

one ever saw the record to which he refers, that his father left to him [usually referred to as the copy in unidentified handwriting] in telling of the burning of his father's house."

We must remember that the record in the 1794 working copy could have been known to Dr. Phillips for years, and we may recall also that Dr. Alexander actually had told of finding the important papers in a building on his father's premises that had *not* burned.

## 14. The Article That Influenced Historians



DR. PHILLIPS opened his article with the mellow phrases of a minister: "... Now seems to be the month of May, wherein what has been sown is promising abundant harvests, and what is yet needed may still find time for development and maturity. There will be a season of repose wherein all trees and plants are steadily growing for the harvest — and then the end shall come — when the great white throne shall be set, the angels be sent forth to separate the tares from the wheat, and all, according to their works, shall receive unerring praise or blame. . . ." And so on, with much more. "So in the moral world, the past should be revived, that the present may be understood, and the future be saved from the errors of vague speculations."

The textual differences between the Alexander and the Martin versions of the Mecklenburg Declaration he made apparent by using both, side by side. Then he wrote of the May 20 Declaration:

"It is a suspicious paper on its very face. Its guardians do not seem to have regarded it as containing the *ipsissima verba* used by the men of Mecklenburg. Who furnished the 'Martin copy'? Who made the diversities between it and the 'Davie Copy'? Many of these diversities are unimportant, but some are very striking. In the aggregate they are, to say the least, very remarkable, and the last [sixth] resolution in the 'Martin copy' is rather modern in its tone. Whoever heard of such various readings in the National Declaration of Independence. . . .?"

The man who furnished the Martin copy and made the diversities in the text was Judge Murphey. His innocent mischief in changing the text led Dr. Phillips into pronouncing the May 20 Declaration "a suspicious paper on its very face" because of the differences.

Dr. Phillips then went on to dismiss the testimony of the witnesses, published in the 1831 State pamphlet, largely because some of them said McKnitt Alexander had been secretary of the May 19-20 convention, while six others named Dr. Brevard. We have seen on an earlier page how Colonel William Polk summoned the witnesses who named Dr. Brevard. We have

read the Wheeler letter to William Force saying General Thomas G. Polk presumably sought to transfer credit from Alexander to Dr. Brevard. Dr. Phillips had no good reason, indeed, for rejecting out of hand the testimony of men who had been present when the May 20 Declaration was adopted, and then read to the people assembled in Charlotte.

When Dr. Phillips came to the third page of the Davie Copy, and the end of McKnitt Alexander's account of the May 1775 proceedings, he could hardly have escaped seeing this underscored line in McKnitt Alexander's handwriting: "*Thus far from the Journals and records of s<sup>d</sup>. Committee.*" This sentence asserts that the narrative and the text of the Declaration came from at least one existing document. What did Dr. Phillips do about it? *He ignored the line.* Dr. Archibald Henderson was first to call attention to this determining sentence, in newspaper articles he published in 1939, and he reproduced John McKnitt Alexander's statement in photographic facsimile in *The Old North State, and the New* (Vol. 1, p. 296), so that all might observe the presence of the underscored line.

Examination of a document evokes sharper understanding than thousands of words of comment or exposition. The third and final page of the Davie Copy appears in reproduction beside a page from Dr. Phillips' article, adjacent to this text. The significant underlined words will be found in the seventh line from the top.

After leaving a bit of space on the paper to mark the close of his old record, McKnitt Alexander proceeded in the Davie Copy with a paragraph telling of subsequent harmony, unanimity, and exertion. Then he left another space and began a statement regarding the activities of the Court of Inquiry. After this short narrative he conscientiously added in closing a bit of qualification to his account of the Court's activities:

"It may be worthy of notice here, to observe that the foregoing statement [regarding the Court of Inquiry], tho' fundamentally correct; yet may not literally correspond with the original records of the transactions of s<sup>d</sup>. Court of Enquiry; as all those records and papers were burnt (with the house) on April 6, 1800: but previous to that time of 1800, a full copy of said records, at the request of Doctor Hugh Williamson, then of New York: but formerly a representative in Congress from this State, was forwarded to him by Col. Wm. Polk in order that those early transactions might fill their proper place in a history of this State, then writing by s<sup>d</sup>. Doctor Williamson in New York."

This statement says clearly enough that the records of the Court of Inquiry were burned with the minute book. It does *not* say that all papers relating to the May 19-20 convention were burned.

If the reader will examine the third line of the final paragraph in the reproduction of the third page of the Davie Copy, he will observe that McKnitt Alexander scratched out two words: *delegation &*. Unwittingly to have left those unintended words in the text would have established an implication that the "foregoing statement" included the entire document, by saying: "tho' fundamentally correct; yet may not literally correspond with the original records of the transactions of s<sup>d</sup>. *delegation &* Court of enquiry; as all those records and papers were burnt. . . ." It was the "delegation" that adopted the May 20 Declaration.

He intended to convey no such meaning, and evidently when reading over and revising the paper, he scratched out the words to make clear he meant to say that the "foregoing statement" related only to the Tory hunt.

Believing the two erased words supply the key to solution of the long controversy, my son Frank McNitt and I visited Chapel Hill in April 1950 to inspect the Davie Copy and examine the manner of erasure of the two words. We found the erasure in the same black ink used by McKnitt Alexander in writing the whole paper. To us it was apparent the words had been erased at the time of writing.

We observed also the annotations on the Davie Copy made by Dr. J. McKnitt Alexander in or after 1820. The ink he used was lighter in tone and has since faded. He drew a hand with pointing index finger to mark his father's significant line: "Thus far from the Journals & records of s<sup>d</sup>. Committee," and wrote in the space below: "here the copy of the record ends." Alongside the concluding paragraphs, at the left of the page, he wrote: "This is from recollection & as to Dunn & Booth is incorrect as to time. J. McKnitt."

To make entirely clear the manner in which the words "delegation &" were deleted, and by whom and when, it is well to point out that in the ninth line above, the word "arrested" was scratched out in precisely the same way. Several light pen strokes were drawn through all three words, with the same ink. In place of the word "arrested," John McKnitt Alexander substituted the word "charged," in his wish to be accurate. The nature of the scratch-outs is more clearly evident in the original Davie Copy than can be possible in a reproduction. Dr. James W. Patton, Director of the Southern Historical Collection, has expressed orally to the writer his opinion that the deleted words were crossed out by Alexander and not by someone else bent upon tampering with the paper. Expression of this opinion did not of course commit him to indorsement of any other views advanced in this book.

DR. PHILLIPS did a curious thing in writing his magazine article in 1853. In quoting the final paragraph of the Davie Copy he *restored* the two erased

words, which changed the intended meaning completely. This was the error which has had such lasting effect on the judgments of historians.

Dr. Phillips went on to render his verdict, which he delivered in silky words: "From this certificate it is clear that Mr. Alexander never intended to set forth the 'Davie Copy' as containing any more than the substance of what was resolved at Charlotte, in May, 1775." Here we have the crowning example of the abuse of documents.

It may be pointed out that a conscientious writer of history would have reported observing the line "Thus far from the journals and records," and would have given his reason for restoring words deleted by their author, if he felt he had a right to restore them. Dr. Phillips was silent on both points, and offered no explanations as to why he published a copy that differed totally in effect from the author's statements.

The magazine article was greeted with protests from believers in the Mecklenburg Declaration, and with satisfaction from the disbelievers. It seemed very formidable, with its misquotation of McKnitt Alexander's closing paragraph in the Davie Copy, and its easy assertion that Alexander "never intended to set forth" "any more than the substance of what was resolved at Charlotte, in May, 1775." It seems very strange now that friends of the Declaration did not immediately examine the Davie Copy to see for themselves what McKnitt Alexander actually had written. In their hearts they were convinced Alexander had written an honest paper, and that Dr. Phillips somehow had misrepresented his meaning to discredit the document. But they could not guess just what he had done. The War Between the States diverted men's minds to greater issues, and after reconstruction days the Davie Copy was presumed lost.

Students and writers of history, always with an attitude of healthy skepticism toward legends under challenge, saw no reason to doubt Dr. Phillips. He had written with studied moderation, with a very long introduction devoted to the changing of the seasons, the passing of winter storms, and the growth of plants and grains. It was a pastoral and even a pious approach, calculated to charm the reader into a state of receptive calm. The arguments were advanced in a manner of quiet reasonableness: a system that recommends itself to scholars.

There is no evidence that any writer ever examined the Davie Copy within the period of sixty years after Dr. Phillips prepared his article. The document was as good as lost at a time when it was greatly needed by all the men who were writing of the Mecklenburg Declaration of Independence — without any chance of seeing the paper of superlative importance to their inquiries.

Dr. J. G. de Roulhac Hamilton, original director of the Southern Historical Collection and later consultant to his successor, Dr. James W. Patton, supplied in a letter dated May 12, 1949, this very valuable information about the Davie Copy:

*"From the very late nineties or early nineteen hundreds it was misplaced, Dr. Kemp P. Battle, the custodian of the collections of the North Carolina Historical Society, having placed it in a package of papers that had no relation to the copy. I found it in 1917 and announced the existence of it in the State press, which seemed advisable since the story had gone out that it had disappeared."*

Dr. Battle, custodian of the papers, gave assistance to Mr. Hoyt — a recent graduate of Fordham College — when he was writing his monograph on the Mecklenburg Declaration, as a thesis for his Master's degree at the University of Vermont (published in 1907), but he did not mention that he had the Davie Copy in the collection. He may have forgotten he had it. Had Mr. Hoyt seen and examined the Davie Copy, he undoubtedly would have reported what it actually said, for he was a conscientious investigator. His conclusions had he been able to examine the original Mecklenburg papers might have been considerably different, and not that McKnitt Alexander perpetrated a fraud, a hoax, and a swindle. Mr. Hoyt wrote that the Mecklenburg papers apparently had for the most part been lost after the death of Dr. Swain in 1868.

An important even if passive part was taken by Dr. Battle, nephew by marriage of Dr. Phillips, in influencing the thinking and writing about the Mecklenburg Declaration. It is difficult to judge fairly the extent of his knowledge of the subject, which one might suppose to be considerable. When Mr. Hoyt wrote Dr. Battle for information about documents and papers that would help him in his study of the Mecklenburg Declaration, he gained from the reply an impression that the Mecklenburg papers were scattered and lost. What Dr. Battle evidently told him was that Dr. Swain's papers had been dispersed, which was true, but the Swain papers did not include the documents Mr. Hoyt so greatly needed to study, and which he did not have an opportunity to see. Mr. Hoyt's footnote on page 136 of his book makes all this evident.

This footnote, citing authorities for Mr. Hoyt's conclusion that the Swain collection had been largely dispersed, and that "practically all the original documents collected before [1868] to prove that Mecklenburg County declared independence in 1775 were lost," reads as follows:

*"Sketch of Swain in Peele's Lives of Distinguished North Carolinians, and private information from Dr. Kemp P. Battle, ex-president of the*

Univ. of N. C. At the time of Governor Swain's death, the documents which did not belong to him were, unfortunately, in his private library, and not mentioned in his will. During the Reconstruction period many were lost, sold, or given away. All that remains of the Swain collection, of which the writer has any knowledge, is in the State archives, in the archives of the University of North Carolina, and in the Emmet Collection in the N. Y. Pub. Lib."

Dr. Swain's private collection, largely dispersed, covered many historical matters apart from the Mecklenburg Declaration. The original and decisive Mecklenburg papers, which did not belong to Dr. Swain, though he held them for years, *were not lost*.

In acknowledging in the introduction to his 1907 monograph his indebtedness for the assistance in preparation given him by Dr. Battle, Mr. Hoyt was of course unaware that all the Mecklenburg papers he should have seen, but was not privileged to see, were safe in Dr. Battle's custody in the collections of the North Carolina Historical Society at the time.

Fairness requires a word here for Dr. Battle, revered in his lifetime and ever since as one of the great presidents of the University of North Carolina. He was an old man at the time of the incidents recounted, and may have been absorbed so deeply in other interests that the real significance of the Mecklenburg papers did not become apparent to him.

## 15. Added Links in Chain of Error



WITH all the old documents available to him Dr. Phillips should have known in 1853 that McKnitt Alexander did not write the Davie Copy from memory, and that Dr. Alexander did not suppress truth in the 1819 publication. In his letter of April 15, 1858, to Henry S. Randall, Dr. Phillips was not referring to the Davie Copy alone when he wrote: "*The condition of the originals in our possession here, the diversity of hand writing, the frequent interlineations, erasures etc. show that the younger Alexander tried to set forth a poem in Alexandrian measure. . .*" [Italics supplied.] What he meant here was that he now blamed the son for "forging" a "faked" Declaration, rather than McKnitt Alexander. This weathervane phase is discussed at the close of this chapter.

The contemporary attitude of scholars toward Dr. Phillips is shown in a letter Dr. Randall sent to the historian George Bancroft on February 7, 1859, with which he enclosed the letter from Dr. Phillips, quoted in the preceding paragraph. Dr. Randall wrote: "Prof. P.'s letter is not marked confidential, but you will of course take good care that he is not brought into danger by his frankness. The publication of his remarks would probably cost him his professorship." (Letter subsequently in Bancroft collection, New York Public Library.)

Dr. James C. Welling contributed to the *North American Review* for April 1874 a shrewd article in which he used the erroneous version of the last paragraph of the Davie Copy. General C. M. Wilcox, a believer in the Declaration, entered a general remonstrance in an article published in the *Magazine of American History* for January 1889. Dr. Welling, who had advanced from a professorship to the presidency of Columbian University in Washington, D. C. (now George Washington University), replied to General Wilcox in the March issue of the same magazine. Once more he championed the May 31 resolves and derided the May 20 Declaration, using again Dr. Phillips' mistaken version of McKnitt Alexander's final paragraph in the Davie Copy. He went on to write: