

Powel Law Office

Washington Street
Rogersville, Tennessee



Architectural and Historical Assessment
Tennessee Civil War National Heritage Area
August 2019





The Powel Law Office in 2012



The Powel Law Office in February 2018



Powel Law Office, June 2018

Why the Powel Law Office Matters

Architectural Significance

Powell Law Office was built c. 1806, with that date based on when Samuel Powel moved to Rogersville and began his legal practice. This 200-year-old building is in remarkable good condition, considering its age and that it was left to the elements for several years in the 21st century before the owner sold it to the City of Rogersville in 2018.

The Samuel Powell Law Office is an outstanding and valuable example of the evolution of Tennessee domestic architecture from the first decade of statehood.

It shows the form of the hall and parlor house, a popular urban house style found in abundance in Powell's native state of Pennsylvania at the turn of the nineteenth century. This style consists of two rooms, one that serves as the entrance (the hall) and the second room serving as the primary living area (the parlor).



The Powell home indicates the owner's prominence in that it is two stories in height and that the log notching exhibits a considerable degree of craftsmanship, suggesting that a nearby carpenter or cabinetmaker was involved in the construction of the dwelling. The width of the logs also speaks to the building's construction c. 1806, if not earlier.



Detail of size of logs, notching and 19th century chinking, east elevation

The building, like the Nenny House/ Longstreet Headquarters in Russellville, has been “turned around” in the later decades of the nineteenth century, when the original front of the house had an L-wing added to it, making it the new “rear” of the building. The L-wing was removed in the 20th century, allowing us to see the original two-front doors front of the house, a typical look for the hall-parlor type building in Tennessee. The removal of the L-wing, c. 1980, left some foundation debris and infill which now negatively impacts the original façade of the building.



Debris, dirt at the original entrance, impacting stone foundation

The clapboarding of the house, along with the current staircase and first floor mantel, were part of the Victorian era updating of the house, when the logs were covered, window openings were covered, the original exterior end chimney became an interior end chimney, and a new entrance with transom and sidelights were added so the building “faced” the rear of the courthouse.



This image shows the historic west and north elevations. Note the interior chimney, a very unique feature of the building. Also note where it is located on a slight grade, a typical feature of Pennsylvania log construction of the late 18th century.



c. 1870 staircase and mantel, first floor, Powel Law Office

These changes most likely occurred after the death of George R. Powel, in 1873, since he was the last of the Powel attorneys to practice law in Rogersville. His father had passed in 1841, his brother Robert in 1861, and his brother Samuel Jackson was a Mississippi resident by 1870. The Sanborn Fire Insurance Maps for Rogersville begin in 1887 when the building is designated as a dwelling.

As the building is restored to its c. 1806 appearance, and the clapboarding and interior is taken apart, further architectural evidence of its frontier era look will be uncovered, providing invaluable clues about the building's construction and evolution over the decades.

The building, considering that it was abandoned and left to the elements for too many years, clearly remains in restorable condition. The porch that was added to the original rear of the building (making it the "new front" over 100 years ago) has caused some deterioration in the log on stone pier foundation due to the fact that water trapped at the bottom of the porch led to the problems now found on the lower logs.



Historical Significance

As the only surviving building directly associated with the significant Powel family, the Powel Law Office has many important stories to tell. First, there is the town's and county's legal, judicial, and political history because after all, the building served as a law office for the first 60 years of its life. It is significantly associated with four 19th-century attorneys in Rogersville and Hawkins County history: Samuel Powel, George R. Powel, Samuel Jackson Powel and Robert D. Powell. Judge Samuel Powel established the building as a law office, working there from c. 1806 to his death in 1841. His sons George R. Powel and Robert D. Powell were prominent mid-19th century attorneys, judges, and political leaders. During their active careers in the 1840s and 1850s, they probably covered the building with clapboards. The later Victorian front porch and interior Victorian staircase and mantels probably date post-Civil War, after the death of George A. Powel in 1873, when later owners converted it into a house. By the first Sanborn Fire Insurance Map of Rogersville in 1887, the building was identified as a dwelling, and remained so until the City of Rogersville's acquisition in 2018.

Certainly, a 200 plus-year-old log building that housed two generations of important attorneys and jurists is worthy of preservation. It is a rarity. But the stories associated with this building are so much deeper. Samuel Jackson and Robert D. Powel were officers for Tennessee regiments for both the War with Mexico and the Civil War, and Robert has been identified as the first Confederate to die in Civil War combat outside of Virginia. It also has an association with two important women. Mary Elizabeth Powel Shaver was married to the most important early 19th century portrait painter in Tennessee, Samuel Shaver. Then there is the fascinating story of one of the Powel slaves, Harriet Powel, who was involved in one of the most famous slave escapes to freedom in New York State history.

Below are biographies of these significant people associated with the Powel Law Office.

Samuel Powel (1776-1841)

By Zachary Keith, Tennessee State Library and Archives

Samuel Powel (sometimes cited as Powell) was a prominent and respected lawyer, state judge, and U.S. Representative in early Tennessee history. He was born in Norristown, Pennsylvania, in 1776. He attended the College of Philadelphia (a precursor to the University of Pennsylvania) and passed the bar in Pennsylvania. Around the turn of the nineteenth century, Powel moved to Blountville, Tennessee. At his Blountville home, some historical sources state that Powel operated a law school, which would be the first in the new state. Primary documents proving that fact have not been identified. While living in Sullivan County, he met and married Mary Rutledge, daughter of Gen. George Rutledge (1755-1813), who was a Revolutionary War veteran from the Battle of King's Mountain. A native of Northern Ireland, Rutledge was a well-respected leader in Sullivan County. Powel's connection to Rutledge opened many doors for the young Pennsylvania attorney. In 1806, the Powels moved to Rogersville, for Samuel to practice law.¹

In 1807, the Tennessee General Assembly increased the size of the Superior Court of Law and Equity and appointed Powel to serve, which he did until the court reorganized again in 1809. In 1812, Powel was elected to the 1st Circuit Court but declined the appointment, preferring to focus on his expanding law practice and Hawkins County plantation, which stood about three miles from town.

¹ US Congress Biographical Directory; Green, John W. *Lives of the Judges of the Supreme Court of Tennessee*. Knoxville (Tenn.): Archer and Smith, 1947.; Hawkins County Deed Books

Powel found considerable success as a jurist and planter. His wealth allowed him to purchase large amounts of land in Hawkins County as well as a number of African Americans. By 1830, according to the federal census, he headed a household of eleven white people. He owned 16 slaves, a considerable number for this region.

In 1815, Powel was elected as a Democratic-Republican to the United States House of Representatives, representing Tennessee's 1st District, but only served one term. After his brief stint in Congress, Powel was almost immediately appointed as judge to Tennessee's 1st Circuit Court, replacing Thomas Emmerson. He had a long, distinguished career as a jurist.

Powel also began the family's 19th century tradition of serving as a town booster. In June 1831, he chaired a courthouse meeting of citizens and investors "who have associated themselves together for the purpose of devising ways and means to collect and disseminate information on the utility and practicability of constructing Railroads and other improvements."¹ The result of the meeting was a committee of twenty, including Samuel Powel and his son George R. Powel as corresponding secretary, who corresponded with other railroad advocates. The group also published the *Rail-Road Advocate*, considered the first railway periodical ever published.

During the bitter Whig-Democrat party battles of the late 1830s, Democrats statewide nominated Judge Powel for higher office. In 1837 a group of Murfreesboro citizens urged Powel to run for Governor and two years later, a group of Shelbyville Democrats urged him to run for the U. S. Senate. Spurning both offers, Judge Powel continued in the 1st Circuit Court until his death on August 2, 1841, at the age of 64. The *Nashville Republican Banner* of August 13, 1841 noted: the death of Judge Powell "after a few days illness" of "cholic." The paper said: "Judge P has held many important offices of high trust in the State." A few days later, on September 10, 1841, the newspaper published the proceedings of a meeting held by his fellow judges and attorneys that pronounced Powell as "a venerable and valuable jurist and justice."

He is buried at Old Presbyterian Cemetery in Rogersville near the location of his former law office. Powell's daughter, Mary, married celebrated artist Samuel Shaver in 1845, who painted Powell's likeness posthumously.

To honor Judge Powel's contributions to the state, the Tennessee General Assembly formed a new county from parts of Hawkins and Sullivan counties named Powell County. After numerous attempts to organize and a lawsuit challenging the legality of the new county, it ultimately never materialized.

George Rutledge Powel (1807-1873)

In 1807 George R. Powel was born in Rogersville to her parents Judge Samuel and Mary Rutledge Powel. By the age of 24, George was active in community affairs, serving as the corresponding secretary for the *Rail-Road Advocate* periodical during its publication run of 1831 to 1832.

He next entered state politics, serving in the Tennessee House of Representatives as a Jacksonian Democrat from 1835 to 1837. In the middle of his term, he married into the county's emerging plantation elite, taking Eliza Ruth Fain (1815-1872) as his wife in 1836.

During his time in Nashville, he struck alliances with the state's Democratic leadership. In 1835, he wrote Congressman (and future Governor and President) James K. Polk asking for government records and political documents to be mailed to a long list of Hawkins County

residents to prove that President Jackson's policies were sound. Two year later, he wrote Polk again in August 1837 to claim victory for the Democrats in local elections. In 1842, he made arrangements for Polk to speak in Rogersville during his campaign for governor. Perhaps Polk either stayed or spoke at the Powel House (Hotel), which George had built on Main Street after purchasing the lot from his father-in-law Nicholas Fain. According to the town tour prepared by the Rogersville Heritage Association, the Powel House was a two-story brick building that in later years housed different businesses while "the upstairs rooms have served as offices to a number of professionals and lawyers. The Rogersville Board of Mayor and Aldermen met here from 1860 until a new city hall was built on Washington Street in the early 1930s."

He followed his father's profession and established a private practice before accepting a circuit court position from 1840 to 1852, following by a stint with the chancery court from 1855 to 1858. It is his practice and of his brothers Robert D. and Samuel that is most strongly associated with the extant Powel Law Office on Washington Street.

According to the 1850 census he owned eight slaves in that year. In 1851 George Powel served on the board of the Odd Fellow's Female Institute in Rogersville. He was the cashier of the Bank of Tennessee. The 1860 census listed him as the town's third wealthiest resident, worth some \$80,000 (a number would translate into millions today).

Harriet Powel (c. 1815-c.1860)

Harriet Powel was a slave of Judge Samuel Powel, and was listed in the primary sources of the time as a quadroon, which meant she was one-quarter black, and three-quarters white. Her paternity is uncertain; she claimed that Samuel's brother Benjamin was the father. Her mother was also a Powel slave. A son of the Judge, Thomas Powel, sold her mother, Harriet and her sister to the Mississippi planter John Davenport. Davenport paid \$1400 for Harriet, a high purchase cost in exchange, she thought, for her needlework skills. Quite likely it was other reasons. "Harriet was quiet, modest, and exceptionally beautiful by all account. She was described as being five feet tall of well proportioned form with a prominent mouth, depressed nostrils, dark eyes, long straight light brown hair, and a fresh complexion that was 'so fair she would generally be taken for white.'"² The Davenports used Harriet as a house slave.

In 1839 the Davenports visited Syracuse, New York, a major stop along the Underground Railroad. Tom Leonard, a free black waiter at the hotel where the Davenports stayed, convinced Harriet to grab her freedom. Aided by abolitionists and free blacks, she escaped at a farewell party for the Davenports: her escape "created a fervor the likes of which the city had never before experienced in regards to the search for a fugitive slave."³ After being moved from different safe houses, she was brought to the home of a wealthy merchant, Gerrit Smith, who would arrange for her passage to Kingston, Ontario, where she would be free. During her time at the Smith estate, she met Smith's cousin, Elizabeth Cady, later Elizabeth Cady Stanton, the famous woman suffrage advocate. The two women talked—they were near the same age—and Stanton was tremendously moved, committing from that time on for the abolition of slavery and the granting of woman suffrage. Harriet lived the rest of her life in Canada, was married, and raised eight children. She was buried in the Kingston cemetery in 1860.

Samuel Jackson Powel (1821-1902)

Another son of Judge Samuel and Mary Rutledge Powel, Samuel Jackson Powel—sometimes referred to as Samuel Powel, Jr., also served his community as an attorney. When President Polk declared war against Mexico, Powel joined the 5th Tennessee Volunteers and rose to the

rank of 1st Lieutenant. The regiment entered the war effort late and largely served as a occupation force in 1848.

After returning from the war, Samuel entered politics. He was elected as a Democrat in the Tennessee General Assembly, serving from 1849 to 1851. He married Mary Elizabeth Armstrong (1829-1912) in 1851. He was a Democratic elector for Buchanan in the 1856 presidential election then also served as an attorney-general from 1856-1860.

In the Civil War, he enlisted as a captain in 29th Tennessee Volunteer Regiment (CSA) in September 1861 and rose to the rank of colonel and commanded a brigade. He was wounded at the battle of Perryville, KY, and resigned from the army in November 1862.

After the Civil War he moved to Hernando, Mississippi, living there by 1870 and maintained a residence there. Upon his death in Hernando in 1902 his body was returned to Rogersville and buried in the family plot at the Old Presbyterian Church next to the law office building.

Mary Elizabeth Powel (1825-1856)

Daughter Mary wed Samuel Shaver, the famous Tennessee portrait painter, in 1845. Shaver painted her father and a group portrait of her brothers at the family's Hawkins County home (location of this latter portrait is not known). She and her husband lived at the family estate with her mother. Her husband taught at the Odd Fellows Female Institute where her brother George was a trustee. She too is buried in the Old Presbyterian Church Cemetery next to the law office.

Robert David Powel (1825-1861)

Robert also began his professional career as a Rogersville attorney. He too served in the 5th Tennessee Volunteers in the War with Mexico in 1848. He rose to the rank of captain. After the war, Powel returned to his legal career in Rogersville but according to family tradition, he took off to the California gold rush, staying on the west coast to at least 1856. By the end of the 1850s he was back in Rogersville and had established the *Rogersville Weekly State Sentinel* newspaper. He was unmarried.

When the Civil War began, Robert was joined the 19th Tennessee Volunteer Infantry, C.S.A. and rose to the rank of Lieutenant. According to both the *Confederate Veteran* and the *Military Annals of Tennessee*, Lt. Powel was the first Confederate soldier to die in combat outside of Virginia when he was killed in a firefight at Barboursville, KY. His body was returned to Rogersville and buried at the Old Prebyterian Church cemetery next to the law office.

¹ "First Railway Periodical in the World," *Shippers' Advocate* (March 1923): 72.

² Greg Tripoli, "Fair Fugitive—the Story of Harriet Powel and Her Great Escape," OAH History Highlights (Spring/Summer 2016): 40.

³ *Ibid.*, 41.