

AN EXCERPT FROM THE “CIVIL WAR ADVENTURES OF BISHOP HENRY C. LAY”

[Editor's Note: Because of the tremendous influence which the Reverend Henry C. Lay had among the citizens of Huntsville during his eleven years as rector of the Church of the Nativity, his activities during the Civil War are of interest to those who are associated with the religious and cultural life of Huntsville today. The longer piece by the Reverend Gribbon covers a six-year period and Bishop Lay's travels through many states. This excerpt covers only the brief span of time of Huntsville's first occupation].

By The Reverend Emmett Gribbon

The holocausts of war have in every age uprooted and sent wandering non-combatant peoples. ...This is the story of Henry Champlin Lay, the Episcopal Bishop of Arkansas who for the years 1862 to 1866 was a ... Displaced Person, and whose odyssey carried him through [14] States ...twice into Federal prisons, twice across the battle lines under a flag of truce [and] in the field as a Confederate Chaplain.... In Philadelphia in the fall of 1865, he was instrumental in reuniting the Episcopal Church in the South with the Church in the North.

This narrative has been quarried from a fascinating mass of manuscripts and printed material listed in the Southern Historical of North Carolina as the “Henry C. Lay Papers”.

Henry C. Lay was born in Virginia in 1823 and was educated at the University of Virginia... graduated with an M.A. degree at the age of 18... At the Virginia Theological Seminary in Alexandria he took both the first and second year courses during his first year and entered the senior class his second year in residence... On the 10th of July in 1846 he was ordained Deacon by Bishop Meade and began his

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ministry at Lynnhaven

Photocopy of one of the letters written by Henry C. Lay to his wife from the Courthouse prison.

Dear wife,

We have a dull time, but are reasonably patient. I was pleased to see man George - Col^d seton has been in + seemed much annoyed at our position - He is to be Parish Marshall after today and will play the Gentleman Judge Scruggs has done every thing he could for us, especially with Garlin - the P. Marshall in house.

We have no chance of getting away tonight, except Dr Train who is released. It is all an attempt to mortify + humiliate us. Let us profess our faith in patience.

Judge Lane sends me papers all the time Love to all -

Yrs: affly
H. C. L.

Photo of letter written by Bishop Lay while in the Courthouse prison.

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parish, near Norfolk. The following May he married Elizabeth Withers Atkinson, who was also a native Virginian, and that summer accepted a call to be Rector of the Church of the Nativity in Huntsville, Alabama. Although the young couple's roots were deep in Virginia, they soon found Huntsville a real home and made many devoted friends there. Huntsville was to become a haven of refuge for Mrs. Lay and their children in time of need, and for many years, they thought of it as "home" even when they lived elsewhere. Shortly after their arrival in Huntsville, Bishop Cobbs of Alabama ordained the young Rector to the Priesthood, and for eleven years, he labored diligently in that vineyard.

In October 1859, the General Convention of the Episcopal Church met in Richmond, and Mr. Lay was one of the delegates from the Diocese of Alabama. ...Henry Lay was elected by the House of Bishops to be

the Missionary Bishop of the Southwest, a missionary district which included the state of Arkansas and the indefinite limits of the Indian Territory to the West.

...By November 16, 1859, Bishop Lay was in Memphis headed west, but his wife, who was expecting a baby, and the three children were to stay in Huntsville until he could decide where he would settle in Arkansas and rent or buy a place to live. Arkansas had only a few Episcopal congregations and fewer clergy at this time.

...Travel in Arkansas proved to be slow, uncomfortable, and uncertain from the moment he crossed the Mississippi. ...We will not follow Bishop Lay's arduous journeys through his vast diocese except to note that he decided to establish his residence at Fort Smith on the western border of Arkansas. ...The Bishop returned from his first trip in Arkansas and spent four



weeks in Huntsville, fortunately being there when his wife gave birth to a son...

In the summer of 1860 having packed their belongings for the arduous journey, ...the Lays uprooted themselves from Huntsville and by rail, steamboat, and stage pushed through the wilderness of Zion to Fort Smith. Shortly before Christmas of that year they moved...to a house they bought in the village. Enough land went with the house so that they had room to keep pigs, chickens, and a cow and have a vegetable garden. Although unable to borrow the money needed to purchase this property because lenders were unwilling to lend amid the uncertainties of the times, a providential gift of \$500 from his cousins in Virginia enabled the Bishop to buy and move. A few weeks later the Southern States began to secede, and Southern authorities began to seize

Federal forts and arsenals. Fort Smith was surrendered by its garrison without a fight on April 24th (1861). This happened while the bishop was in the southern part of the state, and he hurried home to be sure his family was safe. Fort Smith was taken by Arkansas forces less than two weeks after Fort Sumter had fallen and the war had begun.

Two letters to his wife expressed the Bishop's sentiments of sorrow and foreboding. On April 19th he wrote, "I am distressed as a man can be at the civil war now opening on us – have advised the clergy to disuse the prayer for the President. I am now Southern, Secession and all that. But I could weep day and night for the misery before us and the folly that has brought us to it." The next day he wrote, "But my heart is so sad for the country. Dark days remain for us and our children. There is little on earth to hope for now in our day. The issue is very clear



– I go with my own people – and am ready, if it would do good to lay my life down in resisting Abraham Lincoln”.

When the war developed its full fury, the people of Arkansas, as did people everywhere in the South, found the old patterns of life broken up. The Bishop travelled incessantly visiting his congregations, counselling his clergy, and raising money to keep the missionary work alive. In Virginia his two brothers and numerous other relatives of his and those of Mrs. Lay’s entered the Confederate Army.

He himself travelled back to Virginia in the fall of 1861 carrying with him his eldest son, Henry Champlin Lay, Jr., then eleven years old. Henry was left at a small boarding school at Mt. Laurel so that he might receive a proper education. Back in Arkansas the Bishop spent the winter of 1861 – 1862 in more travelling through his Diocese, but the work was discouraging. Many

congregations were having difficulty paying the clergymen’s salaries. One clergyman was facing bitter antagonism because he happened to have been born a Yankee. Other clergy had left to be chaplains, or just left in discouragement. One of the Bishop’s special projects had ended in failure. ...

As the war drew closer to Fort Smith, the Lays were bereaved by the death of their son, Thomas Atkinson, named for Mrs. Lay’s uncle, the Bishop of North Carolina. In his journal Bishop Lay records in mid-February 1862, “At 4-1/2 p.m. fell on sleep our saintly child, Thomas Atkinson.” But to bereavement was suddenly added new worries and fears. On February 18th the journal records, “Today we hear that the Federal Army is advancing. Gen. McCulloch declares that he will make his stand at Boston Mountain some 30 miles hence. Expecting to



remove my family I committed little Thomas to the earth in my garden— Present Mrs. Sandels, the grave-digger, my wife and two servants. I read the service”.

They had difficulty getting away. The Bishop tried to rent a stage but failed. He preached twice in Fort Smith first on “The Disciples in a Storm,” and then on February 28th, the Fast Day appointed by President Davis, on the text “Thou didst hid they face from me.” On March 2nd, he baptized the month-old child of his two slaves, John and Clarissa, and finally on the 5th the whole family including the slaves left on the river steamer “Tahlequah.” After a week on the Arkansas River, they reached Little Rock.

...The Bishop believed himself quite fortunate in selling his house back in Fort Smith for \$4,500 in Confederate bonds. Having sold the house, and since he had decided to move permanently to Little Rock

eventually anyway, he sent for his furniture.

...On March 29th they left Little Rock on the steamer “Notrebe” and reached Memphis three days later. After a week of visiting and church services there, they left by train. As the journal records, “We left Memphis at 6-1/2 p.m. passing Corinth on the night of the second day’s battle, and with some detention reached Huntsville at midday”.

...It was Bishop Lay’s plan to leave his family in Huntsville while he himself went to New Orleans to administer Confirmation and otherwise assist the Church in Louisiana. ...The uncertainties of the war situation in Mississippi and Louisiana changed Bishop Lay’s plans, and he decided to wait in Huntsville for better prospects. He and his family stayed with their dearest friend, a lady of some wealth, Mrs. Mary Rice. The children called her “Grandma,” and she became the cause two years



later of one of the Bishops' most unusual travelling adventures. Mrs. Rice was more than happy to fill her big empty house with the Lays. When her son John had died the previous fall, Mrs. Lay had written the Bishop, who was then in South Carolina, "I think with a sort of awe, of one poor human creatures' have [sic] such affliction. A husband and thirteen children & now to be alone in her house with not one left".

On the morning of April 11th Federal forces under the command of General Mitchell swooped into Huntsville and seized the Railroad. During the rest of the month no services were held in the churches as all citizens were restrained within the picket lines. On May 2nd twelve prominent men in Huntsville were arrested and "put into confinement under guard." One of these hostages was Bishop Lay who was locked up in the Probate Judge's office. Then followed two

weeks of conferences, exchanged notes, consultations with each other, and interviews with the General. General Mitchell was determined to get his distinguished hostages to sign a statement which he drew up and which read in part, "We disapprove and abhor all unauthorized and illegal war; and we believe that citizens who fire upon railway trains, attack the guards of bridges, destroy the telegraph lines and fire from concealment upon pickets deserve and should receive the punishment of death".

The hostages were just as determined that since they themselves were innocent of such hostile acts, and since the General laid no charges at all against them, they would not sign but wrote in reply, "We respectfully disclaim the responsibility of condemning to the punishment of death any of our countrymen for acts, the method, motives and



circumstances of which are utterly unknown to us.” This statement was signed by the eleven other hostages and below their signature was added, “I subscribe to the above with the explanation that I am a citizen of Arkansas, accidentally in Huntsville. Henry C. Lay”.



Madison County Courthouse, used as prison for prominent citizens during occupation by Federal troops, 1862

Having reached this impasse, General Mitchell let his prisoners have visitors, and food was sent to them by their families, but the harassment of enforced restraint continued. In one of eleven notes to his wife, which Mrs. Lay kept, the Bishop

wrote, “We have no chance of getting away tonight, except Dr. Fearn who is released. It is all an attempt to mortify and humiliate us. Let us possess our souls with patience.” In another, “We agree to keep our counsel for the present. Your chief anxiety must be that we may behave ourselves like men and Christians. There will be a trial of moral power. We must trust in God & keep good cheer.” After an interview, which the twelve had with General Mitchell, Bishop Lay wrote, “He had no charges against us, he said, but arrested us to show that he would arrest anybody. He sent for us to make us use our influence to promote amicable relations between his army and our people. He proposed conditions of release to us in writing. These were considered by the whole 12, and we declined subscription. We must take the consequences. I know not what they will be. I am very



quiet & easy in mind. The way of duty is very plain—and to do nothing is easy”.

For a while visitors were allowed the hostages, but in two notes the Bishop wrote, “I do not think it would be well for you to come here, much as I would like to see you.” And, “I don’t like to see ladies come. Lucy [his seven-year-old daughter] might be alarmed at the bayonets around us.” The General decided to be more stringent with his uncooperative captives, and so Mrs. Lay received one day a scrap of torn yellow paper on which in familiar handwriting she read, “I am in solitary confinement. Alone yet not alone. Open notes from you may pass. In the morning send clean clothes, looking glass, shaving things, brush, etc. Some writing paper. God bless & keep & comfort you all. The room is clean & airy”.

The prisoners were allowed renewed opportunities for conference with each other,

and they finally decided they were willing to condemn illegal acts of war in general terms. They had made their protest, but continued imprisonment would do no one any good. The General accepted their watered-down statement, and after thirteen days of confinement released them.

Three weeks later Mrs. Lay had a “confinement” of her own, but a different and a happier kind. On June 3rd, she gave birth to her seventh child, a boy weighing eleven pounds who was given the name of Beirne, the family name of Huntsville friends. The happiness of Beirne’s safe arrival was soon overcast with sorrow when on July 5th the journal records, “our little daughter Lucy died,” and next day “was buried at 6 p.m. Mr. Banister officiating”.

[Editor’s Notes: In October, Henry Lay travelled to Virginia on personal and church business. The other eleven citizens confined to the



Courthouse were: William McDowell, William Acklen, A. j. Withers, George P. Beirne, William H. Moore, Samuel Cruse, J. G. Wilson, Thomas S. McCalley, Gus L. Mastin, Stephen W. Harris, and Dr. Thomas Fearn. From time to time, other prominent citizens were held in jail, the most prominent of whom was former Governor Clement Comer Clay].

