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*"Carolina! Carolina! Heaven's blessings attend her!  
While we live we will cherish, protect and defend her."*

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DAUGHTERS OF THE REVOLUTION

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## THE CROATANS

BY HAMILTON McMILLAN.

Geologists tell us that running through North Carolina is an ancient coast line, stretching from Northeast to Southwest and nearly parallel with the present Atlantic coast. West of this line is the hill country, gradually rising in elevation till we reach the mountains. Beginning at the Catawba River, this ancient coast line runs north of Cheraw and Bennettsville in South Carolina, east of Laurinburg, north of Maxton, east of Red Springs, west of Hope Mills and Fayetteville, crosses the Cape Fear River at Averasboro and trends in a northeast direction to the Virginia State line.

In the remote past there was a time when the ocean covered all that part of North Carolina east of this line, when the waves beat upon Haymount at Fayetteville and great whales sported in the shallow ocean. The survey of the Cape Fear and Yadkin Valley Railroad developed the fact that the roadbed at Fayetteville and Hope Mills was about 176 feet above sea level.

That this ocean bed was once elevated and again depressed is abundantly proven by the buried forests on Rockfish Creek, and in Pender County at Rocky Point, and by a brick building found buried under many feet of stratified earth at Cronly, in Brunswick County. We once saw a human skeleton exhumed at Hope Mills at a depth of sixteen feet beneath stratified earth.

The elevation of the land was not sudden, as the lowlands

and second lands on the Cape Fear evidently mark great pauses in the elevation.

Along the beach of this ancient coast line runs what is known as the Lowrie Road. This road in the early settlement of this country was only a great Indian trail, which became the great route of travel towards the Southwest. This road was straightened in 1817 by General Bernard, who was employed by the United States to superintend the mail routes through North and South Carolina. The location of this road along the beach of this ancient coast line would indicate its great antiquity.

John Lederer, a German traveler in the employment of Governor Berkeley, of Virginia, after traveling across the western portion of our State and visiting the Saura Indians in South Carolina, on his return evidently traveled the Lowrie Road on his return to Virginia through the "pine barrens" of our State.

The Cherokee Indians, embracing numerous tribes, had their principal seats in the mountains, and various tribes, acknowledging their supremacy, occupied the eastern part of our State as hunting grounds, and in some instances made permanent settlements. These Indians had many roads leading from the mountains to the Atlantic coast. One of these roads extended from the mountains through the present counties of Buncombe, Lincoln, Mecklenburg, Union, Anson and Robeson, and uniting with the Great Lowrie Road at or near Fayetteville, and from its junction extending towards "Roanoke," the region adjacent to Pamlico Sound. Another great road led from the mountains and united with the Lowrie at Fayetteville, and now known as the Yadkin Road.

Commencing with the Saura Indians, and extending along this ancient trail leading to "Roanoke," there were the Cheraws, Chickoras, Mellattaws, Croatans and Tuscaroras.

All the tribes along this line, so far as we can ascertain, acknowledged the supremacy of the Cherokee nation, with the exception of the Tuscaroras. The Mellattaws had also a great trail leading from the mountains towards the Southeast, coming down through the present county of Randolph, where a branch road led towards the Roanoke River and another passed through Moore, Cumberland and Robeson counties, crossing the Lowrie trail near the present town of Maxton, and reaching the coast near Lockwoods Folly in Brunswick County. This Mellattaw tribe emigrated to the Southwest and gave our army serious trouble about the time of the Fort Mims massacre. (*Vide* Pickett's *His. of Ala.*)

From the earliest settlement in Robeson County the Croatans have occupied a large territory, principally along the Lumber River. They are evidently of Indian origin, possess Indian traits, and claim that their ancestors were originally Cherokees, who dwelt in Eastern Carolina, or, as they express it, in "Roanoke, in Virginia." It was first supposed that they lived on Roanoke Island, but later developments show that the region they call *Roanoke* embraces all the territory adjacent to Pamlico Sound. It is worthy of note that the chronicles of the tribe call the sound Pamteeco, with the accent on the penult syllable. These people were known in the 16th and 17th centuries as Croatans from their occupation of Croatan Island, now a part of Carteret County, and were so designated in the act of the North Carolina General Assembly in 1885. When first known to the early white settlers in this region they spoke English, and in many instances had English family names identical with those of the "lost colony" of Roanoke. They have in common use many English words which are now obsolete in English-speaking countries, but which were used in the days of Chaucer. In addressing a stranger they use the old Saxon word, *Mon*. They speak of houses as *housen* and use *mension* for measure-

ment. They are familiar with the story of Virginia Dare, and they strenuously claim that the name was pronounced Darr; others claim that it was pronounced Dorr, and still others pronounce it Durr. The muster roll of a company from this tribe in the War of 1812 shows the name as Dorr. The Durrs of Lincoln County are claimed as descendants of Virginia Dare. The chroniclers who keep the traditions of the tribe speak of themselves as "Melungeons." This singular name is supposed to have been given them by the Swiss-French, who settled in the region adjacent to them, and as they were a mixed race they were called Melange, and the descendants of the Melange were called Melange-ans, and the change from Melange-an to Melungeon would be easy.

The tribe in Robeson, according to the census of 1890, numbered 3,640. The census of 1910 will probably show an increased number.

The act of Assembly in 1885 gave this tribe separate schools and a separate school census, and in 1887 a Normal School for the education of teachers of their race was granted them, and this school, located at Pembroke, in Robeson County, is in a flourishing condition. A great change has occurred among these people during the past twenty years. Better farms, with better houses and with many improvements in their mode of living, are visible in all parts of their territory. Almost universally they are landowners, cultivate small farms, raise cotton, tobacco and corn principally, and give evidence of great improvement over their former modes of living. All their traditions point to the region west of Pamlico as the residence of their ancestors. They are very reticent as to their past history when approached by strangers, and it is only after persistent inquiry that desired information is obtained. They have traditions leading the inquirer to infer that they once had Christian churches at several points along the great roads leading from "Roanoke" towards



the Southwest. One of these churches, according to tradition, was located near the Lowrie Road, near Rockfish Creek, in Cumberland County. An aged citizen of Cumberland remembered seeing the walls of this church, known as the "Indian Walls," from 1812 till 1837, when the material was used in building the basement of the Rockfish cotton factory. In 1865 the factory was burned by General Sherman, but the present building was erected on the rock basement, which was not injured. The material used in building this church was red sandstone, but the quarry whence the material was obtained has never been discovered.

Colonel Byrd describes the caravans that left the Roanoke region as consisting of 150 to 200 horses loaded with guns, ammunition, cloth, iron tomahawks and other merchandise to trade with the Indians to the Southwest in exchange for peltries of various kinds. Ministers of the gospel frequently attended these expeditions and preached at intervals along the route.

One of these ministers was a Frenchman named De Richebourg; and ex-Governor Swain, who investigated the tradition concerning him, found that he died during one of these expeditions on the Catawba River, and that some of his descendants were then living in Buncombe County.

During the past century large numbers of Croatans have emigrated to the Southwest. A colony, consisting of about forty families, attempted to settle in Indiana, but the laws of that State did not permit "free persons of color" to settle there, and many returned to Robeson County, while others joined a tribe of Indians near Lake Michigan. Descendants of these Indians often visit their relatives in Robeson. There is communication also with the Cherokees in the Indian Territory. We have found only three family names among this people that are Indian, all others being English and French.

Along the Lowrie Road are many mounds, generally circular and raised a few feet above the general surface. Several have been examined, and in every instance the skeletons are those of adults and the skulls are Caucasian in type. Stone hatchets and flint arrowpoints are found in various places, but there is no evidence, by tradition or otherwise, that these Indians ever used them. Flint arrowpoints are found all over the American continent, in the British Isles, in the bone caverns of France and Germany, in Canada, in Italy and in China, similar to those found here. Clay pottery found here is of more recent date and was probably used by these Indians in former times. The Cherokees were an agricultural people, and it is certain that their clay pottery was ornamented by rolling ears of corn over the material when in a plastic state.

The Croatans have given Hiram R. Revels to the United States Senate. John S. Leary graduated at Howard University, and represented Cumberland County in the General Assembly, and for several years was Dean of the Law School at Shaw University at Raleigh. He was considered an able lawyer. Two natives of the Croatan tribe are now wealthy merchants in Florida, while another, who invested in mining property in New Mexico, is reputed to be a millionaire.

In matters of religion they are divided into Baptists, Methodists and Presbyterians. They have a sect among them known as the Indian Mission. They have about twenty churches, which are supplied by their own ministers.

Up to the year 1835 the Croatans attended the schools with the whites, mustered in the militia and exercised the right of suffrage equally with white men, but to effect a political purpose it was contended that they were "free persons of color," and in Robeson County only they were disfranchised. They were not allowed to attend the schools, and in consequence hundreds of them grew to manhood and womanhood



in perfect ignorance of books. In 1868 the public schools were opened, but they preferred ignorance to association with the colored race. Since they have had separate schools they have shown great interest in the education of their children. They retain many customs handed down from their English and Indian ancestors. In an old medical work, brought to America by someone of the early colonists, and still preserved, are found many singular remedies for various diseases, and these same remedies are used at this time by these people. They have the old English cross-bow, and old-fashioned handmills for grinding corn, which have evidently been used for many generations.

In view of the great improvement of this tribe during the past twenty years we predict a bright future for the Croatans.

## STATE AID TO TRANSPORTATION IN NORTH CAROLINA

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BY J. ALLEN MORGAN

Assistant Professor of Economics and Political Science in Trinity College.

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### THE PRE-RAILROAD ERA (1776-1835)

#### CHAPTER I

##### ANTECEDENTS OF STATE AID (1776-1815)

The development of both the internal and the foreign trade of North Carolina, and the growth of commercial centers within the State, were retarded in the years immediately following the separation from England, as in the colonial period, by the peculiar topography of the State. Of its four principal rivers which do not flow through South Carolina—the Roanoke, the Tar, the Neuse and the Cape Fear—only the last empties directly into the ocean. At this time the inlet at the mouth of the Cape Fear, although superior to Ocracoke Inlet, through which the maritime commerce of the other three rivers had to pass, was greatly limited in its usefulness by reason of the “flats” which obstructed navigation between Wilmington and the Atlantic. And the latter inlet was too shallow to admit any save the smaller sea-going vessels, while its location was most unfavorable to the trade of the northeastern part of the State. The other inlets worthy of consideration—Old Topsail, at Beaufort, and Bogue—could only become important in connection with artificial waterways or with land routes.<sup>1</sup> Moreover, the navigation of all the principal rivers being obstructed by the granite ledge which crosses the State almost parallel with the coast line, and about one hundred and fifty miles distant,

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<sup>1</sup>Cf. A. D. Murphy, *Memoir on the Internal Improvements contemplated by the Legislature of North Carolina; and on the Resources and Finances of the State, 1819*, pp. 21-30.

the western part of the State was in a large measure cut off from all ports within and without North Carolina.

It was evident, then, that the work of providing the necessary waterways in an efficient transportation system would be relatively expensive in any case, and to so relate the various trade routes as to confine the commerce of the State chiefly to home markets would be all the more costly.

Whether a task involving the expenditure of such large sums of money was to be left wholly to unaided private enterprise, or whether it would be undertaken by the State, either in co-operation with individuals and corporations or alone, was merely a question of expediency, there being no constitutional prohibition against the latter alternative.<sup>1</sup>

At first the State showed no disposition to make a radical departure from the policy which obtained before the Revolution. The colonial system of opening and repairing public roads, with only slight and unimportant modifications, was therefore retained.<sup>2</sup> Local overseers were appointed by the county courts of Pleas and Quarter Sessions, under whose direction the work in each locality was performed by the male citizens of certain ages; and under the same supervision was performed whatever work was undertaken for the purpose of keeping the rivers free from obstructions to navigation. All these were public highways.

Recognition of the inadequacy of this colonial system of providing transportation soon led to the demand for improved facilities. Scarcely was the independence of the State achieved when Governor Martin, in his message to the Legislature, declared: "The Trade and Navigation of this country is of lasting consequence, and requires your immediate interposition and patronage. It is necessary our rivers be rendered more navigable, our roads opened and supported."<sup>3</sup>

<sup>1</sup>Poore, *Charters and Constitutions*, Pt. 2, p. 1409.

<sup>2</sup>Laws, 1784, ch. 14 (*State Records*, Vol. XXIV, p. 674).

<sup>3</sup>House Journal, Apr. 20, 1784 (*Ibid.*, Vol. XIX, p. 498).

\* \* \* Just what was meant by the general terms legislative "interposition and patronage" may be a subject of dispute. But whatever their meaning, in his next message the Governor again presented trade and navigation as "great objects of legislative attention,"<sup>1</sup> while in his message of 1791 is found what is perhaps a more explicit statement of his views. "The internal Navigation of the State," he said, "still requires Legislative assistance, our sister states are emulous with each other in opening their rivers and cutting canals, while attempts of this kind are but feebly aided among us. Though laws are passed for this purpose, they are not properly executed."<sup>2</sup>

Although mention was made in this message of the need for competent superintendents, "with powers to draw forth the aid mentioned in the laws," it can scarcely be claimed that this was a reference to legislative appropriations.<sup>3</sup> The Governor's only unmistakable reference to public aid is found in his recommendation that criminals under capital condemnation and whose particular cases merited clemency might, with qualified pardons, be made to labor at the work contemplated.

For a decade thereafter, with a single exception,<sup>4</sup> the subject received but little, if any, definite recognition in the Governors' messages. But in 1802 Governor Williams again brought to the attention of the Legislature the need for better transportation, and this example was followed in nearly every message for the succeeding decade.<sup>5</sup> It was in 1806, about the middle of this latter period of renewed discussion, that the first definite recommendation of direct State aid to the cause was made by the executive, in these words: "The

<sup>1</sup>House Journal, Oct. 26, 1784, *Ibid.*, p. 726.

<sup>2</sup>House Journal, Dec. 6, 1791.

<sup>3</sup>The "aid mentioned in the laws" was the donations of individuals. *Infra.*, p. 126, footnote.

<sup>4</sup>House Journal, Nov. 16, 1792.

<sup>5</sup>*Ibid.*, Nov. 18, 1802; Nov. 22, 1803; Nov. 24, 1804; Nov. 19, 1805; Nov. 19, 1806; Nov. 18, 1807; Nov. 23, 1808; Nov. 22, 1809; Nov. 18, 1812.

natural situation of the State being unfavorable to commerce, it is of the greatest importance that liberal provision should be made for the internal improvements, particularly for the establishment of good public roads, and the extension of our inland navigation. Nothing can be more congenial to the spirit of a republican government than the application of the resources derived from all to the benefit of all."<sup>1</sup>

The frequency with which the need for more adequate transportation was called to the attention of the Legislature in this period shows clearly that the matter had become one of grave concern to many of the leading citizens of North Carolina. But that the State was unable at this time to make, in response to Governor Alexander's recommendation, any very considerable appropriations to internal improvement undertakings, without involving the public credit or increasing the taxes, can scarcely be questioned.<sup>2</sup> And whether the small amount which might have been so devoted would have been wisely expended, it would be useless here to surmise. The unwillingness of the Legislature to appropriate any part of the State's revenue for such purposes is clearly enough shown by the fact that prior to 1815 the work of internal improvement was left wholly to private enterprise.<sup>3</sup> Nevertheless the most liberal franchises were granted

<sup>1</sup>Governor Alexander's Message, House Journal, Nov. 19, 1806.

<sup>2</sup>The total receipts of the Treasury in 1801 were £20,324, and in 1814 they were about two and a half times as large.—Comptroller's statement appended to Laws of 1802; Treasurer's Report, House Journal, Dec. 7, 1814.

<sup>3</sup>Memoir, *op. cit.*, p. 11. This statement is contradicted by C. C. Weaver, who has claimed that prior to 1815 the "State had given aid."—History of Internal Improvements in North Carolina previous to 1860, p. 1.

Cf. also, "The State \* \* \* entered into co-partnership with individuals and with companies for the building of canals and the deepening of harbors, the improvement of public highways, and the advancement of public intercourse."—W. E. Dodd, Life of Nathaniel Macon, p. 52.

It is true that by an act of 1786 the Commissioners of Navigation and Pilotage of the Cape Fear River were authorized to prescribe fines for the violation of their regulations, which fines, when collected by the Commissioners, were to be expended on the improvement of the river.—Laws, 1786, ch. 50, sec. 2 (State Records, Vol. XXIV, p. 851). And fines imposed for the failure to perform on this river the work required of those whose duty it was to remove obstructions were similarly appropriated.—Laws, 1793, ch. 34, sec. 3. Somewhat similar fines were likewise appropriated in part to the improvement of the Neuse River.—Laws, 1811, ch. 26. And by the act of 1812 incorporating the Neuse River Navigation Company the State reserved till Jan. 1, 1814, the privilege of subscribing one-fifth of the authorized capital of \$50,000.—Laws, ch. 89.

No records available to the writer show whether any fines were collected under these laws. But the authorized subscription of stock, it is well known, was not made.

to corporations, in an attempt thereby to make the construction of toll roads and canals and the improvement of river navigation attractive fields for the investment of private capital; and unstinted encouragement was extended to the numerous commissions appointed by the Legislature, whose duty it was to solicit and receive donations from public-spirited citizens, these gifts to be expended in the development of public highways.<sup>1</sup>

Just what were the results by 1815 of this early legislation it is impossible to say. Only a few of the companies seem to have succeeded in raising the subscriptions necessary for their incorporation. Of these the Neuse River Navigation Company, the Cape Fear Navigation Company, the Roanoke Company, and the Clubfoot and Harlowe's Creek and the Dismal Swamp Canal companies—the purpose of the former being to connect Neuse River with the harbor at Beaufort, the latter to connect Pasquotank River in North Carolina with Elizabeth River in Virginia—were the most important. The Dismal Swamp Canal had been opened, and one-fourth of the work to be done on the Clubfoot and Harlowe's Creek Canal was said to have been completed,<sup>2</sup> while the improve-

<sup>1</sup>There was an abundance of this private legislation. The construction of ten toll roads by individuals, in whom the property rights of the roads were vested for periods varying from twenty-five to ninety-nine years, was authorized.—Laws, 1784, ch. 66; 1787, ch. 25; 1792, ch. 46; 1794, ch. 77; 1804, ch. 4; 1807, ch. 28; 1809, ch. 34; 1812, ch. 27; 1813, chs. 21, 24.

Similar provisions were made for the building of toll bridges.—Laws 1782, ch. 33; 1784, chs. 64, 65; 1810, ch. 33; 1812, ch. 26.

Twelve canal companies were incorporated.—Laws, 1784, ch. 63; 1790, ch. 26; 1795, ch. 23; 1796, ch. 20; 1798, ch. 40; 1804, chs. 34, 39; 1805, ch. 23; 1803, ch. 33; 1810, chs. 25, 29; 1813, ch. 28. Eight Commissioners were appointed to receive donations for the purpose of constructing canals.—Laws, 1786, chs. 29, 70; 1792, ch. 27; 1800, ch. 31; 1810, chs. 29, 31; 1811, chs. 27, 29.

Fifteen charters were issued to navigation companies, in whom the property rights of the navigation concerned were vested.—Laws, 1787, ch. 37; 1788, ch. 16; 1790, ch. 32; 1796, chs. 13, 21, 26, 34; 1800, ch. 29; 1801, ch. 99; 1804, ch. 40; 1805, ch. 22; 1806, ch. 24; 1807, ch. 25; 1811, ch. 30. And a larger number of commissions were appointed for the purpose of improving the navigation of rivers. In some cases these were incorporated, but there was no vesting of property rights.—Laws, 1784, chs. 37, 38, 39, 42; 1788, ch. 22; 1791, ch. 40; 1794, ch. 94; 1796, ch. 41; 1800, ch. 32; 1803, ch. 81; 1804, ch. 38; 1806, ch. 22; 1807, chs. 26, 31; 1810, ch. 28; 1811, ch. 23; 1812, chs. 90, 91, 92.

<sup>2</sup>Raleigh Star, May 19, 1815.



ments made in the navigation of the Catawba River, whatever these may have been, surpassed the achievements of any other company engaged in similar undertakings.<sup>1</sup>

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## CHAPTER II

### INITIATION OF THE POLICY OF STATE AID (1815-1819)

The year 1815 marks the beginning of the abandonment of the policy of merely granting charters and relying on unaided private enterprise for the development of transportation. The principal reasons for this break with the past were: (1) The desire (a) to develop the resources of the State, and (b) to establish home markets; and (2) the failure of unaided private enterprise to achieve satisfactory results.

The joint select committee on inland navigation, in its report to the Legislature in 1815, said that to delay efficient provision for inland navigation was "to postpone that natural wealth, respectability and importance which follow only in the train of great internal improvements."<sup>2</sup> The committee estimated the number of persons emigrating from North Carolina to the West during the preceding twenty-five years to be more than two hundred thousand, and a member of the committee was of the opinion four years later that half a million North Carolinians had gone "to people the Wilderness of the West."<sup>3</sup> This notable emigration was attributed mainly to the lack of adequate transportation at home. "In this state of things," continued the committee, "our agriculture is at a stand; and \* \* \* men are seeking the

<sup>1</sup>Report of Committee on Inland Navigation, Senate Journal, Dec. 6, 1815.

<sup>2</sup>*Ibid.*

<sup>3</sup>Memoir, p. 5. These estimates cannot be verified. Not until 1850 did the census begin to present statistics relative to interstate migration. At this time thirty-one per cent of the free natives of North Carolina living in the United States were residents of other States. The corresponding percentages for Virginia and South Carolina were twenty-six and thirty-six respectively.—Report of the Superintendent of the Census, Dec. 1, 1852, p. 15.

way to wealth through all the devious paths of speculation.  
\* \* \* This perversion of things is gradually undermining our morality."

The exact nature and extent of the resources of the State were, of course, unknown, but North Carolina was not keeping pace with many other States in developing the resources known to be available. The evil was a growing one—the more the industries of the State suffered because of inadequate transportation or for other reasons, the larger became the tide of emigrants, whose departure thinned the ranks of those left behind to overcome the depression. There was, very naturally, most anxiety concerning agricultural interests. But mining and manufacturing were not wholly overlooked,<sup>1</sup> and some even considered manufacturing of first importance—manufactures, being less bulky comparatively than the products of farms and mines, would, it was claimed, require less extensive transportation routes.<sup>2</sup>

The dependence of North Carolina so largely on Virginia and South Carolina, especially the former, for markets had long been a source of regret. The inevitable growth of commercial towns within the State, which would follow the proper development of transportation, was now presented as an important reason why the Legislature should begin at once to prosecute the work of internal improvement.<sup>3</sup> This jealousy of rival markets in neighboring States was not new; it had been clearly exemplified in 1786, when the proposed charter of the Dismal Swamp Canal Company, having been authorized by the Legislature of Virginia, was first considered by the Legislature of North Carolina. Governor Cas-

<sup>1</sup>An interesting attempt to take a census of North Carolina's manufactures was made in 1810. The results were recorded in a "Report of Manufactures within the State of North Carolina, according to the returns made to Beverly Daniel by the persons appointed to take the late census in the several counties."—*Raleigh Register*, Feb. 14, 1811. The total value of the manufactures was given as \$4,811,319, cloth being the most important product, valued at \$2,591,817. The output of whiskey and brandy was valued at \$700,105, and the iron output at \$150,000.

<sup>2</sup>*Register*, March 14, 1811.

<sup>3</sup>Report of Committee on Inland Navigation. *Op. cit.*

well told this body that its assent to the Virginia act would be advantageous to the sister State at the expense of North Carolina.<sup>1</sup> Influenced, doubtless, by this suggestion, the Legislature refused its assent<sup>2</sup>; and it was not until 1790, after repeated rejections of the proposed charter, that North Carolina co-operated with Virginia in authorizing the construction of the canal.<sup>3</sup> Nor was Caswell the only Governor in this period to lament the commercial dependence of North Carolina on neighboring States.<sup>4</sup>

If private enterprise, however, had succeeded in accomplishing the ends for which the companies were chartered, or had promised to succeed with reasonable promptness, there is little reason to think the State would have chosen to supplant it. But it did neither. And even had the prospect of immediate gain been sufficient to attract the necessary private capital into these undertakings, each enterprise would have been prosecuted with regard, primarily, to the interests of those furnishing the capital, and not with the purpose of so relating the separate routes to one another as to constitute an effective State system.

Moreover, the restoration of peace after a war that had been costly to North Carolina, the lessening of party strife,<sup>5</sup> the fact that the receipts of the public treasury had trebled since the beginning of the century,<sup>6</sup> and the example of other States which were supplementing private enterprise in various internal improvement undertakings<sup>7</sup>—all these, it seemed, helped to make this a fitting time for the State to adopt the policy of aiding the work of its internal development, hitherto so feebly prosecuted.

<sup>1</sup>House Journal, Nov. 20, 1786.

<sup>2</sup>State Records, Vol. XVIII, p. VIII.

<sup>3</sup>Laws, 1790, ch. 26.

<sup>4</sup>House Journal, Nov. 18, 1802.

<sup>5</sup>A. D. Murphey, Report on Education, 1817 (C. L. Coon, Documentary History of Education in North Carolina prior to 1840, Vol. I, p. 123). Cf. Memoir, p. 6.

<sup>6</sup>Comptroller's Statement, 1802; Treasurer's Report, House Journal, Nov. 29, 1815.

<sup>7</sup>Memoir, p. 11.

While the forces favoring a direct participation by the State in the efforts to provide more adequate transportation were quietly increasing in potency, the newspapers of the period voiced no demand on the part of the people for a change in policy; nor was there any unusual emphasis on transportation in Governor Miller's message in 1815—he merely repeated the time-worn appeal.<sup>1</sup> To some leaders in the Legislature, however, the time seemed ripe for the State to come to the rescue. The most active and untiring advocate of the proposed policy was Archibald D. Murphey, Senator from Orange. Very early in the session, on Murphey's motion, the Senate resolved, "that it is expedient to provide more efficiently for the inland navigation of this State," and that the resolution be referred to a joint select committee,<sup>2</sup> the House concurring.<sup>3</sup> In the report of this committee, of which Murphey was chairman, was embodied a plan which contemplated the incorporating of companies, with unlimited franchises, for the purpose of improving the navigation of the principal rivers, the tolls to be restricted so as to yield no more than fifteen per cent on the capital invested; the State was to subscribe one-third of the capital stock of each company; and a board of commissioners should superintend the work of the companies, employ civil engineers, direct surveys and make annual reports to the Legislature.<sup>4</sup> This report, together with a resolution "that it is expedient to provide by law for carrying into effect the plan proposed," was adopted by the Senate and sent to the House, where after a lengthy discussion it was rejected by a vote of 52 to 73.<sup>5</sup>

Although the temper of the House, as shown in its rejection of the report, was not favorable to a comprehensive

<sup>1</sup>House Journal, 1815, p. 5.

<sup>2</sup>Journal, Nov. 22, 1815.

<sup>3</sup>Journal, Nov. 27, 1815.

<sup>4</sup>Senate Journal, Dec. 6, 1815, Cf. Memoir, p. 12.

<sup>5</sup>Journal, Dec. 12, 1815.

policy of State aid, the friends of the proposed plan were not ready to abandon it wholly. Almost immediately, again on Murphey's motion, the Senate proposed the appointment of commissioners who should have surveys made, at the State's expense, of the Tar, the Neuse and the Yadkin rivers,<sup>1</sup> for the purpose of ascertaining what part of each might be made navigable, and also a survey of a canal route between the Yadkin and the Cape Fear rivers.<sup>2</sup> This resolution met little opposition in the House.<sup>3</sup>

The friends of the new policy proceeded next to secure amendments to the charters of the Roanoke and the Cape Fear Navigation Companies and pledges therewith of State subscriptions of stock. The Senate bill concerning the former company provided for an increase in the authorized capital from \$100,000, as allowed by the charter of 1812,<sup>4</sup> to \$300,000, one-third of which was to be subscribed by the State. The House at first rejected bodily the provision for the State subscription but later agreed to a subscription of one-fourth the number of shares originally proposed, or one-twelfth of the whole.<sup>5</sup>

The Senate bill, which was intended to authorize an increase in the capital of the Deep and Haw River Navigation Company from \$8,000<sup>6</sup> to \$100,000, one-fourth of which was to be subscribed by the State, and to change the name to the Cape Fear Navigation Company, met no less opposition in the House than had been encountered by the bill concerning the Roanoke Navigation Company, and it became a law providing for a State subscription of only \$15,000.<sup>7</sup>

<sup>1</sup>Murphey includes also the Roanoke, the Cape Fear and the Catawba rivers.—*Memorial*, p. 13.

<sup>2</sup>*Journal*, Dec. 16, 1815.

<sup>3</sup>*Journal*, Dec. 19, 1815.

<sup>4</sup>*Laws*, 1812, ch. 83.

<sup>5</sup>*Journal*, Dec. 19, 1815; *Laws*, 1815, ch. 13.

<sup>6</sup>*Laws*, 1796, ch. 21.

<sup>7</sup>*House Journal*, Dec. 19, 20, 1815; *Senate Journal*, Dec. 20, 1815; *Laws*, 1815, ch. 14. The section authorizing the State subscription was omitted by mistake from the printed laws of this session.—*Senate Journal*, Dec. 9, 1816.

By its rejection of the committee report the House had defeated the proposition for a general and systematic prosecution of the work of internal improvement under the direction of a State Board of Commissioners. But in the resolution authorizing surveys the committee secured perhaps all its plan had contemplated in this regard. Only two companies, however, were given the benefit of the proposed State subscriptions of stock, and the number of shares that might be subscribed was, in each case, much less than that originally proposed. Nevertheless, the Legislature of 1815 had made a beginning, and the advocates of State aid were encouraged, although their hardest work was in the future.

The report of the committee on inland navigation repeated, in 1816, the recommendation that a permanent supervisory board be appointed,<sup>1</sup> but nothing came of it at this session. State subscriptions of stock, however, to the amount of \$65,000, in four other river navigation companies and one canal company, were authorized<sup>2</sup>; and the resolutions directing surveys at the State's expense were continued in force, only the surveys of the Tar and the Neuse rivers having been completed.<sup>3</sup>

When the Legislature reassembled in 1817 Governor Miller approved the policy of State aid,<sup>4</sup> but the Treasurer, in his annual report, gave an unfavorable account of the works already undertaken.<sup>5</sup> Nevertheless, the committee on internal improvement finding, it was claimed, "that the mere adoption of efficient measures by the Legislature for internal improvement (had) given to the lands of the State an additional value of more than \$10,000,000," declared that every reason existed for proceeding with the work. "But the work will never proceed regularly," it continued, "until the State

<sup>1</sup>Senate Journal, Dec. 9, 1816.

<sup>2</sup>Laws, 1816, chs. 16, 23, 25, 35, 36.

<sup>3</sup>Senate Journal, Dec. 9, 1816; House Journal, Dec. 24, 1816. Cf. Memoir, p. 13.

<sup>4</sup>House Journal, Nov. 18, 1817.

<sup>5</sup>*Ibid.*, Dec. 2, 1817.



shall adopt a regular system of execution. The basis of this system must be a suitable fund and the application of this fund by a permanent board of commissioners." The committee therefore recommended the creation of a fund to consist of the State's stock in the Bank of New Bern and the Cape Fear Bank,<sup>1</sup> and in the several navigation companies, the proceeds of which should be applied by a board of commissioners to the work of internal improvement.<sup>2</sup> Whereupon, a bill embodying the provisions of this recommendation was introduced in the Senate. It passed two readings, but was defeated in the House by a close vote.<sup>3</sup>

In the following summer the committee in charge of the surveys, although unsuccessful in its efforts to engage the services of a civil engineer, having "secured the best talents possible," proceeded with the duties assigned it and reported the results to the Legislature at its next session.<sup>4</sup> The encouraging reports of several surveyors and the eagerness of the companies to proceed with the work made it all the more imperative, it was thought, that a special fund for the development of transportation be established. A renewal of the efforts to secure the establishment of such a fund followed, a bill for this purpose being introduced in the Senate by Murphey, of the committee on internal improvement.<sup>5</sup> It, as did the similar bill of 1817, passed the second reading by a small majority,<sup>6</sup> but was lost in the House.<sup>7</sup> Besides the authorizing of State subscriptions of stock in two canal companies, amounting to \$7,500,<sup>8</sup> no gains were made in the Legislature of 1818 for the policy of systematic State aid.

<sup>1</sup>The State owned 1,250 shares in each bank, of a total par value of \$250,000.

<sup>2</sup>Senate Journal, Dec. 5, 1817.

<sup>3</sup>*Ibid.*, Dec. 5, 12, 1817; House Journal, Dec. 12, 1817.

<sup>4</sup>Senate Journal, Nov. 28, 1818; *Ibid.*, p. 119.

<sup>5</sup>*Ibid.*, Dec. 3, 1818.

<sup>6</sup>*Ibid.*, Dec. 17, 1818.

<sup>7</sup>Journal, Dec. 24, 1818. The details of this bill are unknown. It is not found in the files of "rejected bills."

<sup>8</sup>Laws, 1818, chs. 41, 50.

In the spring of 1819, after fruitless efforts to engage a civil engineer in this country, the commission in charge of the surveys, directed by the Legislature, employed Hamilton Fulton, an Englishman. In obedience to the instructions of this committee, Fulton and his assistant examined the principal rivers of the State and the works then in progress thereon. A detailed report of these observations was made to the commission, in which Fulton expressed the belief that efficient inland navigation could be obtained at comparatively small cost.<sup>1</sup> And it was now that the new policy began to be advocated by the press of the State.<sup>2</sup>

In the fall of this year, 1819, the committee on internal improvement again recommended the creation of a special fund and the appointment of a supervisory board.<sup>3</sup>

The bill embodying the provisions recommended in the committee report had, as was to be expected, a fairly safe majority in its favor in the Senate<sup>4</sup>; and at last the House, too, fell in line and the bill passed, but with amendments materially reducing the size of the proposed fund.<sup>5</sup>

This act provided that the proceeds of the sale of the State lands recently purchased from the Cherokee Indians should constitute the fund. A board, consisting of the Governor of the State and six other members elected annually by the Legislature, was authorized to employ an engineer and surveyors, the engineer to exercise general supervision of the public works. The board was charged also with the duty of making such disposition of the fund as the Legislature might from time to time direct, and annual reports of its operations were to be made to the Legislature.<sup>6</sup>

The fund thus provided was merely a prospective one; the

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<sup>1</sup>"Report of the Commission appointed to have Sundry Surveys made," Dec. 1, 1819.

<sup>2</sup>*Register*, Oct. 1, 1819.

<sup>3</sup>Senate Journal, Dec. 1, 1819; House Journal, Dec. 2, 1819.

<sup>4</sup>Senate Journal, Dec. 21, 1819.

<sup>5</sup>House Journal, Dec. 20, 22, 1819.

<sup>6</sup>Laws, 1819, ch. 2.

lands to be sold contained about one million acres, although no accurate survey of them had been made, and their definite boundaries had not been established.<sup>1</sup> The act prescribing the mode of surveying and selling these lands fixed a minimum price of four, three and two dollars per acre, according to quality.<sup>2</sup> Even had this fund promised to be large—and it did not—no part of it was immediately available.

It may safely be assumed that the measure of success attained by the friends of State aid in the Legislature of 1819 was very largely due to the appearance of Murphey's Memoir in November of this year. Besides reviewing the internal improvement undertakings thitherto contemplated by the Legislature, the author presented a number of statistical tables designed to prove the ability of the State at that time to contribute liberally to the development of transportation. Altogether, the Memoir is the most significant contribution to the literature of our period in this field.

All that had been accomplished so far came as a result of compromise at every point. As a reward for their efforts the friends of the new movement could claim, at the close of the four years' struggle for a comprehensive policy of State aid, the creation of a small prospective fund and the appointment of a permanent board for its management. And State subscriptions to the stock of navigation and canal companies, amounting to \$112,500, had been authorized. Was this inadequate provision? Was it the outcome of unwise counsel that would have involved the State more deeply in expensive undertakings which were perchance, after all, the peculiar and rightful province of private capital? These questions may be best answered in the light of developments yet to be studied.

<sup>1</sup>These lands had been purchased in 1817, and title was to pass to the State by Jan. 1, 1821.—Memoir, p. 75.

<sup>2</sup>Laws, 1819, ch. 10.

## CHAPTER III

## EARLY EXECUTION OF THE POLICY OF STATE AID (1815-1835)

It was found desirable, for administrative purposes, when the initiation of the policy of State aid was being effected, to make the charters of the several companies in which the State was to become a shareholder as nearly uniform as possible. Consequently, the charters of the principal companies that had been granted prior to 1815 were amended. The Roanoke Navigation Company's charter of 1812,<sup>1</sup> as modified in 1815,<sup>2</sup> became a model after which other charters were patterned.<sup>3</sup> The earlier act vested forever in the company the property right in the works, exempted them from taxation, and fixed maximum tolls to be charged on goods carried through any of the company's works. The act of 1815 provided that the tolls should be so regulated from time to time as to prevent a larger annual return than fifteen per cent on the capital invested, and authorized the State Treasurer to vote on behalf of the State in meetings of the stockholders. The limitations now placed on the earnings of the company and the State's interest as a stockholder necessitated a more complete supervision of the company's accounts. It was required, therefore, that annual reports of the receipts and expenditures be made to the Secretary of State.

Early in 1820 the newly-created Board of Internal Improvement assumed its duties, but not under the most favorable conditions. As was to be expected, the fight between the friends and the opponents of the new policy was not abandoned with the achievement of partial success by the former in the years from 1815 to 1819. To achieve significant results under the new system, an increase of the internal

<sup>1</sup>Laws, 1812, ch. 88.

<sup>2</sup>*Ibid.*, 1815, ch. 13.

<sup>3</sup>*Ibid.*, chs. 14, 15, 23, 25, 35.

improvement fund was manifestly imperative; but for a time no general recognition of this fact, save by men in public positions, seems to have found expression. The Board of Internal Improvement, in its second annual report, recommended, since the fund was inadequate and not forthcoming, and since taxes were unpopular, that the State borrow a sum not exceeding \$500,000, assigning productive funds for the interest and providing a sinking fund.<sup>1</sup> This recommendation only resulted in an act adding to the internal improvement fund the dividends from the State's stock in the Bank of New Bern and the Cape Fear Bank.<sup>2</sup> The same recommendation in substance was repeated four years later,<sup>3</sup> and a similar one in 1830,<sup>4</sup> while in 1833 the board recommended the borrowing of \$6,000,000.<sup>5</sup> The Governors, too, repeatedly commended the policy of State aid after it had been in operation some years,<sup>6</sup> and even earlier the leading papers of the State gave it support, trying not only to encourage and to create in the public mind sentiments likewise favorable to the system, but to influence the Legislature as well.<sup>7</sup>

In the literature of the period favorable to State aid to transportation, the "Numbers of Carlton," by Dr. Joseph Caldwell, rank next in importance to Murphey's Memoir.<sup>8</sup>

The attitude of a few leaders towards such a question of State policy is less significant, however, than the popular interest which it arouses. Beginning in the late twenties and continuing through the rest of the period under discussion, in various parts of the State the advocates of a system of internal improvement met in conventions in which dis-

<sup>1</sup>Report of the Board, 1821, p. XXI.

<sup>2</sup>Laws, 1821, ch. 6.

<sup>3</sup>Report of the Board, 1825, p. 9.

<sup>4</sup>*Ibid.*, 1830, p. 8.

<sup>5</sup>*Ibid.*, 1833, p. 17.

<sup>6</sup>House Journal, Nov. 17, 1829; Nov. 22, 1831; Nov. 19, 1833; Nov. 18, 1834; Nov. 17, 1835.

<sup>7</sup>*Register*, Dec. 7, 1824; Dec. 10, 1824; June 13, 1826; Jan. 13, 1831; June 24, 1834; May 13, 1834; Dec. 9, 1834. *Star*, Feb. 21, 1833. *Carolina Watchman*, Aug. 31, 1833.

<sup>8</sup>A discussion of the "Numbers of Carlton" more properly belongs to a later chapter on railroads.

tricts, varying in size from a small rural community to an area embracing three-fourths of the State, were represented. Almost always these conventions commended the policy of State aid, in their resolutions or in their "addresses to the people." In 1833 it was claimed that all the numerous local meetings and the State conventions of the year advocated the proposed "two-fifths, three-fifths principle," whereby the State was to own forty per cent of the stock in the various companies engaged in the development of transportation.<sup>1</sup>

The more significant of these meetings were held towards the close of the pre-railroad era. In 1828, at a meeting in Chatham of delegates from four of the central counties, an address was issued in which, after noting the comparative backwardness of North Carolina in the provision for transportation, it was said: "To enter now the general market from our interior country, and cope with the prices, we must have railroads, or canals, or navigable rivers. \* \* \* Cotton is now about the only article which bears transportation. But it is much to be apprehended that even cotton will not long remain a source of profit in our present manner of conveyance."<sup>2</sup> In January of the following year, at Raleigh, was held a meeting of members of the Legislature and others, the chief result of which was the appointment of a central committee, and an auxiliary committee in each county of the State, whose duty it was to organize the forces favorable to systematic internal improvement.<sup>3</sup> The next notable meeting was held also in Raleigh, July 4, 1833, twenty counties, none west of Orange, being represented. In the address issued by this convention it was the declared purpose to arouse the people, for, it was claimed, the Legislature would aid if the

<sup>1</sup>Legislative Documents, 1833, No. 23, p. 7. For reports of conventions advocating State aid see: *Register*, June 23, 1829; Feb. 8, 1830; Sept. 9, 1830; Aug. 27, 1833; Sept. 3, 1833; Sept. 10, 1833; Dec. 9, 1834. Also, *Star*, Dec. 16, 23, 1831; *Carolina Watchman*, Oct. 26, 1833; *Western Carolinian*, Sept. 30, 1833; *North Carolina Standard*, July 17, 1834; *Greensboro Patriot*, Sept. 25, 1833.

<sup>2</sup>Xenodochy, Vol. IV.

<sup>3</sup>*Register*, Jan. 13, 30, 1829.



people demanded it.<sup>1</sup> In the following November delegates from forty-eight counties assembled in Raleigh, and with four dissenting delegations the convention adopted a memorial to the Legislature in which the construction, exclusively by the State, of four transportation lines, at an estimated cost of \$5,000,000, was advocated.<sup>2</sup>

The opposition to the policy of State aid also continued active throughout the period. But it found little expression in the newspapers. An open letter by "X," directed against schools and internal improvements, stands almost alone among such expressions of the conviction that the State should aid neither.<sup>3</sup> But however few were the newspaper contributions directed against the policy, its opponents made effective opposition in the Legislature to the scheme, both as it was and as its friends hoped to make it. When the board had been in existence but a year the House would have abolished it and turned the fund into the general treasury, but, as earlier, the Senate gave loyal support to the new movement, defeating the bill to repeal the act of 1819 by a vote of 36 to 21.<sup>4</sup> In the debate on this bill in the Senate the burden of the argument produced by the opponents of the policy was that the works were too expensive, and that their beneficial results would accrue very largely to the people of Virginia and South Carolina.<sup>5</sup> Similar efforts to repeal the act of 1819 creating the fund, and that of 1821 increasing it, were repeated and were similarly defeated, usually by the Senate.<sup>6</sup> Although these acts were not repealed, no further increase of the fund was possible. As a direct result of the policy of the obstructionists the Board suffered a marked

<sup>1</sup>*Ibid.*, July 30, 1833.

<sup>2</sup>*Ibid.*, Apr. 29, 1834; *Star*, Dec. 6, 13, 1833; *Legislative Documents*, 1833, No. 4.

<sup>3</sup>*Register*, Nov. 9, 1829.

<sup>4</sup>*Senate Journal*, Dec. 8, 1820.

<sup>5</sup>*Register*, Dec. 29, 1820; Jan. 5, 1821.

<sup>6</sup>*Senate Journal*, Dec. 29, 1821; Dec. 21, 1822; Dec. 30, 1825; Jan. 1, 1828; *House Journal*, Dec. 22, 1824.

change in its constituency, being reduced in 1824 to the Governor and three directors,<sup>1</sup> and in 1831 to the Governor, the State Treasurer and one elected member, who was to be known as the Superintendent of Public Works, and who alone was to receive pay for his services.<sup>2</sup> Moreover, in 1833, when the fund was low, even a proposition to appropriate \$1,500 for surveys of proposed railway routes was defeated.<sup>3</sup> The committee to whom the memorial of the November convention had been referred, in its report thereon, and in introducing the bill just mentioned, gave expression to the disappointment felt by the friends of State aid and for which the Legislature was held responsible.<sup>4</sup> Never before had the press of the State been so unanimous in its condemnation of the Legislature as in 1834 for this failure to obey what seemed so clearly the will of the people. The *Elizabeth City Star*, the *Edenton Gazette*, the *North Carolina Journal*, the *Wilmington Free Press*, the *Fayetteville Observer*, the *Oxford Examiner*, the *Raleigh Register*, the *Hillsboro Recorder*, the *Salisbury Journal*, the *Western Carolinian*—all voiced a protest against the refusal of the Legislature to meet the expectations of the people.<sup>5</sup>

We have seen something of the forces that kept so limited the sources from which the internal improvement fund was derived. The receipts from the two sources—the sale of lands, and bank dividends—as shown in the following table, amounted in the years prior to 1835 to \$184,747.47½, and at the close of this year about \$45,000 was due the fund.

<sup>1</sup>Laws, 1824, ch. 5.

<sup>2</sup>*Ibid.*, 1831, ch. 21.

<sup>3</sup>House Journal, Jan. 8, 1834.

<sup>4</sup>Senate Journal, Dec. 24, 1833.

<sup>5</sup>*Register*, Jan. 11, 1834; Feb. 4, 1834.

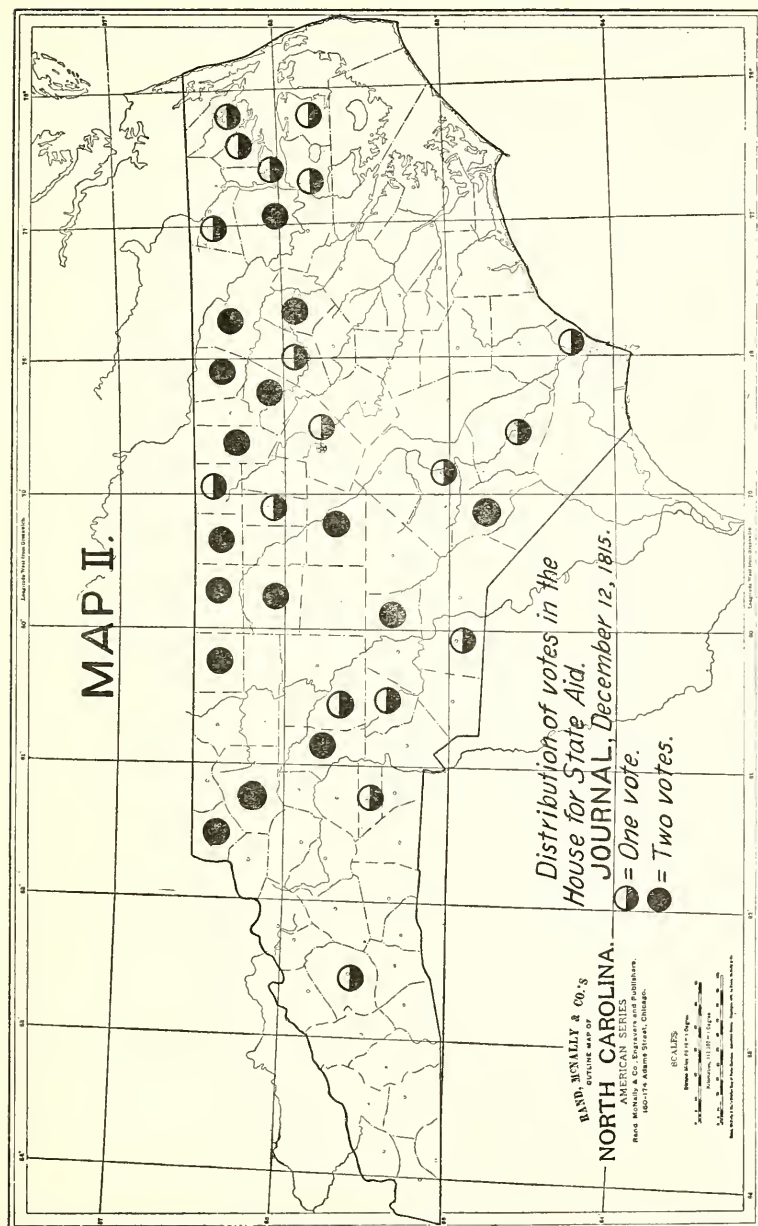
RECEIPTS OF THE INTERNAL IMPROVEMENT FUND, 1820-1835.<sup>1</sup>

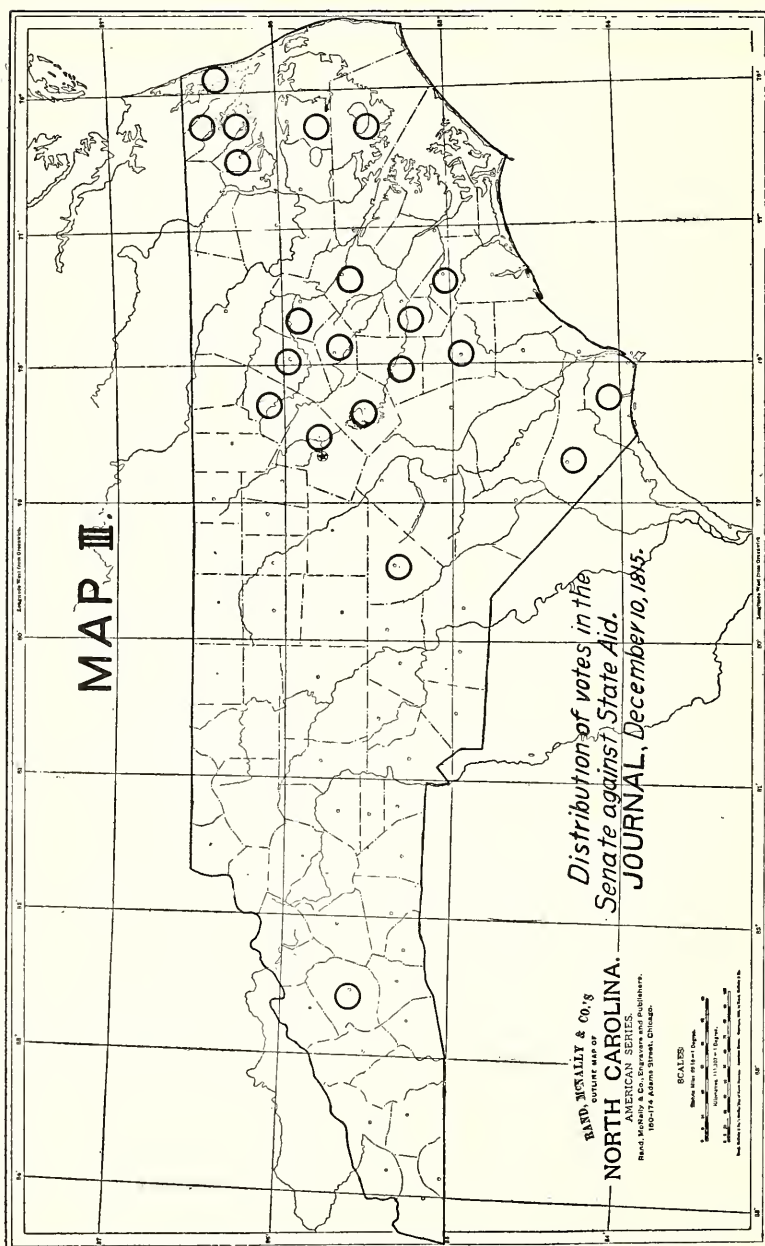
1820.....	\$.....
1821.....	4,857.17
1822.....	1,519.41¼
1823.....	9,658.65¼
1824.....	25,614.03
1825.....	32,483.99
1826.....	15,657.47
1827.....	25,916.21½
1828.....	19,556.54½
1829.....	14,830.70½
1830.....	5,533.00½
1831.....	4,559.98
1832.....	2,601.36
1833.....	1,397.48
1834.....	5,807.23
1835.....	14,736.17
	<hr/>
	\$184,747.41½

An examination of the votes in both houses of the Legislature on the more important bills and resolutions already mentioned, in an effort to understand the reasons for such a determined and powerful opposition to State aid, reveals the fact that, in the main, the opposition to the policy was centered in the eastern half of the State, while its chief support was given by the members from the west. The distribution of the votes for or against a few typical measures is represented in the accompanying maps.

<sup>1</sup>The annual reports of the Treasurer and of the Board of Internal Improvement are relied on for the statement of receipts by years. For the years 1824 and 1825, however, the two sources do not agree. In the receipts for each of these two years, \$18,550, which the Treasurer did not include but which the Board reported, is included in this table.

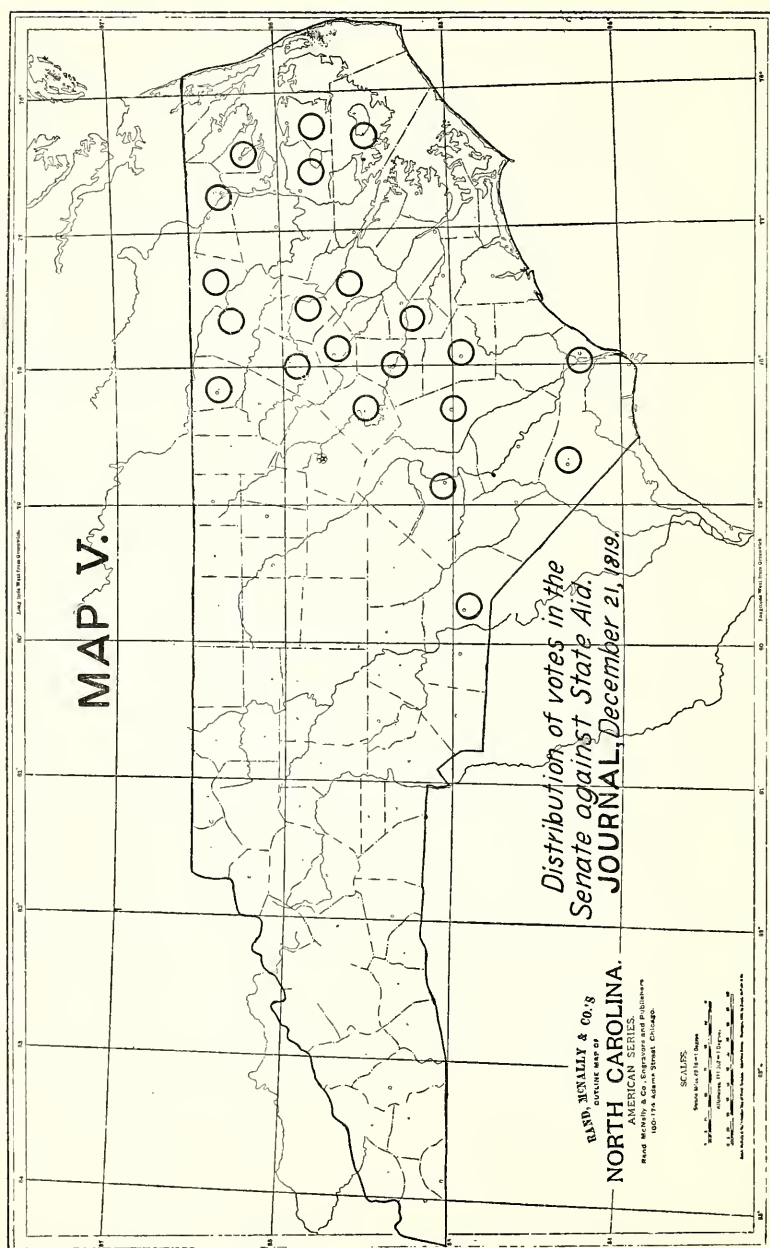


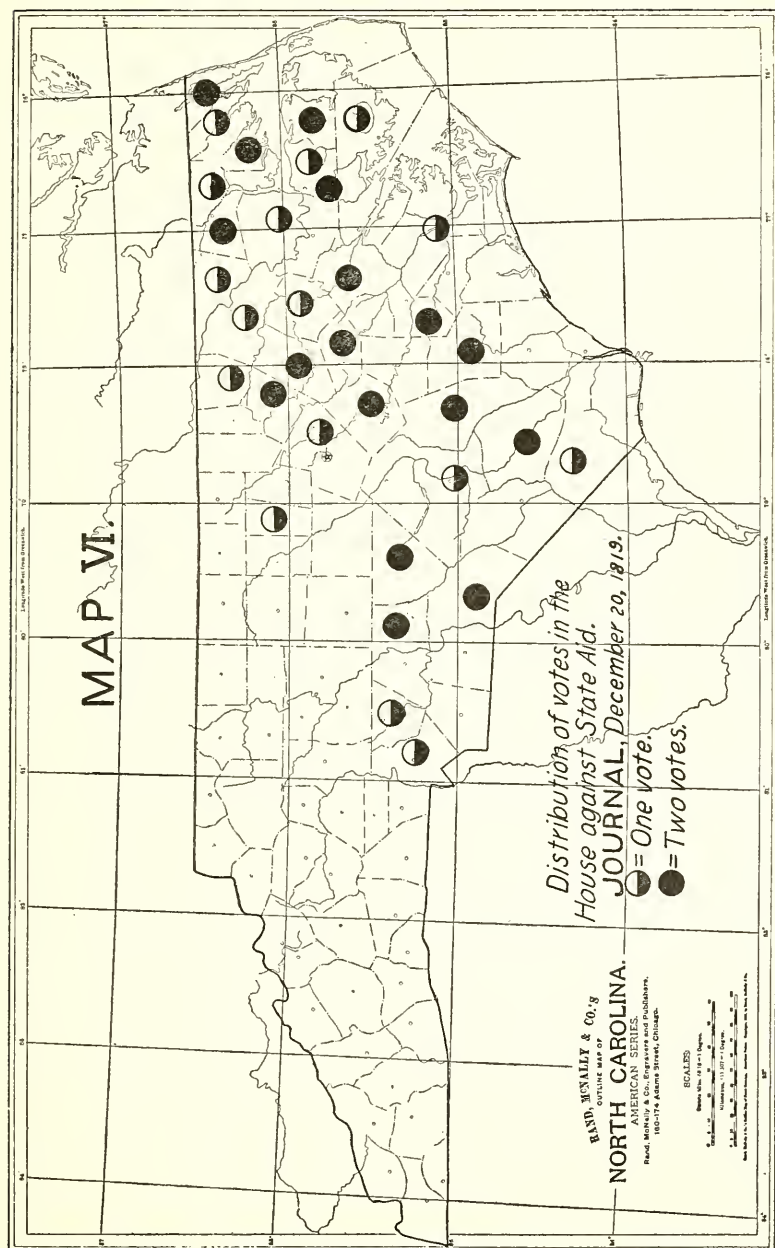


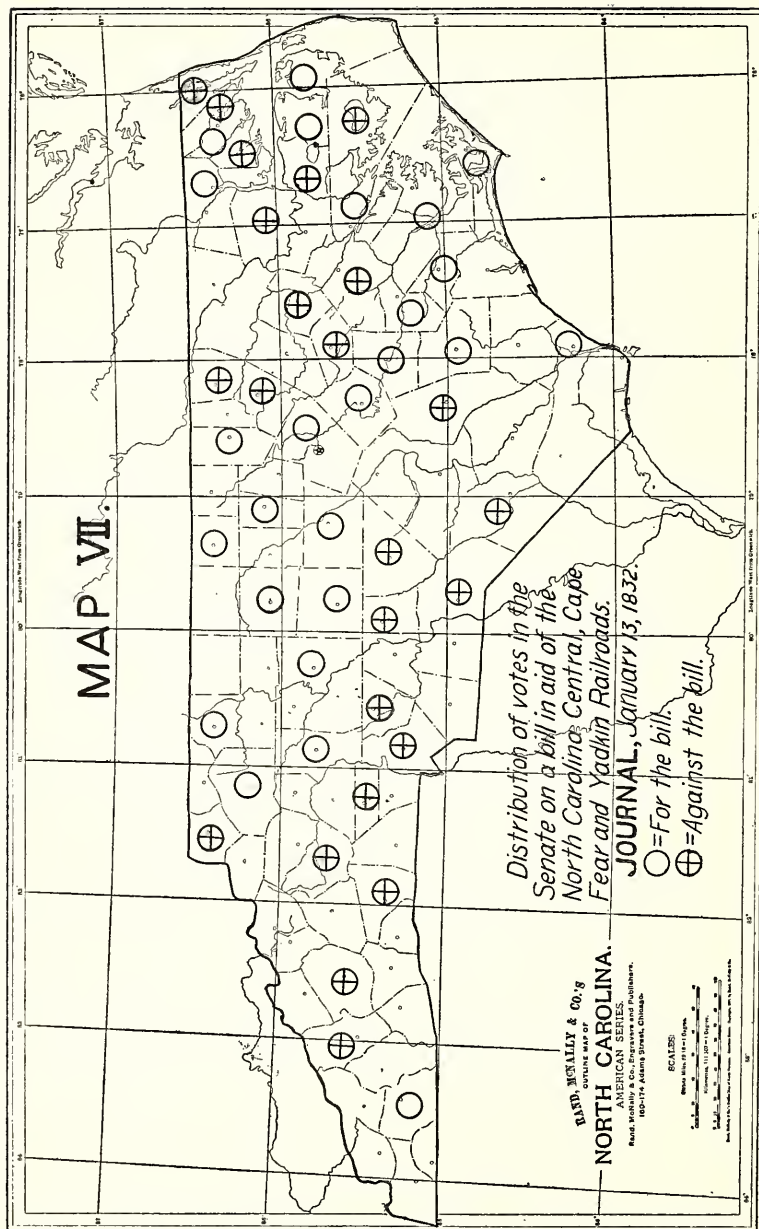












Several explanations for such a sectional division may be adduced. First of all, the need for transportation was more nearly supplied in the east than in the west by natural inland waterways. Too, overland wagon routes were more cheaply constructed and maintained in the comparatively level east than in the hilly or mountainous west. Doubtless, also, many citizens of the east were unwilling that their section should bear half or a larger share of the burden of undertakings, the chief benefits of which would accrue to their neighbors of the west.

But such a motive was scarcely most responsible for the making of State aid a sectional issue. The system of representation in the Legislature, as fixed by the Constitution of 1776, soon resulted in a disproportionate representation of the two sections. If an imaginary line be drawn north and south across the State just west of Wake, the section to the west of this line embraced, in 1815, twenty-four counties and two boroughs, that to the east thirty-eight counties and four boroughs. Since these political divisions, without regard to population, constituted the basis of representation, there was a large majority of eastern men in the Legislature.<sup>1</sup>

When the question of State aid to transportation came up in 1815, the opposition of the west to the existing basis of representation had already become active.<sup>2</sup> And it was this system of representation that furnished the basis for the chief political issue in the State—the issue which overshadowed all others, and whose influence was manifest in the discussion of every question of general State policy—until the Constitution was revised in 1835. That the bitter struggle of the two sections over the constitutional issue should find expression in their division in a similar way on other issues, particularly one involving general State policy, is not surprising.

<sup>1</sup>Each county elected a senator and two representatives; each borough, a representative.

<sup>2</sup>W. K. Boyd, *The Antecedents of the North Carolina Convention of 1835*, *South Atlantic Quarterly*, April, 1910.

Perhaps, too, besides the broad sectional strife, the inability to agree on any large undertaking because of local jealousy and rivalry did more than all else to hinder the growth of sentiment in favor of State aid.<sup>1</sup> Again, towards the close of this period, the introduction in other States of the railroad, yet in the experimental stage, doubtless made men hesitate to involve the State in the expenditure of large sums of money either for the old forms of transportation which might be largely superseded by the new form, or for the new until it had been thoroughly tried elsewhere.

Whatever the cause or causes of the meagerness of the State's expenditures for transportation in this period, the total amount expended amounted to only \$291,576.10. The following tabular statement shows in some detail the objects to which the money was devoted:

Engineering and incidentals <sup>2</sup> .....	\$67,518.74
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On rivers:

Shares of stock—

Roanoke Navigation Company <sup>3</sup> ...	\$50,000.00
Cape Fear Navigation Company <sup>4</sup> ..	40,000.00
Yadkin Navigation Company <sup>5</sup> ....	25,000.00
Tar River Navigation Company <sup>6</sup> ..	1,200.00
Neuse River Navigation Company <sup>7</sup>	1,800.00
North Carolina Catawba Company <sup>8</sup>	2,400.00
	\$120,400.00

Direct appropriations—

Broad <sup>9</sup> .....	\$2,548.00
Cape Fear <sup>10</sup> .....	39,730.16
Lumber <sup>11</sup> .....	427.20
	\$42,705.36

\$163,105.36

<sup>1</sup>See map VII, *supra*.

<sup>2</sup>In the Report of the Board, 1833, p. 4 ff., the expenditures for Internal Improvement to date are summarized.

The expenditures for surveys of swamp lands, amounting to \$3,832.44, are not included here.

<sup>3</sup>Laws, 1815, ch. 13; 1823, ch. 17.

<sup>4</sup>*Ibid.*, 1815, ch. 14; 1823, ch. 16.

<sup>5</sup>*Ibid.*, 1816, ch. 35.

<sup>6</sup>*Ibid.*, ch. 23.

<sup>7</sup>*Ibid.*, ch. 16.

<sup>8</sup>*Ibid.*, ch. 25.

<sup>9</sup>*Ibid.*, 1820, ch. 38.

<sup>10</sup>*Ibid.*, 1822, ch. 16; 1825, ch. 8; 1826, ch. 18; 1827, ch. 34; 1828, ch. 36.

<sup>11</sup>*Ibid.*, 1822, ch. 28.



## On Clubfoot and Harlowe's Creek Canal:

Shares of stock <sup>1</sup> .....	\$15,000.00	
Loan <sup>2</sup> .....	18,000.00	
		\$33,000.00

## On roads:

## Shares of stock—

Buncombe Turnpike Company <sup>3</sup> ....	\$5,000.00	
Plymouth Turnpike Company <sup>4</sup> ....	2,500.00	
		\$7,500.00

## Direct appropriations—

Various highways <sup>5</sup> .....	\$16,452.00	\$16,452.00
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## Loans—

Commissioners of road Old Fort		
to Asheville <sup>6</sup> .....	2,000.00	
Tennessee River Turnpike <sup>7</sup> .....	2,000.00	
		\$4,000.00
		\$27,952.00
		\$291,576.10

Within the limits of this paper no attempt can be made to discuss in detail the separate expenditures summarized above, or the specific object to which each was applied. It may be remarked in passing that at the close of the pre-railroad era, of the several navigation companies in which the State had become interested as a stockholder only the Roanoke and the Cape Fear companies remained active. The former, with which Virginia also co-operated through the holding of shares, was engaged throughout the period in attempts to improve the navigation of the Roanoke River and its tributaries in both States; and in 1835, having begun in 1831 to pay small dividends, the company was fairly prosperous.<sup>8</sup>

As early as 1819 the Cape Fear Navigation Company was

<sup>1</sup>*Ibid.*, 1818, ch. 50; 1821, ch. 37; 1824, ch. 25.

<sup>2</sup>*Ibid.*, 1826, ch. 24; 1828, ch. 37.

<sup>3</sup>*Ibid.*, 1824, ch. 23.

<sup>4</sup>*Ibid.*, 1823, ch. 20.

<sup>5</sup>*Ibid.*, 1820, chs. 34, 37; 1821, ch. 22; 1822, ch. 35; 1823, chs. 25, 26; 1824, ch. 27; 1825, ch. 34; 1826, ch. 25.

<sup>6</sup>*Ibid.*, 1829, ch. 14.

<sup>7</sup>*Ibid.*, 1831, ch. 36.

<sup>8</sup>The total stock subscribed was \$412,000, of which North Carolina owned \$50,000, and Virginia, \$30,000. The total expenditures to 1834 were \$410,958.65, and the tolls for that year amounted to \$4,301.65.—Report of the Board, 1834, p. 20.

able to pay a  $7\frac{1}{2}$  per cent dividend,<sup>1</sup> and steamboats were ascending to Fayetteville.<sup>2</sup> An inquiry into the affairs of the company by a legislative committee in 1832 revealed the fact that \$42,761.76 had been expended on the river, and net tolls amounting to \$28,846.74 had been collected. It was the opinion of the committee, however, that the money expended had "not been judiciously and profitably applied."<sup>3</sup> The aggregate of dividends paid by the company from 1819 to 1833, inclusive, amounted to 45 per cent.

The other navigation companies in which the State was a shareholder were short-lived. For several years prior to 1830 the Board of Internal Improvements had received no reports from them, and little is known of the small amounts actually expended on the several rivers.<sup>4</sup>

The Clubfoot and Harlowe's Creek Canal Company, organized under a charter of 1795,<sup>5</sup> had begun operations within less than two years after the charter was issued.<sup>6</sup> In 1815, when the State was beginning to aid other companies, it had completed one-fourth of the work to be done;<sup>7</sup> but not until 1827 did tolls begin to be collected, and these aggregated in the next six years only \$2,722.05, and were dwindling each year, work on the canal having been suspended for lack of funds.<sup>8</sup> Of the two turnpike companies in which the State was a shareholder, only the Buncombe Turnpike Company made a conspicuous success of its undertaking. The road, from a point on the South Carolina line by way of Asheville to the Tennessee line, proved a profitable investment, and by 1835 the company was paying an annual dividend of 11 per cent.<sup>9</sup>

<sup>1</sup>Report of the Treasurer, House Journal, Nov. 23, 1819.

<sup>2</sup>Memoir, p. 37.

<sup>3</sup>Legislative Documents, 1832, No. 20.

<sup>4</sup>Report of the Board, 1830, p. 5.

<sup>5</sup>Laws, 1795, ch. 23.

<sup>6</sup>*Ibid.*, 1797, ch. 10.

<sup>7</sup>*Star*, May 19, 1815.

<sup>8</sup>Report of the Board, 1834, p. 7.

<sup>9</sup>*Ibid.*, 1835.

The most significant work undertaken by the State alone was the dredging of the Cape Fear River below Wilmington. At first the operations here, beginning in 1822, were attended with signal success, it was thought.<sup>1</sup> But in 1829, after much loss of money and time in attempting to use an unwieldy dredging machine, the work on this part of the river was taken in charge by the Federal government.<sup>2</sup>

In its report of 1833, the Board of Internal Improvement declared that the money expended in procuring information concerning the topography of the State would prove profitable or not according to the use to be made of the information thereafter. The expenditures on roads were regarded as clearly profitable, and the same was true of the sums expended on the Roanoke and Cape Fear rivers; while the investment in the Clubfoot and Harlowe's Creek Canal was of doubtful expediency, and the money expended on the Yadkin, Tar, Catawba, Neuse and Broad rivers was regarded as a total loss.

The causes which led to the failure to make more profitable these investments by the State are to be found in the lack of skill and experience, which was responsible for many useless expenditures, and in the scattering of efforts in order to gratify local preferences and jealousies, resulting in many unfinished operations which a concentration of expenditures would have avoided. "These and other circumstances contributed to disappoint expectations, perhaps too sanguine, and produced doubts of the success of any attempts at internal improvement in our State. The Legislature, apparently unwilling to give up the long-cherished idea of improving the State and yet fearful to embark in any public work of magnitude (had) retained the Board and continued the fund for internal improvement, without providing the means or

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<sup>1</sup>Governor Holmes' message, House Journal, Nov. 17, 1824.

<sup>2</sup>Report of the Board, 1829, p. 3.

directing the undertaking of any new work, or the more vigorous prosecution of any which had been already commenced.”<sup>1</sup> Therefore, had aid been more liberally given to transportation, it may be questioned whether the whole would not have been spent in equally fruitful or unfruitful undertakings. But without an increase in the taxes, or a curtailment of the ordinary government expenses, there remained only the credit of the State to be relied on for means sufficient for the completion of any works of significance, for the Literary Fund had been encroached upon repeatedly in the twenties in order to meet the general expenses of the State government.<sup>2</sup>

Whatever the causes of the failures of the early internal improvement policy, with the beginning of the next period it took on new life. In the succeeding chapters will be found some account of the zeal and enthusiasm with which the newly empowered west advanced the policy it had so long championed, and which found its fullest development in the building of important railways.

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<sup>1</sup>Report of the Board, 1833, p. 7.

<sup>2</sup>Report of the Treasurer, 1834, p. 10 ff.

## JOSEPH HEWES AND THE DECLARATION OF INDEPENDENCE.

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BY R. D. W. CONNOR, SECRETARY OF THE NORTH CAROLINA HISTORICAL COMMISSION.

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In his famous letter to John Adams, July 9, 1819, repudiating the "Mecklenburg Declaration of Independence," Thomas Jefferson paid his respects to the North Carolina delegates in the Continental Congress, declaring there was "not a greater Tory in Congress than Hooper; that Hughes [sic] was very wavering, sometimes firm, sometimes feeble, according as the day was clear or cloudy"; and that their line of conduct was very uncertain "until Penn came, who fixed Hughes [sic], and the vote of the State."<sup>1</sup> When this letter was made public, "Jo Seawell Jones," as Dr. Alderman says, "choking with rage, rushed to the rescue in his celebrated 'Defence of North Carolina' and with an uncommon mingling of invective, passion, partisanship, critical power and insight, effectually disposed of his great antagonist."<sup>2</sup> Jones, however, directed his defence to Hooper alone, and although he shows the statement in regard to him to be a libel, yet the accompanying assertion characterizing Hewes's position on independence has been accepted even in North Carolina, and by Hewes's biographers, without dissent.

Hewes's attitude toward independence, as depicted by Jefferson, is so entirely out of harmony with his whole course, throughout the Revolution, and with the attitude toward independence displayed in his official and personal correspondence, as at once to raise a question of the accuracy of Jefferson's memory. Let us then examine his statement critically, and ascertain, if possible, how much of truth there

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<sup>1</sup>Works. Memorial Edition. XV, 206.

<sup>2</sup>Life of William Hooper, p. 37.

may be in it. We may dismiss at once any notion that he intentionally misrepresented Hewes. It would have been remarkable, indeed, if Jefferson, writing in a fit of anger forty-three years after the events he describes, should have been entirely accurate in his statement. Whether his memory was accurate as to the position of Joseph Hewes on the question of independence, is the subject of the present inquiry.

Hewes was elected a delegate to the Continental Congress in August, 1774, and served in that body until the summer of 1777. He was, accordingly, in Congress during the period in which sentiment for independence was developing in the colonies, took part in the debates on Richard Henry Lee's motion for independence in June, being for most of the time the only delegate present from North Carolina, and signed the Declaration of Independence in July.

His attitude toward the Revolution during the year 1775 may be gathered from his letters written from Congress. In February of 1775, the two houses of Parliament presented an address to the king declaring the colonies in rebellion, and assuring his Majesty of their determination to support him in his efforts to suppress it; and the king returning his thanks for their loyal address, called for an increase of both the land and naval forces to be used in America. A few months later information reached the Americans that he was hiring Hessians for service against them; and in October came his proclamation declaring the colonists out of his protection. The effect of these measures on the development of sentiment for independence was marked. Writing, July 8, 1775, to Samuel Johnston, Hewes says:

"If the Governor attempts to do anything he ought to be seized and sent out of the colony; so should the judges; the powers of government must soon be superseded and taken into the hands of the people.

\* \* \* I hope by your influence and example you will drive every principle of Toryism out of all parts of your province. I consider my-



self now over head and ears in what the Ministry call rebellion. I feel no compunction for the part I have taken nor for the number of our enemies lately slain in the battle of Bunkers Hill. I wish to be in camp before Boston, though I fear I shall not be able to get there till next campaign."<sup>3</sup>

After the king's proclamation in October, Hewes declared:

"We have but little expectation of a reconciliation. I can assure you from all the accounts we have yet received from England we have scarcely a dawn of hope that it will take place"<sup>4</sup>; and he was of opinion that independence would certainly come soon "if the British Ministry pursue their diabolical schemes."<sup>5</sup>

These quotations reveal his attitude in 1775. During that year the policy of the colonies was to deprecate all discussion of independence, but Hewes's letters show that, consciously or unconsciously, he was moving calmly, steadily and continuously toward that goal. The events during the first half of 1776 served only to confirm him in his sentiments. There is no indication of wavering; there is no evidence of a fair weather politician who shrank from the storm which he knew his course would bring. On February 11, 1776, he wrote as follows to his friend Johnston:

"All accounts from England seem to agree that we shall have a dreadful storm bursting on our hands through all America in the spring. We must not shrink from it; we ought not to show any symptoms of fear; the nearer it approaches and the greater the sound, the more fortitude and calm, steady firmness we ought to possess. If we mean to defend our liberties, our dearest rights and privileges against the power of Britain to the last extremity, we ought to bring ourselves to such a temper of mind as to stand unmoved at the bursting of an earthquake. Although the storm thickens I feel myself quite composed. I have furnished myself with a good musket and bayonet, and when I can no longer be useful in council I hope I shall be willing to take the field. I think I had rather fall there than be carried off by a lingering illness. In this I am pretty much of the same opinion of the French general

<sup>3</sup>Colonial Records of North Carolina, X, p. 86.

<sup>4</sup>*Ibid.*, p. 315.

<sup>5</sup>Hazleton: The Declaration of Independence; Its History, p. 31.

who, confined a long time by sickness to his bed, on hearing the Duke of Brunswick was killed by a cannon ball, exclaimed: 'Great God! How unfortunate I am! Brunswick was always a lucky fellow.' \* \* \*

"It is hinted in the papers that persons will be sent from England to negotiate with the colonies; many people do not believe it; those who do have but little expectation from it. They are to treat under the influence of a mighty fleet and army. What are we to expect from the mouth of a cannon or the point of a bayonet? See Lord North's motion in the House of Commons the 20th of November. What have we to expect from Parliament? \* \* \*

"The only pamphlet [Paine's 'Common Sense'] that has been published here for a long time, I now send you; it is a curiosity; we have not put up any to go by the wagon, not knowing how you might relish independency. The author is not yet known; some say Doctor Franklin had a hand in it; he denies it."<sup>6</sup>

On the 20th of March he wrote to Johnston as follows:

"The act of Parliament prohibiting all trade and commerce between Great Britain and the colonies has been lately brought here by a Mr. Temple from London. It makes all American property found on the sea liable to seizure and confiscation, and I fear it will make the breach between the two countries so wide as never more to be reconciled. \* \* \* I see no prospect of a reconciliation. Nothing is left now but to fight it out. \* \* \* Some among us urge strongly for independency and eternal separation; others wish to wait a little longer and to have the opinion of their constituents on that subject. You must give us the sentiments of your Province when your Convention meets."<sup>7</sup>

The Convention of North Carolina met in April, and on April 12th adopted a resolution authorizing the North Carolina delegates in the Continental Congress to vote for independence.<sup>8</sup> A copy of this resolution was dispatched by an express the next day to Hewes, who alone represented North

<sup>6</sup>Col. Rec., X, pp. 446-47.

<sup>7</sup>State Records, XI, pp. 288-89.

<sup>8</sup>This resolution, after reciting the grievances which moved the Convention to its course, was as follows:

"Resolved, That the delegates for this colony in the Continental Congress be impowered to concur with the delegates of the other colonies in declaring independency, and forming foreign alliances, reserving to this colony the sole and exclusive right of forming a Constitution and Laws for this colony, and of appointing delegates from time to time (under the direction of a general representation thereof) to meet the delegates of the other colonies for such purposes as shall be hereafter pointed out." Commenting on this resolution Bancroft declares: "North Carolina was the first colony to vote explicit sanction to independence."

Carolina at Philadelphia. In May, after he had received this resolution, Hewes wrote to James Iredell:

"We appear to have everything we want. We resolve to raise regiments, resolve to make cannon, resolve to make and import muskets, powder and clothing, but it is a melancholy fact that near half our men, cannon, muskets, powder, clothes, etc., is to be found nowhere but on paper. We are not discouraged at this; if our situation was ten times worse I could not agree to give up our cause."

And yet we are asked to believe that these are the words of a man who, on so momentous a question, knew not his own mind; that they proceeded from a spirit feeble, wavering, and uncertain; that they expressed the sentiment of a time-server and a trimmer!

But Penn, it is said, "fixed" Hewes, and the vote of the State on independence. When Jefferson wrote these words he was angry, and justly offended at being practically charged with plagiarism in the greatest act of his life, and he was chagrined that John Adams apparently believed him guilty. Moreover, he wrote from memory, forty-three years after the event under discussion. These circumstances were certainly not conducive to accurate historical statements; and in another connection, while engaged in the preparation of his "Autobiography," writing calmly in his study from notes taken contemporaneously with the events described, Jefferson refutes his own assertion. Writing to a grandson of Samuel Adams, Jefferson enclosed "some extracts from a written document" on the subject of independence, "for the truth of which," he says, "I pledge myself to Heaven and Earth; having, while the question was under consideration before Congress, taken written notes, in my seat, of what was passing, and reduced them to form on the final conclusion."<sup>9</sup>

These notes were taken, June 8 and 10, 1776, during the debates on Richard Henry Lee's motion for independency.

"It appearing in the course of these debates," says Jefferson, on the authority of his notes, "that the colonies of New York, New Jersey,

<sup>9</sup>Works. Memorial Ed., XV, pp. 195-6.

Pennsylvania, Delaware, Maryland, and South Carolina, were not yet matured for falling from the parent stem, but that they were fast advancing to that state, it was thought most prudent to wait awhile for them, and to postpone the final decision to July 1st."<sup>10</sup>

North Carolina is here recorded as being favorable to independence, and yet Joseph Hewes was the only delegate present from that State, and had been the only one present since March. When, then, did Penn "fix" Hewes and the vote of the State? It must have been before he left Philadelphia in March. But up to that time Congress had never taken a vote on the question of independence, but had carefully avoided even the appearance of so doing. And Hewes, as shown by the letters quoted, was one of those "among us" who in private "urged strongly for independence."

Afterwards, in a letter to Madison, referring to certain statements that John Adams had made with regard to the debates on the subject, Jefferson said:

"In some of the particulars, Mr. Adams' memory has led him into unquestionable error. At the age of eighty-eight, and forty-seven years after the transaction of independence, this is not wonderful. Nor should I, at the age of eighty, on the small advantage of that difference only, venture to oppose my memory to his, were it not supported by written notes taken by myself at the moment and on the spot."<sup>11</sup>

Taking issue with Adams' statement that the question had been long under consideration by Congress before July, 1776, Jefferson appeals to history to say whether the statement was true, "or this dictum also of Mr. Adams be another slip of memory."<sup>12</sup>

It is therefore difficult to say just when John Penn "fixed" Hewes and the vote of the State, and the conviction grows upon one that the memory of the "Sage of Monticello," unsupported by his "written notes," is no more trustworthy than the memory of the "Colossus of Independence."

<sup>10</sup>*Ibid.*, XV, pp. 196-7.

<sup>11</sup>*Ibid.*, XV, p. 460.

<sup>12</sup>*Ibid.*, XV, p. 462.

There are reasons, too, for believing that Adams suffered a "slip of memory" when, in reply to a question whether every member of Congress who signed the Declaration of Independence cordially approved of it, he wrote the following paragraph:

"The measure had been upon the carpet for months, and obstinately opposed from day to day. Majorities were constantly against it. For many days the majority depended on Mr. Hewes, of North Carolina. While a member, one day, was speaking, and reading documents from all the colonies, to prove that the public opinion, the general sense of all, was in favor of the measure, when he came to North Carolina, he produced letters and public proceedings which demonstrated that the majority of that colony were in favor of it, Mr. Hewes, who had hitherto constantly voted against it, started suddenly upright, and lifting up both his hands to heaven, as if he had been in a trance, cried out: 'It is done, and I will abide by it.' I would give more for a perfect painting of the terror and horror upon the faces of the old majority, at that critical moment, than for the best piece of Raphael. The question, however, was eluded by an immediate motion for adjournment."<sup>13</sup>

There are many interesting points about this account. "The measure," he says, "had been upon the carpet for months." Richard Henry Lee made his motion, the "measure" referred to, June 7; it was adopted July 1, less than one month later. Therefore it had not been "upon the carpet for months." It was "obstinately opposed from day to day," and "for many days" the majority depended on Hewes. But Jefferson says, on the strength of his contemporaneous notes, that the debate lasted only three days, June 8 and 10, and July 1; and shows that from the beginning Hewes was in favor of the measure. "Majorities," says Adams, "were constantly against it"; Jefferson, however, mentions only one vote, the one taken on July 1, and the measure was then carried by the votes of nine States out of thirteen. Then, too, these debates took place after the adoption of the Halifax Resolution, after Hewes had received a copy of it, and after

<sup>13</sup> Works. Ed. by Charles Francis Adams, Jr. Ed. 1856, X, p. 35.



he had laid it before Congress. We are, then, not only to believe, according to Adams, that some member of some other colony was more familiar with the sentiment of North Carolina than Hewes, but that Hewes deliberately violated the expressed declaration of his constituents officially given through their representatives in convention assembled. Would John Penn, who had "fixed" Hewes, have remained silent about such a breach of trust? Penn arrived at Philadelphia in the latter part of June. On June 28, writing to Samuel Johnston, President of the North Carolina Convention, he said: "I arrived here several days ago in good health and found Mr. Hewes well. \* \* \* The first of July will be made remarkable. Then the question relative to independence will be agitated, and there is no doubt but a total separation from Britain will take place. This Province [Pennsylvania] is for it. Indeed, *so are all*<sup>14</sup> except Maryland and her people are coming over fast."<sup>15</sup> Not an intimation that he had found Hewes "wavering"! The same day Hewes himself wrote to James Iredell: "On Monday the great question of independence \* \* \* will come on. It will be carried, I expect, by a great majority, and then, I suppose, we shall take upon us a new name." In all his letters he assumes as a matter of course that his position is known to be favorable to "the great question of independency."<sup>16</sup>

There must, however, be some explanation of the recollections of Jefferson and Adams. The key to the statement of Adams is probably found by putting together two sentences of two different letters. The closing sentence of the account just quoted is: "The question, however, was eluded by an immediate motion for adjournment." In another

<sup>14</sup>Italics mine. "All" included North Carolina, and Hewes for two months had been the only member present from that colony.

<sup>15</sup>Haydon: The Declaration of Independence, p. 139.

<sup>16</sup>McRee: Life and Correspondence of James Iredell, I, p. 326.



letter, written to Jefferson, Adams says: "You know the unanimity of the States finally depended on the vote of Joseph Hewes, and was finally determined by him."<sup>17</sup> Let us note that here he uses the word "unanimity," while in the former letter he used the word "majority." Now, as has already been shown, during the first debates on Richard Henry Lee's motion, June 8 and 10, Hewes was among those ready to vote in the affirmative; and that the final decision was postponed because certain colonies, among them South Carolina, were not ready to take the final step. July 1, the debate was resumed and the motion, according to Jefferson's notes, was adopted by the votes of New Hampshire, Connecticut, Massachusetts, Rhode Island, New Jersey, Maryland, Virginia, North Carolina and Georgia. Personally the New York delegates favored it and believed their constituents did also, but their hands were tied by an old, unrepealed instruction against independence passed the previous year; they, therefore, withdrew from Congress, declining to vote at all. Delaware's two delegates were divided, and the vote of the colony was lost. South Carolina and Pennsylvania alone voted against it. It was well known, however, that the New York Convention which was to meet at an early date would repeal the old instruction and declare for independence; and that certain delegates from Delaware and Pennsylvania, who favored it, but were not present when the vote was taken, would attend next day and carry their colonies for it. This left South Carolina alone in opposition. Therefore, when the Committee of the Whole rose and reported the resolution to the Congress, Edward Rutledge, the senior delegate from South Carolina, as Jefferson says,

"requested the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity."<sup>18</sup>

<sup>17</sup>Works: X, p. 381.

<sup>18</sup>Works. Mem. Ed. XV, p. 199.

The request was granted, and this must have been the "immediate motion for adjournment" to which Adams refers.

"In the meantime," says Jefferson, "a third member came post from the Delaware counties, and turned the vote of that colony in favor of the motion. Members of a different sentiment attending that morning from Pennsylvania, also their vote was changed."<sup>19</sup>

New York still declined to take part in the proceedings, so that of the colonies authorized to vote at all South Carolina alone was in opposition when Congress convened on July 2. Thereupon "*for the sake of unanimity*,"<sup>20</sup> says Jefferson, South Carolina changed her vote and joined her sisters in declaring the colonies "free and independent States." Edward Rutledge, of South Carolina, therefore, and not Joseph Hewes, of North Carolina, finally determined the "unanimity" of the States. It also seems probable that it was the former who figured in the dramatic scene described by Adams. It would be no matter for wonder that a man approaching his ninetieth birthday, writing from memory nearly fifty years after the scene described, should confuse Hewes, of North Carolina, with Rutledge, of South Carolina.

Another circumstance tending to confirm this view, and explaining Jefferson's assertion also, Hewes himself mentions in a letter written to Samuel Johnston after the adoption of the Declaration of Independence. On July 28, while Congress was debating the Articles of Confederation and the plan for forming Foreign Alliances, Hewes writes: "These two capital points ought to have been settled before our Declaration of Independence went forth to the world. This was my opinion long ago, and every day experience serves to confirm me in that opinion." If Hewes urged these views before Congress, as is not unlikely, the fact will explain how his attitude, years afterwards, should have been remembered and represented as opposing independence.

<sup>19</sup>*Ibid.*

<sup>20</sup>*Ibid.*, XV, p. 198. Italics mine.

