

Dunn, John Ross ^[1]

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by Carole Watterson Troxler, 1986

d. 1783

John Ross Dunn, Salisbury lawyer and founder, was born in Ireland. According to Archibald D. Murphey ^[2], he studied to be a Roman Catholic ^[3] priest but "left Ireland suddenly in consequence of some fracas" and boarded a privateer for America when he was about twenty years old. He married Mary Reid and settled on Reid's Creek, a tributary of the Yadkin River, where he worked for a time as shoemaker and schoolteacher. They had two daughters and at least one son. Susan Dunn married Lewis Beard ^[4], a son of John Lewis Beard, and the other daughter married a Mr. Fisher. Later Dunn married Betsy Howard and Frances Petty.

Apparently Dunn began his legal career as deputy clerk of the Anson County ^[5] court. When Rowan was formed from Anson in 1753, he became clerk of the Rowan County ^[6] court. He was licensed to practice law in 1755 and eventually served as Crown ^[7] attorney. In 1754 he was one of the two commissioners who marked the lots and streets for the new town of Salisbury. Dunn's land purchases reflect the growth of the town and of his law practice. First he attended to building a plantation base between 1758 and 1762, buying over twelve hundred acres on the middle fork of Crane Creek, a few miles from Salisbury. At this time he owned only two lots in Salisbury, but between 1770 and 1772 he bought six and one-half additional town lots. His militia record paralleled his economic and professional advancement. Dunn was adjutant in the Rowan County militia during the mid-1750s. He was a commissioner to deal with the Cherokees ^[8] in 1757, and as a militia major he supplied wagons for the expedition against them in 1759–60. During the Regulator upheavals Dunn was the commanding colonel of Rowan County militia, which assisted in the defense of the Hillsborough court; he also served on the committee of officials who met with the Regulators ^[9].

Dunn represented Rowan County in the colonial Assembly in 1762 and Salisbury during 1769–71. In the latter Assembly he was a member of the committee on public claims, serving for a time as chairman. He introduced a bill for the collection of back taxes in the wake of the Regulator crisis and another for building a jail in Salisbury. Both became law. With other men from the area he was entrusted with several responsibilities under the Assembly's surveillance: to contract for building courthouses for the new counties of Guilford and Surry and for surveying their lines, for building a new Rowan courthouse, and for building a road from the frontier to Campbellton. The commissioners did not accomplish the two latter tasks.

In the years before the American Revolution Dunn figured in a controversy over the established church. An Anglican ^[10], he is said to have been responsible for bringing the Reverend Theodorus Swaine Drage ^[11] to organize the established church in Rowan County. The minister started a chapel in the Jersey settlement, but in 1769 dissenters ^[12] captured the vestry election and their new vestry withheld the Anglican's salary. Their action forced Drage to leave the county in 1773. During this time, Dunn was a conspicuous Anglican. Drage held services in Dunn's commodious Salisbury house, which was noted for its Christmas greenery.

In 1774 and 1775 Dunn and a wealthy English lawyer in Salisbury, Benjamin Booth Boote, came under attack by the Rowan Committee of Safety ^[13]. It has been suggested that the attack was part of an attempt by a new lawyer, William Kennon, recently arrived from Wilmington, to force out the established ones. Their first brush with the Committee of Safety came as a result of a declaration bearing their names. About two years later Dunn explained the origin of the declaration. He said it had originated in late August or early September 1774 when a magistrate showed Dunn and Boote a newspaper account of a New York resolution condemning Bostonian action against the authority of Parliament. The magistrate persuaded Boote to draft a declaration of allegiance to king and Parliament. Four men signed it, and they agreed not to offer it to anyone else. The declaration got out, however, and Waightstill Avery ^[14] read it to a Presbyterian congregation in Mecklenburg County ^[15]. Thus it was general knowledge by the time Dunn attended the September court in Mecklenburg County.

On 23 September the Rowan Committee of Safety, with Kennon as chairman, condemned the declaration and had it displayed on the gallows and whipping post. The safety committee referred to the document as a "Protest," for its statement of allegiance to king *and* Parliament challenged the committee's resolution made at its first recorded meeting on 8 August; in it the committee had vowed its allegiance to the king alone and had accused Parliament of usurping the rights of the colonial assemblies. In his later description of the declaration, Dunn clearly implied that he and Boote had been unaware of the committee's resolution. It is conceivable that Dunn was telling the truth, for the committee did not meet again until 23 September, when they condemned the "Protest."

Although Dunn refused to participate in revolutionary elections and committees, there are indications that he used his influence to oppose Kennon's leadership and tried to curb his forwardness as the latter's star rose with the events of 1775. The Captain Jack episode publicly displayed the weakness of the conservative position and provided enough

revolutionary momentum for Kennon to rid Salisbury of Dunn and Boote, its leading conservative spokesmen. While Captain James Jack ^[16] was in Salisbury on his way from Charlotte to Philadelphia, Kennon had the Mecklenburg Resolves ^[17] read from the courthouse. Dunn and Boote denounced the Resolves as treasonous and called for Jack's confinement, but the horseman rode away.

Soon afterwards a party of armed men from Mecklenburg County went into Rowan to seize Dunn and Boote. They acted in concert with Kennon and a few others who arranged with subterfuge to remove Dunn and Boote from Salisbury for the rendezvous with the men from Mecklenburg. The legality of the abduction was challenged by several prominent Salisbury revolutionaries. After a long debate, the Rowan Committee of Safety recorded the incident as an unofficial act not to be taken as precedent. The 1775 Provincial Congress ^[18], of which Kennon was a member, went on record as deploring the action (abduction without a hearing) as a general rule but approved it in the particular case.

The two lawyers were taken to Charles Town and were kept there for over a year. The South Carolina Provincial Congress had not requested their presence and did not know what to do with them. The congress paid part of their maintenance expenses on the promise of reimbursement from North Carolina and paroled the men within Charles Town. Enjoying his relative freedom, Dunn became intoxicated and spoke too loosely, for which he was reprimanded by the congress. Dunn and Boote returned to Salisbury early in September 1776. The North Carolina Council of Safety ^[19], meeting there, paroled Dunn to Salisbury and required £1000 bond from him but admitted Boote into citizenship on his taking the state oath.

Both lawyers accommodated themselves to the Revolution ^[20], but only Dunn's accommodation was permanent. In August 1777, two years after their removal, they were allowed to return to the bar, and Dunn became state's attorney for Rowan County as he previously had been Crown attorney. Boote continued his legal practice under the new regime until Cornwallis's presence in 1781 offered an alternative. He joined the British but was taken prisoner at Yorktown. Boote returned to England and died soon after the war.

Dunn, on the other hand, cast his lot with the county and town he had helped to build. There are no indications of further difficulties with neighbors with whose political views he had disagreed. An appropriate, if incidental, sign of their reacceptance of him was his appointment to contract for building a new courthouse in 1778 and for repairing the old one in 1781; he shared these responsibilities with one of the men who had arranged for his abduction. Dunn's career was not politics but the practice of law—the maintenance of the courthouse, one might say—and he successfully resumed it. Perhaps it is significant that Kennon was no longer in Salisbury. Beginning in 1775 Kennon obtained several jobs as a commissary for the state government and seems to have managed them from Wilmington; he died in late 1777 or early 1778.

Dunn practiced law in Salisbury until his death. Tradition relates that he became ill while pleading a case and was carried from the courtroom. He is believed to have been buried on his land at "Dunn's Mountain," which still casts its gaze toward courthouse square.

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Additional Resources:

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