

## Potter, Robert <sup>[1]</sup>

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## Potter, Robert

by Carolyn A. Wallace, 1994

**June 1800?–2 Mar. 1842**

Robert Potter, lawyer and politician, was born in [Granville County](#) <sup>[2]</sup>, the son of Thomas and Susan Walker Potter. Thomas Potter is said to have been a member of a family of substantial merchants and farmers and a man of good character but no financial success. His son Robert later wrote of him with respect and affection. The mother evidently died while the son was a child.

Nothing is known of the schools Robert Potter attended, but he later demonstrated good knowledge of the classics and fluent command of the English language, with unusual oratorical ability. Appointed a midshipman at age fifteen, he spent six years in naval service along the Atlantic coast and in the West Indies. He resigned from the navy in March 1821 and returned to North Carolina, studying law in the office of Thomas Burgess of [Halifax](#) <sup>[3]</sup>, quickly passing the bar examination, and beginning practice.

In 1824 Potter ran for election as the representative of the borough of Halifax in the North Carolina House of Commons in opposition to the incumbent [Jesse A. Bynum](#) <sup>[4]</sup>, another young lawyer. The spirited campaign seems to have been characterized by personalities and factionalism rather than issues. Bynum was declared the winner, but Potter charged that the count was fraudulent and challenged his opponent to a duel. Bynum refused to fight on the grounds that Potter was not a gentleman. The two men again sought the seat in 1825, and their rivalry provoked a fight more like a brawl than a duel. Both were arrested, placed under peace bond, and published denunciations of each other. No election for borough representative was held that year.

In 1826 Potter was a candidate for the third time and won. Although a new and youthful member of the [General Assembly](#) <sup>[5]</sup> of 1826–27, he introduced one of the more notable bills of the session and made one of the more sensational speeches. He proposed that the state borrow \$220,000 to establish and support a "political college," in reality an agricultural school and academy where poor but intelligent boys selected from each county would devote three years to working on the farm and studying agriculture, the art of war, political economy, and morality. They were then to spend another three years teaching at assigned positions in the state. Potter supported his bill in a long and unusual speech critical of North Carolina and its officials, especially three members of Congress whom he denounced by name. Although as chairman of the committee on education he later reported favorably on the bill, it failed to pass.

In 1827 Potter moved from Halifax back to his native county of Granville, publishing a denunciation of Halifax and of his law teacher and former friend, Burgess. He married Isabella Taylor, of a prominent family of Granville. In August 1828 he ran for election as a member of the House of Commons in an election marked by bitter criticism of the three banks of the state. The banks, whose charters were soon to expire, had begun to curtail activities and call in loans, and the resulting financial stringency aroused hostility. Banking thus became the principal issue in the legislative session of 1828–29, with Potter among those wishing to punish the bank's officers and stockholders. He proposed to confiscate the assets of the banks and to indict the officers for violation of charters through excessive note issues, suspension of specie payments, and usurious rates. Another legislator proposed to establish a new bank wholly controlled by the state government, its assets to be those confiscated from the former banks and the credit of the state. Supporters of the banks and fiscal conservatives combined to defeat both measures.

In August 1829 Potter enlarged his field of operations by winning election as the representative to Congress from his district. As a congressman he continued his hostility to banks, introducing a resolution, which failed to pass, declaring that a national bank was unconstitutional and paper money unwise.

In 1831 Potter was elected to Congress without opposition. He and his wife lived near [Oxford](#) <sup>[6]</sup>, the county seat, and had two children, Susan and Robert. This apparently happy situation ended on Sunday, 28 Aug. 1831, when Potter assaulted and castrated two men, charging that his wife was guilty of infidelity with both of them. One was her cousin, a minister in his fifties; the other was a nephew of her stepmother, a youth of seventeen. News of the action created a sensation in North Carolina.

Potter was charged with mayhem on the younger man; he pleaded guilty and was imprisoned for six months and fined \$1,000. Indictment for the attack on the older man was deferred on the grounds that the victim might die. He recovered,

and in March 1832 Potter was tried for assault with a deadly weapon. Again pleading guilty, he was sentenced to two years in prison and required to post a peace bond when released. The judge ordered that his confinement be in Hillsborough <sup>[7]</sup> rather than Oxford for safety. Potter resigned his seat in Congress in November 1831.

While in jail in Hillsborough, Potter wrote a lengthy "Address to the People of Granville County" justifying his conduct and declaring that his prosecution and punishment were politically motivated. He was then indicted for libel of the judge, but the case was never brought to trial.

When Potter's prison term was up in March 1834, he took the oath of insolvency and was released without payment of his fine. He soon ran again for the House of Commons in a campaign marked by violence between his supporters and his opponents and efforts of his brother-in-law to kill him. His victory under the circumstances was a remarkable demonstration of his popularity in his home county.

In the General Assembly of 1834–35 Potter's eligibility was challenged, since his recent oath of insolvency indicated that he lacked the one-hundred-acre freehold required for members of the house. The investigating committee sustained him as the owner of an adequate piece of land even though insolvent because a mortgage prevented sale of the property. The most noteworthy legislation of the session was the passage of a bill providing for the call of a convention to revise the state constitution. Potter's vote in opposition followed Granville County tradition but was uncharacteristically conservative. He took no prominent part in legislation and kept silent when the legislature heard and granted his wife's petition for divorce, change of name, and custody of their children. Late in the session Potter became involved in a gambling episode, charged his opponent with cheating, pocketed the money he had lost, and in the ensuing scuffle drew a pistol to defend himself. On 2 Jan. 1835 he was expelled from the North Carolina House of Commons.

In the summer of 1835 Potter went to Texas, arriving in Nacogdoches in time to participate in the Texas Revolution. He became a member of the Nacogdoches Independent Volunteers but soon resigned to request and receive a colonel's commission with letters of marque and reprisal. In February 1836 he was one of four men elected to represent Nacogdoches in a plenary convention. He was thus a member of the body that declared the independence of Texas, drafted a constitution, and formed a provisional government. His experience in legislative bodies and his forceful personality made him a leader, and he was appointed secretary of the navy in the government of provisional president David G. Burnet. He set out for Galveston to inspect the little Texas navy, on the way assisting a party of settlers fleeing to Galveston in fear of the Mexicans. Potter was appointed commander of the port of Galveston. After the Battle of San Jacinto he disagreed with Sam Houston on a number of points, and his brief service as secretary of the navy ended when Houston was elected president in September 1836.

Potter retired to private life, spent a year farming on the Sabine River, and built a home at what is now Potter's Point on Caddo Lake, then in Red River, now Marion County, where he farmed and practiced law. Living with him was Mrs. Harriet Moore Page, one of the refugees he helped to reach Galveston. She was a member of a respectable family who had moved to Texas, but she described her husband Solomon Page as a drunken ne'er-do-well who did not support her. She later claimed that Potter said her marriage was invalid by Texas law and that he and she were married by bond. She and Potter lived together as man and wife and had two children; her brother went to Caddo Lake to live with them. Their home was in a thinly settled area beset by lawlessness. Potter at one time tried to quell a mob and win a trial for a man it had captured. He was not successful in preventing the lynching <sup>[8]</sup>, but he won recognition through his oratory and he was twice elected a member of the Texas Senate, serving in the Fifth (1840–41) and Sixth (1841–42) Congress.

In the meantime Potter had become involved in a frontier feud with a neighbor, William Pinckney Rose. The two men were leaders of rival factions ostensibly endeavoring to preserve order and prevent crime but also each seeking control. Rose was charged with murder, and Potter took a group of men to Rose's home to arrest him, failing to find him. Early the next morning, Rose and his supporters surrounded Potter's home. Potter, waking, attempted to escape by diving into the lake and swimming under water, but when his head emerged he was shot and killed. His body was recovered and buried at Potter's Point. Rose and several of his followers were tried for murder, but the case was dismissed for lack of evidence.

Potter was survived by Mrs. Page and two children, one of whom soon died in an accident. Potter's divorced wife died before he did; their two children survived the parents but died unmarried. Potter made a will the month before his death leaving land and other property to Mrs. Page and substantial bequests of land, including his homestead, to other women. While in Austin he wrote to Mrs. Page as "Mrs. Harriet Potter," but in his will he did not call her his wife or use the name Potter for her. She contested his will and initially obtained possession of the home they had occupied, but after many years the Texas court ruled that she was not legally married to Potter and that the will was valid.

In 1876 a county in Texas was named for Potter, and in 1928 the state of Texas had his remains moved to the State Cemetery in Austin and marked with a monument.

Robert Potter was a tall, slender man with dark hair and eyes. He was intelligent and industrious, with personal magnetism and compelling eloquence. His great ability was not matched by discipline and restraint, and his life was marked by extremes. He became notorious rather than noted, conspicuous rather than constructive. In spite of the prominent roles he played in North Carolina and Texas, he left no lasting achievements.

A portrait of Potter as a young man, oil on wood, was preserved by descendants of his sister, and a copy was made from it, oil on canvas. The copy was given to the North Carolina Historical Commission <sup>[9]</sup> in 1930 and was probably the portrait hanging in the North Carolina capitol in 1945 (see Blanchard and Wellman, *The Life and Times of Sir Archie* <sup>[10]</sup>). The present location of the portrait and the copy is unknown.

## References:

Potter's activities reported in the newspapers and in the *Journals of the House of Commons*.

Pamphlet editions of his writings about Bynum and Halifax, the debate on his bill to punish the banks, and his "Address to the People of Granville County" (North Carolina Collection, University of North Carolina, Chapel Hill).

Recollections of Mrs. Page (later Mrs. Ames) and other materials about Potter in the Samuel A. Asbury Papers (typed copies, Southern Historical Collection, University of North Carolina, and other repositories). See also Elizabeth A. C. Blanchard and Manly Wade Wellman, *The Life and Times of Sir Archie* <sup>[10]</sup> (1958).

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William A. Devin, "Robert Potter: An Uncommon American," a paper read before the Raleigh History Club, March 1948 (North Carolina Collection).

Robert C. Shearer, *Robert Potter: Remarkable North Carolinian and Texan* (1951).

Robert Watson Winston, "Robert Potter: Tar Heel and Texas Dare Devil," *South Atlantic Quarterly* 29 (April 1930).

## Additional Resources:

"Disciplinary Actions by the General Assembly Against Members of the House or Senate." NCGA: North Carolina General Assembly. <https://www.ncleg.net/library/Documents/DisciplinaryActionsAgainstMembers.pdf> <sup>[11]</sup> (accessed September 24, 2014).

Ericson, Joe E. "Potter, Robert," *Handbook of Texas Online*. Texas State Historical Association. 2010. <https://tshaonline.org/handbook/online/articles/fpo31> <sup>[12]</sup> (accessed September 24, 2014).

Long, Kim. *The almanac of political corruption, scandals and dirty politics*. New York: Delta Trade Paperbacks. 2008. <https://www.worldcat.org/title/almanac-of-political-corruption-scandals-and-dirty-politics/oclc/191922739> <sup>[13]</sup> (accessed September 24, 2014).

"Potter, Robert, (ca. 1800-1842)." *Biographical Directory of the United States Congress*. Washington, D.C.: The Congress. <http://bioguide.congress.gov/scripts/biodisplay.pl?index=P000467> <sup>[14]</sup> (accessed September 24, 2014).

## Subjects:

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[UNC Press](#) <sup>[19]</sup>

## Authors:

[Wallace, Carolyn A.](#) <sup>[20]</sup>

## Origin - location:

[Halifax County](#) <sup>[21]</sup>

[Halifax](#) <sup>[22]</sup>

[Granville County](#) <sup>[23]</sup>

[Oxford](#) <sup>[24]</sup>

[Orange County](#) <sup>[25]</sup>

[Hillsborough](#) <sup>[26]</sup>

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[Dictionary of North Carolina Biography, University of North Carolina Press.](#) <sup>[27]</sup>

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