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Occasional Publications of the Bounds Law Library, Number Three: The Private Life of a New South Lawyer: Stephens Croom's 1875-1876 Journal

Cicero Stephens Croom

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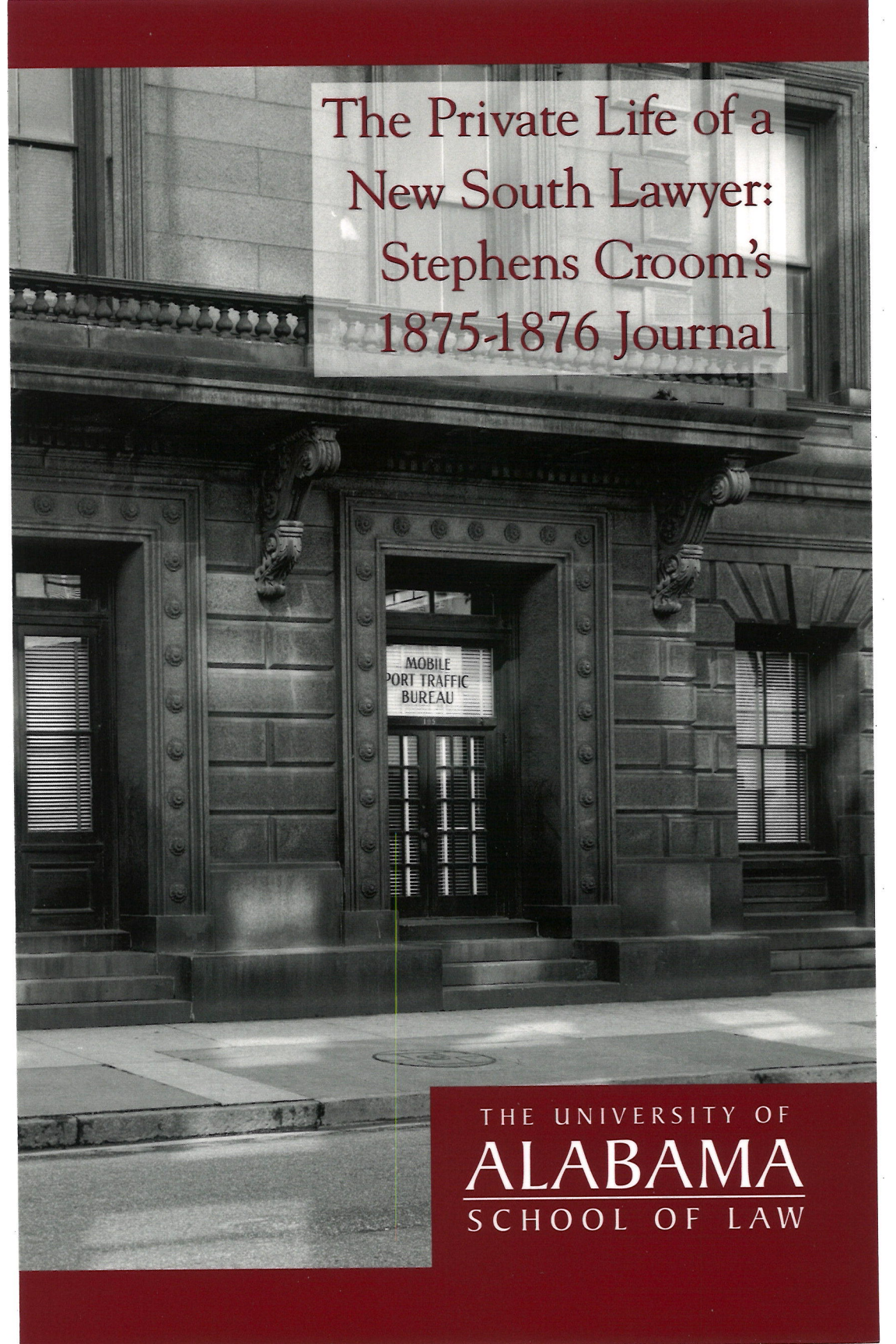


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A black and white photograph of a classical building entrance. The entrance features a central doorway with a sign that reads "MOBILE PORT TRAFFIC BUREAU". The doorway is framed by a decorative archway with a keystone and is supported by two ornate, carved brackets. The building's facade is made of large, rectangular stone blocks. To the left and right of the central doorway are windows with horizontal blinds. The overall style is neoclassical or Beaux-Arts.

The Private Life of a
New South Lawyer:
Stephens Croom's
1875-1876 Journal

THE UNIVERSITY OF
ALABAMA
SCHOOL OF LAW



**PRESENTED WITH THE
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UNIVERSITY OF ALABAMA
SCHOOL OF LAW**

Nov. 30th Tuesday. To night
I go to Greenville, to attend to a
case there in which the Life Assur-
ance of America, (whose attorney
I am) is sued for \$6000.-

Snagge, the Britisher, is still
here - very much astonished
at the freedom of American man-
ners - & much delighted at it.

To night from the steps of the
Custom House he might be seen
practising ^{the} German - the
"Boston dip!" - with Miss Pratt
in the parlour of the Bute House.
- a decided step downward
from the dignified position of a
learned barrister in which I
held him. I don't like him
as much as at first - The
snob is apparent in him - the

The Private Life of a New South
Lawyer:

Stephens Croom's 1875-1876 Journal

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Number Three
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Pruitt, Paul M., Jr.
Durham, David I.

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CONTENTS

Preface and Acknowledgements	vii
Stephens Croom: A Biographical and Critical Introduction	1
The Journal of Stephens Croom	41
Index	86

ILLUSTRATIONS

Stephens Croom in CSA Military Uniform	31
Julia Stephens Croom, Stephens Croom's Mother, c. 1850	31
Elizabeth Whitfield Croom Bellamy, Stephens Croom's Sister, c. 1860	31
Stephens Croom House—Exterior, Augusta Street	32
Stephens Croom House—Interior, Augusta Street	33
Mobile Cotton Docks, c. 1890	34
Loading Freight on the Mobile and Ohio Line, c. 1890	35
Constitutional Convention, 1875	36
Period Mobile Architecture	37
Turn-of-the-Century Mobile Mardi Gras Royalty	38

PREFACE AND ACKNOWLEDGEMENTS

Nineteenth-century lawyers were of necessity well acquainted with the process of putting thoughts down on paper. Apart from their knowledge of the handwritten legal paper of the time, a fair number of lawyers also edited newspapers, composed political speeches, or wrote novels. Some of them also kept private diaries, though few such are extant. Thus the memoir/journal kept by Cicero Stephens Croom in 1875-1876 is a remarkable document, first for its mere survival in a world of closely guarded family and professional secrets. Attentive readers will note that a few of the journal's pages are torn, generally to the detriment of passages that might have offended Victorian sensibilities—notably Croom's effusions on his wife's charms. Yet beyond its interest as a rare and personally revealing document, Croom's journal is remarkable for the skill with which its author describes the legal, political, and literary circles in which he moved.

Croom (1839-1883) was a respected Mobile attorney, active in private and public causes. His candid comments on men, women, and events offer wonderful glimpses of a time when Alabama was in transition from Old South to New South, and when politics, business, and the practice of law were changing. Some of Croom's views—on social and racial matters, particularly—will affront modern readers, but it is impossible to understand Croom's world without taking them into consideration. And Croom deserves a hearing, if for no other reason than because the problems he

considers are still with us in the early twenty-first century. The journal reflects his distress, for example, over the ethical shortcomings of officials, businessmen, and lawyers, as well as his worry over public apathy toward such lapses.

Likewise, Croom's opinions may be of timely interest because he and his friends were constitutional revisionists. Indeed, a new constitution was up for ratification even as he wrote, so that his journal records the end-game of a debate similar in form to that currently taking place in Alabama.

The editors would like to thank Dean Kenneth C. Randall and Professor James B. Leonard of the University of Alabama School of Law for continued support of Bounds Law Library publications. For their service as readers and commentators they thank law school professors Tony Freyer and Alfred L. Brophy. For continued help with technical, reference, bibliographic, and interlibrary loan services they thank assistant law librarians Creighton Miller, Penny C. Gibson and Julie Griffith. Thanks also go to Jennifer McCracken, Assistant Director of the Law School's Advancement and Alumni Relations Office, and to Clark Center, Jessica Lacher-Feldman, and the faculty and staff of the Hoole Special Collections Library, University of Alabama.

Warm thanks go to Professor Michael V. Thomason, Director of the University of South Alabama Archives, and to Elisa Baldwin, the University of South Alabama's chief Archivist, for assistance in using the Velma and Stephens G. Croom Collection and the rich collections of photographs at USA. Cynthia McLuckie of the Alabama Department of Archives and History provided welcome help in accessing that agency's photographic collections, and the staff of the Library of Congress provided some notable photographs of Mobile and its environs. Thanks for help and advice go to a longstanding scholar of Mobile history,

Tennant S. McWilliams, Dean of the College of Social and Behavioral Sciences, University of Alabama at Birmingham. Thanks also go to three scholars of the Croom family, professors William W. Rogers of Florida State University, Erica R. Clark of Tallahassee, Florida, and Warren Rogers of Gainesville College.

Our deepest gratitude goes out to the late Velma Croom, owner and preserver of the original Stephens Croom journal. Even on our brief acquaintance it was plain that Mrs. Croom was gracious, witty, and a true student of history. The Croom Journal could not have been published without her consent and assistance. Accordingly, we dedicate this work to her memory.

Paul M. Pruitt, Jr.
Special Collections Librarian

David I. Durham
Archivist

STEPHENS CROOM: A BIOGRAPHICAL AND CRITICAL INTRODUCTION

In the fall of 1875, Mobile attorney Stephens Croom began to set his private thoughts down on paper.¹ His work would evolve into part memoir, part journal, and as such it offers intimate glimpses of its author and the worlds he inhabited. Croom's journal is not a long document—he wrote his last entry in mid-January 1876—but even so it contains much information about his personal life, military experience, intellectual pursuits, and legal career during one of the state's most difficult periods.² Descriptions of the practice of law in Alabama state and federal courts and commentary on contentious issues (such as state debt repudiation and the ratification of Alabama's 1875 Constitution) enhance the significance of this rare document of Alabama legal history.

Although he never intended for his journal to be published, writing that “my position in life is not likely to render my memoirs of general interest,” Croom was inspired to the project by a reading of English political diarist

¹ The Croom Journal, an edited version of which follows this essay, is available in the form of a copy held by the University of South Alabama Archives (hereinafter USA) in its Velma and Stephens G. Croom Collection (hereinafter Croom Collection). All page citations to the Croom Journal refer to page numbers written on the USA copy.

² For coverage of the Reconstruction Era in Alabama, see Allen Johnston Going, *Bourbon Democracy in Alabama, 1874-1890* (University: University of Alabama Press, 1951); William Warren Rogers, Robert David Ward, Leah Rawls Atkins, and Wayne Flynt, *Alabama: The History of a Deep South State* (Tuscaloosa: The University of Alabama Press, 1994); and Sarah Woolfolk Wiggins, *The Scalawag in Alabama Politics, 1865-1881* (Tuscaloosa: University of Alabama Press, 1977). For an early “unreconstructed” view of this period, see John Witherspoon Dubose, *Alabama's Tragic Decade: Ten Years of Alabama, 1865-1875* (Birmingham: Webb Book Company, 1940).

Charles Greville's *Memoirs*.³ Croom wrote with the same "gossipy unreservedness" which he admired in Greville's work; however, Croom's intent to create a private document allowed him to record "sentiments of the time, and impressions, of persons and things, and with such confidential freedom and fullness as I would accord hardly any person but myself."⁴ Many of Croom's passages are indeed unreserved, and must be considered not only in context, but also as a product of the era in which they were written.

Examination of Croom's journal and analysis of his personal and professional life reveals a transitional moment in the practice of law, emblematic both of the genteel world of antebellum lawyers and of the specialized practice more typical of "New South" cities. Born in 1839 in Quincy, Florida, Croom was well trained for the life he would lead. Despite his family's persistent economic troubles, he attended preparatory schools in Georgia and New York and was an 1859 graduate of the University of North Carolina.⁵ In 1860, he studied law at the newly formed Montgomery Law School, which was the first Law Department of the University of Alabama.⁶ Following his service in the Confederate Army, Croom joined the Mobile law firm of

³ See Croom Journal, 3. For Charles Greville's candid observations, see *The Greville Memoirs: Journals of the Reigns of King George IV and King William IV; Journal of the Reign of Queen Victoria 1837-52; Journal of the Reign of Queen Victoria 1852-1860*. (London: Longmans, Green & Company, 1874-1887). For more information, see below.

⁴ Croom Journal, 3.

⁵ For Croom's education, see William Warren Rogers and Erica R. Clark, *The Croom Family and Goodwood Plantation: Land, Litigation, and Southern Lives* (Athens, Georgia: University of Georgia Press, 1999), 133, 137-138.

⁶ See David I. Durham and Paul M. Pruitt, Jr., editors, *Wade Keyes' Introductory Lecture to the Montgomery Law School: Legal Education in Nineteenth Century Alabama* (Tuscaloosa: University of Alabama School of Law, 2001), 1-2.

Peter and Thomas Hamilton, where he worked for three years before opening his own firm in 1869. By the time Croom began his journal in 1875, he had been elected City Attorney by the Mobile City Council and was a well-respected member of the bar.

The tone and character of the language in Croom's journal was strongly influenced by a number of forceful events that shaded his perspective. Frequent relocation as the result of his father's entrepreneurial failures not only affected Croom's career decisions but also prompted his settlement in Mobile. The Croom family suffered numerous tragedies, which, along with his Civil War experience and his post-war frustration with life in the defeated South, all modified Croom's perceptions by the time he began this journal in 1875. An experienced diarist, Croom most certainly drew material from his previous writings to add to the accuracy and richness of the materials in this "log-book of life."⁷

WAR AND REMEMBRANCE

Following the assault on Fort Sumter, Croom enlisted at Eutaw in a company of what would become the Eleventh Alabama infantry regiment.⁸ After a few months as a common soldier⁹ he caught the eye of brigade commander John

⁷ Croom Journal, 1. For a biographical sketch of the Croom family, see Anthony Donaldson, "The Velma and Stephens G. Croom Collection" (unpublished collection guide, USA, 1999). For Stephens Croom's "Daily Journal, April 1863," see Croom Collection, Box 3, File 11; and see below, n. 15.

⁸ For a brief history of the unit, see Willis Brewer, *Alabama: Her History, Resources, War Record, and Public Men from 1540 to 1872* (Montgomery: Barrett and Brown, 1872), 606-608.

⁹ The Eleventh Alabama was part of a brigade commanded by Edmund Kirby Smith, who was wounded at First Manassas (July 1861); see Douglas Southall Freeman, *Lee's Lieutenants: A Study in Command*

Horace Forney,¹⁰ thereby beginning a relationship that would continue past the war's end. In December, Forney suffered a painful wound in his right arm, and upon partial recovery was posted to command troops in Mobile—a misfortune that provided Croom with a wonderful opportunity. In May 1862, as troops in Virginia faced McClellan's peninsular invasion, Croom (promoted to captain) traveled to Mobile to serve as Forney's adjutant.¹¹

Croom's duty there was a wartime oasis, "eight busy and pleasant months" in which he was "a man of no little consequence, . . . making many acquaintances"¹² and laying the foundations of his post-war life. Mobile was an attractive city of twenty-nine thousand people, with impressive facilities for business and trade. In 1860 it had ranked third among American cities in value of exports and was beginning to develop significant railroad connections with the hinterland.¹³ In addition to a rather cosmopolitan social scene, Mobile was known for artistic resources (theatre, literature) that were bound to be attractive to a young man of Croom's interests and attainments.¹⁴

The idyll ended in December 1862, as the newly promoted Major General Forney was transferred to the De-

(New York: Charles Scribner's Sons, 1961), I: 83-85. Command of the brigade passed to John Horace Forney (see below).

¹⁰ For Forney, see Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography*, reprint edition (Spartanburg: Reprint Company, 1978), III: 596, and Annie Forney Dauge, "The Life of Major General John H. Forney," *Alabama Historical Quarterly*, IX (Fall 1947), 361-383.

¹¹ For Croom's Civil War career from April 1861 through May 1862, see Croom Journal, 12-15.

¹² Croom Journal, 16.

¹³ Owen, *History of Alabama and Dictionary of Alabama Biography*, II: 1000-1001; Harriet E. Amos, *Cotton City: Urban Development in Antebellum Mobile* (University, Alabama: University of Alabama Press, 1985), 20-21, 23 (Table 2-4), 34-35, 193-221, especially 217 (Table 8-3).

¹⁴ Amos, *Cotton City*, 46-47, 64-65, 67.

partment of Mississippi, taking a newly promoted Major Croom with him. They arrived just in time to be caught up in the Vicksburg campaign, which Croom observed with the eyes of a veteran soldier. From mid-May until July 4, 1863, Forney's troops were among the besieged—Croom and other survivors departing only after the surrender of the city.¹⁵ The young adjutant rightly considered the loss of Vicksburg to be a “disaster”—one that must have confirmed his pre-war fear that southerners could not overcome the North's larger population and material superiority.¹⁶

Exchanged after months of semi-captivity in a parole camp, Croom was assigned to the staff of General William Wing Loring, a subordinate commander in the defense of Atlanta.¹⁷ Early in the summer of 1864, Croom was re-assigned to Forney (avoiding the fate of being caught up in yet another disaster) and sent with him to another divisional command, this time in the Trans-Mississippi Department. Union patrols and Forney's “very singular” behavior (which Croom put down to pain from his wound) made for an eventful trip. Yet by July 1, Forney, Croom, and other staff had crossed the Mississippi.¹⁸

¹⁵ Croom Journal, 16-21. For a published edition of Croom's Vicksburg journal, see William Warren Rogers, Jr., editor, “The Prospects of Our Country in This Quarter Are Gloomy Indeed’: Stephens Croom at Vicksburg (April 1863),” *Journal of Mississippi History*, 59 (Spring 1997), 33-51. Generally, see Shelby Foote, *The Beleaguered City: The Vicksburg Campaign, December 1862-July 1863* (New York: Modern Library, 1995).

¹⁶ Croom's “disaster” comment, contained in a July 15 letter to his father, is quoted in Rogers, editor, “The Prospects of Our Country Are Gloomy Indeed’,” 51; for his earlier fears, see Croom Journal, 11-12.

¹⁷ Croom Journal, 21-25. Croom took part in the battle of Resaca; for this and other actions described in the journal, see James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 743-750.

¹⁸ Croom Journal, 25-29, quoted passage on 26.

The group separated during the crossing, and it was more than a month later that Croom rode with Forney to Monroe, Louisiana, to greet the new command.¹⁹ Thereafter Forney put his men into condition, drilling them in Louisiana, Arkansas, and Texas until May 1865, when (in a last gasp of military bureaucracy) he was replaced as commander. Soon Forney and Croom submitted to Union authorities, giving their parole at Galveston, and were members of a party that “came in government transports” home to Mobile.²⁰

Croom’s military service left him with several notions common among Confederate veterans. His consciousness of having been a soldier, one of a band of brothers, would have a lasting influence upon his friendships and professional judgments.²¹ Certainly he would be apt to view the fierce political contests of Reconstruction as war by other means. To his mind, Republicans were enemies whose motives, by definition, could not be honorable.²² As a defeated soldier he would cherish the Lost Cause, determined to remain faithful to his pre-war vision of the world, fearful

¹⁹ See Dauge, “Life of Major General John H. Forney,” 375-376. Dauge describes a dramatic scene (not mentioned in the Croom Journal) in which Forney’s courtesy and bravery won over the men of his division. For a less idealized view of Forney’s reputation and performance in the western theatre, see Robert L. Kerby, *Kirby Smith’s Confederacy: The Trans-Mississippi South, 1863-1865* (University, Alabama: University of Alabama Press, 1972), 324-329, 404-407.

²⁰ Croom Journal, 29-33.

²¹ See Louis Menand, *The Metaphysical Club* (New York: Farrar, Straus and Giroux, 2001), 61-69, for similar tendencies in the thought of Union veteran and future U.S. Supreme Court justice Oliver Wendell Holmes, Jr.

²² See Croom’s “Speech Supporting the Candidacy of Col. Mann for the Legislature” (n.d., circa 1870s; title composed by USA staff; hereinafter “Mann Speech”), Croom Collection, Box 10, File 9. In it Croom predicts that “there will not be a man, who sympathises [sic] with us, who has not buckled on his armor, & taken his place in ranks.”

lest “even our ideas begin to yield to the Sword.”²³ The path of honor, he resolved, was to preserve his personal independence and to resist all subjection to the will of outsiders.²⁴ Thus he would come to dread the apathy engendered by defeat—a state of mind that would cripple any effort at economic recovery and doom political ventures.²⁵ These were concerns that would occupy Croom for the rest of his life; yet in the summer of 1865 he was more concerned about his own immediate future, and how he and his family would fit into a world that was yet to be.

IN SEARCH OF LA BELLE EPOQUE

Following Stephens Croom’s service during the Civil War, he returned to Eutaw, Alabama, where he had briefly opened a law office in 1861.²⁶ Croom’s homecoming was bittersweet; his family not only had been stricken during the war years by tragic deaths, but they were reduced to penury with no real source of income.²⁷ Croom’s father

²³ Quoted passage from “Speech on Black Education and Suffrage” (n.d., circa 1866; title composed by USA staff), Croom Collection, Box 10, File 8.

²⁴ For a discussion of the southern tendency to equate honor with personal authority and independence of “‘base submission to another’s will,’” see Samuel Haber, *The Quest for Authority and Honor in the American Professions, 1750-1900* (Cambridge, Massachusetts: Harvard University Press, 1991), 101-102; and see below.

²⁵ For Croom on apathy and loss of honor, see, respectively, Croom Journal, 45-46, 48, and 81-82. See also the “Mann Speech”; and see below. For a survey of post-war “trauma” in the south, see Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South* (New York: Oxford University Press, 1987), 11-35.

²⁶ For this episode, see William Warren Rogers and Erica R. Clark, *Croom Family*, 215.

²⁷ Surgeon and Confederate Major Charles Edward Bellamy, Croom’s cousin and brother-in-law, died in July 1863 of typhoid fever. Earlier, in June 1862, the Bellamy’s son (and Stephens Croom’s nephew),

had been a chronic debtor for years while residing in one of the wealthiest planting communities in Alabama. By the end of the war, William Croom had mortgaged most of his property in land and slaves to continue the cycle of borrowing that would end (by May 1868) in bankruptcy and liquidation at public auction of all of the family's assets.²⁸ Once settled in Eutaw, Stephens Croom made another abortive effort to practice law, this time opening a law office with George Goldthwaite of Montgomery, Alabama.²⁹ By the spring of 1866, however, Croom moved to Mobile, Alabama, seeking perhaps to distance himself from his family's unpleasant situation in Eutaw, and to locate in a commercial center that would provide the work he needed.³⁰

Bryan, died of unknown causes, and in December 1862, the Bellamy's daughter, Bessie, died also of unknown causes. See Donaldson, "Velma and Stephens G. Croom Collection," 3-5; and Rogers and Clark, *Croom Family*, 216.

²⁸ See Rogers and Clark, *Croom Family*, 216. In contrast to the Croom family's misfortune, consider the career of Nathan Bryan Whitfield (William Whitfield Croom's cousin). Whitfield lived in nearby Demopolis, Alabama and was the successful owner of the famous plantation home Gaineswood. Whitfield's erudition was such that he was known as the Thomas Jefferson of Alabama. See the Whitfield Family Papers at Auburn University Archives.

²⁹ See "Stephens Croom" (obituary) in *Proceedings of the Sixth Annual Meeting of the Alabama State Bar Association* (Montgomery: Barrett & Co., 1884): 40-41; also for Goldthwaite, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 672. Goldthwaite could either be the retired Alabama Supreme Court Justice who was elected circuit court judge in 1866 but removed by the Reconstruction Congress in 1868, and would, in 1870, be elected to the United States Senate; or Goldthwaite's thirty-year-old son who, after service in the Confederate Army, relocated to Nevada where he served three terms as district attorney, later accepting a position as city court judge at Leadville, Colorado. See Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 672.

³⁰ Croom had many reasons to leave Eutaw for a new start. Post-war economic prospects in Eutaw were dismal, the family had no friends in

Stephens Croom promptly settled into Mobile life, and by 1866 his circumstances had significantly improved. He was an associate member with the Hamiltons, a firm that included two of the best-known attorneys in the Mobile Bar.³¹ As was a common practice among nineteenth-century urban bachelors, Croom had moved into a boarding house at the corner of State and Jackson Streets.³² Also in 1866, he met and soon fell in love with Mary Marshall whom he would marry in February 1875.³³ Yet Croom had not seen the last of his family's hardships. Within the course of a decade from his move to Mobile, Croom withstood a series of family misfortunes that appeared to challenge every positive element in his life. Croom confided in his journal concerning the December 1867 death of his beloved mother that it "was the greatest affliction I have ever had to endure. It seems to me that I owe all that is good in me to her."³⁴ The mother's death was soon followed by the father's bankruptcy, and eventually by his death from apoplexy in 1876.³⁵ Later that year, after Croom's journal entries had ended, Stephens and

Eutaw, and Croom's fiancée had broken off their engagement because of his family's misfortune and "her mother's ambition for a rich & influential alliance." See Rogers and Clark, *Croom Family*, 216; Croom Journal, 34.

³¹ See Thomas Alexander Hamilton and Peter Hamilton in Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 734-735.

³² See *Henry Farrow & Co.'s Mobile City Directory for the Year 1873* (Mobile: Henry Farrow & Co., Printers and Publishers, 1873): 43.

³³ See Donaldson, "Velma and Stephens G. Croom Collection," 3; and Croom Journal, 37-38. Mary Marshall was the daughter of B.F. Marshall of Mobile; see "Stephens Croom" (obituary) in *Proceedings of the Sixth Annual Meeting of the Alabama State Bar Association*, 41.

³⁴ Croom Journal, 34-35.

³⁵ Rogers and Clark, *Croom Family*, 217. Prior to his sudden death, William Whitfield Croom had supported himself by teaching French at a women's college in Georgia.

his new wife suffered the loss of their first child, Caroline Howard Croom.³⁶

In the closing paragraph of Croom's self-described "preface," however, Croom appreciated his relatively good prospects, writing "I am happier doubtless than most men—with a loving wife, a clear conscience, good health, not very much in debt, some good friends, many pleasant acquaintances, a good reputation, and a means for making a living for myself & my wife—& children if it shall please heaven to give them to me."³⁷ Croom's circumstances continued to improve and, by 1878, found him living in a fine new home on Augusta Street with his wife Mary, an infant son who was named for Stephens' father, William Whitfield Croom, and Stephens' sister Elizabeth.³⁸ Although Croom's fortunes had significantly improved, his frame of mind was already strongly influenced by his family's affairs, and his perceptions of Mobile society and politics offer many parallels to his family's experiences, and are as sapient as they are cynical.

Mobile was a city with which Croom was familiar, having previously lived there in 1862 while attached to General John H. Forney's command. Although post-war Mobile, as Croom laments, was not the same center of wealth, "activity and hope" that he had visited in 1862, it was a city in which he prospered. It was also an environment that Croom found disquieting. Croom's personal experience with the Civil War and its legacy, and his family's financial affairs offer a compelling parallel to Mobile's struggles during this period, particularly those which were related to the city's accumulated debt. It is notable that Croom not only mourned the misfortune which plagued Mobile, but assigned a level of blame to the city's

³⁶ Donaldson, "Velma and Stephens G. Croom Collection," 4; and Rogers and Clark, *Croom Family*, 217-218.

³⁷ Croom Journal, 43.

³⁸ Donaldson, "Velma and Stephens G. Croom Collection," 3-4.

population whom he characterized in a scolding tone as cold, selfish, rigid, and impoverished and corrupted by idleness.³⁹ Post-war Mobile, as Croom observed, was a city that suffered from severe economic troubles that ended in receivership and bankruptcy between the late 1870s and early 1880s. Although Mobile's fiscal problems had begun long before the war as the result of unsound funding of projects and massive debt mismanagement, the depressed post-war economy contributed to the city's default on its debt payments and its slide into insolvency.⁴⁰

During the last quarter of the nineteenth century, in addition to its financial problems, Mobile was immersed in an era of social and political upheaval that centered on efforts to supplant the Republican Reconstruction government, and to either disfranchise or control black voters. Croom's journal offers revealing commentary on the environment surrounding the Democratic Party's efforts to regain both political and judicial power that were lost by conservative Democrats during a period of white voter disfranchisement and Congressional Reconstruction appointments. Attempts to return to "home rule" were accomplished through elections in 1874 in which widespread fraud and violence were used against anti-Democratic supporters, and in which much of the state's political power was reclaimed for the Democrats and secured through the statewide vote that ratified the 1875 Constitution.⁴¹

Social life in post-war Mobile represented attempts by the city's residents to put aside economic problems and

³⁹ See Croom Journal, 40-41.

⁴⁰ Mobile suffered an economic depression between the years of 1878-1885. For Mobile's post-war financial troubles, see George Ewert, "The New South Era in Mobile, 1875-1900" in Michael V.R. Thomason, editor, *Mobile: The New History of Alabama's First City* (Tuscaloosa: University of Alabama Press, 2001), 127-153.

⁴¹ For historical references, see n. 2, *supra*.

political concerns and to regain positive elements consistent with their pre-war lives. Croom was not a dispassionate observer of his environment. He was attuned to Mobile life, and it is perhaps no coincidence that the themes of his journal mirror the problems of Mobile society during the last quarter of the nineteenth century. His detailed descriptions of corrupt individuals and debased institutions are interrupted by brief accounts of intellectual, artistic, and popular diversions similar to the brief intermissions from politics, poverty, and corruption that Mobile's literary and intellectual society offered its members.

Mobile's mystic societies were a tradition which provided the city's white residents with a form of escapism, and a link to the perception of better times when pretentious displays of wealth and luxury were more representative of life for some groups. The subsequent exhibitions which were comprised of fanciful gatherings and parades that unwittingly furnished a burlesque representation of an earlier time. The origins of the pre-Lenten carnival in Mobile can be traced to practices initiated by French colonists, which existed continuously from the early eighteenth century throughout the antebellum period. The societies themselves assumed a more prominent role in Mobile community life with the formation of the Mobile Carnival Association in 1871, which institutionalized the carnival, creating not only a social attraction but a valuable source of revenue for retail businesses, local restaurants, and hotels.⁴²

Throughout the troubled 1870s and 1880s, the popularity of the mystic societies continued to increase.⁴³ Stephens Croom, as a respected member of Mobile society, was a member of the "Strikers Independent Society," one

⁴² For the formation of the association, see Ewart, "New South Era in Mobile," 149.

⁴³ *Ibid.*

of the prestigious mystic societies.⁴⁴ The Mardi Gras parades in which Croom participated on December 31, 1875, offered a departure from what he described in his journal as “a season of confusion which I don’t much enjoy.”⁴⁵ It is evident that many residents of Mobile also welcomed the diversion, for the *Mobile Daily Register* for January 1, 1876, was well-supplied with columns of detailed descriptions of Middle-Eastern characters and scenes, along with pen-pictures of themes from childhood fables which echoed Croom’s enthusiastic descriptions of the parades.⁴⁶

Other forms of popular entertainment that made their way into the pages of Croom’s journal were the circus and the theatre. Howe’s Great London Circus appealed to a large and diverse audience during its November 15, 1875, performance, and Croom witnessed exotic images such as “Sanger’s English Menagerie of Trained Animals,” a “Grecian Hippodrome,” and an “Iroquois Indian Troupe.”⁴⁷

⁴⁴ See Donaldson, “Velma and Stephens G. Croom Collection,” 3; and Croom Journal, 83-85. The Strikers Independent Society was organized in 1841 by apprentices in the cotton trade, the term “striker” coming from the physical marking of cotton bales for shipment. In 1852, the *Mobile Daily Register* described the society as “composed, like their elders, of undoubtedly respectable citizens.” For this quote and descriptions of Antebellum Mobile mystic societies, see Amos, *Cotton City*, 64-65.

⁴⁵ Croom Journal, 83.

⁴⁶ See *Mobile Daily Register*, January 1, 1876, 1; Croom Journal, 83-85. The family’s participation in the mystic societies was apparently important to Croom’s son. It is notable that of the two entries mentioned (probably by William Whitfield Croom) in the introductory paragraph to the journal, a mention of the parade descriptions is prominent.

⁴⁷ For descriptions of the November 15, 1875 performance, see the *Mobile Daily Register*, November 16, 1875, page 1; and the *Mobile Daily Register*, November 11, 1875, page 3 advertisement that included detailed descriptions of the many acts that comprised the show. Also see Croom Journal, 47-48, in which Croom is clearly displeased at the abusive treatment of circus animals.

The theatre offered Mobile residents a more traditional taste of cosmopolitanism that could be experienced in only a handful of Alabama cities during the late nineteenth century. Mobile had a long history of providing entertainment in the form of good theatre to all classes of society during the antebellum period, and the continuation of this tradition became particularly important both socially and economically during the 1870s.⁴⁸ Croom perhaps attempted to compensate for his melancholy during the 1875 Christmas season by attending the Christmas-Eve performance of *The Gamester* at the Mobile Theatre. Commenting on English Shakespearian actor Barry Sullivan, Croom wrote that he “was very much pleased with his acting,” although the overall performance of the play fell short of Croom’s expectations.⁴⁹

In addition to the many diversions that were prevalent in Mobile society during the last quarter of the nineteenth century, Croom’s journal reveals the existence of a rich literary and intellectual community, whose members traveled seamlessly through society irrespective of traditional boundaries of occupation and gender. To most nineteenth-century Alabama authors, writing was more of an avocation which was pursued outside the usual duties in the courtroom or legislature. One Alabama literary historian writes that “the familiar pattern of lawyer-politician, and its variations of lawyer-editor, lawyer-

⁴⁸ For early Mobile theatre, see Amos, *Cotton City*, 46-47. Popular cultural performances were one of few egalitarian elements in nineteenth century society. It was not until well into the twentieth century that cultural performances moved toward more elitist entertainment. This idea is explored in Lawrence W. Levine, *Highbrow/Lowbrow: The Emergence of Cultural Hierarchy in America* (Cambridge: Harvard University Press, 1988).

⁴⁹ Croom Journal, 76-77; and for nationally-known Shakespearian actor Barry Sullivan’s five-night engagement, with performances of plays including *Richard III*, *Hamlet*, and Susanna Centlivre’s *The Gamester* (1705), see the *Mobile Daily Register*, December 17, 18, 22-26, 1875.

historian, and editor-politician, is found in the biography of nearly every pre-Civil War writer in Alabama.”⁵⁰ One of the earliest observers of this connection between lawyer and the profession of letters was Thomas Jefferson, who regarded it as a natural tendency for an individual who was highly educated and had access to a certain amount of leisure time to gravitate toward letters. As early as 1803, lawyer, statesman, and author William Wirt observed, “Men of talents in this country. . . have been generally bred to the profession of law; and indeed, throughout the United States, I have met with few persons of exalted intellect, whose powers have been directed to any other pursuit. The bar, in America is the road to honour.”⁵¹

Within this extensive literary community of lawyers, diplomats, legislators, academics, novelists, and even physicians, it is not surprising that the first book written and published in Alabama was a legal volume. In 1822, Mobilian Henry Hitchcock published *The Alabama Justice of the Peace*, which was followed in 1823 by another superb example of Alabama legal writing, Harry Toulmin’s *Digest of the Laws of the State of Alabama*.⁵² Croom was one of the many Alabama lawyers who were writers of literary merit, though his most notable published work was

⁵⁰ See Benjamin Buford Williams, *A Literary History of Alabama: The Nineteenth Century* (Rutherford, New Jersey: Fairleigh Dickinson University Press, 1979), 27.

⁵¹ See Richard Beale Davis, “The Early American Lawyer and the Profession of Letters,” *Huntington Library Quarterly*, XII (1948-1949), 191-205.

⁵² Williams, *Literary History of Alabama*, 24. Hitchcock was a lawyer, the first attorney general of Alabama, and Chief Justice of the Alabama Supreme Court. See Henry Hitchcock, *The Alabama Justice of the Peace, Containing all the Duties, Powers and Authorities of that Office. . .* (Cahawba: W.B. Allen, 1822). Toulmin was Secretary of State for Kentucky, and later a Mississippi Territorial judge. See Harry Toulmin, *A Digest of the Laws of the State of Alabama. . .* (Cahawba: Ginn & Curtis, 1823). See also Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 816-819, IV: 1676-1677.

a paper delivered in August 1883 to the Alabama State Bar Association.⁵³ In the paper, a serious piece entitled “The Lien of Judgment,” Croom crafts a well-written examination of the legal profession referencing Shakespeare and creatively applying lines from Spencer’s *Mother Hubbard’s Tale* to judicial proceedings, writing:

Full little knowest thou that hast not tride
What hell it is in suing long to bide,
To lose good days that might be better spent,
To waste long nights in pensive discontent;
To fret thy soule with crosses and with cares,
To eat thy heart through comfortless dispaire,
To Fawne, to crowche, to waite, to ride, to ronne,
To spend, to give, to want, to be undonne.

Apart from journal-writing and legal commentary, Croom had explored his literary interests and abilities while he was a student at the University of North Carolina. There he wrote a number of thoughtful essays on topics such as “Luxury,” the “Character of Washington,” “Slavery,” “The Persecution of the Jews,” “What Will Best Stimulate a Class to Literary Exertion?” and the imaginative, “Dialogue between the Ghosts of Caesar and Webster.”⁵⁴

Traveling within Alabama’s elite communities, Croom often found himself in the company of writers and other intellectuals. Writing in his journal of an 1875 trip to Montgomery, Croom offered critical comments about his guide, observing that “Moses is well posted in literary

⁵³ “Paper Read by Stephens Croom: The Lien of Judgment” in *Proceedings of the Fifth Annual Meeting of the Alabama State Bar Association* (Montgomery: Barrett & Co., 1883): 51-62. For the poem quoted below, see Edmund Spencer, “Prosopopoia: Or Mother Hubbard’s Tale,” in his *Complaints, Containing Sundry, Small Poems of the World’s Vanity* (1591).

⁵⁴ See Croom Collection, Box 10, Files 1-5.

matters—but no lawyer I think—he makes too many fine points & he is too much of a diletanti fellow.”⁵⁵ Within the same entry, Croom commented on his visit with a niece of Henry W. Hilliard. A lawyer, United States Congressman, diplomat, novelist, and the first Professor of English at the University of Alabama, Hilliard had been the inspiration for members of a flourishing and prolific group of University-affiliated young writers known as the Tuscaloosa Bards. Indeed, Hilliard was emblematic of the mixture of lawyer, statesman, novelist, and scholar, and moved from one circle to another with confidence and ease.⁵⁶

The Alabama cities of Tuscaloosa, Montgomery, and Mobile were centers of fervent literary and intellectual activity during the nineteenth century. However, it is arguable that although Tuscaloosa and Montgomery enjoyed the reputation of higher quality activity, Mobile surpassed them both in the level of literary effort.⁵⁷ The Mobile literary scene was one with which Croom was intimately familiar. Croom’s sister, Elizabeth Whitfield Croom Bellamy, was a Mobile novelist of considerable notoriety. Writing under the *noms de plume* of Kamba Thorpe and Ellis Barron, Elizabeth Croom Bellamy achieved national recognition with her first novel, *Four Oaks* (1867). Bellamy continued to write, and by 1884 was producing works under her own name. She achieved critical success with her novels, but unfortunately never enjoyed substantial financial rewards from her writing.⁵⁸

⁵⁵ Croom Journal, 65.

⁵⁶ For Henry W. Hilliard, see his *Politics and Pen Pictures* (New York: G.P. Putnam’s Sons, 1892); *De Vane: A Story of Plebeians and Patricians* (New York: Blelock & Company, 1865); and Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 814. For the Tuscaloosa Bards, see Williams, *Literary History of Alabama*, 21-24.

⁵⁷ See Williams, *Literary History of Alabama*, 25.

⁵⁸ Donaldson, “Velma and Stephens G. Croom Collection,” 3-4.

It was certainly with more than a passing interest and perhaps a certain amount of envy that Stephens Croom critically wrote of another Mobile novelist, Augusta Evans Wilson (his wife's cousin), whose bestselling melodrama, *Infelice*, had just been published. "I haven't read it but they say it is like the others—full of high-sounding words & phrases[,] bombastic men & impossible women." Croom recognized that Wilson was intelligent and good, and noted that she had a pleasant personality. He reserved special praise, however, for her skills at housekeeping and poultry management, thereby revealing a fairly conventional attitude toward women's roles.⁵⁹

LAW AND THE POLITICS OF HONOR

Croom began his professional life in Mobile in the spring of 1866, when he secured a place in the law office of Peter and Thomas A. Hamilton, brothers who had come to the city as young men in 1835 and had been practicing together since 1848. Croom could scarcely have hoped for a better introduction to the local business world, since Peter (the elder brother) was widely respected for his knowledge of chancery law and for his mastery of federal and appellate practice, skills he used as a director and chief counsel of the Mobile and Ohio Railroad. A tireless student of law who had assembled a large professional library, Peter Hamilton was a model for any young lawyer.⁶⁰

Croom made a point, in his journal, of noting that his initial pay with the Hamiltons was only forty-five dollars per month.⁶¹ This figure may have reflected the uncertainties of post-bellum Mobile, but in addition it indicates

⁵⁹ Croom Journal, 61.

⁶⁰ See *Memorial Record of Alabama: A Concise Account of the State's Political, Military, Professional and Industrial Progress* (Madison, Wisconsin: Brant & Fuller, 1893), II: 540-545.

⁶¹ Croom Journal, 34.

that Croom's employment was a type of advanced apprenticeship. For though he was a young man of good family and remarkably good education, he had no experience of law practice and his legal knowledge was rusty. Still Croom was a hard worker, and the Hamiltons eventually increased his pay and set him to writing appellate briefs.⁶²

Yet Croom came to feel that the Hamilton brothers were "not much interested in my advancement."⁶³ In this connection, it may be worth remembering Croom's veteran status and his long dependence upon a paternal figure (Forney) who had lifted him out of the ranks. The Hamiltons, for their part, had given him a chance, but they were not members of the band of brothers. They would be repaid with hard work, not with unquestioning loyalty. In his journal, Croom is tolerant of Forney's quirks but not Peter Hamilton's pretensions. Indeed he mocked Hamilton's courtroom manner, which seemed to proclaim: "I'm the heavy man—I'm sir oracle!"⁶⁴

It is reasonable to conclude that Croom felt by the late 1860s a powerful desire to be master of his own affairs. Unwilling to continue serving as a staff officer for a man he did not like, Croom set up his own practice in the fall of 1869, in a room at 52 St. Francis Street.⁶⁵ Given the poverty of his relatives, he knew that his place in society, not to mention his role as future husband of Miss Mary Marshall, would depend upon his own efforts.

⁶² Croom wrote the appellee's brief for Peter Hamilton's use in *Lott, Tax Collector, v. Hubbard*, 44 Alabama 593-604 (1870), arguing unsuccessfully that income invested in taxable real estate was not itself subject to taxation.

⁶³ Croom Journal, 37.

⁶⁴ Croom Journal, 72-73; Croom did recognize Hamilton's abilities; see *ibid.*, 46-47.

⁶⁵ Croom Journal, 37.

The legal world into which Croom was venturing was one characterized by manageable change and familiar rivalries. It is true that the number of Mobile lawyers doubled between 1866 and 1875, from twenty-six to forty-nine. Yet post-war professional growth had leveled off by 1880, when forty-seven attorneys were listed in the city directory. Several of the lawyers listed in 1866 were still active fourteen years later, and at least two partnerships (the Hamiltons, and Anderson & Bond) remained intact.⁶⁶ The size of these firms was typical of the times, with no law offices boasting more than three attorneys. The intimate scale of professional life was further emphasized by the concentration of offices on three downtown streets: Conti, Royal, and St. Francis. By 1880 most of the town's lawyers were in close proximity on St. Francis.⁶⁷

Even in a collegial setting, the life of a solo practitioner involves scrambling for clients. This process was made more difficult for Croom by the depressed conditions of the early 1870s, a time in which "all classes being driven to the strictest economy, . . . business is done on a penurious basis."⁶⁸ Yet Croom was resourceful, and in January 1875

⁶⁶ For these statistics, see *Business Directory of the Principal Southern Cities* (New York: Dunkley & Woodman, 1866), 341; *Henry Farrow & Co.'s Mobile Directory for the Year 1875* (Mobile: Henry Farrow & Co., Printers, 1874), 223; and *Henry Farrow & Co.'s Mobile Directory for the Year 1880* (Mobile: Henry Farrow and Co., Printers, 1880), 227. These sources (and the counts based on them) may underestimate the number of lawyers practicing in Mobile. William Garrett, *Reminiscences of Public Men in Alabama for Thirty Years, with an Appendix* (Atlanta, Georgia: Plantation Publishing Company, 1872), 780-791, contains a list of attorneys (c. 1845) that includes more than fifty names from Mobile.

⁶⁷ For addresses and size of firms, see the directories cited in n. 65, *supra*. For basic information on the increasing size of firms (nationally) after the 1870s, see Marc Galanter and Thomas Palay, *Tournament of Lawyers: The Transformation of the Big Law Firm* (Chicago: University of Chicago Press, 1991), 14.

⁶⁸ Croom Journal, 42; see also *supra*, n. 39.

secured election as City Attorney, defeating, in three ballots, both Rafael Semmes (the famous Confederate admiral) and Peter Hamilton.⁶⁹ The work was time-consuming, as Mobile's tight-fisted city government regularly went to court.⁷⁰ Worse, the pay had recently been reduced. Yet Croom, who was just starting a family, welcomed an additional \$1200 per year in city scrip, noting in his journal that "it puts bread in my mouth at a time when many are hard pushed to get it even by hard labor."⁷¹ He represented the city for about two years, continuing his solo practice in the late 1870s. By 1880 he had formed a promising partnership with attorneys Thomas Hord Herndon, Jr. and Winfield S. Lewis.⁷²

Herndon in particular was an imposing figure in Mobile—a wounded Confederate veteran, involved in "Conservative" (Democratic) politics to such an extent that he had been his party's gubernatorial nominee in 1872.⁷³ A few years older than Croom, Herndon seemed determined (like Croom) to salvage as much as possible from the wreck of the Lost Cause. A leading member of the Constitutional Convention of 1875, and subsequently a state legislator and

⁶⁹ Croom Journal, 40; see clipping on City Attorney election (Mobile *Daily Register*, January 9, 1875), in Croom Collection, Box 11, File 15.

⁷⁰ Croom became something of a specialist on the subject of municipal taxation; see *Mayor, etc., of Mobile v. Stonewall Insurance*, 53 Alabama Reports 570 (1875), *Sibley v. Mobile*, 22 Federal Cases 57 (1876), *Irwin v. Mayor, etc., of Mobile*, 57 Alabama Reports 6 (1876), and *Mayor, Aldermen, etc., of Mobile v. Baldwin* (decided together with *Stone, et al., v. Mayor, etc., of Mobile*), 57 Alabama Reports 61 (1876). For a glimpse of Mobile's post-Reconstruction finances, see Tennant S. McWilliams, *Hannis Taylor: New Southerner as an American* (University, Alabama: University of Alabama Press, 1978), 11.

⁷¹ The pay had been \$1,500 per year; Croom Journal, 40-41.

⁷² *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 43, 89, 117, 227.

⁷³ Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 803; see also Rogers, et. al., *Alabama: The History of a Deep South State*, 252.

U.S. congressman, Herndon was one of the architects of what is often called “Bourbon Democracy”—a post-Reconstruction regime characterized by its rhetoric of limited government, states rights, and white supremacy.⁷⁴ Men like Herndon attract clients; his decision to work with Croom was a tribute to the latter’s talents and work habits.

Printed reports show that Croom practiced in chancery, circuit, probate, and federal courts, as well as the Alabama Supreme Court. His reported cases fall into several broad fields of commercial law, including estate management and inheritance,⁷⁵ real estate (Croom worked for the Mobile Building and Loan Association),⁷⁶ and insurance.⁷⁷ In addition, portions of Croom’s 1883 “Lien of Judgment” address indicate that he frequently appeared on behalf of creditors. His description of “the swearing of jurors and witnesses—the thrust and parry of the direct and cross examination—the earnest arguments of counsel—the solemn charge of the judge—the deliberate verdict of a

⁷⁴ See Malcolm C. McMillan, *Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism* (Chapel Hill, North Carolina: University of North Carolina Press, 1955), 189 n. 2, 191, 199, 214; and Going, *Bourbon Democracy in Alabama, passim*.

⁷⁵ See, for example, *Waring v. Lewis, et al.*, 53 Alabama Reports 615 (1875), *Philippi, et al., v. Philippi*, 61 Alabama Reports 41 (1878), *Collins, Guardian, v. Toomer, et al., Ex’rs*, 69 Alabama Reports 14 (1881), and *Knight v. Haynie*, 74 Alabama Reports 542 (1883).

⁷⁶ See *Weiner v. Sterling*, 61 Alabama Reports 98 (1878), *Kelly v. Mobile Building and Loan Association*, 64 Alabama Reports 501 (1879), *Mobile Building and Loan Association v. Robertson*, 65 Alabama Reports 382 (1880), *Craft v. Russell*, 67 Alabama Reports 9 (1880), *Newbold v. Smart*, 67 Alabama Reports 326 (1880), and *Whitfield v. Riddle*, 78 Alabama Reports 99 (1884). For Croom’s 1876 stock certificate in the Mobile Building and Loan Association, see Croom Collection, Box 10, File 12.

⁷⁷ See *Snow v. Carr*, 61 Alabama Reports 363 (1878) and *Levy & Co. v. Van Hagen*, 69 Alabama Reports 17 (1881); and see Croom Journal, 56. For an early Croom case involving agency, see *Lawrence v. Randall & Co.*, 47 Alabama Reports 240 (1872); for a trademarks case, see *Oakes v. Tonsmierre, et al.*, 47 Federal Cases 447 (1883).

jury”—smacks of long familiarity with trial courts. A moralist by nature, Croom was eloquent on the subject of debt recovery, expressing his frustration with “the amount of dishonesty begotten of the unhealthy growth of speculation,” and suggesting that Alabama adopt (like other states) a system of judgment liens.⁷⁸

By the time of his bar association speech, Croom had long been a critic of Gilded Age business ethics. In December 1875 he had confided to his journal many comments on the trial of Allen G. McCants, a cotton factor charged with obtaining money under false pretenses—drawing an “Exchange” instrument for \$8,000 upon an insufficient account, paying the proceeds to a member of his family, then announcing the failure of his firm. It was, Croom wrote, “an ugly transaction—but not an infrequent one.” Only a spectator of the case, Croom enjoyed describing the talents, mannerisms, and above all, egos of the attorneys caught up in this *cause celebre*, including (for the defense) both Hamiltons and his future partner Thomas H. Herndon.⁷⁹

In the process Croom displayed his own combination of personal attitudes and professional calculations. McCants would be acquitted, he was certain, because he was well-connected; established Mobilians stuck together without regard to “discreditable failures.” In addition he sized up

⁷⁸ “Paper Read by Stephens Croom: The Lien of Judgment,” in *Proceedings of the Fifth Annual Meeting of the Alabama State Bar Association*, 51-61 (quoted passages on 52, 53). The paper contains a scholarly discussion of the medieval writ of *elegit*, and a thorough discussion of the technicalities of Alabama debt proceedings.

⁷⁹ Croom Journal, 69-73, quoted passages on 70; *Mobile Daily Register*, December 23, 25, 28, 1875. Prosecution attorneys were D.C. Anderson and Alexander McKinstry, both notable men; see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 38, IV: 1125-1126.

the jury, chosen after much wrangling, as “weak.”⁸⁰ Events would soon show that he miscalculated—in part. After six days of trial the jury convicted McCants, a verdict that Croom thought would “have a very salutary effect on Commerce Street.”⁸¹ On the other hand, he had been devastatingly correct in his assessment of Mobilians, at least as represented by trial judge O.J. Semmes, who (Croom had said) tended to apply “fine distinctions” “to the detriment of the spirit of the law.” A short time after the trial, Judge Semmes set aside the McCants verdict on a technicality—the prosecution had not demonstrated that a bank in question was an “incorporated” bank.⁸²

While Croom’s career was typically centered upon Mobile, his journal provides accounts of several journeys, with glimpses of the legal profession at work in various levels of practice. Croom’s description of a trip upcountry to Greenville, county seat of Butler County, shows a city lawyer in the country, sizing up the local bar and judiciary and deciding (“afraid of the jury I might get”) to remove his insurance case to federal court. On the other hand, he enjoyed seeing the elderly lawyer and former governor, Thomas Hill Watts, “a glorious old fellow, . . . honorable, reliable, public-spirited and patriotic, . . . surrounded by an

⁸⁰ Croom Journal, 70. The jury was chosen only after four panels of would-be jurors were examined; see *Mobile Daily Register*, December 23, 1875.

⁸¹ Croom Journal, 77-78.

⁸² Croom Journal, 73-74; *Mobile Daily Register*, January 4, 19, 1876. Semmes was responding to a motion for a new trial; McCants was set free on a \$5,000 bond. McCants had been convicted of first-degree forgery, for which the sentence was no less than ten years in prison; even Croom (see Croom Journal, 78) worried that the penalty was too harsh. For O.J. Semmes, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1525-1526.

admiring coterie of old farmers listening to his ‘talk’.”⁸³ To a man of Croom’s generation, Watts was a figure of nostalgia, evocative of a pre-war era of lawyer-statesmen and circuit-riding camaraderie.⁸⁴

Croom’s powers of observation were at their height a few days later, during his visit to Montgomery for the December 1875 term of the Supreme Court. He regularly practiced before this court, and had learned to be philosophical.⁸⁵ Of an adverse decision in one of his cases, for instance, he noted that he was “much disappointed but not surprised.”⁸⁶ Croom followed up this observation with a series of pointed comments on the judges of the Supreme Court (especially on Chief Justice Robert C. Brickell⁸⁷) as well as aspects of the architectural, sartorial, and socio-economic scenes in Montgomery.⁸⁸ On this trip, Croom enjoyed playing the role of genteel Mobilian.

Still, Croom’s Montgomery entry includes at least one scene reminiscent of the rowdy lives of Alabama lawyers

⁸³ Croom Journal, 56-59, quoted passage 58-59. Watts had served as governor during the last months of the Civil War; see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1732-1733.

⁸⁴ For circuit-riding, see Lawrence Friedman, *History of American Law*, 2nd edition (New York: Simon and Schuster, 1985) 309-310, 643.

⁸⁵ Between 1875 and 1884, Croom was listed as an attorney in sixteen Alabama Supreme Court cases (seven times for the appellant, nine times for the appellee). Of fifteen cases in which there were clear-cut winners and losers, Croom was on the winning side nine times. For the progression of Croom’s appellate practice, see 53 Alabama Reports 570; 53 Alabama Reports 615; 57 Alabama Reports 6; 57 Alabama Reports 61; 60 Alabama Reports 121; 61 Alabama Reports 41; 61 Alabama Reports 98; 61 Alabama Reports 363; 64 Alabama Reports 501; 65 Alabama Reports 382; 67 Alabama Reports 9; 67 Alabama Reports 326; 69 Alabama Reports 14; 69 Alabama Reports 17; 74 Alabama Reports 542; and 78 Alabama Reports 99.

⁸⁶ Croom Journal, 63; and for the relevant passage of *Waring v. Lewis, et al.*, see 53 Alabama Reports 617.

⁸⁷ For Brickell, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 214.

⁸⁸ Croom Journal, 63-67.

traveling together on “Circuit.” This was Croom’s description of several Mobile lawyers playing “cent ante poker” in a room at the Exchange Hotel. One of these, former federal judge William Giles Jones,⁸⁹ was an avid player whose high spirits (hearty enough, at one point, to launch his false teeth onto the table) made Croom laugh—especially when he thought of the man’s solemn behavior at home.⁹⁰ Yet Croom’s trip home plunged him into the realities of modern commuting. Sitting in a railway car, listening to the conversation of two lawyers, neither of whom he liked, he may well have reflected upon the decline of professional camaraderie.⁹¹

The latter half of Croom’s journal devotes considerable attention to the Alabama and Chattanooga Railroad, and the legal backwash (1875-1876) of its bankruptcy. The history of this road was a tattered fabric of state-backed bonds, mortgages, defaults on payments, and mismanagement by trustees and receivers.⁹² Croom knew all of the lawyers who appeared in these matters before U.S. Circuit Judge William B. Woods; but the star of the proceedings was a wonderfully named English barrister, T.W. Snagge, who represented a large number of bondholders.⁹³ In his quest to

⁸⁹ For Jones, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 944, 947.

⁹⁰ Croom Journal, 66.

⁹¹ Croom Journal, 67-68.

⁹² Two cases discussed below are *Stanton, et al. v. Alabama & C.R. Co.*, 22 Federal Cases 1065 (1875), and *Stanton, et al. v. Alabama & C.R. Co.*, 22 Federal Cases 1070 (1875). See also *Alabama & C. R. Co. v. Jones*, 1 Federal Cases 275 (1871), *In re Alabama & C. R. Co.*, 1 Federal Cases 271 (1872), *Blake v. Alabama & C.R. Co.*, 3 Federal Cases 586 (1873), and *Alabama v. Burr*, 115 United States Reports 413 (1885). For historical accounts of the A&C debacle, see DuBose, *Alabama’s Tragic Decade*, 177-189, and Walter L. Fleming, *Civil War and Reconstruction in Alabama* (New York: Columbia University Press, 1905), 591-600.

⁹³ Croom had met Snagge as early as November 17; see Croom Journal, 48-51.

secure priority for his clients' claims, Snagge delivered a fifteen-hour statement that set forth the whole tale of greed and fraud and exempted no one involved—not even Judge Woods—from responsibility for a series of public wrongs.⁹⁴

Snagge's courageous speech put Croom in mind of everything he disliked in contemporary business, law, and politics. "Everybody knows that these fellows have been cheating all along," he wrote of the railroad jobbers. Why should the task of pointing it out fall to "this British lawyer"?⁹⁵ To Croom the answer was plain; members of the local bar had surrendered their honor—a term that, to Croom, implied a blend of righteousness, self-motivation, and principled solidarity with family, neighbors, and colleagues.⁹⁶ This loss, he believed, was part of the demoralization that accompanied military defeat, a condition that had been worsened by judges who were agents of the conquerors. The worst of the latter, by common consent, was Richard Busteed, (federal district judge, 1863-1874), a man whose belligerent manner left him open to accusations that he was compromising the "dignity of his high office to gratify a morbid thirst for revenge."⁹⁷

⁹⁴ Croom Journal, 79-80; and *Mobile Daily Register*, November 13, December 30, 1875, January 1, 1876.

⁹⁵ Croom Journal, 81.

⁹⁶ For a general theory of honor's place in the patriarchal and racist worlds of the nineteenth-century south, see Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982). For historical definitions of the changing concept as it was applied to lawyers, businessmen, and others, see Haber, *Quest for Authority and Honor*, 9-12, 94-96, 98-103, 118.

⁹⁷ See Sarah Woolfolk Wiggins, "Press Reaction in Alabama to the Attempted Assassination of Judge Richard Busteed," *Alabama Review*, 21 (July 1968), 217 (quoting C.F. Moulton to Wager Swayne, December 19, 1867). For lawyers' comments on Busteed's deportment, see *Testimony Taken Before the Judiciary Committee, House of Representatives, in the Investigation of Charges Against Hon. Richard*

Mistakenly, Croom thought, the rank and file of the bar had followed the examples of a few “men of talent and position, but of no great predilections in favor of honor,” who “found it to their interest to be complacent with this execrable villain”—in other words, to show acceptance of the new order.⁹⁸ In point of fact, Busted had given up his office a year before Croom wrote his journal, resigning in the face of persistent impeachment campaigns led by Alabama lawyers.⁹⁹ Still in Croom’s mind, the damage had been done; strong lawyers and “weaker vessels” alike had departed from the paths of honor and “there was no manhood left in us.”¹⁰⁰

As for Judge Woods, Croom recognized him as a man of talent—even of “quasi integrity”—but detected in him “a canker of hate to this people” and a tendency to show favoritism toward certain attorneys. Woods’ opinion in the Atlanta and Chattanooga business sustained the report of a special master (a Washington, D.C., attorney) and was effectively a defeat for Snagge and his local allies. Of this, Croom remarked snidely that “Woods’ prejudices would not permit him to let a home lawyer succeed”—forgetting that Snagge had acted as the leader for his side, often arguing against local attorneys.¹⁰¹ These passages, written near the end of Croom’s journal, appear to reflect the anger of a man ridden by his own prejudices—a man whose life was still governed by the emotions and rationalizations of war.

Busted (Washington, D.C. Government Printing Office, 1869), 17-18, 20, 85-86, 441-442, 465-467.

⁹⁸ Croom Journal, 81-82.

⁹⁹ Fleming, *Civil War and Reconstruction in Alabama*, 744, and Wiggins, *The Scalawag in Alabama Politics*, 90.

¹⁰⁰ Croom Journal, 82.

¹⁰¹ Croom Journal, 82-83, 88; see also 22 Federal Cases 1066-1067. See Freyer and Dixon, *Democracy and Judicial Independence*, 62-63, for a more favorable opinion of Woods and of Busted’s successor, John Bruce.

On the whole, Croom's attitude toward the federal judiciary was in keeping with the political tone of the times. After years of vicious struggle, Democrats had swept violently to control of the state government in 1874 (the year Busteded resigned). Because Democratic activists, Croom included, tended to view such elections in military terms, they justified coercive tactics as necessary in order to achieve rule by the "white man's party."¹⁰² To follow up their victory, "Bourbon" conservatives sought to secure ratification of a new constitution. Their declared object was to rein in the power of government, preventing a recurrence of past scandals; but in their hearts they wanted to restore the state's old-time regime.¹⁰³ Croom's journal captures something of the tone of the ratification campaign, colored by his anxiety that white public opinion might not rise to the occasion.¹⁰⁴

By January 1876, Croom's life had taken on a pleasing shape. His marriage, his fashionable house, his legal career, and the political fortunes of his Confederate brothers: all seemed to be prospering. Perhaps Croom abandoned his journal when he did because of the pressures of business. Or it may have been that Croom, living in peace with the ghosts of his past, felt that he had written enough.

In the last years of his life, Croom became an active member of the Alabama State Bar Association. Surely he would have been interested in the Association's 1887 code of ethics, a document intended to promote the values

¹⁰² Fleming, *Civil War and Reconstruction in Alabama*, 782-783 (quoted passage), 771-803, *passim*; and Rogers, *et al.*, *Alabama: The History of a Deep South State*, 261-264. In his "Mann Speech," Croom states that he will consider his efforts successful if he can persuade even one of "our colored friends" to "abandon his false friends, or even to abstain from voting."

¹⁰³ See McMillan, *Constitutional Development in Alabama*, 175-210.

¹⁰⁴ Croom Journal, 44-47, 48. The 1875 constitution was ratified by a comfortable majority; see McMillan, *Constitutional Development in Alabama*, 211-216.

Croom had upheld in his journal: civility, scrupulous dealings, and public-spiritedness.¹⁰⁵ Yet Croom, having lived to see the pivotal moment of Bourbon triumph, did not live to enjoy the Association's endorsement of his ideals. Sometime in the winter of 1883-1884 he caught a cold, which developed into bronchitis. Continuing to work as his health declined, Croom finally tried to recuperate in the mountains of North Carolina. He died there on July 29, 1884.¹⁰⁶

¹⁰⁵ *Code of Ethics Adopted by the Alabama State Bar Association, Dec. 14, 1887* (Montgomery: N.p., 1887), [iii]-xvi; Allison Marston, "Guiding the Profession: The 1887 Code of Ethics of the Alabama State Bar Association," *Alabama Law Review*, 49 (Winter 1998), 471-507; and Paul M. Pruitt, Jr., "The Life and Times of Legal Education in Alabama, 1819-1897: Bar Admissions, Law Schools, and the Profession," *Alabama Law Review*, 49 (Fall 1997), 309-312. Croom's contemporary Thomas Goode Jones, another former Confederate staff officer, drafted the Code of Ethics.

¹⁰⁶ "Stephens Croom" (obituary), in *Proceedings of the Sixth Annual Meeting of the Alabama State Bar Association*, 39-43.



Clockwise from the top: Julia Stephens Croom, Stephens Croom's Mother, c. 1850; Stephens Croom in CSA Military Uniform; and Elizabeth Whitfield Croom Bellamy, Stephens Croom's Sister, c. 1860.

Croom Collection, University of South Alabama Archives.



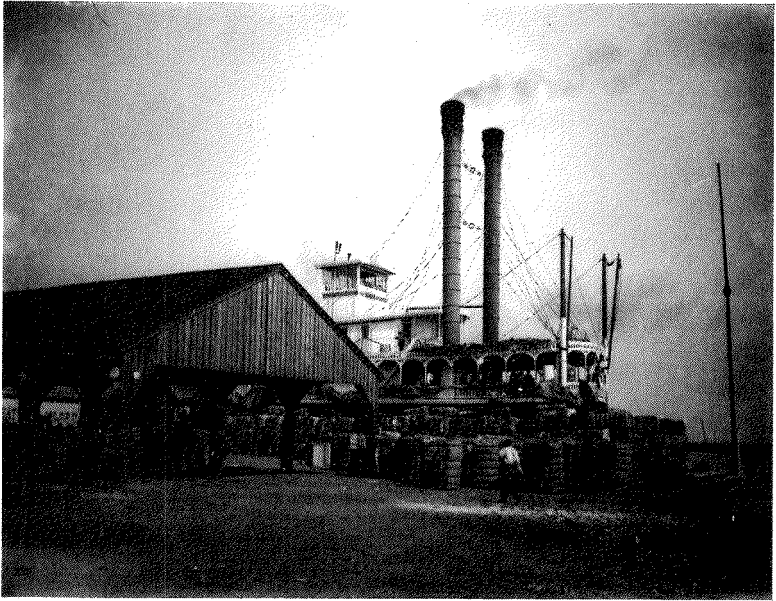
*Stephens Croom House—Exterior,
Augusta Street.*

*Library of Congress, HABS, ALA
49-MOBI, 204-2.*



*Stephens Croom House—Interior,
Augusta Street.*

*Library of Congress, HABS, ALA,
49-MOBI, 204-4.*



Mobile Cotton Docks, c. 1890.

*T.E. Armitstead Collection,
University of South Alabama Archives.*



*Loading Freight on the
Mobile and Ohio Line, c. 1890.*

*T.E. Armitstead Collection,
University of South Alabama Archives.*



Period Mobile Architecture.

*S. Blake McNeely Collection,
University of South Alabama Archives.*



*Turn-of-the-Century Mobile
Mardi Gras Royalty.*

*Erik Overbey Collection,
University of South Alabama Archives.*

The Journal of Stephens Croom,
1875-1876

“THIS DOCUMENT¹ was written by Stephens Croom and while it began as an autobiography in 1875, it was continued with periodic entries primarily pertaining to his practice of law, . . . with the last entry on Jan. 13, 1876. He gives a good description of the New Year Eve SIS and TDS parades of 12-31-75.”²

Property of Wm. W. Croom, Mobile, Ala.
Written by my father, Stephens Croom
[Illegible Line]

“Haec olim meminisse juvabit!”³

¹ The original Croom Journal was in the possession of the late Velma Croom, Mobile, Alabama; the University of South Alabama Archives (hereinafter USA) holds a copy in its Velma and Stephens G. Croom Collection (hereinafter Croom Collection). The edited document below was prepared from the USA copy. The editors have standardized Croom’s punctuation and arrangement of paragraphs. Missing text in the body of the journal (the result of torn pages or redactions) is marked with ellipses (. . .). The ellipsis in the journal’s preliminary note, above, is present in the USA copy.

² The author of this preliminary note is probably William Whitfield Croom (son of Cicero Stephens Croom). Internal evidence indicates that the last entry of the Croom Journal was written on January 14, 1876; see below, n. 156. For the parades mentioned, see below.

³ The quotation from Virgil’s *Aeneid* (book 1, line 203), translated as “Someday it may be pleasing to remember these things,” was in common use at the time. It served as the motto of numerous organizations, including the Jefferson Literary and Debating Society at the University of Virginia, *Niles’ Weekly Register*, and was used in Frank Aretas Haskell’s well-known account of the Battle of Gettysburg. For the Jefferson Society, see Karl W. Saur, “An Historical Sketch of the Jefferson Society of the University of Virginia,” at www.student.virginia.edu/~jefflds/historian/saur.html. For the *Niles’ Weekly Register* motto, see Norval Neil Luxon, *Niles’ Weekly Register: News Magazine of the Nineteenth Century*. (Baton Rouge: Louisiana State University Press, 1947), 2; and for Haskell’s account, see Frank L. Byrne and Andrew T. Weaver, eds., *Haskell of*

I purpose making this a sort of log-book of life, in which I shall keep memoranda of my observations and reflections from time to time upon the events transpiring around me, and upon the people whom I meet, so that I may see how and whither I drift in thought sentiment and fortune as I hurry along with "the innumerable caravan."⁴

This shall not be a diary in which I shall feel obliged to set down the monotonous transactions of my daily life, which neither I nor others could tolerate to read hereafter; but I shall write in it when occasion offers, and I feel disposed, and shall speak my sentiments of the time, and impressions, of persons and things, and with such confidential freedom and fullness as I would accord to hardly any person but myself.

I am incited to this by the recent reading of the "Greville Memoirs," with the gossipy unreservedness of which I have been much charmed.⁵ I do not, however, write with any intention or expectation of publication. My position in life is not likely to render my memoirs of general interest.

Gettysburg: His Life and Civil War Papers. (Kent: Kent State University Press, 1989), 92.

⁴ The quotation is from William Cullen Bryant's poem "Thanatopsis" (first published 1817), lines 73 ff. The passage in context reads: "So live that when thy summons comes to join the innumerable caravan which moves to that mysterious realm where each shall take his chamber in the silent halls of death..."

⁵ The reference is to Charles Greville, *The Greville Memoirs: Journals of the Reigns of King George IV and King William IV; Journal of the Reign of Queen Victoria 1837-52; Journal of the Reign of Queen Victoria 1852-60* (London: Longmans, Green & Company, 1874-1887). Greville was Clerk to the Privy Council for the years 1837-1860; however, his memoirs were written (as were Croom's) after several years of reflection from a man of whom it was said that "for fifty years he listened at the door." For this quote, see C.M. Andrews, "Annual Address of the President of the American Historical Association, Delivered at Richmond, Dec. 27, 1924," *American Historical Review*, XXX (1925), 230.

This record is, therefore, only for my own eye, and for my own edification; unless I shall hereafter entrust it, confidentially, to some near and dear one, for his or her private perusal.

And first I shall recall the most prominent events of my life, to the present time. I was born, December 12th 1839, at Quincy, Gadsden County Florida, of respectable parents, in the higher walks of life, being their second and last child, the elder being my sister Elizabeth. My father William W. Croom, was a merchant at Quincy at the time of my birth, and one of the wealthiest and most influential men of the place, having inherited a goodly fortune from his father, including a number of slaves, about fifty I think. My mother[']s maiden name was Julia Stephens, and I am named for her father, Cicero Stephens—though I have long since dropped the “Cicero,” and since 1860 have been known as Stephens Croom. My mother’s father was much beloved, and had many namesakes, among whom was our relative the later Cicero Stephens Hawks, Bishop of Missouri. Both my parents were natives of North Carolina—my father being from Lenoir County, and my mother from Newberne, in Craven County.⁶

My early boyhood was spent in Florida, and was perhaps attended with the average amount of joys and sorrows, fights, scrapes, & accidents.

When I was about eleven years old my father, wishing to give my sister and me better educations than that country afforded, broke up his business & residence in Florida, and

⁶ For Croom family background and Stephens Croom generally, see William Warren Rogers and Erica R. Clark, *The Croom Family and Goodwood Plantation: Land, Litigation, and Southern Lives* (Athens: The University of Georgia Press, 1999); and Thomas McAdory Owen, *History of Alabama and Dictionary of Alabama Biography*, reprint edition (Spartanburg, South Carolina: Reprint Company, 1978), III: 430-431.

after sojourning about two years at Columbus, Georgia, with his family, removed to New York. At Columbus, Ga. I went to school to the Rev. R.D. Nevins, then studying divinity at that place, (& a very good teacher).

My father when he went to New York went into the commission business, and afterwards into the silk & ribbon jobbing business, the result of which and of the subsequent Civil War was the loss of his fortune.⁷ In the mean time, however, my sister and myself received excellent educations, which perhaps make up in ourselves our father's losses. I went first to Kingsley's School, on the Hudson, at West Point, where I learned little else than mischief (but became a first-rate swimmer). Afterwards I went to excellent schools in New York City; and was well prepared for college. Being intensely Southern in my feelings I persuaded my father to send me to the University of North Carolina, where nearly all of my uncles, both maternal & paternal & many of my cousins had been educated. I entered the freshman class of that institution in January 1856—my father going with me there from New York. I spent three and a half years there—of the happiest years of my life. I was & am still a member of the Dialectic Society, and of the Beta Theta Pi club. I graduated there June 2d 1859, being then in my twentieth year.⁸

In the mean time my sister had finished her education at Mrs. Abbott's school (Springler Institute) New York, and in the spring of 1858 was married to her cousin Dr. Charles

⁷ For William Whitfield Croom's decision to engage in business in New York, see Rogers and Clark, *Croom Family*, 137-138.

⁸ Rogers and Clark, *Croom Family*, 138, 145-146; for Dialectic Society, see the Records of the Dialectic Society, in the University Archives and Records Service, University of North Carolina at Chapel Hill. Stephens Croom graduated second in his class from the University of North Carolina in 1859, after choosing that institution over Yale three years earlier; see his obituary published in the *Proceedings of the Sixth Annual Meeting of the Alabama State Bar Association* (Montgomery: Barrett & Co., 1884), 39-43.

E. Bellamy, at Memphis, Tennessee, and went to live on a plantation in Bolivar County, Mississippi, which my father gave [to] my sister.⁹ He had taken the fever of land speculation and besides entering a good deal of land in Iowa and Minnesota, on land warrants, had bought a thousand acres of land in the Mississippi bottom (Bolivar County)—a most unfortunate move for him.¹⁰

Immediately after my graduation I went to New York, and for about three months was a shipping and entry clerk in my father's silk and ribbon house. My father thought that a little experience and observation of the busy world of the metropolis would be of advantage to me in my after life; in the practice of my profession of the law, for which I was always intended—and so indeed it has been.

In the fall of 1859 I went to Bolivar County, Miss. where I spent some four months, hunting and fishing. It is a miserable boggy country, but wonderfully fertile, and some day will be a garden spot no doubt—and then one may perhaps live there in comparative comfort.¹¹

In the Spring of 1860 I went to Montgomery Alabama to study law under Chancellor Wade Keyes, (whose wife is a relative of mine). Judge Keyes had a few other students who, like myself, boarded and studied law at his residence about a mile from the town.¹² I was still there on the

⁹ Rogers and Clark, *Croom Family*, 143-144, 140-141, 147; see also Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 128.

¹⁰ Rogers and Clark, *Croom Family*, 138-147, 214-217.

¹¹ Located in the rich Mississippi River plantation belt, Bolivar County (named for South American general and statesman Simon Bolivar) was, typical of this type of land, very fertile but unhealthy during certain times of the year. See Dunbar Rowland, *Mississippi: Comprising Sketches of Counties, Towns, Events, Institutions, and Persons, Arranged in Cyclopedic Form* (Atlanta: Southern Historical Publishing Association, 1907), I: 260-263.

¹² David I. Durham, "Introduction to Wade Keyes and the Montgomery Law School," in David I. Durham and Paul Pruitt, editors, *Wade Keyes'*

memorable 11th day of January 1861, when the Alabama ordinance of secession was passed—and although I was in full sympathy with the South, yet I was oppressed with a for[e]boding of ill to come, because I had lived in the North & in the South too, & was thoroughly acquainted with both sections, and I could not help being conscious of the immense odds, in numbers, wealth, ships, & all the means and appliances of war against which we had to contend.¹³

In February I went to Eutaw Ala. (to which point my father had by that time removed)¹⁴ with a view to practicing law there, having been licensed thereto by the Supreme Court of the State. Hopes of peace were entertained until the firing on Fort Sumter in April, and then the whole country took the war fever.

I joined as a private a company raised there in Eutaw, and commanded [by] Capt. George Field and which afterward became Company B. 11th Ala Regiment of Volunteers.¹⁵ We left Eutaw in June, and after the regiment was formed at Lynchburg, (with Col Sydenham Moore¹⁶ of Greensboro, Ala. As Colonel) we sojourned awhile in Richmond, Virginia, and went thence to Winchester, where we were put into a Brigade commanded by Genl. E. Kirby

Introductory Lecture to the Montgomery Law School: Legal Education in Mid-Nineteenth Century Alabama (Tuscaloosa: University of Alabama School of Law, 2001), 1-6; Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 974; and Rogers and Clark, *Croom Family*, 200.

¹³ Even as a student at the University of North Carolina, Croom had written that “Commerce is king of the World. It is the great civilizer of modern times.” See Cicero Stephens Croom, “Our Commerce” (student paper dated September 20, 1858), in Croom Collection, Box 10, File 3.

¹⁴ The fortunes of Croom’s immediate family were by this time declining. See Rogers and Clark, *Croom Family*, 214-215.

¹⁵ For a brief history of the unit, see Willis Brewer, *Alabama: Her History, Resources, War Record, and Public Men from 1540 to 1872* (Montgomery: Barrett and Brown, 1872), 606-608.

¹⁶ For Sydenham Moore, see Brewer, *Alabama: Her History*, 265-266.

Smith.¹⁷ We remained at Winchester expecting an attack from the enemy under Patterson until July 18th (1861) when, the enemy having retired from our front, we made a forced march over the Blue Ridge to join our forces at Manassas Junction, but did not reach there until the day after the great battle of the 21st July. (the first Manassas).¹⁸

It was here that we first began to feel the rigors of field service & the men began to sicken. And here also I was detailed as a clerk to the Adjutant General of the Brigade, then commanded by Colonel John H. Forney,¹⁹ of the 10th Ala. Regt. I had the good luck to please Colonel Forney, & also Genl. Wilcox,²⁰ who afterwards commanded the Brigade.

I remained with the Brigade at & near Centreville & Manassas, through the winter of 1861-62—and was transferred, with it, in the Spring to Yorktown. In the mean time Colonel Forney had been wounded severely in the arm at Drainsville²¹ (in December)—had come south to get well—and had been given command of the District comprising Southern Alabama and West Florida, with the rank of Brigadier General.²² He did me the honor and kindness to make me his Adjutant General (which gave me the rank of

¹⁷ For Edmund Kirby Smith, see Dumas Malone, editor, *Dictionary of American Biography* (hereinafter DAB) (New York: Charles Scribner's Sons, 1961), V (Part 2): 424-426.

¹⁸ Much of Smith's brigade fought at First Manassas. See Douglas Southall Freeman, *Lee's Lieutenants: A Study in Command* (New York: Charles Scribner's Sons, 1942), I: 83-85. For Major General Robert Patterson, see Stewart Sifakis, *Who Was Who in the Civil War* (New York: Facts on File, 1988), 491.

¹⁹ For John Horace Forney, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 596; and Annie Forney Daugette, "The Life of Major General John H. Forney," *Alabama Historical Quarterly*, IX (Fall 1947), 361-383.

²⁰ For Cadmus Marcellus Wilcox, see DAB, X (Part 2): 201-202.

²¹ Sifakis, *Who Was Who in the Civil War*, 224, has Forney wounded at "Dransville." See also Freeman, *Lee's Lieutenants*, I: 217.

²² See Freeman, *Lee's Lieutenants*, I: 195 n. 18.

Captain)—and I left my old Brigade at Yorktown in May 1862—just before our army retreated from that place—and came immediately to Mobile—for the first time. Here I spent eight busy and pleasant months, a man of no little consequence, on account of my position, making many acquaintances both in and out of the army—and luckily, no doubt, absent from the severe fighting in Virginia, where I might have lost my life.

In December 1862, Genl. Forney was relieved of the command here (at his own request) and I went with him to the Department of Mississippi. Here he had at first the Missouri troops, but afterwards commanded D. H. Maury's²³ old division. Just before leaving Mobile Genl. Forney had been made a Major General, which carried with it my own promotion to the rank of Major.

Early in May 1863 the Genl. commanded at Synder's Bluff (above Vicksburg—about twelve miles) when the enemy made a feint at that place, preparatory to their movement on Vicksburg; and when, shortly after, that city was invested our division composed part of the garrison of the besieged city.

I shall not here attempt an account of the siege.²⁴ Suffice it to say that we suffered many hardships, lost many men—and held out a good deal longer than most of us supposed possible. The stubbornness with which our troops resisted—and the want of completeness of the enemy's several assaults convinced me of the superiority of the Southerner over the Northerner (other things being equal) in the fighting qualities of the soldier. The Yankee troops can

²³ For Daniel H. Maury, see DAB, VI (Part 2): 427-428.

²⁴ For Croom's Civil War journal, see William Warren Rogers, Jr., "The Prospects of Our Country in This Quarter Are Gloomy Indeed": Stephens Croom at Vicksburg (April 1863)," *Journal of Mississippi History*, LIX (Spring 1997), 33-51. Generally, see Shelby Foote, *The Besieged City: The Vicksburg Campaign, December 1862-July 1863* (New York: Modern Library, 1995).

endure—and bide their time better than ours—but when the attack comes—if numbers and condition are anything like equal the élan of the Southern troops will always win.

On July 4th 1863, the few men left in the extensive works being very much exhausted and our provisions being nearly all gone, we surrendered.

The reason of the surrender on that particular day was understood to be that the enemy, (it was discovered) had resolved on a general assault on that day—on account of the vim which it was supposed Independence Day & whiskey would give to the attack. Hearing this our generals in council unanimously resolved that our men were too much exhausted and reduced in numbers to withstand a vigorous assault—& therefore determined to arrest useless bloodshed by anticipating by a few days a surrender which appeared inevitable anyway. So a flag of truce was sent out on the 3rd & the capitulation followed next day.

Genl. Pemberton, who commanded the Confederates during this siege was, I think, the most inefficient officer in high command that I met during the war. He was without steady courage, moral or physical, had not self command, & was vacillating & confused in his purposes.²⁵ The credit of the resistance at Vicksburg is due to the men, who, being put into the trenches staid there—braving the shot & shell, & driving the enemy back when he assailed.

After a week's time spent in making lists of the army, in preparations for departure, & in various negotiations, the

²⁵ For John Clifford Pemberton, see DAB, VII (Part 2): 414-415. Croom's assessment is similar to that in Joseph E. Johnston, *Narrative of Military Operations, Directed, during the Late War Between the States* (New York: D. Appleton & Co., 1874). For Pemberton's response to his critics, see David M. Smith and Edwin C. Bears, editors, *Compelled to Appear in Print: The Vicksburg Manuscript of General John C. Pemberton* (Cincinnati, Ohio: Ironclad Publishing, 1999).

Confederate troops marched mournfully eastward (July 11, 1863) and repaired to Enterprise Miss. where a paroled camp was established, and the Vicksburg garrison reorganized, as fast as exchanged.²⁶ I remained there on this duty for some months, & was finally ordered to report for duty to Genl. Polk²⁷ at Demopolis—being thus separated from my old general, Forney, for the first time. I spent only about a month at Demopolis, and was then ordered to report to General Loring, at Montevallo, Ala. whose division (infantry) belonged to Polk's Corps. & I became a member of that General's staff. (He is now, 1875, an officer in the Egyptian Army.)²⁸ From Montevallo we went in May 1864 to Resaca, Georgia, to reinforce Genl. J. E. Johnston,²⁹ who was about to be attacked at Dalton by the enemy in large force under Sherman. Johnston fell back from Dalton to where we were, & there ensued the severe

²⁶ The North had reluctantly accepted a formal exchange cartel in 1862. A man-for-man exchange was organized utilizing a rank-weighting system and excess prisoners were to be placed on parole where they promised not to take up arms again in exchange for their freedom. The South's handling of the 30,000 parolees at Vicksburg and 7,000 at Port Hudson was one of the factors that caused a breakdown in the exchange practice. General U.S. Grant was reportedly furious when Union forces began to re-capture many of the individuals who were paroled after Vicksburg, at Chattanooga. For a discussion of parole and prisoner exchange, see James M. McPherson's *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 791-802.

²⁷ For Leonidas Polk, see McPherson, *Battle Cry of Freedom*, 519-520, 583, 672-676; and Clement A. Evans, ed., *Confederate Military History* (Atlanta: Confederate Publishing Company, 1899), VIII (Tennessee): 9-10. .

²⁸ For William Wing Loring, see Evans, *Confederate Military History*, VII (Mississippi): 123, 145, and XII (Alabama): 499-512; and Sifakis, *Who Was Who in the Civil War*, 395. Loring served from 1869 to 1879 as a divisional commander in Egypt, which earned him the title "Loring Pasha."

²⁹ For Joseph Eggleston Johnston and the maneuvers described below, see Sifakis, *Who Was Who in the Civil War*, 346-347; and McPherson, *Battle Cry of Freedom*, 743-750.

battle of Resaca, which resulted in our falling back again. The retreat of General Johnston was a perilous but masterly one. Our line at Resaca was a complete horse-shoe, with the Oostanaula [R]iver in our rear. We retreated at night, beginning about 12 o'clock, & had to cross the river with great secrecy, a very difficult thing to do, with so many men and horses, and the enemy so near. It struck me at the time that the Federal Commander displayed great lack of sagacity & enterprise in letting us escape so completely—with all [of] our artillery & camp equipage. Our division was the last to cross the river, & I crossed with some forty other officers, including Genls. Polk, Loring, French,³⁰ & Clanton,³¹ after all the troops had crossed but about 200 pickets, & we halted in a body immediately after crossing, for these pickets to cross, that the bridges might then be set on fire. It was then near three o'clock in the morning, & the clatter of our horses feet on the bridge seemed to have aroused the enemy to a suspicion of what we were doing. For while we sat on our horses a flash in the distance was seen, & a second after a parrot shell whizzed over our heads and then another & another. We scattered in an instant, and I shall never forget how convulsed with laughter Genl. Loring was at seeing the fat form of Genl. Polk bouncing away in the dim light on his frightened animal—(Poor, brave Genl. Polk! A month afterward, just

³⁰ For Samuel G. French, see Evans, *Confederate Military History*, XII (Mississippi): 252-255, VI (Georgia): 356-357.

³¹ James Holt Clanton was a lawyer, politician, and brigadier general in the Confederate Army. In 1871, Clanton was an attorney for the State of Alabama in an early case involving the Alabama and Chattanooga Railroad. After an argument between Clanton and David Nelson concerning remarks made during proceedings in federal court at Knoxville, Tennessee, Nelson shot and killed Clanton. For Clanton, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 327.

such another shell struck him down).³² However we burnt the bridges & continued our retreat for three days and nights—facing the enemy awhile at Calhoun, & reaching Al[la]toona gap at last where we rested awhile.³³

At this point I received orders to rejoin General Forney who had been ordered to the Trans-Mississippi Department.³⁴ Genl. Loring announced my departure to his division in a highly flattering special order, & I went home to Eutaw for a short visit to my parents, & thence to Demopolis, where I joined Genl. Forney, & with two wagons, & an ambulance, the Genl.[,] four staff officers, servants, orderlies &c. we went to Jackson, Miss. by rail, & thence with our wagons to the region about Port Gibson.

The Mississippi river was in the possession of the enemy, whose gunboats plied constantly up & down like sentinels, & whose spies made frequent reports of parties about to cross the river. So that it was necessary to observe the greatest caution & secrecy. The general crossed first, in disguise, in a skiff leading his horse, which swam behind. The General's conduct at this time was very singular, smacking very much of the insanity which afterward came upon him—the consequence of his severe wound at Drainsville.³⁵ Lieut. Wyly³⁶ & I crossed the next day, two or three miles below where the general had, at St. Joseph, La. We had with us a Miss Holland whom we sent over

³² Polk was killed instantly by an artillery shell on June 14, 1864 at Pine Mountain, Georgia. See Sifakis, *Who Was Who in the Civil War*, 512.

³³ Fighting at Allatoona Pass occurred on October 5, 1864. See Evans, *Confederate Military History*, VI (Georgia): 356-358.

³⁴ For this theatre of the war, see Robert L. Kerby, *Kirby Smith's Confederacy: The Trans-Mississippi South, 1863-1865* (University, Alabama: University of Alabama Press, 1972), *passim*.

³⁵ Standard printed sources (see above, n. 19) do not discuss the state of Forney's mind.

³⁶ For John M. Wyly, see Rogers, "The Prospects of Our Country Are Gloomy Indeed," 39 n. 18.

first, with an orderly, & then Wyly & I went, swimming our horses behind the skiff as the General had done. This was very hard work, particularly for me, as my horse labored & pulled so in the water that I very near lost him. We landed on the Western bank just about sun-down, & were about to send the skiff back to cross the remainder of our party, when a gunboat was seen coming and we retired. Two gunboats came, anchored opposite the town, & landed on the Eastern bank and drove our party away. The next morning the gunboats disappeared, but our party did not return & we spent the day at St. Joseph, where we were hospitably entertained by a Mr. Snyder, & made lions of by the ladies. That night we slept at Mr. Snyder's, but at break of day a gunboat landed and a party of about twenty five of the enemy rushed up into the village in search of us, of whose presence there they had been apprised. By mistake they went first to the house of a Mrs. Castleman, a widow. Her daughter, Miss Fannie Castleman, remembering us, had the presence of mind and courage to run over to Snyder's, in her night dress, through a small cornfield, and apprised us of our danger just in time to get us out of the house before the Yankees rushed into the yard. They searched the house, but about sunrise they departed, baffled, in their gunboat—and our party making their appearance again we crossed everything in broad daylight without being discovered (July 1st 1864), and after a dancing frolic (of delightful memory) with the ladies of St. Joseph we met on our way westward.

Genl. Forney had gone on to Shreveport, where his arm was so bad that he had it opened and pieces of the bone taken out. This no doubt restored the clearness of his mind. After a month the rest of us, who had sojourned at Monroe, La. joined him at Alexandria—thence we returned with him

to Monroe, where he took command of Walker[']s³⁷ old division—an unorganized mob. Genl. Walker should have been ashamed to let it get into such a condition. Genl. Forney, though exceedingly unpopular at first[,] soon made it the finest body of troops in the Department—and indeed the best equipped & drilled, as I believe then in the Confederacy. From Monroe we marched to Monticello, Arkansas, thence across the state of Arkansas, & down to Meinden, La. where we went into winter quarters—and had much hospitable entertainment in the surrounding country.

In the Spring of 1865 we went to Shreveport, where we stayed a month, and where the citizens of the country round about gave our division a grand barbecue, on which occasion we had a sham battle of the Genl.'s getting up, a great success & a really splendid sight. Near 500 infantry, 20 pieces of artillery & a squadron of cavalry were engaged.

From Shreveport our division went to Texas, passing via Henderson & Rusk, down by Crockett to Anderson & Hempstead. It was now May (1865).

Bad news of reverses in the East had been coming for some time. Forney's strict discipline became irksome to the troops, who were impatient to disband. His firm hand kept them together but Genls. Smith & Buckner,³⁸ at the head of affairs, thought that the former liking of the division for Genl. Walker demanded his reappointment to the command of the division.³⁹

Forney and his staff went to Houston, & Genl. Walker took the reins of the division—and in three days the troops had all left him. It became evident that the war was over.

³⁷ For John George Walker, see Sifakis, *Who Was Who in the Civil War*, 684; for a different opinion of the respective merits of Walker and Forney, see Kerby, *Kirby Smith's Confederacy*, 324-329, 404-405.

³⁸ For Simon Bolivar Buckner, see DAB, II (Part 1): 234-236.

³⁹ Again, for a version less flattering to Forney, see Kerby, *Kirby Smith's Confederacy*, 406-407.

Kirby Smith & Buckner shortly surrendered, & we went to Galveston and were there paroled and came in government transports to Mobile—the General & Wyly & I. At Mobile my [N]egro servant, Henry, who had belonged to me deserted me. I met him a year or more after & he said that he was ashamed to come & tell me good bye.

I returned to Eutaw to find my father's family reduced to real poverty, & living in very poor style. My father had no regular occupation, nor I, & we had no strong friends or connections to stand by us.

In addition to these disasters a young lady to whom I was engaged to be married when I went to the Trans Miss. Dept. and [of] whom I was very fond, made a pretext to discard me—influenced as I thought by my fallen fortunes—& by her mother's ambition for a rich & influential alliance. I do not think I have ever been more unhappy than at this period.

In the Spring of 1866 I came to Mobile & was assistant in the office of Messrs. P. & T.A. Hamilton, Attorneys, at \$45 per month—and I remained in their employ near three years (but not all the time on that small pay).⁴⁰

My father's family remained at Eutaw, and on the 18th December 1867 my beloved mother died. It was the greatest affliction I have ever had to endure. It seems to me that I owe all that is good in me to her. She was the best companion and friend I have ever had—not even excepting my dear wife. She is buried in Eutaw, whence I hope some day to remove her remains & erect to her memory a suitable monument.

⁴⁰ The Hamilton brothers (Peter and Thomas Alexander) practiced at 34 St. Francis Street; see *Business Directory of the Principal Southern Cities* (New York: Dunkley & Woodman, 1866), 341; for brief biographies, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 734-735, and *Memorial Record of Alabama: A Concise Account of the State's Political, Military, Professional and Industrial Progress* (Madison, Wisconsin: Brant & Fuller, 1893), II: 540-545.

My sister's husband, Dr. C.E. Bellamy[,] also died in 1863, at Ringold Ga., of disease contracted in the army, and she also lost her two children during the war—so that she is now left a lone widow, & has my deepest sympathy.

The death of my mother broke up our family.⁴¹ My sister after awhile went to Gainesville Ala., where by the influence of a former schoolmate, (Mrs. Russell) she found a place as teacher in a school, & where she has since found a very pleasant home in the family of Mrs. Mary Anderson a widow, & a firm friend in Mrs. Washington—a daughter of Hon. Jonathan Bliss,⁴² & a sister of Mrs. Russell. My sister supports herself also in good part with her pen, having gained a good reputation as a writer, under the nom de plume of “Kamba Thorpe”—over which signature she has written a number of short stories, & essays, a few pieces of poetry, and one novel Four Oaks, published in 1867[,] and another now being published serially in Appleton's Journal—& afterwards to be published in book form—entitled “The Little Joanna.”⁴³

In the fall of 1869 I began to practice law in my own office, having left the Messrs. Hamilton whom I found eminently just (particularly Mr. T.A. Hamilton) but naturally not much interested in my advancement, in which respect they do not differ probably from most men. My office at first was a dark room on St. Francis Street (No. 52) but for four years I have been at No. 11 South Royal Street.⁴⁴

⁴¹ See Rogers and Clark, *Croom Family*, 214-217.

⁴² For Mary Elizabeth Russell and Martha B. Washington, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 165.

⁴³ *Ibid.*, III:128; and Benjamin Buford Williams, *A Literary History of Alabama: The Nineteenth Century* (Rutherford, New Jersey: Fairleigh Dickinson University Press, 1979), 182-183.

⁴⁴ See *Henry Farrow & Co.'s Mobile Directory for the Year 1875* (Mobile: Henry Farrow & Co., Printers, 1874), 42. By 1880, Croom and his partners, Thomas Hord Herndon, Jr., and Winfield S. Lewis, were practicing at 38 St. Francis Street; see *Henry Farrow & Co.'s*

Soon after I came to Mobile (in 1866) I met Miss Mary Marshall with whom I soon fell in love, being charmed with her great amiability, buoyant spirits, fine figure, and health—and the genuine trustworthiness of her affections. This attraction grew upon me. . .

[Torn Page]

She is a comforter and not a fault-finder. She is of a gloriously cheerful disposition. I have never known her to be gloomy, or have the blues. She is healthy & has a sweet breath. She is extremely cleanly in her person, and neat. . .

[Torn Page]

Last January [1875] I was elected Attorney for the City of Mobile. (The celebrated Admiral Semmes was my opponent for the place.)⁴⁵ The office is a laborious one, & the pay small, being a salary of \$1200 per annum, payable monthly in city scrip[,] which is at present at a discount of seven per cent—& has been lower. The spirit of retrenchment has reduced the pay from \$1500—the former salary. So that though I have more work than any City attorney (of Mobile) ever had I get a good deal less pay. Still it is of great assistance to me—& puts bread in my mouth at a time when many are hard pushed to get it even by hard labor; or rather can not get work to do.

Mobile has sadly receded from the proud position she occupied before the war, when she was the second cotton exporting port in the United States—when wealth and luxury resided within her limits, & all was activity and hope. Now the railroads have cut off her commerce—the carpet-bagger has mortgaged her revenues—and idleness has

Mobile Directory for the Year 1880 (Mobile: Henry Farrow & Co., Printers, 1880), 227.

⁴⁵ For Raphael Semmes, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1526-1527.

impoverished and corrupted her people, who no longer have the same spirit as of yore. One after another of her wealthy & influential merchants have failed and all classes being driven to the strictest economy, her former hospitality no longer prevails, & business is done on a penurious basis.⁴⁶ More than all other Southern cities she seems to suffer from the effects and results of war, & to feel more than most the blight of [N]egro Emancipation,⁴⁷ & unfriendly government. Her people, once so hospitable, so liberal, so refined lighthearted & active, seem gradually settling down under these baleful influences, into a cold, selfish, rigid sort of listlessness—almost despair—which makes me heartily wish I had lived in some land where there was promise.⁴⁸

And now I bring my long preface to a close, having traced the route by which I have come to this stage of my life, & slightly sketched my present surroundings—not very happy truly—& yet I am happier doubtless than most men—with a loving wife, a clear conscience, good health, not very much in debt, some good friends, many pleasant acquaintances, a good reputation, and a means of making a

⁴⁶ For Mobile's economic troubles and its gradual revival in the last quarter of the nineteenth century, see George Ewert, "The New South Era in Mobile, 1875-1900," in Michael V.R. Thomason, editor, *Mobile: The New History of Alabama's First City* (Tuscaloosa: University of Alabama Press, 2001), 127-153.

⁴⁷ Years before writing his journal, Croom had taken part in a public debate on the question of black education and suffrage, urging white southerners to remain consistent to their pre-war position that black people were essentially a subject race, unfit for freedom. See Stephens Croom, "Speech on Black Education and Suffrage" (n.d., circa 1866; title composed by USA staff), in Croom Collection, Box 10, File 8.

⁴⁸ The many tragedies in Croom's personal life parallel his perception of the widespread despair in southern society. For a discussion of post-war angst, see Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South* (New York: Oxford University Press, 1987), 11-35.

living for myself & my wife—& children—if it shall please heaven to give them to me.⁴⁹

I stand & await the future.
Mobile, November 8th 1875.

Nov. 11th. The election for the new proposed constitution⁵⁰ will take place next Tuesday (16th) and last night there was a speaking at the little market.⁵¹ Wm L. Baker⁵² presided

⁴⁹ Croom married Mary Marshall on February 4, 1875. One year later Mary delivered a child, Caroline Howard Croom, who died in infancy. On September 5, 1877 the second child to the marriage, William Whitfield Croom, was born. See Anthony Donaldson, "The Velma and Stephens G. Croom Collection," (unpublished collection guide, USA, 1999), 3.

⁵⁰ Drafted in a convention of September 1875, the constitution of 1875 was one of the cornerstones of "home rule" (i.e., the restoration of Democratic power after Reconstruction). It was most notable for greatly reducing the power (freely used by Republicans under the Reconstruction constitution of 1868) of the state to aid corporations, and for other measures associated with the limited "Bourbon" state government of the late nineteenth century. See Malcolm C. McMillan, *Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism* (Chapel Hill: University of North Carolina Press, 1955), 189-216; and Sarah Woolfolk Wiggins, *The Scalawag in Alabama History, 1865-1881* (University, Alabama: University of Alabama Press, 1977), 72-90.

⁵¹ The "Little Market" was located at the intersection of Dauphin Street, Springhill Avenue, and Wilkerson Street, and was part of Mobile's public market system that had flourished from 1814 until 1867, and after being restructured in 1887, functioned into the first quarter of the twentieth century. See George Ewert, "The Politics of Food: Mobile's Public Markets in the Gilded Age," in Michael Thomason, editor, *Down the Years: Articles on Mobile's History* (Mobile: Gulf South Historical Review, 2001), 203-214. For coverage of the Little Market rally, as well as similar events of the ratification campaign, see *Mobile Daily Register*, November 10, 11, 12, 14, 16, 17, 1875.

⁵² William L. Baker was a son of Mobile merchant Robert A. Baker. For the latter, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 78-79.

& opened the meeting with a very neat speech—Edw. R. Dickson, (Supt. of education for this county)⁵³ followed in a prosy talk—then Inge Smith⁵⁴ with a very good speech—then Tho. H. Price, member of the Legislature,⁵⁵ but I left shortly after he began—knowing how it would be, and sure enough this morning those that remained complain very much about his tediousness. He read a long hour & a quarter lecture—to a handful of men. He is moving heaven & earth for the Congressional nomination, & is so energetic & persevering that he may get it, but he certainly is not the man for the place, not a man of much ability, and not reliable. His long speech, they say, completely broke up John Elliott who was to follow, who could only say the “meme demitte,” [forgive me] & poor fellow he was so anxious to do something in atonement for his long affiliation with the radicals.⁵⁶

The people are very apathetic, & some fears are entertained of a defeat on 16th. There was not one cheer last night. They say that in the country the people are very much put out at the “secession clause”—so called, in the new constitution.⁵⁷ Col. Herndon was the author of that clause.⁵⁸

⁵³ Edward R. Dickinson was superintendent of schools in Mobile and a former official of the University of Alabama; see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 488.

⁵⁴ Richard Inge Smith was a practicing attorney with an office at 42 St. Francis Street; see *Henry Farrow & Co.'s Mobile Directory for the Year 1875*, 223.

⁵⁵ For Thomas H. Price, Harvard-schooled attorney and member of the Alabama house of representatives (1875-1876, 1880-1881), see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1389.

⁵⁶ For mention of John Elliott as a state circuit judge in 1868 (i.e., during a period of Republican rule), see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 534.

⁵⁷ The clause reads, “The people of this State accept as final the established fact, that from the Federal Union there can be no secession of any State,” “Constitution of the State of Alabama, 1875,” art. 1, sec. 35, in Wade Keyes, *et al.*, *The Code of Alabama 1876* (Montgomery:

Tuesday, Nov. 16. This is election day—to decide whether or not the new Constitution shall be adopted. I never saw such apathy. If the Radical (or [N]egro) party is making any exertion it is even more in the dark & secretly than ever. I find two small handbills in my office slips this morning, issued by the Democratic Executive Committee, urging us to vote, but that is all. On Friday night last there was another speaking at the Court House—on our side—Messrs. Peter Hamilton, Jos. Hodgson,⁵⁹ & old Capt. Grant⁶⁰ being the speakers, Mr. Hamilton is a clear logical speaker, but not a captivating one. His voice is not harsh yet not melodious he has no humor, & very little animation. Undoubtedly he is, after Col. R. H. Smith,⁶¹ the ablest lawyer at this bar. He is now state senator, & ambitious to be

Barrett & Brown, 1877), 129. The language of this section caused bitter debate. It retained wording from the “Radical” Constitution of 1868, and although conservatives conceded that secession had been settled by military means, many argued that the constitutional right existed. See McMillan, *Constitutional Development in Alabama*, 193-195.

⁵⁸ Thomas Hord Herndon, Croom’s future law partner, had been a member of the 1875 constitutional convention and would serve in the Alabama legislature (1876-1877) and the U.S. Congress (1879-1883). See Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 803; and Walter L. Fleming, *Civil War and Reconstruction in Alabama* (New York: Columbia University Press, 1905), 754. See also the Thomas H. Herndon Scrapbook Collection, Southern Historical Collection, University of North Carolina.

⁵⁹ Joseph Hodgson was a lawyer, soldier, journalist, and author; see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 823, and Fleming, *Civil War and Reconstruction in Alabama*, 512, 613.

⁶⁰ Croom refers to Captain John Grant, who prior to the Civil War resided at 95 North Conception Street in Mobile. See *Directory for the City of Mobile, 1859*. (Mobile: Farrow & Dennett, 1859), 42.

⁶¹ Robert Hardy Smith was a lawyer and former colonel in the Confederate Army. He was the father of the previously mentioned Richard Inge Smith, and his third marriage was to the daughter of Croom’s future law partner Thomas H. Herndon. See Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1592.

U.S. Senator. He is a valuable legislator, but frequently shows lack of nerve. I did not hear Hodgson's speech. It was I presume as usual—very good but nothing remarkable. Old Capt. Grant (now near 80 years of age) made a very good stump speech, full of terse humor.

Yesterday went to the Circus ("Howe's Great London Circus").⁶² The ring performances rather poor, but the animals interesting. There were five elephants—all without tusks & rather small I thought—a fine camel, a handsome lion, & a cage of tigers into which a man entered, toying with the beasts & making one of them jump through a hoop papered over, & fired off a pistol several times in their midst. It was exciting, but I don't like to witness that performance. The elephant performed well also.

Wednesday, Nov. 17th. Notwithstanding the apathy the new constitution seems adopted by a very large majority—more apathy among its opponents than its advocates.⁶³

Mr. Snagge ("Phoebus what a name")⁶⁴ dined with us yesterday. He is an English Lawyer come here to represent

⁶² For announcements promoting the circus's November 15 performance, see *Mobile Daily Register*, November 11, 1875.

⁶³ On November 16, 1875, the proposed 1875 Constitution was ratified by a vote of 85,662 to 29,217 according to the official count published by the secretary of state. McMillan, *Constitutional Development in Alabama*, 216, citing *Mobile Daily Register*, December 3, 1875.

⁶⁴ The published reports (see *Stanton, et al. v. Alabama & C.R. Co.*, 22 Federal Cases 1065, 1067 (1875)) make it clear that the barrister was Thomas W. Snagge of London. Phoebus is a name of the god Apollo, and translates from Greek as "the shining one"; Croom's reference may be a private joke, or an exclamation along the lines of "By Jove!" Snagge was, as Croom portrays him below, a man of energy and versatility. See, for example, his *Report . . . on the Explosion. . . at Trimdon Grange Colliery on the 16th of February 1882* (N.p., 1882), describing a disaster that killed sixty-nine miners. Snagge would later head an investigation of the "white slave trade" between England and the Continent; see Owen Mulpetre, "The 'Maiden Tribute of Modern Babylon': W.T. Stead and the Making of a Scandal," in *Historicom*:

the English holders of the bonds of the Alabama & Chattanooga Railroad endorsed by the State of Alabama—a very agreeable and witty gentleman but the veriest shylock of a creditor.⁶⁵ Admitting that the State has been most outrageously abused by the Carpetbaggers, & her heavy debt most unjustly imposed upon her, and that she is at present utterly unable to meet these liabilities, & likely to remain unable for many years, he nevertheless exacts the pound of flesh. He inveighs furiously against the new Constitution as a measure of repudiation—or rather forced compromise—and says it is “dishonest sir, dishonest.”⁶⁶ With more justice he assails the Stantons (John C. & Daniel N.), those rascals who have squandered the revenues of the A & C Railroad, including the great sums received by sale of the state-endorsed bonds to Mr. Snagge’s Countrymen.⁶⁷

The Illustrated History Journal (2001), at www.geocities.com/historicom/tribute.htm. In addition, the barrister wrote pamphlets on historical topics. See T.W. Snagge, *Some Account of Ancient Oak Coffins Discovered Near Haltwhistle, Northumberland* (London: J.B. Nichols and Son, 1872), and Sir Thomas Snagge, *The Evolution of the County Court* (London: W. Clowthes and Sons, 1904).

⁶⁵ References to “shylock” and “pound of flesh” are of course allusions to Shakespeare’s *Merchant of Venice*. See, for instance, Act I, Scene 3, lines 145-153.

⁶⁶ The 1875 constitution, the fate of state-endorsed railroad bonds, and the idea of debt repudiation are inextricably linked topics during this period of Alabama history. The 1875 constitution limited the rate of property tax to 7.5 mills, which Republicans claimed as equivalent to repudiation. See McMillan, *Constitutional Development in Alabama, 1798-1901*, 203-205, 212-214. See also Fleming, *Civil War and Reconstruction in Alabama*, 587-605; Wiggins, *The Scalawag in Alabama Politics, 1865-1881*, 72-90; and Allen Johnston Going, *Bourbon Democracy in Alabama, 1874-1890* (University, Alabama: University of Alabama Press, 1951), 65-78, 126-146.

⁶⁷ Classic “Gilded Age” operators, the Bostonians John C. Stanton and Daniel N. Stanton had manipulated both the Alabama legislature and financial markets. In 1871 the A&C defaulted on payments to bondholders; soon it was in bankruptcy. See John Witherspoon Dubose, *Alabama’s Tragic Decade: Ten Years of Alabama, 1865-1874*

At table Inge Smith remarked that the Road was not constructed on the right principle. "Indeed I wish they would but pay the interest," said Snagge. Again it being said that in this country a Railroad runs at pleasure through the streets, or through a man's field, his garden, his yard—"in fact it runs through his whole estate"—put in Snagge. He gave an amusing description of his travels & observations since he had been in this Country—disclosing, among other things, that when he came down the Mississippi River he was afraid to give his name, lest he might be ejected from the boat as a dangerous character—indeed said he I found that the Government has "Snag Boats"—& I was afraid that one of them might get after me.⁶⁸

Tuesday, Novr. 23rd. On Sunday G.M. Roper (commonly called Mont Roper) unexpectedly appeared in the role of a Methodist preacher—being announced in the papers of that morning to preach at the St. Francis Street Methodist Church. This is droll, but not uncommon in that church. He has been & perhaps will continue to be a shoe merchant—retail.

(Birmingham: Webb Book Company, 1940), 177-189, and Fleming, *Civil War and Reconstruction in Alabama*, 591-600. In published reports, the Stantons figure as trustees of the road's first mortgage deed; see *Stanton, et al. v. Alabama & C.R. Co., et al.*, 22 Federal Cases 1065, 1066-1067 (1875). For a survey of the A&C Railroad's bond dealings, see *Alabama v. Burr*, 115 United States Reports 413-429 (1885), in which the state sought to recover damages.

⁶⁸ By the 1870s, government "snag boats" patrolled the Mississippi River searching for dangers to navigation. See Mark Twain, *Mississippi Writings* (New York: The Library of America, 1982), 397 (from the 1883 edition of Twain's *Life on the Mississippi*).

Speaking of preachers, our new minister at Christ Church, Rev. Alex. I. Drysdale[,]⁶⁹ is winning golden opinions from all—and deservedly. For though he is not I think a profound man, nor a brilliant one, yet he certainly is a very agreeable reader & speaker, & has what Demosthenes says is the highest requisite of an orator—earnestness.⁷⁰ Evidently his heart is in his work, & he is a thoroughly good man—cheerfully—not gloomily—good. I like him exceedingly, & have a much higher regard for him than I had for his predecessor, Dr. Fulton—who seemed to look upon the ministry too much as we look upon other professions—who lacked dignity, sometimes, in his high calling.⁷¹

Saw Wm. Butler Duncan (late of Duncan Sherman & Co.)⁷², down here on M. & O. RR. business. He is Receiver of the Road under appointment of the U.S. Circ. [Circuit] Ct.⁷³ The public does not seem to think that he has come out of his great failure with unstained skirts.⁷⁴ And

⁶⁹ *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 54; see also S. Albert Kennington, *From the Day of Small Things: The Story of Trinity Church, Mobile, 1845-1995* (Mobile: Factor Press, 1996), 82.

⁷⁰ See *Plutarch: The Lives of the Noble Greeks and Romans*, translated by John Dryden, revised by Arthur Hugh Clough (New York: Modern Library, n.d.), 1024-1028.

⁷¹ *Henry Farrow & Co.'s Mobile Directory for the Year 1875*, 67. Dr. John Fulton “was considered the champion” in billiard tournaments played at the Spring Hill home of Bishop Richard Hooker Wilmer; see Kennington, *From the Day of Small Things: The Story of Trinity Church, Mobile, 1845-1995*, 111.

⁷² Duncan, Sherman & Co. was a New York banking firm; see *Duncan v. Jaudon*, 82 United States Reports 165, 167 (1872).

⁷³ See *Davis v. Duncan, Receiver, and Another*, 19 Federal Reporter 477, 479-480 (1884). For a brief history of the Mobile and Ohio, see James F. Doster, *Railroads in Alabama Politics, 1875-1914* (University, Alabama: University of Alabama Press, 1957), 59.

⁷⁴ Duncan and some of his associates had been sued in New York state courts by a number of their creditors. Some of these suits were tailored “to reach assets alleged to have been transferred by the debtors in fraud of creditors.” On December 18, 1875, Duncan and others were declared

certainly his transfer of property to members of his family do[es] remind one of Tweed—nor does his course of management about the M. & O. RR. look altogether fair.⁷⁵

Novr. 26th. Friday. Yesterday was Thanksgiving Day—but not very generally observed. On Wednesday the machine shops of the M. & O. RR. at Whistler—or a good part of them—were burned—loss said to be about \$50,000.

Old Mr. C. Beroujon the well-known undertaker who has buried his thousands is himself buried today.⁷⁶

The equine “Epigootis” has made its appearance here again, but it is not near so bad as it was two years ago, when the drays & street Rail-roads had to stop running for about a week—nine tenths of the horses being laid up with the disease. But a considerable number are affected now, & many are heard coughing in the street.

Novr. 30. Tuesday. Tonight I go to Greenville, to attend to a case there in which the Life Association of America (whose attorney I am) is sued for \$6000.

Snagge, the Britisher, is still here—very much astonished at the freedom of American manners—& much delighted at it.

To night from the steps of the Custom House he might be seen practicing for the German—the “Boston dip!”—with Miss Pratt in the parlor of the Battle House—a decided step downward from the dignified position of a

bankrupts in federal court (Southern District of New York). See *In re Duncan, et al.*, 8 Federal Cases 1-8 (quote on 2) (1876).

⁷⁵ For the many crimes of Tammany Hall boss William Marcy Tweed (1823-1878), see Denis Tilden Lynch, “Boss” Tweed: *The Story of a Grim Generation* (New York: Boni and Liveright, 1927).

⁷⁶ *Henry Farrow & Co.’s Mobile Directory for the Year 1875*, 13. Claude Beroujon’s family carried on the business after his death; see *Henry Farrow & Co.’s Mobile Directory for the Year 1880*, 13, 269.

learned barrister in which I held him.⁷⁷ I don't like him as much as at first. The snob is apparent in him—the well-informed snob.

Miss Clara Crawford was buried today. I was not aware of her death until the hour of her funeral. An old time friend of mine—& her mother is a most charming old lady. Miss Clara was an epileptic & of late years the malady had grown so that she had become a great care to her family, & it is better she has gone.

Decr. 4th. Saturday. Went to Greenville—spent Wednesday there. Removed my case (J.M. David vs. Life Association of America) to U.S. Court at Montgomery. I was afraid of the jury I might get—not of the Judge—for I was very favorably impressed with old Judge John K. Henry⁷⁸—of whom all speak well—and who is evidently a man of firm integrity and seemed a very fair lawyer. He presides with dignity, & exacts silence & decorum from all in his court.

Col. Herbert,⁷⁹ of that bar, is a pleasant, obliging gentleman & a good lawyer—& fair speaker.

I was highly amused at Mr. _____ Gamble's manner before the jury.⁸⁰ He is a regular screamer—& yells worse than Boyles⁸¹ or Gibbons⁸² of the Mobile Bar, before a jury—tho in contortions of the countenance Judge Gibbons

⁷⁷ A "German" was "a dance consisting of capriciously involved figures intermingled with waltzes," or in this case an occasion at which a German was to be danced. See Philip Babcock Gove, editor, *Webster's Third New International Dictionary* (Springfield, Massachusetts: G. & C. Merriam Co., 1965), 951.

⁷⁸ For John K. Henry, see Brewer, *Alabama: Her History*, 148.

⁷⁹ For Hilary Abner Herbert, who would serve as Secretary of the Navy in Grover Cleveland's first administration, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 798.

⁸⁰ For John Gamble, see *Ibid.*, III: 631.

⁸¹ For William Boyles, see *Ibid.*, III: 191-192.

⁸² For Lyman Gibbons, see *Ibid.*, III: 651-652; and Brewer, *Alabama: Her History*, 418-419.

can beat him. Gamble's face is, indeed, as hard & unpliant & unsympathetic as if carved in wood—& he has lost an eye. They say he is a tricky unreliable fellow—but a very good lawyer. Powell the Probate Judge (with whom I had some business)—formerly a member of the Legislature, has a repellent, untrustworthy face—indicative of his character as told me afterwards.⁸³

Ex Gov. Thos. H. Watts⁸⁴ was also in Greenville—which is I believe his native place. He is a glorious old fellow. I like him very much. A good lawyer—a generous, genial man—easy as an old shoe—careless in his dress—negligent of his own interests—eager to befriend anybody—everybody's friend—honorable, reliable, public-spirited & patriotic—& shingled all over with his own and a good many other people's debts—for whom he has freely endorsed. He is evidently a sort of king in Butler County & was surrounded by an admiring coterie of old farmers listening to his "talk"—of which he has an inexhaustible supply.

The people up there seem to be doing tolerably well—no want—but no wealth. The decline of society, however, in all our interior towns is melancholy.

I dined & afterwards spent the evening with my friend & old army companion Maj. Jno. [John] F. O'Brien—a splendid little fellow. Met at his house his mother a Spanish lady & very sprightly for her age—his sister Miss O'Brien—his wife—& Miss Cora Moreno of Pensacola—a very intelligent girl, apparently.

Nothing of interest going on in Mobile. Thos. D. Bell a well known stevedore died last night.

⁸³ For a passing reference to J.L. Powell, see Brewer, *Alabama: Her History*, 150.

⁸⁴ For Thomas Hill Watts, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1732-1733.

Decr. 8. [N]ight. Have just returned from Mrs. Evans, where my wife stays all night to sit up with the corpse of Braxton Bragg's (Jr.)⁸⁵ infant daughter, which died last night of spasms. The body lay on a table very tastefully dressed—and certainly exquisitely beautiful—looking like a most delicate piece of wax work. Mrs. Bragg was Miss Virginia Evans (my wife's second cousin). She is *Ensuite*⁸⁶ again, & the shock of this child's sudden death makes the mother's condition dangerous.

Mrs. Augusta Wilson's⁸⁷ new book "Infelice" is out—(Mrs. W is a sister of Mrs. Bragg). I haven't read it but they say it is like the others—full of high-sounding words & phrases[,] bombastic men & impossible women⁸⁸—but with an improved plot. The short preface, consisting merely of an extract from Disraeli's "Lothair" is an admirable stroke—forestalling & defying the critics most completely.⁸⁹ Whatever may be said of Mrs. Wilson's literary

⁸⁵ The Braxton Bragg to whom Croom refers was the son of Mobile lawyer John Bragg; see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 200. For Blanche Bragg's funeral notice, see *Mobile Daily Register*, December 9, 1875.

⁸⁶ According to *Webster's Third New International Dictionary*, 756, "ensuite" is defined as "in an integrated, functional unit," as in "rooms arranged ensuite." It is likely that Croom is using the term as a euphemism for "confined," which *ibid.*, 476, defines as "in childbed" or "in the course of childbirth."

⁸⁷ For brief biographical and critical surveys of the very successful author Augusta Jane Evans Wilson, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1782-1783; and Williams, *Literary History of Alabama*, 183-194.

⁸⁸ Wilson's most celebrated book, *St. Elmo*, had been published in 1866 and would remain popular into the twentieth century. It featured a wicked but redeemable hero, a pious heroine, and melodramatic scenery. For discussion of a book that "took popular culture by storm," see Diane Roberts, "Introduction," in Augusta Jane Evans, *St. Elmo* (Tuscaloosa: University of Alabama Press, 1992), v-xxiii (quote on vi).

⁸⁹ See Benjamin Disraeli, *Lothair* (New York: D. Appleton and Company, 1870). For Wilson's preface, see *Mobile Daily Register*, December 12, 1875.

style and taste she certainly is herself the most excellent of women—a true woman, a good woman, and indeed a very smart one. No one who knows her only from her books would imagine that she is a most excellent housekeeper, and poultry raiser. Yet such is the fact.

I don't like her books—I don't think a person of cultivated literary taste *can* like them. But I like *her* very much indeed.

Decr. 21. Spent last week at Montgomery, in attendance on the Supreme Court—vainly expecting that I should be able to try some of my three cases. They decided among others the cases of *Waring vs. Heirs of Lewis, & Kelly v. Malone*—cases which involved the investments of fiduciaries in Confederate Securities.⁹⁰ In the former I was interested as associate counsel with Col. R.H. Smith⁹¹— & was much disappointed but not surprised. *Kelly & Malone* was Hannis Taylor's⁹² great case. It is a Waterloo defeat to him, & he takes it very hard—but he had no case.

Judge Brickell⁹³ read the opinions in both cases. He is a very clear headed man—& an able judge—though not so

⁹⁰ *Waring v. Lewis*, 53 Alabama Reports 615 (1875) was a case in which Croom and his co-counsel represented heirs who sought to recover from one of the sureties (*Waring*) of a deceased executor; in the process they challenged, in a chancery court, the decisions of a probate court—to Justice Brickell's annoyance. In *Malone v. Kelley, et al.*, 54 Alabama Reports 532 (1875), Taylor represented a woman who settled a controversy in 1866 with her uncle-trustee, but decided eight years later that she had made the agreement under duress. Both cases involved actions and instruments of the Confederate government.

⁹¹ For Robert Harding Smith, see Brewer, *Alabama: Her History*, 425-426; and Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1592.

⁹² For Taylor's careers as lawyer, diplomat, historian, and legal author, see Tennant S. McWilliams, *Hannis Taylor: The New Southerner as an American* (University, Alabama: University of Alabama Press, 1978).

⁹³ For Robert Coman Brickell, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 214.

able as he doubtless thinks—for he is very conceited. His style is clear but he lacks conciseness and condensation. His opinion in *Kelly v. Malone* is tiresome. It is delightful to see him contented with his position. Judge Manning⁹⁴ seems— [blank space on page] He is very affable to all, & seems to take pains to notice young men—& is very popular with us. He lacks decision—& this defect is heightened by his great anxiety to do right. But he is a very safe judge—& when he decides a case the loser always has the consolation of thinking that the judge believes he is right, & divested himself of all bias. I visited his family—his wife & two daughters. They are like him thoroughly good people—gentle & refined & with no “airs” about them. Little Miss Bessie looks like a cherry.

Judge Judge⁹⁵ is in very bad health—not long for this world all think. A good judge but nothing remarkable I think.

J. Wm. Moses⁹⁶ drove me all over the city—and a very pretty place it is. There are a greater number of fine residences than in Mobile—& built in better style—though some have a “loud” appearance that is disagreeable. —Col. Herbert’s house, for instance. Moses is well posted in literary matters—but no lawyer I think—he makes too fine points & he is too much of a diletanti fellow—but pleasant, & attentive to me—in return for my attentions to him here last spring. He took me to see Mrs. George Ball, (a

⁹⁴ For Amos Reeder Manning, see Brewer, *Alabama: Her History*, 427-428, and Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1156.

⁹⁵ For Thomas James Judge, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 951.

⁹⁶ Jesse D. Beale, *et al.*, *City Directory and History of Montgomery, Alabama: With a Summary of Events in that History, Calendarically Arranged* (Montgomery: T.C. Bingham, 1878), 167, lists the firm of the Moses Brothers—A.H., M.L., and H.C. Moses, “real estate and insurance agents”—but does not contain a listing for J. William Moses.

niece of Henry W. Hilliard)⁹⁷ with whom he seems highly pleased as a well informed & entertaining lady. I thought her somewhat superficial—like her uncle—but she did talk right along.

At night we would place cent ante poker, at Boyles' room at the Exchange—Inge Smith⁹⁸ & I, Boyles,⁹⁹ J. Little Smith¹⁰⁰ & old Judge W.G. Jones.¹⁰¹ It was funny to hear the old judge say “Now boys what do you say to my blind?”—& to think of him carrying round the plate in Trinity Church.¹⁰² Once he went to laugh & dropped his false teeth on the table. . .

Tom Price was there (at Supreme Court).¹⁰³ Somehow I cannot like him. He is too much of a Price man—& he isn't reliable. Don't keep his word strictly, nor stick up to his friends, & he is so “hell-bent” on going to Congress that sensible men turn up their noses at his caperings—which he doesn't know are understood. Coming down on the train he & one of his rivals for Congress—Nick Stallworth¹⁰⁴—had a long talk. It was

⁹⁷ For Hilliard, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 814.

⁹⁸ For Inge Smith, see n. 54, *supra*.

⁹⁹ For William Boyles, see n. 81, *supra*.

¹⁰⁰ For J. Little Smith, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1584.

¹⁰¹ For William Giles Jones, see *ibid.*, III: 944, 947; and Tony Freyer and Timothy Dixon, *Democracy and Judicial Independence: A History of the Federal Courts of Alabama, 1820-1994* (Brooklyn, New York: Carlson, 1995), 274.

¹⁰² Croom would be a pallbearer at Jones' 1883 funeral at Trinity Church, as was Hannis Taylor; J. Little Smith was an honorary pallbearer. See Kennington, *From the Day of Small Things: The Story of Trinity Church, Mobile, 1845-1995*, 88-89.

¹⁰³ For Thomas H. Price, see n. 55, *supra*.

¹⁰⁴ For Nicholas Stallworth, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1611-1612.

amusing to see them—par nobile patr[i]um¹⁰⁵—both contemptible. . .

Decr. 27. The trial of Allen G. McCants¹⁰⁶ for obtaining money under false pretenses has been progressing in the City Court for a week, the evidence being concluded to day. Peter & Tom Hamilton & Col. Herndon¹⁰⁷ for the accused—D. C. Anderson¹⁰⁸ & McKinstry¹⁰⁹ prosecuting—Tom McCartney,¹¹⁰ the acting solicitor taking no part (a friend of McCants). A. Proskauer the prosecutor.¹¹¹ It

¹⁰⁵ By this problematical phrase, Croom probably meant to say that Price and Stallworth were “quite a pair” of his countrymen (i.e., Alabamians). For relevant definitions, see S.A. Handford and Mary Herberg, *Langenscheidt's Pocket Latin Dictionary* (Berlin: Langenscheidt KG, 1966), 211, 227, 229.

¹⁰⁶ *Henry Farrow & Co.'s Mobile Directory for the Year 1875*, 118, lists the firm of Allen G. McCants & Co., Cotton Factors, at 18 North Commerce Street. *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 239, lists the McCants Brothers (Allen G. and John J. McCants) as cotton brokers at 14 St. Louis Street.

¹⁰⁷ For Thomas Hord Herndon, see n. 58, *supra*.

¹⁰⁸ For Decatur C. Anderson, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 38.

¹⁰⁹ *Ibid.*, IV: 1125-1126. Alexander McKinstry, a notable lawyer, was a Unionist who had served in the Confederate army. He was elected to the state legislature in 1865 and 1868. Later he was a delegate to the constitutional convention of 1867, and by 1869 had joined the Republican Party. McKinstry served as Lieutenant Governor from 1872-1874. See Fleming, *Civil War and Reconstruction in Alabama*, 756-760, Wiggins, *Scalawag in Alabama Politics*, 53-55, and William Garrett, *Reminiscences of Public Men in Alabama for Thirty Years*. (Atlanta: Plantation Publishing Company's Press, 1872), 760; see also *Henry Farrow & Co.'s Mobile Directory for the Year 1874* (Mobile: H. Farrow & Co., Printers, 1874), 305.

¹¹⁰ Thomas N. McCartney had practiced law in Mobile for at least as long as Croom; see *Business Directory of the Principal Southern Cities*, 341. *Henry Farrow & Co.'s Mobile Directory for the Year 1875*, 223, lists a firm, Taylor & Macartneys, at 51 St. Francis Street.

¹¹¹ A. Proskauer & Co., Cotton Factors, at 26 North Commerce Street, are listed in both *Henry Farrow & Co.'s Mobile Directory for the Year*

seems McCants borrowed some \$8000 from Proskauer, or rather sold him Exchange for about that amt. on Liverpool, representing that he had £4000 with Baring Bros. [ro]m which he could draw—which was not a fact. McCants' defense is that he thought he had or would have about that amount there.¹¹² The \$8000 he got from Proskauer he paid over to his relative Col. M.G. Towles¹¹³ and then failed.

It is an ugly transaction—but not an infrequent one. The merchants of this place are too much addicted to that sort of thing, & it should be severely rebuked. I think McC is guilty but that he will be acquitted. It is a weak jury. McC has stood well & is connected by marriage with the Crawfords & Stewarts—and here it may be remarked that both Col. Crawford¹¹⁴ & Mr. Wm. Stewart¹¹⁵ have made discreditable failures. Yet it doesn't seem to affect the social standing of their families. At the McCants trial Mr. Tom Hamilton is the most active man, in his curious & wearisome way. He has some 50 or 60 law books spread out before him, takes innumerable notes, objects to everything, agrees with nobody, & has done more to protract the trial than everybody else—that's his way—but

1875, 159, and *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 163, 239.

¹¹² For press coverage of testimony in this trial, see *Mobile Daily Register*, December 23, 25, 28, 1875.

¹¹³ Morris G. Towles was a bookkeeper who worked with McCants from 1866-1872. See *Mobile Daily Register*, December 25, 1875; and *Henry Farrow & Co.'s Mobile Directory for the Year 1874*, 197.

¹¹⁴ James Crawford (1807-1881) was a merchant associated with several firms, including Crawford, Walsh, Smith and Company. See Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 420.

¹¹⁵ William Stewart is identified in antebellum court reports as a native Pennsylvanian who divided his time between Pittsburgh and Mobile, "being interested in several steamboats that ply on the Alabama and Tombigbee rivers." See *Battle v. The Corporation of Mobile, Stewart v. The Same*, 9 Alabama Reports 234-235 (quote on 235) (1846); and *McGrew and Harris v. Walker*, 17 Alabama Reports 824 (1850).

he is a very faithful man to his client. Peter Hamilton sits & pulls his eyebrows & chews an unlighted cigar with immense gravity—& by his air seems to say—“I’m the heavy man—I’m sir oracle!”¹¹⁶ I am the Senator.” He has taken on an immense deal of vanity since he became senator—but indeed he has great talents to be vain about.¹¹⁷ Col. Herndon seems not to say much—saving himself for the argument, & he will be the power of the defense there. Mr. D.C. Anderson is the most graceful and pleasant speaker at this bar—but not a deep lawyer. McKinstry as usual badgers, goads, & insults. He is perhaps the best criminal lawyer in the batch. O.J. Semmes presides with considerable dignity.¹¹⁸ He makes a better judge than it was thought he would, but he is too fond of fine distinctions. He always favors an ingenious construction to the detriment of the spirit of the law.

Col. Charles T. Ketchum died the other day at his plantation & was buried here, died very suddenly while walking across the yard. He was the best, though the least talented of those three brothers.¹¹⁹

¹¹⁶ Croom is paraphrasing Shakespeare’s description (*Merchant of Venice*, Act I, Scene 1, lines 96-98) of one who strives to give an impression “of wisdom, gravity, profound conceit; as who should say, ‘I am Sir Oracle, and when I ope my lips, let no dog bark!’”

¹¹⁷ Peter Hamilton was elected state senator in 1872. His son, Peter Joseph Hamilton, also displayed great talents as a lawyer, federal judge of Puerto Rico, and prolific author of legal and historical works. See Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 734-735.

¹¹⁸ For Oliver John Semmes (son of the famous Raphael Semmes), see *ibid.*, IV: 1525-1526, and DuBose, *Alabama’s Tragic Decade*, 314, 318.

¹¹⁹ See *Mobile Daily Register*, December 23, 1875. Charles Thomas Ketchum was a cotton merchant, planter, and Confederate colonel who died on December 22, 1876, in Washington County, Alabama, at the age of 60. His brothers were Maj. William H. Ketchum and Dr. George Augustus Ketchum who, with Dr. J.C. Nott and others, organized the

Mr. Prince's (Gertrude Ingersoll) boy (aged 7) was buried Christmas Eve. Consumption, both sides of the house. She was almost hysterical in her sobs at the funeral, & the whole family much affected.¹²⁰

Speaking of consumption, I saw Ned Macartney today, & was shocked at his wretched appearance. He cannot live long I think poor fellow—yet he said he thought he was improving! Two of his brothers are threatened the [same] way & Bestor¹²¹ think[s] that even Tom shows symptoms of decay. It is very strange. They were the stoutest boys in the city four or five years ago—all of them¹²² . . .

A rather dull Christmas. People too poor for display. A good deal of drunkenness—much money burnt in firecrackers, & Christmas is over. I dined generally at home, & made & received presents from my wife & sister. We went to see Barry Sullivan in "The Gamester" the other evening.¹²³ I was very much pleased with his acting, but the play was literally ruined by a great, gawky, ill-dressed

Medical College of Alabama. See Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 968, 971.

¹²⁰ For Gertrude Prince, age 21 and living in Mobile's 2nd Ward, see *Alabama 1870 Census Index*, (Bountiful, Utah: Heritage Quest), II: 357.

¹²¹ Text not clear, but probably refers to lawyer Daniel P. Bestor; see *Henry Farrow and Co.'s Mobile Directory for the Year 1875*, 223.

¹²² There were at least three McCartneys, apparently all lawyers--Thomas N., Charles D., and Mathew E. See *Henry Farrow & Co.'s Mobile Directory for 1874*, 124, 128, 304. It is not clear which of these was "Ned." Thomas N. Macartney survived at least another five years; see *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 227.

¹²³ See *Mobile Daily Register*, December 17, 18, 22, 1875. Thomas Barry Sullivan (1824-1891) was an English Shakespearean actor who made his debut at Cork in 1837, and was described during the 1850s by the *London Times* as the leading legitimate actor of the British stage. See P.J. McCall, *In the Shadow of St. Patrick's: A Paper Read Before the Irish National Literary Society, April 27, 1893* (Dublin: Sealy, 1894).

woman who played Mrs. Beverly—(Miss Fisk was her name). The audience laughed out in the most serious parts.

Decr. 30. McCants was convicted on all five of the counts of the indictment against him. I did not expect it, though I think him guilty. The penalty cannot be less than ten years, which I think is too severe.¹²⁴ Every one admits that, right or wrong, the conviction will have a very salutary effect on Commerce Street.¹²⁵ Men will be more correct in their dealings. It is a fearful blow to his wife, and very mortifying to his family & his very respectable connections. Mr. Anderson¹²⁶ made *the* speech of the trial—and one of the best made here in a criminal case since the war. Col. Herndon made a good speech they say, (for I didn't hear him, much). He was overshadowed by Anderson, & I think he feels it. He is bitter on Anderson, saying he misrepresented evidence, wilfully, & was guilty of other [un]professional conduct. It is the consolation of defeat to say such things. Peter Hamilton speaks similarly of Anderson—his bosom friend.

The U.S. Circ. Court is in session, & and the great Alabama & Chattanooga Rail Road case is up.¹²⁷ Snagge

¹²⁴ Three weeks later, Judge Semmes set aside the guilty verdict on a technicality and granted a new trial; for this startling development and for a summary of the case, see *Mobile Daily Register*, January 19, 1876.

¹²⁵ Commerce Street in Mobile was a popular address for most of Mobile's cotton factors. See, *Henry Farrow & Co.'s Mobile Directory for the Year 1873*. (Mobile: Henry Farrow & Co., Printers and Publishers, 1873), 243, 245.

¹²⁶ For Decatur C. Anderson, see n. 108, *supra*.

¹²⁷ The Alabama and Chattanooga Railroad matter (see n. 67, *supra*) might almost be a prototype of complex litigation. Croom's friend Snagge appeared in two identically styled equity cases before the Circuit Court. The first, *Stanton, et al. v. Alabama & C. R. Co.*, 22 Federal Cases 1065-1070 (1875), involved challenges to the September 1875 report of Special Master Philip Phillips of Washington, D.C. Snagge represented holders of the road's "first mortgage bonds"—

began to speak yesterday morning & has not yet concluded—still speaking to night. His discourse is not a legal argument but is a most lucid narration of the history of that chaotic cause, & a most masterly expose of the rascally doings of the ring that has heretofore controlled the Road—J.C. Stanton, D.N. Stanton, W.F. Drake, F.B. Loomis, Lewis Rice et als.¹²⁸ His courage in these attacks is admirable. He even dared to tell the Judge (Woods)¹²⁹ that he had allowed himself to be imposed upon, & had signed a manifestly improper decree. This he did with infinite tact & delicacy, laying the blame on J.C. Stanton & on Frederick Love of New York, the attorney who drew the decree—but the sting remains to the Judge. His sarcasm is very pungent & very humorous. His manner is easy, conversational—rarely rising to vehemence. It is one of the most plain[-]spoken speeches I ever heard. There is no mincing matters. He turns & looks Stanton straight in the face, & tells him he has committed vast frauds—wilfully committed them: and he makes it manifest too.¹³⁰

bonds that under prior rulings had been assigned a status inferior to that of later instruments issued by the referees in bankruptcy. In the second case (at 22 Federal Cases 1070-1073), Snagge argued for holders of low-numbered first mortgage bonds who sought to secure an advantage over holders of bonds issued in excess of statutory limits.

¹²⁸ The printed record identifies the Stantons (see n. 67, *supra*) and Francis B. Loomis as trustees of the “first mortgage bonds.” They were given control of the railroad in August 1874 after its condition had deteriorated during the receivership (1872-1874) of Lewis Rice and William J. Haralson, who had greatly abused their fund-raising powers. See 22 Federal Cases 1066-1068. For William J. Haralson, see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 742.

¹²⁹ For William Burnham Woods (circuit judge, 1870-1880; justice of the U.S. Supreme Court, 1880-1887), see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1805; and Freyer and Dixon, *Democracy and Judicial Independence*, 63.

¹³⁰ For newspaper coverage of Snagge’s opening speech (and other lawyers’ responses), see *Mobile Daily Register*, December 30, 1875, January 1, 4, 5, 1876.

It startled me into the realization of our subjection to the government. Every body knows that these fellows have been cheating all along. Yet we must wait for this British lawyer to come to boldly denounce them. We have been cringing under the frown of these U.S. Judges—every one of whom is either corrupt or so eaten up with hate of the south, & prejudice, that he can see no good in us. The greatest injury we have suffered from the tyranny of that infamous rascal Busted is the effect his conduct has had upon the manhood of the bar.¹³¹ Some men of talent & position, but of no great predilections in favor of honor—(such as Jno. [John] Elmore¹³² of Montgomery, for instance, and Sam Rice,¹³³ & Boyles¹³⁴ of Mobile) found it to their interest to be complacent with this execrable villain. The weaker vessels followed—till there was no manhood left in us. Then came Woods, a man of ability—& of quasi integrity—(for men know not whether to think him corrupt)¹³⁵—with his favorites—such men as Southworth,¹³⁶

¹³¹ Richard Busted was an outspoken emancipationist and Union brigadier-general appointed by Abraham Lincoln as Alabama's federal district judge (northern, middle, and southern districts) on November 17, 1863. Controversial from the first, Busted served from 1865 until 1874, when he resigned in the face of (renewed) efforts to impeach him. See Wiggins, *Scalawag in Alabama History*, 52, 90; and Freyer and Dixon, *Democracy and Judicial Independence*, 268. For a fair idea of native white anger against Busted, see Fleming, *Civil War and Reconstruction in Alabama*, 744.

¹³² For John Archer Elmore (who had formerly been William Lowndes Yancey's law partner), see Brewer, *Alabama: Her History*, 457-458.

¹³³ For Samuel Farrow Rice (who prior to the Civil War had served as chief justice of the Alabama Supreme Court), see Brewer, *Alabama: Her History*, 470-471.

¹³⁴ For William Boyles, see n. 81, *supra*.

¹³⁵ Freyer and Dixon, *Democracy and Judicial Independence*, 63, observe that William Burnham Woods and John Bruce (Busted's successor) "were socially accepted and professionally respected as effective judges by Alabama's bar, despite their Republican and Reconstruction origins."

& Gaynor¹³⁷ & Burke¹³⁸—with his canker of hate to this people—ill-natured on the bench, disliking certain men & therefore impatient with them—sacrificing young men in his complaisance for the older ones. Ah well! I don't know that he is corrupt, probably not, but he is blind in his prejudices.

Jim Webb¹³⁹ of Greensboro dined with us today—a good fellow but such a chatterer. Also Roulhac¹⁴⁰ of Greensboro, evidently a young man of high talents & fine appearance, but rather pompously conscious of both—but as polite as a Frenchman.

—1876—

January 3rd. Well! The holidays are fairly passed, & I'm glad, for it is a season of confusion which I don't much enjoy. The parades of the mystic societies was [sic] unusually fine.¹⁴¹ The Cowbellions represented "The Wars of

¹³⁶ Freyer and Dixon, *Democracy and Judicial Independence*, 283, list John P. Southworth as United States Attorney for the Southern District of Alabama in 1869.

¹³⁷ *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 72, lists William C. Gaynor as an attorney and "claim agent."

¹³⁸ No Burke is listed as a Mobile lawyer for 1875 or 1880 in the *Henry Farrow* directories; but Joseph W. Burke was the first Special Master assigned, under a decree of January 1874, to oversee the bankruptcy of the Alabama and Chattanooga Railroad. See 22 Federal Cases 1066.

¹³⁹ For James E. Webb, see Owen, *History of Alabama and Dictionary of Alabama Biography*, IV: 1738.

¹⁴⁰ For Thomas R. Roulhac, see *ibid.*, IV: 1468-1469.

¹⁴¹ For a newspaper account, see *Mobile Daily Register*, January 1, 1876. For the origins of the "Cowbellion de Rakin Society," the "Strikers Independent Society," and "T.D.S." (the "Tea-Drinkers Society" or "The Determined Set"), all mentioned below, see Harriet E. Amos, *Cotton City: Urban Development in Antebellum Mobile* (University, Alabama: University of Alabama Press, 1985), 65. See also Sam Kinser, *Carnival, American Style: Mardi Gras at New Orleans and Mobile* (Chicago: University of Chicago Press, 1990); and

the Roses.”¹⁴² Their dresses came from Europe and were really fine, but this didn’t show on the streets. Their lights were the best I have ever seen. The Strikers’ theme was “Jerusalem Delivered” —of Tasso—& they made far the best display in the street. Their cars—six in number—each had an elaborate structure on them—first Mount Lebanon, a huge structure—with Peter the Hermit at the foot & the angel Gabriel on high—then a great tower & battering ram—then the Enchanted barque decidedly the finest thing I have ever seen in any parade—then a forest (of five trees) the centre one hollow arranged with an opening from which Armida nicely stepped, then the car of the angels each on an elevated pedestal, (I was on this car—an angel with wings!)—also the Devil & his Court—a fine car.¹⁴³ The Strikers had bad lights. Their costumes were appropriate & looked exceedingly well in the streets, but were rather flimsy. The T.D.S. were not numerous, but their design—“Recollections of Childhood” was very well executed & very amusing. Fe-Fo-Fum—Mother Hubbard—Jack & Jill,

Frances Annette Isbell, “A Social and Economic History of Mobile, 1865-1875” (M.A. Thesis, University of Alabama, 1951).

¹⁴² The Cowbellions’ reference was to the fifteenth-century conflicts between England’s rival houses of York and Lancaster; but the phrase “War of the Roses” was in common use in the nineteenth-century south. See Austin L. Venable, “Alabama’s ‘War of the Roses,’” *Alabama Review*, 8 (October 1955), 243-259; and Robert L. Taylor, Jr., “Tennessee’s War of the Roses as Symbol and Myth,” *Tennessee Historical Quarterly*, 41 (1982, No. 4), 337-359.

¹⁴³ Croom refers to Torquato Tasso’s *La Gerusalemme Liberata* (1581). This epic poem on the first Crusade was available in several English editions in the nineteenth century, perhaps most notably those translated and introduced by J.H. Wiffen (London, 1826, 1857; and New York, 1853, 1865, 1869, among others). For a brief treatment of the poem (and of the sorceress Armida) see Ivor H. Evans, editor, *Brewer’s Dictionary of Phrase and Fable*, Centenary edition (New York: Harper & Row, 1981), 51, 610.

et id omne genus¹⁴⁴—many in paper mache & admirably executed. They captivated the vulgar eye more particularly—but they were excellent burlesque representations. . .

[Torn Page]

[January 8 or 9]

futile as it is undesirable—undesirable to the Irish. But they will never see it. Ireland has some wrongs but she is as much responsible for them as England. It is very unfortunate that the Irish are so blindly attached to the Roman Catholic Church.¹⁴⁵ The bigotry & venom of the priests has poisoned her cup. The better condition & prosperity of the Northern or Protestant county (Ulster) is evidence of this. O'Connor Power¹⁴⁶ is an easy & fluent speaker, evidently well educated & has not much brogue. He seems about 35 or 40—of a good figure, but a homely, pock-marked face.¹⁴⁷

¹⁴⁴ The Latin is problematical, but roughly translates as “and all of that kind.”

¹⁴⁵ Prejudice against Roman Catholicism and the Irish was widespread in nineteenth-century America. The post-bellum Catholic Church provided substantial assistance to African Americans, especially in the cities—a practice opposed by northern and southern Protestant denominations. See Fleming, *Civil War and Reconstruction in Alabama*, 646.

¹⁴⁶ John O'Connor Power was Member of Parliament for County Mayo, Ireland, and an advocate of Home Rule. He spoke in Mobile on January 7, 1876; Croom was one of the dignitaries on the platform. Power cancelled a second speech due to illness; see *Mobile Daily Register*, January 8, 9, 11, 14, 16, 1876; see also John O'Connor Power, *Irish Political Prisoners: Speeches of John O'Connor Power in the House of Commons on the Subject of Amnesty, etc.* (London: N.p., 1878).

¹⁴⁷ For an example of Croom's tendency to stereotype Irishmen, see his “Speech Supporting the Candidacy of Col. Mann for the Legislature” (n.d., circa 1870s; title composed by USA staff), 3-4, Croom Papers, Box 10, File 9. For Croom's analogous feelings concerning Jews, see USA copy of the original Croom Journal, 66, and Croom's college essay, “The Persecution of the Jews”; in the latter, Croom argues that the United States should “guarantee to the Jew all that we guarantee to

The death of Miss Isabel Kennedy, only daughter of Joshua Kennedy (decd.)¹⁴⁸ is announced this morning—her mother's only child.

Jany. 13. Miss Belle Kennedy poisoned herself accidentally. At first there was a good deal of indignation against Dr. W.J. Murrell¹⁴⁹ their family physician, who, it was said, had given her a gargle which was poisonous if swallowed; but Mr. & Mrs. Barnewall (Mrs. Kennedy) published a card, exculpating Dr. Murrell, & saying that it was the result of their daughter's own sad mistake.¹⁵⁰ They say that the word "poison" was written plainly on the package from which Miss K. took it, & that she had to pound it up to take it. But there is no suspicion of suicide. It was a notion she took it seems to try that substance for a gargle.

Judge Woods has rendered his opinion in the Ala. & Chattanooga R.R. muddle. It is characteristic—sustaining all the flimsy frauds & jobs which [Special Master Philip]

others," in order "to make of him a true man[,] a true Christian, a true American." See Croom Collection, Box 10, File 4.

¹⁴⁸ *Mobile Daily Register*, January 9, 1876. Joshua Kennedy, a landowner, had died in 1838. See *Wiswall v. Stewart & Easton*, 32 Alabama Reports 433-434 (1858).

¹⁴⁹ Dr. W. J. Murrell practiced at 94 St. Francis Street; see *Henry Farrow & Co.'s Mobile Directory for the Year 1880*, 29.

¹⁵⁰ Isabel Kennedy's name would surface again, in association with the Murrell family, nearly two decades later—in connection with a mysterious piece of paper, allegedly found in the street outside her mother's home, said to contain information concerning a "memorial chalice" to be made in Isabel's honor. The existence of the paper was discussed in trials over the legitimacy of a will presented by William Barnewall, who claimed it was the last will and testament of his wife, Mary E. Barnewall, who had died in June 1894. Eveline Murrell, Mrs. Barnewall's niece, was one of the parties contesting the validity of the will. See *Barnewall v. Murrell*, 108 Alabama Reports 366-390 (1895).

Phillips had allowed.¹⁵¹ Woods' prejudices would not permit him to let a home lawyer succeed. He must sustain the meretricious following of his court—Rice, Grandin,¹⁵² Burke, & the rest. Bah! He allows himself to be fawned upon & cajoled—if not worse.

[January 14] Last night there was a large fire, consuming Dane's stable, the residence of Maj. Voorhies¹⁵³ (where formerly Drs. Gilmore¹⁵⁴ & Nott¹⁵⁵ lived), & all the buildings on the square north of the Custom House except the Bank of Mobile, the Telegraph office & the Register Building.¹⁵⁶ The Voorhies family has lost everything except a part of their furniture.

[Newspaper Clippings]

It is suggested by a friend that the Stephens Croom, Esq., late of the Mobile bar, whose death is announced by the Ashville papers, is the C. Stephens Croom who

¹⁵¹ Woods recognized that A&C trustees had committed many irregularities; but he did not alter the financial arrangements made by Special Master Phillips. See 22 Federal Cases 1067-1070; see also *Mobile Daily Register*, January 16, 1876.

¹⁵² Egbert H. Grandin and John F. Bailey were appointed temporary custodians of the property of the Alabama and Chattanooga Railroad in *Alabama & C.R. Co. v. Jones*, 1 Federal Cases 276 (1871).

¹⁵³ Probably refers to Henry V.H. Voorhees, Secretary of the Gas, Light, and Coke Company, and Foreign Consul for Belgium and Vice-Consul for Sweden and Norway. See *Henry Farrow & Co.'s Mobile Directory for the Year 1874*, 202, 304.

¹⁵⁴ John T. Gilmore was a physician and member of the faculty of the medical department of the University of Alabama; see Owen, *History of Alabama and Dictionary of Alabama Biography*, III: 661.

¹⁵⁵ Josiah Clarke Nott was founder of the Medical College of Alabama and author of several works that argued the idea of diverse human origins (contrary to the doctrine that all of the various races had descended from a common source). See *ibid*, IV: 1288.

¹⁵⁶ *Mobile Daily Register*, January 14, 15, 1876.

matriculated at Chapel Hill and probably graduated with the class of 1859, bearing away the reputation of being one of the brightest men the University had known—Raleigh News and Observer.

Major Stephens Croom, of Mobile, died recently at Ashville, North Carolina, to which place he had gone for his health. His former home was Eutaw. He leaves many friends in Pickens who will read with regret the announcement of the death of one of the purest and most conscientious members of the Mobile bar—Carrollton Alabamian.

INDEX

- Abbott (Mrs.), 44
- Alabama and Chattanooga
Railroad, 26, 28, 63, 64, 77-78,
83-84
- Alabama Justice of the Peace, The*
(Henry Hitchcock, 1822), 15
- Alabama State Bar Association,
16, 29-30
- Alexandria (Louisiana), 53
- Allatoona Gap, 52
- Anderson (Texas), 54
- Anderson, Decatur C., 73, 75, 77
- Anderson, Mary, 56
- Appleton's Journal*, 56
- Ashville (North Carolina), 84-85
- Atlanta, 5
- Baker, William L., 59-60
- Ball, Mrs. George, 71-72
- Bank of Mobile, 84
- Baring Brothers, 74
- Barnewall, William, and family,
83
- Barron, Ellis (see Elizabeth Whit-
field Croom Bellamy), 17
- Bell, Thomas D., 68
- Bellamy, Charles E., 44-45, 56
- Bellamy, Elizabeth Whitfield
Croom (see Croom, Elizabeth
Whitfield)
- Beroujon, Claude, 66
- Bestor, Daniel P., 76
- Beta Theta Pi, 44
- Bliss, Jonathan, 56
- Bolivar County (Mississippi), 45
- Bourbon Democracy, 22, 29-30
- Boyles, William, 67, 72, 79
- Bragg, Braxton (of Mobile), 69
- Brickell, Robert Coman, 25, 70-71
- Buckner, Simon Bolivar, 54-55
- Burke, Joseph W., 80, 84
- Busteed, Richard, 27-28, 79
- Butler County (Alabama), 24, 68
- Calhoun (Georgia), 52
- Carpetbaggers, 63
- Carrollton *Alabamian*, 85
- Castleman, Fannie, 53
- Castleman (Mrs.), 53
- Chancery Court (Alabama), 22
- Christ Church (Mobile), 65
- Civil War (listed chronologically)
- beginnings, 3-4, 46-48
 - Mobile, 4, 48
 - Vicksburg siege, 4-5, 48-50
 - Atlanta Campaign, 5, 50-52
 - Trans-Mississippi campaign-
ing, 5-6, 52-55
 - surrender, 6, 55
 - effect of, 6-7, 19, 29, 57-58
- Clanton, James Holt, 51
- Columbus (Georgia), 44
- Commerce Street (Mobile), 77
- Constitution of 1875, 1, 11, 21,
29, 59, 61, 62, 63
- Conti Street (Mobile), 20

- Cowbellion de Rakin Society, 80
- Crawford, Clara, 67
- Crawford, James, 74
- Crockett (Texas), 54
- Croom, Cicero Stephens
 - on authors and art, 1-2, 16-18, 42, 56, 69-70
 - birth, 2, 43
 - on business morality, 10-11, 23-24, 26-27, 57-58, 63-66, 73-74, 77-79
 - childhood and youth, 43-45
 - Civil War service, 3-7, 46-55
 - courtship and marriage, 9-10, 55, 57, 58-59
 - death, 30, 84-85
 - education, 2, 16, 43-45
 - Irish, Croom's opinion of, 82
 - political views, 6-7, 11, 27-29, 57-62, 79-80, 83-84
 - on practice of law, 2-3, 7-9, 14-16, 18-30, 46, 55-57, 66-68, 70-75, 77-80, 83-84
- Croom Family, 2, 7-10, 29, 43-45, 55-56, 58-59
 - Caroline Howard Croom, 10
 - Elizabeth Whitfield Croom Bellamy, 10, 17, 43, 56
 - Julia Stephens Croom, 9, 43, 55-56
 - Mary Marshall Croom, 9, 19, 57
 - William Whitfield Croom, 3, 8-9, 43-44, 55
 - William Whitfield Croom (II), 10, 41
 - Cicero Stephens Hawks, 43
- Croom, Velma, ix
- Craven County (North Carolina), 43
- Custom House (Mobile), 66, 84
- Dalton (Georgia), 50
- Dane's Stable, 84
- debt recovery, 23
- Demopolis (Alabama), 50, 52
- Dialectic Society, 44
- Dickson, Edward R., 60
- Digest of the Laws of the State of Alabama* (Harry Toulmin, 1823), 15
- Disraeli, Benjamin, 69
- Drake, W.F., 78
- Drainsville (Virginia), 47, 52
- Drysdale, Alexander I., 65
- Duncan, Sherman and Company, 65
- Duncan, William Butler, 65-66
- Eleventh Alabama Regiment, 46
- Elliott, John, 60
- Elmore, John, 79
- Emancipation, 58
- Enterprise (Mississippi), 50
- Eutaw (Alabama), 3, 7, 8, 46, 52, 55, 85
- Exchange Hotel (Montgomery), 26, 72
- Field, George, 46
- Forney, John Horace, 4, 5, 6, 10, 19, 47-48, 50, 52, 54-55
- Fort Sumter, 46
- Four Oaks* (Elizabeth Whitfield Croom Bellamy, 1867), 17, 56

- French, Samuel G., 51
- Fulton, John, 65
- Gadsden County (Florida), 43
- Gainesville (Alabama), 56
- Galveston (Texas), 6, 55
- Gamble, John, 67-68
- Gamester, The* (Susanna Centlivre, 1705), 14, 76
- Gaynor, William C., 80
- Gibbons, Lyman, 67
- Gilded Age, 23
- Gilmore, John T., 84
- Goldthwaite, George, 8
- Grandin, Egbert H., 84
- Grant, John, 61-62
- Greensboro (Alabama), 46
- Greenville (Alabama), 24, 66, 67-68
- Greville Memoirs...*(Charles Greville, 1874-1887), 1-2, 42
- Hamilton, Peter, 9, 18-21, 23, 55-56, 61, 62, 73, 75, 77
- Hamilton, Thomas A., 9, 18-20, 23, 55-56, 73-75
- Hempstead (Texas), 54
- Henderson (Louisiana), 54
- Henry, John K., 67
- Herbert, Hilary Abner, 67, 71
- Herndon, Thomas Hord, 21-23, 61, 73, 75, 77
- Hilliard, Henry W., 17, 72
- Hitchcock, Henry, 15
- Hodgson, Joseph, 61, 62
- Holland (Miss), 52
- honor, 7, 15, 18, 27-28, 79
- Houston (Texas), 54
- Howe's Great London Circus, 13, 62
- Infelice* (Augusta Evans Wilson, 1875), 18, 69
- Irish, the, 82
- Jackson (Mississippi), 52
- Jefferson, Thomas, 15
- Jerusalem Delivered* (Torquato Tasso, 1581), 81
- Johnston, Joseph Eggleston, 50-51
- Jones, William Giles, 26, 72
- Judge, Thomas James, 71
- Kennedy, Joshua, and family, 83
- Kennedy, Isabel, 83
- Ketchum, Charles T., 75
- Keyes, Wade, 45
- Kingsley's School, 44
- Lenoir County (North Carolina), 43
- Lewis, Winfield S., 21
- Life Association of America, 66, 67
- Little Joanna, The*, (Elizabeth Whitfield Croom Bellamy, 1876), 56
- Little Market (Mobile), 59
- Loomis, Francis B., 78
- Loring, William Wing, 5, 50-52
- Lost Cause, 6, 21
- Love, Frederick, 78
- Lothair* (Benjamin Disraeli, 1870), 69
- Lynchburg (Virginia), 46

Macartney, Ned, 76
 Macartney [McCartney], Thomas N., 73, 76
Malone v. Kelley, 70-71
 Manassas Junction (Virginia), 47
 Manning, Amos Reeder, and family, 71
 Marshall, Mary (Mary Marshall Croom), 9, 10, 19, 57
 Maury, Daniel H., 48
 McCants, Allen G., 23-24, 73, 74, 77
 McKinsty, Alexander, 73, 75
 Meinden (Louisiana), 54
 Memphis (Tennessee), 45
 Mississippi River, 52-53
 Mobile and Ohio Railroad, 18, 65, 66
 Mobile Building and Loan Association, 22
 Mobile Carnival Association, 12
Mobile Daily Register, 13, 84
 Mobile Literary Scene, 4, 12, 14-18, 69-70
 Mobile Society, 4, 9-14, 20, 23, 25-26, 48, 57-58, 62, 66-67, 76-77, 80-82
 Monroe (Louisiana), 6, 54
 Montevallo (Alabama), 50
 Montgomery (Alabama), 16, 17, 25, 45, 70-71
 Montgomery Law School, 2
 Monticello (Arkansas), 54
 Moore, Sydenham, 46
 Moreno, Cora, 68
 Moses, J. William, 16, 71
 "Mother Hubbard's Tale" (Edmund Spencer, 1591), 16
 Murrell, W.J., 83
 Nevins, R.D., 44
 Newberne (North Carolina), 43
 New York City, 44-45
 Nott, Josiah Clarke, 84
 O'Brien, John F., and family, 68
 Oostanaula River (Georgia), 51
 Ordinance of Secession, 46
 Patterson, Robert, 47
 Pemberton, John Clifford, 49
 Phillips, Philip, 83-84
 Polk, Leonidas, 50-52
 Port Gibson (Mississippi), 52
 Powell, J.L., 68
 Power, John O'Connor, 82
 Pratt (Miss), 67
 Price, Thomas H., 60, 72-73
 Prince, Gertrude Ingersoll, 76
 Probate Court (Alabama), 22
 Proskauer, A., 73-74
 Quincy (Florida), 2, 43
 Radicals, 60, 61
Raleigh News and Observer, 85
 Reconstruction, related issues, 1, 6-7, 10-11, 21-22, 26-29, 57-64, 77-80, 83-84
 Resaca, battle of, 50-51
 Rice, Lewis, 78
 Rice, Samuel Farrow, 79
 Richmond (Virginia), 46-47
 Ringold (Georgia), 56

Roman Catholic Church, 82
 Roper, G.M. (Mont), 64
 Roulhac, Thomas R., 80
 Royal Street (Mobile), 20, 56
 Rusk (Louisiana), 54
 Russell, Mary Elizabeth Bliss, 56
 St. Francis Street (Mobile), 19-20, 56
 St. Francis Street Methodist Church (Mobile), 64
 St. Joseph (Louisiana), 53
 Semmes, Oliver John, 24, 75
 Semmes, Raphael, 21, 57
 Sherman, William Tecumseh, 50
 Shreveport (Louisiana), 53-54
 S.I.S. (see: Strikers Independent Society)
 Smith, Inge (Richard Inge), 60, 64, 72
 Smith, J. Little, 72
 Smith, Kirby E., 46-47, 54-55
 Smith, Robert Hardy, 62, 70
 Snagge, Thomas W., 26-28, 62, 64, 66-67, 77-79
 Snyder (Mr.), 53
 Southworth, John P., 79
 Springler Institute, 44
 Stallworth, Nicholas, 72-73
 Stanton, Daniel N., 63, 78
 Stanton, John C., 63, 78
 Stewart, William, 74
 Strikers Independent Society, 12, 41, 81
 Sullivan, Barry, 14, 76
 Supreme Court (Alabama), 22, 25, 46, 70-71, 72
 Synder's Bluff, 48
 Tasso, Torquato, 81
 Taylor, Hannis, 70
 Tenth Alabama Regiment, 47
 T.D.S., 41, 81
 Thorpe, Kamba (see Elizabeth Whitfield Croom Bellamy), 17, 56
 Toulmin, Harry, 15
 Towles, Morris G., 74
 Trans-Mississippi Department, 52, 55
 Trinity Church (Mobile), 72
 Tuscaloosa (Alabama), 17
 Tuscaloosa Bards, 17
 Tweed, William Marcy, 66
 Ulster, 82
 United States Circuit Court, 65, 77
 University of Alabama, 2, 17
 University of North Carolina, 2, 16, 44, 85
 Vicksburg (Mississippi), 5, 48-50
 Vicksburg, surrender of, 49
 Voorhees [Voorhies], Henry V.H., 84
 Walker, John George, 54
Waring v. Lewis, 70
 Washington, Martha Bliss, 56
 Watts, Thomas H., 24, 68
 Webb, James E., 80
 West Point (New York), 44
 Wilcox, Cadmus Marcellus, 47
 Wilson, Augusta Evans, 18, 69-70

Winchester (Virginia), 46-47

Wirt, William, 15

Woods, William Burnham, 26-28,
78-80, 83-84

Wyly, John M., 52-53, 55

Yorktown (Virginia), 47-48

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