

ORDINANCE NO. 1979-215

AN ORDINANCE DESIGNATING THE PROPERTY OF J. ALLEN BAILEY, JR. LOCATED AT 555 NEW BERN AVENUE IN THE CITY OF RALEIGH, NORTH CAROLINA, A HISTORIC PROPERTY

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of a Historic Properties Commission for the City of Raleigh and otherwise provided for the preservation of certain historic sites and buildings by the passage of Part 3B, Article 19, Chapter 160A North Carolina General Statutes; and

WHEREAS, the Raleigh Historic Properties Commission has made an investigation and recommended the following property be designated a Historic Property; and

WHEREAS, the North Carolina State Department for Cultural Resources has made an analysis and recommendation that the following property be designated a historic property; and

WHEREAS, on the 4th day of September, 1979, a joint public hearing was held in the Council Chambers of the Municipal Building, Raleigh, North Carolina, by the Historic Properties Commission and the City Council of the City of Raleigh to determine whether the hereinafter described property should be designated a historic property; and

WHEREAS, said hearing was advertised and the property owners of the property hereinafter described were notified by mail of the date and purpose of said public hearing at least ten (10) days prior to the date set for the hearing; and

WHEREAS, all requirements of Part 3B, Article 19, Chapter 160A of the North Carolina General Statutes, preceding the adoption of this ordinance, have been complied with.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

Section 1. The property of J. Allen Bailey, Jr. located at 555 New Bern Avenue, in the planning jurisdiction in the City of Raleigh, North Carolina, be and is hereby declared a historic property. Said property being more particularly described as follows:

Henry Porter House, being approximately 6,364 square feet, Block G-1, Lot 16 and as evidenced by deed recorded in Book 912, Page 344, Wake County Courthouse.

Section 2. Those elements of the property that are integral to its historical, architectural, archaeological, or any combination thereof are as follows:

This two-story Greek Revival frame building is one of the few ante-bellum houses extant in Raleigh. Its original owner, Henry Porter, was in the shoe making and selling business, becoming one of the city's leading businessmen in the ante-bellum period. The house contains a two-story pedimented porch, which was a popular feature of Raleigh's Greek Revival residences.

Section 3. No building or structure that is designated in this ordinance located on the hereinbefore described site may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material or outer appearance occurs unless and until a certificate of appropriateness is obtained from the Raleigh Historic Properties Commission or its successors.

Section 4. No building or structure which is designated in this ordinance on the hereinbefore described site may be demolished unless and until either approval of demolition is obtained from the Raleigh Historic Properties Commission or, after the Commission has received a completed request for demolition, one-hundred and eighty (180) days have elapsed.

Section 5. That all owners and occupants of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence be sent by certified mail a copy of this ordinance.

Section 6. This ordinance shall be indexed under the property owner's name in the grantor and grantee indexes in the Office of the Register of Deeds of Wake County.

Section 7. City administration and the Historic Properties Commission are hereby authorized and directed to have erected an appropriate sign on the site hereinabove described setting forth the fact that said site has been designated a historic property by action of the Historic Properties Commission and the City Council of the City of Raleigh provided, should the owners of the hereinabove described property not consent to the erection of said sign on the described premises, City administration and the Historic Properties Commission are hereby authorized and directed to have said sign located on the public right-of-way adjacent to said property.

Section 8. In the event any building or structure is demolished in accordance with the ordinances of the City of Raleigh, this ordinance shall automatically be null and void.

Section 9. Any violation of this ordinance shall be unlawful as by law provided.

Adopted: 9/4/79

Effective: 9/4/79

CCLK/34tp

Distribution: City Manager
City Attorney
Planning Department (2)
Inspections Division (3)
Historic Properties Commission
Wake County Tax Supervisor
Wake County Tax Collector
Property Owner and/or Occupant
Register of Deeds

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

CERTIFICATION

I, Gail G. Smith, City Clerk and Treasurer of the City of Raleigh, North Carolina, do hereby certify that the attached is a true and exact copy of Ordinance No. (1979) 215 adopted by the City Council at their meeting held on September 4, 1979.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 30 day of November, 1979.



Gail G. Smith
Gail G. Smith
City Clerk and Treasurer

Filed for registration at 3:15 PM o'clock 3 day of December, 1979,
and registered in the office of the Register of Deeds for Wake County,
in Book 2791 Page 100 December 3, 1979.

R. B. MCKENZIE, JR.

R. B. Johnson
Register of Deeds

Research Report on the History of the Henry Porter House and Bagley-Daniels House

L. W. Seegers

July 12, 1977

Henry Porter House. (555 New Bern Avenue)

The Henry Porter House is located on the northwest corner of New Bern Avenue and Ray Street just west of the intersection of New Bern Avenue and Swain Street. It is a two-story white frame house facing New Bern Avenue, with columned porches on both first and second stories. Its present owner is J. Allen Bailey, Jr. and its present occupant is the Miles Mortuary.

The Henry Porter House is of nineteenth century origin and probably dates from before 1850. In an article published in the Raleigh News and Observer, April 26, 1942, entitled "Ante-Bellum Houses of the City", Willis G. Briggs stated that the building was the residence of the successful merchant, Henry Porter (1819-1881) before the Porter family moved to the Brooklyn suburb on present St. Mary's Street. Henry Porter moved to Raleigh in the early nineteenth century from Sampson County and operated a shoe-making business, becoming one of the city's leading businessmen by the early 1830's. Later, in 1852, he opened a boot and shoe store on Fayetteville Street which he continued to operate successfully for some time. As a merchant in Raleigh he was associated with another outstanding merchant of early days in Raleigh, James Coman. Henry Porter became not only one of the leading members of the mercantile community of Raleigh but was also a leader in the activities of the First Methodist Church founded in 1784. He was the father of John Porter and Mrs. Martha Brewster. Henry Porter's business associate, James Coman, was also one of Raleigh's early outstanding merchants. He preceded Henry Porter, being mentioned as having joined the mercantile ranks of the city by the first decade of the nineteenth century. In 1811 he was named the captain of one of the twenty classes of citizens appointed

as a General Watch for the city. At one time he occupied as his residence the building on the northeast corner of Fayetteville and Hargett Streets which had been built originally as the first official residence in Raleigh of the Governor of the State. In 1822 his store was listed as one of the only seven brick structures within the city limits.

There are not any sketches of Henry Porter or James Coman in any of the standard North Carolina biographical dictionaries, nor is either included in the list of individuals for whom biographical sketches are being prepared for inclusion in the new North Carolina biographical dictionary now being edited by William S. Powell.

I have not been able to make a positive identification of the date the Henry Porter House was constructed. In the Division of Archives and History are a number of early maps of Raleigh, namely maps of 1792, 1795, 1797, 1814, 1834 and 1847. However these maps show New Bern Avenue east only to East Street and this house is located in the block east of East Street. A map of 1797 located in the office of the City Manager also extends east only to East Street. A photograph in the Division of Archives and History entitled "C. N. Drie's Bird's Eye View of the City of Raleigh, 1872" shows a structure which appears to be the Henry Porter house on the north side of New Bern Avenue between East and Swain Streets, and a map of 1881 attributed to "Shaffer", also in the Division of Archives and History shows a structure on the northwest corner of New Bern Avenue and Ray Street. In the North Carolina Collection in the Library of the University of North Carolina at Chapel Hill are Sanborn maps of Raleigh July 1884, February 1888, January 1896, July 1903, and August 1909. The maps of 1884, 1888, 1896, and 1903 do not include any plates for New Bern Avenue as far east as East Street; the map of 1909 shows a frame structure on the lot at the northwest corner of New Bern Avenue and Ray Street.

The present occupant of the house, Miles Mortuary, has rented it for about five years from the present owner, J. Allen Bailey, Jr. Mr. Bailey, who resides now at 2601 Poole Road (Tel. 832-6074), lived there from 1929 to 1972, from 1929 to 1945 as a tenant, and after 1945 as owner. He purchased the house in 1945 from Julia M. Gregory who had purchased it from R. B. Whitley in 1927. A deed of February 4, 1927 shows a transfer from D. Bryant Harrison to T. F. McGuire, Sr., R. B. Whitley, and C. A. Gosney, trustees of a tract on the north side of New Bern Avenue west of the Ray Street intersection. A deed of January 29, 1920 shows a transfer of a tract on New Bern Avenue running 65 feet west from the northwest corner of New Bern Avenue and Ray Street from James R. Rogers to D. Bryant Harrison. Mr. Harrison was a great-uncle of Mr. Bailey and for some twenty years was Sheriff of Wake County. He was connected in some capacity (director or officer) with a bank in Knightdale. I have not found a record showing a transfer of this property earlier than that of 1920.

Bagley-Daniels House (125 East South Street)

The Bagley-Daniels House is situated on the north side of East South Street facing South Street across from Shaw University on the northwest corner of South and Blount Streets. It is a two-story frame building which previously was painted white but the exterior is now green. It formerly had a large wing on its western side but that wing has been removed and incorporated as part of the house which sits on the adjoining lot to the west.

The Bagley-Daniels house is of nineteenth century origin, but I have not been able to fix with certainty the exact date of its construction. In an article in the Raleigh News and Observer, April 26, 1942, entitled "Ante-Bellum Homes of the City," Willis G. Briggs stated that the house was originally the home of Sion Hart Rogers who sold it to Major William Henry Bagley in 1873. (Perhaps it should be referred to on the Rogers-Bagley-Daniels house, or the

Rogers-Bagley-Daniels-Pegues house.) Mr. Frank A. Daniels, Sr., who was born during the time his parents, Mr. and Mrs. Josephus Daniels, lived in the house and who lived there as a small boy, said that he was not certain when the house was built or who built it. He was under the impression that it had been built by Major Bagley but that there was some family tradition that Major Bagley had bought the house. The present owner and occupant, Mrs. Ernestine Hamlin said she had thought that Major Bagley had built the house but she was not certain he had. She thought the house was about 105 years old. In any event, it would appear that the house dates from about the mid-nineteenth century, in all likelihood not earlier than 1850. Mr. William H. Rogers, Sr., grandson of Sion Hart Rogers and a resident of Raleigh, said he had no information about the history of the house except that he understood it had belonged to his grandfather at one time.

Sion Hart Rogers was a well-known citizen of Raleigh in the mid-nineteenth century. His grandfather Sion Rogers, came to Raleigh from Virginia at the death of his father shortly after the American Revolution to live with his uncle, Michael Rogers, the first sheriff of Wake County. This Sion Rogers became a planter, married Mary Peebles, and died in 1800 leaving a son named Sion. This Sion Rogers also became a planter, married Narcissa Gray Jeffreys, and died in 1839 leaving several children one of whom was Sion Hart Rogers who was born September 30, 1825. Sion Hart Rogers attended the Lovejoy Academy in Raleigh and the University of North Carolina. He was graduated with a B.A. degree in 1846 and received a M.A. degree from that institution in 1849. He entered the law office of United States Senator George E. Badger and was licensed to practice law. He entered politics as a Whig and was nominated for a seat in the North Carolina House of Commons in 1852 but was narrowly defeated by Judge Romulus M. Sanders. In 1854 he was nominated by the Whig party to a seat in the United States

House of Representatives and was elected to that position, defeating Abram W. Venable. He served one term in Congress after which he became solicitor for his judicial district. He served in Congress again briefly after the Civil War, being elected as a Democrat. However his taking the seat was delayed by that fact that his Republican opponent, James H. Harris, contested the election. He served from May 23, 1872 to March 3, 1873. He was defeated for re-election by the Republican opponent, William A. Smith. During his term he was active in securing an appropriation for a federal post-office and court house building in Raleigh. Sion Hart Rogers entered the Confederate military service, May 21, 1861 as 1st Lt. in Co. K., 14th N.C. Regiment and rose to rank of Colonel as commander of the 47th Regiment. He served in 1862 in the New Bern area against the United States forces commanded by General Burnside and in the Kinston area under General Nathan G. Evans against the forces commanded by General John G. Foster. Rogers resigned from the army in January, 1863, to assume the office of Attorney-General of North Carolina to which he had been elected the previous fall. The Convention of 1865 abolished that office and Rogers resumed private law practice. He died August 14, 1874. Rogers married Jane Frances Haywood, daughter of United States Senator William H. Haywood, Jr. Three sons and a daughter of this marriage lived to adulthood.

Major William Henry Bagley was a journalist, being editor of several newspapers, among them the Elizabeth City Sentinel prior to the Civil War. On the call for troops at the outbreak of that conflict he enlisted in the Confederate forces and was Captain of Co. A, 8th N.C. Regiment. Later he was promoted to the rank of Major. He fought in the battle of Roanoke Island and was captured by the Federal forces. He was twice elected to the North Carolina State Senate. In July 1865 he was appointed by President Johnson as Superintendent of the Mint

at Charlotte but could not take the "iron-clad" oath required and did not serve in that capacity. He became private secretary to Governor Jonathan Worth and on March 1, 1866, he married Adelaide Ann Worth, Governor Worth's youngest daughter. It was apparently shortly thereafter he acquired the house on South Street. In 1868 he became Clerk of the North Carolina Supreme Court and held that office until his death in 1886.

In the 1880's Josephus Daniels, who was later to become the well-known editor and publisher of the Raleigh News and Observer, Secretary of Navy in the Wilson administrations, and Ambassador to Mexico in the 1930's, moved to Raleigh to take over the editorship of the State Chronicle, a weekly paper published there. On May 2, 1888, Daniels married Addie Worth Bagley, one of Major Bagley's daughters. Shortly after their marriage Mr. and Mrs. Daniels moved from the home of her aunt, Mrs. Elvira Moffitt, where they had been boarding to become one of the boarders Mrs. Bagley kept at her house on South Street. They continued to live there until they went to Washington in 1913 when Josephus Daniels became Secretary of Navy, except for a brief two-year term in Washington (1893-1895) when Daniels served as appointments secretary to Hoke Smith, Secretary of Interior in the second Cleveland administration.

Upon the death of Major Bagley, the home on South Street became the property of his widow, Adelaide Worth Bagley, who held it until April 3, 1919, when she sold it to Albert W. Pegues, a member of the faculty of Shaw University. Professor Pegues, a graduate of the Richmond Theological Seminary and the University of Lewisburg came to Shaw University in 1887 as chairman of Philosophy and Languages. In 1920 he became Dean of the Theological Department. He remained at Shaw until his death in 1929. On the death of Professor Pegues in 1929, ownership of the house passed to his widow, Ella C. Pegues, who owned it until

her death in 1944, at which time the property passed to her daughter, Earnestine Pegues Hamlin who is the present owner and occupant. Mrs. Hamlin is the widow of James Thomas Hamlin who, prior to his death in 1966, operated a pharmacy on Blount Street just to the rear of the residence.

A study of early Raleigh city maps reveals the following information concerning this property. The maps of Raleigh of 1792, 1795, 1797, 1814 do not show buildings on the plot at South and Blount Streets. A map of Raleigh of 1834 shows two lots on the north side of South Street between Blount and Wilmington Streets, the easternmost lot on the corner of South and Blount Streets being shown as the property of R. Cannon and W. M'Pheeters. A map of Raleigh of 1847 shows a lot with no structure on the north side of South Street extending one-half block west from Blount Street owned by L. D. Henry's estate, and shows a house on the north side of Blount Street midway between Blount and Wilmington Streets belonging to E. Harris. On the Sanborn maps in the North Carolina Collection there is no plate for South Street between Blount and Wilmington Streets on the map of July 1884, or that of February 1888, or that of January 1896. The Sanborn map of July 1903 has a plate showing a frame structure on the lot at the northwest corner of South and Blount Streets as does the map of August 1909.

Bibliography

This report on the Henry Porter House and the Bagley-Daniels house is based on the use of the materials listed below:

Printed Works:

- Abernethy, Elizabeth Hill: Historical Facts of Raleigh and Wake County. Raleigh. 1938. Caswell-Nash Chapter of the North Carolina Daughters of the American Revolution.
- Ashe, Samuel A'Court, ed.: Biographical History of North Carolina. 8 vols. Greensboro. 1905-1917. Charles L. VanNoppen.

- Battle, Kemp Plummer: The Early History of Raleigh, The Capital City of North Carolina. A Centennial Address...October 18, 1892. Raleigh. 1893. Edwards & Broughton.
- Battle, Kemp Plummer: Sketches of the Early History of the City of Raleigh. Centennial Address, Fourth of July, 1876. Raleigh. 1877. The Raleigh Steam News Print.
- Chamberlain, Hope Summerell: History of Wake County North Carolina with Sketches of Those Who Have Most Influenced Its Development. Raleigh. 1922. Edwards and Broughton Printing Company.
- Covington, Nina Holland: Guide Book of Raleigh, N.C., Historical and Descriptive. Raleigh. 1924. Capitol Printing Company.
- Daniels, Josephus: Editor in Politics. Chapel Hill. 1941. University of North Carolina Press.
- Daniels, Josephus: Tar Heel Editor. Chapel Hill. 1939. University of North Carolina Press.
- Goodwin, A.L.: Who's Who in Raleigh. Raleigh. 1916. Commercial Printing Co.
- Hill Directory Company: Raleigh, N.C. Directory
- Hill Directory Company: Hill's Raleigh Suburban Directory
- Johnson, Guiom Griffis: Ante-Bellum North Carolina. Chapel Hill. 1937. University of North Carolina Press.
- Jones, Houston G.: For History's Sake. Chapel Hill. 1966. University of North Carolina Press.
- [League of Women Voters of Raleigh-Wake County]: Handbook for Citizens of Raleigh, N.C. 1963.
- Lemmon, Sarah: "Entertainment in Raleigh in 1890", North Carolina Historical Review, XL, No. 3 (July 1963).
- Lemmon, Sarah: "Raleigh, an Example of the New South", North Carolina Historical Review, XLiii, No. 3 (July 1966).
- McGrady, Edward, Jr. and Ashe, Samuel A., eds.: Cyclopedia of Eminent and Representative Men of the Carolinas of the Nineteenth Century. 2 vols. Madison, Wisconsin. 1892. Brant & Fuller.
- Powell, William S., ed.: North Carolina Lives. The Tar Heel Who's Who. Hopkinsville, Ky. 1962. Historical Record Association.
- [Raleigh Merchants Association]: Raleigh Illustrated. Raleigh. 1918.
- Reid, Elizabeth: From Raleigh's Past. Raleigh. 1965. Branch Banking and Trust
- Stolpen, Steve: Raleigh. A Pictorial History. N.P. N.D. N. Pub.
- Swain, David L.: Early Times in Raleigh. Address delivered...at the dedication of Tucker Hall...with maps of the city of Raleigh, for the years 1792, 1834, and 1847. Raleigh. 1867. Walters, Hughes & Co.
- Waugh, E.C.: North Carolina's Capitol, Raleigh. Raleigh, 1967. Junior League of Raleigh.
- Writers Program. Work Projects Administration: Raleigh, Capitol of North Carolina. New Bern. 1942. O.G.Dunn Co.

Unprinted Material

North Carolina Collection. Library of University of North Carolina at Chapel Hill.

Anderson, Mrs. J.H. (Lucy): "Glimpses of Old Raleigh". Undated Typescript.

Biggs, J [ames] Crawford: "Early History of Raleigh". Undated Typescript.

Wake County, Register of Deeds. Deed Books.

Author's notes of conversations with J. Allen Bailey, Jr., Frank A. Daniels, Sr. Ernestine Pegues Hamlin, O.C. Pennington, Jr., William H. Rogers, Jr. and Martha W. Wheeler.

Maps

North Carolina Division of Archives and History

[1792] "Plan of the City of Raleigh (The Seat of Government of the State of North Carolina)". Printed by Walters, Hughes & Company. Raleigh, N.C.[1867]

[1795] "Plan of the City of Raleigh; (The Seat of Government of the State of North Carolina) N.B. Newbern, Hillsborough, Halifax, and Fayetteville Streets are ninety-nine feet wide; the others sixty-six. Each lot contains one acre of land." [Photocopy]

[1797] "Plan of the City of Raleigh with all the improvement and all the numbers. July 1th, 1797"

[1813] "Plan of the City of Raleigh with the contiguous public lands. For the use of the General Assembly. A.D. 1813"

[1814] "A Plan of the City of Raleigh" [Walter Gwynn 1867]

[1834] "Plan of the City of Raleigh. First published in the year 1834. Printed by Walters, Hughes & Company, Raleigh, N.C."

[1847] "Plan of the City of Raleigh. From Johnson's map of 1847... Printed by Walters, Hughes & Company. 1867"

[1847] "Map of the City of Raleigh. Surveyed and drawn by J.W. Johnson. Entered... 1847 by J.W. Johnson". C. & W. Endicott Lith. New York.

[1872] "Bird's Eye View of the City of Raleigh. 1872. Entered...in the year 1872 by C.N. Drie, Raleigh, N.C."

[1881] (Map of Raleigh attributed to "Shaffer" and dated "1881" by Charles M. Heck

North Carolina Collection, Library of University of North Carolina at Chapel Hill.

Sanborn Maps:

Raleigh - July 1884

Raleigh - February 1888

Raleigh - January 1896

Raleigh - July 1903

Raleigh - August 1909