

Charles Harris

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## I. ABSTRACT

Charles Harris, a native of England, was born in 1772. He received his early education in France and immigrated to the United States in 1788 at the age of sixteen. He located in Savannah, Georgia and studied for the profession of law under Samuel Stirk, a noted attorney and political figure. Harris opened his own practice in 1793 and quickly attained legal reputation; representing at least one case before the US Supreme Court. In December of 1798 he married Cathrine McCauley McIntosh, daughter of Revolutionary War hero General Lachlan McIntosh. He was elected Savannah city Alderman in 1801, beginning a long and notable civic career, which included terms with the Board of Health; the city Exchange and city PoorHouse and Hospital Boards of Trustees; numerous chairs of aldermanic and society committees; and three terms as mayor. He was twice elected to the Judgeship of the Eastern (GA) Circuit, declining both times. He was also offered a seat on the US Senate in 1809 only decline. A devoted family man, he fathered two children; neither of whom apparently survived him. The death of his beloved wife in 1815 was deeply felt and in combination with his own ill health led to gradual semi-retirement. His death in 1827 was noted with sincere regret by many and a sense of loss by most of his fellow citizens. A street in Savannah and a county of Georgia are named in his honour. Most certainly among the prominent men of his time he was accorded by some to be the ablest lawyer of his day.

## II. BACKGROUND AND EARLY SAVANNAH YEARS

Charles Harris was born in England in 1772. The son of William Harris, Barrister (Attorney) and first cousin to Lord Malmesbury; and Elizabeth Dymock, sister of Charles Dymock, an hereditary champion of England. Harris' mother was also descended from the De Bergs whose lineage dates back to the Norman Conquest. (1 Charles had three sisters (Elizabeth, Francis, and Ann) (2 but probably had at least one, and more likely several older brothers. (3 After an education in France he came to America in 1788 to study law under Samuel Stirk. (4

Sam Stirk, a native Georgian, had been active in the politics of the American Revolution. Elected clerk (secretary) of the Georgia Legislature (rebel) (5) he was "prominent among those who maintained adherence to the rebel cause." (6) At the time of Harris' arrival Stirk was President of the Savannah Board of Wardens, a Justice of Chatham Co., and a former Attorney General. (7) He was also a prominent attorney whose tutelage, as well as political connections, could only have benefited Charles. (8) In August of 1792 he sold Charles and a partner (George Houston) 100 acres of undeveloped land in St. Matthews Parish for 50 sterling. (9) His death in 1793 left Charles free to practice law on his own. (10)

Stirk was not Charles' only connection to the recent rebellion and those who rode its victory to social and political prominence. Lachlan McIntosh had been a General of the Continental Line and was regarded as a hero. (11) Harris' married Cathrine Mcauley McIntosh, the General's youngest daughter, on December 20<sup>th</sup>, 1798. (12) While later events proved that he sincerely loved his wife, this marriage could only have helped his

legal and political careers; and after the General's death on 20<sup>th</sup> of February 1806 it benefited him financially. (13, 14)

The evidence does not suggest, however, that Harris rode their coattails, for he was early recognized as a good lawyer whose great powers of reasoning, knowledge of law and clarity of presentation won him the majority of his cases. (15)

### III. POLITICS

If there were a central theme to Charles Harris involvement in politics it would be his aldermanic seat. From here he was elected mayor of Savannah in July 1802 and again in July 1803. Later, when William Davies resigned his election of 1807 Harris served out the remainder of his term. (16) But unlike some municipal governments the mayor of Savannah was not so much an independent power as the "first alderman...among equals." Harris was offered a lesson on the subject in 1804 when the council became displeased with him and on 5 March resolved:

"that it is the indubitable right of every member of council to express his sentiments on any measure in which the city is interested and that it is highly improper that the Mayor (Harris) should alone vote for the city without consulting council."(17)

It was a mild rebuke and Harris quickly acceded to their request.

Harris also served on the Board of Trustees of the City Exchange (1803), on the Board of Health (1804), (18) and on the Board of Trustees of the Savannah City PoorHouse and Hospital (which he helped establish in 1809). (19) but it was always to council that he returned. He served no fewer than 17 terms in office. (20) On July 2, 1821 Council extended a vote of thanks for his "long, useful and arduous service" (21) and upon his death part of the council resolution referred to him as "veritably the father of the Council." (22)

In 1802, Governor James Jackson appointed Harris (without consulting him) Judge of the Eastern Circuit. This honour he declined. In 1804 the General Assembly elected him to the judgeship of this same circuit and again he declined. (23) Finally in 1809, after Gov. Milledge's retirement from the US Senate, both factions of the state legislature offered Harris the seat. (24) Remarkably he declined this offer of national power and prestige. (25)

Various reasons have been given as to why Harris refused these posts: the desire to be with this wife and family, inopportune timing, ill health (26) or his sense of commitment to the people of his immediate community. (27) But whatever the reason Charles Harris was a rarity among politicians of any age. A man of will and service with no personal ambition.

### IV. LEGAL NOTES

As indicated previously Harris was early recognized as a competent attorney with great powers of reason and presentation. (28) As such, and with the right connections he soon rose to the peak of his profession. Twice declining judgeships he accepted, in 1823, an appointment (along with Thomas U.P. Charlton and William Davies ) made in direction of the following resolution of the state legislature:

“that some fit and proper person should be appointed...to compile and digest the statute – laws of England that are now in force in the State of Georgia” and that “three learned in the law, be appointed...for the purpose, shall approve or disapprove of the same”(29)

Harris also bears the distinction of having presented at least one case before the United States Supreme Court: a case of Appeal from the Court of the Admiralty. Presented in association with William Pinkney and William Wirt, his brief in the case was accepted by both to stand alone as the associates only presentation. The case was decided in Harris favor. (30) Thus it is with some merit that Charles E. Jones was later to state that Charles Harris, “was regarded by many as the most profound lawyer in the state.”(31)

## V. THE YEAR OF DISASTERS

The year of 1820 was one of great disaster for Savannah; and if the worth of a man is truly measured in adversity then Charles Harris’ worth was proven that year. No sooner had the year begun than a great fire, the worst in the city’s history, destroyed 351 buildings and left almost 500 people homeless. (32) The fire, which started Tuesday morning (Jan.11), destroyed all the property between Bay and Broughton Sts. And Jefferson and Abercorn Sts. (33) Harris went straight to work, first he offered a “barracks” building, his private property, as shelter for the homeless. (34) He subsequently chaired the committee that oversaw distribution of funds and donations to those who had suffered loss. 450 persons were so assisted from the \$99,546.76 collected and it was noted in council that “no discrimination had been shown in distribution.” (35) Finally, as a member of the council, he helped to establish the Savannah Fire Company and to institute building codes with an eye to prevention of future fires. (36)

The fire was followed in the summer by a terrible epidemic of Yellow Fever. The disease had stalked Savannahians through out their city’s history; but like the fire, that year saw the worst case of it. (37) Records indicate 796 deaths occurred between July and December. (38) Harris had always been concerned with matters of community health, as indicated by his serving on the Board of Health and his helping to set up the Savannah PoorHouse and Hospital in 1808. (39) We know through Dr. Richard Arnold that he attended lectures of the Georgia Medical Society; (40) and his efforts on council to assist victims and to pass ordinances (such as "dry culture contracts") to promote community health were numerous.(41)

## VI. MAN OF WORLD & CULTURE

An interesting part of Charles Harris’ life were the several visits to Savannah of national figures during the early 1800s. On May 1802, Aaron Burr, Vice-president of the United States visited the city for four days. (43) In May of 1819 US President James Madison

and then Secretary of War John Calhoun honoured guests (44) and finally in March of 1824, during his Grand Tour of the United States, the Marquis deLaFayette was welcomed as a hero. (45) In each instance Harris participated in the preparations for the visit and was elected to the official welcoming committee. If Savannah wanted to put its best foot forward then Charles Harris was a notable “toe.” For it was men such as him that made the city more than just another backwater port.

In 1866, Bishop Stephen Elliot (b. 1806) recalled his early days in Savannah, during “the palmiest days of that cultivated and refined society”:

“When I first remember Savannah it was illustrated by the culture of such men as Richard Henry Wilde, Anderson Barclay, Charles Harris, Richard W. Habersham, Judge Berrien (etc.)...who gathered around their hospitable boards all that was clever and refined.”(46)

## VII. FAMILY MAN AND SLAVE OWNER

Charles Harris was a devoted husband who seven years after her death could still write “never to be forgotten by me” of his wife. (47) His devotion to her and his unwillingness to leave her side has been suggested as one of the major reasons he turned down election to higher office. He had two children, Charles Jr. and Sarah Elizabeth, neither of whom were 21 years old in 1822 nor did they apparently survive him. (48)

Man of culture, philanthropist and devoted family man, Charles Harris was also an owner of slaves. In Southern society in the early 1800s this was not seen as a contradiction, in fact it was probably viewed as the natural order of things. Certainly Harris accepted the circumstance of the institution. At the time of his death he had a staff of seven slaves and kept another seventeen slaves at his inherited plantation on Skidaway Island. (49) in 1809 he purchased a mulatto named Janette with four children. He paid \$600.00 for them. The contract was written in the cultured language of French. (50)

## VIII. DEATH

Charles Harris died on the 17<sup>th</sup> of March 1827 at the age of 55. He had been suffering from undisclosed “ill-health” and had gone into a kind of semi-retirement in his later years. (51) On the day of his death council had a tribute of respect read into the official minutes which included the following commentary:

“During a long period none can accuse him of willful wrongdoing and all of us can bear testimony to his excellence to his ability and to the purity of his motives.”(52)

The body was accompanied in funeral procession by members of city council, members of the bar, students at law, the union society and the Chatham Artillery (of which he was an honorary member). (53) He was buried in the Colonial cemetery at Abercorn and Oglethorpe Streets in the family vault of Lachlan McIntosh..(54)

After his death various honorarys were given him, including the renaming of a Savannah street and the naming of a newly formed Georgia county, (55) but perhaps it was his lapse into the anonymity of history that was his most lasting eulogy; for like his life as attorney, alderman and citizen of Savannah he was an inseperable part of the greater whole rather than apart from it.

#### NOTES

1. William J. Northern, *Men of Mark in Georgia*. (Spartanburg, SC: Reprint Co. 1974), II, pg. 33
2. Probate Court Chatham County Estate Records File No. 156 (Charles Harris Will)
3. Note: Given the rule of primogeniture among upper-class English families, younger sons were often required to “find their fortune” outside the realm of inheritance. Had Charles been the oldest son it is very unlikely he would have left England at the age of sixteen.
4. Northern, op. Cit., II, p 32.
5. Ibid., I, p 305
6. Lucian Lamar Knight, *GA. Landmarks, Memorials and Legends* (Atlanta: Byrd Printing Co., 1974), II, p 187
7. Northern, loc. Cit.
8. Note: That Charles Harris would come from England via France to practice law with such a man as Sam Stirk suggests some stronger connection then fate but one that remains undocumented.
9. Superior Court Chatham County. Deeds Record Book M, p 46
10. Northern, loc.cit.
11. In 1792, during George Washington’s official visit (which Harris would most certainly have attended), the President warmly greeted Lachlan as an old camrade-in-arms.” William Harden, *A History of Savannah and South Georgia* (Atlanta: Cherokee Publishing Co., 1981) p 260
12. Probate File No. 156, loc cit.
13. Harvy Jackson, *Lachlan McIntosh and the Politics of Revolutionary Georgia* (Athens, GA: University of GA Press, 1979) p 151

14. Notes: Although McIntosh was a large landowner the war had actually ruined him financially. He had worth but not liquidity./ Harris' main inheritance was land (including 100 acres in Ohio, which had been part of the Generals war bounty). Jackson, loc. Cit.  
Probate File. 116 loc. Cit.
15. Northern, op. Cit. P 32.
16. Thomas Gamble Jr., *A History of the City of Savannah, GA. From 1790 – 1901* (Savannah: Review Publishing Co., 1900), p. 62
17. Ibid. p 134
18. Ibid. p 73
19. Ibid. p 82
20. Ibid., pp. 62-63
21. Ibid. p 201
22. Savannah Georgian, March 19, 1827, p 1, c. 1
23. Northern, op cit., p 33
24. Note: US Senators at this time were elected by the legislatures and not directly by the citizens
25. James G. Wilson (ed.), *Appeltons Cyclopedia of American Biography* (New York: Appleton & Co., 1888), v. 3, p 261
26. Northern, loc. Cit.
27. Georgian, loc cit.
28. Northern, op cit.
29. Warren Grice, *Georgia Bench and Bar* (Macon, GA: Burke Publishing Co., 1931), P. 46
30. Northern, op cit.
31. Charles E. Jones, *Addresses of Charles E. Jones* (Atlanta: J. Harrison Co., 1884), p 24
32. William Harden, *A History of Savannah and South Georgia* (Atlanta: Cherokee Publishing Co., 1981) vol. 1 p 228
33. *Savannah Georgian*, January 17, 1820 p. 1, c. 1
34. Ibid., p 1, c. 5
35. Gamble, op cit. P 116
36. Joseph F. Waring, *Cerveau's Savannah* (Savannah: GA. Historical Society, 1973) p 26
37. Harden, op cit. P 290
38. Ibid., p 291
39. Gamble, op cit., p 82
40. Dr. Richard Arnold, *Addresses to the Georgia Medical Society* (Savannah: GA Historical Society Collections, 1873) Vol. 3
41. Note: Dr. William R. Waring, one of Savannah's "most illustrious physicians" was also an alderman at the time.
42. Harden, op cit. P 269
43. Ibid., p 282 Note: During Pres. Madison's visit in 1820 the President and his entourage traveled down the Savannah River to Tybee Island on board the USS

Savannah: Harris accompanied them. Eleven days later the ship began the first transatlantic crossing of a steam-powered vessel.

44. Ibid. p 197

45. Waring, op cit. P 70

46. Probate Courts Chatham Co., Estate File No. 156, p 1

47. Ibid., p 4

48. Ibid., p 5

49. Superior Court Chatham Co., Deeds Record Book 2C, p 199

50. Northern, op cit. P 33

51. Gamble, op cit p 201

52. Georgian, March 19, 1827, p 1

53. Knight, op cit. P 279

54. Wilson, loc. Cit.