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JAMES GILLESPIE BIRNEY: THE HUNTSVILLE YEARS

By Elise Stephens

From its beginnings, Huntsville has been blessed with an extra-ordinary group of citizens who settled here and permanently wedded their talents and destinies to the little town with the Big Spring. Huntsville has also been home but not permanent residence for some of its outstanding citizens. In this century Dr. Werner von Braun is an outstanding example. In the last century, James Gillespie Birney stands out. Both men came to Madison County, immediately set down roots and got busy -- contributing their brains, leadership and faith in individual effort to achieve goals as difficult of accomplishment as putting a man on the moon or irradicating inequality among men -- and then moved on. Both men gave to Huntsville and grew in the exchange.

James G. Birney called Madison County home from 1818 to the close of 1832. Upon leaving Alabama his career carried him into national prominence as a leader of the growing anti-slavery movement. Unlike William Lloyd Garrison to whom he was often compared, Birney put his trust in the political process to effectuate the emancipation of the slaves rather than in rhetoric and revolution. Twice, in 1840 and 1844, he was the nominee of the Liberty Party for the Presidency of the United States. He died in November of 1857.

The son of James and Martha Read Birney, James G. was the heir to a Scotch-Irish ancestry that united to give him wealth, social position, and a strong sense of noblesse oblige. Both sides of his family had settled in Danville, Kentucky, where Birney was born on February 4, 1792. Having been educated privately, at Transylvania and at the College of New Jersey, (Princeton) where he graduated with honors in 1810, he read law under Alexander J. Dallas, noted lawyer and United States Attorney of Philadelphia. In 1814 he was back in Danville establishing a busy practice.¹

In 1818, the first time he was of age to qualify, he was elected to the Kentucky House of Representatives. Another major event occurred to him in 1818 that was to brighten his future considerably; on February first, he was married to Agatha McDowell, the daughter of the United States District Judge, William McDowell and Margaret Madison McDowell, the first cousin of President James Madison.²

As was the spirit of the times, the young couple chose to throw themselves into the life of a newer community and in February, 1818, exchanged their Kentucky ties for the newly organized territory of Alabama. Birney purchased a plantation near Triana and endeavored to live as a gentleman-lawyer, planter-politician, as did such contemporaries as Arthur F. Hopkins and Clement Comer Clay.

Those were exciting times for Huntsville. Birney was more drawn to the happenings of the young town than to the management of a cotton plantation. The state had gained territorial status in 1817 and statehood was in the air. In anticipation of statehood, the citizens of Madison County had voted on two slates of candidates: one for a seat at the Constitutional Convention and one for membership in the state's first General Assembly. Birney was not a candidate for the former and won a seat in the latter. Unlike the convention

that met in the hot summer of 1787 in Philadelphia to write the United States Constitution, the convention held in Huntsville was apparently an open one. Non-member Birney's influence was certainly felt on the final design of the state's first constitution.³

The enthusiasm with which Birney entered into the total life of the community was increasingly matched by a seriousness that grew as he matured. Being the only son of a father who was widowed when James G. was only three and his only sister an infant, he grew up in luxury but never to the neglect of moderation and self-respect. Apparently the life of a planter involved too much self-indulgence or required more self-discipline than he possessed. Marriage and inheritance had brought him slaves, but he failed in the thorough management such ownership required. Like so many Kentuckians, he followed horse racing. Huntsville's Green Bottom Inn, one of Andrew Jackson's favorite tracks, afforded Birney ample opportunity to bet on the horses. Gambling losses brought financial embarrassment, and Birney mortgaged his plantation and his slaves.⁴ Assessing his situation, Birney decided to move his family to Huntsville, to practice law diligently, to pay off the mortgages quickly and never to gamble again. All of these he did. January, 1823 marked a new year and a new life in Huntsville for the Birneys.

His expanding family undoubtedly had much to do with these decisions. In all, he had ten children; seven of them reaching adulthood. While in Huntsville, he was the busy father of five: James, born in Danville on June 7, 1817; William, born in Madison County, May 28, 1819; David Bell, born in Huntsville, May 29, 1825; Dion and George.⁵ In James G. Birney And His Times, a biography written by son William, Birney is depicted as an uncommonly loving husband and father.

In early manhood he spent much of his time with his children. He joined them in their boyish sports, taught them many games...and entered heartily into their glee. He showed them how to ride and to row, to make bows and arrows, snares and traps, to handle the shot-gun, and to hunt game. A broad veranda in the rear of his dwelling was used for play in rainy weather, being furnished with swings and trapezes, battledores and shuttlecocks. He was fond of music and played the flute. In every innocent way, home was made attractive to the children.⁶

The subsequent careers of the Birney boys attest that something was done right in their upbringing. James became a professor, lawyer, Michigan state senator, lieutenant-governor, acting-governor, circuit judge, editor and United States Minister to the Hague. William became a lawyer, scholar, teacher and news correspondent in France where he served as a student barricade-commander during the 1848 revolt in Paris, anti-slavery lecturer, religious writer, author and father of ten excellent children. Dion became a physician. David Bell became a lawyer and publisher. George died in early manhood. The Civil War made heroes of them all, generals of two. In their youth they had attended Huntsville's famous Green Academy and shared that training which was to mold a generation of sons for leadership and sacrifice.

Birney had been a trustee for Green Academy since settling in Alabama. When he moved his residence to Huntsville in 1823, his involvement grew. As early as 1819 he announced a bill in the Alabama Legislature of incorporation of the Huntsville Library. In 1823 the library received its charter with Birney listed as one of it's members.⁷ His fellow members of the bar helped Birney get his finances in order. They endorsed his election by the Alabama General Assembly as the solicitor for the Fifth Circuit.⁸ By the end of 1823, Birney was able to straighten out his debts, divesting himself of his plantation and all but five house servants.

Instead of relaxing his prohibition against gambling, Birney invested his increasing wealth in "a valuable half-acre corner lot in Huntsville, two squares from the head of the Big Spring." There he built a home that he enlarged as his family grew until it was considered "one of the handsomest and most convenient dwellings in Huntsville." Its China trees and sculptured gardens were the pride of both Birneys who loved to entertain and did so with grace and generosity. Life for them was secure and serene.⁹

But forces were at work to shake any complacency Birney might have achieved. His sense of obligation to follow his conscience, take a stand on issues and to speak out was already a tested trait. In 1819 he had voted against a resolution passed by the Alabama State Assembly endorsing Andrew Jackson for President.¹⁰ He did this even though he knew it was tantamount to resigning from political contention in the state. In 1826 he made a public profession of his religious faith and openly acknowledged that he would follow where its truths led.¹¹ When he later became mayor of Huntsville, he enforced what was probably the city's first "Blue" law.¹² A leader of the Bible Society, he was also a founder of the Huntsville Temperance Society.¹³

As his asceticism grew, so too did his awareness of man's inhumanity to man. From 1826 until he left Alabama, he served as attorney or "legal protector" of the Cherokee nation. William Birney describes his father's unheralded and little known activities for the Cherokees.

He caused missionaries to be sent and schools to be established among them; he encouraged them to cultivate farms, build houses, and open roads; he aided an educated Indian, who had invented an alphabet for the language, to start a Cherokee paper; [Sequoyah] he defended them in their property rights, and brought to punishment some of the authors of the outrages upon their persons; he counseled them to peace and good

behavior; and most surprising of all, he succeeded in introducing, quietly and without opposition, several Indian girls as pupils into the Huntsville Female Seminary. It was said they were daughters of chiefs. They attended the Presbyterian Church, and were reputed to be wards of Mr. Birney. Two of them I remember as beautiful. The Indians visited Huntsville from time to time for the sale of pelts, nuts, blow-guns, bows and arrows, and game, and they never failed to pass by my father's house, and leave for him some token of their gratitude.¹⁴

From 1826 dates his heightened consciousness of the evils of slavery and the necessity for him to do something about it. He became the spokesman, then Southern Agent, for the American Colonization Society, urging owners and state legislatures to manumit the slaves and provide for their resettlement in Africa. By the time he left Huntsville, to move to Kentucky, Birney had realized the impossibility of colonization. He spent the rest of his life seeking peaceful, legal emancipation. In pursuit of this goal his path took him from the city which honored him though it disagreed with him.

¹⁴William Birney, James G. Birney and His Times (1890, reprint, New York: Greenwood Publishing Corp. 1960) 30; Betty Fladeland, James Gillespie Birney: Slaveholder to Abolitionist (New York: Cornell University Press, 1955, reprint, New York: Greenwood Press, 1969) 15. The only full-length biographies of Birney, the latter builds on the former and provides bibliographic guides for future research.

²William Birney, Letter on the McDowell Family of William Birney, Brevet Major General, U. S. Vols. (privately published, a copy given to the Huntsville Public Library by Huntsvillian, Hoffman (Topper) Birney, the great great-grandson of James G. Birney.

³Birney, James G. Birney, 38.

⁴Ibid., 41-43; Fladeland, Birney, 23.

⁵Clarence L. Barnhart, ed., New Century Cyclopedia of Names, Vol. 1 (New York: Appleton-Century-Crofts, Inc. 1954) 513; Birney, James G. Birney, 53; Fladeland, Birney, 28, 43, 63, 71, 135, 165. On 71 the author says that Mrs. Birney, "with the five boys, James, Jr., William, Dion, David, and the year-and-a-half-old baby, George, set out for Danville" in September, 1833. "She was leaving behind in Alabama three small graves in the cemetery." On 165 we find, "by the time she (Mrs. Birney) was thirty-nine she had borne eleven children, six of whom were living." Nowhere does the author or any other source readily available give names or dates for these children. Five year old Arthur Hopkins Birney and three year old Martha were struck down by scarlet fever in 1833. Florence was born in January, 1835, an infant daughter, name ungiven, lived only two months in 1836. It was in 1838 that Mrs. Birney lost her baby, Ellen, in August and her own life in October.

⁶Birney, James G. Birney, 357.

⁷Ibid., 53.

⁸Fladeland, Birney, 26.

⁹Birney, James G. Birney, 47.

¹⁰Ibid., 41.

¹¹Ibid., 54; Fladeland, Birney, 30-31.

¹²Southern Advocate, Huntsville, Alabama, July 17, 18-29, "An Ordinance to Prevent Violations of the Sabbath, and for Other Purposes." This ordinance and Birney's efforts

to "clean up" Huntsville led to a newspaper squabble between The Advocate and the Democrat. Birney responded to the criticism of the Democrat by calling for a referendum vote of the citizens. Since the mayor was selected by the aldermen from among the aldermen, taking the question of Birney's continued tenure to the people was a step forward for democracy, and the public's sanction strengthened Birney's position as mayor.

¹³The Democrat, Huntsville, Alabama, August 21, 1829, October 2, 1829.

¹⁴Birney, James G. Birney. 55-56.