

Warren, Edward Jenner ^[1]

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by Roberta Sue Alexander, 1996

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Edward Jenner Warren, lawyer, jurist, and legislator, was born in Wardsboro, Vt., the third of twelve children of John Parker and Lucy Maynard Wheelock Warren, both of whom descended from a long line of prominent New England Puritans. Two of his great-grandfathers, Nathaniel Warren and Ebenezer Read, and his two grandfathers, Stephen Warren and Asa Wheelock, fought in the American Revolution. Read and Stephen Warren were minutemen who took part in the Battle of Lexington. E. J. Warren's father was a noted physician and botanist in Vermont.

Due to family financial problems, Warren—after graduation from Dartmouth in 1847—moved to North Carolina and became a teacher. While employed at the Washington Academy and the Greenville Male Academy ^[2], he studied law. After his admission to the bar in 1848, he established a law practice in Washington ^[3], N.C., and soon became one of the most prominent lawyers in eastern North Carolina. One case in particular brought him much unwanted notoriety. During the fall term of 1853 in the Beaufort County Superior Court, Warren had conducted the prosecution of his case masterfully, and the jury convicted the accused of murder. On hearing the verdict, the defendant pulled a pistol and fired it point blank at Warren. However, the bullet was stopped by a large pocketbook in Warren's breast pocket, just above his heart. The convicted murderer then turned the gun on himself, committing suicide.

Besides his legal career, Warren pursued financial and community interests. In 1855 he helped found the Pamlico Bank in Washington. By the start of the Civil War ^[4], he had also become active in politics. From a Federalist-Whig background and himself an old-line Whig, he initially opposed secession. Yet at the same time he believed that Congress should protect Southern rights. When he was running for a seat in the state constitutional convention in February 1861 (which was not held because North Carolinians voted against its convening), he, as he explained it, "advocated the experiment of a peaceable and honorable adjustment of our difficulties upon the basis of constitutional guarantees acceptable to the South," such as the Crittenden Compromise. But by May 1861, as a candidate for the North Carolina Constitutional Convention that voted for secession, he had come to believe that compromise was no longer possible. He argued that the North had demonstrated that it was "united in support of the infamous policy of Lincoln. They intend our subjugation. . . . War exists." Therefore, he contended that "duty, self-respect, safety, [and] liberty" required North Carolina to "dissolve her connection with the Federal Government." Consistent with these beliefs, Warren, as a member of the 1861 convention in May, voted for secession.

During the war he aligned himself with the Conservative party ^[5]. At the 1861 convention he had voted for former Governor William A. Graham ^[6] as president of that body and for a resolution that would have required the convention to submit the ordinance of secession to the people for ratification. As a member of the state senate in 1862–64 he consistently voted with the Conservatives and supported Governor Zebulon Vance ^[7], one of his closest personal and political friends.

After the war Warren was seated in the 1865 state constitutional convention and voted for the resolution that declared the ordinance of secession, for which he had previously voted, null and void. In the same year, Governor William Holden ^[8] appointed him one of seven circuit judges in the provisional government. In 1866 Governor Jonathan Worth ^[9] named him a judge of the superior court, a position he held until July 1868, when a new state constitution was adopted under the provisions of congressional Reconstruction. Warren then formed a law partnership with David M. Carter and devoted his time to the legal profession while the Republicans ^[10] controlled the state.

In 1870 Warren, now a Democrat ^[11], again won a seat in the state senate. During the campaign, he had claimed that he had no desire for the office but felt obligated to accept his party's nomination—which had been made without his knowledge. Explaining his political views, he said that he believed the South should have been treated with less severity and that congressional Republicans had been harsh with the South for political reasons. Yet he acquiesced to many of the Reconstruction measures. He stated that he would retain such Republican-initiated changes as the new suffrage provisions enfranchising blacks, the reestablishment of the common schools, and the homestead and personal property exemptions. But he opposed many innovations that the Republican-dominated state legislature had recently passed, including the change to a criminal code similar to that of New York and the abolition of the county court system. He also attacked the large state debt, as well as the supposed corruption and wastefulness in the state under Republican rule. However, he maintained that he did not favor "violent, revolutionary, or vindictive actions." Elected president of the senate, Warren presided over Governor William Holden's impeachment trial during the 1871–72 session.

On 16 May 1849 he married Deborah Virginia Bonner, the daughter of Colonel Richard H. and Elizabeth Lee Bowen Bonner. Deborah's grandfather, the Reverend Thomas Bowen, was one of the early leaders and founders of Methodism in North Carolina. The Warrens had two children: Charles F., a successful lawyer and second president of the North Carolina Bar Association ^[12], and Lucy, who married William Rodman Myers.

Warren died at age fifty from a slow, crippling rheumatism that had inflicted him for fifteen years. For the last six years of his life he had to travel back and forth to his law office in a wheelchair. He was buried in the Episcopal ^[13] churchyard in Washington, N.C. One biographer described him as a tall man, "with clear-cut features, rather fair complexion, light brown hair and piercing hazel eyes." A photograph is among his papers in the Southern Historical Collection at The University of North Carolina ^[14].

The North Carolina Bar Association eulogized Warren as a "very able lawyer, and a great judge." His law partner, David M. Carter, said that he was "a man of the strictest and sternest integrity." Chief Justice Walter Clark ^[15] of the North Carolina Supreme Court ^[16] believed that he was "one of the most forceful and able men that this state had produced."

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Additional Resources:

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