THE HISTORY
OF
SOUTH CAROLINA
UNDER THE
ROYAL GOVERNMENT
1719-1776

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Hewatt, the historian, thus sums up the case against their Lordships. When the Proprietors, he says, first applied to the King for a grant of this large territory, at that time occupied by heathen, it was said they were excited thereto by their zeal for the Christian faith, yet they made no effort to Christianize the Indians. The Society for the Propagation of the Gospel had taken that work up; but the Proprietors had done nothing to help them. By their charter they were to build churches and chapels for divine worship; yet they had left the burden of this entirely upon the inhabitants who had received no assistance or encouragement, except from that society. They were to have erected castles and forts for the protection of the colony, but the colonists were obliged to raise these at their own expense. They assumed to themselves a despotic authority to repeal and abrogate laws made by the Assembly, and ratified by their own deputies in Carolina. They not only tyrannized over the colony, but also employed and protected officers more tyrannical than themselves. In times of imminent danger, when the colony applied to them for assistance, they were either unable or unwilling to bear the expense of its protection. When the Assembly, to strengthen the frontiers of the province and for the encouragement of settlers, allotted lands which the colonists themselves had obtained by conquest, the Proprietors, claiming the sole right to their disposition, repudiated the action of the Assembly, though assented to by their own deputies, and appropriated the lands thus acquired to their own use. When the trade of the province was broken up and plundered by pirates, the colonists could obtain no assistance from their Lordships, nor would they allow the laws made by the colonists for defraying the expenses of the defences which the colonists had themselves provided. At the instance of the mer-
chants of London, the Proprietors interfered with the currency of the colony issued to meet its public expenditures. In short, the people saw no end of their troubles and dangers. No remedy appeared to them so proper and effectual as that of throwing themselves under the immediate care and protection of the Crown of Great Britain.

The government of England now sanctioned, if it had not abetted, the conduct of the colonists to the Proprietors. In little more than fifty years it was to have the principles now approved, applied to its own case, and as successfully asserted against its authority, as with its assistance they were now asserted against that of the Proprietors. Nor was the Royal government even at this time without warning to that effect. In 1719 Colonel Rhett in prophetic language had written that if this "revolt is not cropt in the bud, they will set up for themselves against his Majesty." ¹

The revolution left the territory of the province of Carolina, as originally formed, in an anomalous condition. The settlement of the vast domain granted to the Proprietors by the charter of Charles II in 1665 had been ultimately carried on with some success from two points, to wit, Albemarle and Charles Town — the attempts at Cape Fear and Edisto having failed. While there had been no formal division of the domain into distinct territories, these settlements at the two points had at first distinct governments; and the northern portion had gradually acquired the informal designation of North Carolina; the southern that of South Carolina. In 1691 the policy had been attempted of consolidating the two settlements or colonies under one government for the whole province with Colonel Philip Ludwell as Governor, but it had not succeeded;

and John Archdale, Sir Nathaniel Johnson, and Edward Tynte, the three succeeding Governors appointed directly by the Proprietors, had each been commissioned as Governor of Carolina to administer the affairs of South Carolina personally, and those of North Carolina by a deputy Governor. Charles Eden, the first full Governor of North Carolina, was commissioned as such by the Proprietors on the 18th of July, 1713.

Governor Eden was still Governor of North Carolina when the revolution in South Carolina took place, and having no notion to run the risk of being superseded by some one else under the Crown, he procured from his council an address assuring the Lords Proprietors of their utter detestation of the proceedings in South Carolina; that nothing should be wanting in their power to protect their Lordships’ interest in North Carolina; that the people there were entirely easy and satisfied under their government, and would use their utmost endeavor to maintain it. Adopting this policy the Governor and Council refused to hold any communication with the people’s Governor set up in South Carolina, and declined to answer a letter addressed to Governor Eden by Colonel Moore styling himself Governor.¹

A part of the original province thus disowned the Proprietor’s government, while the other part maintained it. This practically divided the province into two: South Carolina becoming a Royal, while North Carolina remained a Proprietary province. But though the Proprietary government had been overthrown in South Carolina, the title to the soil still remained under the grant of the charter of Charles II in the Proprietors and so continued until the purchase by the King and the sur-

CHAPTER II

1720–21

Mr. Joseph Boone, who with Mr. Berresford had been sent by the Assembly to England in 1714 to protest against the extraordinary powers conferred upon Chief Justice Trott, had remained there during the disturbed and exciting year which followed, representing the deplorable condition of affairs in Carolina caused by the Indians and pirates, seeking assistance and appealing to the Royal government to take the colony under its immediate protection. In the early part of 1720 he was joined in London by Colonel John Barnwell, the agent of the temporary government set up upon the overthrow of the Proprietors. From the arrival of Colonel Barnwell the two agents were in constant attendance upon the Board of Trade and Plantations, urging the action of that body in regard to the position of South Carolina. But it was just at the time of the wildest excitement over the South Sea Bubbles, in which some at least of the members of the Board were deeply involved, and the vast province of Carolina presented too tempting a subject for speculation to be overlooked. Indeed, James Craggs, one of the Secretaries of State who went down in the collapse, — losing at once life and reputation, — appears to have had a scheme for putting it into the South Sea stock.¹ But Boone and Barnwell were persistent in

¹ See So. Ca. under Prop. Gov. (McCrary), 689. The Earl of Westmoreland, President of the Board, was at the head of one of the "bubbles"
frontiers of the British Empire in America to the north and to the south, which being both of them at this time in the utmost disorder, did naturally demand their Excellencies’ more immediate care and protection; but in anticipation of that communication, considering the great disorder and unsettled condition of the province of South Carolina which had lately shaken off the Proprietors’ government, as incapable of affording them protection, and the exposure of the inhabitants to the incursions of the barbarous Indians, to the encroachment of their European neighbors, and the danger that the whole province was lately under of being massacred by their own slaves, who were too numerous for the white men, they urged that his Majesty should forthwith send four battalions with a considerable number of great guns, and a suitable supply of warlike stores for the several forts they proposed to be built there.

The person to be appointed Governor to inaugurate the new government for his Majesty had been determined upon, before the draft of instruction for that officer had been settled. In the commission as it passed the great seal the blanks were filled up with the name of Francis Nicholson, Esq.¹

With the exception perhaps of Sir Edmund Andros, whom it had been his fortune to follow in more than one government, General Sir Francis Nicholson had had the largest colonial experience of any person in that service. When James the Second, in 1688, ordered the consolidation of the Northern Colonies under the title of New England, and sent Sir Edmund Andros as Governor-in-chief, Francis Nicholson, then a captain of a company of soldiers sent from England, was made Lieutenant Governor of the Dominion of New York; and when Sir Ed-

a prorogation was that one was the act of the legislative body — the Lords or Commons; and the other the act of Royal authority. The adjournment was nothing more than a continuance of the session from one day to another, or for a certain limited time, — a number of days, — and though it was usual for the Houses to adjourn at the request of the King, as his Majesty could always enforce his wishes by a prorogation if refused by the Houses, yet an adjournment was still in the volition of each House. The prorogation was the continuance of the Parliament from one session to another by the act of the King, the effect of which was at once to suspend all business until Parliament should be summoned again.\(^1\) It was then in the power of the Royal authority at any time to put an end to a session by proclamation, and to say when the Parliament should meet again; but it was a decided curtailment of the powers of the Assembly of South Carolina when that body was prohibited from adjourning otherwise than from day to day and except for Sundays and holidays, without leave of the Governor.

The third provision in this section was radical and must have been intended to intimate at the outset of the Royal government that the colonists in Carolina were not to presume to claim the rights and privileges of Englishmen at home. It was the ancient, indisputable privilege and right of the House of Commons that all grants and subsidies should begin in the House. The Commons in England were so jealous of this privilege that since the Restoration they had refused to permit the least alteration or amendment to be made by the Lords to the mode of taxing the people by a money bill, under which appellation were included all bills by which taxes were levied or money raised. This provision in the instructions of

\(^1\) May’s Law and Practice of Parliament, 43.
CHAPTER III
1720-22

GOVERNOR ROBERT JOHNSON, the last Proprietary Governor, had not acquiesced in the establishment of the revolutionary government under James Moore. He had from time to time asserted the authority of the Proprietors by appointing officers when opportunity offered and persons could be induced to accept his commissions. In March, 1720–21, Captain Hildesly, of his Majesty’s ship the Flambourgh stationed at Charles Town, had taken a commission from him as Colonel of the Militia of Berkeley, which caused great uneasiness; and as late as the 9th of May he had given notice to Governor Moore of his intention to resume the government for the Proprietors. But upon the arrival of Sir Francis Nicholson on the 22d with a commission from the King he submitted, and recognizing the Royal authority abandoned all efforts in behalf of their Lordships.

The people in general, says Hewatt, congratulated one another on the happy change, and received Sir Francis with the most uncommon and extravagant demonstrations of joy. Murmur and discontent, together with fears of danger and oppression, were now banished from the province. Happy under the Royal care, they resolved to forget all former animosities and divisions, and bury all past offences in eternal oblivion. They yielded with each other to show who should be the most faithful subject of his Majesty and the most zealous in promoting the union, peace, and prosperity of the settlement. From a convulsed and

Dennis's three, St. Paul's four, St. Bartholomew's four, St. Helena's four, St. James's Santee with Winyaw two. The members of the House were to have the same powers and privileges as formerly, provided they did not conflict with his Majesty's instructions. Persons entitled to vote were not liable to arrest on their journey to or on their return from the place of election.¹

An act was passed regulating the Indian trade by which unlicensed persons were prohibited from trading with Indians except with certain nations or tribes who were deemed resident in the settlement. Colonel William Bull, George Chicken, and John Herbert were appointed Commissioners of the Trade.² By another act the Hon. Francis Yonge and John Lloyd, Esq. were appointed agents to transact and solicit the affairs of the province in England, and Arthur Middleton, Ralph Izard, Richard Allein, Thomas Hepworth, Charles Hill, and Andrew Allen a Committee of Correspondence with them.³ To these William Blakeway, Richard Berresford, and John Barnwell were added by ordinance of September 21st.⁴ Alexander Parris was declared Public Treasurer, John Brown Comptroller, and Colonel Michael Brewton Powder Receiver.⁵ The Royal government thus allowed the choice of these officers by the Assembly—a matter which had caused so much controversy with the Proprietors.

It was estimated that the sum of £32,243 19s. 6d. was necessary to provide for the current expenses and public debts of the province. Of this sum it was computed that duties arising from the exports and imports of the province would amount to £7995 19s., which appropriated to the discharge of the public debt would leave the sum to be provided for the present year £24,248 6d. There

¹ Statutes of So. Ca., vol. III, 136. ² Ibid., 141. ³ Ibid., 146. ⁴ Ibid., 167. ⁵ Ibid., 148.
to the Society (1713) that Mrs. Haig and Mrs. Edwards had taken extraordinary pains to instruct a considerable number of negroes in the principles of the Christian religion, and to reclaim and reform them; that upon examination fourteen of these had so satisfactorily explained the chief articles of religion and rehearsed the Creed, the Ten Commandments, and the Lord's Prayer that he had thought it his duty to baptize them on the Lord's day. The Rev. Mr. Varnod reported that he had fifty communicants, of whom seventeen were negroes, and had baptized several grown persons, besides children and negroes belonging to Mr. Alexander Skene; that in 1733 out of thirty-one communicants in his parish nineteen were negroes. Mr. John Morris of St. Bartholomew's, Lady Moore, Captain David Davis, Mrs. Sarah Baker, and several others of Goose Creek, Landgrave Joseph Morton and his wife of St. Paul's, Mr. and Mrs. Skene, Mrs. Haig, and Mrs. Edwards are recorded as most zealous in encouraging the instruction of their slaves as early as 1711.¹

But while encouraging the religious education and conversion of the negroes and allowing it openly to be carried on, the legislature had, in the act of 1712, made this express provision to guard against the danger which Lord Hardwicke states was supposed to exist, and which the Fundamental Constitution had endeavored to avoid. The act provided:² —

"XXXIV. Since charity and the christian religion which we profess obliges us to wish well to the souls of all men, and that religion may not be made a pretence to alter any man's property and right, and

as it found them. The Freedom which Christianity gives is a Freedom from the Bondage of Sin and Satan, and from the Dominions of Men's Lusts, and Passions, and inordinate Desires; but as to their outward Condition whatever that was before, whether bond or free, their being baptized and becoming Christians makes no manner of change in it. As St. Paul has expressly told us 1 Corinthians vii. 20, where he is speaking directly to the very point "Let every man abide in the same calling wherein he was called," and at the 24th verse, "Let every man wherein he is called therein abide with God." ¹

The anxieties of the London merchants having been thus allayed and the legal doubts satisfied, the importation of negroes into the colonies was continued with renewed vigor.

rendered their charter, nor did they intend to do so without a struggle. They were pressing his Majesty for the restoration of their government, or at least the appointment of a Governor of their choice, and nominated for that position Colonel Samuel Horsey, nor did the Royal government resent their doing so. Sir Francis was tired and wished to be released and to return home. In June, 1724, he writes to the Board of Trade\(^1\) that the Assembly is ended, and complains that the Commons had behaved themselves strangely and arbitrarily, if not illegally, \textit{the spirit of commonwealth principles increases daily}, influenced, as he believes, by the New Englanders; the natives of this continent, he observes, are variable in their politics, which he attributes to the uncertainty of the weather; that great industry was used, insinuating to the people the probability of the Lords Proprietors resuming the government; the late Mr. Rhett and Mr. Trott are mentioned as the individuals who pursued this underhand course; the said Trott, the present Mr. Rhett, Mr. Roger Moore, and Eleazar Allen (who married two of old Rhett's daughters) are supposed now to carry on the same affair; Joseph Blake, one of the Proprietors, had informed him the Lords Proprietors intended to bring the affair of the government to an issue.

It will be recollected that under the Proprietary government the Commons had exercised the most arbitrary power of arrest, each party in turn arresting the leader of the other on some charge of contempt. Thus Landgrave Thomas Smith, in 1704, was arrested for libel because of disrespectful expressions in a private letter in regard to the House;\(^2\) and Colonel Risbee, in 1706, for vilifying

\(^2\) \textit{Hist. of So. Ca. under Prop. Gov.} (McCrady), 413, 415. This was the second Landgrave of that name.
administration of the colony to a Lieutenant Governor. This was the practice in regard to Virginia from 1705 to 1728. Thus Sir Francis Nicholson himself had administered the government in Virginia as Lieutenant Governor under Lord Howard of Effingham and Sir Edmund Andros, the absent Governors-in-chief, and in the case of Lord Orkney, to which Governor Johnson refers, he was remaining at home in England and governing Virginia by his deputy, the stalwart soldier and ruler, Lieutenant Governor Sir Alexander Spotswood.\footnote{Keith’s Hist. of Va., 168, 171; Cooke’s Hist. of Va. (Am. Commonwealth Series), 301–310. In support of the statement that Lieutenant Governors were seldom appointed on the Continent, it has been observed that twenty-five Governors of South Carolina had received their commissions from home, and five others had held the Gubernatorial Chair without commissions, while only three had been commissioned Lieutenant Governors, Am. Hist. Review, vol. III, No. 3, 549. There were no Lieutenant Governors in South Carolina under the Proprietary government, but the three Lieutenant Governors under the Royal government held that position for near forty out of the forty-five years of that government, to wit: Thomas Broughton from 1731 to 1737, William Bull (the first) from 1738 to 1755, William Bull (the second) from 1759 to 1775, and for more than sixteen years of that time administered the government as Lieutenant Governors. Under the Royal governments there were Lieutenant Governors of Nova Scotia, Massachusetts, New Hampshire, New York, New Jersey, Virginia, North Carolina, South Carolina, Georgia, and Florida. For a list of Governors and Lieutenant Governors of the various provinces, not, however, altogether complete, see Index to Hildreth’s Hist. of the U. S., vol. III.}

Lord Carteret does not appear to have paid any heed to this suggestion, but Governor Johnson was persistent, and was ultimately to be sent back as the first regular Royal Governor. In the meanwhile the Proprietors continued to assert their right to govern the colony. On the 27th of May, just about the time Sir Francis Nicholson was leaving the province, they made the appointment of Robert Wright as their Chief Justice, and at the same
faith, especially as negroes were real estate, such as houses and lands, in Carolina. The deputies answered that the design of the King of Spain was not to injure private individuals, and he had ordered compensation to be made to the masters of such slaves in money, but that his humanity and religion enjoined him to issue such orders for the sake of converting slaves to the Christian faith. Such absurd religious pretences made of course no impression on Mr. Middleton and his Council, who knew that the Spaniards themselves held slaves in bondage; and as to the alleged order for compensation to the masters, they knew it had never been carried out, if ever made. Mr. Middleton's assertion that negroes were real property in Carolina was based upon the provision of the act of 1690, then still of force, prescribing that negroes should be accounted as freehold. They were nevertheless always returned as personal property in the inventories of estates, as the records of the Ordinary's or Probate office in Charleston abundantly show.¹ Such arguments satisfied neither party, and matters remained as they were. Nothing was accomplished by the meeting.

Soon after these negotiations, in January, 1725–26, the fort on the Altamaha was burnt.² The desire of the Spaniards to have the fort demolished naturally gave rise to the suspicion that it had been destroyed at their instigation, and this the desertion of twelve of the garrison to St. Augustine was well calculated to encourage. But Captain Edward Massey, who was sent from England to

¹ Hist. of So. Ca. under Prop. Gov. (McCready), 360; Slavery in the Province of So. Ca. (1670), 177 (McCready); Am. Hist. Ass. (1806), 645. See Inventories in Probate office in Charleston under Mr. Middleton's hand and seal as Ordinary while acting as Governor. As instance, William Rhett's Will Inventory Book of 1722–29, 361.

² Coll. Hist. Soc. of So. Ca., vol. 1, 236.
In 1724–25 the Lords Proprietors granted Purry a barony of 12,000 acres in South Carolina, on or near the Savannah, upon the condition that he transport, within one year from the date of the grant, 300 people at his own charges, and promised him another barony of 12,000 acres more when there should be 1200 people settled by him in that part of the province.\(^1\)

Mr. Middleton was not popular. Governor Nicholson had been gone but a few months before complaints followed him against the gentleman who ruled in his place. Benjamin Whitaker, a lawyer, afterward Attorney General and Chief Justice, wrote to Governor Nicholson January 28, 1725–26, concerning the manner in which offices had been sold. He says £400 would make a provost marshal; Mr. Harvey by good fortune, however, got the place for £200. These proceedings, he adds, are very prejudicial to the government. He wishes the return of the Governor to retrieve them from corruption.\(^2\) Mr. Middleton must have been furnished with a copy of this letter, for he writes to the Governor a few days after—February 4—in answer to Mr. Whitaker’s “false statement.” Mr. Whitaker was not, however, the only person to make these charges. Laurence Coulliette, styling himself late Clerk of the Crown, of the Peace, and of the Court of Pleas, presents a petition to Thomas Broughton, Speaker, and the House of Assembly against Mr. Middleton, who, he states, has sold his places to Mr. Childumar Croft for £200.\(^3\) Mr. Middleton’s more serious trouble was his collision with the House of Assembly over the Bills of Credit.

The burning of the fort on the Altamaha caused a renewal of the issue in regard to the currency, between

\(^2\) Ibid., 237.
\(^3\) Ibid., 237.
came forward and themselves prayed the Lords Commissioners of Trade and Plantations to permit this compromise: to allow the province to call in all the old bills, and in lieu thereof to stamp and issue £100,000 and no more of new bills, and moreover that the law then subsisting for sinking the paper currency might be suspended for seven years, and the sums arising thereby might be annually applied for buying tools and provisions for such poor Protestant people as should go and settle there. In asking this they represented that the yearly exports of the province amounted to upwards of £100,000 sterling, and that the present paper bills in the colony, being nominally about £100,000, because of their depreciation did not amount to more than £15,000 sterling. The request, coming from this source, was complied with, and in the instructions of Governor Robert Johnson, who was soon to come out as the first regular Royal Governor, articles were inserted for carrying out this purpose.1 Thus again the people had triumphed. In the first instance they had been led by Mr. Middleton; in the second they had succeeded against him.

During these disturbances a very discreditable occurrence had taken place in the Council chamber. On the 10th of May, 1728, the Assembly had resumed the affair of Landgrave Smith. Mr. Smith, as we have seen, had been admitted to bail by the new Chief Justice, Richard Allein, but that did not satisfy the members of the Assembly; they demanded his release, and complained to the House of the Chief Justice for not having discharged him. The House ordered the Chief Justice to attend and justify himself at their bar. This the Chief Justice refused to do, alleging very properly that the matter was not one

harbor for the protection of trade, were the only ships that rode out the storm. Though this hurricane levelled many thousand trees on the coast, yet so thick was the forest, it was said, that it was scarcely perceived an hundred miles from the shore.

The same year the yellow fever again broke out in the town and swept off multitudes of the inhabitants, both white and black. The people suffered for want of provisions. The town depending entirely on the country for its supplies, and the planters suffering no person to carry provisions to it for fear of catching the infection and taking it into the country, the townspeople were cut off in a great measure from their means of living. The physicians as yet knew not how to heal the disease,—if indeed they do so to-day,—and it proved quickly fatal. The calamity was so general that few could give assistance to their distressed neighbors. There were scarcely to be found sufficient white persons to bury the dead, and so quick was the decomposition after death, so offensive and infectious were the corpses, that even the nearest relations shrank from the duty.
CHAPTER VI

1729–30

UPON the passage of the act of Parliament accepting and confirming the surrender of the Proprietors’ charter, and the final assumption by his Majesty King George II of the immediate government of the province, Governor Robert Johnson was chosen to inaugurate the first regular Royal administration.

This was indeed a great triumph for Governor Johnson. Refusing to betray the interests of the Proprietors, by whom he had been commissioned, he had lost his office as Governor of the province, which the people, recognizing his high character and remembering his gallant conduct in their defence against the pirates, were well content that he should hold, if only he would declare that he did so for the King. But this he would not do, as he had been appointed by the Proprietors; and yet his loyalty and constancy had been rewarded only with cold disdain and silence by those for whom he had sacrificed his position. Now his Majesty, appreciating and honoring the loyalty which would not permit him to act in the Royal interest if at the expense of others who had intrusted him with theirs, returned to him the office he had refused to retain in any manner inconsistent with his good faith. Mr. Middleton, as Speaker of the Commons, had made him give way to a revolutionary governor. Now the party which Mr. Middleton then led having quarrelled with him, Mr. Middleton was made to give way for Governor Johnson’s restoration with a still higher commission and still greater honor.
where said, a written constitution to which the former
could appeal and by which the latter were restricted in
the exercise of their power. The people had thus become
accustomed to a written rule or measure of government.
Upon their revolt the Proprietary government had been
set aside. But what had the colonists gained by way of
guarantee of their rights and liberties? They had com-
plained that some of the Proprietors were minors, and the
rest so occupied with the business and pleasures of their
immediate surroundings, that the affairs of the province
were neglected and left to the management of their secre-
tary. But if those having a most valuable proprietary
interest in the province neglected its affairs because of
their absence, what greater attention and better care was
to be expected from a like distant board, the members of
which had no personal interests in its prosperity? The
time was not long in coming when they were to find the
Lords Commissioners, the masters for whom they had ex-
changed the Proprietors, still more arbitrary and neg-
ligent of their affairs, and their vital interests again in
the hands of a clerk, as it had been in the time of the
Proprietors.

Under the government now to be set up, the Governor,
Council, and Assembly constituted the three branches of
the legislature, with power to make such laws as might be
thought necessary and not repugnant to the laws of Great
Britain. The Governor, Lieutenant Governor, and mem-
bers of the Council were all appointed by the King; the
Assembly elected by the freeholders in the same manner
as provided by Governor Nicholson’s instructions and the
act upon the subject passed under his administration.
The title of the Governor was that of “Governor in chief
and Captain General in and over the Province.” He also
received a Vice Admiral’s commission. But these high-
and Surveyor General, depending entirely upon fees, had no value attached, as being variable. These offices were known as Patent Offices; i.e. they were granted by patents—Royal writings sealed with the Great Seal.

Some of these patents were assignable; for instance, the offices of Provost Marshal or High Sheriff, and Clerk of the Courts were held by patent, usually to one person, and that a non-resident of the colony, who, by assignment, farmed them out to persons in the colony who performed their duties and divided with the patentees the fees and perquisites. The office of Provost Marshal, instead of a High Sheriff, was an inheritance. Bryan Edwards in his History of the West Indies says that, as the name denotes, the office of Provost Marshal was of a military origin, and doubtless was first instituted in those islands before the introduction of civil government, and was continued afterwards by custom. The patent was usually granted for two lives, and the patentee was permitted to act by deputy.

It may be remembered that Edward Rawlins held this office under the Proprietors in 1699 when he died, and George Rodd held the office in 1716. The appointment of Thomas Lowndes by the Proprietors in 1725, notwithstanding that the King was administering the government provisionally, was one of the measures by which they asserted the continuance of their right to the government. Their grant was to Thomas Lowndes, his heirs and assigns, of "the offices and places of Provost Marshal, Clerk of the Peace and Clerk of the Crown of and in the province of South Carolina in America for the several and respective natural lives of the said Thomas Lowndes and Hugh Watson of the Middle Temple Gen't

2 Jacobs's Law Dict., Title Patent.
Garden had been appointed Commissary of the Bishop of London, about the jurisdiction of which office there could be now no longer any question, as formerly, since the Bishop's jurisdiction had been particularly established by the Royal instructions of both Sir Francis Nicholson and of Governor Robert Johnson. The register of births, marriages, and deaths of St. Philip's still exists from the year 1720; that is, from the beginning of Dr. Garden's pastorate. There are no minutes of this vestry prior to 1732.\(^1\) They have been preserved continuously from that time.

In the first vestry of which we have the record, we find the names of three Huguenots,—Colonel Samuel Prioleau, son of Elias Prioleau the pastor, the founder of the Huguenot Church in Charleston, and the most distinguished and prominent of all the Huguenots who came to the province, Mr. Gabriel Manigault, the son of the emigrant and Judith Manigault, a most interesting sketch of whose remarkable career is found in the 4th number of the Transactions of the Huguenot Society of South Carolina, and Mr. John Abraham Motte, the founder of the distinguished family of that name. The presence of these Huguenots in the first vestry of this, the Church of England, of which we have record, is mentioned, as it indicates the relation of the French Protestants generally to that

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\(^1\) See *Hist. of So. Ca. under the Prop. Gov.* (McCrady), 412–442. The earliest journal begins with this entry: "At a meeting of the Parishioners of St. Philips, Charlestown, at the Church on Easter Monday the 10th April, 1732, as many of the Parishioners of the Church of England as thought fit to give their attendance did then and there choose the following Gents for Vestrymen and Church Wardens for the present Year, Pursuant to an Act in this Province in that case made and provided, viz: His Excellency Robert Johnson, Esq., Governor, Col. Prioleau, Captain Greene, Mr. Yeoman, Mr. Manigault, Mr. Motte, Mr. Fairchild; Church Wardens, Captain Robert Austin and Mr. William Mackenzie."
and goodness of his sovereign King George. He told them he had come a great way to demand of all the chiefs-tains of the nation to acknowledge themselves the subjects of the King, and to promise obedience to his authority. The chiefs, falling on their knees, solemnly promised fidelity and obedience, calling upon all that was terrible to fall upon them if they violated their promises.

Sir Alexander then by their unanimous consent nominated Moytoy Commander-in-Chief of the Indian nation, and enjoined all the warriors of the different tribes to acknowledge him for their king, to whom they were to be accountable for their conduct. To this they all agreed, provided Moytoy should be answerable to Sir Alexander for his behavior to them. Many useful presents were made to them, and the congress ended to the great satisfaction of both parties. The crown was brought from Tenasssee, their chief town, which, with five eagle tails and four scalps of their enemies, Moytoy presented to Sir Alexander, requesting him on his arrival in Britain to lay them before his Majesty’s feet. But Sir Alexander proposed to Moytoy that he should depute some of their own chiefs to accompany him to England, there to do homage in person to the great King. Six of them accepted the invitation and accompanied Sir Alexander to Charlestown, where, being joined by another, they embarked for England in the Fox man-of-war, and arrived at Dover in June, 1730.

Being admitted to the King’s presence, in the name of their nation, the Indian chiefs promised to continue forever his Majesty’s faithful and obedient subjects. A treaty was accordingly drawn up and signed by Alured Popple, Secretary to the Commissioners of Trade and Plantations, on the one side, and by the Indian chiefs on the other.

The treaty declared that his Majesty the great King
should be made, the Cherokees must acquaint the English Governor therewith, and do whatever he directed. That if any negroes ran away into the woods from their English masters, the Cherokees should endeavor to apprehend them and bring them back, and for every slave so apprehended and brought back, the Indian bringing him should receive a gun and a watch coat; and if it should happen that an Englishman should kill a Cherokee, the king or chief of the nation should first complain to the English Governor, and the man who did the harm should be punished by the English laws, as if he had killed an Englishman; and in like manner, if any Indian happened to kill an Englishman, the Indian should be delivered up to the Governor to be punished by the same English laws as if he were an Englishman.

The treaty, that it might be the easier understood, was drawn up in language as similar as possible to that of the Indians, which at that time was very little known in England, and given to them certified and approved by Sir Alexander Cumming.

In answer to the King's address one of the Cherokees, Skijagustah, in name of the rest, made a speech, which Hewatt gives at length, in which he declared that they looked upon the great King George as the sun and their father, and upon themselves as his children. For though we be red, he said, and you are white, yet our hands and our hearts are joined together. When we have acquainted our people with what we have seen, our children from generation to generation will always remember it. In war we shall always be one with you. The enemies of the great King shall be our enemies; his people and ours shall be one. In concluding he said, "Your white people may very safely build houses near us; we shall hunt nothing that belongs to them, for we are children of one
father, the great King, and shall live and die together." Then, laying down his feathers upon the table, he added, "This is our way of talking, which is the same to us as your letters in the book are to you, and to you, beloved men, we deliver these feathers in confirmation of all we have said." ¹

The wise measures, says Ramsay, adopted by Sir Francis Nicholson, the first Royal Governor, and the treaties afterward entered into with the Indians by Sir Alexander Cumming, the settlement of Georgia, and the judicious measures adopted by General Oglethorpe, together with the increasing strength of the whole people and the decreasing number of the Indians, all concurred in preserving peace with the savages so far that for forty years subsequent to the Yamassee war in 1715 the peace of the province was preserved without any considerable general interruption. ²

¹ Hewett's, Hist. of So. Ca., vol. II, 4-11.
² Ramsay's Hist. of So. Ca., vol. I, 166.
CHAPTER VII

1731–32

Governor Robert Johnson's instructions having been finally settled, he sailed for Carolina, bringing with him the Indian chiefs with whom his Majesty had entered into the treaty, as just related, impressed with the power and greatness of the English nation, and pleased with the kind and generous treatment they had received. He arrived in Charlestown in the beginning of the year 1731. He also brought with him a commission for his brother-in-law, Thomas Broughton, as Lieutenant Governor of the province, and one for Robert Wright as Chief Justice. The members of his Council were William Bull, James Kinloch, Alexander Skene, John Fenwicke, Arthur Middleton, Joseph Wragg, Francis Yonge, John Hammerton, and Thomas Waring.

Richard Allein, Francis Yonge, Charles Hill, and Thomas Hepworth had been acting as Chief Justices during the Provisionary government of Sir Francis Nicholson, but the Lords Proprietors not yet having surrendered their charter, and still claiming the right to fill the office, had appointed Robert Wright Chief Justice for life. And so in 1726 we find Thomas Lowndes, in the petition to the Duke of Newcastle in regard to the office of Provost Marshal to which we have before referred, setting out that during the negotiation with the Crown, which he claimed to have carried on in behalf of the Proprietors, it had been stipulated that should the grant to Robert Wright of the office of Chief Justice be surrendered and he acquiesce
in a commission during his Majesty's pleasure, that he, Lowndes, should have the offices of Provost Marshal, Clerk of Peace, and Clerk of the Crown for his own life, and the life of another severally, and praying that as that arrangement had been effected by him, the necessary directions should be given in order that he might have the offices.\(^1\) The understanding appears to have been carried out, and these offices were thus united, and held in England during the Royal government as sinecures, the duties being performed by assignees of the patent or deputies in South Carolina,—a matter, as we have said, to prove of great annoyance, and causing infinite trouble to the colony,—one, indeed, which had no little influence in preparing the way for the overthrow of the Royal government itself. This Robert Wright, who, by the surrender of a doubtful title to a life tenure under the Proprietors, secured a better title, *durante bene placito*, under the Crown, was the son of Sir Robert Wright, who was Chief Justice of the King's Bench at the time of the trial of the seven Bishops,—the last of the profligate Chief Justices, as Lord Campbell describes him.\(^2\) The South Carolina Chief Justice was a very different man from his father. Unlike his father, he was a judge of professional ability and high character. We shall soon see him involved in a struggle with the Governor, Council, and Commons in a matter involving the liberties of the people. It may be added that he was more fortunate in his son than in his father. His son, Sir James Wright, becoming successively Attorney General, Chief Justice, Lieutenant Governor, and Governor of Georgia, a man of marked ability and character.\(^3\)

\(^1\) *Coll. Hist. Soc. of So. Ca.*, vol. I, 250.

\(^2\) *Lives of the Chief Justices* (Campbell), vol. II, 83.

\(^3\) *Hist. of Georgia* (Stevens), vol. I, 455; Hildreth's *Hist. of U. S.*, vol. II, 511; III, 279.
While his Majesty's government had been very jealous in watching and guarding the political powers it was granting in establishing the new rule, now that it had taken the colony under its immediate care, it was liberal in its favors for the material prosperity of the province. The great end for which the agents in London had been laboring was accomplished. The restraint upon the exportation of rice under the navigation acts was released so far as to allow the Carolinians to ship it directly to any port south of Cape Finisterre, instead of carrying it first to England and then reshipping it to Spain, Portugal, and the Mediterranean ports, as they had hitherto been obliged to do since it had been put upon the enumerated lists. This favor was supposed to be of an immense importance to the colony, but, as it will appear, did not in fact add so much to its wealth as had been expected. Another favor of the same kind was a bounty upon hemp which was allowed by Parliament. Another, which was regarded by the people with great satisfaction, was an instruction to the Governor empowering him to give his assent to an act allowing for seven years a part of the duties which had been appropriated to the discharge of the bills of credit to be applied instead to the purchasing of tools, provisions, and other necessaries for Protestant settlers in the province. In pursuance of this instruction an act commonly known as the Appropriation Law was one of the first measures of the new administration. Under this act £77,000 in bills were stamped and issued. Then the arrears of quit-rents bought from the Proprietors were remitted by a bounty from the Crown. Seventy pieces of cannon were sent out by the King, and the Governor had instructions to build a fort at Port Royal and another on the Altamaha in the place of that destroyed. An independent company of foot was allowed to be raised for the defence of
But in North Carolina there was no such attachment to Governor Burrington, who appears to have been a man of ability, but of violent and ungovernable temper and tyrannical conduct.\(^1\)

Both Governors were in England while their commissions and instructions were being prepared, and had been called together before the Board of Trade and consulted in regard to the boundary line of the two provinces. The Board of Trade, in their draft of instructions to Governor Burrington, had directed that, in order to prevent any dispute as to the southern boundary of the province under his government, it was their "pleasure that a line should be run (by commissioners appointed by each province), beginning at the sea thirty miles distant from the mouth of the Cape Fear on the South West thereof, keeping the same distance from the said River as the course thereof runs to the main source or head thereof, and from thence the said Boundary line shall be continued due west as far as the South Seas." Governor Burrington was not satisfied with this boundary and laid before their Lordships a map of Colonel Moseley, showing the rivers Cape Fear and Waccamaw, and insisted upon the Waccamaw River being the boundary from the mouth to the head thereof. Governor Johnson, on the other hand, desired their Lordships not to alter their instruction, which placed the boundary thirty miles distant from the mouth of the Cape Fear. To this the Board of Trade agreed, unless the mouth of Waccamaw was within thirty miles of the Cape Fear, in which case it was agreed by both Governor Burrington and himself, as Governor Johnson understood, that the Waccamaw should be the boundary.\(^2\) Upon this agree-


expressing his surprise at Governor Burrington's advertisement, giving his version of the matter as above, and stating that he had informed the Lords of Trade of the different interpretations Governor Burrington and himself had put upon the instructions, and desiring his Majesty's further orders thereon. Governor Glen, writing in 1748, declared that the dispute was kept alive by persons who thus evaded the payments of quit-rents to either government.¹

This curtailment of her territory on the north was not, however, near so great a loss as that she was about to experience on the south. The scheme of Sir Robert Montgomery to establish a colony—"the Margravate of Azilia," as it was termed—between the Carolina planters at Port Royal and the Spaniards at St. Augustine, had fallen through, as we have seen, during the revolution which overthrew the Proprietary government. That scheme was now to be resumed by another under other auspices.

It happened that contemporaneously with the purchase by his Majesty of the Proprietary interest in Carolina James Edward Oglethorpe, then a member of Parliament, was pressing his inquiries into the state of jails of the Kingdom, from which grew his scheme for the colonization of debtors and criminals as a means of relieving the British prisons and furnishing an asylum for these unhappy people whose miseries he was forcing upon the attention of the government and public. In the prosecution of this scheme he conceived the idea of using these people instead of the colony of Scotch Sir Robert Montgomery had endeavored to organize, thus at once giving a place of refuge to the unfortunate debtors and criminals, to whom the danger of the tomahawk of the Indian was scarcely to be more dreaded than their present suffering;

and at the same time establishing a colony which would be a barrier between the Spaniards at St. Augustine and their Indian allies and the people of South Carolina.

To carry out this purpose a memorial was presented to the Privy Council by himself and others, noblemen and gentlemen, proposing to take upon themselves the charge of the southern frontier, if the Crown would grant them a portion of the land bought from the Proprietors lying south of the Savannah River, and give them such corporate powers as would enable them to receive the charitable contributions and benefactions of such persons as were willing to encourage so good a design. The scheme of planting this living wall between the growing colony of South Carolina and their long-dreaded neighbors was readily accepted. On the 9th of June, 1732, his Majesty George the Second granted a charter which, reciting that South Carolina in the late war had been laid waste by fire and sword and great numbers of the English inhabitants miserably massacred by the neighboring savages, and that his Majesty’s loving subjects living there, by reason of the smallness of their numbers in case of a new war would be exposed to like calamities, for the purpose therefore of settling and peopling the frontier granted to certain “Trustees for establishing the colony of Georgia in America” a part of the former province which was described as “all those lands, countries, and territories situate, lying, and being in that part of South Carolina in America which lies from the most northern part of a stream or river then commonly called the Savannah all along the seacoast to the southward until the most southern stream of a certain other great water called the Altamaha and westwardly from the heads of the said Rivers respectively in direct lines to the South Seas.” This grant, it will be observed, did not cover all the territory
to the south of the Savannah, but carved out of it a province, leaving a considerable tract, between the Altamaha and Florida, which still belonged to South Carolina. The Governor of South Carolina in 1762, regarding the lands to the south of the Altamaha as still belonging to his province, granted several tracts, whereupon the Governor of Georgia complained to the King, who, by proclamation dated the 7th of October, 1763, annexed to Georgia all the lands lying between the Altamaha and the St. Mary rivers. This, however, still left a strip lying between the North Carolina line and that of Georgia, which was claimed by South Carolina. It was not until after the revolution, to wit, the 28th of April, 1787, that the boundary was settled by a convention between the States of South Carolina and Georgia. This settlement left to South Carolina but a small strip of territory extending westwardly to the Mississippi, which was ceded to the United States by act of the 9th of August following.¹

The boundaries of South Carolina thus settled include an area of about 30,000 square miles.² The territory thus

¹ Statutes of So. Ca., vol. I, 180, 411, 413.
² By the first map of South Carolina, which was made by William Gerald De Brahm in 1757, the area is estimated at 33,760 square miles. James Cook, in 1771, and Henry Mouzon, in 1775, published in London excellent maps, from which Drayton and Ramsay make the area 24,080. Between 1816 and 1820 the State expended $52,780 on a map of the State, under the direction of John Wilson, which was published in 1822. The State spent $12,000 more for the purpose in 1825, and obtained Robert Mills's large Standard Atlas, which has been the basis of all subsequent atlases, and the accuracy of which has been fully established by all subsequent geographers. Mills estimates the area of the State at 30,213 square miles. The United States census of 1870 puts it at 30,170. The area of South Carolina may thus be assumed to be a little over 30,000 square miles. See Drayton's View of So. Ca., 3; Ramsay's So. Ca., vol. I, 29; Mills's Statistics, 170; South Carolina's Resources and Population, 3.
defined approaches in shape the form of an isosceles triangle—the equal sides being on the north the boundary line of North Carolina, and on the south and west the Savannah River separating it from Georgia. The apex of the triangle rests upon the summit of the Blue Ridge Mountains at their extreme southern end. The base, sweeping with a gentle shaped curve from the southwest to the northeast, forms a part of the Atlantic shore line of America.¹

Thus was the immense territory covered by the grant of Charles the Second divided, and that of South Carolina curtailed. This curtailment was doubtless in a great measure the result of the ignorance of the government in England of the geography of the country. The division between North and South Carolina, even had the Waccamaw River been taken as the boundary, would not have been illiberal to South Carolina had she retained the rest of the territory covered by the charters. Nor would there have been much reason to complain had the mouth of the Savannah been fixed upon as the beginning of her southern boundary, had that boundary line been run due west. It was, with little doubt, ignorance in regard to the course and direction of the Savannah River that caused the great inequality in her domain as compared with that of her sister province. It was not only territory that South Carolina lost at this time; her population was greatly reduced. In 1724 the white population was about 14,000, and the slaves, mostly negroes, about 32,000, in all 46,000.² In 1734 the whites had fallen to 7333, the negroes to 22,000. The whole population was but 29,333.³ It must

¹ South Carolina’s Resources and Population, published by State Board of Agriculture, 1883, 3.
² Governor Glen, Carroll’s Coll., vol. II, 261.
³ Drayton’s View of So. Ca., 193.
on the Waccamaw, Kingston. Of the two directed to be laid out on the Santee one was called Amelia, and the other, which was on the part of that river now known as Congaree, was called Saxe Gotha. Another, not one of those apparently specifically contemplated by the instruction to Governor Johnson, was laid out on the north fork of the Edisto and became known as Orangeburg Township. The territory ordered to be laid out in two townships on the Altamaha became a part of the new province of Georgia. Two of the townships afterward became parishes, to wit, Amelia and Orangeburg; and three others, Kingston, Williamsburg, and Saxe Gotha, became election districts;¹ but except in these instances the township was nothing more than a designation of so much territory. The door was thrown open to Protestants of all denominations, and great inducements were held out to settlers. And notwithstanding another terrible season of yellow fever in Charlestown population began to flow into the province. In the year 1732 the fever appeared as early as May and continued until September or October. In the height of the epidemic there were from eight to twelve whites buried a day, besides people of color. The ringing of bells was forbidden, and little or no business was done.

From the inducements offered between the years 1730 and 1750 a great addition to the strength of the province was made by emigrants from Germany, Holland, Switzerland, Ireland, Scotland, and Wales, to be followed between 1750 and 1760 by another tide, that of the Scotch Irish, coming by the foot of the mountains from Pennsylvania and Virginia.

and last Winter they had constantly 5 the least of which had above 100 Men on Board. It appears from the Customhouse Entries from March 1730 to March 1731 that there sail'd within that time from Charles Town 297 ships most of them for England which carried among other Goods 41957 Barrels of Rice about 500 Pounds Weight per Barrel; 10754 Barrels of Pitch 2063 of Tar and 1159 of Turpentine; of Deer Skins 300 casks containing 8 or 900 each: besides a vast quantity of Indian Corn, Pease, Beans &c.; Beef, Pork and other salted Flesh, Beams, Planks and Timber for Building most part of Cedar, Cypress, Sassafras, Oak, Walnut and Pine. . . . There were between 5 and 600 houses in Charles Town the most of which were very costly. . . . If you travel into the country you will see stately buildings, noble castles and infinite number of all sorts of cattle. If it be ask'd what has produced all this? The answer is 'Tis only the rich Land of Carolina."

Alas for the poor Swiss who accepted Purry’s statements! his theories in regard to the advantages of the climate because of its degree of latitude turned out as illusory as the castles of which he wrote. The castles existed only in his imagination; unfortunately, the deadliness of the climate of the spot which he had chosen was a stern reality. Induced by his representations, 170 Switzers accompanied him in 1733 to the site which he had selected. These men were from the Protestant cantons of Switzerland, and were Presbyterians and Calvinists by profession. But like other foreign Protestants, says Dr. Howe, they desired to comply with the established religion of the country to which they emigrated, and their minister, the Rev. Joseph Büginon, who came with them, received Episcopal ordination from the Bishop of London. On November 16, 1734, another party of 260 came with their minister, the Rev. Henry Chiffele, who also received ordination from the hands of Dr. Gibson, Bishop of London. One hundred and odd more, says the South Carolina Gazette, are expected every day, and among them forty Protestants from the valleys of Piedmont. A subscrip-
crept into the poor Swiss settlement, and the people, finding themselves oppressed with indigence and distress, could consider their situation in no other light than a state of banishment, and not only blamed Purry for deceiving them, but also heartily repented leaving their native country.

Violent indeed, says another writer, was the change from the mountains of Switzerland to the swamps of the lower Savannah; and the malarial influences engendered by a hot sun smiting the marish ground upon which they fixed their new abode proved most disastrous to the health and comfort of the colonists. For several years did they contend manfully against penury and disease, while industriously endeavoring to convert the forests into cultivated fields. Many causes conspired to retard the progress of the settlement, and soon brought about its almost total abandonment. After a comparatively short and precarious existence Purrysburg became little more than a name—scarcely aught else than a frail monument of hope deferred and disappointment most severe.\(^1\) Fortunately, as we shall presently see, all the Swiss did not follow Purry to the swamps of the Savannah.

The first settler in what is now Orangeburg County was a trader, Henry Sterling, who had located himself and obtained a grant on Lyons Creek in 1704.\(^2\) Then followed three or four who located themselves at the Cowpens, northwesterly of the low-country white settlers. But it was not until 1735 that this portion of the province had any considerable number of whites. The arrival of the settlers who found their way thither is thus mentioned in the *South Carolina Gazette* of July 26th of that year. "On

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1 Charles C. Jones, Jr., *Memorial* by Jean Pierre Purry.
2 Mills's *Statistics of So. Ca.*, 656; *German Settlements*, etc., in the Carolinas (Bernheim), 99, 100.
in Orangeburg township, which had been laid out in a parallelogram of fifteen miles by five on the North Edisto, and was called Orangeburg in honor of the Prince of Orange. Some portion of the settlers were, however, from Switzerland, from the cantons of Berne, Zurich, and the Grisons, and Dr. Howe accordingly supposes were Calvinists and Presbyterians in their views of church government. But this Dr. Benheim, the author of the *History of the German Settlements and of the Lutheran Church*, is not disposed to admit. He thinks that though nothing is mentioned in the record-book of the church concerning their distinctive religious belief, yet the presumptive evidence even from this source of information is sufficiently strong to conclude that the first religious society in Orangeburg was a Lutheran church. But whatever their religious preference, it was not sufficiently strong to prevent their accepting the advantages of the Established Church and uniting themselves to it. Their minister, John Ulrich Giessendanner, came with them, and the register of marriages, baptisms, and burials begun by him in the German language was continued by his nephew and successor, John Giessendanner,¹ down to the year 1760. John Ulrich Giessendanner died in the year 1738. His nephew John, says Dr. Howe, by the request of the congregation went to Charlestown for the purpose of “obtaining orders” from the Rev. Alexander Garden, the Bishop of London’s commissary, but was persuaded by Major Christian Mote.²

¹ The nephew's full name was also John Ulrich Giessendanner, but he dropped the middle name probably to distinguish him from his uncle, and so he is named simply John Giessendanner in all accounts which have been left of him.

² This name must not be confounded, says Mr. Salley, with that from which Fort Motte was derived. This fort was named in honor of Colonel Isaac Motte, second in command at the battle of Fort Moultrie, 28th of June, 1776, and his heroic wife, Rebecca. *Hist. of Orangeburg County*, 24.
cheap terms of obtaining lands. They had an abundance of the necessaries and some of the conveniences of life; but their habitations were generally small wooden buildings hastily and roughly built. Charlestown at this time consisted of between five hundred and six hundred houses, mostly built of timber, neither comfortable nor well constructed. From this time great improvement was made in building as well as in other respects. Artificers and tradesmen of different kinds found encouragement in it and introduced a taste for brick buildings and better houses. The whole face of the country began to exhibit the appearance of industry and plenty.¹

The printing press and newspaper were contemporaneous with the Royal government in South Carolina. The want of a printing press had been particularly felt, when, in 1712, the Assembly desired to have the codification of the laws by Chief Justice Trott printed, and were obliged to order the work transmitted either to London, Boston, or New York for the purpose.² The work had not, however, been sent at the time, owing, no doubt, to the low state of the public treasury and the troubles of the Indian war that followed. Then the subject had become involved with Trott’s unpopularity, and the work was treated as if its publication was a personal matter relating only to him, in which the public had no interest, and was apparently abandoned. “To procure by the first opportunity a Printer with his tools to be sent to this Province” was, however,

² Hist. of So. Ca. under Prop. Gov. (McCrary), 522. The first printing press in America was that erected in Massachusetts nearly a hundred years before, i.e. 1638 (or 1636?). Presses were established in the other colonies as follows: Pennsylvania, 1687, New York, 1693, Connecticut, 1709, Maryland, 1720, Virginia, 1729, South Carolina, 1730, Rhode Island, 1732, New Jersey, 1752, North Carolina, 1755, New Hampshire, 1766, Georgia, 1762. Thomas’s Hist. of Printing, vol. I, 149, 150, 221.
one of the subjects of instruction to Francis Yonge when he was sent as the colony’s agent to England in 1722. He was charged to find some sober, able person who should be a printer and bookbinder, who would come over to the province and bring with him a plain, handsome set of letters, with a press, tools, paper, and other necessaries. If the printer required any money to be advanced in order to buy himself what was necessary and for transporting himself, Mr. Yonge was authorized to advance him a sum not exceeding £1000 currency, to be repaid by the printer by printing all such papers as might be required of him until he worked out the debt; the printer was to be allowed twenty-five per cent advance upon the usual price given in Great Britain for such work as he might be given here, and he was to have all the business of the public. Mr. Yonge did not succeed in obtaining a printer, and in January, 1723–24, the Assembly instructed Colonel Parris, the public Treasurer, to lay out £1000 in rice, to be shipped to Mr. Wragg, then living as a merchant in London, whose assistance was asked for Mr. Yonge in obtaining, with the money for the rice to be consigned to Mr. Wragg, the much-desired printer with his “plain, handsome set of letters.” Mr. Wragg was not more successful, and no wonder, for in June in the same year Governor Nicholson, who, however zealous in regard to education, about the matter of printing, it seems, was not unlike Sir William Berkeley, the former Governor of Virginia and Proprietor of the province, who, it will be remembered, thanked God that in his time there were no free schools nor printing in his territory, said to the Assembly: “I suppose by the account of Mr. Yonge sent you it may be seen how very chargeable it is to have a printer to come hither, and if any should I can’t suffer him to exercise his trade without his giving very good security not to print anything without
Gazette of the State of South Carolina. Upon the restoration of the city, Peter Timothy having been lost at sea on his way from Philadelphia where he had been sent as a prisoner of war, his widow revived the paper and published it until 1792, when it was carried on by his son Benjamin Franklin Timothy, by himself first and then with a partner until 1800. Peter Timothy Marchant, great grandson of Lewis Timothy and grandson of Peter, was one of the members of the house of Marchant, Willington & Co., publishers of the Charleston Courier founded in 1802,¹ of which the present ably edited News and Courier of Charleston is the successor. This last journal can therefore trace back its editorial lineage pretty clearly to The South Carolina Gazette founded by Thomas Whitemarsh, in January, 1732.

His Excellency Governor Johnson was specially instructed by his Majesty to put a stop to the system of large grants of land, and to deny grants to any but those who proposed to settle and improve the lands themselves. The great increase in the value of land, owing to the number of negroes imported, and the success in rice planting, led to speculation and the efforts to secure grants of land for the purpose. This gave rise to a most interesting question involving a struggle between the Governor’s Council and Commons on the one side, and the Chief Justice of the colony and the lawyers on the other.

It is difficult for one born and bred anywhere in British dominions or in this country to realize that the principles

¹ Thomas’s Hist. of Printing, vol. II, 306, 371. The files of these papers, and of all others published in Charleston, with but few and unimportant breaks, are to be found in the Charleston Library, thus presenting a complete journalistic history of the province and State for one hundred and sixty-six years.
after the act register their grants or memorials of them, and lands not so registered were declared to be vacant and open to any person who might apply for them as required. This act was passed the 20th of August, 1731. Before the expiration of the prescribed period the case occurred which gave rise to the struggle between the Commons' House and the Chief Justice and the lawyers.

Hewatt's account of this controversy is that the old planters, now acquiring every year greater strength by the large importation of negroes and extensive credit from England, began to turn their attention more closely than ever to the lands of the province; that a spirit of emulation broke out among them for securing tracts of the richest soil, especially such as were most conveniently situated for navigation; that complaints were made to the Assembly that all lands on navigable rivers and creeks adjacent to Port Royal had been run out in exorbitant tracts under color of patents granted by the Proprietors to Caciques and Landgraves by which the complainants, who had at the hazard of their lives defended the country, were hindered from obtaining such lands as could be useful and beneficial at the established quit-rents, though the Attorney and Solicitor General of England had declared such patents void. He sees nothing in the controversy which arose but an unscrupulous effort on the part of the planters to obtain improper grants of land; he intimates no doubt as to the right or propriety of the action of the Commons, however arbitrary, in resisting this attempt. But the case was a very different one.

The issue arose in this way: Some thirty-nine inhabitants of Granville County presented a petition against Job

1 Statutes of So. Ca., vol. III. 290, 292.
2 Hewatt’s, Hist. of So. Ca., vol. II, 28.
speech he began, of course, in accordance with the custom of the times, with adulatory allusion to the mild and just government under which it was the fortune of the inhabitants of the province to live. Then, warming to his subject:

"Liberty," he exclaimed, "is now become the grand theme! And who shall speak against so great a blessing? But therefore let such as want it consider well whether they have not done anything to forfeit it, for if they have, themselves are the authors of their own unhappiness, and whether they are so I must leave to you to determine; but I shall take leave to state the affair first with relation to the things done by Dr. Cooper, Mr. Graeme, and Mr. Vaughn, now under confinement by the Commons' House of Assembly, and for which they are so confined. And then I shall examine a little into the power of the House with relation thereto, and quote some passages out of such authors and books as I have now occasionally perused, the better to inform myself whether such commitments are cognizable in the Inferior Courts, or if persons so confined are within the intention of the habeas corpus act.

"And first I find Dr. Cooper, the Deputy Surveyor, laying out lands contrary to law, and the Governor's warrant, which tends to the creating litigious dispute, and involving the country in the utmost confusion.

"Mr. Graeme's conduct is for that he, as attorney, did fill up and sign a capias ad respondendum against John Brown, messenger of the House, directed to the Provost Marshal at the suit of Thomas Cooper, Esq., &c.

"That Mr. Rowland Vaughn is for an open and notorious affront and contempt offered the House by serving a writ of habeas corpus on John Brown, messenger, when he was actually in the execution of his office in the business of the House, with his Rod in his hand.

"Far be it from me," he declared, "to undertake to tell what are the Commons' Privileges, but it is presumed they are the same as the House of Commons of Great Britain, since his Majesty has been pleased (altho' negatively) to allow it by saying they shall have no more than that the House enjoys. And he has been pleased to direct positively that they and their servants shall be privileged and free from arrest during their session. This then being granted, let us see whether these gentlemen have exceeded their bounds and done
had in no way meddling with the privileges of the Commons. If guilty of anything it was in having violated the Governor’s instruction and the Quit-rent act; and whether they were or were not guilty of so doing was a judicial question for the courts—not for legislative action. In the language of Holt in Ashby v. White: 1—

"The declarations of the House of Commons will not make that a breach of privilege which was none before. The privileges of the House of Commons are well known, and are founded upon the law of the land, and are nothing but the law—we all know that the members of the House of Commons have no protection from any arrest in case of treason, felony, or breaches of the peace, and if they declare that they have privileges which they have no legal claim to, the people of England will not be estopped by that declaration. This privilege of theirs concerns the liberty of the people in a high degree, by subjecting them to imprisonment for that which heretofore has been lawful, and which cannot be made unlawful without an act of parliament."

Mr. Yonge also referred to the proceedings of the House, in 1722, during Sir Francis Nicholson’s administration, when that body committed the merchants for petitioning against the currency bill, quoted them at length, and made the most of them as precedent.

The Chief Justice, having a seat in the Council, was present at the discussion and thus vigorously replied to Mr. Yonge:—

"I am under the greatest concern imaginable," he said, "that there should be any dispute or animosities amongst us in the province, and more especially, since we have the happiness to be under the immediate protection and government of his Majesty, that we should spurn at his authority.

"Far be it from me to dispute the known privileges of the Lower House of Assembly. I acknowledge they may have many undoubted ones, and those have been duly and justly granted to them by your Excellency.

Upon this debate the Council resolved (1) that it was not for his Majesty’s service or the interest of the province either to prorogue or dissolve the present Assembly; (2) that it was the opinion of the Council that his Majesty did allow (by his instructions to the Governor) the Commons’ House of Assembly the same privileges as the House of Commons enjoyed in England; (3) that the Commons’ House of Assembly had a right to commit persons for breach of privilege and notorious grievances that might affect the people of the province, and have always practised and enjoyed the same; that in cases of contempt or breach of privileges of any inferior court, much more of the Court of Parliament, no writ of *habeas corpus* will be or ought to be granted. Then upon reading and considering the charges upon which Dr. Cooper, Mr. Graeme, and Mr. Vaughn were committed they resolved (1) that the House had done no more in committing them than the House of Commons of England had frequently done in like cases; (2) that it was the opinion of the Council that the resolutions of the Commons’ House of Assembly published in the *Gazette* did not in any way strike at his Majesty’s prerogative or the liberties of the people as was supposed in the Chief Justice’s speech.

The Council ordered the speech made by Mr. Yonge published in the next *Gazette*, and the Chief Justice published his in the same issue of that paper—21st of April, 1733. The Commons’ House took further offence at the publication of the Chief Justice’s speech and addressed his Excellency the Governor and Council protesting against it. For his invasion of their privileges, they said, they would have punished the Chief Justice suitable to his offence but that he was a member of his Majesty’s Council therefore, would release all parties committed by the House. *May’s Law and Practice of Parliament*, 95.
CHAPTER X

1733-37

On the 13th of January, 1733, General Oglethorpe arrived at Charlestown with the first part of his colony for the settlement of Georgia. They were received by the Governor and Council with every mark of civility and attention. The King's pilot was directed to carry the ship into Port Royal, and small vessels were provided by them to take the emigrants to the Savannah River. Thus assisted, they resumed their voyage, and shortly dropped anchor within Port Royal bar. The colony landed at Beaufort on the 20th of January, and had quarters given them in the new barracks there. They received every attention from the officers of his Majesty's Independent Company and the gentlemen of the neighborhood, and refreshed themselves after the fatigues and discomforts of their long voyage and cramped accommodations.

Leaving his people there, Oglethorpe accompanied by Colonel William Bull explored the country, and having found a high and pleasant spot of ground on the Savannah, fixed upon it as the most convenient and healthy situation for the colony. On this place they marked out a town, and from the Indian name of the river they called it Savannah. A small fort was erected on the banks as a place of refuge, and some guns were mounted. The people were set to work felling trees and building huts, Oglethorpe animating and encouraging them by sharing with them all the hardships they endured.
The most generous assistance, says Bishop Stevens, was given the new colony by South Carolina. The Assembly which met three days after the arrival of the emigrants, though engaged, as we have seen, in the controversy with the Chief Justice and the lawyers, and though still busy with the vexed question of the currency, found time and means to devote to their assistance. They immediately resolved to furnish the colony with large supplies of cattle and rice. They appointed Colonel William Bull, one of the Governor's Council and a gentleman esteemed "most capable of assisting Oglethorpe in settling, by reason of his experience in colonial affairs, the nature of lands, and the intercourse with Indians," to attend him and afford him advice and assistance. There was a general readiness of all to assist the new colony. The Governor wrote, "Had not our Assembly been sitting, I would have gone myself." Nor was private assistance in any way behind public munificence. Colonel Bull brought with him four laborers and assisted the colony for a month, he himself measuring the scantling and setting out the work for the sawyers. Mr. Whitaker and his friends sent the colony one hundred head of cattle. Mr. St. Julien went to Savannah and stayed a month, directing the people in building their houses and other work. Mr. Hume sent a silver boat and spoon for the first child born in Georgia, which being born of Mrs. Close was given accordingly. Mr. Joseph Bryan himself with four of his sawyers gave two months' work. The inhabitants of Edisto sent sixteen sheep. Mr. Hammetton gave a drum. Mrs. Ann Drayton sent two pair of sawyers. Colonel Bull and Mr. Bryan appear to have given the services of twenty other of their servants. His Excellency Governor Johnson gave seven horses.

Having put Savannah in as strong a position of defence
this colony greatly increased the security of the old province from the Spaniards and Indians at St. Augustine who had proven so injurious, and well might the settlers in Carolina, old and new, do all in their power to build up a living wall, as it were, between them and their dangerous neighbors. They were prepared, therefore, to hail the new colony as a bulwark against their Floridian and savage enemies, as opening further opportunities of trade, and as enhancing the value of their frontier possessions, which, according to the best authorities, were raised, it was said, to five times their former value about Port Royal and the Savannah River.\(^1\)

Governor Robert Johnson’s tenure as first regular Governor under the Royal authority was not a long one. His health had been failing, and he died on the 3d of May, 1735. There had been no such stirring events as had occurred during his administration under the Proprietors. He had had no occasion again to exhibit the heroic qualities which he had shown in his brilliant action against the pirates in 1718. But the traits which, even amidst the troublesome times under which he had formerly served, had made the people wish to retain the Governor while overthrowing the government which he represented, in the quieter times of his administration as a Royal Governor, now given free exercise, had still more endeared him to the colonists, and had won for him the title of the “good Governor Robert Johnson.” The South Carolina Gazette of May 10, 1735, thus announces his death, and tells of his funeral ceremonies:

“On Saturday last (May 3\(^2\)) between twelve and one o’clock died after a long and lingering sickness His Excellency Robert Johnson Esq: Captain General, Governor and Commander in Chief in and over this His Majesty’s Province, and was decently interred on

\(^1\) Hist. of Georgia (Stevens), vol. I, 93.
the Parliament of England. They were watching closely and curbing upon every occasion the exercise of any questioned prerogative of the Governor and Council; nor were they willing to admit that the latter body on their part possessed the power of the House of Lords, nor even to acknowledge that the Council was an Upper House or anything more than an advisory board to the Governor. The Council on the other hand were prompt not only to assert their rights and power as an Upper House as against the Commons; but even as against the Governor himself they claimed and successfully asserted their independence as a distinct branch of the government. They were not, it is true, an hereditary order, but as deputies of the Proprietors or as councillors of the King there were several families in the colony who were rarely without representation in that body. It was seldom that there was not a Bull, or a Middleton, or a Drayton in the Council.

The legal right of the Commons in England to originate grants of money had long been recognized; but to the right of originating such measures their claim appears to have been confined for nearly three hundred years. The Lords were not originally precluded from amending bills of supply. But contemporaneously with the founding of Carolina, i.e. in 1671, the Commons in England had advanced their claim and had begun to deny the right of the Lords in any way to change or alter such bills. This principle, though never formally admitted, was acquiesced in and became and still remains the settled rule in the British Parliament, subject however to certain slight modifications which for convenience have been allowed.¹ Such was undoubtedly the constitutional principle in England. But did the circumstances of the colonies in America call for or warrant

¹ May’s Law and Practice of Parliament, 407, 408; Cushing’s Law and Practice of Legislative Assemblies, 880, 891.
qualities suited to the position to which he was thus accidentally called; and it was charged that during his brief administration many leading men acquired large possessions without many scruples in the way in which they were obtained, the Lieutenant Governor, without suspicion, freely granting warrants for the lands they desired.\footnote{Hewatt's \textit{Hist. of So. Ca.}, vol. II, 46.} But his short administration of less than two years was more remarkable for another constitutional struggle. This time it was between the Commons' House of Assembly on the one side, and himself as Governor with his Council on the other. The reader must not tire of the details of these constantly recurring struggles between the different branches of government; he must reflect that it was through these contentions that the principles of liberty he now enjoys came to be understood and recognized. He must recollect that it was in these early discussions in our colonial Assemblies that the principles at stake in the great Revolution of 1776 were evolved and formulated and implanted in the minds of the people, as if in preparation for that greater struggle and its momentous consequences. These struggles may have been, and probably were, in some instances, at least, more the outcome of factious spirits contending for power than the promptings of enlarged ideas and settled convictions upon the subject of constitutional government; but all the same it was through these means that under the providence of God the foundations of our free institutions were being settled and established.

The colonists in South Carolina were closely following the development of the principles of government in the mother country. The Commons, claiming to be the immediate representatives of the people, were asserting for themselves all the power and privileges of the Commons in
1727 to 1731 the Commons here had refused to allow the passage of any tax bill that did not contain a provision for the extension of the currency. The question now arose in different form though really involving the same principle. In this instance the Commons were not seeking to force upon the Governor and Council any extraneous legislation by means of a tax bill, as had then been attempted; but were resisting the right of the Council sitting as an Upper House to amend a tax bill for any purpose whatever. They were maintaining the doctrine not only of the exclusive right of the Commons to grant supplies, but the denial of the right of the Council to do more than accept or reject a tax bill as sent. The bill in this case sent to the Council was one providing merely for the usual items of annual expenditure; but this the Council undertook to amend; and there at once arose a very far-reaching question,—one going to the roots of the Royal governments in the American colonies,—assuming that the Council occupied to the matter the same position as the House of Lords: could his Majesty the King by his Royal instruction to the Governors in any way affect or limit the rights and privileges of the colonists as English subjects? If British subjects in England could only be taxed by their immediate representatives in the Commons' House of Parliament without amendment by the House of Lords, could British subjects in America be taxed by a body here corresponding to the House of Lords in England?

The Assembly had hardly returned from the funeral ceremonies upon the death and burial of Governor Robert Johnson when the struggle began. The Commons' House having prepared the money or supply bill to provide for the expenses of the current year, it was sent to the Council for its concurrence. Lieutenant Governor Broughton,
who was then sitting with the Council, and the members
of that body, not being satisfied with the provisions of the
bill, proceeded to alter it by adding thereto an item of
£2100, and having done so they sent it back to the Com-
mons as amended in the Council chamber.  

In a moment the Commons were up in arms, and with-
out waiting for a conference proceeded to declare their
view of their rights in very positive terms. A committee
was appointed to consider the infringement on their pre-
rogative, as it was said, of which Charles Pinckney was
chairman.  

The report of the committee, which was
drafted by Mr. Pinckney, made a strong presentation
upon the subject. We read from the Journal:—

"Mr. Pinckney from the Committee to draw up Resolutions on
the Council Amending the Tax bill offered the following ones, which
were read and agreed to by the House nemine contradicente and
ordered to be entered on the journals, viz.:

"In the Commons' House of Assembly the 28th day of March 1735.

"Resolved, That it is the Opinion of this House that it is the
inherent right and privilege of every Englishman not to be charged
with any taxes or aids of money but what are given and granted by
his Representative in Parliament.

"Resolved that the House of Commons have the sole right and
power over the Moneys of the Peoples and of giving and granting or
denyng Aids or Moneys for the Public Service.

"Resolved that the House of Commons have the first commence-
ment and consideration, the sole Modelling in their House of all
Laws for imposing Taxes and levying and raising acts of Money upon
the People for the defence and support of the state and government.

1 The author has in this account followed very closely the collations of
the Reports and Resolves of the two Houses as prepared by Mr. Shirley
Carter Hughson, and published in a communication to the New York
Evening Post under date September 16, 1893.

2 Charles Pinckney was the son of Thomas Pinckney, concerning whom
see Hist. of So. Ca. under Prop. Gov. (McCrady), 261, 262. This was
the beginning of an illustrious career in which he will frequently appear
in these pages.
Lieutenant Governor Broughton addressed them, urging them to proceed in raising the necessary supplies for the support of the government; but the temper of the House had not changed. The members came back determined to insist upon their position. They replied that they had rejected the bill at the last session on the highest reasons and for the preservation of the most invaluable privileges of the people, which they should endeavor to preserve sacred and inviolable.

The Commons remaining firm, Lieutenant Governor Broughton addressed them another message, calling their attention to his Majesty's 35th Instruction to Governor Nicholson, under which the Board had power to frame, alter, or amend money bills, which could not be looked upon as an infringement of the liberties of the people, and urging them to send up the estimates for the action of the Council.

Upon receiving this message asserting the right of the Council to amend money bills under Governor Nicholson's 35th Instruction, the Commons appointed a committee to examine the journals of former Houses to see what had been done by them in cases of a like nature. The committee consisted of Othneal Beale, Charles Pinckney, and Andrew Rutledge. They met immediately and made the examination. They reported that they had searched the journals and found that the Council at several times at the beginning of Mr. Middleton's administration, in 1725, claimed a right of framing, altering, and amending tax bills, but that the Commons' House of Assembly would never agree to any such amendments by the Upper House; that at one time a tax bill was lost which had been amended by the Council; that at another when amendments had been made in a tax bill by the Council, the Lower House had struck the same out, and sent the bill
CHAPTER XI

1737-40

Lieutenant Governor Broughton died on the 22d of November, 1737, and as it happened, Mr. Arthur Middleton, the President of the Council, had died on the 6th of September before; the administration of the government under his Majesty’s instructions devolved, therefore, upon the senior member of the Council, who at this time was the Hon. William Bull, son of the emigrant Stephen Bull, who came out with the first colony under the Proprietors, and had already risen to the position of a member of the Council under their Lordships. He had been one who stood to the last by their Governor, but had been immediately restored to the same position upon the accession of the Royal government. We have just seen him busily engaged assisting Oglethorpe in the establishment of his colony. He was now to begin an administration of the province as President of the Council and Lieutenant Governor, which he was repeatedly to lay down and take up again in the absence of a Governor, and in which his son was to succeed him, so that father and son were to administer the government of the province from time to time for a period of thirty-three years: administrations which were always welcomed by the people for the ability, tact, and good judgment with which they were conducted, and which it would have been well for the Royal authority had it made permanent, and dignified them with the prestige and power which belonged only to a fully commissioned Governor. William Bull, Jr., the son, was Speaker of the
important action of the Council in asserting its legislative as distinct from its advisory character as a council.

The first arose upon a most trivial matter. The Commons, while placing in the estimates to the tax bill the word "Honorable" before the name of Mr. Pinckney, who was Speaker, had omitted the prefix to that of Mr. Hammerton, the Secretary of the province and of the Council. The Council jocularly objected to this, but the objection was taken seriously and renewed the discussion as to the right of the Council to amend in any way a tax bill. The Council, on the other hand, roundly asserted its rights not only to do so, but to frame money bills. As, however, war with Spain was now imminent, and the safety of the province would not permit a controversy, an expedient was agreed upon by which the difficulty was avoided, each House reserving the rights it claimed. It was agreed that when the Council desired an amendment they would present it on a separate schedule which they would send to the Commons with the money bill, when the amendment would be proposed from the floor of the House and considered.1 With this arrangement the House contented itself, causing to be transcribed in its journal, of the 10th of April, 1789, in large and bold characters, that "the Upper House of Assembly, in taking upon themselves to make additions and alterations in the bill for granting a supply to his Majesty, have violated the privileges of the House: It being the undoubted right and privilege of the Commons’ House of Assembly to have the first commencement and sole modelling of all laws for imposing taxes and levying and raising aids of money upon the people for the support of his Majesty’s government in this province."

1 Letter of Lieutenant Governor Bull to Lord Hillsborough, September 8, 1770.
in 1749, the number of white people in South Carolina, including men, women, and children, it is said was about 14,000 in the year 1724, and the number of slaves at that time, reckoning men, women, and children, was about 32,000, mostly negroes. In the last nine years, while the whites had little more than doubled, the negroes had trebled. In a memorial in 1734 by Governor Robert Johnson, the President of the Council, and the Speaker of the Commons, transmitted to his Majesty, it was stated that the inhabitants of both Georgia and South Carolina composed a militia of only 3500 men, the negroes at least 22,000, in the proportion of 3 to 1 for all white inhabitants of South Carolina. The apprehensions of the people began to be aroused at this great disproportion in the relative numbers of the two races. In the Gazette of April 2, 1737, a communication appears over the signature of "Mercator," in which it was stated that in four years past there had been imported 10,447 negroes, and in the four years before only 5153. To the running in debt for negroes beyond the means of planters, the writer attributed the scarcity of money. He went on to say that if some method was not speedily taken to prevent the large importation of negroes, it would not only increase the scarcity of money, but also be of the most fatal consequence to the province. Another writer in the Gazette of March 9, 1738, repeats the warning. He writes:—

"I can not avoid observing that altho' a few negroes annually imported into the province might be of advantage to most People, yet such a large importation of 2600 or 2800 every year is not only a loss

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1 Advertisement to Documents connected with So. Ca. (Weston), 53.
2 Drayton, in his View of So. Ca., 103, gives a table of population, in which the whites are put in 1723 at 14,000, the negroes at only 18,000. The account given by Governor Glen shows that Drayton's figures in this instance are incorrect.
3 Hewatt's Hist. of So. Ca., vol. II, 38, 39.
not groundless was now demonstrated. An outbreak occurred, undoubtedly instigated by the Spaniards at St. Augustine. Emissaries had been sent persuading the negroes to fly from their masters to Florida, where liberty and protection awaited them. Many had made their escape to that settlement. Of these negroes the Governor of Florida had formed a regiment, appointed officers from among them, allowed them the same pay, and clothed them in the same uniform with the regular Spanish soldiers. Of all this the negroes in South Carolina were kept informed, and when they ran away made their course directly to St. Augustine. Several attempts to do this had recently been discovered and prevented.

At length, on the 9th of September, 1739, a number of negroes assembled at Stono and began their movement by breaking open a store, killing two young men who guarded the warehouse, and plundering it of guns and ammunition. Thus provided with arms, they chose one of their number captain, and marched in the direction of Florida with colors flying and drums beating. On their way they entered the house of Mr. Godfrey, murdered him, his wife, and children, took all the arms in the house, and, setting fire to it, proceeded to Jacksonborough. In their march they plundered and burned every house, killed the white people, and compelled other negroes to join them.

Lieutenant Governor Bull, happening to be on his way to Charlestown, probably from Beaufort, observing this body of armed negroes rode out of their way and avoided them. He crossed over to John's Island and from thence reached Charlestown with the first intelligence. Mr. Golightly also seeing and avoiding them went directly to the Presbyterian church at Wiltown and gave the alarm. By a law of the province all persons were required to carry
arms to church, and as it was Sunday Mr. Golightly found there a body of armed men and proceeded with them to engage the negroes about eight miles distant. The women were left trembling with fear while the militia marched in quest of the negroes, who, by this time, had become much more formidable from their numbers. For fifteen miles they had spread desolation through all the plantations on their way. Fortunately, having found rum in some houses, and drinking freely of it, they halted and began to sing and dance. During these rejoicings the militia came up and took positions to prevent escape, then advancing and killing some, the remainder of the negroes dispersed and fled to the woods. Many ran back to the plantations to which they belonged in the hope of escaping suspicion of having joined in the rising; but the greater part were taken and tried—some of them who had been compelled to join were pardoned; the leaders suffered death. Twenty-one whites and forty-four negroes lost their lives in this insurrection.

The province was struck with consternation by this uprising of the slaves. The condition is thus described: "On this occasion every breast was filled with concern. Evil brought home to us within our very doors awakened the attention of the most unthinking. Every one that had any relation, any tie of nature, every one that had a life to lose, was in the most possible manner shocked at such

1 Hewatt makes this statement, but we have been able to find no such statute. The carrying arms to church was probably a custom, but not a law.

2 Coll. Hist. Soc. of So. Ca., vol. II, 270; Hewatt's Hist. of So. Ca., vol. II, 71. In an article on "Slavery in the Province of South Carolina, 1670–1770," Am. Hist. Ass. (1890), by the author of this work, the date of this insurrection is given as 1740. The correct date is as stated here, the 9th of September, 1739.

danger daily hanging over their heads. With regret we bemoaned our peculiar case that we could not enjoy the benefit of peace like the rest of mankind, and that our industry should be the means of taking from us all the sweets of life, and of rendering us liable to the loss of our lives and fortunes. With indignation we looked at St. Augustine like another Sallee, that den of thieves and ruffians, receptacle of debtors, servants, and slaves; bane of industry and society, and revolved in our minds all the injuries this province had received from thence ever since the first settlement.* This insurrection it was believed had been instigated by the Spaniards. To prevent further attempts Governor Bull sent an express to General Oglethorpe in Georgia urging him to double his vigilance and to seize all straggling Spaniards and negroes. A company of Rangers was employed to patrol the frontier and close up all passages by which they might make their escape to Florida.¹

When it is recollected how the Spaniards had resented every effort to extend the southern frontier of Carolina, how they had massacred the colony of Lord Cardross at Port Royal in 1686, and had instigated the Indian uprising to prevent the establishment of the town of Beaufort in 1715, it will readily be supposed that they looked with still greater jealousy upon the attempt to plant another English colony on the south of the Savannah. But there were other far more serious and more general causes of increasing hostilities between the two nations. And about these there were causes of complaint on both sides. The prime cause on the side of the Spaniards was the illegal trade which the English colonies and the English vessels carried on with the colonial dependencies of Spain by

which means her commerce was said to have been reduced to one-seventh of its tonnage and value. On the part of the British, the oppressive restrictions imposed on English bottoms trading in Spanish colonies, the interruption of her lawful traffic and the seizure and condemnation of her vessels to the great injury of her colonial commerce.¹ The differences between the two nations arose very naturally from the fact that each was attempting to secure a monopoly of the colonial trade. Sir Robert Walpole, being entirely opposed to a war, had agreed to a convention to adjust all differences between the two kingdoms; but the result was unsatisfactory to both, and the King of Spain opened hostilities even before war was declared by ordering seizures of British goods and vessels, and compelling the withdrawal of all British subjects from his dominions. King George met these orders by directing his subjects to make reprisals.

But hostilities had already begun between the Georgians and the Spaniards at St. Augustine before the instructions of the King had been received. Oglethorpe had planted a garrison on the north bank of the St. John’s River, where the river runs due east and west, which he called St. George’s Fort, and stationed guard boats along the St. John's to patrol the river. This gave great offence to the Spaniards, whose ambassador at St. James now demanded the recall of Oglethorpe and renewed the claim of Spain to all the territory south of 36 degrees 50 minutes—in effect to all of South Carolina and Georgia. A Spanish commissioner came from St. Augustine, demanding that the English should evacuate all ports and towns south of the St. Helena. This demand—the increase of the garrison at St. Augustine, and of the Spanish naval force—so impressed Oglethorpe that he sailed for England,

¹ Hist. of Georgia (Stevens), vol. I, 164.
communicated to General Oglethorpe by the Lieutenant Governor. The General, on the 29th of December, 1739, sent in his estimate of what he thought reasonable and necessary for this province to furnish. In this estimate he did not mention the number of men, but it was understood that he expected a force of six hundred. He mentioned that he could march four hundred of his regiment, and leave a sufficient garrison behind him; that he had ordered eight troops of twenty men each to be raised, though he had got but twelve horses for them; that he would have one thousand Indians; that the Cherokees had promised to be down in March, and the Creeks he expected at the same time. The General went at length into the inducements which presented themselves for immediate action. He did not allude to that, however, which had the most influence with the committee, namely, that he had already practically committed them by bringing out the Indians before consulting them.

On the 4th of February, 1739-40, the Lieutenant Governor sent to the House two other communications from the General, in one of which, dated the 23d of January, he informed his Honor of the capture of the two forts, Picolata on the east side of the St. John's, and St. Francis on the west; and in the other he stated that from prisoners he had learned that St. Augustine had been greatly strengthened, and urged that the longer the attack was delayed, the stronger it would be. He accompanied this letter with another estimate of the assistance he desired. The Assembly having considered these estimates found that the cost would be £200,492.10, which they could not then afford, but agreed that if the General would certify to the Assembly that there was a probability of success at an expense of £120,000, the province would furnish that sum. Upon learning of this General Oglethorpe, having
posted his forces in such a manner as to secure the frontier
during his absence, came to Charlestown on the 23d of
March to confer with the Governor and Assembly. On
the 29th he sent in a communication accepting the offer
of assistance to the amount of £120,000, as that was all
that could be done, and stating that with that sum he
would undertake the attempt, and that Captain Pearce
of the Royal Navy had assured him that if they were
ready in fourteen days he would assist the undertaking.
This the committees of Assembly were unanimously of
opinion was impossible, and, understanding that the enter-
prise would not otherwise be undertaken, requested the
General to state what supplies would be necessary to keep
the war on the other side of the St. John's River. But
Oglethorpe was persistent in his purpose for an immedi-
ate attack upon St. Augustine, and a conference was held,
at which the General, Captain Pearce, in command of his
Majesty's ships in these parts, and Captain Warren, also
of the navy, with many members of the two Houses,
were present. At this conference General Oglethorpe
represented to the committee that he had private intelli-
gence from St. Augustine that the place was in great
want of provisions; that it was certain that a great part
of the garrison would desert to him as soon as he should
appear there; and that he did not doubt making himself
master of the town the first night. That the great num-
ber of women and children who would be forced into the
castle must necessarily distress the garrison, which, being
immediately followed by throwing in several bombs, would
undoubtedly produce a speedy surrender. Captain Pearce
promised to give all the assistance in his power to the en-
terprise, declaring that he would answer for it, the place
would have no relief by sea, and that "they ought all to
be hanged if they did not take it in a very short time."
These were fresh and strong inducements, says the Report from which we quote: here was a scheme that appeared rational and highly probable of being attended with success. It readily occurred to the committee what glorious success had often crowned attempts of such a nature merely from their suddenness and vigorous execution. They had the examples of Colonel Daniel and Colonel Palmer, who, though not bred soldiers, yet led on by their own courage, happily effected all sudden attempts which they made. In this they were to have a general who professed to have learned the first rudiments of war under Prince Eugene, a regiment of King's Troop, five men-of-war certainly, viz.: the Flamborough, Commodore Pearce; the Squirrel, Captain Warren; the Phoenix, Captain Transhaw; the Tartar, Captain Townshend—all twenty-gun ships; the Spruce Sloop, Captain Lanes; and three more expected in time, viz.: the Colchester, Captain Simonds, of fifty guns; the Hector, Sir Yelverton Peyton, of forty guns; and the Wolf Sloop, Captain Dandridge, also a large body of Indians besides their own forces. Induced by these reasons, and fired also with some ambition of sharing in the glory of his Majesty's arms, the committee recommended to the House to assist General Oglethorpe in making an immediate attack upon St. Augustine. Both Houses and the General having come to agreement as to the assistance to be given, an act was passed for the purpose on the 5th of April. Commissioners were appointed to borrow £2000 sterling and to stamp and sign orders to the amount of £25,000 currency for defraying the expenses of the expedition. A regiment of four hundred men was raised to serve for four months instead of three, as the General had last proposed. In addition to this the regiment, at the request of several gentlemen of position in the country, offered their
Goose Creek. Like Oglethorpe, he had probably seen service in foreign wars, and was esteemed in consequence a soldier of experience. It was on this account, it is supposed, that he was given the position; for there is no reason otherwise why he should have been placed in command of the regiment.¹ Lieutenant Colonel Le Jau was the son of the Rev. Francis Le Jau, who had been sent out as a missionary by the Society for the Propagation of the Gospel in 1706, and was the minister at Goose Creek.² Major Charles Colleton was the son of Charles Colleton, a member of the Proprietor’s family of that name.

The forces agreed to be furnished were completed within a month from the passing of the act, sooner than was expected, and were dispatched to the General at Fort George from time to time as they were raised.

Governor Bull, besides the men thus furnished, purchased a large schooner with fourteen carriage guns and twelve swivels, which might go where the men-of-war could not. She was manned with fifty-four men, and in order to make her as serviceable as possible, he gave the command of her to Mr. Tyrrel, Captain Warren, Second

¹ Colonel Vander Dussen continued a member of the Commons for many years, and was subsequently one of the King’s Council. He died in 1769, in England, leaving no family here. He lived in great style in a house built by him at Goose Creek, which, after his death, was deserted and said to have been haunted. The probability is that it became the resort of runaway negroes who were interested in spreading the report. It was a common thing to hear negroes say, “If you go there Old Bandon will catch you.” He is said to have been a severe master; hence probably the negro saying. The house was afterward rebuilt and occupied by William Johnson of Revolutionary memory, who reared there a large family of children and grandchildren, undisturbed by ghosts. Among them were the Hon. William Johnson, Associate Justice of the Supreme Court of the U. S., another the late Edward McCrady, the father of the author of this work. A Day on Cooper River, J. B. Irving, 21-23.

Lieutenant, with directions to obey the orders of the commodore. He furnished also twelve eighteen-pounders for the armament of the expedition. Colonel Vander Dussen embarked on the 9th, and set sail on the 12th for Florida. Having made these preparations, Lieutenant Governor Bull, on May 17, issued his proclamation setting apart and appointing Wednesday, the 28th, to be observed as a day of fasting and humiliation by the several ministers and the congregations throughout the province to implore the blessing and assistance of Almighty God in their endeavors against his Majesty's enemies.  

of the St. John's.\(^1\) St. Augustine is situated about forty-five miles below the mouth of the St. John's, at a distance of about three miles from the sea. The castle was built of soft stone with four bastions, a curtain 60 yards in length, parapet 9 feet, rampart 20 feet high, casemated and arched over, with bomb proofs—at this time just made. The fort had 50 pieces of cannon mounted on it, 16 of which were brass, and some twenty-four pounders. The town was intrenched with 10 salient angles, on each of which were some cannon. The Spanish forces in Florida consisted of 1324 men besides militia and Indians.\(^2\)

On the east side of the St. John's, twenty miles from St. Augustine, was the ancient Fort Picolata, built by the Spaniards, with a square tower thirty feet high and a deep ditch around it, which Oglethorpe had taken and burnt in December. A road ran up the eastern peninsula between the St. John’s and the sea from St. Augustine to St. Juan, which was the northernmost settlement of the Spaniards on the east coast of Florida, and which was situated on the southern bank of the St. John’s River. Fort St. George, which Oglethorpe had built, and which was indeed the present cause of the Spaniards' anger, was just opposite St. Juan, the width of the river between the two points being nine miles.\(^3\) Fort St. George was the place fixed upon for the rendezvous of Oglethorpe’s forces, but no definite time was determined upon. As

\(^1\) Forbes’s *Florida*, 78-83.

\(^2\) Gentleman’s *Magazine* for 1740, vol. X, 242: one troop of Horse, 100; one company of Artillery, 100; three independent companies of Old Troops, 300; two companies of the Regiment of Asturias, 106; one company of Valencia, 63; one company of Calatoma, 53; two companies of Cantaria, 106; two companies of Marcia, 106; armed negroes, 200; white transports for labor, 200; militia of inhabitants, Indians, the number uncertain.

\(^3\) Robert's *Hist. of Florida* (London, 1765), 25; Forbes’s *Florida*, 75, 77.
PEARCE HAD ASSURED THE COMMITTEE OF THE ASSEMBLY WOULD PREVENT ANY RELIEF BY SEA, WOULD CARRY OUT THAT PROMISE. THIS WAS THE PLAN, THE COMMITTEE SAY, WHICH WAS URGED UPON GENERAL OGLETHORPE WHILE IN CHARLESTOWN; NOR HAD HE FORGOTTEN IT, BUT, AS HE INFORMED COLONEL BARNWELL, HE DID NOT APPROVE IT, LEST THE LEAVING THE SIGHT OF THE MEN-OF-WAR SHOULD DISCOURAGE HIS MEN.¹


¹ Report of Com. G. A. Coll. Hist. Soc. of So. Ca., vol. IV, 119. This Colonel Barnwell was Nathaniel Barnwell, son of Colonel John Barnwell, who was serving General Oglethorpe as a volunteer aid. The plan of campaign, by the way of the St. John’s River, landing at Piscotala and attacking the castle from the rear, was that which had been so successfully pursued by Colonel Daniel in 1702, and which then only failed because Colonel Daniel was abandoned by Governor Moore, who had come by sea. Hist. of So. Ca. under Prop. Gov. (McCrady), 381. In this respect, the circumstances of the two disastrous expeditions, that of 1702 and that of 1740, were alike. In both cases the expedition failed because abandoned by the naval forces.
hold his slaves and other property which had not already been plundered in the field; but that no deserters nor negro runaways from Carolina should have benefit of the capitulation. The prisoners thus taken consisted of about fifty men, some of whom were negroes, and Don Diego Spinola himself, who was a mulatto. Lieutenant Dunbar of the General's regiment, and Lieutenant Saussure\(^1\) of the Carolina regiment, with a party, were detailed to take possession of the fort, and found there nine swivel guns and two carriage guns of two-pound shot, beside small arms. This place, which bore the dignified name of Fort Diego, was really nothing more than a cow-pen belonging to Don Diego Spinola, who kept there a large stock of cattle on the fertile plains which derived their name from his. From this stock Diego supplied the garrison at St. Augustine with cattle, on which account the Governor of St. Augustine allowed him a guard of a sergeant and sixteen men to protect his stock from the Indians. This guard was released weekly, and it happened that the relieving party had come in the night before, and thus there were twice the usual number of soldiers present when the place was attacked and surrendered. The place was important as a source of supply to the garrison at St. Augustine, which was thus broken up, and as a resting-place between the St. John's and St. Augustine, if this was to be the route of the expedition, as it was about halfway between the two points, and near the head waters of the St. Mark's River, which afforded an inland watercourse for small craft to St. Augustine. The capture of this station was magnified into a great victory—the taking of a fort.\(^2\) It was a small affair, of consequence only from the foregoing considerations. There was an unfortunate consequence

\(^1\) This was Henri De Saussure, the emigrant and founder of the family of that name in South Carolina.  
attending it, and that was the favor into which the mulatto, Seignior Diego, ingratiated himself with the General, which was soon to alienate his Indian allies; and by Diego the General was to be ultimately betrayed.

Leaving Lieutenant Dunbar with a garrison of fifty men in the fort, around which he had marked out an intrenchment, the General returned to St. John's, directing the rest of the party to follow him leisurely with the prisoners. In the meanwhile the rest of the forces were slowly gathering at Fort St. George. By the 18th of May Colonel Vander Dussen, Lieutenant Colonel Le Jau, and Major Colleton had arrived with another part of the Carolina regiment. On the afternoon of the 20th the General ordered a beat to arms, and upon Colonel Vander Dussen inquiring the cause, was informed that the Spaniards had sallied out to recover Fort Diego, and had actually invested the place. Major Herron of the General's regiment was sent forward immediately with fifty men, and the rest were ordered to march at break of day on the 21st. Diego, whom the General had set at liberty, had obtained an agreement from him that all his cattle that should be killed should be paid for at the same price as the King of Spain had paid for the use of them by the garrison at St. Augustine, and he was himself employed to go out with his people to hunt for cattle, which were also to be paid for at a certain price per head for all delivered. Diego was thus employed independently, and in opposition to Captain William Palmer, who with ten Carolinians had been engaged for this service. An order was also published forbidding any person to purchase horses from the Indians, so that not even the officers of either regiment could have any to carry their baggage.

On the morning of the 21st the General marched out with all his forces, excepting two companies, one of his
own and one of the Carolina regiment, which were left as a garrison at the St. John's. The day was intensely hot and the march over the sands most arduous and fatiguing. One hundred men fainted and dropped by the way from heat and want of water. Two of the General's regiment died. Both regiments halted at sunset at Laca-
nola. The General himself, with the Highland company, hurried on, overtook Major Herron, and arrived in sight of Fort Diego before sunset, only to find the information upon which the hurried march had been made to have been mistaken. The rest of the troops came later during the night, dragging the gun which had been left there in the sand a few days before, having had Diego Spinola for their guide under the General's direction. The distance was but nine miles; but Diego was in no hurry to get them to the fort; so, taking them out of the way, he marched them about until one in the morning. In the meanwhile the prisoners taken at Fort Diego were carried to the St. John's; but being very loosely guarded, some of them escaped; the rest were put aboard the man-of-war.

It is difficult to follow General Oglethorpe in all his movements at this time. His course was most erratic. Without apparently any well-considered and determined plan, he raced up and down the peninsula of forty-five miles between the St. John's and St. Augustine, to the dismay and disgust of his officers and the breaking down even of the Indians. On the 21st, taking with him Colonel Vander Dussen, Lieutenant Colonel Cook, and Captain Norbury on horseback, a few Highlanders, and some Indians, he proceeded to make a personal recon-
noissance to St. Augustine, twenty miles distant. With such speed did he travel, notwithstanding the great heat of the weather, that the Indians gave out before they got halfway; then the Highlanders dropped by the way, one
of them dying. Lieutenant Colonel Cook and Captain Norbury, both elderly men, faint from heat and want of water, were ordered back. Colonel Vander Dussen and Major Herron kept up, however, with the General, and reached a point within three miles of St. Augustine, in sight of the Island Anastatia. Having viewed the ground, without resting, the party returned to Fort Diego that night, having left their horses, at last unable to carry them. The next day, the 22d, the General was off again to the camp at St. John's, whither Lieutenant Colonel Cook had gone before to look after ammunition and provisions. Three or four days were spent between the St. John's and Fort Diego, with marching and countermarching. Then two of the Spanish prisoners taken at Fort Diego were sent by the General to St. Augustine with letters to encourage the men of that garrison to desert, and promising them good usage. They naturally, however, preferred the company of their own friends to that of the General, however well entertained by him they had been, and did not themselves return. They of course carried full and accurate accounts of the small numbers and the confused condition of affairs in Oglethorpe's camp to the Spanish garrison.

On the evening of the 27th the General began another reconnaissance to St. Augustine, this time with some force. Taking with him one hundred men of his regiment, and Lieutenant Jonathan Bryan with six of the gentlemen volunteers from Carolina, and a party of Indians, and marching all night, he came about daybreak within five or six miles of St. Augustine, and seeing smoke from some scattered houses, he ordered Lieutenant Bryan with the six Carolinian volunteers to attack them. This the volunteers promptly did, entered and searched the houses, and brought back two negro prisoners, who turned
out to be runaways from Carolina. "Well," said the General, "I see the Carolina men have courage, but no conduct." To which Lieutenant Bryan replied, "Sir, the conduct is yours." The volunteers proposed to burn the houses, but this the General refused to permit, saying they would serve for the inhabitants he proposed to bring there. Then a difference arose about the disposition of the negro prisoners. The negroes, belonging to Carolinians, were under the stipulations returnable to their owners upon paying five pounds sterling per head to the captor. The volunteers proposed to pay one-half salvage and keep them, or to receive one-half salvage and give them up. It does not appear what authority the volunteers had for this proposed modification of the stipulations, but the General solved the problem by refusing either proposition and retaining one negro himself. There were other causes of offence: the General had taken from the volunteers horses they had caught to carry their baggage; and although cattle were very plentiful, they could obtain no fresh meat, he requiring that Diego Spinola should be paid for all cattle killed. The party returned to Fort Diego late on the night of the 29th in no good humor.

Colonel Vander Dussen in the meanwhile having superintended the transportation of provisions in boats by way of Pablo over to the Palmetto Hut, marched on the 29th from the camp at St. John's, leaving nothing there but the transports and provisions. At Fort Diego General Oglethorpe reviewed the part of the Carolina regiment that had arrived, when it was found by the Field Return that there were 378 men present, besides field officers, volunteers, and cadets.

A considerable defection of Indians took place about this time. A party of the Creeks led by Thomas Jones, a half-breed, who was employed as an interpreter to the Creeks
two miles of St. Augustine, where the path divided, the way leading to the right to the castle, and the other to the Fort Moosa. The army moved a little way to the left, where it halted.

At General Oglethorpe's request Colonel William Palmer, the boy hero of 1715, and the brilliant and successful leader of the invasion of 1727, had accompanied him as a volunteer aid. On the march Colonel Palmer had proposed to the General that upon their arrival he should allow him, with a party of the Carolinians, at once to attack and burn the town, which would force the inhabitants into the castle, and thus compel a surrender for want of provisions. This, it will be recollected, was the plan which Oglethorpe himself had proposed to the committee of the General Assembly of South Carolina when he was appealing to that body for assistance; but strange to say, now that the opportunity offered, he hesitated. Upon reaching Fort Moosa Colonel Palmer again offered to go in at the head of two hundred Carolinians and a party of Indians and burn the town. The General refused the offer, saying it was too hot-headed and hazardous an action; that he knew what to do; that it was the custom of armies to show themselves to the enemy first, and make a feint.

At daybreak Fort Moosa, which had been abandoned, was entered. This fort, about twenty miles from Fort Diego and about two from St. Augustine, was in the middle of a plantation. It was a square work with a flanker at each corner, banked round with earth, having a ditch on all sides lined with the prickly palmetto or Spanish bayonet. It had a well and house within and a lookout. As soon as the forces were perceived from the castle, a fire was opened upon them. At eight or nine o'clock General Oglethorpe with Colonel Vander Dussen reconnoitred and ordered a party with drums to advance
and to beat the Grenadier’s march; which being accordingly done, was answered at once by the cannon from the castle. The General and Colonel Vander Dussen found the castle a regular fortification and very strong, with many new additions, and agreed that it would be impracticable to attack it upon that side without materials they could not bring by land, but they observed that Point Quartell, which lies on the north of the bar and separated from the negro Fort Moosa by the St. Mark’s River, would be a very fit place to establish a battery and open communication with the men-of-war. While this reconnaissance was going on, however, Lieutenant Bryan of the Volunteers, with three or four rangers, made a dash to the town and brought off three horses. He found and reported the town in the utmost tumult and confusion, the inhabitants screaming and crying, and he too urged Oglethorpe that this was the time to attack the town; that if he failed to do so now, the Spaniards would make preparations against his return; but the General replied that if he attempted to storm the town he would lose three hundred men. The army was all ready and anxious for the assault; they only asked to be led. Deserters, too, reported that the government had ordered the inhabitants, in case of an attack, to retire to the castle. But Oglethorpe would not allow the attack to be made. In the dark of the evening he went out again with 150 men and a great many drums, beating marches. Then breaching the walls of Fort Moosa, taking away the gate, and burning the house in the fort, he turned back again, and, as he reported, marched with drums beating and colors flying, reaching Fort Diego before sunset on the 3d of June.

Dissatisfied with the treatment they had received, disappointed in their expectation of attacking St. Augustine, and uneasy at the condition of affairs at home, all
the Carolina volunteers, except Colonel Barnwell, who
was acting as an aid to the General, and one other, deter-
minded to return home, and on the 5th went to St. John’s
for the purpose; but there meeting with Captain Wright
and the rest of the company, just arrived, they proceeded
no farther in the homeward direction, but joining their
new comrades returned to duty.

The Tartar man-of-war now came to anchor off the
Palmetto Hut, to water, and deliver a letter from the com-
modore to General Olgethorpe, whereupon Colonel Vander
Dussen was ordered to march with the Carolina regiment
to take possession of Point Quartell, which he did that
evening, with no more provisions than were sufficient for
the next day, and for want of horses, these and the tents
were carried by the men. The regiment proceeded down
to the sea, and then marched along the beach, reaching
Point Quartell at about six o’clock on the morning of the
6th. This point was at the extremity of the tongue of
land between the sea and the St. Mark’s River. It was
in sight of the castle and supposed to be within cannon
shot; the regiment was therefore placed behind a range of
sand hills, which offered protection. Lying in sight off
the bar were four men-of-war, the Flambourgh, Hector,
Squirrel, and Phœnix. There was a demonstration that
afternoon on the part of the Spaniards. Their galleys
came out as if to attack, and opened fire, but their shot
fell short, and upon Colonel Vander Dussen moving his
regiment to meet them, they retired under fire from the
castle. There were no casualties.

The guns of the castle told the commodore, Captain
Pearce, of the arrival of the regiment, and he at once sent
a communication to Colonel Vander Dussen, giving the
resolution of a council of war which had been held by the
commanders of his Majesty’s ships off the bar of St. Augus-
with 35 Creek and Euchee Indians, making on the whole about 180 men. Captain Palmer was directed to make excursions from Moosa, and Jones was to keep the Indians always scouting. The command of the whole party was given verbally to Colonel William Palmer, though Colonel Palmer was but a volunteer aid to the General without commission. His instructions were to alarm the Spaniards as often as he could and to camp every night in the woods. Colonel Palmer hesitated to take the command under these conditions; he told General Oglethorpe the party was too small, that he should have at least two hundred white men for this post, separated as it was from the rest of the army and within reach of the forces of the castle. Oglethorpe appears to have been irritated at this, and replied shortly that if Colonel Palmer was unwilling to go he would send one of his own officers, upon which Colonel Palmer undertook the command. The General assured him that he would soon reënforce him. The unfortunate party set off for Fort Moosa on the 9th of July, having no more provisions with them than they could carry. Before they departed Colonel Palmer repeated to General Oglethorpe that the force was too small and again warned him, “Sir, you are going to sacrifice these men.” Upon which the General again assured him he would send assistance as soon as he had taken possession of the Island of Anastatia.

Soon after they were gone, Oglethorpe marched down from Fort Diego to the sea-beach, and there meeting Captain Bull ¹ with another company just arrived on the way to join the Carolina regiment, he at first ordered him to turn aside and proceed to reënforce Colonel Palmer; but he countermanded the order and allowed Captain Bull to proceed to his own regiment at Point Quartell. The

¹ William Bull, Jr., son of the then Lieutenant Governor, at the time Speaker of the Commons and afterward himself Lieutenant Governor.
Dussen wrote both to the commodore and to the General urging that Point Quartell commanded the harbor, secured communication with the fleet, and afforded a safe position behind the sand hills, from which the castle could be reached by their guns. The movement was notwithstanding carried out. On the 12th of June Oglethorpe landed with what men he had and two hundred sailors, under the command of Captain Warren, and the English flag was hoisted at the lookout upon the island. In the meanwhile Lieutenant Colonel Cook, who had charge of the artillery, had got a howitzer and some guns to Point Quartell. The bed of the mortar or howitzer had not, however, been landed by the vessel in which it was loaded, and some of the gun carriages were deficient. The mortar and the six-pounders had therefore for want of carriages to be placed in the sand, and buried themselves whenever fired. The Spanish galleys came out again and opened fire on the forces on Anastatia Island, upon which Lieutenant Colonel Cook threw a bomb from the mortar on Point Quartell, which burst directly over the castle. This brought on a fire from both sides, which was maintained with great difficulty by Colonel Cook, because of the burying of his guns by recoil at each fire. Ineffectual fires were thus kept up for several days.

And now occurred the catastrophe against which Colonel Palmer had vainly warned and protested, and in which he lost his own life. He had refused to enter the fort and had kept the rangers out of it; he pointed out to Captains McIntosh and McKay that they were in open view of the castle, from which, indeed, their numbers could be counted. He urged that they should camp outside of the fort at night, constantly shifting their position, so that the enemy would not know where to attack them. This was the subject of daily discussion. He wished himself away, as he
had no commission, and his advice was disregarded. He valued his life, he said, no more than they did theirs: but he did not wish to have their throats cut like dogs. No reënforcements having been sent him, Colonel Palmer declared the garrison had been sent to Fort Moosa as a sacrifice.

Some of the rangers returning to the fort about one o'clock on the morning of the 15th reported that they had heard the Spanish Indians dancing the war dance. Palmer knew at once what this meant, and ordered the rangers to lie down and take a nap, while he watched and would wake them when necessary. This he did between three and four in the morning; and seeing all the rangers standing to their arms, he went into the fort and awoke the men there, telling them of their danger and advising them to take to their arms. They laughed at his fears and lay down again. While Colonel Palmer, in great indignation, was standing in the gateway talking with Jones, the advanced sentinel called out that there was a party of men coming. It is needless to go into the details. The small garrison was surprised and outnumbered, but fought desperately; many, aroused from their sleep, were undressed. The assailants, attacking from every quarter, entered sword in hand, and a massacre of the garrison followed. The Indian, Jones, jumping from the fort, joined Colonel Palmer and his two sons, with some of the rangers, who, remaining outside the fort, availed themselves of the ditch, from which they fired upon the Spaniards. This position they maintained until Colonel Palmer was shot from the fort, and crying, "Hurrah, my lads, the day is ours; I have been in many battles and never lost one yet," died. About fifty whites and Indians were killed and upward of twenty taken. Yet, strange to say, not a Carolinian was lost but Colonel Palmer himself. The attacking party was vari-
ously estimated from 300 to 450 men, and were said to have lost as many as the English. The Spanish commander of the galleys himself was killed.

General Oglethorpe landed with his men and the sailors on the 12th, but no progress was made in the erection of batteries. Everything was in confusion. Resolutions were taken, plans determined upon, but nothing carried out. Captain Warren became impatient, complaining that the General had come there without provisions, ammunition, or anything but what he had got from the ships, and threatened to return with his men to the fleet. Colonel Vander Dussen, who had come over from Point Quartell to the island to consult the General, attempted to smooth matters and proposed to the naval officers an attack upon the enemy's galleys, in which he himself volunteered to join; but nothing came of his offer. To his surprise General Oglethorpe now handed him a written order that, leaving a sufficient guard for the defence of the battery, mortars, and cannon on Point Quartell, he should come with the rest of the regiment to the island. Upon his return to Point Quartell Colonel Vander Dussen summoned all his officers, and, laying before them the General's orders, desired their opinions, whereupon the Lieutenant Colonel, Major, and all the captains and lieutenants joined in a respectful protest against the movement, as condemning the small force to be left to a fate similar to that of the garrison at Fort Moosa, and requesting that if the General should withdraw any part of the force on Point Quartell, he would keep the Carolina regiment together. With this paper Colonel Vander Dussen went over again to the island. "Then they refused to obey my orders," said the General, upon perusing the communication. "No, sir," said the Colonel, "that is only their opinion. But if your Excellency still orders me to do it, I will bring
them over.” The matter was not further pressed at the time, and Colonel Vander Dussen, finding everything at a standstill, went out to the fleet, and persuaded Captain Pearce, the Commodore, to accompany him to the island for a conference. At this conference a plan of action proposed by the Colonel was agreed upon; to wit, that a battery should be raised with all possible expedition to destroy the galleys, or at least drive them under cover of the castle. That if any of the galleys attempted to escape they should be attacked by the men-of-war’s boats. That Lieutenant Colonel Cook should be charged with placing the mortars in position to do the greatest damage. That one-half of the forces, and all the Indians, should be sent over to Fort Moosa to hold the enemy on that side and keep open the communication with Fort Diego. That all the Indians should be carried there, because they were threatening to leave the General, having the insolence to tell him to his face that he was afraid of the Spaniards, and therefore kept upon the island. That a day should be agreed upon for the forces on the island to move down to the south end of the town, and those upon the main at the north end to attack the town sword in hand. It was decided that the General should go over to the main with his troops and the Indians, and that Colonel Vander Dussen should come over to the island to take command there. Orders were accordingly issued for the movement of the Carolina regiment from Point Quartell to Anastatia.

While these movements were being made, deserters came in on the 20th of June, and among other things told that one of the Indians taken at Fort Moosa was to be burnt by the Spaniards, whereupon General Oglethorpe sent a flag of truce demanding the surrender of the castle, and at the same time informing the Governor that if any of the prisoners held by the Spaniards were ill used he would
take satisfaction of the Spanish prisoners he had. A reply to this was returned, that an answer would be sent. It did not, however, come until the next morning, when the Governor of St. Augustine swore by the Holy Cross that he would defend the castle to the last drop of his blood, and hoped soon to kiss his Excellency's hands there. With regard to the prisoners, he treated all with humanity, as he desired his people might be treated. It was believed that the people in the town and castle were for surrendering on condition that they should be permitted to go to Havana, but the Governor and the Bishop, who had come to the knowledge of the limited time the men-of-war would stay, would not agree to surrender. The firing was thereupon renewed on both sides.

On the 21st Colonel Vander Dussen relieved all the guards of the General's regiment, but it was not until the 23d that Lieutenant Colonel Le Jau came over to Anastasia with the remainder of the Carolina regiment. The next day some of the Indians, who had swum across the river and killed a Spanish Indian near the town, dancing and singing the death hop, according to their custom, came to the General's tent to present him with the head. General Oglethorpe refused it with indignation, called them barbarous dogs, and bade them begone. They did so, going away disgusted, and saying that if they had carried the head of an Englishman to the French they would not have been treated in that manner. It was with difficulty then that the Indians could be persuaded to go over to the main with the General. It was not until the evening of the 24th that, having sent over all of his regiment, he crossed himself to the main, leaving the Carolina regiment upon Anastasia. Colonel Vander Dussen now again proposed to the naval officers an attack upon the galleys, but difficulties were raised. Then he proposed to
two hundred men to be left on shore, with an officer of their own, to support the Carolina regiment upon the island until the return of the fleet after the hurricane season had passed. This a council of war declared impossible, and all the seamen were taken off the island on the 5th of July, leaving the artillery lying there. Thereupon all the ships except the two belonging to Carolina set sail upon a bright and beautiful day and left the Carolinians to shift for themselves.

Upon the departure of the fleet General Oglethorpe determined to raise the siege, which was done against the wishes of Colonel Vander Dussen, who still thought they could maintain it until further succor could be received. On the 4th of July General Oglethorpe issued a peremptory order to Colonel Vander Dussen "to raise the blockade from the Island of Anastasia and come off with the train and troops with the least loss you can prevent. But to spoil rather than leave the artillery." The Carolina regiment was the last to be withdrawn, which was not done until all the artillery had been removed.

A curious incident occurred during the raising of the siege illustrating the extraordinary influence which the mulatto Diego had acquired over General Oglethorpe. The General having made an advance to cover the moving of his stores, asked Colonel Barnwell what he thought of letting Diego Spinola, who was with them, go into St. Augustine, saying that he had promised to return in three days. To this Colonel Barnwell replied that he had often heard his father say, "Never trust a Spaniard, nor be afraid of an Indian." "Then," said the General, "you do not approve it." But adding that a single prisoner was of no consequence, and that the enemy knew the situation from deserters, he let Diego go in, to the dissatisfaction of all about him. Diego had no sooner reached the castle
than fire was opened from it, directed to the very spot on which the General had been standing.

Upon his retreat General Oglethorpe united his command at the camp on the St. John's opposite to Fort George, the point from which he had set out on his expedition,—and remained there several days. On the 21st of July he crossed his regiment to the fort, and on the 22d they marched to Fredrica. The Carolina regiment remained on the Spanish side of the St. John's until the evening of the 24th. It returned to Carolina, having lost none killed by the enemy, but twelve by disease, and two by desertion, one a New England man who effected his escape; the other, an Irishman, was retaken and shot.

The failure of the expedition has been repeatedly charged by historians to the conduct of the South Carolina regiment, to wit: (1) to their tardiness in arriving; (2) to their turbulence, inefficiency, and desertion; and (3) to their early abandonment of the enterprise. The foregoing account of the expedition presents a complete vindication from these charges.¹

(1) Upon the first charge it is to be observed that the time for the enterprise was most unpropitious. The Carolina colony was in a state of exhaustion from pestilence, and of domestic apprehension on account of the disturbed condition of the negro population, and was thus in no condition to furnish men for a military expedition elsewhere. To do so, therefore, it was necessary to recruit the regiment that the Assembly agreed to furnish, from other colonies, and this necessarily involved delay. Of these conditions General Oglethorpe was fully aware, and

¹ We are not to be surprised that these charges are seized upon by the eulogists of Oglethorpe when they are made by Hewatt (Hist. of So. Ca., vol. II, 81) and repeated without examination or question by Ramsay (Hist. of So. Ca., vol. I, 143).
distance of plantations in the province the inhabitants were far removed from each other, and many cruelties might be committed upon slaves, it was provided that if any slave should suffer in life or limb, or be beaten or abused contrary to the direction of the act, when no white person was present, or, being present, refused to give evidence, the owner or person in charge of such slave should be deemed to be guilty of the offence, unless he made the contrary appear by good and sufficient evidence, or by his own oath cleared and exculpated himself. This oath was to prevail if clear proof of the offence was not made by at least two witnesses. In case of alleged cruelty to a slave in the absence of white witnesses, the burden of proof was with the person making the charge, while the oath of the party charged might exculpate him unless against the oath of two white witnesses. It was something at least that the owner was called upon to show his innocence. Owners were prohibited from working slaves more than fifteen hours in the twenty-four from the 25th of March to the 25th of September, or more than fourteen hours in the twenty-four from the 25th of September to the 25th of March.

The slave code as revised in 1740 remained substantially the law in regard to slavery during the continuance of the institution in South Carolina for 120 years after, and its provisions in regard to the killing of slaves were repeatedly enforced. It was, however, so amended in 1821 that if any one should murder a slave he should suffer death without the benefit of clergy, and if any one should kill a slave in sudden heat and passion he should be fined not exceeding $500 and be imprisoned not exceeding six months. It happened that immediately before the passage of this act—very probably the cause of its passage—a negro who had run away was killed by his
and all under that height £2 10s.; and after fifteen months, for the term of three years next ensuing, £100 for every negro over 4 feet 3 inches, and £50 for every one under that height and above 3 feet 2 inches; and for all under, £25. The sums thus raised from this tax were appropriated for defraying the charge of transportation of poor Protestants from Charlestown to the places of settlement. And as an inducement to the immigration of these people, necessary implements and tools for planting, and provisions for one year, were to be provided for each man not over fifty years, and a cow and calf in addition to such provisions were allowed for every five such persons who should actually settle in any of the townships laid out, or in any other of the frontier places in the province in which they might be directed by the Governor to settle. Besides the tax upon the first purchaser, the slaves imported were themselves taxed £50 additional. The measure was intended to act as a prohibition, and it did so.

The insurrection of 1739 had, however, aroused the apprehension of danger from that source, which the common belief that the Spaniards through commissaries were still instigating the negroes to revolt greatly increased. In this condition of the public mind a dwelling-house of a Mr. Snowden was set on fire by a negro man. Upon the evidence of an accomplice and upon his own confession he was publicly burned to death on the 14th of August, 1741. This awful punishment, it must be observed however, was not inflicted under any provision of the slave code or of any law peculiar to South Carolina, but under the ancient law of England, imposed as a lex taliones by the Statute of Edward I. Chief Justice Trott, in a charge to the grand jury in 1708, in explaining the different offences and punishments, told them “burners of houses by the civil
of the great work of the Wesleys and of Whitefield; unhappy, indeed, that it allowed a great and needed revival to end in schism instead of reformation.

Hugh Bryan, a boy of sixteen years, was taken captive in the Yamasssee war of 1715, and disposed of as a slave to a half-breed by the chief. His master was killed in an engagement with the whites, but he was protected by an Indian chief for kindness which his father had shown the savages in former years. It so happened that he had obtained a Bible during his captivity, and his Indian mistress gave him a copy of Beveridge's *Private Thoughts*, taken from some white family they had killed. He was taken to St. Augustine, from which place he escaped and regained his father's house. These circumstances had deeply impressed a mind which, perhaps never very strong, had been probably weakened by the shock of his capture and captivity. He is described as impulsive, ready for every good work, and sometimes carried far beyond the bounds of prudence, his piety predominating over his wisdom. On the other hand, he is said to have been a gentleman of character in civil life, having been honored with commissions both in the magistracy and militia of the province.¹ Whitefield obtained a complete ascendency over this gentleman and his wife, and, on his part, very naturally immensely overrated them. Soon after the great fire in Charlestown, of which we shall presently speak, there appeared in the *Gazette* of January 8, 1741, a communication over the signature of Hugh Bryan, in which, taking the text, "Is there evil in the city and the Lord hath not done it?" he recalled the recent disasters which befell the province,—the pestilence, the insurrection of the negroes, the failure of the St. Augustine expedition, and the great fire, and attributed them all to the wicked-

ness of the people and the sloth and indifference of the clergy, and then significantly added, "Shall our clergy at this day show a pious zeal about the decrees and canons of the Church even so as to persecute the faithful minister for not conforming exactly to their appendages of religion (who themselves break canons every day) and have no bonds of love for perishing souls that are travelling in Egyptian darkness?" This communication, which attracted a great deal of attention, not only for the charges against the clergy of the Church of neglect of their sacred duties, and daily violation of the canon law, but also for its fulsome adulation of Whitefield, was found to have been supervised and corrected by Whitefield himself. He was about to sail for England, but before he did so he was arrested upon a warrant charging him with the libel, which he confessed as his own and glorified in, and gave bail to appear at the next session of the court.¹ Nothing further is known of the proceedings. They appear to have been abandoned.

The year 1740 closed with a disastrous fire in Charlestown. It broke out in the afternoon of the 18th of November and consumed all the houses from Broad and Church streets down to Granville Bastion,—that is, to the point where the East Battery now begins,—the oldest and most valuable part of the city, not so much on account of the buildings, which, being the first erected, were probably inferior, but on account of the immense stores which they contained. The number of houses burned was computed at three hundred, besides storehouses and stables and several warehouses, and had it not been at the time of high water, the shipping would likewise have been destroyed. The loss was estimated at £200,000 sterling,² considerably

time there was no room to doubt that his mind was seriously affected. At the suggestion of Whitefield he had entered earnestly into the religious instruction of the negroes, and in this work his mind became greatly excited and diseased. The matter was brought to the notice of the public by a presentment of the grand jury charging him with uttering enthusiastic prophecies of the destruction of Charlestown, and of assembling great bodies of negroes, under pretense of religious worship, contrary to law and detrimental to the public peace. Upon this a warrant was issued for his apprehension, but before it could be served he had recovered from his delusion, and addressed a letter to Mr. Bull, the Speaker of the Commons, confessing his errors and asking pardon. The letter, dated March 1, 1742, was published by order of the House, and is to be found in the Gazette of March, 1742. He writes:

"It is with shame intermix'd with joy that I write you this. I find that I have presumed in my zeal for God's glory beyond his will, and that he has suffered me to fall into a delusion of Satan — particularly in adhering to the impressions on my mind, though not to my knowledge in my reflections and other occurrences of my journal. This delusion I did not discover till three days past when, after many days' converse with an invisible spirit, whose precepts seemed to be wise, and tending to the advancement of religion in general, and of my own spiritual welfare in particular, I found my teacher to be a liar and the father of lies, which brought me to a sense of my error and has much abased my soul with bitter reflections on the dishonor I have done to God as well as the disquiet which I may have occasioned my country. Satan till then appeared to me an angel of light in his spiritual conversation, but since I have discovered his wiles he has appeared a devil indeed, showing his rage."

He denies that he furnished or was engaged in anything treasonable. The letter was republished in the Boston Post Boy, with additional statements on the authority of
probably this catastrophe was serviceable to him as well as to others.\textsuperscript{1}

The subject of the religious instruction of the negroes had now, however, aroused considerable attention, and much more serious work was done in regard to it than Mr. Bryan’s extravagances. To the honor of the Society for the Propagation of the Gospel, writes Hewatt, it must be acknowledged that they had already made some attempt for the conversion of these heathen. They had no less than twelve missionaries in Carolina, who had instructions to give all the assistance in their power to this laudable purpose, and to each of them they allowed £50 in the year over and above their provincial salaries. But it was well known, he adds, that the fruit of their labors had been very small and inconsiderable. Such feeble exertions were no ways equal to the extent of the work required, nor to the greatness of the end proposed. Whether their small success ought to be ascribed to the rude and intractable disposition of the negroes, or to the neglect and indolence of the missionaries themselves, he does not undertake to determine. Perhaps, he ventures to assert, it was more or less owing to all these different causes. One thing, he observes, was very certain, that the negroes of the country, a few only excepted, were, when he wrote, as great strangers to Christianity, and as much under the influence of pagan darkness, idolatry, and superstition as they were on their first arrival from Africa.\textsuperscript{2}

The Rev. Dr. Gibson, Bishop of London, it will be rec-

\textsuperscript{1} *So. Ca. Gazette* of March 6, 1742; Howe’s *Hist. Presb. Ch.*, 244–246. Dr. Howe gives a list of the various publications of Hugh Bryan’s letter and his story. See also Eliza Lucas’s letter giving an account of H— B— and his illusions. *Women of Colonial and Revolutionary Times*, Eliza Pinckney (*Mrs. Ravenel*), 32, 33.

\textsuperscript{2} Hewatt’s *Hist. of So. Ca.*, vol. II, 98, 100.
This appeal was excepted to and carped at by a writer in the next Gazette, who objected to any recognition of the "establishment" for even so pious a purpose; but Dr. Howe observes it seems not to have been without effect.\(^1\)

Neither the Church of England nor the Society for the Propagation of the Gospel entertained any scruples as to the institution of slavery. The Church act of 1704 anticipated that the Society would give negro slaves as part of the endowment of the parishes, as it provided that the negroes when so given should constitute a part of the glebe.\(^2\) The Society itself accepted a devise by General Codrington, in 1710, of two valuable plantations in Barbadoes, upon the condition that these establishments should be kept entire with at least three hundred negroes upon them, the produce of which was to be appropriated to maintain a number of professors and scholars under vows of chastity and obedience, who were required to study and practise physic and surgery as well as divinity, that they might endear themselves to the people, and have the opportunity of doing good to men's souls while they were taking care of their bodies. The Venerable Society, says Bryan Edwards,\(^3\) found themselves under the disagreeable necessity, not only of supporting the system of slavery which was bequeathed to them with the land, but were induced also, from the best motives, to purchase occasionally a certain number of negroes "to keep up the stock." But the Society went a step further in Carolina. It fell upon the singular plan of purchasing negroes to educate and devote as slaves for the purpose of educating other negro slaves.

In the South Carolina Gazette of March 11, 1743, there

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\(^1\) Howe's *Hist. Presb. Ch.*, 247.
\(^2\) *Statutes of So. Ca.*, vol. 11, 239.
\(^3\) Edwards's *Hist. of West Indies*, Appendix, vol. II, 35.
years, first under the supervision of Commissary Garden as Rector of St. Philip's, then of his successor, the Rev. Richard Clarke, then of the Rev. Robert Smith, afterward the first Bishop of South Carolina.

The Rev. Mr. Garden wrote to the Society October 10, 1743, that the negro school in Charlestown was likely to succeed, and consisted of 30 children. He further informed them that he intended to employ both the negro youths in teaching in this school until their services should be wanted for similar institutions in the country parishes. He was of the opinion that 30 or 40 would annually be discharged, capable of reading the Scriptures and sufficiently instructed in the chief principles of the Christian religion. In consequence of this favorable report the Society sent to the school a large number of Bibles, Testaments, Common-prayer Books, and spelling-books. In 1744 upward of 60 children were instructed in it daily, 18 of whom read in the Testament, 20 in the Psalter, and the rest in the spelling-book.¹ In 1746 there were 55 children under tuition, and 15 adults were instructed in the evening.² In 1755 there were 70 children in the school, and books were given for their use.³ In 1757 Mr. Clarke informed the Society that the negro school in Charlestown was flourishing and full of children, and from the success of the institution he lamented "the want of civil establishments" in the province for the Christian education of 50,000 negroes.⁴ But one of the negro teachers died, and the other, Harry, "turned out profiteer"; and as the society had not invested to any greater extent in slaves "to keep up the stock" for the purpose of education, they had no other black or colored person to take charge of the school, and it was discontinued.

¹ Dalcho's Ch. Hist., 158, 157. ⁴ Ibid., 174.
² Ibid., 168. ⁵ Ibid., 178.
But the purchase of negro slaves for devotion to pious and religious purposes was not confined to the Society for the Propagation of the Gospel. Mr. Whitefield and Mr. James Habersham, who together had established the Bethesda Orphan House in Georgia, were mainly instrumental in inducing the trustees of the colony to relax their prohibition against the introduction of slavery into that province. Mr. Whitefield, in 1741, gave the trustees a most practical lesson in his views by planting a tract of land which he called “Providence,” with negro labor bought and paid for as his own slaves, for the support of his Orphan House. He writes March 15, 1747:—

“I last week bought at a very cheap rate a plantation of 640 acres of excellent land with a good house, farm, and outhouses, and 60 acres of ground, cleaned, fenced, and fit for rice and everything that will be necessary for provisions. One negro has been given me, some more I propose to purchase this week.”

And again in June of the same year he writes:—

“God is delivering me out of my embarrassments by degrees. With the collections made at Charlestown I have purchased a plantation and some slaves, which I intend to devote to the use of Bethesda.”

On the 6th of December, 1748, he complains to the trustees that very little proficiency had been made in the cultivation of his land, and that, entirely owing to the necessity he was under of making use of white hands. He writes again:—

“Had a negro been allowed I should have had a sufficiency to support a great many orphans, without expending half the sum which has been laid out. An unwillingness to let so good a design drop, and having a real conviction that it must necessarily, if some other method was not fixed upon to prevent it—these two considerations, honored gentlemen, prevailed upon me about two years ago, through

1 Hist. of Ga. (Stevens), 306–310.
CHAPTER XIV

1748-50

William Bull, first as President of the Council and then as Lieutenant Governor, had now been administering the government of South Carolina since the 22d of November, 1735, a period of eight years. James Glen, it will be recollected, had been appointed Governor on the 23d of December, 1738; but though frequent announcements were made in England that he was about to sail, he did not actually arrive in the province until the 19th of December, 1743. James Glen was born at Linleithgow, Scotland, in 1701, and was educated at the University of Leyden. In 1722 he inherited from his father two estates, Bonnington and Longcroft. He belonged to a set of young Scotchmen who held political offices in London and in America. He himself was Inspector of Seigniories in Scotland, and retained that office for several years after his appointment to the governorship of South Carolina. The Gazette of the 21st thus announces his coming:

"Last Saturday arrived here in the Tartar man-of-war, commanded by Captain Ward, his Excellency, James Glenn, Governor and Commander-in-Chief of the Province and Vice Admiral of the same. Upon a signal of five guns being discharged from Fort Johnson, the Charlestown Regiment was drawn up under arms upon the Bay, extending in two lines facing one another from the Council Chamber and Gibb's wharf. His Excellency, in passing by Fort Johnson, was saluted by the guns of that fort; when the ship came before the town by the guns also at Granville's, Craven's, and Broughton's batteries. As soon as she came to anchor the Clerk of the Council and Master in
UNDER THE ROYAL GOVERNMENT

Chancery, having been first sent on board to wait on his Excellency and to show him a proper place of landing, he was received by the Honorable Edward Atkin and Charles Pinckney, Esquires, as members of his Majesty’s Council, who conducted his Excellency through the two lines of foot to the Council Chamber, to his Honor, the Lieutenant Governor, attended by the rest of the members of the Council then on the spot. His Excellency having then produced his Majesty’s commission he was conducted by them—the sword of State borne before—and attended by the Honorable the Commons’ House, and many officers and other gentlemen of distinction, to Granville’s Bastion, where the same was published in due form, which was followed by three whirrars(?), a discharge of the cannon at the Bastions, and a general volley of the regiment. Then his Excellency, attended by all the gentlemen present, marched back in like manner to the Council Chamber, being saluted as he passed by all the officers of the regiment. And having then qualified himself to act by taking the usual oaths, the regiment being drawn up as before on Broad Street, his Excellency attended again in the same manner, walked to Shepeard’s Tavern, where a handsome entertainment was provided for him, and a numerous company concluded this day with joy, the houses being handsomely illuminated."

On the same day Governor Glen issued his proclamation, assuming administration of the government. Hewatt describes Governor Glen as a man of considerable knowledge, courteous and polite, exceedingly fond of military parade and ostentation. He did not, however, bring with him to his office a reputation which would have favorably predisposed the province to his administration. Indeed, the “Traders of South Carolina,” upon seeing the paragraph in the newspapers announcing his appointment, addressed the Duke of Newcastle a paper, intimating that they were afraid that he was wanting in ability and experience, and hoping that his Grace would not be guided by the mere recommendations of friends, but would fully investigate the merits and qualifications of a person before ratifying him in an appointment of so much importance.¹

Governor Glen's appointment, as Hewatt says, was so far proper, as he possessed qualifications which rendered his government in the settled part of the province respectable, and the people living under it for several years happy and contented. But his conduct in regard to the Indians and the settlement of the upper part of the province, which during his administration was to become the chief executive business, has been severely criticised. Indeed, Adair, a sufficiently intellectual though not altogether disinterested contemporary, Logan observes, does not hesitate to charge him with the deliberate sacrifice of the public interest to the promotion of his own private aggrandizement, but in what particulars is not stated. Governor Glen's administration is nevertheless indissolubly associated with the beginning of the era of prosperity to the province, and it was while he was Governor that a new chapter was opened in its history, its extent greatly enlarged, and another people added to its population.

Lieutenant Governor Bull had given the General Assembly leave to adjourn until the 10th of January. This Governor Glen considered it expedient to confirm. When it met on that day, in his speech announcing that his Majesty had been pleased to appoint him Governor and Commander-in-Chief, he said that as he could not better answer his Prince's intentions, and the high trust imposed in him, than by making the welfare and prosperity of the province his special care, so nothing could be more agreeable to his own inclination. In order to this, he went on to say, the power and prerogatives of the Crown should never be stretched beyond the well-known and accustomed limits. The rights, privileges, and immunities of the

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1 Hewatt's *Hist. of So. Ca.*, vol. II, 106.
2 Logan's *Hist. of Upper So. Ca.*, 457.
people should be sacred and inviolable. He would make it his daily study to attain a more perfect knowledge of the laws and constitutions of the province, that by making them the rule of his own conduct he might with the greater impartiality put them in execution. Justice he promised should neither be delayed nor denied to any, but every one equally supported in the enjoyment of what was his own.

Fair enough words these were certainly. But in the study which he promised of the laws and constitution of the province, his Excellency was to find that the colonists had made considerable strides in the principles of constitutional government, and that the limits of prerogative to which they had become accustomed, and which he had unwarily announced he would not stretch, had been drawn in to a much greater extent than he was aware when making the promise; and much of this he would learn had been accomplished while the government was left to the administration of Lieutenant Governors who were gentlemen of the province. "I hope," his Excellency continued, "I need not recommend to you to make due provision for defraying the necessary charge of the government, and in particular for the contingent charges of both Houses of Assembly and for salaries to the clerks and of all officers necessary to the administration of the government of the province; and I have so little doubt of your making competent provision for your Governor that I had not mentioned it to you. Was I not expressly commanded to do so by my instructions?"

"It is a considerable time," he said in conclusion, "since I was appointed Governor of the province, most of which has been employed in its service, and since I have acted generally by advice from here, I apprehend it is well known to all of you I think I have served with success. I
private affairs. Mr. Bull, the Lieutenant Governor, has the character of a very worthy person, but he, the Governor, knows nothing of him from personal knowledge, he having been sixty miles distant in the country—that is, at his plantation Sheldon, in Prince William's Parish—since the Governor's first arrival, with the exception of one day. Then he comes to the important matter. The custom, he says, had previously existed uninterrupted in the province for all Governors or Commanders-in-Chief to be present at all meetings of the Council, whether as a Court of Chancery, as a Council, or as a House of Assembly; but he found upon the journal of the council this extraordinary paragraph under date of 1739, April 11th:

"The governor or commander in chief being present during the debates of this House is of an unparliamentary nature, it is therefore resolved that we will enter into no debate during his presence." After this, he says, very little regard or notice seems to have been taken of the Governor, and with the exception of one or two instances his name does not appear to have been entered in the journals.1 In a subsequent part of the letter he states, however, that the Council had agreed to act more conformably to his Majesty's instructions by allowing him to be present at all meetings, as was the case before the year 1739; but this, as it appeared afterward, was only on the expressed condition that he was not to speak a word, not even to tell the Council that he had instructions upon the subject of their consideration.

This was indeed an important step, which had thus been taken by the Council in South Carolina,—a step which, Governor Glen asserted, had been taken in no other colony,—as it formally separated and defined the three branches of the government into legislative, executive,

In his letter to the Duke, therefore, he expresses the opinion that a new modelling of the constitution would add to the happiness of the province and preserve its dependence upon the Crown, any weakening of which and deviation from the constitution of the mother country is in his view dangerous. He goes on to complain that almost all the places of profit or of trust are disposed of by the General Assembly. The Treasurer is nominated and cannot be displaced but by that body. Beside the Treasurer they appoint also the Commissary, the Indian Agent, the Comptroller of the Duties upon Imports and Exports, the Powder Receiver, etc. The executive parts of the government are lodged in different sets of commissioners, e.g. Commissioners of the Markets, of the Workhouse, of the Pilots, of the Fortifications, etc. Not only civil posts but ecclesiastical preferment are in the disposal or election of the people, although by the King's instructions to the Governor the power of collating to all livings, of which the King is patron, is invested in him; and the King is patron of all the parishes in the province,¹ the churches being built upon his lands with moneys raised for his use, and the stipends (excepting what is paid from home by the Society for Propagating the Gospel) arising from taxes imposed for the use of his Majesty; but here the ministers have their charges, and new ones are introduced without any notice being taken by the Governor; probably it is owing to this, he says, that the Governor, although Supreme Magistrate and Representative of the King, is not prayed for in any parish, although the Assembly is prayed for during its sittings.

¹ I.e. the appointment to rectories of parishes, etc. In Virginia and Maryland, and in other colonies, the Governor claimed and exercised the right of induction as the representative of the King. Hist. of So. Ca. under Prop. Gov. (McCready), 442.
The above-mentioned officers, he says, and most of the commissioners are named by the General Assembly, and are responsible to them alone, and whatever be their ignorance, neglect or misconduct, the Governor has no power to remove or displace them. Thus the people have the whole of the administration in their hands, and thereby the Crown is stripped of its power. It was Governor Glen's desire and purpose to keep the province as dependent as he could upon England and her Royal master. Thus he mentions as among the things which weakened the King's prerogative the effort on the part of the colonists to manufacture their own wearing apparel. He complains that during the low price of the produce of the province and the extravagant rates of British manufactures, it was impossible to dissuade the inhabitants from working up clothes for their own wear, other than by convincing them that by employing the same hands in making indigo and other produce these goods could be purchased at a cheaper rate than they could make them, and that unless they encouraged vessels to bring in their manufactures their produce would lie on their hands. Thus was this pernicious doctrine of dependence upon staple crops alone, to the exclusion of domestic produce and manufactures, so early instilled into the minds of our people, and impressed with all the weight of Royal influence. It was this doctrine that lay at the root of the Navigation acts and the whole policy of England. The colonies of Virginia and Maryland were to be restricted to the great staple crop of tobacco, South Carolina to rice and indigo, and the Islands to sugar, in exchange for which they were to take the manufactures of the mother country.

The Governor then again recurs to his exclusion from the Council Board, which he writes he told them could not be warranted from the practice of any other province
duties by reason of his infirmities. Governor Glen had
given him a leave of absence for twelve months to go to
Europe, which leave had run into twenty and he had
returned in a worse state than when he left. It was
rumored, however, that he had written to England to
resign, and acting upon this the Governor recommends
James Graeme, "a gentleman whose talents have raised
him to the head of the bar" for appointment to the place.
In making this recommendation Governor Glen quotes
Lord Bacon as saying "that the true temper of a Chief
Justice toward a Governor should neither be too servilely
to second him, nor factiously to oppose him." In
America, however, he writes, Chief Justices are appointed
without the knowledge or the interest of the Governor,
and so look upon themselves as independent of him,
studying to oppose and thwart all his measures, whereas,
argues his Excellency, always coming back to the point
of strengthening the King's prerogative and the Gover-
nor's influence, if recommendations from the Governors
were admitted these gentlemen would strengthen a
Governor's hands, and his Majesty's service would be
benefited—a course which he earnestly urged upon his
Grace the Duke of Bedford. The appointments in Eng-
land of Chief Justices for South Carolina were to be-
come a gross scandal, and to be one of the chief means of
alienating the sentiments of the people of the province
from their love to the mother country. Chief Justice
Whitaker returned to England without informing the
Governor, but with the avowed intention of remaining
abroad. As his commission ran, "during pleasure and his
residence in the province" Governor Glen availed himself
of the provision, and at the request of the Council, who
voted the post vacant, appointed Mr. Graeme to the position
until his Majesty's pleasure should be known, and recom-
sugar and one-fourth part of the tobacco exported from the British colonies were consumed by the people of Great Britain; from whence, argued his Excellency, it is evident that the national gain arising from rice is several times as great in proportion as the national gain arising from either sugar or tobacco. He estimated that for the then current year, 1749, the crop in South Carolina would be above 90,000 barrels, of which there would not be 3000 barrels used in the province, so that the clear national gain upon that export would be very great. At the lowest computation, of 25s. sterling per barrel, the 87,000 barrels exported would amount in value to £108,750 sterling at the first hand, whereto there must be added the charge of freight, etc., from South Carolina to Europe, which amounted to more than the first cost of the rice, so he computed that the least gain upon this article of commerce for that year would be £220,000 (i.e. over $1,000,000) over and above the naval advantage of annually employing more than 60 ships of 100 tons each.

Rice being an enumerated commodity, his Excellency went on to remind the government, it could not be exported from South Carolina without giving bond for double the value that it should be landed in Great Britain, or in some of the British plantations, excepting to the southward of Cape Finisterre, which was permitted by Act of Parliament of 1729, the favor having been granted in order that the rice might arrive there more seasonably and in better condition; but this, his Excellency goes on to explain, had not proved as beneficial as had been anticipated; for in the ten years that followed not more than 3570 barrels had been sold to the Spaniards, making only 357 barrels annually, nor did he hope for any improvement in that market, as the Spaniards were supplied with an inferior sort of rice from Turkey, equally agreeable to
them, and a great deal cheaper than the Carolina article. There was little demand for rice from France, but 9000 barrels having been consumed there in two years. Germany and Holland were the best markets, where the greater part of it was consumed during the winter season, when pease and all kinds of pulse were scarce, to meet which market it should arrive before the rivers were frozen.¹

Indigo was the second great staple of South Carolina.² Its original country is Hindostan, but it had been naturalized in the West Indies, from which it was introduced into South Carolina by Miss Eliza Lucas, afterward the wife of Chief Justice Charles Pinckney, and the mother of the two great Carolinians, General Charles Cotesworth Pinckney and General Thomas Pinckney. Her father, Colonel George Lucas, Governor of Antigua, observing and encouraging his daughter’s botanical turn and fondness for all that related to a knowledge of the vegetable

¹ An Account of the Quantities of Rice which have been exported from the Province of South Carolina within 10 Years from 1730 to 1739 distinguishing the Total quantity sent to each of the Countries or Dominions whereunto the same was exported: —

<table>
<thead>
<tr>
<th>Destination</th>
<th>Barrels</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Portugal in all</td>
<td>83,379</td>
</tr>
<tr>
<td>&quot; Gibraltar</td>
<td>968</td>
</tr>
<tr>
<td>&quot; Spain</td>
<td>3,570</td>
</tr>
<tr>
<td>&quot; France only the last Two Years at most</td>
<td>9,500</td>
</tr>
<tr>
<td>&quot; Great Britain, Ireland, and the British Plantations, by the largest calculations, cannot exceed</td>
<td>30,000</td>
</tr>
<tr>
<td>&quot; Holland, Hamburg, and Bremen, including about 7000 barrels to Sweden and Denmark</td>
<td>372,118</td>
</tr>
</tbody>
</table>

The Total exported in these Ten Years | 469,525

Carroll's Coll., vol. II, 269, 270.

² In the following account of the introduction and development of the growth of indigo planting and manufacture, we have followed closely Dr. Ramsay. See Ramsay's Hist. of So. Ca., vol. II, 200–212. For Miss Lucas's own account of her experiment and success, see Mrs. Ravenel's charming volume, Eliza Pinckney, of the Scribner Series of the Women of Colonial and Revolutionary Times, 102–107.
Soon after the dye was successfully extracted from the cultivated plant Mr. Cattel made a present to Colonel Pinckney of some wild indigo which he had just discovered in the woods of Carolina. Experiments were instituted to ascertain its virtues. It proved capable of yielding good indigo, but was less productive than what had been imported. The attention of the planters was fixed on the latter. They pressed its culture with so much industry and success that in the year 1747 a considerable quantity of it, to wit, 134,118 pounds weight valued at £117,853 5s. currency, £16,764 sterling,¹ was sent to England, which induced the merchants trading to Carolina to petition Parliament for a bounty on Carolina indigo. Upon examination it was found that the French West India Islands supplied all the markets of Europe, and that Britain alone consumed annually 600,000 weight of French indigo, which at 5s. a pound cost the nation the sum of £150,000 sterling. It was estimated that this might be saved by encouraging the cultivation of the plant in Carolina. An Act of Parliament was accordingly passed in 1748, allowing a bounty of 6d. per pound on indigo raised in the British American plantations and imported directly into Britain from the place of its growth. Thus encouraged, the planters applied themselves with redoubled vigor, and vied with each other who should bring the best and greatest quantity of it to market. Some years, however, elapsed before they found the nice art of making it as good as the French. While many doubled their capital every three or four years by planting indigo, in the process of time they brought it to such perfection as not only to supply the mother country, but also to undersell the French at several European markets. Indigo proved more really beneficial to Carolina than the mines of Mexico or Peru were

to Spain. In the year 1754 the export of indigo from the province amounted to 216,924 pounds, and shortly before the American Revolution to 1,107,660 pounds. In the revolutionary war it was less attended to than rice. In the year 1783 it again began to be cultivated, 2051 casks were exported, and it continued to form a valuable export for some years; but large importations of it from the East Indies into England so lowered the price as to make it less profitable. Near the close of the eighteenth century it gave place to the cultivation of cotton.

The source of this vast wealth, the foundation of fortunes, some of the remains of which still exist even to this late day, was the result of an experiment by a mere girl. Well may one, a worthy descendant, ask, "When will any new woman do more for her country?" ¹

But, though rice and indigo were now the great staples of the province, there was still an immense trade in peltries. This trade under the Proprietary government was conducted solely under the auspices of individual enterprise. But in 1716, partly for the sake of its enormous profits, and partly with the design of securing a better control of the Indians in view of the public safety, the government assumed the direction of all its affairs and conducted them by a Board of Commissioners as a great public monopoly.² This Board at once dispatched a caravan, or periago,³ of goods to the Cherokees. In 1731 there were collected from all quarters in Charlestown as many as 225,000 deerskins alone. The interval that elapsed between 1721 and 1743 was without doubt, it is said, the most prosperous

¹ Eliza Pinckney, Women of Colonial and Revolutionary Times (Mrs. Ravenel), 107.
² Statutes of So. Ca., vol. II, 077.
³ A kind of boat. Various spelt periago, periagua, periauger, and pettilauger.
years of the peltry trade, and the most peaceful in the relations of Carolina and the Cherokee nation.\(^1\) Cornelius Dougherty, the oldest trader among the Cherokees, whose trading-house stood in the town of Tugaloo as late as 1755, anticipated, if the winter of that year was but tolerably favorable for hunting, collecting from his district alone in the nation 14,000 of buckskin leathers. Three years before the entire nation had been mapped off into thirteen hunting ranges or districts and a trader appointed to every one. Estimating these, says Logan, at but two-thirds of what Dougherty expected gathering, the production of the entire Cherokee country would be more than 100,000 pounds of buckskin leather besides the abundant supply of skins of other wild animals. The average weight of deerskins is four pounds to the skin, there being little difference in the weight, dry or raw. Dougherty expected, therefore, observes Logan, the hunters in the Tugaloo range to bring down with their rifles 3600 deer, making for the whole nation about 25,000 annually. In 1755, 100 deerskins were worth in Charlestown about \(\$250\) of our present money. Tugaloo, Dougherty’s range alone, therefore, was expected to yield \(\$62,500\).

In 1747 there were exported from Charlestown 200 weight of beaver skins and 720 hogsheads of deerskins, worth in Carolina currency nearly \(\text{£}400,000\), probably about \(\$300,000\) of our present money.\(^2\)

In Carolina, as a British province, sterling was the legal money; but unfortunately there was very little of it in this province or in any of the British provinces. The greatest part of their current gold and silver was foreign coin, the uniform value of which, as we have seen, had been fixed by a proclamation of Queen Anne in 1707,

\(^1\) Hist. of Upper So. Ca. (Logan), 383.
\(^2\) Ibid., 382–385; Carroll’s Coll., vol. II, 237.
and was known therefore as "proclamation money." But the demand for more circulating medium in a new country than could be furnished in coin was so urgent that the regulation was not regarded, and the confusion arising from the different values of British sterling and provincial current paper money became general throughout the colonies. The value of the dollar differed in the different colonies; in South Carolina it passed for £1 12s. 6d. The comparative value of sterling coin and paper money diverged so far from each other that after passing through intermediate grades it was finally settled at £7 of paper bills for £1 sterling. At this rate it assumed the character of currency as distinct from sterling, and formed, as it were, another denomination and species of money. Until the currency had assumed this fixed relative value, great confusion and trouble occurred in contracts, but in subsequent contracts engagements were made in conformity to the standard.

Notwithstanding the restriction of the Navigation acts, the commerce of South Carolina was prospering under the Royal government, and in spite of war, pestilence, and fire the colony was growing rich. Each person, says Hewatt, had entire liberty to manage his affairs for his own profit and advantage, and having very little taxes to pay reaped almost the whole fruits of his industry. The best and most extensive market was open to the commodities he produced, and his staples increased in value in proportion to the great quantity raised and the demand for them in Europe. British manufactures he obtained at an easy rate, and drawbacks were allowed on articles of foreign manufacture that might be brought cheaper to the American

1 Hist. of So. Ca. under Prop. Gov. (McCready), 483.
Royal government when the place which he filled was wanted for some one at home for whom the government desired to provide. The case is an illustration of the manner in which colonial offices were used as places to be given in reward of partisan services, which could not be well compensated at home.

Lord Trentham, son of the Earl of Gower, in 1749, during the administration of Pelham, having accepted a place at the Board of Admiralty, and thereby vacated his seat in the House of Commons for Westminster, offered himself a candidate for re-election. Whereupon the opposition put up a candidate, and the election was vigorously contested and long protracted. It happened that Mr. Peter Leigh, a gentleman of ancient family, an eminent counsellor in England, was High Bailiff of Westminster, and as such was the manager and returning officer of the election. After a long delay Mr. Leigh returned Lord Trentham, as elected. There was great excitement over the result. The opposition was greatly exasperated, and did not hesitate to charge corruption and a false return. Measures were taken looking to an indictment, but though these were defeated, and though a letter written by the agent of the opposition candidate commending Mr. Leigh for his impartiality and integrity in the conduct of the election was produced, it was deemed prudent by the government to disarm the opposition by the sacrifice of Mr. Leigh, and he was required to vacate the office of High Bailiff of Westminster. But as Mr. Leigh was their sacrifice he had otherwise to be pro-

1 The case was a very famous one, owing to the proceedings taken upon the refusal of Mr. Alexander Murray to kneel at the Bar of the House of Commons to receive a reprimand for his conduct in the matter, and the libel suits which grew out of it. Coxe's Pelham, vol. III, 182; Parliamentary Hist., vol. XIV, 570; Johnson's Life of Green, vol. I, 256.
vided for by the government he had so well served, and so Mr. Pinckney, a native lawyer of Carolina, was made to give way to this gentleman who had been at least under suspicion of improper conduct in a former office. Mr. Leigh was, however, a man of ability, a good lawyer, and he filled the position of Chief Justice of the province for seven years without giving the least cause of suspicion as to his integrity. But the fact remained that Mr. Pinckney, an able lawyer, and an upright man, a native of the province, was made to give way for this stranger. The incident was a warning that no native-born Carolinian need aspire to the higher positions in the province. These were reserved for the placemen around the crown at home.

The old question which had first been agitated by Chief Justice Trott, in 1702, under the Proprietary government, in relation to the nature and character of the council as a parliamentary body, and which had been so often the subject of controversy since the establishment of the Royal government, was now again the subject of discussion. Mr. James Crockat, who, since 1749, had been the agent “to solicit the affairs of the province in Great Britain,” as his duties were described in the ordinance appointing him,¹ finding the affairs of the province interfering with his own business, had asked to be relieved, and in the settlement of his accounts claimed remuneration for services which the Council disapproved. The House of Commons refused to relieve him, and ordered the Speaker to continue him in the position, pledged that body to see him paid as he claimed, and for that purpose made provision in the tax bill. The Council objected to the items in the bill sent them providing for this payment, and as the House of Commons would not

1 *Statutes of So. Ca.*, vol. III, 728.
were erected on the point of what is now the junction of East and South Batteries, capable of mounting 150 pieces of cannon; the work had then already been raised above high-water mark; from Broughton's Battery to Conseillere's Creek it was continued, and three more bastions erected. The whole town was to be fortified in the same way if the important design was encouraged. The Gazette, from which this account is taken, describes the work as having the front toward the rivers and the sea faced with facines laid in, covered with mud staked together and the outside paved with stones and oyster shells. The facines, it was found, answered as well in the boggy marsh as upon high ground, and the last year's experiment had taught, the Gazette said, that the sea rather brings ground to the wall than washes any away. To carry on this work and to build a fort in the Cherokee country, as Governor Glen had promised, the House of Commons sent to the Council a bill to authorize the issue of £41,000. This the Council rejected because the bill provided no means of retiring the bills thus to be issued. The House twice sent back the bill, and twice it was rejected.

Upon this the Commons' House, on the 29th of April, 1756, presented a remonstrance to Governor Glen, in which they appealed to his Excellency that if he should be of the opinion that the Assembly had shown any backwardness in the granting of aids to his Majesty's service, as had been adequate to the circumstances of the people they represented, or that they assumed any power or privilege whatever not belonging to them, or which was not exercised by the House of Commons in Great Britain, that his Excel-

then ran to Conseillere's Creek, which was probably near Gibbes Street. See Map, Frontispiece to Mayor Courtenay's Year Book, 1883.

1 So. Ca. Gazette, May 6, 1756. See also De Brahm's Report of the Work; Documents connected with So. Ca. (Weston), 204.
lency would be pleased to dissolve the present General Assembly immediately. On the other hand, they asked if his Excellency was of opinion that the members of the Council were wrong, his Excellency would be pleased to suspend such of them as had been the occasion thereof, and appoint others who had the service of his Majesty and the security and welfare of the province more at heart.

Governor Glen, still resenting his exclusion by the Council from their deliberations when sitting, as they claimed, as an Upper House, at once took the part of the Commons, and in reply to the remonstrance addressed them at great length: "Till of late," said he, "I truly thought this the happiest province in America, for tho' we heard of fierce disputes in other governments, yet all was harmony here, and peace seemed to have taken up her residence and become an inhabitant of South Carolina. But alas! she appears now to have taken her flight. . . . You appeal to me, if I think you in the wrong I may dissolve the present General Assembly. Had I thought you in the wrong, gentlemen, I would have told you so long ago—it would have been my duty to have spoken to you in the constitutional language of adjournment, prorogation, and dissolution. But can a governor blame behavior that is parliamentary? Did any assembly in the country grant such ample supplies to his Majesty as you have cheerfully given? Did ever any assembly in this country give such proofs of patience, temper, and moderation as this assembly? And as other things redound greatly to your honor, it were unjust in a governor to refuse you this public testimony of applause that you now well deserve. I would willingly stop here; but justice requires me to go further, and to say that I am of opinion that the Council has done wrong in not proceeding with the tax bill. This seems to be no juncture for disputing questions about rights
and privileges. Such points ought not now to be pressed when the delays and difficulties that we occasion by moving in such matters must draw us into imminent danger and may prove fatal to us."

His Excellency was not, however, prepared to break entirely with the Council, so he changed somewhat his tone in regard to that body. Upon the whole he could wish, he said, that the tax bill more nearly resembled the acts granting supplies in the mother country. He thought the Commons might have sent the accounts to the Council upon which the schedules to his tax bill were founded. On the other hand, he thought the Council might have acted upon the tax bill without having the accounts, as they had other and, in his opinion, better methods of obtaining the information necessary for their action. To the request of the Commons that he would suspend the members of Council who were obstructing business, the Governor declares that as yet he cannot find any sufficient cause for doing so. "I think it a duty incumbent upon me in the station I have the honor to be in," he says, "to assert the Council's right of rejecting bills, and to assure you that when it appears that any of the members wantonly exercise that right, I will, with the consent of the rest, suspend them; but upon looking into the journals, I cannot find sufficient grounds for fixing such a charge. Perhaps a little more time may give more light."

In the Gazette of May 13 there appears a very interesting review of the history of the parliamentary organization of the colony, and a clear and able statement of the views of those who questioned the position of the Council as an Upper House.¹

¹ The paper appears over the signature of T——s W——t. Probably Thomas Wright, son of Chief Justice Robert Wright, who had been an officer in the invasion of Florida under Oglethorpe.
The writer maintains that under the Proprietors there were but two estates—the Lords Proprietors and the people. The Lords Proprietors had a Governor who represented the Palatine, and the Lords had each his deputy who consented to measures, each for his constituent or principal. The Governor with these deputies sat in council and each gave his consent to all laws he approved. The scheme of the Lords Proprietors to found a nobility to constitute an Upper House failed, so that there remained but the two estates—the Lords Proprietors and the people. This constitution he argued was in no wise altered when his Majesty was invested with the estate of the Proprietors. Since then there was no nobility: the government of the province could not in that respect be like to that of England—one estate or part of the British constitution was wanting. This being so the government came as near to the practice of Great Britain as possible by passing laws in the Assembly, and confirming or assenting to them by the Governor.

The parliament of England was composed of King, Lords, and Commons, the two Houses agreeing and uniting in a proper balance of power between the King and the people. But, argued the writer, if his Majesty’s authority is represented by the Governor, which constitutes one estate of our legislature, and his Majesty further appoints a council to preside in the nature of an Upper House or House of Peers, the members of which are appointed by him 

*durante bene placito regis*, such an appointment must necessarily destroy the balance, and be contrary to the usage of the mother country. "I dare venture to affirm," continued the writer, "that no instructions to his Majesty’s various Governors ever called the Council an Upper House, nor can the Council produce any instructions to any Governor where any words can imply them to be a House of
Peers.” A challenge which, as we shall see, the Council pretty fairly met.

The writer pointed out the anomaly of the Council sitting as an Upper House, and agreeing to a measure, which the Governor afterward, though presumed to be acting under the advice of his Council as a cabinet, refused to assent to, and pointed among others to such a case which had just occurred, in which a bill was passed by the assembly for granting his Majesty £40,000 to be sent to Virginia to assist in defraying his Majesty’s legal rights there, and approved by the Council sitting as an Upper House, and yet lost by the refusal of the Governor to assent to it.

The writer ridiculed the absurdity disclosed by messages sent down by the Council as an Upper House, and concluding with the attestation of a Clerk of Council. He argued with much force that the Lords in England had no vote for parliament men; they were independent, and could not be displaced at the pleasure of a minister; the Peers were hereditary counsellors of the King and kingdom. The councillors in Carolina were dependent and held their office at the pleasure of the King; they voted for members of Assembly. Could they represent themselves and be represented? The members of the Council could be suspended by the Governor; could a peer of England be suspended by the King?

With great ability the writer points out the true nature of the Royal instructions to Governors and their constitutional limitations. Instructions from his Majesty to the Governor or the Council, he observes, are binding on them, because if they are disregarded by either, the Governor or councillor might immediately be superseded. But if instruction should be laws and rules to the people of the province, there would be no need of assemblies, and
as their journals will amply testify. The right then must be derived from (1) length of practice, or (2) from some fresh grant of power. There was no such grant. Was there any such length of practice? From the beginning of the government in this province the accounts relating to expenses received for the public service have always undergone examinations of both Council and Assembly. The Council had been challenged to show an instance in which that body had been mentioned in any instruction to a Governor in words that would imply them to be a House of Peers. They certainly could not do so if regard was had to the qualifications of the members of the Council; but they could very effectually do so if regard was had to the very powers of the body now in dispute. And this the vindication of the Council proceeds to point out. It calls attention to the eleventh section of the Election act passed under Governor Nicholson’s administration, which limits the powers and privileges of the members of the Commons’ House of Assembly to such as are according to his Majesty’s thirty-fifth instruction.\(^1\) And this instruction which they quote distinctly recognizes the Council as a House of Assembly, and especially authorizes it as such to alter and amend money bills.\(^2\) This instruction recites as the occasion of its requirement that members of several assemblies in the plantations had of late years assumed to themselves privileges no ways belonging to them, among which were the taking “upon themselves the sole framing of money bills, refusing to allow the Council to alter or amend the same, which was contrary to his Majesty’s prerogative,” and was therefore forbidden. The vindication asserts that this privilege had been exercised in this province without question until 1735, at which time the first precedent is found of the

\(^1\) *Statutes of So. Ca.*, vol. III, 138.  
a very impressive manner. After recalling his long and varied services to the province in which he was born, in the field, and in the council, and as Chief Magistrate he pays this graceful tribute to his character:

"In whatever light to be viewed, he will appear to advantage. But the many excellent laws that he passed speak his praises better than I am able. He was careful in passing those laws; he was vigilant in executing them; he procured obedience to them, not so much by the weight of his powers, as by the authority of his own practice; for no man was more obedient to the laws than himself. You all have reason to lament the loss of him, but I, most of all, for I was frequently benefited by following his advice, more frequently by imitating his example, and where I could not equal, I endeavored to copy after him. I shall bequeath this advice to my successor: Go, and do thou likewise."
and prairies and vast brakes of cane,—the latter often stretching in unbroken lines of evergreen for hundreds of miles from the alluvial country on the coast to the interior sources of streams, says Logan,—it was not surpassed in picturesque beauty and grandeur by the best portions of Texas; and its virgin soil was not inferior to that of the same boasted state. When the hunters and cow drivers first penetrated this region there were considerable portions of it as destitute of trees and as luxuriant in grass and flower as any prairie of modern times. Through this country the Catawbas and the Cherokees roamed. It abounded in wild horses, buffaloes, bears, deer, elk, panthers, and other wild animals.

A country, says the same author, then abounding in magnificent woods and prairies and so rich in its production of animal life, must have offered, as do similar regions of the West at the present day, rare attractions to the hunter and stock-raiser; and if all information on the subject had been wholly lost, it would not be difficult to conjecture what sort of men first ventured to penetrate its unexplored wilds.

Three remarkable classes of men preceded by several years the regular settlers of northwestern Carolina; these were the hunters, cow drivers, and Indian traders. The hunter, though no pioneer,—for he appropriated no lands, levelled no forests, and cultivated but little soil,—yet served by his adventurous life many valuable purposes; he conciliated the jealous savages, impressed them, as Indians were easily impressed, by his romantic courage and unrivalled skill in the use of the rifle, with sentiments of respect for the character and prowess of white men, and brought back from his wanderings to the border settlements glowing accounts of Elysian fields he had seen in the wilderness, and thus opened the way to the most eli-
children and grandchildren in the Nation. If these accounts be correct, says Logan, the oldest of these traders must have taken up his abode among the savages four hundred miles to the west of Charlestown before the close of the seventeenth century, when the white population of Carolina scarcely extended twenty miles from the seacoast.\(^1\) In 1690, several years before the English settlers on the Ashley knew that such a people as the Cherokees existed, one Daugherty, a trader from Virginia, ventured to take up his residence among them for the purpose of traffic.\(^2\)

The Indian trade, until 1716, was conducted solely under the auspices of individual enterprise. The system of exchange was exceedingly advantageous to the English adventurer; for a few trinkets, looking-glasses, pieces of colored cloth, hatchets, and guns of small value, he could procure, on the Savannah and Catawba, peltres which in Charlestown would command many times their original cost. But in that year, partly for the sake of its enormous profits, and partly with the design of having better control of the Indians in view of the public safety, the Proprietary government assumed the direction of all its affairs, and conducted it thereafter as a great public monopoly.

Next to the traders, says Logan, the most interesting characters employed in the Indian traffic were the pack-horsemen. These frequently consisted in part of boys, under the direction of an experienced voyageur, and their life was one of exposure, hardship, and not unfrequently of thrilling adventures. In peace and in war, in every vicissitude of weather, they were found upon the path.

\(^1\) Hist. of Upper So. Ca. (Logan), 167, 168; Ramsay's Hist. of So. Ca., vol. I, 209.

\(^2\) Ramsey's Annals of Tennessee; Logan, Ibid.
but her western frontier was still exposed to the claims of France. Firmly established in Canada and Louisiana, France was rapidly connecting these extreme points by a chain of military posts, stretching through the entire length of the Mississippi Valley, and, having formed close commercial alliance with several of the most powerful tribes of the continent, her triumph was apparently, beyond peradventure, not far distant. Her design was to secure the possession of the great valley, and having circumscribed the English colonists within their narrow belt along the Atlantic, when everything was ready for the blow, to fall upon them, with the hordes of their savage confederates, and exterminate or drive them from the soil.

In an old map, constructed previous to 1741, by M. de L’Isle, geographer to the French King, a definite line is traced, marking the eastern limit of France’s assumed domains on the American continent.¹ It set out from a point near Charlestown, ran northeastward to Cooper River, — which it crossed some sixty miles from the ocean, — passed the Santee one hundred miles from its mouth, turned northwestward along the eastern bank of that stream till it reached the Catawba, pursued this tributary into the Alleghany Mountains, followed that course around the head waters of the Potomac to the Susquehanna, — crossing it at a point some sixty-five miles from the head of the Chesapeake Bay, — ran thence up the eastern bank to the North Branch, and along that stream to the Mohawk, — which it crossed some fifty miles above its junction with the Hudson, — thence to a point near the lower extremity of Lake Champlain, and along the channel of that water to the mouth of the Sorrelle, by which it finally passed to the River St. Lawrence. The sandy strip

¹ Hist. of Upper So. Ca. (Logan), 333. The map accompanying Cox’s Carolina, mentioned by Logan, is still in the Charleston Library.
No one, says Logan, better knew than he the political importance of the Cherokee and Catawba trade to Carolina or better understood the Indian character. He immediately addressed a letter to the Governor of Virginia, couched in terms of strong remonstrance.¹

"South Carolina," he wrote, "is a weak frontier colony, and in case of an invasion by the French would be their first object of attack. We have not much to fear, however, while we retain the affection of the Indians around us; but should we forfeit that by any mismanagement on our part, or by the superior address of the French, we are in a miserable situation. The Cherokees alone have several thousand gunmen well acquainted with every inch of this province — their country is the key to Carolina. We have been greatly alarmed by the behavior of the Virginians in regard to the Cherokees. Few or no Indians are in treaty with Virginia. By long experience we have become thoroughly acquainted with their nature and inclinations, and have been so successful in managing them as to keep them steady to the British interest, notwithstanding the vigorous and persevering efforts of France to seduce them from us. We can see no good or wise policy in endeavoring to draw away these Indians from one of his Majesty's provinces to another. We have been enabled to fix the affections of the four great nations around us. (The Cherokees, Catawbas, Muscogees, and Chickasaws.) Let facts speak: they come when we send for them, and go when we bid them depart; they do whatever we desire them. They now perfectly understand the injustice of punishing the innocent for the guilty, and the necessity of punishing the latter in conformity to the treaties between them and us. And when,

¹ Hist. of Upper So. Ca. (Logan), 420, quoting from Indian Books, Secretary of State's office, Columbia, S.C.
interest to the promotion of his private aggrandizement; and it must be confessed, observes Logan, that an impartial review of all the facts in the case, drawn from various and most reliable sources, does not restore his memory to the unqualified admiration of posterity.¹

A fierce war was now waging between the Creeks and the Cherokees, which, in Adair’s opinion, it was the true policy of the South Carolina government to ferment and to assist the Creeks, who had just cause of complaints for injuries done by the Cherokees. But Governor Glen took another course: he summoned the Cherokee chiefs to meet him in conference at Charlestown, not for the purpose of giving them the gentlest rebuke for the outrages they were obviously abetting upon the defenceless settlements of the upper country, nor to require them to make reparation for their recent insult to the Creeks, but solely to persuade them to bury the hatchet and make peace with the Creeks.²

The conference was opened in the Council Chamber, July 4, 1753, Governor Glen presiding. Attakullakulla was the chief Indian spokesman on this occasion. This chief when young had gone with the Cherokee embassy to England. He was better known to the whites by his surname of Little Carpenter. His Indian name signifies the most excellent woodcutter. He was exceedingly small in his person, but eloquent, sagacious, and brave. From this time he began to rise in importance, both with his own people and the English. He had been disaffected, had even been under suspicion of French entanglement, and had been one of those who had gone to Virginia to seek there a supply of goods to render his

¹ Hist. of Upper So. Ca. (Logan), 461; Hist. of the Am. Indians (Adair), 224, 239, 242 et seq.
² Hist. of Upper So. Ca. (Logan), 459.
should be purchased from the Indians. In obedience to this advice of the Council, Governor Glen, in the fall of that year, visited the country of the lower Cherokees and purchased a tract of land, whereon the long-promised fort was erected at Keowee.¹

Hewatt describes this purchase as of a territory of large extent.² The territory of the counties of Abbeville, Edgefield, Laurens, Union, Spartanburg, Newberry, Chester, Fairfield, and Richland³ is usually supposed to have been covered by its grant. But this Logan points out to be a mistake. The actual grant was only of this indefinite description, "not only the spot on which a fort is at present building near Keowee, and all the lands betwixt that and a place called Long Canes of the width of said fort; but also all the lands, as well cornfields as pasture-grounds, hills, woods, and waters, all the right and title the Cherokee Nation can lay claim to in the said lands forever."⁴ Not a foot of land south of the North Branch of Long Cane, to wit, Little River, was ceded to the King of Great Britain. What was really intended to be covered beside the immediate site of the fort, and the surrounding woods, pastures, and waters necessary to the garrison, was a strip of land the width of the fort, which extended thence as far southward as a place called the Long Canes—a sort of road or way of access to the future garrison. There can be no doubt, however, that from this time

¹ Hewatt and all after him who have made mention of this event, until Logan wrote, have stated that the visit of Governor Glen was made in 1765, but Logan gives 1753 as the true date, upon the authority of the Indian Books in Columbia, in the Secretary of State's office. Hist. of Upper So. Ca., 494 and note.
² Hist. of So. Ca. (Hewatt), vol. II, 204.
³ Hist. of Upper So. Ca. (Logan), 499. The counties here mentioned are intended to include the territory they contained before the subdivisions under the constitution of 1805.
⁴ Hist. of Upper So. Ca. (Logan), 496.
the English began to settle the country included in the limits of the counties mentioned, and that their settlement began rapidly to extend toward the mountains. Circumstances extraneous to the colony of South Carolina added greatly to this movement, and peopled this territory with a class different from any that had yet come into the province.

Fort Prince George, as the new fort was called, was built at a short distance from the town of Keowee, about one hundred and seventy miles from Fort Moore on the Savannah, and was designed to be a much more formidable structure than the ordinary stockade enclosures of the pioneers. It was in the form of a square six feet in height, on which stakes were fixed, a ditch and natural glacis strengthened two sides, and strong bastions, the angles upon which were mounted sixteen small cannon, four on each bastion. Its barracks were sufficient for a hundred men, but it was badly constructed, and in three years was in an almost ruinous condition: the palisades had tumbled from the ramparts, the ditches were partially filled up, and gaping breaches had been washed or wantonly cut in the walls.

The founding of Fort Prince George purchased but a brief peace and short-lived confidence on the border. The very next year a party of emigrants from Pennsylvania, and Virginia, were set upon at the house of a Mr. Guttery, on Buffalo Creek, which enters Broad River in the northwest corner of York County, a few miles above the Union and Spartanburg line, by a party of sixty French Indians. The household and the emigrants together numbered twenty-one; of them sixteen were slaughtered at once, whose bodies were found scattered around in a circumference of some two or three hundred yards. The remaining

1 Hist. of Upper So. Ca. (Logan), 498, 504. 2 Ibid., 505, 510.
five were carried off, of whom but one, as was supposed, was recovered. In the following October a little white child was rescued, who was supposed to have been of this party. An interesting circumstance connected with this tragedy was that a young couple had just left Mr. Guttery's house and gone forty miles or more to a Justice of the Peace to be married, and, unhappily, a neighboring family had come in to wait their return and were among the slaughtered. The massacre was discovered by the bridal party on their return. After murdering the people the savages killed all the cattle, hogs, and fowls about the premises and heaped their carcasses upon the dead bodies of the men and women.¹

Upon this Governor Glen invited another conference, but Attakullakulla, accompanied by an escort of nineteen warriors, brought down a message from the old chief, Old Hop, that he could not expose his warriors to the fatal sickness they had often contracted in town and on the Keowee trail. Notwithstanding this insolent message the Governor consented to meet their headmen in council at a point midway between the Cherokee Nation and Charlestown. The meeting was accordingly held at Saluda Old Town.

Adair severely criticises the conduct of Governor Glen upon this occasion. "His Excellency, our Governor," he says, "neglected the proper measures to reconcile the wavering savages till the gentleman who was appointed to succeed him had just reached the American coast; then, indeed, he set out with a considerable number of gentlemen in flourishing parade, and went as far as Ninety-six settlement, from whence, as most probably he expected, he was fortunately recalled and joyfully superseded. I saw him on his way up, and plainly observed he was unpro-

¹ Hist. of Upper So. Ca. (Logan), 430, 507, 508.
CHAPTER XVII

1755-60

The fall of Limerick, observes a recent historian, had broken the power and crushed the hopes of the Irish Catholics. The penal laws had driven into exile all the high-spirited, ambitious, and intelligent members of the native aristocracy. The loss of their leaders had rendered the Celtic population no more formidable to the Protestant Englishry, said Swift, than the women and children to the men. The impotence of the common enemy gave rein to the intestine jealousies of the dominant colony. The established church pressed her exclusive pretensions harder and harder against her Presbyterian and Independent allies, till, as Macaulay said, the latter no longer regarded the establishment as a splendid if one-sided trophy of the great Protestant conquest. To proscription and affronts, the descendants of the Scottish settlers of Ulster, the Cromwellian conquerors of the Southern provinces, the grandchildren of the defenders of Londonderry and Enniskillen, were little likely to submit. The flower of the Presbyterians followed the aristocracy of Catholic Ireland into exile.1

Many, if not most, of these latter crossed the Atlantic and first settled in Pennsylvania, and reinforced by a considerable German immigration, they pushed forward to the western frontier of that province, where they found

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new-comers were soon to learn they had not left behind, on the Pennsylvania frontier, there were two other causes of trouble and anxiety which met them in Carolina. The first of these was the recognition and establishment by law of their old oppressor in Ireland, the Church of England, as a church of State; the second was the impotence of the government on the coast to preserve law and order in these new settlements, and its failure to provide courts for the punishment of crime and for the administration of justice within reach of the people of this new part of the province.

The second of these would undoubtedly have been removed in time, even if the Revolution had not taken place, and, as we shall see, the government at Charlestown was doing all that it could to provide courts for these people, but was thwarted by personal influences near the Board of Trade and Plantations in England. The first was still more difficult of removal— it was organic. It is difficult to conjecture how these discordant elements in the population of South Carolina would have been reconciled had not the Revolution disestablished the Church. But the people in the up country did not at first foresee the results of that movement; and were generally inclined, in its commencement, to stand by the old government, which had set up the Church, rather than support the new one in the low country, which, even in rebellion, clung to it as the very foundation of society.

The parish, as we have seen, was the basis of the civil as well as the religious organization of the government under which these new-comers had entered: all elections were held by the church wardens, and those for municipal offices on Easter Monday along with those for officers of the church; all notices, legal and other, were posted at the church door; there caucuses were held of a Sunday
had left, upon the Church of England. He could only be represented in the Assembly by having the lands which he and his people had taken up made into a township and then into a parish. All this was the more distasteful to him because his own social and civil system was itself based upon an ecclesiastical idea—a church polity of its own.

If the old St. Philip's Church was a part of the constitution of South Carolina as Westminster Abbey was of the British constitution, so around the "old Waxhaw Church" in Lancaster—the first church above Orangeburg—was formed the settlement which gave tone and thought to the whole upper country of the State.¹ Unlike the old St. Philip's, with "its heavy structure, lofty arches, and massive pillars adorned with elegant sepulchral monuments" of the early Governors and great men of the colony, this little church, the third that has stood near this spot, had nothing whatever of an ecclesiastical appearance. "The interior," says Parton in his Life of Jackson, "unpainted, unceiled, and uncushioned, with straight-back pews and rough Sunday-school benches, looks grimly wooden and desolate as the traveller removes the chip that keeps the door from blowing open and peeps in. And when the stranger stands in the churchyard among the old graves, though there is a house or two not far off, but not in sight, he has the feeling of one who comes upon the ancient burial-place of a race extinct. Rude old stones are there that were placed over graves when as yet a stonemason was not in the province; stones upon which coats of arms were once engraved, still partly decipherable; stones which are

¹ Mr. Croker, in a letter to Robert Southey, asks, "Do you remember my once saying to you that Westminster Abbey was a part of the British constitution?" See Historical Sketch of St. Philip's Church (McCready), Year Book City of Charleston (Smyth), 1806; Howe's Hist. Presb. Ch., 292; Southern Presbyterian Review, vol. XIV, No. 3, 472.
modern as compared with those which yet record the exploits of revolutionary soldiers; stones so old that every trace of inscription is lost, and stones as new as the new year. The inscriptions on the gravestones are usually simple and direct, and free from snivelling and cant. A large number of them end with Pope's line (incorrectly quoted), which declares an honest man to be the noblest work of God.”

Among the Scotch-Irish who came down and settled in the Waxhaws around the old church were the Jacksons, Calhouns, and Pickens. Andrew Jackson was born there. Patrick Calhoun, the father of John C. Calhoun, first settled there; then pushed on to the prairie county which is now Abbeville, and returned after the massacre at Long Canes and took refuge in the Waxhaws congregation; there he married a daughter of the Rev. Alexander Craighead, and after her death and his return to Abbeville he married Miss Caldwell, the mother of Carolina's great statesman. At the Waxhaws, too, Andrew Pickens met Rebecca Calhoun, whom he married. Here at the Waxhaws grew up William Richardson Davie, the distinguished partisan leader of the Revolution, Governor of North Carolina and Minister to France, the founder of the University of North Carolina. From the same community came Calhoun's great rival, the great Georgian, William H. Crawford; so that from this people came three of the greatest men of their times, Jackson, Calhoun, and Crawford,—men upon and around whom turned the national politics of their day and whose antagonisms convulsed the whole country. To these must be added William Smith, Judge on the State Bench and United States Senator, whose State rights antedated Calhoun's, and who was twice voted for as Vice President in the

1 Parton's Life of Jackson, 50, 51.
June, 1756. War had been formally declared against France while he was on his passage, 17th of May, 1756.

The new Governor was received with popular demonstrations and the presentation of addresses by the South Carolina Society, the merchants of Charlestown, the Chief Justices, Assistant Judges, and officers of the Courts of Justice: the last alluding in their address in graceful terms to the illustrious descent of the new Governor, and anticipating therefrom an administration of law and order. Hopes, which from the addresses of respect and good will made to him upon his departure, were fully justified by his conduct in the civil administration of the colony during the four years of his rule. The Charlestown Library Society, over which he presided, in a complimentary manner expressed their regret at his going; the South Carolina Society thanked him for the many and great benefits they had received, in common with the whole people, from his wise and prudent administration; and the merchants declared that he had been the protector of their trade. But his brief administration, however wise and prudent in civil affairs, was chiefly memorable for his expedition against the Indians, for which he received the plaudits of the people at the time; but which,


2 The Gazette, in announcing his arrival, observes, it would have too much the air of compliment to insert what has been mentioned of him in numberless letters and what may of consequence be expected under his administration. But it may justly be inferred from them that both the governed and the Governor cannot fail of being happy; may he therefore be blessed with uninterrupted health and we with his long continuance among us: —

Be all thy labors, all thy cares pursued
Chiefly to one general end the country’s good.
Be this in India as in Britain known,
The only passion of Lyttleton.
So shall the Western World resound thy fame
And Carolina bless thy Patriot name.
expense, to relieve their starving condition, murmurs and discontent broke out afresh. Governor Glen and the gentlemen who had accompanied him returned to Charlestown.¹

Upon assuming the administration of the government, Governor Lyttleton found two matters demanding immediate attention. In the quarrel between the Council and the Commons no supplies had been granted, and a number of Acadians had arrived in Charlestown for whom some provision must be made. The Assembly had adjourned to the 5th of October. Governor Lyttleton therefore, on the 15th of June, issued his proclamation summoning them to meet on the 17th. This they promptly did, and immediately proceeded to business.

The English, it will be remembered, had taken Nova Scotia in 1710, and it had been formally ceded by France in 1713. But Great Britain had neglected the country until 1749, during which time the French settlers, under the name of Neutrals, who were still very numerous in the colony, with the aid of the Indians, held the British settlers in constant alarm, and it is said had murdered many of them.² In 1749 the designs of the French becoming marked, the government of England made strenuous efforts to induce British settlers to go there. More than four thousand emigrants sailed for the colony, and Halifax was founded. But the French Neutrals, or Acadians, who still constituted a considerable portion of the population, with their Indian allies, continued to be troublesome. They were required, therefore, to take the oath of allegiance to the British Crown or leave the country. This they attempted, it was said, to evade, and would only take the oath with a proviso that they should not be obliged to

¹ So. Ca. Gazette, July 1, 1756.
² Hist. of Nova Scotia (Martin), 7.
to escape had been retaken and brought back, with the exception of about thirty, who were still missing. Then it adds that it has just received information that five or six of them had gone to the plantation of Mr. John Williams on the Santee while he was absent, had terrified his wife, robbed the house of firearms and clothes, and broken up a box from which they had taken money. The hue and cry had been raised and the neighborhood had gone after them, but they escaped to the river. "'Tis hoped," adds the Gazette, "the Acadians will not be permitted to commit any more robberies." The Gazette of the 19th reports that the Acadians had not been recaptured, but it learns that the people are determined they shall not escape that way or any other; but it is probable, it continues, that they may reach Fort Duquesne, or Canada, as it learned some of them hinted they could easily do, unless intercepted in some of the neighboring colonies. The same journal, on April 1st, tells of a party who had arrived from Georgia. We hear, it continues, that these people are infatuated with the notion that they shall obtain leave to pass in like manner through all the governments on this side of Nova Scotia until they reach that place; but such, it observes, have not considered to what end they have been removed from there. On the 15th the Gazette tells of eighty Acadians who went off in seven canoes as far as Sullivan's Island and put to sea next morning to proceed along the coast to the northwest, having obtained passports; and three hundred more will soon follow. Such were the frantic efforts these poor people were making to reach their old homes.

The first act of Governor Lyttleton's administration was one to dispose of the Acadians in Charlestown.\(^1\) The act recited that it had become necessary to disperse into differ-

\(^1\) Statutes of So. Ca., vol. IV, 31.
that although the Great Warrior and the other Indians of the Upper Nation then present pretended to be deputed to come to him, he knew they were not; that they had only come in consequence of being refused ammunition at Keowe; that he had advices then in his hands, received the night before, that since they had come away a large party was gone out from Settico to fall upon the settlements of Broad River; and that a soldier from Fort Prince George, who had been sent out to drive in some cattle, had been stopped by some Indians, who took his horse by the bridle, led him into the middle of the town, and cut him severely with a tomahawk, then bid him go home and say it was war. They had therefore no right to be protected according to the "talk" he had sent up to the Nation. Then turning to those of the Lower Nation his Excellency said that although it was true they had been deputed, a party sent out afterward had fired upon an express from their country coming down to him. They also were not therefore entitled to protection. Nevertheless, the Governor continued, as they said they came down expecting to be protected they should be. His Excellency then enumerated the outrages and murders the Nation had committed, and went on to say that the people of the province, determined no longer to bear their insults, were in arms; that he himself was going with a great many of his warriors to the Nation to demand satisfaction; that if when he arrived there the satisfaction he should ask should be given, it would be peace, the path would be open again, and the trade restored. But if they refused to give it, he would take it. The Governor concluded by telling the Indians that they should return with him and his warriors; that they would be safe only by going with him, and advised them not to straggle out of the direct road, where he would not answer for their safety.
Governor Lyttleton’s course in this matter was not altogether approved by his Council. William Bull, who had a lifelong acquaintance with Indian affairs, — who had been a soldier in Oglethorpe’s expedition, and repeatedly Speaker of the Commons, now General of the Militia, and recently appointed Lieutenant Governor, his commission however not yet having arrived, — strongly advised against it and urged the Governor to give the Indians a hearing. But the Governor was inflexible and put an end to the conference. The chiefs were very indignant. They had travelled far to secure peace, and that under a pledge of safe-conduct. They certainly had not violated its terms. And after all to be denied the “talk” they had come for, and to be forced to return with the Governor’s army, practically as prisoners, aroused their deepest resentment.

On Wednesday, the 29th of October, his Excellency set out at 10 A.M. upon his expedition to humble the Cherokees. He was accompanied by the Hon. Brigadier General Bull, and Colonel Howarth of the Provincial Force, and attended by his staff and several officers appointed for the expedition. His staff consisted of Major Henry Hyrne, late of the Provincials, Adjutant General, Lieutenant Lachlan Shaw, Esq., Brigade Major; Ensign Lachlan McIntosh, Quarter Master, and William Drayton and William Moultrie, Esq., Aides-de-camp; George Milligan, Esq., Surgeon. The Charlestown and Stono Troop of Horse, and Captain Christopher Gadsden with sixteen volunteers from the artillery company he had lately raised. The army was to rendezvous at the Congarees.¹

The Cherokee chiefs marched with the Governor and

¹ In this account of the outbreak of the Cherokees, we have followed the contemporaneous accounts given in the So. Ca. Gazette.
per, they were struck with terror, abandoned the expedition, returned in haste to the settlement, avoiding each other on the way and suffering greatly from hunger and fatigue. Abandoned by his men, the Governor followed, and arrived in Charlestown on January 8, 1760.

The expedition cost the province £25,000 sterling. Though not a drop of blood had been spilt during the campaign, yet as a treaty of peace had been signed, the Governor was received as a conqueror with the greatest demonstrations of joy. The Gazette of the 12th announces that, attended by the gentlemen who had acted as his staff on the expedition, and Captain Gadsden, with the gentlemen of his company of artillery who had gone as volunteers, the Governor had intended to make his entry into town in a private manner; but Captain Gadsden's company, hearing of their coming, marched, in uniform, two miles up the Path — as the road to the town was called — to meet him, and saluted his Excellency with two volleys and three cheers, which they afterward repeated at his own door. The next day the Council entertained him at dinner, the forts and the vessels in the harbor fired salutes and displayed all their colors, and the Regiment of Foot and the Troop of Horse were drawn up in Broad Street as his Excellency passed to dine with the Council. The evening was concluded with illuminations and bonfires and other demonstrations of joy. The Library Society, the anniversary of which happened on the day of his arrival, unanimously reëlected him its President, and tended him an address of congratulation upon his safe return and the happy and honorable termination of the expedition, particularly as they regarded his Excellency not only as their Governor and protector, but as the patron of literature and the President of the Society, under whose

1 Ramsay's Hist. of S. Ca., vol. 1, 174.
Governor Lyttleton's experience was but a repetition of Oglethorpe's and Braddock's—the result of the same overweening confidence each of these had in his own superiority and contemptuous disregard for the opinions of the colonists in matters about which neither of them could possibly have had any personal experience, and with which the colonists had a lifelong familiarity. Had Oglethorpe listened to Palmer, and Braddock to Washington, and Lyttleton to Bull, each might have been spared an ignominious failure, and the unfortunate people whose fortunes were in their hands might have been saved infinite distress and misery. These were among the first lessons in the necessity of home rule in America.
CHAPTER XIX

1760–65

THOMAS POWNAL¹ had been commissioned Governor of South Carolina in the room of William Henry Lyttleton, and awaiting his arrival William Bull, who had been Speaker while his father was Lieutenant Governor, and who had now himself been appointed to that office,² issued his proclamation assuming the administration on the 16th of April, 1760.³ Pownal did not come to the province, and Bull continued to administer the government until the arrival, on the 22d of December, 1761, of Thomas Boone, who was transferred from the government of New Jersey to that of this province. In the fifteen years during which William Bull was to hold the office of Lieutenant Governor he was repeatedly to be left to an administration involved in difficulty. By his judicious conduct, securing the confidence of his fellow-citizens, he was repeatedly to restore order and good will in the province. The fifth and last time it was too late, though it has been supposed by some that had he been invested with supreme power in the province at the crisis of American affairs there might have been no revolution in South Carolina.⁴

¹ Thomas Pownal had previously held at the same time the commission of Lieutenant Governor of New Jersey and that of Governor of Massachusetts, and had, in 1757, attempted to govern both provinces at once, but this he found impracticable. He afterward was a member of Parliament and zealously advocated the cause of the colonies. Hildreth’s Hist. of the U. S., vol. II, 474–476, 539, 540, 549–552.
² So. Ca. Gazette, April 7, 1760.
³ Council Journal, April 16, 1760.
⁴ Johnson’s Traditions, 61.
and several gentlemen of fortune formed themselves into a company of volunteers and joined it.

Colonel Montgomery in a few weeks marched to the Congarees, where he was joined by the militia and volunteers, and immediately set out for the Cherokee country. He marched with great expedition, and his vengeance was summary. The towns and villages occupying the beautiful valley of the Keowee were reduced to ashes, their magazines of corn consumed, some sixty to eighty slain, and forty, chiefly women and children, made prisoners.¹ These settlements occupied the territory of the present counties of Anderson, Pickens, and Oconee in South Carolina, and Cherokee and Macon in North Carolina.

Unfortunately Colonel Montgomery's orders did not permit him to remain and secure the fruits of his expedition. These he was compelled to abandon and to return to Charleston, and in August he embarked for New York, but left four of his companies to cover the frontier. Montgomery's retreat sealed the doom of Fort Loudon on the Tennessee, which had been established by Governor Glen, and its garrison of two hundred men under Captain Demere. Famished with hunger, they capitulated and were allowed to march forth to return to Carolina. On the very next day they were surrounded. Demere the commander, three other officers, and twenty-three privates,—the exact number of hostages Governor Lyttleton had detained in custody, and who were slain by the soldiers,—were killed. The rest were distributed as captives among the tribe. And now occurred a most interesting incident in which Attakullakulla proved his fidelity and preserved the life of his friend Captain Stuart. This officer who had been second in command to Captain Demere—an officer of great sagacity and address, and much beloved by

¹ Letter of James Grant, So. Ca. Gazette, June 7, 1760.
body of Cherokees posted upon a hill. An alarm was
given. Immediately the savages rushing down began to
fire on the advanced guard, but this being well supported
repulsed them. Colonel Grant ordered a party to drive
the enemy from the hills. The engagement became gen-
eral and was fought on both sides with great bravery.
The situation of the troops was in several respects unfor-
tunate and trying; fatigued by a tedious march in rainy
weather, galled by the scattering fire of savages who when
pressed fell back but rallied again and again. From eight
o’clock in the morning until eleven the Indians continued
to keep up an irregular and incessant fire—sometimes from
one place, sometimes from another; but at length they gave
way and were pursued.

The army proceeded to attack a large Indian town
which they reached about midnight and reduced to ashes.
Every other town in the middle settlements shared the
same fate. Their magazines and cornfields were like-
wise destroyed, and the unhappy Indians who had been
treacherously goaded into the war were driven to seek
shelter and provisions among the barren mountains—their
fields destroyed, their villages burned, their women and
children and old men left to perish.

Colonel Grant continued for thirty days in the heart of
the Cherokee territories. Upon his return to Fort Prince
George his men were so much exhausted in strength and
spirits they were unable to march any further. He there-
fore encamped at that place to refresh his army and wait
the result of the heavy chastisement he had inflicted upon
the Cherokees.

Soon after Colonel Grant’s arrival at Fort Prince
George, Attakullakulla again came to his camp and sued
for peace. Colonel Grant furnished him, and several
chieftains who accompanied him, with a safe guard to
pleased to promote him, had prompted him to waive making use of his Majesty’s permission to go to Europe, however detrimental this resolution might be to his private affairs.¹

Governor Boone arrived in Charlestown on the 22d of December, 1761, and was received with honors. He seems to have made many warm friends during his brief career in New Jersey — a popularity which was attributed to his genial manners and supposed honesty of purpose rather than to his bearing and ability as a chief magistrate. Returning to the colony in which he had previously lived, with a reputation gained in New Jersey, added to the predisposition of the people to welcome to the government one whose practical experience they believed would fit him the better to understand their situation and appreciate their needs, the South Carolinians turned out to do honor to their new Governor. The Charlestown militia regiment was drawn up in Broad Street and Captain Gadsden’s artillery was stationed at Granville’s Bastion. The forts and all the vessels in the harbor displayed their colors, and salutes of artillery were fired as he landed. He was met upon landing by two members of the Council, and passing through the two lines of troops he attended at once the Council Chamber where his commission was opened and read. Thence he proceeded to Granville’s Bastion where his commission was read a second time and the artillery again saluted him. Then he made a formal visit to the Lieutenant Governor, who was confined by illness to his bed. After this his Excellency dined with his Majesty’s Council at Poinsett’s Tavern where an elegant entertainment had been prepared. In their addresses of welcome the Council and Commons both refer to his well-

known character of uprightness and ability, and ninety gentlemen join in an address expressing their great satisfaction at his appointment, and declaring that if it had been left to them to choose they knew of no gentleman whom they would have preferred for their Governor.¹

It was under such auspicious circumstances that Governor Boone entered upon the administration of his office in South Carolina. The doubtful situation which had induced him to forego his trip to Europe had been relieved before his arrival. Lieutenant Governor Bull’s treaty with Attakullakulla had put an end to the Indian difficulties, at least for the present; and the colony was in the happy and prosperous condition in which Governor Lyttleton had supposed it to be when receiving the flattering addresses upon his return from his military expedition. But these pleasing prospects were soon to be dispelled by the action of the Governor himself, whose conduct, belying all the fair hopes entertained for his administration, was to tend to wean the people from the Royal government and to prepare the way for resistance to its acts and ultimately to its overthrow.

It will be recollected that the Revolution of 1719, whereby the Proprietary government had been overthrown and the Royal government established, was brought about in a great measure by the refusal of the Proprietors to allow the act of 1716, whereby a reform had been made in the previous election system, and voting precincts established in every parish, the conduct of the elections being intrusted to the church wardens. Under Governor Nicholson’s administration in 1721 the act had been carefully revised and another passed, settling the manner and form of electing members of the House of Commons, pro-

viding the qualifications of the electors, the manner of voting, empowering the church wardens to manage the elections, providing the number of representatives to be chosen and fixing their qualifications. This act had been from time to time further amended, principally in regard to the qualifications of representatives. The Assembly sitting when Governor Boone arrived had been elected under the provisions of these acts. On the 25th of December, three days after his arrival, his Excellency issued a proclamation announcing that his Majesty had been pleased with the advice of his Council to declare his disallowance of certain acts, one of them, that of 1759, amending the election law of 1721, — which amendments related only to the qualifications of representatives, — and that as the present Assembly had been chosen under the act of 1759, thus disallowed and repealed, he dissolved it and issued writs for a new election.

The new Assembly met on the 22d of February and adjourned for three weeks. Upon its reassembling, on the 19th of March, 1762, the Governor sent for the Commons. He said that having had occasion lately to examine the election act of 1721 he had found it so loose and general, so little obligatory in prescribing the forms to be observed on various occasions that might happen, that he thought a new law absolutely necessary. He then went into a dissertation upon the subject, and in order that the endeavor of the Commons might not be fruitless he undertook to state to them the reason which had determined the Lords Commissioners of Trade and Plantations to disallow the act of 1759. The act of 1721 was no doubt a subject of sentiment and pride to the colonists. It was the embodiment of the law for which they had revolted against the Proprietors in 1719 and which had

1 Statutes of So. Ca., vol. III, 135–592; IV, 98.
family; but the Governor refused to administer the oath to Mr. Gadsden and summoned the whole Assembly to meet him in his Council Chamber. He then objected to Mr. Gadsden's election because the church wardens had not been sworn for that particular election. It appeared, however, that the church wardens had taken an oath when elected to that office that they would duly execute the duties pertaining to it, of which duties the holding of such elections was a part. It was claimed too that wherever a representative body is known to the law it is invariably the final judge of the qualification of its members, and that in this instance the House had approved Mr. Gadsden's election. The Governor, however, not only refused to admit Mr. Gadsden's election, but dissolved the House of Assembly for their contumacy.

The technical point raised by the Governor was certainly not without force. The provision of the act of 1721 required that the church wardens—or in case there should be wanting church wardens in any parish, the persons named in the writs to manage an election—should execute the writs faithfully, "to which every such person shall be sworn by any one justice of the peace for the county," etc. Under this provision it seems quite clear that the church wardens were to be specially sworn to the discharge of these specific duties, which did not in fact pertain to their duties as church wardens, but were civil duties superadded by special legislation. But the act of 1721 had been in quiet and successful operation for forty years and the continued practice under it had sanctioned the custom; and even if the Governor was technically right, it was no part of his duty to stir up the matter, least of all in the way in which he did. His subsequent conduct induces the suspicion that he was rather on the alert for a cause of quarrel, especially with Mr. Gadsden.
George and thereby abandoning the back settlers to the Indians. (4) The public credit must suffer, and (5) involve the province in difficulties and reduce individuals to a state of misery because the Commons happen to be displeased with his Excellency’s conduct. These grounds upon which Mr. Wragg acted were certainly strong and sensible, however much cause there was for just irritation at the Governor’s conduct. But Mr. Gadsden took up the controversy and replied in a communication taking up seven and a half columns in the Gazette, which would fill a pamphlet of fifty pages of three hundred words each. This brought on also another controversy between Mr. Laurens and himself in regard to the matter; and the war waged until a subscriber worn out with it writes to the editor that the Gazette of the 15th of February had come to his hands that day; but that instead of being entertained with the weekly occurrences which he had always understood to be the end of that paper, he found himself engaged in reading a long and unintelligible controversy concerning a late unhappy dispute. He goes on to say that if a further vindication of the proceedings in that matter was deemed necessary, he sincerely wished that some impartial and judicious person had undertaken the task.¹ The writer is very severe upon Mr. Gadsden’s style, which certainly was not calculated to elucidate the subject, nor indeed was anything more necessary to a clear understanding of it than the able report and resolutions of the committee adopted by the House on the one hand and Mr. Wragg’s clear and concise objections to the course pursued on the other.

South Carolina as we have seen, as well as the other provinces, had had agents in London for the purpose of

¹ So. Ca. Gazette, March 8, 1763.
representing the interests of the colony and of presenting to the proper departments of the British government any communications that they might be instructed to make to the colonial department and to the agents of the other colonies resident in London, and to execute any other instructions that might be intrusted to them. This agency, as we have before observed, was certainly a singular institution. We have seen the confusion which was created and the evils which arose under the Proprietary government by reason of the various agencies, regular and irregular, which existed in the last days of that rule. There was now, however, but one agent, Mr. Charles Garth, who had been a member of Parliament, and who was regularly constituted and appointed by act of the 19th of May, 1762, in the language of the statute "to solicit and transact the affairs of the province in Great Britain."¹ But this agent, while nominally the agent of the province, and so it might be supposed an officer under the Governor and Council, was in practice strictly the agent of the Commons' House, and through him this body by a committee of correspondence kept up a regular channel of communication with the government at home entirely independent of the Governor. And though these communications had—until Governor Boone's interference with one of them—passed through the Governor's hands with his mail, he was, or was supposed to be, in ignorance of their contents. Governor Boone's conduct interrupted this channel of communication. Upon one occasion he broke the seal of a communication from Mr. Garth and sent the letter to the House with an abrupt message; this was considered as a breach alike of propriety and confidence, and no more letters from Mr. Garth came through him. It is difficult to conceive an insti-

¹ Statutes of So. Ca., vol. IV, 104.
tution more calculated to excite distrust and suspicion and to produce complications between the executive and legislative departments of a government. It was of course resorted to upon this occasion. All the communications relating to the dispute with the Governor were sent by the committee to Mr. Garth, who was instructed to print them and to submit the whole dispute to the Ministry. The Assembly also adopted an address to his Majesty, setting out their unhappy difficulties with the Governor, maintaining that his assumed power of interfering in their popular election would not only violate the charter of the province under which they were prospering and happy, but would be destructive of their personal rights as British subjects. It is curious to observe how pertinaciously the colonists clung to the charter of the Proprietors, as still in force as far as their rights were concerned, though the government under it had been overthrown and the charter itself surrendered. This address was also forwarded to Mr. Garth and presented by him at a meeting of the British Ministry and by them referred to the Board of Trade and Plantations. The proceedings were also published by order of the House in both the *Gazettes* of the province.

The House meanwhile adhered to their resolution of having nothing to do with the Governor, laid all his messages and recommendations on the table, refused to pass a tax bill or to appropriate money for the salaries of the Governor or of officers, not even for their faithful agent, Mr. Garth. But there was one matter in which they could not carry out their theory of absolute non-intercourse, and that was in the qualification of new members, as the custom had always been that the Governor should administer the State oaths; and it happened at this time that Sir John Colleton had been elected to fill a vacancy.
by which Carolina received a great acquisition.\footnote{Hewatt's Hist. of So. Ca., vol. II, 269-272. Ramsay follows Hewatt verbatim, Hist. of So. Ca., vol. I, 17-19.} One Stumpel, a Prussian officer, induced some five hundred or six hundred Germans, Palatines as they were called, to leave their native country under certain promises which he had, or conceived that he had, from the British government. He was unable to carry out his scheme, and having got these poor people as far as England he fled, leaving them without money or friends exposed in the open fields ready to perish through want. A bounty of £300 was allowed them, and they were assisted by public-spirited citizens of London in their transportation to South Carolina. Two ships of two hundred tons each were provided for their accommodation, and provisions of all kinds laid in for the voyage, and one hundred and fifty stand of arms given them for their defence after their arrival in America. Everything being ready for their embarkation, the Palatines broke up their camp and proceeded to the ships, attended by several of their benefactors, of whom they took leave with songs of praise to God in their mouths and tears of gratitude in their eyes. They arrived at Charlestown in April, 1764, and presented a letter to Governor Boone from the Lords Commissioners of Trade and Plantations, informing him that his Majesty had been pleased to take the poor Palatines under his Royal protection, and as many of them were versed in the culture of silk and vines, had ordered that a settlement be provided for them in Carolina in a situation most proper for their purposes. Governor Boone could do nothing, but as soon as he left the Assembly voted £500 sterling toward their settlement to be distributed according to the directions of the Lieutenant Governor. That they might be settled in a body, a township called Londonderry was
were laid out as early as April, 1765. Vineyard lots, containing four acres each, were likewise granted and laid out adjacent to the limits of the town, and about the same time parcels of land of 100 acres each were given as bounties to each male and female adult. All these grants lay in Hillsborough township, at that time the only civil jurisdiction in this part of the province, a section of country about ten miles square lying on both sides of Little River and extending westwardly to the Savannah. In February, 1765, the emigrants had erected their houses and commenced to labor on their half-acre lots. The exposed condition of the little community rendered it doubtless alert on every rumor of invasion by the Indians. From the town to the mountains spread out an extensive tract of country through which the Indians in the few years preceding, as we have seen, had passed in their inroads upon the settlements below. From the remoteness of the white settlements the colony was naturally kept in constant apprehension of attack. The nearest neighbors were the small colony planted in 1756 by Patrick Calhoun which, as we have seen, suffered so severely by the Indians in 1760. Upon a rumor of hostilities Patrick Calhoun had just raised the company mentioned of which he was commissioned captain, serving however without pay.\(^1\) Mr. Calhoun for some time supplied these people with provisions, for which he was afterward repaid by the Council. They were a pious and simple people among whom there were few idlers. With the hum of cheerful voices and the busy sounds of industry was mingled the once interdicted psalm. It was the intention of the promoter of this immigration to establish the culture of wine and silk, but, finding these less successful than was anticipated, they devoted themselves

\(^1\) *So. Ca. Gazette*, October 8, 1764.
lins Lowndes, Isaac Mazck, Thomas Bee, Christopher Gadsden, William Scott, John Rutledge, Eben Simons, William Roper. But it was Christopher Gadsden who took the leading part in this controversy, not only because of the accidental connection with it which Governor Boone's unwarranted interference with his election gave him; but because of his own individual character and ability—a leading part which he was to maintain throughout the struggle which was to follow. Some account of him, therefore, will be appropriate here in the commencement of the story.

Christopher Gadsden was born in Charlestown in 1724. His father was Thomas Gadsden, a Lieutenant in the Royal Navy and the King's Collector of the port of Charlestown. Sent to England he received a classical education to which he added a knowledge of some of the Oriental languages. Returning from England as a passenger on board a King's ship the purser died, and Mr. Gadsden was appointed to take his place, which he held for two years. He then left the service and devoted himself with great success to a mercantile life, and like many other merchants of his time was also a planter. When Governor Lyttleton made his expedition against the Cherokees in 1759, there was not a single field-piece mounted in all Carolina. Mr. Gadsden, who was a member of the legislature, obtained the passage of an act for raising a company of artillery. He was appointed Captain, and, as we have seen, accompanied Governor Lyttleton upon his expedition. He was Colonel of the first regiment raised by the Provincial Congress in 1775, and became Brigadier General in the Continental service, but he could not stand the restraints of a military life and resigned.

An aristocrat by birth and surroundings, Christopher Gadsden was at heart a democrat, or, more strictly speak-
on the want of a proper description. It was trover pro uno Æthiopé vocat negro without saying slave, and the being negro did not necessarily imply slave. The reason said at the bar to have been given by Lord Chief Justice Holt in that case as the cause of his doubt, viz. that the moment a slave sets foot in England he becomes free has no weight with it, nor can any reason be found why they should not be equally so when they set foot in Jamaica or any other English plantation. All our colonies are subject to the laws of England, although as to some purposes they have laws of their own."

Until the decision in the "Somerset case" slavery was thus recognized as legally existing by every branch of the government of England, as well in England itself as in the colonies. It was so recognized by the King and his ministers by Parliament and by the courts. In that decision Lord Mansfield and his Court of King's Bench undertook to do what Lord Hardwicke had declared could not be done—to declare one law for England and another for the colonies.

The government of England, with the sanction of the Church, was thus forcing upon Carolina and the other colonies an institution which with pharisaic zeal it was declaring itself too righteous to tolerate at home—an institution which from its very nature must incorporate itself with the political and social system of the country, and become so interwoven with its structure as to be eradicated only when in fulness of time its continuance must end by revolution, war, and desolation.¹

The great demand for negro labor was due to the enormous returns obtained in the cultivation of rice and indigo. Rice was then still grown in inland swamps. The modern tide-swamp rice plantation, with its fully developed system of irrigation, threshing implements, and

constantly employed in transporting its bulky commodities." A London paper, quoted by the Gazette of the 11th of April, 1768, states that the trade of the American colonies during this year was estimated at £3,000,000 sterling, including the freight on the ships, commission to the merchants, and all other charges paid by the planters. South Carolina alone contributed, probably, one-sixth of this amount.

The value of this trade to England was enormous. Indeed, it was estimated that of the net proceeds the planters and producers themselves did not realize more than £1,500,000, so the English merchants for the transportation and vending of the products of the colonies got at least half of all the planters and producers made. More than this, the commodities imported into England under the navigation laws, which compelled the products of the colonies to be shipped into England, wheresoever ultimately destined, to be again exported, added immensely to the trade.¹ The exports of rice continued to increase. From the 10th of October, 1768, to the 24th of August, 1769, there were shipped 116,715 barrels, and from the 1st of November, 1770, to the 10th of October, 1771, 130,500 barrels.²

We have been able to find no estimate of the value of the imports into Carolina; but this was very great. Governor Glen in 1749 was unable to answer definitely the inquiries of the Lords of Trade upon this point. In general it may be said, he reported, that the quantity of British manufactures annually consumed by the inhabitants of the province seemed to be too great, and the sort of goods brought from thence too fine, and ill calculated

¹ So. Ca. Gazette, June 6, 1768.
² See Table of Exports of Rice from 1730 to 1770 in Year Book City of Charleston (Mayor Courtenay), 1880, 245-247.
number of houses in Charlestown on the 30th of November, 1770, as 1292, its population 5080 whites and 5883 blacks,—domestic servants and mechanics,—in all 10,863. De Brahm reports three years after that "the city of Charlestown is in every respect the most eminent and by far the richest city in the Southern District of North America; it contains about 1500, and most of them big houses, arrayed by straight, broad, and regular streets; the principal of them is seventy-two foot wide, call'd Broad Street, is decorated, besides many fine houses, with a State house near in the centre of said street, constructed to contain two rooms, one for the Governor and Council, th' other for the Representatives of the people, the Secretary's office, and a Court room; opposite the State House is the Armory-house, item St. Michael's Church, whose steeple is 192 foot high, and seen by vessels at sea before they make any land; also with a new Exchange on the east end of said street upon the bay; all four buildings have been rais'd since the year 1752, and no expence spared to make them solide, convenient, and elegant.

"The city is inhabited by above 12,000 souls, more than half are Negroes and Mulattoes; the city is divided in two parishes, has two churches, St. Michaels and St. Philips, and six meeting-houses, vid, an Independent, a Presbyterian, a French, a German, and two Baptists. There is also an assembly for Quakers, and another for Jews, all which are composed of several nations, altho differencing in religious principles and even in the knowledge of salvation yet are far from being encouraged or even inclining to that disorder which is so common among men of contrary religious sentiments in many other parts of the world where that pernicious spirit of controversy has laid foundation to hatred, persecution, and cruel inquisition in lieu of ascertaining
thereby how to live a godly life. A society of men (which in religion, government, and negotiation avoids whatever can disturb peace and quietness) will always grow and prosper; so will this City and Province whose inhabitants was from its beginning renound for concord, compleasance, courteoushness, and tenderness toward each other, and more so toward foreigners, without regard or respect for nation or religion."

Of the Carolina stable commodities he says rice is the principal, which is brought there to the highest perfection, and as such is known in all the European and American markets. The annual export "amounts to above 100,000 barrils, of which two contains 1100 wight, so that the whole makes out above 55 million wight of neat rice, worth in Carolina £275,000 sterling, next to which is indigo, whose exportation comprehends no less than 600,000 wight, worth in Carolina £150,000 sterling, and the whole annual exportation may be valued £637,000 sterling. Above 300 topsail, besides small vessels, do yearly enter and clear out of this port, charged with the products and manufacturys of the province, for the North American and West Indian markets, but chiefly for Holland, the Mediterranean, and Portugal." 1

Josiah Quincy, who visited in Charlestown about the same time as this report, i.e. in March, 1773, corroborates De Brahm’s estimate of its elegance and commerce.

1 Documents connected with So. Ca., 199, 200. See also Short Description of the Province of So. Ca., etc., 1763; Carroll’s Coll., vol. II, 487 Hildreth gives the trade between Great Britain and all the colonies for the year 1770, which he says was the average for the last ten years, at but £1,014,726 exports and £1,925,570 imports; that of the Carolinas—without distinction between the two—at £278,097 exports and £146,272 imports. There are great discrepancies between his figures and those in the text; but those in the text are contemporaneous, and must be accepted as true. Hildreth’s Hist. of the U. S., vol. II, 559.
that there were then no less than twelve Carolina built ships constantly employed in the trade between the port of Charlestown and Europe.

De Brahm says that the cattle had so increased in the province that all pains would prove in vain to number them. The province was rather overstocked, and, in order to make room for the immense increase, great herds had been driven into the neighboring province of Georgia, there spread between the Savannah and Ogeechee streams since 1757, and there kept in gangs under the auspices of cow-pen keepers who move (like unto the ancient patriarchs or the modern Bedouins in Arabia) from forest to forest as the grass wears out or the planters approach them. The cow-pen keepers determined the number of their stocks by the number of their calves which they marked every spring and fall: if one marked 300 calves per annum, he reckoned his stock to consist of 400 heifers, 500 cows, and 300 steers, in all 1500 heads besides horses; this proves, he observes, that not even a cow keeper knows the true number of his own cattle. If they sell a stock of 300 heads, they allow 124 cows, 80 steers, including the bulls, 90 heifers, and 6 horses, which they sell for £300 sterling, and deliver them gratis on the other side of one, two, or three navigable rivers, according as the cow keeper is in want of selling.

The production of both rice and indigo had increased from the time De Brahm wrote to the breaking out of the Revolution. For the year 1770–73 the rice crop had averaged 127,476 barrels, some of which had sold as high as 80 shillings currency, or 10s. 6d. sterling the hundredweight. Dr. Ramsay states that at the beginning of the Revolution the average quantity annually exported was about 142,000 barrels.¹ The indigo crop had increased

¹ Ramsay's Hist. of So. Ca., vol. II, 205.
CHAPTER XXI

Merchandise and trade were the foundation stones of most, if not all, the great fortunes in South Carolina. Beginning with the barter of hatchets, beads, and brightly colored cloths for Indian peltry, the earliest settlers soon took to selling Indian captives from Carolina to the West Indies, and buying thence in return negro slaves better adapted to labor and agriculture. From the exchange of Indian captives for negro slaves, they went on to exchange lumber and staves, pitch and tar, for sugar and rum. To England they sent the skins of wild animals, and in exchange received clothing and domestic utensils. Then rice and indigo were grown and exchanged for all the manufactures of England. The proceeds of this trade all went into lands and negroes.

Very few of the Landgraves and Caciques retained their baronies. During the administration of Lieutenant Governor Broughton many of the leading men acquired large possessions, without many scruples, it was said, as to the manner in which they were obtained; but the bulk of the property, in the lower part of the province at least, had changed hands, and was held by those who had purchased with money earned in trade. So in the newspaper controversy in 1769 over the non-importation agreement, in which a writer taunts the merchants with acting entirely with regard to their own selfish interest, another writer, a merchant, retorts that many gentlemen of the first consequence and character in the province began to make their
estates in a mercantile way, and by degrees became great planters. The great trade which had now grown up with the exportation of rice and indigo, and the importation from England of manufactures of all kinds, not only for the growing colony, with its large slave population to be clothed, but for the Indians, the trade with whom was now opened to the Mississippi, and who took a vast amount of blankets and cloths, guns and ammunition,—and alas, of rum,—acquired for its conduct a large mercantile class. The merchants of Charlestown were mostly Scotchmen, and many of these returned to Scotland or held aloof when the Revolution began. The most prominent of the merchants during the period immediately preceding the Revolution appear to have been Isaac Mazyck, Gabriel Manigault, Henry Laurens, Benjamin Smith, Miles Brewton, and Andrew Rutledge. The first three, it will be observed, were Huguenots. Short sketches of them will not be without interest in view of the prominent part they took in the affairs of the province at this time.

Isaac Mazyck was descended from an ancient and respectable family, originally of Liège, Belgium, but which upon the revocation of the Edict of Nantes, was settled on the Isle de Ré, near Rochelle, in France. His father, Isaac Mazyck, whose mercantile operations were probably the first to entitle one to the name of merchant in Charleston, had left his native country, his relatives, friends, estates, and all that was dear to him, and had fled from persecution to a strange land; and upon his arrival in Carolina had thus recorded his devout thankfulness in his family Bible: "God gave me the blessing of coming out of France and escaping the cruel persecutions carried on against the Protestants; and to express my thankfulness

Assistant Judge and sat as such for many years, and was also one of the church commissioners under the act of 1706.

Gabriel Manigault, another Huguenot, was the richest merchant during the colonial period of Carolina. Indeed, it is believed he was the richest man in all the colonies. He was the son of Judith Manigault, whose letter telling of the hardships of the Huguenot emigrants upon their arrival in the province we have quoted in our former work. This letter breathes the same religious joy for deliverance from the Old World and hope in the New as that recorded by Isaac Mazyck in his Bible. “Let it suffice,” she concludes, “that God has had compassion on me and changed my fate to a more happy one, for which glory be unto him.” God had indeed blessed her pilgrimage, for now her son was perhaps the wealthiest man in all America. In the time of his prosperity he had remembered those of adversity through which his parents had gone on their arrival in this country, and was liberal in his assistance to the newly arrived Huguenots. We find him in 1753 advancing £3500 to the use of poor French Protestants coming from Europe to settle in the province. He had been quite an earnest mover in the early stages of the Revolution; and when no man was certain how it would end, he was able to aid the asylum of his persecuted parents with a loan of $220,000. His investments of surplus income were in rice and slaves, and for many years preceding his death, although carrying on his business house, he spent much of his time on his plantation. He was a planter as well as a merchant, and owned negroes; but though he had many solicitations to engage in the slave trade, which was preëminently lucrative, he declined

1 *Hist. of So. Ca. under Prop. Gov.* (McCrady), 320.
2 *Statutes of So. Ca.*, vol. IV, 5.
merchandise. He also amassed a fortune far exceeding what was common in America. In the controversies between the colonists and the Crown he sympathized with the people in opposition to the acts of the ministry, but was opposed to all violent measures. In 1765 he was suspected of having the obnoxious stamps in his possession, and was most roughly treated by a mob on account of it; and though called to preside at times at the non-importation meetings in 1769-70, he was for peace and reconciliation with the government. Having lost his wife, he gave up his business in 1771 and went to Europe to superintend the education of his sons. But however desirous of peace, he had no doubt as to the side he was to take in the open rupture between his people at home and the British government. He was one of the thirty-nine native Americans in London to petition the British government not to pass the Boston Port bill in 1774. His utmost exertions were made to prevent the war; but finding that nothing short of the most degrading submission on the part of the colonies would prevent it, as he conceived, he returned to Carolina and took part with his countrymen. He did not, however, approve of the Declaration of Independence when it was promulgated. Indeed, he has left on record that he wept when he heard it read. He was nevertheless President of the Council of Safety of South Carolina from the time of the abandonment of the government by Lord William Campbell in 1775 until the establishment of the government under the temporary constitution of 1776, and was then sent to the Continental Congress, and soon after became the President of that body, and thus the official head of the united colonies. As such, to him was addressed the communication of the British commissioners sent to America in 1778 to submit the conciliatory measures of the government. One of these,
town; indeed, Moultrie tells in his Memoirs that Mr. Edwards was so much affected at the proposition as to shed tears.

When the British took the city in 1780 Admiral Arbuthnot occupied a part of Mr. Edwards's mansion, and one day offered him any reward he wished if he would join the British; but this offer was indignantly refused; and Mr. Edwards was soon after sent among the exiles to St. Augustine. He never returned home, but died at Philadelphia, to which city the exiles had been removed from St. Augustine.

The merchants of Charlestown had established a chamber of commerce as early as 1774, for in that year we shall see the body appealed to by the Commons' House of Assembly to sustain the credit of certificates of indebtedness issued by that body, thus to furnish a currency in the province, — a measure which the chamber approved, and which with its assistance was carried out. The next year, i.e. 1775, we shall see the body attempting to control the election of delegates to the Continental Congress, and in Well's Register and Almanac for this year, 1775, the charges on protested bills of exchange are printed as the action of the chamber.¹

Following the Indian traders, as the country became more settled, merchants began to establish themselves at the head of the navigable rivers. Among the earliest of these were the Kershaws. About the year 1755 three brothers, Joseph, William, and Eli Kershaw, came out from Great Britain to South Carolina, bringing with them considerable funds. In the year 1758 Joseph Kershaw settled at a place then called "Pine Tree," on the east side of the Wateree, at the head of navigation. John

¹ See autographs of the members of this body in 1774. Year Book City of Charleston (Courtenay, Mayor), 1883, 421.
merchants were prospering. It mattered not to them that Great Britain maintained a monopoly of their trade; that they could only ship their rice and indigo to England or to the south of Cape Finisterre. It mattered not to them that they could only do this in British bottoms; as it was, they were prospering and growing rich. No such number of vessels were seen in any other harbor in the colonies. Why then should they, the merchants of Charlestown, against their interest, join the merchants in Boston who were contending only for their own? Unlike the young lawyers returning from England, they had no political ambition to gratify. But whatever the cause, the fact is that the merchants of Charlestown generally were opposed to the Revolution, and so, as a class, were the traders in the upper country.
CHAPTER XXII

The first professional men to arrive in Carolina, of whom we have any certain knowledge, were physicians. In one of the vessels which sailed under Joseph West in 1669 came Dr. William Scrivener, deputy for Lord John Berkeley. The cost of his chirurgeon's chest and other instruments was £30. He took quite an active part in the affairs of the infant colony. 1 With the romantic story of Dr. Henry Woodward, the readers of the History of South Carolina under the Government of the Proprietors are familiar. 2 About the year 1685 Anthony Cordes, un médecin, reached the province. He came out with the French Protestants, and settled with them on the Cooper River, where he died in 1712. 3 In 1686 we find Dr. Christopher Dominick made a Cacique with a grant of twelve thousand acres from the Lords Proprietors; 4 and in 1698 Dr. Charles Burnham was one of a committee of the Assembly which reported against the legislative power of the Landgraves and Caciques 5 as an order. When the Yamassee rose in 1716 a Dr. Rose fell into their hands and was tomahawked and scalped, and left for dead, but happily recovered. 6

The prominence of physicians in the early political affairs of the province under the Proprietary government

2 Ibid., 83, 90, 91–122, 137–177, 346.
3 Ibid., 237.
4 Ibid., 718.
5 Ibid., 298.
413
may probably be explained by the absence of the members of the other learned secular profession. For, as we have seen, it is not known that there was a single lawyer in the province before the advent of Nicholas Trott in 1698. The physicians being probably the most educated and intelligent of the colonists at the time were naturally drawn into public affairs.

Soon after the establishment of the Royal government several physicians of learning and ability came into the province, and made for themselves reputations which remain in the memory of their profession to this day. The first of these to arrive was Dr. John Moultrie, of whom we have already spoken, who practised until his death in 1771, and who was at the head of the profession in the colony. Next came Dr. John Rutledge, also before mentioned. Little is known of Dr. Rutledge’s practice except that it was successful. The only mention of him we have been able to find is his appointment as surgeon of the First Regiment of Militia, organized by Lieutenant Governor Bull — the first — in 1738 upon an alarm of invasion by the Spaniards. He died early and is best known to history as the father of the illustrious trio of sons, — John, Hugh, and Edward.

Dr. John Lining, another Scotch physician, arrived in Carolina two years after Dr. Moultrie. For nearly thirty years he successfully practised medicine in Charlestown, and was reckoned one of its most skilful physicians. His fame, however, was much more extensive than his practice. The latter was necessarily confined to the vicinity of his residence, but his medical writings, his statical experiments and meteorological observations, which were published in the transactions of the Royal Society of London, procured for him a large portion of fame in Europe. His

1 Ante, 141.  2 Ibid.  3 So. Ca. Gazette, November 2, 1738.
stational experiments were the only ones made to any extent in America during the eighteenth century; and his meteorological observations commencing as early as 1738 were the first made in Carolina, and as far as is known the first made in the British colonies. He was one of the first experimenters in the novel subject of electricity, about which he corresponded with Dr. Franklin soon after his discoveries. He also, in the year 1758, published an accurate history of the yellow fever, which was the first that had been given to the public from the American Continent.¹

Lionel Chalmers, still another Scotch Physician, was probably the next to arrive. He was born in Cambleton in the west of Scotland and came very young to Carolina, and here practised physic for more than forty years. He first practised in Christ Church Parish, but soon removed to Charlestown. He made and recorded observations on the weather for ten successive years, that is, from 1750 to 1760. He furnished a particular account of the opisthotonos and tetanus which was communicated to the Medical Society in London in the year 1754 and afterward published in the first volumes of their transactions. He also prepared for the press an account of the weather and diseases of South Carolina, which was published in London in 1776; but his most valuable work was an essay on fevers in the year 1776. In this, says Dr. Ramsay, he unfolded the outlines of the spasmodic theory of fevers. He died in 1777, leaving behind him the character of a skilful, humane physician and worthy, honest man.²

But the most famous physician of colonial times was

¹ Ramsay's Hist. of So. Ca., vol. II, 111, 481.
² Ibid., 112, 451. Dr. Chalmers's grave is marked by a stone slab just east of the chancel of St. Philip's Church.
Dr. Alexander Garden. He was born in Scotland about the year 1728, and was the son of the Rev. Alexander Garden of the parish of Birse, in the shire of Aberdeen, a clergyman of high respectability who, during the rebellion of 1745, was distinguished by his exertions in favor of the family of Hanover and still more so by his humane interposition in behalf of the followers of the house of Stuart after their defeat at Culloden. Dr. Garden received his philosophical and classical education in the University of Aberdeen at the Mareschal College there. He received his first medical education under the celebrated Dr. John Gregory, and studied also a twelvemonth in Edinburgh. He arrived in South Carolina about the middle of the eighteenth century and began the practice of medicine in Prince William's Parish in connection with Dr. Rose. Here he began his botanical studies; but having lost his health he was obliged to take a voyage to the North for its recovery. On his return he settled in Charlestown and continued to practise medicine there for about thirty years. He was well acquainted with the Latin and Greek classics and was a considerable proficient in the knowledge of belles-lettres, in mathematics, philosophy, history, and miscellaneous literature; but his attention when the duties of his profession permitted any relaxation was chiefly directed to the study of natural history and particularly to that of botany. Upon these subjects he made sundry communications to his philosophical friends in Europe. Linnaeus, the greatest botanist of his age, was among these and gave the name of Gardenia to a most beautiful flowering shrub. To extend his knowledge in natural history Dr. Garden accompanied Governor James Glen in 1752, when he penetrated into the Indian country and made the treaty with the Cherokees. In 1764 he gave to the public an account of the virtues of pink root
before Dr. Bull. And in some confirmation of this, his having chosen that profession, we find the Landgrave, who died in 1694, bequeathing to his son George "all of my instruments that belong to chirurgery, and one-half of all my medicines and one-half of all my books," etc. From which, by the way, Mr. Landgrave himself must have been provided in a medical way. But it now appears that George Smith was not born in South Carolina, if his age is correctly given, as his father did not come into the province until 1687. We have no account of Dr. Smith's practice — if indeed he did practise. In the year 1734 William Bull was graduated at Leyden, as we have before mentioned. Unless it be that George Smith was born in South Carolina, William Bull was not only the first native South Carolinian, but the first native American who received the degree of Doctor of Medicine.¹ He was a pupil of Boerhaave, one of the most celebrated physicians of his time. He defended, we are told, his thesis De Colica Pictorum before the University. He does not, however, appear to have practised his profession at all, but to have devoted himself to public affairs, in which we have already seen and shall see much more of him in the course of this history. But with his abilities, his gentle, kindly, yet firm disposition, and his remarkable tact, he must have succeeded in the practice of medicine had circumstances not called him into public life. Indeed, Ramsay tells us that he is quoted by Van Swieten as his fellow-student with the title of the learned Dr. Bull.

Dr. John Moultrie, son of the Dr. John Moultrie above mentioned, was the next South Carolinian who received a

¹ Dr. Toner, Publication of the Bureau of Education (U. S.), 1874.
the practice, seldom touching the medical question; until, on the 7th of September, Mr. Timothy was obliged to insert this notice:

"Two Letters, one signed Laicus and the other Philiremus are come to hand; but as there is a fresh supply of Foreign news and the generality of my customers shew a dislike to have any more of inoculation in the Gazette, the letter of Laicus will be published next week by itself and may then be had of the printer hereof."

From one of these papers we get, however, this piece of information: that about 160 white persons and 200 negroes, near 400 in all, were inoculated up to the 20th of July, and that not a single one of all the white persons who had taken the distemper by inoculation had died under it up to the 6th of July. After that date two children that were inoculated died, and two white adults; but the latter, it was insisted, had taken the disease before the treatment. It does not appear to have been disputed, however, that the practice spread the infection and increased the number of cases. The experience in South Carolina, therefore, confirmed this general objection to the practice.

During the prevalence of the epidemic Lieutenant Governor Bull issued a proclamation appointing a day of fasting and humiliation to implore the Divine goodness to avert the calamity; and on the 12th of September he convened the General Assembly at Ashley Ferry instead of Charlestown in consequence of the continuance of the disease there. But two acts were passed at this session, one "for the better preventing the spreading of the smallpox in Charlestown," and the other "for the further security and better defence of this province." The first of these prohibited any person having the smallpox from coming into the town or within two miles of it, and prohibited inoculation within the same distance of the town, provided for

1 Gazette, July 20, 1738.
pox were nearly eleven-twelfths of the whole mortality in Charlestown. Only 87 died of other diseases, while the deaths from smallpox amounted to 940. Of these only 92 died under inoculation. Fifteen hundred persons are said to have been inoculated in one day, and it is certain from the bills of mortality 848 persons died of the disease who were not inoculated. If we allow, says Dr. Ramsay, that only one in four died, as in the year 1738, the whole number who took the disease in the natural way must have been 3392.

In the year 1763 the smallpox returned; but as there were few to have it, and inoculation was generally adopted, its ravages were not extensive. For seventeen years after we seldom or never hear of the disease. It made its appearance again just before the siege of Charlestown; and immediately after the surrender of the town, on the 12th of May, 1780, a general inoculation took place. But, observes Dr. Ramsay, as the cool regimen was then universally adopted, the disease passed over without any considerable loss or inconvenience.

But the disease which has done more to the injury of Charlestown than any other, both before and since the Revolution, — though happily now it is hoped effectually excluded by our rigid quarantine system, — is the yellow fever.

We have already seen the ravages of this disease in 1699, 1703, 1706, 1728, 1732, 1739. It again appeared, but with less severity, in 1745, 1748, and again, in a few cases only, in 1758 and 1755. For forty-four years after 1748, that is, until ten years after the Revolution, there was no general epidemic, though occasionally in different summers a few sporadic cases occurred.

Believing from experience that yellow fever was an imported disease, the General Assembly in 1747 again
paratively rough frame houses passed the summers sociably with their neighbors, allured to the same place with the same views. While the forced absence of the masters from their plantations was no doubt a great injury to their estates, and the fact that the white man could not live in these regions during a considerable part of the year was and has continued to be a great drawback to the prosperity of the community, unexpected but very natural advantages resulted from and in a great measure compensated the evils of the system. The summer settlements became the seats of schools and churches, neither of which were in the convenient reach of the inhabitants when dispersed over the country upon their plantations. Nor were the planting interests as materially injured as might be supposed, for one of the conditions of the site of a summer settlement was that it should be in reach of the plantation of a day's journey to and from, allowing a sufficient time for a supervision of the place. These summer resorts thus became social centres, collections of people of wealth, and during the summer of leisure; for it so happened that during the summer there was little to be done on the plantations.

In the *Gazette* of June 5, 1755, there is a notice of a meeting of the Faculty of Physic, Dr. John Moultrie, President, which took place at Gordon's Tavern on the 2d. This Faculty was formed, it was said, for the support of the dignity, the privileges, and emoluments of the humane art, especially of those allowed them by the King's authority, national customs, and usages of all places and provinces, Charlestown alone excepted. The Faculty declared:

"That considering they are called out under the greatest inclemencies of the weather, sometimes merely to gratify the patient, sometimes when no medicines are required or only such as the families
themselves are provided with, that they are often slowly and seldom sufficiently paid for their solicitous care in providing the greatest of all temporal blessings — nay, that without which life would be misery — viz. the health of their fellow-citizens; neither can they think that the payment of an apothecary's bill is a sufficient reward to him who acts in three distinct offices of physic, surgery, and pharmacy. They therefore have unanimously resolved that after the tenth instant they will give no further attendance without a reasonable fee paid at the first, and at every other visit during the course of their attendance."

We are not informed whether the Faculty were able to carry on their practice on this cash basis.
CHAPTER XXIII

The jurisdiction of the Bishop of London over the Church and clergy in America, which had been questioned in several of the colonies,¹ was definitely prescribed, so far as the province of South Carolina was concerned, by the instructions to Sir Francis Nicholson, the Provisional Governor,² and confirmed by those to Robert Johnson, the first regular Royal Governor of the province.³ The Rev. William Tredwell Bull, minister of St. Paul’s, Colleton County, succeeded the Rev. Gideon Johnson, who, it will be recollected, was drowned in 1716,⁴ as Commissary of the Bishop of London. We do not know when he was appointed, but we find him acting as such in 1723, and are indebted to him for an account of the condition of the Church of England in the province at that time.⁵ He was in London at the time, and wrote as follows:—

"The Province of South Carolina is divided into thirteen Parishes. In Berkeley county there are eight.

"1. St. Philips, Charles City,⁶ the only one of note and port of trade in the said province, which parish extends throughout the said city

³ Ibid., 178.
⁴ Hist. of So. Ca. under Prop. Gov. (McCrady), 548.
⁵ Hist. Address by J. J. P. Smith, Appendix; special services St. Philip’s Church in commemoration of the planting of the church in province of Carolina, 13th of May, 1776.
⁶ It will be observed that throughout this Report Charlestown is spoken of as Charles City. It will be remembered this was during Governor Nicholson’s attempt to establish a municipal government for the town under the name of Charles City.

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decent brick church twenty-five miles from Charles City, lately adorned and beautified at the charge of the parishioners, a very convenient brick parsonage house pleasantly situated upon a glebe of three hundred acres. Rev. Mr. Brian Hunt Minister and Missionary from Honourable S. P. G. arrived there about March or April last, and was kindly received by the people.

"6. St. Thomas, a large and populous parish in which are two churches and two glebes, but no parsonage house yet built. The Rev. Mr. Hasell, who hath been Minister of the parish and Missionary from the Honourable Society fourteen years and well esteemed by the people, residing upon an estate and in a house of his own, while the money appropriated from the public for the building of our (sic) house is daily increasing, being put out upon good security at the legal interest of the country.

"7. St. Dennis. A congregation of French refugees, conforming to the Church of England, and within the bounds of St. Thomas Parish, and made a distinct parish for a time till the present inhabitants or their children attain the English tongue. The Minister, the Rev. Mr. John La Pierre, also hath enjoyed the living about twelve years, receiving an equal salary from the treasury with the other country parishes, but is no Missionary.

"8. Christ Church. A large parish, but poor; there is a timber Church thirteen miles from Charles City, a parsonage house, a glebe of one hundred acres. The present Minister, the Rev. Mr. Pownal one of the Missionaries S. P. G., came over to that parish in October last.

"In Craven County are two parishes.

"9. St. James, Santee. A parish consisting chiefly of French refugees conforming to the Church of England in which is a church about sixty miles from Charles City, a Parsonage house, and a glebe of near one thousand acres. The present Minister, Rev. Mr. Albert Poudevaux, a learned divine and convert from the Church of Rome, hath been resident there about two years.

"10. King George's Parish, which, being a new settlement about ninety miles from Charles City, was made a parish by his Excellency General Nicholson, his Majesty's present governor, about eighteen months ago, the General Assembly having allowed £1000 currency and his Excellency having given £100 toward the building of a church there which is not yet begun.

"In Colleton County there are two parishes.
the territory between the Pee Dee and Santee rivers north of Williamsburg township, and erected into a parish under the name of St. Mark's, in the present counties of Clarendon, Sumter, Kershaw, Chester, and Lancaster. In 1767 two new parishes were established, one from another portion of St. Helena Parish, to be called St. Luke's, and another from Prince Frederick, to be called "All Saint's." In the next year, 1768, St. David's Parish, Cheraw, was cut off from another part of Prince Frederick. In 1756 provision was made for an itinerant missionary in the remote parts of the province, whose principal residence was to be at Fredericksburg, Wateree, in the midst of a thickly settled country. For this mission Mr. Charles Woodmason, a highly respected resident in the colony, and for some time in those parts of it, went to England to obtain ordination.

From a full and particular account given by him in 1766 of the parishes and churches in the province, it appears that there were then twenty parishes; of these sixteen were provided with either rectors or officiating ministers. Besides these there were three extra parochial districts; the number of clergymen, if all the positions were filled, twenty-five, besides a clergyman who was master of the free school in Charlestown. The twenty parishes sent fifty members of Assembly. The account contains minute descriptions of several of the parish churches and some mention of the modes of worship. There is a very significant and interesting observation in this paper. Mr. Woodmason states that "the reason why no more parishes are laid out arises from political motives, as it would increase the number of Assembly men, which place is so troublesome and expensive that few are to be found at an election to undertake it." Mr. Woodmason's churchmanship, it has been

1 Statutes of So. Ca., vol. IV, 35.  2 Ibid., 266.  3 Ibid., 300.
chuches on James's Island and Cainhoy. The Rev. Mr. Witherspoon was the pastor of the former for ten years, and the Rev. Josiah Smith was pastor of the latter. The church on James's Island was ministered to by the Rev. Mr. Turnbull.¹

With the Swiss colony under John Peter Purry, in 1732, came out the Rev. Joseph Bugnion, who had taken orders in the Church of England, being ordained by Dr. Clagett, Bishop of St. David's, though doubtless most of these settlers were members of the Reformed Church of Switzerland before they came to America. He ministered to the colonists of Purrysburg for two years, when he removed to St. James, Santee. Ten years later the Rev. Henry Chiffelle, another native of Switzerland, was ordained by Dr. Gibson, Bishop of London, and sent out by the Society for the Propagation of the Gospel to what remained of that unfortunate colony, and continued in his mission there until his death in 1758.² During his ministry the settlement was established as a separate parish by an act of the Assembly, under the name of St. Peter's Parish.³

The exiled Salzburghers, who, assisted by the "Society for the Propagation of Christian Knowledge," emigrated to Georgia, arrived off the harbor of Charlestown in March, 1734; and while the ship containing them lay off the bar, Governor Oglethorpe brought their Commissary, the Baron von Reck, and their pastor, John Martin Bolzius, with him to the town. Here they found a few Germans, firm in their attachment to the Lutheran faith, desiring the celebration of the Holy Supper. The Rev. Mr. Bolzius returned therefore in May with the Baron, and on Sunday, May 26, 1734, at five o'clock in the morning, in the inn

² Dalcho's *Ch. Hist.*, 385, 386; *German Settlements, etc.* (Bernheim), 96.
³ *Statutes*, vol. III, 668.
in which Bolzius was stopping, it is supposed, he admin-
istered the Holy Communion to those who on the day 
before he had examined and absolved according to the 
usages of the Lutheran Church.

Nothing more is heard of the Lutherans in Charlestown 
until 1742, when the Rev. Henry Melchior Muhlenberg, 
on his way from the settlement of the Salzburgers at 
Ebenezer, near Savannah, to Philadelphia, compelled to 
wait three weeks for a vessel, gathered the German resi-
dents and instructed them in the catechism and preached 
to the old and young on Sundays. In 1758 the Lutherans 
were visited by two other passing clergymen. It was not 
until 1759 that the Rev. John George Friederichs regu-
larly organized a congregation and became its pastor. 
This congregation for a while worshipped in the French 
Protestant Church. The corner-stone of a church was laid 
December 17, 1759. It was completed during the pas-
torate of the Rev. John Nicholas Martin, and dedicated 
June 24, 1764, as St. John's Church. From a translation 
of the old records it appears that the congregation solemnly 
declared its entire independence, was governed by a 
council and wardens, over whom the minister presided, 
and in whose meetings he was entitled to two votes, to 
be given after all the other members had declared their 
preference. All important business was referred to the 
congregation itself. The rules required that the pastor 
should have been trained and ordained in a Lutheran 
university, that “he should not be addicted to the English 
Articles,” and that he should be called according to the 
custom of the German Protestant churches. At the same 
time he was forbidden to attack the doctrines of the Church 
of England. He wore the gown. Wafer bread was used 
in the communion, which was administered once every 
two months. The Festivals and the Gospels and Epistles
London and was ordained by the Right Rev. Dr. Sherlock, Bishop of London. This change was probably made from a desire of more intimate connection with some ecclesiastical organization than was afforded by his own church. He died in 1761. Nothing is known of the congregation from his death until 1768, when a new Episcopal chapel was ordered to be erected, and the Rev. Paul Turquand preached there in connection with another congregation.  

In 1764 came out the colony of French Protestants under the Rev. Jean Louis Gibert, and settled at New Bordeaux, now Abbeville. Of the fact that these Huguenots had a regularly organized church and kept a baptismal registry there is no doubt, but it is not known that they had built a church prior to the Revolution.  

In the letter of June 1, 1710, which has more than once been referred to, the proportion that the several religious sects bore to the whole and to each other are represented to have been at that time, as we have seen, Episcopalians, 4¼ to 10; Presbyterians, including those French Protestants who retained their own discipline, 4½ to 10; Anabaptists, 1 to 10; and Quakers, .01 to 10.3 This estimate was reprinted in 1732 with apparent application to that date, and it is curious that it is repeated in a description of Carolina in 1761.4 Dalcho, however, quotes Oldmixon as giving the different religious denominations in Carolina in 1740, with this slight modification: Episcopalians, 4½; Presbyterians, French, and other Protestants, 4½; Baptists, 1; Quakers .0½ to 10.5 The great immigration of

1 Hist. of the German Settlements, etc., in the Carolinas (Bernheim), 118, 125.
2 Anniversary Address (Moragne), 1854, 27.
3 Hist. of So. Ca. under Prop. Gov. (McCready), 338.
4 Carroll's Coll., 193, 260.
revolutionary period. It is remarkable, too, that most of these clergymen from England, not one of whom was a native of the province, sided with the people in their struggle with the government. Most of the Episcopal clergy in Carolina joined the colonists in the revolutionary struggle. Five only out of twenty-three resident in the province at the time adhered to Great Britain and left the country. The Rev. Robert Smith, afterward the first Bishop of South Carolina, shouldered his musket and amidst scenes of the greatest danger, both by precept and example, stimulated to intrepid resistance. Having been made a prisoner on the surrender of Charleston, he was banished to Philadelphia. His name is first upon the list of those whose estates were seized by the military authorities published in the Royal Gazette, the 30th of December, 1780. The Rev. Mr. Lewis was a firm advocate of independence and indefatigable in promoting its accomplishment. Delivering a patriotic discourse on the text, "The Lord forbid that I should give the inheritance of my father unto thee," he became particularly obnoxious to the British commanders, and was sent to St. Augustine with the other patriots who were exiled there upon the fall of Charleston, and there was separated from the others and condemned to solitary confinement. The Rev. Dr. Percy, who had come to America as one of Lady Huntington's missionaries, to officiate wherever he could collect an audience, took the side of the Revolutionists and preached to the troops whenever an opportunity allowed. He was the first orator who addressed the people on the anniversary of independence. The Rev. Dr. Purcell was equally firm in his principles, and acted as chaplain and Deputy Judge Advocate in the field. The Rev. Paul Turquand was a member of the Provincial Congress. The Rev. Mr. Warren of St. James, Santee, being on a visit to England, was
in the performance of his part. Destitute of the means of support upon leaving the company, Mr. Hutson, strolling about the Bay of Charlestown, attracted the attention of Mr. Hugh Bryan, the gentleman whose acquaintance we have already made in connection with Mr. Whitefield's career in South Carolina. Mr. Bryan, observing him in the faded garb of a gentleman, and conjecturing that he was a stranger and in need, accosted him and inquired into his condition and circumstances. Satisfied with his account of himself, Mr. Bryan proposed to him to accompany him to his residence and to assume the office of tutor for his children. Mr. Hutson did so, and became an intimate in Mr. Bryan's family, whose widow he subsequently married for his second wife. He was ordained as a Congregationalist minister in 1743, and for five years was minister of the Independent Church in Charlestown.\(^1\)

A curious and interesting story connects the lives of two eminent Presbyterian ministers who came from Scotland to Carolina. The Rev. William Richardson and the Rev. Archibald Simpson were close college companions at the University of Glasgow. They were both of strongly religious characters and studied and communed together. Mr. Richardson was the elder and was graduated before Mr. Simpson. The latter kept a diary at the early age of fourteen, which he continued during his life,\(^2\) and in which there are constant allusions to his friend "W. R." They spent their Saturdays in some retired spot beyond the noise of the city in acts of devotion. The two friends were brought up under the same ministry and the same influences. At the age of twenty-one Mr. Richardson came to America and landed in Philadelphia in 1750. After ministering in Virginia he was sent as a missionary

\(^1\) Howe's *Hist. Presb. Ch.*, 248, 249, 264, 310.
\(^2\) This Mss. diary is still preserved in the Charleston Library.
He was sent with William Henry Drayton to arouse the spirit of resistance in the upper country; and on the 11th of January, 1777, delivered an address in the House of Assembly on the subject of religious liberty. This address has become historical. He died in the same year. After the death of Mr. Tennent, the Rev. James Edmonds kept the church open, and during the siege of the town a bombshell fell in the churchyard while he was conducting the service. Upon the surrender of the city Mr. Edmonds was arrested and sent on board the prison ship Tartar. The church building of the congregation was first used by the British as a hospital for the sick and afterward as a storehouse for their provisions, and then as a stable.

At the commencement of the Revolution the Rev. Mr. Hart of Pennsylvania had the pastoral care of the Baptist Church in Charlestown; he removed to New Jersey, but Richard Freeman, a young preacher, succeeded him. He was an ardent advocate of rebellion. Everywhere, on stumps and in barns, as well as in pulpits, he preached resistance to Britain. Pursued by the Tories, young Freeman fled to the American camp, and there by his prayers and eloquent appeals so reassured the patriots that Cornwallis was said to have remarked that "he feared the prayers of that godly youth more than the armies of Sumter and Marion."

The influence of the clergy as a whole was thus vastly on the side of the Revolutionists. The churchmen of the low country, the Presbyterians of the upper, the Congregationalists and the Baptists of the town, all threw their influence against the Crown; and their influence was very powerful in Carolina, for the people were generally a religious people.

We have remarked that almost all the clergymen from England sided with the people in their struggle with the
war, Dissenters generally became objects of odium to the enemy. Hence their meeting-houses were often burnt and destroyed. The Independent Church in Charlestown had, we have seen, been used as a stable; in the Waxhaws the minister was insulted, his house and books burnt, and war declared against all Bibles which contained the Scotch version of the Psalms. Thus it was that they revived in the upper country the struggle they had practically crushed on the coast, and enlisted in behalf of independence the exertions of some of the ablest and most devout of the Presbyterian clergy.
powering the Governor to nominate assistant justices, and that under it Governor Johnson had granted commissions to Thomas Dale and Thomas Lamboll, persons entirely ignorant of the law, who assumed to overrule him whenever they thought proper.\(^1\) The act referred to by the Chief Justice was no doubt that of which we have spoken in the first chapter as passed by the revolutionary legislature under Governor James Moore, and which, though approved and allowed by neither Proprietors nor King, Governor Glen wrote was affected to be called the Magna Carta of Carolina.\(^2\) As we have said, there is no copy of it in existence. The Chief Justice was a salaried and feed office. The assistant judges served without pay or emolument of any kind, simply for the honor of the position and the good of the community, as did the Magistrates in England. The officers of these courts, with the exception of the assistant judges, were appointed by his Majesty the King; the assistant judges, until the act of 1769 establishing circuit courts, which did not, however, go into effect until 1772, were appointed by the Governors. The other officers were the Attorney General, the Clerk of the Court, and the Provost Marshal or High Sheriff, who had royal patents or commissions for their offices. Of the last we shall have occasion later to give a more particular account.

During the Provisional government, which continued for ten years after the overthrow of the Proprietors (1719–1729), dual sets of these officers were appointed: one by the King under his Provisional government, while negotiations were going on for the surrender of the charters, which were not yet consummated, and which set actually held and administered the offices; the other by the Lords Proprietors, who made appointments by way of the assertion of their

\(^1\) *Coll. Hist. Soc. of So. Ca.*, vol. III, 304.  
right to do so, though their appointees could not exercise the powers of their offices. Thus, abandoning Trott, they appointed Thomas Kimberley of the Middle Temple Chief Justice in 1724,¹ and Robert Wright in 1727.²

Upon the overthrow of the Proprietary government it will be recollected Richard Allein, the Attorney General who had joined in the memorial against Trott, was chosen by the Assembly as Chief Justice and allowed a salary of £800 currency per annum; and he having been made President of the Council, Francis Yonge, a layman, was chosen to succeed him, and held the office until superseded by Charles Hill under Nicholson’s government.

Though these had occupied the position of Chief Justice during this time, Trott had by no means given up his claim to the office. He was still in England trying to induce the new government to print his collection of laws; but in this he was thwarted by President Middleton, who wrote to Governor Nicholson, then in England, May 4, 1727, declaring the proposal unreasonable, and that “he would never give in to it.”³ This was a great mistake on the part of the new government. Whatever were Trott’s faults, his ability for such work was beyond question, and his collection of laws afterward published remains to this day a memorial alike of his wisdom and industry and of the littleness of party spirit which refused so long to give the province the benefit of his great work. On the 6th of September, 1728, Trott writes to the Bishop of London concerning his progress upon a work — “his Explication of the Hebrew Text of the Old Testament — and makes proposals for procuring subscriptions and printing said work; prays him to use his interest with the King that he again be restored to his office of Chief Justice of South Caro-

² Ibid., 198.
³ Ibid., 243.
Graeme. Chief Justice Graeme did not live a year after his appointment; he died on the 7th of September, 1752. Then followed the interesting episode of the appointment of Mr. Charles Pinckney by the Governor and Council, and his supersedeure by the Royal government to make room for Mr. Peter Leigh from London, a full account of which we have already given.

On the death of Chief Justice Leigh on the 21st of July, 1759, James Michie held one term by the appointment of the Governor and was succeeded by William Simpson, Clerk of the Court, another who was not a lawyer. These appointments were but temporary; but the next, from the home government, was an infamous one. Mr. Leigh, whatever were the circumstances under which he came, was a gentleman and a lawyer; Charles Shinner, who succeeded him, was a vulgar bully and blackguard, and had not the redeeming quality of the least professional education. Shinner was sent out as Chief Justice in 1762, through the influence, it was said, of the mistress of Lord Halifax, who was then at the head of the Board of Trade and Plantations. "I do not wonder that the province was dissatisfied with their Chief Justice," wrote Cumberland, Clerk of the Board and Provost Marshal of South Carolina, to his deputy, Roger Pinckney; "for the little I saw of him did not give me advantageous impressions." A writer in the St. James Chronicle is more explicit, and while giving a different account of the influence through which he was appointed, thus describes the man who was sent out as Chief Justice of South Carolina.

1 So. Ca. Gazette, October 3, 1751.
2 Ibid., September, 1752.
4 Johnson's Life of Green, supra.
5 Documents connected with So. Ca. (P. C. I. Weston), 112.
had smacked his whip as the Chief Justice was passing along in his chaise, and had frightened his honor's horse. Another was his carrying to jail with pistol in hand one William Smith, and personally delivering him to the jailer, likewise without warrant or mittimus, because, as he alleged, Smith had threatened the life of one Elizabeth Brown with whom the Chief Justice was living. The report went on further to state that to cover up this matter he had endeavored to induce the jailer, one Dunnovan, to abduct Smith and to smuggle him off in a vessel about to sail, and then to put the blame of his doing so upon one O'Brien, an attorney, whom Shinner had living with him. But Dunnovan, upon whose complicity the Chief Justice had relied,—because he was a fellow-countryman,—betrayed him and handed the letter to Mr. Pinckney, the Provost Marshal. The report also charged that he behaved in court with the utmost ludicrousness and indecency. Once, having had a party brought into the Admiralty Court, he called him "a damned rascal" from the Bench. Upon another occasion he expressed the hope that he would have an opportunity of passing sentence of death upon certain parties before him. He seldom failed, the report stated, to attend the execution of his own sentences imposing corporal punishment on criminals, strolling about the streets with the attending mobs, and acting a part on such occasions, the committee say, beneath the character even of an executioner. To this report the Chief Justice made an ingenious and elaborate reply, which, if written by himself, showed him to be a man of some parts and belied the charge of want of education. But it is not improbable that this paper, as well as a very able one in regard to the Stamp act, which we shall have occasion to consider, were prepared for him by some one else. However that may be,
though he endeavored to persuade his Excellency Lord Charles Montague, the Governor, that the whole charge was a device of the "Liberty Boys" to avenge themselves upon him for doing his duty to his Majesty in the matter of the Stamp act, he made no impression upon the Governor, who suspended him until his Majesty's pleasure should be further known.¹ This man was Chief Justice during the important period of the struggle over the Stamp act. We shall have to tell of his conduct upon that occasion.

The Gazette of the 15th of June, 1769, announces that a mandamus² for the appointment of Mr. William Wragg as Chief Justice had arrived. This appointment was no doubt made in recognition of Mr. Wragg's unwavering loyalty and devoted support of the government, not only in regard to the Stamp act and in opposition to the non-importation agreement, but on all the questions which had arisen between the government at home and the people of the colony, and except that Mr. Wragg was not a lawyer,—a circumstance about which, as we have seen, the government was not very particular,—upon no person could the high honor have been more worthily bestowed. The office was offered and even pressed upon Mr. Wragg by the Secretary of State, upon the express command of his Majesty King George the Third. His reasons for declining are, as Dr. Ramsay says, a proof of his disinterestedness and delicacy. He had openly, for reasons publicly given, refused to sign the association entered into by many of his people to suspend the importation or purchase of manufactures till the impositions of the British Parlia-

¹ House Journal (MSS.), Book 37, 351.
² The writ or commission by which a Chief Justice was appointed was styled a mandamus, i.e. a precept commanding that the person named be recognized and obeyed as Chief Justice or other officer.
ment were removed. It was after he had adopted this
decisive line of conduct that, without his knowledge, the
commission of Chief Justice had been sent to him. He
returned it, giving for reason that no man should say that
"the hope of preferment had influenced his preceding con-
duct." The next issue of the Gazette announced that Mr.
Wragg declined the appointment, adhering to his pur-
pose of retiring from all public affairs. This, however,
we shall see was impossible for one of his position to do
in the coming stormy time; and he was to perish at sea,
exiled from his native land and home.

Upon the assumption of government by Lord North in
1767 the affairs of the colonies were taken from the Board
of Trade and intrusted to Lord Hillsborough as Secretary
of State. His Lordship, who was an Irishman, vacated
many existing commissions in the colonies to make room
for his Irish dependents. In South Carolina Shinner's
removal, and Mr. Wragg's refusal to take the office, saved
him the trouble of vacating a commission, and the new
Circuit Court act, which had at length gone into operation
in 1772, afforded him three more paid offices on the Bench
to be filled by his favorites. The last Chief Justice to sit
under English rule was Thomas Knox Gordon, a lawyer
of Dublin, who was appointed by Hillsborough in the
latter part of 1770, but he did not take his seat until 1771.
His commission did not constitute him Judge in Admi-
ralty, as had been the case of some other of the Chief
Justices. The assistant judges sent were Edward Savage,
John Murray, and John Fewtrell; one of these, we are
told, was a Scotchman, another a Welshman, the third
we suppose was an Englishman.

These great abuses in the administration of the law;
the use of the Bench as a place of reward for partisan ser-
vices in England; strangers thus appointed even to the
displacement of natives of the highest character and ability; the appointment of a vulgar, ignorant bully as Chief Justice, for the gratification of a mistress of a secretary; the monopoly of the office of Provost Marshal or High Sheriff by one person for the whole province, and that as a sinecure for a non-resident; the monstrous requirement, as we shall see, that the colony must pay this absent sinecurist an enormous sum for the right to provide its own courts with officers to execute their decrees; the administration of judicial offices such as that of a Court of Admiralty by a practising attorney,—all constituted just grounds of complaint against the government in England, which had much to do with the alienation of the affections of the people. And yet it is remarkable that these great abuses are not relied upon, or even alluded to, in the State papers of the times that we have been able to find, except in one instance.

In a letter written by William Henry Drayton over his usual signature, “Freeman,” addressed to the deputies of North America assembled in Congress in Philadelphia in 1774, stating the grievances of America, one of these peculiarly affecting this province is thus presented. . . .

“A few years ago the bench of justice of this colony was filled with men of property, and if all of them were not learned in law there, some among them who taught their brethren to administer justice with public approbation, and one of them in particular, had so well digested his reading—although he never eat commons at the Temple—that he was without dispute at least equal to the law learning of the present Bench.”

This encomium of the lay assistant judges was most justly deserved. Such men as Joseph Wragg, Isaac Mazyck, Rawlins Lowndes, Robert Pringle, Benjamin Smith, and George Gabriel Powell gave character and
swered it in another pamphlet, entitled *The Man Unmasked*, the forthcoming of which was advertised in the *Gazette* of the day in conspicuous type and with flaming notices. The answer thus heralded was a most wanton and scurrilous attack upon the character of Colonel Laurens. Colonel Laurens replied and distributed copies of the correspondence, not only throughout the American colonies, but in England and the West Indies. The publications compelled Sir Egerton to resign either his seat on the Bench or his commission as Attorney General. In this dilemma between station and profit he resigned his seat as Judge in Admiralty. This controversy contributed its part in estranging the people from the government at home.

We find Sir Egerton also intervening to embarrass the General Assembly in their endeavor to establish courts in the upper part of the province, for which there was so much need, and for which the people of that section were memorializing and petitioning the General Assembly. Upon the passage of a bill establishing Circuit Courts, on the 5th of January, 1768, he presents a memorial to the Assembly setting up his patent from the King for the office of Attorney General, which granted him the enjoyment of all salaries, allowances, fees, profits, privileges, and emolument thereunto belonging in as full a manner as any other person had theretofore held and enjoyed them, and prays therefore that his right in the matter shall be regarded. A motion was made in the Commons to take care of these vested rights by allowing salaries for himself and the clerk, Dougal Campbell, who had also set up a patent for his office; but, as we are not sorry to have to record, it was passed in the negative.

Though, as the Fundamental Constitutions of Locke were not adopted, the prohibition against counsel in Carolina receiving money or reward for pleading another's
114 names on this list, there are 46 Carolinians, 20 Virginians, 15 Marylanders, 3 Georgians, and 1 North Carolinian, making 85 Southerners, three-fourths of the whole.\(^1\) These figures are significant as indicating how much closer were the relations of the people of the Southern provinces to England than those of the Northern; especially it will be observed that this was the case with the South Carolinians. Each of these young gentlemen had to find security in London upon his bond for dues to the Society of the Inn in which he matriculated, which in itself implied a close correspondence between the two communities. In George the Second’s time it was said a young Templar expected his father to allow him £150 a year, and on encouragement would spend twice that amount in the same time.\(^2\) We may be sure that these young gentlemen, who perhaps had something to do with forming Richard Cumberland’s idea of the typical West Indian\(^3\) or American, expected no less an income from their fathers in the reign of George the Third.

In a letter of Peter Manigault to his father in Charleston, from London dated the 26th of February, 1754, upon his being called to the bar of the Inner Temple at the last Hillary term, the expense upon the occasion is given as £50 sterling, including gown, tye, wigg, and bands. This allowance, together with the expense of the voyage to and from England, formed, it may well be supposed, a considerable drain upon the people of Carolina, attention to which began to be drawn.

1775; Robert Williams, Gabriel Manigault, 1777; Alexander Garden, 1779; Thomas Bee, 1782.


\(^2\) *A Book about Lawyers*, Jefferson, 297.

\(^3\) *The West Indian*, a comedy by Richard Cumberland, 1771.
The return of these young gentlemen to the province had much to do with the encouragement of the spirit of revolution which had already arisen in other classes in the community. Scattered amidst the various seminaries of England as they had been before entering the Inns of Court, they inebibed at these vigorous fountains of knowledge the invincible spirit which afterward enabled them, both in the Council and in the field, to combat with success her attempt at their subjugation. It was, moreover, a circumstance of great influence upon the conduct and life of these young men, that most of them when they left home were recommended to the patronage and kindness of the great Whig families in England, and many of them to the most distinguished peers in the British Parliament, who were at that time conspicuous for their opposition to the ministry and for devotion to the cause of the colonies. In an admirable letter of advice and instruction written by John Rutledge to his younger brother, Edward, upon his going to England to pursue the study of the law, he charged him to exert himself to the utmost by some means or other to attend the House of Commons constantly, or at least whenever anything of consequence was to come on. He warns him he will not be suffered to take notes, but he must get in by some means. Probably Mr. Garth, the agent for South Carolina, would help him. He writes:

"Don't say that they have come to a resolution not to admit strangers and by that means you could not get in. . . . I know it is a common order to clear the galleries, but that people generally fall back and no notice is taken of them; for you must at all events get admittance there and make yourself acquainted with the speakers. Reading lectures upon oratory will never make you an orator. This must be obtained by hearing and observation of those who are allowed.

to be good speakers—not of every conceited chap who may pretend to be so. I would also have you attend the House of Lords upon every occasion worth it. You will find you may easily get introduced to some Lord who will take you in with him, and by no means spare a few guineas at Christmas among the door keepers, etc., for that I warrant will do the business.”

Thus through the patronage of the Whig Lords and a few of the guineas which their fathers’ rice and indigo afforded, these young gentlemen crowded the galleries of the Commons, we may be sure, when the Stamp act, “The folly of England and the Ruin of America,” was to be discussed by the silver-tongued Murray, afterward Lord Mansfield, the most graceful, luminous, and subtle of all legal speakers, as he was described; by Fox with his clear, strong sense, his indomitable courage, and his admirable tact; and, best of all, by the elder Pitt, possessing, as it has been said, every personal advantage that an orator could desire, a singularly graceful form, a voice of wonderful compass and melody, which he modulated with consummate skill, an eye of such piercing brightness and such commanding power that it gave an air of inspiration to his speaking and added a peculiar terror to his invective. We may be sure that they were there in the galleries catching every word as, in reply to Grenville, Pitt exclaimed: “I rejoice that America has resisted. Three millions of people so dead to all feelings of liberty as voluntarily to submit to be slaves would have been fit instruments to make slaves of the rest.” They were there, no doubt, to hear the great debates over Wilkes and “No. 45 North Britton” and his expulsion and re-election to the House, and very possibly added a few shillings of their own to the pounds their fathers were smuggling through the tax-bills at home in spite of the Governor and

1 O’Neill’s Bench and Bar of So. Ca., vol. II, 120.
Council, and which Peter Manigault, as Speaker, and Messrs. Gadsden, Rutledge, Parsons, Ferguson, and Dart were sending to England avowedly to be applied to an association for the maintenance of the constitutional right and liberties of the people of Great Britain and America, but which were to be applied, as they must very well have known they would be, to Wilkes's own private debts and expenses. These young gentlemen studying law in the Temple—"Templars," as they were called—no doubt took the denunciation of the ministry and the declarations of devotion to the American cause all in earnest, without, perhaps, the limitation Pitt himself would certainly have put upon them, to wit, provided the fight was to be made within the Kingdom of England and not for independence. They did not realize, as their fathers at home did, that the fight in England was all party politics there, nor imagine that when in the course of events the colonies should think that, having gone so far for liberty within the Kingdom, they would take the next inevitable step to secure their independence as well, that Chatham, wrapped in flannel and supported on crutches, would have himself carried to the House of Lords to make his last and actually dying speech against the withdrawal of the English forces by land and sea from the revolted colonies, and with something of his old fire protest "against the dismemberment of this ancient and most noble monarchy." Was it nothing more than an unmeaning coincidence that a British cannon-ball should knock off the outstretched arm of the statue representing Chatham pleading for their liberties, which the Assembly of Carolina had procured and the people had raised in Charleston with wild hurrahs?

These young gentlemen returning home burning with a sense of the wrongs, as they had heard them described by Pitt and Burke and Barré, stirred with ambition to
rival the great orators and statesmen to whom they had listened, and finding all places of distinction and honor filled by favorites of the Board of Trade or Secretary for the colonies,—some of worse than questionable characters,—to the exclusion of the natives of the province, and naturally wishing for a government and Parliament of their own, in which they might have some opportunity of imitating and perhaps equalling the great men at Westminster, eagerly listened to the calls of the artisans and mechanics who, under Gadsden’s lead, were already on the road to revolution.

It has been said that the bar may be considered a very fair exponent of the educated opinion of a people.1 In 1775 there were thirty-five members of the bar in South Carolina. In numbers these were very nearly equally divided upon the questions which were agitating the colonies; but on looking over the list it is clear that the highest character and ability were with the revolutionary party. James Parsons, Charles Pinckney, John Rutledge, John Mathews, Hugh Rutledge, Charles Cotesworth Pinckney, Thomas Heyward, Jr., Alexander Moultrie, and Edward Rutledge doubtless composed the greatest strength of the bar. But James Simpson, the Attorney General, William Burroughs, the Master in Equity, and Sir Egerton Leigh were lawyers of large practice and great ability. If, as has been said, the “giants of the law” in the other colonies were nearly all Loyalists,2 it was not so in South Carolina. It is true that Charles Pinckney and John Rutledge were opposed to a separation from the mother country; that their desire and struggle was for the overthrow of “the wicked ministry” of Lord North, and then a reconciliation with the King. It

1 Lecky’s Leaders of Public Opinion in Ireland, 136.
2 Am. Loyalist (Sabine), 62.
is true, too, that Charles Pinckney took protection when the British obtained possession of South Carolina, and that John Rutledge proposed a neutrality for South Carolina. But however much they may have been opposed to the independence of the colonies, as distinguished from the maintenance of their rights and liberties, it is safe to say that without them and the younger members of the bar there would have been no Revolution in South Carolina, notwithstanding all the efforts of Christopher Gadsden.1

1 List of Attorneys Court of Common Pleas 1775, and dates of Commission. James Simpson, Esq., Attorney General, October 30, 1765; William Burrows, August 29, 1748; James Parsons, May 11, 1750; Charles Pinckney, July 22, 1752; Robert Williams, Jr., March 26, 1763; Hon. Sir Egerton Leigh, Bar’t, November 1, 1753; John Troup, August 6, 1754; John Remington, August 10, 1756; James Simons, January 7, 1760; John Rutledge, Jr., January 2, 1761; Joshua Ward, January 6, 1761; Benjamin Guerard, January 9, 1761; Thomas Bee, January 27, 1761; William Mazyck, November 4, 1761; Thomas Grimball, June 11, 1765; William Mason, October 30, 1765; John Mathews, September 22, 1766; John Colcock, February 12, 1767; Charles Motte, May 28, 1767; Hugh Rutledge, January 20, 1768; John Bremar, May 10, 1768; John Scott, Jr., April 4, 1769; Charles Cotesworth Pinckney, January 19, 1770; Thomas Heyward, Jr., January 22, 1771; William Roper, April 2, 1771; Thomas Phephoe, June 5, 1771; Alexander Harvey, August 24, 1771; Henry Pendleton, November 1, 1771; John Dart, November 28, 1771; Alexander Moultrie, March 18, 1772; James Johnston, May 20, 1772; Edward Rutledge, January 28, 1773; Robert Ladson, February 26, 1773; Jacob Read, March 23, 1773; William Print, December 18, 1773; Charles Lining, May 12, 1774; Richard Howley, August 12, 1774.

* This list is taken from an Almanac for 1775 in possession of the late Daniel Ravenel, Esq. The dates are of their commissions to practise at the South Carolina bar. The dates of their admission to the bar in England will be found at ante.

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He was, says Ramsay, a friend of learning, liberally contributed to its support, and pressed upon the colonists the usefulness and necessity of provincial establishments for its advancement. Two years after his arrival (1722) another act was passed by the General Assembly. The original of this act was not to be found when the Statutes at Large were compiled, but the text is given in Trott's Laws. By this act the Justices of County and Precinct courts were authorized to purchase lands, erect a free school in each county and precinct, and to assess the expense upon the lands and slaves within these respective jurisdictions. They were to appoint masters who should be “well skilled in the Latin tongue,” and be allowed £25 proclamation money per annum. Ten poor children were to be taught free of expense in each school if sent by the justices.¹

The acts of Assembly we have mentioned were based upon the fact that many pious persons had previously bequeathed legacies for the establishment of free schools. As an instance of the legacies referred to in the recital of the acts of 1712, there is on record the will of one Dove churchyard, Charleston, attests that this school was actually established and maintained at least until 1729. The inscription upon it is as follows: —

The Rev'd Mr. John Lambert
Late Master, Principal, and Teacher of Grammar
And Other Sciences Taught in the
Free School
At Charlestown for y* Province of South Carolina
And Afternoon Lecturer of this Parish
of Saint Philips Charlestown
Departed this Life (suddenly) on ye 4 August, 1729
Blessed is this servant whom His Lord when
He cometh shall find so doing.

¹ Trott's Laws of So. C-, 898; Dalcho's Ch. Hist., 96. See also Governor Alston's Report to So. C-. Legislature on the Free Schools, 1847.
Williams, on the 5th of May, 1711, by which he gave the sum of £100 toward the building, furnishing, and maintaining the free school in Charlestown. Such bequests continued and increased to a much greater extent, showing how general was the interest in the subject, and how desirous and earnest were the people in diffusing education in the province generally. In 1721 Richard Berresford died, leaving a will whereby he devised one-third of the yearly profits of his estate for the support of one or more schoolmasters, who should teach writing, accounts, mathematics, and other liberal learning, and the other two-thirds for the support, maintenance, and education of the poor of the parish of St. Thomas. The vestry received from his estate in pursuance of this devise £6500 for promoting these pious and charitable purposes.¹ This fund, Dr. Ramsay says, was still in existence when he wrote (1808), and had long been known by the name of the "Berresford Bounty."² Indeed, it was preserved until destroyed, or nearly so, during the late war between the States. Mr. Berresford's example was soon followed by Mr. Richard Harris, who left in 1732 to the same vestry £500, to be put out at interest until it rose to £1000, the interest on which should then be applied to the education and maintenance of the poor children of the parish.³ Mr. James Child, of St. John's Parish, laid out a town on the western branch of Cooper River, which was called Childsberry, and afterwards Strawberry, and left several legacies to promote its settlement. He gave one square for a "college or university," £600 currency and a lot for a free school and house for the master. The inhabitants subscribed a further sum of £2200, and to these was added £200 given by

¹ Dalcho's Ch. Hist., 285-293.
² Ramsay's Hist. of So. Ca., vol. II, 356.
³ Dalcho's Ch. Hist., 287.
poor scholars. In 1736 Elias Horry devised a tract of land containing 750 acres to be sold, and the proceeds of the sale to be appropriated to the creation and perpetual endowment of a charity school in Prince George’s Parish.

In 1724 several gentlemen of St. George’s, Dorchester, addressed the Society for the Propagation of the Gospel, asking their assistance to establish a free school at Dorchester, and an act of the Assembly was passed for the purpose; but no school appears to have been opened under it. In 1734, however, a free school was erected in Dorchester. Alexander Skene, Thomas Waring, Joseph Blake, Arthur Middleton, Ralph Izard, Benjamin Waring, Francis Vernon, William and John Williams, were appointed trustees for taking care of its interest.

The Fellowship Society, incorporated in 1769, one of the very first organizations in this country for the care and relief of the insane, appropriated one-half of its funds for that purpose, and the other moiety it bestowed on the gratuitous education of the children of the poor. The St. Andrew’s Society likewise appropriated a portion of their funds for similar purposes.

The Winyaw Indigo Society originated in a convivial club formed about the year 1740, which met in Georgetown once a month to talk over the latest news from London and the growth and prosperity of the indigo plant. From the initiation fees and annual contributions, which were paid in indigo and not in money, a considerable surplus fund was accumulated about 1758. The question arose: To what good purpose should this fund be devoted? Tradition relates that at the close of a discussion upon the sub-

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1 Ramsay’s Hist. of So. Ca., vol. II, 257.
2 Wills, Probate Office, Charleston.
3 Dalcho’s Ch. Hist., 347; Statutes of So. Ca., vol. III, 378; Ramsay’s Hist. of So. Ca., vol. II, 257.
4 Ramsay’s Hist. of So. Ca., vol. II, 303.
mitted, and none were retained over fourteen — girls not beyond twelve; as fast as any of the pupils were dismissed, their places were supplied by the admission of others. The number of the pupils when Ramsay wrote was seventy-two. The funds then amounted to $137,000. The society was incorporated in 1751, by the name of the South Carolina Society. It was the first society incorporated, which gave the idea it was the first formed, which was, however, a mistake. 1 In 1744 a school was established by a society at Jacksonboro, in which the "learned languages, mathematics, and writing were taught." 2

The interest which the colonists in South Carolina took in educational matters clearly appears from a perusal of the *Gazettes* from 1733 to 1774, now on file in the Charleston Library. 3 During this time there are more than four hundred and twelve advertisements relating to schools and schoolmasters; and from these it appears that during the forty years there were nearly two hundred persons engaged in teaching in the province as tutors, schoolmasters, or schoolmistresses. 4 There were day schools, evening schools, and boarding schools; schools for boys and

1 Ramsay's *Hist. of So. Ca.*, vol. II, 362.
2 *So. Ca. Gazette*.
3 The following is a copy of the first advertisement we have found, May 12, 1733:—

At the house of Mrs. Delaware on Broad Street is taught these sciences.

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<td>Trigonometry</td>
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The STEREOGRAPHIC and ORTHOGRAPHIC Projection of this Sphere. The use of the Globe and the Italian method of Bookkeeping by John Miller.

4 The author has a collection of these advertisements which support the assertion of the text. See *Hist. of So. Ca. under Prop. Gov.* (McCready), 702.
year he advertises a ball which he will give to his scholars, and will open the ball by dancing a minuet with one of them. There were two other famous dancing-schools, one of Andrew Rutledge, and the other of Thomas Pike, each of which gave balls to their scholars. Ramsay tells us that great attention was paid to music, and that many arrived at distinguished eminence in its science. The advertisements in the *Gazettes* fully sustain this statement. In 1739 a person lately arrived proposes to teach "the art of Psalmody according to the exact Rule of the gamut in all the various measures, both of the old and new version." Similar advertisements continue to appear. The organists of St. Philip's Church appear to have added to their salaries by this means.

In 1752 the vestry of St. Philip’s Church send to London propositions for the employment of an organist in the place of one just dead, in which they hold out as inducements to a competent person: (1) that the voluntary subscriptions of the inhabitants for his services as organist will amount to no less than £50 sterling per annum; (2) that the benefit of teaching the harpsichord or spinet will amount at least to 100 if not 150 guineas per annum; (3) and that the benefit of concerts which on his obliging behavior to the gentlemen and ladies of the place may amount to 300 or 400 guineas per annum more.

In addition to the schools there were lectures upon educational subjects. In 1739 Mr. Anderson lectures on Natural Philosophy. October 31, 1748, Samuel Domjen announces in the *Gazette* that, having in his travels in Europe studied and made wonderful experiments in electricity, he proposes to show the surprising effects thereof.

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1 This Andrew Rutledge was not a member of the well-known family of that name.

at Mr. Blythe's tavern in Broad Street during the hours from three to five in the afternoon of Wednesday and Friday, and when desired will wait on the ladies and gentlemen at their houses to show the experiments. "Each person admitted to see them to pay 2s., who also may be electrified if they please." In 1752 Mr. Evans gave two courses of lectures on Philosophy. He lectured every day, Sundays excepted. In 1754 Robert Skedday, A.B., gives a course of lectures on Natural Philosophy, viz. Astronomy, Mechanics, Hydrostatics, and Optics. In 1765 Mr. William Johnson advertises to give a course of lectures on "that instructive and entertaining branch of natural philosophy called Electricity." The course was to consist of two lectures, in which all the properties of that wonderful element as far as the latest discoveries have made us acquainted therewith, and the principal laws by which it acts, were to be demonstrated in a number of curious experiments, many of which were entirely new. Among many other particulars Mr. Johnson proposed to show that the electric fire commonly produced by friction of glass and other electrical substances is not created by that friction, but is a real element or fluid body diffused through all places in or near the earth; and that our bodies contain enough of it at all times to set a house on fire. In his second lecture this fire was to be shown to be real lightning, together with many curious experiments representing the various phenomena of thunder-storms. Mr. Johnson was thus entertaining and instructing the people of Charlestown with Franklin's new discoveries. And with an eye to business he advertises that those who desire to have their habitations guarded from the fatal violence of this most awful power of nature, with which this colony had been often dreadfully visited, might learn from his lectures and experiments more of the nature and pro-
pensities of lightning than had been known in the world until within a few years; and at the same time would have an opportunity of being fully convinced that the method proposed for security, if put in practice with proper precautions, would be attended with success; and that they would understand, that instead of there being any just objection thereto, on the ground of its being a presumption in the face of the Almighty, they would have the utmost reason to bless God for a discovery so important and eminently useful. Mr. Johnson also undertook in these lectures to explain all the principal properties of that other useful branch of natural philosophy called Magnetism.

The colonists of South Carolina might thus well challenge comparison with those of any other province in America, and for that matter with the people at home in old England, for their efforts in behalf of the general and common education of the people. In no province, we venture to affirm, was more provision made by the wealthy for the education of the poor. There was, however, no similar system to that of the common schools which was growing up at the time in New England. The physical conditions of the province and of the colonists prevented it. The population was not equally scattered throughout the country, allowing the settlements of neighborhoods such as the New England townships. The low country was settled in large plantations, which were mostly unhealthy for the white man in the summer, thus requiring the planters to reside in Charlestown or in some resort, as Georgetown and Beaufort, during that season. This necessitated provision to be made for private education on the plantations in the winter or the sending of the children to boarding-schools in Charlestown or elsewhere. The \textit{Gazettes} of this time contain numerous advertisements for teachers in private families, and by persons willing to
become such tutors. With the accumulating wealth of the province it became the fashion after 1750, indeed to a considerable extent even before, to send the children of the opulent to England for their whole education. Many of the young men who came into public life just before the Revolution had spent the whole of their youth in England, or settled first at Eton or some other school, and then at Oxford or Cambridge. Thus it was that Chief Justice Charles Pinckney, when retired from the Bench and sent as the agent of South Carolina to London, took with him his two young sons, Charles Cotesworth and Thomas, and William Henry Drayton, and left them at school there. Besides these, Arthur Middleton, Thomas Heyward, Jr., Thomas Lynch, Jr. (three of the signers of the Declaration of Independence), Christopher Gadsden, John Rutledge, Hugh Rutledge, Henry Laurens, John Laurens, Gabriel Manigault, Peter Manigault, and William Wragg were sent to England for their education. Before and just after the Revolution, says Hugh S. Legare in a note to his Essay on Classical Learning, many, perhaps it would be more accurate to say most, of the youth of South Carolina of opulent families were educated in English schools and universities. There can be no doubt, he adds, that their attainments in polite literature were very far superior to those of their contemporaries at the North, and the standard of scholarship in Charlestown was consequently much higher than in any other city on the Continent. 1

So too in his Retrospect of the Eighteenth Century, by Dr. Samuel Miller of Princeton, in 1708, the belief is expressed that the learned languages, especially the Greek, were less studied in the Eastern than in the Southern and Middle states. The reason he assigns is that, owing to the superior wealth of the individuals in

1 Legare's Writings, 7.
the latter States, more of their sons were educated in Europe, and brought home with them a more accurate knowledge of the classics.¹

Dr. Ramsay calls attention to the fact that the natives of Carolina who were educated in Great Britain were not biassed in favor of that country, but that most of them joined heartily in the Revolution, and from their superior knowledge were eminently useful as civil and military officers in directing the efforts of their countrymen in defence of their rights. This, he observes, is the more remarkable, as the reverse took place in the other provinces.

During the discussion of the non-importation agreement in 1769 appears an essay in the South Carolina Gazette of November 9, in which the writer, “Carolinacus,” suggests that a great economy can be promoted by home education. He calls attention to the large sums of money annually remitted to England to maintain the children there, which in effect is so much money lost to the province, and urges that the example of the northern provinces in educating their youths at home be followed in this. Such a plan, he says, would engage men of real learning to come amongst them. Lieutenant Governor Bull was too loyal a Governor to encourage the non-importation agreement; but he was a man of learning himself,—the first native American to take a degree in medicine abroad,—and upon much higher grounds was in favor of establishing a college in South Carolina. On the 30th of January, 1770, he sent in to the Assembly a special message upon the subject. He had upon former occasions, he said, recommended to them such matters as concerned the encouragement of trade and the wealth of the province. He had now to propose for their consideration a matter of greater importance, as it

would transmit their wealth with additional advantage to their latest posterity. He meant the establishing in the province of seminaries of liberal education, whereby the youth—the future hope and support of the country—would be rendered more capable of serving themselves and the community of which they were members. The expense, and particularly the anxiety of parents, on account of the danger to the morals and lives of their children when far removed from parental oversight, deterred many from bestowing the inestimable advantages upon their offspring which were then not to be obtained but by sending them abroad. As appeared by a memorial of the Vice Presidents and commissioners of free schools, a short time before, the masters of the free schools coming out from England, being clergymen, were constantly removed from the schools to benefices in the church, and this frequent change was an impediment to their progress. To meet this, Lieutenant Governor Bull in this message urged that though the provisions for the masters of the free schools were more liberal than could have been expected in the infant and weak state of the province when made, that it was now indispensable to put the free schools upon such a footing as would induce masters not only to undertake but continue their charge. The present flourishing state of the province could well afford the expense of suitable salaries and buildings for the purpose. But, the Governor went on to observe, grammar schools alone were not sufficient, as they lay only the foundation of the education of those who are to be employed in the learned professions, or who by their fortunes will be placed in the foremost rank of public servants, and to be not only the defence, but ornament, of their country. Such an education could not be implanted but by the instruction of learned professors in the various branches of the liberal
arts and sciences, and is most successfully conveyed by students residing in colleges and conforming to wholesome statutes for their good government. It would, he acknowledged, be the work of time to build and endow such a seminary, but the benefits which the province would receive would overbalance all considerations of that nature. In conclusion, the Lieutenant Governor called the attention of the Assembly to the unhappy condition of the back settlers, who were destitute of instruction, even in the lowest and most necessary parts of education, and recommended the establishment of schools at the Waxhaws, Camden, Broad River, Ninety-six, New Bordeaux, and the Congarees. In pursuance of this recommendation of Governor Bull a bill was drawn "for founding, erecting, and endowing public schools and a college for the education of the youth of this province," a considerable portion of which was said to be in the handwriting of John Rutledge. After making full provision for public schools, the bill provided for founding and endowing a college in the province; for the appointment of commissioners and a Board of Trustees, of which the Governor and the Speaker of the Commons' House of Assembly were to be ex officio members, to be called "the Trustees of the College of South Carolina." There were to be a President, who should be Professor of Divinity, Moral Philosophy, and of the Greek and Hebrew languages, at a salary of £350 sterling per annum; a Professor of the Civil and Common Law and of the Municipal Laws of the province, with a salary of £200; a Professor of Physic, Anatomy, Botany, and Chemistry, £200; a Professor of Mathematics and of Natural and Experimental Philosophy, £200; a Professor of History, Chronology, and Modern Languages, £200. The President was, of course, to be of the religion of the Church of England. To John Rutledge has usually been
attributed the credit of having made the suggestion of this college, from the fact that most of the bill was in his handwriting; but the message of Lieutenant Governor Bull clearly indicates that he was the author of this attempt to provide a plan of higher education in the colony, and no doubt he had John Rutledge’s hearty coöperation in the scheme. But the time was not propitious for the introduction of any such wise measure. The people were all aflame about the non-importation agreement, and could think of nothing but their meetings and doings under the Liberty Tree. William Henry Drayton, as we shall see, had just left the province in disgust at the measures he was soon to return to espouse. William Wragg had retired in despair; Christopher Gadsden was pressing on in the road which could end only in revolution; and John Rutledge himself was conniving at the misappropriation of the public funds for the benefit of Wilkes. He might assist Governor Bull by drafting a bill to carry out recommendations which his own judgment no doubt clearly approved, but he could not divert the attention of the people under the Liberty Tree from the enforcement of the “agreement” to consider so theoretical a matter as that of education.

But while Governor Bull could not induce the General Assembly to forego the disputes with the Royal government sufficiently to attend to this matter of the promotion of colleges for higher education, the northern colonies saw the opportunity of raising funds for the support of such institutions in America, and availed themselves of it. The Gazette of the 15th of February (1770) reports, “We have now here no less than two solicitors for benefactions to colleges in northern colonies, viz.: the Rev. Hezekiah Smith, who collects for one intended to be established in
Governor Bull, as we have seen, called the attention of the General Assembly to the want of schools in the upper part of the province. The year before, i.e. in 1768, a society had been formed by the inhabitants of the Ninety-six District for the purpose of endowing and supporting a school there, the society was incorporated in the session of the General Assembly to which Governor Bull sent his message, and at the same session Thomas Bell, William and Patrick Calhoun, and Andrew Williamson petitioned the Assembly in behalf of themselves and of “other inhabitants of the back parts of the province” among other things, as we shall see, for ministers of the gospel and schoolmasters. But the want of public schools in this section of the State was supplied, in a great measure, by the Presbyterian clergymen who came down with the Scotch-Irish immigration. Churches and schoolhouses were built together by the ministers of that church, which from the earliest times has been foremost in the cause of education in this country. Of the zeal of the women of these people we have already had occasion to quote the eloquent description of their historian. These Presbyterian clergymen came from Ireland, — some from Scotland, — and were usually men of education, some of the highest education. They read and wrote Latin fluently, and appear to have been required to defend a thesis, and to explain the Greek Testament upon joining the presbytery. At least such was expected of Archibald Simpson when he began his ministry as a probationer. Some were excellent arithmeticians, and all were good penmen. The “Master,” as the teacher was called, discharged many duties usually performed by lawyers and surveyors. In the absence of lawyers, in that section, he drew all the wills and titles to land, and made all the difficult calculations. No man in the settlement was more honorable or honored than the
December, 1777. Its preamble urges the importance of endowing and establishing public schools to cultivate the youth in the principles of religion and every social virtue, to enable them to fill with dignity and usefulness the important departments of State; and asks who that is a lover of his country can fail to deplore the great want of this necessary qualification in our youth, especially in the interior parts of it, at this early period of our flourishing and rising State? “In the future, when we shall be at liberty to make our own laws without the control of an arbitrary despot, what heart would not glow with pleasure to see a senate filled with learned, wise, and able men, for the want of whom the most flourishing republics have become the tools of arbitrary despots? And whereas there is a society established in the parish of St. David, by the name of St. David’s Society, purposely for founding a public school in said parish for educating youths in the Latin and Greek languages, mathematics, and other useful branches of learning, by those who are not of ability without assistance to carry so useful and necessary an effort into effect,” to contribute to so laudable and benevolent an undertaking the subscribers contribute the sums mentioned. The society was incorporated on the 28th of March, 1778. Another, the “Catholic Society,” was about the same time incorporated for the purpose of founding, endowing, and supporting a public school in the District of Camden, eastward of the Wateree River.

“Indeed, if the number of newspapers printed in any community may be taken as a gauge of the education of the people, the condition of the Southern states as compared with the Eastern and Middle was most deplorable,” is the reckless assertion of a distinguished historian; and in support of this charge of ignorance he states that in 1775

1 Gregg’s Hist. of the “Old Cheraws,” 280–284.
were always short local paragraphs in which are presented most interesting items of personal and local history, sometimes invaluable in fixing definitely and decisively disputed dates. There were notices of births, deaths, and marriages. In announcing a marriage it was the custom to make some complimentary remark upon the bride. "She was a young lady of great beauty, and blessed with the most valuable accomplishments." "A lady of celebrated beauty, and endowed with every qualification that can render the nuptial state a happy one." Sometimes fortune is mentioned in pounds sterling. Then there were moral and social essays after the model and style of those in the *Spectator* and *Rambler*, all in the most approved Johnsonian periods. All political subjects were discussed in the *Gazettes*. We have seen the discussions concerning the nature of the Council: whether it was an Upper House of Parliament, or merely an advisory cabinet. During the excitement over the non-importation agitation the letters on the subject were often very bitter. The celebrated discussion between Christopher Gadsden and William Henry Drayton we shall soon see carried on in this way, the old patriot not hesitating to inflict seven and eight columns of his wrath at a time upon his youthful but accomplished adversary, in a style rambling and confused, but always hitting his mark. Commissary Garden takes a hand in the heated discussion upon the subject of the smallpox. The question of inoculation is discussed, whether it is not tempting the wrath of God in thus claiming to anticipate the dread disease. There were but few editorials. But Timothy, in the *South Carolina Gazette*, was always warning against the importation of negro slaves because of the danger from their increasing numbers in proportion to the whites. Wells, of the *American General Gazette*, was early accused of lukewarm-
ness to the patriot cause, an accusation which was confirmed by his going over to the British when they took the city, and his paper becoming the *Royal Gazette*.

The establishment of libraries, the circulation of books, encouraged by legislative acts and private donations, are certainly evidences that education was not neglected in the province. "The idea of a free public library could hardly find acceptance," it has been observed, "until the idea of free public education had become familiar to men's mind, and the libraries existing at the time of the Revolution were necessarily representative of the existing state of public opinion on the subject of culture."¹ The colonists of South Carolina had become familiar with the ideas alike of free public education and a free public library before the overthrow of the Proprietary government. Their efforts in regard to free education were no doubt limited, but in each parish there were pupils who were taught free at the public expense. There can be little doubt that the first library in America to be supported in any degree at the public expense was that at Charlestown in 1698. The belief expressed by the author that this library was the first public library in America² has been criticised as misleading.³ But the facts are sufficient to sustain the belief. The library at Henrico, Virginia, in 1623, which is said to a moral certainty to have been the first,⁴ was not in any sense a public library. It was the gift of a private library to a projected college, just as the library of Harvard was begun by a devise by the Rev. John Harvard of his library to the Wilderness Seminary.

¹ *Public Libraries a Hundred Years Ago* (H. E. Scudder), U. S. Bureau of Education, 1876, chap. I.
² *So. Ca. under Prop. Gov.* (McCready), 353.
CHAPTER XXVI

The years that elapsed between 1728 and 1768, it has been observed, were years of unprecedented prosperity. The increase of population was immense, and in the enjoyment of unexampled happiness the people became gay, polished, and devoted to hospitality. Among those who passed the meridian of life during that period, it was affectionately remembered by the appellation of the good old time. Society at that time, it was said, was precisely in that state which is most favorable to the enjoyment of life. The luxuries of the day were within the reach of a moderate fortune, and few could be said to be elevated above one common level. Hence social happiness was not disturbed by the workings of envy or the haughty demeanor of upstart pride.\(^1\) The first and second Georges, says Ramsay, were nursing fathers to the province, and performed to it the full-orbed duty of Kings; and their paternal care was returned with the most ardent love and affection of their subjects in Carolina. The advantages were reciprocal. The colonists enjoyed the protection of Great Britain, and in return she had a monopoly of their trade. The mother country received great benefits from this intercourse, and the colony under her protecting care became great and happy. The Carolinians were fond of British manners, even to excess.\(^2\) To such an extent was this carried that Drayton adds they were too much preju-

\(^1\) Johnson's *Life of Green*, vol. I, 255.
diced in favor of British manners, customs, and culture to imagine that elsewhere than in England anything of advantage could be obtained.¹ They were not satisfied, it is said, unless the very bricks of which their houses were built were brought from England.² Though un-

¹ A view of So. Ca. (Drayton), 217.
² There is a very common tradition in South Carolina, not peculiar however to this State, that the bricks of which some still standing colonial mansions were built were imported from England. These traditions have, we believe, been pretty well exploded in Virginia and Maryland. And, as somewhat of a test, the author of this work requested Mr. John H. Devereux, Architect, U. S. Superintendent of Public Buildings, to make for him a calculation, by measurement, of the bricks in the historical residence of Miles Brewton, built probably about 1770, and now known as the Pringle mansion, situated in King Street, Charleston; the headquarters both of the British and Federal armies during their respective occupations of the city. He finds that there are in it 1,278,720 bricks, weighing 8 pounds each, which amounts to 4,666 tons. There were no vessels at that time of over 500 tons trading to Charleston; so that it would have taken a fleet of 9 of the heaviest draught vessels then coming into our harbor to have brought these bricks from England; or if brought in ballast, 100 tons to the vessel, 45 vessels. Mr. Josiah Quincy, in his Journal, states that this house was said to have cost Mr. Brewton £8000 sterling, probably about $50,000 of our present money; but this would scarcely have allowed the employment of so many vessels in the transportation of bricks alone when cargoes from England at that time were so valuable. An explanation of the tradition probably is that there were two patterns or moulds used for making bricks, one of which was called "English brick," and the other "Dutch brick," — the English was large and heavy, the Dutch brick was very small, — a sample of the latter is still to be seen in the house on Church Street, mentioned by the author in a note to his work on the Hist. of So. Ca. under Prop. Gove., p. 703, as one of the oldest in the city; the bricks in the Pringle mansion are probably samples of the former. The fact that a house was said to have been built of "English brick" has been construed by tradition to mean that it was built of bricks imported from England. As we have seen, however, some bricks were certainly brought from England, as well as from New England, after the great fire of 1740, for the prices of English bricks and New England bricks were then, among other things, fixed by statute.
suited to the climate, the models of their houses were after those of the houses in London and the English country seats. Their furniture and carriage horses, chaises or coaches, must all be imported. In vain did the coach-makers in Charlestown advertise in the Gazette that they could build as good. The tailors and milliners brought out the fashions from London. In February, 1751, a peruke maker from St. James, London, advertises in the Gazette his arrival, and that he has taken a shop in Broad Street, where he intends to follow his business; has brought over with him a choice assortment of English hair and other material belonging to his business; he promises both ladies and gentlemen that their business will be done according to the best and newest fashions, that they shall be fitted to the greatest nicety, so that their wigs shall never shrink in the foretop parts or come down; he promises the ladies that their “tetes” shall be made in such perfect imitation of their own hair that it will be difficult to discover any difference.

Households were organized on the English model, except in so far as it was modified by the institution of slavery, which modification was chiefly in the number of servants. In every well-organized planter’s household there were three high positions, the objects of ambition of all the negroes on the plantation. These were the butler, the coachman, and the patroon. The butler was chief of all about the mansion; usually the oldest negro man-servant on the premises, his head was often white, the contrast of which with his dark skin was striking, and added much to the dignity which it was always his care and pride to maintain. His manner was founded upon that of the best of the society in which his master moved, and with all he possessed much greater ease than is usual in a white man occupying the same position. He became an
ment for so many hands. Outside of the household the "driver" was the great man. Under his master's rule, he was absolute. He was too great a man to work himself, and if his master was anybody—that is, if the plantation was of a respectable size, with a decent number of hands—he must have a horse to ride, for how else could he oversee all his people? The "driver" was the executive officer. He received his orders from his master, and he carried them out. He did all the punishing. When punishment was necessary, he inflicted it under his master's orders. He was responsible for the administration of the plantation. A plantation was a community in itself. It had its necessary artisans. There must be carpenters, blacksmiths, coopers, tailors, and shoemakers, for there were no ready-made clothes and shoes in those days. Then there was a hospital for the sick, and a house for the children while the mothers were at work. All these required thorough organization and complete system. There were no doubt many and great evils inseparable from the institution of slavery, but these were reduced to a minimum on a Carolina plantation; generally the slaves were contented and happy, and shared in the prosperity which their labors on the new rice fields were bringing to their masters.

The Carolinian, like a true Englishman, was devoted to field sports. He rode from his infancy. Attempts have been made to show that horses were natives of America, and plausible arguments have been adduced to establish the fact; but Bartram, the best authority, informs us that the horse was not originally found in the possession of Indians. It is curious that horses are not mentioned

1 Logan's Hist. of Upper So. Ca., 155; "Horses not Imported," pamphlet, F. S. Holmes, Charleston Library, 6th Series, vol. XV.

2 Bartram's Travekls, 213.

"With regard to the horses of America in different parts of the coun-
in the instructions to Governor Sayle, which otherwise give such minute instructions for the material he was to take out or to obtain for the settlement of the colony in 1670, unless horses were intended to be included in his instructions as to cattle; these, he was instructed, the Proprietors would cause to be brought from Virginia. And though it is usually supposed that the horses of Carolina were obtained from the Spaniards, who had produced a remarkable breed in Florida, there can be little doubt that Virginia was the source of supply to this province; indeed, so much did the colonists depend upon Virginia for their horses, instead of attending to rearing them themselves, that as early as 1700 the Assembly passed an act reciting that the great numbers brought from Virginia and other northern plantations were disadvantageous and detrimental to the province, and imposing a heavy tax upon their introduction. Nevertheless Dr. Ramsay tells us that before 1754 a Spanish breed called the Chickesaws were the best horses for the draught or saddle. These horses, he says, in general, were handsome, active, and hardy, but small, seldom exceeding thirteen hands and a half in height. These, when crossed

try, we will merely say that they originated from various nations. Columbus on his second voyage, in 1493, brought over with him many horses from Spain; but Cabaca de Vaca was the first person who imported horses into any part of the country now a part of the United States. He landed them in Florida in 1527. They were turned loose and soon increased wonderfully. In 1609 a stallion and six mares were imported into Virginia from England. In 1625 there were brought over a few horses from Holland to New Netherlands, now New York. The first horse brought into the State of Massachusetts was from England in 1629. In 1678 horses existed in great numbers in Louisiana, Illinois, and Texas; wild herds, of Spanish extraction, were found roaming over our western prairies when the West was first explored."—Hist. of the Turf in So. Ca. (1867), 24, 25.

1 Statutes of So. Ca., vol. II, 164.
with English blooded horses, produced colts of great beauty, strength, and swiftness. After 1754 the stock of horses was still more improved by foreign importations. Great attention was paid to the breeding of these horses. They were trained to two gaits,—the canter and the walk,—and in these they were unsurpassed. The trot and pace were seldom used. The saddle horses were excellent hunters, and though but of medium size would seldom hesitate to take a six-rail fence at a leap. The boys and girls learned to ride upon tackies, which were often not more than ponies in size, but active, enduring, and easy gaited. The Low Country was not suited for fox hunting. It was too much cut up with marshy creeks and swamps to allow a fox chase. The great sport was deer hunting, which was carried on by clubs as a social diversion. The members met once or twice a month, by turns providing a dinner in a plain building erected for the purpose, and called the clubhouse. They met early in the day with their hounds, horses, and guns. The hounds, usually in charge of a negro, soon found the scent, and no sooner was it found than in full cry the chase was begun. The woods, says Dr. Ramsay, reëchoed with sounds more exhilarating to the party than any musical instrument. From their knowledge of the country and the habits of the deer, the hunters knew the precise course the deer would take, and in anticipation of that would take different stands, but all ahead of the game, so that the terror-stricken animal would sometimes run the gantlet of many guns; or at others, when the number was small, having missed a shot, the hunter would gallop through the woods with a swiftness exceeding that of the dogs, and reach another stand before the game approached it. The deer seldom ran its full course. He often fell before the first stand; he hardly

1 Ramsay's Hist. of So. Ca., vol. II, 403.
ever escaped a second; sometimes he was killed by a shot from the hunter while at full speed.\textsuperscript{1} There was one of these clubs in St. Andrew's Parish as early as 1761.\textsuperscript{2} The clubhouse still stands on the church grounds.

The Carolinians were fond of horse-racing. As early as February 1, 1734, we find in the \textit{Gazette} a notice of a race for a saddle and bridle, valued at £20 as the prize, mile heats, four entries. The horses carried ten stone; the riders, it was stipulated, must be white. This race took place on a green on Charlestown Neck, immediately opposite a public-house, known in those days as the Bowling Green House. The course was staked out for the occasion. In the following year (1735) owners of fine horses were invited through the papers to enter them for a purse of £100. This year a course was laid out at the Quarter House, about six miles from Charlestown, to which the name was given of the \textit{York Course}, after the course of York in England, which was then attaining celebrity as a race ground. From year to year, racing was continued over the York Course, either in the month of February or beginning of March, the prize being generally a silver bowl or a silver waiter or a silver tankard about the value of £100 currency (about £14 sterling), the riders never carrying less than ten stone weight. Silver in some form continued to be the prize; and the silver plate of many families in the colony was considerably increased by the prizes won on the race-course. Occasionally, however, other prizes were offered. On the 11th of March, 1743, a gold watch, valued at £140, was run for; and on the 24th of February, 1744, a finely embroidered jacket, of the value of £90. In this race, each rode his adversary's horse, and the one that came in last took the jacket. On

\textsuperscript{1} Ramsay's \textit{Hist. of So. Ca.}, vol. II, 406.
\textsuperscript{2} \textit{So. Ca. Gazette}.
the second Thursday in February, 1747, a race was run at the Ponds Old Field, near Dorchester, for a very neat saddle and bridle, with blue housings, value £30, a pair of silver spoons, and some other things,—one mile, the best in three heats. Races at this place were continued for a few years. As we learn from a History of the Turf in South Carolina, published by the South Carolina Jockey Club, up to this time not many full-blooded horses had been imported into the province; but soon after some well-bred horses and mares were brought from England, and many planters raised their own horses. In consequence of the inconvenient distance of the York Course from Charlestown, and with a view to still further encourage and improve the herd of good horses, a new course was established, by subscription, in the year 1754, and laid out about a mile from the town. It was announced to the public as the New Market Course. Races took place on it for the first time on the 19th of February, 1760, under the proprietorship of Mr. Thomas Nightingale,—a Yorkshire man by birth,—the same we have mentioned in a previous chapter as establishing a cow pen, or ranch, near what is now Winsboro. This course was situated on the common on Charlestown Neck, commonly known as the Blake Tract; it occupied the whole of the unenclosed ground between the King Street road and the low ground of Cooper River, through which now runs Meeting Street road. Meeting Street road was not then laid out; the road known as the “Great Path” or “Broad Path” was that now known as King Street road. From 1760 an increased interest was manifested in the sports of the turf in South Carolina. Races were announced to take place in various sections of the Low Country. In 1768 there were races at Jacksonborough; in 1769 at Ferguson Ferry, and at Beaufort; and soon after they were in suc-
onds, being four miles. Two thousand pounds were won and lost at this race, and Flimnap sold at public vendue the same day for £300 sterling. At the races I saw a fine collection of excellent, though very high-priced, horses, and was let a little into the 'singular art and mystery of the turf.'"

Among the Articles of Association adopted by the Continental Congress, in 1774, the eighth pledged the subscribers to "discountenance and discourage every species of extravagance and dissipation, especially horse-racing and all kinds of gaming, cock-fighting, exhibitions of shows, plays, and other expensive diversions and entertainments." This was no sacrifice on the part of the Puritans of New England, where all theatrical performances were forbidden by law, and where there was no such thing as a race-course or a thoroughbred horse; but it was no little sacrifice in Virginia and South Carolina, where the theatre and the race-course were the constant resorts of all the people. But, while John Rutledge was protesting against the injustice of the prohibition of the exportation of rice, we do not find that he raised his voice to object to the suppression of amusements. The people of South Carolina, however, even while showing their willingness to fight for the cause of liberty, did not take kindly to these deprivations, and especially did they disregard and violate this prohibition of racing. So the General Assembly took up the matter, and in an act reciting the pledge of the Association upon the subject, prescribed that if any person should violate the said Association from the passage of this ordinance by any manner of horse-racing, he should forfeit the sum of money he bet and the horse he ran. Whether this act was ever enforced we do not know; but the progress of the war put a more effectual stop to the sport and dispersed the horses.
Wars and rumors of wars, says the historian of the turf, now began to have their effect upon the popular pastimes of the Carolinians. The independence of the country having been declared, no event of interest on the turf occurred for many years. Not only were all the horses thrown out of training, but, on the appearance of the British army in the Low Country, they were either used as chargers by those who had taken up arms in the defence of the country, or they were hid in the swamps adjoining the different plantations on which they were bred. But in this their owners were but partially successful. In Sir Henry Clinton's expedition to Carolina, his cavalry horses having been lost at sea, it was a matter of great consequence to find horses upon which to remount his men; and, through the carelessness of the post at Monck's Corner, Tarleton was enabled at one fell swoop to secure four hundred. The possession of some of the famous race-horses in the Low Country became the object of great prize to the contending forces, and many and most interesting incidents are brought down by tradition connected with the attempts of the British to capture them, and of the escapes of their masters, in some instances, by reason of their fleetness. Repeated efforts were made to get possession of Flimnap, then owned by Major Isaac C. Harleston; but they were unsuccessful, the negro grooms remaining faithful to their charge until he could be removed into North Carolina, one of them having been actually hanged and left as dead by a detachment of British troops, because he would not betray his trust in regard to the place of concealment of the horse; but he was cut down and recovered.¹

¹ *Hist. of the Turf in So. Ca.* (1857), 43, 44.

Major Harleston was not at that time, however, the sole owner of this celebrated horse, as will appear by the following extract from the will of
But, as we have said, the malaria drove the planters to town every spring before the bloom of the highly scented magnolia had fairly opened; and there he remained with his family until the next hard frost, visiting his plantation from week to week, usually in his well-manned canoe, which the patroon brought for him. This collection of planters and their families during the summer months produced a society of wealth and leisure for which there must be provided entertainment; but this was of a domestic character. Public balls, concerts, and races took place then, as now, in winter — the fashionable season.

The people were as fond of indoor amusements as of field sports, and music was cultivated at a very early

John Harleston, Jr., who died in 1783, just after the Revolution, and which is given also as illustrative of the manners of the times: "Also my moiety in the above mentioned stud horse, Flimnap, as also my wearing gold watch and the old family watch I give unto my cousin, Isaac Harleston, son of John Harleston, deceased, also it is my will and desire that my negro man slave, Andrew, immediately after my death have his liberty and that he ever afterward enjoy his freedom, whom I hereby set free and manumit in reward for his great attachment to my person and interest and his ready and faithful discharge of duty to me in every capacity, particularly in the character of a groom; and to prevent his becoming an incumbrance to society or a charge to the State, by age, sickness, or accident, I hereby order and direct that the said Andrew shall always be permitted to reside upon any one of my plantations he may chuse, and I hereby give unto the said Andrew the sum of £100 annually, current money of South Carolina, according to the real value in the year of our Lord one thousand seven hundred and seventy-five, for and during the term of his natural life." — Will Book A, 188, Probate office, Charleston, S.C.

Mr. John Huger also by his will gave his servant, Mingo, his freedom and the freedom of his wife as an handmaid, because of his faithful service in protecting his property of which he was left in charge, and this though Mingo had not been able to save a fine breeding mare from capture by the British. Mingo, after his master's death, remained for years upon the Hagan plantation, his master's residence, keeping his horse, drawing his rations, blankets, and provisions equally with the other negroes to the last day of his life. *Hist. of the Turf in So. Ca.*, 45.
period. The *Gazette* of the 17th of February, 1733, announces that "at the Council Chamber on Monday, the 26th instant, will be a *Consort* of vocal and instrumental music. Tickets to be had at Mr. Cook's and Mr. Sanreaus at 40s. N.B. None but English and Scotch songs." The next year a similar advertisement appears for a *Consort* on the 19th of February (1733), with the addition that it would begin at 6 o'clock. The *Consort* was repeated this year on the 18th of December, and in January and March following two more were given. These were advertised to be for the benefit of Mr. Slater, and tickets were to be had of Mr. Stephen Bedon and Mr. Roper in Broad Street. 1735 was a gay year, notwithstanding that the good Governor Robert Johnson died in it. There were not only concerts, but a new theatre was opened, and this leads us to observe that there was then a theatre in Charlestown even before 1735, as the theatre opened is spoken of as the *New Theatre*, clearly implying that there had been one before. This was undoubtedly the first theatre in the American colonies, the next attempt being in 1749 in Philadelphia.\(^1\) In the *Gazette* of February 21, 1735, we find an advertisement. "At the *New Theatre*, Queen Street, will be acted on Monday next A *Tragedy* called the *Orphan*, or the unhappy marriage;" and on

\(^1\) In the Supplement to the *EncyclopaediaBritannica* (9th ed.), in an article upon the Drama, it is stated "that Judge Daly has discovered in Bradford's *Gazette* of October, 1733, an advertisement of a merchant who announces that his store is 'next door to the Playhouse,' but his later and more minute researches lead him to believe that this Playhouse of 1733 was used principally for puppet shows and similar entertainments. But the performances given in 1750 by the Philadelphia Company are beyond all doubt, and for the first time we are on the solid ground of assured fact." But here we have the equally assured fact of a theatre in Charleston before 1735, and the performance of a *Tragedy* in February of that year.
the 28th is announced "By the Desire of the Troop and Foot Companies, At the New Theatre in Queen St., will be acted on Tuesday next a Comedy called the Recruiting Officer, with several entertainments, as will be expressed in the foot bills." For March the 12th, the London Merchant, or the history of George Barnwell, is advertised. By the end of 1735 society had advanced from the concert stage to that of a public ball. On the 22d of November we find in the Gazette the notice, "At the Court Room on Monday, 15th of December next, will be A Ball. To begin at 5 o'clock. No person admitted but by printed Ticket. Henry Holt, Master." In January, 1737, is advertised to be performed, "the Tragedy called Cato, written by the late Mr. Addison, with a Prologue by Mr. Pope. Tickets to be had at Mr. Charles Sheppard’s, Stage and Balcony Boxes 30s., Pitt 25s., gallery 5s. To begin exactly at 6 o’clock." From this time on we find concerts, theatrical performances, and balls constantly occurring until May 28, 1774, when the Gazette announces that the American Company of Comedians finished their campaign here on Friday last, having acted Fifty-eight plays, from the 22d of December last, a list of which it promised to insert in its next issue, and, accordingly, on the 30th it has quite a long review of the theatrical performances of this company, which, it says, were warmly countenanced and supported by the public, and the manager and his company excited to the most strenuous efforts to render their entertainments worthy of so respectable a patronage. If it is considered, says the Gazette, how late it was in the season before the house could be opened, the variety of the scenery and decorations necessary to a regular theatre, the number of the plays represented, and that almost every piece required particular preparations, it must be confessed that the exertions of the American Company have been
uncommon, and justly entitles them to the marks of public favor that have for many years stamped a merit on their performances. The *Gazette* announces that the company had separated until the winter, when the New York Theatre would be opened, Mr. Hallam, the manager, having embarked for England to engage some recruits for that service. The year after, the company proposed to perform at Philadelphia, and in the November following (that is, in 1776) we may expect them here, says the *Gazette*, with a theatrical force hitherto unknown in America. It is needless to say this expectation was not fulfilled. When the time came for their anticipated return the country was in revolution, and the battle of Fort Moultrie had been fought. In the catalogue of pieces performed during this time we find all the standard plays of the day. Of Shakespeare's there were produced "Hamlet," "Romeo and Juliet," "Merchant of Venice," "Richard III.," "Tempest," "Henry IV.," "Othello," "King Lear," "Julius Caesar," "Macbeth," "King John." Of others, "The Mourning Bride," "She Stoops to Conquer," "Beggar Opera," "West Indian," "Fair Penitent," etc.

On the 5th of November, 1787, the *Gazette* announces that at the New Theatre on Queen Street on Thursday, the 12th, being St. Cecilia's day, will be performed a concert of vocal and instrumental music. This was probably the origin of the St. Cecilia Society, which was not organized, however, until 1762. Josiah Quincy, on his visit in 1773, attended a concert given by this society, and in his Journal describes the concert house as a large, inelegant building, situated down a yard. At the entrance he was met by a constable with his staff. To this officer he offered his ticket, which was subscribed by Mr. David Deas, who had given it to him. He was directed by the officer to proceed, and was next met by a white waiter, who directed
him to a third, to whom he delivered his ticket,—and was conducted in. The music, he says, was good; the bass viols and French horns were grand. He tells of one Abercrombie, a Frenchman just arrived, who played the first violin and a solo incomparably better than any one he had ever heard. So rich was the society that the violinist, who could not speak a word of English, had a salary from it of 500 guineas. Mr. Quincy gives a very interesting account of the entertainment. There were, he says, two hundred and fifty ladies present, and it was called no great number. In loftiness of the head-dresses, he says, these ladies stoop to the daughters of the North; in richness of dress surpass them; in health and floridity of countenance vail to them. In taciturnity during the performances, greatly before our ladies; in noise and flirtation after the music is over, pretty much on a par. If our ladies have any advantage, it is in white and red, vivacity and spirit. The gentlemen, many of them, dressed with richness and elegance uncommon with us. Many with swords on.

Lord Charles Greville Montagu, the Governor, who was to sail the next day for London, was present to bid farewell to the people, among whom, notwithstanding their political differences, he had many personal friends, to whom he was no doubt sincerely attached. Mr. Quincy was presented to his Excellency by Mr. Deas, and to Chief Justice Thomas Knox Gordon, and two of the Assistant Judges recently arrived from England.

In 1784 the St. Cecilia Society was incorporated in an act which recites that its members, by voluntary contributions, had raised a considerable fund, which was out at interest on bonds, and had collected a number of musical instruments, books, and other property for the purpose of encouraging the liberal science of music. This Society has had a continuous existence until to-day. It has lost
against fire are desired to meet at the house of William Pinckney ¹ on the Bay, on Tuesday next at 5 o’clock in the afternoon to enter into articles to carry out the design. On January 3, 1786, Jacob Motte, James Crokat, and Henry Peronneau advertise that the Rules are engrossed and ready for signature. They state that the proposed value of those who had subscribed amounted to about £100,000. The Society was organized on the 3d of February, under the name of the Friendly Society; John Fenwicke, Samuel Wragg, and Charles Pinckney were chosen Directors; John Crokat and Henry Peronneau, Merchants (sic); Gabriel Manigault, Treasurer; Gereit Van Velesen and John Laurens, Fire Masters. This was the first fire insurance company in America; the next being the Philadelphia Contributorship for the Insurance of Houses against Losses by Fire, at the head of the Directors of which stood Benjamin Franklin, and which was founded in 1752.² Of the Charlestown Library, and its influence as a centre of culture, we have already spoken.

There were fashionable taverns, too, where entertainments were had, and which the gentlemen of leisure frequented. Mr. Dillon’s, at the corner of Church and Broad streets, — “the corner” as it was afterward called, — and Mr. Poinsett’s, on the Bay, were the chief of these. It was to these houses that the processions from the Liberty Tree, in honor of Wilkes and of the Massachusetts antirescinders, marched, and there the men went in to refresh themselves; and there they met to discuss the affairs of the day.

There was a court circle in the province. The popular Governor, Sir Nathaniel Johnson, and his son, the good Governor Robert, their Excellencies Charles Craven, James

¹ A brother of the Chief Justice Charles Pinckney.
² Supplement to Encyclopedia Britannica, title “Insurance.”
had much to do with preparing the way for the reception of revolutionary sentiments. Hector Berenger de Beau-fain, a Frenchman by birth, who came out in 1733 as collector of his Majesty's customs, a man of education and accomplishments, endeared himself to the people by the just administration of his public office and the example of his private virtues. He was a most important man in the colony for thirty-three years, a part of the time in the Council, and exercised a great social influence. He was honored after his death with a tablet in the old St. Philip's Church. The officers of the British army and navy were great social favorites. We have seen how Colonel Montgomery's troops, who came to the temporary assistance of the colonists in the first Cherokee war, were welcomed by the people in 1760. Colonel Grant, who commanded the next detachment, and the expedition of 1761, was inclined to put on a good many airs, and to treat the provincial officers with little respect; but this conduct was promptly resented by Colonel Thomas Middleton in a way that led to the duel we have mentioned, in which the position of the provincial officer was fully established. Colonel Probarth Howath, a provincial officer who was long in command of Fort Johnson, appears to have been quite a favorite. The names of two naval officers are preserved in the streets of Charleston; Lord George Anson, the famous circumnavigator, between the years 1724 to 1735, was stationed chiefly on the Carolina coast, and was much given to card-playing. The tradition is, that the part of the city through which Anson Street now runs was purchased by him out of his gains at the card-table — a modification of this is that he won the whole tract in one game. The tract was called Ansonboro, and, as we have said, was the first suburb of the town.

1 This story has taken form in the Encyclopædia Britannica, that "a town and county, named Ansonborough, commemorate his residence there."
Sir Peter Warren, another British admiral, was stationed at Charlestown as a young man and purchased lands in the vicinity of what is now Warren Street.

It is the common belief that at convivial parties among gentlemen in the last century there was a great deal of heavy drinking, and there is no doubt much truth in it; but there was little drunkenness. An examination of an old book containing copies of business letters dating from 1763 to 1773 shows many pipes of wine and casks of Madeira in bottles received for parties ordering, all coming by ship from England. Madeira became known and fashionable in England, owing to the strong recommendation of officers who had served in the West Indies and America; and Charlestown was the place from which its reputation chiefly came. A glimpse at the convivial habits of this time is given in a sketch of a wine party still preserved in a family in Charlestown from 1760. The party consists of eight persons, each one named and his likeness given as far as possible, although the artistic merits are not conspicuous. Of the number five are officers of Fort Johnson, including the colonel commanding, three are civilians, including the host—himself one of the most prominent men of the times. They are seated around a square table, upon which are a punch-bowl, several bottles, and two decanters; one of the glasses is broken and lying on the table. The half-burned candles show the time to be late at night—a fact which is corroborated by the black servant boy leaning his head against the wall overcome with sleep. There is much merriment, each one saying something, or, rather, all talking at the same time, as participants in convivial parties usually do. But the scene is an orderly one withal, and indicates that excessive drinking was by no means the fashion.

Diaries were frequently kept. One, by the wife of a
England. As late as 1795, says Professor McMaster, a gentleman who had been abroad was pointed out in the streets, even of the large cities, with the remark, "There goes a man who has been to Europe."1 There were few gentlemen in South Carolina who had not been to Europe. We have seen how their sons were constantly sent abroad, either to Scotland or England, for their education. Their parents often went to take them there; not unfrequently, as in the cases of Chief Justice Pinckney, and Mr. Henry Laurens, and Mr. Ralph Izard, the parents took up their residences in England to supervise the education of their children. The merchants, too, went constantly to order in person their goods. The people of means, whether for business or pleasure, were continually coming and going between Charlestown and London. A voyage usually took from six to eight weeks, though at times it was accomplished in a month. The favorite packets were the \textit{Beaufain}, Captain Daniel Curling, and the \textit{London}, Captain Alexander Curling, and the \textit{Little Carpenter}, so named after the Indian chief, Captain Maitland. But Captain Daniel Curling was the favorite of all. He was slow, but considered sure, and could obtain freight while other vessels were idle; and his cabin was preferred by all who wished to cross or recross the Atlantic. He seldom sailed or arrived without a full company of Carolinians.

A traveller in the country immediately after the Revolution, whose statement, however, must be taken with caution, as he was much prejudiced, but the truthfulness of whose picture of the state of society and manners of the people of the colonies has been fully recognized, describes the planters and merchants of South Carolina as well bred; the people strong and expensive in their dress; everything conspiring to make Charlestown the liveliest,

1 \textit{Hist. of the People of the United States} (McMaster), vol. I, 61.
the pleasantest, and the politest place, as it is one of the richest, in all America. The large fortunes, he says, that have been acquired in the city from the accession and circulation of its trade, must necessarily have had great influence on the manners of the inhabitants; for of all the towns in North America, it is the one in which the conveniences of luxury are most to be met with. Says another, a more recent writer, the planters were travellers, readers, scholars; the society of Charlestown compared well in refinement with that of any city of its size in the world; and English visitors long thought it the most agreeable in America.

The merchants of Carolina, as we have seen, unlike those of New England, were prospering and contented, and the planters were growing rich. But the very wealth of the province bore with it the seeds of dissatisfaction. While the merchants themselves were busy in their trade, and the planters with their ever increasing crops, they themselves felt no cause of complaint. They were content with their gains and cared little for the spoils of office, which were enjoyed by the placemen whom the government were now sending out to fill the best offices in the province. They had, few of them, any ambition for these things themselves. But for twenty-five or thirty years before the Revolution, they had been sending their sons to Europe for education, and these, coming home highly educated men, many of whom had been admitted to the most aristocratic circles in England, and filled with ambition, were not content to see insignificant, incompetent, and sometimes vulgar and insolent strangers filling the places for which they felt themselves equal, and to which they considered they had a right to aspire. The case of Chief Justice Pinckney was a warning to them that native character and ability were of no account when places were
to be found in the colonies with which to reward party services at home. Coming from Westminster, where they had been accustomed to see Mansfield and Camden presiding, they turned with disgust from the court in which Shinner the buffoon sat and disgraced the Bench. The seats in the Governor's Council, in which their fathers and grandfathers had sat, bringing to the service of the Crown, without pecuniary reward, wisdom and ability, and the most devoted loyalty, were now filled by henchmen who had come over to Carolina for the sake of a few paltry pounds. The planters themselves, too, had begun to think that with their wealth the honors of the State should be open to them. Josiah Quincy records that he heard several of them say, "We none of us, when we grow old, can expect the honors of the State; they are all given away to worthless poor sycophants." This was the canker which had begun to sap the loyalty of the people of Carolina.

The society of Charlestown was in a more developed condition, perhaps, than that of any city of America—unless it was that of Philadelphia. This will appear when we recall that in buildings, Burke described St. Philip's Church, built in 1724, as exceeding everything of the kind in America; that the first theatre in America was that in Charlestown, in 1735, the next being that in Philadelphia in 1749; that the music of the St. Cecilia Society was the finest to be heard; that the first attempt at a Public Library was in Charlestown, in 1698, and the Charlestown Library Society, organized in 1743, was the second subscription library, the first being the Philadelphia Library, 1730-42 — those of Henrico, Virginia, 1623, and of Harvard, 1633, having been but clergymen's libraries, given to colleges, and in no sense public libraries; that the first fire insurance company was the Friendly Society,
CHAPTER XXVII

1765

QUESTIONS of greater magnitude than those involved in the controversy with Governor Boone in South Carolina were agitating the northern colonies at this time, in which this province, however, had little material interest; but in which the insolent conduct of Governor Boone disposed some of her citizens to concern themselves, and to espouse the cause of her sister colonies.

The political struggles in South Carolina, since the establishment of the Royal government, had been all of an internal character. The overthrow of the Proprietary rule by the people in 1719 had aroused them to a sense of their power—a power which they were intent upon exercising and extending. As yet they had had no controversy with his Majesty’s government; but there had been a steady growth of the power of the Assembly, or Commons. This power had sometimes been extravagantly asserted, and, at others, unwarrantably exercised. The Commons had claimed to be omnipotent and independent, even of the judiciary. It constantly denied and resisted the control of the Council. The Council, on the other hand, had been equally intent upon the exercise of their power, which they conceived to be coequal in the province with that of the House of Lords in England. Resisting, on the one hand, the pretensions of the Commons, on the other they had taken the decisive step of excluding the Governor from their deliberations as an Upper House, thus separating and defining their executive and legislative capacities. These
struggles had taken their tone and color from the tenor of political thought in England; but the occasions upon which they arose here were produced and influenced by the course of events which were peculiar to the development of affairs in the province. Through these all—right or wrong—there had been a steady advance in the establishment of governmental and constitutional rule, and the principles which had been so zealously, if at some times extravagantly, asserted, were now to be applied to the greater questions which were arising with the mother country, and involving all the colonies.

The policy of England had been one of protection alike of her shipping interest and of her home industries, not only against foreigners, but against her own colonies as well as against Ireland. In this general policy she did not differ from other European governments. The establishment of colonies in America by nations of Europe, as it has been observed, was not with a view of building cities and extending empires, but for the purpose of carrying on trade; commercial monopoly was, therefore, the leading principle of colonial intercourse. To secure to themselves respectively the most important of the productions of their colonies, and to retain to themselves exclusively the great advantage of supplying those colonies with European goods and manufactures, was the chief aim and endeavor of them all.¹ During the Commonwealth Cromwell had imposed restrictions upon the commerce of the colonies, which particularly affected the West Indies, and was regarded by the Royal adherents there as designed for their special punishment, and these they had hoped, upon the restoration, would be at once removed; but, on the contrary, they were confirmed and permanently established by the Navigation act of King Charles II. This act pro-

¹ Edwards's *Hist. of West Indies*, vol. II, 367.
1740 and 1779. The *Gazette* of October 25, 1778, in noticing the launching of a ship at Hobcaw, near Charleston, boasts that we have now twelve Carolina built ships employed in the trade between Charlestown and Europe. This was the extent of South Carolina's ship-building. It had made but little progress in sixty years.

But the restriction upon the export of rice and indigo and cotton was calculated to check the production of these her staple commodities, while, under the Navigation acts, the non-enumerated articles, the productions of the northern colonies, were allowed to be exported to foreign nations without any other restriction than that they should be sent in ships built by themselves or in England, and chiefly manned by British subjects. But there was another sphere in which the commercial restrictions fell heavily upon the northern colonies. The southern colonies were agricultural; the northern colonies were not. The northern colonies were destined, by their climate, to be a manufacturing and commercial people; but this was just what the policy of England intended to prevent. Before the end of the seventeenth century the northern colonies had begun the manufacture of woollen goods. This was at once checked. In the same year that rice was put upon the enumerated list, it was enacted by Parliament that "no wool or manufacture made of or mixed with wool, being the produce of English plantations in America, shall be laden in any ship or vessel upon any pretence whatever, nor loaden upon any horse, cart, or other carriage to be carried out of the English plantations to any other of the said plantations, or to any other place whatsoever." South Carolina might send her rice to any of the English colonies or to England; but Massachusetts could not send a yard of woollen cloth to Connecticut or

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1 *Hist. of So. Ca.* (Ramsay), vol. II, 265.
colonist of Carolina could be carried for trial to England or Wales; and, under it, Culpepper had been indicted and tried in England, where he was arrested for high treason for raising a rebellion in Carolina.\(^1\) In 1724 the law officers of the Crown had given their opinion that a colony of English subjects could not be taxed but by some representative body of their own or by the Parliament of England, and a similar opinion was given in 1744 by Murray, afterward Lord Mansfield, who was, however, it should be said, one of the strongest advocates of the Stamp act and the most vehement opponent of its repeal.\(^2\) In a few years, says Lecky, the colonial lawyers appear to have agreed substantially with those of England, for in order to establish by argument the sole right of their assemblies to tax the colonies, they were driven to the necessity of denying that the Imperial Parliament had power to legislate for them upon any subject whatever.\(^3\) This doctrine undoubtedly was maintained in New England, but it was never countenanced in South Carolina. No lawyer in South Carolina ever advanced such an opinion; on the contrary, it was strenuously denied by them.

But, on the other hand after all, as it has been said, the Stamp act, although by no means as unjust or as unreasonable as alleged, and although it might perhaps in some periods of colonial history have passed almost unperceived, did unquestionably infringe upon a principle which the English race, both at home and abroad, have always regarded with peculiar jealousy. The doctrine that taxation and representation are in free nations inseparably connected, that constitutional government is closely connected with the

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2 *Lives of the Chief Justices* (Campbell), vol. II, 357.

rights of property, and that no people can be legitimately taxed except by themselves or their representatives, lay at the very root of the English conception of political liberty.¹

A great political dilemma presented itself. The mother country was called upon to protect with her ships and arms the territory and commerce of the colonies in America. The expense of this should, at least in part, be borne by the colonies themselves. But the colonies had no means, nor any desire themselves, to impose a general tax for the purpose, nor were they willing to be taxed by Parliament in England. With great force they denied the right of taxation without representation, but at the same time they took every occasion to declare, as we shall see, that they were not and could not be represented in Parliament. If, then, there could be no taxation without representation, and there could be no representation, should there be protection without taxation?

On the other hand, was it not a violation of the fundamental principle of constitutional government for Parliament in England to tax the colonies under the circumstances? It was urged with great force that under the unequal system of representation in England many communities and thousands of Englishmen living in England were no more represented in Parliament than the colonists in America. But though this was doubtless true, there was an essential difference in the two cases. The unrepresented communities in England were still near the seat of government, and could make themselves heard and felt, nor were their interests disconnected with those who were actually represented. The colonists were thousands of miles away across the ocean, and once the right of Parliament to tax them was admitted, they would

taxation without representation under the Stamp act, have in practice acted upon both principles in their own government. The principle of protection of certain classes and industries, which must necessarily inure to the detriment of all others, has been practised in their enactments and revenue measures from the establishment of the Union to the present day. In their territorial government — the territories occupying the same relation to the United States as the colonies did to Great Britain — and in the District of Columbia taxes are laid and collected by the general government upon the people, who are without representation in Congress. The territories, it is true, are allowed to send delegates to Congress, but these delegates, while allowed to debate, are not allowed to vote, and thus have no power to give or withhold the money of their constituents. The people in the District of Columbia have not even that semblance of representation.¹ If it was

¹ Revised Statutes of the U. S., sec. 1802. In the case of The American Insurance Co. et al v. Canter, 1 Peters, 511, involving the relation of the people of Florida, upon its cession by Spain, the Supreme Court of the United States, Chief Justice Marshall delivering the opinion, held that the treaty with Spain, by which Florida was ceded to the United States, admitted the inhabitants of Florida to the enjoyment of the privileges, rights, and immunities of citizens of the United States, but did not permit them to participate in political power nor to share in the government until Florida should become a state. In the meanwhile Florida continued to be a territory governed by Congress under the Constitution. In the famous but now repudiated Dred Scott Case, 19 Howard, U. S. 393, the doctrine of the case just cited was much discussed, the court holding that the United States, under the Constitution, cannot acquire territory to be held as a colony at its will and pleasure, but it may acquire territory which at the time has not a population that fits it to become a state, and may govern it as a territory until in its judgment the territory has such a population. But this is very indefinite, for, as Congress alone is the judge of the qualification of the population of the territory, it may hold and govern such a territory indefinitely. This is the vital question Congress has now to consider in the cases of Cuba, Porto Rico, and the Philippine Islands.
the people of South Carolina in their revolt against the Lords Proprietors, and against their protest had accepted the result of that revolution. They had helped the people to learn their power and had benefited by its exercise; but there had not been wanting even then those who foresaw, as Randolph did twenty-five years before, the inevitable tendency of that lesson.

Since then the people of Carolina had made great strides in the study and maintenance of liberty and constitutional government. The advance, it is true, had been made by antagonism and sometimes not apparently as of design; but it had always continued. It was first the Bench and Bar maintaining the *Habeas Corpus* act as against the tyrannical acts of the Commons claiming for themselves an omnipotence and an independence of Parliament. Then it was the struggle of the Council with the Governor for the recognition of that body as a distinct legislative part of the government, independently of his Excellency’s presence or control. Then it was the struggle of the Commons against the Council, claiming for itself the prerogation of a House of Peers. During these controversies the discussion had been carried on with great ability, and three essentials of free government had been firmly established, to wit: (1) the absolute independence and authority of the bench as a branch of government; (2) the distinction of the three departments of government, the legislative, judicial, and executive; and (3) the establishment of a proper relation between the two houses of the legislature. The struggle, however, over this last point was not yet, however, entirely closed. We shall soon see

Henry, Richard, and John — were rebels from the first. Wade Hampton, as late as September, 1780, declared himself a loyal subject to the Crown, but in 1781 he renounced his allegiance and became one of the most brilliant officers in the American army.
it rising again and entering into the great struggle of the Revolution.

It has been observed by a recent writer that the generation now living can read the history of the Revolution dispassionately, and to them it is growing clear that our ancestors were technically in the wrong. For centuries Parliament had been theoretically absolute, therefore it might constitutionally tax the colonies or do whatsoever else with them it pleased.\(^1\) Without subscribing to so broad a statement of the case, we of the present day should surely prepare ourselves to consider the questions which so divided our forefathers of this State without partiality, and with a full recognition of the equal patriotism of both sides in that momentous controversy. We must prepare ourselves also for a just and at times severe criticism upon the conduct of the one side and of the other, for alas! we shall see, in this as in all other like struggles and commotions, cruel and brutal conduct exercised in the name of liberty. We shall have to acknowledge that some of those, whose names have come down to us as bywords of Tory cruelty, had themselves dreadful wrongs to avenge. We shall see great hardships inflicted and monstrous tyranny exercised by those who appear really to have believed that they were thus advancing the cause of freedom.\(^2\)

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\(^1\) Brooks Adams's *The Emancipation of Massachusetts* (1887), 317.

\(^2\) The conduct of the South Carolina Revolutionists in this respect was in no wise different from that of the Revolutionists in other colonies. In all there was the same tyranny of the mob, suppression of all free discussion, and inquisitorial proceedings. For numerous instances of ill treatment of those who were suspected of lukewarmness to the cause in the different colonies, see *Diary of Am. Revolution* (Moore), vol. I; *The American Loyalists* (Sabine), 75 et seq.; "The Connecticut Loyalists" (Gilbert), *Am. Hist. Review*, vol. IV, No. 2, January, 1899, 280.
CHAPTER XXVIII

1765

While the Stamp act was under consideration in Parliament, the General Assembly of Massachusetts asserted its sole right to pass laws of taxation, and upon its passage lost no time in providing against its operation. On the 6th of June, 1765, they adopted a resolution which gave rise to the first American Congress. They appointed New York as the place, and the middle of October as the time for the meeting, and transmitted to the several assemblies in the different colonies addresses requesting their concurrence and coöperation, and inviting them to send committees who should meet theirs in the Congress to consult upon the subject. ¹

Lieutenant Governor Bull, then administering the government in the absence of Governor Boone, having received notice of the act, indicated his purpose of enforcing it. To embarrass him in this the Commons first raised a question as to the authenticity of the copy of the act he had received. They desired to know through what channel it had been transmitted to him; whether he had received it from the Secretary of State, the Lords of Trade, or any other authentic source. To allay the excitement, Lieutenant

¹ Memoirs of the Am. Revolution (Drayton), vol. I, 36. The author of this work, which we shall have occasion frequently to quote in the remainder of this volume, was Governor John Drayton, son of William Henry Drayton, who, as we shall see, took a most conspicuous part in the commotions which ended in the Revolution, and became one of the leaders in that struggle. The work was compiled by Governor John Drayton principally from his father's papers.
From this, with the letters of Mr. Henry Laurens filling out some of the details which the *Gazette* would have suppressed, and the journals of the court, we may gather probably a pretty accurate story of the occurrences at the time.

Late in the evening of Friday, the 18th of October, the garrison, loaded the cannons with ball and grape-shot, and raised a blue flag with three white crescents upon it, which the captain of the sloop of war seeing in the morning demanded its meaning, and, that thereupon, an officer who was sent ashore was shown the preparations made to blow the sloop of war to pieces if the stamps were not taken away, which, after considerable parleying, the captain agreed to do, and ignominiously took the stamps aboard and sailed away with them.

The author of this work has not been able to adopt this story. It is told, it is true, with great particularity of detail by one who says he was of the party. But it was not published for more than fifty years after the transaction; and we have the minute contemporaneous account of what took place day by day, in which there is no mention or even allusion to such an attack upon Fort Johnson. It is scarcely credible that a British naval officer would have acted such an ignominious part, and taken away the stamps at the threat of a mob. The execution of *Byng* (1757) was of too recent occurrence. Such cowardly conduct would have been noised over England and America. There is no mention in the *Gazettes* of the arrival of any such sloop of war. The stamps were brought in a merchantman, the *Heart of Oak*, not in a sloop of war. Lieutenant Governor Bull would certainly have taken active steps to arrest the parties. He makes no allusion to such an event in his proclamation. The stamps were not carried away. Lieutenant Governor Bull advertised that they remained at Fort Johnson; and the journals of the court show that it was not the absence of the stamps, but that no one would discharge the duties of a stamp officer, which prevented their use. The story very probably has some foundation. It is not at all improbable that a party went down to Fort Johnson and compelled Mr. Saxby and Mr. Lloyd to make the declaration which they did, and the presence near the fort of the ketch, *Speedwell*, may have become confused in the mind of Mr. Drayton's informant in his old age, with that of a sloop of war. Old soldiers of the late war between the States are familiar with many such instances of confusion and perversion in the minds and memories of perfectly upright and honest men in relating the events of the war of thirty odd years ago.
the ship *Planter's Adventure*, Captain Miles Lawley, from London, came to anchor under the guns of Fort Johnson. It had been reported some time before that a distributor of stamps for this province was coming over in this ship, and from the vessel's not coming up to town it was supposed that there was on board either a stamp officer, stamps, or stamped paper. Early Saturday morning, the 19th, there appeared at the intersection of Broad and Church streets, near Mr. Dillon's tavern,—the most central and public part of the town,—suspended on a gallows twenty feet high, an effigy designed to represent a distributor of stamped paper, to which were affixed labels expressive of the sense of a people unshaken in their loyalty, but tenacious of just liberty. On the gallows, in very conspicuous characters, was written "Liberty and no Stamp Act," and on the back of the principal figure these words, "Whoever shall dare attempt to pull down these effigies had better been born with a millstone about his neck and cast into the sea."

These figures remained suspended in this manner, during the whole day, without any one offering to disturb or take them down, the Court of General Sessions sitting all the while but a square away; nor was there, the *Gazette* adds, the least riot or disturbance, though a great concourse of people incessantly resorted to the place of exhibition. Colonel Henry Laurens, writing on the 22d to a friend, tells him that "some of our folks were wise enough to exhibit effigies on Saturday last, a minute and pompous account of which I suppose you will see in the *Gazette*. I was out of town and saw not the farce, but some sensible men have convinced me that six men of spirit could in the beginning have crushed the whole show; whereas, meeting with no opposition, they carried their point with a high hand." 1

upon a report prevailing in the evening that he was appointed distributor of the stamps, and not Mr. Saxby. This gentleman, says the *Gazette*, not being found that night, had like to have produced some commotion, but the next day being Sunday, a solemn declaration was stuck up at the Exchange, purporting "that he neither had received a commission, knew of his appointment, or that the stamps were consigned to him," which in some measure appeased the people. This person was Mr. Caleb Lloyd, the commandant of Fort Johnson.

The *Gazette* made light of the damage done to Mr. Saxby's house, and of the conduct of the mob there, but Lieutenant Governor Bull took a more serious view of the matter. He at once, on Monday morning, issued a proclamation reciting that a number of persons unknown had on Saturday night before assembled "together and in a riotous and tumultuous manner entered into the house of William Coats, and did there commit several outrages and acts of violence," and offered a reward of £50 sterling to any person who would discover the person or persons concerned in the same.

Nothing more occurred until Wednesday, the 23d, when his Majesty's ketch,¹ the *Speedwell*, commanded by Captain Fanshawe, came down from Hobcaw, — a shipyard on Cooper River, — immediately proceeded to Fort Johnson, the garrison of which had been strengthened, and anchored close thereto. The same evening, says the *Gazette*, it was reported that the stamped papers had been brought up to town unobserved and lodged in the house of a gentleman in Ansonboro, upon which a number of people went thither to be satisfied of the truth of the report, but finding

¹ Ketch — an old English term applied to a vessel equipped with two masts, usually from 100 to 250 tons' burden — nearly synonymous with the modern term "yacht." — *Brande.*
none, they returned quietly without offering the least insult to any person whatever.

This person was no other than Colonel Henry Laurens. Colonel Laurens, as it has already appeared, was a gentleman of high standing in the community, and a merchant of great respectability and large fortune. He was known to be opposed to the Stamp act, but was equally opposed to these riotous proceedings, which he had discountenanced. In a letter to his friend of October 11, he thus stated his position:¹ —

"Conclude not hence that I am an advocate for the Stamp act. No, by no means. I would give, I would do, a great deal to procure a repeal of the law which imposes it upon us; but I am sure that nothing but a regular, decent, becoming representation of the inexpediency and inutility of that law will have the desired effect, and that all irregular, seditious practices will have an evil tendency, even perhaps to perpetuate that, and bring upon us other acts of Parliament big with greater mischiefs."

Suspicion had in some way been aroused that he had some of the stamps. He then lived in the cottage we have mentioned, and into his beautiful garden a crowd burst demanding the stamps, which they charged him with concealing. Colonel Laurens, in another letter to his friend, has left us an account of what took place, and it scarcely bears out the statement of the Gazette as to the polite and amiable manner in which he was treated. He met the intruders with great natural indignation. He assured them and pledged his word that he had no stamps in his house, and reminded them of his well-known position in regard to the act. He appealed to them on account of his wife's health, who was ill, not to disturb his premises and violate the sanctity of his home; but in vain! The only reply was a brace of cutlasses across his breast and

¹ Johnson's Traditions, 14.
cries of "Light! light! search! search!" His firmness, however, and his fortunate discovery of some of the ring-leaders, notwithstanding their disguises, and his calling them by name, frightened them and prevented their entering his house; but they searched his outbuildings and broke into his cellar, where they wasted much of his wine. It was a fortunate circumstance, however, that though heated with liquor and armed with cutlasses and clubs, they did no more damage, and that his garden was not in the least injured.¹

From Colonel Laurens's house the mob turned their course to the residence in King Street of Chief Justice Shinner. But he, though aroused from his slumbers, was equal to the occasion. His Irish wit stood him in good stead. He assured the mob he had nothing to do with the stamps, and that they were welcome to search every part of his house—which they did without ceremony, but found nothing. While they were searching, the Chief Justice very complacently had bowls of punch provided, and did not hesitate to drink with the rioters from his own liquor their favorite toast, "Damnation to the Stamp Act!"

The crowd after this dispersed without further interruption to peaceable citizens.²

The next morning, Thursday, the 24th, by order of his honor the Lieutenant Governor, an advertisement was stuck up at the Watch House, signed by the Clerk of the Council, giving notice "that the stamps lately arrived were lodged in Fort Johnson, till it should be necessary to remove them from thence," which, says the Gazette, had the good effect that it prevented troublesome visits and inquiries to other gentlemen who might have been suspected of receiving the stamps into their charge.

¹ Johnson's Traditions, 14-16.
There was some threat of another riot when the Carolina Packet, Captain Robson, arrived from London on Friday evening, the 25th, but it subsided as soon as it was shown that no stamps were on board, and that Mr. Saxby had taken his passage and was on board of the Heart of Oak, Captain Gunn. On Saturday this vessel arrived, bringing Mr. Saxby, as was then expected; but having information of what was passing here, instead of coming up to town, he went ashore at Fort Johnson. It was soon learned that, as expected, Mr. Caleb Lloyd was really to be a distributor of stamps, whereupon numbers of people again assembled, and, as the Gazette expressed it, seemed very uneasy—an uneasiness in which they soon made Mr. Saxby and Mr. Lloyd to share; for, as the Gazette puts it, Mr. Saxby being made acquainted at the fort of the commotions which had arisen throughout America on account of the Stamp act, and that it was as little relished here as elsewhere, he expressed great concern that his acceptance of an office under it—that of inspector of the duties—that of inspector of the duties—had proved so odious and disagreeable to the people, and in order to restore the public peace—which there was too much reason otherwise to fear might be disturbed—made a voluntary offer to suspend the execution of his office till the determination of the King and Parliament of Great Britain, upon an united application to be made from his Majesty's colonies for the repeal of an act that had created so much confusion, should be known. Mr. Lloyd, who was then also at Fort Johnson, made a like voluntary declaration in regard to his office of distributor. How far these declarations were voluntary, as alleged, may well be doubted. But, however that may be, the declarations in writing were publicly read on the Bay on Sunday evening, the 27th, to the general joy, it was said, of the inhabitants, which was shown by loud and repeated
retired to his own house and all was peace and good order, and at night the streets were patrolled to see that no injury or insult should be offered to the persons or property of the gentlemen who had suspended the execution of their offices; but the satisfaction of the public was so universal and complete that no such thing seemed even to be thought of, and the town was remarkably composed. The damage done to Mr. Saxby's windows the Gazette estimated at £5 sterling, which it announced would be made good. And thus happily ended an affair, observes the Gazette in conclusion of its full account of the proceedings, from which the most terrible consequences were apprehended, the people relying upon the wisdom and justice of the Parliament in receiving and hearing their humble remonstrances, and granting the relief prayed for.

The Gazette adds, that to-morrow being the 1st of November, when the act was to go into operation, most of the business in public offices will cease, and from this day, the 31st of October, the publication of the South Carolina Gazette will also be suspended, it being impossible to continue it without great loss to the printer when the numerous subscribers thereto have signed, almost to a man, that they will not take one stamped newspaper, if stamps could be obtained. The publication accordingly ceased, and was not resumed until the repeal of the act.

But what was now to be done? The provisions of the law were highly penal upon all persons transacting any legal business without stamps. Not only suitors and lawyers, but the judges and clerk of court, and even the Governor himself, were subject to penalties for its violation. In this dilemma the judges and lawyers met to consider the situation, but could devise no relief.

On the 18th of November, Chief Justice Shinner, finding himself alone on the Bench, entered an order reciting that
the court took a recess till the afternoon to consider it, when upon resuming their session the court, that is, the Assistant Judges, Lowndes, Smith, and D'Oyley, were unanimously of opinion that under the peculiar circumstances and the steps which had been taken by the different provinces in America to obtain a repeal of the Stamp act, that no positive determination be given, but the case be postponed until the next Return-day,¹ which would be the 1st of April. On that day the Assistant Judges decided to proceed with the business, and ordered a judgment, which was moved for, entered.² The Chief Justice dissented, but his dissent would not have prevailed had not Mr. Dougal Campbell, the Clerk, interposed his objection, which in this case was more effectual than that of the Chief Justice. He refused to enter the order or issue a process under it. Upon this the Assistant Judges requested the Lieutenant Governor to suspend him, but this Governor Bull refused, as was to have been expected, declaring that in his opinion the circumstances of Mr. Campbell’s conduct did not subject him to the charge of disobedience; especially, the Governor added, as his compliance with the judges’ request must subject him not only to the King’s displeasure in general, but to the more severe penalties and disabilities of the act. It was one thing for the Assistant Judges to brave the danger of their removal from a Bench they were but voluntarily serving upon for the honor, but quite another for Lieutenant Governor Bull to risk his high position, and that, too, in a cause with which he did not sympathize. The Assistant

¹ Return-day — the day upon which the court would sit in banc. Jacob's Law Dict., vol. V, 523; vol. VI, 211.
² This account of the proceedings of the court are taken from the record in the Court Book, 1763–65, now in the office of the Clerk of the General Sessions and Common Pleas, Charleston, S.C. See also Memoirs of the Revolution (Drayton), vol. I, 48.
Judges then referred their letter to the Commons’ House of Assembly on its meeting in March, 1766, by whom it was referred to a committee which had just been appointed to consider a memorial of the merchants and traders of Charlestown and others. In this petition the merchants had represented the great loss and inconvenience to them by the closing of the courts, and urged that it was not the business or duty of suitors to provide stamps for the courts, — a plea which would have come with better grace had not the petition borne the name of Cannon and Williamson and others, who had taken an active part in preventing their distribution.

A considerable correspondence followed between Peter Manigault, the Speaker, and the Lieutenant Governor. But Bull remained firm, and sent a message to the Assembly intimating in what manner only he would coöperate in this or any other matter which might be questioned by the King. The Commons had to content themselves with the passage of a series of resolutions declaring that the court had a right to determine all questions arising in a cause before it, and to make all orders for regulating its practice, and could not be controlled and obstructed in doing so by its clerk; that Dougal Campbell, by his refusal to obey the orders of the court, had been guilty of a high contempt and had offered the greatest indignity to the court, and that the Lieutenant Governor ought to have suspended him; that Dougal Campbell and all persons supporting him in his insult and contumacy had therein pursued measures derogatory to his Majesty’s authority delegated to the court — destructive to the rights and liberties of the subject, subversive of their best birthright and inheritance, and highly injurious to the good people of the province; that it was the indisputable right of all good subjects to their most gracious sovereign, George III,
to preserve public peace and good will and a due obedience to the laws, etc. These resolutions the House published on the 7th of May, 1766, with an account of all their proceedings upon the subject, in a pamphlet under the title of The Votes of the Commons' House of Assembly of South Carolina.¹

In the meanwhile the Congress, to which Lynch, Gadsden, and Rutledge had been sent, had met in New York on the 3d of October, and in it these gentlemen from South Carolina had taken a prominent and controlling part. No colony, says Bancroft, was better represented than South Carolina. Her delegation gave a chief to two of the three great committees, and in all that was done well, he adds, her mind visibly appeared.

The great question before that Congress was as to the safest ground upon which to rest the liberties of America. Should they build on charters or natural justice, on precedents and fact or abstract truth, on special privileges or universal reason? Massachusetts and Connecticut were inclined to rest much upon chartered rights; but Gadsden, of South Carolina, would not place the hope of America on that foundation, and spoke against it with irresistible impetuosity. "A confirmation of our essential and common rights as Englishmen may be pleaded from charters safely enough; but any further dependence upon them may be fatal." "We should stand," he continued, "upon the broad common ground of those natural rights that we all feel and know as men and as descendants of Englishmen." Gadsden was no lawyer, nor can it be claimed for him that he was a statesman, but he was undoubtedly right in this. The charters, of South Carolina especially, would afford no safe ground upon which to base a resistance to the imposition of this tax, had the charter then been in

imposed on them, but with their own consent. That the people of the provinces are not, and from their local circumstances cannot be, represented in the House of Commons in Great Britain. That the only representatives of the people of the provinces are persons chosen therein by themselves, and that no taxes ever have been or can be constitutionally imposed on them but by the legislatures of the provinces. That supplies to the Crown being free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution for the people of Great Britain to grant to his Majesty the property of the people of the provinces, etc. The Congress upon these declarations presented a petition to the King and a memorial to the House of Lords and another to the House of Commons.

Gadsden hurried off from New York that he might arrive in time to meet the Assembly and report the proceedings of the Congress, but he had a long passage, and the Assembly had adjourned before his arrival. The Assembly met again, however, on the 26th of November, and received the report of its delegates. It approved and confirmed the action of the Congress and its delegates, and adopted the whole set of resolutions of the Congress, merely changing the phraseology where necessary so as to make them the specific act of the Assembly of South Carolina, and adding one or two upon facts and considerations peculiar to this province.

The action of the Assembly of South Carolina was taken by a vote which wanted but one of being unanimous, and that was the vote of William Wragg, who never flinched on any occasion from boldly asserting his loyalty to the King and his support of the government in England. Peter Manigault, the Speaker, was directed to sign the petition and memorial, and the committee of correspondence was
ordered to transmit the same to the provincial agent in England, directing him to use his utmost endeavors to obtain a favorable consideration of them. The Speaker signed and dispatched the memorials by a ship which sailed the morning after.¹

The Grenville ministry had fallen in July, 1765, and had been succeeded by Rockingham, and Conway, who had been one of the few opponents of the Stamp act, was now Secretary of State for the colonies. Up to this time the truth was, that however much our forefathers may have thought the affairs of the world were all turning upon their actings and doings, colonial affairs had scarcely received any attention in the English political world. The Regency bill, the Cider bill, Wilkes, and the illegality of general warrants, the growing power of the House of Bourbon, were the questions, among others, which were engrossing the attention of Englishmen. The colonies had been neglected and overlooked. When Grenville moved his resolutions to impose the stamp tax on the colonies, Colonel Barré was almost the only man to oppose them, and it has been questioned whether at the time he uttered the eloquent invective which became household words in New England.²

² Colonel Barré's alleged invective is directed chiefly against an observation of Mr. Grenville, that the Americans were "children planted by our care and nourished by our indulgence." "Children planted by your care," Colonel Barré is said to have replied. "No! your oppression planted them in America; they fled from your tyranny into a then uncultivated land where they were exposed to almost all hardships to which human nature is liable, and yet, actuated by principles of true English liberty, they met all these hardships with pleasure compared to those they suffered in their own country from the hands of those who should have been their friends. They nourished by your indulgence? They grew out of your neglect of them; as soon as you began to care about them, that care was exercised in sending persons to rule over them.
America because he read the American dispatches, which none of his predecessors ever did," was the contemptuous remark of one of the under secretaries. The business of the colonies, to use Mr. Burke's words, was treated "with salutary neglect." The act attracted so little attention that it was only in the last days of 1765 or the first of 1766 that the new ministry learned the views of Mr. Pitt upon the subject. It was probably a complete surprise to who were, perhaps, the deputies of some deputy, sent to spy out their liberty, to misrepresent their actions, and to prey upon them; men whose behavior on many occasions has caused the blood of those sons of liberty to recoil within them. They protected by your arms? They have nobly taken up arms in your defence, have exerted their valor amidst their constant and laborious industry, for the defence of a country whose frontiers while drenched in blood, its interior parts have yielded all its little savings to your enlargement; and the same spirit which actuated that people at first will continue with them still, but providence forbids me to explain myself further."

Adolphus, the historian, suggests a doubt as to the authenticity of the report of this speech. It is not found in De Brett's Parliamentary Collection.—Adolphus's Hist. of England, vol. I, 167. In his speech on American Taxation, Burke says: "I sat a stranger in your gallery when the act was under consideration. Far from anything inflammatory, I never heard a more languid debate."—Burke's Works, vol. I, 569. Horace Walpole says, "When Grenville moved the resolutions Colonel Barré was the first and almost single man to oppose them, treating severely Charles Townshend, who supported them." His editor, commenting on the doubt, observes, "There is nothing in Colonel Barré's character to make it improbable that he may have been his own reporter, and not a very faithful one." —Walpole's Memoirs of George III, vol. II, 7. 8, and note. The speech is, however, incorporated in the text of Parliamentary History, vol. XVI, 38, but a note is added, giving the above quotation from Burke. Lecky accepts it as genuine though, he says, not reported in the contemporary parliamentary history. He attributes the report of the speech to the agent of Connecticut, who had been present in the gallery and transmitted the speech to America.—England in the Eighteenth Century, vol. III, 352. Lord Mahon holds it probable that this speech, under the name of revision and on a slight foundation of reality, was added by the pen of Barré.—Hist. of England (Mahon), vol. V, 131.
were not represented, might be applied with equal plausibility to the Navigation acts and to every other branch of imperial legislation for the colonies, and it led directly to the disintegration of the empire. The supreme authority of Parliament chiefly held the different parts of the empire together. The right of taxation was an essential part of the sovereign power. The colonial constitutions were created by Royal charter, and it could not be admitted that the King, while retaining his own sovereignty over certain portions of his dominions, could by a mere exercise of prerogative withdraw them wholly or in part from the authority of the British Parliament. It was the right and duty of the imperial legislation to determine what proportion the different parts of the empire should contribute to the defence of the whole, and to see that no one part evaded its obligations and unjustly transferred its share to others. The disputed right of taxation was established by a long series of legal authorities, and there was no real distinction between internal and external taxation. It suited the Americans to describe themselves as the apostles of liberty and to denounce England as an oppressor. It was simple truth that England governed her colonies more liberally than any other country in the world. They were the only existing colonies which enjoyed real political liberty. Their commercial system was more liberal than that of any other colonies. They had attained under British rule a degree of prosperity which was surpassed in no quarter of the globe. England had loaded herself with debt in order to remove the one great danger to their future. She cheerfully bore the whole burden of their protection by sea. Lord Mansfield maintained that there could be no doubt but that the inhabitants of the colonies were as well represented in Parliament as the greatest part of the people of England, among the nine millions of
"that America has resisted. Three millions of people so dead to all the feelings of liberty as voluntarily to submit to be slaves would have been fit instruments to have made slaves of the rest!"  

These views were defended in the strongest terms by no less a lawyer than Lord Camden, who pledged his great legal reputation to the doctrine that taxation is not included under the general right of legislation, and that taxation and representation are morally inseparable.  

The Stamp act was repealed, but with its repeal another act was passed which in principle was more hostile to the assertion of the right claimed by the Americans than the Stamp act itself. This was called the "Declaratory act." Its very title was a direct traverse and denial of the claim of the colonies. It was entitled "An act for the better securing the dependency of his Majesty's dominions in America upon the Crown and Parliament of Great Britain," and it provided "that all resolutions, votes, orders, and proceedings in any of the said colonies or plantations, whereby the power and authority of the Parliament of Great Britain to make laws is denied or drawn in question, are and are hereby declared to be utterly null and void to all intents and purposes whatsoever."

There could have been no general desire or settled purpose on the part of the people of South Carolina to quarrel with the mother country if this act was satisfactory; for it was in direct opposition to the resolutions of the Congress at New York, which the Commons' House had just endorsed and adopted. The truth is, the heart of the people was not as yet much in the controversy. The Governor's Council, composed of members of the most influential families in the colony, was entirely opposed to

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CHAPTER XXIX

1766–68

The news of the repeal of the Stamp act was received in Charlestown May 6, 1766, and its reception was celebrated by bonfires, illuminations, ringing of bells, and other demonstrations of joy.¹ On the 13th the Commons' House requested Thomas Lynch, Christopher Gadsden, and John Rutledge to sit for their pictures, which were to be drawn at full length and preserved in the assembly room as a testimony of public regard, that the remembrance of the signal service they had done their country as a committee of the province at the Congress at New York might be transmitted to and remembered by posterity.² The House also, upon the motion of Rawlins Lowndes, voted to have a statue made in England of the Right Honorable William Pitt, to be erected in the State House as a memorial of the respect for his upright and disinterested conduct upon all occasions, and particularly his assistance in procuring a repeal of the Stamp act, which they declared was equally beneficial to Great Britain and the colonies.³ But William Wragg would not allow the opportunity to pass without putting in a word for his sovereign; he moved to amend the resolution by inserting the name of his Majesty George the Third in the place of that of his Honor William Pitt. He could not obtain a

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occasion of demonstration of the loyalty of the people of the province. The morning of his disembarkment was ushered in, as the King’s birthday had been just before, with the ringing of bells and the display of colors. The militia were again drawn up on Broad Street, forming two lines, between which his Lordship, who was received at the landing by two members of his Majesty’s Council, walked to the State House. At the State House his Excellency was received by another deputation of his Majesty’s Council and conducted into the Council Chamber, where his Honor the Lieutenant Governor received and read his Majesty’s commission. His Excellency, attended as before and accompanied by his Honor the Lieutenant Governor, walked to Granville’s Bastion, where the artillery, commanded by Captain Gadsden, was posted. His Majesty’s commission was again read and published, upon which a general discharge of cannon was answered by volleys of small arms. His Excellency returned to the State House, preceded by the light infantry, Captain Thomas Savage, of whom and of the artillery his Lordship expressed his approbation in the gentlest terms. His Excellency, with his Honor the Lieutenant Governor, members of his Majesty’s Council, the Speaker of the House, officers, civil and military, and the clergy, about two o’clock met at Mr. Dillon’s, where an elegant entertainment was again provided, and where his Excellency passed the afternoon, it was said, with much satisfaction. The inhabitants of James Island, opposite the town, illuminated their residences in demonstration of joy at the safe arrival of his Lordship; and the Charlestown Library Society, the South Carolina Society, the principal

of age upon his appointment as Governor of South Carolina. As a younger son of a duke he bore the courtesy title of Lord with his Christian and surname.
now bounded by Charlotte, Washington, Calhoun, and Alexander streets. It was a place of social and political gatherings, and, as we shall see, much was done under its branches to further the cause of American independence. It became the place of the meetings of the Non-importation Association, and under its shade the Declaration of Independence was proclaimed with the most imposing ceremonies. When Charlestown was surrendered to Sir Henry Clinton, the tree was still in its original beauty. But its name and associations rendered it an object of aversion to the British authorities. It was not only cut down by them, but a fire was made under the still upright trunk by piling its branches around it, that the destruction might be complete. The low black stump was alone visible when the city was evacuated and the Revolution at an end.

In the course of time others were added to the original number of those who met with William Johnson under this tree, and upon one occasion, in the fall of 1766, Christopher Gadsden addressed them at considerable length on the folly of relaxing their opposition and vigilance, or of indulging the fallacious hope that Great Britain would relinquish her designs or pretensions. He then drew their attention to the preamble of the act, forcibly pressed upon them the folly of rejoicing at an act that still asserted and maintained the absolute dominion of Great Britain over them; and then, reviewing all the chances of succeeding in a struggle to break the fetters, whenever again imposed upon them, he pressed them to prepare their minds for the event. The address was received with silent and profound attention, and with linked hands the whole party pledged themselves to resist—a pledge which was fully redeemed when the hour of trial arrived.\(^1\)

\(^1\) A list of the persons present on this occasion: Christopher Gadsden, William Johnson, Joseph Verree, John Fullerton, James Brown, Na-
Another question arose at this time, which ended in the suspension of the legislative functions of the colony of New York. A clause in the Mutiny act of Great Britain required the colonists to supply the English troops with some necessaries of life, and this provision was now attempted to be enforced. Boston, as usual, disputed it at every point, and New York positively refused to obey. Dickinson of Pennsylvania, in his celebrated essays, The Farmer's Letters, maintained that if the British legislature had the right to order the colonies to provide a single article for British troops, it had the right to tax. "An act of Parliament commanding to do a certain thing," he argued, "is a tax upon us for the expense that accrues in complying with it." The news that New York had openly repudiated an act of Parliament by refusing to furnish troops with the necessaries of life produced a sensation in the colonies and indignation in Parliament, in which Chatham himself fully shared. "America," he wrote confidentially to Shelburne, "affords a gloomy prospect. A spirit of infatuation has taken possession of New York. Their disobedience to the Mutiny act will justly create a great ferment, open a fair field to the arraigners of America, and leave no room to any to say a word in their defence." Parliament passed an act suspending the legislative functions of the New York Assembly, and the Governor was forbidden to give his sanction to any local law in the province until the terms of the Mutiny act had been complied with. The increasing importance of American affairs occasioned the nomination of a third

Secretary of State in Great Britain about this time, whose department had a special reference to the colonies, and the Earl of Hillsborough was appointed to the new portfolio.

Parliament was not slow to make good its assertion of right in the Declaratory act. The very next year, 1767, an act was passed to put the customs and other duties in the colonies, and the execution of laws there relating to trade, under the management of commissioners to be appointed for the purpose and to be resident therein; also another act for more effectually preventing the clandestine running of goods in the colonies and plantations, and for granting duties in the colonies upon glass, red lead, white lead, painter's colors, paper, pasteboards, millboards, scale boards, and tea imported into them. These acts produced new discontents and commotions. Resolutions, petitions, memorials, and addresses against them followed; and associations for suspending further importations from British manufactures, until these obnoxious duties were removed, were again entered into at Boston and other places. But for the time they do not seem to have disturbed the people of South Carolina. The troubles in the upper part of the province arising from the inefficiency of the government to preserve order and protect property continued. But in the low country there was peace and plenty. The harbor of Charlestown was crowded with shipping. Hundreds of vessels lay at her wharves and rode at anchor before the town. Rice was being shipped all over the world. No wonder the people on the coast were generally in a good humor with the mother country and the government. They elected Lord Charles Greville Montagu, the Governor, President of the Library Society, and enjoyed themselves listening to the singing of the peace song, and witnessing the dancing of the eagle tail dance by Occonostota, or the great warrior Attakullakulla, or Little
Carpenter, the Prince of Chote, Tiftoe of Keowee, and the Raven of Toogaloo—all principal Cherokee headmen and chiefs, who had come with Alexander Cameron, the com- missary of that nation, to pay their respects to his Excellency, and had been allowed an audience by the Governor. They had been received by the detachment of the Royal American regiment stationed at Charlestown, and the artillery and light infantry, with whose appearance the Gazette announced that the dusky warriors were greatly pleased.1 There was racing, too, at Strawberry, in St. John’s, Berkeley, in January, 1768, Mr. James Ravenel’s filly beating Captain Harleston’s, Mr. John Harleston’s, and Mr. Paul Mazyck’s colts; and Mr. Horry’s filly running against Mr. Daniel Ravenel’s. So, too, at the New Market Course, near Charlestown, William Henry Drayton, William Cattell, Samuel Elliot, Edward Fenwick, James Ravenel, Benjamin Elliot, and Thomas Nightingale all entered horses. On February 10, the brigantine Lord Dungamore brought in 120, and Snow Billy Greg 150, more passengers from the north of Ireland, most of these, no doubt, destined to join their friends and kinsmen in the upper country. Then on the 23d of May his Excellency the Governor embarks with his lady for a trip to Phila- delphia, leaving the administration upon Carolina’s favorite son, the Lieutenant Governor, to the great satisfaction of all the people.

When the Assembly met in November, his Excellency, who had returned from his trip to the North, called attention to the unhappy situation of affairs in the back country. The trouble arose from the inability of the government on the coast to afford protection and to administer justice in the newly settled up country; and this inability was chiefly owing to the shameful abuse of the office of Provost Marshal

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1 So. Ca. Gazette, November 17, 1767.
or High Sheriff of the province, and of the influence it exercised in England in preventing the establishment of courts in that section, of which we shall have occasion directly to speak more fully. For the present it is enough to say that in the absence of courts of justice within their reach the inhabitants of this section found it necessary to form an association, which was called Regulation, and the persons composing it Regulators. Against these the horse thieves, their associates, and other criminals made common cause, and received some support from persons who objected to the irregularity of the Regulators.

Most of the inhabitants favored one or other of these parties. The one justified the proceedings of the Regulators on the score of necessity, and substantial though irregular justice; the other pretended to be jealous, as British subjects, of their right to a legal trial by a court and jury. As Dr. Ramsay, the historian, says, though the former meant well, yet justice is of so delicate a nature that form as well as substance must be regarded. It is therefore probable that in some cases the proceedings of the Regulators may have so far partaken of the infirmities of human nature as to furnish real grounds of complaint against them. Their adversaries made such high-colored representations that the Governor adopted measures for their suppression, in which he was alike as unfortunate in the measures themselves as in the person to whom he intrusted them. He conferred a high commission to suppress these disorders on a man whose name was variously written, Scovil or Schovel or Schofield, one whose conduct, character, and standing in society had rendered him unfit for the position, had the Governor the right to give any one such a commission. The conduct of this man added greatly to the difficulties of the situation and exasperated the people. An appeal was made to the Governor, who
sided with the Scovilites, his creatures. In a speech to the Assembly, calling attention to these troubles, his Excellency said that tumultuous risings of any people, if not attended to, are of a dangerous tendency; they are a disgrace to a country, and particularly pernicious to a commercial and newly settled colony; he desired the Assembly to take means to suppress the licentious spirits that had assumed the name of Regulators, and in defiance of government and in subversion of order had illegally tried, condemned, and punished many persons.

This was an instance of the conduct of the government, which was quietly sapping its authority and influence in the province of South Carolina far more than by its imposition of taxes, which the people did not feel, and which was a prospective and contingent evil rather than an actual grievance. This was an actual and pressing wrong. To preserve the emoluments of the office of High Sheriff to a favorite at the Board in England, courts were denied the inhabitants of the remote parts of the province; and when the people, driven by necessity, took the law into their own hands, they had the Royal Governor prating to them of the beauties and excellence of a well-ordered society, and treating as criminals many who were only trying to preserve some order and peace for themselves and their families.

The disturbances continued while the Assembly was deliberating on the remedy. One John Bowles attempted to take the life of Thomas Woodward, the leader of the Regulators, and was himself killed.
CHAPTER XXX

1768

On the 11th of February, 1768, the Massachusetts House of Representatives addressed a circular letter to the several assemblies of the provinces, stating that they had taken into serious consideration the great difficulties that must accrue to themselves and their constituents by the operation of the several acts of Parliament imposing duties and taxes on the American colonies; that as this was a subject in which every colony was deeply interested, they had no reason to doubt but that each Assembly was deeply impressed with its importance; and that such constitutional measures would be adopted as were proper; that it was necessary that all possible care should be taken that the several assemblies upon so delicate a matter should harmonize with each other. They hoped, therefore, that their letter would be considered in no other light than as expressing a disposition freely to communicate their minds to sister colonies upon a common concern.

The letter went on to say that the House of Representatives of Massachusetts had humbly represented to the Ministry that his Majesty's High Court of Parliament was the supreme legislative power over the whole empire; that in all free States the constitution is fixed, and as the supreme legislation derives its power and authority from the constitution, it could not overlap the bounds of it without destroying its own foundation; that the constitution ascertains and limits both sovereignty and allegiance, and therefore his Majesty's subjects, who acknowledged
themselves bound by ties of allegiance, had an equitable claim to the full enjoyment of the fundamental rules of the British constitution; that it was an essential unalterable right in nature, engrafted on the British constitution as a fundamental law ever held sacred and irrevocable by the subjects within the realm, that what a man hath honestly acquired is absolutely his own, which he may freely give, but which cannot be taken from him without his consent; that the American subjects might therefore, exclusive of any consideration of charter rights, with a discreet firmness adapted to the character of freemen and subjects, assert their natural constitutional right. That it was, moreover, their humble opinion that acts made by Parliament, imposing duties on the people of the provinces with the sole express purpose of raising a revenue, were infringements of their constitutional rights, because they were not represented in the Parliament, his Majesty's Commons in Britain by their acts granting their property without their consent.

That they were further of opinion that their constituents, considering their local circumstances, could not possibly be represented in the Parliament, and that it was impracticable that they should be, separated as they were by an ocean of a thousand leagues; that his Majesty's Royal predecessors for this reason were graciously pleased to form a subordinate legislature here, that their subjects might enjoy the inalienable right of representation. That considering the utter impracticability of being fully and equally represented in Parliament, and the great expense that would unavoidably attend even a partial representation there, the House thought the taxation of their constituents, even without their consent, grievous as it was, would be preferable to any representation that could be admitted for them.
Upon these principles, and also considering that were the right in Parliament clear, yet for obvious reasons it would be beyond the rules of equity that their constituents should be taxed on the manufactures of Great Britain here in addition to their duties paid for them in England, and other advantages arising to Great Britain from the acts of trade, the House had preferred a humble, dutiful, and loyal petition to their most gracious sovereign, and made such representations to his Majesty’s ministers as they apprehended would obtain redress.

The letter declared that these were the sentiments and proceedings of the House, and as they had too much reason to believe that the enemies of the colonies had represented them to his Majesty’s ministers in Parliament as factious and disloyal and having a disposition to make themselves independent of the mother country, they had taken occasion in the most humble terms to assure his Majesty and his ministers that with regard to the people of that province, and, as they had no doubt, of all the colonies, the charge was false.

This circular letter of the Massachusetts House was received and read in the House of Burgesses of Virginia on the 2d of April; and on the 7th resolutions reaffirming the exclusive right of the American assemblies to tax the American colonies were unanimously adopted, and soon after the Burgesses directed their Speaker to write to all the assemblies on the Continent to make known their proceedings and to intimate how necessary they thought it that the colonies should unite in a firm but decent opposition to every measure which might affect their rights and liberties.

In pursuance of this direction, on the 9th of May, Mr. Peyton Randolph, the Speaker, addressed a letter to Mr. Peter Manigault, the Speaker of the Commons’ House of
South Carolina, in which, stating that the House of Burgesses of Virginia, having attentively considered the several acts of the British Parliament relating to the revenue, and being of opinion that they manifestly tended to deprive the inhabitants of the colonies of their essential rights and privileges, had thought it their duty as the representative of a free people to take every regular step to assert that constitutional liberty on the destruction of which these laws seemed to be erected.

They had thought it proper, Mr. Randolph said, to represent that they were sensible of the happiness and security they derived from their connection with and dependence upon Great Britain, and were under the greatest concern that any unlucky incident should interrupt that salutary harmony which they wished ever to subsist. They lamented that the remoteness of their situation often exposed them to fresh misrepresentation, apt to involve them in censures of disloyalty to their sovereign and the want of proper respect to the British Parliament, whereas they had indulged themselves in the agreeable persuasion that they ought to be considered as inferior to none of their fellow-subjects in loyalty and affection.

They did not desire, Mr. Randolph declared, an independence of the parent kingdom, but cheerfully acquiesced in the authority of Parliament to make laws for preserving a necessary dependence and for regulating the trade of the colonies; yet they could not conceive that it was essential to the support of a proper relation between the mother country and the colonies that she should have the right to raise money from them without their consent. Mr. Randolph went on then to argue the questions involved, with great clearness and ability, and concluded that the House of Burgesses he represented was not without hopes that by a hearty union of the colonies the constitution might
were received by Peter Manigault, the Speaker of the Commons’ House of South Carolina, and on the 10th of July, 1768, he wrote to Thomas Cushing, Speaker of the House of Representatives of Massachusetts, acknowledging the receipt of his letter of the 11th of February, and saying that the Commons’ House of the province of South Carolina, ever attentive to the rights and privileges of themselves and their constituents in particular, and the liberties of America in general, had before their last adjournment ordered the committee of correspondence to write to Mr. Charles Garth, the agent in Great Britain, to join with the agents of the other provinces in obtaining a repeal of the acts of Parliament in question; and they had further instructed the agents to join the agents of the other provinces in all matters in which the general interests of North America were concerned. That the committees had written on the 15th of April and given ample instructions to Mr. Garth. The House, he wrote, had adjourned on the 12th of February, and had since been prorogued, and as the term of its existence by law would expire on the 13th of September, he thought they would not meet again, but would speedily be dissolved, and that writs would be issued for the election of a new Assembly; he was afraid, therefore, he would not have the opportunity of laying the letter of Massachusetts before the present House; but this he hoped would not be attended with any inconvenience, as the steps were already taken which the letter so fully and warmly recommended. He was persuaded that, notwithstanding the invidious light in which his Majesty’s faithful colonies had been misrepresented to the mother country, the time would soon come when they should have a fair and candid hearing, the consequences of which must be a relief to all. Mr. Manigault addressed a similar letter of acknowledgment to Mr.
Massachusetts Bay," and ending with "Unanimity among the members of the ensuing Assembly not to rescind from the said resolution." The popular sentiment of at least the people of the low country of South Carolina warmly espoused the cause of Wilkes. His private character mattered not to them. He stood the champion of common right and liberty. He was fighting in England in the same cause for freedom in which they were about to embark in America, and so his name was at once associated with those of the glorious ninety-two of Massachusetts. In the evening the Liberty Tree was decorated with forty-five lights, and forty-five sky rockets were fired, in honor of Wilkes and the North Briton, No. 45. Then the whole company, preceded by forty-five of their number carrying as many lights, marched in regular procession to town, down King Street to Broad Street to Mr. Dillon's tavern, where forty-five lights were placed on the table, and forty-five bowls of punch, forty-five bottles of wine, and ninety-two glasses. Around these the party spent some hours more in a new round of toasts, among which we are told that scarce a celebrated patriot of Britain or America was omitted.

But there were many people who were not yet disposed to pledge themselves to Wilkes and the non-rescinders of Massachusetts, nor to swallow as a whole the ticket of the mechanics. Interest became excited in the election. The contest was between Mr. Laurens, Mr. Pinckney, Mr. Lloyd, and Mr. Ward on the one hand, and the nominees of the mechanics, Mr. Price, Mr. Savage, and Mr. Smith, on the other. Christopher Gadsden was acceptable to all. The mechanics failed in their efforts to exclude Mr. Laurens and Mr. Pinckney; but their favorite leader, Christopher Gadsden, was elected without opposition. Again, in the evening after the election, they marched in
taken by theirs to obtain redress of the grievances mentioned in their letters, and to thank them for communicating to their fellow-subjects and sufferers in this and other provinces the proceedings of their Houses upon these important points.

Of a House of fifty-five members, when properly constituted, there were present but twenty-six upon the adoption of these resolutions—a fact so significant as to lead strongly to the conclusion that some of those at least who did not appear remained purposely away. It is true that the Commons were seldom prompt in forming a House, it often happening that some days were lost in obtaining a quorum; but this was an occasion calling for the prompt attendance of all those whose hearts were in the movement. This supposition is strengthened by the manner in which the course of the twenty-six was applauded and commemorated—an applause which would scarcely have been so warmly given had there been no opposition. This view is countenanced also by an allusion to the minority in the letter of Mr. Speaker Manigault to Thomas Cushing, the Speaker of Massachusetts, in forwarding the resolutions. An examination of the journal shows that the celebrated twenty-six were the representatives of the two town parishes, and of parishes in the near vicinity of the town.¹

The House then ordered the committee of correspondence to write to the agent in Great Britain to join with

¹ The following were the members of the Commons' House, elected October 6 and 7, 1768. No election took place in St. Helena nor in Prince William's Parish. Tacitus Gaillard was returned for both St. James's, Goose Creek, and St. George's, Dorchester. He sat for the latter parish. Thomas Lynch was returned for both Prince George's, Winyah, and All Saints'. He sat for Prince George's. Deducting, therefore, the five members from St. Helena, three from Prince William's, and one each from St. James's, Goose Creek, and All Saints', there were but forty-five
CHAPTER XXXI

1769

On February 8, 1769, writs for a new election of Representatives in the General Assembly had been issued for Tuesday and Wednesday the 7th and 8th of March. The election was accordingly held, and the now famous twenty-six who had voted to instruct the Speaker of the last House to write to Massachusetts and Virginia were all re-elected. Saturday, the 11th of March, the anniversary of the repeal of the Stamp act was commemorated, as the news of the repeal itself had been. The mechanics again had an entertainment and marched in procession, this time, however, preceded by twenty-six lights, to Mr. Dillon's tavern, where they were honored by the company of the late Speaker, Mr. Manigault, and several of the newly elected representatives of the people, and spent the evening in the most social and joyous manner, "drinking truly loyal, patriotic, and constitutional toasts." The day being as well the anniversary of the Masters' Lodge of Free Masons, they also met and had an elegant entertainment at Mr. Poinsett's tavern, where the most worshipful and honorable Egerton Leigh, Esq., Provincial Grand Master, and other distinguished brothers, spent the day in a manner suitable to the occasion and the institution. At James Island, too, and several other places in the country, it was likewise celebrated. But, says the Gazette, everywhere the joy seemed to be in some measure damped by the existence of the Revenue acts, which had been substituted
labored under, he earnestly recommended the Assembly to pursue such measures as would tend to relieve them; and to aid their deliberations on this point, he laid before the House copies of a report of the Lords Commissioners for Trade and Plantations upon the bill for establishing circuit courts passed some time since, from which they would see the reasons which prevented the act from receiving the Royal approbation. He recommended them to consider suitable regulations as to the Indian trade; and concluded with observing very earnestly that the growing interest of the province could not fail to raise the most pleasing reflection in the breast of every well-wisher to its prosperity. The late liberal bounty granted by Parliament on the importation of silk, as it flattered them with hopes of adding another valuable staple to the province, could not fail to add to their gratitude, which the many just benefactions they had received from the mother country most fully deserved.

The act to which his Excellency alluded, that to encourage the culture of silk in the province, granted a bounty upon all raw silks imported directly from America into the port of London for twenty-one years: for the first seven years, twenty-five per cent; for the next seven, twenty per cent; and for the last, fifteen per cent. By another act at the same time, raw and undressed hides and skins imported from any of his Majesty’s plantations in America were relieved from duty, and rice was permitted to be exported to any part of America to the southward of Georgia. The bounty upon silk was meant for the encouragement especially of the Huguenots who had settled in Abbeville.

In their addresses in answer to the speech of the Governor, the Commons were very firm in the maintenance of the position the former House had taken, and replied with
spirit that they were extremely concerned that the necessary and constitutional resolutions of the late House of Assembly had given such offence to the government as to occasion the late long discontinuance of the sitting and holding of the General Assembly when the circumstances of the province absolutely required their meeting; but more especially when they considered that the discontinuance was extended beyond the term expressly limited both by the election law passed in 1721 and by the constant usage and custom from that time. They went on to say further that they were willing to believe that his Excellency did not mean by this step to infringe a right of the people of the province, which they, their representatives, could upon no consideration give up; they hoped that what had been done would neither be drawn into precedent nor repeated in the future.

Having thus read his Excellency a lecture, the House went on to say that he might depend upon their proceeding in the business committed to them, though, they added, they despaired of carrying on the same with greater temper, prudence, unanimity, or expedition than the last House seemed to have done. They were sensibly affected by the distresses of their fellow-subjects in the back settlements, and happy were they that their distresses could not be imputed to the representatives of the people, who had been always ready to hear their complaints and redress their grievances, and who, notwithstanding the little success their repeated attempts had been attended with, would with alacrity resume the consideration of that matter, as well as that of the regulation of the Indian trade. They assured his Excellency they would make ample and speedy provision for the payment of the public debt. They were truly sensible of and grateful for the favors conferred on them by their mother country, and sincerely wished that
the bounty lately granted for silk might speedily operate so as to produce such a quantity of that commodity as might be beneficial to the colony, and — they rather ungraciously observed — as might prevent Great Britain being obliged to seek a precarious supply of that necessary article of their manufactures from foreigners.

His Excellency was evidently not in a quarrelsome mood. His health was bad, and he expected soon to return to England and leave the province in the hands of the Lieutenant Governor; so, taking no notice of its ungracious tone, the Governor simply returned his thanks for the address, assuring the House that it was never his intention to infringe upon any rights of the people, particularly when they had the sanction of the law. There was probably another reason for his Excellency’s mildness. He had a demand to make upon the House which he knew would be resisted, and he probably did not wish to involve himself and his friends in unnecessary questions.

The British troops which the people of the colony had hailed so joyfully but a few years before, when they had come to the defence of the province against the Indians in the Cherokee war, had become rather a source of fear and apprehension than of a sense of protection, and the colonists who had so welcomed them now began to wish them to go. It had been intimated that they were to be withdrawn, and one regiment had actually embarked. But General Gage, commanding the British forces in America, had ordered other troops to Charlestown, and had written a letter to his Excellency, calling upon him to provide barracks and necessaries for their support; and the Assembly had scarcely been organized before the Governor sent in to the Commons a message making application accordingly. The message was at once referred to a committee consisting of Mr. Lynch, Mr. Lowndes, Mr. Dart, Captain
to show for the welfare of the province. They begged particularly to return his Excellency their thanks for the assurances of his endeavors to render any service or benefit to the province during his residence at home, in which they placed the highest confidence, not doubting that it would lead to what they most earnestly wished for—a good understanding and lasting intercourse upon the principles of justice and constitutional liberty between the mother country and all his Majesty's subjects. The Governor returned his thanks, and on Saturday, the 29th, embarked, saluted by a discharge of cannon from all the forts as he passed, and, the Gazette added, had gone fully possessed of the affections of the whole body of the people, which he had won by the mildness of his administration, the easiness of access to his person, and his other amiable qualities. He had gone with all proper and kindly things said and done, but he had not gotten an answer to his message requiring the Assembly to provide quarters for his Majesty's troops. The Governor had left the province, and Lieutenant Governor Bull for the third time assumed the administration of affairs.

On the 10th of August Mr. Lynch reported from the committee to whom the Governor's several messages and General Gage's letter had been referred. The committee were of opinion, he reported, that no provision ought to be made for supplying the troops now in Charlestown with barracks and necessaries: first, because it appeared clearly from General Gage's letter that the troops in question were not intended to do the duty of garrisons on the frontier; second, because it appeared that the only reason of their being sent here was because they could not be quartered in the barracks at St. Augustine, where they were intended to be placed; third, because General Gage had not in his letter applied to his Excellency for any such
necessaries; and, fourth, because the existing act of Parliament for raising a revenue in the colonies for the purpose of supporting and maintaining his Majesty's rights in America, by virtue of which a very large revenue was actually levied on the inhabitants of the colony, furnished a fund, out of which the committee thought the expense and quarters of these troops should be defrayed.

The report was adopted on the 16th of August, and a message was sent to the Lieutenant Governor informing him that the House would not agree to make any provision for the troops. This message, which was prepared by a committee, and reported by Mr. Rutledge on the 19th of August, enlarged upon Mr. Lynch's report, and concluded with an assurance to the Lieutenant Governor that when the acts so loudly and unanimously complained of by their fellow-subjects of America as unconstitutional should be repealed, and the colonies restored to that degree of his Majesty's favor and confidence which they formerly enjoyed and justly deserved, and to their ancient free and honorable station of granting or refusing what should be constitutionally required for his Majesty's service, they would at all times rejoice in every opportunity of manifesting their duty and affection to his sacred person and government by a ready attention to all requisitions on the part of the Crown and speedy compliance with such as should appear to them just and reasonable.

The Parliament in England had greatly aggravated the causes of trouble already existing, by adopting at the instance of the Duke of Bedford an address to the sovereign suggesting that the names of the most active agitators should be transmitted to one of the Secretaries of State, and that a long-disused statute, which empowered the government to bring to England for trial persons accused of treason, should be put in force. The last, and indeed
the only, instance in which this law had been applied to America was that of Culpepper before alluded to, who was arrested in England and tried there on the charge of treason in Carolina. Virginia promptly resented the threat. The House of Burgesses adopted a series of resolutions claiming the sole right of imposing taxes, asserting the lawfulness and expediency of procuring a concert of the colonies, protesting against the flagrant tyranny of applying to America the obsolete statute of Henry the Eighth, and warning the King of the dangers that would ensue if any person in any part of America should be seized and carried beyond the sea for trial. It asked the concurrence of every legislature in America to these resolutions. On the 17th of August, the Speaker, Peter Manigault, laid before the House a letter of Peyton Randolph, Speaker of the House of Burgesses of Virginia, enclosing a copy of these resolutions, whereupon it was resolved that the House would take them into consideration on the next Saturday, and ordered that every member should attend. On that day the House proceeded to the consideration of the Virginia resolutions, and unanimously concurred in them.

As we have seen, the resolutions of the last House approving the refusal of the Massachusetts House of Representatives to rescind their circular letter, while passed unanimously by those present, were adopted by a House composed of a bare majority of its members. In passing these resolutions, which may well be termed a Bill of Rights, the present House took care to allow no such possible reflection in this case. They ordered that a list of members of the House be called, which was accordingly done, when it appeared that out of forty-one members who had qualified, thirty-seven were present agreeing to them; that of the remaining four, three had obtained leave of
absence some days before, and the other member was unable to attend from sickness.

On Thursday, the 23d of August, after the Lieutenant Governor had assented to several bills then presented to him, he addressed the Council and House, saying that as they had been sitting many weeks during a very inclement season of warm weather, in which they had perfected such bills as were most immediately necessary for the welfare and service of the province, he did not doubt that a recess to Tuesday, the 7th of November, would be agreeable to them.

Two weeks after, the 5th of September, his Majesty’s 21st Regiment, which had caused the controversy about the quartering and supplying of the British troops, were embarked for Florida. So the Assembly had carried that point. On the 14th a mandamus was received, giving a seat in his Majesty’s Council to William Wragg.

While the people of South Carolina had generally been content with the repeal of the Stamp act and had not been alarmed at the contemporaneous passage of the Declaratory act, nor much concerned by the new taxes on tea and glass, etc., they had responded at once to the call of Massachusetts and Virginia; and the Assembly had boldly asserted and resolutely maintained the right of the colonies to consult and concert their action and, when dissolved for so insisting upon their right, the people had returned again every one who had so voted. They had refused to quarter and supply his Majesty’s troops unless the troops were to be used to garrison and guard their own frontier posts; and they had most solemnly protested against the seizure and trial of persons charged with crimes in any other but their own tribunals. All this they had done, while assuring his Majesty, as was no doubt then at least true, of the loyalty and affection of his subjects in South Carolina to his person and government.
CHAPTER XXXII

1767-70

While these commotions were going on in the low country, the disturbances in the upper continued, and the good people there were becoming more and more urgent that law and order should be secured them; that they should be relieved, on the one hand, from the great inconvenience of having to come all the way to Charlestown to obtain redress for their wrongs and to punish the criminals that were among them; and, on the other, that the Regulators, who were themselves becoming equal violators of the law with those against whom they were originally organized, should be repressed. The case was peculiar. The Scotch-Irish immigration, which had come into the province by way of the foot of the mountains, had disarranged the regular course of the development of the colony from the seacoast. Until their coming, as we have seen, the settlement of the province had been by way of the rivers, and as the population ascended them, townships were first formed, and these were developed into parishes as soon as a sufficient number of families were found. The parish was the civil as well as the ecclesiastical unit of local government, and its officers were in some instances the administrators of municipal law, managers of elections, and so forth. In this way the frontier parishes of St. David's, St. Mark's, and Prince William's were supposed to extend over and include all the province beyond the older settlements. This was the established order of the colony. But this condition did not suit the new-comers. These settlers had not grown up with this order. They
The office of Provost Marshal, or High Sheriff, of the province was the most important to the colony, and at the same time the most valuable to the patentee. This office, as we have seen, had been granted to Mr. Thomas Lowndes when the government was finally surrendered by the Proprietors to the Crown in 1729, and he had assigned the patent to George Morley, who had come out from England to Charlestown and assumed the duties, which he performed until 1736, when Robert Hall was appointed to succeed him. Robert Hall held the office until his death in 1740, when he was succeeded by his ward, Rawlins Lowndes, whose father had emigrated to South Carolina from St. Christopher, or St. Kitts, of the Leeward Islands. Rawlins Lowndes, who was now taking so conspicuous a part in the momentous affairs of the province, was a minor at the time of Mr. Hall’s death; but the permanent appointment to this important office was reserved for him until he came of age in 1742. He held the office for ten years, when he was succeeded by his brother Charles, who had also been educated under the care of Mr. Hall. Charles Lowndes was succeeded in 1764 by Richard Cumberland, Clerk of Reports at the Board of Trade and Plantations, doubtless as a perquisite to that office. Cumberland, who was of a distinguished family, and a dramatic author of repute,—the “Sir Fretful Plagiary” of Sheridan’s Critic,—had of course no idea of coming to Carolina. He was content to draw upon his imagination, and the occasional acquaintances he formed at the Board with the colonists who had business there, for his character in The West Indian,—the young scapegrace fresh from the tropics “with rum and sugar enough belonging to him to make all the water in the Thames into punch”—without crossing the Atlantic to study the manners of the Barbadians, and to receive his fees from his deputy without coming to
he should act in the negotiation with the government. He writes:—

"The part, therefore, I now wish you to act is to throw out a hint to some of the leading members of the Assembly that you have no authority from Mr. Cumberland to suppose he would part from his employment to them, but, however, that you do conceive he would listen to advantageous terms; that these terms should be to vest as much money in ye English Funds as shall procure an equivalent to him for his present reservation."

Commencing with this diplomatic caution, the negotiation continued through the next three years off and on, but was interrupted by the commotion over the Stamp act. On the 3d of June, 1767, Cumberland writes to Pinckney that Mr. Garth, the provincial agent, had presented a memorial to Lord Shelburne, Secretary of State, relative to the purchase of his patent; that the result of which was yet in suspense, though he was much inclined to think that the government would accede to their proposal, provided the legislature would be content to pass a bill of the same nature with those which had been passed in the other colonies for establishing sheriffs, and would accompany that bill with a clause suspending the execution until his Majesty's or his patentee's consent was obtained. On the 29th of July he again writes that the Board of Trade had made a report recommending his Majesty to instruct the Governor of South Carolina to give his assent to an act substituting county sheriffs in lieu of a Provost Marshal, provided proper compensation be made to the patentee, but that its execution should be suspended till his Majesty's pleasure should be known; and he informs Pinckney that he had declared to Mr. Garth what his terms definitely were — £5000 sterling was the sum he had demanded. If they would assent to this proposal, he writes, and would empower Mr. Garth to conclude with
sheriffs and other officers for the more convenient administration of justice in the province. By this bill the province was divided into seven judicial districts or circuits; the places of holding the courts were to be at Charleston, Orangeburg, Camden, Ninety-six, Cheraw, Georgetown, and Beaufort. The court in each place was to have all the powers of the General Court at Charleston, in all cases, civil and criminal, as to all suits and prosecutions arising in the respective circuits, and was to be held by the Chief Justice and the four Assistant Judges, or any one of them. The office of Provost Marshal was abolished, and a sheriff for each district or precinct was to be appointed by the Governor from three resident freeholders whom the judges should nominate at their first sitting after his Majesty's allowance of the act, and after the court-house and jail should be built. The judges were authorized to contract for the purchase of land for the purpose and the building of the court-houses and jails. The act was not to go into operation, however, until the Governor by his proclamation had given notice that it had received his Majesty's allowance and approbation, and that the court-houses and prisons were built and completed. In order to secure, if possible, the independence of the judges for their new courts, the General Assembly expressly provided that when it should please his Majesty to appoint the Chief Justice and justices of the province during good behavior, the Chief Justice should receive as a salary £500 and each of the Assistant Justices £300 sterling. The present Attorney General was allowed a salary of £200, and the present clerk of the Common Pleas £300 per annum. Fines, penalties, and forfeitures were to go into the Treasury as a fund, out of which these salaries were to be paid if sufficient; if not, the salaries

1 Commons Journal (MSS.).
were to be paid out of any money lying there. A few days after, i.e. the 8th of April, the House appropriated £35,000 currency, and placed that sum in the hands of a committee of Thomas Lynch and others, to pay Cumberland, the patentee, for resigning his office, upon his Majesty's giving his Royal assent to the bill establishing these courts; and on the 12th they instructed Mr. Garth, the agent, to declare to the ministry that in case the fund provided for the payment of the judges, that is, the fines, forfeitures, and penalties, should be deemed insufficient, they would provide some other permanent fund to render the judges entirely independent as soon as his Majesty should authorize the Governor to issue commissions during good behavior. His Excellency assented to the bill in the Council Chamber on the 12th of April; but it had by its terms to receive the Royal assent before it went into operation, and thus a further delay was inevitable. The General Assembly had thus done all they could for the people of the back country. Indeed, they were taxing themselves heavily to provide courts for these people. The court at Charlestown was sufficient for all their purposes, and though the Provost Marshal's office was a sinecure to Mr. Cumberland in London, it was efficient enough, as administered by Mr. Roger Pinckney, for all the low country. Its inefficiency was only in these settlements in the upper country. Yet the cost of this purchase of Cumberland's patent would fall almost entirely upon the people on the coast, and to this they were willing to add a guarantee fund for the payment of the judges under the new system. But they were in earnest that if they paid for these courts, the judges of them should hold by a tenure independent of the pleasure of the Crown. This was surely reasonable. On the other hand, the good people of the upper part of the province were sorely dis-
tressed, and were more anxious to have the courts than particular as to the terms upon which they could be obtained.

Moses Kirkland, as we have seen, had headed a memorial to the Assembly, praying for the establishment of courts in that section. Whether he really desired them there is certainly reason to doubt; but he was determined he would not answer to one in Charlestown. On the 29th of July his Honor the Lieutenant Governor informed the Council that the judges had waited on him that morning with an affidavit upon which they desired him to issue a writ of assistance to the Provost Marshal to enable him to enforce the King’s process and to bring daring offenders to justice. This affidavit was by one John Wood, a deputy of Roger Pinckney, who stated that, having several processes returnable to the Court of Common Pleas at Charlestown, among them one against Moses Kirkland, two against Thomas Sumter,¹ and one against William Scott, he had served several of the persons, and particularly had levied the execution against William Scott, and was on his way to town with eight negroes he had taken from him, when on the 27th of June he was overtaken by five armed men, who jerked him from his horse, disarmed him, and tied his hands, then lifted him on his horse and tied his feet under his horse’s belly, and so had taken him to the house of one Frazer, beating him all the way as they went; there they had chained him to a post, where they kept him until the 2d of July, when he was removed to the house of one

¹ This is the first mention we have found of one of the heroes of the Revolution in South Carolina. One to whom, more than to any other, is the credit due of having arrested the victorious march of the British troops through the Southern States, after the fall of Charlestown in 1780, and to whose military genius, it will hereafter appear, the redemption of the province was principally owing, and whose name is perpetuated by the fortress in Charleston harbor, the glorious defence of which in the late war between the States so worthily honors it.
Barnaby Pope, and thence to the house of Thomas Woodward; that he was to have been taken again to Pope's house, where he was to have been tried and made to eat the processes he had served, and to have been flogged; but that he had escaped. He stated that Kirkland, Woodward, and Pope were the ringleaders, and swore they would not allow the service of any process of the Provost Marshal in that section. Upon the advice of the Attorney General a writ of assistance was granted; but we have no information as to what became of it.

The inhabitants of the western part of the province had numerous meetings on Friday, the 23d of September, and proposed coming to the respective parish churches in the low country to vote at the election, for which writs had been issued for members of the Assembly, as the boundary lines, they claimed, had been run out by the surveyor engaged to make a general survey of the province so as to include them. This gave rise to great alarm in the several parishes, in which it was believed that the Regulators were coming down upon them. Some of these people did come on the occasion, but they do not seem to have made a point of their right to vote. They behaved everywhere with decency and propriety. They urged upon their neighbors the intolerable grievances they labored under, and seemed, it was said, to have mostly in view a more equal representation in the Assembly; the obtaining an act for better regulating the public officers' fees, especially in law matters, and another act for establishing county courts, if the precinct court bill, lately sent home, should fail to receive the Royal approval.

A memorial was prepared, which was to have been adopted at a general meeting of the inhabitants on the

1 *Commons Journal* (MSS.).
Congaree and Wateree about this time, setting forth their troubles in the hope of some action for their relief; but as the General Assembly was dissolved by the Governor, as we have seen, before it had touched any of the public business, it was deemed proper to publish the memorial, that the case might be understood. The memorialists urged that it was the want of the due operation of the government that they deplored; that it was the denial of that protection which British subjects and honest men had a right to that with bleeding hearts they regretted; that their dissatisfaction was founded upon the deprivation of their dearest birthrights; that notwithstanding the vast increase of their people and extent of settlement, there was but one court of judicature, and that not in the centre, but at an extreme part of it. That this was replete with innumerable evils. It deprived them even of the most darling right of British subjects, Trial by Peers. For they conceived that by the fundamental laws of Great Britain, jurors who sat in the courts of law at Charlestown were, as to them in their present case, to be deemed foreigners; that they were not of their vicinage; they were not in most cases of their counties, large as their counties were; that by this fatal solecmism in the administration of justice, their lives, their liberties, and their property were rendered insecure. They dwelt upon the great expense, the exorbitant fees of court and lawyers, and depicted the cruel and wretched state to which their society had been reduced by their efforts to repress violence, protect property, and restore order.¹

The disturbances in this section continued, and began to cause uneasiness and unnecessary alarms in the parishes. In March, 1769, an express brought to Charlestown an alarming report, upon which several councils were held.

within musket shot of each other on the Saluda River, when an order arrived from the Governor dismissing Scofield, and much bloodshed was thus prevented. Colonels Richard Richardson, William Thompson, and Daniel McGirt, gentlemen of great reputation and highly esteemed by the whole body of back settlers, exerted themselves on this occasion with great spirit, discretion, and success.\(^1\) The two first were to espouse the cause of the colonies, and, remaining faithful thereto, were to become distinguished leaders in the Revolution which followed. The latter also at first acted with his friends and relatives on that side, but under great provocation abandoned it, denouncing vengeance against all the Americans for his ill treatment, and executed his threats most fearfully and most vindictively.\(^2\)

These alarms on the coast, however, induced the Governor to make the tour of the province to which we have alluded, and upon which he set out in May; and, as we have seen, upon the meeting of the Assembly in June, he called their attention to the grievances which the people of the interior suffered from the want of justice, of which he had himself been an eye-witness, and at the same time laid before them the objections of the Lords Commissioners of Trade to the act establishing circuit courts.

This unfortunate act, on its arrival in England, encountered fresh obstacles to its allowance. On the 15th of August, 1768, Cumberland writes to Pinckney that on account of its importance, and in delicacy to his interests, it had been for some time under examination by the Lords of Trade. Sir Matthew Lamb, one of his Majesty’s Council, to whom, he says, the Board refers all Plantation acts, had objected to some clauses in the bill, particularly to

\(^1\) *So. Ca. Gazette*, March 23 to April 26, 1769.

\(^2\) *Johnson’s Traditions*, 44, 172.
the summary jurisdiction of the judges in their circuit courts, and because the salaries of the Attorney General and the Clerk of the Pleas were granted to them personally while in office and not annexed to their offices. But the main objection, he writes, was to the clause for granting salaries to the judges whenever his Majesty should change the present form of their commissions and establish them during good behavior; against this clause the chief force of his objection was directed—it would be derogatory to the King’s dignity to pass an act with such a clause in it. Mr. Garth had been allowed a solemn hearing by the Board on a day singly set apart for this business, and he had spoken for two hours on the question with great ability and spirit. The Lords of Trade got over the objection of Mr. Lamb to the summary jurisdiction clause as a law of the same sort obtained in Ireland; and the Attorney General’s clause, though exceptionable, was not regarded as fatal against a bill productive of such general benefit; but as to the clause for altering the judge’s commissions so as to continue during good behavior, that was not so easily acquiesced in. A particular instruction in the year 1760 had been circulated to all the Continental Governors forbidding them to give their assent to any act of Assembly for making alteration in the commission of the judges, because of some steps of that nature taken in New York, and a similar clause was incorporated in Lord Charles Montagu’s instructions. In the face of such an article, it was Mr. Cumberland’s opinion that it was not possible for the government to approve the act. And so by his next letter of October 12, he informs Pinckney the Board had so decided.¹

In the meanwhile the inhabitants of the up country became more and more impatient of delay and clamorous

¹ *Documents connected with So. Ca.* (Weston), 141.
distress, be destructive to trade and commerce, and entail
on them and their posterity a train of calamities perhaps
impossible to be redressed, and praying for courts such as
had been provided in the act which had just been dis-
allowed by the home government; praying that the parish
of St. Mark's, which contained an extent of country and
number of white inhabitants at least equal to one-third of
the province, be divided into three or more parishes, and
that churches and chapels should be built for the inhab-
itants, and public schools be established for their children.

These memorials were referred to a committee, of which
Joseph Kershaw of St. Mark's Parish was chairman, who
on the 20th reported that the parishes of St. David's, St.
Mark's, and others on the frontier, being a large extent of
country containing from the best information the com-
mittee had been able to obtain at least three-fourths of the
white inhabitants of the province, be divided and laid
out into several parishes, and that convenient churches
and chapels should be built, and that when the parishes
should be so laid out, they should have members to
represent them in the Commons. They recommended an
additional bounty on hemp, and that inspectors of tobacco
and flour should be appointed for the encouragement of
raising these articles. They recommended that public
schools be erected in different parts of the province, and a
sum of money be granted annually to a schoolmaster for
each, for which they should educate respectively a certain
number of poor children. Some months after—16th of
April, 1770—Mr. Kershaw again reports a plan for
dividing the new parts of the province into additional
parishes, but in the turmoil of the Revolution, which was
now fast approaching, these wise and necessary measures
were neglected on the few occasions upon which the
General Assembly was permitted to do business; and thus
office was abolished, and that at the next meeting of the court sheriffs would be appointed for the several precincts of Charlestown, Beaufort, Orangeburg, Georgetown, Camden, Cheraws, and Ninety-six. These sheriffs were appointed on the 4th of June, 1772; but it was not until the 5th of November, 1773, that the Chief Justice and Assistant Justices set out to open the courts in the precincts to which they had respectively been assigned. As it happened, these courts were opened just in time to afford the opportunity of William Henry Drayton's famous charges to the grand juries, he having volunteered to serve in the absence of one of the judges; and of the presentments of the grand juries themselves, which so aroused the spirit of resistance to the Royal government, and enlisted so many of the inhabitants of the interior in the cause of liberty.
CHAPTER XXXIII

1769-70

While the legislature had been thus engaged and the Commons' House had been so stoutly asserting its rights in the matters of the Massachusetts and Virginia circulars and the quartering of troops, and endeavoring on the one hand to provide for courts for the upper part of the province, while on the other it secured the independence of the judiciary, there had been much excitement and commotion among the people in Charlestown and its vicinity. Early in the winter of 1769 the subject of non-importation, as had been resolved upon in New York, had been discussed, and schemes of economy, of industry, and for the encouragement of home manufactures had been proposed and to some extent resolved upon; but none very definite or decided action had been taken, as conservative men still hoped for the repeal of the Revenue acts, which they were led to believe might be made by Parliament. In May the accounts from London dissipated all such hopes. The agents of the colonies thought it necessary to defer presenting petitions upon the subject. All accounts agreed that there would be no repeal of the Revenue acts at that session of Parliament; some, however, hoped there might be the next winter, provided the people in America would keep quiet until then. But those on the other side of the Atlantic who held these views were mistaken; and on this side many had been aroused, and were impatient of the longer continuance of the acts. Besides, it was urged, Massa-
chusetts and New York had adopted non-importation resolutions, and was South Carolina to desert them? Whether the people generally were ready to adopt the plan of non-importation in order to force Parliament to repeal the Revenue acts may well be doubted, as the measures taken by the party for action were so calculated to intimidate all opposition as to leave little freedom of action or even of expression of difference. There were, however, some of the best and truest of the people who would not submit in silence to what they regarded the tyrannical action of an irresponsible combination.

It was the mechanics again who were the first to move.\(^1\) On June the 29th it was announced by advertisement in the *Gazette* that the mechanics of Charlestown, who had their own and posterity's interest at heart, were desired to meet under the Liberty Tree on Monday next at four o'clock. By another announcement in that paper it was stated that a meeting of the merchants would be held at Mr. Dillon's tavern at the same hour. The result of these meetings was the publication of a proposed form of agreement, which every one was called upon to subscribe under the penalty of ostracism. The agreement recited that the subscribers, his Majesty's dutiful and loving subjects, the inhabitants of South Carolina, sensibly affected by the great prejudice done to Great Britain, and the abject and wretched condition to which the British colonies were reduced by the several acts lately passed, by some of which moneys were wrung from them without their consent, or even being represented, and applied by the ministry without regard to the real interest of Great Britain, and almost totally to the support of new created commissioners of customs, place men, parasitical and novel ministerial officers; and by others of which acts the

\(^1\text{So. Ca. Gazette, June 8, 1769.}\)
colony who refused or neglected to sign the agreement within one month from its date as no friend to the interest of the colony; and they would upon no account at any time purchase from or sell to such person any goods or merchandise whatsoever.

The *Gazette* published this form of agreement at its head in large and conspicuous type, and kept it there for many issues. It announced that so thoroughly was the body of the inhabitants convinced of the necessity of entering into an agreement, that there were no less than twenty-five representatives in their private capacity amongst the first signers, so that to them might be ascribed the honor of taking the lead in this most momentous affair. And although, continues that journal, this colony might be last to come into a measure of the sort, yet we are convinced that, notwithstanding the invidious artifices of a few, the subscription to the agreement will make as respectable an appearance as any in America. Had that journal been gifted with a prophetic spirit, it might have foretold that South Carolina, the last to come into so impracticable a scheme, would be the last to persist in its enforcement.

But whether wise or unwise, the measure was not allowed to go without earnest opposition—an opposition which led to a heated and unbecoming controversy in the papers of the day. On the 22d of June, a week before the meeting under the Liberty Tree, there appeared in the *Gazette* a communication over the signature of "*Pro Grege et Rege,*" urging the adoption of non-importation and proposing a form similar to that adopted, in which the writer, while addressing all other classes of citizens, had spoken very disrespectfully of the importers, saying that many of them were but strangers of a few years' standing in the province, and asking, had they shown or attempted to show anything but an altogether confined regard to them-
selves and their own private interest?¹ To this, one writing as "The Merchants of Charlestown" replied on the 13th of July, resenting the imputations, and reminding "Pro Grege et Rege" that to the merchants alone was only the export of so great a part of the rice, by which means the price had been supported, to the great emolument of the landowners. "The being taxed or having duties imposed on us by a body in which we are not represented," said "The Merchants of Charlestown," "is the foundation of the dispute between Great Britain and America. We allow the latter to have just cause of complaint; have not the body of merchants equal reason to complain when an attempt is made that strikes at the welfare of each individual? Sign or die² was the motto on a late extraordinary occasion! Sign or be ruined is the motto now! It is an unjust attempt of one part of the community, whose particular wants are already supplied, to throw a burden on the rest more grievous than ever was conceived by the most arbitrary minister of the most despotic King." "If," continued the writer, "hardships must be borne for the general good, each individual should be consulted, and such a plan adopted as would make the burthen equal. By the engagement lately entered into, a plan of economy is provided that must necessarily increase the landholder's estates. Such articles as they and the

¹ So. Ca. Gazette, June 22, 1769.
² This allusion is to the motto "Join or Die," common in the northern colonies during the agitation against the Stamp act in 1765. Bancroft, vol. V (ed. 1857), 369. A frontispiece to The Constitutional Courant represented a snake cut in pieces, with the initial letters of the several colonies, from New England to South Carolina, affixed to each piece. Such an emblem might not have been deemed in all points complimentary, but amendments were made by the motto; it stood thus, Join or Die! Annual Register, 1765, part I, p. 50; Dr. Gordon's Hist. of the Am. Revolution, vol. I, 180; Mahon's Hist. of England, vol. V, 133, 134.
mechanics indispensible want are allowed to be imported. These two parts of the community are provided for, while the third is subjected to infinite hardships and distress."

This writer had certainly discussed the matter with good temper, sound logic, and great force. Another, "Pro Libertate et Lege," came forward on the 18th, and with less good taste, but certainly not without provocation, assailed "Pro Grege et Rege" personally. If he was not mistaken, "Pro Grege et Rege" had been himself an importer of European goods; many other gentlemen of the first consequence and character in the province began to make their estates in a mercantile way and by degrees came to be great planters; but unfortunately in this "Pro Grege et Rege" had failed, for he neither made a great and rich merchant nor was possessed of large plantations. He calls the importers new-comers and strangers, and yet many of them were nearly connected with the learned writer himself; and some of the sons of those who began in a mercantile way are now possessed of large plantations. This writer concluded by urging his countrymen not to enter upon any schemes or resolutions before they had deliberately considered what might be the consequences of their proceedings, nor to suffer themselves to be deceived by false appearances or led away by notions of men consulting their own interests, while endeavoring to make the whole world think they would be martyrs for the wrong done to and the violated rights and privileges of the country. The allusion in this letter points to Christopher Gadsden as the author of the communication signed "Pro Grege et Rege." On the 20th "Philanthropos" enters the controversy with an attack upon "Pro Libertate et Lege" still more personal than that upon "Pro Grege et Rege," and asks "For God's sake what kind of liberty can any imagine this gentleman means but the liberty of
saying with impunity disagreeable things?” To this the assailed “Pro Libertate,” etc., replies in a paper which Mr. Timothy, the publisher of the Gazette, very properly required to be put in as an advertisement, and in which a reward of 20s. was offered to any person who would take “Philanthropos” to the warden of the workhouse to receive the punishment allotted to misbehaving slaves. We turn from the perusal of this early political controversy in the newspapers of South Carolina with no pride or satisfaction in the tastes and courtesy of our forefathers in public discussion. We read of no duel or street fight growing out of these amenities.

A general meeting of the inhabitants of Charlestown was held on the 22d of July, when the form of the agreement was enlarged so as to extend the prohibition of forbidden articles, not only from Great Britain, but also from Holland or any other place, and also to extend it to prohibit the importation of negroes. This last extension of the agreement seems to have had other and stronger grounds for its adoption than those urged against the revenue laws generally.¹

At this meeting of the 22d of July, Mr. Gadsden read the new form of agreement which was proposed by a committee of the merchants, once for the information of the numerous body assembled, and then read them a second time, paragraph by paragraph, so, it was said, to allow objection, if any there were, to be offered; but the whole, the Gazette gravely tells, was immediately approved with an unanimity scarce to be paralleled. The merchants having at their previous meeting appointed a committee of thirteen gentlemen for the purpose of doing whatever might be further necessary to give form to the association, a similar committee of the mechanics, and another of

¹ See ante, chapter XVII.
planters, were nominated, and a general committee of thirty-nine was thus established,¹ with Mr. John Neufville as chairman.

This measure, whether or not really supported by the unbiased judgment and wishes of the people generally, as claimed by the *Gazette*, was not allowed to pass without strong and vehement protest. Mr. William Henry Drayton and Mr. William Wragg were not to be silenced by the apparent unanimity of public opinion, or by the threat of contempt with which the resolutions declared that those who would not submit should be treated. Mr. Wragg, as we have already seen, had at least the courage of his opinions, and for them was to suffer exile and to perish at sea. Mr. Drayton was a much younger man; at this time he was twenty-seven years of age. Born at Drayton Hall on the Ashley, within a few miles of Charleston, he had been sent, as many of the youths of the colony were at the time, to England for his education. He had gone under the care of Chief Justice Pinckney, in company with his sons, Charles Cotesworth and Thomas Pinckney. He had pursued his education at Westminster.

¹ The members of these committees were as follows: —

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<th>Planters</th>
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<td>Isaac Lesesne</td>
<td>Wm. Price</td>
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with the infamous name of an enemy of his country," as the resolutions undertook to do, "can be legally done by no authority, but by that of the voice of the legislature, and no person but a traitor or a madman would think of any other." In the same strain he continued, advising that the person to whom he alluded, who was understood to be Christopher Gadsden, should be lodged in the madhouse, and maintained there at least during the ensuing change and full of the moon, at the public expense. This was surely belittling a great occasion, and giving no promise of the great ability or style of his famous charges to the grand juries and letter to the Congress by which he was afterward to contribute so much to rouse and assure the people in behalf of liberty. It was indeed a grave and serious question whether the colony of South Carolina had as yet received any such wrong at the hands of the mother country as warranted this measure of non-importation. Granting the occasion for it, it was an equally grave and serious question whether such a voluntary agreement could possibly be enforced? Whether it would not cause falsehood and evasion on the one hand, and inevitable suspicion of evasion on the other; whether it was possible to enforce by mere promises, though given upon honor, what the most stringent penal revenue laws could not effect? But it was a far graver and more serious question whether the attempt thus to crush out private opinion and to intimidate any who might conscientiously differ was not inflicting a far greater wrong upon the people than Parliament could do by taxing them even without representation. Whether in denying the right of individual conscience and judgment and freedom of action they were not themselves violating the dearest constitutional rights of British freemen in a far greater degree than the ministry could possibly do by enforcing the
The lists of non-subscribers published in the handbills included the names of Mr. Wragg and Mr. Drayton. On the 4th Mr. Wragg, in a paper remarkable for the times for the calmness and temperateness of its tone, protested against this action. Addressing Mr. Timothy, the editor of the *Gazette*, he wrote: "As I conceive your paper to have at least as extensive a circulation as the handbills that have lately been distributed about, I take the liberty through your means of appearing before the public as one called upon to speak a word in vindication of myself. My name I am told is inserted in the list of non-subscribers to the self-denying ordinance or resolutions; with what view or intention, I neither care nor inquire after. The authors will pardon my vanity in considering it, perhaps contrary to their design, as an honorable certificate of me; by representing me as one upon whom neither fear, interest, or the prevailing desire and seeming security of swimming with the stream could operate to do violence to his judgment. The freedom of the constitution and genuine undepraved text of the law will support my claim to an indisputable right of withholding my assent to propositions I disapprove of, and which are in their nature altogether discretionary." . . . "Where," he asked, "is the reason, the justice, the charity, in locking up my property with endeavors to force a compliance or starve me? Had I no other resources than what a plantation affords, I would endure everything rather than have the freedom of my will or understanding limited or directed by the humors or capricious proscriptions of men not having authority." . . . "Let me add," he wrote, "that I have not forgotten, and therefore am not ashamed of acknowledging, that I dare not oppose acts of Parliament made not for the purpose of raising a revenue, but to regulate the commerce of Great Britain and her dominions, and falling neither within
or to build a necessary house. Nature never intended such men should be profound politicians or able statesmen, and unless a man makes a proper use of his reading, he is but upon a level with those who never did read. From which reasoning I conclude that in point of knowledge all the members of the committee are upon a level with each other. A learned body of statesmen truly!"

After much more in the same style, Mr. Drayton in the conclusion of his paper rises somewhat to the dignity of the occasion, declaring that he should act to the best of his abilities and judgment in support of the constitution in the state in which it had been handed down to him from his progenitors; and hoped that in every circumstance of life he should act with consistency, with loyalty to his King, reverence to his native country, and with charity to all men. The time was soon to come when one of these sentiments, at least, he was to repudiate—that of loyalty to his King.

As was to have been expected, this intemperate and insolent attack upon the composition of the general committee, as they styled themselves, brought out an answer from the mechanics in that body. They replied in the Gazette of the 5th of October, ridiculing Mr. Drayton's pretensions and classical quotations. They asked him whether he really claimed any merit for possessing an estate not obtained by his industry, and recommending him to the same asylum to which he had suggested that Mr. Gadsden should be sent, in which, they added, he might be allowed to amuse himself with making and wearing civet crowns of straw for having saved his fellow-subjects from destruction. Then followed long and tiresome disquisitions by Mr. Gadsden and Mr. McKenzie on the one side, and Mr. Drayton on the other. These papers do not afford pleasant reading. What little of argument
brother Thomas and William Henry Drayton, for their education. He had studied in the Temple, and had been admitted to the bar there in 1764.

On the 5th of December Mr. Drayton presented a petition to the House, in which he set forth that he was a freeholder in divers parts of the province, and by birth a freeman under the British government. In these characters he claimed an inherent right to lay before the House, who were the representatives of the freeholders and freemen in the province, a representation of such injuries to and violation of constitutional rights and privileges as the spirit of the law was at that juncture too feeble and weak to redress. That a majority of the judges,—that is, the assistant judges, natives of the colony, appointed by the Governor,—by signing and acceding to certain resolutions and solemn engagements of the 22d of July last, had thereby disqualified themselves from sitting as judges on any action which might be brought by reason of those resolutions, and so general had been the subscription to those resolutions that any jury which might be drawn to try such a suit must in all probability consist entirely of men of the same disqualification. That having no other means of procuring protection, he petitioned that the Commons would vouchsafe to protect him in the enjoyment of those rights to which he had a claim by his birth, and which he merited by his due submission to the laws.

He set forth that by the last of the resolutions the subscribers illegally confederated and conspired to distress such as should not accede to them within one month by not purchasing such commodities as they might have for sale. That this measure had compelled great numbers to sign the resolutions rather than by refusing to expose themselves to ruin. But that he with many others had
determined, from principles of loyalty to their King, and respect to the laws of the land, to expose themselves to every difficulty which might befall them in consequence of the operation of those resolutions rather than by acceding to them to make themselves instrumental in violating the civil liberties of freemen. The memorial went on to argue that to be debarred by any other authority than that of the constitutional law of the land from selling any part of a man’s property was a flagrant violation of the civil liberties of a freeman and subversive of one of the great advantages of living in society as a good citizen. That in consequence of the resolutions and publication of his name, his commodities, which were ready for sale, remained upon his hands at great risk and heavy expense; and merchants who had approved of the quality of his effects and treated for a quantity and price, as soon as they learned whose property they were, declined any further bargain for the purchase of them because of the resolutions. He submitted his case to the House for such redress as to their wisdom might seem proper; but he did not indicate what measures the House could adopt for his relief.

The petition was presented to the Clerk, to be by him presented to the Speaker. It met the fate which no doubt Mr. Drayton anticipated. The Speaker was asked as to the contents before it was read, and replied that it contained a representation of injuries received in consequence of certain resolutions, and a prayer for redress. Upon this the question was put whether the petition should be received, and it was refused. Mr. Drayton was obliged to content himself with the publication of his petition in the Gazette, which Mr. Timothy, the publisher, kindly allowed, together with a protest by him that the right to petition implied a right to be heard; and that without this
right to be heard, it was in vain that the subject should petition for a redress of grievances.

On the 8th of December the House passed an order on Jacob Motte, the public Treasurer, for the sum of £10,500 provincial currency, equal to £1500 sterling, to be remitted to Great Britain "for assisting in the support of the just and constitutional rights of America." Upon this Mr. Drayton, in a last paper in this controversy, over the signature of "Freeman," wrote in the *Gazette*,¹ that as it always gave him pleasure to congratulate his friends upon the prosperous situation of their affairs, he could not omit this fair opportunity to felicitate his fellow-citizens upon the sudden increase of wealth of this province. For certainly, he said, the public finances must be in a flourishing condition, or their economic purse keepers and representatives would not in a manner almost without hesitation have bestowed the sum of £1500 sterling on charity upon the application of a private gentleman in London, which charitable supply was remitted to defray the bills of a certain club of Patriots at the London Tavern, among whom he had heard that the celebrated Samuel Vaughan was a member of no little consequence. Mr. Timothy was very indignant at this letter, as calling in question the truth of the statement of the *Gazette* on the 9th, that a resolution had been entered in the House that the public Treasurer advance the sum of £1500 sterling to be immediately remitted to Great Britain for the support of the just and constitutional rights of the people of that Kingdom and America. The Journal of the House undoubtedly sustained Mr. Timothy to the letter of his statement; but, as Mr. Timothy must have very well known, Mr. Drayton in his statement had also fully adhered to the truth—a truth which was commonly known. The House

had directed the public Treasurer to pay this £1500 into the hands of a committee consisting of the Speaker, Peter Manigault, Christopher Gadsden, John Rutledge, James Parsons, Thomas Ferguson, Benjamin Dart, and Thomas Lynch. These gentlemen the next day, the 9th of December, 1769, addressed a letter to Messrs. Hanckney & Partners, French Street, London, saying that the Assembly, having yesterday in a full house voted £10,500 of their currency to be remitted to Great Britain for the support of the constitutional rights and liberties of the people of Great Britain and America, and referred it to them to carry this resolution into execution; and, they continue, "we being very certain that it is the intention to present this sum to the "supporters of the Bill of Rights" to assist them in carrying on their great and good intentions do enclose you the following bills of exchange for £1500 sterling.¹ The "Society of Supporters of the Bill of Rights" was nothing more than an association to raise means to pay the debts of John Wilkes and to provide for his support and his expenses while imprisoned. It was formed of a number of members of Parliament, merchants, tradesmen, and others with the professed view of supporting Mr. Wilkes. They assumed the name of "Supporters of the Bill of Rights," and sent out circulars appealing to the people to raise an effectual barrier against oppression, and to rescue Mr. Wilkes from his present incumbrances and to render him easy and independent.

The Lieutenant Governor immediately reported the action of the House to Lord Hillsborough, sending him a copy of the order, and saying that as no particular use or agent is mentioned in the journals, it was probable that it was intended for the purposes of the supporters of the Bill of Rights in London, from whose committee a solicitation

¹ Life of Wilkes Almon, vol. V, 42.
to preside. Mr. Neufville, chairman of the general committee, laid before the people the particular matters they had in charge. First there was the case of Mr. Alexander Gillon. He had imported one hundred pipes of wine in the ship *Peter and Ann* from Teneriffe. The wines, though ordered before the agreement, had not arrived until the 19th of December, and the committee had therefore required Mr. Gillon to store them; but he had declined doing so, preferring to submit the consideration of the particular hardships of his case to a meeting of the non-importers. He flattered himself that upon a due consideration of the circumstances he would be allowed to sell the wines. Mr. Gillon, it was said, was heard with great attention, and when the matter was fully discussed, the question was put whether, considering the particular circumstances of the case, he might be allowed to sell the wines. Those who were of that opinion were desired to declare it by holding up their hands; but not a single hand was raised, and Mr. Gillon was required to sign an engagement that he would store them until a general importation would take place.

Mr. Neufville, chairman of the committee, then brought to the attention of the meeting that the purpose of the resolutions had been in some measure defeated by masters of vessels and other transient persons being at liberty to dispose of whatever goods they imported, if they could find purchasers. Several persons had availed themselves of this, and some goods had been clandestinely disposed of and purchased, and others positively refused to store or ship goods thus imported. Whereupon it was at once determined to put a stop to this scandalous and surreptitious traffic, and amidst great applause it was resolved that the merchants should enter another resolution not to have any dealings whatever, now or hereafter,—except in
ing of the resolutions. Mr. Drayton had left the country, and Mr. Wragg had retired to his barony in despair. There was no one left to protest against this tyranny of an irresponsible body exercising this monstrous power in the name of Liberty.

The monotony of these non-importation meetings was to some extent broken by the coming of the day of the 18th of April, on which John Wilkes was to be released from his imprisonment, and which was of course to be celebrated, and in the celebration of which there was to be an indication of the same intolerant spirit which was showing itself in some classes of the people. St. Michael's bells were rung, and there were abundant demonstrations of joy by several assemblies at different houses, particularly by the club "Number Forty-five," above one hundred members of which, as loyal subjects, the Gazette takes care to mention, as any his Majesty King George the Third had throughout his dominions, and amongst whom there were many gentlemen of rank and property in the province, met at Mr. Robert Dillon's, where they had a most elegant entertainment, conducted by six most elegant stewards, and spent the evening in the most orderly manner, and of course conducting everything in accordance with the prevailing play upon the number Forty-five, drinking forty-five toasts and breaking up at forty-five minutes past twelve. The gentlemen of the club, we are told, were particularly attentive to the preserving the same good order without, as they observed within, doors.1 Among other precautions, to prevent any riotous conduct on the streets, they dissuaded every one they could from illuminating, lest some in a fit of intemperate joy might attempt to compel those who were known to be disinclined; yet upward of one hundred and fifty houses, says the Gazette, were illuminated,

1 So. Ca. Gazette, April 19, 1770.
The meeting then went as usual into the consideration of certain particular cases. The committee reported that all the importers except two houses had adhered not only to the letter but to the true intent and meaning of the resolutions. The case of one of the delinquents was acknowledged to be a hard one; nevertheless, as they were determined not to overlook the least breach, well knowing, they said, the tendency of admitting bad precedents,—"hard cases,"—and all were called upon to show why they should not "be treated with the utmost contempt." One of the persons charged sent in a letter expressing his concern for his infringement of the resolutions, asking pardon and promising to observe a more consistent conduct in the future. But this would not suffice. The *Gazette* says that nine-tenths of the people declined in terms of disgust so inadequate a satisfaction. They demanded an acknowledgment of having broken the agreement and a declaration of his being truly sorry for his offence, a humble solicitation of pardon, and a solemn promise that he would in the future adhere strictly to the general resolutions.

This meeting the *Gazette* describes as exceeding all others in temper and moderation. Every man, it declares, that had anything to say was called upon to express his sentiments with freedom; the most profound silence was observed when any spoke, no one was interrupted, nor a single person insulted. Yet it immediately adds that when a proposal was made to introduce a letter that had been received, hinting at a defection in their Boston brethren, the whole meeting seemed immediately warmed and absolutely refused to suffer it to be read, alleging that they could not nor would give the least credit to any such insinuation, and declaring that if it could be true, that if the whole continent were base enough to abandon
committee to reconsider her case, offering to reship the goods if the committee would indemnify her friend in England through whose indorsement she had obtained the goods; but the committee by a small majority of its members had refused. That finding that the goods were becoming damaged, in the absence of her son she had opened and sold them, as she had no other means of supporting her family or paying her friend who had gone security for her in London. But Mrs. Mathews was not content with thus stating her own case, which she said had been explained by a friend at a meeting under the Liberty Tree; she did not hesitate to attack the committee. She charged that Mr. John Edwards, one of the committee, had received two cargoes a short time before hers, which she defied any of the committee to say were ordered or shipped as early as hers. Why was he allowed to sell his goods and she not hers? Mr. Lightwood had a case imported for him by one of the committee which did not arrive until a month after hers. Why was not that stored? Mr. Rutledge had received a pair of horses from London as late as the 13th of April; had they been stored or reshipped? Because they came in consequence of an old order which he could not countermand? Was not her case similar to his? Why, therefore, any difference? None could be assigned but that he was a man of spirit and could not be trifled with; she, a poor widow, living a few doors of one of the leading men of the committee, and thus might perhaps take a little cash now and then from some of his customers. Why under the Liberty Tree had this person proposed to fine her? or why reproach her with her poverty? She had always understood the intention of the resolutions was to distress the people of Great Britain, not to ruin innocent individuals here. Would any one person in England suffer by her goods being stored? Would any
one there gain by her selling them? She had offered the committee to do what she could; but nothing short of total ruin of herself and her family would suffice. However, she still hoped by the blessing of God and the favor of the public to ward off the blow, and as the committee had not yet assumed the Pope's infallibility, though they had adopted his style in the Bull published against herself, she flattered herself that others would be allowed the liberty of judging in her case as well as themselves.

No doubt there were many in the town who secretly rejoiced that Mrs. Mathews had availed herself of her womanhood, and had talked back at the committee without fear of them. The people were getting tired of the espionage and tyranny of their proceedings, beside which rumors of backslidings in other provinces were increasing. The meeting under the Liberty Tree, on the 17th of May, had refused even to listen to a letter suggesting a defection in Boston; but now came accounts from Rhode Island and Georgia which they could not question.

Another general meeting was held under the Liberty Tree on the 27th of June, at which Mr. Charles Pinckney was chosen to preside, and its first business was the consideration of the conduct of Rhode Island and Georgia.¹ Undoubted intelligence had been received that Rhode Island had broken the agreement and imported British goods. This the meeting regarded as a betrayal of American liberty, and resolved that all commercial intercourse and dealing between Rhode Island and this colony should immediately and finally cease, except as to such goods as had already been ordered. That as the people of Georgia, the Hon. Jonathan Bryan and a few other individuals excepted, had acted a most singularly infamous part since the beginning of this glorious struggle, and had

¹ So. Ca. Gazette, June 28, 1770.
lately taken every possible advantage of the more virtuous colonies, they ought not only to be considered in the same predicament as the deluded people of Rhode Island, but also be amputated from the rest of their brethren as a rotten part that might spread a dangerous infection. They resolved therefore that all commercial dealing and intercourse between themselves and that colony should cease in fourteen days from that time, and that all masters of vessels from thence after the expiration of the fourteen days be accordingly desired to depart within twenty-four hours; and that no British goods imported from that colony should be landed. The general committee were instructed to give the earliest notice of these resolutions to all the northern colonies, and recommend them to adopt the same in regard to Georgia in the fullest extent.

A bill was at this time before Parliament in England to remove the duties on all articles except tea; but the preamble to the act of 1767 and the duty on tea Lord North declared must be retained as a mark of the supremacy of Parliament and the efficient declaration of its right to govern the colonies. The meeting resolved to urge the other colonies to continue the non-importation until the whole act was repealed. They resolved that any subscriber who should presume, directly or indirectly, to purchase from or sell for any violator of the general resolutions, should be looked upon in the same odious light as a violator himself, shunned as a pestilence and held in the utmost abhorrence and contempt. Then the meeting went on to indorse the general committee in every respect, and particularly in regard to Mrs. Mathews and her son. They declared that the resolution in regard to them had been the unanimous determination of the committee at its fullest meeting; that they were convinced that the case of Mr. Edwards and that of Mrs. Mathews were widely dif-
CHAPTER XXXV

1770-71

The arrival on the 31st of May, 1770, of the statue of Mr. Pitt, which had been ordered by the Commons' House in 1766, caused another interlude to the non-importation business. The statue had been sculptured by Mr. Wilton of London, and was considered at the time a very fine piece of work. Josiah Quincy, on his visit to Charlestown in 1773, thought the drapery exquisitely done, but the attitude and expression of the piece bad. This criticism would probably be concurred in to-day as the statue stands in Washington Square with one arm lost—shot off during the bombardment of the town in 1780. It was landed amidst a vast concourse of inhabitants, many of whom were, it was said, of the first rank and consequence, who received it with cheers and, preceded by music, drew it by hand to the place where it was to rest until the pedestal for it was raised. The vessels in the harbor displayed their flags, and St. Michael's bells, the Gazette says, would have been rung, but were stopped out of regard to Isaac Mazyck, a very worthy member of the community, who was extremely ill near the church. On the 5th of July the statue was raised and placed upon the pedestal at the intersection of Broad and Meeting streets. There was the usual play upon the popular numbers. A flag with the words "Pitt and Liberty," and with a branch of laurel upon it, was raised upon a staff forty-five feet high by sets of twenty-six and ninety-two, members of
the Club Number Forty-five; as soon as it was fixed, twenty-six members of the Assembly ascended the stage, whereupon the Hon. Peter Manigault, the Speaker, at the request of the people, proclaimed the inscription. As soon as this was done, Lord Chatham's health was drunk and twenty-six cannon were discharged by the artillery company. Three hurrahs succeeded, and St. Michael's bells rang out. In the evening Club Number Forty-five met at Mr. Dillon's tavern, where an elegant entertainment was provided for them and the usual forty-five toasts were drunk.¹

But the rule of the non-importers was nearing its end. According to a number of private letters from New York there was a party there for immediate general importation

¹ Inscription upon the pedestal to the statue of Pitt. *So. Ca. Gazette*, July 5, 1770:

In Grateful Memory
of His services to His country in General
And to America in particular
The Commons House of Assembly
of South Carolina
unanimously voted
This Statue
of
The Right Hon. William Pitt, Esq.
who gloriously exerted himself
In Defending the Freedom of America
The True Sons of England
By Promoting a Repeal
of the Stamp act
in the year 1766
Time
Will sooner Destroy
This mark of their esteem
Than
Erase from their minds
Their just sense
Of His Patriotic Virtue
of British goods, and it was hinted they might carry their point.\textsuperscript{1} Then came positive information that the people there had deserted the cause of liberty, and the general committee advertised for a full meeting on the 22d of August to consider the situation. But no meeting took place until the 3d of October, when William Moultrie presided, and several persons were called upon to answer for violations of the resolutions. Poor Benjamin Mathews could not resist the pressure, and notwithstanding the gallant fight his mother made for him, he succumbed, made a humble confession, and sued for pardon.\textsuperscript{2}

In the meanwhile the merchants of New York and Philadelphia, finding it impossible to maintain the agreement, had consulted and agreed to a general importation of all articles except tea. The students of Princeton burnt the New York merchants’ letter by the hands of the hangman. Boston tore it to pieces and threw it to the winds. South Carolina, says Bancroft, whose patriots had just raised a statue to Chatham, read it with disdainful anger. But South Carolina, he adds, alone could neither continue non-importation nor devise a new system.\textsuperscript{3}

A general meeting was held under the Liberty Tree on the 13th of December. Henry Laurens was called to the chair, and presented and read a paper which was put in his hands by the general committee, to the effect that intelligence having been received that most of the northern colonies had departed from the resolutions, and had imported goods from Great Britain, the general committee desired to know from the people: (1) If under such circumstances they would adhere to the resolutions of the 22d of July, 1769? (2) If not, and if no stand would be made by the province alone, whether a limited time should

\textsuperscript{1} \textit{So. Ca. Gazette}, August 9, 1770.  \textsuperscript{2} \textit{Ibid.}, October 4, 1770.  \textsuperscript{3} Hist. of the United States (Bancroft), (Ed. 1883) vol. IV. 387.
be fixed for a general importation? (3) What should be done with the goods now in store and any other goods which might in the meantime be imported contrary to the general resolutions? (4) Whether a protest should not be made and published against the colonies, which by departing from the agreement had weakened the union which had so happily subsisted between them? Upon putting the first question, says the Gazette, a long and profound silence ensued. At length one Mr. Thomas Lind made a motion for "Breaking Through," which was for a considerable time totally disregarded, but at last was seconded by Mr. Alexander Rantowle; pending this it was proposed that some alteration should be made in the resolutions, which would still preserve their spirit and true intent and meaning; then the reading of the preamble and resolutions was called for, and they were read, whereupon some one moved to adjourn to some day in the next January after the meeting of the General Assembly, but this was lost. It appears then to have been assumed without further formal vote that the agreement was at an end, and the meeting proceeded to pass other resolutions: (1) That all possible encouragement be given to such manufactures as the province is capable of producing. (2) That the article tea should not be imported by any subscriber nor purchased from any person while the present duty to be collected in America remained thereon; and that no goods whatever from Great Britain, whereon a duty was imposed by act of Parliament, should be imported or purchased. (3) It was resolved to restrain the importation and use of articles of luxury from Great Britain, and in all things to give preference to their own tradesmen and manufacturers; but the further consideration of how this was to be done was referred to a new association which it was proposed to form for preserving the Rights
UNDER THE ROYAL GOVERNMENT

and Liberties of America! (4) It was resolved that the goods imported contrary to the general resolutions, and therefore put into store, be redelivered to the several proprietors on the Monday following. (5) John Rutledge, Peter Manigault, Charles Pinckney, and John McKenzie were appointed a committee to draw up a protest in behalf of the people of South Carolina against the conduct of the northern colonies, whereby the people of the province had been driven to the necessity of making alterations in the general resolutions before all the good ends which were expected by entering into them were fully obtained, and that it be published. 1

If any such protest was ever drawn by this very able committee, we have not been able to find a record of it. Nor indeed was it likely to have been prepared in view of the fact that it was countercharged that South Carolina, together with Georgia, Maryland, and Virginia, had during this time actually increased their importations—a charge which the activity of the general committee and the constant suspicion evident amongst the people tend in some measure to corroborate. The shipping lists in the Gazettees of the town during this period certainly show no falling off. Captain Curling, the favorite master, sailed and arrived as usual with full passenger lists, and with cargoes of course of nominally excepted goods. But doubtless there were other cases of secreted goods beside those which the committee detected, notwithstanding their vigilance. The whole scheme was destined to failure from its very inception. Commercial restrictions have never been enforced even by the strongest governments and severest penalties; still less could mere moral obligations voluntarily assumed. Pledges and honor could no more prevent smuggling than revenue officers. Lord North was

1 So. Ca. Gazette, December 13, 1770.
wise when he resisted the Earl of Hillsborough, who was pressing for the execution of severe measures. It was better to wait and allow the associations for non-importation to fall asunder themselves. It was fortunate for South Carolina that the scheme was abandoned elsewhere before it had effected all the evil and mischief it must inevitably have wrought among her people. The resolutions just adopted were the last we hear of non-importation in South Carolina until its renewal was attempted by the General Congress in 1774. It will be interesting to see what report his Honor the Lieutenant Governor made of these proceedings to the government at home. He wrote at once to Lord Hillsborough:—

My Lord:

Charles Town, Decr. 13, 1770.

This day, according to my letter No. 38, there was a numerous meeting of planters, merchants & mechanics. After long silence, each party acting on the reserve to receive the first attack, at last one of no note stepped forth & moved that no further regard should be had to the Resolutions, upon which a motion was made to consider whether there should be any alteration or no. The general voice was Yea. Upon which Mr. Lynch, who came fifty miles to town on purpose, exerted all his eloquence & even the trope of rhetorical tears for the expiring liberty of his dear country which the merchants would sell like any other merchandize. He was seconded by his two brethren, who were for continuing the association & proposed importing goods from Holland. But the struggle, tho’ strong, proved ineffectual, & the only article now talked of as not proper to be imported is Tea. And next Monday all the goods that have been stored under the direction of the general committee, as contrary to the non-importation agreement, are by the committee to be delivered to the proprietors. But I apprehend the whole association will now be wholly at an end.

Indeed some talk of a new plan of an association, on principles of sumptuary Law, equivalent to non-importation, though I do not suppose it will be of any consequence and probably is intended more to preserve an appearance of reluctance in dissolving the Resolutions than with any expectation of succeeding. I thought it my duty to
give your Lordship this information, and I doubt not but when the minds of the people are a little cooled most of them will be ashamed of their having been concerned in the Association or in the rash or unreasonable means made use of to enforce them.

I am, etc.,

WM. BULL.

In the meanwhile there had been more trouble in the General Assembly. The Commons, it will be recollected, on the day of their adjournment made an order upon the Treasurer for the sum of £10,500 currency, which was notoriously a contribution for the payment of the expenses of John Wilkes while in prison and of his debts. It went, in fact, to discharge the latter in part, which amounted to £20,000, and was regarded as a handsome contribution to him personally. This action of the Commons could not but have been expected to give great offence to the King and to be resented by his ministry. The Governor's Council took high ground in opposition to the Commons in the matter. The Council then consisted of Lieutenant Governor Bull, Egerton Leigh, the Attorney General, Othniel Beale, John Drayton, John Burns, Thomas Skottowe, Sir John Colleton, Bart., Henry Middleton, and Daniel Blake. Henry Middleton was ultimately to take sides with the people and to become one of the leaders in the Revolution and President of the Congress under the Confederation. John Drayton was the brother-in-law of Lieutenant Governor Bull, and the father of William Henry Drayton, who was then fighting the non-importers and denouncing this contribution to Wilkes, but who, like Middleton, was to abandon the King's side and to take a conspicuous part in the overthrow of the government. At present the Council was unanimous against this indignity to his Majesty and misappropriation of the public money.
them on the face of the estimate, which was likely to prevent that concurrence which was absolutely necessary to give effect to the bill before them. It is singular that in this message the Council make no allusion to the Royal instructions to Sir Francis Nicholson, and since continued, which, as we have seen, prohibited the appropriation of any money which was not to be accounted for to the commissioners of his Majesty’s Treasury in Great Britain, or to be disposed of otherwise than by warrant under the Governor’s hand and with the advice of the Council.

The Commons immediately put on their dignity and on the 7th sent a message to the Council, saying that to avoid all altercation and difference they returned the bill for the calm and serious reconsideration of the Council. The Council promptly sent it back, with a message that they could not think the proceedings of the Commons parliamentary or proper, and were determined to adhere to the sentiments of their former message. The Commons then appointed a committee of Mr. Lynch, Mr. Lowndes, Mr. Gadsden, Colonel Laurens, Mr. McKenzie, and Mr. Charles Cotesworth Pinckney to consider what steps it would be necessary for the House to take upon the two messages of the Council. This committee on the 10th made an elaborate report, going over the same ground, declaring that the conduct of the Council was altogether unparliamentary and unprecedented, and the charges against the privileges and proceedings of the House were altogether groundless, unsupported by truth or justice, and tended to draw upon them, his Majesty’s faithful subjects, the heavy displeasure of the sovereign, and to render them odious and contemptible to their constituents and fellow-subjects. The report declared that the House had always upon urgent occasions, of which the Council could not be ignorant, exercised a

2 See Chapter II.
right of borrowing moneys out of the Treasury, all of which
they had faithfully and punctually repaid. That to grant
money for the support of the just and constitutional rights
of the people of Great Britain and America could not be
construed to be distasteful and affrontive to his Majesty,
the general patron of the liberty and rights of the subject.
The committee recommended that an humble address be
presented to his Majesty to implore his Royal interpo-
sition and to entreat him to appoint an Upper House of
Assembly upon the plan of the original constitution and
charter of the province; that an address be presented to
the Lieutenant Governor to inform him of the insult and
indignity offered to the House by his Majesty's Council
and to entreat him to procure satisfaction to the House for
the same. The resolutions recommended by the committee
were adopted on the 11th, when a message was received
from his Honor the Lieutenant Governor, requiring the
immediate attendance of the House in the Council Cham-
ber. The House attended, and thereupon the Lieutenant
Governor returned his thanks for the close application
they had given to the public business, and as he had given
his assent to several of the bills which they had got ready,
and it being the time of the year when their presence
might be required in the country about their private
affairs, he therefore prorogued them to the 5th of June
next.

This was the answer with which the Lieutenant Gov-
ernor anticipated the demand of the Commons that he
would procure satisfaction to the House for the insult and
indignity they said had been offered them by the Council.
It was a rebuke as kindly administered as Lieutenant
Governor Bull could find a way to perform what was no
doubt an ungracious task to him. Did the Commons de-
serve such gentle treatment at his hands? Could they
expect him as his Majesty’s representative to listen with patience to such empty words and mockery of truth? Did he not know, as everybody else did, that the money of the province had been sent by the House to support Mr. Wilkes in his personal contest with his Majesty’s government? Was it honest in the Commons to insinuate, as they did, that they had only borrowed this money? Had not Mr. Speaker Manigault, with Gadsden, Rutledge, Parsons, Ferguson, Dart, and Lynch, written to Wilkes’s agent that it was the intention of the Commons to present this sum to the society which had been organized for his support? Did this committee or the Commons intend to return this money?

The Lieutenant Governor prorogued the Assembly, and continued to do so from time to time until the 16th of August, when it again met, and he immediately sent in a message in obedience to his Majesty’s command, informing the House of “an Additional Instruction” which had been received, forbidding the Governor upon pain of removal to give his assent to any bills by which money should be appropriated for defraying expenses incurred for services or purposes not immediately arising or incidental to the province, unless upon the special request of his Majesty; and instructing the Governor to see to it that a clause was inserted in every such bill subjecting the public Treasurer or any other person having custody of the public money to a penalty in the sum issued if he issued any money so appropriated.

The House, regardless of this message, immediately renewed the controversy with the Council for its interference with their appropriations, and sent in to them the resolutions adopted just before the prorogation. The Council answered in a long message, protesting that the injury to the creditors of the public, and all other
evils and mischiefs which must attend a difference between the houses, arose from the act of the Commons issuing £10,500 out of the Treasury by their own order, which the Council could never reconcile to themselves to participate in with the Commons, in any honor or disgrace which might attend the act—an act which no other House on the continent, with all their struggles for liberty, had been induced to adopt—an act which the King himself had seriously called in question, and which, in their opinion, all dispassionate men must forever disapprove. The Commons appointed a committee to consider what steps should be taken, and sent a message to the Council that they were desirous to finish the business of the session, and asked that the Council would expedite the tax bill. Mr. Lynch, from this committee, reported that the message of the Council required no further answer, and it was resolved that the good people of the colony had the sole and absolute disposal of their own money, that the representatives to whom they had delegated that right are the only guardians of the public Treasury, and that the Council styling themselves such was absurd and ridiculous. On the other hand, the Council replied to the request of the Commons to expedite the tax bill that no additional argument from them could serve any valuable purpose, his Majesty's Royal sense in the matter, as disclosed in the late "Additional Instruction" to the Governor, being totally disregarded by the Commons, and that as nothing could be expected either from their wisdom or their prudence, the Council unanimously rejected the tax bill.

The Commons then turned upon the Lieutenant Governor and sent him a message praying that he would lay before them any representation made to his Majesty upon which the "Additional Instruction" was issued. Gov-
ernor Bull very kindly but firmly replied that he knew of none that had been made by the Council, but as it was the known and principal duty of the Governor to represent to his Majesty by his ministers all such public transactions in the province as deserved the Royal notice, according to the King's instructions, he had always endeavored to discharge this duty with punctuality and the strictest regard to truth. But, he added, he should consider himself guilty of the highest presumption, disrespect, and breach of Royal trust and confidence, were he without the King's permission to lay before the House any letter he may have written upon the subject. Whenever that was obtained, he should with great readiness obey the Royal pleasure.

The House, in a long series of resolutions, reported from the committee by Mr. Rutledge, asserted again and again their right to control and dispose of the people's money. They asserted that the order of the House of the 8th of December before could not be deemed dangerous or unwarrantable, or the power of the House drawn in question, as the money borrowed had only been applied toward frustrating the unjust and unconstitutional measures of an arbitrary and oppressive ministry. That the instruction could not be supported by any proper information, but was founded upon a false, partial, and insidious representation of the proceedings of the House: false in asserting that the House had lately assumed a power, when in truth they had only exercised an ancient right supported by constant usage; partial in concealing the resolutions of the Commons to repay the money borrowed; and insidious in artfully insinuating that the House had directed an unconstitutional application of the public treasure granted to his Majesty. That the clause of the "Additional Instruction" relating to the appropriation
CHAPTER XXXVI

1771-73

We have seen with what expressions of concern for the state of his health the Commons had bade adieu to his Excellency Lord Charles Montagu, upon his leaving the province on the 29th of July, 1769; the thanks they had returned him for the assurances of his endeavors to benefit the province during his residence at home, and the confidence expressed that it would lead to what they most earnestly wished for—a good understanding and lasting intercourse upon the principles of justice and constitutional liberty between the colony and the mother country. Since he had left them two years ago, though the government had been administered by Lieutenant Governor Bull with all the wisdom, moderation, and tact which his long experience, kindly nature, and yet firm character had brought to the councils of the King; notwithstanding his loyalty to his Royal master and devotion to his people, among whom he had been born and lived, things had gone from bad to worse. Lord Charles, if, indeed, he had paid any attention to the affairs of the colony while in England, had accomplished nothing in bringing about a better understanding between the government at home and the refractory Commons. He had left them with the question open as to the quartering of the troops, and in the commencement of the excitement over the non-importation agreement; and since he had gone new embroilment had arisen about the contribution of the Commons to the
Wilkes's fund and the incidental, but still more serious, dispute with the Council upon the subject of tax bills. On the 15th of September, 1771, his Majesty's ship of war, Tartar, arrived off the bar with his Excellency the Governor and his lady and son on board. They hastened to the town, saluted as usual by the forts as they passed, and were received at the water-side by members of the Council, the Lieutenant Governor and his lady immediately waiting upon them with their congratulations on their safe return. The Council and Commons made suitable addresses, and the bells of St. Michael's were rung for the rest of the day. But his Excellency does not appear to have returned in the best of humors. He was not satisfied with the lodgings he could obtain in the town. He took up his residence at Fort Johnson; and it soon began to be rumored that a castle was to be built there at the expense of the Parliament of Great Britain. The Commons were in no better humor than the Governor.

Soon after his arrival, that body in a very decisive manner showed their determination to persist in the absolute and independent control of the taxes of the province. They passed an order upon the public Treasurers, Henry Peronneau and Benjamin Dart, for the advance of the sum of £300 currency to the committee on silk manufactures. Messrs. Peronneau and Dart, the Treasurers, refused to comply with the order, because it had been made by the House of Commons alone, without the concurrence of the Council; whereupon the Commons adjudged the conduct of the Treasurers a contempt, and committed them both to the common jail. The Governor, by proclamation of the 5th of November, promptly dissolved the Assembly.

Writs were issued, and a new House was elected,
which met on the 2d of April, 1772. All the old offenders were again in their seats,—Gadsden, Rutledge, Parsons, Lynch, Pinckney, and others,—and Peter Manigault was promptly reëlected Speaker. The Governor sent in a message, flattering himself with the pleasing prospects he entertained from the assurances he had received that the business of the province would be proceeded upon with the cool deliberation that makes the public welfare its chief object; but these anticipations he said had been most disagreeably interrupted by the Commons persisting in their claim to dispose of and issue the public money without the consent or concurrence of the other two branches of the government,—the Council and Governor,—and insisting upon their right to imprison the public Treasurers for refusing to advance a sum of money upon an order of the House only. The Commons' House returned answer to the Governor's speech, justifying their conduct in imprisoning the public Treasurers for contempt and violation of their authority, and declaring their firm purpose of adhering to the constitution by not suffering their rights and privileges to be impaired in their hands; they would not be prevailed upon by any consideration to be betrayed into a surrender of the inherent right of their constituents giving and granting their own money in such way and manner only as they might think proper. On the 10th the Governor sent for the Commons, and, saying he could see no good purpose that could accrue by longer continuation of a House that had adopted sentiments which his Majesty considered unconstitutional and disrespectful, he would therefore dissolve the Assembly.

But the public debts were pressing, the public business demanded attention, and his Excellency was uncomfortable and thoroughly dissatisfied with his position, and in his displeasure he struck upon the unfortunate idea of
removing the seat of government from Charlestown, thus
to get rid of its influence and away from the Liberty Tree
and the meddling mechanics who concocted all the mis-
chief under its shade. So on the 28th of August his
Excellency informed the Council that by direction of the
Secretary of State for the colonies he had prepared writs
for electing a new Assembly, and that as he had not been
able to get a house to live in, nor see the least prospect of
getting one in which to attend to the business of the
General Assembly, in Charlestown, he had directed that
the election writs should be returnable at Beaufort, Port
Royal. His Honor the Lieutenant Governor frankly ad-
vised his Excellency against this step; he admitted that
it was a very great inconvenience to his Excellency to be
so long without a home proper for his accommodaton and
suitable to the rank he held in the province, but he urged
that the calling the Assembly to any other place than at
Charlestown, especially so remote a place as Beaufort,
would be attended with many inconveniences and diffi-
culties; that the present was a very critical time; that
the session of the Assembly would very probably be a
very busy and interesting one, as the general duty law,
on which the salaries of the judges, clergy, and other
officers depended, as well as several other most useful
laws, would expire in a prorogation or dissolution; that
if the Assembly proceeded upon business, they must have
recourse to records and papers, as well as the Treasurer’s
accounts, which were kept at Charlestown, some of them
fixed there by law, and the removal, if practicable, would
be attended with hazard and inconvenience; that he saw
but one benefit which would possibly result, which was
that some of the leading members, whose influence had
chiefly prevented public business in the late Assembly,
might make the distance an excuse for their not serving,
and public business might perhaps go on; but that was only conjecture, and perhaps the Assembly might either not meet at all, or meet in a very ill humor; on the whole, while he was entirely satisfied with the power of the Governor to remove the Assembly to any part of the province, which had before been done by his father, by Governor Glenn, and by himself, holding the Assembly at Ashley Ferry, when pestilential disorders raged in Charlestown, he did not think it expedient to do so in the present instance. But his Honor's protest was not even seconded in the Council, and the writs of election being already filled out returnable at Beaufort, the Council appointed the 22d and 23d of September as the days of election, the day of return the 8th of October, and the Governor signed and sealed them.

The possibility that some of the leading and influential members of the Commons who were resisting the Governor and Council might not take the trouble to go to Beaufort, seems to have been the hope of his Excellency in calling the Assembly there; but in this he was much mistaken. Nineteen representatives were required to be present to constitute a quorum of the Commons. It was very unusual that that number would be present on the day to which the writs were returnable. Three or four days generally elapsed before a House could be formed to choose a speaker. But upon this occasion, notwithstanding the trouble and inconvenience of a meeting at such a distance,—at least seventy-five miles from the established seat of government,—not less than thirty-seven of the representatives were assembled at the court-house in Beaufort by ten o'clock on the morning of Thursday, the 8th of October, the day fixed by the Governor for the meeting of the Assembly; and by noon thirty-four had taken all the oaths required by law, had unanimously
rechosen Peter Manigault to be their Speaker, and were ready to present him to the Governor and to proceed to business. So far, indeed, from having a small and subservient body to meet him at Beaufort, the Governor found every member of the House present but five, and the absence of these could satisfactorily be accounted for, nor were those present in any complying humor. Against the Lieutenant Governor’s advice his Excellency the Governor had stretched his prerogative to the utmost, and had accomplished nothing by it. This large attendance of the Commons, so far from pleasing his Excellency, angered him all the more, and induced a still more unwarrantable action on his part. Instead of receiving the Commons at once, as was clearly his duty, approving or disapproving of their choice of a Speaker, and allowing them to proceed to business, he put off their reception until Saturday, the 10th, at twelve o’clock, nor was the Speaker approved nor the session opened until that day, when his Lordship made his customary speech to both houses. This speech was the most extraordinary part of the whole proceeding. Commencing with a lecture full of trite and commonplace observations upon the general duty of legislators, and the temper in which they should enter upon their business, and of his own constant intention to preserve the laws of the province from violation, which he declared was the only cause of his calling the General Assembly at this time, and then going into a long disquisition upon the points of difference between the former House and the Governor and Council, he went on to say that as he had now some reason to think that the speedy sitting of the General Assembly in Charlestown might induce such deliberation as would be proper, and pledging himself at all times to exercise his authority as might conduce to the public benefit, he prorogued the General Assembly.
to the twenty-third day of the month, to be then held at the usual place in Charlestown. So though, against the Lieutenant Governor's protest, he had caused most of the members of the Assembly to go seventy-five miles—a long journey in those days—to a place of inconvenient accommodation, he keeps them there three days without allowing them to transact any business, and then orders them all back to Charlestown.

His Lordship immediately set out for town, and was received with salutes from the forts as a returning conqueror. The Commons hurried after him, and were all in their seats at the time to which his Excellency had prorogued them. They had been in session but a few days when Peter Manigault, who had so long filled the chair of Speaker with acceptability to all, resigned his seat on account of ill health, and received the most cordial thanks of the House. His resignation was caused by his failing health. He died soon after. Rawlins Lowndes, who had preceded him as Speaker, was again re-elected in Mr. Manigault's place.

On the 2d of November, 1772, the Committee on Grievances made a report to the House upon the conduct of the Governor in calling the Assembly at Beaufort, keeping them there three days without permitting them to do any business, and proroguing them back to Charlestown. The report was moderate, calm, and dignified. It declared that the Governor's conduct called for the utmost resentment of the House, and would well justify their coming immediately to a resolution to do no more business with his Excellency until he had given them satisfaction in the matter. Yet as the people had been long deprived of representation, and his Majesty's service and the interest of the colony required the immediate sitting and proceeding of the General Assembly, the committee
recommended that the House should not carry matters to that extremity, but that they should enter into certain resolutions which the committee proposed: (1) That as the House did not exist when his Excellency formed the plan of calling the General Assembly to Beaufort, his proceeding was founded upon ill will to the body of free-men of the province, inasmuch as he thereby showed his purpose of injuring and affronting whomsoever the freeholders of the colony should choose to represent them. (2) That his Excellency's calling the General Assembly to Beaufort, a place distant from Charlestown, where such assemblies had always been held, except in cases when malignant and contagious disorders raged there, where all the public offices and records were kept, at a time dangerous to the health and inconvenient to the private affairs of the members, was a most unprecedented, oppressive, and unwarranted abuse of a Royal prerogative. (3) That his keeping them there three days before he would receive them with the Speaker, and then immediately proroguing them, was adding insult to injury, and plainly manifested his contempt of the people's representatives. (4) That his proroguing the General Assembly without suffering them to sit a moment as a legislative body was at least an evasion, if not a direct violation, of the election law, which enacted that the sitting and holding of the General Assembly should not be discontinued above six months. The committee recommended that the agent in London should be ordered to make the strongest representation to his Majesty of the arbitrary and oppressive proceedings of the Governor to use his utmost endeavors to procure the removal of his Excellency from the government, or such other mark of his Majesty's Royal displeasure as would prevent Governors for the future from oppressing the people by abusing those prerogatives which were intended for their benefit.
his recall. All this greatly angered and excited his Excellency, and when he met the Assembly, he proceeded in violent temper to assert his right at all times to inspect the journal of the General Assembly, and then to charge upon the Speaker unprecedented and unconstitutional conduct in taking the journal into his possession, and complaining that, though he wrote to demand, he could not procure it until the next day, and then only a very short time before the meeting of the House. Then he went on to imply that the Speaker had taken the journal in order to prevent his seeing the action of the House in regard to his conduct. "Is it," he asked, "in such a manner that violent measures in a Commons' House of Assembly are to be concealed from the Governor until almost the moment of their being carried into execution?" He went on to say that he had intended to suffer the House to sit for the dispatch of business, but having perused the journal of the day on which he had last protracted them, he found that after they had received his commands immediately to attend him, they had continued to sit and to put a question and to form resolves and orders—a behavior unprecedented, he declared, and of a most dangerous tendency, a proof of the contempt of the King's prerogative which is a part of the law of the land, a proceeding which he could not suffer to pass with impunity. "I shall part with the Commons' House with the less reluctance," he continued, "because they seem wanting in justice to their constituents, whom they endeavor to delude, pretending to serve them by a measure which from experience and from the information of their agent they know has not a chance of procuring relief to the distressed public; improperly spending their time in impugning that exercise of the prerogative which the uninterrupted silence of the House had confessed to be
constitutional; wantonly showing how they regard the laws of Parliament by innovating upon them; acting in such a manner as is unknown in parliamentary proceedings, from which it is my duty not to permit any deviation. "I do therefore dissolve the General Assembly."

In the incoherence of this speech it is almost impossible to follow his Excellency further than to perceive that he was too angry to make himself understood—if, indeed, he had any clear idea upon the subject, except that the Commons had dared to sit after he had sent for them, and that, too, in order to pass resolutions censuring himself and asking for his removal. It was, too, all the more angering, no doubt, because, though his Excellency was, to say the best, a man of but very moderate ability, he could not but perceive that in calling the Assembly at Beaufort, against the advice of his Lieutenant Governor, he had committed a political blunder, if not worse. He had but to couple the declarations of the first and last paragraphs of his speech at Beaufort to perceive in what an absurd and inconsistent position he had put himself. He had begun with saying, "My knowledge of the situation of affairs in the country and of her real interests, and my ardent wishes to promote them, induced me to summon this General Assembly to meet in this town" (Beaufort), and yet had concluded, "and as I have now reason to think that the speedy sitting of the General Assembly in Charlestown may induce such deliberation as may be for the public benefit, I do prorogue the General Assembly to the 22d of October instant, to be then held at the usual place in Charles Town." What had changed his views, and when had this new reason to change back to Charlestown occurred to him? Had he changed his mind during the delivery of his speech? It seemed as if he had. By this blunder, he had united the
people in support of the Commons, when many of the best of them no doubt objected as much as he did to the misappropriation of the public funds in sending money to pay debts and expenses of the profligate Wilkes.

Mr. Lowndes addressed a communication to the printer of the *Gazette*, November 5, 1772, in answer to the Governor's strictures upon him, explaining his accidental possession of the journal at the time the Governor sent for it, and his delay in sending it to his Excellency, and with a great deal of dignity concluding: "My idea, my sentiments, are known to many gentlemen, that if the Governor has a right to inspect the journals, it is below the dignity of the House and its Speaker to use any effort or evasions to keep them from him; if he has no right, his claim ought to be disputed upon its proper ground. What I did was from my own motives. I had no authority or sanction from the House."

New writs were at once issued for an election, to be held on the 15th and 16th of December, 1772, for representatives, and the new House was to assemble on the 1st of February, 1773. But if his Excellency could part with the old members without reluctance, their constituents could not. The same members were returned, and as soon as they met they unanimously re-elected Rawlins Lowndes Speaker. Whereupon the Governor first pro-rogued them until the 15th, and on the 11th issued a proclamation dissolving them.

Still another election was held, on the 10th of February, 1773, and the same members were again returned, who, when they met on the 23d, again immediately re-elected Rawlins Lowndes Speaker. This was to be the last House of Commons under the Royal government.

Lord Charles Greville Montagu's unfortunate administration was at an end. He was worn out with the
"March 8 (1773). Dined with a large company at Miles Brewton's, Esq., a gentleman of very large fortune,—a most superb house, said to have cost him 8000£ sterling. Politics started before dinner, a hot, sensible, flaming tory one, Mr. ——, a native Britain, advanced that 'Great Britain had better be without any of the colonies; that she committed a most capital political blunder in not ceding Canada to France; that all the northern colonies, to the colony of New York, and even New York also, were now working the bane of Great Britain; that Great Britain would do wisely to renounce the colonies to the north, and leave them a prey to their continental neighbors, or foreign powers; that none of the political writings or conduct of the colonies would bear any examination but Virginia, and none could lay any claim to encomium but that province;' strongly urged 'that the Massachusetts were aiming at sovereignty over the other provinces, that they now took the lead, were assuming dictatorial,' &c., &c. 'You may depend upon it,' added he, 'that if Great Britain should renounce the sovereignty of this continent, or if the colonies shake themselves clear of her authority, that you all (meaning the Carolinas and the other provinces) will have governors sent you from Boston. Boston aims at nothing less than the sovereignty of this whole continent. I know it,' etc., etc."

There is probably no more historical house in this country than this of Miles Brewton's, in which Mr. Quincy was entertained, and in which the above prophecy was made. It was the scene of stirring events during Lord William Campbell's attempt to recover the government from the general committee, which had seized upon it in 1775. Upon the fall of Charlestown in 1780, during the Revolution, it was the headquarters of Sir Henry Clinton, and afterward of Colonel Balfour, the commandant of the town. It was in its spacious and elegant parlor that the affecting scene of the ineffectual appeal of Mrs. Peronneau and other ladies was made to spare the life of the martyr, Isaac Hayne, to the inexorable Balfour and the complacent Lord Rawdon. Upon the fall of Charleston, during the late war between the States in 1865, it
was at once taken as the headquarters of the Federal army of occupation. Thus it has twice been the headquarters of an invading army— in neither case that of a foreign foe. In the latter a General from Maine — if not from Massachusetts — held his rule there as Governor of the city, and the prophecy which Mr. Quincy recorded was fulfilled within the very walls in which it was made.¹

¹ The author of this work was himself connected with an interesting incident in the fulfilment of the prophecy mentioned in the text. Calling at this house upon the late Hon. William Alston Pringle, the city Recorder, a great-great-grandson of Miles Brewton, residing in it, during an illness some time previous to his death, he was invited to the bed chamber in which Judge Pringle then lay sick. During the visit the author remarked, "Judge, it will probably surprise you to know that I have been in this chamber before." "Ah! how was that?" he said. Referring to the occupation of the house as the headquarters of the Federal army at the end of the war, the author related that he had occasion while upon parole as a Confederate officer, just after the surrender, to report to the Federal General, and was shown by the orderly to this room, then occupied by the Adjutant General, with whom he transacted his business; the commandant General O. O. Howard, having his office in the adjoining room. Judge Pringle listened with great interest, and, recalling Quincy's story of the prophecy, he said that its fulfilment was still more remarkable in his own case: that he had had himself to come to the house about the same time to apply for the restoration of his father's plantation, — there was no chance at that time of the restoration of the house, which had come by descent from Miles Brewton to his mother, as it was then so occupied, — and upon presenting himself had been shown up to the adjoining room to that in which they then were, that, while waiting the General's leisure, he was observing some mutilation of the wall, when the General remarked that he seemed interested in the room. "Yes, General," he replied, "I am, considering that this was my mother's bridal chamber, and that in it I was born."

Soon after this — in the fall of 1865 — General Charles Devens from Massachusetts, afterwards Associate Justice of the Supreme Judicial Court of that commonwealth, was assigned to the command of the Military District, and as such was military governor of Charleston. His headquarters were not, however, in the Brewton mansion.
CHAPTER XXXVII

1773-74

The Gazette, in announcing the departure of his Excellency, Lord Charles Greville Montagu, observes that the administration of the affairs of the government would for a fifth time devolve upon the Hon. William Bull. There was a strong desire in the province that Lieutenant Governor Bull should receive the full appointment. It would have been well for the Royal authority had the commission been given him. He had been Lieutenant Governor now for many years, and during a large part of that time had been the chief magistrate, exercising the office with dignity and propriety. He was related to most of the leading Whigs, but faithful to the King and honorable in all his transactions. He believed that obedience to the Royal government was a paramount duty, and acted accordingly. He had a princely fortune at stake, but did not waver in his conscientious duty to the King. It was supposed by some, says Dr. Johnson in his Traditions, that if William Bull had been made dictator in this crisis of American affairs, there may have been no Revolution; that his knowledge of the American rights and feelings, his sense of justice and of true policy, would have restrained him from enforcing unconstitutional taxes on British subjects; that his firm, patriotic, and conciliatory administration would probably have prevented a resort to the ultima ratio. This was no doubt supposing too much; but it is certain that Governor Bull was a
great favorite in South Carolina, and possessed more influence for the Royal cause than any other man in the province, and far more than any stranger could possibly exert. The wish that William Bull should be made the Governor soon produced the report that he would be appointed, but the *Gazette* of May 3 had with regret to dispel the hope and to say that there was no foundation for the report which had prevailed. On the contrary, it announced that there were grounds for belief that the Right Honorable Lord William Campbell, the present Governor of Nova Scotia, would be promoted to this province, and the news was confirmed soon after. Lord William Campbell was the third brother of the Duke of Argyle. He was no stranger in South Carolina. He had married Miss Sarah Izard, a young lady of one of the oldest and richest families in the province, and had just been with his wife on a visit in Charleston. He did not, however, come to assume his office until too late. When he did at last arrive, the government had been superseded by the Provincial Congress. He was to end his short connection with his wife's native land, and his life as well, with a fatal wound received upon one of the vessels under Sir Peter Parker, in his attack upon Fort Moultrie, three years after his appointment as Governor.

The Commons' House which had been elected on the 23d of February, 1773, did not assemble as promptly as that which had met at Beaufort; but as soon as a quorum was formed, it unanimously re-elected Rawlins Lowndes Speaker, whose choice Lieutenant Governor Bull at once confirmed. Lieutenant Governor Bull addressed the Commons' House as if nothing had occurred to interrupt the relations between the government and the people. Though they had reason to rejoice in the many advantages they derived from their prosperous condition, yet it would
from Ireland, the newly appointed Chief Justice; John Drayton, the Lieutenant Governor's brother-in-law, and the father of William Henry; Daniel Blake, Barnard Elliott, John Burns, and Thomas Skotowe. Of these the Lieutenant Governor, the Draytons, Blake, and Elliott were natives; the others were placemen from England. It was the composition of this body which Mr. Drayton, two years after, while still a member of it, attacked in his famous letter to the American Congress over the signature of "Freeman," in which name, as we have seen, in 1769, he opposed so earnestly the non-importation agreement, and denounced the sending of the public money to Wilkes. As "Freeman" he had maintained the constitutionality of the revenue laws, opposed the non-importation agreement, and ridiculed the idea of carpenters, cobblers, and butchers meddling with State affairs. As "Freeman" he was now denouncing the strangers, members of the Council, and opposing the measures of the Royal government. But he was not willing to give up his seat at the King's Council board, though he had to sit there beside the placemen he so despised. Nor had he yet found the occasion for a break with the King's friends, if indeed he was yet seeking it.¹

The original establishment of councils in the Royal government on this continent, Mr. Drayton wrote, consisted principally of men of property established in the colony. Such a Council could not but be well acquainted with the interests of the country and be no less ready and zealous to promote them, at the hazard of their seat. Such men stood in awe of no minister, yet they rendered the most essential service to the Crown, as well as to the people. But now, he said, the principle of appointment

¹ Gibbes's *Documentary Hist. 1764–76*, 20.
the native members of the board were at first afraid — if willing — to oppose them. Nay, so far from opposing them, they had stood by the late Governor in his absurd and vexatious stretch of prerogative in taking the Assembly to Beaufort and in his quarrel with the Commons; and William Henry Drayton was now to join them in an effort to provoke the Commons and to dictate to the Lieutenant Governor himself.

Their first step was to volunteer their advice to the Lieutenant Governor upon the financial condition of the colony and to assume to instruct him as to his duties. On the 13th of August, 1773, they addressed his Honor a long communication upon the condition of the Treasury, which they claimed they had a right to supervise; for though they were not the immediate representatives of the people, yet they were among the guardians of the public. Upon examining the Treasury accounts, it appeared that on the first day of June last the sum of £127,674 was due on account of public duties, of which large sum only £10,000 were actually in the Treasury issuable upon the many and large demands to which it was liable; that various sums to the amount of £158,476 had been drawn out of the Treasury by virtue of laws directing such sums advanced out of any of the funds to be replaced by a general tax, as usual. The trading part of the province, the Council declared, might now sincerely lament that a tax bill had not been passed since the year 1769. If the tax bills had been passed, they would as usual have replaced in the Treasury that large sum of £158,476, and by that means the sum of £168,476 would actually be in the Treasury, issuable and ready, as it ought, to answer every legal demand. It was not the fault of the Upper House, they said, that the tax bill had not been passed. They had always been ready to give
and to desire that the Council's address might not be presented until he could prepare a petition to the King on the part of the Commons, so that the whole affair might be under consideration at the same time; that Lord Dartmouth had intimated to him that if the petition would be formed upon the principle that the Council was not an *Upper House* and a branch of the legislature, no proceedings would be had upon it, as his Majesty's Council could not admit that the established constitution of the colony should be brought in question. Mr. Garth wrote that he had applied to Mr. Dunning, who thought it would be difficult to maintain that the Council was not an Upper House; yet it did not follow that the privilege claimed by them of committing for contempt was incidental, and that he thought the exercise of the power in question unwarranted. By the same packet which brought Mr. Garth's letter to the Commons, Lord Dartmouth advised the Lieutenant Governor that the King's final determination would be sent over in the February packet. But the matter was overlooked by the minister amidst the hurry of providing against transactions in other parts of America of far greater importance, and which were so to involve the province of South Carolina as to supersede the necessity of a decision upon these questions.
troversy with the Commons, while themselves assuming the importance of a House of Peers. The colony had been put to the expense of buying out Mr. Cumberland, in order to have the privilege of enlarging the judicial system so as to meet the demands of the growing population. Then the young men, returning from the Universities in England, found all the places of honor or profit filled by ignorant and often worthless and sometimes vulgar favorites of ministers. These causes of discontent were all at work raising up a strong party and sentiment against the distant government of the mother country.

On the 10th of May, 1773, an act of Parliament received the Royal assent, allowing a drawback of duties on the exportation of tea to any of the colonies in America, to enable the East India Company to export tea duty free. The East India Company thereupon prepared to send large consignments to the colonies. Three ships laden with tea arrived in Boston harbor, but were not suffered to land, and, as is well known, were boarded by citizens from the town, and three hundred and forty chests were emptied into the waves. Not long after this, the ship London, Captain Alexander Curling, Master, arrived in Charlestown, having on board two hundred and fifty-seven chests shipped by the East India Company. Upon this a general meeting of the inhabitants of the town was called two days after, and it was claimed that at this meeting it had been determined that teas made subject to duty should not be imported; but this was denied, and the people were again convened on the 17th of December for the purpose of ascertaining what was the real public opinion in a matter of so much consequence. After much debate at this second meeting, it was carried “that tea ought not to be landed, received, or vended in this
tificates for any sums within the amounts of their respective liquidated accounts. These certificates stated the sum in each allowed, and declared that public provision would be made for its payment. They were countersigned by five members of the House, appointed for the purpose.

Such an act of justice to public creditors, who had for years waited a settlement of their claims to unsuspecting individuals, says Drayton in his Memoirs, would have presented to view nothing more than an honest and necessary use of legislative power. But the fact was, the Commons had now a further object in view. They aimed at an emission of about £200,000 as a circulating medium. The necessities of the times greatly favored this fiscal operation. There was no prospect that the public debts would be discharged by a regular tax bill, and the Treasury, on calling in the public duties, had well-nigh drawn in all the circulating money. The little remaining currency with the utmost difficulty kept the commercial wheel in motion. All these causes combining, placed the Commons in a situation that, if they could offer the public anything which bore the appearance of paper money, it was scarcely possible they could miss their aim of showing to the Crown of how little importance the "Additional Instruction" had become, and that by a measure the more alarming to the Crown, as thereby the Commons of their own authority created and issued what served all the purposes of money.

Having so planned and adjusted this very important measure, the Commons, by a message to the Lieutenant Governor the next day, stated they had finally arranged the public accounts, and complained in severe terms of the Council for having so long obstructed the passing of tax bills in the usual way. They informed his Honor
with their wish to adjourn; he did not, however, think the situation of affairs would permit a long recess. He allowed them therefore to adjourn to the 3d of May. And now, says Drayton, the Commons in private labored to bring to maturity the measure which, in their public character, they devised. They were aware its success in a great degree depended upon the mercantile members of the community, and they consequently made application to the Chamber of Commerce, which body desired time to consider a proposition of such importance. The public was much excited, as the measure was sudden and unlooked for, it having been the work of but three or four days. Its immediate utility alone caught the eyes and senses of the mass of the people; but careful observers did not fail to see its tendency to diminish the powers and consequence of the Council, while in the same degree it increased those of the Commons. They could not fail to observe how nearly the measure approached that of the Long Parliament in the year 1642, when of its own authority orders were passed for bringing in money and plate, whose value should be replaced with eight per cent interest, and for which they engaged the public faith. The measure in effect created and issued money without the consent of the Crown, than which nothing was more irreconcilable to the principles of the British Constitution or injurious to the Royal prerogative. But whatever men thought of the certificates, the necessity of the times was so urgent that the Chamber of Commerce agreed to receive them in payment, and they immediately went into general circulation. At first, indeed, they were received under apprehensions which rendered each person unwilling to keep them by him, and caused him to pass them away as soon as possible; but greater confidence soon ensued, and the certificates became a medium of general convenience.
grief and despair.” The petition was signed by thirty Americans, fifteen of whom were from South Carolina. ¹
These proceedings of the British Parliament threw the inhabitants of Boston into the greatest consternation. Town meetings were called to deliberate on the alarming state of public affairs. At one of them, on May 13, 1774, an appeal was made to the other colonies to stop all importation from Great Britain and the West Indies until the blockade of Boston harbor should be repealed. A copy of this vote as it was termed was immediately sent to the other provinces, and upon its arrival it was presented to a number of the principal gentlemen in Charlestown. These gentlemen called a meeting of the inhabitants of the town, which took place at the tavern at the corner of Broad and Church streets, which had been Mr. Dillon’s, and was now known as the “City Tavern” or “The Corner.” At this meeting it was determined to request a meeting of the inhabitants of the province generally, to be held in Charlestown on the 6th of July, and circular letters were sent by express to every parish and to the more distant parts of the province, addressed to such men, it was said, as were of principal influence. Those letters stated the blockade of Boston, urged opposition to that measure, and recommended a meeting of the landholders in the different parishes to deliver their sentiments and to appoint delegates to act for them in the approaching

there might give his vote." This gave the whole power to the mechanics in Charlestown and their friends of the moving party, who could now crowd in and vote down any opposition. But notwithstanding this, the moderate party made a struggle.

The business of the day was opened with reading the communications from the northern colonies. Then resolutions touching American rights and grievances were adopted. These declared: That his Majesty's subjects in North America owe the same allegiance to the Crown of Great Britain as is due from his subjects born within that kingdom. That the King's subjects in America are entitled to all the inherent rights and liberties enjoyed by natural-born subjects within the Kingdom of Great Britain. That taxes should not be imposed on the people but by their own consent, given personally or by their representatives. That all trials for any crime whatever committed and done in the colony ought to be had and conducted in the colony, according to the fixed and known course of proceeding. That the statute of 35 Henry VIII, chap. 2, entitled, "An act for the trial of Treasons committed out of the King's Dominions," does not and cannot extend to any crimes committed in any of his Majesty's colonies. That the three late acts of Parliament relative to Boston are of the most alarming nature to all his Majesty's subjects in America, and, although levelled at the people of Boston, they glaringly show if the inhabitants of that town are intimidated into a mean submission to those acts, the like are designed for all the colonies, when not even the shadow of liberty to his person or of security to his property will be left to any of his Majesty's subjects residing on the American continent. Wherefore every justifiable means ought to be tried to procure a repeal of those acts immedi-
shaken, and the measures of administration be infinitely embarrassed.

How the men of Carolina were to be saved from slavery, and the women from outrage, and Majesty itself shaken, by so simple and peaceful a measure as non-intercourse was not explained, as far as the reports of the debates have reached us. Nor did the advocates of the measure suggest any means whereby such an agreement, which had been already tried, and which had failed, in 1770, could now be better enforced. Nor could they give any guarantee that it would not be broken by the other colonies and South Carolina be again left alone, the only colony attempting to enforce it. Where was the protest which John Rutledge, Peter Manigault, Charles Pinckney, and John McKenzie had been appointed by the last meeting under the Liberty Tree to prepare, protesting against the northern colonies for deserting the people of Carolina in the measure undertaken in their behalf and upon their invitation? What new argument was now advanced to induce another effort in this direction?

Against this proposition from Boston, Mr. Drayton says, it was therefore answered that such a measure ought not to take place until all others had failed of success; for its operation would be violent both among ourselves and the people of England. That thousands in this colony would be ruined by it. That the people in the interior were averse to so harsh a measure; neither was it certain whether united America would approve and support it. That nothing less than unanimity among all the colonies in executing one plan of conduct could affect measures in Great Britain; and as the general opinion seemed to point to a General Congress, so only in that Congress could such a plan of conduct be formed and agreed upon.

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colonies and the mother country. There doubtless existed throughout the colonies, says Mr. Drayton, an opinion that Massachusetts gentlemen, and especially those of Boston, affected to dictate and take the lead in continental measures; but while this jealousy was no doubt a cause of reluctance in following their lead, the apprehension that they meditated the ulterior purpose of actual independence of Great Britain was a far more serious objection to committing this colony to a Congress to be controlled by New England influences. Upon this point Mr. Lowndes urged that it was well known that the New England colonies denied the superintending power of Parliament, a doctrine which he declared no one here admitted. He argued that unless the deputies from this colony appeared in Congress with limited powers, being outnumbered by the northern deputies, they, and consequently their constituents, would be bound by votes to principles which they absolutely denied. In this declaration, which Mr. Drayton admits was the prevailing opinion of the colony, Mr. Lowndes predicted exactly what actually happened. For, as we shall see, the South Carolina delegation, though purposely unauthorized to join in any act of independence, after at first, with Pennsylvania, voting against the Declaration of Independence, were persuaded into signing it, though disapproving its adoption.

But we anticipate. It was then resolved that five deputies should by ballot be elected on the part and behalf of the colony, to meet the deputies of the other colonies of North America in General Congress, the first Monday in September next, at Philadelphia, or at any other time and place that may be generally agreed upon, with full power and authority in behalf of them and their constituents, "to concert, agree to, and effectually prosecute such legal measures as in the opinion of those deputies, and
chosen. These were Henry Middleton and John Rutledge. The struggle was over the selection of the other three. The merchants made up a ticket consisting of Henry Middleton, John Rutledge, Rawlins Lowndes, Charles Pinckney, and Miles Brewton. The other party put up as their candidates, Henry Middleton, John Rutledge, Christopher Gadsden, Thomas Lynch, and Edward Rutledge. The merchants unwisely assembled and went to the polls as a body, carrying with them their clerks, to vote for Lowndes, Pinckney, and Brewton. Upon this the other party took the alarm, and ran to all parts of the town and, collecting the people, brought them to the polls. The result of the resolution of the convention that whoever came there might vote was, as we have pointed out, entirely to destroy whatever character it had as a representative body of the province, and to lower its proceedings to an irregular scramble for the votes of the people of the town. In this struggle, as might have been anticipated, the mechanics got the better of the merchants. Gadsden, Lynch, and Edward Rutledge were declared elected. Edward Rutledge, in a letter to Ralph Izard, says his party was elected by a great majority,—three hundred and ninety-seven.¹ The convention proper was composed, as we have seen, of but one hundred and four members.

The next day, July 8, the meeting again assembled. They now resolved that a committee of ninety-nine persons be appointed to act as a general committee, and should continue in authority until the next general meeting. This committee was to have power to correspond with the committees of the other colonies and to do all other matters and things necessary for carrying the resolutions of the general meeting into execution. The gen-

¹ Correspondence of Ralph Izard of South Carolina, vol. I, 6.
eral meeting then proceeded to nominate the members of
the general committee. They named fifteen mechanics
and fifteen merchants to represent Charlestown and sixty-
nine planters to represent the other parts of the prov-
ince. Their proceeding, Mr. Drayton mildly observes,
was rather unconstitutional, as the different districts and
parishes did not choose the sixty-nine planters who were
to represent them. They however, he says, acquiesced
in the nomination, being sensible it proceeded from the
best intentions and the urgency of the occasion. But
mere apparent acquiescence was not what was wanted in
a revolutionary party; active cooperation was necessary.
This assumption on the part of this body, controlled as it
was not only by the influence, but actually by the votes,
of the town, was not likely to win to its cause the people
of the interior, who were opposed to the whole movement,
and whose opposition was in a great measure owing to
their jealousy of the very influence which thus dominated
the convention. The acquiescence of which Mr. Drayton
speaks was in many instances mere sullen silence.

The general meeting having thus brought matters to a
conclusion, and Colonel Powell, their chairman, having
prepared minutes of their proceedings, was dissolved.

While this Congress had failed to adopt the suggestion
of the Boston vote to come into a joint resolution to stop
all importation and exportation, South Carolina was the
first to minister to the needs of the town, sending early
in June two hundred barrels of rice, and promising eight
hundred more—a promise which was more than fulfilled.
A committee of the most prominent citizens voluntarily
undertook the collection of contributions in money and
in supplies for the relief of the blockaded port; and by
an account published by the committee appointed by the
town of Boston to receive the donations of the sister colo-
nies, July 18, 1778, it appears that the donations from South Carolina exceeded, both in money and supplies, any other colony, not excepting Massachusetts itself,—Massachusetts Bay contributing in money £2213 8s. 0¼d. and South Carolina, cash £1408 12s. 3¾d., and proceeds of sale of rice in New York realizing £1304 19s. 0¾d., in money £2708 11s. 4½d., and 331 casks of rice. The general committee in Charlestown reported on the 26th of April, 1775, the amount contributed as £3300 remitted in cash, and 80 barrels of rice.¹


The author is indebted to Mr. Theodore Dehon Trapier for a copy of one of the subscription lists made at this time. It is of sufficient interest to be appended in full. It is as follows:

The Port of Boston having been Blocked up since the first of June last by a fleet of British men of war, which Hostile Invasion has wholly stopt the great and Extensive Trade that for more than a century past has been carried on from thence, to the great damage and distress of the Inhabitants of the Town of Boston, particularly of those whose daily support depended on the Business occasioned by the numerous shipping employed in their commerce. We the subscribers taking into our consideration the Melancholy situation and distress of the said Inhabitants, and being willing to contribute to the relief of our Bretheren whose only crime is their endeavour to frustrate the arbitrary and oppressive measures of the British ministry and parliament manifestly tending to deprive the Americans of their liberty, have paid into the hands of the respective sums affixed to our names to be remitted to Boston in the speddest and most Effectual manner for answering the Salutary purposes hereby intended.

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Samuel Clyf  £20. paid  Robert Hariat  £25. paid
Alex Buchanan  £20.  Anthony Bouneau. Twenty pounds. paid
Pet: Simons  £20. pd  Art'y White, Sr. Thirteen pounds, paid.
Thomas Wright  £10. paid  John Pyatt  £13. pd.
Wm Cuttino  £7. 7. paid  Anth'a Mitchell £16. paid

Recd the 6th, July 1774, by the Hands of Paul Trapier, Junr., Esq. Seven hundred & thirty two Pounds, 5/-. On acct. of the above subscription for the People of Boston.

Christ. Gadsden.
CHAPTER XXXIX

1774-75

At the request of the Commons' House, Lieutenant Governor Bull had allowed them to adjourn from the 26th of March, 1774, to the 3d of May; but when that day arrived he had not permitted them to meet. He had prorogued them from time to time, and last to the 2d of August. The Commons were now as anxious to meet as they had before been to adjourn, for they had a scheme to carry out which required a legal House. They wished to provide for the expenses of the deputies to the General Congress at Philadelphia out of the public treasury and to give the sanction of the Commons' House to their appointment. It was expected that another prorogation would take place, and it was with great surprise and joy that the day came without a proclamation to that effect. In pursuance of a secret understanding the members were all on hand and met at eight o'clock in the morning instead of waiting till ten or eleven as usual. The House at once organized and appointed Messrs. Heyward and Cattell to wait on the Lieutenant Governor and inform his Honor that the House had met. On their return Mr. Heyward reported that Mr. Cattell and himself had waited on the Lieutenant Governor with the message they had in charge, and that his Honor was pleased to say he would be in the Council Chamber immediately when he would send a message to the House.

The members of the House now availed themselves of
do as Lord William Campbell, the newly appointed Governor, was expected shortly to arrive, and Governor Bull was endeavoring to keep affairs as quiet as possible that his Lordship might enter upon a new administration with every advantage, untrammelled by a quarrel with the Representatives which he knew would certainly have arisen had they been permitted to sit and discuss the late proceedings of Parliament. An old matter of form contributed to the success of the Commons and the discomfiture of his Honor. The Governor and Council, it will be remembered, constituted the Court of Chancery, and it had become a part of the official ceremony that all communications from the Governor to the Commons' House should be made by the Master in Chancery, and all communications from the Commons to the Governor or Council by two of its members. When therefore the Lieutenant Governor, who was still in bed, heard of the Commons assembling at this unexpected hour, he sent at once for the Master in Chancery, but before his Honor could put on his clothes and have the attendance of the Master to carry his message, and secure the presence of two of his Council to represent the Upper House, the presence of which was also proper in receiving the Commons, the Commons had carried out their purpose. When all the necessary formalities had been complied with the Lieutenant Governor prorogued the Assembly to the 6th of September.¹

But after all what had been accomplished by the Commons? This House was the same which had been quarrelling over the remittance to Wilkes, and the Additional Instruction, and the arrest of Powell the printer, and they brought no new strength to the moving party. There was no one in it from beyond the parishes. Patrick Calhoun was not now a member from Prince William's,

¹ *Memoirs of the Revolution* (Drayton), vol. 1, 124-140.
under the same name. True, Mr. Drayton endeavored to forestall reflections upon his fickleness and unsteadiness, which would naturally be expressed, as he had written so warmly against popular measures, and was now as zealously writing against those of the administration. It was against the acts of Parliament, subsequent to the Stamp act, he persuaded himself that he had gone into opposition. These had all run counter to his ideas of the constitutional power of Parliament. The question now is not, he contended, whether Great Britain had a right to tax America against her consent, but whether she had a constitutional right to exercise despotism over America. But affairs he thought might yet be well. Our ancestors were often obliged to claim their rights, he said, where they were in danger of losing them. Let us follow, he urged, so successful an example. On this subject let the Americans address the throne with all due respect to Majesty, and at the same time with attention to their own dignity as freemen. Mr. Drayton then went on to set out a bill of rights which, it has been claimed, substantially marked out the line of conduct ultimately adopted by the Congress. But in doing this he could not maintain as he endeavored a consistency with his position in 1769. Before he got through this very able paper he entirely abandoned the position with which he set out, to wit, that the question was not whether Great Britain had a right to tax America against her consent. He finds that this is the very question, and most ably does he argue it. But how Christopher Gadsden must have chuckled at the complete conversion of that young gentleman, who was now so zealously advocating the cause which, five years before, he had charged him with demagoguery for supporting. If Christopher Gadsden was too generous, or too much of a patriot to resent
the legal competence of his accusers as evinced in their conduct and charges in open court.¹

Pending this discussion the November term began, and Mr. Drayton set out upon the circuit, taking the northern circuit to Georgetown, Cheraws, and Camden. On this circuit Mr. Drayton delivered that memorable series of charges to the grand juries in vindication of their rights, both as American and British subjects, which produced so marked an effect upon the people. At Cheraws, the grand jury in response presented as a grievance of the first magnitude the right claimed by the British Parliament to tax the colonies. "The right of being exempted from all laws but those enacted with the consent of representation of their own election we deem so essential to our freedom and so engrafted in our constitution," continued the grand jury, "that we are determined to defend it at the hazard of our lives and fortunes; and we earnestly request that this presentment may be laid before our constitutional representatives, the Commons’ House of Assembly of this colony, that it may be known how much we prize our freedom, and are determined to preserve it."

These charges of Mr. Drayton while on this circuit were beyond doubt of great influence upon the public mind at the time. How far they were consistent with Mr. Drayton’s self-assumed position as an officer of the Crown is more questionable. But his career as a judge was short. He had scarcely left Charlestown when Mr. Gregory arrived from England to supersede him, and to supply the place of the late Judge Murray. A supersedeas was accordingly issued to Mr. Drayton’s commission, and the necessity of a decision upon the Chief Justice’s remonstrance thus avoided, no doubt to the great relief of the Lieutenant Governor, his uncle.²

who Mr. Bullman still thought were unfit to govern the country. But matters had advanced since that time, and the butchers and shoemakers, under Gadsden, had made themselves heard in the meetings under the Liberty Tree.

The vestry of St. Michael's represented to Mr. Bullman that his sermon was construed as a censure upon the popular proceedings, and had caused great irritation; but he refused to give any satisfaction, declaring that if his principles and conduct were disapproved, he was ready to leave the parish. A meeting of the parishioners was thereupon called, and the vestry put the question to it whether or not they approved Mr. Bullman's conduct? It was objected that this was not a fair way of submitting the question really at issue, for, while few men might approve of his course in this particular instance, all could give testimony to his general character as a moral man and edifying preacher. Sharp altercation ensued, and several moderate men in favor of Mr. Bullman quit the meeting. The question was then again put, with a cry, "Now we will see who are enemies to their country." Upon the vote being taken, it was found that thirty-three had voted in favor of Mr. Bullman and forty-two against him. The victory so obtained was received as a matter of triumph on the side of the people in favor of the American cause; and it was announced by a shout in the House of God. On the next day the vestry dismissed Mr. Bullman from his office. But this action created much uneasiness; a respectable party espoused his cause, and it was soon shown that Mr. Bullman was stronger than his vote at that boisterous meeting. Seventy-four of the parishioners addressed the vestry, urging his reinstatement. The vestry refused, and thereupon, curiously enough, the much-abused lay commission, which

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had caused so much controversy in 1704,\(^1\) was invoked for the second time in seventy years; but, upon this occasion, in defence of the clergyman as against his vestry. A memorial, signed by eighty-seven of the parishioners in behalf of Mr. Bullman against the vestry, was presented to the Lieutenant Governor, praying that the Board might be called together to examine into and decide upon the case. There was much excitement and violent agitation, each party espousing its side with great warmth. One declared that the assistant minister should be reinstated; the other that if he were he would be dragged out of the pulpit. The affair grew so serious that it was feared blows would ensue. In the meantime the church commissioners assembled to the number of ten, all who were then in the province. The other two commissioners, Thomas Lynch and Henry Middleton, were deputies at the General Congress. The Board attempted to supply the vacancies, and notifications were sent to the new members; but Colonel Charles Pinckney, one of them, declined taking his seat because the new nominations were not, in his opinion, warranted by law, they having been made by only ten commissioners, and the law requiring twelve at least. The Lieutenant Governor, although not convinced of the force of this objection, yet submitted to Colonel Pinckney’s opinion without calling in the counsel who had been employed to draw the memorial and support it, and dismissed the Board as having no power to proceed to business until the return of the two members then at the Congress. An attempt was then made to have the act amended so as to allow the Board to fill the vacancies; but, upon one pretext or another, the matter was put off, until, finally giving rise to much debate, the bill amending the act was postponed for six months. Upon this, Mr.

\(^1\) *History of So. Ca. under Prop. Gov.* (McCready), 441-447.
Bullman sailed for England with the substantial testimonial, raised by forty-one of his parishioners, of £986 17s., and a further testimonial of reverence and affection signed by eighty-one of them.\(^1\)

A very curious feature about this proceeding is the fact that the act of 1704, which authorized the church commissioners to hear complaints and to adjudge differences between ministers and congregations, had been repealed as required by the Royal government and the Lords Proprietors. The act of 1706, under which the present church commissioners held their offices, gave no such powers; these powers related only to the taking of grants of lands for churches and churchyards, and the building of churches. It was the awakening to this, probably, that caused the abandonment of the attempt to secure a quorum of the commissioners.\(^2\)

Some chests of tea had arrived shortly before this and had been deposited in the collector’s store; but the people were now more prepared for vigorous measures. Seven more chests having since arrived, on the 3d of November, 1774, the merchants themselves and their agents, in the presence of the general committee, from the vessel then riding in the stream of Cooper River, threw all their contents into the water amidst the acclamations of the people who crowded the wharves on the occasion. A similar occurrence took place at Georgetown. There was no disguise, no need of disguise here; for the proprietors themselves joined in the destruction of the tea.

On the 6th of November the delegates to the General Congress returned, and two days after the general com-

\(^1\) Memoirs of the Revolution (Drayton), vol. I, 142–144; Dalcho’s Church Hist., 200, 201.

mittee in a body waited on them at the State House where the delegates informed the committee of the Congressional proceedings; and on the next day the delegates were honored by the general committee with an elegant entertainment.
CHAPTER XL

1775

The general committee which had been appointed by the meeting in July had practically assumed control of all public affairs. The committee was in fact the government of the colony. But, as we have seen, the meeting in July—a purely revolutionary body, which had been assembled at the call of private individuals, by circulars addressed to such persons as they selected, and in which there were few, if any, representatives of the upper part of the province—by its first action permitting votes to be given by each person present, and allowing whoever came to the meeting to vote, had lost whatever representative character it might first have claimed. The action of the body was subject to the influences of the contending local factions of the town, and was controlled not by the voices of its members, but by people collected from the streets and brought in by their leaders to vote. A body so constituted could not but be conscious of its own inherent weakness. It had no right to speak for the province. The general committee, therefore, were of opinion that the public union would be strengthened by having a better representation from every part of the province. But there was a practical difficulty in the way. There were no political divisions in the upper part of the province. The Circuit Court act of 1769 had prescribed circuits and precincts for judicial, but none for political, purposes, and these judicial divisions did not answer for political representation. We have seen that
gentlemen, talking over the matter, agreed that six members from each parish would be quite sufficient and as many as they could get conveniently to attend, except for the four large districts, viz. Ninety-six, between Broad and Saluda rivers, and Broad and Catawba rivers, and eastward of the Wateree River, should have ten members each. It was then resolved that Charlestown should have thirty members, and that each parish and district should send the proportion agreed upon to the Provincial Congress."

This is the manner, Moultrie says, in which the representation of the country was established at the Revolution, without respect to numbers or property. He was, he says, well acquainted with the circumstance, because he was present when it was agreed upon. It was thought politic and right, he observes, to give these large districts ten representatives, the better to unite them with the lower country, and as they contained a large extent of territory, and but few inhabitants, they should have a member for each part of their district, by which their constituents might be better informed about the nature of the dispute with Great Britain and America, which they could not know, being settled so far from the capital and from each other; by this mode the representation in the province was increased from forty-nine to one hundred and eighty-four; accordingly the general committee sent out writs for electing members, agreeably to the election law, to some influential gentlemen in every parish and district throughout the province for the representation elected to meet in Charlestown on the 11th of January, 1775.2

1 That is, the gentlemen from the parishes. They were none, as far as we know, from the up country.
Elections were held under the call of the general committee, but whether the people generally took part in them, we have no information. The writs of election, it will be observed, were sent to no officials, but to certain "influential gentlemen in every parish and district," and these "influential gentlemen" took care, no doubt, to see that only those were returned who were favorable to the cause. The *Gazettes* of the day, and Moultrie's Memoirs, furnish lists of those returned as elected.¹ It had not been unusual in South Carolina for a parish to elect as its representative in the Commons a person not resident within its limits. There was no requirement of the election law restricting representatives to be residents in the election precinct from which elected; nor is the practice without substantial advantages to recommend it.² Thus we have seen Isaac Mazyck was often returned as a member from several parishes at the same election; and so were such popular men as Christopher Gadsden and John Rutledge. The election, therefore, of low-country men for this Congress, as members for the upper-country districts, would not of itself have the same significance that such an occurrence would have to-day. But under all the circumstances of the time we cannot but look upon the appearance of such prominent low-country men as Edward Rutledge among those returned from Ninety-six, John Colcock and Rowland Rugely from the district between the Broad and Saluda, Henry Middleton from the district between the Broad and the Catawba, and William Henry Drayton from Saxe-Gotha, as somewhat the work of the "influential gentlemen" to whom the writs of election were sent. The other representatives

¹ See Appendix V.

² Professor Bryce's comments on the subject, *The American Commonwealth*, vol. I, chapter XIX, 186.
to the proceedings of that body. They were particularly asked why it was that at a time when representatives from all parts of America met for the express purpose of considering and stating the American grievances, and for devising means of redressing them, they had limited their complaints to the year 1763, and had not traced back, as could easily have been done, the many aggressions which had been committed by Great Britain upon her infant colonies in the jealousies, monopolies, and prohibitions with which she was so prodigal toward them, for the purpose of depressing their population, restricting their trade, and crippling their attempts at even the most domestic and necessary manufactures?\footnote{Memoirs of the Revolution (Drayton), vol. I, 167.} In other words, why had they not gone back to the navigation laws, the real source of all the discontent in the colonies; and instead rested their case upon the Stamp act and the theory of taxation and representation, about which there was such a difference of opinion? To this it was answered that the delegates from South Carolina had been willing to have stated the whole case, setting out all grievances, but that the delegates from Virginia would not “retrospect” back further than 1763. That although the reason for this course was not avowed, it was understood that it had been determined at home not to go back beyond that year, as thereby the greater odium would be thrown upon the reign of George III, which had been so fatal to the peace of America.

Besides a statement of the grievances, without mention of the chief cause of offence, little had really been accomplished by the Continental Congress, and of that little the chief measure was just that which the meeting under the Exchange in July had refused to adopt, and to which the merchants in Charlestown who had assisted
the Commons in maintaining their certificates as currency, and thus materially aiding them in their struggle with the Council, were most opposed. It was, indeed, a most impolitic measure. As has been well observed, it was but a poor medicine, but according to the knowledge of the times; heroic but mistaken surgery, like the bloodletting then in vogue. At the very time when all the vigor of the system seemed likely to be taxed to the uttermost, on the verge of war with Great Britain, the colonists were bidden by their wise men to impoverish themselves as much as possible, and to cut off not only the supply of all the numerous articles of common necessity and daily use, but of munitions of war, which they were sorely to need. More than this, the measure had been already tried, and had failed; and it would have inevitably failed again had not events hurried on the war.

But there was a special provision in the articles recommended by the Congress, which had been put in at the instance of John Rutledge, which proved to be a two-edged sword; and that was the exception in regard to rice in the prohibition as to exports. Without this exception the delegates from South Carolina would not, and, under the circumstances, should not, have agreed to recommend the adoption of the agreement; but, on the other hand, with it would be sown the seeds of discord and sectional jealousy in the province beyond the possibility of remedy. This exception, reluctantly granted by the other provinces, as soon as known here, created an alarming disunion throughout the whole colony. Not only the whole interior, but the indigo planters on the coast as well, considered their interests sacrificed to the emoluments of the rice planters. A motion was therefore made

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and seconded that the delegates to be elected should be instructed to use their utmost endeavors at the ensuing Congress to cause these words to be expunged. This motion produced an excited and angry discussion.

Mr. Gadsden thought it his duty to declare that he had not any hand in causing those words to be put in the articles of association. So ill had the proposition been received, he said, that it had occasioned a cessation of business for several days, in order to give our deputies time to recollect themselves. That when the members were signing the instrument, all the deputies from South Carolina but himself withdrew. That he would have been glad of the honor of signing his name alone, and for doing so would have trusted to the generosity of his constituents; that he had actually offered to do so, and that Carolina was on the point of being excluded from the association, when our deputies, being again summoned by the Secretary, returned into the Congress, yielding up the article of indigo, which they had also asked to be exempted, and that Congress, for the sake of preserving the union of America, allowed the article of rice to be excepted. That this, however, was illly received by the other colonies, and therefore it was his opinion that for the common good, as well as our own honor, we ought to remove this as soon as possible by having the words "except rice to Europe" stricken out of the fourth article of the association.

John Rutledge then arose and undertook his own defence and that of his three associates. He said that at an early period he and the other delegates from this colony had warmly pressed an immediate non-importation and total non-exportation. That as the purpose of a non-exportation to Great Britain and Ireland was to withhold from the people of those countries the advantages they
A family which had been residing in England, and were returning home to share the fate of their people in these troublous times, had brought with them in the vessel the household furniture and horses which had been used by them in England. Under the circumstances the committee, after considerable discussion, decided that these horses did not come within the meaning of the article of the association as relating to goods or merchandise, and authorized their landing. The permission of the committee created great excitement among the people. The cry was raised, "The Association was broken." The horses at least should not be landed. Hundreds of the inhabitants of the town assembled; and though many active and influential members of the committee endeavored to pacify them, they would not desist in their opposition, but demanded that the General Committee should reconsider their vote. The General Committee was reconvened on the 17th of March. The room of meeting was crowded. Edward Rutledge was bold enough to censure the people for thus questioning the vote which had been given, but he would not be listened to. The authority of the committee was despised; some of its members left in anger, others became vociferous in rage; all was in confusion. Sufficient order was at length secured to obtain a postponement of action until a more full attendance of the committee could be procured. The presence of all members was desired, and great exertions were made for that purpose by both parties.

When the day of the meeting arrived, the town was in universal commotion, and great was the press of the people who attended. Application had been privately made to the military companies to cover the landing of the horses, and some of the individual members had agreed to do so; but the majority of them refused, and
the people declared that if the horses were landed they would put them to death. Amidst this confusion the debate began, upon Mr. Gadsden's motion to reverse the former determination as to landing the horses. He urged that the vote had been carried in a thin committee; that it was contrary to the association; that it would alarm the northern colonies; and that the people were highly dissatisfied with it. And this last, he contended, was of itself a cogent reason to reverse the determination. Then followed the Rev. Mr. Tennent and Mr. Rugely on the same side. Rawlins Lowndes, Edward Rutledge, Thomas Bee, and Thomas Lynch, on the other hand, urged that the action of the General Committee ought not to be reversed, and that, if it was, the committee would fall into contempt. That the committee ought not to be influenced by outside pressure. That temporizing did not become honest men and statesmen, who ought to declare their opinions according to their consciences. That if they adhered to the letter of the association, no arms or ammunition could be received from England; that it was never the idea of Congress to exclude such articles. Then followed William Henry Drayton, who, though still a member of the Governor's Council, took part in the meeting, and supported Gadsden. In a style similar to that in which he had formerly assailed Mr. Gadsden, now in a long speech, in which Cato of Utica, and Cicero's Letters to Atticus, and the Long Parliament were all called in as witnesses for the people, he urged that the Roman Senate were a wise body, and that they had yielded to the people; but nobody supposed their concessions brought them into contempt, and therefore that the General Committee should follow their example. Was Mr. Drayton now actually for yielding to the clamor of "the carpenters, cobblers, and butchers"?
It is strange that a man of so much ability as Mr. Drayton undoubtedly was—if, in his position as a member of the King's Council, he had any right to take part in this discussion—should have so blinded himself to the point that the General Committee, though for convenience constituted of the members of the Provincial Congress resident in Charlestown, were but the representatives of a body which at least claimed themselves to represent the people of the whole province, and not only those of the town. The Provincial Congress had not delegated the authority they possessed to the townspeople to be exercised by them in mass meetings or mobs, but to certain delegates who, because they lived in and near the town, could be easily convened. The committee had no right, therefore, to listen to or obey the dictates of a mob of the town, but were bound, as Lowndes and Edward Rutledge and Lynch and Bee urged, to act on their own responsibility as a committee representing all the people of the whole province. All this was no doubt well presented by John Rutledge, who now rose to meet the arguments which had been urged by Gadsden and Drayton; but we have no report of his speech, only that in it he added much to his reputation as a speaker. But argument and eloquence were of little avail in the presence of the threatening multitude. By a majority of one the committee yielded to the clamor of the pressing throng, and by a vote of thirty-five to thirty-four rescinded their permission to the returning family to land their horses.¹

The General Assembly, as we have seen, had been prorogued by the Lieutenant Governor to the 6th day of September, 1774. From that day it was prorogued from time to time to the 24th of January, 1775, that is, a week after the adjournment of the Provincial Congress, when the

however, against it. The Commons had triumphed. They had compelled the Council to transact business, without their submitting to the "Additional Instruction." This was the first bill passed by the General Assembly in more than four years, and, with a bill to revive and continue certain acts, the last passed under the Royal government.  

Mr. Drayton, too, had triumphed. But his triumph in the Council was but brief. The Chief Justice was determined that he should no longer sit at the King's Board and fight his authority. In his place at the Council he made a violent invective against Mr. Drayton; accused him of having made publications against the King; that even while a judge he had delivered charges stirring up the people to sedition; that he frequented popular assemblies, where he loudly inveighed against the government, for all of which he ought to be removed from the Council. He concluded by moving an address to the Lieutenant Governor for his suspension as a counsellor, which motion was immediately seconded. But Mr. Drayton was equal to the occasion. In his place at the Board he replied that to be obnoxious to those in Council, to whom he so found himself, evinced his attachment to his country, since those who were so against him were themselves obnoxious to the whole people. He held it an honor that those should desire his suspension against whom the province had publicly complained not only to the Lieutenant Governor, but to his Majesty the King. Mr. Drayton was interrupted, the question was put, and an address for his suspension was voted by the three place-men—the whole Board on the occasion being composed of only four members, Mr. Drayton himself being the fourth. The address thus voted was on the same day, the 13th of February, 1775, presented to the Lieutenant

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continued, the general duty act was renewed—but to have effect for one year only. The power was thus retained to the Commons’ House of Assembly; for at the expiration of the year, unless the government satisfied the people, it would have no means of supporting the civil establishment, the clergy, or the Crown officers. The session was then closed, in a better temper than for some years, and the House adjourned to the 20th day of April.

The people now anxiously looked for advices from Europe as to the effect of the measures of the Continental Congress, and the mass of citizens and men of prudence and moderation ardently longed for a reconciliation with the mother country, and awaited with the fondest hopes and with a genuine loyalty manifestations of good will from the Throne. As yet no one in South Carolina was bold enough to advocate independence of the mother country, and few indeed there were who even secretly entertained such a wish. The people were still loyal to old England, regarding all their troubles as owing to a wicked ministry, resistance to which on their part in America would enable their friends, the Whigs, at home to overthrow. Thus it was that William Henry Drayton, while a member of the Council, and bearing a commission of Judge under the King, could take the part he did. Had he at

was brought out by Governor William Henry Lyttleton, who succeeded Governor Glen, in 1750. Joshua Quincy mentions it in his Memoirs. He says, March 19, 1773: “Spent all the morning in hearing debates in the House, and had an opportunity of hearing the best speakers in the province. The first thing done at the meeting is to bring the mace—a very superb and elegant one, which cost ninety guineas—and lay it on the table before the speaker.” The mace was carried away by the British army upon the evacuation of Charleston, in 1783, and somehow found its way to the Bank of the United States, in Philadelphia, where it was discovered by the Hon. Langdon Cheves, when he became president of that institution, and returned to the State.
that time contemplated the independence of the colonies as the result of this agitation, he would have been more than a rebel—he would have been a traitor—in doing so. Indeed, even yet, had separation been openly avowed as the object of the leaders against the government, there is little doubt that the movement would have been overwhelmingly defeated. Such was the situation of affairs when advices which came put an end to every hope of immediate accommodation.

On the 1st of February Chatham had reappeared in Parliament with an elaborate bill for settling the troubles in America. It asserted in strong terms the right of Parliament to bind the colonies in all matters of commerce and navigation; but at the same time it recognized the sole right of the colonists to tax themselves, guaranteed the inviolability of their charters, and made the tenure of their judges the same as in England. It proposed to make the Congress which had met in Philadelphia an official and permanent body, and asked it to make a free grant for imperial purposes. The bill was not even admitted to a second reading.

Several other propositions tending toward conciliation were, however, made. On March 22, Burke, in one of his greatest speeches, moved a series of resolutions recommending a repeal of the recent acts complained of in America, reforming the Admiralty Court and the position of the judges, and leaving American taxation to the American Assemblies, without touching upon any question of abstract right. These and other like attempts were defeated by enormous majorities. Though it was said that the King had declared that the petition from the Congress was a decent one, Parliament declined to receive it. The colonial agents were refused even a hearing upon the subject. Parliament at the same time
active in confidential services, were added, completing the committee. This committee, the night after their appointment, seized the public powder at Hobcaw magazine and the powder in the magazine at Cochran's on the Neck, while a third party broke open the armory in the upper part of the State House and removed eight hundred stand of arms, two hundred cutlasses, besides cartouches, flints, and matches. On this occasion many of the most respectable gentlemen attended: Colonel Charles Pinckney, President of the Provincial Congress; Colonel Henry Laurens, Chairman of the General Committee; Thomas Lynch, one of the delegates to the Continental Congress; Benjamin Huger, William Johnson, William Bull, and William Henry Drayton, the two last nephews of the Lieutenant Governor.

In this affair the greatest order was observed. No disguises were used; but the night was chosen for the transaction, as there was no reason, it was said, needlessly to insult the authority of the Lieutenant Governor by performing it in open day, when the public purpose could be equally promoted by avoiding such conduct. The seizure of the powder and arms, so immediately following the late advices from London, clearly indicated who had taken them. The Lieutenant Governor was sadly perplexed. He convened his Council; but after much consideration they could only advise him to send a mild message to the Commons' House, then sitting, informing them of the event. The Assembly, composed of the very men, as the Lieutenant Governor no doubt well knew, who had been engaged in the affair, gravely carried on the farce by referring the Governor's message to a committee which had been already appointed "to examine the public arms"; and on the 27th of April Mr. Bee brought in a report to the House on the subject, which was agreed to,
extend. At length the form was made acceptable; but it was insisted that to sign it immediately would be a premature step. In vain it was urged that an immediate subscription would be of infinitely good effect; it would be a test and the means of common defence against any danger. The conservatives still contended it ought not to be entered into before the meeting of the Provincial Congress, to whom it ought to be referred, and whose resolution thereon would be binding. The whole matter was postponed; but it had been demonstrated that very nearly one-half of the General Committee present, twenty-three to twenty-five, were unwilling to commit themselves to any active measures of hostility.¹

The Commons' House of Assembly had been adjourned by the Lieutenant Governor to the 1st day of June, the day on which the Provincial Congress had also been summoned to meet. This was convenient certainly, as the members of the Commons were almost all members of the Congress. The Commons, knowing on how slight a tenure they held their sittings at this time, hurried on with business without even sending a message to the Lieute-

stant Governor to inform him that they had met; they passed a resolution providing for the issuance of certificates in payment of the public debts for the year 1774, and were engaged in the passage of an ordinance to prohibit the exportation of rice and Indian corn, when they were summoned to the Council Chamber by the Lieutenant Governor. The House attended and was immediately prorogued to the nineteenth day of June. This was the last official intercourse which Lieutenant Governor Bull had with the Commons' House of Assembly.²

The Provincial Congress having met on the same day,

² Ibid., 250-252.
agreeably to the summonses which had been issued, Colonel Charles Pinckney, then President, for whom it is probable matters were now going too fast, resigned that office, and Colonel Henry Laurens, the late Chairman of the General Committee, was chosen in his place. The Congress at once proceeded to consider the subject recommended by the General Committee, first, however, appointing a committee of ways and means for placing the colony in a state of defence. The proposition of an association to be entered into by the inhabitants of the colony was brought before the Congress at an early hour, but much opposition was made to its passage. It was contended by Mr. Heyward, who was afterward one of the signers of the Declaration of Independence, and others that there was no occasion for such an association. It prevailed, however, and on the 4th of June, after divine service had been performed before the Congress, Henry Laurens, then President, signed the instrument, and then the members present respectively affixed their names, binding themselves "under every tie of religion and honor to associate as a band in the defence of South Carolina against every foe," . . . "solemnly engaging that whenever our Continental or Provincial Councils shall deem it necessary, we will go forth and be ready to sacrifice our lives and fortunes to secure her freedom and safety;" . . . "that we will hold all those persons inimical to the liberties of the colonies who shall refuse to subscribe this association."

On the fourth day of the session, the Provincial Congress resolved to raise fifteen hundred infantry, rank and file, in two regiments, and four hundred and fifty horse rangers, constituting another regiment. On the 14th of June one million of money was voted. Commissioners of a treasury were appointed and a Council of Safety was
elected. The Council of Safety was composed of Henry Laurens, Charles Pinckney, Rawlins Lowndes, Thomas Ferguson, Miles Brewton, Arthur Middleton, Thomas Heyward, Jr., Thomas Bee, John Huger, James Parsons, William Henry Drayton, Benjamin Elliot, and William Williamson. As a council they were vested with supreme power over the army, the militia, and all military affairs; in short, they were to be the executive power of the colony. To them was delegated the authority of granting commissions, suspending officers, ordering court-martials, directing, regulating, maintaining, and ordering the army and all military establishments, and of drawing on the Treasury for all purposes of public service. Non-subscribers to the Association were made amenable to the General Committee, and by them punishable according to sound policy. Those who violated or refused obedience to the authority of the Congress were made amenable before the parochial and district committees, and upon their being found guilty and being contumacious they were to be declared inimical to the liberties of America and objects of the public resentment. It was also resolved that all absentees holding estates in this colony, except those who were abroad on account of their health, and those above sixty years of age or under twenty-one, ought forthwith to return, and that no persons holding estates in the colony ought to withdraw from its service without giving good and sufficient reasons for their doing so to the Provincial Congress or, during its recess, to the General Committee. Another general election of members of the Congress was ordered to take place in the country on the 7th and 8th days of August, and in Charlestown on the 23th and 29th of that month, and the Congress was declared to be expired on the 6th day of August, but the Council of Safety and all committees
Carolina except Joseph West under the Proprietary government. He had had a most difficult part to perform, but so strictly had he adhered to the line of his duty to his King and to his country, as he conceived it, that not in all these troublesome times had he incurred the enmity of any class of his fellow-citizens. So beloved was he, that tradition has brought down to us the opinion entertained at the time, that had the government of the province been left entirely and untrammelled in his hands, had he been implicitly trusted and treated by the government at home with the generous confidence he so well deserved, and given full commission with plenary powers, he might possibly have successfully resisted the revolutionary movements in South Carolina, though led by Gadsden with all the ardor and impetuosity of his character, and supported by the wisdom and eloquence of the Rutledges and the firm but moderate counsels of Rawlins Lowndes and Henry Laurens. This, as we have observed, could scarcely have been possible; but it is a great encomium upon his character that such an opinion should have been entertained, and that in all the bitterness of that time tradition has brought down to us no unkind word of him who stood so long in the position most exposed to the virulence of party feeling. He died in England, 1791, in voluntary exile from the land he loved so well. He left no children, but many parents called theirs by his name.  

Had the government in England confirmed Charles Pinckney's appointment as Chief Justice, and made the

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1 It is an interesting fact, illustrative of the kindly relations that, amidst all the troubles of these times, Governor Bull maintained with those most opposed to his political views, that by his will, executed in London, in 1790, he appointed Christopher Gadsden and Rawlins Lowndes executors of his estate. *Will Book*, B, 623, Probate office, Charleston.
nies, its leaders were with scarce an exception churchmen. Of the Council of Safety—the new governing body—all were churchmen; of the thirteen members, six were from St. Philip’s, two from St. Michael’s, the other five from St. Andrew’s, St. John’s, and St. Paul’s. They were all of the stock of the old settlers. Henry Laurens, the President, was a Huguenot, the other members were English or Irish. On the other hand, the Germans in Orangeburg, in Saxe-Gotha, and in the Dutch Fork between the Broad and the Saluda rivers looked on with stolid indifference, if not with aversion. King George was to them not only King of England, but he was Elector of Hanover as well. They were prospering in a quiet way, and were not inclined to involve themselves in a revolution upon abstract principles of government, in which they were not interested. The Irish at Williamsburg were ultimately to furnish splendid partisan soldiers for Marion’s brigade; but as yet they do not appear to have been more interested than consulted about the proceedings in the town. The Welch on the Pee Dee, with few exceptions, were alike indifferent. The Scotch refugees from Culloden had had enough of rebellion in 1745 to last them for a while. The Scotch-Irish Presbyterians, stretching across the province from the Waxhaws to Long Cane, used little tea in their new settlement, and were little disposed to follow the churchmen on the coast, in whose Assembly they could obtain but small, if any, representation. Gibert’s Huguenots and Stumpel’s Germans in Abbeville were too much engaged in settling themselves in their new homes to take part in the controversies in the low country.

All these people were at last to be aroused, when the tide of war rolled back upon them. But it required British bayonets, not to conquer, but to drive them into
William Henry Lyttleton. Governor from 1756 to 1760, when he was transferred to the government of Jamaica.

William Bull (2d). Lieutenant Governor from 1759 to 1775. Administered the government from 1760 to 1761.

Thomas Pownal. Governor, 1760. Did not come out.

Thomas Boone. Governor from 1761 to 1764.¹

William Bull (2d) administered the government from 1764 to 1766.

Lord Charles Greville Montagu. Governor from 1766 to 1768. Administered the government from 1766 to the 23d of May, 1768.

William Bull (2d) administered the government, during the absence of Lord Charles G. Montagu, from the 23d of May, 1768, to the 30th of October, 1768.

Lord Charles Greville Montagu administered the government from the 30th of October, 1768, to 1769.

William Bull (2d) administered the government from 1769 to 1771, during the absence of Lord Charles G. Montagu.

Lord Charles Greville Montagu administered the government from 1771 to 1773, when he left the province.

William Bull (2d) administered the government from 1773 to 1775.

Lord William Campbell. Governor from 1775 to 1776, when the Royal government was finally overthrown.

¹ It is stated in the body of this work, pp. 352–353, that Governor Boone is supposed to have been the son of Thomas Boone, Esq., in the County of Kent, England; but since these pages have been in press, deeds have been found, the recitals of which show that Thomas Boone was the son of Charles Boone of this province, and nephew of Joseph Boone who figured so conspicuously under the Proprietary and in the establishment of the Royal government; but nothing more is known of him.
APPENDIX

II

MEMBERS OF HIS MAJESTY'S COUNCIL IN SOUTH CAROLINA UNDER THE ROYAL GOVERNMENT

The following list of the members of his Majesty's Council, from 1720 to 1776, has been compiled for the author by Mr. D. D. Wallace of Newberry, South Carolina, from the Public Records of South Carolina, at the Capitol in Columbia, South Carolina. It is as complete as it is now possible to make it; but there are doubtless omissions which the records do not allow us to supply. The dates of the appointments are given and are approximately correct; but the time of service varied. Under Sir Francis Nicholson the Council was to consist of twelve persons, to be appointed by his Majesty upon the recommendation of the Governor. Five were ordinarily necessary to constitute a quorum; but three, upon extraordinary occasions, might act. The council was thus constituted throughout the Royal government:

1739; Benjamin Whitaker, 1739–1750; James Graeme, 1750–1752; Charles Pinckney, 1752–1753; Peter Leigh, 1758–1759; James Michie, 1759; William Simpson, 1761–1762; Charles Shinner, 1762–1768; William Wragg, 1769 (appointed but declined the office); Thomas Knox Gordon, 1771–1776.

**Assistant Justices (Laymen)**

Samuel Eveleigh, 1720; John Fenwicke, 1721; Alexander Parris, 1721; George Smith, 1722; Joseph Wragg, 1722; William Dry, 1722; John Carwood, 1725; John Croft, 1727; Daniel Green, 1727; Thomas Cooper, 1729; Thomas Dale, 1736; Robert Auston, 1737; Benjamin de la Conseilliere, 1737; Thomas Lamboll, 1737; Isaac Mazyck, 1740; William Bull, Jr., 1740; Robert Yonge, 1740; Othnile Beale, 1741; John Lining, 1744; John Drayton, 1758; William Simpson, 1760; Robert Pringle, 1760; William Burrows, 1764; Robert Brisbane, 1764; Rawlins Lowndes, 1766; Benjamin Smith, 1766; Daniel D'Oyley, 1766; George Gabriel Powell, 1769; Edward Savage, 1771; John Murray, 1771; John Fewtrell, 1771; Mathews Cosslett, 1772; William Henry Drayton, 1774; William Gregory, 1774.

**Judges of the Court of Admiralty**

James Smith, 1721; William Blakeway, 1724–1727; Benjamin Whitaker, 1727; Maurice Lewis, 1727–1739; William Trewin, 1739–1741; James Graeme, 1741–1749; James Michie, 1752; Peter Leigh, 1758; John Rattray, 1760; Egerton Leigh, 1761.
Cattell, Esqs., Colonel Thomas Fuller, Captain Benjamin Stone, Isaac Rivers, Esq.

For St. George's, Dorchester. — David Oliphant, Benjamin Waring, William Sanders, John Mathewes, Jr., Esqs., Mr. Richard Waring, Mr. Richard Walter.

For St. James's, Goose Creek. — Thomas Smith, Sr., Esq., Colonel Benjamin Singleton, John Parker, Benjamin Smith, John Izard, John Wright, Esqs.

For St. Thomas's and St. Dennis's.— James Aiken, Isaac Harleston, John Huger, John Moore, William Parker, John Syme, Esqs.

For St. Paul's. — Thomas Ferguson, Benjamin Elliot, George Haig, Charles Elliot, Robert Williams, Robert Ladson, Esqs.


For St. Helena. — Mr. Thomas Rutledge, Mr. John Barnwell, Jr., Mr. Daniel Heyward, Jr., Captain John Joyner, Mr. Daniel de Saussure, Colonel William Moultrie.

For St. James's, Santee. — Colonel Daniel Horry, Paul Douxsaint, Esq., Thomas Horry, Edward Jermain, Thomas Lynch, Jr., Capers Boone, Esqs.

For Prince George's, Winyah. — Thomas Lynch, Elias Horry, Jr., Benjamin Huger, Joseph Allston, Benjamin Young, Esqs., Mr. Paul Trapier, Jr.

For Prince Frederick's. — Theo. Gaillard, Thos. Porte, Esqs., Captain Adam McDonald, Mr. Anthony White, Mr Samuel Richbourg, Mr. Benjamin Sereven.

For St. John's, Colleton. — William Gibbes, Charles C. Pinckney, Thomas Evance, Esqs., Mr. Thomas Legaré, Jr., Captain Thomas Tucker, Mr. Benjamin Jenkins.

For St. Peter's, Purrysburg. — Colonel Stephen Bull,
quand, Mr. John Caldwell, Mr. George King, Mr. Simon Berwick.


VI

ESTIMATES OF POPULATION OF SOUTH CAROLINA UNDER THE ROYAL GOVERNMENT

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Drayton's View of So. Ca, 193.
Ibid.
Drayton's View of So. Ca, 193.
Ramsay's Hist. of So. Ca., vol. I, 110.
Hewatt's Hist. of So. Ca., vol. II, 71.
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Lieut. Gov. Bull to Board of Trade, December 6, 1789.
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