

## MSS. Collection #109

**Basil J. Fisher Papers, 1886-1910 [bulk 1903-1910]. 1 box (26 folders), ca. 130 items.**

NOTE: The numbers cited in parentheses, e.g. 1:5, refer the researcher to the Series#:Folder# in which that name/topic will be found.

### INTRODUCTION

The Basil J. Fisher Papers primarily document the legal transactions conducted on behalf of Basil John Fisher's estate after his death in 1903. Fisher, a wealthy entrepreneur from Scotland, owned a large tract of land near downtown Greensboro.

The bulk of the collection consists of correspondence and legal documents pertaining to the settlement of his estate in Greensboro. In addition, however, there are a number of items referring to his holdings in Great Britain, especially with regard to how they would affect the disposition of his estate in the United States.

The collection may be useful to researchers interested in **real estate development** and **estate settlement** in Greensboro at the turn of the twentieth century. Also of note is a "**Brief of Counsel for Respondents**" (5:1) issued by the **Supreme Court of the United States** regarding a suit between the Guardian Trust and Deposit Company and B. J. Fisher, ca. 1904-1905.

**Arrangement:** The Fisher Papers are arranged into five series, and within each series the items are arranged chronologically. The following are the five series: **Correspondence**, 1902-10; **Financial**, 1886-1906; **Legal**, 1900-10; **Photographs**, ca. 1880-92; and **Printed**, ca. 1904-05.

**Provenance:** This collection descended to Mrs. Arthur O. Cooke from the Stedman & Cooke law firm of Greensboro, NC; Charles M. Stedman of said firm handled most of the local legal affairs of Mrs. Isabella Fisher after Basil J. Fisher's death in New York City in 1903. Mrs. Arthur Cooke donated the collection in 1993, and it was assigned accession number 1993.60.1.

**Processing:** This collection was organized and the finding aid was prepared by Francis D. Pitts III in November 1996.

### BIOGRAPHICAL NOTE

Captain Basil John Fisher (1851-1903), a native of Scotland and a retired British army officer, came to the United States in the mid-1880s to help manage a gold mine in Asheboro, NC. He bought a large tract of land there and built a palatial home, gatehouse and numerous outbuildings. In the 1890s he moved to Greensboro, then, around the turn of the century, to New York City; he died there on 11 April 1903. Fisher was involved in extensive real estate speculation, investing in large tracts of land in Asheboro and Greensboro, as well as property in Kentucky and New York City. He also had significant assets in Scotland. Important in Greensboro's history is the fact that in 1902 Fisher deeded to the city twenty-eight acres of prime

real estate, fourteen acres on each side of North Elm Street. After his death it would become the area now called **Fisher Park**, Greensboro's first planned suburban park. In the 1970s a six-foot granite column with an inscribed bronze plaque was erected on Fisher Park Court, facing North Elm, to pay tribute to his largess. Two other Greensboro names figure prominently in the collection; **Charles M. Stedman**, of the law firm of Stedman and Cooke, and **C. A. Bray** (a Greensboro businessman, banker, and executor of the estate) are associated with many of the items in the post-1905 period.

**Biographical Sources:** There are two contemporary newspaper articles (a commemorative piece in the *Greensboro Record* and an obituary in the *Greensboro Patriot*) that give a rough sketch of Fisher's life. The vertical files of the Greensboro Public Library contain a folder on Fisher, included in which are items pertaining to his acquisition of property in Asheboro and the correspondence of a local historian and Asheboro lawyer in the 1970s regarding the information to be inscribed on the aforementioned bronze plaque. The secondary sources that are most useful in summing up the local information on Fisher include the following titles: *Greensboro, North Carolina: The County Seat of Guilford*, by Ethel S. Arnett (Chapel Hill, NC: The UNC Press, 1955); *Greensboro: An Architectural Record*, by Marvin A. Brown (Greensboro, NC: Preservation Greensboro, Inc., 1995); and *Greensboro: A Chosen Center*, by Gayle Hicks Fripp (Woodland Hills, CA: Windsor Publications, 1982). Copies of additional articles referring to B. J. Fisher can be found in a folder with the inventory in the manuscript collection box.

### **SCOPE & CONTENT NOTE**

The types of materials in this collection include **correspondence, business accounts, bills, receipts, deeds, court petitions and orders, trustee's reports, contracts**, and various other legal documents.

Most of this material pertains to the settlement of Captain Basil J. Fisher's estate after his death on 11 April 1903. The bulk, which consists of correspondence and legal documents, dates between 1903 and 1910. There are five items that predate Fisher's death, and all relate to, or have a bearing on, his financial affairs.

The correspondence (1:1-10) and legal documents (3:1-10) chronicle the evolution of the disposition of the estate, along with the financial tribulations experienced by Fisher's wife, Isabella. Letters in folders 1:5 (19 July 1906) and 1:9 (28 August 1909) will be helpful to researchers who want an overview of certain important aspects of the settlement; in the latter (an unsigned rough draft on Stedman and Cooke stationery) it is indirectly implied by the author that the sale of many lots in what became the Fisher Park neighborhood was due, at least in part, to Mrs. Fisher's need to acquire the wherewithal to meet her financial obligations. See the marriage settlement between Fisher and his son-in-law and eldest daughter, Lillian, and his will, both in folder 3:2 (1903), to gain an understanding as to why difficulties arose in the settlement of the estate.

Researchers may be interested in the brief issued by the Supreme Court of the United States (5:1) that highlights the major questions regarding the case between the **Guardian Trust and Deposit Company** and B. J. Fisher. The Court sought to determine whether an individual or group of individuals could sue a public utility for negligence.

There is no original material in the collection relating to Fisher's Asheboro, NC, years, but photocopies of articles pertaining to his life there can be found, along with other biographical material, filed with the inventory in the collection.

## **SERIES DESCRIPTIONS**

### **1. Correspondence. 10 folders (77 items). 1902-10. Arranged chronologically.**

The letters dated 19 July 1906 and 28 August 1909 (1:5,9) should be consulted by researchers wanting an overview of the progression of events leading to the estate's settlement. The former outlines the terms under which portions (one in Great Britain, the other in the United States) of the estate could be settled; the latter recounts the legal proceedings with regard to the settlement of the estate in the United States.

The bulk of correspondence is to be found in folders 1:4-7 (1906-07). Most of these are between law firms or between lawyers and Mrs. Fisher. To gain a better understanding of B. J. Fisher's finances at the time of his death, researchers should refer to two separate lists of assets and liabilities in folder 1:5 (see attachment to 19 July 1906 letter and a series of notes attached to an envelope addressed to Charles M. Stedman).

There are also some fine examples of letterheads from local businesses in this series, e.g. **Bray Brothers, Dealers in Leaf Tobacco and Scraps** (1:5) and **Home Savings Bank** (1:9).

### **2. Financial. 4 folders (14 items). 1886-1906. Arranged chronologically.**

Folder 2:1 contains B. J. Fisher's account book covering the years 1886-1901. It appears to be a straightforward reckoning of his financial transactions (deposits and payments or withdrawals) between these years.

Most of the rest of the items are ordinary bills and claims against the estate. However, two documents (business accounts) in folder 2:4 from the British law firm called **Kelly, Picton & Riley** are important in that they trace the chain of events leading to the settlement of Fisher's estate in Great Britain. Also in the same folder is a bill from a Greensboro firm called **S. W. Foulk & Son, Architects**. For a list of Fisher's assets and liabilities at the time of his death, see an attachment to the 19 July 1906 letter and a series of notes attached to an envelope addressed to Charles M. Stedman (both in 1:5), as well as a "Testament Dative" (3:3).

### **3. Legal. 10 folders (35 items). 1900-10. Arranged chronologically.**

The bulk of this series, like the one for correspondence, makes clear the progression of events in the settlement of B. J. Fisher's estate. It also reveals the legal actions taken on behalf of Mrs. Fisher as she confronted numerous financial travails after her husband's death. Of particular interest, is the City of Greensboro Deed from B.J. Fisher that discusses the land area which is now Fisher Park (3:2). Although B. J. Fisher had substantial holdings in both the United States and Great Britain, apparently he died without enough liquid assets to cover his most pressing debts. Over the course of the better part of the decade after his death, Mrs. Fisher, with the help of various legal advisors, sought to retire all debts and secure enough money for herself and her four children so they could live in the standard they were accustomed to. The marriage

settlement between B. J. Fisher and his son-in-law and eldest daughter and his will (both in 3:2) form the basis for understanding the subsequent chain of events regarding the settlement of his estate. In folder 3:3 there is a "**Testament Dative**" listing Fisher's assets in Scotland.

#### 4. Photographs. 1 folder (2 items). ca. 1880-92.

This one folder contains two images of B. J. Fisher. One is a print from a negative (GHM CN# 218, ca. 1880) taken in England, showing Fisher and friends. The other is a photocopy of a photograph and can be found in an 1892 Chamber of Commerce publication (*Album of Greensboro*).

#### 5. Printed. 1 folder (2 items). 1904-05.

This folder contains the "Brief of Counsel for Respondents" that concerns a case heard by the Supreme Court between the Guardian Trust and Deposit Company and B. J. Fisher and a "Brief for Appellant" in a bankruptcy case issued for the Fourth Circuit of the United States Circuit Court of Appeals. It is not clear what relationship the latter item has to the B. J. Fisher estate.

### FOLDER LISTING

<u>Series</u>	<u>Folder</u>	<u>Contents</u>	
1	1	Correspondence	-- 1902
	2	"	-- 1903
	3	"	-- 1905
	4	"	-- 1906, March-June
	5	Correspondence	-- 1906, July
	6	"	-- 1906, August-November
	7	"	-- 1907
	8	"	-- 1908
	9	Correspondence	-- 1909
	10	"	-- 1910
2	1	Financial	-- 1886-1901 – Account book
	2	"	-- 1903
	3	"	-- 1904
	4	"	-- 1905-06
3	1	Legal	-- 1900-01 -- KY property
	2	"	-- 1902-03
	3	"	-- 1904
	4	"	-- 1905
	5	Legal	-- 1906
	6	"	-- 1907
	7	"	-- 1908
	8	"	-- 1909
	9	Legal	-- 1910
	10	"	-- No date

<u>Series</u>	<u>Folder</u>	<u>Contents</u>	
4	1	Photographs	-- ca. 1880-1892
5	1	Printed	-- 1904-05 -- Pamphlets -- Guardian Trust v. B. J. Fisher

### **Index to the Basil J. Fisher Papers (1886-1910)**

Note: The numbers following the name/subject entry -- e.g. 1:1 -- indicate in which Series#:Folder# (or, if no ":", Series only) that name/topic can be found. Dates of the items are given in parentheses for an individual Series/Folder or, if at the end, for the entire subject/name entry. The abbreviation GSO indicates a Greensboro association.

**Aetna** Indemnity Company: 1:7 (1907)  
Asheboro, NC: [See Scope & Content Note]

**Bray**, Clayton A.: 1:5-7,9 (1906-09)  
Bray Brothers, Dealers in Leaf Tobacco and Scraps: envelope, 1:6 (1906);  
letterhead, 1:5-7 (1906-07)

Brooks & Thomson (GSO): 1:3-4 (1905-06)

**Cooke**, A. Wayland: 1:6 (letter to, 1906)

**England**: photograph taken in, 4:1 (ca. 1880)

**Fisher**, Basil John: account book, 2:1 (1886-1901); marriage settlement (daughter's), 3:2 (1903);  
photographs, 4:1 (ca. 1880-92);  
U.S. assets, 1:5 (1906);  
will, 3:2 (1903)

Fisher, Isabella: 1:3-4,6 (letters to, 1905-06); 3 (mentioned throughout)

Fisher Park (GSO): 1:9 (1909)

Foulk, S. W. & Son, Architects (GSO): 2:4 (1906)

**Greensboro**, NC: real estate, 1:9 (1909), 3:4 (1905)  
Guarantee Trust and Deposit Company (GSO): 5:1 (1905)

**H. & H. Tod**: 1:4-6,8 (1906-1908)  
Home Savings Bank (GSO): letterhead, 1:9 (1909)

**Kelly**, Picton & Riley: 1:3-6 (1905-06); 2:4 (1905-06)  
Kentucky: deed to property, 3:1 (1900)

**Lawyers** (GSO): Brooks & Thomson, 1:3-4 (1905-6);  
Stedman & Cooke, 1:4-10 (1906-10);  
Taylor & Scales, 1:7 (1907)

**Real** estate: Fisher Park, 1:9 (1909); Greensboro, 3:4 (1905); Kentucky, 3:1 (1900)

**Scotland:** 1:5 (1906); 3:3 (1904)

Stedman, Charles M.: 1:4-7,10 (letters to, 1906-10)

Stedman & Cooke (GSO): 1:9 (1909)

Supreme Court of the United States: "Brief of Counsel for Respondents," 5:1 (1905)

**Taylor & Scales (GSO):** 1:7 (1907)

**Wills:** 3:2 (1903)