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Who was Nick Davis?

FRANK G. WESTMORELAND

A road is named for the man, so for goodness sakes, he must be somebody! Nick Davis was a very prominent man, but who today even knows who he was? First of all, he was my great-great grandfather. In Robert H. Walker's book, *History of Limestone County*, Walker wrote, "...without doubt, the outstanding citizen of the young county in its formative state and for a long time afterward was Nicholas Davis."¹

Nick Davis was one of the 44 delegates to the first Alabama Constitutional Convention held in Huntsville and his signature is affixed to our constitution. Led by Huntsville resident and future Alabama Governor Clement Comer Clay, Nick Davis further served as one of the 15 delegates who actually wrote the constitution. Although he lived most of his life in Limestone County, his contribution to his adopted state, along with those of his children, is the subject of this story.

Like many of the early settlers in this territory, Nicholas Davis was born in Virginia, specifically Hanover County in 1781. It was a low swampy district called "the slashes." His father was a sergeant in the Virginia Line during the American Revolution, and his neighbor and closest friend was the Honorable Henry Clay. As his mentor, Clay exercised a great influence in Nick's life.

Nick married Martha Hargrave in 1806 and served as a United States Marshall in Virginia, but in 1808, the Davis family, which now numbered three, followed his friend Henry Clay to Kentucky. Nick felt obligated to fight against the British during the war of 1812, especially since his father had fought against them in the American Revolution. When the war ended in 1814, Captain Nicholas Davis returned to his family.

Nick had heard of Andrew Jackson's fight in the Battle of Horseshoe Bend and was particularly interested when he learned of the new land available in the Alabama Territory. He liquidated his assets in Kentucky and on March 17, 1817, he purchased a large tract of land on Limestone Creek. In June he began construction of his log house that he named "Walnut Grove." Over time, his property holdings escalated and his plantation of 2312 acres was known as "Fairview."

Captain Davis was described by an unknown author as "large and well-proportioned. His eyes are deep blue, very expressive, and indicative of benevolence, or much of the 'milk' of human kindness. He is a

man of great energy and character and is remarkable for his physical strength and industrious habit.”

As a leader in Limestone County, it was no surprise that he was chosen as a delegate to the Constitutional Convention in Huntsville in July, 1819. According to Harry Joiner, author of *Alabama – Then and Now*, Nick and his fellow delegates provided a bill of rights which guaranteed basic freedoms such as religion, speech, and the press. They made sure that all white males over 21 could vote and there was no property, religious, or literacy test required to vote or hold public office. They had little regard for men who had fought a duel, for they were not allowed to serve in public office.² Apparently at least one exception was made, for future governor Clement Comer Clay, whose personality was described as “contentious” once dueling with Dr. Waddy Tate. Finally, the constitution authorized the establishment of state banks and the University of Alabama.

Albert James Pickett wrote in his *History of Alabama*, that after the convention had finished, Captain Davis was elected as a member of the first legislature of the State of Alabama, which sat at Huntsville in the fall of 1819. In 1820, he was again a member at Cahawba, where the legislature was permanently established. The people of Limestone County placed him in the Senate in 1820 and when he arrived at Cahawba in the early winter, he was selected to preside over the body. “His impartiality, honesty, firmness, talents, and efficiency caused him to continue in the office of President of the Senate for the period of ten years.”³

In his obituary, written in *The Southern Advocate* dated October 2, 1856 it was stated that “As a legislator, he was practical, sensible, useful and influential. He opposed with all his ability, our system of State Banks, and had his counsels been heeded, the State would not now have a debt hanging over her.”⁴

As the democrats gained political strength in Alabama, Nick’s Whig friends persuaded him to resign his position as President of the Alabama Senate to run for Congress. He resigned in 1829 and found his Democratic opponent was his old friend Clement Comer Clay of Huntsville. *The Southern Advocate* reported that after a spirited contest, Nick was defeated by Clay, but “no man, however, ever enjoyed more of the love and esteem of his political opponents.”⁵

He ran for governor again, but was defeated a second time by John Gayle, also a Democrat. Finally, he was defeated a third time by Democrat Reuben Chapman, another of Huntsville’s fine residents.

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Nick's personality and excellent character gained him much respect and admiration. Pickett wrote of Davis's defeat for Congress and said, "every man in the district who voted against him was ready to acknowledge that, as a representative, he would have been honest, faithful and efficient."⁶ Author Willis Brewer wrote, "He was exceedingly candid and hospitable and swayed opinions of men as much by his large heartiness as by his strong magnetism."⁷

At the close of the 1844 convention, Nick took leave of his fellow Whigs and was described as being the "old man eloquent" in his parting speech. He spoke of the future of the country he loved and his hope for the future, his visions, and the importance of his party's influences to develop the energies and greatness of the country. His tears revealed his emotion as he took his seat.

Nick had many friends and loved to have them near him. His old friend Henry Clay often visited Nick at Walnut Grove, and although his wealth grew substantially over the years, he remained a modest man and was satisfied to live in his log house rather than



Nicholas Davis

a pretentious mansion. Pickett described Nick's life at Walnut Grove, "Many refined and intelligent gentlemen in Huntsville and its vicinity, and other portions of North Alabama, deem it their imperative, but most pleasing duty, to pay him two long visits every year. Often his large old log-house, which he erected when he first came to Alabama, and which he venerates so much that he would not exchange it for a palace, contains forty or fifty visitors at one time – who – for days together, are entertained by his agreeable conversation, fed from his abundant table, and delighted with the survey of his extensive groves...."⁸

Davis was a true patron of the turf, and was devoted to the sport of kings. Besides breeding and owning fine racehorses, he maintained a race-track in the bottom beside Limestone Creek at Walnut Grove. According to

Robert Walker, “merely by summoning his houseguests of the moment, this pioneer Limestoneian could assemble a goodly crowd to witness his thoroughbreds run.” According to Picket, “Nicholas Davis raced his horses at New Orleans, Nashville, Mobile and throughout the South generally. He was present at the celebrated contest between the horses of Andrew Jackson of Tennessee and James Jackson of North Alabama at Huntsville.” Robert Walker further said that “his horses were frequent entries at the races at Huntsville’s Green Bottom Inn, where the gentry of the time gathered to match their equines and their pocketbooks. On more than one occasion, Andrew Jackson’s horse “Flash competed at the Huntsville races, and it may have been that one of Old Hickory’s steeds outlasted a Davis entry to add to the Limestoneian’s dislike of Jackson.”⁹

The contributions and accomplishments of Nick and Martha’s children are more familiar to Madison County. Just to mention a few of the more colorful descendants, son Nick Davis, Jr. was a close friend to Jeremiah Clemens. He dedicated his book “Mustang Gray” to Nick and wrote, “But it is not these alone that move me to write your name on the first page of this volume. The last words your mother was ever heard to speak, were warm regard for me, and to the hour of his death your father honored me with a friendship which is among my proudest recollections. In the whole range of my acquaintance I have never known two persons more remarkable for unswerving integrity of thought and action or more distinguished for a lofty scorn of all that was low or vile in humanity.”¹⁰

Nick, Jr. served as a lieutenant in the company commanded by Captain Hiram Higgins and fought in the Mexican War. He served two terms in the State Legislature, and although he fought against secession, he became a lieutenant colonel in the Confederacy. As an attorney, he defended Captain Frank Gurley who was accused of murdering Union General Robert McCook. He married Sophie Lowe, a member of a prominent Huntsville family.

Martha Nicholas Davis married George Washington Lane, a well-known pro-Union resident of Huntsville.

Lawrence Ripley “Rip” Davis was the private secretary to Governor Houston. In 1859, he was elected as a member of the Alabama Legislature. Although he opposed secession, he yielded to the majority’s wishes. He was active in many aspects of public life until his death. His daughter, Sue Davis, was the author of *The Authentic History of the Ku Klux Klan*. She brought a lawsuit against Margaret Mitchell, accusing her of stealing entire sections of her book to write Mitchell’s best seller, *Gone With the Wind*. Another of Rip’s daughters, Bessie, lived in Washington D.C. for a number of years and was known far and wide for creating beautiful cakes. She provided all the cakes for the White House functions for President Woodrow

Wilson. She owned a secretary that she said was the one upon which Patrick Henry wrote his famous “Give me liberty or give me death” speech.

William R. Davis was wounded and captured at the Battle of Shiloh. He was about to be shot as a spy in Murfreesboro when he was rescued by General Nathan Forrest and his men. He was later wounded at Chickamauga and served in the legislature after the war, probate judge in Madison County and was a member of the U.S. Congress at the time of his death. It was William who suggested that General Forrest be made the leader of the Ku Klux Klan.

Zebulon Pike Davis was a five-time mayor of Huntsville. His daughter Norah was the author of *The Northerner*.

Martha Hargrave Davis died in 1853. According to the family story, she was buried in a metallic casket, the first most people had ever seen. While some members of the family believed that Nick moved from Walnut Grove after his wife died, and lived with his daughter in the home he built for her on the corner of Clinton and South Street in Athens, Robert Walker wrote that he died at his home in 1856. Of his death, Walker wrote, “...it was a kind of providence that removed him



Martha Davis

from the scene – full of honors, admired and respected by his constituents, beloved by his family – before the Federal troops invaded and ravished Limestone in 1861.”¹¹

Walnut Grove apparently burned sometime after Nick’s death. No trace of it can be found today. Only the lonely monument of Nicholas and Martha Hargrave Davis remains near the site of the house and by the side of the road which bears the name Nick Davis. The portraits of both Nicholas and Martha Davis hang in the Alabama State Archives Building in Montgomery, near the seat of the government that Nick served with devotion for so many years. The writer of his obituary succinctly captured the spirit of Nick Davis in one sentence. “It is seldom indeed that any man passes away and leaves so wide a blank in the society he adorned with his virtues and blessed with his charities.”

ENDNOTES

¹Walker, Robert Henry Jr.: *History of Limestone County*, (Limestone County Commission, 1973).

²Joiner, Harry: *Alabama Then and Now*, (Athens: Southern Textbook Publishers, Inc., 1987).

³Pickett, Albert James: *History of Alabama*, (Tuscaloosa: Willo Publishing Company, 1962 (1851)).

⁴*The Southern Advocate*, (Huntsville, Alabama: October 2, 1856).

⁵Ibid.

⁶Pickett

⁷Brewer, Willis: *Alabama, Her History and Resources, War Record and Public Men*, (Spartanburg: The Reprint Company Publishers, 1975 (1872)).

⁸Pickett

⁹Walker

¹⁰Clemens, Jeremiah, *Mustang Gray: A Romance*, (Philadelphia: J.B. Lippincott & Co., 1858).

¹¹Walker

¹² *Southern Advocate*