

## **Wilson, Joseph** <sup>[1]</sup>

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**28 Mar. 1780–27 Aug. 1829**

Joseph Wilson, lawyer, known in the legal annals of North Carolina as "The Great Solicitor," was born in Randolph County <sup>[2]</sup>, the son of William, who was born near Edenton of Scottish ancestry, and Eunice Worth Wilson, who was born on Nantucket Island of English descent. She numbered among her lineal ancestors William Worth, the founder of the Worth family of North Carolina, who settled on Nantucket in 1662, and John Howland, a *Mayflower* pilgrim who landed at Plymouth Rock in 1620. William and Eunice Wilson were members of the Society of Friends (Quakers).

After attending David Caldwell <sup>[3]</sup>'s school <sup>[4]</sup> in Greensboro <sup>[5]</sup> and Greeneville College in Greeneville, Tenn., Joseph studied law under Reuben Wood <sup>[6]</sup>, an energetic, erudite lawyer and public servant who traveled on horseback carrying Bacon's *Maxims of the Law* and Blackstone's *Commentaries of the Laws of England* in his saddlebags to virtually all courts sitting in the vast area lying between his home in Randolph County and Jonesboro, Tenn. Licensed to practice law in 1804, Wilson settled in Stokes County <sup>[7]</sup>, where the justices of the county designated him solicitor of the Stokes County Court of Pleas and Quarter Sessions <sup>[8]</sup>. In this post he acquired valuable experience in prosecuting minor criminal offenses.

As a devoted Jeffersonian Democrat <sup>[9]</sup>, he was elected to represent Stokes County <sup>[7]</sup> in the North Carolina House of Commons <sup>[10]</sup>, where he won substantial renown as a firm advocate of the rights of the United States in its controversies with Great Britain.

Although he was not a resident of the circuit, the North Carolina General Assembly <sup>[10]</sup> in 1812 chose him solicitor of the Sixth Judicial Circuit over two formidable opponents, Robert H. Burton and Alexander McMillan. The results of the legislative poll was Wilson 94, Burton 41, and McMillan 37. His acceptance of the solicitorship necessitated his removal to the Sixth Circuit. As a consequence, he established his home at Charlotte <sup>[11]</sup> in Mecklenburg County <sup>[12]</sup>, where he resided for the remainder of his life. The Sixth Judicial Circuit, which was commonly known as the Mountain Circuit, included Mecklenburg, Cabarrus, Lincoln, Iredell, and all the other counties lying between them and Tennessee. When he accepted responsibility for prosecuting persons charged with crimes in the superior courts of his far-flung circuit, Wilson assumed a task of herculean proportions.

During the first quarter of the nineteenth century, a carnival of crime swept through the Mountain Circuit. Murder, robbery, and other violent offenses were widespread and aroused terror in all quarters. Even more nefarious because of its corrupting consequences was counterfeiting, which was rampant in parts of the circuit and, like all crimes motivated by greed, provoked other evil deeds. According to a tradition, which bears the earmarks of the apocryphal, Solicitor Wilson secured the conviction of a notorious counterfeiter in Burke County <sup>[13]</sup> Superior Court, and the presiding judge ordered the culprit to pay a substantial fine. After he had done so and departed for parts unknown, it was discovered that he had paid the fine with counterfeit money.

By prosecuting wrongdoers without fear or favor, Wilson incurred the hatred of malignant evildoers, who frequently threatened his life and occasionally imperiled it. About August 1825, for example, Wilson, accompanied by his friend William Roane, his overseer, and an African American, was traveling on horseback to a plantation he had purchased in Rutherford County <sup>[14]</sup>. A contemporary account noted: "on their way thither, the party was fired at by some assassins in ambuscade, but fortunately their murderous intention was defeated. Mr. Roane was severely, though not dangerously wounded, a ball having passed through his body. The negro was shot through the thighs and legs, and Mr. Wilson's horse was shot. Mr. Wilson and his overseer received no personal injury."

Wilson disclosed his understanding of the perils that surrounded him by inserting these words in his will:

I have written this, my last will and testament, in perfect health and sound mind, not with the expectation that I am about to die a natural death, but as a provision in the event of a sudden one which I have apprehended for several years, from someone of the banditry in my circuit, the extent of which is known to no one except myself; and I have lived, and now am, in daily expectation of a possibility, nay of a probability, of being destroyed by someone in this way. Should it be permitted by an inscrutable Providence, I ask of those who would, in that event, well knowing that I have fallen on account of a firm discharge of public duty, to extend a helping hand to my dear wife, and our helpless offspring, should they need it.

Although he hated evil, Wilson demonstrated his compassion for evildoers by writing to his wife while on his dangerous circuit: "How thankful we should be to Almighty God, to whose mercy we owe our better knowledge, our Christian education, our exemption from the temptations which have surrounded these unhappy men."

In restoring law and order in the Mountain Circuit, Joseph Wilson earned the gratitude of its law-respecting inhabitants,

who bestowed on him their highest accolade by calling him "The Great Solicitor." His prowess as a prosecutor undoubtedly prompted Governor [John Branch](#) <sup>[15]</sup>, acting with the advice and consent of the [Council of State](#) <sup>[16]</sup>, to appoint him a superior court judge on 3 July 1819 to fill a vacancy caused by the resignation of [James Iredell](#) <sup>[17]</sup>. But Wilson declined the appointment and remained a solicitor for the rest of his life, except for a brief period in 1825, when party spirit was running high in Mecklenburg County and he was induced to resign his office and make an unsuccessful canvass against Colonel Thomas G. Polk for a seat in the North Carolina House of Commons. After his defeat, he was reinstated in the solicitorship.

At the time of his death in Charlotte at age forty-nine, Wilson was regarded as a suitable successor to Senator John Branch, who had relinquished his seat in the U.S. Senate to accept President [Andrew Jackson](#) <sup>[18]</sup>'s commission as secretary of the navy.

Wilson married Mary Wood, the daughter of his legal preceptor, Reuben, and his wife, Charity Hayne Wood. After he moved to areas where [Quaker](#) <sup>[19]</sup> meetinghouses did not exist, he affiliated with the Presbyterians. Mary Wilson was always a devout Episcopalian.

The Wilsons had four daughters: Catherine Elvira, Laura Theresa, Sarah Roxanna, and Mary J. Catherine married [William Julius Alexander](#) <sup>[20]</sup>, of Charlotte, a distinguished lawyer and public servant; one of their daughters, Catherine Elvira Alexander, married Colonel John F. Hoke, of Lincolnton, an able lawyer, and became the mother of Chief Justice William Alexander Hoke of the [North Carolina Supreme Court](#) <sup>[21]</sup>. Laura's first marriage was to Marshall Tate Polk, the youngest brother of President [James Knox Polk](#) <sup>[22]</sup>; by Polk, who died at an early age while practicing law in Charlotte, she became the mother of Major Marshall Tate Polk, of Nashville, Tenn., state treasurer of Tennessee. By her second marriage, to Dr. William Caldwell Tate, of Morganton, a physician of note, she became the mother of Catherine Elvira Tate, the wife of William E. Powe. Sarah married Dr. Pinckney Colesworth Caldwell, of Charlotte, a distinguished physician, and became the mother of Catherine C. Caldwell, who married Benjamin Simons Guion, of [Lincoln County](#) <sup>[23]</sup>. Benjamin S. Guion and Catherine C. Caldwell were the parents of Dr. [Connie Guion](#) <sup>[24]</sup>, a noted woman physician of New York City. Mary, the Wilsons' youngest daughter, never married.

A portrait of Joseph Wilson was owned by his great-granddaughter, Mrs. Mary Hoke Slaughter, of Charlottesville, Va.

#### References:

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*Raleigh Register and North Carolina Gazette*, 4, 17 Sept. 1829.

*Raleigh Star*, 18 Dec. 1812.

*Salisbury Western Carolinian*, 8 Sept. 1829.

#### Subjects:

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[Quakers](#) <sup>[30]</sup>

#### Authors:

[Ervin, Sam J., Jr.](#) <sup>[31]</sup>

#### Origin - location:

[Guilford County](#) <sup>[32]</sup>

[Greensboro](#) <sup>[33]</sup>

[Mecklenburg County](#) <sup>[34]</sup>

[Charlotte](#) <sup>[35]</sup>

[Stokes County](#) <sup>[36]</sup>

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