behold your State staggering under a load from which there is no relief save in repudiation and a broken faith. The citizen will suffer; taxation will be overbearing; enterprise will be checked, and the capital that would naturally seek your soil will look elsewhere for profit.

You make inquiry concerning the coal-fields and the relation of the Chatham Railroad to them. I answer that the road will not run within ten miles of them, unless present plans are materially changed. When reached, these fields are by no means so valuable as the persons interested would have the public believe. Some coal has been taken out and shipped, but my information is that the stratum is deep, and the best deposits can only be reached by shafts sunk from five hundred to one thousand feet below the surface of the earth. If this be the case, there will be little inducement to the capitalist to expend his means when the same expenditure elsewhere will produce an easy and abundant yield of this material.

As to the guage [*sic*] of the "proposed" Chatham Road, I fully agree with you that South Carolina should imperatively demand a guage that corresponds with her present system, at least until Cheraw is reached. Justice to that once thriving locality demands that a change of cars should take place at that point – that the company shops and locomotive depots shall be located there, and not that it shall be a mere station where the boasted "Great Trunk line" will stop no longer than at a wood pile. It will be an astonishing freak of fortune if the Chatham people should so blind the eyes of your Legislature that in addition to a charter, and an eventual loan of credit, they also secure the privilege of running their narrow guage cars to the very centre of your State, and thus cause every other line which concentrates there to pay toll to this ambitious foreigner. There are many things in legislation, but this would overtop them all.

From the above commentary – which I can assure you reflects the views of our thinking people – you may judge for yourself whether we have confidence in the faith or ability of this corporation to perform all they promise. Their three millions of bonds will at best yield little more than one million of dollars, and without further aid from North Carolina it will be a miracle if they reach even the North Carolina line. What South Carolina will do in the premises remains to be seen. My own impression is that you should give your own people the first chance.

Our mutual friend Townsend, of the Cheraw Company, labors under the hallucination that the ten miles he has build towards the coal-fields will be absorbed by the Chatham Railroad, and that he can obtain a charter from our Legislature to run a line to Salisbury.

Such a diversion of freight and travel would never be permitted by legislators practically interested in the perpetuation or improvement of our railroad system, and I am positive that in the face of the opposition of nearly every other railroad in the State, our General Assembly will grant no such privilege.

Very truly, your friend and obedient servant,

\_\_\_\_\_

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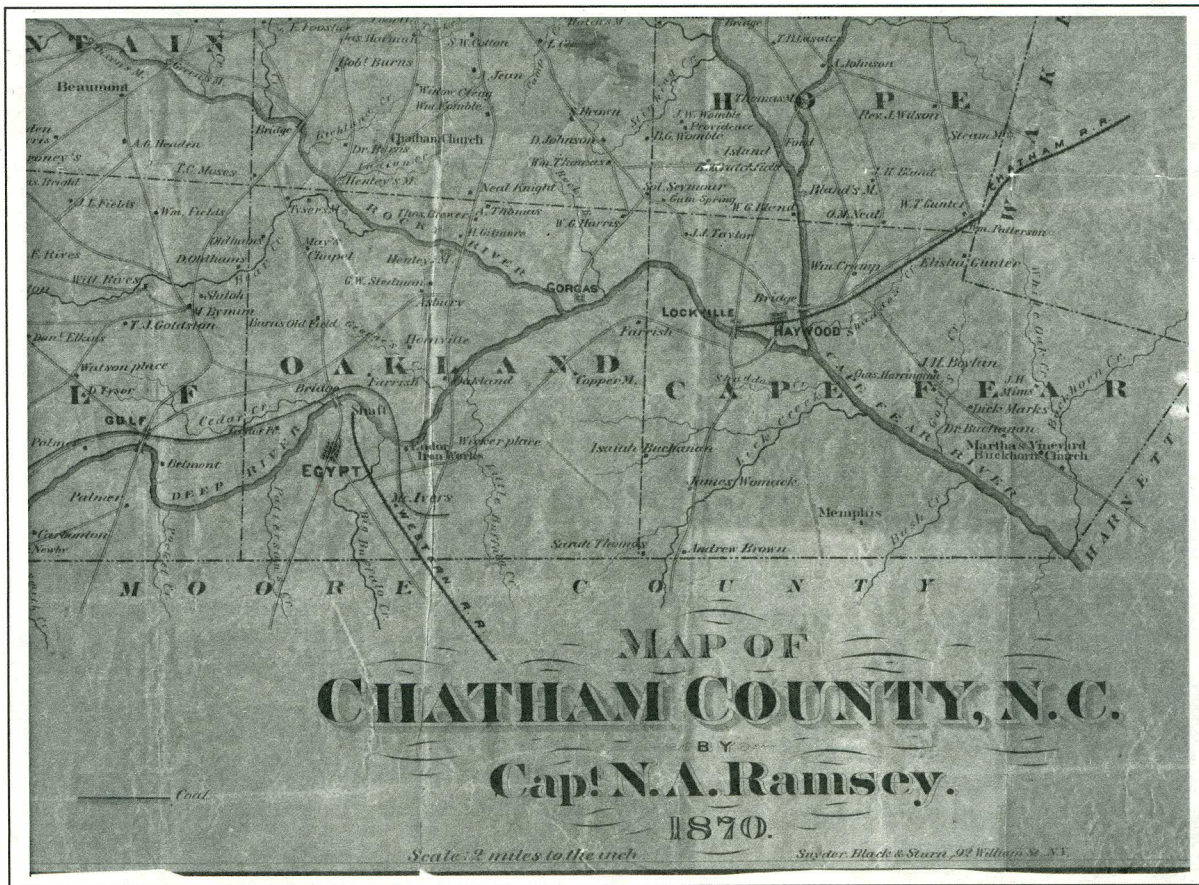
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Detail

## The Chatham Railroad

Robert A. Wiesner

When it was auctioned off in 1871, the Chatham Railroad was thirty miles long, thirteen miles shy of the coalfields of Chatham County that the railroad was chartered to exploit. From its beginning in 1855 the railroad was a political pawn of its officers, whose interests lay in establishing an east-coast railway empire.

In tracing the 16-year history of the Chatham Railroad, Robert A. Wiesner contributes to an understanding of the tumultuous economic affairs of North Carolina in the years preceding and during the Civil War era.

Chatham County Historical Association, Inc.  
P. O. Box 93, Pittsboro, North Carolina 27312