

North Carolina  
Division  
Sons of  
Confederate  
Veterans



Office of the  
Commander  
  
Sanford, NC

February 9<sup>th</sup>, 2025

**To the Town Council of Edenton**

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**To the Chowan County Commissioners**

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Ms. Stallings:

Will you please forward this letter to Commissioner Lawrence?

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Dear Council and Commissioners,

There have been numerous discussions and news articles published regarding the Edenton Confederate Monument that contain erroneous information regarding the NC Division SCV's position on the Confederate Memorial. News articles have attempted to paint us as being unreasonable and unwilling to settle. Nothing could be further from the truth. It is the Plaintiffs, and especially the NC-SCV, who are willing to settle and are being reasonable. Please read on.

When we first saw the MOU and proposed Consent Judgment in late November 2024, we immediately noticed some deficiencies. Until then, our lawyer, Ed Phillips, had never shown us the Consent Judgment, nor the MOU, so we had no opportunity to have any input in the process.

This lack of input is the same that the opposition, Rod Phillips, et al, is complaining about in their latest suit against the Town filed on January 3rd. The Town and the County surely had plenty of time to draft and consider the MOU and vote on it. The NC-SCV, and all stakeholders, should have the same time and opportunity to review and have input.

There were numerous errors in the CJ and MOU that made signing and agreeing to same an impossibility. Some examples were:

- 1) **Wrong case number**; the listed case number on the CJ went to a different case; this shows that the rushed document was fundamentally flawed;
- 2) **Questionable legality of transfer** to County; even the opposition has cited this in their latest suit;
- 3) **Lack of the word “Standing”** for the NC-SCV, while the opposition is routinely granted standing by local governmental entities and the Courts.

We have been willing to compromise and settle this matter, but we must have Standing if we are to do so. Why otherwise would we settle only to be continuously attacked? The “Standing” language is a necessity and is demonstrated in two actions:

- 1) The Town’s attorney has filed a Motion in the Court saying we do not have Standing and;
- 2) The opposition, stating that they do have “Standing” while continuing to attack us no matter where the Memorial is moved.

As background, the Town moved the Memorial from the old courthouse to the Confederate Plaza in 1961. Today, now that the Confederate Plaza area is being redeveloped, the Town wants to move the Memorial again. The current plan is to move it behind the jail. Before, it was to Hollowell Park. The opposition does not agree with either of those locations and has stated that they will continue to fight to remove the Memorial from any location. Who is being reasonable?

If we are to settle, it is clear that the Memorial will continue to be targeted; thus, we must include the word “Standing” in the settlement. Otherwise, settling doesn’t make sense. We must wonder, why not stand and fight now? At Broad Street? What do we gain except a different place to be attacked?

We expressed our concerns to the Town’s attorney through attorney Ed Phillips in a letter dated December 9<sup>th</sup>, 2024 and also in several communications with the Town’s attorney since:  
Some of our concerns are:

- 1) It must be noted that there is another side to the truth about this matter besides what was said in the 198-page Complaint dumped on the Town on January 3<sup>rd</sup>.

We do not wish to relitigate the events of 1861-19865, but we would not be here today if the Town, at the request of the opposition, were not doing so. Fundamentally, this entire issue of relocating the Memorial is based on several false assumptions and outright lies about our ancestors; specifically, that North Carolina Confederate soldiers and Chowan County veterans fought for slavery and are therefore seen as evil. This statement is

relevant because the opposition to NC Confederate Memorials is founded on these false assumptions, which have been expressed publicly in records, town and county meetings, and the local press.

It is important to know, that the typical Confederate soldier did not own slaves and was conscripted into service for the War after Union troops invaded the South. In fact, 94% of all Southerners did not own slaves. Those that did own slaves, many came from the North, as well as places from all over the world, to take advantage of what they thought was an economic platform, not a country, and were of every race and creed. Slavery was not an invention of the South or a strictly Southern institution.

In 1860, there were over 3,000 black slave owners in New Orleans alone. Native American tribes had slaves of various races at the time. There were 600,000 slaves sold into slavery from their west African people and transported to what is now the United States from 1620 through the mid-1800s. Millions more were sent to South America and the Middle East. During this same period, over 1.2 million Europeans were captured, and brought to North Africa to be worked to death, and none of their descendants are alive today. Conversely, many of the descendants of the 600,000 slaves brought to what is the present-day United States, now number tens of millions in the US and hold positions of power, wealth and influence.

All countries, all peoples, all races, participated in slavery going back 40,000 years and before.

Slavery was a bad deal for the average Southerner. The importation of cheap labor continues here today by globalists, and results in the issues impacting wages here in the USA. Slavery negatively impacted the poor hardworking farmers of the South and retarded the development of its true economies. Slavery truly benefitted the few, and left the rest of us with a bill of an unpaid debt forever. Any of the wealth or property in the South that was gained through slavery, was destroyed during the War and theft during “Reconstruction”.

Some will say what I write in the paragraphs above is not relevant, but it certainly is; and it is foundational to the discussion and any settlement thereof, as the opposition to these Memorials has made it about these subjects and false history as stated above.

- 2) Many NC-SCV members have expressed concerns that the proposed new location for the Memorial behind the jail does not comport with the statute, NCGS 100-2.1, as these members do not believe it is of equal prominence to its current location.

- 3) There is nothing in the MOU and the Consent Judgment that protects the Memorial from the same groups now attacking it, from coming back in 5 years, or whatever time period, and repeating the same process of removal. This will result in the Plaintiffs once again having to raise money to defend the Memorial from the local government entities, using our tax dollars, at the behest of opposition groups, to defend the Veterans Memorial. We wish to work with the Town and County to resolve this in an amicable fashion. However, the proposed documents do not do this and could lead to further litigation in the future, with no protection to our interests in protecting the Memorial. This prediction has been proven to be true by the latest suit filed by the opposition of January 3<sup>rd</sup>. It did not take 5 years; only five weeks.
- 4) Opposition groups: Have any of the opposition groups been consulted to this settlement and do they agree? Will they protest in the future? Will the County protect the Monument against these threats? This question was posited in December and our concern is now borne out by the latest suit against the Town of Edenton by Rod Phillips and the “Southern” Coalition.
- 5) Who will ensure that the re-installation matches the exact existing condition of this monument as described in the MOU? Do we have any oversight?
- 6) There is no mention of a schedule or time frame for the memorial to be re-erected in its new location.
- 7) Will the Town’s GL insurance cover any damage to the memorial that might occur while the move is taking place?
- 8) There are no assurances from the Town or County, much less a guarantee, that the Memorial will not be moved again, and at the cost of the NC-SCV having to defend.
- 9) Attorney Fees: If we are to accept these agreements, the NC-SCV should be reimbursed for its attorney fees. If the Town is paying the attorney fees to fight us and move our Memorial, the Town should pay the attorney fees for the tax paying residents trying to protect the Memorial.
- 10) Standing: There should be a clear statement expressed in the MOU from the Town and the County, that the UDC and the NC-SCV have Standing going forward in these matters. The UDC and the NC-SCV should be added to section four of the MOU as a party to be consulted regarding any amendments to the agreement.

Even with all of these valid concerns, we were still willing to settle and resolve the matter if the Town and its attorney consented to including the word “Standing” in the CJ. **We only asked for one word, “Standing,” to protect the Memorial in the future, and we were willing to acquiesce to the above numerous concerns.**

We made this offer in numerous communications with the Town's attorney and were rebuffed. We offered to give the Town everything it wanted; we just asked for one word to be included in the CJ. The Town would receive everything it wanted in this agreement:

- 1) The Town would get to move us again;
- 2) Not pay our attorney fees, while using our tax dollars to attack us;
- 3) Would just include the word "Standing" in the CJ.

Attached is a draft of the Consent Judgment that I approved and submitted to our attorney Ed Phillips on December 20<sup>th</sup>.

The Town, through its attorney, refused this reasonable offer. Therefore, we could not sign their version of the CJ, which would have signed away our members' rights to defend the Memorial from future moves.

We have provided the Town and its attorney with detailed bases regarding our Standing in this matter. Please see the attached letter of January 8<sup>th</sup> to the Town's Attorney, Hood Ellis. We only asked that the Town not object to this request. We were willing to let Judge Tillet make the decision whether to include Standing in the CJ. But the Town's attorney refused. We are also aware that the Town, and other local governmental entities routinely give Standing to our opposition. As tax-paying residents of the Town and County, we should have at least the same Standing as the opposition. All stakeholders should be treated the same.

Unless we are allowed additional and adequate assurances, such as a clear statement of future Standing and protection by the Town and the County for the Memorial going forward, this will be a false settlement, leading to future litigation, and we will be forced to argue against the Town's Motion to Dismiss, seek our attorney fees, and appeal if we lose. I imagine the Coalition will do the same. We want to make sure that the Town of Edenton, and the Court, are consistent as to which taxpayers have Standing before the Town and the Court.

The Town and County should meet again and communicate with all stakeholders to fashion an Agreement we can all live with. We will do our part to engage in a positive way with these discussions.



R. Kevin Stone, Commander  
North Carolina Division Sons of Confederate Veterans