

ORPHANAGE

Silas Butts raised no children of his own. However, his front-page obituary recalls him as an "Adopted Father of 50."¹²⁶ Silas took in children, and even some adults, and treated (or used) them as his own family. The main question, though, is why did he do this? Was it because he actually cared for these children? Or was it because he had no children of his own but needed hands to work his bottom lands at Brasstown? Why did he have no children of his own? Or did he?

Silas would take in children from wherever he could get them. Mary Arve commented that "he got a lot of them in Clayton [Georgia]." Silas' farm is not far from the Georgia line, and as one progresses up Highway 76, Clayton is the first town across the state line. According to Mary Arve, two boys told her that "Silas got us from Clayton, Georgia, out of jail, for throwing rocks at women."¹²⁷ This suggests that Silas was giving them a home and another chance. But

¹²⁶ "Silas Butts, Adopted Father of 50, Passes."

¹²⁷ Mary Arve, 4 August 1992.

was he out looking for children for field hands or did he take them in because they needed him?

One young boy, Tom Smith, living in town as the only child of a lady working in the mill, found himself going up the mountain one day with Silas and his wife, Louisa, to live at Brasstown. Tom remembers not being scared at the time. Silas had learned of Tom during one of his trips to town to sell vegetables, and more than likely, liquor. However, Tom remembers running away from the farm several times over the next few months and eventually, Silas took him back down the mountain to his mother.¹²⁸ Another time, Johnny Ballenger recalled that he always saw a young boy standing on the side of the road on their way to Westminster.

He was an Anderson, that's who he was. Little ol' boy about five, six, maybe seven years old. Every time we'd go up through there, he'd be standing on the side of the road. He'd catch the wagon and swing on the coupling pole... Coupling pole sticking out and ride to town. And Silas got him.¹²⁹

Silas just seemed to get them when and where he could. One newspaper article included the word "handicapped"

¹²⁸ Tom Smith, 30 July 2003.

¹²⁹ David Pitts and Johnny Ballenger, 13 June 2003.

when describing some of the children that he raised.¹³⁰

Depending on the degree of their handicap, this would tip the scale towards Silas' humanitarian character rather than the mere need for farm hands.

Many stories remain to this day of Silas threatening to take little children for some reason or another. He would either joke with their parents or threaten to take them if they did not behave. Gladys Elliott tells one of these stories:

My dad and my little twin sisters, who were about ten at the time, were in Westminster and Mr. Silas Butts came up to daddy and asked if he would like to have him take his little twins and it scared them. They thought he really was going to get them.¹³¹

Other stories, very similar to this one, are also still told all these years later. Johnny Ballenger told of Silas asking for a boy named Floyd:

Floyd said him and his daddy was up town there and Silas come along up the street. And he didn't make no difference who it was. He looked over and seen that he was a little boy and looked at him and said- told his daddy, said, "Give me that boy!" Said he liked to have scared him to death. He just knowed his dad was going to give him away. But he would, everybody that come along there, if they had a little boy, "Give me that boy!"¹³²

¹³⁰ "Silas Butts Dies At 76."

¹³¹ Gladys Elliott, 17 June 2003.

¹³² David Pitts and Johnny Ballenger, 13 June 2003.

Even Mary Arve, who had taught Silas' "adopted" children when she was fresh out of college, recalled Silas asking her if she wanted to get rid of her grandson many years later. Mary Arve also sold insurance, and as Silas sat on her front porch one day waiting for her to fill out papers, he saw the young boy in the yard and simply asked if he could have him.¹³³ These children that Silas asked for are often who keep these stories alive. The stories are often told as if Silas was speaking in jest, but as with Tom Smith, would Silas turn down someone willing to send their child home with him?

Ray and Jake Gambrell remember as very small children, nearly 85 years ago, Silas riding by on his mule.

My first recollection of him [Silas] was when I was about four years old. It was always said around there that he would get bad boys and throw them in a sack, and put a rock in it, and throw them in the river and drown them if they were bad boys. Of course, we as young boys didn't know how bad he was. So, one day when I was four years old, he came down the road, riding his mule with a sack tied around the neck of the mule, and something hanging down. We were afraid of him, because we had heard what he would do to us. So Jake, my older brother, was two years older than I was and I was four, was wrestling with me in the yard. And we looked down the road, and saw this man coming with a mule, and a sack

¹³³ Mary Arve, 4 August 1992.

around his neck. We knew he was Silas Butts and we were afraid of him. So, there wasn't time to get in the house, they were tall steps. We lived in the Sam Brown Dairy Barn House; at that time we owned that. And we ran around under the steps and hid and watched him pass. And our mother came out on the porch and says, "What on Earth is the matter with you boys?" We said "Sila' Butts' coming." I couldn't even say "Silas." I said, "Sila' Butts' coming! Sila' Butts' coming! And we're hiding from him."¹³⁴

Jake continues with:

And he [Silas] hollered, "Ms. Gambrell, them boys don't quit that fighting up there, I'll take this Croker Sack I'm sitting on, put them in it and tie a rock to it and I'll throw them in the river when I go across over yonder." Shooo Boy! One of us went one way and the other, the other way. It tickled Mama. And he went on.¹³⁵

These boys were scared of Silas. But how did they know about Silas and his children?

Jake and Ray's story ends with another common characteristic of Silas' orphanage and that was the ability of children's parents to use Silas as a threat. Jake concluded with, "And every time me and Ray would get into it about something or another, she'd tell me, 'I'm going to give you to Silas Butts.' Boy, that would settle

¹³⁴ Ray Gambrell, personal interview, 21 February 2003.

¹³⁵ Jake and Cleo Gambrell, 13 June 2003.

it right there."¹³⁶ Randolph Phillips remembers this same fear:

We was afraid of Silas because anything we would do, they'd holler, "We're going to give you to Silas Butts." And it scared us to death. They said, "Here come Silas." I must have been about three years old, or four. And I run slap off of the end of the porch and liked to have broke my neck. I was running because Silas was a coming.¹³⁷

The Charlotte Observer mentioned this same threat in an article when they quoted someone saying, "My mama used to tell us, 'You be good or Silas Butts gon' gitchee.'"¹³⁸ Silas Butts and his orphanage left an impression among more than just the children that he raised.

Silas Butts' orphanage, however, is often referred to as "unofficial." Shortly after Silas death, James Lawing sent a letter to Judge of Probate. Lawing was, at the time, serving time in the State Penitentiary but knew of Silas death. In the letter, it stated, "Being the adopted son of Silas Butts by legal adoption, I presumed that by law I would be considered his nearest of kin, excepting of course, his wife, Louisa Butts, in the

¹³⁶ Ibid.

¹³⁷ Randolph Phillips, 12 June 2003.

¹³⁸ Jackson.

distribution of the deceased said Estate."¹³⁹ However, a letter was sent back to Mr. Lawing from the Judge of Probate, and in it was written:

...Please be advised that the County Attorney has carefully checked all the records here in the Oconee County Court house and has failed to find that you were ever legally adopted by the late Silas L. Butts [sic]. In fact the matter is, he made a second search just to be sure and certain after we received your letter.

Mr. John M. Schofield, who represented you, was contacted and he stated that you were never legally adopted by a Court Order.

I am sorry to inform you that you are not a legal heir so you will not come in for a share of his Estate.¹⁴⁰

It appears that since Mr. Schofield knew that James Lawing was not legally adopted, James Lawing was not under the impression that he really was. But, this letter illustrates the "unofficial" description often associated with Silas' orphanage.

Another instance that portrays Silas' orphanage as "unofficial" is a method of adoption that he is known to have used. It seems that at some point, as the story goes, someone supposedly deeded their child/children to Silas. A lawyer in town received \$10 for this "unofficial" service. Yet again, though, this of course

¹³⁹ James Lawing, letter to the R. C. Carter II.

¹⁴⁰ R. C. Carter II, letter to James Lawing, 30 September 1957.

did not make the "adoption" legal.¹⁴¹ E. Wayne Carp, editor of *Adoption in America: Historical Perspectives*, comments that this type of transaction was not all too uncommon, claiming that early adoption statutes "merely provided legal procedure to 'authenticate and make a public record of private adoption agreements,' analagous to recording a deed for a piece of land."¹⁴² This is partially due to what another historian points out in saying that "Adoption was unknown at common law," and "prior to the enactment of these statutes, parties informally "adopted" children through wills, voluntary and involuntary indentures, private legislative acts, and other means."¹⁴³ Obviously, at least some of the children were treated as property and their transaction was done in a business-like manner.

Historian Barabara Melosh comments on this type of "adoption" in her study, *Strangers and Kin: The American Way of Adoption*. She notes:

¹⁴¹ Charles Barrett, personal interview, 2 May 2002.

¹⁴² E. Wayne Carp, ed. *Adoption in America: Historical Perspectives* (Ann Arbor: The University of Michigan Press, 2002), 5.

¹⁴³ Chris Guthrie and Joanna L. Grossman, "Adoption in the Progressive Era: Preserving, Creating, and Re-creating Families," *American Journal of Legal History* 43 (July 1999): 236.

Apprenticeship and indenture were established forms of labor regulation and child exchange, with reciprocal obligations between master and apprenticeship or servant stipulated by contract and longstanding social practice... Outside the boundaries of formal legal institutions, children circulated among extended families and neighbors when economic pressure or a parent's death left children without adequate means of support.¹⁴⁴

However, these forms of "adoption" are often associated with the nineteenth century prior to adoption laws. In the article, "A Good Home: Indenture and Adoption in Nineteenth-Century Orphanages," historian Susan Porter also notes that "Adoption may have been understood more as an offshoot of indenture (an economic and conditional contact based on the exchange of labor) rather than as a legal arrangement based on mutual sentiment."¹⁴⁵ Silas' "orphanage" does appear, though, to be a form of indentured care. Even with the possibility of legal adoption, Silas still implements this indenture-like form of adoption with the children.

Many sources also report that he cared for adults in his house as well. One obituary indicates that "Besides

¹⁴⁴ Barbara Melosh, *Strangers and Kin: The American Way of Adoption* (Cambridge: Harvard University Press, 2002), 15.

¹⁴⁵ Susan Porter, "A Good Home: Indenture and Adoption in Nineteenth-Century Orphanages," *Adoption in America: Historical Perspectives*, ed. E. Wayne Carp (Ann Arbor: The University of Michigan Press, 2002), 28.

the children he adopted, Butts also took elderly people into his home for care. Two of the elderly women he befriended, Pearl Sheppard and Nanie Evans, still live with Mrs. Butts at the home."¹⁴⁶ Another article that appeared in the *Anderson Independent* claimed that Silas took in and cared for "a dozen adults."¹⁴⁷ Whatever the actual number of elderly cared for, Silas does seem to have taken adults into his "orphanage."

So how many children (and adults) did Silas actually raise or care for? The numbers vary. In the late 1930's, Mary Arve remembers that there were thirteen of his children in school. But, she also quoted him as saying he had more than that, and that thirteen was just the number in school.¹⁴⁸ The petition to the Governor for Silas' pardon claims that he was responsible for fifteen children in 1938. This would seem to correspond with Mary Arve's numbers. In 1953, when John Bigham showed up from *The State* to take a picture of Louisa and the children (for Silas was in town), "eight or ten boys and two girls showed up for the purpose of having their pictures

¹⁴⁶ "Silas Butts, Kindly Mountaineer Dies of Heart Attack Sunday."

¹⁴⁷ Alexander.

¹⁴⁸ Mary Arve, 4 August 1992.

taken."¹⁴⁹ However, this leaves the door open for a larger total.

After his death, many variations as to the total number children he raised have been used to describe his "orphanage." One obituary claimed "approximately 45 orphaned or homeless children" and "as many as 18 children in the home at one time."¹⁵⁰ Another claims "50 or more youngsters."¹⁵¹ A family history follows along these same lines with "more than fifty persons."¹⁵² Other articles claim "nearly 50 children"¹⁵³ and that he "raised 45... [and] at one time he had, maybe, 25."¹⁵⁴ The general consensus seems to be that there were a total of around fifty.

But how long did Silas run this "orphanage?" A caption to one picture of Mr. and Mrs. Butts with the orphans notes that "mountain children have been finding a

¹⁴⁹ Bigham.

¹⁵⁰ "Silas Butts, Kindly Mountaineer Dies of Heart Attack Sunday."

¹⁵¹ "Silas Butts, Adopted Father of 50, Passes."

¹⁵² Carlie Butts, *Butts Generations*, 823.

¹⁵³ Alexander.

¹⁵⁴ Jackson.

home with the Butts since World War I."¹⁵⁵ Other claims, such as an obituary, indicate that "...during the past 51 years [in 1956]"¹⁵⁶ and Bigham speaks of "...a unique practice carried on by them for more than 25 years."¹⁵⁷ The total number of years that Silas and Louisa ran the orphanage is a little less clear. However, his brother, Jim, moved his family into town in 1915.¹⁵⁸ Silas would have needed farm hands from the very beginning. More than likely, there was never a true count of the total number of orphans or the total number of years that they lived with Silas. In fact, a total number was probably not important for Silas and Louisa. If they took in children as a humanitarian effort, numbers would not have mattered and if they needed the help on the farm, numbers would have only been important at specific times of the year.

Delving deeper into Silas' orphanage, one wonders what life was like for the "orphan" children there. One can imagine waking up as a child there in the large attic of the house amongst ten to fifteen other children. Only

¹⁵⁵ "Silas Butts Speaks Up," unknown newspaper.

¹⁵⁶ "Silas Butts, Adopted Father of 50, Passes."

¹⁵⁷ Bigham.

¹⁵⁸ Aheron.

two chimneys served the house and with wooden shingles, it must have been cold in the winter, nestled down in the valley. Silas had taken "creek willows... and made little places in the attic where them kids all slept [and] put a little mattress in there."¹⁵⁹ However, Tom Smith, at age eight or nine, remembers sleeping downstairs in one of the five bedrooms.¹⁶⁰

For this many people in one house, there must have been a great need for food and thus, the need to work in the fields. Randolph Phillips remembers as a young boy, seeing everyone out in the fields at Brasstown and "seeing the girls, they had bonnets on and had them long dresses that went all the way to the ground and sleeves and they'd be out hoeing beans and corn and stuff out in the field."¹⁶¹ Countless other chores were surely a part of their daily lives including chopping wood and gathering leaves for the stables.¹⁶²

But life for the children does not seem to have been romanticized, at least not as some remember it. Evelyn

¹⁵⁹ David Pitts and Johnny Ballenger, 13 June 2003.

¹⁶⁰ Tom Smith, 30 July 2003.

¹⁶¹ Randolph Phillips, 12 June 2003.

¹⁶² Tom Smith, 30 July 2003.

Walker, who lived with her grandmother in one of Silas' tenant houses, recalls a darker side of Silas, less often remembered and spoken of even less. She states that one of the girls who lived there with Silas,

they put her down in the well. Fifty foot well and had a rope around her neck and she stayed down there for... eight hours? And they was a man that lived down the road that go up there and told him "Get that kid out of the well or I'm going to call the law." She stayed there eight hours until the sheriff of Oconee County came up and made him pull her out of the well. And they would not press no charges against him no matter what he done.¹⁶³

Randolph Phillips told a similar story:

A couple of the orphans that he had, they liked to have beat Ol' Silas to death. And Ol' Silas chained him up in the tater shed he had out there, little ol' round tater shed he had out there and said when he got to where he could, he turned him loose, but he told him, "Now you go to a certain-certain still." They say he made him stay in that still shack for about three years. Silas was scared of him. He liked to have beat Silas to death.¹⁶⁴

There was always the rumor that Silas sexually abused the children that stayed with him. Evelyn Walker talked about this cautiously, saying that Silas would "use the kids... the girls, a different one every night."¹⁶⁵ Mr. Phillips

¹⁶³ Evelyn Walker, 13 June 2003.

¹⁶⁴ Randolph Phillips, 12 June 2003.

¹⁶⁵ Evelyn Walker, 13 June 2003.

hinted at this same subject, except amongst the children themselves, saying:

They separated the boys from the girls, you know, and stuff. I've heard several stories about that, you know... Where you have boys and where you have girls, you going to have mischief. I've heard several stories but some of it, I won't tell it, ain't no use in telling that. I thought it was kind of funny, kind of bad too, but I guess it all happened.¹⁶⁶

What went on there at Silas' seems to be a hush subject and maybe, for good reason. It is often difficult to explore a topic as sensitive as this within a community in Appalachia. The point derived from this, though, is that things were not as romanticized as they are often remembered and retold.

The next question that arises is: Why did Silas and Louisa not have children of their own? As a matter of fact, some say that he did. The Family History, *Butts Generations*, states that, "Silas and Louisa had one child born dead, [who] was given no name, and was buried in the 'Old Butts Graveyard' at Brasstown."¹⁶⁷ When Evelyn Walker was asked why Silas had no children of his own, she commented that, "he started with his family, and his

¹⁶⁶ Randolph Phillips, 12 June 2003.

¹⁶⁷ Carlie Butts, *Butts Generations*, 822.

family passed away, then he opened his doors to outside children." Evelyn Walker also claimed that when Silas would, "use the girls, a different one every night," that "his wife caught him and they never had no children. She wouldn't sleep with him... After they all... He got through with them, he thought he would go back to his wife and go to bed with her. Well she wouldn't do it."¹⁶⁸ There is also one account of a lady living in Pickens County whose mother told her that she was the child of Silas Butts.¹⁶⁹ Whether or not these stories had anything to do with why Silas and Louisa had no surviving children is unclear and unproven. However, yet again, the point is that most people believed or assumed they could not have children and thus they created a family by helping others who were in need. Was this the only reason, or did the rumors mentioned above play a role?

This leads back to one of the central questions: Why did Silas take in all of those children? Was it because he really was a big-hearted man or did he just need help on his farm? Was it another reason completely? Mary Arve, when asked this question outright, responded, "I think it

¹⁶⁸ Evelyn Walker, 13 June 2003.

¹⁶⁹ Carlie Butts, *A Man Called Jake*, 402.

was really for work on the farm because he had a big farm in there."¹⁷⁰ There are probably as many answers to this question as there are people who could be asked. The answer, as is often the case, likely lies somewhere in between. Silas knew how to play his game. He combined a lot of aspects of his life, drawing from one thing to help out in another. Whether he planned it or not, everything in Silas' life seemed to work together for his own gain.

¹⁷⁰ Mary Arve, 4 August 1992.