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GREAT EVENTS IN
NORTH CAROLINA HISTORY.



THE REVOLUTIONARY CONGRESSES OF
NORTH CAROLINA.

—BY—
THOMAS M. PITTMAN.



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Great Events in North Carolina History.

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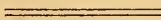
OCTOBER 10, 1902.

No. 6.

The Revolutionary Congresses of
North Carolina.

BY

THOMAS M. PITTMAN.



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1902.

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

THE REVOLUTIONARY CONGRESSES OF NORTH CAROLINA.

The seeds of the Revolution in North Carolina were planted in the very beginning of the Colony. The princely gratitude of Charles II towards the Duke of Albemarle and other favorites was expressed in the Carolina Charter. He granted them a rich and extensive territory, and a larger measure of popular rights than was common to Englishmen at home. England had just emerged from the great Civil War, and men of the Commonwealth were in constant dread of the King's displeasure. The Lord's Proprietors, fully alive to this situation, offered inducements of large civil and religious liberty to such as should settle in Carolina, with the result that Albemarle was quickly occupied and a government set up.

The men who fought under Cromwell and made the Commonwealth were not weaklings. It may be that these settlers were not actual followers of Cromwell in war, but they were of the same class and spirit. Tradition asserts that under the name of Cromwell members of Cromwell's own family settled in North Carolina and that their descendents were represented in the revolutionary movements in this State.

From the beginning the settlers asserted their rights under the charter, contending that they were as fixed and inviolable as land titles acquired by like authority. When the Lords Proprietors yielded up the colony to the crown they still insisted that their rights were not affected; they

had acquired them lawfully by a grant which was sacred under the British Constitution. The denial of their claim furnished the third and final revolutionary element. Given the Carolina Charter, the Carolina settlers and the claim of royal prerogative adverse to the charter and we have a conjunction of all the elements of a revolution, only waiting the fulness of time when a spark shall set all aflame.

Local disturbances marked the virile spirit of the colonists. Obnoxious Governors were deposed, practical nullification of distasteful laws ante-dated by many decades South Carolina's famous effort, and actual outbreaks of violence were not unknown. The war of the Regulation was among the most notable of the latter, and so shortly preceded the Revolution as to constitute a most significant introduction to that great movement. During Governor Tryon's administration the Regulators were organized in North Carolina pretty much as they already existed in South Carolina and elsewhere. Their efforts to correct certain official irregularities by rather irregular methods led to the Battle of Alamance and the correction of their own irregularities, while those of the officials were left untouched. That event has been variously estimated according to the point of view of different writers. At any rate it was significant of the temper existing in a large portion of the Province. Only six years earlier, during the same administration, the Proud Spirits of the Cape Fear had brought humiliation to the Governor's soul by forcibly preventing the operation of the Stamp Act in North Carolina. These were but local manifestations, but they were repeated in different forms throughout the Colony. Events

as if endowed with life and prescience now pressed on in quick succession, gave to the people a sense of their unity and strength and hastened the inevitable conflict.

The grievances were not always the same in different localities, and this gave rise to misunderstandings, which in one case at least, proved a costly blunder to the Americans. The more opulent and thickly settled communities near the coast did not experience the annoyances that called the Regulators into being, and failed to recognize the Spirit of Independence in the alleged turbulence of their conduct. The coast men gave assistance to the Governor in suppressing their demonstrations and forcing them into submission, and into an oath of allegiance to the British Crown which they held to be binding upon their consciences. When the Revolution broke out these people remained loyal, and their communities were Tory strongholds where civil war raged with all the bitterness of internecine strife.

Governor Martin found his Carolinians even less tractable than had his predecessors. The Assembly repeatedly passed a court and attachment law to which he refused assent, with the result that the Colony was for years without a Superior Court. It also asserted that the taxes levied to redeem the paper currency of the Colony had been sufficient for that purpose, and the council refusing to join in the repeal of the law authorizing such taxes, the Assembly directed the collectors to desist from their further collection and undertook to indemnify them against harm for so doing. For this, Governor Martin indignantly dissolved the Assembly on March 30, 1774.

It is at this point we have the suggestion of a Provincial

Congress. A letter from Samuel Johnston to William Hooper, dated April 5, 1774, is in part as follows: "Colonel Harvey and myself lodged last night with Colonel Buncombe. Colonel Harvey said during the night that Mr. Biggleston told him that the Governor did not intend to convene another Assembly until he saw some chance of a better one than the last; and that he told the Secretary that then the people would convene one themselves. He was in a violent mood, and declared he was for assembling a convention independent of the Governor and urged us to cooperate with him. . . . He says he will lead the way and will issue hand-bills under his own name. . . . I do not know what better can be done. . . . Colonel Harvey said he had mentioned the matter to Willie Jones the day before, and that he thought well of it, and promised to exert himself in its favor. I beg your friendly counsel and advice on the subject, and hope you will speak of it to Mr. Harnett and Colonel Ashe or any other such men." A little later, the 26th of the same month, Hooper wrote James Iredell, brother-in-law of Johnston: "With you I anticipate the important share which the Colonies must soon have in regulating the political balance. They are striding fast to independence, and ere long will build an empire upon the ruins of Great Britain." On July 14th, the spark had kindled and James Reed, the missionary, wrote home to the Secretary: "All America is in a most violent flame."

That violent flame was not confined to North Carolina, but raged in all the Colonies, kindled largely by four acts of Parliament relating to Massachusetts: (1) Closing

the Port of Boston until compensation should be made to the India Company for their tea ; (2) Vacating the Charter of Massachusetts Bay ; (3) Authorizing the Governor in case of indictment preferred against any officer of the crown, to suspend the proceedings against him in America and send him home for trial ; (4) Quartering soldiers in the Colony. If the principle held good no Colony was safe. Iredell wrote : "The arrival of all these thundering regulations (which very quickly succeeded one another) caused the greatest alarm in America. Here was a full avowal of tyranny in its most frightful form. We did not view the storm merely at a distance ; it was almost at our very door. These measures, affecting one Colony only, made no difference in the general indignation they caused. They were all interested in the principle. Their rights were nearly the same ; an invasion of one was equivalent to a declaration of war against the rest. Heaven had placed them in the neighborhood of each other, as it were, for their mutual defence ; such an union was absolutely necessary for their safety ; singly they might be easily crushed ; united—."

William Hooper was a native of Boston and a graduate of Harvard. He had studied in the office of James Otis, imbibing at once law and patriotism from the same master. He had been ten years in North Carolina, and had become one of the inner circle of the splendid body of Cape Fear men. The enactments against Massachusetts were assaults upon his home and kindred. On July 21, 1774, he presided over a meeting at Wilmington, which appointed a Committee of Correspondence and called a Provincial Congress to meet at Johnston Court House, August 20th, "to debate

upon the present alarming state of British America, and in concert with other Colonies to adopt and prosecute such measures as will most effectually avert the miseries which threaten us." It also proposed a Continental Congress to be held in Philadelphia on September 20th, "that such regulations may then be made as will tend most effectually to produce an alteration in the British policy and to bring about a change honorable and beneficial to all America."

The call met with a hearty response. The freeholders of Johnston, Pitt, Anson, Craven and other counties, and of New Bern, Halifax and other towns met and adopted resolutions warmly endorsing the movements and expressing their views of the situation. Those of Rowan give a fair exhibit of the prevailing spirit. First declaring loyalty to the British Crown, they proceed in part as follows :

"That the right to impose Taxes or Duties to be paid by the inhabitants within this Province for any purpose whatsoever is peculiar and essential to the General Assembly in whom the legislative authority of the Colony is invested.

"That any attempt to impose such Taxes or Duties by any other is an Arbitrary Exertion of Power, and an infringement of the Constitutional Rights and Liberties of the Colonies.

"That the late cruel and Sanguinary Acts of Parlaiment to be executed by military force and ships of war upon our Sister Colony of the Massachusetts Bay and town of Boston, is a strong evidence of the corrupt Enfluence obtained by the British ministry in Parliament and a convincing Proof of their fixed Intention to deprive the Colonies of their Constitutional Rights and Liberties.

“That it is the Duty and Interest of all the American Colonies firmly to unite in an indissoluble union and association to oppose by every just and proper means the infringement of their common Rights and Privileges.”

Of the Granville resolutions we note two :

“That by the civil compact subsisting between our King and his People, Allegiance is the right of the first Magistrate and protection the right of the People, that a violation of this Compact would rescind the civil Institution binding both King and People together.

“That the King at the head of his American Assemblies, constitutes a supreme Legislature in the respective Colonies, and that as free men we can be bound by no law, but such as we assent to, either by ourselves or our representatives. That we derive a right from our Charters to enact laws for the regulation of our Internal Policy of Government, which reason and justice confirm to us, as we most know what civil Institutions are best suited to our state and circumstances.”

One extract from the Chowan meeting :

“That the act for the better regulating the government of the Province of Massachusetts Bay, in North America, is an attempt to dissolve a contract most solemnly entered into by the present ancestors of the Massachusetts Bay with their sovereign ; a contract which ought to be held inviolable, without the mutual consent of King and People ; That if the King and Parliament continue to exercise this power, none of the Colonies may expect to enjoy their rights and Privileges longer than they approve themselves obsequious to the dependents on administration. That the

act for the impartial administration of justice in the case of persons questioned for any acts done by them in their execution of the Laws, or for the suppression of Riots and Tumults in the Province of Massachusetts Bay, in New England, puts it in the power of a cruel and despotic Governor, wantonly to sport with the lives of His Majesty's subjects in that Province with impunity."

Among the remedies which found favor was a cessation of commercial intercourse with the mother country. The Halifax resolution on this subject is of interest—

"That we continue our exports to Great Britain until the debts due from America are fully discharged, and hereby recommend it most heartily to the several counties in the Province, as the most eligible plan to secure to us the affections of our Mother Country, in as much as by that we shall convince her of the uprightness and honesty of our intentions, most warmly recommend ourselves to those who have trusted us on the common faith and Credit of the Country, and will magnify our firmness, patriotic virtue and Public Spirit."

We note three things of these meetings: (1) They were composed entirely of the responsible class of citizens, freeholders; (2) All declared themselves loyal to the British Crown, and that they were but asserting their rights as English subjects; (3) While a common spirit characterized all the resolutions, they are distinctly unlike in form and expression, and present a series of clear and able statements of the political relations subsisting between Great Britain and her American Colonies comparable to the papers of any publicist who has written since that time, and furnish

striking proof of the ability of the men who laid the foundations of our independence.

Governor Martin was deeply offended. He laid the matter before the council and upon its advice issued his proclamation "to discourage as much as possible proceedings so illegal and unwarrantable in their nature, and in their effect so obviously injurious to the welfare of this country." He required the people on their allegiance "to forbear to attend at any such illegal meetings and that they do discourage and prevent the same by all and every means in their power, and more particularly that they do forbear to attend, and prevent as far as in them lies the meeting of certain deputies, said to be appointed to be held at New Bern on the 26th, instant, and do more especially charge, command and require all and every His Majesty's Justices of the Peace, Sheriffs and other officers, to be aiding and assisting herein to the utmost of their power." This power was very limited for the Governor himself when he announced to the council that the deputies were gathering, was advised "that no other steps could be properly taken at this juncture."

The success of the movement warranted a change of plan, and instead of meeting at Johnston Court House as at first proposed, the Congress or Convention met at New Bern, the seat of government, on August 25th. Thirty counties and six towns were represented by seventy-one delegates. Five counties—Edgecombe, Guilford, Hertford, Surry and Wake, and three towns, Brunswick, Campbellton (Fayetteville) and Hillsboro—were not represented. Col. John Harvey was Moderator. It was a body of singularly able men,

brave, patriotic, earnest and clear-headed. The meeting had no spectacular features. It was in session three days and its whole work is embraced in a series of resolutions—some twenty-five in number—said to have been written by Hooper. Of the debates and deliberations of the Congress we are left in ignorance. One letter conveys an intimation of some trouble over the appointment of delegates to the Continental Congress, and capital was afterwards attempted to be made of the fact that no western man was appointed. In substance, these resolutions declared allegiance to the King; asserted the exclusive right in the Provincial Assemblies to impose taxes in America, the King by his Governors constituting a branch of such assemblies; denounced as oppressive, cruel and illegal the acts of Parliament directed against Massachusetts; endorsed the course of the inhabitants of Massachusetts "for their manly support of the rights of America in general;" provided for non-intercourse with Great Britain and India in commercial matters; approved the proposal of a Continental Congress and appointed Wm. Hooper, Joseph Hewes, and Richard Caswell delegates to attend the same, with ample powers of representation; authorized the appointment of a committee of five in every county, by freeholders favorable to the Congress, to carry out the plans of the general Congress, and authorized the Moderator, or in case of his death, Samuel Johnston, to convene the delegates at such time and place as he should deem proper.

The immediate result of this meeting was the establishment of dual governments throughout the Province. The freeholders met in the several counties and elected the com-

mittees recommended by the Congress, in most instances a larger number than the five proposed. There was no interference with the orderly administration of the law by the regular authorities, but these committees, called Committees of Safety, were the real rulers and exercised such despotic powers as would not have been tolerated under other conditions. In one instance a lady at whose house the gentlemen of Wilmington had arranged to give a public ball was notified "to decline it, and acquaint the parties concerned, that your house cannot be at their service, consistent with the good of your country." On another occasion young men who had horses in training for a race were notified to desist. In one case notes of hand had been exchanged between the parties to a proposed race; the notes were required to be surrendered and the race was called off. In fact the seriousness of the Puritan dominance in England was well-nigh repeated in North Carolina. The dignity and solemnity of a great occasion were upon the people. There was government by public sentiment. Every adverse element was quietly but certainly being silenced and subdued by the concentrated force of a powerful public sentiment. Long before armed hostilities began, freedom's battle had been fought and won in the greater part of North Carolina.

It was the good fortune of the people at this time that Governor Martin had no real comprehension of what was going on. When John Harvey, in violent mood, was threatening to call an independent convention, and John_ ston, Hooper, Iredell, Willie Jones and others, were planning their measures of relief, he thought the representatives

of the people were growing more complaisant to authority ; when the call had gone out for the second Congress and he had discovered that even his council were in sympathy with the people, he thought he saw a re-action in favor of the government.

The second Congress met in New Bern, April 3, 1775, concurrently with the General Assembly called by the Governor. Sixty-one out of sixty-eight members in attendance upon the Assembly were also members of the Congress, and John Harvey was President of both bodies. Governor Martin, as usual, issued his proclamation against the Congress. His address to the Assembly called upon that body to oppose the illegal gathering. The reply of the Assembly was an endorsement and defence of both the Provincial and Continental Congresses and a sharp arraignment of Parliament for its oppressive and unconstitutional proceedings towards the American Colonies. This was unsatisfactory to the Governor and he at once dissolved the Assembly. It was the last to convene under royal authority in North Carolina. The Congress ratified the doings of the Continental Congress, adopted the association entered into by that body, and approved the course of its own delegates, who were reappointed. It asserted the right of the people to petition the Throne for a redress of grievances and declared the Governor's proclamation against them illegal and an infringement of their just rights. Hillsboro was named as the place for the next meeting.

So far there had been little of exciting incident. The organization of the people had been wonderfully wise and prudent. It had been quiet, steady and strong, dominating

the whole life of the Colony, yet carefully avoiding all conflict with the constituted authorities. Soon all was changed. News of the Battle of Lexington was spread by special express throughout the country. The excitement and resentment were intense. At Charlotte, the now famous Mecklenburg Declaration was the immediate result. At New Bern the Governor, in alarm, dismounted the cannon at the palace and concealed his ammunition to prevent their falling into the hands of the Safety Committee. He disingenuously told the committee that the cannon were dismounted because the mountings were rotten. In a little while he became panic stricken and fled, taking refuge on a British war vessel. He never again occupied the palace. From his refuge he issued proclamations, sent out emissaries to arouse the King's party, called for military assistance to suppress the people, and wrote home hysterical letters to show that he had been wise and prudent in his conduct, and recommending a policy for adoption towards the Province when it should be brought into complete subjection.

The government now passed from the Governor's hands to those of the Safety Committees, who took active control of affairs in their respective counties.

About this time the Colony suffered a severe loss in the death of John Harvey, President of the Congress and Speaker of the Assembly. Samuel Johnston succeeded to his authority, and convened the Congress at Hillsboro on August 20th. Every county and burrough town elected delegates and one hundred and eighty-four were in attendance. Johnston was elected President. The plans of the first Congress had been so wise, and were so well executed

that the transition from a royal government to a popular one was effected without friction, and the work of the Congress was little more than a development of the system already in force. A Provincial council of thirteen members and six district Safety Committees were created. The county and town committees were continued as before. These with the Congress constituted the government. A military organization was arranged and officers were appointed from every district and county. Steps were taken to secure arms and ammunition. An emission of not exceeding \$125,000 of paper currency was ordered. Inducements were offered for manufactures within the Province. Hooper, Hewes, and John Penn were elected delegates to the Continental Congress and instructed not to agree to any union with the other provinces, further than the association then existing, without first submitting its terms to this Congress. Their assumption of power was explained in the following paragraph of an address to the inhabitants of the British Empire :

“Whenever we have departed from the forms of the Constitution, our own safety and self preservation have dictated the expedient; and if in any Instances we have assumed powers which the laws invest in the Sovereign or his representatives, it has been only in defence of our persons, properties and those rights which God and the Constitution have made unalienably ours. As soon as the cause of our fears and apprehensions are removed, with joy will we return these powers to their regular channels; and such Institutions formed from mere necessity, shall end with that necessity that created them.”

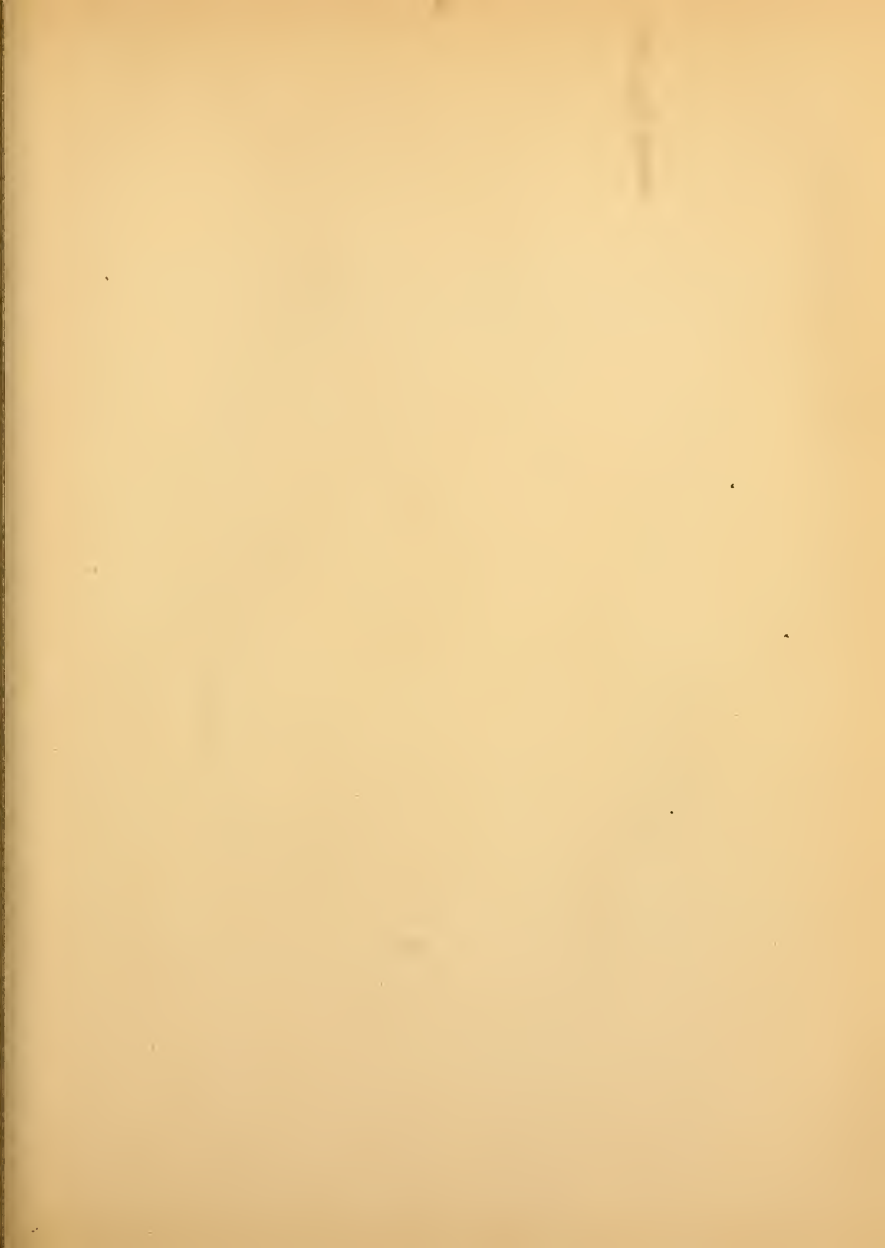
The Provincial Council organized at Johnston Court House, October 18, 1775, with Cornelius Harnett as President. The other members were Samuel Johnston, Samuel Ashe, Thomas Jones, Whitmill Hill, Abner Nash, James Coor, Thomas Person, John Kinchen, Willie Jones, Thomas Eaton, Samuel Spencer, and Waightstill Avery. This Council had the administration of the Province. The King's forces were not ready for hostilities, and the Council had until the battle of Moore's Creek in February of the next year for preparation. In this time it proceeded steadily to strengthen its military organization and equipment, and to suppress with a firm hand all dissent from the authority of Congress. The battle of Moore's Creek and the destruction of the force around which General Martin had hoped to gather all the loyal elements in the Province elicited warm praise from the Council, as did also the distinguished services of Colonel Howe in Virginia.

A fourth Congress met at Halifax, April 4, 1776. Samuel Johnston was President. Its notable act was a resolution unanimously adopted, empowering its delegates in the Continental Congress to "concur with the delegates of the other colonies in declaring independence, and forming foreign alliances, reserving to this Colony the sole and exclusive right of forming a Constitution and laws for this Colony." It also authorized a further issue of £500,000 in paper currency, to be redeemed by a poll tax to commence in 1780.

News of the Declaration of Independence reached Halifax, where the Provincial Council was in session, July 22, 1776. It was ordered to be proclaimed in the most public

manner throughout the State. Jones gives this account of the ceremony at Halifax: "At mid-day Cornelius Harnett ascended a rostrum which had been erected in front of the Court House, and even as he opened the scroll, upon which was written the immortal words of the Declaration, the enthusiasm of the immense crowd broke forth in one loud swell of rejoicing and prayer. The reader proceeded to his task, and read the Declaration to the mute and impassioned multitude with the solemnity of an appeal to heaven. When he had finished, all the people shouted with joy, and the cannon, sounding from fort to fort, proclaimed the glorious tidings that all the Thirteen Colonies were now free and independent States. The soldiers seized Mr. Harnett and bore him on their shoulders through the streets of the town, applauding him as their champion, and swearing allegiance to the instrument he had read."

The time had now come for the Congress to return the powers it had assumed to their regular channels. It assembled for its last session, at Halifax, November 12, 1776. On the 13th a committee was appointed to form and report a Bill of Rights and a Constitution. It was adopted on December 18th, in such form as to endure without amendment for nearly sixty years. Richard Caswell was elected Governor. A few ordinances were adopted, making temporary provision for the well ordering of the State until the General Assembly should establish government in accordance with the Constitution, and the Provincial Congress of North Carolina passed into history.





Battles of Revolution Fought in North Carolina.

Moores Creek Bridge,	Feb'y 27th, 1776
Ramsour's Mill,	June 20th, 1780
Pacolet River,	July 14th, 1780
Earles Ford,	July 18th, 1780
Cane Creek,	Sept. 12th, 1780
Wahab's Plantation	Sept. 21st, 1780
Charlotte	Sept. 26th, 1780
Wilmington,	Feb'y 1st, 1781
Cowans Ford,	Feb'y 1st, 1781
Torrence Tavern,	Feb'y 1st, 1781
Shallow Ford	Feb'y 6th, 1781
Bruce's Cross Roads,	Feb'y 12th, 1781
Haw River,	Feb'y 25th, 1781
Clapp's Mill	March 2nd, 1781
Whitsell's Mill,	March 6th, 1781
Guilford Court House,	March 15th, 1781
Hillsboro,	April 25th, 1781
Hillsboro,	Sept. 13th, 1781
Sudleys Mill, (Cane Creek.)	Sept. 13th, 1781

SATURDAY, JANUARY 17, 1903.

**BOOKLET ON "RALEIGH AND THE
TOWN OF BLOOMSBURY"**

(By Kemp P. Battle, LL. D.)

We extract the following from a private letter from one of the most intelligent men in the State, himself an author of very valuable historical monographs:

"I have just received and read every line of the North Carolina Booklet, entitled "Raleigh and the Old Town of Bloomsbury." It is the most fascinating scrap of history that I have read in a long time, and it is told in such a charming way, that one cannot put it down without finishing the last word. * * * The most interesting and condensed information will doubtless prove of great value to the reading public."

Anything from the pen of Dr. Battle, the able Professor of History at our University, is fascinating as well as instructive. These "Booklets" should be obtained by every lover of the State, as each is devoted to some portion of or incident in the history of this good old State and of the people who have given her character.