

Major Walter M. Clark



Walter McKenzie Clark was born at Prospect Hill in Halifax County, North Carolina, on August 19, 1846. Much of his boyhood was spent at Ventosa on the Roanoke River. Clark attended Vine Hill Academy, near Clarksville, then Ridgeway School and Belmont School in Granville County; in August 1860, he began classes at the Hillsborough Military Academy.¹

When North Carolina began mobilizing for war, Clark and the other cadets were sent to the camps of instruction to serve as drill masters. Reportedly called “Little Clark” since he was just fourteen, he was assigned to the Twelfth North Carolina Volunteers (later re-designated the Twenty-second North Carolina State Troops). The regiment was mustered into service on July 11, 1861, at the fairgrounds in Raleigh and was under the command of Col. James Johnston Pettigrew. On August 7, 1861, the regiment arrived in Richmond, Virginia, and was stationed at several different camps before arriving at Evansport, Virginia, on August 28, manning some of the defenses on the Potomac River actively engaged with disrupting river traffic.² Clark accompanied the regiment to Virginia and wrote home of seeing Yankee prisoners captured at the battle of Bull Run in July 1861; a sugar refinery; and various batteries engaged in “peppering Y. Doodle.”³

Pettigrew dismissed Clark as drillmaster on September 24, 1861, writing that “Little Clark” had “assiduously performed the duties of his position and in every way conducted himself with propriety.”⁴ Clark was next assigned to the Thirty-fifth North Carolina Troops as drillmaster and served as temporary adjutant while the regiment was being mustered. The Thirty-fifth North Carolina Troops was mustered into service November 8, 1861, with James Sinclair as colonel. Around the first of January, Clark resigned and returned to his studies at the Hillsborough Military Academy. In April 1862, the Thirty-fifth was reorganized. Matt Ransom was elected colonel. The adjutant of the regiment resigned a couple of months later, and “Little Clark” was appointed to the position at the rank of First Lieutenant. Clark was just turning sixteen when he joined the regiment in Virginia and fought in various battles, including the capture of Harper’s Ferry, Sharpsburg, and Fredericksburg. “The Rattle of Musketry for the first time broke upon my ear,” he wrote home following the battle of Sharpsburg. “It is an indescribable sound, it somewhat resembles dropping a hundred thousand lead bullets on a loose tin roof.”⁵ Clark was reportedly wounded in the hand during the battle.⁶ In October, he was reported in the hospital at Camp Winder in Richmond, but his complaint and duration of stay seem lost to history.⁷

On January 26, 1863, he submitted his resignation. Two months earlier he had written home about his health. The doctor believed he had pneumonia. Clark had intended to remain with the army until the end,

¹ David Clark, “Walter McKenzie Clark.” William Powell, ed. *Dictionary of North Carolina Biography*. (Chapel Hill: University of North Carolina Press, 1979), 1:378-79.

² Weymouth T. Jordon, Jr. *North Carolina Troops, 1861-1865: A Roster*. 21 volumes. (Raleigh: Division of Archives and History, 1991), 7:1

³ Aubrey Lee Brooks and Hugh Talmage Lefler, *The Papers of Walter Clark*. 2 volumes. Chapel Hill: The University of North Carolina Press), 1:54-7.

⁴ Brooks and Lefler, *The Papers of Walter Clark*, 1:57.

⁵ Brooks and Lefler, *The Papers of Walter Clark*, 1:80.

⁶ *The News and Observer*, May 20, 1924.

⁷ Walter M. Clark, Compiled Service Record, M270, Roll0394, Record Group 109, National Archives.

but now he had a “wretched cough.” Then, much of eastern North Carolina came under Federal control.⁸ This, combined with his father’s poor health, led to his resignation, which was accepted February 7, 1863.⁹ The sixteen-year-old Clark returned to school, this time the University of North Carolina, from which he graduated first in his class on June 3, 1864. The following day, Clark was elected major of the Sixth Battalion Junior Reserves.¹⁰ His battalion contained over 400 sixteen- and seventeen-year-old men, the same age as Clark.¹¹

Besides seeing to the drill of men and officers in his battalion, Clark served on a board examining officers in the junior reserve battalions. Clark’s Sixth Battalion was first sent to Goldsboro, then Weldon to guard the railroad. On July 4, 1864, Clark’s Sixth Battalion was combined with the First Battalion Junior Reserves to create the First Regiment North Carolina Junior Reserves. Clark was elected lieutenant colonel. However, two weeks later, the new regiment was re-organized, with Clark becoming major. Colonel Frank S. Armistead commanded the regiment. For the next few months, Clark and the regiment were involved in a number of expeditions, skirmishes, and battles, such as the re-capture of Plymouth by the Federals in October, along the Roanoke River and at Fort Branch in December, the battle of Wyse’s Fork in February 1865, and the battle of Bentonville in March. Clark probably witnessed the review of the army by General Joseph E. Johnston and Governor Zebulon Baird Vance on April 6. On May 1, 1865, Clark was paroled along with other members of his regiment and the Army of Tennessee.¹²

Returning home, Walter Clark worked on rebuilding burned homes and restoring fallow fields. He supported industrialization for the South. Resuming the study of law that he had begun at the University of North Carolina, Clark received his law license in 1867 and began to practice in Scotland County. In 1873, he moved to Raleigh, where he also managed the *Raleigh News* and served as counsel for a railroad. In April 1885, former Confederate general, now Governor Alfred M. Scales, appointed Clark as a judge of the superior courts. Three years later, he was appointed an associate justice of the state supreme court, winning an election for the same post a year later. He refused a nomination to run for governor and was mentioned as a candidate for Vice President of the United States at the Democratic National Convention in 1896. Clark later won the election for chief justice of the North Carolina Supreme Court. In total, he served on the supreme court for thirty-five years, writing 3,235 opinions.¹³

To say that Clark had a deep interest in North Carolina history and law would be an understatement. While many of his publications dealt with the law, Clark also edited the sixteen volumes of the *State Records of North Carolina* (1886-1897), a series that picks up after the colonial and revolutionary era. In 1901, the five-volume collection *Histories of the Several Regiments and Battalions from North Carolina, in the Great War 1861-1865*, was released, another publication Clark oversaw. This series features a history of every Confederate regiment from North Carolina, written by a veteran of that regiment. Furthermore, an entire volume is dedicated to North Carolina’s role in certain battles, like Gettysburg and Chickamauga, along with the experiences of the Confederate navy and civilians. The collection is unparalleled in Confederate historiography. Justice Clark also spoke at numerous monument dedications and Confederate Memorial Day programs across North Carolina. He led the effort to have two dates

⁸ Brooks and Lefler, *The Papers of Walter Clark*, 1:91.

⁹ Jordan, *North Carolina Troops*, 9:359.

¹⁰ Brooks and Lefler, *The Papers of Walter Clark*, 1:52.

¹¹ Brown and Coffey, *North Carolina Troops*, 17:17.

¹² For a complete history of the junior reserve battalions and regiments, see Brown and Coffey, *North Carolina Troops*, 17:1-120.

¹³ Clark, “Walter McKenzie Clark,” *Dictionary of North Carolina Biography*, 1:378-79.

placed upon the flag of North Carolina: May 20, 1775, the date of the Mecklenburg Declaration of Independence, and April 12, 1776, the date of the Halifax Resolves.¹⁴

Walter Clark, Confederate officer and one of the most able jurists ever produced by North Carolina, passed away on May 19, 1924, and is interred in Oakwood Cemetery in Raleigh. A soldier in his ranks wrote that Clark was “a Brave and Brilliant officer,” and was “very popular with all of the soldier boys.”¹⁵ Regarding his legal career, it was once reported that “Judge Clark’s dissenting opinions of this year become the laws of next year.”¹⁶ A Confederate flag adorned his casket in the capitol rotunda as thousands filed past.¹⁷ “The Chief justice revelled [sic] in history of the past. But he studies it to obtain light for the future,” wrote the editor of a newspaper.¹⁸

¹⁴ Clark, “Walter McKenzie Clark,” *Dictionary of North Carolina Biography*, 1:378-79.

¹⁵ Brown and Coffey, *North Carolina Troops*, 17:151.

¹⁶ *The News and Observer*, May 20, 1924.

¹⁷ *Asheville Citizen-Times*, May 21, 1924.

¹⁸ *The News and Observer*, May 20, 1924.