

This article by Frank Willis Barnett was
published in THE BIRMINGHAM NEWS - AGE HERALD, Sunday
January 15, 1928

JUDGE INZER'S DEATH AT 93 BREAKS CHAIN CONNECTING WITH SECESSION DAYS...Jurist identified in State History.... Pioneer Lived Through Hard Struggle of Turbulent Times in Alabama--by Frank Willis Barnett.

Judge John Washington Inzer, who died at Ashville, Ala., on Jan. 2, 1928, would have been 94 years old had he lived until the ninth of the month, having been born on Jan. 8, 1834, on a farm seven miles west of Lawrenceville, Gwinnett County, Ga. Judge Inzer was the youngest member of the Alabama Secession Convention, to which he was elected when 26, and the last surviving member. If one knew the life of the distinguished Ashvillian he would come mighty near knowing the history of the state for at his birth it was little more than a dozen years old.

Had it not been for the wishes of the family a state funeral ought to have been given to Judge Inzer with his body lying in state in the House of Representatives at Montgomery where he had served as a member of the Alabama Secession Convention, but they preferred that simplicity should mark his burial as he never cared for or sought publicity, and yet had his remains been carried to the capitol it would have been the means of teaching our young people something of the momentous events which led to Alabama's seceding from the union.

COVERS MUCH HISTORY

In order to get the proper perspective on the life of Judge Inzer, we must take a long backward look, for it covered nearly a century, and a hundred years in the life of Ala. nearly covers its admission to state-hood, and unless one has the historic sense, it is quite hard to visualize the wonderful shifting panorama as the years roll by.

When Judge Inzer came to Alabama in January, 1854, he settled at Talladega, which had been incorporated less than a score of years before he chose it as his home, and it was only 22 years earlier that the United States government made a treaty with the Creeks for a half-section of land, including the famous spring, which so long furnished the town with water to be given to John Bruner, a half-bred Indian, as a reward for his services as interpreter and peacemaker between the whites and the Indians, he building a fort for the protection of himself and the village against Indian enemies. It was surrounded and besieged by a war party of about 1,000 Indians, but a runner being sent to Gen. Andrew Jackson, by forced marches he arrived in time to save the hamlet, the engagement being known as the "Battle of Talladega."

In order to let you know into what a settlement he look root for a while, it is only necessary to state that between 1832 and 1837 a number of settlers had arrived, among them being John White, Col, William Hogan, Joab Lawler, Eli Shortridge, Felix G. Mc Connell, F. W. Bowdon, Joseph Camp, Jacob Bradford, J. J. Woodward, L. E. Parsons, J. B. Martin, ---ndes Rile, John T. Hefflin John Henderson, Alexander Bowie, a forbear of Sydney J. Bowie, and William Curry, the father of Dr. J. L M. Curry, one of the men whom Alabama has honored by placing his statue in the capitol at Washington. Not only was he set in the midst of families who became distinguished in the service of the state, but he began studying law under Senator John T. Morgan and A. J. Walker, later chief justice of the Alabama Supreme Court, being admitted to the Talladega bar in May, 1859, a bar then and to this day celebrated for the number of leading jurists practicing their profession in the various state and federal courts.

HAD HARD TIME

Some men rise superior to their environments but it was no easy matter for a young man from another state to hold his own in such distinguished company and yet the record shows that the yount barrister who was educated in the rural schools of Gwinnett County, Georgia, afterwards graduating from one of the old time academies, the Gwinett Institute, in 1852, and like many another young lawyer of his day and generation entering the bar by way of an apprenticeship as a teacher. (It may be of interest to note that it was in 1854, the year the young Georgian came to Alabama that a school system for the whole state was introduced, separate schools for whites and blaeks being introduced in 1875, the schools kept up by taxation. If you want a yardstiek to measure passing events just lay it alongside the state appropriations for education in 1854, and the more than a \$100,000,000 to be spent for it in the next quadrennium. The recent campaign for the \$20,000,000 bond issue gives some idea of then and now). Judge Inzer's state license to practice law was signed by John Gill Shorter, (the first one signed by him). who later became war governor of Alabama. The license bore the signatures also of A. J. and R. W. Walker, and George W. Stone, judges of the Supreme Court, and attested by John D. Phelan, clerk of the court. Besides reading law as was the custom in those days he also attended the law classes of Judge Walker, 1854-55.

PASSED BIRMINGHAM BY

Now comes one of those curious decisions which play such a big part in the game of life. The young lawyer whith his license to practice law in the state after obtaining began to look around for a place in which to set up his shingle, and in going about

two places were rivals, the one Elyton and the other Ashville. He chose Ashville at the time one of the really important towns in the state, today it is still a town while Elyton became the mother of Greater Birmingham. This reminds me of a decision made by my father, Dr. Augustus William Barnett, of Washington, Ga., who upon graduating in medicine at the famous old Jefferson Medical College, Philadelphia, Pa., he set out to locate. He first stopped at Marthasville, Ga., now Atlanta, but it was such a shabby little hamlet that he passed over the Chattahoochee and settled at Glenville, Ala., then the seat of culture and wealth in Southeast Alabama, being much larger than Eufaula, but now but a memory. The young lawyer might have died a multi-millionaire had he rested at Elyton, for he made large investments in land, but we doubt if his life would have been as useful as he became the patriarch of a wide territory.

We now give a broad sketch of the one big incident in his life which for more than a score of years made him a marked figure in Alabama for he was known throughout the state as the only surviving member of Alabama Constitutional Convention of 1861. (the Secession Convention). We of a later generation cannot understand the excitement which gripped not only Alabama but the South in the decade preceding the 60's, and in order to bring to the mind of the rising generation, the stirring events we know of no better way than to hang them around Judge Inzer. He had the distinction in later life of being pointed out as the sole survivor of the momentous convention, but in his early manhood, also had the unique distinction of being referred to in speech and press as the youngest member of that memorable body.

One of the most graphic descriptions of the "Secession Convention" extant is the one which appeared in The Birmingham News, Sunday, May 7, 1916, in which Judge Inzer tells of his experiences in the historic gathering and taken down by John Inzer, his grandson, who has become the historian of the Inzer family. (We are also indebted to Dr. John W. Inzer for some family history). Later in the same paper Dolly Dalrymple had a charming interview with Judge Inzer as he was approaching his ninety-third year, joyous and unafraid, happy at the thought that the Confederate Veterans were to meet in Birmingham, thereby affording him an opportunity to meet many of his old soldier friends. His war record has already been often told in print and here it is only necessary to state that entering as a private he came out as a colonel, after having played gallantly his part in many battles and undergoing extreme suffering and privation as a federal prisoner at Johnson's Island, near Sandusky, on Lake Erie, until after Lee's surrender. After the issue of the first proclamation for the release of prisoners, upon application he was released by special order of the president, returning to Alabama, and after recuperating at Cook's Spring, on

Aug. 4, 1865, settled in Ashville permanently.

The War Between the States did not come on all at once and we skip much to arrive quickly at the gathering of the "Secession Convention in 1861". Just here, let us say that since the fratricidal war between the North and the South these United States have passed through two major wars, the Spanish-American, and the World War, and the hour has arrived when Americans can think and speak of the conflict in which often brother was arrayed against brother without passion and without prejudice. Southern writers have shown a ready appreciation of Lincoln, and perhaps no one did more to bring this about than did the late gifted Henry Watterson, of The Courier Journal, with his lecture on Abraham Lincoln, and then Senator Lodge, of Massachusetts, in his "Life of Webster" rendered generous praise to John C. Calhoun, one of the most influential of Southern statesmen, a man rarely understood or appreciated by Northern statesmen and publicists. What we shall bring out is merely an attempt to keep the records straight. We gather this summary from various sources.

GROWTH OF FEELING

The growth of sectional feeling, and the sense of fear that the Republican party might win in the presidential elections of 1860, produced a very general feeling throughout the South that withdrawal from the federal union was only possible remedy for existing political ills. The leaders in Alabama were fully alive to the gravity of the crisis, and the Legislature, Feb. 24, 1860, ~~pre-duced-a-very-general~~ adopted joint resolutions requiring the governor to call a convention of the people in the event of the "Election of a president advocating the principles and actions of the party in the Northern states calling itself the Republican party." Alabama's electoral vote was cast for Breckenridge and Lane, however, the Republican party won. The electoral college convened and events moved swiftly. Gov. Andrew B. Moore, an ardent secessionist, as directed by the joint resolutions above referred to, issued a call for a convention and ordered an election to be held on Dec. 24, 1860. He directed that the delegates come together in a "convention of the state to consider, determine and do whatever in the opinion of said convention, the rights, interests and honor of the State of Alabama require to be done for their protection."

The State Constitutional Convention met Jan. 1, 1861, in the city of Montgomery, and to put it mildly, the greatest excitement prevailed not only in the capitol, but in the homes, hotels and streets. It was a seething political community. It cannot be rightly charged that secession was the work of "fire-eaters" alone, for the people were well informed on the situation, as

nearly a year, had elapsed since the resolutions calling for the convention had been passed. Candidates for and against secession had discussed the matter thoroughly in their campaigns for seats in the convention, and a majority in favor of secession were fairly elected, without any "fraud" or "false counting of votes."

The convention was made up of Alabama's leading men and it was no small honor that befell to Judge Inzer to be the youngest member in the body, and it evidences the fact that in a few short years he made a name for himself in St. Clair County. It was a remarkable gathering from many standpoints, and from its assemblage the two outstanding protagonists were William L. Yancey and Robert Jemison, Jr. Yancey, the orator supreme, was often matched by Jemison in debate and strategy. When Helen Keller was here to speak at the auditorium for the benefit of the Community Chest, after the meeting was over, we went with our Robert Jemison Jr., up to his lovely home, and while waiting for the arrival of Alabama's most celebrated woman, he dipped into William K. Smith's Debates and read one of Jemison's speeches and was carried away with its temper and masterly sweep. Yancey needs no eulogium from this writer since Petrie's "Final Estimate of Yancey" is done by a master hand.

Let's try and get in "our mind's eye" the rotunda and House of Representatives at the capitol on the opening day of the convention, and join the animated groups here and there as congenial parties or antagonistic spirits eluster. Sutton S. Scott has given us a pen picture of two of them, one made up of secessionists and the other of unionists as they were then generally, and rather loosely, designated. We can only name them. In one were John Anthony Winston, Henry W. Hillard, J. J. Siebels and Nicholas Davis; in the other Leroy Pope Walker, Thomas H. Watts Francis S. Lyon, Thomas H. Herndon, Edward C. Bullock and Edmund S. Dargan. These were only a few of the hundred making up the roll. We can almost see the young lawyer from St. Clair John Washington Inzer, quietly taking in the men and getting his feet firmly settled on solid ground.

STORMY SESSION

No use or time to revive the stormy opening, and the rival chaimants for the chair, it's enough to relate that after a while the organization was effected, the secessionists winning over the cooperationists and electing William M. Brooks as president and William M. Foller as secretary. The great issue of the secessionist was debated at length, and after an earnest struggle of intellectual giants, on Jan 11, 1861, a vote was taken, adopting by a vote of 61 to 39. "An ordinance to desolve the union between the State of Alabama and other states

Under the compact, the Constitution of the United States. This action reflected the historic position, not only of Alabama but also of the whole South, on the subject of the relation of the states to the government of the United States. The federal constitution was to them a compact, and the states could at will withdraw and dissolve it when ever in their, discretion the exigency might demand.

The convention continued its labors, and adopted a number of general changes in the constitution of 1819, among these being a provision for annual instead of biennial sessions. This is set out to show that we have had here in Alabama annual, biennial and now have quadrennial sessions, but like some ladies' skirts, we have split sessions at present.

We have given the above to give the proper setting for the speech made in the Secession convention by its youngest member, taken from Smith's Debates, page 97, a mine of information on the convention.

Mr. Inzer said:

"Mr. President: This is the most solemn period of my life. Although a young man. I have been looking forward for years to the dissolution of the states composing this Confederacy. The great compact has already been broken, South Carolina, Florida and Mississippi have seceded, and before the going down of the sun the State of Alabama will have declared her independence and no longer be one of the United States of America. I am pledged to oppose the ordinance, I told the people of the county which I have the honor to represent that if elected I would most assuredly vote against immediate separate secession, and today I stand here ready to redeem my pledge, and will vote against the ordinance. But when it becomes the organic law of my state I will support it, as I believe it to be my duty to do so. I believe that the people of my county will stand by the action of the state in her sovereign capacity; and I am in hopes that Alabama will go on with her great work to independence and prosperity.

"I told the people of St. Clair (Mr. Inzer's county), while canvassing the county, that I was in favor of cooperation; but said that if Alabama should secede, separate and alone I would go with her and stand by her in every peril, even to the cannon's mouth; and I now repeat it, I am for Alabama under any and all circumstances." And he was to his death.

After the Civil War Judge Inzer came back to Ashville to make his home. He not only felt that Ashville was going to be a splendid town but he felt that there was a work for him to do in the community, and it is a closed history now but there are a

few old-timers left who can tell you of the trying days in this section of the state for the first 15 years of the reconstruction period. Col. Inzer had many narrow escapes with his life as the leader of the forces for what he felt were the things of righteousness and justice. For many years St. Clair County was almost a battlefield. Men went armed constantly and Col. Inzer held court at times with pistols on the table and a shotgun across his lap. There were a group of men in St. Clair County seemingly not in sympathy enough with the union to fight for it neither did they fight for the South and it was this group that not only gave much trouble during the war but were the leaders in sympathy stirring up the negroes against the better class of citizens after the war. Some of the history of these days of reconstruction has never yet been written and never will be. Suffice to say that the type of men represented by Col. Inzer finally got the upper hand and drove the disturbers from the state. Long before the dawn of the twentieth century most of the trouble was over and many of the wounds were healed. Col. Inzer was proud that he could live to see peace descend over the hills of St. Clair County and he was glad to see his nation so wonderfully united as was manifested by the spirit of the people and the bravery of our boys in the late World War.

His best friends used to joke him very much about having to practice law in order to make enough money to keep all of his farms going. It was not uncommon at all for him to give a small farm to the old negro men who had spent a number of years with him as renters. His friends tell a story on him illustrative of his manner of dealing with the renter. One fall one of his negro tenants came in for what he called the big wagon to use in gathering his corn. Col. Inzer told him, "Now Sam, you know how to divide the corn. First, gather two loads for yourself, then the third you bring to me." A day or two later the colonel and a friend of his happened to be going into the house for lunch when Sam drove up. He had about six or eight bushels of corn in the bottom of the wagon bed. Col. Inzer remarked, "Well, Sam, you must have had a mighty short crop." "Oh, no sir, Judge for the acreage I had a fine crop but this is all there was of your part. I'm sorry, Judge, but after I gathered them two full loads for myself like you said, this was all there was left for you." The neighbor who heard the conversation aside the colonel never tried to convince him otherwise but told him it was all right, and to unload it.

FROM A FAMOUS FAMILY

Col. John W. Inzer came from a family distinguished for its service to God and country and one in which its various members usually attain a ripe old age. The founder of the Inzer family in America was Abraham Inzer who settled at Baltimore in the early part of the eighteenth century. John Inzer, a son of

of Abraham Inzer fought through the entire period of the revolutionary War and was with Washington at Yorktown when Cornwallis surrendered. After the war hard-feelings existed between the various members of the family who had been true to the crown and those who had fought for the colonies. John Inzer gathered all of his belongings together and migrated to Moore County, N. C. where he changed the spelling of his name from Ensor to Inzer.

After two or three moves he settled down in Jackson County, Ga. where he was a pioneer farmer. He had six sons and one daughter. Four of his sons, Robin, James, Henry and Lafayette moved to Alabama in 1840. Judge John W. Inzer was a son of Henry. Dr. John W. Inzer, noted Baptist preacher and World War chaplain, of Chattanooga, Tenn., who was a namesake of Col. John W. Inzer, is a grandson of James. Hon. John A. Inzer, lawyer of Gadsden, Ala., is a son of LaFayette. Hon. J. C. Inzer State senator of Alabama, is a grandson of Lafayette and the Rev. Whitt Inzer, lawyer-of Baptist preacher of Odenville, Ala., is a grandson of Robin Inzer. Two sons of John Inzer, of Georgia, did not come to Alabama, Mark died a few years ago at Marietta, Ga., and John, Jr., went to Evansville, Ind., to make his home immediately at the close of the Civil War, and died at that place a few years since.

MANY WERE PREACHERS

Five or six sons of the original John Inzer, of Georgia, were Baptist preachers. Judge John W. Inzer was himself a very active member of the Baptist Church at Ashville, Ala., for more than a half century. For many years he was superintendent of the Sunday School and he has been very prominent in denominational affairs in the state.

The Inzer family has a fairly correct history of the family back to 1080, most of the ancestors being scattered through Scotland and England. Judge John W. Inzer came to Alabama with his father, in 1840, locating at first at Talladega, where his father was engaged in the manufacture of furniture, wagons, plows and most anything made of wood which was servicable to the people of his community. As has been stated, he was also a Baptist preacher and covered a large section of the county on horseback going to meet his appointments. He was of the old type who never accepted a salary, receiving only free-will offerings occasionally. About 1850 the family moved to St. Clair County. Back of Judge John Washington Inzer was a long line of men and women who as we have seen played their part well in the making of America, entitling him and his children and grandchildren to membership in the D.A.R.'s and other Revolutionary Societies. One daughter, Mrs. Watt T. Brown for years has been a moving spirit in the Kate Duncan Smith School, erected on a High Mountain, near Guntersville, Ala., by the daughters

Of the Revolution, the purpose being to educate the native bred stock along patriotic lines.

MARRIED AT 34

Col. Inzer married when he was about 34 years of age. He married Miss Sally Pope, of Columbiana, Ala. They lived happily together at their home in Ashville for 55 years. Their home of the old colonial type, brick construction, with large white columns in front was built in the main by slave labor. Col. Inzer bought it already built soon after his marriage. It is said by some that one reason why he refused to run for some political offices, other than those he did hold, was that he had so much love for his home. He never wanted to live anywhere but in that house in Ashville, Ala., and up until his wife's death a few years ago, Aunt Sally, as she was familiarly known, ran the home very much like homes were managed and operated during the days of slavery. The servants lived on the place, the large kitchen was in the basement, as was the pantry and Aunt Sally carried the keys in her own pocket or attached to her waist, giving orders every morning for all the meals of the day and putting out the provisions for the same. It was not uncommon, up until 15 years ago, to find ~~Col. Inzer's of Ashville, who has a large family and who~~ Col. and Mrs. Inzer's home full of guests most any time especially while court was in session. Col. and Mrs. Inzer are survived by three children: J. Manly Inzer, of Ashville, who has a large family and who now lives in the old family home; Mrs. Clara Montgomery, wife of Attorney Jim Montgomery, of Ashville, whose lovely home adjoins Col. Inzer's home; and Mrs. Lia Brown, wife of Senator Watt T. Brown, of Birmingham, Ala.

Various Capacities

During his lifetime Col. Inzer served in various capacities in politics. He was at one time probate judge and another time circuit judge. He was state senator and he represented Alabama at least once in the national convention and cast his vote for William Jennings Bryan to lead the Democratic party as candidate for president. His advice was often sought in political matters and for years he was prevailed upon to offer himself as candidate for governor of the state, but he always refused to run. He has long since been often referred to as the "grand old man" of Alabama. Col. Inzer was a diligent student, not only of law, but of religion, politics, nature and human nature. He was a most interesting conversationalist. He was a man who had many friends. He loved his friends and was very loyal to his friends. A very beautiful life-long friendship existed between Col. Inzer and the late Col. B. F. Ellis, of Orville. Col. Ellis was the adjutant of Col. Inzer's command during the war. For years each of them wrote letters to the other, mailing them about every three months.

They would sometimes write a page a day or a page a week, but when those letters arrived, the family would be called together to hear the reading of the letter.

Col. Inzer was commanding in appearance. He was 6 feet 2 inches in his stocking feet and up until the last few years his usual weight was around 200 pounds. He had prominent features. He always wore a hat. Winter and Summer. He had remarkable health practically throughout his entire lifetime--always able to stand and walk very erect until the last few years, and his family and friends marvelled at the wonderful way he retained faculties.

It would be an interesting study to note the changes in modes of living and progress in many ways during the lifetime of Col. Inzer. The passing of slavery, for example, the victory of prohibition, the harnessing of electricity, the development of the great railway system, telegraph, telephone, automobiles, aviation, radio, in fact all of the great inventions and modern developments have come in his lifetime. His death really marks the close of an era. In much he is the last man of his day and generation. He reached a ripe old age. It is rather thought-provoking that on Sunday afternoon Jan. 1, 1928, there was a man alive who was a grown man and a prominent politician when Jeff Davis was inaugurated president of the Southern states. Col. Inzer sat on the platform with Jefferson Davis during the inauguration at Montgomery, Ala., in 1861, so his going breaks the connection and we find ourselves in a new and fast and absorbing age.

PLENTY OF SUBJECT MATTER

There is plenty of subject matter for anyone who would like to write a story on the life of Col. Inzer. A large and splendid chapter could be given to Col. Inzer under each of the following heads: "Patriot," "Pioneer," "Soldier," "Citizen," "Friend," "Lawyer," "Lawmaker," "Kidge," "Gentleman," "Christian."

Col. Inzer, loved the simple and better things of life. He died where he wanted to die--in his own home in Ashville. His funeral was conducted in a simple manner in the little baptist church at Ashville. He was buried in the church-yard cemetery by the side of his wife. The funeral was conducted by the his relative, Rev. John W. Inzer, pastor of the First Baptist Church of Chattanooga, Tenn., and was assisted by Rev. Frank Willis Barnett, of Birmingham

The following editorial appeared in the Birmingham Age-Herald, commenting on the life of Col. Inzer, on the day he was buried.

"The death of Col. John Washington Inzer removes from the scene an outstanding figure of ante-bellum and reconstruction days,

whose service carried over into the twentieth century, and whose patriarchal influence held firm to the day of his passing.

"Distinguished as a statesman, soldier, churchman and jurist, this man, who attained the rich age of 93 years, gave to his state the quality which may be described as the essence of his experience, his valor and his public-mindedness.

"There was something stabilizing in this member of the Alabama secession convention, who voted for the union but fought for the South: who helped to erect the commonwealth's life upon the ashes of disaster: who came to know happier days for his beloved state and who carried through the long stretch of his years the appeal and strength of a remarkable personality and character.

"Thus ends a rich, a good and an honored life."

*Printed in the Birmingham Age-Herald
Sunday, January 15, 1926*