

Paine, Robert Treat ^[1]

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18 Feb. 1812–8 Feb. 1872

Robert Treat Paine, lawyer, shipper, and politician, was born in Edenton ^[2]. Little is known of his ancestry but the family was apparently well-to-do. He was graduated from Washington (now Trinity) College in Hartford, Conn., read law privately after the custom of the day, and practiced in his native Chowan County ^[3]. At times he also operated a shipyard and engaged in shipping.

A Whig in politics, Paine was a member of the House of Commons in the 1838, 1840, 1842, 1844, 1846, and 1848 sessions. In 1847 Whig Governor William A. Graham ^[4] appointed him colonel of the North Carolina Volunteer Regiment, which saw duty in northern Mexico with General Zachery Taylor. It was in this capacity that Paine gained his greatest notoriety.

In the spring of 1846, when the War with Mexico ^[5] erupted, North Carolinians enthusiastically rushed to arms. More volunteers came forward than the proposed regiment could possibly enroll. In July 1846 ten companies were drawn from the thirty-two available. Not until November 1846 did the War Department order the state regiment to muster. Then the terms of service were for the duration rather than for twelve months as previously announced. Also, by then political factionalism had crystallized. Whigs, including Governor Graham, had denounced "Mr. Polk's War," while averring to preserve the national honor despite the questionable origin of hostilities. This equivocation, combined with the change in enlistment conditions and the natural diminution of initial enthusiasm, presented North Carolina with a dilemma. When polled, only one company of those that had volunteered six months earlier agreed to enter Federal service. New volunteers were sought but were found to be exceedingly scarce. Not until the late summer of 1847 was the regiment whole and united in Mexico.

Likewise, the question of regimental command was politically sensitive. Robert Treat Paine, a partisan Whig legislator, had been Governor Graham's fourth choice for regimental colonel and was appointed amid bitter protests by North Carolina Democrats ^[6]. This inauspicious beginning was a harbinger of things to come. The regiment was assigned to garrison duty in northern Mexico and never saw action against the enemy. Inactivity, miserable weather, and an unhealthful climate resulted in boredom and restlessness. Paine, an intransigent disciplinarian, proved to be an egotistical martinet. He employed a wooden horse and other forms of corporal punishment in order to maintain order. A large majority of the regiment's officers and men, in part inspired by political differences, despised Paine. They were joined in this sentiment by Virginia and Mississippi volunteers who were encamped with the North Carolinians.

On the nights of 14 and 15 August 1847, a mutinous disturbance directed towards Colonel Paine occurred. On 14 August privates from the Virginia, North Carolina, and Mississippi regiments invaded the North Carolina camp and partially destroyed the hated wooden horse located near Paine's tent. Spurred by this success, on 15 August several volunteers rocked the tent early in the evening. Later, after tattoo, an unruly crowd of noisy, swearing men entered the North Carolina camp and approached Paine's quarters. Armed with a pistol, the colonel emerged. The frightened crowd dispersed and refused to halt when Paine threatened to fire on them. A voice challenged him to "fire God damn you." He did, killing a North Carolina private, who happened to be an innocent bystander, and wounding another from Virginia. Subsequently, the controversial Paine received the backing of General John Ellis Wool, the ranking officer in the area, and was exonerated of wrongdoing by a court of inquiry; however, his reputation was irrevocably tarnished in the minds of many North Carolinians.

In time Paine's fortunes improved. President Zachery Taylor appointed him to the Mexican Claims Commission in March 1849, and he was an American (Know-Nothing) member of the U.S. House of Representatives from 1855 to 1857. In that capacity he was a moderate champion of Southern rights but voted against reopening the trans-Atlantic slave trade.

In 1860 Paine, his wife Lavinia, their only child Sarah, and her husband William Thompson moved to the Mills Creek section of Austin County, Tex. There Paine and Thompson cultivated cotton on a large plantation. Paine died in Galveston and was interred in the Brenham Cemetery, Brenham, Tex.

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