Revolutionary History

OF

NORTH CAROLINA,

IN

Three Lectures,

BY Rev. FRANCIS L. HAWKS, D. D., LL. D.

Hon. DAVID L. SWAIN, LL. D., AND

Hon. WM. A. GRAHAM, LL. D.

TO WHICH IS PREFIXED A PRELIMINARY SKETCH OF THE

BATTLE OF THE ALAMANCE.

COMPILED BY WILLIAM D. COOKE, A. M:

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TO

THE HISTORICAL SOCIETY

OF THE

UNIVERSITY OF NORTH CAROLINA,

THIS VOLUME

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RALEIGH, N. C., JULY 4, 1853.

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PREFACE.

For a number of years past, an unusual degree of interest has been manifested in various quarters, in regard to the early history of North Carolina. In former times, her distance from the centres of commerce, and the comparatively quiet and retiring disposition of her people, withdrew her name and character, to some extent, from general observation: Little attention was paid to her interests, and her primitive glory was forgotten in the din and tumult of political agitation. But a change has taken place in the direction of the American mind. A growing taste for history and antiquities has become apparent in our literature, and some of our ablest men, turning away from the unsatisfactory study of present social phenomena, have begun to search among the records and traditions of the past, for subjects worthy of patriotic contemplation.

No State in our Union can present a wider or more diversified field for historical inquiry than North Carolina. On her shores, the first settle-

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ment of English colonists in America was established; within her borders, the most formidable resistance to British authority, anterior to the Revolution, was organized; by her people, the first actual declaration of independence was made, and some of the most brilliant and important transactions of the revolutionary period took place upon her soil. The interesting character of these transactions has, at last, begun to be appreciated, and several valuable contributions towards their history, have been already presented to the public. The appearance of the present volume is but another manifestation of the same prevailing spirit, and will doubtless be welcomed by the patriotic reader with the generous enthusiasm which has greeted its predecessors.

The union in one volume of the lectures delivered consecutively by Dr. HAWKS, Governor GRAHAM, and President SWAIN, on three different stages in our revolutionary history, was undertaken by the compiler at the suggestion of many gentlemen who had heard or read them, and with the full consent and approval of the distinguished authors themselves. Their names alone would suffice to render any recommendation of the work unnecessary. All three of

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them have enjoyed ample opportunities of studying their subject with advantage, and have acquired the confidence of the public by lives matured in their several spheres of usefulness.

That a book of such materials, wrought into a popular form by such competent hands, should fail to find its way to the homes and hearts of the people, especially of the people of North Carolina, cannot be a moment supposed. It is confidently placed at their disposal, with the conviction that it is destined to foster a true, patriotic spirit wherever it is read, and thus to establish our principles and strengthen our institutions. That such may be the result of its publication, will be the desire and prayer of all who know how to value our national inheritance.

Raleigh, June, 1853.

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INTRODUCTION.

To the correct understanding of the revolutionary history of North Carolina, a knowledge of what is usually called, "the war of the Regulation," is indispensable. With that as an introduction, and with the facts embodied in the three lectures that follow, the native of North Carolina will have a sketch of the revolutionary history of his State.

We have, therefore, obtained from the Rev. Dr. Hawks, the following sketch of the BATTLE OF THE ALAMANCE.

The sources from which were derived the facts set forth in this brief sketch, were Herman Husband's small volume on the doings of the Regulators, (of which the present writer possesses a perfect copy,) Carruther's life of Dr. Caldwell, Mr. Foote's sketches of North Carolina, Jones' Defence, Martin's, so called, History of the State, and some personal knowledge derived from inquiries made of those among whom the "Regulators" lived. The fullest and most satisfactory account is in the work of Mr. Carruthers; and Col. Wheeler has also procured some of the documents connected with this portion of our history.

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THE REGULATOR BATTLE GROUND.

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Battle of the Alamance And War of the Regulation.

It was in the year 1764, that William Tryon, who had been trained to arms, became the Governor of the province of North Carolina. It was in the same year that the British parliament asserted their *right* to tax the American colonies, without their consent; and early in 1765, was passed the memorable Stamp Act. From one end of the province to the other, meetings of the people were held, and with an unanimity never equaled before or since, they declared that they would not submit to the law. In 1766, a British sloop-of-war brought over the stamped paper, when Tryon found out the character of the people with whom he had to deal. They took up arms: would not permit a sheet of the paper to be landed, and compelled the stamp distributor to take an oath that he would not execute his odious office. The amazed Governor sought to conciliate the colonists by an ostentatious parade of hospitality. He caused an ox to be roasted whole, and several barrels of beer to be provided as a feast for the common peo-

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ple: they attended on his invitation, but it was to throw the untasted meal into the river, and empty the beer on the ground. He writhed under the insult, and from this hour sought to annoy and distress the colony. Fond of military display, and possibly with the view of impressing with salutary awe the hardy men of the West, he marched from the seacoast with a military company, in a time of profound peace, to run, *in person*, the dividing line between the Western settlements, and the hunting grounds of the Cherokee Indians. Hundreds of men near the spot could have performed the work, at little cost, quite as well as he could; but his love of military display would not thereby have found gratification; so the colony was saddled with the needless expense, and His Excellency returned with a new title; for the Cherokees called him "*The Great Wolf of North Carolina*": The name seems to have been prophetic of the future, for a "wolf" he proved. His next exploit was to erect and furnish in one of the towns on the seaboard at a cost of nearly $100,000, (an immense sum for the colony at that day,) a palace which in splendor had no equal either in North or South America. There was an iniquity, which Tryon found existing when he came to the government, (for it had been established by his predecessor,) and he not only continued, but increased it. It was the extortion of illegal fees and taxes by the officials of the government. The law had named the fees to be paid to clerks of courts, recorders of deeds, entry takers, and surveyors of land, and lawyers for certain specified

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services. The taxes also were fixed by law. But these several officers had been for years in the habit of demanding two or three times as much as they were entitled to; and many of the sheriffs, wherever it could be done, exacted about double the amount of lawful taxes. To this state of things, add the fact that all offices were conferred by the Governor on his personal favorites, and the additional circumstance that the limited use of the press at that day rendered it very difficult for the people to read the laws for themselves, and the reader will have before him the causes which led to the "Regulation War" of North Carolina.

When the oppressions arising from this state of things became no longer endurable, redress was sought at first in a quiet way, by a resort to the courts of law. The officers were indicted, and found guilty, but the punishment was the nominal one of a penny fine. In short, all resorts to the tribunals of the country ended in a mockery of justice. The people met and remonstrated in vain. In a moment of apprehension, Tryon would lull them, by promises which he never meant to fulfil, into a hope of redress.—Scarcely would they disperse before some gross act of official imposition, or the seizure and imprisonment of some of the most conspicuous among them would rouse the people, who to the number of thousands, and with arms in their hands, marched to the rescue of their companions. Their approach would create a panic, and the prisoners would be set at liberty. The people would again disperse, for there never lived a

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set of men who would more quietly or cheerfully have submitted to the existing laws if righteously administered. The histories of the day have done them great injustice: eagerly catching at acts of lawless violence, perpetrated by a few, who were not of the Regulators, but who gladly sheltered themselves in their irregularities by assuming the name; those who have written of that time, have denounced this whole body of men as composed of a factious and turbulent mob who causelessly disturbed the public tranquillity. Nothing could be more untrue. Their assemblages were orderly, and some evidence of the temper and characters of the men may be gathered from the fact, that from these meetings, by a law of their own, they vigorously excluded all intoxicating drinks. We shall see presently that many among them were deeply conscientious and christian men. I have already mentioned that the public press of that day had an influence but limited in extent. As far as it went, however, they sought peaceably to use it in setting forth their grievances. And here, we digress for a moment to say a word of their publications; for they furnish strong and true touches, in the picture of those times. The productions, sometimes circulated in MSS., sometimes in print, betray no proofs of high scholarship, and none of the elegance of polished writing; for they were literally what they professed to be, the work of the people, and there is a truthful earnestness in some of them, more effective than the skill of the mere rhetorician. Sometimes they are grave, sometimes satirical; sometimes a ballad and sometimes a

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narrative. The rough poet of the period was Rednap Howell, who taught the very children to sing in doggerell, the infamy of the proud officials who were trampling on them. He singled out especially two, by name Fanning and Frohawk, and a single specimen from many similar ones will suffice:

"Says Frohawk to Fanning, to tell the plain truth;
When I came to this country, I was but a youth,
My father sent for me: I wa'nt worth a cross,
And then my first study was stealing a horse.
I quickly got credit; and then ran away,
And hav'nt paid for him to this very day.

Says Fanning to Frohawk, 'tis folly to lie,
I rode an old mare that was blind of one eye;
Five shillings in money I had in my purse,
My coat it was patched, but not much the worse;
But *now* we've got rich, and it's very well known,
That we'll do very well; *if they'll let us alone.*"

Sometimes a grave irony was made the medium of instruction; and with this is connected a little anecdote in our literary history. I have in my possession a small volume put forth by Harmon Husband, a quaker of that day, and one of those who used his pen most freely; among its contents are two sermons on the nature of *asses;* the one founded on the text, "Issåchar is a strong ass, couching down between two burdens—And he saw that rest was good, and the land that it was pleasant; and bowed his shoulder to bear, and became a servant to tributé:" the other founded on the scripture narrative of Balaam and his ass. They have in them many hard hits both against tyrannical rulers and those who submit to them; and

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what adds to their interest is, that Benjamin Franklin has been supposed to have borne some part in *their* production, as he unquestionably did in other articles which Husband published. The communication between Dr. Franklin and Husband arose, according to the tradition of the country, as related by Carruthers, from the fact of some distant relationship or family connection between them; for Husband was by birth a Pennsylvanian, or of Pennsylvania parents who had removed to North Carolina. At any rate a communication was kept up between them. At the time of which we speak, the sagacious mind of Franklin probably saw that the coming collision with the mother country, was a mere question of *time*, the result was inevitable. The western part of North Carolina, at that day, derived its supply of necessary commodities for the few shops established in it, from Philadelphia; and twice in each year the traders resorted to that city to purchase their goods. Among these individuals was one, a prudent and discreet man, who always carried *verbal* messages, to and fro, between Franklin and Husband, but from the danger of detection, no letters were ever sent. Franklin was accustomed however, to send printed pamphlets to Husband, which the latter caused to be either copied or printed and distributed among the people. From one of these entitled "State Affairs," from Franklin's own pen, it has been believed Husband concocted these sermons on asses. This however is a mistake; there is a volume entitled "Sermons to Asses," the production of an English clergyman of republican tenden-

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cies, whose name was Murray. This was reprinted in Boston, but neither the English nor American edition bore the author's name on the title page. In New England many attributed the work to Franklin. On a comparison of this work with the publication of Husband, it will be seen that the "Sermons to Asses" at the end of his book, are, with slight alterations to adapt them to the latitude of North Carolina, copied from Murray. Will the reader allow us to detain him with some extracts from these productions. They indicate great shrewdness and good sense, and I fear are not without applicability in some respects to our own times: at any rate they will furnish him with materials from which his own mind will form a better picture of the times than I can delineate:

"Jacob is the first that is mentioned in scripture who preached to asses; but many have been thus employed since his time. This is a most shameful monosyllable, when applyed to reasonable creatures;—men endowed with reason and understanding to degenerate so basely; what a falling off is here!

* * * * * *

What does these burdens mean, which Issachar couched down so decently under? Civil and religious slavery no doubt. Strange, that such a number of Rational creatures should bear two such insupportable burdens!—Ah, I had forgot that they were asses;—for, to be sure, no people of any rational spirit could endure such grievous bondage.

* * * * * *

A strong ass, in the original word, denotes strength, but implies leanness.—And truly all those who submit to slavery are poor. We have not a word of his motion;— he was

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strong, but not active to assert his rights and privileges. Rest was pleasant to him;—and thus it happens now, we sit still at ease, trusting to the good of the land, and concluding, every one, I can live out my time in peace and quiet;—forgetting our posterity, and mourning not for the afflictions of Joseph.

When men thus degenerate, they will always find some ready to fix burdens on them; for slavery don't come in a day, it is a work of time to make men perfect Slaves.

* * * * * *

Issachar stooped down; he well deserved a heavy burden for his meanness;—it is a just reward;—for such as do not value freedom and liberty, before a little present ease, deserve to be slaves.—They are blessings too valuable to be enjoyed without care and industry to maintain them.

* * * * * *

But Italy and Spain are not the only places where people believe absurdities;—in a land where freedom has been the privilege and boast of every subject, we may, perhaps, find plenty of asses.—You will say, not in America, a land renowned for all sorts of liberty;—A nation to which there is none equal upon the face of the earth, as we know of. In some provinces in America this may have been the case;—but we, in North-Carolina, are not free;—yet to the king, or to the plan of our constitution, nothing can be laid that tends to effect our Liberties.—But we have sold that liberty which our ancestors left us by this constitution to such men as have not the least pretensions to rule over us.

Are we free while our laws are disapproved of by nine-tenths of us?—Are we free while it is out of our power to obtain one law that is our choice?—Take out our oppressors themselves, and many of our laws are disagreeable to the inhabitants to a man: And worse than all this, for bad as our laws are, the

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practice of them is worse, and our oppressors have got out of reach of them.

* * * * * *

Ye who, like Issachar, for the love of ease, or the gratification of some sordid passion, have sold your liberties, and submit to burdens, as unnatural as they are unreasonable,—your character is drawn, in the text, to that of asses.—And worse than asses you are, who thus give up the cause of your country either to civil or religious dominators.

* * * * * *

Issachar, I wish thy children had all died in the first generation;—for thy offspring is too numerous; they are in church and state; whoever will attend any place of concourse will find many of thy descendants so stupid, that they every day bring themselves under burdens they might easily prevent.

* * * * * *

I shall now consider some grievous oppressions that we labor under.

First, The Publick taxes is an unequal burden on the poor of this province, by reason the poorest man is taxed as high as the richest. Allowing the taxes to be all necessary, yet there ought to be some regard had to the strength of the beast; for all asses are not equally strong. We ought to be taxed according to the profits of each man's estate. And as we have no trade to circulate money, this tax ought to be paid in country produce. There would be men enough to be found to fill all posts of office for a salary paid in produce, as any man can afford to officiate in an office for country produce as well as to farm or follow any other calling, the chief of which bring in nothing else.

This is a grievous burden on the poor, as mattershave been carried on, for money is not to be had: And when a poor man's goods is distrained, the practice has been to take double,

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treble, yea ten times the value has sometimes been taken away.—And if they complain, they are not heard; if they resist, they are belabored like asses.

Merciful Lord, would any people rise in mobs to disturb a peaceable nation if they could help it! Who is more ready than the poor to venture their lives in time of war for the safety of the nation? nay it is pinching hunger and cold, brought on them by abuse of officers, that is the cause.

A few men may rise in a riot without a Cause; and disaffected lords and great men may have such ambitious views, encouraged by some enemy prince;—but for the generality of the poor of a Province to rise, there must be some cause; I dare say there always is a grievous cause.

Neither is it any reflection on the king, to say, the poor are oppressed; for he don't make our laws:—'Tis the subjects themselves, like the fish, devouring one another, with this difference, we are devoured by law.

The narrow limits of our inferior court's jurisdiction, and likewise of a single magistrate, is a grievous burden on both poor and rich; and more so as we are obliged to fee lawyers; and in their demands they have got above the law, and have monopolized the whole power of the courts into their own hands. Our burdens exceeds Issachar's; for truly we may be said to labour under three,—the lawyers use us as we do our stocks, they kill one here and there, or pluck us well, and then let us run a while to feather again.

We must make these men subject to the laws, or they will enslave the whole community.—General and private musters are also an unnecessary burden, especially in our large counties, the out sides of which have to ride from thirty to fifty miles; and the out sides of a county contain more than the heart. Going to one of these musters generally costs a whole week's labour.—And on the whole, costs the counties at least

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a Thousand Pounds each. A general muster is one week's loss in a year, which is one-fiftieth part of the year.—Four private musters one week more, which is one twenty-fifth part.—Working on the roads and attending courts, will soon reduce it to one-twelfth part of our time.—And of what service is all this cost attending the militia law? It serves to bring custom to a few Ordinary-Keepers, and for a day of gaiety and feasting to a few individuals, who have been vain enough sometimes to publish such a day's diversion in distant Gazettes.

With what indignation must a poor ass read such a paragraph of such vain boasting of such a crowd of poor asses, faint with hunger, cold and thirst, laying out two or three nights by a fire in the woods, to perform this journey; destitute even of a great coat or a blanket; and of no use under the sun but to make a show of grandeur to a few who, perhaps, are the most unworthy in the county.

This excess has not been practised perhaps in many counties;—But it is not amiss to check it, lest it should grow, and you be tied neck and heels for the least affront, and made to ride the wooden mare.—It is enough to make a freeman's flesh creep to read this law;—which might be more tolerable, were the people allowed to choose their own officers.—It would be needless to mention every circumstance of oppression in this, which is yet but the civil burden.

* * * * * *

I shall now proceed to the 3d head, to consider of a method to remove these burdens.

When the time of an election comes on, and those men of the world, who rule by wealth, and whose business it is to corrupt their fellow subjects, and cheat them by flattery and corruption; out of their liberty come to ask your votes,—do

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you despise their offers, and say to them, Your money perish with you.

Can it be supposed that such men will take care of your interest who begin with debauching your morals, and ruining your souls by drunkenness?—Will that man have the least regard for your civil interest and property who first attempts to ruin your virtue?—What opinion must they have of such people, who, for a few days riot and gluttony will sell their liberties, but that they are asses, that want to be watered?

While men are thus slaves to their lusts, they will never be free. Men that do so easily sell their souls will not value their country.—Where there is no virtue, there can be no liberty;—it is all licentiousness. What Issachars are such People who gives their votes for a man who neither fears God nor loves mankind! who, by the very method that he pursues to obtain his election, deserves to forfeit the favour and esteem of all lovers of virtue and honesty. Whom can they blame for their oppression but themselves; their own hands do make the fetters by which they are bound. Those who lay out so much money upon an election, has it in their view to make you pay for it in the round.

Secondly, Forever despise that man who has betray'd the liberty of his constituants; this will lay a restraint upon the venal disposition of such as Incline to sell their country for Preferment. It would be a check to hinder them from going into the schemes of a Governor.—Never send those who depend on favour for a living, or on the perplexity of the laws, nor any who have ever discovered a want of good principles.

North-Carolinians, if you remain under these burdens, it must be your own faults;—you will stand recorded for asses to all generations if you do not assert your privileges before it is too late to recover them.

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It is not disloyalty, nor injurious, to give Instructions to the candidates you choose, and take their solemn promise and obligation, that they will follow those instructions. This is far more noble than rioting a few days in drunkenness. Assembly men are your servants, and it is but reasonable they be made accountable to you for their conduct.

Mark any clerk, lawyer or Scotch merchant, or any sett of men, who are connected with certain companies, callings and combinations, whose interests jar with the interest of the publick good.—And when they come to solicit you with invitations to entertainments, &c. shun them as you would the pestilence. Send a man who is the choice of the country, and not one who sets up himself, and is the choice of a party; whose interest clashes with the good of the publick. Send a christian, or a man whom you think in your consciences is a real honest good man;—for this is the christian, let his belief, as to creeds and opinions be what it will.

Beware of being corrupted by flattery, for such men study the art of managing those springs of action within us, and will easily make us slaves by our own consent,—There is more passions than one that these men work upon; there is drunkenness, love of honour, flattery of great men, love of interest, preferment, or some worldly advantage.—They, by taking hold of these springs within us, insensibly lead us into bondage.

When any man, who has much of this world, so that his interest weighs down a great number of his poor neighbors, and employs that interest contrary to the principles of virtue and honesty, any person of the least discernment may see he is a curse to the nation.

When men's votes is solicited, or over-awed by some superiors, the election is not free.—Men in power and of large for-

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tunes threaten us out of our liberty, by the weight of their interest.

North-Carolinians, Are you sensible what you are doing, when, for some small favour, or sordid gratification, you sell your votes to such as want to inslave your country?—you are publishing to all the world, that you are asses.—You are despised already by the sister colonies.—You are hurting your trade; for men of publick generous spirits, who have fortunes to promote trade, are discouraged from coming among you.

You are also encouraging your own assembly-men to inslave you; for when they, who are elected, see that those who had a right to elect them had no concern for their true interest, but that they were elected by chance, or power of their own, or some great man's interest, such men will be the more ready to vote in the assembly with as much indifference about the interest of their constituents as they had in voting them in.

You may always suspect every one who overawes or wants to corrupt you; the same person will load you with burdens. You may easily find out who was tools to the governor, and who concurred in past assemblies to lay burdens on us, the edifice, paying the troops, the associates salaries, &c. Send not one of them ever any more; let them stand as beacons; set a mark on them, that ages to come may hold their memories in abhorrence.

May not Carolina cry and utter her voice, and say, That she will have her publick accounts settled; that she will have her lawyers and officers subject to the laws.—That she will pay no taxes but what are agreeable to law.—That she will pay no officer nor lawyer any more fees than the law allows. That she will hold conferences to consult her representatives, and give them instructions; and make it a condition of their

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election, that they assert their privileges in the assembly, and cry aloud for appeal of all oppressive laws.

Finally, My brethren, whenever it is in your power, take care to have the house of assembly filled with good honest and faithful men; and encourage and instruct them on all occasions: And be sure to let your elections be no expence to them.

* * * * * *

Balaam, I confess, loved the wages of unrighteousness too much; his conduct with the Almighty seems to have been similar to some men who have too strong a desire after drink, or to gratify some other lustful passion, who will plead with conscience, and contrive a hundred ways to gain its consent.—I have heard a drunken man say, he has made excuses in himself to go out with his gun, and kept working all day in his mind, till he had got the tippling house between him and home, when he has instantly got in a great hurry to get home by the dram-shop, and arguing, that now he really needed one dram;—has got so blinded by this time as, like Balaam, no more to see the angel that stood in his way.

We generally get in a hurry of business before we can lose sight or get shut of our guide.—Lo, Balaam gets in great haste, was up early, and saddled his ass.

And no doubt but his heart was full of the hopes of the rewards, full of great expectations, and perhaps was telling over in his mind what large sums of money he should bring home, and how he should be honoured by the princes of Moab; and meditating, may be, what a pious work he would put the money to.—The lord had given him leave to go, but no doubt he ought to have kept cool and resigned, and not have got in such a hurry, and filled his mind with such proclamations, that he could not see his guide that was to direct his steps.—Well, he is so blind, however, that conscience was invisible to

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him—when on a sudden, the ass started aside, and crushed his foot against the wall.

This ass seems to resemble the people over whom the prophets are wont to rule, who never are apt to start aside any more than asses, until the madness of the prophets become so visible, that forces one now and then to reprove them, who, perhaps, never opened their mouths before.

When the Lord opened the mouth of the ass to speak in human stile, one would have thought it would have frightened any man almost out of his senses.—But Balaam was not easily frightened, but he was for caining and killing her.

So when any poor ass now-a-days opens her mouth in human stile, or by way of teaching and reproving the rulers, they use him as Balaam did his ass, cane him with discipline, and threaten him with excommunication as the pharisees did the man who was born blind.

And Balaam's ass spoke much like the complaints of an enslaved people.—Am not I thine ass?

Balaam had his ass saddled and prepared for mounting before he got on to ride;—so likewise it requires some pains and furniture to prepare a people to bear the yoke of slavery.—In civil administration, their general cry is to maintain courts of justice.—In matters of religious concern, it is necessary to have the people well persuaded of the rights and importance of the clergy, and the divinity of creeds and canons of churches, before they will submit to be mounted and ridden like asses.

We will now resume our narrative. The lawless gang, who though they called themselves Regulators, were really disowned by the body, having committed some acts of personal violence on the government officers with a wanton destruction of property, Tryon

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resolved to consider the western part of the colony as in rebellion and to suppress it by military force. It was in vain that the more moderate and just intreated him to pause before he shed the blood of these honest men, with whom many of the eastern inhabitants so deeply sympathised, that the militia in some instances peremptorily refused to march against their countrymen. The Governor was obstinate, however, and took up his line of march from the sea-coast toward the west, collecting troops by the way, until on the evening of the 9th of May, 1771, he found himself encamped on the banks of the little stream, near the town of Hillsboro', with some ten or eleven hundred men; a portion of this force was cavalry; beside which he had two six pounders, and four small swivels. Here he obtained certain information which showed him that his situation was becoming critical and forced him to quicken his movements. He had ordered a certain portion of troops from the coast, to march westward by a route different from his own, and to make a junction with him at a point westward of Hillsboro', where he then was. This detachment had reached the town of Salisbury on their march to effect the contemplated juncture, and there halted to receive a supply of powder from Charleston. The Regulators, however, intercepted the convoy and destroyed the powder. The commanding officer of the detachment then determined to make the purposed junction with Tryon's troops at the appointed rendezvous; but the Regulators opposed his progress, entangled him in a skirmish, surrounded his small de-

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tachment, and took many of them prisoners. The commander with some few escaped to Salisbury. It may seem singular that in taking the powder and in this skirmish, no lives were lost. The reason was that the men from the east were really more favorable to the Regulators, than to the government, and offered but a seeming resistance.

News of these matters reached Tryon at Hillsboro'; beside he was informed that the Regulators were gathering in large numbers, and his own men, who had no wish to kill their follow-citizens in battle, were rapidly deserting his camp. Nothing but a bold and expeditious movement could save him. Certain defeat awaited him if he remained where he was. He immediately, therefore, took up his line of march westward, toward the enemy, and on the evening of the 14th of May, pitched his camp on the banks of the Alamance. Thus far the ordinary histories agree; but the residue of the story is told differently by various writers, and is derived generally from the statements of the Governor and his adherents. But one or two, whose lot it was, to know and talk with men of integrity who were in the battle of Alamance have done justice to the Regulators. I shall tell the story according to my belief of the truth, after having made personally a survey of the ground, and duly weighing the testimony on both sides.

As to the Regulators, they were men accustomed to the use of the rifle, and by no means deficient in courage; but except in the two particulars of brave-

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ry and skill as sharp-shooters, they had none of the qualifications of soldiers. They knew nothing of discipline, had no commander-in-chief, were not even organized and officered in divisions for battle, had no cavalry, and many of them had never seen a piece of artillery. Two old Scotchmen, who had been privates in the British army, were probably the only men among them who had ever seen powder burned in a battle field. They knew that Tryon was coming: some among them thought there would be fighting, and moulded their bullets; and then placing in their hunting pouches as much powder and lead as they usually took on a hunting expedition, with rifle in hand, went out to join their countrymen. Others again, with no other ammunition than that within their guns, went out believing that, on conference, matters would be amicably adjusted without bloodshed; while yet a third class actually left their weapons at home, because they supposed, that being unarmed, the Governor would more readily enter into negotiations. But alas! they little knew the temper and disposition of William Tryon.

The number of those present was large, probably two thousand; but of these not more than half were armed, and a majority certainly did not expect blood would be shed. The general supposition was that the display of numbers merely would induce the Governor to pause, and enter into negotiations. As a proof that these men were not seditious, and had no desire beyond that of peaceably obtaining relief from oppression, we may refer to the fact that though

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Tryon reached the Alamance and encamped on it on the evening of the 14th, yet on the 15th, the Regulators, instead of an immediate attack on him, sent a messenger to the Governor, with a petition that he would redress their grievances, and desiring his answer within four hours. He sent back the messenger with a promise to return an answer by noon of the 16th. They believed him, and waited patiently for that answer. By break of day on the morning of the 16th, Tryon marched in perfect silence toward the Regulators, leaving his tents standing, and his baggage wagons with the horses ready harnessed for use, in his camp, under the protection of a guard. When he came within half a mile of the Regulators, who were in one extended line, some with arms and some without, and so unsuspicious of an attack that the young men in some parts of the line were actually wrestling and otherwise amusing themselves; the Governor formed his line of battle in two ranks, with the cannon in the centre of the front line. There were wise and good men who, though they sympathised with the Regulators, were not of their number, and these too were on the ground, in the hope of making peace and preventing bloodshed. Among these was the Rev. Dr. Caldwell: many of the Regulators, young and old, belonged to his spiritual charge. On the evening of the 15th, he had an interview with Tryon in his camp; and on the next day he passed, to and fro, three several times between the parties, and obtained from the Governor a solemn *promise* that he would not fire upon the Regulators, until he

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had fairly exhausted *negotiation* in the effort to terminate matters by an amicable adjustment. His statement of this promise to the Regulators undoubtedly lulled the greater part of them, for a time, into a false security. They were not liars themselves, and they naturally supposed a royal Governor would tell the truth. On the last visit of the worthy clergyman, Tryon, without the slightest attempt at the promised negotiation, sent back an answer to the petition of the day before: that answer was that he would grant them no terms but those of unconditional submission. With this message Dr. Caldwell was permitted to return, and while he was communicating it an event occurred in Tryon's camp which brands him with undying infamy, and brought on the battle. Among other peaceful men who passed to and fro in the good work of conciliation, was Robert Thompson, a man deservedly beloved and respected for his irreproachable character. He was without arms, and was not one of the Regulators. At all events, he was then and there a peace-maker. Soon after Dr. Caldwell had left, this man attempted to go back to his countrymen, and upon being prevented, merely remarked, that "as he had come in peaceably he had a right peaceably to return," when Tryon, without other provocation, snatched a gun from the hands of a soldier near him, and himself deliberately shot him, before any battle had commenced. Conscious that he had violated good faith in this murder, and apprehensive of consequences, he immediately sent out a white flag: many of the Regulators did

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not know what it meant, and though told by one of the two old Scotch soldiers not to fire on it, were so roused by the wanton butchery of Thompson, and the gross violation of his promise by Tryon, that they levelled their rifles and the flag of truce fell. The Governor immediately commanded his men to fire. They seemed indisposed to obey; the truth was that they did not wish to shed the blood of their fellow-citizens. It was a critical moment for the Governor; yielding to a temper which he never had under much control, he rose in his stirrups, and in a voice of mingled rage and desperation he called on them to fire upon the Regulators or upon him. Some few ventured to obey his order to fire, and then the volley came from the line, Dr. Caldwell having barely time to escape from between the parties, before the discharge. The blood of the Regulators was now roused, and men who had come there with peaceful intentions, would not stand by, indifferent spectators of such a scene. Immediately after the volley, the Regulators who had neither discipline nor recognised leaders, adopted the Indian mode of warfare, and betaking themselves behind the trees, their rifles began to tell with deadly effect: they had their enemies on the road in the open plain, where they presented a fair mark, and so rapid were their discharges, that Tryon's troops had enough to do in returning their fire without making the hazardous attempt to change their position. The cannon opened immediately after the first fire, but except on the first and second discharges, probably with but little effect, as the Regu-

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lators were protected by the trees, and evidently had the best of the battle. In this state of things, Tryon sent out another flag of truce which was shot down in utter ignorance of what it meant. It probably was the precursor to negotiation, for the Governor found that he was likely to lose the field. When the flag fell, the firing commenced again, and the government troops unable to withstand the sure rifles of the Regulators, fell back from their position, about a hundred yards, leaving their cannon unprotected. Immediately some of the young men rushed forward and seized the pieces; but when possessed of them, they had no ammunition suited to them, nor did they know how either to work them or spike them; for the latter, probably they had no implements prepared: but they had driven the enemy from them and they were not further used in the battle. No less than sixteen men had been killed by one rifleman around these cannon. He with three others had taken a position near the artillery; here they were protected by a large tree and ledge of rocks. Half the artillery was directed against them to dislodge them, but without effect. Pugh, for such was the rifleman's name, fired every gun while the other three loaded for him. At length they were surrounded, and Pugh was made prisoner while the rest escaped. But at last the ammunition of the Regulators began to fail, and as this happened, they retired until only a small body was left. The government troops then advanced to surround them, but familiar as they were with the country, the greater part of them made their escape.

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Some fifteen or sixteen, however, were made prisoners, and so ended the battle of the Alamance, in which the government troops sustained far more loss of men than the Regulators.

And now, I would that this were all the story. But there is that yet to tell, which has caused the name of Tryon to be loaded with execrations, and remembered with detestation in North Carolina. Left on the battle ground, and therefore claiming a victory, Tryon the next day issued a proclamation offering pardon to all, if within five days, they would come into his camp, and take the oath of allegiance. Many complied, for they never intended to disclaim their allegiance to the crown. But we must particularly call attention to a part of the oath he administered, because of its bearing on the future history of the State. They were sworn, "never to bear arms against the King; but to take up arms for him if called upon."

The reader will see presently the consequence of this in Mecklenburg. After he felt secure, this miserable and unprincipled tyrant, made an ostentatious parade of himself and his army in the upper towns, with the few wretched prisoners he had made, accompanying him in chains to grace his triumph. Presently he reached Hillsboro' on his return to the East, and here he paused long enough to glut his revenge; for here he tried his prisoners. Before, however, this solemn mockery of justice, he had proceeded on the very evening of the battle, without form of law or even trial, to add to the butchery of Thompson, the murder of another victim. This was an unfortunate

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being named Few. Oppression and cruel wrong had deprived the poor creature of his reason. He was a carpenter by trade, and owned a small property which, with his parents, brothers and sisters he occupied. He was not merely, like the rest of his countrymen, oppressed by the officials of the government, but one of Tryon's proud minions had injured him more deeply still, by ruining the woman to whom he was betrothed. A modern historian, indeed, in the charitable endeavor to palliate, gently insinuates that this is but a tradition, and may not be true. Aye, but it is one of those traditions which burn themselves in upon the recollections of a whole people. The writer has lived on the spot where James Few lived; he has talked with men who were the contemporaries of James Few; and the tradition of his wrongs is spread over a large area, and has been preserved by many hundreds. The man was crazed by the occurrence; he brooded over it until he fancied that God had made him an avenger of human wrongs, and wrote to one of the Regulators that "he was sent by heaven to relieve the world from oppression; and that he was to begin in North Carolina." This paper fell into Tryon's hands, and so did the unhappy writer of it; he was taken prisoner at the battle, and on the evening of the same day, without a trial, William Tryon hung this poor victim of insanity, whom even a North American savage would have left unharmed, as a being from whom the Great Spirit claimed protection from every man.

But this was not all. Twelve other prisoners were

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tried at Hillsboro' on a charge of high treason, and six of them were condemned to death. The good clergyman whom I before mentioned, Dr. Caldwell, left his home to testify to their characters, and to intercede as a minister of mercy in their behalf. He failed in his benevolent effort, but he did not fail in standing by these poor victims, and in ministering spiritual comfort and aid to their souls, until, as to them, the scene closed in death. As to Tryon, in the whole proceeding, he showed that he had neither the generosity of a soldier, the dignity of a gentleman, the humanity of a man, nor the feelings of a christian. In the language of one of our writers, he "exerted the whole influence of his character against the lives of these people; for as soon as he was told that an indulgence of one day had been granted by the court to two of them to send for witnesses, who actually established their innocence and saved their lives, he sent one of his aids to the Judges and Attorney-General to acquaint them that he was dissatisfied with their inactivity, and threatened to represent them unfavorably in England "if they did not proceed with more spirit and dispatch."

On the day of execution he had the whole army paraded and under arms. The arrangement of the troops, and all the details of the shocking and sad spectacle, were regulated and superintended by himself. He even selected the spot for the gallows.—Well might one of North Carolina's best patriots, commenting afterward on the transaction, say, that "the governors minute and personal attention to

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these particulars, left a ridiculous idea of his character behind, bearing a strong resemblance to that of an undertaker at a funeral."

But some of these poor victims, humble as they were in station, (for not one was a leader among the Regulators) were loyal, brave and pious. I once lived where the spot on which these men suffered met my eye every day; and many a pilgrimage have I made to the place, and there pondered on their fate. It was sad, very sad; but I thought that God who can overrule all man's wickedness, even to his own high purposes, had brought good out of this great wrong. He had made the flower of freedom grow out of the turf that covered these men's graves; and from every hillock, came a voice to their countrymen which, four years afterward they remembered: and the voice said "ye see here the tender mercies of an oppressive government to your murdered countrymen," and then the people said, it were better for them to die like men in *overthrowing* such a government, than to be hung like dogs for *complaining* of it: and so they swore, God being their helper, that they would be *free*:—and THEY ARE FREE.

But before we leave this part of the subject, we must tell a story or two connected with the execution of these men: it will then be seen how the seeds of the after revolution were sown in the hearts of their countrymen. It will be remembered that the rifleman Pugh, who in the battle dealt out death so surely to the artillerists, was a prisoner. He was one of the victims. When placed under the gallows, he

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asked permission of the Governor to speak, he was told that he might have one half hour for that purpose. He was perfectly calm, and even dignified; not a muscle quivered, nor a nerve shook. He began by saying that he had long, as he hoped and believed, been prepared to meet his God in another world, that he was therefore not afraid to die: that he had no acknowledgments of wrong to make, no pardon to ask for what he had done; then turning to his countrymen, he told them that he was sure his blood would be as seed sown on good ground, and that ere long they would see it produce an hundred fold. He then recapitulated briefly the oppressions of the people and the causes which had led to the late conflict, asserted that the Regulators had taken the life of no man before the battle commenced, and that they sought nothing more than the lawful redress of their grievances. He then turned to the governor and charged him with having brought an army there to murder the people instead of taking sides with them, as he should have done, against a swarm of dishonest officers; he advised him to put away from him his corrupt favorites, and to be the friend of the people whom he was sent to govern; and here, said he, (pointing to Fanning,) here is one of those favorites, utterly unfit to be in authority:— At these words the denounced minion gave the signal, and the further fearless denunciation was hushed in death before the allotted half hour had expired.

Another case, that of Messer, was more melancholy still. He was active as a regulator, and having been taken prisoner was to have been hung the day after

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the battle. His wife having heard of his intended fate, early the next morning hastened to her husband to see the last of him on earth, and took with her, her son a child of ten years old. She threw herself on the ground before Tryon and implored him but in vain. The preparations were almost completed, and the fatal moment had well nigh come; the heart broken wife was lying on the ground, her face hidden in her hands, her boy weeping over her, when suddenly the child, leaving his mother, stepped up to Tryon and asked him *to hang him, and let his father live.* Tryon demanded of the child who had instructed him to act as he did. The answer of the boy was "*no body.*" "What," said Tryon, "is the reason you make this request?" "Because," answered the child with tears, "if you hang my father, my mother will die, and all the children will perish." Even Tryon was touched with the earnestness and simplicity of the boy, and promised him that his father should not be hung *on that day.* But he hung him afterwards in Hillsborough.

And with the remark that it was this same Tryon who was transferred soon after to the colony of New York, and became Governor there, and who with circumstances of wanton cruelty burned Danbury and Fairfield; we leave the subject of the Regulation War and the field of Alamance.

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THE

MECKLENBURG DECLARATION

OF

INDEPENDENCE,

A LECTURE.

BY REV. FRANCIS L. HAWKS, D. D. LL. D.

DELIVERED BEFORE THE NEW YORK
HISTORICAL SOCIETY, AT
METROPOLITAN HALL,
DEC. 16, 1852.

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INTRODUCTION.

In consenting to the preservation of the following lecture in a permanent form, the author owes it to himself to say, that it was prepared on a very short notice, and indeed, in such intervals of leisure as could be snatched from the duties of two days only. It was not possible, in the delivery of it, to interrupt the continuity of the narrative by a reference to authorities. He therefore takes this occasion to state the sources of his information, and to do justice to those who have written on some of the topics presented in the lecture. From the Rev. Mr. Foote's sketches of North Carolina, and the Rev. Mr. Carruther's life of Dr. Caldwell, he gathered the picture of the country and its iinhabitants in the opening portion of the lecture. To these, however, he added his own personal knowledge. More than once had he traversed the region designated, in its length and breadth; many of his college friends were from this region, and from them, even in his boyhood, had he learned the characteristics of the people before he visited their country, and an intimacy, continued to this day, with some of the leading gentlemen of the West, had made him no stranger to either the homes or the habits of his country-

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men, from Hillsborough to the mountains of Tennessee. Mr. Foote, however, has bestowed great labor in his researches, and preserved a very large amount of information, for which every Carolinian will thank him. He who would have the best picture of the "Scotch Irish" pioneers will certainly find it in his work, and that of Mr. Carruthers.

The anecdote of the Alexander family, and that of the mother of General Jackson, are both derived from Mr. Foote. As to the former of these stories, I ought however to add that the descendants of Lord Stirling in and near New York, have told me, since the lecture was delivered, that Mr. Foote was in error in supposing his Lordship to be one of the members of the family alluded to in his work.

As to the principal topic of the lecture "the Mecklenburg declaration;" it was by no means a novel theme. I had examined and discussed it in the first article of the first number of "the New York Review," as far back as the year 1836. The authorities used were the printed State documents of North Carolina, the pamphlet published by order of the legislature to preserve the testimony, "Jones' defence," and private papers found among the manuscripts of my own ancestors.

F. L. H.

New York, June 1, 1853.

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The Mecklenburg Declaration of Independence.

He is a bad man who is ashamed of an honest parentage, because it was poor and humble. He is no better who is ashamed of his country, because its history records few or none of the bloody triumphs of ambition, but tells the simple story of a people's unobtrusive progress in civilization and homely comfort. I am sorry for the man, who, if his countrymen be frank and honest, does not love his country. The Historical Society has placed me before you to-night, because it has been disappointed in the attendance of one who, I doubt not, were he present, would entertain you more than I fear I shall. But I am here—and here to speak for a Society whose chosen pursuit is History. It is fit then, methinks, that I should seek for my subject in History. But it is an American Society. This, then, narrows my range of choice to American history; and I should but poorly repay either the partiality or the expectation which may

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have brought some of you here to-night, if I did not speak of that part of American history which I have studied most, and know best. That, then, you will say, must probably be the history of that part of the Republic in which you were born and reared. Even so—my theme is North Carolina. All I have to tell, too, is a very simple story, of some of the incidents in her career. I do not think you all know them, for the career of North Carolina has been singularly unobtrusive, modest and quiet, and her true history yet remains to be written; and I may as well candidly confess, that what I am about to tell you, has been collected to that end. I hope that my unpretending effort may serve to interest you.

But another motive has prompted my selection; there is a moral to my story, which will develop itself at the close. I have but selected from certain incidents in Carolina history, and there are three which are memorable: First, It was on the shores of North Carolina that the first English colony was planted in America: Second, The first blood shed in battle with the troops of the English Government, in support of the principles of the American Revolution, was the blood of North-Carolinians, and the first battle-field was on the soil of that State: Third, The first Declaration of Independence ever promulgated in any of these Colonies, came from North-Carolinians, more than a year before the National Declaration of July 4, 1776.

With the first two particulars I have named, I shall not trouble you, though the story is one full of sad-

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dening interest. It will, I fear, consume too much of your time before I can dispose of the last only. And now, without further preface, I begin my story.

But correctly to understand that story, it is necessary you should know something of the country and its hardy inhabitants. The passenger who at this day travels southwardly over the customary routes, sees little of North Carolina, save her hills of sand, and forest of pine. Struck with her seeming poverty, he is glad to cross her boundaries, and is apt, in the retrospect, to cry, "All is barren." For nearly one hundred miles from her present sea-coast, the land has evidently been formed by the retrocession of the ocean from its ancient limits, leaving exposed a sandy surface, which, in the lapse of time, has now and then presented spots of fertility, formed mostly on her water courses, by the alluvial deposits of the rivers. But westward of the ancient boundary of the sea, for an extent of more than three hundred miles, even to the eastern border of Tennessee, there exists a very different region. Commencing with an agreeable diversity of hill and dale, spread out over a fertile soil, and still, in many portions, covered with the magnificent old forest, it stretches away to the west, its hills gradually swelling more and more into mountains, until its remoter portions present, in all directions, scenes of wild grandeur and sublimity, and you are at last embosomed in a region which has been well termed the Switzerland of North America.

The middle and western parts of North Carolina were settled almost entirely from the north of Ire-

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land. The emigrants were Presbyterians in religion, and belonged to that class usually known as "Scotch-Irish." In the reign of James I. of England, the Earls of Tyrone and Tryconnell, in the northern part of Ireland, having conspired against the government were obliged to fly from the kingdom. This led to a forfeiture of their estates, and 500,000 acres were thus escheated to the crown. James filled these escheated lands with new settlers, derived mostly from the Protestants of the west of Scotland. Hence the name of "Scotch-Irish." It was from this stock that the Carolina immigrants came. They reached the place of their settlement by two different avenues of approach; the one portion came into America by the Delaware river, landing at Philadelphia; the other first touched our shores at Charleston, in South Carolina. These latter struck at once into the fertile forests of the upper country, and approached their future home from the south; the others occupied first the desirable localities in Pennsylvania, east of the Alleghanies, until finding need of increased room for their numbers, they passed down first into Virginia, and then into Carolina, and met the wave of immigration from the South. The line of their settlements across the whole State, from North Carolina to Virginia, may readily be traced on the high road leading through the villages of Charlotte, Concord, Salisbury, Lexington, Greensborough and Milton, to the headwaters of the Roanoke. It is somewhat difficult to fix the precise date at which they began to come; it was, however, not very far distant from the year

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1730, though the ingress did not become rapid before 1750. There is, however, much less of uncertainty in speaking of the features of the country, and the character of the people. As to the first, the features of the country, they are singularly beautiful. At the time of which we speak, its aspect was not precisely what it now is; large prairies, over which waved a luxuriant growth of grass, then occupied ground on which may now be seen thrifty forests. These were between the Yadkin and Catawba rivers, and afforded immense grazing grounds to herds of tame cattle. The streams were often bordered by the cane-brake, within which, the game found food and shelter; and by the side of them, or on the edge of the prairie, the smoke went up from the rude chimney of the pioneer's log cabin. Sometimes the hut lifted its humble head from the dale, and, seated on the sunny side of the hill, surrounded with the evidences of culture, it told, in an unpretending way, its little story of homely comfort and quiet seclusion. The busy wife and rosy-cheeked children were there full of life, while the father was on the streams, or over the hills, or perchance, up among the far distant mountains, providing by the pleasant toil of the hunter for those whom he loved. At first, the log cabins which betokened civilization, stood often in solitary seclusion. Eight, ten, fifteen miles, were deemed distances that constituted quite a near neighborhood; but scattered as were the people, there was an artificial feature in the landscape, which showed itself from the beginning. If you sought it, in some spot

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most convenient to all, you were sure to find the meeting house for the worship of God. It was, of course, at first, an humble structure of logs, buried in the deep stillness of the forest, where it might be overshadowed by the brave old trees; and near it was commonly to be found, in some shaded little dell, or bursting from the hillside near the knarled roots of some king of the forest that canopied it, the full and gushing fountain of water that nature has provided. Even to this day, the mouldering ruins and foundations of some of these rustic temples remain, while near them rise the more imposing and modern edifices of brick to supply their places; and around them, protected commonly by a stone wall, are the green mounds and hillocks of the graveyards, where "the rude forefathers of the hamlet sleep." They are preserved from desecration with pious care; and wandering over them, the eye falls on some rudely sculptured memorial, which, while it tells the customary tale of sorrow, has doubtless served also, in its time, "to teach the rustic moralist how to die." But I have much before me, in the story I have to tell, and I must now leave the land to speak of the people. The most prominent feature in their general character was the intensity of their religious feeling. They seem to have united the impulsive ardor of the Irish, with the keen and cool intellectual perception and shrewdness of the Scotch. The one tempered the other; they were eminently zealous, and at the same time eminently practical. They chose to understand a subject first, no matter whether it were

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religious or civil liberty, and when the mind once apprehended what they thought to be true and right, they threw themselves into the support of it with body and soul. They were as stern enthusiasts as the old Covenanters, but they knew better the grounds of their enthusiasm.

Next, as you might naturally expect from such people, they were daringly *brave*, women as well as men. There is an amusing and authentic anecdote related of the emigration of a conspicuous family from Ireland, which may serve to illustrate this trait. The family alluded to, was that of ALEXANDER. All preparations were made for their embarkation to our shores. They had suffered oppression, and their ministers in Ireland had been imprisoned and interdicted from performing religious ceremonies. On the eve of their departure, before trusting themselves to the perils of the sea, they sent to Scotland for their old minister, under whose teachings they had lived before their removal to Ireland, to come and baptize their children, and give them his parting benediction. The old man came; they and their effects were all on board the vessel, and the day before sailing, a solemn religious service was held in the ship, at which the old minister officiated. At the close, armed men, who had been on the watch, came on board, seized the minister and lodged him in prison to await further punishment. As night approached, the old matron of the family summoned around her all the men of the ALEXANDER race, old and young, who were on board, and thus addressed them: "Men, gang ye

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awa', tak our minister out o' the jail, and tak him wi' us, good soule, to Ameriky." It was enough; the men had never disobeyed her in their lives. Before morning, the minister was on board, and the vessel was on the seas. Fortunately for the minister, he was an old bachelor, and very cheerfully acquiesced, probably considering it a leading of Providence; and they all landed here in this our goodly city, and one of the descendants of one of the men who thus landed was WILLIAM ALEXANDER, Lord STIRLING, one of the Generals in the war of the Revolution.

Another incident, though of later date, may also here be mentioned as illustrative of female heroism of the loftiest kind. Among those who formed a part of the settlement during the revolutionary struggle was a poor widow, who having buried her husband, was left in poverty, with the task upon her hands of rearing three sons; of these, the two eldest, ere long, fell in the cause of their country, and she struggled on with the youngest as best she could. After the fall of Charleston, and the disastrous defeat of Col. Buford, of Virginia, by Tarleton, permission was given to some four or five American females to carry necessaries and provisions, and administer some relief to the prisoners confined on board the prison-ship and in the jails of Charleston. This widow was one of the volunteers on this errand of mercy. She was admitted within the city, and braving the horrors of pestilence, employed herself to the extent of her humble means, in alleviating the deplorable sufferings of her countrymen. She knew what she had

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to encounter before she went; but, notwithstanding, went bravely on. Her message of humanity having been fulfilled, she left Charleston on her return; but, alas! her exposure to the pestilential atmosphere she had been obliged to breathe, had planted in her system the seeds of fatal disease, and ere she reached her home, she sank under an attack of prison fever, a brave martyr to the cause of humanity and patriotism. That dying mother, who now rests in an unknown grave, thus left her only son, the sole survivor of his family, to the world's charity; but little did she dream as death closed her eyes, the future of the orphan boy: that son became the President of this free Republic; for that widow was the mother of Andrew Jackson. It was among these people that he learned that *love of liberty*, which formed a third conspicuous characteristic of these brave emigrants. Everything in their position conspired to foster this trait of character. They were far removed from the settlements on the Atlantic, and felt but little either of government patronage or power. West of them, and indeed, among them, were the savages, while, in the scattered settlements, north and south of them, they met those who had been trained in the same school as themselves. Their country was beautiful, their climate salubrious, their physical wants well supplied, they roamed at will over the hills and through the valleys, with the never failing rifle, and the dog for companions; they breathed the fresh air of God, and drank of his living streams of water around them,

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and walked with elastic and untrammelled step over the turf he had made for them; and born upon the soil, as most of them were at the time of which we are about to speak, they felt that it was their country and home, and that they were free. No newspaper came at that day to tell them what was doing in the busy world without; they, in fact, lived more under the paternal direction of their spiritual instructors, than under the control of the Colonial Government. And these guides were worthy of the place they filled: they were educated men, they established schools for their children, they taught the people faithfully, they were universally venerated, because they were unspotted in character, their opinions settled what was right and wrong, and no men better understood the principles of rational liberty. The people knew but little of any portion of the Colonial Government, save that which was brought to their knowledge by the presence of the tax-gatherer; but they cheerfully paid their taxes, (even long after they became unjust and oppressive) because they had been taught that the support of Government was a *duty*. When the final struggle came, every one of these spiritual guides, to a man, was on the side of an oppressed people; some of them bore arms, and their voices sent out among these hardy mountaineers, with the clear, full swell of a trumpet's tone, the sentiment, that the cause of rational freedom was the cause of God and humanity. These men were not of my faith, but they were my countrymen, and palsied forever be my tongue when it refuses to yield a just tribute

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to men like these, who feared God, and loved their country. But I must hasten on to my story, and let that exhibit the characteristic traits of these people.

I must ask you to imagine yourselves up among the hills and valleys of which I have been telling you, and to fancy yourselves, on a pleasant Spring morning of 1775, in the village of Charlotte, in the county of Mecklenburg. It is obvious that from some cause there has been brought together a large assemblage, and that an unusual excitement prevails. You are among the same Scotch-Irish of whom I told you before. It is a busy scene. In yonder group may be observed some of the clergy with deep earnestness speaking to the grair haired men around them, who drink in with greedy ears all that is uttered; while on the outskirts of the circle, the sober matrons and the young women stand, hearkening with breathless interest to what is passing. Yonder, again is another knot, of those who are in middle age, and as each one leans on his rifle, or poises it on his shoulder, he is taking in what is falling from some influential individual, whose dress betokens a position in the higher class of that secluded community. And yet again another group appears of young and vigorous men, whose violent gesticulations, and earnest tones among themselves, show that the subject which so agitates them is one of no common interest. Presently, at intervals, they pause, and then may be heard human tones as in reading, and then again break forth voices from the circle as of angry men. Hard by may be seen a man travel-stained, as if from a

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long journey hastily performed, and at short intervals, one and another run to him from out the group, and holding with him a short and hurried conversation, hasten back again to listen to the reader, who holds, as you may see, a printed hand-bill before him. That travel-stained man has ridden express, and you begin to suspect that the tidings he has brought may have occasioned this unusual commotion; and so they have; for he has brought that hand-bill, which contains the account of the blood of Massachusetts men shed by British soldiers at Concord and Lexington, on the 19th of April, 1775. They have just received the tidings on that Thursday morning, May 19, 1775; and what you see is the first outbreak of the varied emotions produced by the startling intelligence. But how came they to be assembled there on that day? To explain that, I must carry you back a little in their history.

After the departure of TRYON, these people were permitted by his successor, MARTIN, to enjoy comparative quiet. They had, however, learned one lesson on the field of Alamance, and profited accordingly; they were distrustful, not of themselves, but of the Government, and had learned that courage was worth twice as much with discipline as it is without it; and they had therefore sought, by military drill, to be better fitted for a battle field, should they ever be called to enter one. And they were a shrewd people, and some of the better informed among them, who watched passing events, felt sure that the time for battle would come. Upper Carolina had then no

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printing press; no regular mail traversed the country then, and newspapers were scarce. Still, the educated men of the region contrived to keep themselves apprised of events without, and when intelligence of interest arrived, it was usually committed to writing, and the people supplied the want of the press among them by assembling at intervals in Charlotte, where these written documents were read to them. Many of these papers were prepared by their clergymen, and when the people met for worship on Sundays, it was easy to disseminate through the county intelligence that news had arrived, the particulars of which would be read to the people on a certain day. This insured an assemblage. So, also, when there was no special news, they were sometimes convened to hear the public reading of papers, prepared by the influential men among them, in which were set forth the prospects before them, and they were instructed to prepare for the probable future. Very many of these leaders had been educated at Princeton, and belonged to the profession of law, medicine and divinity, while others were influential from their social position. It was not less providential that the masses of the people had been taught from childhood to respect superior intelligence, and the acknowledged and long established characters of the leading men of the country induced the people readily to follow the suggestions of their judgments.

These circumstances had, therefore, led to frequent assemblages in Charlotte, prior to the 19th of May, 1775, to hear the news, and join in the discussions of

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the period. As matters approached a crisis, it was determined that Col. THOMAS POLK, a man of worth and influence, and extensively known and esteemed through all that country, should be empowered to call a formal Convention whenever it should be advisable. This convention was to be composed of two representatives from each militia company district, chosen by the people themselves. A recent attempt by the Governor to prevent the meeting of the Provincial Congress, and a dissolution by him of the House of Assembly, after a session of four days only, before any important business had been transacted—together with the state of affairs both in England and some of the other Colonies—induced Col. POLK to call the Convention. Such a call was sure to bring together, not merely the selected delegates, but the whole county; and this explains the presence of the excited multitude in Charlotte, on the 19th of May, 1775, of which I have made you imaginary spectators.

The convention proper consisted of between twenty and thirty members, one of whom was a clergyman, many others professional men, and nearly one-half conspicuous for their exemplary and consistent lives as christians. The convention (or to speak more correctly, the whole assemblage, for such was the absorbing interest of the occasion, that the speeches made were delivered at once to both convention and people,) heard addresses from Rev. HEZEKIAH JONES, a highly accomplished scholar, and WILLIAM KENNON, Esq., a lawyer of distinction and deserved influence;

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so that the three learned professions combined their power to set the revolutionary ball in motion. They did not, according to the testimony of eye witnesses, appeal to the passions or seek to stir up the resentment of the people; they spoke to their reasons; they set before them plainly the causes which were at the foundation of the contest with the mother country, and the consequences to be apprehended, should the people fail to make a firm resistance to the right claimed of taxing the colonies and regulating their internal policy, without allowing them to be heard. Into the midst of this assemblage came the messenger, breathless with haste, bearing the tidings from Massachusetts. The effect was that of fire thrown into gun-powder. A shout went up from the multitude, "Let us be independent! Let us declare our independence, and defend it with our lives and fortunes." The convention, I should have mentioned, had duly organized by choosing ABRAHAM ALEXANDER their chairman, and JOHN MCKNITT ALEXANDER and DR. BREVARD their secretaries. This body immediately appointed the three gentlemen who had addressed them, BREVARD, KENNON and BALCH, a committee of their body to prepare suitable resolutions. And here it is to be noted that DR. BREVARD, whose quick and sagacious mind seems to have anticipated events, had himself prepared some days before, certain resolutions of independence and had read them to his friends; they were now read to the assemblage, and were referred by the assemblage to the committee; and these I apprehended to be the resolutions pub-

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lished by MARTIN in his history of North Carolina, as those which were finally adopted. With the exception of a short clause referring to the battle of Lexington, the news of which, had just reached them, I believe them to be the original resolutions which DR. BREVARD had privately prepared before the meeting, and which formed the basis of those adopted. It has been said that they differ "materially" from those adopted; a minute comparison of them will show that this is an entire mistake; the differences are little more than verbal and slight, with the occasional introduction merely of a short recital by way of preamble, or of a phrase making the meaning more explicit; but the number of those touching the main subject is the same; the topics treated in each resolution are precisely the same, and they occur in the same order, and in all really important particulars in precisely the same words. The one will, on examination, appear to be a simple emendation and slight enlargement of the other, not in any particular altering the sense and meaning of a single resolution. Judge MARTIN obtained them in manuscript, from the western part of North Carolina, and procured them as he did most of his other materials, before the year 1800. Not long after that period, he removed from the State, first to Mississippi and afterwards to Louisiana. I knew him intimately, and had known him from my childhood. I conversed with him touching this and other events in our history; for, partly at his suggestion, I had undertaken to prepare a history of North Carolina myself. Many of his original ma-

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terials had been lost, for in the latter years of his life he was blind. His book, as he stated, consisted rather of a historical memoranda, chronologically arranged, than of a well digested and continuous narrative; but he said he had inserted, as he believed, nothing for which he had not collected some authority. The only mistake he made on this subject, was, in supposing his copy of these resolutions to be those which were adopted, when they were, as I believe, Dr. Brevard's first private draft of them.

Now, to resume our story: The committee had retired to perform their duty; the convention remaining in session, heard addresses from various individuals. And now—I speak on the testimony of an eye-witness—occurred an event illustrative of the scrupulously conscientous character of these people. You must know, that after the battle of Alamance, Tryon exacted of those who had been Regulars, and indeed, of others also, an oath binding them "never to bear arms against the King, but to take up arms for him, if called upon." In that convention there were men who had taken that oath, and it weighed upon their consciences. One of the committee, a man who deeply sympathized with the general sentiment, and who, up to that time, had sat silent in the struggle of his feelings—rose and asked of the chairman this question: "If we resolve on Independence, how shall we be absolved from the obligations we took four years ago, not to bear arms against King George III? How shall we clear our consciences, after taking that oath?" Now, this man was not influenced by fear, or want

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of patriotism, for he afterwards proved himself to be a true friend to the cause of his country; but he thought that his Bible had taught him that God's blessing was promised to the man who, though "he sweareth to his own hurt, changeth not." The effect of this question was startling; many, who in their excitement, had forgotten, for the moment, Alamance, Tryon and their oath, now showed, by their manner, that the speaker had touched a chord, the vibrations of which, were felt in many a bosom there. It was necessary that an answer should be given, and given at once, or no resolutions of Independence were likely to be adopted—at least, on that occasion. Some cried out that it was "nonsense;" these were the hot-headed and impetuous. Others, more cool and thoughtful, remarked that allegiance and protection were reciprocal; that when the King declared a people out of his protection, their allegiance ceased; that their oath was binding only while the King preserved to them the enjoyment of such rights as they possessed when they took the oath; and as he had formally pronounced them out of his protection, their condition was changed by him, without their consent; and, consequently, the oath was not binding. At last, one man simplified the whole subject by a familiar illustration. After stating that no such oath was ever absolute, but always conditional, he pointed to one of the trees near, which was just putting forth its leaves, and said: "If I swear to do anything as long as the leaves continue on that tree, I am bound to do it as long the leaves are there; but when-

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ever the leaves fall, the oath, of course, is at an end, and I may then do as I please." The illustration was sufficient, for all the convention agreed that it was exactly applicable; and so they gladly lifted from their consciences the weight of Tryon's oath.

The convention then proceeded to enact certain regulations and by-laws, extending their session to midnight or later, sitting in the Court House, says one of them, "neither sleepy, hungry or fatigued." The committee, with the resolutions on Independence, came in, and these with the by-laws and regulations, were taken up by the convention. One Secretary read the resolutions, the other the by-laws. All was silent as death. The chairman rose. To these are you all agreed? said he, when, from every voice there, went up for a response, *Aye*. It was then determined that the convention should adjourn the next day, and that at noon what they had determined on should be read to the assembled people. The 20th of May dawned on them brightly; the people of Mecklenburg, men, women and children were there. They were told to assemble around the Court House door to hear what their representatives had done. At noon, Col. Thomas Polk stood above them on the steps of the building, and read to them these words, and that you may judge for yourselves how far they varied 'materially' from what Martin has published, and what, with the single exception of the reference to the battle of Lexington, I believe to be Dr. Brevard's original draft, I shall read them together.

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RESOLUTIONS,
READ BY COL. POLK.

Resolved, That whosoever directly or indirectly abetted, or in any way, form or manner, countenanced the unchartered and dangerous invasion of our rights, as claimed by Great Britain, is an enemy to this country, to America, and to the inherent and inalienable rights of man.

Resolved, That we, the citizens of Mecklenburg county, do hereby dissolve the political bands which have connected us to the mother country, and hereby absolve ourselves from all allegiance to the British crown, and abjure all political connection, contract, or association, with that nation, who have wantonly trampled on our

RESOLUTIONS,
AS PUBLISHED BY MARTIN.

Resolved, That whosoever directly or indirectly abets, or in any way, form or manner, countenances the invasion of our rights, as attempted by the Parliament of Great Britain, is an enemy to this country, to America, and the rights of man.

Resolved, That we, the citizens of Mecklenburg county, do hereby dissolve the political bands which have connected us with the mother country, and absolve ourselves from all allegiance to the British Crown, abjuring all political connexion with a nation that has wantonly trampled on our rights and liberties, and inhumanly

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rights and liberties, and inhumanly shed the blood of American patriots at Lexington.

shed the innocent blood of Americans at Lexington.

Resolved, That we do hereby declare ourselves a free and independent people, are, and of right ought to be, a sovereign and self-governing association, under the control of no power other than that of our God and the general government of the Congress; to the maintenance of which independence, we solemnly pledge to each other our mutual co-operation, our lives, our fortunes, and our most sacred honor.

Resolved, That we do hereby declare ourselves a free and independent people; that we are, and of right ought to be, a sovereign and self-governing people, under the power of God and the general Congress; to the maintenance of which independence, we solemnly pledge to each other our mutual co-operation, our lives, our fortunes, and our most sacred honor.

Resolved, That as we now acknowledge the existence and control of no law or legal officer, civil or military, within this

Resolved, That we hereby order and adopt, as rules of conduct, all and each of our former laws, and the crown of Great Britain can-

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county, we do hereby ordain and adopt, as a rule of life, all and every of our former laws,—wherein, nevertheless, the crown of Great Britain never can be considered as holding rights, privileges, immunities or authorities therein.

Resolved, That it is further decreed, that all, each and every military officer in this county, is hereby reinstated in his former command and authority, he acting conformably to these regulations. And that every member present, of this delegation, shall henceforth be a civil officer, viz: a Justice of the Peace, in the character of a "*Committee-man*," to issue process, hear and determine all matters of controversy, according to said ancient usage, and to continue not be considered hereafter as holding any rights, privileges or immunities among us.

Resolved, That all officers, both civil and military, in this county, be entitled to exercise the same powers and authorities as heretofore: that every member of this delegation shall henceforth be a civil officer, and exercise the powers of a Justice of the Peace, issue process, hear and determine controversies, according to law, preserve peace union and harmony in the country, and use every exertion to spread the love of liberty,

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dopted laws, and to preserve peace, union, and harmony in said county; and to use every exertion to spread the love of country and fire of freedom throughout America, until a more general and organized Government be established in this province.

and of country, until a more general and better organized system of Government be established.

Resolved, That a copy of these resolutions be transmitted, by expres , to the Continental Congress assembled in Philadelphia, to be laid before that body.

During the reading, all was death-like stillness, every eye was fixed on the tall form, every ear open to the full, deep-toned voice of Col. Polk; when he closed, all drew a long breath; each man looked in his neighbor's eyes and saw the fire gleaming there. A voice from the multitude called out "three cheers," and then, from man, woman and child, there went up such a shout as was never before heard in Mecklenburg. I tell the story as it comes from honorable men who were there. The deed was done: these men had pledged all they had—lives,

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fortunes, honor; and, true as steel, from that hour to this, they have never shrunk from meeting that pledge. And this was the first public declaration of independence in the British Colonies. The people went back to their homes and avocations, taught by their leaders to expect trouble, and to be ready to answer their country's summons at a moment's warning. But the Convention continued their meetings, for military arrangements had to be made, and a temporary government formed. On the 30th of May, 1775, they set forth a document, which some have supposed to be their Declaration of Independence. It is a mistake, as I think I shall presently prove, if faith may be given to testimony. But it is, in truth, of little moment, inasmuch as in either case, whether they declared themselves independent ten days sooner or ten days later in May, 1775, they are at any rate anterior to the National Declaration of July 4, 1776, by more than a year. The document to which I allude, is as follows:

"Charlotte, Mecklenburg County, May 30, 1775. This day the committee of the county met and passed the following resolves:

WHEREAS, by an address presented to His Majesty by both Houses of Parliament, in February last, the American Colonies are declared to be in a state of actual rebellion, we conceive that all laws and commissions confirmed by or derived from the authority

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of the King and Parliament, are annulled and vacated, and the former civil constitution of these Colonies for the present wholly suspended: To provide in some degree for the exigencies of this county in the present alarming period, we deem it proper and necessary to pass the following resolves, viz:"

I. That all commissions, civil and military, heretofore granted by the crown to be exercised in these colonies, are null and void, and the Constitution of each particular colony wholly suspended.

II. That the Provincial Congress of each province, under the direction of the great Continental Congress, is invested with all legislative and executive powers within their respective provinces, and that no other legislative or executive power does or can exist at this time in any of these colonies.

III. As all former laws are now suspended in this province, and the Congress has not yet provided others, we judge it necessary for the better preservation of good order, to form certain rules and regulations for the internal government of this county, until laws shall be provided for us by the Congress.

IV. That the inhabitants of this county do meet on a certain day appointed by the committee, and, having formed themselves into nine companies (to wit: eight for the county, and one for the town), do choose

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a colonel and other military officers, who shall hold and exercise their several powers by virtue of the choice, and independent of the crown of Great Britain, and former Constitution of this province.

V. That for the better preservation of the peace and administration of justice, each of those companies do choose from their own body two discreet freeholders, who shall be empowered each by himself, and singly, to decide and determine all matters of controversy arising within said company, under the sum of twenty shillings, and jointly and together all controversies under the sum of forty shillings, yet so as their decisions may admit of appeal to the convention of the selectmen of the county, and also that any one of these men shall have power to examine and commit to confinement persons accused of petit larceny.

VI. That those two select men thus chosen do jointly and together choose from the body of their particular company two persons to act as constables, who may assist them in the execution of their office.

VII. That upon the complaint of any persons to either of these selectmen, he do issue his warrant directed to the constable, commanding him to bring the aggressor before him to answer said complaint.

VIII. That these eighteen selectmen thus ap-

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pointed do meet every third Thursday in January, April, July, and October, at the court-house in Charlotte, to hear and determine all matters of controversy for sums exceeding forty shillings, also appeals; and in case of felony to commit the persons convicted thereof to close confinement until the Provincial Congress shall provide and establish laws and modes of proceeding in all such cases.

IX. That these eighteen selectmen thus convened do choose a clerk, to record the transactions of said convention, and that said clerk, upon the application of any person or persons aggrieved, do issue his warrant to any of the constables of the company to which the offender belongs, directing said constable to summon and warn said offender to appear before said convention at their next sitting, to answer the aforesaid complaint.

X. That any person making complaint, upon oath to the clerk, or any menber of the convention, that he has reason to suspect that any person or persons indebted to him in a sum above forty shillings intend clandestinely to withdraw from the county without paying the debt, the clerk or such member shall issue his warrant to the constable, commanding him to take said person or persons into safe custody until the next sitting of the convention.

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XI. That when a debtor for a sum above forty shillings shall abscond and leave the county, the warrant granted as aforesaid shall extend to any goods or chattels of said debtor as may be found, and such goods or chattels be seized and held in custody by the constable for the space of thirty days, in which time, if the debtor fail to return and discharge the debt, the constable shall return the warrant to one of the selectmen of the company, where the goods are found, who shall issue orders to the constable to sell such a part of said goods as shall amount to the sum due.

That when the debt exceeds forty shillings, the return shall be made to the convention, who shall issue orders for sale.

XII. That all receivers and collectors of quit-rents, public and county taxes, do pay the same into the hands of the chairman of this committee, to be by them disbursed as the public exigencies may require, and that such receivers and collectors proceed no further in their office until they be approved of by, and have given to this committee good and sufficient security for a faithful return of such moneys when collected.

XIII. That the committee be accountable to the county for the application of all moneys received from such public officers.

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XIV. That all these officers hold their commissions during the pleasure of their several constituents.

XV. That this committee will sustain all damages to all or any of their officers thus appointed, and thus acting, on account of their obedience and conformity to these rules.

XVI. *That whatever person shall hereafter receive a commission from the crown, or attempt to exercise any such commission heretofore received, shall be deemed an enemy to his country;* and upon confirmation being made to the captain of the company in which he resides, the said company shall cause him to be apprehended and conveyed before two selectmen, who, upon proof of the fact, shall commit said offender to safe custody, until the next sitting of the committee, who shall deal with him as prudence may direct.

XVII. That any person refusing to yield obedience to the above rules shall be considered equally criminal, and liable to the same punishment as the offenders above last mentioned.

XVIII. That these resolves be in full force and virtue until instructions from the Provincial Congress regulating the jurisprudence of the province shall provide otherwise, or the legislative body of Great Britain resign its unjust and arbitrary pretensions with respect to America.

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XIX. That the eight militia companies in this county provide themselves with proper arms and accoutrements, and hold themselves in readiness to execute the commands and directions of the General Congress of this province and this committee.

XX. That the committee appoint Colonel Thomas Polk and Dr. Joseph Kennedy to purchase three hundred pounds of powder, six hundred pounds of lead, and one thousand flints, for the use of the militia of this county, and deposit the same in such place as the committee may hereafter direct.

Signed by order of the Committee.

EPHRAIM BREVARD, *Clerk of the Committee.*"

Of these resolutions it is necessary to advert to but a small part. The first declares all commissions granted by the crown to be null and void, and that the constitution of each colony is suspended; the second declares that the legislative and executive power in each colony belongs solely to its Provincial Congress; the third declares that as the Congress in North Carolina had not yet provided laws, the Committee have formed and set forth these, "for (say they) the internal Government of this county," until the Provincial Congress shall provide laws. Then from the 4th to the 16th inclusive, the resolutions provide first for an organization of the military of the county, and secondly, for a choice by the men in each military company of two freeholders, and these freeholders are constituted into

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certain temporary Courts, for the recovery of debts, &c.; provision is made for the payment of taxes by the collectors of the Committee of the Convention, instead of into the King's coffers; and, in short, they all are mere municipal regulations, intended, as they expressly state, simply "for the better preservation of good order in the county." The remaining five resolutions, all but one, relate to the military, prohibiting, however, in them, generally, the taking of any commission from the crown, or acting under any already conferred; and the other resolution merely declares these regulations to be in force till the Provincial Congress acts. This is the whole document signed by the Secretary of the Convention, and, as it shows upon its face, is the necessary *consequence* of a previous Declaration of Independence and dissolution of connection with the parent country; but will scarcely pass for a Declaration of Independence itself; and certain it is, that among the good people of Mecklenburg themselves, where this document is very well known, it was not deemed the Declaration of Independence made in May, 1775, by their fathers; but more of this presently.

We now resume our narrative. Early in June, by means of funds raised by private subscription a special messenger was sent from Mecklenburg to the Continental Congress, then sitting in Philadelphia, with instructions to deliver both the documents, the declaration of the 20th, and the resolutions of the 30th of May, to the delegates there from North Carolina; and also with instructions, through the medi-

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um of these delegates, and by other means to do what he could to have the proceedings in Mecklenburg sanctioned by the Continental Congress. He faithfully executed his commission in the month of June, 1775. On his return he brought back a letter signed by the then North Carolina delegates in the Continental Congress, complimentary of the zeal of the people of Mecklenburg, in the common cause, and recommending to them perseverance, order and energy, accompanied with the statement, that ere long their example would be followed by other colonies. The messenger also stated that the proceedings in Mecklenburg were individually approved by many members with whom he conversed, but that the general opinion was, that it would be premature to lay them before the house. And so, perhaps, it would have been then, for Congress was not ready for the bold step afterward taken on the 4th of July, 1776, of declaring the country independent. Not a single Province had then by its Congress hinted at independence, though probably most of them looked forward to it; but the time had not come; neither arms, ammunition, officers, or army, were at hand to sustain a declaration of independence. It was not until the slaughter of our countrymen at Lexington had compelled our fathers to fight, that we began even to have an army; and it was not until they had been in the field for a year, and gained some confidence in their strength and skill, that they dared to declare themselves independent. Even the Provincial Congress of North Carolina, containing some of the very men

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who signed the Mecklenburg declaration, could not, in 1775, be brought to the point of urging the Continental Congress to declare independence, though all wished it. It would have been, as they supposed, indiscreet and injudicious, they meant surely to pluck the pear at last, but they meant also to wait until it was ripe. And to the eye of the Provincial Congress of North Carolina, perpetually quickened in vision by the aid of their Mecklenburg brethren, the fruit did ripen before its maturity was visible to any one else; for theirs was the first Provincial Congress that dared to recommend to the Continental body to declare the country independent. It was on the 12th of April, 1776, that the true Provincial Congress of North Carolina unanimously adopted a resolution in these words:

"*Resolved*, That the delegates for this colony, in the Continental Congress, be empowered to concur with the delegates of the other colonies, in *declaring Independence*, and forming foreign alliances, reserving to this colony the sole and exclusive right of forming a Constitution and Laws for this colony, and of appointing delegates from time to time (under the direction of a general representative thereof,) to meet the delegates of the other colonies."

This, we repeat, is the first open and public declaration for independence, by the proper authority of any one of the colonies, that can be found on record.

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It preceded the National Declaration of Independence nearly three months, and is one month older than the action of the Virginia Provincial Congress, recommending a National Declaration of Independence. And now a few words for the correction of an historical error, in which North Carolina has some little interest. I have already told you that some supposed the document of May 30, 1775, to be the Mecklenburg *Declaration of Independence*, and, indeed, such a statement has been published as history. It is not that declaration; but it is an authentic document, founded on that declaration, and meant to carry out its principles into action. Certain facts connected with this matter are undeniable, because they are sustained by the oaths of most respectable witnesses, taken by order of the State of North Carolina, and deposited in her office of State; and here give me leave to add, that to these oaths I have resorted primarily for testimony.

First, then, no less than seven witnesses of most unexceptionable character swear positively that there was a meeting of the people of Mecklenburg at Charlotte, on the 19th and 20th days of May, 1775, that certain resolutions distinctly declaring independence of Great Britain were then and there prepared by a committee, read publicly to the people by Col. Thomas Polk, and adopted by acclamation; that they were present and took part in the proceedings themselves, and that John McKnitt Alexander was a Secretary of the meeting. These seven swear positively to the date, the 19th and 20th days of May, 1775. In ad-

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dition, seven others, equally above suspicion, swear that they were present at precisely such a meeting as that described above. One of them also swears that he is the last surviving member of the Convention by whose order the resolutions were drawn. His language is, "When the members met, and were perfectly organized for business, a motion was made *to declare ourselves independent of the Crown of Great Britain.*" Mark the language; it was not to frame regulations for the preservation of good order in the county. He then proceeds, "Dr. Ephraim Brevard was then appointed to give us a sketch of the *Declaration of Independence*, which he did." It will be remembered that Brevard was Chairman of the Committee, and according to the statement of all, was understood to have been the writer of the document. The other six witnesses in this group all swear that what they heard was an abjuring of the authority of George III., and all without exception say that the instrument they heard read declared independence of the British crown. All, further agree, that the instrument of which they speak, was read to the people from the steps of the Court House in Charlotte, by Col. Thomas Polk, and received by the people with loud acclamations of approval. And further, all swear that it was in the month of May, 1775, though they do not name the precise day; for at the time they swore, the day had never been called in question. A distinguished statesman had denied that there had ever been a meeting at Mecklenburg for such a purpose at all; and the chief point in the testimony was

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simply to establish the general fact of a meeting and declaration before July 4th, 1776. And further, it is to be remarked that of these seven who thus swear positively to the date of the 19th and 20th of May, time had scattered them, and age frosted their heads: some were in Georgia, some in Tennessee, and some still in Carolina; and yet, separated as they had been for years, without opportunity of consultation with each other, when from various remote points their affidavits are brought in, all who swear to a specific date, with undeviating uniformity fix it on the 19th and 20th days of May, 1775. Why, that date was as indelibly fixed in the memories of that class of men who have a faculty for retaining dates, as the 4th of July is fixed in your memories. You know and cannot forget, that on that day your forefathers in Congress declared the country independent; you remember the day by reason of what your fathers did—these men can no more forget their date than you forget yours; for they remember it by reason of what they did themselves. Well then, here are fourteen unimpeachable witnesses, who, either by positive statement as to time, or by facts proved to have occurred on a particular occasion, which facts do fix the time; here I say are fourteen witnesses, who, if human testimony can prove anything, do show beyond all peradventure, that on the 20th of May, 1775, a certain paper was read and adopted in their hearing, whereby the people of Mecklenburg county did abjure allegiance to the British crown, and did declare themselves independent. Such a paper then was in

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existence on that day, and was in the possession of the Secretary, John McKnitt Alexander. This is *one* fact, at least, established. Now what became of that paper? I am about to show you by a connected chain of testimony what became of it, and further that it is identical, word for word, and letter for letter, with the document I have read here to-night, as the Mecklenburg Declaration of Independence. And first, who was John McKnitt Alexander, and what his character? He was a man, who, born in Pennsylvania, came in when young with the tide of Scotch-Irish emigration, which, as I have already told you, peopled that part of the State. Prudent, frugal, industrious, intelligent, methodical, pious, he accumulated a handsome estate, and exhausted at last by the decay of nature, rather than by disease, he descended to the grave at the advanced age of four score and one. Of honesty the most undoubted, and truthfulness that was never questioned, he possessed as he deserved, the respect of the entire community. An elder in the Presbyterian church for a great many years, Treasurer of the Synod of the two Carolinas for a long time, and often entrusted by that body with business the most important; he sustained through life an unblemished character. Well, into the possession of this man went all the records and documents pertaining to the Mecklenburg meetings. Dr. Brevard, his co-Secretary, entered the army as a surgeon, was captured and imprisoned at Charleston, and on his release returning to his native county, sank under the injuries his constitution had sustained in his im-

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prisonment. The documents were then confided to Alexander, the other Secretary. How many copies were made of the resolutions of independence of the 20th of May, we cannot say, though some of the witnesses state that they were so often repeated orally on that day, that many had them fixed in memory. Be this as it may, there were certain copies made by John McKnitt Alexander himself, of which he spoke particularly, and in some instances to witnesses yet living. He distinctly stated that he had furnished a copy from the original document, to Dr. Hugh Williamson, who had undertaken to write a history of North Carolina; and also another copy to General William Richardson Davie, an officer of the revolution, a distinguished lawyer, and employed also in the foreign diplomacy of the United States. General Davie had been reared in the settlement, and was the nephew of one of the clergy there. In the year 1800, John McKnitt Alexander's house and papers were consumed by fire. At that time many were living who had been actors at Charlotte, on the 19th and 20th of May, 1775.

They naturally feared that the documents were all irrecoverably lost—and so some of them were, particularly the original book of minutes; but Mr. Alexander soon allayed apprehensions as to the Declaration itself, by stating that there were copies in existence of his own hand-writing which he knew to be correct, and particularly mentioned that he had given one to General Davie. Some time after the fire, Hon. Judge Cameron, (still living,) in the course of

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his official duty, was in Salisbury, where he met Mr. Alexander. The parties had been acquaintances and friends for years. The conversation turned, as it often did between them, on our revolutionary history, when Mr. Alexander lamented the loss of the original documents by fire, but consoled himself as to the Declaration by saying, that some time before the calamity, he had given a copy, which he knew to be correct, to General Davie: "therefore," said he, (I use his own words,) "*the document is safe.*" At a subsequent period, and indeed on the last interview he ever had with Judge Cameron, when he was so blind that he could recognize him by his voice only, he then told him that Davie's copy was perfectly correct. Soon after the death of General Davie, on the examination of his papers, (I give you the testimony as sworn to by a credible witness,) a paper was found, known by the witness to be in the hand writing of John McKnitt Alexander, commencing with the following words: "North Carolina, Mecklenburg County, May 20, 1775." Then follows a brief narrative or history of the assembling of the inhabitants of Mecklenburg at Charlotte, on the 20th of May, as I have related it, and the adoption of the resolutions which are given at length in the MS., in John McKnitt Alexander's handwriting, verbatim, as I have read them to you. The residue of the paper states that some by-laws were made merely to preserve order; that the documents, after approval by the people, on the 20th of May, were sent by a special messenger to the Continental Congress, and gives their answer, as I have

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already stated it, not from this paper, but from the affidavit of the messenger himself. Among Alexander's papers was also found a written statement, in his own handwriting, filed carefully away, mentioning the destruction by fire of the original paper in 1800, but adding that he had sent copies to Dr. Williamson and General Davie. The paper that was in Davie's possession is now preserved in the office of State in North Carolina. Now as to the paper sent to Williamson: Hon. Montfort Stokes was Governor of North Carolina in the year 1831; while he occupied that high position, he testified that in the year 1793, (mark the date,) he saw in the possession of Dr. Williamson a copy of the documents of the 20th May, 1775, in the hand writing of John McKnitt Alexander, together with a letter to Williamson from Alexander—and that he conversed with Williamson on the subject. I asked you to mark the date, because it has been put down as an historical fact, (on what authority I cannot say,) that the date of the *earliest* copy of the resolutions was in September, 1800—*after* the destruction of the original by fire. Here we have them, as I have presented them to you, in 1793.

But this is not all. Among the young men who were present at Charlotte on that memorable 19th and 20th, was one, who was, as he states, a deeply interested spectator, then twenty years old. This youth joined the army at once as a private, afterward became an officer, and conducted himself during his whole military career with great bravery. When he

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retired from the service, he resumed his classical studies, and became a clergyman in that region of country, exercising his office for more than thirty years with unblemished character. *He kept a Journal of all that occurred*, from the meeting in Mecklenburg on the 20th of May, through the whole of his military career, and carefully preserved a copy of the paper read by Colonel Polk from the Court House steps. He had not obtained it from Alexander afterward, as Williamson and Davie had, but made it at the time. The memoir which he wrote contained that copy; it agrees *verbatim* with what I have read. Nor yet have we done. No one in Western Carolina has aught personally reproachful or disparaging to say of a Graham. The stock is too well known; it has not degenerated in the present generation. Among the young men at that meeting, which he unhesitatingly affirms was held on the 19th and 20th of May, 1775, in Mecklenburg, was Joseph Graham, who afterward freely shed his blood for the principles which he heard Thomas Polk read that day. Hear how the highest officer in the State speaks of him: "The statement of General Joseph Graham, another surviving officer of the Revolution, a citizen and a soldier worthy of the best days of the Republic, will be read with pleasure and perfect confidence throughout the wide range of his acquaintance." He was there. What is his statement? Why, that the Resolutions of Independence prepared by Dr. Brevard, were, as he believes, precisely in the words that appeared afterward in print, and precisely, therefore, as I have read them to you.

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I think we know now what Carolinians, at least, mean by the Mecklenburg Declaration of Independence, and I think further, that we have proven its authenticity.

If the two facts are established that there was a meeting on the 19th and 20th, and that a paper was read, it puts an end to the claim of the document of the 30th, to be the Declaration of Independence, for its own date disproves it. The first paper, if any, would be prepared in answer to the cry of the people then made, "let us declare our independence;" it would be made while the people were then and there assembled, and would be read to them, not concocted afterward by the County Committee at one of their meetings, and by them set forth to the people at their homes; it would say something boldly and unequivocally about independence, about refusing further allegiance to the British Crown; it would not set forth a document, in which the word *independence* does not once occur—it would not be content with a delicate insinuation that as protection and allegiance are reciprocal, therefore, the King having put them out of his protection, they would make a few temporary regulations for themselves, till the Provincial Congress should act. That is not the fashion of speech, my countrymen, in that region. They are not afraid to speak out in good, plain, wholesome English, just exactly what they mean; and I am apt to think they know as well what independence means as any set of men on this broad continent. But the instrument of the 30th furnishes other evidence that it was not

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meant as a Declaration of Independence; for it is avowedly to be of force *but for a time;* until the Provincial Congress should direct otherwise "in regulating the jurisprudence of the province." Thus showing, first, that they must have wished a *temporary* independence, if this be their declaration; and, secondly, that the true intent of the document was to "regulate the jurisprudence of the province" merely.

But there is one fact incidentally mentioned in the story of the 19th and 20th of May, which, with a knowledge of the localities, becomes very strong confirmatory testimony. You remember that on the day of meeting, the express arrived with the news of Lexington and Concord. Now, if any one will take the trouble to turn to the 584th page of the 2nd volume of Mr. Lossing's interesting, useful and patriotic field book of the Revolution, he will find there a letter from Richard Caswell, one of the North Carolina delegates to the Continental Congress, an attentive examination of which will show that Governor Caswell, on Sunday, the 1st of May, 1775, met at Petersburg, in Virginia, the express from Massachusetts, bringing the news of the battle of Lexington. We may well believe that the brave men of New England lost no time in communicating to the sister colonies that war had begun. The battle near Boston occurred on the 19th of April, 1775; we will suppose that they sent off tidings on the 20th of April; you must bear in mind that those were not the days of railroads, steamboats, or public conveyances; so you will not be surprised to find that a horseback traveller, making all

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the speed he could, had occupied ten or eleven days in reaching Petersburg. His journey southward would next take him to Halifax, in North Carolina, for thither led then the only mail route. This would occupy him, on horseback, probably six days, which would bring him to the 7th of May. He had then to diverge westward from Halifax to Charlotte, a distance of some hundreds of miles, over a country with bad roads and difficult of travel even now. It would take him in the then state of that country, about twelve days diligent riding to reach Charlotte, and this would bring him to the 19th of May. He could not, at any rate, without criminal loitering—and that, too, when he carried an express—have prolonged his journey from Halifax to Charlotte to twenty-three days, never reaching it until the 30th of May; and yet the testimony shows that he arrived on the day Independence was declared, and that his arrival quickened the declaration. It must then have been made on the 20th; and this is to my mind at least, conclusively proved by the fact that the document of *that* day does distinctly refer in express terms to the slaughter of our northern brethren near Boston, on the 19th of April, (a fact which roused the Carolinians almost to frenzy,) while that of the 30th is *perfectly silent concerning Lexington*—not a syllable in it of this most exciting event.

If the resolves of the 30th were the Mecklenburg Declaration, and if the Carolinians were quickened in making it, by the news of the murder of their brethren at the East, is it not most marvellous that not the

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slightest allusion should be made to the blood-stirring story? I might go further and show how the mistake arose of confounding the proceedings of the 30th with the true Declaration of the 20th; for I discovered among the Revolutionary papers of an ancestor of my own, the document on which the whole error has been founded. It was the proclamation of the Royal Governor, dated after he fled on board one of the armed vessels of the Crown, setting forth among other matters that he had seen published in one of the only two papers in the Colony, certain "resolves of a set of people styling themselves a Committee for the County of Mecklenburg, most traitorously declaring the entire dissolution of this country, and setting up a system of rule and regulation repugnant to the laws and subversive of His Majesty's Government." This document, from the description of it, applied exactly to the resolves of the 30th ult., (setting up a system, &c.) which were printed, and again re-printed in Massachusetts, New York and South Carolina; but had no reference to the short declaration of the 20th, which set up no rules or regulations whatever, and was not printed. It was not printed, because everywhere out of Mecklenburg—even in North Carolina herself—it was thought to be too strong to permit any hope of reconciliation, and it was therefore deemed injudicious to print it then. The resolves were printed, because their chief object was to establish a *temporary government*, and they were valuable as furnishing a model to other counties in the State, which, in point of fact, those counties very soon followed

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After the national declaration the end was gained, and there was no need of printing it; beside which, the men of Mecklenburg were too busy fighting for what had been declared on the 4th of July, to trouble themselves about printing, when they were some three hundred miles from any printing press. It was no time to be discussing the point who first made a declaration of independence; there it was, *made*, and it was their business just to maintain it by hard fighting; but they never forgot in Mecklenburg what they had done, and the whole story, showing the entire popular belief of the country, is told in the homely but expressive answer of a gray-haired old Scotchman, who was present, a youth, at Charlotte, on the 19th and 20th, when the declaration was made, and fought through the whole war of the Revolution.—When asked if he knew anything of the affair, he answered: "*Och aye; Tam Polk declared independence lang before any body else.*"

I pray you pardon me, for having so long trespassed on your indulgent patience. I am lecturing out of my proper place in the course, and have not had time to make my lecture short; let me hasten to the moral of my story. Ye are my countrymen, gathered from all parts of our broad land. Probably the blood of some brave soldier from each one of the glorious old Thirteen, that, with Washington to lead, went through fire to baptize a nation in their blood and to name it FREE, is represented here to-night. There is circling here through our veins the blood of New-England and New York, of Jersey and Pennsylvania,

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brave little Delaware, Maryland, Virginia, the Carolinas and Georgia; and the blood of men from all these once made a common pool on more than one hard fought field. No sound was then heard of sectional feeling, saying I fight for Massachusetts, and I for Virginia, I for Connecticut, and I for California, I for Jersey, and I for Georgia. No, the cry was, We fight for the freedom of *all*—we want no freedom which does not cover *all*—we will have no freedom but for *all*—and have it for *all*, with God's good help, we will, or leave our bones to bleach on the fields of our country. Ah, it is glorious to sit down and turn over the pages of those stirring times, until the heart throbs and the eye waters, and we rise to the full appreciation of the dignity, the sublimity of that purest, most unselfish revolution, recorded in the world's history. Ah! that is the process by which to bring out the true feeling—intensely American. Look back, look back, my countrymen! Oh, how our brave old fathers clung together. Boston was in trouble in 1774. North Carolina expressed her sympathy, and at a cost of £800 sterling, sent to her a vessel loaded with provisions. The town from which it went had but six hundred inhabitants, and the whole colony but one hundred and fifty thousand. Again, hear them after the acts of Parliament leveled against Boston. They speak in their Provincial Congress: "Resolved, That the inhabitants of Massachusetts Province have distinguished themselves in a manly support of the rights of America in general, and that the cause in which they now suffer is the cause of

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every honest American who deserves the blessings which the constitution holds forth to him. That the grievances under which the town of Boston labors at present are the effect of a resentment leveled at them, for having stood foremost in an opposition to measures which must eventually have involved all British America in a state of abject dependence and servitude." These be noble words. Again, hear these same men of Mecklenburg, (of whom I have said so much,) in one of their meetings of 1775: "The cause of Boston is the cause of *all*: our destinies are indissolubly connected with those of our Eastern fellow-citizens, and we must either submit to all the impositions which an unprincipled Parliament may impose, or support our brethren who are doomed to sustain the first shock of that power which, if successful there, will ultimately overwhelm all in the common calamity." These are brotherly tones, and think you the Boston men of that day did not appreciate them? Why Massachusetts had her sons down in Carolina, and the men understood and loved each other. Let Josiah Quincy, the young patriot of Boston, tell the story, for he was the man who could tell it. He was at the house of Cornelius Harnett, the man who drew the resolution in the Provincial Congress, calling on the Continental body for a Declaration of Independence; the man whom Quincy described to his countrymen as "the Samuel Adams of North Carolina." He says, "Robt. Howe, Harnett, and I, made the social triumvirate of the evening." They settled then the plan of "continental

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HARNETT'S HOUSE.

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correspondence," and Quincy went home to tell his countrymen that North Carolina, and indeed all the South, would join Massachusetts in her resistance. The North and the South then felt as brethren; and now, ye sons of the North—ye men with the blood of the dead soldiers and heroes of New England, New York, Jersey, Pennsylvania, coursing through your veins; ye sons of the North, one and all—I stand here with the blood of the Southron in my veins—and I hold out my hand in love to you; our fathers were brethren, and fought side by side, and they comforted each other in death on the battle field, and they loved each other; what should we do? Will ye refuse my offered hand? Oh, no! it cannót be, ye cry—you are our brethren, for we are all children of one household. Aye, and so we be—and so with God's blessing, would we ever be.—And as children of one great household, what should be our conduct? Mutual forbearance and love, and a united resistance to all, come when they may and from where they may, who would sow discord between us. We are a large household; there must be some diversities of opinion; let there, however, be none on this great determination, viz:—that our diversities of opinion shall be so discussed with entire respect for the rights and consciences of each other, and our mutual determination in all honor and honesty to support each other's just rights shall be so fulfilled, that there shall be no discord that can lead to a rupture of family ties.

Paramount to all other matters of interest with us

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just now, is, I apprehend, the determination to do as our fathers did, stand together through life, and if necessary, in death, on the battle field. How near we may be to the need of all our strength, God only knows, but the day is coming when we shall need it. May it find us, when it comes, neither disunited nor unprepared for its approach. The moral of my story, then, is briefly this: that, sprung from fathers who all did well, and manfully acted their parts together, it becomes not us, their sons, either to forget their sufferings and achievements, or to spurn their example. May I not, with becoming modesty, say, in conclusion, for the good old State that has furnished my theme, that, as one of the children of the common household, while treated with respect and kindness, she is exceedingly good natured, and not over ready to take offence when no wrong is meant. She can understand, too, a joke among friends. She is willing the other children of the family, especially the little and the young ones, should (if it will afford their childishness any amusement,) call her "sleepy old Rip Van Winkle." Rip Van Winkle be it then: it is a respectable soubriquet, for it is Dutch, and North Carolina has rather a fancy for Dutch blood, inasmuch as it has never proved itself cowardly: but let me tell you, sleepy as you may think Rip to be, he follows the fashion of his country, and generally sleeps, to use the phrase of his people, "with one eye open." Rip thinks he was wide awake on the 20th of May, 1775, in Mecklenburg—wide awake, when, on the morning of the 27th of February, 1776, he fought the

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loyalists to the number of 1,500, and made a clear field of it, scattering them and crushing their principles throughout Carolina; wide awake on the 12th April, 1776, when he told the Continental Congress to shout out, without fear, *Independence;* wide awake, when, after the war, almost one of his first acts was to found an University; wide awake when he took the lead and ordered the first geological survey of any State in this Union; and above all, wide awake when he saved the money he earned, and so always paid promptly every dollar he owed, from the time he was a freeman, and never had occasion to give his promissory note, much less deny his signature to it afterward; wide awake when he resolved to use a little of his surplus money to show his respect and regard for a very worthy gentleman and friend of his, one Mr. George Washington, and so caused the best sculptor in the world to make a marble image of his departed friend, and had it set up that the children might know what was old Rip's idea of a man. Who would have thought, by the way, that the sleepy old fellow was so full of gratitude and good taste! Really, he does not seem to have been such a drowsy character, after all; and now, go where he is, perhaps he will be lying down, and perchance you will think he is again asleep: but let me tell you, he knows very well all that is going on in the great family household, and how each child is getting on in the world; and he knows, too, something about the families that are of no kin to him; and just whisper to him that you think there are thieves and enemies

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prowling around the old homestead, and he will tell you that he knows it, and you will see him on his feet in an instant; and when he is wanted, there he will be, rifle in hand, with a man's heart and a man's strength, to do all a man's duty; and when he has done it, he will, perhaps, quietly lie down again; and whether he is too sleepy, or whether he is too modest, I cannot say—but so it is, that after he has done all that a man should do, he will be very sure, unless obliged to speak, to say little or nothing about it. Ladies and gentleman, this is Rip Van Winkle. I hope you like him.

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BRITISH INVASION

OF

NORTH CAROLINA, IN 1776,

A LECTURE.

BY HON. DAVID L. SWAIN, LL. D.

DELIVERED BEFORE THE HISTORICAL SOCIETY
OF THE UNIVERSITY OF NORTH CAROLINA,
APRIL 1, 1858.

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British Invasion of North Carolina, in 1776.

THE Lecture delivered before the Historical Society of New York, by the Rev. Francis L. Hawks, D. D., on the 16th December last, on the early history of North Carolina, is devoted mainly to an examination of the questions connected with the Mecklenburg Declaration of Independence. The lecture of Gov. Graham, on the 20th January, after an interesting preliminary dissertation is confined to a single topic, the British Invasion of North Carolina, in 1780–'81. I propose to direct attention to the intermediate period—the Invasion of 1776, and especially to the incidents connected with the battle of Moore's Creek, and the subsequent career of Gov. Martin.

Josiah Martin, the last of the royal Governors of North Carolina, entered upon the duties of his office on the 11th of August, 1771. He is said to have been an Englishman by birth. His brother Samuel was a member of the British Parliament, who, taking offence at personal allusions, in one of the numbers

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of the North Briton, challenged John Wilkes, the famous author of that paper in 1763. A duel ensued, in which the former was wounded. The Governor was, himself, probably, a North Briton, in feelings, and associations; and this fact may have aided him to some extent in acquiring the commanding influence which he subsequently exercised over the highland clans in North Carolina. He was a man of talent, tact and energy, and these qualities were improved by military experience and skill. He had attained the rank of Major in the British service, and his military bearing was rendered more impressive by bland and conciliatory manners. Fort Johnston was burned by the militia under the command of Col. John Ashe, on the 18th July, 1775; and on the following day, Gov, Martin is supposed to have taken refuge on board the Cruiser, sloop of war. From the period of his abdication, all our historians seem to lose sight of him. Williamson, Martin and Jones relate with sufficient fulness and accuracy the leading incidents in his previous history, but neither seems to have suspected that he had any considerable connection with subsequent events.

It is my purpose to show that the plan of the campaign of 1776, was not merely suggested by him; but that the entire system of operations for the reduction of North Carolina, until the retirement of Cornwallis, in May 1781, was prosecuted to some extent under his immediate supervision. The entire omission on the part of all the historians of the revolution, who have fallen within the range of my observation,

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to present even an outline, of the most important events which occurred within our limits, in the early part of the contest, imposes upon me the necessity before entering further upon my narrative, of explaining the causes of this seeming neglect, and intimating the sources from which I derive the evidence by which I expect to sustain the position I have assumed.

On the 30th April, 1819, the Raleigh Register, at the instance of the late Col. William Polk, first directed public attention to the Mecklenburg Declaration. On the 9th July thereafter, Thomas Jefferson in a published letter to John Adams, called in question the authenticity of this paper. In 1831, the Governor of North Carolina, (Montfort Stokes) in obedience to a resolution of the General Assembly, reaffirmed the authenticity of the controverted document, and published all the evidence that could then be obtained in support of it. The leading objection of Mr. Jefferson, however, was not answered. "This gigantic step of the county of Mecklenburg" was proved by no contemporaneous record, was noticed by no historian of North Carolina, or the adjacent States, and had never until then, found its way even into the newspapers. "When Mr. Henry's resolutions, (said Mr. Jefferson) far short of independence, flew like lightning through every paper, and kindled both sides of the Atlantic, this flaming declaration of the same date, of the inpendence of Mecklenburg county, of North Carolina, absolving it from the British allegiance, and abjuring all political connection with that nation, although sent to Congress too, is never heard of." The living,

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positive, witnesses who avouched the fact of the declaration, were numerous and respectable; but in the absence of written contemporaneous evidence, had there been no subsequent developments, the issue, out of North Carolina, would, probably have been decided against us. Shortly after the appearance of the State pamphlet however, Peter Force discovered in an English periodical a proclamation issued by Gov. Martin on board his Majesty's ship Cruiser, in Cape Fear on the 8th August, 1775, from which he copied and published the following extract: "And whereas, I have also seen a most infamous publication in the Cape Fear *Mercury* importing to be resolves of a set of people, styling themselves a committee for the county of Mecklenburg, most traitorously declaring the entire dissolution of the laws, government and constitution of this country, and setting up a system of rule and regulation, repugnant to the laws and subversive of his majesty's government, &c." This publication was followed in a very few months by the discovery in the town of New Berne, of the proclamation book of Gov. Martin, the original record, not only of this, but of all the proclamations issued during his administration. This book was delivered by the discoverer, the Rev. Dr. Hawks, to the Governor of the State, and is now among the public archives, in the office of the Secretary of State.[1]

[1] How came this book which Governor Martin carried with him in his flight first to Fort Johnston and then to the Cruiser, in the Cape Fear River, in July 1775, to be found in New Berne in 1833? Did the Governor remain with Maj. Craig when Lord Cornwallis marched to Virginia, and

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Shortly subsequent to the discovery of the record referred to, Jared Sparks, while engaged in historical investigations in London, found in the State paper office, an original letter from Governor Martin to Lord Dartmouth, dated "North Carolina, Fort Johnston, 30th June, 1775," from which he copied the following paragraph: "The resolves of the committee of Mecklenburg which your Lordship will find in the enclosed newspaper, surpass all the horrid and treasonable publications, that the inflammatory spirits of this continent have yet produced; and your Lordship may depend, its authors and abettors will not escape my notice, whenever my hands are sufficiently strengthened to attempt the recovery of the lost authority of government. A copy of these resolves, I am informed, was sent off by express to the Congress at Philadelphia, as soon as they were passed in the committee." Mr. Sparks states that the newspaper alluded to, unfortunately could not be found in the office.

accompany the former on his expedition to New Berne in August '81? In January 1775, he had buried there his son Samuel, a promising boy, the idol of his parents, and a favorite with all who knew him. (Gov. Burke's Letter Book, p. 8.) Other influences than considerations of policy, may in connection with the latter, have impelled a return to the Palace, where amidst extinguished hopes, still lingered the melancholy attractions of the grave.

The history of the Order Book of Lord Cornwallis, containing all the entries made during each day's march, until he reached Deep River, on the 20th March, 1781, is not less mysterious. It was found a few years since, among the papers of William Hooper, the signer of the Declaration of Independence, by his grandson, the Rev. Dr. Hooper, and is now in our archives.

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Governor Martin on his hasty abdication, probably carried with him all the records that were immediately accessible. There were at that time but two newspapers published in the province—the North Carolina Gazette, at New Berne, and the Cape Fear Mercury, at Wilmington. On the 30th January, 1775, Adam Boyd entered into a contract with the Wilmington committee to resume the publication of the latter, ("some time ago laid aside") and continue it for a year. The precise period at which James Davis discontinued the Gazette, has not been ascertained, but the prospectus of the North Carolina Gazette or Impartial Intelligencer and Weekly General Advertiser, the first number of which was published at New-Berne on the 29th August, 1783, discloses the fact that "no newspaper had been published in North Carolina for several years last past." There were four printing presses in operation at different times during the revolution, one at New Berne, another at Halifax, a third attached to the army of Lord Cornwallis, and a fourth designed to disseminate the counter proclamations and manifestoes of Gen. Greene.[1] We have in our archives the first volume of newspapers published in North Carolina, (in 1764) and the first political pamphlet[2] which is known to have issued from

[1] See Appendix A.

[2] "Justice and policy of taxing the American colonies in Great Britain, considered; wherein is shewed that the colonists are not a conquered people;—that they are constitutionally entitled to be taxed only by their own consent; and that the imposing a stamp-duty on the colonists, is as impolitic as it is inconsistent with their rights. *Non sibi sed patriæ.* By Maurice Moore, Esquire. Wilmington, N. C., printed by Andrew Stuart, and sold at his office, near the Exchange, 1766."

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our press, but there is not a single revolutionary newspaper, pamphlet or hand-bill on our files, with the exception of the laws and journals of the General Assembly. There is probably none in existence, and the copy of the Cape Fear Mercury transmitted by Gov. Martin to Lord Dartmouth and lost from the file in the State paper office, is probably the only revolutionary North Carolina newspaper any portion of the contents of which it is now possible to ascertain.

We possess copies in a pretty good state of preservation of all the acts of the General Assembly, passed and printed during the revolution. The pamphlet containing the enactments of October session, 1799, consists of 34 pages, 16 small folio, the remainder in quarto. The continued scarcity of paper in 1781 and in 1782, compelled the public printer to adopt a similar arrangement. Even writing paper was not always at the command of men in high official station. In 1776, General Rutherford entreated the council of safety to hasten a supply of powder to Rowan, to enable him to march against the Cherokees, and with it a quire of paper, on which he might write his dispatches. In 1782, General Butler of Orange, urges a similar request upon Governor Burke.[1]

With these facts before us the absence of contemporaneous evidence, either written or printed, in relation to the Mecklenburg Declaration of Independence,

[1]The acts passed in June, 1781, are comprised in a pamphlet of 20 pages, 16 folio, 4 quarto without title page or imprint, and seem to have been distributed in the ratio of one to each county. See the closing paragraph of Gen. Butler's letter of 10th of August, '81 to Gov. Burke—ante p. 83.

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ceases to be matter of surprise. I have entered into these minute details, however, not merely for the purpose of explaining the causes of the mystery and obscurity in which this remarkable event in our history has hitherto been involved, but to prepare you for the tedious and pains-taking investigation upon which we are about to enter.

Whilst the war was in progress, the tory leaders of course communicated only with Gov. Martin or his confidential agents, and when it was over, and life no longer dependent upon secrecy, the fear of disgrace was a sufficient motive for silence.

For facts and illustrations then, in relation to this portion of our history we must turn to unpublished records and manuscripts, here and elsewhere, to contemporaneous publications in the sister States, and especially to the records, magazines and newspapers of the mother country. Many of these sources of information will in due time be opened to us, in the immense and invaluable repository of facts, in relation to the whole range of American history, now in the course of publication under the patronage of the general government by Peter Force.[1]

Whether the design in removing Governor Tyron to New York, was to reward him for the vigor and ability with which he had maintained the royal cause during the commotion occasioned by the stamp act, and the subsequent war with the Regulators, or to make room for a successor better suited to the pecu-

[1] See Appendix B.

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FRONT VIEW OF TRYON'S PALACE

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liar condition of things in North Carolina: the measure was evidently a wise one. Gov. Tyron was not a favorite with any considerable portion of the population. He was disliked by the leading men upon the Cape Fear, and was the great object of aversion and dread to the Regulators. Gov. Martin on the other hand was able to adopt measures of conciliation, especially by a judicious exercise of the pardoning power, and of this advantage it will be seen he availed himself promptly and dextrously.

The bond of nuion between the Regulators and the Highlanders and the consequent almost universal support yielded by both parties to the royal government, are subjects of interesting enquiry, but not, we think, of very difficult explanation. There was the sympathy produced by the sense of common oppression and suffering, and a common apprehension of future punishment for past offences. There was the additional tie of deep seated devotion to Prince Edward upon the part of the Highlanders, and a decided preference for him, to the reigning monarch, on the part of the Regulators. This is shown with respect to the Regulators by the most prominent fact set forth in Gov. Tryon's proclamation of the 18th October, 1770. The series of outrages perpetrated at Hillsborough on the preceding 25th September in audaciously attacking his Majesty's associate justice in the execution of his office and barbarously beating and wounding several other persons, concludes with an averment of the crowning enormity of "drinking damnation to their

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lawful sovereign King George and success to the Pretender.[1]

The Regulators, though now arrayed on the side of the King, were nevertheless in opposition to Ashe, Caswell and Waddell and the other popular leaders whom they encountered at Alamance. A portion, too, of the Highlanders were probably themselves Regulators, and others may have sympathized with them. A much wider range of country seems to have been under the influence of this political party, than is ordinarily supposed. The spirit which animated it may be traced in events which occurred about this time in Halifax, Bute[2] and Granville, while it maintained a decided ascendency in Orange, Randolph, Guilford, Surry and the contiguous portion of Rowan. In Anson, from which the present county of Richmond had not then been separated, the manifestations were about as early and nearly as violent as in Orange. Waightstill Avery, the first Attorney-General after the revolution, having just obtained a license to practice law from Governor Tryon, was sworn as an Attorney at the April term, 1769, of Anson Superior Court. Here he became acquainted with Major John Dunn, Colonel Samuel Spencer and Captain Alexander Martin, the first named a prominent tory, and the two latter leading whigs in subsequent times. His diary records the fact that these gentlemen informed him that on the evening previous to his arrival, (11th April,) "a set

[1] Supplement to the Cape Fear Mercury, No. 48, Oct., 1770.
[2] Now Franklin and Warren.

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of banditti who styled themselves Regulators brought a large quantity of hickory switches to menace the clerk of the court—Coloner Spencer; and flogged his writer."[1] This occurrence was nearly eighteen months previous to the great Hillsborough riot which called forth the proclamation of Governor Tryon.—How much further the spirit of the party may have been disseminated in the direction of the Scotch settlements, and to what extent the Highlanders had passed the boundaries of Anson, it may not be very easy at the present day to determine. That a very intimate union existed between these clans and the Regulators, from the Cape Fear to the extreme western settlements bordering on the Blue Ridge, within a short time thereafter, is clearly ascertained. Governor Martin's ascendency over both parties is every where manifest. A letter from the Earl of Dartmouth to the Governor, dated White Hall, May 3, 1775, reveals the spell which bound the Regulators to the throne. "Your letters of the 26th January and 10th of March, numbers 27 and 28, the latter of which I received only yesterday, contain matters of very great importance. The addresses from the four counties of Guilford, Dobbs, Rowan and Surry, breath a spirit of loyalty to the King, and attachment to the authority of Great Britain which cannot be too much encouraged, and it will be necessary that you lose no time in acquainting the inhabitants of these counties, that these testimonies of their duty

[1] Colonel Avery's MSS. Diary in our archives.

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and affection have been most graciously received by his Majesty; that his Majesty will not fail to afford them those marks of his royal favor, which such a meritorious course of conduct appears to deserve, and that as soon as the necessary forms will admit, his Majesty's clemency towards the insurgents in 1770, will be extended by a proclamation of general pardon, to all except Herman Husbands." He directs him to proceed immediately, through the agency of respectable persons to organize associations in each of these counties for the support of government. He hopes it will be possible to avoid the fatal necessity of drawing the sword, but nevertheless deems it proper to prepare for every emergency. To this end he authorizes him to hold out to gentlemen in these counties, the prospect of commissions suitable to their rank and station. He states furthermore that he has his Majesty's commands to direct General Gage, upon the Governor's application, "to send some able and discreet officer, to lead the people forth against any rebellious attempts to disturb the public peace."[1]

We have in this dispatch the earliest intimation of the first measure adopted in the plan of the campaign of 1776, the history of which, we now begin to trace, and to develop, step by step.

Governor Martin was able and indefatigable, but evidently credulous and sanguine. He had persuaded himself, and in due time succeeded in convincing the home government, that the authors of these ad-

[1] Am. Arch., 4th series, vol. 1st, p. 476.

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dresses spoke the sentiments of a decided majority of the people of the province. He travelled extensively and mingled freely with the inhabitants of the more populous counties, and especially in the highland settlements. A very large proportion of the monied capital, a much more potent instrument then than at the present day, was wielded by Scotch merchants, who had establishments in all the more important counties. At the head of this interest was John Hamilton, of Halifax, who is in due time to claim our attention in a more imposing position.

In May, 1774, Governor Martin spent ten days in that town on his way to select a summer residence in the county of Bute, and is supposed to have passed a considerable part of the summer there on his return.[1] He had secret adherents, moreover, in the ranks of the professedly most ardent of the whigs. Among these may be particularized Farquard Campbell and Thomas Rutherford, men of wealth, character and influence in the county of Cumberland. They were members of the first provincial convention, which met at New Berne, on the 25th of August, 1774, and appointed William Hooper, Joseph Hews and Richard Caswell delegates to the first Continental Congress. They were members of the second Provincial Convention which met at the same place. On the 3d of April, 1775, they both signed the articles of American Association, and united in the vote denouncing the "equivocal conduct" of Thomas Macknight,

[1] Andrew Miller to Governor Burke. Letter Book.

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a member from Currituck, in withholding his signature, and in holding him up "as the proper object of contempt to this continent." They were members of the first Provincial Congress in August, 1775, at Hillsborough, and of the second, which met at Halifax, 4th April, 1776. On the 12th of that month they voted for the Resolution instructing our delegates in the Continental Congress, to declare independence. Before the meeting of the third Provincial Congress, they were both in confinement at Halifax, as prisoners of war.[1]

Royal governors, like their royal masters, are frequently in perilous times, in situations not the most favorable for the ascertainment of truth, and it is not very surprising that a gentleman of Governor Martin's temperament, should from the evidence before him, and the influences by which he was surrounded, have greatly over estimated the strength of the loyalists. With the exception of Georgia, all the English writers of the day concur in the opinion, that the adherents of the crown were more numerous in North Carolina, than in any other province, and there is ample evidence, that the opinion was confidently entertained by the government in the autumn of 1775, that a respectable naval and military armament, sent to the aid of Governor Martin, would not merely restore him to his lost authority, but insure the speedy subjugation of all the southern provinces. The selection of an "able and discreet officer," to unite and

[1] See Journal Third Provincial Congress, Am. Arch. Vol. 6, p. 63.

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lead the Highland clans and the Regulators became an object of momentous importance and concern.

Among the emigrants to the Cape Fear, about the close of 1773, was Allan McDonald, of Kingsborough, the husband of the chivalrous Flora. She was no longer young, but independently of the historic fame which she had even then achieved, was eminently fascinating and attractive. The great giant of English literature, Dr. Johnston, was her guest in September of that year, occupied the room and slept in the bed which had given shelter and repose to the fugitive Stuart, and there is obviously no incident in his personal history, to which he referred more frequently or with greater pride and pleasure. We have his assurance, that her name will be mentioned in history, and if courage and fidelity be virtues, mentioned with honor. He describes her as a woman of middle stature, soft features and elegant presence, and in a subsequent letter to Mrs. Thrale, as of "pleasing person and elegant behaviour." He adds, that she and her husband are poor and going to try their fortune in America. She is understood to have married at twenty-four, and must then have been about forty-five years of age. Her husband was probably something older.

Boswell represents him to have been the *beau ideal* of a Highland chieftain, exhibiting "the graceful mien and manly looks which the popular Scotch song has attributed to that character. He had his tartan plaid thrown about him, a large blue bonnet with a knot of blue ribbonds, like a cockade, and brown

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coat, of a sort of duffil, and tartan waistcoat with gold buttons and gold button holes, a bluish philibeg and tartan hose. He had jet black hair, tied behind, and was a large, stately man with a steady, sensible, countenance." A son born in 1759, accompanied them in their emigration to North Carolina, who was in all respects worthy of his lineage and destined to attain celebrity, in arms, letters and science.[1]

High as his pretensions seem to have been, however, Allan McDonald was not "the prudent and discreet officer," selected by Gen. Gage to lead the united bands of Regulators and Highlanders.

Towards the close of the year 1775, as we learn from the account of the proceedings of the American Colonists in the Gentleman's Magazine for June 1776, two Scotch officers, Messrs. McDonald and McLeod passed through New Berne. "They were suspected of some sinister designs and questioned by the provincials concerning their business. They pretended they were officers who were wounded at Bunker's Hill, and had left the army with a design to settle among their friends."[2]

On the 10th day of January, 1776, Governor Martin from on board his Majesty's ship Cruiser, in Cape Fear River, issued a proclamation, denouncing the unnatural rebellion then existing, declaring his determination "to erect his Majesty's royal standard, and to collect and unite his Majesty's people under the same," tendering forgiveness of all past offences,

[1] See Appendix C.
[2] p. p. 231-2.

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"even admitting they have taken up arms," to all those who would now join heart and hand to restore the Government.[1]

On the same day he issued a commission[2] to Allan McDonald, Donald McDonald, Alexander McLeod, Donald McLeod, Alexander McLean, Allen Stewart, William Campbell, Alexander McDonald and Neill McArthur, Esqs., of the counties of Cumberland and Anson;—John Pile, Esq., of the county of Chatham; William Fields, James Hunter, Robert Fields, Jeremiah Fields and Saymore York, Esqs., of the county of Guilford; Michael Holt and James Munroe, Esqs., of the county of Orange; Paul Barringer,[3] of the county of Mecklenburg; William Spurgian, William Bryan, Samuel Bryan and Mathias Sappingfield, Esqs., of the county of Rowan; Gideon Wright and James Glynn, Esqs., of the county of Surry, and Philemon Hawkins,[3] Senior, and Philemon Hawkins,[3] Junior, Esqs., of the county of Bute, authorizing them to erect the King's standard and to raise, levy, muster, and array in arms all his Majesty's loyal and faithful subjects within their respective counties.' They were directed to form the forces so raised into

[1] Am. Arch. 4th Series, vol. iv, p. p. 980–'1.

[2] Idem p. p. 981–'2.

[3] These gentlemen were sturdy and well-tried Whigs throughout the Revolutionary war. Governor Martin may have been misinformed in relation to them, or may have inserted their names in order to render them objects of suspicion, and strip them of their influence among the Whigs. The first named was made a prisoner by the tories, and suffered a long confinement within the British lines at Camden, S. C. See Wheeler's Histor. Sket., vol. ii, p. 67. For information in relation to the latter, see idem, vol. i, pages 59, 78, 86,—vol. ii, p. 426. Similar injustice may possibly have been done to others.

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companies of fifty men each, and to appoint one captain, one lieutenant and one ensign to each company.

Precisely when, where, and to what extent copies of the proclamation and commission were disseminated, it is of course impossible now to ascertain. On the 10th February, 1776, however, John Reynolds, of the county of Rowan, made oath that he had heard these papers read in the camp of William Fields, "and that he heard from the officers and men declared, free plunder, wherever they went." Rowan was then a frontier county, and the union, it seems, between the Highlanders and Regulators was already perfect from the sea-coast to the mountains.

Allan McDonald was the first named in the commission, but the manifestoes issued by Donald McDonald, the first without date, the second on the 5th February, reveal the fact that His Excellency Brigadier General Donald McDonald, is commander of His Majesty's forces for the time being in North Carolina. These papers, like the former, are shown by the same witness to have been read on Tuesday, the 5th of February, in Field's camp at Dillos by William Spurgian.[1]

As early as the 24th June of the last year, in a letter from Fort Johnston, to Lewis Henry DeRossett,[2] a member of his council, Governor Martin had admitted that "nothing but the actual and declared

[1] Am. Arch. 4th Series, vol. iv, p. 983.

[2] Idem, vol. iii, p. 8.

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rebellion of the King's subjects, and the failure of all other means to maintain the King's government would justify the giving encouragement to slaves to revolt against their masters." This actual and declared rebellion now existed, and on the second of December, John Hancock, the President of the Continental Congress, notified Gen. Washington that Lord Dunmore had erected the royal standard at Norfolk, proclaimed martial law, offered freedom to the negroes, and invithem to join him.[1] To one hundred and twenty regular troops, Lord Dunmore joined a number of tories and negroes with his force, he marched to the Great Bridge in the County of Nansemond where he entrenched himself, waiting the success of emmissaries whom he had sent into the district of Edenton, to tempt the slaves in the northern counties to seek refuge under the royal standard, with the hope of freedom.[2]

The Blue Ridge was at this time the dividing line between North Carolina and the Cherokees. The tribe was represented by Col. Drayton as numbering more than two thousand warriors; John Stuart was the royal agent and Alexander Cameron his principal deputy. A letter from the latter to General Gage,[3] intercepted in June, 1775, states that Stuart's interest with the Indians was much greater, and that he was more beloved by them than any other man. The writer remarks, nevertheless, that he had the vanity to sup-

[1] Am. Arch. vol. iv, p. 155.
[2] Martin's N. C. vol. ii, p. 330.
[3] Am. Ar. 4th series, vol. ii, p. 112.

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pose that he could himself head any number he thought proper, whenever called upon, in support of his Majesty's government. Both these persons were Scotchmen, and their names are found among some of the most influential Highlanders upon the Cape Fear. Before the middle of August, substantial evidence was afforded that Cameron's was no empty boast, though the storm did not burst upon the frontiers until the 5th June in the following year.

At the time, then, that Governor Martin issued his Proclamation declaring the existence of an unnatural rebellion within the province, and dispatched his commission to leading men, in a continuous chain of counties, from Cumberland to Rowan, urging them to erect the royal standard, and meet him at Brunswick, on the 15th February;—Lord Dunmore was in force upon our northern border;—Sir Henry Clinton, destined to the chief command with the Mercury, King Fisher, two or three tenders and four companies of troops was on his way from New York; Lord William Campbell, in the Syren, was expected from South Carolina, and Sir. Peter Parker, had sailed from Portsmouth with a squadron of two frigates, eight sloops, a schooner, and a bomb-ketch, with seven regiments of troops on board, under the command of Lord Cornwallis. The train was laid, and it would seem that Governor Martin had merely to apply the match and kindle a *civil*, a *savage* and a *servile* war from Virginia to South Carolina, from the Atlantic to the Alleghanies.

Had no unforeseen causes occurred to defeat the op-

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eration of this well planned campaign, the early subjugation of North Carolina, and of all the Southern States would, humanly speaking, seem to have been inevitable. But there is a God that ruleth in the affairs of men. Sir Henry Clinton, commander-in-chief, did not clear the capes of Virginia until the 26th February. A six weeks' voyage would have placed Lord Cornwallis upon our shores, by the day appointed for the rendezvous of the Regulators, and the Highlanders at Brunswick. But the season was stormy, the voyage a long one, and Admiral Parker, did not arrive at the mouth of Cape Fear until the beginning of May. Five years thereafter, in the month of February, 1781, a sudden rise of the waters, first in the Yadkin and next in the Dan, twice saved the retreating army of Greene from the same Cornwallis. He led from Ireland on this occasion, a more powerful army than that with which he won the fatal triumph, the victorious defeat at Guilford.

But in the mean time the battle of Moore's creek had been fought. It is not my purpose to refer, except in general terms, to the events of the battle-field. The pen of English history has never been guided by an abler or more impartial hand than that of Edmund Burke, and his brief account, evidently framed from materials, at that time inaccessible to any one on this side of the Atlantic, is the most comprehensive and accurate that has fallen under my observation.[1]

The consequences of this victory have, from causes

[1] See Appendix D.

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rendered I trust sufficiently obvious by the preceding narrative, never been duly appreciated. The State and the nation owe a debt of gratitude to the victorious leaders, Caswell, Lillington and Moore, which will be more clearly comprehended and deeply felt in subsequent times than at present. Strange to say, even the official accounts, though on file in the Secretary's office, have to this day never been printed in the State of North Carolina. The brief despatch of Caswell, and a considerable extract from the report of Moore, may be found in the fifth volume of the American Archives.[1] But there is no other work, to which I am able to direct the attention of the enquirer, for the official report of this brilliant achievement. Indeed, it is supposed that an entire copy of General Moore's letter has never until now been printed.

That our troops should have gained a victory at all, under the circumstances in which the parties were placed, was upon all ordinary principles of calculation most extraordinary. The entire force under the command of Caswell and Lillington did not exceed a thousand militia and minute men. Burke states that the royal force was estimated at from fifteen hundred to three thousand and that the latter number was admitted by the commanding general after his defeat. Stedman the commissary of Lord Cornwallis, who accompanied him in the campaigns of 1780 and '81, estimates McDonald's force at eighteen hundred. Neither Caswell nor Lillington had seen previous service. McDonald and Mc-

[1] See Appendix B.

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Leod were veteran soldiers, had fought with reputation at Culloden, and must from this cause have had strong claims upon the admiration and affection of their countrymen. The dreaded claymore of the Highlander, and the unerring rifle of the mountaineer, were in the hands of men thirsting for renown and for vengeance. Flora McDonald, her husband at the regiment, and her only son, a lad of seventeen, a captain, is understood to have urged her countrymen to the field. Stedman attributes the fortunes of the day to the extraordinary energy and skill exhibited by the provincial commander and "great division in the councils of the loyalists."[1]

Allan McDonald it will be remembered was the first named in the commission to erect the royal standard, while not only Donald McDonald, but Col. McLeod took precedence in the field. Can it be that the preference of the new comers over the old settlers, the immediate friends of the pretender, and the husband of Flora, gave rise to this fatal dissension?[2] General McDonald was not in the action, but confined to his bed with dangerous illness at a house eight miles distant. McLeod, the actual commander, fell while rushing impetuously at the head of the column, at the first fire.

[1] American War, vol. i, p. 180.

[2] It is stated on the authority of Sir Walter Scott, that the McDonalds always laid claim to be placed on the right of the whole clans, and that those of that tribe assigned the breach of this order at Culloden, as one cause of the loss of the day. The McDonalds placed on the left wing, refused to charge and positively left the field unassailed and unbroken.—Boswell's Johnson, vol. i, p. 472.—note.

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The victory was not only decisive but overwhelming: fifteen hundred rifles, all of them excellent pieces; three hundred and fifty guns and shot bags; one hundred and fifty swords and dirks; two medicine chests immediately from England, one valued at three hundred pounds sterling, thirteen waggons with complete sets of horses, a box of Johannes and English guineas, amounting to fifteen thousand pounds sterling, and eight hundred and fifty common soldiers, were among the trophies of the field.[1]

In addition to the highland chieftains, Col. Thomas Rutherford of Cumberland, Capt. John Piles, the unfortunate victim of Lee and Pickens, in 1781, and four persons of the name of Fields of the county of Guilford, all of them familiar as persons authorized to erect the royal standard in their respective counties, were among the prisoners.

The victory was won on the 27th February. On the 5th March the provincial council, communicated Col. Caswell's letter, written the day after the battle, to the President of the continental Congress. The council after stating the measures which had been adopted to secure the persons and estates of the ringleaders among the Highlanders and the Regulators, take occasion to assure the Continental Congress that they have every thing to hope from the vigilance, skill and activity of the officers and the patriotism and courage exhibited by the men upon this occasion, that a noble ardour pervaded all classes, insomuch, that in less than a fortnight, nine thousand and four hundred men and upwards were embodied and on their march

[1] Am. Ar. 4th series, vol. v, p. 63.

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to meet the enemy, and that more might have been raised if it had been necessary.[1]

The following extract of a letter from a gentleman in North Carolina, dated April 17th, 1776, (probably a misprint for the 7th,) may be found in the 5th vol. 3d series of the American Archives, p. 959.

"I arrived here after a tedious journey. As I came through *Virginia*, I found the inhabitants desirous to be independent from *Britain*. However, they were willing to submit their opinion on the subject to whatever the general Congress should determine. *North Carolina* by far exceeds them, occasioned by the great fatigue, trouble and danger the people here have undergone for some time past. Gentlemen of the first fortune in the province have marched as common soldiers; and to encourage and give spirit to the men, have footed it the whole time. Lord *Cornwallis* with seven regiments is expected to visit us every day. *Clinton* is now in *Cape Fear* with Gov. *Martin*, who has about forty sail of vessels, armed and unarmed, waiting his arrival. The Highlanders and Regulators are not to be trusted. Gov. *Martin* has coaxed a number of slaves to leave their masters in the lower parts; every thing base and wicked is practised by him. These things have wholly changed the temper and disposition of the inhabitants, that are friends to liberty, all regard or fondness for the King or nation of *Britain* is gone; a total separation is what they want. Independence is the word most

[1] American Ar. p. 60.

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used. They ask if it is possible, that any colony after what has passed can wish for a reconciliation? The convention have tried to get the opinion of the people at large. I am told that in many counties there was not one dissenting voice. Four more battallions are directed to be raised which will make six in the province."

Within five days from the expression of these opinions, viz: on the 12th of April, the Provincial Congress, resolved unanimously, "that the delegates for this colony in the Continental Congress be empowered to concur with the delegates of the other colonies in declaring independency and forming foreign alliances."[1] On the following day it was "resolved that the thanks of this Congress be given to Col. Richard Caswell and the brave officers and soldiers under his command, for the very essential service by them rendered this country at the battle of Moore's Creek.

Admiral Parker arrived about the first of May. On the fifth Sir Henry Clinton issued his proclamation, from on board the Pallas, declaring that a rebellion existed, denouncing all committees, and congresses, but offering free pardon to all who would lay down their arms and submit to the laws, excepting only Cornelius Harnett and Robert Howe.[2]

On the following Sunday, between two and three o'clock in the morning, nine hundred troops under the command of Lord Cornwallis, landed upon the plantation of General Howe, in the county of Bruns-

[1] American Arch. vol. v, p. 1322.
[2] American Arch. 5th series, vol i, p. 467.

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wick, and were foiled in an attempt to surprise Major Davis stationed at the mill at Orton, with about one hundred and fifty militia. They burned the mill, ravaged General Howe's plantation, carried off a few bullocks and returned to their transports with the loss of two men killed, a prisoner and several wounded. Governor Martin was received on board the flag ship of the squadron, and this powerful armament from which so much had been expected, was by the close of the month under way to experience further disappointments and more signal disasters in South Carolina.[1]

That the plan of this campaign in all its details had been prepared and suggested by Governor Martin may be fairly inferred from the evidence before us. The extent to which he may jusily be considered responsible for its failure, it is not in the present state of our historical information so easy to determine. Why were the Regulators required to traverse the State from the mountains to the Seaboard and rendezvous with the Highlanders at Brunswick?—With a strong naval force at the mouth of the Cape Fear, the great central river of the State, Sir Henry Clinton might have advanced into the interior, with an absolute certainty of receiving large accessions to his numbers at every stage of his progress. The Whigs were comparatively numerous on the Roanoke,

[1] Am. Arch. 4th series, vol. vi., p. 432. See letters of Lord Dartmouth to General Howe, Sept. 15th, 1775, American Ar., vol. iii., 4th series, p. 714. Oct. 22d, p. 1,135, and Nov. 8th, p. 1,400.

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the Tar and the Neuse, and the counties between the Catawba and the Yadkin were the most rebellious in America, but there is no doubt that from this time down to the close of the Revolution a decided majority of the population between the Pedee and Cape Fear, in North and in South Carolina, from the Seaboard to the mountains, was disaffected.[1] The intimation of Governor Martin, of a willingness in any extremity to arm the slaves against their masters, excited a storm of indignation which drove him from the Palace to seek shelter under the guns of Fort Johnston. The allegation of a similar threat, by Captain Collet, the commander of the garrison, reduced both of them to the necessity of hastening to an armed vessel in the river, and they were scarcely on board when the dismantled fortress was reduced to ashes.[2] The Governor may have supposed that some imposing demonstration of power was necessary to redeem him from the obloquy incident to ignominious flight. A triumphant restoration to his authority upon the part of the citizens of the province, with a squadron of fifty vessels on the coast, in the presence of the numerous and well appointed army commanded by Sir Henry Clinton, he may well have supposed, would exert a great moral influence, not merely in North Carolina, but throughout the continent. The defeat of McDonald dispelled this glorious illusion.—The astounding fact, asserted by the provincial Con-

[1] University Magazine, vol. i, p. 184.

[2] Martin's N. C., vol. ii, p. p. 354–6.

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gress and admitted by Burke, that the province previously considered so weak and so divided, was able in less than a fortnight to bring ten thousand men into the field,[1] may have lost Governor Martin, the confidence of Sir Henry Clinton and Lord Cornwallis, and induced them to yield to the importunities of Lord William Campbell and direct their energies to the sister province of South Carolina, as a more promising field for adventure.

Judge Martin, the historian of North Carolina, computes the population of the Province at this time, at one hundred and fifty thousand, one-fifth of whom were slaves, and the population of New Berne, the most populous town, at six hundred.[2] It is evidently an under estimate. It has not been usual for writers, at home or abroad, in ancient or modern times, to overrate us. Even the framers of the Constitution in 1787, assigned us five members in the House of Representatives and gave the same number to South Carolina. The census of 1790, placed us in the relative ratio of eight to five. Our aggregate population was probably two hundred and ten thousand; of these, seventy thousand may have been slaves. The number of free white males, between the ages of sixteen and fifty, including tories, quakers and other non-combatants, was less than thirty-five thousand. Sir Henry Clinton might well distrust the hopes of Governor Martin, and retire cautiously from a people, whose

[1] Ann. Reg. 1776, p. p. 156–8.

[2] Vol. ii, p. 395.

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Committee at Mecklenburg had declared the entire dissolution of the laws, government and constitution, in language surpassing all the horrid and treasonable publications that the inflammatory spirits of the Continent had yet produced; whose Provincial Congress, in anticipation of all the other States, had declared for independence, and nearly one-third of whose fighting men were already in the field, flushed with victory and anxious for more decisive combat.

Governor Martin probably availed himself most reluctantly of Admiral Parker's invitation to accompany him in the Flag ship of the retiring squadron. However this may have been, a train of subsequent events shows that he had no idea of yielding up his government to ungrateful rebels. A very brief reference to the leading incidents in his subsequent career will close our notice of him and of our subject. Where he was, or how employed during the five years which succeeded his departure from our coast, about the last of May, 1776, we have not at present the means of ascertaining. In the intervening period a sad change had come over the affairs of North Carolina and the entire South.

At the very moment the enemy was menacing us with invasion, on our southern borders, Howe, with one of our battalions, was assisting in driving Lord Dunmore from Virginia. The very first letter received by Governor Caswell, on his accession to office, was a very brief dispatch from Governor Rutledge, dated 6th November, 1776, imploring immediate aid

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in behalf of South Carolina.[1] In the following year the heroic Nash fell at Germantown. In March, 1779, General Ashe, at the head of a large body of our militia, sustained disastrous defeat at Brier Creek, in Georgia. On the 20th February, General Lincoln retired from the seige of Savannah, and on the 12th May, 1780, surrendered our continental battalions and a thousand militia at Charleston.[2] The two great commercial marts in the South were now British garrisons, and the States of Georgia and South Carolina conquered provinces. Lord Cornwallis at the head of a gallant army, but inferior in numbers to that which accompanied him to our shores in 1776, now proceeded to the second invasion of North Carolina. The premonitory symptoms of his approach soon began to be exhibited within our borders.

On the 9th of June, as we learn from Gen. Graham's account of the battle of Ramsour's Mills, John Moore, a native of the county of Tryon, who had left the neighborhood the preceeding winter, returned and announced himself to his old friends as Lieut. Col. of the North Carolina regiment of loyalists, commanded by Col. John Hamilton. A few days afterwards Nicholas Welch made his appearance, clad in rich British uniform, and well supplied with British gold. They were directed to enlist as many men as possible, but not to embody them until after harvest. Either because they were too impetuous themselves, or una-

[1] Caswell's Letter Book, p. 1.

[2] University Magazine, vol. ii, p. 101. Caswell's Letter Book.

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ble to restrain the too zealous loyalty of the neighborhood, by the 20th about one thousand three hundred tories were encamped at Ramsour's Mill, and ready to take the field.[1] Farther reference to their history is not necessary to our purpose.

Colonel Hamilton, whose original residence as we have seen, was at Halifax, on the 27th August, 1777, solicited and obtained a passport from Governor Caswell to go from Hillsborough to New York.[2] The next information we have of him, he is at the head of a North Carolina regiment of loyalists under the command of Lord Cornwallis. Where he had been in the mean time, or where and when he had enlisted his troops we have no certain information.

Tarleton states that the defeat of Moore at Ramsour's "encouraged a spirit of persecution, which made Colonel Bryan, another loyalist, who had promised to wait for orders, lose all patience, and forced him to move with eight hundred men, from the forks of the Yadkin towards the nearest British post. After many difficulties he fortunately reached the seventy-first regiment stationed in the Cheraws."[3]

On the 16th August, Lord Cornwallis informed Sir Henry Clinton that "our assurances of attachment from our distressed friends in North Carolina are as strong as ever. And the patience and fortitude with which these unhappy people bear the most oppressive

[1] Vol. ii. Wheeler's Hist. Sket. p. 227 to 232.

[2] Caswell's Letter Book.

[3] See Appendix F.

[4] Campaigns of 1780–'81, p. 126.

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and cruel tyranny, that ever was exercised over any country, deserve our greatest admiration." In the official account of the victory obtained at Camden on the 16th, he records the fact that on this occasion, "Governor Martin became again a military man and behaved with the spirit of a young volunteer."[1] Samuel Bryan who led the eight hundred men from the forks of the Yadkin, was one of the persons named in the commission issued by Governor Martin on the 10th January, 1776, and authorized to raise men in Rowan, and march then to Brunswick.

Much the ablest and most indefatigable instrument in the hands of the Governor was Major Patrick Ferguson, a native of Scotland and son of Lord Pitfour, one of the Lords of Session. At the time he was killed he was about thirty-seven years of age, of middle size and slender frame, with a thoughtful and serious expression of countenance. Burke remarks that "he was perhaps the best marksman living, and probably brought the art of rifle-shooting to its highest perfection." He had invented a rifle which in facility of loading, and in execution was a great improvement upon those previously used. General Washington is supposed to have owed his life at Germantown to Ferguson's ignorance of his person, as he had him completely within the range of his rifle.[2]

Ferguson's great quality however, was tact and patience in the management and training of militia.

[1] Campaigns of 1780–'81, p. 128.

[2] Ann. Reg. 1781, p. p. 51, 52.

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In addition to his exact skill in discipline it was natural to him to attract and retain the affection of his men. He would sit for hours and converse with the country people and point out the ruinous consequences which would ensue to the leaders of the rebellion and to the country. The effects of this condescension and familiarity were manifest wherever he went.[1] His defeat and fall were fatal to the second attempt to invade North Carolina. Had he been the leader of the British forces at Moore's Creek, or had he been able to maintain his position at King's Mountain, and been placed as he probably would have been, at the head of the militia, in the impending invasion, very important consequences might have resulted. His Scotch birth would have recommended him to the Highlanders, and he had by nature all the qualities that were requisite to ensure ascendency over the Regulators.

Preparatory to the third invasion of North Carolina, Major James H. Craig, an able and experienced officer, subsequently Governor General of Canada, was directed to occupy Wilmington. With a detachment of about three hundred men from the eighty first regiment, and a small naval armament under the command of Captain Barclay, he summoned the town to surrender and received an unconditional submission on the 29th January, 1781.[2] On the first of February, Lord Cornwallis crossed the Catawba, and on the

[1] Political Magazine. Feb, 1781, p. 60.—Id. March, p. 125.

[2] Political Magazine, March, 1781, p. p. 223–'4.

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20th took possession of Hillsboro', the temporary seat of government. A proclamation was immediately issued inviting the loyalists to come in, but no one was permitted to enter the lines unless introduced by James Monroe, one of the persons named in the commission five years before, to erect the royal standard. On the 22d, the army was drawn up and the royal standard displayed under the supervision of his lordship.[1] The horrible slaughter of the tories hastening to the standard, under the command of Colonel Piles, occurred three days thereafter. In the official report, made on the 17th, of the victory gained at Guilford, on the 15th of March, Cornwallis bears cheerful testimony that "he has constantly received the most zealous assistance from Governor Martin during his command in the southern district. Hoping that his presence would tend to excite the loyal subjects of this province to take an active part with us, he has cheerfully submitted to the dangers and fatigues of our campaign. But his delicate constitution has suffered by his public spirit, for he is now obliged to return to England for the recovery of his health."[2] This design however, as will be perceived in due time, was deferred until a later period.

Lord Cornwallis, after this Pyrrhian victory, was compelled by the necessities of his position, mainly by the impossibility of procuring sustenance for his army, to retire towards Wilmington. At Cross Creek, Tarleton informs us, that notwithstanding the cruel per-

[1] Cornwallis' Order Book, MSS.
[2] Tarleton's Campaigns, p. 324.

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sections the inhabitants had constantly endured, for their partiality to the British, they yet retained great zeal for the interest of the royal army. All the flour and spirits in the neighborhood were brought to the camp, and the wounded officers and soldiers were refreshed by many conveniences, for the want of which they had previously suffered. Among the former, was the brave and accomplished Lieutenant Colonel Wilson Webster.[1] He was wounded at Guilford, but no serious consequences were apprehended until some time afterwards. He too was a Scotchman, and son of the Reverend Dr. Webster of Edinburg. To the gallantry and professional knowledge of the soldier, he united all the virtues of civil life, and of the brave and skillful officers who served under Cornwallis during his three expeditions in North Carolina, with the exception of Major Ferguson, no one was probably so well qualified as he to lead forth a united army of Highlanders and Regulators. He was wounded in the region occupied by the latter, but died and was buried among his countrymen, at Elizabeth in Bladen. Cornwallis turned mournfully and despondingly from his grave; and on the 7th of April, occupied a camp in the neighborhood of Wilmington.

On the 18th, the Earl writes from Wilmington to Lord George Germain, as follows: "As Governor Martin returns to England by this opportunity, I shall beg leave to refer your Lordship to him for many particulars relative to this province. But I think it

[1] Campaigns, p. 281.

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incumbent on me to be explicit to your Lordship on one or two capital points.

The principal reasons for undertaking the winter's campaign were the difficulties of a defensive war in South Carolina, and the hope that our friends in North Carolina, who were said to be very numerous, would make good their promises of assembling and taking an active part with us in endeavoring to re-establish his Majesty's government. Our experience has shown that their numbers are not so great as had been represented, and that their friendship was only passive, for we have received little assistance from them since we arrived in the province, and although I gave the strongest and most public assurances, that after refitting and depositing our sick and wounded, I should return to the upper country, not above two hundred have been prevailed upon to follow us either as provincials or militia."[1]

It is thus, that from April 1776, to April 1781, glimpses of Governor Martin are revealed to us. But his mission is now closed and he retires behind the scenes to re-appear no more forever.[2]

He now probably concurred in opinion with the Earl, that the strength of the disaffected had been greatly over estimated, and that no reasonable hope remained of the restoration of the missing jewels to the British crown. He was in Wilmington again—*quantum mutatus ab illo!* Broken in health and

[1] Campaigns, p. 324.

[2] See Appendix G.

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spirits, separated from his family, what a train of remembrances must have crowded upon him during his brief sojourn amidst the scenes of vanished pomp and power. Alas, the commercial emporium and the State, during these five years had undergone changes and reverses, not less striking and scarcely less sad. No human imagination can conceive, no pencil portray the fearful reality of our condition in '81.

In '76, at less than a fortnight's notice, ten thousand men from the Virginia boundary on the north, from the middle counties and from the western mountains, were on the march to drive the invaders from our southern border. In August '81, Major Craig with four hundred Regulars, and about the same number of Tories, ravaged the country between the Cape Fear and the Neuse, took possession of New Berne on the 20th, and in due time returned without serious loss, to his post at Wilmington.[1] Howe was with his brigade at the North, Moore was dead, Ashe and Harnett were Major Craig's prisoners. Caswell and Lillington were in the field, the former commander-in-chief of the militia of the State,[2] but where were the men they led at Moore's Creek?—dead, dispersed, dispirited or disaffected.

Governor Nash had refused to submit to a re-election at the hands of the General Assembly which convened, as the record imforms us, "in the county of

[1] General William Caswell to Governor Burke; in Governor Burke's Letter Book. General Lillington to the same.

[2] Pamph. Acts, April 1780, Chap. 26, Sec. 10.

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Wake on the —— day of June, 1781."[1] His successor, Governor Burke, entered upon the duties of the office on the 24th. Nine days previous, Fanning had entered Pittsborough and carried the officers of the county and the court into captivity. On the 5th of August he captured Colonel Alston and his followers on Deep River, on the 14th Cambleton was in his power, on the 1st of September he defeated Colonel Wade at McFall's Mills. On the 13th McNeill and Fanning took possession of Hillsborough, seized Governor Burke and suite, and retiring as suddenly as they had approached, delivered him to Major Craig, by whom he was committed to close confinement as a prisoner of State.[2] In this emergency, Alexander Martin, the speaker of the Senate, succeeded to the helm of State—the third Governor during this disastrous year. He held the office until the return of Governor Burke from captivity, in February, 1782.

It is obvious that during the occupancy of Wilmington by Major Craig, his power was dominant from the Cape Fear to the Neuse, from Brunswick to Orange. Shortly before the surrender of Cornwallis at Yorktown, General Rutherford with one thousand four hundred men, three hundred and fifty of whom were cavalry, marched from Salisbury to the relief of the Cape Fear. On the 15th of October his advanced guard routed a small band of Tories

[1] Nash to Burke, MSS.

[2] Governor Burke to Willie Jones. Letter Book.

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under McNeill, at Rockfish. About the 1st of November he reached Wilmington, and established his head quarters at Mr. Hill's, whom he found to be "the only active whig," and who had suffered more at the hands of the enemy than any one then in town. Major Craig retired on Rutherford's approach; his vessels were still visible on the flats, but on the second day thereafter, they left our coasts.[1]

There was no longer an invading enemy. There was civil war nevertheless, waged with bitterness, cruelty and destruction of life and property without a parallel in any other portion of the confederacy. What Attila and his hordes were in their day, were Fanning and his confederates at this time in North Carolina—the scourge of God! Tarleton, who looked with unusual composure upon such scenes, seems to have been startled by the state of things around him. He copies an extract from a letter written at General Greene's head quarters on Deep river, dated March 30th, 1781: "Nothing but blood and slaughter has prevailed among the whigs and tories, and their inveteracy against each other must, if it continues, depopulate this country."[2] The butchery of Colonel Balfour and others, accompanied with acts of savage barbarity towards the feebler sex, was perpetrated in this immediate neighborhood just a year thereafter, in March, 1782.

The last act passed at the General Assembly, which

[1] University Magazine, vol. i, p. p. 182-194.

[2] Campaigns, p. 321.

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adjourned on the 12th May, 1782, (chap. xlvii.) recites that "from the large number of disaffected persons living in the county of Bladen, joined by a considerable number of disaffected persons in South Carolina, it is dangerous for the citizens of said county, to attend public meetings without arms," and therefore requires all persons attending courts, elections, and other public meetings to carry their guns, with at least six rounds of ammunition, to repel any sudden attack of the enemy.

Times of danger are inevitably times of scarcity and privation. The pages of Tarleton and Stedman abound in evidence of the nakedness which the devastations of the invading army, and the ruthless civil war had every where produced.

Cornwallis' defence of his retiring from Hillsboro' in February, 1781, before the day designated in his proclamation as the last on which the friends of the crown might find refuge under the royal standard, rests upon the averment that sustenance for his army could not be obtained at that point. Stedman, the commissary and historian, states that after sending a great distance for cattle, and exhausting the scanty supply, much murmuring was excited among the loyalists, by slaughtering the draught oxen, and that he was at last driven to the necessity of providing means of subsistence, at the head of a file of soldiers, by possessing himself of such salted beef and pork, and live hogs as could be found among the inhabitants of the town.[1]

[1] Stedman's American War, vol. ii. p. 335.

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General Graham informs us that Major Craig, on taking possession of Wilmington, ordered large supplies of salt from Charleston. This indispensable necessary could be obtained nowhere else, and too many bartered their political principles to obtain it. In Rowan and Mecklenburg the price was from $8 to $10 per bushel, or in barter a four years old steer. When Rutherford entered Wilmington, he seized upon the supplies left by the enemy, and the effects of the disaffected. When his troops were mustered out of service, his men were allowed to draw a bushel of salt each, and this, the same authority assures us, was of more value than the auditor's certificate, for all the services rendered during the campaign.[1]

The Legislature of 1777, to meet the expenses of the war, imposed a tax of half a penny on the pound value of lands, lots, houses, slaves, money at interest, stock in trade, horses and cattle, and a poll tax of four shillings on all persons worth less than £100, in lieu of a property tax. The range of taxation, it will be perceived, was more comprehensive than the system adopted four years ago, and horses and cattle, no inconsiderable item at present, constituted a much larger proportion of the aggregate wealth of the community then, than now. The rate per cent. was between three and four times as great as it is at present.[2]

In 1782, horses and mules under a year old, were exempted from taxation, and the poll tax on white

[1] University Magazine, vol. i. p. 184.

[2] Pamphlet acts, 1777, chap. ii, p. 17.

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males confined to unmarried men, not in military service and over twenty-one years of age.[1] Male adults, it would seem, must either fight or marry; decrease the number of public enemies, or multiply the ranks of friends.[2] There was no sanctuary for a coward; the legislature might tax, but the young ladies in those days would not marry a man who would not fight.[3]

While the range of taxation was modified, the rate per cent. was doubled and was more than equal to seven times the amount of that imposed at present. How much more burthensome it must have been in the then impoverished condition of the country, who among us is able to estimate or to realize? Quakers and other non-combatants were required to pay treble this rate of taxation, and this our fathers considered toleration; for they had solemnly asserted in the Declaration of Rights, that all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences.

To mitigate as greatly as possible the severity of this imposition, it was provided that one-half the amount of each assessment might be paid in specific articles, necessary to the sustenance of our armies, to be delivered at designated depots. Corn was received at thirty-three and one-third cents, wheat forty-three and three-fourths and clean rice at eighty-one and

[1] Pamphlet acts 1782, chap. 7, p. 17.

[2] See Wheeler's Historical Sketches p. 787.

[3] See Appendix H.

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one-fourth cents per bushel. Pork three and a half, beef two and a half, tallow nine, flour two and one-fourth, salt two and three-fourth cents per pound. Tobacco three dollars, hemp five dollars sixty-two and a half cents per hundred. Salt pork nine dollars thirty-seven and a half cents per barrel. Indigo seventy-five cents per pound. Yard wide linen (five hundred slay) thirty-three and one-third cents, (seven hundred) fifty, (one thousand) seventy-five cents per yard. The great staple, cotton, is not in the list of enumerated articles. Its manifold production and uses, like the steamboat, the railroad locomotive, the magnetic telegraph and the caloric engine, were not to be heard of, until we should have beaten our spears into pruning hooks and learned war no more.

Onerous as this direct tax may seem to us to have been, and as our fathers felt it to be, the imposition was light, in comparison with the indirect tax levied in the guise of paper currency and bills of credit. It is a fact which would be incredible if it were not of record, that the public debt created between January, 1775, and January, 1781, amounted to $76,375,000; a sum which a shrewd statesman, in the debates upon the Federal Constitution, estimated to be treble the value of all the property, real and personal, owned by all the citizens of the State. The paper currency was nevertheless a lawful tender in the payment of debts; it was an indictable offence to refuse to receive it as such; it was declared unpatriotic to speak of it in disparaging terms, and it was death to counterfeit it.

The laws of trade, however, founded on the laws of

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nature are not to be controlled by human enactments. On the first of January 1777, the paper currency was at par; in 1778, at the rate of three and a half for one; in 1779, six for one; in 1780, thirty-two for one; in 1781, two hundred and ten for one; and on the first of January, 1782, it settled down to eight hundred for one,[1] at which rate it was redeemed. At this rate the whole amount that was issued, was little more in value than ninety-five thousand specie dollars. It had purchased all the supplies for our armies, nevertheless, and paid all the wages received by our officers and soldiers during the seven years' war for independence.

I fear that in this extended detail of incidents connected with the campaign of 1776, if I have not exhausted the subject, I have very severely tried the patience of the Society. Succeeding the eminent gentlemen, to whose lectures I referred at the opening, mine is the humbler task of attempting to glean handsfull in the fields from which reapers have garnered the sheaves of history. We may well esteem ourselves fortunate if our united efforts shall contribute, in any degree, to illustrate the fame of those who, in the darkest days of the republic, did every thing for the country.

[1] Pamphlet acts, 1785, ch. 4, p. 10

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BRITISH INVASION

OF

NORTH CAROLINA, IN 1780, AND 1781,

A LECTURE,

BY HON. WM. A. GRAHAM, LL. D.

DELIVERED BEFORE THE NEW-YORK HISTORICAL SOCIETY, IN JANUARY, 1868.

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British Invasion of North Carolina in 1780, and 1781.

Regarding the New York Historical Society as a national institution, I have not scrupled to undertake the task devolved on me this evening, however conscious of my inadequacy to its proper fulfilment; and a primary object of its establishment being the study and dissemination of a correct knowledge of American history, the topic on which I propose to engage your attention is the British Invasion of North Carolina, in 1780, and '81. Having been requested to turn my attention to some subject pertaining to the history of the Southern States, it was not until after the choice of this, and at too late a period to prepare on another, that I learned, that a reverend and distinguished friend of mine, who has preceded me in the series of exercises appointed by the society, had made the subject of his discourse another interesting chapter in the history of North Carolina. With earlier information of this fact, I would gladly have

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chosen some other topic, to give greater variety and interest to a course of lectures which has thus far been so well received by the public.

The subject is withal common place; but it is the story of our ancestors—of their struggles and sacrifices—their freedom and renown. The scene, too, is circumscribed, but the actors were personifications of principles, and representatives of nations, and upon the close of the drama, depended the fate of an empire. If other apology be wanting for the selection of this theme,

"I am native *there*,
And to the *manor* born;"

and from occasional access to official documents, as well as from the traditions and legends of those whose honorable scars bore witness of opportunities, for acquaintance with some, at least, of the events of that period, am impressed with the conviction that from want of chroniclers and printing presses in the then infant State, at the time of these occurrences, and from negligence or accident since, it has not received full justice from the pen of history. Let it be remembered, that the period to which we refer, is 1780 and 1781, more than five years after the first blood shed in the war of the Revolution at Lexington, and full four years after the National Declaration of Independence.

Yet, had North Carolina been no indifferent or idle spectator while other States were the theatre of war, or in regard to the common cause in the incip-

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army of the centre. As early as the passage of the Stamp Act, and down to the breaking out of hostilities, disputes of a domestic nature, touching the rights of creditors in the province, to proceed by attachment against the lands of debtors residing in England, and the mal-administration of the provincial government, had been agitated between the crown (through the royal governors) and the people of the colony, which, added to the causes of complaint of more general interest, produced a free discussion of the constitution of Great Britain, and sharpened and invigorated the public mind in relation to the rights of British subjects in the colonies. Emboldened in these controversies, the population were intelligent and acute in their comprehension of the issues involved, jealous of undue control by the mother country, and ready to hazard any consequences in resisting her encroachments. This was sufficiently attested in the alacrity with which she responded to the call for the first Continental Congress, in 1774; in the proceedings of her various Provincial Congresses and Councils, prior to the establishment of the State government; and in those of her popular assemblies, among which, it may be enough to particularize the Wilmington, Cumberland, Rowan and Tryon associations, and the memorable meeting in Mecklenburg, on the 20th of May, 1775, which declared absolute independence.

And these prompt and decisive manifestations of sentiment had been sustained by military aid, in the immediate scenes of danger, in a manner which proved that she had no selfish, sectional or exclusive ideas

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of defence and protection. Establishing a thorough military organization at the Provincial Congress, which assembled in Hillsborough on the 20th of August, 1775, in December of that year an expedition was sent under Colonel Howe, for the defence of Norfolk and Lower Virginia, against Lord Dunmore, the royal Governor of that Province, who, having collected a large army of whites and negroes, proclaimed martial law, and offered freedom to the apprentices and slaves of the country. This force, in conjunction with a detachment of regulars and Virginia troops, under Colonel Woodford, defeated his Lordship's army in the battle at Great Bridge, and obliged him to abandon Norfolk and take refuge on board a man-of-war in the harbor, as the last royal Governor of North Carolina, six months anterior, had been obliged to do at Wilmington.

About the same date, an expedition under Colonels Martin, Polk and Rutherford, marched from the western part of the State against the tories, (called Scovilites, after the name of a royalist emissary,[1]) in the northwestern section of South Carolina; and in connection with the troops of that State, under General Richardson and Colonel Thompson, drove the tory commanders, Cunningham and Fletcher, from the siege of the village of Ninety-six, and on their retreat, surprised and defeated them, with the capture of four hundred of their followers. This is known in tradition, as the Snow Camp campaign, from the violent snow storms with which its camps were visited.

[1] Scovil or Scofil.

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In the Autumn of 1776, a force of nineteen hundred men, from the same region, under General Rutherford, was despatched against the Cherokee Indians, who had espoused the British cause, and committed depredations on the neighboring settlements, which chastised and compelled them to sue for peace.

In the campaigns of 1776, '77, '78, '79, and '80, she furnished her contingents to the continental service upon the requisitions of Congress, to meet the common enemy in other States; and her militia were marched, by divisions, brigades, regiments and battallions, to the aid of South Carolina and Georgia; not to mention that the ranks of Sumter and Pickens were often filled with her citizens, who took service under these famous partisan officers, when those States were the seat of war, and were computed among the troops of South Carolina. From New Jersey to Florida, inclusive, there were few battle fields in which a portion of the troops engaged in defence of the liberties of the country were not hers.

Besides these contributions, however, for military operations abroad, a considerable force was required for the interior defence and safety of the State. Although the great mass of the people were true to the country, there was no contemptible number who maintained their loyalty to the crown, and stood ready to defend it with arms. This was more conspicuously true of a body of Scotch Highlanders, who had emigrated in large numbers to the waters of the Cape Fear River in the incipient stages of the controversy between the colonies and the mother country; and the signal

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victory obtained by Colonels Caswell and Lillington, at the bridge of Moore's Creek, one of the Western tributaries of that river, on the 27th of February, 1776, with one thousand men, over the tory forces levied in that region, under General McDonald and Captain McLeod, numbering fifteen hundred men, who were marching to relieve Governor Martin from his exile on board an English ship of war at the mouth of the Cape Fear, and to bring him back, and restore him to his authority in the colony, is one of the proudest events of the war, in that year. Pursued with vigor, as this victory was, in capturing prisoners, arms, military stores, and munitions of war, it so broke the spirit, and destroyed the resources of the enemy in the State, and so cheered the hopes of the patriots, that its effects were widely and deeply felt. Still, the feeling of attachment to the royal cause infected individuals, and in many instances pervaded whole neighborhoods and districts, and required constant vigilance, determination and energy on the part of the authorities and troops of the new government.

In the spring of 1776, a formidable invasion was threatened by a military and naval armament, under Sir Henry Clinton and Sir Peter Parker, at the mouth of the Cape Fear, and a large military force was called out to repel it. But its attention was soon directed to the more tempting prize of Charleston, where, in June of that year, occurred the famous repulse which has given immortality to the name of Moultrie.[1]

[1] In this defence of Charleston, the American forces were commanded by Major General Charles Lee, and included two brigades of North Caro-

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With the exception of a detachment from this armament, which was landed, and committed some depredations in the county of Brunswick, among which was the sacking of the private mansion of the patriot General Howe, no British force had entered the territory of North Carolina until the period announced in the outset of these remarks—the latter half of the year 1780.

But, although the geographical position of the State, or the military plans of the enemy, had thus long delayed his visit, he now came with a prestige of success which threatened entire subjugation. South Carolina and Georgia had been overrun and conquered, and their patriot citizens driven to concealment, exile, or submission to his victorious arms. Charleston had fallen on the 12th of May. Improving his success with the skill of a veteran commander, Lord Cornwallis moved forward at once to Camden, near the centre of the State; and on the 29th of that month, his light troops, under Lieutenant Colonel Tarleton, overwhelmed and massacred a Virginia regiment under Colonel Buford, at Waxhaw Creek, near the frontiers of North Carolina. On the 16th of August, in a pitched battle near Camden, he had signally defeated and routed the main army, which had

the continental troops, under Generals Robert Howe and James Moore. The latter was the brother of Maurice Moore, a colonial judge, and an uncle of Alfred Moore, subsequently an associate Justice of the Supreme Court of the United States. General Moore died in the early part of the year 1777, after his brigade had been ordered to the northward, and was succeeded by General Francis Nash. *Governor Caswell's Letters MSS.* General Howe survived the war, and is well-known to history.

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been rallied for the defence of the South under General Gates, the hero of Saratoga. And although some consolation was administered to the wounded spirit of the American General under this crushing defeat, by the success of General Sumter, in capturing, about the same time, a convoy of the enemy, yet this daring and vigilant officer was himself surprised by the dashing Tarleton, and his force of eight hundred men put to route and dispersed, with the loss of his artillery, arms, and baggage, at Fishing Creek, two days afterwards. "Thus," says a spirited writer, "the tragedy of the 16th, closing with the catastrophe of the 18th, the army of the South became a second time nearly annihilated."

To this unbroken succession of reverses to our arms, it must be added that the resources of North Carolina to meet the impending danger, had been greatly impaired by the events of the war. A large number of her people, dispirited and broken down in health by service, the two preceding years, in the low and insalubrious sections of South Carolina and Georgia; her treasury and military supplies exhausted in the maintenance of these and other expeditions; all her continental troops,[1] and more than a thousand of her militia,[2] made prisoners at the surrender of Charleston, and paroled, or yet in the hands of the enemy; more than five hundred more, including some of the most popular and influential officers, taken at the battle of Camden, and now in

[1] Life of Davidson, appendix to Lee's Memoirs.
[2] Marshall's Life of Washington, p. 333.

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confinement at St. Augustine [1]—these are circumstances, not to be overlooked in estimating the appalling nature of the crisis, and the merit of a brave resistance.

There was no impediment to the onward progress of Lord Cornwallis, except the want of supplies, which he impatiently awaited at Camden. His road to Charlotte, the capital of Mecklenburg county, and the first point of his destination, lay parallel to the great rivers of the country, and crosses the State boundary upon an imaginary line. In the absence of maps, so much of geography as may be necessary to comprehend the movements which we shall describe, may be comprised in few words. The Broad and Catawba rivers are the chief tributaries of the Santee, and the Yadkin of the Pedee, parallel streams rising in the mountains of North Carolina, and running southwardly to the ocean in South Carolina. The Cape Fear pursues a like course, but is wholly in North Carolina, its head waters being the Deep and Haw or Saxapahaw rivers. The Dan is the head stream of the Roanoke, and at our points of reference is coursing from west to east, nearly with the line of division between North Carolina and Virginia.

But there is an episode to our narrative, before pursuing the march of the invading army. The disastrous tidings of the fall of Charleston sped rapidly through the country, bringing gloom to the heart of the patriot, cheerfulness and joy to the loyalist, and inclining

[1] Journal of Board of War, MSS.

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the wavering and irresolute to the cause of royalty. Early in June, the militia of the counties of Mecklenburg and Rowan, comprehending the region between the Yadkin and Catawba, who had so early and so constantly signalized their devotion to liberty, were ordered out under Brigadier General Rutherford, to oppose the triumphal march of the British General. Scarcely had they assembled at the place of rendezvous, about ten miles northeast of Charlotte, when intelligence arrived of an assemblage of a body of loyalists at Ramseur's Mill, some forty miles distant, beyond the Catawba, in the county of Tryon, and within view of the present village of Lincolnton. Unwilling to weaken the force he had gathered to impede the advance of the British army, General Rutherford despatched orders to Colonel Francis Locke, of Rowan, and other faithful officers, to collect the available force of their several neighborhoods, and suppress the insurrection at the earliest practicable moment. It appeared that one John Moore, of the county of Tryon, (now Lincoln,) who had joined the enemy in South Carolina the preceding winter, had recently returned, dressed in a tattered suit of British uniform and a sword, and announced himself a lieutenant colonel in the well known regiment of North Carolina loyalists, commanded by Colonel John Hamilton, of Halifax. He brought detailed accounts of the siege and surrender of Charleston, and an authoritative message from Lord Cornwallis, that he would march into that section as soon as the then ripening harvests were gathered, so as to afford a support for his

army. Very soon thereafter, Nicholas Welch, of the same vicinity, who had been in the British service for eighteen months, and bore a major's commission in the same regiment, also returned, with splendid official equipments and a purse of gold, which was ostentatiously displayed to his admiring associates, with artful speeches in aid of the cause he had embraced. He also gave the first information of Buford's defeat, and represented that all resistance on the part of the whigs would now be hopeless. Under these leaders, there was collected in a few days, a force of thirteen hundred men, who were encamped in an advantageous position, preparatory to their being marched to effect a junction with the British in South Carolina.

Colonel Locke, and the other officers who had received the orders of General Rutherford, already referred to, proceeded to execute them with the utmost alacrity and promptitude. In less than five days they levied their several quotas, and crossing the Catawba at various fords, effected a junction within sixteen miles of the camp of the Royalists on the 19th of June, with three hundred and fifty men. At sunrise the next morning, with this unequal force, and without any chief commander or understood arrangement of battle, except that three companies of horse, which constituted their cavalry, should go in front, they assaulted the camp of the tories, containing as already mentioned, thirteen hundred men, and, after a well sustained and bloody engagement of an hour, compelled them to retreat. The particulars of this action, did time permit us to enter to them, are of much in-

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terest. Blood relatives and familiar acquaintances fought in the opposing ranks, and when the smoke of the battle occasionally cleared away, recognized each other in the conflict—the tories wearing their well known badge of a green pine twig in front of the hat, and the whigs a similar badge of white paper, which was in some instances taken as a mark by the enemy, and occasioned the wearers to be shot in the head. These were the only means of distinguishing the two parties in the action in which neighbor met neighbor in deadly strife, with the rifles carried in hunting, and in the use of which weapon one hundred men on either side were as expert and unerring as any like number of Kentuckians in the time of Boone. Seventy men, including five whig and four tory captains, were left dead on the field, and more than two hundred were wounded, the loss being shared about equally by the respective sides.

It is a remarkable omission, in the histories of the war of the revolution, that no author, neither Marshall, Lee, Ramsay, Botta, nor any other, that I have consulted, makes mention of this important battle of Ramsour's Mills. The only intelligible record of it, *in extenso*,[1] was published in the newspapers of North Carolina thirty years since, and has been copied by Mr. Wheeler in his recent collection of *materia historica* of North Carolina. It is likewise noticed by Mr. Lossing in his recent work, the "Field Book of

[1] From the pen of General Joseph Graham, an officer in Rutherford's brigade, who was on the battle-field immediately after the action.

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LILLINGTON HALL

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the Revolution." For daring courage on the part of the whig assailants, considering that the enemy out-numbered them in the proportion of four to one, and had great advantage in position, it is surpassed by few events of the war: and as a chastisement and a check upon the rising and exultant spirit of the loyalists over the recent disasters to our arms in South Carolina, the result was of the same nature, and almost equal in its salutary effects, to the victory of Caswell and Lillington, at Moore's Creek Bridge, four years preceding.

I have failed, earlier, to mention that Colonel Locke and his brave associates, after resolving to engage the enemy, despatched a messenger to carry this information to General Rutherford, and request his co-operation if possible, but did not make his compliance a preliminary to their attack; and that this officer, having heard of the retirement of the British forces from Waxhaw to Camden, had, without knowledge of the intentions of Locke, crossed the Catawba, with the purpose of himself dispersing the tories at Ramsour's, and arrived with his brigade on the battle-field about two hours after the retreat of the enemy. Had the assault been postponed for this brief space, the victory would doubtless have been more complete, and possibly many of the gallant dead would have been spared to encounter the invading Briton, trained for the conflict by this first essay in arms.

General Rutherford, in the succeeding month, joined General Gates, in command of a brigade of militia,

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and in the defeat at Camden, on the 16th of August, was wounded and taken prisoner by the enemy; and, therefore, does not appear in the ensuing campaign.

The determination of General Gates not to attempt to rally his routed army short of Hillsborough, which is near the centre of North Carolina, and more than two hundred miles from Camden, was an entire abandonment of one-half of the State to the depredations of the enemy. This is mentioned, with regret, by Lee, in his memoirs of the war in the South, on account, particularly, of the district between the Yadkin and Catawba, on whose efficiency and devotion to the patriot cause he pronounces a high eulogium. With the British in front, and bodies of tories within striking distance, both on its right and left, the contest now became in that section, a war *pro aris et focis*, with few immediate resources for its protection but those furnished by itself, and these greatly diminished by the melancholy events to which allusion has already been made. But the spirit of the country did not forsake it in this trying hour, and it was, perhaps, fortunate that the British army, in its first inroad into the State, was to encounter a people of such unshaken resolution and activity in the gloom which overspread the southern country.

Among many noble and intrepid patriots in this district, "who struggled with the storms of fate," and upheld the falling fortunes of their country, two characters deserve to be conspicuously remembered. These are Brigadier General William Lee Davidson, and Colonel William R. Davie.

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General Davidson was of Irish extraction, and his parents, like almost all the original settlers in that region, were emigrants from Pennsylvania. He was educated at an academy called "Queen's Museum," in Charlotte; and fired with a noble ardor to sustain the patriot cause in arms, was commissioned a Major in one of the regiments raised in North Corolina for the continental service, in 1776. In this capacity he marched northward in the brigade of General Francis Nash,[1] joined the main army under General Washington, in New Jersey, and served under the Commander-in-chief through the three following campaigns; during which time he was promoted to a Lieutenant Colonelcy, with the command of a regiment. His presence at home, at this juncture, was purely accidental. The troops of the North Carolina line having been detached to re-inforce the southern army,[2] then under the command of General Lincoln, he obtained permission to visit his family, from which he had been three years separated, with the expectation of joining his regiment in South Carolina. But Charleston being invested at the time of his approach, and all access cut off, he was thus saved from capture with his comrades in arms, and returned immediately to his home in Mecklenburg. He, however, did not resign himself to repose and inactivity, but, taking command of a body of militia, rendered effective service in quelling the tory insurrections consequent

[1] Who was killed in the battle of Germantown, in October, 1777.

[2] Washington papers by Sparks, 1779–'80.

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on the fall of Charleston. After the capture of General Rutherford at Gates' defeat, Colonel Davidson was appointed a Brigadier General of militia, and thus had immediate command of the citizen soldiers of the frontier county of Mecklenburg, at the time when the services of every man were required who was capable of bearing arms. His romantic devotion to the public service, as manifested in a continuous absence of three years from a young and endeared family, his familiarity with the well foughten fields of Monmouth, Brandywine and Germantown, and the fact that he had seen service under the eye, and with the approbation of Washington, made him a star of guidance to his countrymen, and inspired them with hope and confidence.

Of Colonel Davie, a less minute introduction is necessary. Surviving the war, he became subsequently known to the Union, as one of the great American orators, lawyers and statesmen, a leader in every great enterprise for the improvement and elevation of the character of his own State—at one time her Chief Magistrate—a member of the Federal Convention, a special minister to France, in conjunction with Mr. Murray and Chief Justice Ellsworth, during Napoleon's Consulate, and one of the most accomplished and elegant gentlemen of the revolutionary race. At the period to which we refer, he may have been twenty-five years of age—some four years graduated at Nassau Hall, Princeton—interrupted in his law studies by the events of the war,

Inter arma, silent leges,

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he had gratified his early desire and the inclinations of his genius, and become a soldier. Of studious habits, he had brought his well furnished and disciplined mind to the study of military science, and had mastered it.[1] His service had been in the horse, where he had received the approbation of Pulaski. He had approved his gallantry at the battle of Stono, where he was severely wounded, at Hanging Rock, and on other fields; and his zeal, in the patriot cause, by expending an estate, constituting his chief, if not only fortune, in equipping a legionary corps, of which he was now at the head. He was prudent, vigilant, intrepid and skillful in his movements against the enemy, and with a charming presence, a ready eloquence, and an undaunted spirit, he was among the young men of the day, as Harry Percy "to the chivalry of England."

Having received his supplies, Lord Cornwallis moved forward from Camden on the 8th of September, with the assured expectation of conquering North Carolina, before Congress could bring another army into the field. With his military force there were adventitious aids, from which much was expected. In his train was the late Royal Governor Martin,[2] who, having lingered off the mouth of Cape Fear, in a ship-of-war, for more than a year after his expulsion from the province, in the hope of restoration to authority, had paid a visit to the mother country and

[1] He was the author of a treatise on Cavalry Tactics.

[2] Journal of Board of War, N. C.

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was now returned, and hoped to receive that dutiful submission, under the guns of his Majesty's army, which he had been unable to exact by the aid of his provincial adherents alone. A printing press formed also a part of the furniture of the camp, with which it was intended to fulminate threats, gazette victories and distribute pardons, protections and promises.[1]— In his ranks was a regiment of loyalists, raised in North Carolina, under the command of Colonel Hamilton, a Scotch merchant of Halifax, and connected in business with a house at Cross Creek, in the midst of the settlement of his countrymen; a gentleman of high tone and spirit, held in great esteem for the virtues of private life, and who, after the war, was for many years his Brittanic Majesty's consul, at Norfolk.[2] From these it was hoped that disaffection would be encouraged, that the State would fall an easy prey, and that the royal army would find ready recruits within her limits for ulterior operations.

The main army moving directly northward, in the direction of Charlotte, Lieutenant-Colonel Ferguson, with a detachment of regulars and loyalists, was despatched west of the Wateree, or Catawba, to advance in a parallel line to it, to open free communication with the loyalists in that quarter, and incite them to effective co-operation with the British.

[1] Journal of Board of War, N. C.

[2] Colonel Hamilton is reputed to have been uniformly humane to American prisoners, and Governor Burke, in his correspondence, acknowledges his kindness to himself, while a prisoner at Charleston. Burke's Letters, MSS.

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To oppose the main army there was no force, but the militia of Mecklenburg and Rowan, under Davidson, and the legionary corps of Davie. These troops had been upon duty the greater part of the summer, and, especially, since the defeat of Gates, had constituted a kind of national guard and corps of observation. On its approach Davidson prudently retired in the direction of Salisbury, but Davie, delighting in enterprise, and being perfectly acquainted with the country, resolved, not only to watch the enemy, but harrass and annoy him whenever occasion should serve. Keeping well advised of his positions and movements, he struck on every opportunity, and always with effect. By a perilous exploit, at the plantation of Captain Wahab, one of his own corps, near the South Carolina border, he completely surprised an outpost, and after killing and wounding about sixty of the adversary, dashed off unhurt, with a large acquisition of horses and arms.

Upon the entrance of the British army into Charlotte, Davie, being joined by about fifty volunteers, hastily assembled from the neighboring country, under Captain Graham, and, relying on the firmness of his troops, made a gallant stand in defence of this Carolina "cradle of liberty." By a judicious disposition of his force, under cover of the buildings and enclosures of the village, he thrice drove back the British cavalry, to receive the rebuke of their commander-in-chief, and made good his retreat, with a loss much inferior to that of the enemy.[1] Lord Cornwallis oc-

[1] Lee's Memoirs, p. 106.

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cupied the village, intending to advance to Salisbury. But with his overwhelming force, he found it no place of repose or security. His sentries were shot down at their posts; his pickets kept in a constant state of alarm and annoyance; his wagons, with stores, seized and destroyed within a few miles of his head-quarters; and, in one instance, a foraging detachment of four hundred men was attacked and driven home, with a loss of twenty-seven killed and wounded, by an ambushing party of seven individuals from the neighboring country, all of whom escaped unscathed; the British officer declaring on his return, "that he had found a rebel in every bush outside of the lines of the encampment."[1]

It was manifestations such as these that induced Lieutenant-Colonel Tarleton, in his "History of the Campaigns in the Colonies," to honor these adjoining counties of old Mecklenburg and Rowan with the designation of "the most rebellious district in America." The printing press—the first that had ever been carried to that region of country—was put in requisition, both by the royal Governor and General, and Proclamations[2] went forth, filled with asseverations of the success of his Majesty's arms, exhortations to loyalty and duty, and denunciations upon rebellion and treason; but without serious effect.

While his lordship was thus occupied and entertained at Charlotte, he was astounded by the defeat

[1] Affair at McIntire's Farm. General Graham's Mem., MSS.

[2] Journal of Board of War.

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and death of Ferguson, at King's Mountain, about thirty miles to his left, with the loss of his whole force, both regulars and loyalists, killed, wounded or taken prisoners, together with all the supernumerary arms with which he had been furnished for the inhabitants of the country who might join the royal standard. Of this memorable exploit, achieved within a mile or two of the boundary between the Carolinas, on its southern side, by the co-operation of Colonels Campbell, of Virginia; Cleaveland, Shelby, Sevier, and McDowell, of North Carolina; Williams, Hill, and others, of South Carolina, it would be but idle repetition to speak in detail. Of the action and its incidents, a full description is contained in Foote's "Sketches of North Carolina," and biographical memoirs of its principal actors in "Lossing's Field Book of the Revolution." No one can, however, contemplate the gatherings of these intrepid, "Sons of Liberty," under the leaders of their respective sections or neighborhoods—their issuing forth, as did the largest portion of them, from the gorges and passes of the Alleghanies, and taking the field, without quartermaster or commissary, each man upon his own horse, and furnished with his own arms, "the horse to be sustained by the grass of nature, and the soldier from the homely contents of his wallet, made and filled by his wife or mother"—their concentration—their arrangement of the temporary command by election—their long marches—their eager pursuit of the enemy—his refuge on the mountain top—their assault, persevering courage, and overwhelming victory—without being carried

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back, in imagination, to the sublime simplicity and bravery of classic romance in Sparta, and early Rome, or to the memorable defence of the Swiss cantons against the invasion of Austria.

This victory, which was obtained on the 7th of October, was decisive of the campaign. Instead of proceeding to his meditated conquest, the British general was compelled to address himself to the task of maintaining what he had acquired. Departing from Charlotte in the night, pursued by Davidson and Davie to the Catawba, with the capture of a portion of his baggage[1] he retreated to Winsboro', some twenty miles westward of Camden, as the most eligible position for the preservation of this ascendency in South Carolina.

Thus terminated the invasion of 1780. But the end of the war was not yet.

By his selection of Hillsborough as the point for reforming his routed army, General Gates had the advantage of consultation with the Governor of the State and the Legislature, which in view of the public danger, held two appointed sessions in each year, and assembled in that town on the 5th of September.[2] This body at once applied itself to providing for the defence of the State in every practicable method. At its preceding session a board had been created, "for carrying on trade for the benefit of the State," for the

[1] Journal of Board of War.

[2] Here also, or hereabouts, was Governor Rutledge of South Carolina, a refugee, after the dissolution of his government at home, as I infer from the correspondence of the Board of War.

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purpose of importing or procuring arms, and "other military stores for the army, as well as the importation of salt, and all kinds of merchandise, for the use and consumption of the good people of the State." And now, to procure supplies for the large army it was hoped to assemble and recruit, taxes were laid, to to be paid in provisions, and agents appointed in every county for their collection; purchases were authorized of all the means of subsistence, as well as of wagons, horses, and other necessaries, so far as the impoverished treasury would allow, and impressments were freely authorized, other means of supply failing. But the most notable of their proceedings, was "An act creating a Board of War," to direct and control the military of the State, and a resolution requesting General Smallwood, of the Continental line, and second in command to General Gates, to assume the command of her militia that were or should be called into service; a measure, originating doubtless, in no feeling of disrespect to Governor Nash, the actual occupant of the executive chair, and prompted by a sense of the momentous nature of the crisis, but utterly at variance with the plain precepts of the constitution, which then, as now, declared that "the Governor, for the time being, shall be the captain general and commander-in-chief of the militia." The Governor, under the constitution, had no power of veto to arrest the law, and, *flagrante bello*, did not interfere with the action of the board, though, in a later stage of its existence, he refused to fill a vacancy occurring from the resignation of one of its members, upon the ground

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of the constitutional objection. The Legislature of South Carolina, the preceding year, had, by its enactment, clothed John Rutledge, then her Governor, with the powers of a dictator—the more effectually to oppose the enemy. Precedents these, rather classical than constitutional, according to our system, and only resorted to, unquestionably, in those emergencies, because of the imminent danger to the very existence of the State. The commissioners constituting this board, by the election of the Legislature itself, were John Penn, Alexander Martin, and Orondates Davis. Their session was commenced at Hillsborough, on the 14th of September, 1780, and continued, by adjournment, at Halifax, until the 30th of January, 1781, when its authorities were returned to the Legislature. Their journal, with so much of their correspondence as has been preserved, is among the most interesting documents in our public archives. They undertook the task devolved on them in the most devoted spirit of patriotism, and with a proper sense of its magnitude, and executed its duties with fearlessness, ability, and eminent public benefit. Conducting an active correspondence with Davidson, Davie, General Sumner, and other officers, as to the positions of the army of the invading enemy, its advances, skirmishes, and retreat; with local military officers, especially upon the upper branches of the Cape Fear and Pedee, as to the risings or maraudings of the tories, the disposition to be made of prisoners taken from them, and measures for keeping them in check; with the Governor of the State, with General Gates, and subse-

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quently with General Greene, in regard to the rallied troops of the lately defeated army, the reinforcements arriving from other States, and being levied in their own: the Board of War seems to have exerted its utmost faculties in the department of the commisariat—in providing food and clothing for the patriot forces. And when it is recollected that the State had no seaport of much commerce, her inhabitants, then as now, obtaining their chief supplies of foreign goods through the neighboring States—that Wilmington, the principal of these ports, soon fell into the hands of the enemy, who also held South Carolina and Georgia; and almost simultaneously with the march of Cornwallis on Charlotte, had landed a large body of troops in Virginia, under Arnold, and were threatening an invasion from thence—that there was no internal navigation, and that the best means of transportation from the fertile valley of the Roanoke, and from the seaboard, to the army, at Hillsborough, Salisbury or Charlotte, was by the ordinary wagon of the planter, and that no inconsiderable portion of the supply of these had been lost in the rout ensuing the defeat of General Gates, the furnishing of the most indispensable necessaries of life was a Herculean task. The ordinary productions of the earth had been yielded, though probably in diminished quantities, in many sections, by reason of the interruptions of labor, from the heavy drafts for military service, in South Carolina, as well as at home, during the year; but in the circumstances of siege, which environed the State, the great privation was in the want of salt, without

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which animal food cannot be preserved nor vegetable enjoyed—a privation which was alike felt by the army and the people of the country; and it is quite apparent from the correspondence of this board, that an army essentially larger than that which was brought into the field, could not have been long maintained. In their communications with General Greene, the commissioners expressed their regret, that in consequence of the exhaustion of the treasury, the legislature had adopted the policy of relying on the militia for the public defence. This species of force was usually called to tours of duty of three months duration; and as they generally turned out on horseback, occasioning a great consumption of subsistence, it seems to have been arranged that but a limited number should be ordered to his aid, except in immediate expectation of a general engagement. Accordingly, large detachments, numbering in all four thousand men, that had been called out by the Governor or Board of War, and were on their march under Generals Allen Jones, Gregory, and others, to unite with the army of defence, were halted and disbanded, lest, by joining the camp, they should consume the scanty stores of the continental soldier.

At the next session of the Legislature, which commenced on the 18th of January, 1781, acts were passed to discontinue the Board of War, and "establish a Council Extraordinary," to consist of "three persons of integrity and abilities, such as the General Assembly can have the greatest confidence in"—and "to invest the actual Governor (Abner Nash,) and this

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council, with the executive powers of government," after the expiration of his official term, provided the invasion of the enemy should prevent the holding of elections, and the meeting of the legislature at the usual time. But I have seen no record of the organization of this council, or any proceedings under these statutes. The result of the campaign probably rendered them unnecessary.

It is to be regretted, that among the documents of this period there has been but a meagre preservation of the correspondence of Governor Nash. In the infancy of the government, no law required the executive correspondence to be recorded; and, there being as yet no permanent seat of government, such papers had no other depository than in the private mansion of the incumbent. He died some four years after the war, still high in the public confidence, and at the time of his demise a member of the Congress of the confederation. Having made this allusion to the measures of defence adopted by the State government in this, to her, the darkest hour of the war, I cannot withhold the expression of my gratification, that through every line of the public statutes, of the Journals of the General Assembly, and of the Board of War, there breathes the loftiest spirit of defiance towards the enemy, and an unquailing determination to call forth every energy of the country to uphold its now doubtful cause. It well consists with the patriotic and daring resolutions of her popular assemblies and Provincial Congresses of 1774–'5 and '6; and to the end of the contest, her authorities, amid

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every trial and disaster, kept the standard of independence full high advanced, and the organized government in steady, protective and salutary operation. "*Magna vis est, magnum nomen, unum et idem sentientis senatus.*"

While the work of reconstructing the main army was pressed forward with all possible expedition at Hillsborough, the command of Davidson[1] took up a position on Rocky River, in Mecklenburg, which, in his correspondence, he styles "Camp M'Knitt Alexander," the name of an early and ardent patriot in that county, from which he kept up a system of observations on the British army and the disaffected districts of the country. General Sumner,[2] with another force of militia, occupied "Camp Yadkin," west of the river of that name. General Smallwood,[3] accepting the command to which he had been invited by the General Assembly, accompanied by two hundred regulars under the renowned Colonel Morgan, who had now reached the southern army, proceeded westwardly, and took command of both these brigades, a few days after the retreat of Lord Cornwallis from Charlotte. Chastising the tories, in a handsome skirmish, by a detachment of his troops under Major Cloyd,[4] at Shallow Ford, on the Yadkin, in a settlement not far from which place Colonel Bryan had raised and marched a regiment of loyalists, immediately after the surrender of Charleston, and joined the British in South Carolina, he advanced to the

[1] Journal of Board of War. [2] Ibid. [3] Ibid. [4] Ibid.

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frontier of the State, on the Catawba, to watch the enemy and give support to General Sumpter, then manœuvering against Tarleton in the upper districts of that State.

General Gates, with the main army, subsequently took the same direction, and had occupied Charlotte, when he was superseded in the command by General Greene. Need I add, that the appointment of this illustrious man, (approaching, in his characteristics, so much nearer to the great Commander-in-chief than any other officer in that war,) to the head of the army of the South, filled all hearts with gladness and hope. The Board of War, in a correspondence which was immediately opened, expressed to him its great satisfaction upon this event, and engaged to draw forth all the powers of the State, and every necessary resource in it, to support him; "that," say they "the command with which you are dignified, may be honorable to yourself, as well as satisfactory to the country." The transfer of the command was announced in general orders on the 3d of December.

General Smallwood having been promoted to a Major Generalship, about this time left the service in the South, and Colonel Davie, being out of military employment by the expiration of the enlistment of his men, accepted from the Board of War the office of Superintendent Commissary General, made vacant by the resignation of Colonel Thomas Polk, and accompanied the army of General Greene in that capacity through the ensuing campaign.

Having thus occasion to mention the name of Col

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onel Polk, I deem it proper to correct an error into which Mr. Lossing has fallen, in his Field Book, upon the authority of the papers of General Gates, and which, unintentionally, I have no doubt, does great injustice to his memory. It is an imputation of disaffection, at the very time he held the office of Superintendent Commissary General. Fortunately, the Journal of the Board of War explains the whole matter. There was some complaint of inattention to duty on his part, in his important office, which he explained upon the ground of a scarcity of supplies, and necessary attention to his family; and Colonel Martin, a member of the board to which he was amenable, having visited the army in Mecklenburg, declares in a public letter recorded in its journals, that in his opinion, Colonel Polk, under the circumstances, had fulfilled the duties of his office as well as circumstances would admit. He was immediately afterwards entrusted by General Greene, with the temporary command of a Brigadier General of militia, and in all after, as in prior time, was regarded as a firm and unwavering patriot.[1]

[1] He was not only himself a champion and leader of great influence and effectiveness, but the father of three sons, all of whom were in active military service, after, as well as before this alleged disaffection. One of these, bearing his father's name, was slain in the battle at Eutaw Springs, in which he commanded a company. Another, Charles Polk, was an officer in General Rutherford's expedition for the relief of Wilmington, in the autumn of 1781; and a third, the late Colonel William Polk, of Raleigh, after having been wounded in the Scovilite expedition, and at the battle of Germantown, was aid-de-camp to General Davidson, and at his side when he fell, at the passage of the Catawba, and commanded a regiment of the State troops of South Carolina, under Sumpter, at Eutaw. For evidence

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Surveying his troops and supplies, General Greene found himself at the head of about two thousand men, one-half of whom were militia, with provisions on hand but for three days, in an exhausted country, and but a scanty supply of amunition, which could not be replenished short of Virginia. With the quick eye of military genius, he determined to divide his force, small as it was. Relying upon Davidson's militia, to be called from their homes when the emergency might require, as a central force, he sent out Morgan, now promoted to the rank of Brigadier-General in the Continental service, across the Catawba and Broad Rivers; while he himself led the main army to a point opposite Cheraw, on the Pedee, where he was soon after joined by the effective legionary corps of Lieutenant-Colonel Henry Lee, the author of the "Memoirs of the War in the South," subsequently Governor of Virginia, and the Funeral panegyrist of Washington by the appointment of Congress. By this judicious disposition he secured abundant supplies of provisions for his troops, interrupted communications between the British army and the loyalists, and put it out of the power of Lord Cornwallis again to invade North Carolina, without first driving back Morgan, or leaving him in his rear. Morgan, by concert, was strengthened by accessions of militia under General Pickens, of South Carolina,

of the appointment of Colonel Polk to the command of a Brigadier General, by General Greene, early in the spring of 1781, see article in the University Magazine for June, 1852, entitled "Closing scenes of the Revolution."

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and Majors McDowell, of North Carolina, and Cunningham, of Georgia.

Large reinforcements, under General Leslie, having been received by Lord Cornwallis, he despatched a superior force, under Lieut. Colonel Tarleton, to oppose Morgan, himself following with the main army in the same direction. The battle of the Cowpens, which immediately followed, and in which Tarleton was triumphantly defeated by Morgan, with the loss of one hundred killed and more than five hundred prisoners, with arms, artillery and military stores, being fought in South Carolina, a few miles beyond the border, is not within the immediate scope of our subject, but it brought back the enemy into North Carolina, maddened by this humiliation of his arms, and eager for revenge. Forced to retreat from his first entrance into the State, with the sinecure royal Governor under his escort, by the unexpected reverse at King's Mountain, and now thwarted by the sudden overthrow of the *elite* of his army by an inferior number of the republican troops, a great part of whom were militia, his lordship resolved upon a vigorous pursuit, to rescue the prisoners of the Cowpens, and destroy Morgan.

In this manner commenced that thrilling series of military movements which was continued with the activity of a steeple chase for quite two months.—The main British army lay at Turkey Creek, some twenty-five miles south of Cowpens, and Morgan may be considered to have had, by so much, the start of his Lordship, in this trial of speed. The latter moved

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immediately, hoping to cut off Morgan, encumbered with prisoners and baggage and stores, the fruits of his victory, before he should reach the fords of the Catawba, in North Carolina, for which it was presumed he would aim. Morgan, however, vigilant and wary as his great adversary, and fully comprehending his danger, abandoned his captured baggage, and leaving his wounded under the protection of a flag, on the very evening of the day of battle, set out on his retreat; his prisoners in advance, escorted by his militia, followed immediately by the regulars, under his own command. This, it will be recollected, was on the 17th of January, 1781. For twelve weary days, *nec mora, nec requies*, the retreat and pursuit were continued without intermission. Near nightfall, on the evening of the 29th, the vanguard of the royal army, under General O'Hara, gained the Island Ford on the Catawba, on the present road from Statesville to Morganton, but discovered that Morgan had crossed over with all his prisoners and forces, about two hours before. Halting and encamping on the shore, with the purpose to renew the pursuit early in the morning, the British General was tantalized by the loss of his prize, at the moment he supposed he was about to clutch it in his grasp. During the night the river was swollen by heavy rains, was impassable in the morning, and so remained for two days, at the expiration of which, Morgan's militia, with his prisoners, were far on their march towards Virginia.[1]—

[1] This is the account of Lee, which has been followed by Lossing, The

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He himself, with his regulars, passing down the left bank of the river, to Sherill's Ford, there met General Greene, who, having been advised of the movement of the enemy from Winnsborough, and the victory of the Cowpens, had hastened forward, with an aid-de-camp and a few militia attendants, from his camp on the Pedee, to concert measures to secure its fruits, and to act against the adversary as means and opportunity might permit.

The swell in the Catawba, which the pious feeling of the country could not but ascribe to providential interposition, and the consequent interruption in the pursuit of the enemy, determined General Greene to dispute his passage across the river, and thus gain time for the arrival of his army at Salisbury, whither he had ordered it to hasten, under General Huger, of South Carolina, and Colonel Otho H. Williams, of Maryland, with the hope of there forming a junction with Morgan. In execution of this design, Morgan's light troops, joined by a few militia, were posted at Sherrill's Ford. General Davidson, who, in this critical period, was ever on the alert, had called out the militia force under his command, and while watch was kept at various fords on the river, with directions to give information of the approach of the enemy, a

Order Book of Lord Cornwallis, however, is in the possession of the Historical Society of North Carolina, and the work of Stedman appears to establish the fact, that no part of the British army, at that time, advanced further than Ransom's Mill, fifteen miles from the Island Ford. But there is little doubt, from tradition, that the swell in the river, enabled General Greene to adopt measures to dispute the enemy's passage across it.

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considerable body of his troops was placed at Beattie's Ford, he himself taking position at Cowan's Ford, with about three hundred and fifty men, on the evening of the 31st of January. Lord Cornwallis, in the meantime, foiled in his pursuit, had encamped at Ramsour's mill, the scene of the action between the Whigs and Loyalists the preceding summer; and having experienced delay in his late march, from the incumbrance of his baggage, he here destroyed all that could be regarded as superfluous, himself setting the example by casting into the flames the baggage of head-quarters, and converted his whole army into light troops, with a view of renewing the pursuit of Morgan, or forcing General Greene to an action. Thus disencumbered, he lost no time in approaching the Catawba upon the abatement of the flood, and while a feint was made at Beattie's Ford, the most public and eligible pass, by a detachment under Lieutenant-Colonel Webster, his Lordship moving with the main army in the night, was at dawn of day at the private pass of Cowan's Ford, where he had been anticipated by the vigilance of Davidson. Plunging into this bold river, which is here the fourth of a mile wide, with its waters not yet assuaged, the British troops waded through, and were received by a well directed fire from our militia; but succeeded in making good their landing, with the loss of about forty killed and wounded, including Colonel Hall. On the American side the loss was inconsiderable, except in the fall of the gallant Davidson, who here sealed with his life's blood the vows of devotion and duty

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to his country, which he had made in the outset of the struggle, and which he had zealously maintained by five years of service in the field.

Our repulsed forces retired to Torrence's tavern, six miles distant, on the Salisbury road, where they were joined by their comrades from Beattie's Ford, who retreated on hearing of the loss of their General; and halting there in confusion, and no individual assuming command, they were surprised by Tarleton's cavalry, who had been sent in pursuit, and put to rout, but without serious loss. General Greene now hastened eastward to Salisbury with the troops under Morgan, and despatched orders to Huger and Williams not to advance to that place, but to unite with him at Guilford Court House, some fifty miles further east. Pressing on, pursued eagerly by the British, he crossed the Yadkin at the Trading Ford eastward of Salisbury. And here again Heaven smiled on the American cause. His cavalry forded at midnight of the 3rd of February, and the infantry passed in boats at dawn the next morning, a few of their wagons being cut off by the pursuers. But the boats were secured at the place of landing, and a rise in the river during the night arrested the passage of the enemy, and forced him to proceed up its western bank some thirty miles, to the Shallow Ford, near the village of Huntsville. Here he received intelligence of the successful junction of the two divisions of Greene's army at Guilford Court House, and lost all expectation of attacking them in detail; but being confident of his power to encounter both, he moved forward, in the

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ardent hope of compelling them to battle before they could reach Virginia, where ammunition, supplies, and recruits awaited them. His movement up the Yadkin had thrown him nearer to the upper fords of the Dan River than General Greene, and enabled him to cut him off from that mode of crossing; and trusting so to overcome the distance between them as to arrest his passage in boats, he urged on his march with all possible expedition. Greene, resting his wearied troops for three days at Guilford Court House, where many of them within a month were to find their last repose, and calmly surveying his condition, determined to continue his retreat into Virginia; and, with twenty-five miles the advantage in distance, set off in a new race with the British General for the lower ferries of the Dan. Long and weary was the march—keen and close the pursuit. Organizing seven hundred suitable troops into a light corps, under the command of Colonel Willlams, subordinate to whom were Colonels Howard, Washington and Lee, General Greene placed these in his rear, to watch and skirmish with the enemy, while the army with its baggage and stores should pursue its way without molestation. The British General, with a like policy, sent forward a vanguard of similar troops, under General O'Hara. On their first approximation, the skirmishing between these corps was brisk and active; but experiencing no advantage in their results, they were discontinued by the enemy, and often these columns of the two armies would be seen in the wide plantations by the way, moving forward with a quick step without sign

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of hostility, except where a curve in the road or the crossing of a stream promised some advantage to the pursuers. With a single meal a day to each army, and slight intervals for rest, the pursuit and retreat continued three days and nights. By the masterly dispositions of Colonel Carrington, of Virginia, the Quartermaster General of the army, who had previously surveyed this river with a view to such a result of a campaign as the present, boats were in readiness at Irwin's ferry, and the army of Greene passed over the Dan on the 13th of February. The division of Williams, eluding the enemy, crossed over the next day, swimming the horses of the cavalry, and pursued by O'Hara until within a short distance of the river.

Thus ended this celebrated retreat of two hundred and thirty miles from the Cowpens, diagonally across North Carolina into Virginia, and which composes one of the most interesting chapters in all military history. Contemplating the romantic Piedmont country through which it was made; its projecting mountains near at hand, and loftier ones in the distant view; its lovely vales and noble rivers swollen by floods; the battles and skirmishes of the two armies, and exploits of the partisan corps and individuals; literally "hair breadth 'scapes and adventures by flood and field,"; an imaginative mind could not attempt its description without bursting forth into song, and crowning its heroes with unfading amaranth. But it leaves the British General on the northern frontier of a third of the Southern States; shall that

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State be added to his conquests? Frustrated in the object of his long and wearisome pursuit, he had yet the *eclat* of a victor in compelling his adversary to flee, and wisely concluded to make the most effectual use of this attribute. After a single day's repose, he proceeded unopposed to Hillsborough, where we have seen the Legislature, and afterwards the Board of War had been recently in session. It was, perhaps, a fortune for the State, at that time, that she had no great city to be struck at by the enemy as a vital part, and by impositions upon which general submission might have been exacted; but that her wealth and population were diffused over an extensive territory, intersected by mountains, rivers and morasses, the inhabitants of which were as little dependent on each other, except for good neighborhood and mutual defence, as they were upon the enemy. There was no permanent seat of government, and the Legislature rarely assembled in the same town twice in succession. The occupation of Hillsborough, the recent place of meeting of the General Assembly and the Governor, therefore, was of itself a circumstance of little importance. Lord Cornwallis, however, erected there the royal standard, and putting his printing press again in requisition, issued forth a proclamation, assuming to himself the air of a conqueror, offering protection, and appealing to the liege subjects of his Majesty to prove their loyalty and duty by coming to the aid of his cause, and thus contributing to restore the blessings of order and good government. This appeal, accompanied by the most rigid observance of

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order in the restraint of his troops from all trespass on person or property, was not without its effect upon the inhabitants of the country west of the Haw and north of Deep river, many of whom had been leaders in the resistance of the regulation in 1771, and having been then overcome and forced to swear allegiance to the crown, were now loyalists, as much from scruples of conscience as attachment to the enemy's cause.

The quiet of the conqueror did not long remain undisturbed. After the fall of General Davidson, on the first of February, we left his command, consisting of men from Mecklenburg and Rowan, routed and dispersed by a surprise from Tarleton's cavalry, at Torrence's Tavern, six miles from the Catawba. Reassembling after the passage of the British army, they collected a force of seven hundred men, and followed the pursuing enemy. There being differences of opinion among the field officers as to the chief command, here, as in the case of Campbell at King's Mountain, on the 11th of February, they elected General Andrew Pickens of South Carolina, to the head of Davidson's brigade.[1] This distinguished partizan officer was at the surprise at Torrence's, and had continued wtth these troops from that time, but without command, except of a few followers from South Carolina. Doubtless, they could not have found a more skillful, gallant, and efficient leader. But the effect of this leadership has occasioned them to be mistaken

[1] Memoranda of General Graham, who commanded a company of mounted men in this brigade.

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by Lee and other historians for militia of South Carolina. Passing leisurely through the country after the British army, they effectually kept down the loyalists, and at dawn of day, on the morning of the 18th of February, a detachment of two companies of this force, by order of General Pickens, surprised and captured a picket stationed at Hart's Mill, within a mile and a half of the head quarters of Cornwallis, at Hillsborough. Retreating to a place of safety, in the direction of Stony Creek, with some five and twenty prisoners, Pickens had ordered a halt, to allow those engaged in the night expedition to refresh themselves with breakfast, when an alarm was given of the approach of the enemy in force. Great was the joy of the camp, however, to learn that the advancing column was not Tarleton, with his famous cavalry, in quest of the captors of the picket, but Lieutenant Colonel Lee, at the head of his legion, who had been sent by General Greene in advance of the main army, to keep an eye upon the enemy, and prevent, if possible, the junction of any loyalists to his standard. This was the first meeting of these renowned leaders who co-operated so actively during the residue of the campaign. Informing themselves correctly of the situation and movements of the enemy, and learning that Tarleton had been despatched westward, to encourage the loyalists beyond the Haw River, and escort to headquarters any who desired to join the king's army, they set out in pursuit, to cut off the communication, and if possible, compel him to action. By a complete surprise on both sides, in the search for Tarleton, they

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came suddenly upon a body of six hundred loyalists, under Colonel Pyles, who, inspirited by the apparent success of the British arms, and the proclamation of their General, to take service under his flag, were on their march to Hillsborough with that object. Expecting to meet Tarleton, they supposed the army of Lee and Pickens to be his, until they were overthrown with terrible slaughter. Ninety lay dead upon the field, and nearly all the residue were wounded. Lee and Pickens, hurrying forward, espied the camp of Tarleton in the evening, and were at the same time joined by Colonel Preston, with three hundred men from the mountains of Virginia, who having heard of the straits of Greene's army on his retreat, were marching to join him, ignorant that he had passed the Dan. But the united forces postponing their attack until the morning, Tarleton eluded their grasp, and made good his retreat to Hillsborough.

General Greene, having soon refreshed his wearied troops and replenished his military supplies, and being reinforced by a brigade of militia under General Stevens, re-crossed the Dan on the 23d of February, again to manœuvre with the enemy. At the same time, Cornwallis, filled with chagrin at the disaster to Pyles, in this first considerable insurrection in his favor since his entrance into the State, moved westward of Haw River, to be nearer to the settlement of the loyalists, and prevent the recurrence of a like casualty to his Majesty's faithful lieges. The British General, it must be noted, throughout the whole campaign, had two objects in view, after failing to over-

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take Morgan's prisoners; the one to destroy Greene's army, the other to augment his own by recruits from among the loyalist inhabitants; and the aim of the American was as well to impress the loyalists by an exhibition of his force and spirit, as the safety of his own army and the annoyance of his adversary. Taking position between the upper branches of Haw River, General Greene re-established his corps of light troops under the gallant and sagacious Williams, which he kept between the enemy and the main army. In a series of interesting movements, assaults, skirmishes and retreats, he baffled all the efforts of his opponent to bring either division of his army to a general engagement, until the arrival of a brigade of militia, under General Lawson, from Virginia, and two brigades from North Carolina, under Generals Butler and Eaton. His force being now numerically superior to that of the enemy, he advanced to engage him in battle, and selected an eligible position at Guilford Court House. Lord Cornwallis, accepting the defiance, also moved forward to the conflict, which took place on the 15th of March 1781, and became the assailant. Neither our limits nor your patience will allow an extended description of this, perhaps, greatest battle of the southern war. It is well portrayed by Marshall, Lee, Johnson, and Lossing. Suffice it to remark, that the order of battle, the sagacity, the calm self-possession, ready resource, and courage of both Generals, was well admirable; that few engagements exhibit instances of greater daring and persevering bravery than were manifested by individual officers and men,

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and whole corps; that rarely have militia withstood the shock of veteran regulars, supported by artillery, better than did those of Virginia, under Stevens and Lawson, and Campbell, and never did veterans in any field better illustrate heroism and discipline than the first Maryland Regiment under Colonel Gunby and Lieutenant-Colonel Howard, and the Delaware troops under Captain Kirkwood. And but for the panic which seized the two North Carolina brigades, under Generals Butler and Eaton, who had recently joined the army, and were posted in the front line of the battle, under the booming of cannon, and an approaching charge of the British under Lieutenant Colonel Webster, and who broke and fled with only a desultory fire; and the wavering and flight of the second Maryland regiment, under Colonel Ford, late in the action, General Greene must have achieved a complete victory. At the commencement, his force numbered more than two to one of the enemy, and after the flight of the militia of Eaton and Butler, they yet stood in the proportion of three thousand two hundred to two thousand. Well, therefore, has it been observed by Marshall, that "no battle in the course of the war reflects more honor on the British troops than that of Guilford." They, however, were nearly all veteran. Those of Greene contained about five hundred of this class. Though retiring from the carnage of the day, northward, across the Reedy Fork of Haw River, to the Iron works on Troublesome Creek, he effected his retreat in good order and safety to his troops, leaving to his adversary a "gory

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bed" and barren triumph on the field of battle. His loss in killed and wounded, amounted in all to about four hundred; while that of Lord Cornwallis, according to the official account, was five hundred and thirty-two, including Lieutenant-Colonel Webster, the Ajax of his army, a friend "whom he loved, and who leaned upon his bosom." He was mortally wounded, and died some days subsequently in Bladen, on the march of the army to Wilmington. The "Memoirs of Lee," mention that in a sharp action at Whitsell's mill, on Reedy Fork, which occurred with Williams' light troops, a few days before this battle, thirty-two rifle shots were deliberately fired at Colonel Webster, by some of the best mountain riflemen under Campbell, who were placed in a log-house, with instructions to fire only at "special objects," while he led the British column across the stream, but all without effect. The termination of his life was reserved for probably a chance shot at Guilford. A similar anecdote is related of General Frazer, of Burgoyne's army, who made a like miraculous escape from the fire of a selected body of American riflemen, with like deliberate aim, to receive his death wound in the engagement after the battle of Stillwater, in October, 1777.

The effect of the battle at Guilford Court House was decisive. It drove Lord Cornwallis from North Carolina, and led to his ultimate surrender. Bestowing proper care on the wounded, with his characteristic humanity, he issued a bulletin, in the form of a proclamation, announcing the triumphant success of

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his Majesty's arms, and promising forgiveness of past offences, again exhorted all loyal subjects to join him in re-establishing law and order. But when he surveyed his shattered columns and thinned and crippled ranks, which had sustained a loss of near one-third, he discovered that "the victor was himself overcome," and the scene immediately changed. Thus far, his heart's desire had been a general action. To obtain it, he had strained nerve and sinew, and all the resources of military ingenuity, stratagem and skill; had marched and counter-marched, full five hundred miles, through deep rivers and broken and ruinous roads, in heavy rains in the depth of winter, and had denied himself and his army the usual comforts of the camp, by the destruction of his baggage, to give greater celerity to his movements—he had attained it; he had driven his adversary from a fairly fought field, and tasted the sweets of victory, but found them like "Dead Sea fruits." The loyalists had not risen to join him, as he expected, and mortifying as must have been the fact, he discovered that the salvation of his army depended upon immediate retreat.

The indomitable Greene, on the other hand, refreshing and arraying his discomfited forces at his first camp, after leaving the field, advanced in three days to renew the conflict, and now experienced the proud satisfaction of seeing his late exultant enemy fleeing before him to a place of refuge, and that he had delivered a State from conquest by his long suffering patience, prudence, courage, and the bravery and fortitude of his troops.

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We shall not pursue the retreat of Lord Cornwallis by way of Cross Creek to Wilmington, nor his march thence, nearly with the line of the present railroad, into Virginia, where, in less than six months, he was obliged to surrender to Gen. Washington; nor Gen. Greene in his subsequent march to the relief of South Carolina.

But there was another invasion, in a different quarter, without a brief allusion to which our task would be incomplete.

As a part of his plan for the subjugation of the State, Lord Cornwallis, about the time of breaking up his camp at Winnsborough, had sent from Charleston a land and naval force, under Major Craig, to take and hold the town of Wilmington, as a convenient port through which supplies might be furnished to his own army, which he expected to bring into communication with it. The expedition succeeded, and the town was occupied on the first of February. The only advantage, however, that it afforded to the army of invasion by land, was a convenient retreat and abundant refreshments after the disastrous battle at Guilford Court House. He reached it on the 7th of April, and on the 25th of the same month set off to unite in the attempt to overcome Virginia.

The post at Wilmington, which was occupied by about three hundred regular troops, and a numerous but varying force of loyalists, gave great encouragement to the disaffected in that region of the State.—From the firmness with which the republican cause had been maintained, and the more than doubtful

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success of the British arms in the late campaign, they had been brought to observe a prudent neutrality; but after the departure of Greene's army into South Carolina, they acquired new confidence, and became a formidable foe. A detachment of this mixed force, under the immediate command of Major Craig, traversed the country, with occasional skirmishes with the militia, as far eastward as the valley of Neuse river, and seized the town of Newbern; and the war between whigs and tories raged in the district between the Cape Fear and Pedee, with a fierceness rarely surpassed in border contests. Generals Brown, Owen, Wade, Willis, and other patriot leaders in that region, besides encountering this domestic enemy in skirmishes and assaults without number, fought with them an unsuccessful battle at Beattie's Bridge on Drowning Creek, a branch of the Pedee, and General Butler, with the militia of Orange county, met and repulsed them, but without a decisive result, at Lindley's mills, on Cane Creek, in the county of Chatham.

One of the chiefs of the tory commanders, if not the head of their forces was David Fanning, who in his correspondence styled himself "Colonel of the Royal Militia," and who has left a character in the traditions of the State associated with every crime savoring of rapacity, revenge or cruelty. Always well mounted, and accompanied by a band of kindred spirits, he swept over the country like a Camanche chief. Surprising parties of Whigs when off their guard, he often gave no quarters; or lying in ambush or poun-

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cing upon them at their homes, he seized and murdered or tortured the obnoxious patriots, and then plundered and burnt their dwellings. By a series of bold adventures, he took the town of Cross Creeks, now Fayetteville, captured the Whig militia officers of the county of Chatham, when sitting in court martial at Pittsborough, and, by a sudden descent on Hillsborough, at dawn of day, about the middle of September, seized and carried off the Governor of the State.[1] He outlived the war, and took refuge in the loyalist settlement of New Brunswick, or Nova Scotia. Mr. Sabine, whose sketch of Fanning, in the Lives of the Loyalists, is exceedingly brief and imperfect, in illustration of his character as an outlaw, relates that when General Marion, of South Carolina, admitted to terms Major Gainey, a celebrated loyalist, and a party under him, Fanning was specially named as excluded from the benefits of the arrangement. This quite corresponds with the "corsair name he has left to *our* times," in his old haunts, on the north side of the Carolina border; and caused him with two others only, to be specially excepted from the provisions of the "act of pardon and oblivion," passed by the Legislature at the conclusion of peace.[2]

[1] Since this was written, I have learned that the MSS of the Historical Society of North Carolina, shew that Fanning and McNeill commanded the loyalist forces on alternate days, and that McNeill was in command in the actual descent on Hillsborough.

[2] To those in the least degree acquainted with the history of the State, it is deemed quite unnecessary to say that David Fanning, here mentioned, is a very distinct person from Edmund Fanning, a lawyer of education and literary accomplishments, who was so conspicuous an object of aversion in the movement of this Regulation in 1771.

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The Governor who was so unfortunate as to become his prisoner, was His Excellency Thomas Burke, an Irish gentleman, bred to the profession of medicine in his native country, but had renounced it for that of the law in this. Of a bold and impetuous temper, a ready writer and speaker, and ardently attached to the American cause, he had been one of the great conductors of the contest with the mother country, in the colony, and had had a large share in the formation of the constitution for the government of the State. From this work he was immediately translated to the Continental Congress, of which he had been an active and conspicuous member, from December, 1776, until his election to the office of Governor, in the first part of the year 1781. He appears to have left his seat in Congress, at Philadelphia, and gone as an *amateur* to the battle of Brandywine; and his election to the chief magistracy of the State, in this crisis, is presumed to have been in some degree attributable to the energy and ardor of his nature, which might have rendered him a successful leader in the field. Being some thirty miles distant from the nearest approach of these marauders heretofore, he was completely surprised, and without military attendants, in a small village, was carried off without difficulty. Hurried, by long and rapid marches, through deep forests and pathless tracts of intermingled sand and swamp, threatened with personal violence, and pillaged of everything except the clothes he wore, he was delivered by his savage captors to the custody of Major Craig, on the 23d of Septem-

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ber; and, by an outrage on every principle of justice and public law, he was committed to close confinement, under pretence that he was a prisoner of State and not of war.[1] Being transferred to Charleston, where General Leslie was in command, he was paroled, as a prisoner, to James' Island. The Island was, at this time (December, '81, and January, '82,) infested with large numbers of tory refugees, who had sought protection under the British arms, by reason of the recent success of General Greene in recovering South Carolina, and driving in their forces into the garrison of Charleston. To these Governor Burke, from his past history and official station, was an object of such deep hostility as to endanger his personal safety. To an application for a parole to his own State, or some other southern State, or to be exchanged for an equivalent, or, if all these should be refused, then that he might be transferred to some other place for his personal safety, no direct answer was made, but he was given to understand that none of his requests could be allowed; and that, at the solicitation of Major Craig, he was to be detained indefinitely, to the end, that if the notorious Fanning, or any tory leader whom this British officer had employed, should be taken, and suffer punishment under the laws of the State, there might be retaliation upon him.[2] It was now the seventh year of the war, and the sixth after the National Declaration of Independence; the Amer-

[1] Governor Burke's letter to Willie Jones, MSS.

[2] Governor Burke's letters, MSS.

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ican cause had recently acquired renewed confidence and stability from the surrender of Lord Cornwallis at Yorktown, which occasioned the evacuation of Wilmington by Major Craig; from the result of the battle at Eutaw Springs, and the consequent retirement of the British army to Charleston, and from the arrival of large reinforcements to General Greene from the northward, under Generals St. Clair and Wayne. The individual thus subjected to degredation and insult, was a high-spirited and urbane gentleman, accustomed to the observances of refined life, and the deference habitually yielded to his position. Officially, he was the first magistrate of one of the thirteen independent States, and the third person in succession who had performed the functions of that station. In the outset of the war, Great Britain had affected to treat all Americans as mere rebels, without regard to their governmental organizations; and the dignified reply of General Washington to the haughty note of General Gage, at Boston, justifying such a course, in which he announces to the British Commander-in-Chief, "if your officers, our prisoners, receive from me a treatment different from what I wished to show them, they and you will remember the occasion of it,"[1] will readily occur to the reader of history upon the statement of this question. But in the progress of the contest, this pretension had been relaxed into the observance, for the most part, of the rules of civilized warfare; and the duty of

[1] Marshal's Life of Washington.

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humanity to prisoners, and deference to their rank among their countrymen, had been recognized, not only in not enforcing close confinement, but in exchanges of rank for rank, or its equivalent. But in this instance, chicanery was resorted to, and it was alleged that although continental officers were so far respected as to be subjects of exchange, a like character could not be extended to the militia or State officers. The Continental Congress certainly had given no color to this attempted distinction; on the contrary, upon the second invasion of South Carolina in 1778–'9, when Richard Caswell, a soldier of renown, filled the Executive Chair of North Carolina, that body, at the urgent request of the delegates from South Carolina, had, by resolution, requested him to take command, in person, of the militia force he had ordered out to aid in her defence, with the rank of a Major General in the continental line, and subordinate only to General Lincoln.[1] And to negative, in the most unqualified manner, this weak pretension, Brigadier General Rutherford, of the North Carolina militia, who, we will remember, was taken prisoner at the defeat of Gates, had been recently exchanged, and returned to his own State, after a confinement of twelve months at St. Augustine, Florida.

The close confinement of Governor Burke, and his parole only to limits in which he was in constant danger of assassination, was, therefore, in contravention of recent precedent, as well as of all just principle, and

[1] Governor Caswell's Correspondence, MSS.

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could be vindicated only by that new version of public law, lately acted upon in the Carolinas, by which whole communities of peaceable citizens were claimed as prisoners, and each man forced to a parole of non-resistance or close confinement, and by virtue of which the lamented Hayne had been recently put to an ignominious death, by a military order, without a trial. That it did not produce retaliation, in a summary and exemplary manner, can only be accounted for by the near approach of peace, and the determination of his captivity by the act of the prisoner himself. Stung by the want of respect with which he had been treated from the day of his seizure, and the reflection that he was detained without limit of time, as a hostage for the safety of bandits and outlaws who had forfeited their lives to the municipal laws, and whose depredations were still continued in the State, under his government, he advised the most rigorous punishment on these culprits, should they be apprehended, without regard to his own safety. And being well satisfied that his own life was in jeopardy from the licentious loyalists who surrounded him on James' Island, some of whom were fugitives from North Carolina, he considered his parole cancelled by the circumstances in which he had been placed by the British commander, and resolved to withdraw himself from his custody. This purpose he effected on the night of the 16th of January, 1782, and after having been four months a prisoner. Having made good his escape, he two days afterwards addressed to General Leslie the following letter:

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JANUARY 8TH, 1782.

SIR—You will be pleased to recollect that I wrote to you on the 30th of last month, requesting a parole within the American lines, and informing you that my person was in great danger, from the refugees, who were exceedingly licentious, and to whom persons of my political character are peculiarly obnoxious: therefore, that if granting my request was inexpedient, it would be necessary to remove me to some place where my person might be safe. You were not pleased to answer that letter, and I found myself still exposed to men who are but too well known to be little restrained by moral principles, and whom I have seen commit even murder, with entire impunity. Deeming it exceedingly probable that these might conceive some violent design again against me, and knowing that fear of punishment would not restrain men who felt themselves secure even from discovery, I felt every hour during sixteen days, all the apprehensions of assassination. As my representation to you had not procured your notice, so far as even to induce you to answer me, I saw no prospect of being relieved from my dangerous situation, and I concluded such neglect of my personal safety would justify my withdrawing my person. But though I carried this resolution into effect, I do not thereby intend to deprive you of the advantage which my capture, by the rights of war, entitles you to. I purpose returning to my government, and there to expect an answer from you to the following proposition: I will endeavor to procure you a just and reasonable equivalent

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in exchange for me, or if that cannot be effected, I will return within your lines on parole, provided you will pledge your honor that I shall not be treated in any manner different from the officers of the Continental army when prisoners of war. This proposition will, I hope, be satisfactory, and will leave you, no doubt, that in withdrawing I had no dishonorable intention. I am, &c.,

THOMAS BURKE.

To this letter no reply was directly made, but in a correspondence which ensued between General Leslie and General Greene, and the latter officer and Governor Burke, a discussion was had on the propriety of his withdrawing under the circumstances of the case, and his rights as the first civil officer of a State, and the commander-in-chief of her militia, when in a state of captivity, which, had we leisure to pursue it, would be found to be among the most interesting chapters on public law, in the history of the Revolution.[1] Whatever judgment a stern casuistry may pronounce upon a breach of parole, in any and all circumstances, there can be no doubt that the treatment to which he was subjected was a gross national indignity and wrong, for which atonement was due, and perhaps should have been exacted; and that his apprehensions for his personal safety were not vain or idle, Colonel Washington, who was at this time a prisoner, within the British lines, having been taken at

[1] Governer Burke's Letters, MSS.

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the battle of Eutaw Springs, and was familiar with the desperate character of the tory refugees on James' Island—declared that he would sooner go into a dungeon than take a parole on that island, in its then situation.

Governor Burke returned immediately to the State, and resumed the government, but voluntarily retired from public life at the next ensuing session of the Legislature. Soon afterwards, in a cartel for the exchange of prisoners, between Gen. Greene and the British commander, an equivalent was allowed for his ransom, and he was relieved from the delicate and painful embarrassment in which he had been involved by his captivity.[1]

During his "inability and absence from the State," Alexander Martin, the Speaker of the Senate, assumed and exercised the powers of Governor, according to the provisions of the Constitution, and the government continued in all its functions and usefulness.

As soon as the seizure and imprisonment of the Governor became known, the veteran General Rutherford, who had returned from his long imprisonment in St. Augustine, raised a force in Mecklenburg, Rowan and Guilford, and led an expedition against the British post, at Wilmington, and the loyalists who were its emissaries, and after chastising the latter in divers skirmishes, finally dispersed or drove them within the lines of the British garrison, which, becoming informed of the advances made by Greene in

[1] Gov. Burke's letters, MSS.

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the re-conquest of South Carolina, and the surrender of Lord Cornwallis at Yorktown, evacuated the town, and returned to Charleston.[1] Thus was the British flag struck, on the 18th of November, 1781, never again to be unfurled in North Carolina. But true to the great cause of America, her efforts against the common enemy ceased not with his expulsion from her borders, as they had not been postponed until his arrival within them. Immediately after the retirement of Lord Cornwallis to Virginia, her western people rallied to the call of Gen. Sumter for service in South Carolina,[2] and her Continental battallions being again recruited under General Sumner, with a new "aid" of militia, formed a conspicuous part of Greene's line of battle at Eutaw, and followed the flag of the Union, until the disappearance of the enemy's sails, off the harbor of Charleston.

Having had occasion to refer to the Statute Book, that fruitful and authentic source of instruction in the history of all nations, and especially of free governments, in time of peril and revolution, I deem it fit to call your attention, in connection with the period of dread and doubt through which we have passed, to an act of the Legislature at its first session after the proclamation of peace, held in April, 1783, respecting those citizens of the State who had espoused the cause

[1] For details of this expedition, see "Closing Scenes of the Revolution," in the June number of the N. C. University Magazine.

[2] Gen. Graham's mem.; see also the act of the Legislature, June 1781, exempting those counties from levies of continental troops, which had furnished men to General Sumter.

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of the enemy, "in the late unhappy war." It is entitled, "An act of pardon and oblivion;" and declares "that all and all manner of treasons, misprison of treason, felony or misdemeanor, committed or done since the fourth day of July, seventeen hundred and seventy-six, by any person or persons whatsoever, shall be pardoned, released, and put in total oblivion," with the exception, 1st, of certain notorious bandits and other criminals; 2d, those who had taken commissions, and acted as officers under the British government; and 3d, those who had been named in confiscation laws passed during the war—an act of grace and magnanimity worthy of the heroic but christian and forbearing spirit which had triumphed in the struggle just ended.

I am conscious of so tedious a narrative that I shall not abuse your patience by the reflections to which it might naturally give rise. My object has been to present in outline merely, but in chronological order, and natural connection and dependence, some of the leading events in the struggle for our common freedom, of which my native State was the theatre, after it had become a contest of arms. Although this has been done with a prolixity and minuteness of reference to time and place, far exceeding the limits of good taste in a discourse for the hour, before an audience unfamiliar with the localities described, it is, at best, I fear, but a meagre and defective presentation of the subject. I trust, however, in the retrospect, it may not be wholly unprofitable to the researches of the student of history. The history of the war in the

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North has been written with far more minuteness than in the South. That that of North Carolina has been especially neglected, will be manifest when it is observed that so important an event as the capture of her Chief Magistrate by the enemy, is mentioned in no professed history of the Revolution, as far as my researches have gone, and is brought to general notice for the first time in the recent works of Wheeler and Lossing, and in them, without any detail or reference to the important questions of public law, to which in its consequence it gave rise. As the rapid course of time hurries us further and further from the epoch of the Revolution, filling up the intervening space with the great events of the two succeeding generations, its characters and incidents and places are becoming more and more objects of curiosity and interest. If I shall have contributed to unfold a leaf in a single book of this great epic of the nation, I shall regard the occasion allowed by the honored invitation of your society, as an opportunity for the fulfilment of a patriotic duty.

I cannot, however, omit to remind you, while we delight, like the Athenians in the time of Demosthenes, "to praise our ancestors and tell of their trophies," that although the scenes which have been imperfectly presented to your view were enacted in a far distant part of the country, they, in their day, excited sensations which vibrated from Maine to Georgia; that every well aimed rifle on the banks of the Catawba, the Yadkin, or Cape Fear, and every successful exploit of Greene, Morgan, Williams, David

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son, Davie and their associates, aided by so much in thinning the ranks and overcoming the power of a British Commander-in-Chief, who, at that very time held his headquarters in the city of New York;[1] that the force there opposed to him was a joint force of men of the Carolinas, Virginia, Maryland and Delaware, and that the General who manœuvered and marshalled it in its more important and decisive operations, with a readiness of resource, a skill and valor, never surpassed, was a citizen of Rhode Island. It was therefore, a union of effort for a common end; the expulsion of a common enemy, and the establishment of a common liberty, which, under the providence of God, was nobly accomplished. Such is the lesson we derive from our fathers. May we improve and transmit it to our children, and in ages and generations to come, may they assemble in the same fraternal spirit in which we are met to-night, to mingle their sympathies and keep bright the recollection of a common glory, citizens of the same free, happy, and *United* States of America.

[1] Sir Henry Clinton and afterwards Sir Guy Carleton.

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APPENDIX.

[A. Page 106.]

In March, 1771, John Miller, printer of the London Evening Post, was arrested by order of the House of Commons, for publications regarded as libellous. He was discharged by the Lord Mayor and Aldermen of London, on the ground that the order was illegal, and the Lord Mayor and Aldermen were, in turn, summoned to answer at the bar of the House for contumacy. Among the latter was John Wilkes, the author of the famous libel on the King, contained in the North Britain, No. 45.

About the close of the last century, John Miller is understood to have established himself at Pendleton C. H., S. C., and to have commenced the publication of "Miller's Weekly Messenger." It was a sheet of small size and humble pretensions, and was printed upon the press, which had been used by General Greene in his southern campaigns. The press still in use, was shown to me by the editor of "The Pendleton Messenger," in December, 1820.

[B. Page 108.]

American archives: consisting of a collection of authentic records, state papers, debates and letters, and other notices of public affairs, the whole forming

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a Documentary History of the origin and progress of the North American colonies; of the causes and accomplishment of the American Revolution; and of the constitution of government of the United States, to the final ratification thereof—In six series. Of these, the fourth series from the King's Message of March 7th, 1774, to the Declaration of Independence by the United States, in 1776, has been published in six folio volumes.

Of the fifth series, from the Declaration of Independence in 1776, to the definitive Treaty of Peace with Great Britian in 1783, the two first volumes are in our possession; the third has been published but has not yet reached us. When the work will probably be completed, we have no information. The first series will supply a great desideratum and must be anxiously expected in all the older States in the Union.

[C. Page 116.]

John McDonald, F. R. S., only son of the celebrated Flora McDonald, who so materially assisted in the escape of Charles Edward Stûart, in 1746, was born in 1759. He passed many years in the service of the East India Company, and attained the rank of Captain in the corps of engineers on the Bengal establishment. On his return home he was appointed lieutenant-colonel of the royal clan-alpine regiment, and commandant of the royal Edinburg artillery. But it is as a writer on military tactics and as a man

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of science that Colonel McDonald is especially entitled to our notice. His productions relative to the art of war are chiefly translations from the French, and consist of "The Experienced Officer," "Rules and Regulations for the Field Exercise, and Manœuvres of Infantry," "Instructions for the conduct of Infantry on actual Service," "Treatise on Telegraphic Communication, Naval, Military and Political," and in 1816, a "Telegraphic Dictionary" extending to one hundred and fifty thousand words, phrases and sentences. During the latter period of his life, he resided at Exeter, where he died, aged seventy-two, in 1831. *Copied from Maunders' Dictionary of Universal Biography.*

[D. Page 121.]

FROM THE ANNUAL REGISTER FOR 1776—HISTORY OF EUROPE, PP. 156–158.

The necessity under which we have seen Governor Martin, obliged to seek refuge on board a ship of war in Cape Fear river, did not damp his ardor in the public service, nor restrain his attempts to reduce the province of North Carolina to obedience. His confidence of success was increased, by the knowledge he had, that a squadron of men of war with seven regiments, under the conduct of Sir Peter Parker and Lord Cornwallis, were to depart from Ireland on an expedition to the southern provinces in the beginning of the year, and that North Carolina was their first, if not principal object. He also knew

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that General Clinton, with a small detachment, was on his way from Boston to meet them at Cape Fear.

The connection he had formed with a body of desperate people, lately considered as rebels to the King's government, now equally enemies to the provincial establishment, whom we have frequently had occasion to take notice of under the name of *Regulators*, as well as with the Highland emigrants, seemed to insure the reduction of the insurgents, even independent of the expected force. That colony was deemed the weakest in America, except Georgia; and the two parties we have mentioned were numerous, active, daring, and the former were at this time, as well as the latter, zealously attached to the royal cause. The Highlanders were considered as naturally warlike, and the Regulators, from situation, habits and manner of living, to be much bolder, hardier and better marksmen, than those who had been bred to other courses and in more civilized parts of the country.

The Governor sent several commissions to these people for the raising and commanding of regiments, and granted another to a Mr. McDonald to act as their General. He also sent them a proclamation, commanding all persons, on their allegiance, to repair to the royal standard, which was erected by General McDonald about the middle of February.

Upon the first advice of their assembling at a place called Cross Creek, Brigadier General Moore, immediately marched, at the head of the Provincial regiment which he commanded, with such militia as he

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could suddenly collect, and some pieces of cannon, within a few miles of them, and took possession of an important post called Rockfish-Bridge, which, as he was much inferior in strength, he immediately intrenched and rendered defensible. He had not been many days in this position, where he was receiving and expecting succours, when General McDonald approached, (February 15th,) at the head of his army, and sent a letter to Moore, inclosing the Governor's proclamation, and recommending to him and his party to join the King's standard by a given hour the next day, or that he must be under the necessity of considering them as enemies.

As Moore knew that the Provincial forces were marching from all quarters, he protracted the negociation, in hopes that the Tory army, as they called it, might have been surrounded. In his final answer he declared, that he and his officers considered themselves as engaged in a cause the most glorious and honorable in the world, the defence of the liberties of mankind; he reminded the emigrants of the ungrateful return they made to the kind reception they met in the colony; and the General, with some of his officers, of an oath they had taken a little before, and upon which they were permitted to come into the country, that they only came to see their friends and relations without any concern whatever in public affairs. In return to the proclamation, he sent them the test proposed by the Congress, with a proffer, that if they subscribed it, and laid down their arms, they should be received as friends; but if they refused to comply

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they must expect consequences similar to those which they had held out to his people.

In the mean time, McDonald perceived the danger he was in of being enclosed, and abruptly quitting his ground, endeavored, with considerable dexterity, by forced marches, the unexpected passing of rivers, and the greatest celerity of movement, to disengage himself. It seems, the great and immediate object in view with this party, was to bring Governor Martin, with Lord William Campbell, and General Clinton, who had by this time joined them, into the interior country, which they judged would be a means of uniting all the back settlers of the southern colonies in the royal cause, of bringing forward the Indians, and of encouraging the well-affected to shew themselves in all places.

The provincial parties were, however, so close in the pursuit, and so alert in cutting the country, and seizing the passes, that McDonald at length found himself under a necessity of engaging a Colonel Caswell, who, with about a thousand militia and minute men, had taken possession of a place called Moore's Creek Bridge, where they had thrown up an intrenchment. The royalists were by all accounts much superior in number, having been rated from three thousand to one thousand five hundred, which last number McDonald, after the action, acknowledged them to be.—The emigrants began the attack, (February 27th,) with great fury; but McLeod, the second in command, and a few more of their bravest officers and men being killed at the first onset, they suddenly lost

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all spirit, fled with the utmost precipitation, and, as the provincials say, deserted their General, who was taken prisoner, as were nearly all their leaders, and the rest totally broken and dispersed.

This victory was a matter of great exultation and triumph to the Carolinians. They had shewn that their province was not so weak as was imagined; for though their force actually in the engagement were not considerable, they had raised ten thousand men in about ten days. But what was still more flattering, and, perhaps, not of less real importance, they had encountered Europeans (who were supposed to hold them in the most sovereign contempt, both as men and as soldiers) in the field, and defeated them with an inferior force. If the zeal of these people could have been kept dormant until the arrival of the force from Ireland, it seems more than probable that the southern colonies would have considerably felt the impression of such an insurrection. But now, their force and spirits were so entirely broken, their leaders being sent to different prisons, and the rest stripped of their arms, and watched with all the eyes of distrust, that no future effort could be reasonably expected from them. Perhaps too great a dependence was laid on their power and prowess, while those of the opposite side were measured with a scale equally deceitful. It is, however, extremely difficult to regulate or restrain the caprice or violence of those leaders who assume authority in such seasons.

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[E. Page 122.]

LETTER FROM BRIGADIER-GENERAL JAMES MOORE, IN THE CONTINENTAL SERVICE, TO THE HON. CORNELIUS HARNETT ESQ., PRESIDENT OF THE PROVINCIAL COUNCIL, NORTH CAROLINA.*

Wilmington March 2d, 1776.

Sir: On the earliest intelligence that the Tories were collecting and embodying at Cross-Creek, which I received on the 9th of February, I proceeded to take possession of Rockfish Bridge, within seven miles of Cross-Creek, which I considered as an important post, this I effected on the 15th with my own Regiment, five pieces of Artillery, and a part of the Bladen Militia, but as our numbers were by no means equal to that of the Tories, I thought it most advisable to intrench and fortify that pass, and wait for a reinforcement. By the 19th I was joined by Col. Lillington with one hundred and fifty of the Wilmington Minute Men, Col. Kenon with two hundred of the Duplin Militia, and Col. Ashe with about one hundred of the Volunteer Independent Rangers, making our numbers, then, in the whole, about eleven hundred, and from the best information I was able to procure, the Tory Army under command of Gen. McDonald amounted to about fourteen or fifteen hundred. On the 20th they marched within four miles of us, and sent in by a flag of Truce, the Governor's Proclamation, a Manifesto and Letter from the Gen., copies of which, together with another letter and my answers you have inclosed. I then waited only until Col. Martin and Col. Thackston, who I had certain intelligence were on their march, should get near enough to cut off their retreat, and determined to avail myself of the first favorable opportunity of attacking them, however, contrary to my expectations, I learnt on the 21st that they had the night before, and that morning, crossed the North West River at Campbelton with their whole Army, sunk and destroyed all the Boats, and taken their Route the most direct way to Negro-head point. I then despatched an express to Col. Caswell, who was on his march to join us with about eight hundred men, and directed him to return and take possession of Corbert's Ferry over Black river, and by every means in his power to obstruct, harrass and distress them in their march. At the same time I directed Col. Martin and Col. Thackston to take possession of Cross-Creek, in order to prevent their return that way. Col. Lillington and Col. Ashe I ordered by a forced march to endeavor if possible to reinforce Col. Caswell, but if that could not be effected, to take possession of Moore's Creek Bridge, whilst I proceeded back with the remainder of our Army to cross the North-West at Elizabeth Town, so as either to meet them in their way to Corbert's Ferry, or fall in their rear and surround them there. On the 23d I crossed the River at Elizabeth Town, where I was compelled to wait for a supply of provisions until the 24th at night, having learnt that

*From the original manuscript.

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Col. Caswell was almost entirely without. Just when I was prepared to march, I received an express from Col. Caswell, informing, that the Tories had raised a flat which had been sunk in Black River about five miles above him, and by erecting a Bridge had passed it with their whole Army. I then determined as the last expedient, to proceed immediately in Boats down the North-West River to Dollerson's Landing about sixty miles, and to take possession of Moore's Creek Bridge, about ten miles from thence, at the same time acquainting Col. Caswell of my intentions, and recommending to him, to retreat to Moore's Creek Bridge if possible, but if not, to follow on in their rear. The next day by 4 o'clock, we arrived at Dollerson's Landing, but as we could not possibly march that night, for want of Horses for the Artillery, I despatched an express to Moore's Creek Bridge, to learn the situation of affairs there, and was informed that Col. Lillington, who had the day before taken his stand at the Bridge, was that afternoon reinforced by Col. Caswell, and that they had raised a small breast-work, and destroyed a part of the Bridge. The next morning the 27th, at break of day, an alarm gun was fired, immediately after which, scarce allowing our people a moment to prepare, the Tory Army with Capt. McCloud at their head, made their attack on Col. Caswell and Col. Lillington, and finding a small intrenchment next the Bridge, on our side, empty, concluded that our people had abandoned their post, and in the most furious manner advanced within thirty paces of our Breast-work and Artillery, where they met a very proper reception. Capt. McCloud and Capt. Campbell fell within a few paces of the Breastwork, the former of whom received upwards of twenty balls through his body, and in a very few minutes, their whole Army was put to the flight, and most shamefully abandoned their General, who was next day taken prisoner. The loss of the enemy in this action, from the best accounts we have been able to learn, is about thirty killed and wounded, but as numbers of them must have fallen into the Creek, besides many more that were carried off, I suppose their loss may be estimated at about fifty. We had only two wounded, one of which died this day. Thus sir I have the pleasure to inform you, has most happily terminated a very dangerous insurrection, and will I trust put an effectual check to Toryism in this Country.

The situation of affairs, at this place, made it necessary for me to return here, which at the special request of the Committee, I did last night, with my Regiment. The large requisitions made by the Men-of-War, who now lie just below the Town, gave the inhabitants reason to apprehend every thing that could be suffered from their disappointed vengeance. However the Committee have most spiritedly determined, rather to suffer the worst of human evils, than afford them any supplies at all; and I have no doubt we shall be able to prevent them from doing any great injury.

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In order to avoid, as much as possible, the heavy expense unavoidably incurred by this expedition, I some time ago directed Col. Martin to disband all the Troops under his command except one thousand, including the Regulars, and with those to secure the persons and Estates of the Insurgents, subject to your further Orders, and then to proceed to this place, unless otherwise directed; however as I do not think the service just now requires such a number of men in arms, I shall immediately direct him to disband all except the Regulars, and with those to remain in and about Cross-Creek until further Orders.

I take the liberty, Sir, of mentioning, that as the time is nearly arrived, at which we are directed to re-enlist our men, of whom I fear we shall keep but very few, and as we have reason to expect the Landing of Ministerial Troops in this Country, we shall be left in a very defenceless situation, unless timely prevented by the wisdom of your Councils. The service for some time past has required the attendance of all our Officers, and has prevented recruiting parties going out, however no time shall be lost as soon as they can be spared.

Mr. Farquhar Campbell, who is suspected of having acted a part unfriendly to the Liberties of America in the late insurrection, attends you for his trial. Inclosed is a Deposition relative thereto, it might also not be amiss to call on Gen'l McDonald, who I am told will give some information.

Agreeable to an Order of the last Council for reducing one of the Captains of our Regiment, I caused a General Court Martial to be held, who on comparing the returns of the different Captains, found Captain Beckett to be the youngest, and have accordingly determined that he be reduced.

I have the Honour to be, Sir,
Your most Obedient
And very Humble Servant.
JA. MOORE.

P. S. I am at present so much engaged that I cannot possibly send a Return of my Regiment, but will forward it in a few days.

The Hon'ble the President of the Provincial Council.

COLONEL CASWELL TO NORTH-CAROLINA CONGRESS.

Camp at Long-Creek, February 29, 1776.

Sir: I have the pleasure to acquaint you that we had an engagement with the Tories, at Widow *Moore's Creek Bridge*, on the 27th current. Our army was about one thousand strong, consisting of the *New Berne* Battalion of Minute-men, the Militia from *Craven*, *Johnston*, *Dobbs*, and *Wake*, and a detachment of the *Wilmington* Battalion of Minute-men, which we found encamped at *Moore's Creek* the night before the battle, under the command of Colonel *Lillington*. The Tories, by common report, were three thousand; ut General *McDonald*, whom we have a prisoner, says there were about

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fifteen or sixteen hundred. He was unwell that day, and not in the battle. Captain *McLeod*, who seemed to be the principal commander, with Captain *John Campbell*, are among the slain.

The number killed and mortally wounded, from the best accounts I was able to collect, was about thirty; most of them were shot on passing the bridge. Several had fallen into the water, some of whom, I am pretty certain, had not risen yesterday evening when I left the camp. Such prisoners as we have made, say there were at least fifty of their men missing.

The Tories were totally put to the rout, and will certainly disperse. Colonel *Moore* arrived at our camp a few hours after the engagement was over. His troops came up that evening, and are now encamped on the ground where the battle was fought. And Colonel *Martin* is at or near *Cross-Creek*, with a large body of men. Those, I presume, will be sufficient effectually to put a stop to any attempt to embody again. I therefore, with Colonel *Moore's* consent, am returning to *New Berne*, with the troops under my command, where I hope to receive your orders to dismiss them. There I intend carrying the General. If the Council should rise before my arrival, be pleased to give order in what manner he shall be disposed of. Our officers and men behaved with the spirit and intrepidity becoming freemen, contending for their dearest privileges.

RICHARD CASWELL.

To the Hon. *Cornelius Harnett*, President of the Provincial Congress of *North-Carolina*.

DONALD MC DONALD, ESQ., LATELY CREATED BRIGADIER-GENERAL IN THE TORY ARMY BY GOVERNOUR MARTIN, TO BRIGADIER-GENERAL MOORE.

Head-Quarters, February 19, 1776.

Sir: I herewith send the bearer, *Donald Morrison*, by advice of the Commissioners appointed by his Excellency *Josiah Martin*, and in behalf of the Army now under my command, to propose terms to you as friends and countrymen. I must suppose you unacquainted with the Governor's Proclamation, commanding all his Majesty's loyal subjects to repair to the King's royal standard, else I should have imagined you would, ere this, have joined the King's Army, now engaged in his Majesty's service. I have therefore thought it proper to intimate to you, that, in case you do not, by twelve o'clock to-morrow, join the Royal standard, I must consider you as enemies, and take the necessary steps for the support of legal authority.

I beg leave to remind you of his Majesty's speech to his Parliament, wherein he offers to receive the misled with tenderness and mercy, from motives of humanity. I again beg of you to accept the proffered clemency. I make no doubt but you will show the gentleman sent on this message every possible civility; and you may depend, in return, that all your

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officers and men which may fall into our hands, shall be treated with an equal degree of respect.

I have the honor to be, in behalf of the Army, sir, your most obedient humble servant, DONALD McDONALD.

To the Commanding Officer at *Rockfish*.

P. S. His Excellency's Proclamation is herewith enclosed.

—

BRIGADIER-GENERAL MOORE'S ANSWER.

Camp at Rockfish, February 19, 1776.

Sir: Yours of this day I have received; in answer to which I must inform you, that the terms which you are pleased to say, in behalf of the Army under your command, are offered to us as friends and countrymen, are such as neither my duty or inclinations will permit me to accept, and which I must presume you too much of an officer to expect of me. You were very right when you supposed me unacquainted with the Governour's Proclamation; but as the terms therein proposed are such as I hold incompatible with the freedom of *Americans*, it can be no rule of conduct for me. However, should I not hear further from you before twelve o'clock tomorrow, by which time I shall have an opportunity of consulting my officers here, and perhaps Colonel *Martin*, who is in the neighborhood of *Cross-Creek*, you may expect a more particular answer; mean time you may be assured that the feelings of humanity will induce me to show that civility to such of your people as may fall into our hands, as I am desirous should be observed towards those of ours, who may be unfortunate enough to fall into yours.

I am, sir, your most obedient and very humble servant,

JAMES MOORE.

—

BRIGADIER-GENERAL MOORE TO BRIGADIER-GENERAL MC DONALD.

Camp at Rockfish, February 20, 1776.

Sir: Agreeable to my promise of yesterday, I have consulted the officers under my command, respecting your letter, and am happy in finding them unanimous in opinion with me. We consider ourselves engaged in a cause the most glorious and honourable in the world, the defence of the liberties of mankind, in support of which we are determined to hazard every thing dear and valuable; and in tenderness to the deluded people under your command, permit me, sir, through you, to inform them, before it is too late, of the dangerous and destructive precipice on which they stand, and to remind them of the ungrateful return they are about to make for their favourable reception in this country. If this is not sufficient to recall them to the duty which they owe to themselves and their posterity, inform them that they are engaged in a cause in which they cannot succeed, as not only

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the whole force of this country, but that of our neighboring Provinces, is exerting and now actually in motion to suppress them, and which must end in their utter destruction. Desirous, however, of avoiding the effusion of human blood, I have thought proper to send you a copy of the Test recommended by the Continental Congress, which, if they will yet subscribe and lay down their arms, by twelve o'clock to-morrow, we are willing to receive them as friends and countrymen. Should this offer be rejected, I shall consider them as enemies to the constitutional liberties of *America*, and treat them accordingly.

I cannot conclude without reminding you, sir, of the oath which you and some of your officers took at *New Berne*, on your arrival to this country, which I imagine you will find difficult to reconcile to your present conduct. I have no doubt that the bearer, Captain *James Walker*, will be treated with proper civility and respect in your camp.

I am, sir, your most obedient and very humble servant,

J. Moore.

—

BRIGADIER-GENERAL MC DONALD TO BRIGADIER-GENERAL MOORE.

Head-Quarters, February 20, 1776.

Sir: I received your favor by Captain *James Walker*, and observed your declared sentiments of revolt, hostility, and rebellion to the King, and to what I understand to be the Constitution of this country. If I am mistaken, future consequences must determine; but while I continue in my present sentiments, I shall consider myself embarked in a cause which must, in its consequences, extricate this country from anarchy and licentiousness. I cannot conceive that the *Scots* Emigrants, to whom I imagine you allude, can be under greater obligations to this country than to that King under whose gracious and merciful Government they alone could have been enabled to visit this Western region: and I trust, sir, it is in the womb of time to say, that they are not that deluded and ungrateful people which you would represent them to be. As a solder in his Majesty's service, I must inform you, if you are yet to learn, that it is my duty to conquer, if I cannot reclaim all those who may be hardy enough to take up arms against the best of masters, as of Kings.

I have the honour to be, in behalf of the Army under my command, sir, your most obedient servant,

Donald McDonald.

To *James Moore*, Esq.

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[F. Page 132.]

Samuel Bryan, John Hampton, Nicholas White, the first a Colonel, the second Lieutenant-Colonel, and the last a Captain of this regiment of Tories, returned to the forks of the Yadkin, about the time that Major Craig evacuated Wilmington in the autumn of 1781. They were severally arrested and tried for High-Treason, under the Act of 1777, Chap. III., entitled "An Act for declaring what Crimes and Practices against the State shall be Treason," &c. Judges Spencer and Williams presided. The prosecution was conducted by the Attorney General, Alfred Moore, and the defence by Richard Henderson,[1] John Penn,[2] John Kinchen and William R. Davie.

Public indignation was so highly excited that Governor Burke found it necessary after the trial, to protect the prisoners from violence by a military guard. Davie, the youngest of the counsel for the defence, whose cavalry at Hanging Rock, August 6th 1780, had well nigh annihilated Bryan's regiment, found a fitting opportunity on the trial, for the display of courage in the forum, which won for him a more enviable distinction than the most brilliant of his achievements in the field. The Attorney General, in after times, an associate Justice of the Supreme Court of the United States, was a gentleman of eminent ability and attainments. He had rendered efficient mil-

[1] A Judge at the close of the Royal Government, the founder and Governor of Transylvania, and father of the late eminent Chief Justice, Leonard Henderson.

[2] Signer of the Declaration of Independence.

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itary services, and sacrificed a fortune in the defence of the country and was deservedly a great public favorite. Davie was probably the only advocate in attendance upon the court, who could have commanded a patient hearing in such a community, in reply to such an opponent, and in behalf of such clients. His gallant resistance at Charlotte at the head of one hundred men, of the entire army of Lord Cornwallis, has been referred to by General Jackson, as one of the most brilliant exploits of the Revolutionary War.[1]

[1] More of revolutionary scenes has been described than would otherwise have been necessary, to shew the military school in which General Jackson was educated. In the chieftains, by whom he was surrounded, the virtues of patriotism, disinterestedness, caution, enterprise and courage, exhibited themselves in the highest perfection. As military leaders, Marion was particularly distinguished for enterprise, vigilance and courage; Sumter was his equal in enterprise and courage, but had less circumspection; Davie, who was generally the leader of the Waxhaw settlers, appears to have united the virtues of the two. Perhaps in no instance, where the chief command was in him, did he fail to accomplish the object he undertook. His intelligence was accurate; his plans judicious, and kept profoundly secret; his movements rapid; his blows sudden as the lightning, and his disappearance almost as quick. To pursue him was useless, and it was seldom or never attempted. He frequently dared, with a handful of men, to face an army; and we have seen, by his encounter with the British van at Charlotte, that he knew how to strike terror into an enemy he was not strong enough to conquer.—*Kendal's Life of Jackson*, chap. 4, § 1.

On the 25th of September, 1780, Lord Cornwallis, having been joined by Tarleton's force, resumed his march for Charlotte. The party of Colonel Davie, scarcely two hundred strong, was now joined by a thousand badly-armed North Carolina militia, commanded by Generals Sumner and Davidson, and the chief command devolved on Sumner. Being informed of Cornwallis's movement, Sumner retired on the direct road to Salisbury, leaving Davie with his command, re-inforced by a few volunteers, to observe and embarrass the enemy's march. Little could be done by so small a force, and about midnight, on the 25th of September, Davie arrived in Charlotte. Without the least hope of any other result than to restrain the ravages of the enemy by shewing how unsafe it would be to send out small

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His defence of Colonel Bryan, in the argument made to the jury upon this occasion, was an exhibition of equal courage and equal ability in a different field. He was unsuccessful in both instances, but he retired from each with an established reputation. For years thereafter, his services were required, in all capital

parties in that region, he determined to give battle to the British van on its entering the village. Making his dispositions with a view to fight and retreat, he three times repulsed the charges of Tarleton's dragoons, killing twelve non-commissioned officers and privates, and wounding Major Hanger, who commanded them, with two other officers and many privates, and then drew off, with the loss of six killed and thirteen wounded.—*Ib.*, chap. 11, § 4.

Charlotte was taken possession of, after a slight resistance from the militia, towards the end of September. At this period Major Hanger commanded the legion, Colonel Tarleton being ill. In the centre of Charlotte intersecting the two principal streets, stood a large brick building, the upper part being the court-house, and the under part the market-house. Behind the shambles a few Americans on horseback had placed themselves. The legion was ordered to drive them off; but, upon receiving a fire from behind the stalls, this corps fell back. Lord Cornwallis rode up in person, and made use of these words:—Legion, remember you have every thing to lose, but nothing to gain;" alluding, as was supposed, to the former refutation of this corps. Webster's brigade moved on and drove the Americans from behind the court-house; the legion then pursued them; but the whole British army was actually kept at bay, for some minutes, by a few mounted Americans, not exceeding twenty in number.—*Stedman's American War*, vol. ii, p. 216.

Davie's account of this affair, which we copy from his auto-biographical sketches in manuscript, is as follows:—

"Charlotte, situated on a rising ground, contains about twenty houses, built on two streets which cross each other at right angles, at the intersection of which stands the court-house. The left of the town, as the enemy advanced, was an open common on the woods, which reached up to the gardens of the village. With this small force, viz: one hundred and fifty cavalry and mounted infantry, and fourteen volunteers under Major Graham, Davie determined to give his Lordship a foretaste of what he might expect in North Carolina. For this purpose he dismounted one company and posted it under the court-house where the men were covered breast high by a stone wall. Two other companies were advanced about eighty

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cases, and as a criminal lawyer he had no rival in the State.

Notwithstanding the torrent of prejudices which overwhelmed the prisoners, we have satisfactory evidence, that in all the relations of private life, they were estimable men. Colonel Bryan especially was

yards, and posted behind some houses and in gardens on each side of the street. While this disposition was making, the Legion was forming at the distance of three hundred yards, with a front to fill the street, and the light infantry on their flanks. On sounding the charge the cavalry advanced at full gallop within sixty yards of the court-house, where they received the American fire, and retreated with great precipitation.

As the infantry continued to advance, notwithstanding the fire of our advanced companies, who were too few to keep them in check, it became necessary to withdraw them from the cross-street, and form them in line with the troops under the court-house. The flanks were still engaged with the infantry, but the centre were directed to reserve their fire for the cavalry, who rallied on their former ground and returned to the charge. They were again well received by the militia and galloped off in great confusion, in presence of the whole British army. As the British infantry were now beginning to turn Col. Davie's right flank, these companies were drawn off in good order, successively covering each other, and formed at the end of the street about one hundred yards from the court-house, under a galling fire from the British light-infantry, who had advanced under cover of the houses and gardens. The British cavalry again appeared, charging in column by the court-house, but upon receiving a fire, which had been reserved for them, they again scampered off. Lord Cornwallis, in his vexation, at the repeated miscarriage of his cavalry, openly abused their cowardice. The Legion, reinforced by the infantry, pressed forward on our flanks, and the ground was no longer tenable by this handfull of brave men.

A retreat was ordered on the Salisbury road, and the enemy followed with great caution and respect for some miles, when they ventured to charge the rear guards. The guards were of course put to flight, but on receiving the fire of a single company, they retreated. Our loss consisted of Lieutenant Lock and four privates killed, and Major Graham and five privates wounded. The British stated their loss at twelve non-commissioned officers and privates and Major Hanger, Captains Campbell and McDonald and thirty privates wounded.

This action, although it subjects Colonel Davie to the charge of temerity,

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esteemed a man of indomitable courage, of candour and sincerity, remarkably honest in his dealings, and friendly in his disposition. "He refused to take the oath of allegiance to the State, from principle, thinking himself bound, having heretofore sworn allegiance to George the Third, King of England." It will be perceived that on the trial, scorning all concealment, he admitted, his, "uniform and active attachment to the interest of his Britanic Majesty, whom he considered his liege sovereign, and averred that he knew no protection from, nor ever acknowledged any allegiance to the State of North Carolina.

Hampton was a native of the county of Granville, and removed to Rowan in 1774. He had always maintained a fair character, and was after his conviction, the object of deep sympathy, among many of the most respectable men in both counties.

Of Nicholas White less is known, than of his superior officers, and what is known, is less favorable, especially in relation to kindliness of disposition.

They were all convicted, had sentence of death,

only to be excused by the event, and a zeal which we are always ready to applaud, furnishes a striking instance of the bravery and importance of the American militia. Few instances can be shewn, where any troops who in one action, changed their position twice in good order, although pressed by superior force, and charged three times by cavalry, thrice their own number, unsupported, in presence of an enemy's whole army, and finally retreating in perfect order.

The British Legion reproached with their shameful retreat, before so small detachment of militia excused themselves by saying that the confidence with which the Americans behaved induced them to apprehend and ambuscade. Surely no manœuvre of this kind could be seriously apprehended in an open village and at mid-day."

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were pardoned and subsequently exchanged for American officers of equal rank, who were at the time confined within the British lines. Governor Burke proposed to exchange Colonel Bryan, for Colonel William Washington, who was made prisoner at Eutaw, on the 8th September, 1781, but whether the overture was accepted, we have not been able to ascertain.

The following statement by the Judges of the facts, proved upon the trial:—the argument of the counsel to the court, upon the questions of law, which arose in the case; and the letter of Governor Burke to General Greene, in relation to the pardon and exchange of the prisoners, will serve to illustrate much more clearly, than any abridgement or historical summary, which we could present, the military, judicial, and executive annals to which they relate. They are therefore exhibited literally and without diminution.

—

JUDICIARY REPORT OF THE JUDGES RELATIVE TO THE PRISONERS CONDEMNED AT SALISBURY.

April 5th, 1782.

At Salisbury Superior Court, March Term, 1782, Samuel Bryant, John Hampton and Nicholas White were indicted, tried and found Guilty of High-Treason, and accordingly were condemned.

The several Charges laid in the several Bills of Indictment were the same, to-wit:

The Taking a Commission from the King of Great Britain.

The Levying War against this State, and the Government thereof.

The Aiding and Assisting the Enemy, by joining their Army, and by enlisting and procuring others to enlist for that Purpose.

The forming and being concerned in forming a Combination, Plot and Conspiracy for betraying this State into the Hands and Power of a foreign Enemy, to wit: the King of Great Britain.

And the giving Intelligence to the Enemies of this State for that Purpose.

From the Evidence adduced on the Part of the State, it appeared to the Court, that in the Summer of the year 1780, a Body of Men were collected

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in the County of Rowan, with an avowed Design of reducing the State of North Carolina to the Obedience and Domination of the King of Great Britain, that the said Body of Men were headed by the said Samuel Bryant, whom they called their Colonel, that he acted as such, that the said Men were chiefly armed, and marched under the command of the said Samuel Bryant, in Warlike Array through a part of the County of Rowan, through the Counties of Montgomery and Richmond to the Ford of the Grassy Islands on Pedee River, that the Number of the said Body of Men was increased on their March to that Place, to about six or seven Hundred. That on their March they took a number of Prisoners, good and faithful Citizens and subjects of this State, whom they hid and confined by the Orders of the said Samuel Bryant, put them under Guard and marched with them, that they crossed the Pedee at the said Ford, and were joined by about 25 British Dragoons belonging to the 71st Regiment, about 4 miles from Anson Court House then occupied as a British Post, by a Party of the same Regiment, that from thence the said Samuel Bryant corresponded with, and gave Intelligence to a Major McArthur, then at the said Court House, and commanding such Part of the said Regiment as were posted there and at the Cheraws. That the said Major McArthur and the said Bryant had an Interview at the said Court House, near to which the said Major McArthur reviewed the said Bryant's Men, whom the said Bryant had previously drawn up in a Hollow Square for that Purpose, that the said Major McArthur highly approved of them, and the Conduct of the said Bryant, that a Council was then Called, composed of the British and Bryant's Officers. That the said Bryant was by the said British, as well as the said Men under his Command, called and esteemed a Colonel, and the said Hampton a Lieut. Colonel, that the said Bryant and Hampton respectively gave military Orders as such, which were obeyed by the Men under their Command, that from thence the said Bryant, after several Manœuvres and Counter-Marches in the County of Anson, marched his Men to Thompson's Creek, where he left them under the Command of the abovesaid John Hampton, and went to Camden, then a Post in Possession of the British, and to which Place the said Bryant procured such of his Prisoners to be conveyed, as he had not previously paroled, or inlisted into his *Corps*, where such Prisoners were confined in the British Provos, that two of the said Prisoners had been previously inlisted into the said Corps. That after the Battle of the Hanging-Rock, where it was said the said Bryant and his Corps were engaged, and where he lost a considerable Part of his Men, he marched about two hundred and fifty of them into Camden. It did not appear in Evidence to the Court, that the said Bryant had quitted the British service, till about the time of the Evacuation of Wilmington.

John Hampton above mentioned, when first sent for to the said Bryant's Camp, refused to go, saying that he thought he could or would not go.

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But on the second or third application went thither and took upon him the Command of a Lieut. Colonel, marched with the said Corps, sat in Council, acted as a member thereof, and in the absence of the said Bryant, gave Orders which the Men of the said Corps received and obeyed, as from their Officer authorized to command them, and while encamped at Thompson's Creek aforesaid, administered an Oath of Allegiance to one Man, to be loyal and faithful to the British King and Government, and at all such times when he had the Command of the said Corps, kept his Prisoners tied and confined as the said Bryant had done.

Nicholas White above mentioned, bore the title of Captain and led into the said Bryant's Camp an Hundred Men or upwards, who composed a part of the said Corps, and over whom he continued as their Captain, and when it came by Rotation to his time to take the charge of the Prisoners, he seemed to be more vigorous than any of the other Officers of that Corps, always tying the Prisoners closer, using more menacing language to them, and discovering a remarkable activity and alertness in the service he was then engaged in.

The private Moral Characters of these Men, especially Bryant and Hampton, appeared as follows, that they were generally considered as very honest Men, nor did it appear to the Court that they had on their March through a considerable Part of this State, or elsewhere, committed any violences more than any other Army would have done in similar Circumstances, in supplying themselves with Arms, Ammunition, Provisions, Horses, &c., there being no Proof of their having been guilty of any Murders, House-burning, or Plundering, except as above mentioned for the support of their Army.

The above, to the best of our Recollection, is a true state of the Evidence, so far as we conceived it related to the Trial of the above mentioned Prisoners.

Certified under our Hands the 5th Day of April, 1782.

SAM'L SPENCER.
JNO. WILLIAMS.

State
vs
Samuel Bryan } *ss* March Term 1782.

The prisoner was brought to the Bar and charged with every species of High-Treason described by the Act of Assembly.

The attorney for the State then introduced a certain Obadiah Smith to prove his residing in the State since the passing of the Treason Law in 1777.

Questioned by the Attorney General:—Do you not know that Colonel Bryan, the prisoner at the Bar, resided within the State of North Carolina since the year 1776.

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Answered:—I do not know that he has been a Resident ever since that time.

Attorney General:—Did you not learn in Conversation with the prisoner that he had followed his Trade in the winter before he raised his Regiment within the State.

Answered:—He said he had made some Saddles while he was secreted, and that though incog, he had seen several gentlemen as they passed his plantation, and that we should not complain. He had suffered these and many other hardships for his King.

The Attorney General then introduced Colonel Adam Alexander, Mr. Sloan and many others to prove the overt acts charged in the Bill of Indictment; and afterward Matthew Lock, Esquire, to prove his allegiance.

Attorney General:—Did not Colonel Bryan take the Oath of allegiance before you.

Answered:—I administered an oath to him comprehending allegiance to the country.

Questioned, By the council for the prisoner:—At what time did you administer this oath?

Answered:—At the time of the Committee of safety which was in the year 1776.

Questioned:—Did you not compose the oath yourself?

Answered:—I did.

The Attorney General then observed that the several overt acts of Treason laid in the Bill of Indictment were legally established and then read the case of Stephana Farrara de Gama, and Emmanuel Lewis Tinana, Portuguese born, who though aliens were indicted and attainted of High-Treason for compassing the Death of Queen Elizabeth.

The Council for the prisoner then proceeding to his defence, admitted the facts of a uniform and active attachment to the Interest of his Britanick Majesty whom the prisoner considered as his leige Sovereign, but averred that he knew no protection from nor ever acknowledged any allegiance to the State of North Carolina.

They considered the Attorney General's Introduction of the above cases as an admission that the prisoner stood on the footing of an alien, that he waived the Testimony of Mr. Lock which was indeed insufficient, and rested on the Testimony of Mr. Smith, the first witness, to support the Indictment—on which the Council took the following Distinctions:

1*st.* That the case of the Portuguese would not apply, they publickly claimed and enjoyed the protection of the Laws, and therefore owed a local or temporary allegiance; but the prisoner at the Bar while within the State remained with that Degree of Secrecy necessary to ensure the success of a Military Enterprize, was unknown to our Laws, and could not offend as a Citizen.

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2*d*. That the Testimony of Mr. Smith does not prove a residing, within the act of Assembly.

3*d*. Urged the case of Reginald Tucker as in point, concluding that where the State owed no protection to the prisoner nor the prisoner allegiance to the State, the prisoner *could not* be a Traitor.

A true state of the case.

RICHARD HENDERSON,
J. DUNN,
JOHN KINCHEN,
WILLIAM R. DAVIE.

LETTER TO GEN. GREEN, APRIL 9, 1782, RELATIVE TO BRYANT AND OTHERS.

Hillsborough April 9th, 1782.

Dr Sir: Since my letter of the 28th March last I have got notice of the Trial of Samuel Bryant, John Hampton and Nicholas White for High-Treason, at the Superior court for the district of Salisbury. The Testimony as reported to me by the Judges brings them within the distinction which I laid down in that letter relatively to such as I should pardon and hold ready for exchange as prisoners of war, that is to say, such as should appear to me guilty of no offence but bearing arms with the Enemy, and acting agreeably to the character of Soldiers. I have reprieved them until the 10th of May next in order to give time for learning whether the Enemy will admit them as their officers in the rank they pretend to and in which it is proved they acted, if you receive such assurances as will be satisfactory to you, and will satisfy this State that our officers, now prisoners of equal rank will be given in Exchange for them, they shall be pardoned and held as prisoners of war, but in that case, an order must Immediately Issue for the removing their families within the British lines. This is a necessary but severe consequence of their being admitted on the footing of prisoners of war, and I assure you, sir, that no part of my duty, gives me more sensible pain in the Execution than this, because I foresee it must involve wretched mothers and helpless infants in cruel want and distress, which affects me the more, as I saw the miserable condition of the refugees on James' Island.

Samuel Bryant was Col., John Hampton, L, Col., and Nichs. White, Captain.

[G. Page 137.]

Lossing in his excellent Pictorial Field Book of the Revolution, a work which must soon be regarded as

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an indispensable portion of every historical library, states that Gov. Martin "was with Cornwallis in Virginia as late as March 1781, when impaired health caused him to leave. He went to New-York, spent a part of the summer at Rockaway, on Long Island, and then sailed for England. He died in London in July 1786."

Lossing is generally remarkably accurate in the statement of dates, as well as facts, but is obviously erroneous in this instance. Earl Cornwallis did not leave Wilmington until about the end of April. On the 14th of May he crossed the Meherrin river in his march towards the Nottaway and of course took final leave of North Carolina about the middle of the month. See Tarleton's history of the campaigns of 1780-'81, pp. 285—90.

A preceding note ventures the suggestion of a doubt whether Gov. Martin accompanied the Earl at all upon the departure of the latter from Wilmington. If at the time Gov. Burke was ordered into close confinement, Gov. Martin was in Wilmington, with a competent force to maintain the royal authority, reasons may have existed, which it was not at the time considered politic to disclose, for considering the former a prisoner of State.

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[H. Page 143.]

The following editorial article is copied from "The South Carolina and American General Gazette," published at Charleston on the 9th of February, 1776.

"A North Carolina correspondent, who signs himself *Philo-Guné* informs us 'that the young ladies, of the best families in Mecklenburg county, in North Carolina, have entered into a voluntary association that they will not receive the addresses of any young gentlemen of that place, except the brave volunteers, who cheerfully served in the expedition to South Carolina, and assisted in subduing the Scovelite insurgents. The ladies being of opinion, that such persons as lazily stay basking at home, when the important calls of their country demand their military service abroad, must certainly be destitute of that nobleness of sentiment, that brave, manly spirit, which qualify the gentleman to be the defender and guardian of the fair sex.' Our correspondent adds, 'This is the substance of the association, and we hear that the ladies in the adjacent county of Rowan, have desired a similar association to be drawn up, and prepared immediately for signing."

That the association was formed in Rowan is shown by the following entries the last on the record now before us, of the resolves of the committee at Salisbury, Rowan county, North Carolina.'

'May 8th, 1776. A letter from a number of young ladies in the county, directed to the chairman, requesting the approbation of the committee to a number of resolutions enclosed, entered into and signed by the same young ladies, being read.

Resolved, That this committee present their cordial thanks to the said young ladies for so spirited a performance; look upon these resolutions to be sensible and polite, that they merit the honor and are worthy the imitation of every young lady in America.

The committee adjourned till committee in course.

SAMUEL YOUNG, *Ch'n.*

WM. SHARPE, *Sec'y.*

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he settled early in life. I regret that the MSS. is not at present at my command, and that I can refer to it only from memory.

Among the ten thousand men who rushed from every portion of the State to defend our maritime frontier, towards the close of February, 1776, was a company formed entirely of the students of Queen's College, the Southern cradle of Liberty. The principles of liberty involved in the Mecklenburg Resolves, were the common topics of discussion, in the halls of this institution previous to their final adoption in May of the preceding year. The Association was probably formed in January 1776, and before the end of the following month, these chivalric youths were on the march for the battle field. The proudest era of the most heroic nation of ancient or modern times, can exhibit no more inspiring examples of patriotism, than these scintillations of history disclose on the part of the sires, the sons, and the daughters of Mecklenburg.

The victory at Moore's Creek, intelligence of which met them at Campbellton, rendered their campaign and their vacation a short one. They returned promptly to the discharge of their collegiate duties. The first General Assembly which convened under the constitution in 1777, obliterated all ensigns of royalty. Queen's College was transformed into Liberty Hall, and young Graham took his Bachelor's degree, near the close of the following year. For a copy of his diploma, see Foote's Historical Sketches, page 517.

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