

Price, Charles ^[1]

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Price, Charles

by James S. Brawley, 1994

26 July 1846–28 Sept. 1905

Charles Price, legislator and corporation lawyer, was born in Warrenton, the fourth child of John and Martha Reynolds Price, whose grandfather was a native of Scotland. His father, John Price, was a native of Raleigh but in early manhood moved to Warrenton and became a prosperous merchant.

Charles Price began school in Warrenton, becoming proficient in Latin and Greek under John S. Duggen and Henry Thompson, both eminent teachers. In the spring of 1864, at age seventeen, he joined a company of boys about the same age from Warren, Franklin, and Nash counties to become Company A of the first battalion of Junior Reserves ^[2]. Afterwards Company A became part of the Seventh North Carolina Troops. As captain of his company Price participated in the engagements at Belfield, Kinston, and Bentonville ^[3].

A year after the surrender of Joseph E. Johnston's Confederate army at Greensboro, Price borrowed money to enter the law school of Chief Justice Richmond Pearson ^[4] at Richmond Hill, Pearson's home in Yadkin County ^[5]. He remained there for five sessions, not even returning home for vacations. After obtaining a license in June 1868, Price, on the advice of Judge Pearson, settled at Mocksville, where he fell into close company with John M. Clement, the leading attorney in Davie County ^[6], who gave young Price advice and encouragement. Price soon rose to prominence and was elected state senator from the Thirtieth District (composed of Rowan and Davie counties) and served in two sessions of the legislature ^[7]. In 1875 Davie County elected him a delegate to the state constitutional convention ^[8] as a Democrat ^[9]; afterwards, he ably advocated the ratification of the amendments adopted by that convention. In the same election he was elected to the North Carolina House of Representatives, where he served in 1876 and 1877. In this session he was elected speaker of the house. Not long after the legislature adjourned in March 1877, he moved from Mocksville to Salisbury, where he resided until his death.

Price virtually abandoned politics after 1877 except to represent the Seventh District at the Democratic National Convention ^[9] held in Cincinnati in 1880. He devoted the last twenty-eight years of his life almost exclusively to practicing law, although in 1890 he was the Republican ^[10] candidate for chief justice of the North Carolina Supreme Court ^[11]. He had switched parties after the Prohibition ^[12] election of 1881, which had split the Democrats.

In 1881 he was appointed counsel for the Western North Carolina Railroad ^[13] and was the local counsel for the Richmond and Danville Railroad ^[14], both of which were incorporated into the Southern Railway in 1898. Later (1884) he became assistant to David Schenck ^[15], general counsel of the Richmond and Danville Railroad in North Carolina. For a few years he and Schenck were also counsel for the Charleston, Cincinnati, and Chicago Railroad Company. When Schenck retired and the various companies constituting the West Point Terminal System passed into the hands of the receivers, Price was put in charge of the legal business in North Carolina. In 1894 he was appointed division counsel of the Southern Railway Company ^[16] in North Carolina, a position he held until his death.

In 1889 President Benjamin Harrison appointed Price U.S. district attorney for the Western District of North Carolina and he served for four years. But it was as an attorney that he gained his widest reputation, particularly in two cases. Price, contrary to general expectation, won the case of Julian versus the railroad, which went to the U.S. Supreme Court ^[17] and gained for Price legal recognition throughout the country. His most notable triumph, however, was in two suits that he instituted against Stanly and Wilkes counties to require them to pay bonds in the amount of \$100,000 each, issued by three counties in payment of subscriptions to stock in two railroads. The North Carolina Supreme Court in both cases had adjudged the bonds to be null and void. Price then brought suits in equity in the U.S. Circuit Court to enforce payment of the bonds. The validity of the bonds was sustained by the circuit courts; however, the Circuit Court of Appeals reversed the decision of the circuit courts and dismissed the bill. Price then filed a petition for a rehearing; his argument was so convincing that the court reversed its former decree and upheld the validity of the bonds. This decision was finally affirmed by the U.S. Supreme Court. These cases gave Price prominence throughout the United States, and in 1902 he was elected president of the North Carolina Bar Association ^[18], the last public position he held. He died at his home in Salisbury and was buried in the Chestnut Hill Cemetery.

Price was married twice. In 1871 he wed Annie Hobson, daughter of Mrs. Ann Hobson, of David County, who was a sister

of Governor John M. Morehead ^[19]. They had only one child, Augustus H. She died in 1876. In July 1878 he married Mary Roberts of Mobile, Ala.

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Subjects:

Biography ^[22]

Lawyers ^[23]

Politics and government ^[24]

Railroads ^[25]

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Authors:

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- [3] <https://ncpedia.org/bentonville-battle>
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