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by Alexander Hewatt

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AN HISTORICAL ACCOUNT OF THE RISE AND PROGRESS OF THE COLONIES OF SOUTH CAROLINA AND GEORGIA.

In Two Volumes.

VOL. I.

By ALEXANDER HEWATT

PREFACE.

The author of the following performance presents it to the public, not from any great value he puts upon it, but from an anxious desire of contributing towards a more complete and general acquaintance with the real state of our colonies in America. Provincial affairs have only of late years been made the objects of public notice and attention. There are yet many, both in Great Britain and America, who are unacquainted with the state of some of these settlements, and with their usefulness and importance to a commercial nation. The southern provinces in particular have been hitherto neglected, insomuch that no writer has savoured the world with any tolerable account of them. Therefore it is hoped, that a performance which brings those important, though obscure, colonies into public view, and tends to throw some light upon their situation, will meet with a favourable reception.

As many of the inhabitants of the eastern world will find themselves little interested in the trifling transactions and events here related, such readers will easily discover in what latitude the author wrote, and for whose use his work was principally intended. They will also soon perceive, that this history, like that of Dr. DOUGLAS respecting a northern settlement in America, is only a rough draught, and far from being a finished piece; and the author will frankly and candidly acknowledge it. The case with respect to him is this, to which he must beg the reader's attention. Having been several years a resident at Charlestown in South Carolina, he was at some pains to pick up such original papers and detached manuscripts as he could find, containing accounts of the past transactions of that colony. This he did at first for the sake of private amusement; but after having collected a considerable number of those papers, he resolved to devote such hours as could be spared from more serious and important business, to arrange them, and form a kind of historical account of the rise and progress of that settlement. For the illustration of particular periods, he confesses that he was sometimes obliged to have recourse to very confused materials, and to make use of such glimmering lights as occurred; indeed his means of information, in the peculiar circumstances in which he stood, were often not so good as he could have desired, and even from these he was excluded before he had finished the collection necessary to complete his plan. Besides, while he was employed in arranging these materials, being in a town agitated with popular tumults, military parade, and frequent alarms, his situation was very unfavourable for calm

study and recollection.

While the reader attends to these things, and at the same time considers that the author has entered on a new field, where, like the wilderness he describes, there were few beaten tracks, and no certain guides, he will form several excuses for the errors and imperfections of this history. Many long speeches, petitions, addresses, &c. he might no doubt have abridged; but as there were his principal vouchers, for his own sake, he chose to give them entire. Being obliged to travel over the same ground, in order to mark its progress in improvement at different periods, it was no easy matter to avoid repetitions. With respect to language, style and manner of arrangement, the author not being accustomed to write or correct for the press, must crave the indulgence of critics for the many imperfections of this kind which may have escaped his notice. Having endeavoured to render his performance as complete as his circumstances would admit, he hopes the public will treat him with lenity, although it may be far from answering their expectations. In short, if this part of the work shall be deemed useful, and meet with any share of public approbation, the author will be satisfied; and may be induced afterwards to review it, and take some pains to render it not only more accurate and correct, but also more complete, by adding some late events more interesting and important than any here related: but if it shall turn out otherwise, all must acknowledge that he has already bestowed sufficient pains upon a production deemed useless and unprofitable. Sensible therefore of its imperfections, and trusting to the public favour and indulgence, he sends it into the world with that modesty and diffidence becoming every young author on his first public appearance.

CONTENTS OF THE FIRST VOLUME

CHAP. I.

- _Most men pleased with the history of their ancestors._
- _A notion early entertained of territories in the west._
- _A project of Columbus for attempting a discovery._
- _The discovery of Columbus._
- _The discovery of John Cabot._
- _The discovery of Sebastian Cabot._
- _The discovery of Americus Vespuccius._
- _The discovery of Cabral._
- _America inhabited._
- _Various conjectures about the first population of America._
- _The natural proprietors of the country._
- _Religious divisions the primary cause of emigrations to the west._
- _Coligni's settlement in Florida._
- _Extirpated by Spaniards._
- _A traffic in negroes._
- _Reflections on it._
- _Virginia settled._

Its progress.
Disturbances in England promote foreign settlements.
New-England peopled by Puritans.
Who turn persecutors.
Divide into different governments.
A colony planted in Maryland.
General remarks on colonization.

CHAP II.

The first proprietors, and their charter.
Of the fundamental constitutions.
William Sayle visits Carolina.
And is appointed the first governor of it.
Settles his colony on Ashley river.
Hardship of the first settlers from the climate.
And from the Indians.
Sir John Yeamans arrives at Carolina.
And is appointed governor.
Various causes contribute to the settlement of the country.
America peopled in an improved age.
The first treaty with Spain respecting it.
A council of commerce is instituted.
A legislature is formed in the colony.
Its troubles from the Spaniards.
Its domestic troubles and hardships.
A war among the Indians seasonable for the settlement.
Of Indians in general.
The occasion of Europeans being peaceably admitted among them.
_General remarks on the manners, government, religion, &c. of the
Indians._
A Dutch colony brought to Carolina.
Joseph West made governor.
Variances break out in the colony.
A trade in Indians encouraged.
A general description of the climate.
Of the country.
Of its soil and lands.
Of its storms and natural phenomena.
Of its animals.
Of its fishes.
Of its birds.
Of its snakes and vipers.
Of its insects.
Joseph Morton made governor.
Pennsylvania settled.
The proprietors forbid the trade in Indians.
The toleration of pirates in Carolina.
Cause of migration from England.
Cause of migration from France.
The European animals increase.
The manner of obtaining turpentine in Carolina.
And of making tar and pitch.

A difference with the civil officers.
James Colleton made governor.
His difference with the house of assembly.
Seth Sothell chosen governor.
His oppression, and expulsion.

CHAP. III.

A revolution in England.
The French refugees meet with encouragement.
Philip Ludwell appointed governor.
Harsh treatment of the colonists to the refugees.
The manner of obtaining lands.
Juries chosen by ballot.
Pirates favoured by the colonists.
Thomas Smith appointed governor.
The planting of rice introduced.
Occasions a necessity for employing negroes.
_Perpetual slavery repugnant to the principles of humanity and
Christianity._
Foreign colonies encouraged from views of commercial advantage.
Indians complain of injustice.
The troubles among the settlers continue.
John Archdale appointed governor.
Archdale's arrival and new regulations.
Treats Indians with humanity.
The proprietors shamefully neglect agriculture.
Archdale returns to England, and leaves Joseph Blake governor.
A colony of French in Florida.
The French refugees incorporated by law.
Depredations of pirates.
A hurricane, and other public calamities visit the province.
James Moore chosen governor.
Lord Granville palatine.
King William's charter to the society for propagating the gospel.
An established church projected by the Palatine.
But disliked by the majority of the people.
Governor Moore resolves to get riches.
Encourages irregularities at elections.
Proposes an expedition against Augustine.
Which proven abortive.
The first paper currency made.
The expedition against the Apalachian Indians.
The culture of silk.
And of cotton.
Rice fixed on by the planters as a staple commodity.

CHAP. IV.

War declared against France.
Sir Nathaniel Johnson appointed governor.
His instructions.
He endeavours to establish the church of England.

Pursues violent measures for that purpose.
The church of England established by law.
The inhabitants of Colleton county remonstrate against it.
Lay commissioners appointed.
The acts ratified by the Proprietor.
The petition of Dissenters to the House of Lords.
Resolutions of the House of Lords.
Their address to the Queen.
The Queen's answer.
A project formed for invading Carolina.
A Spanish and French invasion.
The invader repulsed and defeated by the militia.
The union of England and Scotland.
Missionaries sent out by the society in England.
Lord Craven palatine.
Edward Tynte governor.
The revenues of the colony.
The invasion of Canada.
A French colony planted in Louisiana.
A colony of Palatines settled.
Robert Gibbes governor.
Charles Craven governor.
An Indian war in North Carolina.
The Tuscorora Indians conquered.
Bank-bills established.
Remarks on paper currency.
Trade infested by pirates.
Several English statutes adopted.

CHAP. V.

A design formed for purchasing all charters and proprietary governments.
The Yamassees conspire the destruction of the colony.
The Yamassees war.
The Yamassees defeated and expelled.
They take refuge in Florida.
Retain a vindictive spirit against the Carolinians.
The colonists turn their eyes for protection to the crown.
The project revived for purchasing the proprietary colonies.
Distresses occasioned by the war.
Aggravated by the Proprietors.
Robert Daniel is made deputy-governor.
Lord Cartaret palatine.
The disaffection of the people increases.
Robert Johnson appointed governor.
Of the depredations of pirates.
And their utter extirpation.
Troubles from paper currency.
Several laws repealed.
Which occasions great disaffections.
Further troubles from Indians.
Complaints against Chief Justice Trott.

Laid before the Proprietors.
Their answer.
And letter to the governor.
Who obeys their commands.
An invasion threatened from Spain.
An association formed against the Proprietors.

CHAP. VI.

The people's encouragement to revolt.
Their letter to the governor signifying their design.
Which the governor endeavours to defeat.
Proceedings of the convention.
The perplexity of the Governor and council.
The Governor's speech for recalling the people.
Their message in answer to it.
The Governor's answer.
The assembly dissolved, and the proceedings of the people.
James Moore proclaimed Governor.
The declaration of the Convention.
The Governor transmits an account of the whole proceedings to the Proprietors.
The Revolutioners appoint new officers, and establish their authority.
In vain the Governor attempts to disconcert them.
Rhett refuses obedience to his orders.
And preserves the confidence of the Proprietors.
Further attempts of the Governor to recal the people.
The invasion from Spain defeated.
The Governor's last attempt to recover his authority.
Injurious suspicions with regard to the conduct of the Governor.
Francis Nicolson appointed Governor by the regency.
General reflections on the whole transactions.
Nicolson's arrival occasions uncommon joy.
The people recognize King George as their lawful sovereign.
The Governor regulates Indian affairs.
And promotes religious institutions.
The enthusiasm of the family of Dutartre.
Their trial and condemnation.
Progress of the colony.
The adventure of Captain Beale.
Arthur Middleton president.
A dispute about the boundaries between Carolina and Florida.
Colonel Palmer makes reprisals on the Spaniards.
Encroachment of the French in Louisiana.
A terrible hurricane.
And Yellow Fever.
The Province purchased for the crown.
The Fundamental Constitutions of South Carolina.

THE HISTORY OF THE RISE AND PROGRESS OF THE COLONY OF SOUTH CAROLINA.

CHAP. I.

Among the various events recorded in the history of past ages, there are few more interesting and important than the discovery of the western world. By it a large field for adventures, and a new source of power, opulence and grandeur, opened to European nations. To obtain a share of the vast territories in the west became an object of ambition to many of them; but for this purpose, the maritime and commercial states possessed the greatest advantages. Having first discovered the country, with facility they transported people to it, settled colonies there, and in process of time shared among them the extensive wilderness.

[Sidenote] Most men pleased with the history of their ancestors.

All accounts relating to these settlements afford pleasure to curious and ingenious minds, in what quarter of the globe soever they live; but to the posterity of the first adventurers they must be peculiarly acceptable. In the lives of our ancestors we become parties concerned; and when we behold them braving the horrors of the desert, and surmounting every difficulty from a burning climate, a thick forest, and savage neighbours, we admire their courage, and are astonished at their perseverance. We are pleased with every danger they escaped, and wish to see even the most minute events, relating to the rise and progress of their little communities, placed before us in the most full and conspicuous light. The world has not yet been favoured with a particular history of all these colonies: many events respecting some of them lie buried in darkness and oblivion. As we have had an opportunity of acquiring some knowledge of one of the most valuable and flourishing of the British settlements in that quarter, we propose to present the world with a particular, but imperfect, detail of its most memorable and important transactions.

[Sidenote] A notion early entertained of territories in the west.

To pave the way for the execution of this design, it may not be improper to cast our eyes backward on the earliest ages of European discoveries, and take a slight view of the first and most distinguished adventurers to the western world. This will serve to introduce future occurrences, and contribute towards the easier illustration of them. Beyond doubt, a notion was early entertained of territories lying to the westward of Europe and Africa. Some of the Greek historians make mention of an Atlantic island, large in extent, fertile in its soil, and full of rivers. These historians assert, that the Tyrians and Carthaginians discovered it, and sent a colony thither, but afterwards, from maxims of policy, compelled their people to abandon the settlement. Whether this was the largest of the Canary islands, as we may probably suppose, or

not, is a matter of little importance with respect to our present purpose: it is enough that such a notion prevailed, and gained so much credit as to be made the grounds of future inquiry and adventure.

With the use of the compass, about the close of the fifteenth century, the great era of naval adventures commenced. Indeed the Tyrian fleet in the service of Solomon had made what was then esteemed long voyages, and a famous Carthaginian captain had sailed round Africa: the Portuguese also were great adventurers by sea, and their discoveries in Africa served to animate men of courage and enterprise to bolder undertakings: but the invention of the compass proved the mariner's best guide, and facilitated the improvements in navigation. Furnished with this new and excellent instructor, the seaman forsook the dangerous shore and launched out into the immense ocean in search of new regions, which, without it, must long have remained unknown. Even such expeditions as proved abortive, furnished observations and journals to succeeding navigators, and every discovery made, gave life and encouragement to brave adventurers.

[Sidenote] A project of Columbus for attempting a discovery.

About this period Christopher Columbus, a native of Genoa, appeared, who was a man of great ingenuity, courage, and abilities, and had acquired better notions of the globe, and greater skill in navigation, than any of his cotemporaries. Imagining there might be territories in the west to balance those in the east he directed all his views to that quarter, and was eagerly bent on a voyage of discovery. He drew a plan for the execution of his project, which, together with a map of the world, he laid before his countrymen, shewing them what grandeur and advantage would accrue to their state, should he prove successful. But the leading men of the republic considered his project as wild and chimerical, and shamefully treated him with neglect. Though mortified at this ill usage, he nevertheless remained inflexible as to his purpose, and therefore determined to visit the different courts of Europe, and offer his service to that sovereign who should give him the greatest encouragement and assistance.

While he resolved to go in person to France, Spain and Portugal, he sent his brother Bartholomew to England; which nation had now seen an end of her bloody civil wars, and begun to encourage trade and navigation. But Bartholomew, in his passage, was unfortunately taken by pirates, and robbed of all he had; and, to augment his distress, was seized with a fever after his arrival, and reduced to great hardships. After his recovery, he spent some time in drawing charts and maps, and selling them, before he was in a condition to appear at court. At length, being introduced to the king, he laid before him his brother's proposals for sailing to the west on a voyage of discovery. King Henry, who was rather a prudent manager of the public treasure, than an encourager of great undertakings, as some historians say, rejected his proposals: but others of equal credit affirm, that the king entered into an agreement with Bartholomew, and sent him to invite his brother to England; and that the nation in general were fond of the project, either from motives of mere curiosity or prospects of commercial advantage.

[Sidenote] A. D. 1492.

[Sidenote] The discovery of Columbus.

In the mean time Columbus, after surmounting several discouragements and difficulties, found employment in the service of Spain. Queen Isabella agreed with him on his own terms, and went so far as to sell her jewels in order to furnish him with every thing requisite for his intended expedition. Accordingly he embarked in August 1492, and sailed from Palos on one of the greatest enterprises ever undertaken by man. Steering towards the west, through what was then deemed a boundless ocean, he found abundance of scope for all the arts of navigation of which he was possessed; and, after surmounting numberless difficulties, from a mutinous crew and the length of the voyage, he discovered one of the Bahama islands. Here he landed, and, after falling on his knees and thanking God for his success, he erected the royal standard of Spain in the western world, and returned to Europe.

[Sidenote] 1494.

[Sidenote] The discovery of John Cabot.

Upon his arrival in Spain, the fame of this bold adventurer and the success of his voyage, quickly spread through Europe, and excited general inquiry and admiration. John Cabot, a native of Venice, (at that time one of the most flourishing commercial states of the world), resided at Bristol in England, and, having heard of the territories in the west, fitted out a ship at his own expence and steered to that quarter on a voyage of discovery. Directing his course more to the northward, he was equally successful, and, in the year 1494, discovered the island of Newfoundland. He went ashore on another island, which he called St. John's, because discovered on the festival of St. John the Baptist. Here he found inhabitants clothed with skins, who made use of darts, bows and arrows, and had the address to persuade some of them to sail with him to England. On his return to Bristol he was knighted by the king, and reported that the land appeared rocky and barren, but that the sea abounded with fish of various kinds.

King Henry was no sooner made acquainted with the success of John Cabot, than he gave an invitation to mariners of character and ability to enter his service, for the purpose of attempting further discoveries. Cabot declared, he doubted not to make discoveries for him equally honourable and advantageous as those Columbus had made for Ferdinand and Isabella. Accordingly, terms were proposed and agreed on between them. "Henry, in the eleventh year of his reign, gave a commission to John Cabot and his three sons, Sebastian, Lewis, and Sancius, and their heirs, allowing them full power to sail to all countries and seas of the east, west, and north, under English colours, with five ships of such burden and force as they should think proper, and with as many mariners as they should chuse to take on their own cost and charges, to seek out and discover all the isles, countries, regions and provinces of heathens and infidels they could find, which to all Christians before that time had remained unknown." In these letters-patent though it appears that Henry granted them a right to occupy and possess such lands and countries as they

should find and conquer, yet he laid them under an obligation to erect the English standard in every place, and reserved to himself and his heirs the dominion, title and jurisdiction of all the towns, castles, isles and lands they should discover; so that whatever acquisitions they should make, they would only occupy them as vassals of the crown of England. And lest they should be inclined to go to some foreign port, he expressly bound them to return to Bristol, and to pay him and his heirs one fifth part of all the capital gains, after the expences of the voyage were deducted: and, for their encouragement, he invested them with full powers to exclude all English subjects, without their particular licence, from visiting and frequenting the places they should discover.

[Sidenote] A. D. 1497.

[Sidenote] The discovery of Sebastian Cabot.

Soon after receiving this commission from the king, John Cabot died; and his son Sebastian, who was also a skilful navigator, set sail in 1497, with the express view of discovering a north-west passage to the eastern spice islands. Directing his course by his father's journals to the same point, he proceeded beyond the 67th degree of north latitude; and it is affirmed, that he would have advanced farther, had not his crew turned mutinous and ungovernable, and obliged him to return to the degree of latitude 56. From thence, in a south-west course, he sailed along the coast of the continent, as far as that part which was afterwards called Florida, where he took his departure, and returned to England. Thus England claims the honour of discovering the continent of North America, and by those voyages of John and Sebastian Cabot, all that right and title to this extensive region, founded on prior discovery, must be vested in the crown of England.

[Sidenote] 1498. The discovery of Americus Vespuccius.

In the year following, Americus Vespuccius, a native of Florence, having procured a commission, together with the charts of the celebrated Columbus, sailed to the southern division of the western continent. In this voyage he discovered a large country, and drew a kind of map of those parts of it he visited. He also kept a journal, making several useful remarks on the coast and inhabitants; which, on his return to Europe, were published for general instruction. By this means he had the good fortune to perpetuate his name, by giving it to the whole western world. Posterior writers naturally following the same tract, and using the same names found in the first performance, America by accident became the denomination by which the western continent was distinguished, and probably will be so through all succeeding ages.

[Sidenote] A.D. 1500. The discovery of Cabral.

Not long after this, Don Pedro Alvarez Cabral, admiral of the Portuguese fleet, bound for the East Indies, was driven by a storm on the coast of that country now called Brazil. There he found fine land, inhabited by savages, of which he took possession in name of his king. This discovery he deemed of great consequence, and therefore having put a native or two of the new-found land on board, he sent Gasper Lamidas back to Portugal

with the news. He reported, at the same time, the gentle treatment he received from the natives of the country, the excellent soil and beautiful prospects it exhibited; and, upon his report, a settlement was soon after made, which advanced by rapid degrees in riches and population, and soon became the most valuable of the Portuguese possessions.

[Sidenote] America inhabited.

This vast territory of America being now discovered by different nations, in every place they found it inhabited by human creatures; but from what country they derived their origin, or by what means they were conveyed to this distant region, has been the subject of much speculation and inquiry, not only in that, but also in every future period. History claims not the province of peremptorily determining inquires, which can have no better foundation than the probable opinions and uncertain conjectures of ingenious men, and therefore must leave every man to adopt such accounts as appear to him least absurd or liable to exception. Yet, as the subject is curious, it may be amusing to some readers to present them with the different conjectures respecting it, especially such as are supported by late observations and discoveries.

[Sidenote] Various conjectures about the first population of America.

One person fancies that this country was peopled from Britain, and has recourse to a romantic story of a Welsh historian in support of his wild conjecture. This author gives an account of a discovery made in the year 1170, by Maddock, a younger son of Owen Guineth, prince of Wales. That prince, observing his brethren engaged in civil war about the succession to his father's throne, formed a resolution to abandon his country. Having procured a ship, with plenty of necessaries for a long voyage, he embarked, and sailed far to the westward of Ireland, where he discovered a rich and fertile country, in which he resolved to establish a settlement. With this view he returned to Wales, prepared ten sail of ships, and transported a number of both sexes to this western territory. Some men, who have been rather too zealous for proofs in confirmation of this conjecture, have industriously traced, and flattered themselves with having found a striking resemblance between several words in the native language of some Indian nations and the old Welsh tongue.

Other authors are of opinion, that the American tribes are the descendants of the ancient Phenicians and Carthaginians, who early formed settlements on the coast of Barbary and the Canary islands. The Tyrians and Carthaginians, beyond doubt, were a commercial people, and the first who distinguished themselves by their knowledge in navigation. They built ships which carried vast numbers of people. To plant a colony on the west of Africa, Hanno, a Carthaginian captain, embarked in a fleet of sixty ships, containing no fewer than thirty thousand persons, with implements necessary for building and cultivation. While he sailed along the stormy coast of Africa, it is not improbable that some of his ships might be driven out of sight of the land. In this case, the mariners finding the trade winds blowing constantly against them, might necessarily be obliged to bear away before them, and so be wafted over to America. The

complexion of the inhabitants of the African islands resembled those Columbus found in the West Indies: The bows, arrows, spears, and lances of both were also nearly similar, only those of the latter were pointed with flints and the bones of fishes: There were also some resemblance in their religious rites and superstitions to those of the ancient Carthaginians, which afford some presumptive evidences that they might have derived their origin from nations where such arms were used, and such superstition prevailed. That America might receive some of its first inhabitants from the best and boldest navigators of the east, is a thing neither impossible nor incredible; and, if this be acknowledged, they had many hundred years to multiply and increase, before the period in which Columbus visited them.

Other authors of considerable merit and ingenuity have contended, that America was first peopled by Norwegians, and the northern countries of Europe, formerly so populous and enterprising. They considered the route by Iceland and Greenland, where the sea is covered with ice and snow, as the most easy and practicable. They affirm, that colonies were planted in Greenland, by adventurers from the north of Europe; that the north-west coast of Greenland is removed at no great distance from America, and that it is not improbable these two territories may, in places yet undiscovered, be contiguous. In support of which conjecture, an affinity between the language of the Esquimaux Indians and that of the Greenlanders has been discovered by modern Danish travellers. It is asserted, that they understand each other in their commercial intercourses. Besides, so great is their likeness in features and manners, in their boats and darts, that late geographers have not scrupled to believe that the lands are united, as the inhabitants of both sides so manifestly appear to be descended from the same nation.

Other writers, with greater probability and reason, suppose, that the western continent must have received its first inhabitants from the north-east parts of Asia and Europe. Some ancient Greek historians say, that the Scythians, from whom the Tartars derived their origin, were all painted from their infancy, and that they flayed the heads of their enemies, and wore their scalps, by way of triumph, at the bridles of their horses. Sophocles speaks of having the head shorn, and of wearing a skull-cap, like the Scythians. These indeed bear a faint resemblance to some customs of the Indian tribes in America; but late discoveries furnish us with the best proofs in favour of this conjecture. Some Russian adventurers, on the sea of Kamschatka, have discovered the coast of America, and reported, that the distance between the two continents is so small and inconsiderable, that a passage between them, at certain seasons, is easy and practicable, and that, though it be yet uncertain, it is by no means improbable that these two great territories are united. It is remarkable, that the aspect, language, and manners of the people, on each side of the narrow channel, are nearly similar; that the arms they use for procuring subsistence are the same; that their boats and method of fishing are exactly alike; that both make use of a wooden instrument for procuring fire by friction; that neither attack their enemies in the open field, but take all advantages of ensnaring them by wiles and stratagem; and that the vanquished, when taken prisoners, are tortured without mercy. These observations indicate a striking

resemblance between the Tartars and the savages of America. One thing is certain, that emigrations to the western world by this narrow channel are easier accounted for than by any other route, and it is to be hoped a few years more will remove every difficulty attending this curious and important inquiry.

Notwithstanding all these conjectures, various may have been the ways and means of peopling this large continent. It is not improbable that several nations may have contributed towards supplying it at different times with inhabitants. The Scripture affirms, that all mankind originally sprung from the same root, however now diversified in characters and complexions. In the early ages of the world, as mankind multiplied they dispersed, and occupied a greater extent of country. When thus divided, for the sake of self-preservation and mutual defence, they would naturally unite and form separate states. The eager desire of power and dominion would prove the occasion of differences and quarrels, and the weaker party or state would always be obliged to flee before the stronger. Such differences would necessarily promote distant settlements, and when navigation was introduced and improved, unforeseen accidents, sea-storms, and unfortunate shipwrecks, would contribute to the general dispersion. These, we may naturally suppose, would be the effects of division and war in the earlier ages. Nor would time and higher degrees of civilization prevent such consequences, or prove a sufficient remedy against domestic discord and trouble. Ambition, tyranny, factions and commotions of various kinds, in larger societies, would occasion emigrations, and all the arts of navigation would be employed for the relief and assistance of the distressed. So that if America was found peopled in some measure nigh 5,500 years after the creation, it cannot be deemed a thing more wonderful and unaccountable, than the population of many eastern islands, especially those lying at a considerable distance from the continents. The great Author of nature, who first framed the world, still superintends and governs it; and as all things visible and invisible are instruments in his hand, he can make them all conspire towards promoting the designs of his providence, and has innumerable methods, incomprehensible by us, of diffusing the knowledge of his name, and the glory of his kingdom, throughout the spacious universe.

[Sidenote] The natural proprietors of the country.

Those scattered tribes of savages dispersed by Providence through the American continent, occupied its extensive forests; and it must be confessed, that no inhabitants of Europe, Africa or Asia could produce a better title to their possessions. Their right was founded in nature and Providence: it was the free and liberal gift of heaven to them, which no foreigner could claim any pretension to invade. Their lands they held by the first of all tenures, that of defending them with their lives.

However, charters were granted to European intruders, from kings who claimed them on the foot of prior discovery; but neither the sovereigns who granted away those lands, nor the patentees who accepted their grants, and by fraud or force acquired possession, could plead any title to them founded on natural right. Prior discovery might give foreigners a kind of right to lands unoccupied, or possessions relinquished, but neither of these was the case of the American territories. Nations who

lived by hunting like the savages in America, required a large extent of territory; and though some had more, others less extensive districts to which they laid claim, yet each tribe knew its particular division, and the whole coast was occupied by them. Indeed, in a general view, the whole earth may be called an inheritance common to mankind; but, according to the laws and customs of particular nations, strangers who encroach on their neighbours property, or attempt to take forcible possession, have no reason to wonder if they obtain such property at the risque of life. In justice and equity, Indian titles were the best ones; and such European emigrants as obtained lands by the permission and consent of the natives, or by fair and honourable purchase, could only be said to have a just right to them.

In the centre of the continent the people, comparatively speaking, were numerous and civilized; the tribes farther removed from it on each side lived more dispersed, and consequently were more rude. Some historians have represented them as naturally ferocious, cruel, treacherous and revengeful; but no man ought to draw conclusions, with respect to their original characters, from their conduct in later times, especially after they have been hostilely invaded, injuriously driven from their natural possessions, cruelly treated, and barbarously butchered by European aggressors, who had no other method of colouring and vindicating their own conduct, but that of blackening the characters of those poor natives. To friends they are benevolent, peaceable, generous and hospitable: to enemies they are the reverse. But we forbear entering minutely into this subject at present, as we shall have occasion afterwards to make several remarks on the character, manners and customs of these tribes. Just views of them may indeed excite compassion; yet, for our instruction, they will exhibit to us a genuine picture of human nature in its rudest and most uncultivated state.

[Sidenote] Religious divisions the primary cause of emigrations to the west.

With the revival of learning in Europe, towards the close of the fifteenth century, a more free and liberal way of thinking, with respect to religion, was introduced and encouraged, than had taken place during many preceding ages. At this period several men of genius and courage appeared, who discovered to the world the gross absurdity of many of the tenets and practices of the Romish church; but were unwilling totally to overturn her established jurisdiction and authority. At length Luther boldly exposed her errors to public view, and the spirit of the age, groaning under the papal yoke, applauded the undertaking. Multitudes, who had long been oppressed, were ripe for a change, and well disposed for favouring the progress of that reformation which he attempted and introduced. By this means great commotions were excited throughout Christendom, and thousands united and entered warmly into designs of asserting their religious liberty. Hence a spirit of emigration arose and men seemed bent on visiting the remotest regions of the earth, rather than submit to spiritual oppression at home.

Instead of improving the discoveries made in America during the reign of his father, Henry the eighth was busily engaged in gratifying the

cravings of licentious appetites, or in opposing by writings the progress of the reformation. In his reign Sebastian Cabot, that eminent mariner, finding himself shamefully neglected by the capricious and voluptuous monarch, went over to Spain. There he got employment for several years, and made some new and useful discoveries in America for the Spanish nation. After the young Prince Edward ascended the English throne, the enterprising merchants of Bristol invited Cabot to return to Britain; and he, having a natural fondness for that city in which he was born, the more readily accepted their invitation. King Edward, having heard of the fame of this bold navigator, expressed a desire of seeing him; and accordingly Cabot was sent for and introduced to the king by the Duke of Somerset, at that time Lord protector of England. The king being highly pleased with his conversation, kept him about court, and from him received much instruction, both with respect to foreign parts, and the ports and havens within his own dominions. In all affairs relating to trade and navigation Cabot was consulted, and his judgment and skill procured him general respect. A trade with Russia was projected, and a company of merchants being incorporated for carrying it on, Sebastian Cabot was made the first governor of the company. In 1549, being advanced in years, the king, as a reward for his services, made him Grand Pilot of England, to which office he annexed a pension of £. 166: 13: 4 per annum, which Cabot held during his life, together with the favour of his prince, and the friendship of the trading part of the nation.

When Mary, that cruel and inflexible bigot, succeeded to the throne, domestic troubles and ecclesiastical persecution were so prevalent in England, that commerce sunk into decay, and navigation was despised and neglected. The spirit of murmur and discontent pervaded the country, and multitudes wished for some foreign settlement, as an asylum against domestic trouble and persecution; and, had they been sufficiently acquainted with the western territories, would certainly have emigrated to that quarter. After Elizabeth ascended the throne, the bloody scene of violence closed, and national affairs took a more successful turn. During her reign the reformation advanced to a peaceable establishment in England, and commerce was encouraged and protected.

[Sidenote] Coligni's settlement in Florida.

In France the reformation met with greater obstacles, and was productive of more serious and fatal consequences. It occasioned a civil war between the Protestant and Catholic parties of that kingdom, which raged for several years with great violence. During these domestic troubles, Jasper de Coligni, one of the chief leaders of the Protestant army, formed a project for carrying a colony to America. Forseeing the dangers to which he and his followers would be exposed, should the cause in which they were engaged prove unsuccessful, it is probable he intended this foreign settlement as a retreat. Accordingly, having fitted out two ships, he gave the command of them to Jean Ribaud, and sent him with a colony of Protestants to America. Ribaud landed at the mouth of the river now called Albemarle, which was then considered as part of Florida, where he built a fort, for the security of himself and followers, and called the country Carolina. By this time the Spaniards had incurred the irreconcilable hatred and resentment of the Indian nations by their

cruelty and treachery in the heart of the continent. Ribaud found means of acquainting the Indians that he was an enemy to the Spaniards, and of consequence he was the more kindly received by them. He had the address to engage their affections, insomuch that in a little time they became fond of his alliance. But while the flames of war continued in France, Coligni could find no leisure to send supplies to his infant colony, and Ribaud was obliged to abandon the settlement. Great were the extremities to which he was reduced in returning to Europe: one of his crew was killed for subsistence to the rest, who had scarcely done eating him, when an English vessel providentially appeared, took the emaciated crew on board, and carried them to England.

[Sidenote] Extirpated by Spaniard.

Mean while, a peace being patched up between the Papists and Protestants in France, Admiral Coligni, who was seemingly received into favour by that political court, fitted out three ships, loaded them with provisions and arms, and sent them to Carolina. Rene Laudoner to whom he had given the command, embarked with a number of adventurers. On his arrival he found the spot Ribaud had relinquished; but despaired of being able to keep possession of it without regular supplies. When he found his provisions beginning to fail, he had formed resolutions of returning to Europe. While he was making preparations to embark, Ribaud fortunately arrived with seven ships, a large supply of necessaries, and a considerable body of settlers. This animated them to enter with greater vigour on clearing and cultivating lands, and making provision for their future subsistence. The Indians rejoiced at Ribaud's return, and waited on him with their assurances of friendship. But while this French colony were beginning to flatter themselves with some faint hopes of success, Peter Melandez, who pretended a right to the whole territory, came against them with an armed force, killed Ribaud and seven hundred of his men, and compelled the remainder to return to France. M. de Gorgues, a Gascoon, afterwards, to avenge the disaster of his countrymen, dislodged Melandez, but made no attempt toward planting a colony in that quarter. This extensive country remained a wilderness until the reign of Charles the second of England. To keep possession, the Spaniards supported a small garrison at Augustine, on the most barren spot of the whole territory, upon which, together with the discovery of Ponce de Leon, they ever after founded their claim to all the southern parts of North America.

[Sidenote] A traffic in negroes.

About the same time a traffic in the human species, called Negroes, was introduced into England; which is one of the most odious and unnatural branches of trade the sordid and avaricious mind of mortals ever invented. It had indeed been carried on before this period by Genoese traders, who bought a patent from Charles the fifth, containing an exclusive right of carrying Negroes from the Portuguese settlements in Africa, to America and the West Indies; but the English nation had not yet engaged in the iniquitous traffic. As it has since been deeply concerned in it, and as the province, the transactions of which I narrate, owes its improvements almost entirely to this hardy race of

labourers, it may not be improper here to give some account of the origin and first inventor of this trade.

William Hawkins, an expert English seaman, having made several voyages to the coast of Guinea, and from thence to Brazil and the West Indies, had acquired considerable knowledge of the countries. At his death he left his journals with his son John Hawkins, in which he described the lands of America and the West Indies to be exceedingly rich and fertile, but utterly neglected for want of hands to improve them. He represented the natives of Europe as unequal to the task in such a scorching climate; but those of Africa as well adapted to undergo the labours requisite. Upon which John Hawkins immediately formed a design of transporting Africans into the western world; and having drawn a plan for the execution of it, he laid it before some of his opulent neighbours for encouragement and approbation. To them it appeared promising and advantageous. A subscription was opened, and speedily filled up, by Sir Lionel Ducket, Sir Thomas Lodge, Sir William Winter and others, who plainly perceived the vast profits that would result from such a trade. Accordingly three ships were fitted out, and manned by an hundred select sailors, whom Hawkins encouraged to go with him by promises of good treatment and great pay. In the year 1562 he set sail for Africa, and in a few weeks arrived at the country now called Sierra Leona, where he began his commerce with the negroes. While he trafficked with them, he found some means of giving them a charming description of the country to which he was bound; the unsuspecting Africans listened to him with apparent joy and satisfaction, and seemed remarkably fond of his European trinkets, food and clothes. He pointed out to them the barrenness of the country, and their naked and wretched condition, and promised, if any of them were weary of their miserable circumstances, and would go along with him, he would carry them to a plentiful land, where they should live happy, and receive an abundant recompense for their labours. He told them, that the country was inhabited by such men as himself and his jovial companions, and assured them of kind usage and great friendship. In short, the negroes were overcome by his flattering promises, and three hundred stout fellows accepted his offer, and consented to embark along with him. Every thing being settled on the most amicable terms between them, Hawkins made preparations for his voyage. But in the night before his departure, his negroes were attacked by a large body from a different quarter; Hawkins, being alarmed with the shrieks and cries of dying persons, ordered his men to the assistance of his slaves, and having surrounded the assailants, carried a number of them on board as prisoners of war. The next day he set sail for Hispaniola with his cargo of human creatures; but, during the passage, treated the prisoners of war in a different manner from his volunteers. Upon his arrival he disposed of his cargo to great advantage; and endeavoured to inculcate on the Spaniards who bought the negroes the same distinction he observed: but they, having purchased all at the same rate, considered them as slaves of the same condition, and consequently treated all alike.

When Hawkins returned to England with pearls, hides, sugar and ginger, which he had received in exchange for his slaves, multitudes flocked after him, to inquire into the nature, and learn the success of the new and extraordinary branch of trade. At first the nation was shocked at the

unnatural trade of dealing in human flesh, and bartering the commodities and trinkets of Europe for the rational race of Africa. The queen, though a patroness of commerce, was doubtful of the justice and humanity of this new branch, it appearing to her equally barbarous as uncommon, and therefore sent for Hawkins to inquire into his method of conducting it. Hawkins told her, that he considered it as an act of humanity to carry men from a worse condition to a better, from a state of wild barbarism to another where they might share the blessings of civil society and Christianity; from poverty, nakedness and want to plenty and felicity. He assured her, that in no expedition where he had the command should any Africans be carried away without their own free will and consent except such captives as were taken in war and doomed to death; that he had no scruple about the justice of bringing human creatures from that barren wilderness, to a condition where they might be both happy themselves and beneficial to the world. Indeed it would appear that Hawkins had no idea of perpetual slavery, but expected they would be treated as free servants, after they had by their labours brought their masters an equivalent for the expence of their purchase. Queen Elizabeth seemed satisfied with his account, and dismissed him, by declaring, that while he and his owners acted with humanity and justice, they should have her countenance and protection.

Soon after Hawkins made preparations for a second voyage, in which the Queen offered him a ship of war for his assistance and protection. But he declined accepting her offer, by telling her Majesty, that the profits of the trade would answer for all the risque and expences attending it. In his passage, however, he fell in with the Minion man of war, which accompanied him to the coast of Africa. After his arrival he began as formerly to traffic with the negroes, endeavouring by persuasion and the prospects of reward to induce them to go along with him. But now they were more reserved and jealous of his designs, and as none of their neighbours had returned, they were apprehensive he had killed and eat them. The crew of the man of war observing the Africans backward and suspicious, began to laugh at his gentle and dilatory methods of proceeding, and proposed having immediate recourse to force and compulsion. The sailors belonging to his own fleet joined those of the man of war, and applauded the proposal. But Hawkins considered it as cruel and unjust, and tried by persuasion, promises and threats to prevail on them to desist from a purpose so unwarrantable and barbarous. In vain did he urge his authority and instructions from the Queen: the bold and headstrong sailors would hear of no restraints. Drunkenness and avarice are deaf to the voice of humanity. They pursue their violent design, and, after several unsuccessful attacks, in which many of them lost their lives, the cargo was at length compleated by barbarity and force.

[Sidenote] Reflections on it.

Hence arose that horrid and inhuman practice of dragging Africans into slavery; which has since been so pursued, in defiance of every principle of justice and religion: Though Hawkins was the first Englishman who engaged in this traffic, so repugnant to the spirit of the English constitution; though he made use of such fraudulent arts even in his

first method of conducting it, as few men can have the assurance to vindicate; yet, as he was a man of prudence and humanity, he is no ways chargeable with those diabolical abuses which have since crept into this trade. Had men continued to conduct it according to his plan and proposal, and hands been transported by their voluntary consent to labour in burning climates, where Europeans are disqualified by nature for the task; had the Spaniards allowed them the common privileges of servants, after they had cleared the charges they cost them; had negroes been bought from the flames, to which in some countries they were devoted on their falling prisoners of war, and in others sacrificed at the funeral obsequies of the great and powerful among themselves; in short, had they been by this traffic delivered from torture or death, European merchants might have some excuse to plead in its vindication. But, according to the common mode in which it has been conducted, we must confess it a difficult matter to conceive a single argument in its defence. It is contrary to all laws of nature and nations to entice, inveigle and compel such multitudes of human creatures, who never injured us, from their native land, and dispose of them like flocks of sheep and cattle to the highest bidder; and, what compleats the cruelty and injustice of the traffic, to consign them over to ignorance, barbarism, and perpetual slavery. After this, where will insatiable avarice stop? As a free and independent people, they had unquestionably an equal right to make slaves of the inhabitants of Europe. Nature has given the people of the one continent no superiority over those of the other; the advantages of Europeans were the effects only of art and improvement. And though policy has given countenance and sanction to the trade, yet every candid and impartial man must confess, that it is atrocious and unjustifiable in every light in which it can be viewed, and turns merchants into a band of robbers, and trade into atrocious acts of fraud and violence.

[Sidenote] A.D. 1584. Virginia settled.

We shall now return to those naval adventurers, whose object was the establishment of colonies in America. About the year 1584, Sir Walter Raleigh, an able statesman and gallant officer, formed a project for planting an English colony in America. His penetrating genius easily discerned the great advantages which would accrue from a successful foreign settlement. He applied to the Queen, and having obtained from her letters-patent, immediately began to carry into execution what his ingenuity had projected. He fitted out two vessels, and gave the command of them to Philip Amidas and Arthur Barlow, and sent them to America. They landed at the island Roanock, and took possession of the country in the name of the Queen of England, and Sir Walter called it Virginia, in honour of his virgin Queen. The favourable report made by these two mariners, encouraged Sir Walter to pursue his design with resolution. Great minds are fond of new schemes and grand enterprizes, but it commonly falls to posterity to reap the advantages resulting from them. Sir Richard Grenville, one of Sir Walter's intimate companions, afterwards visited this country, and left one hundred and eight men in it to keep possession of the territory. But they running short of provisions, and having no source of supply, were reduced to great straits. Happily for them, admiral Drake, who had been sent with a fleet to Spanish America in search of treasure, had instructions to touch at

Virginia in his return to England. On his arrival he found the infant colony in great distress, and at their request carried them back to England.

Some years afterwards another attempt was made, and fifty men were left to begin a settlement. Whether these suffered death by hunger, or the hands of savages, is uncertain; but, on the arrival of another embarkation, none of the fifty could be found. They observed the word Croatan marked on some trees, from which they conjectured that the colony had moved to a place called by that name, and left this as a mark to conduct their friends to it. But a storm afterwards arising, these adventurers were driven out to sea, and, without finding their unfortunate countrymen, returned to England.

From this period till the year 1606 Virginia was left without an inhabitant, except its original savages. In the mean time, Sir Walter Raleigh, having incurred the displeasure of the king and the jealousy of the court, fell a sacrifice to the malice and power of his enemies. However, some merchants of London and Bristol kept trading to the western world, and bartered beads, knives, hatchets and coarse cloths for the skins and furs which the Indians brought them. The immense profits arising from this commerce encouraged them to enlarge it. For this purpose two companies were incorporated for trading to America and establishing settlements in it, the one was called the Virginia Company, the other the Plymouth Adventurers. King James granted them all the territory which lies between the 34th and 45th degrees of north latitude. The former of these corporations laid the foundation of James-Town in Virginia, which was the first British settlement in America which proved permanent and successful. So after Sir Walter Raleigh had projected and spent forty thousand pounds, in vain attempts to establish a colony in this quarter, this company reaped the first advantages of his enterprising spirit and great design.

[Sidenote] Its progress.

However, for many years, finally and inconsiderable was the progress of this distant settlement. Their object was rather Indian trade than cultivation, till Lord Delawar was appointed governor of the colony. After his arrival in Virginia, he turned the attention of the settlers to industry and application. From the rivers which abounded with fish, and the woods with game, he taught them the arts of procuring a plentiful supply of provision. He showed them the profitability of chastising those Indian tribes who presumed to harass the colony, pointed out the methods of defence in the woods, and by his example inspired them with resolution and perseverance. At length, having by his zeal and indefatigable labours brought the colony to a growing and hopeful condition, at the risk of his own health, he appointed his son deputy-governor, and returned to England.

By this time several men of opulence and distinction in England had begun to form the most sanguine hopes with respect to this settlement, and united in a plan for carrying inhabitants to it. Sir Thomas Yates and Sir George Somers embarked with 500 men for Virginia: the latter being driven

by a storm within sight of the island called Bermuda, formed a design of settling it. This embarkation proved a great acquisition to the colony in Virginia. On their arrival the colonists began to think themselves strong, and therefore, not content with the lands about James-Town, they forced their way up the large rivers, and made bold excursions into the country, in search of the most convenient and fertile spots of ground. The wisdom of their governor was no less conspicuous in the division of property, than in the distribution of justice. His tenderness and indulgences set the springs of industry in motion, which spread through the settlement, and excited a spirit of emulation with respect to the culture of lands. By degrees little spots were cleared and planted, which rewarded the diligent, and the country began to make some feeble advances towards improvement. In proportion as the colony multiplied, the inhabitants spread themselves through the country, yet abundance of land still remained for additional numbers, with which it might in time be augmented.

[Sidenote] Disturbances in England promote foreign settlements.

During the reign of the family of Stuart, a series of weak and oppressive measures, pursued in England, occasioned domestic troubles and discontent to the nation, and contributed greatly to promote American settlements. James the first, surrounded by a crowd of flatterers, began to entertain high ideas of his power and prerogative, to inculcate the extravagant doctrines of divine indefeasible right, passive obedience, and non-resistance, on a people whom he was ill qualified to govern, and who had conceived an irreconcilable aversion from such political principles. The consequence was, he lost by his weakness and pedantry the affections of the nation, yet his reign is memorable for giving rise to many foreign settlements. From him the East-India Company received a new patent, which encouraged the corporation to enlarge their stock, and to fit out a greater number of ships for that trade. In his reign Barbadoes was settled by an association of noblemen, of whom the Earl of Pembroke was the chief. And though it afterwards changed its master, and fell into the hands of the Earl of Carlisle, yet it prospered from its first population, and soon became a rich and flourishing island. St. Christophers may also date its origin from the close of this king's reign. The Plymouth Adventurers, who had carried a colony to New-England, at different times added numbers to it, and, notwithstanding every difficulty, it grew and prospered. Sir William Alexander received a grant of that territory now called Nova Scotia from the same king, but never made and serious attempts towards settling it.

During the succeeding reign several thousands emigrated to the western continent. Both the King and Queen were attached to the Popish religion, which vast multitudes of the nation abhorred. This served to alienate the people's affections not a little from the royal family; but the tyrannical and oppressive regulations established by the rulers of the church, doubled the distress of the people, and served to complete their disaffection to their native country. The Puritans, so called for their taking, or affecting to take, the pure and simple word of God for the rule of their faith and practice, regardless of ecclesiastical authority and institutions, were a numerous party in the nation. These people had

begun their struggles for religious liberty, and as they afterwards occasioned such commotions in England, a general sketch of their character, and the rise and progress of their party, may not perhaps be unacceptable.

[Sidenote] New England peopled by Puritans.

From the great aera of the Reformation the English nation had been distracted with religious disputes, and divided into contending parties. One part of the people adhered to the old superstitious system of the Romish church, and strictly observed all the absurd tenets and practices of that establishment. Another party, of which the church of England was composed, seceded several steps from popery, but maintained the hierarchy in its full power and authority. The third sect were Puritans, who had imbibed such high notions of civil and religious liberty, as struck at the foundation of both hierarchy and monarchy. On all occasions they discovered a strong tendency towards a republican form of government and an irreconcilable aversion towards the whole fabric of the Episcopalian church. This party, during the two preceding reigns being chiefly composed of the dregs of the people, were regarded as of little consequence, and treated with supercilious contempt by the administration. But in the reign of King Charles the first they had amazingly increased, and many men of opulence and distinction had joined them, from motives of discontent or ambition, or from a passion for singularity and popular applause. When the religious disputes became warm in the nation, the zeal of this party broke out, and burned with such amazing ardour that it levelled all distinctions. To increase the confusion, Archbishop Laud insisted on conformity, and persecuted all who refused obedience to his mandates with the utmost rigour. But persecution, for the most part, proves destructive to the cause it is intended to promote. The miseries the Puritans endured, and their firmness and perseverance in the midst of sufferings, contributed to give them that merit and importance in the eyes of the nation, which otherwise perhaps they had never attained. Their sober and rigid manner of life, the plainness of dress which they affected, and the strong tendency they shewed towards religion in all their words and actions, had great weight with the vulgar and credulous part, and induced them to entertain high notions of their sanctity, and to venerate them as the peculiar people of God. Their number increased and became formidable. Many men of rank, disgusted at the measures of court, and apprehensive that the liberties of the nation were in danger, turned zealous republicans, and seemed to aim at a total subversion of the constitution, both in church and state. The King, though a well-wisher to religion, hated the principles of the Puritans, and considered them as dangerous and deceitful. Those enthusiasts, on the other hand, were determined to endure the severest persecutions, rather than admit the common prayer, organs, and surplices into their worship, and conform to the popish ceremony of kneeling at the sacrament. In short, the dispute about trifling ceremonies became serious on both sides, and augured no good to the nation. Dr. Laud, observing not only the laity but the clergy also infected with puritanical principles, deprived many of their livings, merely for not conforming to all the ceremonies of the church. During these troubles many fled to New England; and others caused houses to be built and lands cleared for them, with a

view of retiring there, should their contention for religious freedom in England prove unsuccessful. In vain did Dr. Laud obtain an order of court to put a stop to emigration. There was not a corner of the globe to which these people would not flee, rather than conform to ceremonies which they thought savoured of popery and idolatry, and endangered their salvation.

To these disturbances New-England owed its population. Enthusiasm has often stimulated men to bold and arduous undertakings, and animated them to perseverance amidst great difficulties. Of this truth the first emigrants to New-England afford us a striking example. They seemed to bid defiance to the hardships to which they were exposed, having what they valued most of any thing in the world, I mean, liberty of conscience. Amidst cold, hunger, toil, disease, and distress of every kind, they comforted themselves with the thoughts of being removed far out of the reach of tyrants, and triumphed in their deliverance from an idolatrous and wicked nation. Neither the hideous gloom of the thick forest, nor the ravages and depredations of savage neighbours, appeared to them so grievous and intolerable as conformity to the that of England, and an implicit obedience to civil authority.

[Sidenote] Who turn persecutors.

It might reasonably have been expected, that those emigrants who made New-England their asylum from what they deemed civil tyranny and ecclesiastical persecution, would have guarded against every degree of oppression and persecution in that form of government they were about to establish among themselves. This, however, was far from being the case. Some of their first laws favour of a degree of persecution and intolerance unknown in the most despotic governments of Europe; and those who fled from persecution became the most bitter persecutors. Those who were found dancing or drunk were ordered to be publicly whipped, in order to deter others from such practices. The custom of wearing long hair was deemed immodest, impious and abominable. All who were guilty of swearing rashly, might purchase an exemption from punishment for a schilling; but those who should transgress the fourth commandment were to be condemned to banishment, and such as should worship images, to death. Children were to be punished with death, for cursing or striking their father or mother. Marriages were to be solemnized by magistrates; and all who denied the coercive authority of the magistrate in religious matters, or the validity of infant baptism, were to be banished. Blasphemy, perjury, adultery, and witchcraft, were all made capital offences. In short, we may challenge the annals of any nation to produce a code of laws more intolerant than that of the first settlers in New-England. Unlimited obedience was enjoined to the authority of the magistrate, by the same men who had refused such submission in England, and fled from their native country because it was demanded. Thus, however incredible it may appear, blind fanatics became public legislators, and those who were unable to endure tyranny in England, became the most insupportable tyrants in America.

This oppressive rigour of their first laws was soon heavily felt by many, but especially by that peaceable society of people called Quakers. Some of this sect, who had been banished on account of their religion, out of

mere zeal for making proselytes, returned to the country. They were instantly seized by those oppressors, condemned and hanged, to prevent the clandestine incursions of others. Those who had the misfortune to be taken with convulsions, or any disorder to which vulgar ignorance was a stranger, were accused of witchcraft, and condemned to death. No age nor sex were secure from such suspicions, when ignorance, malice and phrenzy joined in framing accusations, and selecting victims at pleasure. Dreams, apparitions and tortures were all employed as evidences against persons accused, and served to increase the number of horrid executions. The clergy were often accused, and sometimes the judges themselves. The jails were filled with infants, old men and women, the people were distracted with gloomy apprehensions, and the country was stained with innocent blood. At last the popular phrenzy began to subside, and gave way to painful remorse. The eyes of the blinded fanatics were opened, so as to discern their guilt; and a general fast was appointed to implore the pardon and mercy of God for their enormous crimes and horrible delusions.

[Sidenote] Divide into different governments.

This colony, which was planted by oppression, in process of time owed its extension to the same cause, Dissenters, who all claim an equal right to liberty in religion, with respect to private judgment and opinion, were not likely to remain long in harmony and peace among themselves. Though they reprobated the doctrine of uniformity in England, yet they became the most bigoted sticklers for it in their new settlement. The tenets of others, who differed from their mode of worship, were condemned without scruple or hesitation, insomuch that the oppression from which they fled in Britain was like gentle toleration, when compared with that to which they subjected their fellow-refugees. Hence various sectaries arose in their settlement, who claimed the same right to dissent from them, which they formerly did from the church of England. But their claim was rejected, and of consequence a persecution for conscience sake commenced among that people, who had become separatists in defence of universal toleration. However, these sprigs, torn by violence from the old root, had the same resource left; they separated, and planted themselves in a new soil, and spread their branches over the country. Hence different governments took their origin, and different colonies were settled, by persons who were denied religious freedom, and the right of private judgment, in Massachuset's bay.

[Sidenote] A colony planted in Maryland.

From the same source, I mean, a division in England, another colony of catholics took its rise. The king not only lost the affections of his Protestant subjects, but was also obliged to give the Roman catholics up to the rigour of those laws enacted against them in the preceding reigns. Lord Baltimore therefore resolved to leave England, and settle a colony on lands which had been granted to his father a few years before his death. This territory he called Maryland, in honour of the queen, who gave him all the assistance in her power towards forwarding the settlement.

[Sidenote] General remarks on colonization.

From the establishment and progress of these foreign settlements, and the spirit of emigration which prevailed in England, discerning men early foreboded ill consequences to the mother country. They were no strangers to the troubles which the colonies of Greece and Rome occasioned those ancient republics. Such vast territories as America contained, opened a boundless field for the encouragement of emigration, and every addition which these colonies received from Britain was prejudicial to her interest, as it served to weaken her, in proportion as it strengthened them. The riches of every country unquestionably depend on the number of its industrious inhabitants. America could furnish employment for innumerable hands, and emigrations from the mother country would in process of time dry up the sources of her wealth and power. England, though populous, could spare none, without prejudice to herself, but such as had either no employment at home, or no inclination to labour: for all industrious men serve to enrich their country, and whatever they earn by their labour, be it more or less, so much doth the nation profit by them. It is true, a number of idle and indolent people, like voracious drones in the hive, are a burden to every community. Such indeed might be spared for the purpose of colonization, without any detriment to the parent state; but every diligent and honest labourer that emigrates from his native country, helps to depopulate, and of course to impoverish it.

Had England at that time been too populous for its extent, or incapable of employing and maintaining its inhabitants, in that case, her planting foreign colonies might have served the purpose of public utility, and given relief from domestic hardship, just as bees send off their young swarms without injuring the industrious hive. Britain, no doubt, might reap some advantages from her foreign plantations, especially such of them as are situated in a different climate, and produce such commodities as luxury obliged her to purchase from strangers; and while she maintained her supreme jurisdiction over them, she could bind them by laws to continue her customers for taking off her manufactures, and so extend her commerce and navigation. By such policy she might make the wealth of her laborious colonies center in herself, and add greatly to her opulence and power. In every other case, numerous and extensive foreign settlements must prove hurtful, if not troublesome and dangerous: for while they are draining her of her useful inhabitants, they are growing on her ruins; and if they turn not headstrong and ungovernable, they will at least oblige her to keep a much larger army and fleet than otherways she would have any occasion for, and double her expence for their protection.

From Charles the first Sir Robert Heath obtained a grant for an immense territory lying to the southward of Virginia, which is now divided into several distinct provinces, but made no settlement on it. Excepting a small garison the Spaniards supported at Augustine, this country remained a rude wilderness, the habitation of savages and wild beasts, till the restoration. Soon after that important event several leading men of the nation, actuated by a pious and laudable zeal for the propagation of the Gospel, associated, and formed a design of settling it at their own expence. To give an account of the rise and progress of this settlement, especially of that division now called SOUTH CAROLINA, shall be our

business in the following pages of this history.

CHAP. II.

During the period of the usurpation in England, popular anarchy prevailed, and levelled all ranks and distinctions throughout the nation. The lineal heir of the crown being expelled, Oliver Cromwell, that ambitious and crafty leader of the people, seized the reins of government, and ruled England with a rod of iron for several years. The nobles bowed to a fanatic, and the republican part of the constitution preponderated to such a degree, that the other two became as nothing in the balance.

When the restoration took place, to the great joy and happiness of the nation, the nobles and royalists again stood forth, and assumed their former dignity and weight in the government of their country. Domestic peace being re-established on the solid foundation of regal and constitutional authority, England, amidst other national objects, turned her views toward the improvement of commerce, navigation, and her colonies.

Hitherto the extensive territory of North America had been divided into two districts, which were called South and North Virginia. All lands lying towards the river St. Lawrence, from the northern boundaries of the province now called Virginia, belonged to the northern, and all those to the southward, as far as the Gulf of Florida, to the southern district. And though the first European settlement in America was attempted in Florida by the French, yet they were compelled to relinquish that place; and the English, preferring what they esteemed a more favourable climate, had hitherto neglected it.

[Sidenote] The first proprietors and their charter.

After the restoration, England began to recognize her claim to a large territory in the southern district. In the year 1662, Edward Earl of Clarendon, George Duke of Albemarle, William Lord Craven, John Lord Berkeley, Antony Lord Ashley, Sir George Carteret, Sir William Berkeley, and Sir John Colleton, being apprized of the excellent soil of this country, united and formed a project for planting a colony in it. Upon application to the crown for a charter, Charles granted them all the lands lying between the thirty-first and thirty-sixth degrees of north latitude. Two years afterwards he confirmed this grant, and by a second charter enlarged the boundaries of it, from the 29th degree of north latitude to 36 degrees 30 minutes, and from these points on the sea-coast westward in parallel lines to the Pacific ocean. Of this immense region the king constituted them absolute lords and proprietors, saving to himself, his heirs and successors the sovereign dominion of the country. At the same time he invested them with all the rights, jurisdiction, royalties, privileges and liberties within the bounds of their province,

to hold, use and enjoy the same, in as ample a manner as the bishop of Durham did in that county palatine in England. This province they were to hold and possess of the king, his heirs and successors, as of his manor of East Greenwich in Kent, not _in capite_, or by knight's service, but in free and common soccage.

These absolute lords and proprietors were by their charter empowered to enact, and, under their seal, to publish any laws or constitutions they judged proper and necessary to the public state of the province, with the assent, advice and approbation of the freemen of the colony; to constitute counties, baronies and colonies within the province; to erect courts of judicature, and appoint civil judges, magistrates and officers; to erect forts, castles, cities and towns; to make war; to levy, muster and train men to the use of arms, and, in cases of necessity, to exercise the martial law; to confer titles of honour, only they must be different from those conferred on the people of England; to build harbours, make ports, and enjoy customs and subsidies, which they, with the consent of the freemen, should impose on goods loaded and unloaded; reserving the fourth part of the gold and silver ore found within the province to the crown. By the said charter the king granted them the patronage and avowson of all churches and chapels, to hold and exercise the same rights, powers and privileges as the bishop of Durham did in England: but as it might happen that several of the inhabitants could not in their private opinions conform to the exercise of religion, according to the liturgy and ceremonies of the church of England; the proprietors had power and authority granted them, to allow the inhabitants of the province both indulgences and dispensations, as they in their discretion should think proper and reasonable; and no person, to whom such liberty should be granted, was to be molested, punished, or called in question for any differences in speculative opinions with respect to religion; so that all persons, of what denomination soever, had liberty to enjoy their own judgments and consciences in religious concerns, provided they disturbed not the civil order and peace of the province. And as the assembly of freeholders could not be immediately called, the proprietors had power granted them to make such orders and ordinances as might be necessary to the government of the people and the preservation of peace, and as were not repugnant to the laws and statutes of England. Liberty was given to the king's liege subjects to transport themselves and families to settle the province, only they were to remain immediately subject to the crown of England, and to depend thereon for ever; and were not compellable to answer to any cause or suit in any other part of his majesty's dominions but in England and Wales.

[Sidenote] Of the fundamental constitutions.

Agreeable to the powers with which the proprietors were invested by their charter, they began to frame a system of laws for the government of their colony; in which arduous task they called in the great philosopher John Locke to their assistance. A model of government, consisting of no less than one hundred and twenty different articles, was framed by this learned man, which they agreed to establish, and to the careful observance of which, to bind themselves and their heirs for ever. But there is danger of error, where speculative men of one country attempt to

sketch out a plan of government for another, in a different climate and situation. This legislator must be acknowledged to have possessed great abilities and merit; yet his fine-spun system proved in effect useless and impracticable. Several attempts were afterwards made to amend these fundamental constitutions, but all to little purpose; the inhabitants, sensible of their impropriety, and how little they were applicable to their circumstances, neither by themselves, nor by their representatives in assembly, ever gave their assent to them as a body of laws, and therefore they obtained not the force of fundamental and unalterable laws in the colony. What regulations the people found applicable and useful, they adopted at the request of their governors; but observed them on account of their own propriety and necessity, rather than as a system of laws imposed on them by British legislators.

As the proprietors were so fond of these constitutions, and expressed so much zeal for their establishment, it may not be improper to give a short and imperfect view of them, especially such as were allowed to take place in the government of the colony. The eldest of the eight proprietors was always to be Palatine, and at his decease was to be succeeded by the eldest of the seven survivors. This palatine was to sit as president of the palatine's court, of which he and three more of the proprietors made a quorum, and had the management and execution of all the powers of their charter. This palatine's court was to stand in room of the king, and give their assent or dissent to all laws made by the legislature of the colony. The palatine was to have power to nominate and appoint the governor, who, after obtaining the royal approbation, became his representative in Carolina. Each of the seven proprietors was to have the privilege of appointing a deputy to sit as his representative in parliament, and to act agreeable to his instructions. Besides a governor, two other branches, somewhat similar to the old Saxon constitution, were to be established, an upper and lower house of assembly; which three branches were to be called a Parliament, and to constitute the legislature of the country. The parliament was to be chosen every two years. No act of the legislature was to have any force unless ratified in open parliament during the same session, and even then to continue no longer in force than the next biennial parliament, unless in the mean time it be ratified by the hands and seals of the palatine and three proprietors. The upper house was to consist of the seven deputies, seven of the oldest landgraves and cassiques, and seven chosen by the assembly. As in the other provinces the lower house was to be composed of the representatives from the different counties and towns. Several officers were also to be appointed, such as an admiral, a secretary, a chief justice, a surveyor, a treasurer, a marshal, and register; and besides these, each county was to have a sheriff and four justices of the peace. Three classes of nobility were to be established, called Barons, Cassiques, and Landgraves; the first to possess twelve, the second twenty-four, and the third forty-eight thousand acres of land, and their possessions were to be unalienable. Military officers were also to be nominated, and all inhabitants from sixteen to sixty years of age, as in the times of feudal government, when summoned by the governor and grand council, were to appear under arms, and, in time of war, to take the field.

With respect to religion, three terms of communion were fixed: First, To believe that there is a God; Secondly, That he is to be worshipped; And, thirdly, That it is lawful and the duty of every man when called upon by those in authority, to bear witness to the truth. Without acknowledging which, no man was to be permitted to be a freeman, or to have any estate or habitation in Carolina. But persecution for observing different modes and ways of worship, was expressly forbid, and every man was to be left full liberty of conscience, and might worship God in that manner which he in his private judgment thought most conformable to the divine will and revealed word. This was the opinion of Mr. Locke with respect to religious matters. He chose the word of God for his rule of life, and was used to say, "That, at the day of judgment, it would not be asked whether he was a follower of Luther or Calvin; but whether he embraced the truth in the love of it."

[Sidenote] William Sayle visits Carolina.

Notwithstanding these preparations, several years elapsed before the proprietors of Carolina made any serious efforts towards its settlement. In 1667, they fitted out a ship, gave the command of it to Captain William Sayle, and sent him out to bring them some account of the coast. In his passage Captain Sayle was driven by a storm among the Bahama islands, which accident he improved to the purpose of acquiring some knowledge of them; particularly the island of Providence, which he judged might be of service to the intended settlement of Carolina; for, in case of an invasion from the Spaniards, this island, fortified, might be made to serve either as a check to the progress of their arms, or a useful retreat to unfortunate colonists. Leaving Providence, he sailed along the coast of Carolina, where he observed several large navigable rivers emptying themselves into the ocean, and a flat country covered with woods. He attempted to go ashore in his boat, but observing some savages on the banks of the rivers, he was obliged to drop his design; and, after having explored the coast and the mouth of the rivers, he took his departure and resumed to England.

[Sidenote] And is appointed the first governor of it.

His report to his employers, as might naturally be expected, was favourable. He praised their possessions, and encouraged them to engage with vigour in the execution of their project. His observations respecting the Bahama islands induced them to apply to the king for a grant of them. Charles bestowed on them by patent all those islands lying between the 22d and 27th degrees of north latitude. Nothing then remained but to make preparations for sending a colony to Carolina. Two ships were procured, on board of which a number of adventurers embarked, with provisions, arms, and utensils requisite for building and cultivation. William Sayle, who had visited the country, was appointed the first governor of it, and received a commission, bearing date July 26, 1669. The expences of this first embarkation amounted to twelve thousand pounds, which vigorous effort was a proof that the proprietor entertained no small hopes with respect to their palatinate. The number of men, however, must have been inconsiderable, and no ways adequate to the undertaking, especially when we consider the multitude of savages that

ranged through that extensive wilderness.

[Sidenote] Settles his colony on Ashley river.

In what place Governor Sayle first landed is uncertain; but he was dissatisfied with his first situation, and, moving to the southward, took possession of a neck of land between Ashley and Cooper rivers. The earliest instructions we have seen upon record were directed to the governor and council of Ashley river, in which spot the first settlement was made that proved permanent and successful. This place, however, was more eligible for the convenience of navigation than for the richness of its soil. But to struggle amidst a complication of difficulties and dangers was the lot of such adventurers; to surmount which, at this early period, no small degree of fortitude, patience and perseverance must have been requisite.

[Sidenote] Hardship of the first settlers, from the climate.

New settlers in all countries and climates are subject to many hardships, especially such as are in low and indigent circumstances; but those of the first settlers of Carolina must have equalled, if not surpassed, every thing of the kind to which men in any age have been exposed. To fell the trees of the thick forest, and build habitations for themselves, would probably be their first employment, before they began to clear their spots of ground for raising the necessaries of life. In such a low country, and warm climate, even this task must have been a considerable burden. But Carolina, like other level countries overflowed with water, is productive of many disorders, such as putrid fevers, agues, dysenteries, and the like; and to fix habitations on such places where the exhalations from stagnated waters and marshy swamps poisoned the air, must have rendered them extremely unwholesome. During the summer months the climate is so sultry, that no European, without hazard, can endure the fatigues of labouring in the open air: for the most part, the weather during this season is very clear and serene, excepting when a thunder-storm happens, which cools the air, suddenly stops perspiration, and becomes exceedingly dangerous to labourers of little precaution. Besides, the violent heat continues through the night, and denies the weary workman the natural refreshment of sleep. The autumn introduces cool evenings and mornings, while the noon-day is intolerably warm; which change, together with the thick fogs that commonly fall at this season, rendered it the most unhealthy division of the year. In winter, though the degree of cold is not so great as in the more northern climates of America, yet it is severely felt by the human body, exhausted and relaxed with the summer heat; and when the wind shifts suddenly from any quarter to the north-west or north, it blows extremely sharp and piercing, brings along with it sometimes frost and snow, and renders the warmest clothing requisite. The spring is the most temperate and delightful season of the year: it begins early, and diffuses its enlivening influence over the fields and forests. Experience had not yet taught the young colonists the methods either of improving the advantages, or guarding against the disadvantages of the climate, and therefore it is no wonder that they found themselves involved at this period in a complication of hardships.

[Sidenote] And from the Indians.

To enhance their distress, they were surrounded with tribes of warlike savages, who viewed them with a jealous eye, and were by no means pleased at the encroachments made on their natural possessions. The tribes called Stonoes and Westoes were particularly troublesome. The colonists, indeed, were furnished with arms and ammunition from the storehouse of the proprietors, yet as they lived in the midst of perpetual alarms, their condition must have been deplorable. Nor did the musket give those strangers to the woods such an advantage over the bow and arrow in the hands of the Indians, as some people may be apt to imagine. The savage, quick-sighted, and accustomed to perpetual watchfulness, springs from his den behind a bush, and surprizes his enemy with the pointed arrow before he is aware of danger. He ranges through the trackless forest like the beasts of prey, and safely sleeps under the same canopy with the wolf and bear. His vengeance is concealed, and sends the tidings in the fatal blow. The first settlers were obliged to stand in a continual posture of defence; and as they could not be supposed to understand the political methods of managing their barbarous neighbors, they must have been subjected to all the hardships arising from their ignorance and dangerous condition.

While one party was employed in raising their little habitations, another was always kept under arms, to watch the motions of these Indians. The governor shared those hardships along with his fellow adventurers, and by his example animated and encouraged them to perseverance. The only fresh provisions they could procure were fish from the river, and what game they could kill with their gun. While the settlers were struggling under the difficulties inseparable from the first state of colonization, the ship Blessing, belonging to the proprietors, commanded by Captain Matthias Halstead, happily arrived, and brought them a seasonable supply of necessaries. At the same time deputies from the other proprietors came over, to assist the governor in the discharge of the duties of his office. They brought with them twenty-three articles of instruction, called Temporary Agrarian Laws, intended for the equitable division of lands among the people; but whatever difficulties or inconveniencies might occur in the execution of them, the governor had directions to represent them to the proprietors, who had reserved to themselves the sole power of making alterations in them. At the same time, the governor received a plan of a magnificent town, to be laid out on the neck of land between the two rivers, to be called Charlestown, in honour of the king. Captain Halstead was employed, during his stay, in sounding the rivers, for the benefit of navigation, which were found sufficiently deep, and excellently calculated for the purposes of trade.

[Sidenote] Sir John Yeamans arrives at Carolina.

About this time the Duke of Albemarle, who was the first palatine, died, and was succeeded by the Earl of Craven, as eldest proprietor. John Locke, Sir John Yeamans, and James Carteret, were created landgraves, to make part of the nobility required by the fundamental constitutions. Sir John was the eldest son and heir of Robert Yeamans alderman of Bristol, who was imprisoned and executed in 1643, by order of Nathaniel Fienes,

son to Lord Say, who had been appointed governor of Bristol by the parliament. His son, Sir John, was afterwards advanced to the dignity of baronet by King Charles the second in 1664, as a reward for the steady loyalty and heavy sufferings of his father. But as the violence of the preceding times, which had deprived Sir John of his father, had also injured him in his private fortune, he embarked for the island of Barbadoes, at that time in a flourishing condition, to hide his poverty from his acquaintance in England, and endeavour to acquire a fortune suitable to his dignity. When Carolina was settled, having received a grant of a large tract of land from the proprietors, he, with several respectable followers, retired to that infant colony, to forward by his presence and example, the interest of his generous and beloved friends, from whom he had received great encouragement and assistance.

[Sidenote] A.D. 1671.

[Sidenote] And is appointed governor.

Soon after his arrival in Carolina, Governor Sayle fell a sacrifice to the hardships of the climate. Upon his death the council met, and Sir John claimed the office of vice-palatine in consequence of his rank, being the only landgrave resident in the colony. But the council, who were empowered to elect a governor in such a case, chose to prefer Joseph West, until a special appointment arrived from England. West was a popular man, much esteemed among the colonists for his activity, courage, and prudence. However, he did not long remain in office, for the first vessel that arrived from England brought a commission to Sir John Yeamans, constituting him governor of the colony.

[Sidenote] Various causes contribute to the settlement of the country.

Here it may be remarked, that various causes contributed towards the population of this settlement, as well as those in the more northern climates. After the Restoration, a total change in the manners of the English nation took place, and many of the people from the strictest rigour and severity in point of morals, became profane, dissolute and abandoned. The Cavaliers, who had suffered during the usurpation, began to retaliate on the Puritans, and having obtained the ascendancy over them in public affairs, on all occasions treated them with severe ridicule and supercilious contempt. On the other hand, the morose republican party, highly offended at the licentious manners and growing wickedness of the times, ardently wished for some distant retreat to shelter themselves from the storm of divine judgments which they believed hung over the corrupted and profligate nation. To prevent disturbances from these different parties, Lord Clarendon, and many more of the king's council, from maxims of policy, encouraged emigration, which they considered as a sovereign remedy for political disorders. A new field was opened in Carolina for discontented and turbulent spirits, to whom the proprietors promised grants of land, upon condition they would transport themselves and families to that quarter. They knew that industry was a good cure for enthusiasm, and that enthusiasm was an excellent spur to new and hazardous undertakings. The privilege of liberty of conscience allowed to every one by the charter equally suited all parties, and

proved a great encouragement to emigration. New-England indeed had drawn over many of the warmest and most turbulent republicans, and proved a happy shelter to some against the terrors of future reckonings. Still, however, multitudes remained in the nation, who, being discontented with their present circumstances, were willing to seek for liberty of conscience in the deserts of America. Accordingly, many dissenters embraced the offers of the proprietors, and the infant colony received its earliest acquisitions from this restless and troublesome party.

Other reasons of state contributed to render those new settlements seasonably useful and important to the king. Several of his zealous friends had been ruined by their steady adherence to his family during the civil war, which had subverted the English monarchy; many brave officers and soldiers of the royal army had been reduced to indigent circumstances, for whom the king could make little provision in England; these useful subjects and faithful friends merited the compassion of their country, and being inured to face dangers, for landed estates were willing to accept of grants in the neighbourhood of Indian savages. By this time several of the settlers in Virginia and Barbadoes had been successful, and having surmounted the difficulties attending the first state of colonization, were living in easy and plentiful circumstances. The lands of Carolina were esteemed equal, if not superior in value, to those of the northern colonies. Here the servants of the king could provide for his friends without any expence to the nation, and by this means not only secured their attachment, but also extended his power. Grants of land were allowed them in Carolina by the proprietors, where it was thought they might in time enrich themselves, and become beneficial to the commerce and navigation of the mother country.

From this period every year brought new adventurers to Carolina. The friends of the proprietors were invited to it, by the flattering prospects of obtaining landed estates at an easy rate. Others took refuge there from the frowns of fortune and the rigour of unmerciful creditors. Youth reduced to misery by giddy passion and excess embarked for the new settlement, where they found leisure to reform, and where necessity taught them the unknown virtues of prudence and temperance. Restless spirits, fond of roving abroad, found also the means of gratifying their humours, and abundance of scope for enterprise and adventure. It cannot be deemed wonderful if many of them were disappointed, especially such as emigrated with sanguine expectations. The gaiety, luxury and vices of the city were bad qualifications for rural industry, and rendered some utterly unfit for the frugal simplicity and laborious task of the first state of cultivation. An hardy race, inured to labour, hunger, and fatigue, were best adapted for making impressions on the thick forest, and not such emigrants as left the city, tintured with its vices and fond of luxury and ease. Nor could the Puritans, who settled before them, promise themselves much greater success than their neighbours; though more rigid and austere in their manners, and more religiously disposed, their scrupulosity about trifles and ceremonies, and their violent and litigious dispositions, created trouble to all around them, and disturbed that general harmony so necessary to the welfare and prosperity of the young settlement. From the various principles which actuated the populace of England, and the different sects who composed

the first settlers of Carolina, nothing less could be expected, but that the seeds of division should be imported into that country with its earliest inhabitants.

We are apt to attend chiefly to the desolating wars, or the great and surprising revolutions which happen to kingdoms in their populous and advanced state, and to pass over the events of their rise and progress as trifling and inconsiderable; but as the greatest nations upon earth have gradually sprung from such beginnings, it is no less curious and instructive to view the smaller transactions of their infant state, than the grander events of their mature age. Kingdoms in the political world, like plants in the vegetable, have their stages of rise, progress, perfection, and decline; and, in the fields of nature, it is equally pleasant to mark the buds of the spring, as the bloom of summer, or the decay of autumn.

[Sidenote] America peopled in an improved age.

One advantage certainly attended the various settlements in America, of which no European state can boast. Being peopled from civilized nations in an enlightened age, when records are carefully kept and faithfully preserved, the events of their rise and progress, though not so important, were equally clear as those of their more perfect state: whereas the history of the origin of eastern nations could only be transmitted to future generations by the songs of bards or oral tradition. Ignorance of geography, and the art of printing not being then invented, must have rendered the transactions of rude and barbarous ages so precarious and obscure, that if the dead of past ages were to revive, they could scarcely be able to recognize the complexion of their own time. Even in the ages preceding the invention of printing, and the happy Reformation, many events lie buried in darkness and oblivion. The small knowledge which then existed being confined to the clergy, their accounts do not merit entire credit; for the various orders of ecclesiastics at that time were too much under the influence of monkish pride and superstition, to transmit faithful memorials to posterity.

[Sidenote] The first treaty with Spain respecting it.

Before the year 1667, there is no mention made of America in any treaty between England and Spain, the latter being contented to keep up her ancient claims to that country, and the former careful to keep and improve the footing she had already gained in it. However, a few years after Carolina was settled, Sir William Godolphin concluded a treaty with Spain, in which, among other articles, it was agreed, "That the King of Great-Britain should always possess, in full right of sovereignty and property, all the countries, islands, and colonies, lying and situated in the West Indies, or any part of America, which he and his subjects then held and possessed, insomuch that they neither can nor ought thereafter to be contested on any account whatsoever." The Bucaniers, who had for many years infested Spanish America, were now cut off from all future protection from the English government in their hostile invasions of these dominions, and all commissions formerly granted to such pirates, were recalled and annulled. By this treaty, the freedom of navigation in

these American seas was opened to both nations; and all ships in distress, whether from storms, or the pursuit of enemies and pirates, taking refuge in places belonging either to Britain or Spain, were to be treated with humanity, to meet with protection and assistance, and to be permitted to depart without molestation. These things merit particular notice, as by this treaty Spain evidently gave up all future pretensions to the country of Carolina granted to the proprietors by the king; and this freedom of navigation, provided for in such express terms, was violated, as we shall afterwards see, by the Spaniards, and proved the occasion of a bloody war between the two nations. Not long after this, a treaty of neutrality between Britain and France was also concluded; by which negotiations the possessions of Great Britain, France, and Spain, in the western world, were better ascertained; and the freedom of commerce and navigation was more firmly established by those three great potentates, than had taken place in any former period.

[Sidenote] A council of commerce is instituted.

It is not improbable that King Charles the second, during his exile, had acquired in Holland some knowledge in trade, and seen the vast advantage resulting from it to that republic; for after his return to his native dominions, he made the naval strength of England, and her commercial affairs, the principal objects of attention. He instituted a select council of commerce, consisting of a president, vice-president, and nine counsellors, for the encouragement of trade, navigation and the colonies. Instead of the former method, of referring all commercial concerns to a fluctuating committee of the privy-council, this institution was intended to chalk out a particular line of duty, which was to engage the whole attention of that board. But the king was so immersed in private luxuries and pleasures, that it was difficult to keep him steady and firm to any laudable public regulation. The annual expence attending this excellent institution he soon found was too heavy, and therefore it was dropt, and the affairs of commerce returned to their former tedious and fluctuating channel.

[Sidenote] A legislature is formed in the colony.

In Carolina Sir John Yeamans had entered on the government with an uncommon zeal for the success of the settlement, and a grateful anxiety to discharge the duties of his trust with fidelity and honour. The proprietors, fond of their new form of government, had instructed him to use his endeavours to introduce it, as the most excellent of its kind, and wisely adapted to promote the prosperity and happiness of the people. Accordingly, Sir John summoned the people together, ordered the fundamental constitutions to be read, and representatives to be elected. The province was divided into four counties, called Berkeley, Colleton, Craven, and Carteret counties. The people, who had hitherto lived under a kind of military government, now began to form a legislature for establishing civil regulations. Ten members were elected as representatives for Colleton, and ten for Berkeley counties. A committee, consisting of Stephen Bull, Ralph Marshal, and William Owen, were nominated for framing some public regulations. Three acts were proposed by them as beneficial; the first, to prevent persons leaving the colony;

the second, to prohibit all men from disposing of arms and ammunition to Indians; and the third, for the regular building of Charlestown.

[Sidenote] Its troubles from the Spaniards.

Notwithstanding the public treaty already mentioned, a religious society of the Spanish nation laid claim to the large territory of Florida, not only on the foot of prior discovery, but also by virtue of a grant from the pope; and the garrison kept at Augustine regarding the British settlement as an encroachment on their possessions, were disposed to throw every difficulty in the way of the Carolinians, in order to compel them to relinquish the country. They encouraged indentured servants to leave their masters, and fly to them for liberty and protection. They instilled into the savage tribes the most unfavourable notions of British heretics, and urged them on to the destruction of the colony. Good policy required that the governor should keep a watchful eye on the motions of such neighbours, and guard his weak and defenceless colony against the pernicious designs of their Spanish rivals. Some men he discovered who were attempting to entice servants to revolt; these were ordered to receive so many stripes. Others, in defiance of the feeble power of the magistrate, took to such courses as were subversive of public peace and justice. Except a few negroes whom Sir John Yeamans and his followers brought along with them from Barbadoes, there were no labourers but Europeans for the purposes of culture. Until the fields were cleared the brute creation could afford the planters no assistance; the weak arm of man alone had to encounter all the hardships of clearing and cultivation, and the thick forest seemed to bid defiance to his strength. Hard indeed was the task of these labourers while employed in felling the large and lofty trees, and all the while exposed to the heat of an inclement sky, and the terrors of barbarous enemies; with great truth it may be said of them, that they purchased their scanty morsel with the sweat of their brows. After all, the provisions they raised were exposed to the plundering parties of savage neighbours, and one day often robbed them of the dear-bought fruits of their whole year's toil.

[Sidenote] Its domestic troubles and hardships.

It is no easy matter to describe the dreadful extremities to which these poor settlers were sometimes reduced. During the government of Sir John Yeamans a civil disturbance broke out among the colonists, which threatened the ruin of the settlement. At such a distance it was very difficult for the proprietors to furnish their colony with regular supplies; and the spots of sandy and barren land they had cleared poorly rewarded their toil. Small was the skill of the planter, and European grain, which they had been accustomed to sow, proved suitable to neither soil nor climate. The emigrants being now, from sad experience, sensible of difficulties inseparable from their circumstances, began to murmur against the proprietors, and to curse the day they left their native land, to starve in a wilderness. While they gathered oysters for subsistence with one hand, they were obliged to carry their muskets for self-defence in the other. A great gun had been given to Florence O'Sullivan, which he placed on an island situate at the mouth of the harbour, to alarm the town in cases of invasion from the Spaniards.

O'Sullivan deserted his island, being ready to perish with hunger, and joined the discontented party in the town. The people became seditious and ungovernable, and threatened to compel the governor to relinquish the settlement: even Mr. Culpepper the surveyor-general, joined them in their complaints and murmurs. The greatest prudence and courage were requisite to prevent tumults, and animate the colonists to perseverance. Florence O'Sullivan was taken up by the marshal on a charge of sedition, and compelled to find security for his future good behaviour. One sloop, commanded by Joseph Harris, was despatched to Virginia, another to Barbadoes, to bring provisions. Happily before their return a seasonable supply arrived from England, together with a number of new settlers, which revived the drooping spirits of the people, and encouraged them to engage in more vigorous efforts. The governor, sensible of the hardships the people had suffered, the more readily forgave them for their past misconduct; but as Mr. Culpepper held an office from the proprietors, he sent him to England to be tried by them for joining the people in treasonable conspiracies against the settlement.

The garrison at Augustine having intelligence from servants who fled to them of the discontented and miserable situation of the colony in Carolina, advanced with a party under arms as far as the island of St. Helena, to dislodge or destroy the settlers. Brian Fitzpatrick, a noted villain, treacherously deserted his distressed friends on purpose to join their enemies. However, Sir John Yeamans having received a reinforcement, set his enemies at defiance. Fifty volunteers, under the command of Colonel Godfrey, marched against the Spaniards, who, on his approach, evacuated the island of St. Helena, and retreated to Augustine.

[Sidenote] A war among the Indians seasonable for the settlement.

At this period, to form alliances with Indian tribes was an object of great importance with the governor and council. One circumstance proved favourable to the colony at the time of its settlement. The Westoes, a powerful and numerous tribe, who harboured an irreconcilable aversion to the white faces of strangers, would have proved a dangerous enemy to them, had not their attention been occupied by the Serannas, another Indian nation. A bloody war between these two tribes providentially raged, and was carried on with such fury, that in the end it proved fatal to both. This served to pave the way for the introduction and establishment of this British settlement, which otherwise might have shared the same unhappy fate with the first adventurers to Virginia. Many tribes besides that might no doubt have extirpated the colony, but it is probable the governor studied by every means to avoid giving them any provocation, and to conciliate their affection and esteem.

[Sidenote] Of Indians in general.

While we now and then turn our eyes to those wild hunters who ranged through the American woods, we must guard against such false and horrid descriptions of them, as some who have suffered from their warlike temper have exhibited to the world. Many authors have discovered unreasonable prejudices against them, and shewn that they either wanted judgment to distinguish, or candour to make due allowances for, the failings peculiar

to all nations in the same rude and uncultivated state. When Julius Cesar carried the Roman arms into Britain, and Germanicus over-run the forests of Germany, did they not find the silvestres of those countries little, if at all, more civilized than the brown natives of America? If the Indians were offended at the encroachments made by strangers on lands which they had possessed unmolested for time immemorial, that is nothing wonderful or uncommon. Lands may be called the first property of all nations on the face of the earth. While unacquainted with the advantages of pasturage and agriculture, a greater extent of hunting lands are requisite for their subsistence. Through this territory, now possessed by Europeans, they had been accustomed to range, independent, fearless and free. If they were ready to defend their property at the risque of life, this practice is nothing more than what all nations in the same barbarous state have followed. Until laws were made to prevent and redress wrongs, and men delivered up their arms to the civil magistrate, have they not, in every age, had recourse to forcible means for the defence of their property? The natives of Carolina were doubtless displeased at the encroachments of strangers on their inheritance, and if they had not advanced a single step towards civilization, no man can reasonably expect from them a conduct incompatible with their natural circumstances. The woods abounded with deer and buffaloes, which, when young, might have been domesticated; but on such employment no Indian had entered; it probably appeared to him equally despicable as that of agriculture.

[Sidenote] The occasion of Europeans being peaceably admitted among them.

The first bond of union and affection between Europeans and Americans was conveniency. At this early period, to the Indian a knife, a hatchet, or a hoe, was a useful and invaluable acquisition. He observed with what facility the strangers supplied their wants, which were many in comparison with his, by means of the various implements they used. The woods fell before the axe, the earth opened before the hoe or the spade; and the knife was useful on numberless occasions. He admired the skill of white men in making those implements of ease and profit, and voluntarily offered them his deer skins, the only riches he had which could procure them. The love of ease was as natural to the one as the other, and he would rather give them the profits of a year's hunting than want such instruments. Having obtained these in process of time, he found the tomahawk and musket equally useful; these he also coveted, and could not rest till he obtained them. What was at first only convenient, as his wants increased, became absolutely necessary, by which means the original bond was strengthened and confirmed. As the channel of commerce opened, the Indian found that he was not only treated with friendship and civility, but that the white people were equally fond of his skins, furs and lands, as he was of their gaudy trinkets, and various implements of convenience and advantage. It was this connection that induced the native inhabitants of the forest, peaceably to admit stranger differing so much in complexion, language and manners, among them and allow them to clear and cultivate their lands.

From the ignorance of Englishmen with respect to the policy and customs of these wild tribes, they must have been exposed to numberless dangers

in the earlier periods of their commercial intercourse. At first, the rude manners of the western savages must have been equally strange to the European, as the civilized manners of eastern nations to the Indian. The commerce itself served to enhance the danger; for although Indians lived much dispersed, yet they united under one chief, and formed different towns, all the lands around which they claimed as their property. The boundaries of their hunting grounds being carefully fixed, each tribe was tenacious of its possessions, and fired with resentment at the least encroachment on them. Every individual looked on himself as a proprietor of all the lands claimed by the whole tribe, and bound in honour to defend them. This may serve to account for many umbrages (which we shall afterwards have occasion to mention) taken by Indians in general at purchases made and titles obtained by private persons, and even by particular provinces: for no Indian, however great his influence and authority, could give away more than his own right to any tract of land, which, in proportion, is no more than as one man to the whole tribe. To all such gifts the concurrence and consent of the whole nation must be obtained. Here a large source of difference and quarrels opened, and a foolish bargain of an individual often exposed the European settlers to the fury and vengeance of the whole clan.

[Sidenote] General remarks on the manners, government and religion, &c. of the Indians.

Those inhabitants, like beasts of prey, traverse the forest, and while they neither encroach on their neighbours territories, nor are at war with another tribe, enjoy freedom in the most extensive sense of the word. In stature they are of a middle size, neither so tall nor yet so low as some Europeans. To appearance they are strong and well made; yet they are totally unqualified for that heavy burden or tedious labour which the vigorous and firm nerves of Europeans enable them to undergo. None of them are deformed, deformities of nature being confined to the ages of art and refinement. Their colour is brown, and their skin shines, being varnished with bears fat and paint. To appearance the men have no beards, nor hair on their head, except a round tuft on its crown; but this defect is not natural, as many people are given to believe, but the effect of art, it being customary among them to tear out such hair by the root. They go naked, except those parts which natural decency teaches the most barbarous nations to cover. The huts in which they live are foul, mean and offensive; and their manner of life is poor, nasty and disgusting. In the hunting season they are eager and indefatigable in pursuit of their prey; when that is over, they indulge themselves in a kind of brutal slumber, indolence and ease. In their distant excursions they can endure hunger long, and carry little with them for their subsistence; but in days of plenty they are voracious as vultures. While dining in company with their chieftains, we were astonished at the vast quantity of meat they devoured. Agriculture they leave to women, and consider it as an employment unworthy of a man: indeed they seem amazingly dead to the tender passions, and treat their women like slaves, or beings of an inferior rank. Scolding, insults, quarrels, and complaints, are seldom heard among them: on solemn occasions they are thoughtful, serious, and grave; yet I have seen them free, open and merry at feasts and entertainments. In their common deportment towards each

other they are respectful, peaceable, and inoffensive. Sudden anger is looked upon as ignominious and unbecoming, and, except in liquor, they seldom differ with their neighbour, or ever do him any harm or injury. As for riches they have none; nor covet any; and while they have plenty of provisions, they allow none to suffer through want: if they are successful at hunting, all their unfortunate or distressed friends share with them the common blessings of life.

Although in some particular customs the separate tribes of Indians differ from each other, yet in their general principles and mode of government they are very similar. All have general rules, with respect to other independent tribes around them, which they carefully observe. The great concerns relating to war or peace, are canvassed in assemblies of deputies from all the different towns. When injuries are committed, and Indians of one tribe happen to be killed by those of another, then such a meeting is commonly called. If no person appears on the side of the aggressors, the injured nation deputed one of their warriors to go to them, and, in name of the whole tribe, to demand satisfaction: if this is refused, and they think themselves able to undertake a war against the aggressors, then a number of warriors, commonly the relations of the deceased, take the field for revenge, and look upon it as a point of honour never to leave it till they have killed the same number of the enemy that had been slain of their kinsmen. Having accomplished this, they return home with their scalps, and by some token let their enemy know that they are satisfied. But when the nation to whom the aggressors belong, happen to be disposed to peace, they search for the murderers, and they are, by the general judgment of the nation, capitally punished, to prevent involving others in their quarrel; which act of justice is performed often by the aggressor's nearest relations. The criminal never knows of his condemnation until the moment the sentence is to be put in execution, which often happens while he is dancing the war dance in the midst of his neighbours, and bragging of the same exploit for which he is condemned to die.

In different ages mankind in similar circumstances, with respect to their progress in improvements, bear a striking resemblance one to another. The accounts of rude and barbarous Indians may be so far curious and instructive, as they serve to throw light on several earlier periods of history, both sacred and profane. The American savages almost universally claim the right of private revenge. It is considered by them as a point of honour to avenge the injuries done to friends, particularly the death of a relation. Scalp for scalp, blood for blood, and death for death, can only satisfy the surviving friends of the injured party. The same law of retaliation was established among the ancient Jews and Romans. But should the wise and aged men of weight and influence among Indians interpose, on account of some favourable circumstances on the side of the aggressor, perhaps satisfaction may be made by way of compensation. In this case, some present made to the party aggrieved serves to gratify their passion of revenge, by the loss the aggressor sustains, and the acquisition of property the injured receives. Should the injured friends refuse this kind of satisfaction, which they are entirely at liberty to do, then the murderer, however high his rank may be, must be delivered up to torture and death, to prevent the quarrel spreading wider through the nation.

This custom of making compensation also prevailed among European nations in their earlier and more uncultivated ages. In the time of Tacitus, the relations of the maimed or murdered person, among the Germans, were obliged to accept of a compensation, and restrain the spirit of revenge. During the Anglosaxon period in England, laws were made to determine the various fines for murder, man-slaughter, wounds and other injuries, and prices were fixed on the heads of men according to their rank. In case of adultery among Indians, the injured husband considers himself as under an obligation to revenge the crime, and he attempts to cut off the ears of the adulterer, provided he be able to effect it; if not, he may embrace the first opportunity that offers of killing him, without any danger from his tribe. Then the debt is paid, and the courage of the husband proved. This is more severe than the law of Ethelbert, which admitted of a fine from the adulterer, and obliged him to purchase another wife for the injured husband.

With respect to internal government, these savages have also several customs and regulations to which the individuals of the same tribe conform. Personal wisdom and courage are the chief sources of distinction among them, and individuals obtain rank and influence in proportion as they excel in these qualifications. Natural reason suggests, that the man of the greatest abilities ought to be the leader of all possessed of inferior endowments; in him they place the greatest confidence, and follow him to war without envy or murmur. As this warrior arrives at honour and distinction by the general consent; so, when chosen, he must be very circumspect in his conduct, and gentle in the exercise of his power. By the first unlucky or unpopular step he forfeits the goodwill and confidence of his countrymen, upon which all his power is founded. Besides the head warrior, they have judges and conjurers, whom they call Beloved Men, who have great weight among them; none of whom have indeed any coercive authority, yet all are tolerably well obeyed. In this commonwealth every man's voice is heard, and at their public deliberations the best speakers generally prevail. When they consult together about important affairs, such as war or peace, they are serious and grave, and examine all the advantages and disadvantages of their situation with great coolness and deliberation, and nothing is determined but by the general consent. When war is the result of their councils, and the great leader takes the field, any one may refuse to follow him, or may desert him, without incurring any punishment, but by such ignominious conduct he loses his reputation, and forfeits the hopes of distinction and preferment. To honour and glory from warlike exploits the views of every man are directed, and therefore they are extremely cautious and watchful against doing any action for which they may incur public censure and disgrace.

The Indians, like all ignorant and rude nations, are very superstitious. They believe that superior beings interfere in, and direct, human affairs, and invoke all spirits, both good and evil, in hazardous undertakings. Each tribe have their conjurers and magicians, on whose prophetic declarations they place much confidence, in all matters relating to health, hunting, and war. They are fond of prying into future events, and therefore pay particular regard to signs, omens, and dreams. They look upon fire as sacred, and pay the author of it a kind of

worship. At the time of harvest and at full moon they observe several feasts and ceremonies, which it would seem were derived from some religious origin. As their success, both in warlike enterprises and in procuring subsistence depends greatly on fortune, they have a number of ceremonious observances before they enter on them. They offer in sacrifice a part of the first deer or bear they kill, and from this they flatter themselves with the hopes of future success. When taken sick they are particularly prone to superstition, and their physicians administer their simple and secret cures with a variety of strange ceremonies and magic arts, which fill the patients with courage and confidence, and are sometimes attended with happy effects.

[Sidenote] A Dutch colony brought to Carolina.

During the time Sir John Yeamans was governor of Carolina, the colony received a great addition to its strength from the Dutch settlement of Nova Belgia, which, without any resistance, surrendered to the armament commanded by Sir Robert Carr, and became subject to England. Charles the second gave it to his brother the Duke of York, who called the province New-York, and governed it on the same arbitrary principles which afterwards rendered him so obnoxious to the English nation. After the conquest many of the Dutch colonists, who were discontented with their situation, had formed resolutions of moving to other provinces. The proprietors of Carolina offered them lands and encouragement in their palatinate, and sent their ships Blessing and Phoenix and brought a number of Dutch families to Charlestown. Stephen Bull, surveyor-general of the colony, had instructions to mark out lands on the southwest side of Ashley river for their accommodation. There each of the Dutch emigrants drew lots for their property, and formed a town, which was called James-town. This was the first colony of Dutch who settled in Carolina, whose industry surmounted incredible hardships, and whose success induced many from ancient Belgia afterwards to follow them to the western world. The inhabitants of James-town, afterwards finding their situation too narrow and circumscribed, in process of time spread themselves through the country, and the town was totally deserted.

[Sidenote] A.D. 1674. Joseph West made governor.

About the year 1674, Sir John Yeamans being reduced to a feeble and sickly condition by the warm climate, and his indefatigable labours for the success of the settlement, returned to Barbadoes, where he died. After his departure the grand council again chose Joseph West governor; and the palatine confirmed the election. A meeting of all the freemen was called at Charlestown, where they elected representatives, for the purpose of making laws for the government of the colony. Thomas Gray, Henry Hughs, Maurice Mathews, and Christopher Portman, were chosen deputies from the people, and took their seat at the upper house of assembly. These new members were obliged to take an oath, that they should shew equity and justice to both rich and poor, without favour or affection; that they should observe the laws of England, and those that should hereafter be established in the colony; that they should obey the rules and directions of the proprietors; that they should not divulge the secrets of the grand council, without sufficient authority from that

board. A question being put, whether the deputies of the proprietors should take the same oath? it was judged unnecessary, as they held their appointments during pleasure, and were immediately answerable to the proprietors for their conduct. Now the colony had its governor, its upper and lower house of assembly, which three branches took the name of Parliament, agreeable to the constitutions. This was the first parliament that passed acts which are ratified by the proprietors, and found on record in the colony.

[Sidenote] Variances break out in the colony.

It might have been expected, that these adventurers, who were all embarked on the same design, would be animated by one spirit, and zealous above all things to maintain harmony and peace among themselves; they had all the same hardships to encounter, the same enemies to fear, and the same cause, the prosperity of the settlement, to promote. In such circumstances, the governor had good reason to hope, that one common desire of safety, and principle of love and friendship, would pervade the whole colony; yet nothing is more certain than that the contrary effect took place. The most numerous party in the country were dissenters, of various denominations, from the established church of England; which body of men, whatever high pretensions they may affect to superior sanctity of manners, have not always been found the most peaceable members of society. A number of cavaliers having received grants from the proprietors, had now brought over their families and effects, and joined the Puritans in Carolina. The latter were looked upon by the proprietors with a partial eye, as men of honour, loyalty and fidelity, and met with great indulgence and encouragement; by which means they thrust themselves into offices of trust and authority. The Puritans, on the other hand, viewed them with the eye of envy and jealousy, and having suffered from them in England, could not bear to see the smallest share of power committed to them in Carolina. Hence the seeds of strife and division, which had been imported into the colony, began to spring forth, and, as if brought to a warmer and more fertile soil, to grow so rank as to promise little peace and happiness to the young settlement. No common dangers or difficulties could blot out of their memories the prejudices and animosities contracted in England: the odious terms of distinction were revived and propagated among the people, and while one party were attached to the church of England, the other, who had fled from the rigour of ecclesiastical power, were jealous above all things of religious liberties, and could bear no encroachment on them. The governor found that matters of religion were tender points, and therefore wisely avoided all deliberations about them, chusing rather to leave every man to his free choice, than propose an establishment of any kind, which he saw would occasion trouble and division among the people.

Another source of difficulty arose to government from the different manners of these colonists. These emigrants were not a people accustomed to rural labours and frugal simplicity, but many of them pampered citizens, whose wants luxury had increased, and rendered them impatient of fatigue and the restraints of legal authority. The sober and morose life, the stiff and rigid morals of the Puritans, were made the objects of ridicule by their neighbours, and all the powers of wit and humour

were employed in exposing them to public derision and contempt. Their levelling spirit, republican principles, and contentious disposition, they declared merited the hatred and abhorrence of every man of honour and honesty, as they had served to produce in England that race of sly, deceitful and hypocritical wretches, who had been the curse and scourge of the nation. The Puritans, on the other hand, possessed of no small share of rancour and malevolence, and exasperated by their licentious manner and grievous abuse, violently opposed their influence among the people. Hence arose a number of difficulties in framing laws, in distributing justice, and in maintaining public order and tranquillity. Governor West, observing those dissensions breaking out in the settlement, was at no small pains to keep them within the bounds of moderation, but having a council composed of ambitious cavaliers, was unable entirely to check the disorder. In spite of his authority, the Puritans were treated with insolence and neglect, and the colony, distracted with domestic differences, were ill prepared for defence against external enemies: not only so, but such divisions occasioned a neglect of industry and application, which prevented the country from making that progress in improvement which might have been expected from its natural advantages.

[Sidenote] A trade in Indians encouraged.

At this unfavourable juncture the Indians, from Stono, came down in straggling parties, and plundered the plantations of the scanty and dearly earned fruits of labour and industry. Being accustomed to the practice of killing whatever came in their way, they ranked the planter's hogs, turkeys and geese among their game, and freely preyed upon them. The planters as freely made use of their arms in defence of their property, and several Indians were killed during their depredations. This occasioned a war, and the Indians poured their vengeance indiscriminately, as usual, on the innocent and guilty, for the loss of their friends. Governor West found it necessary to encourage and reward such of the colonists as would take the field against them for the public defence. Accordingly, a price was fixed on every Indian the settlers should take prisoner, and bring to Charlestown. These captive savages were disposed of to the traders, who sent them to the West-Indies, and there sold them for slaves. This traffic was deemed by some an inhuman method of getting rid of troublesome neighbours; yet, at this period, the planters had some reasons to plead in its vindication. Lands indeed were given as the reward of valour; but lands, without hands to cultivate them, were rather a burden, than any way beneficial, to men who were allowed more by the proprietors than they could turn to any profit. But the planters had an immediate reward for Indian prisoners, and while it encouraged bold adventurers, it was made a profitable branch of trade. Whether the rum which was imported into the colony, in return for these Indians, proved of beneficial consequence or not, we shall not pretend to determine, as this depended on the use or abuse that was made of it. Where the water is bad, a little rum mixed with it is accounted wholesome and nourishing; but excess in drinking, every where, destroys the constitution, and proves a fruitful spring of pains, diseases, and death.

[Sidenote] A general description of the climate.

Though Carolina lies in the same latitude with some of the most fertile countries on the globe, yet he is in danger of error who forms his judgment of its climate from the latitude in which it lies. Many local circumstances concur to occasion a difference between it and Palestine, the north of Egypt, or the dominions in the same latitude in China. Besides the bleak mountains, frozen lakes, and the large uncultivated territory over which the north and northwest winds blow in winter, by which they are rendered dangerous; when the extreme heat of summer is united with a low marshy soil, where the water stagnates, and the effluvia arising from it thicken and poison the air, it must prove the occasion of a numberless list of fatal distempers. This last circumstance serves to decide the healthiness of climates in every latitude. Sudden changes from heat to cold are every where dangerous; but, in countries where little caution is used in dress, they must often prove fatal. The winds in Carolina are changeable and erratic, and, about the vernal and autumnal equinoxes, commonly boisterous. In summer, they are sultry and suffocating; in winter, cold and dry. Beyond doubt, the flat maritime part is a most unhealthy situation, and the first settlers could scarcely have been cast ashore in any quarter of the globe where they could be exposed to greater hazards from the climate.

[Sidenote] Of the the country.

Yet the country, low and unhealthy as it is, affords many advantages for commerce and navigation. As you approach towards the shore, the sea gradually ebbs, which furnishes good soundings for the help of navigators. For eighty, and in some places an hundred, miles from the Atlantic, the country is an even plain, no rocks, no stones, scarce a hill of any height is to be seen. Backwards from this the lands begin to rise gradually into little hills and beautiful inequalities, which continue increasing in height and variation until you advance to the Apalachian mountains, three hundred miles and more from the sea. Here a vast ridge of mountains begins, and runs through North America, in the bowels of which no man can say what riches lie in store. These mountains give rise to four large rivers, called by their Indian names, Alatahama, Savanna, Santee and Pedee. Among the hills these rivers are composed of different branches, and run in a rapid course; but lose their velocity when they reach the plains, through which they glide smoothly along, in a serpentine course, to the ocean. Up these large rivers the tide flows a considerable way, and renders them navigable for ships, brigs, sloops and schooners, and smaller craft force their way still higher than the tide flows. Besides these large rivers, the hills in the heart of the country give rise to others of a secondary size, such as Ogetchee, Cusaw, Cambahee, Edisto, Ashley, Cooper, and Black rivers; all which are also navigable many miles from the ocean. The coast is also chequered with a variety of fine islands, around which the sea flows, and opens excellent channels, for the easy conveyance of produce to the market.

[Sidenote] Of its soil and lands.

By the different trees which cover the lands the soil is distinguished, which in some places is very rich, and in others very poor. Where the

pine-trees grow the ground is sandy and barren, and produces little except in rainy seasons. The oaks and hickories delight to grow in a lower and richer soil, running in narrow streaks through the different eminences, which grounds, when cleared and cultivated, amply reward the industrious planter. The cypresses and canes chuse a still deeper and more miry soil, which is exceedingly fruitful, having had the fruits and foliage of trees from the higher grounds flowing into it from the creation. The river swamp lands, by proper culture and judicious management, are of inexhaustible fertility. The savannas and open plains are of a deep fat and greasy mould, which when drained and freshened, become also fruitful and excellent parts of a plantation. The marshy grounds, some of which are fresh and others salt, are much neglected, yet they yield a kind of grass grateful to some animals, and are used as yet only for pasturage. Many years elapsed before the planters found out the different grains suited to those different soils, and we shall take occasion to mention them as time and experience taught them the useful discoveries. The soil of the hilly country differs from all these; for there, in the vallies between the hills, a black and deep loam is found, probably formed of rotten trees and vegetables, which the showers and floods have carried into them from the adjacent heights. Marble, clay, chalk and gravel grounds are also observed among these hills in the middle of the country, and a variety of soil nearly similar to that found in Europe.

[Sidenote] Of its storms and natural phenomena.

At this period Carolina, in her natural and rural robes, to an ingenious stranger must have exhibited a noble and striking appearance, as all objects of nature do in their primeval state. Still we may fancy what new scenes would command his attention, and excite his admiration. A thunder-storm here is a grand phenomenon, especially in the night; it is said to be the voice of the supreme Author of nature, whose command all the various elements obey, and it speaks his majesty and glory in the loudest and most exalted strain. The frequent balls of fire bursting from cloud to cloud; the forked flashes darting from the clouds to the earth, and from the earth to the clouds alternately, illuminating the whole surrounding atmosphere, and men, like so many worms, crawling in the dust in the midst of flaming fire, form a magnificent and striking scene. The continual muttering noise of thunder at a distance the dreadful explosion on the right hand, the repercussive roar on the left, while the solid foundations of the earth shake, and the goodly frame of nature seems ready to dissolve, to the eyes of an intelligent stranger must have appeared awful and great. The beasts of the field retire from the thicket, and shew evident symptoms of silent awe and astonishment during the storm, and man's ultimate source of confidence is in the divine protection. In every quarter you meet with the blasted trees of the forest, which wither and decay at the lightning's stroke. No earthquakes, such as are commonly known in the West-India islands, have ever been felt here; but whirlwinds sometimes have made avenues through the thick forest, by levelling the loftiest trees, or sweeping them away before them like chaff. These terrible blasts are generally confined to a narrow tract, and run in an oblique and crooked direction. Hurricanes have also often visited the country and through such low and flat lands

have spread their defoliation far and wide.

In travelling along the coast of Carolina, partly by water and partly by land, the stranger has an excellent view of the natural beauties, and rural inhabitants of the forest. At a distance the marshes and savannas appear like level meadows, with branches or creeks of the sea running through them. On one hand the evergreen pines appear, and engross almost the whole higher lands of the country; on the other the branching oaks and stately hickories stand covered with mossy robes: now he passes a grove covered with cypress; then the laurels, the bays, the palmetoes, the beech or mulberry-trees surround him, all growing as the hand of nature hath wildly scattered them. In the spring the dogwood, cherry-trees, and many others blossom, and, together with the jessamines, perfume the air; while the luxuriant vines climb over the loftiest trees, and bushes or shrubs of humbler growth fill up the thicket.

At this early period the rude hunters, though masters of the woods, while they attracted the attention of the stranger, must also have convinced him how little human nature uncultivated is exalted above the brute creation. Numbers of deer, timorous and wild, ranged through the trees, and herds of buffaloes were found grazing in the savanna. Above his head the feathered tribes, more remarkable for the splendour of their plumage than the harmony of their notes, would fly; whilst under his feet would crawl innumerable reptiles and insects. Here it may not be improper to enumerate some of the different kinds of living creatures found in the country, and leave the particular description of them to the natural historian.

[Sidenote] Of its animals.

Beyond doubt Carolina teems with animals both of the useful and hurtful kind. The alligator, probably a species of the crocodile, is found here nigh the rivers and ponds, and is very destructive to young creatures about a plantation. He is perhaps the largest animal, except the crocodile in Africa, of the ovarious kind. The bear is a fierce animal, but in many respects a rich prize to the Indian hunter. The beaver is also a native of Carolina, and his fur is a precious article of American commerce. The racoon and opossum are also natives of the country, and scarcely found in any other continent. The latter demands the particular notice of naturalists; its young are said to breed at the female's teats, which is furnished with a double belly, into one of which, on the appearance of danger, the young ones retreat, and are saved by being carried up a tree. The leopard, the panther, the wolf, the fox, the rabbit, wild and pole cats, are all found in the country, on which the American hunter pours his vengeance. Squirrels of various kinds and different hues are numerous here; one of which is called the flying squirrel, not from its having wings like a bird, but from its being furnished with a fine loose skin between its fore and hind legs, which it contracts or expands at pleasure, and which buoys it up, and enables it to spring from branch to branch at considerable distances, with amazing nimbleness.

[Sidenote] Of its fishes.

In the mouth of the rivers, and on the coast, the shark, the porpoise, the sword, the guarr, and devil fishes, are all found, but in no respects rendered useful. However, the sea coast and rivers furnish a variety of fine fish for human use, both of the salt and fresh-water kinds. The angel fish, so called for their uncommon splendour; the sheephead, so named from its having teeth like those of sheep; the cavalli, the mullet, the whiting, the plaice, and young bass, are all esteemed delicate food. Besides these, porgy, shads, trout, stingre, drum, cat, and black fish, are all used, and taken in great abundance. The fresh-water rivers and ponds furnish stores of fish, all of which are excellent in their season. The sturgeon and rock fish, the fresh-water trout, the pike, the bream, the carp and roach, are all fine fish, and found in plenty. Nigh the sea-shore vast quantities of oysters, crabs, shrimps, _&c._ may be taken, and sometimes a kind of turtle.

[Sidenote] Of its birds.

There were also vast numbers of winged fowls found in the country, many of which for human use and subsistence. Besides eagles, falcons, cormorants, gulls, buzzards, hawks, herons, cranes, marsh-hens, jays, woodpeckers; there are wild turkeys, pigeons, black-birds, woodcocks, little partridges, plovers, curlieus and turtle-doves, in great numbers; and also incredible flocks of wild geese, ducks, teal, snipes, and rice-birds. There has been found here, nigh rivers, a bird of an amazing size, some think it a species of the pelican. Under its beak, which is very long, it is furnished with a large bag, which it contracts or lets loose at pleasure, to answer the necessities or conveniences of life. The summer duck is a well known and beautiful creature, and has got this name to distinguish it from others of the same species, which continue not in the country during the summer months, but search for a cooler retreat. The mockbird of Carolina is a fine bold creature, which mimics the various voices of the forest, both in captivity and in the enjoyment of natural freedom. The red bird is exceedingly beautiful, and has a soft melodious note, but with few variations. The humming bird is remarkable for its small size, flies from flower to flower like a bee, and is sometimes caught by children while lying buried in a large flower it is sucking out the juice. Its nest is very curious, and discovers amazing art and contrivance. These are some of the feathered inhabitants of this forest, among which there is little melody, and, were it otherways, the music would all be lost, by the continual croaking of frogs, which swarm in millions over the flat country.

[Sidenote] Of its snakes and vipers.

While ranging over the natural field, there is no reptile merits more particular notice than the rattle-snake, which is one of the most formidable living creatures in the whole universe. Providence hath kindly furnished him with a tail which makes a rattling noise, and no doubt was intended to warn every other creature of the danger of approaching nigh him. He indeed possesses that noble fortitude, which is harmless unless when provoked and molested. He is never the aggressor, and seems averse from making use of his weapons of destruction. He flies from man; but

when pursued, and he finds he cannot escape, he instantly gathers himself into a coil, and prepares for self-defence. He has a sharp and sparkling eye, and quickly spies any person approaching towards him, and winds his course out of the way into some thicket or concealed place. The greatest danger is, when we inadvertently trample upon him as he lies coiled among the long grass or thick bushes. On each side of his upper jaw he has two long fangs, which are hollow, and through which he injects the poison into the wound they make. When he penetrates a vein or nerve sudden death ensues, unless some effectual remedy be instantly applied. The usual symptoms of being bit by him are, acute pains from the wound, inflammatory swellings round it, sickness at the stomach, and convulsive vomitings. In all countries, however, where venomous creatures exist, the hand of nature hath kindly planted some antidote against their poison, which it is the business of rational creatures to investigate and apply. Even the rude and ignorant Indians were not strangers to the method of curing the wounds of this dreadful reptile; as quickly as possible, after being bit, they swallowed a strong doze of the decoction of snake-root, which they found every where growing in the woods, which caused them to vomit plentifully; at the same time, having sucked the poison out of the wound, they chewed a little snake-root, and applied it externally to it. This remedy, when timely applied, sometimes proved efficacious, which induced the early settlers of Carolina to follow their example. Besides the rattle-snake, the black and brown vipers have fangs, and are also venomous. The horn-snake is also found here, which takes his name from a horn in his tail, with which he defends himself, and strikes it with great force into every aggressor. This reptile is also deemed very venomous, and the Indians, when wounded by him, usually cut out the part wounded as quickly as possible, to prevent the infection spreading through the body. There are, besides these, a variety of other snakes found here, such as the green, the chicken, the copperbelly, the wampum, the coach-whip and corn snakes; all of which are esteemed harmless creatures.

[Sidenote] Of its insects.

Innumerable are the insects in Carolina, as might naturally be expected from the heat of the climate. The bees are found in several places, and they chuse the hollow trees for their habitation, but whether imported or not is uncertain. The fire-fly, so called from its emitting sparks of fire in the night, resembling flashes from the strokes of steel upon flint, is a curious creature. About the beginning of summer, when these insects are very numerous, they illuminate the woods, and strike a stranger with astonishment. Millions of pestiferous gnats, called Musketoos, are hatched during the summer, and swarm over the country in such numbers, that, during the day, it requires no small trouble for the inhabitants to defend themselves in every quarter against them; and, during the night, gauze pavilions are necessarily used, to exclude them from their beds, without which it is impossible to enjoy undisturbed repose. The sand-flies are also vexatious insects, and so minute, that one would imagine it needless to provide any defence against them; yet, wherever they bite, their poison occasions itching and painful inflammations. Besides these, there are ticks, flies, wasps, and many more insects which are very troublesome. To these plagues, with which

this country is cursed, we may also add the water wood-worms, which infest the rivers as far as the salt-water flows, eat the bottoms of vessels into the form of honey-combs, and prove extremely destructive to shipping.

[Sidenote] A.D. 1682. Joseph Morton made governor.

About the year 1682, Governor West having incurred the displeasure of the proprietors, Joseph Morton, who had lately been created a landgrave, received a commission from Lord Craven, investing him with the government of the colony. About the same time, Joseph Blake sold his estate in England, and with his family and several substantial followers retired to Carolina. Lord Cardross also, a nobleman of Scotland, having formed a project for carrying over some of his countrymen to Carolina, embarked with a few families, and made an attempt to establish a colony on Port-Royal Island: but observing the government in a confused and fluctuating state, he soon after returned to Britain. The island on which he left his few followers having excellent conveniences for navigation, was a place of all others in the country the most advantageous for a settlement; but, to effect it, a greater number of emigrants was absolutely requisite. The Spaniards sent an armed force, and dislodged the Scotch settlers, after which no attempts were made for many years towards establishing a colony in that quarter.

[Sidenote] Pennsylvania settled.

About the same time, William Penn, an eminent quaker, obtained a grant from the king of a large territory in the middle of North America, which he called Pennsylvania, and which he resolved to settle on the enlarged bottom of universal benevolence, friendship and humanity. Not satisfied with the title he held from the crown to this extensive territory, he thought himself bound in conscience to purchase one also from its natural possessors, and therefore gave the Indians some consideration for their property; by which means he obtained not only an equitable right, but peaceable possession. At first, it is probable, he intended his province as an asylum for the hamlets and peaceable people of his own persuasion, who were oppressed in Britain, and persecuted in a degree equal to the Spanish inquisition in New England; yet, so liberal were his principles, that he opened a door to mankind in general who were unhappy in their external circumstances, and persecuted for their conscientious opinions. His plan of settlement was so large, and the regulations he established for preventing idleness, luxury and vice, were so wise and judicious, as soon to attract the eyes and admiration of vast numbers of men in the different quarters of Europe. Multitudes flocked to Pennsylvania, and sat down happy under Penn's gentle laws and government. His own example of benevolence, frugality and temperance, endeared him to every inhabitant; and a general simplicity of manners for several years prevailed in the settlement. It remained for the future ages of pride, luxury and ambition, to defeat the wise maxims of this legislator. A plan of a city was framed, which, for order, beauty and magnificence, was excelled by none upon earth. Indeed, every thing relating to the first settlement of that province was conducted with such wisdom and equity, that it could not fail of speedy population and improvement. The industrious planters

and merchants of Pennsylvania, soon advanced to an easy and independent state; an advantage far from being common to the other British settlements in America, and therefore to be ascribed chiefly to their general harmony, temperance and application.

The colony of Carolina, though planted at an earlier period, from various causes and impediments, advanced by slower steps in population and improvement. Pennsylvania, being farther removed from the equator, was considered as a better climate. The lands were found better adapted to British grain, and more favourably situated for cultivation. Like a younger beauty, she attracted the eyes of many admirers, and promised to be a powerful rival to Carolina. She flattered her labourers with the prospects of longer life, and with the hopes of greater increase in those kinds of grain they had been accustomed to cultivate in Europe. Her institutions, with respect to government, were more applicable and prudent; her planters, blessed with health and good-humour, laboured with greater pleasure and success: the tribes of savages around her, being more gently used, were more peaceable. Hence it happened, that the Pennsylvanians, having fewer obstacles to surmount than their southern neighbours, prospered in a more rapid manner.

[Sidenote] The proprietors forbid the trade in Indians.

The proprietors of Carolina had indeed instructed Governor Morton to take all Indians within four hundred miles of Charlestown under his protection, and to treat them with humanity and tenderness; but such instructions were very disagreeable to many of the people, especially to those members of the council who were concerned in the Indian trade, and therefore great opposition was raised to the execution of them. Maurice Mathews, James Moore, and Arthur Middleton, members of the council, warmly opposed the governor, while he proposed regulations for the peaceable management of Indians, and considered the proprietors as strangers to the interest of their colony by such impolitic restrictions. The people, who had lost some friends and relations by the savages were also greatly irritated against them, and breathed nothing but vengeance and implacable resentment. These members of the council were removed from it for their disobedience; nevertheless they had such influence among the people, as to occasion great trouble to the governor, and totally to subvert his authority; in consequence of which, Joseph West appeared again at the head of the colony, and gave his assent to several laws made in it. During which time the people followed their former practice, of inveigling and kidnapping Indians where-ever they found them, and shipped them off to the West Indies, without any restraint from government.

[Sidenote] The toleration of pirates in Carolina.

Soon after Governor West was superseded by Sir Richard KIRLE, an Irish gentleman, who died six months after his arrival in the country. After his decease, Colonel Robert QUARRY was chosen his successor. During the time of his government, a number of pirates put into Charlestown, and purchased provisions with their Spanish gold and silver. Those public robbers, instead of being taken and tried by the laws of England, were treated with great civility and friendship, in violation of the laws of

nations. Whether the governor was ignorant of the treaty made with Spain, by which England had withdrawn her former toleration from these plunderers of the Spanish dominions; or whether he was afraid to bring them to trial from the notorious courage of their companions in the West Indies, we have not sufficient authority to affirm; but one thing is certain, that King Charles II. for several years after the restoration, winked at their depredations, and many of them performed such valiant actions as, in a good cause, had justly merited honours and rewards. Even as the case was, Charles, out of mere whim, knighted Henry Morgan, a Welshman, who had plundered Porto Bello and Panama, and carried off large treasures from them. For several years so formidable was this body of plunderers in the West Indies, that they struck a terror into every quarter of the Spanish dominions. Their gold and silver, which they lavishly spent in the colony, ensured to them a kind reception among the Carolinians, who opened their ports to them freely, and furnished them with necessaries. They could purchase the favour of the governor, and the friendship of the people, for what they deemed a trifling consideration. Leaving their gold and silver behind them, for clothes, arms, ammunition and provisions, they embarked in quest of more. However, the proprietors, having intelligence of the encouragement given to pirates by Governor Quarry, dismissed him from the office he held; and, in 1685, Landgrave Joseph Morton was reinstated in the government of the colony.

[Sidenote] Cause of migration from England.

During the reign of King James II. the hardships under which the people of Britain laboured, and the troubles they apprehended, brought much strength to the colonies. The unsuccessful or unfortunate part of mankind are easily induced to emigrate; but the oppressed and persecuted are driven from their country, however closely their affections may cleave to it. Such imprudent attempts were made by this prince against what the nation highly revered, that many Protestants deserted it, preferring the hardships of the first state of colonization abroad, to oppression at home. So far was he from concealing his attachment to the Popish religion, that he gloried in the open profession of it, and took every opportunity of transferring both the legal authority and military command into the hands of such men as were best affected to that religion, and would most readily contribute their assistance towards the accomplishment of his favourite design. The Protestants in general were alarmed, and filled with the most gloomy apprehensions from the bloody and persecuting spirit of the Popish faction. They foresaw the subversion of their religion and liberties, and fled over the Atlantic from the approaching rigours of persecution, being determined to submit to any hardships abroad, rather than to the establishment of Popery in England.

[Sidenote] Cause of migration from France.

The next acquisition America gained, was from the revocation of the edict of Nantz; in consequence of which the flames of persecution broke out in France, and drove many of its best subjects out of that kingdom. These Protestant refugees were beneficial in many respects to England and Holland, and served greatly to promote the trade and manufactures of these nations. Among the other colonies in America which reaped advantage

from this impolitic measure of France, Carolina had a large share. Many of the Protestant refugees, having purchased lands from the proprietors, embarked with their families for that colony, and proved some of its best and most industrious inhabitants.

[Sidenote] The European animals increase.

Small was the progress in cultivation which the colonists of Carolina had yet made, and fatal had the heat of the climate and the labours of the field proved to many of them. Yet their cattle increased in an amazing manner, and thrived exceedingly well in their forest. Having little winter, the woods furnished them with both shelter and provisions all the year; neither houses nor attendants were provided for them, but each planter's cattle, distinguished only by his mark, every where grazed with freedom. Hogs still fared better, and increased faster. The woods abounded with acorns, and roots of different kinds, on which they fed and fattened, and were reckoned most excellent food. Stocks of cattle, at this period, were a great object with the planters, for several reasons. Little labour was requisite to raise and render them profitable. The planters were at no trouble in building houses for them, nor at any expence in feeding them. If either cattle or hogs were fed, it must only have been intended to accustom them to keep nigh their owner's abode, or to return under his eye every evening. Besides, a planter fond of hunting might supply his family with game through the year, with which the woods abounded, and save his stock. Horses were also bred in the same manner, and though they degenerated greatly, they multiplied fast. No part of the world could prove more favourable to poultry of all kinds. By the trade of the colony to the West Indies, they had rum and sugar in return for their lumber and provisions; and England supplied them with clothes, arms, ammunition, and utensils for building and cultivation, in exchange for their deer-skins, furs, and naval stores.

[Sidenote] The manner of obtaining turpentine in Carolina.

Turpentine is the gum in a liquid state of that species of the pine tree called Pitch-pine, extracted by incision and the heat of the sun, while the tree is growing. The common manner of obtaining it is as follows: about the first of January the persons employed in making turpentine begin to cut boxes in the trees, a little above the ground, and make them large or small in proportion to the size of the tree; the box of a large tree will hold two English quarts, of a middling tree one, and of a small one a pint. About the middle of March, when the weather becomes warm, they begin to bleed, which is done by cutting about an inch into the sap of the tree with a joiner's hatchet; these channels made in the green standing tree, are framed so as to meet in a point where the boxes are made to receive the gum; then the bark is peeled off that side of the tree which is exposed to the sun, that the heat may extract the turpentine. After bleeding, if rain should happen to fall, it not only condenses the sap, but also contracts the orifices of the vessels that discharge the gum, and therefore the trees must be bled afresh. About fourteen days after bleeding the boxes will be full of turpentine, and must be emptied into a barrel. When the boxes are full, an able hand will fill two barrels in a day. A thousand trees will yield at every gathering

about two barrels and a half of turpentine, and it may be gathered once every fourteen days, till the frost comes, which chills the sap, and obliges the labourer to apply to some other employment, until the next season for boxing shall approach. The oil of turpentine is obtained by distillation; and rosin is the remainder of the turpentine, after the oil is distilled from it.

[Sidenote] And of making tar and pitch.

From the same pine trees tar and pitch are also made, but by a different mode of operation. "For extracting tar they prepare a circular floor of clay, declining a little towards the centre, from which there is laid a pipe of wood, extending almost horizontally two feet without the circumference, and so let into the ground, that its upper side may be level with the floor: at the outer end of this pipe they dig a hole large enough to hold the barrels of tar, which, when forced out of the wood, naturally runs to the centre of the floor as the lowest part, and from thence along the pipe into the barrels. Matters being thus prepared, they raise upon the clay floor a large pile of dry pine-wood split in pieces, and inclose the whole pile with a wall of earth, leaving only a little hole in the top, where the fire is to be kindled; when that is done, and the inclosed wood begins to burn, the whole is stopped up with earth, that there may be no flame, but only heat sufficient to force the tar out of the wood, and make it run down to the floor. They temper the heat as they think proper, by thrusting a stick through the wall of earth, and letting the air in at as many places as they judge necessary. As to Pitch, it is nothing more than the solid part of the tar separated from the liquid by boiling."

As Carolina abounds with this kind of pine trees, vast quantities of pitch, tar, and turpentine might have been made in it. At this early period the settlers, having little strength to fell the thick forest and clear the lands for cultivating grain, naturally applied themselves to such articles as were in demand in England, and for procuring which moderate labour was requisite. Lumber was a bulky article, and required a number of ships to export it. Naval stores were more valuable and less bulky, at the same time that the labour necessary to obtain them was easier, and more adapted to European constitutions. The province as yet could supply Britain with a very inconsiderable quantity of naval stores; but by encouraging the planters in preparing them, the expence of its vast importations from the Baltic might have been in some measure saved to the nation.

[Sidenote] A difference with the civil officers.

Though Governor Morton was possessed of a considerable share of wisdom, and was connected with several respectable families in the colony, yet so inconsistent were his instructions from England, with the prevailing views and interests of the people, that he was unable, without great trouble, to execute the duties of his trust. He was a man of a sober and religious temper of mind, and had married Mr. Blake's sister, lately arrived from England, by which alliance it was hoped the hands of government would be strengthened, and a check given to the more

licentious and irregular party of the people. His council was composed of John Boone, Maurice Mathews, John Godfrey, Andrew Percival, Arthur Middleton, and James Moore, &c.; some of whom differed widely from him in opinion with respect to public measures, and claimed greater indulgences for the people than he had authority to grant. Hence two parties arose in the colony: one in support of the prerogative and authority of the proprietors, the other in defence of the liberties of the people. The former contended, that the laws and regulations received from England respecting government ought to be strictly and implicitly observed: the latter kept in view their local circumstances, and maintained, that the freemen of the colony were under obligations to observe them only so far as they were consistent with the interest of individuals and the prosperity of the settlement. In this situation of affairs, no governor could long support his power among a number of bold adventurers, who improved every hour for advancing their interest, and could bear no restraints which had the least tendency to defeat their favourite views and designs: for whenever he attempted to interpose his feeble authority, they insulted his person and complained of his administration, till he was removed from his office.

[Sidenote] James Colleton made governor.

The proprietors also finding it prudent to change their governor so soon as he became obnoxious to the people, James Colleton at this time was appointed to supersede Joseph Morton. He was a brother to Sir Peter Colleton, one of the proprietors, but was possessed neither of his address nor abilities for the management of public affairs. He left Barbadoes and retired to Carolina, where he built an excellent house on Cooper River, in hopes of settling in that country, and long enjoying, by the influence of his brother, the emoluments of his office in tranquillity and happiness. To give him the greater weight, he was created a landgrave of the colony, to which dignity forty-eight thousand acres of land were unalienably annexed: but to his mortification he soon found, that the proprietary government had acquired but little firmness and stability, and, by his imprudence and rigour, fell into still greater disrespect and contempt.

[Sidenote] A.D. 1687.

About the year 1687, having called an assembly of the representatives, he proposed to make some new regulations respecting the government of the colony. Having examined the fundamental constitutions, and finding the people disposed to make many objections to them, he thought proper to nominate a committee, to consider wherein they were improper or defective, and to make such alterations and amendments in them as they judged might be conducive to the welfare of the country. This committee consisted of the Governor, Paul Grimball, the secretary, William Dunlop, Bernard Schinking, Thomas Smith, John Far, and Joseph Blake. Accordingly, by these men a new code of laws was framed, consisting of many articles different from the former, which they called *Standing Laws*, and transmitted to England for the approbation of the proprietors. These standing laws, however, the proprietors rejected, and insisted on the observance of the fundamental constitutions; and all the while the people

treated both with equal indifference and neglect.

[Sidenote] His difference with the house of assembly.

At this early period a dissatisfaction with the proprietary government appeared, and began to gain ground among the people. A dispute having arisen between the governor and the house of assembly about the tenures of lands and the payment of quitrents, Landgrave Colleton determined to exert his authority, in compelling the people to pay up their arrears of quitrents, which, though very trifling and inconsiderable, were burdensome, as not one acre out of a thousand of these lands for which quitrents were demanded yielded them any profit. For this purpose, he wrote to the proprietors, requesting them to appoint such deputies as he knew to be most favourably disposed towards their government, and would most readily assist him in the execution of his office. Hence the interest of the proprietors and that of the people were placed in opposite scales, and the more rigorously the governor exerted his authority, the more turbulent and seditious the people became. At last they proceeded to avowed usurpation: they issued writs in their own name, and held assemblies in opposition to the governor and the authority of the proprietors. Letters from England, containing deputations to persons obnoxious to the people, they seized and suppressed, and appointed other men better affected to the popular cause. Paul Grimball, the secretary of the province, they imprisoned, and forcibly took possession of the public records. The militia act they refused to settle, because recommended by the governor, even though their own security depended on it. In short, the little community was turned into a scene of confusion, and every man acted as he thought proper, without any regard to legal authority, and in contempt of the governor and other officers of the proprietors.

Landgrave Colleton, mortified at the loss of power, and alarmed at the bold and seditious spirit of the people, was not a little perplexed what step to take in order to recal them to the obedience of legal authority. Gentle means he perceived would be vain and ineffectual. One expedient was suggested, which he and his council flattered themselves might be productive of the desired effect, and induce the people through fear to return to his standard, and stand by the person who alone had authority to punish mutiny and sedition, which was to proclaim the martial law, and try to maintain by force of arms the proprietary jurisdiction. Accordingly, without letting the people into his secret design, he caused the militia to be drawn up, as if some danger had threatened the country, and publicly proclaimed the martial law at their head. His design, however, did not long remain a secret, and, when discovered, served only to exasperate the more. The members of the assembly met, and taking this measure under their deliberation, resolved, that it was an encroachment upon their liberties, and an unwarrantable exertion of power, at a time when the colony was in no danger from any foreign enemy. The governor, however, insisted on the articles of war, and tried to carry the martial law into execution; but the disaffection was too general to admit of such a remedy. In the year 1690, at a meeting of the representatives, a bill was brought in and passed, for disabling Landgrave James Colleton from holding any office, or exercising any authority, civil or military, within the province: nay, so outrageous were they against him, that

nothing less than banishment could appease them, and therefore gave notice to him, that, in a limited time, he must depart from the country.

[Sidenote] Seth Sothell chosen governor.

[Sidenote] His oppression and expulsion.

During these public commotions Seth Sothell, pretending to be a proprietor by virtue of some regulations lately made in England, usurped the government of the colony. At first the people seemed disposed to acknowledge his authority, while the current of their enmity ran against Landgrave Colleton; and as he had stood forth as an active and leading man in opposition to that governor, and ratified the law for his exclusion and banishment: but afterwards, finding him to be void of every principle of honour and honesty, they persecuted him also with deserved and implacable enmity. Such was the insatiable avarice of this usurper that his popularity was of short duration. Every restraint of common justice and equity was trampled upon by him; and oppression, such as usually attends the exaltation of vulgar and ambitious scramblers for power, extended her rod of iron over the distracted colony. The fair traders from Barbadoes and Bermuda were seized as pirates by order of this popular governor, and confined until such fees as he was pleased to exact were paid him: bribes from felons and traitors were accepted to savour their escape from the hands of justice: plantations were forcibly taken possession of, upon pretences the most frivolous and unjust, and planters were compelled to give bonds for large sums of money, to procure from him liberty to remain in possession of their property. These, and many more acts of the like atrocious nature, did this rapacious governor commit, during the short time of his administration, to increase his fees as governor and proprietor. At length the people, weary of his grievous impositions and extortions, agreed to take him by force, and ship him off for England. Then, to his other ill qualities he added meanness of spirit, and humbly begged of them liberty to remain in the country, promising to submit his conduct to the trial of the assembly at their first meeting. When the assembly met, thirteen different charges were brought against him, and all supported by the strongest evidence: upon which, being found guilty, they compelled him to abjure the government and country for ever. An account of his infamous and wicked conduct was drawn up and sent to the proprietors, which filled them with astonishment and indignation. He was ordered to England, to answer the accusations brought against him before the palatine's court, and, in case of refusal, was given to understand it would be taken as a further evidence and confirmation of his guilt. The law for disabling Landgrave James Colleton from holding any authority civil or military in Carolina, was repealed, and strict orders were sent out to the grand council, to support the power and prerogative of the proprietors. To compose the minds of the people, they declared their detestation of such unwarrantable and wanton oppression, and protested that no governor should ever be permitted to grow rich on their ruins; enjoining them, at the same time, to return to the obedience of their magistrates, and subjection to legal authority.

Hitherto this little community has been a scene of continual contention and misery. The fundamental constitutions, which the proprietors thought the most excellent form of government upon earth, have been little

regarded. The governors have been either ill qualified for their office, or the instructions given them have been unacceptable to the people. The inhabitants, far from living in friendship and harmony among themselves, have also been seditious and ungovernable. Indeed, while the proprietary government shall continue to be thus weak and unstable, its authority will be little respected; while the encouragement given to civil officers and magistrates is trifling and inconsiderable; men of judgment and ability will not throw away their time and pains for supporting the honour and authority of others, which might be otherwise employed to purposes more advantageous to themselves. The titles of Landgraves and Cassiques will not compensate for the loss of such time and labour, especially when they come only joined with large tracts of land which, for want of hands, must lie uncultivated. The money arising from quitrents and the sale of lands was inconsiderable, hard to be collected, and by no means adequate to the support of government. The proprietors were unwilling to involve their English estates for the improvement of American property; hence their government was feeble and ill supported in Carolina, and there is reason to fear it will become more so, in proportion as the colonists shall become richer and more independent, and the country shall advance to a more populous and better cultivated state.

CHAP. III.

[Sidenote] A revolution in England.

During the reign of the infatuated King James II. the English nation, oppressed by a Popish faction, and apprehensive about their civil and religious liberties, were ripe for a revolt; and, upon his abdication, William Prince of Orange accepted of the English crown, on such terms as the Parliament thought proper to offer it. Though history can furnish few examples of a daughter conspiring with subjects to exclude her father from the throne, and then accepting of a crown from his head; yet, by this Revolution the long-contested boundaries between the prerogative of the king and the rights and liberties of the people, were more clearly marked and determined than they had been in any former period, to the great relief and happiness of the nation. This event is distinguished in the annals of England as the era of freedom; and it must be confessed, that the change has been productive of many important and happy consequences.

As nothing tends more to the increase of industry and commerce than religious toleration, and great freedom to scrupulous consciences, soon after the Revolution an act passed in parliament, for exempting his majesty's Protestant subjects from the penalties of certain laws, under which they had formerly suffered great severities. King William and his council, at that juncture, wisely judged, that such a law might be of excellent use in removing the complaints of many of his good subjects, and uniting their minds in interest and affection. Though the variances of Whigs and Tories may have sometimes obstructed the salutary effects of

this law, yet it must be acknowledged to have answered many wise and valuable purposes to the nation.

[Sidenote] The French refugees meet with encouragement.

In the history of England, nothing is found to redound more to the honour of the people than their signal and uncommon acts of generosity and humanity. Even in the reign of King James large collections had been made for the distressed French refugees. After King William's accession to the throne, the parliament voted fifteen thousand pounds sterling to be distributed among persons of quality, and all such as through age or infirmities were unable to support themselves or families. To artificers and manufacturers encouragement was offered in England and Ireland, who have contributed not a little to the improvement of the silk and linen manufactures of these kingdoms. To husbandmen and merchants agreeable prospects were opened in the British colonies. In 1690, King William sent a large body of these people to Virginia. Lands were allotted them on the banks of St. James's river, which by their diligence and industry they soon improved into excellent estates. Others purchased lands from the proprietors of Carolina, transported themselves and families to that quarter, and settled a colony on Santee river. Others, who were merchants and mechanics, took up their residence in Charlestown, and followed their different occupations. At this period these new settlers were a great acquisition to Carolina. They had taken the oath of allegiance to the king, and promised fidelity to the proprietors. They were disposed to look on the colonists, whom they had joined, in the favourable light of brethren and fellow-adventurers, and though they understood not the English language, yet they were desirous of living in peace and harmony with their neighbours, and willing to stand forth on all occasions of danger with them for the common safety and defence.

[Sidenote] Philip Ludwell appointed governor.

About the same time Philip Ludwell, a gentleman from Virginia, being appointed governor of Carolina, arrived in the province. Sir Nathaniel Johnson, who had been general of the Leeward Islands in the reign of King James, being created a Cassique of Carolina, after the Revolution retired to that country, and took his seat as a member of the council. The proprietors having found the fundamental constitutions disagreeable to the people, and ineffectual for the purposes of government, repealed all their former laws and regulations, excepting those called Agrarian Laws, and sent out a new plan of government to Mr. Ludwell, consisting of forty-three articles of instruction, for the better management of their colony. The inhabitants, who had been long in a confused and turbulent state, were enjoined to obedience and submission. Liberty was granted to the representatives of the people to frame such laws as they judged necessary to the public welfare and tranquillity, which were to continue in force for two years, but no longer, unless they were in the mean time ratified and confirmed by the palatine and three more proprietors. Lands for the cassiques and landgraves were ordered to be marked out in square plats, and freedom was granted them to chuse their situation. Hitherto the planters remained utter strangers to the value and fertility of the low lands, the swamps were therefore carefully avoided, and large tracts

of the higher lands, which were esteemed more precious, were surveyed, and marked out for estates by the provincial nobility.

[Sidenote] Harsh treatment of the colonists to the refugees.

Governor Ludwell, who was a man of great humanity, and considerable knowledge and experience in provincial affairs, by those large estates which were allowed the leading men, and the many indulgences he was authorized to grant to others, had the good fortune to allay the ferment among the people, and reconcile them to the proprietors. But this domestic tranquility was of short duration. New sources of discontent broke out from a different quarter. He had instructions to allow the French colony settled in Craven county, the same privileges and liberties with the English colonists. Several of the refugees being possessed of considerable property in France, had sold it, and brought the money with them to England. Having purchased large tracts of land with this money, they sat down in more advantageous circumstances than the poorer part of English emigrants. Some of them, who had gone to the northern provinces, hearing of the kind treatment and great encouragement their brethren had received in Carolina, came to southward and joined their countrymen. Having clergymen of their own persuasion, for whom they entertained the highest respect and veneration, they were disposed to encourage them as much as their narrow circumstances would admit. Governor Ludwell received the wandering foreigners with great civility, and was not a little solicitous to provide them with settlements equal to their expectations. While these refugees were entering on the hard task of clearing and cultivating spots of land, encouraging and relieving each other as much as was in their power, the English Settlers began to revive the odious distinctions and rooted antipathies of the two nations, and to consider them as aliens and foreigners, entitled by law to none of the privileges and advantages of natural-born subjects. The governor had instructions to allow them six representatives in assembly; this the Englishmen considered as contrary to the laws of the land, and beyond the power of the proprietors, who were subject to the laws, to grant. Instead of considering these persecuted strangers in the enlarged light of brethren descended from the same common parent, and entitled to the free blessings of Providence; instead of taking compassion on men who had sought an asylum from oppression in their country, whom they were bound to welcome to it by every tie of humanity and interest; they began to execute the laws of England respecting aliens in their utmost rigour against them. Their haughty spirit could not brook the thoughts of sitting in assembly with the rivals of the English nation for power and dominion, and of receiving laws from Frenchmen, the favourers of a system of slavery and absolute government. In this unfavourable light they were held forth to the people, to the great prejudice of the refugees; which sentiments, however narrow and improper, served to excite no small jealousies and apprehensions in their minds, with respect to these unhappy foreigners.

Hard as this treatment was, this violent party did not stop here. They insisted, that the laws of England allowed no foreigners to purchase lands in any part of the empire under her supreme jurisdiction, and that no authority but the house of commons in Britain could incorporate aliens into their community, and make them partakers of the rights and

privileges of natural-born Englishmen; that they ought to have been naturalized by parliament before they obtained grants of lands from the proprietors; that the marriages performed by their clergymen, not being ordained by a bishop, were unlawful; and that the children begotten in those marriage could be considered in law in no other light as bastards. In short, they averred, that aliens were not only denied a seat in parliament, but also a voice in all elections of members to serve in it; and that they could neither be returned on any jury, nor sworn for the trial of issues between subject and subject.

The refugees, alarmed at these proceedings, and discouraged at the prospects of being deprived of all the rights and liberties of British subjects, began to suspect that the opposition of England would fall heavier upon them than that of France from which they had fled. Dejected at the thoughts of labouring they knew not for whom, if their children could not reap the fruits of their labours, or if their estates should escheat to the proprietors at their decease, they could consider themselves only as deceived and imposed upon by false promises and prospects. After holding several consultations among themselves about their deplorable circumstances, they agreed to state their case before the proprietors, and beg their advice. In answer to which the Proprietors instructed Governor Ludwell to inform them, that they would enquire what does in law qualify an alien born for the enjoyment of the rights and privileges of English subjects, and in due time let them know; that, for their part, they would take no advantages of the present grievous circumstances of the refugees; that their lands should descend to such persons as they thought proper to bequeath them; that the children of such as had been married in the same way were not deemed bastards in England, nor could they be considered as such in Carolina, where such unlimited toleration was allowed to all men by their charter. Though this served in some measure to compose the minds of the refugees, yet while the people harboured prejudices against them the relief was only partial; and, at the next election of members to serve in assembly, Craven county, in which they lived, was not allowed a single representative.

[Sidenote] The manner of obtaining lands.

From the first settlement of the colony, the common method of obtaining lands in it was by purchase, either from the Proprietors themselves, or from officers commissioned by them, who disposed of them agreeable to their directions. Twenty pounds sterling for a thousand acres of land, and more or less, in proportion to the quantity, was commonly demanded, although the proprietors might accept of any acknowledgment they thought proper. The emigrants having obtained warrants, had liberty to go in search of vacant ground, and to pitch upon such spots as they judged most valuable and convenient. This was surveyed, and marked out to them, according to the extent of their purchase, and plats and grants were signed, registered and delivered to them, reserving one shilling quitrent for every hundred acres, to be paid annually to the Proprietors. Such persons as could not advance the sum demanded by way of purchase, obtained lands on condition of paying one penny annual-rent for every acre to the landlords. The former, however, was the common method of obtaining landed estates in Carolina, and the tenure was a freehold. The

refugees having purchased their estates, and meeting with such harsh treatment from the colonists, were greatly discouraged, and apprehensive, notwithstanding the fair promises of the Proprietors, they had escaped one abyss of misery only to plunge themselves deeper into another.

[Sidenote] Juries chosen by ballot.

The manner of impanelling juries in Carolina being remarkably fair and equitable, justly claims our particular notice. Juries here are not returned by sheriffs, whose ingenuity and integrity are well known, particularly in England; but according to an article in the fundamental constitutions. The names of all the freemen in the colony being taken down on small pieces of parchment of equal size, they are put into a ballot-box, which is shaken on purpose to mix them, and out of which twenty-four names are drawn, at every precinct court before it rises, by the first boy under ten year of age that appears; which names are put into another box, and twelve out of the twenty-four are drawn by another boy under the same age, and summoned to appear at the next meeting of court; which persons are the jury, provided no exceptions are taken against any of them. If any of them are challenged by the prisoner, the boy continues drawing other names till the jury be full. In this mild and fair manner prisoners are tried, which allows them every chance for life humanity can suggest or require: for after the most careful examination of witnesses, and the fullest debate on both sides from the bar, the jury have instructions about the evidences given, and the point of law which is to guide them in their decision, from the bench; and are shut up in a room, where they must remain until they agree, and return their unanimous verdict, guilty or not guilty.

[Sidenote] Pirates favored by the colonists.

Notwithstanding the excellence of this form of trial, it must be confessed that justice has not always had its free course, nor been administered with impartiality by the officers and judges appointed by the proprietors for this purpose. Pirates, for instance, are a body of men whom all civilized nations are bound in honour and justice to crush; yet, instead of this, by bribery and corruption they often found favour with the provincial juries, and by this means escaped the hands of justice. About this time forty men arrived in a privateer called the Royal Jamaica, who had been engaged in a course of piracy, and brought into the country treasures of Spanish gold and silver. These men were allowed to enter into recognizance for their peaceable and good behaviour for one year, with securities, till the governor should hear whether the proprietors would grant them a general indemnity. At another time a vessel was shipwrecked on the coast, the crew of which openly and boldly confessed, they had been in the Red sea plundering the dominions of the Great Mogul. The gentleness of government towards those public robbers, and the civility and friendship with which they were treated by the people, were evidences of the licentious spirit which prevailed in the colony. For although all men ought to be tender of the lives of their fellow-creatures, and permit ten guilty persons to escape rather than one innocent man should suffer; yet, to bring pirates to justice is a duty which both national honour and the common welfare of society necessarily

require. For if we allow such public robbers to escape with impunity, it may be attended with serious and fatal consequences; it may prove the occasion of war and bloodshed to nations in general, to the prejudice of navigation, and the destruction of many innocent lives, which might have been prevented by proper and legal punishments. The Proprietors were disposed to consider piracy in this dangerous light, and therefore instructed Governor Ludwell to change the form of electing juries, and required that all pirates should be tried and punished by the laws of England made for the suppression of piracy. Before such instructions reached Carolina, the pirates, by their money and freedom of intercourse with the people, had so ingratiated themselves into the public favour, that it was become no easy matter to bring them to trial, and dangerous to punish them as they deserved. The courts of law became scenes of altercation, discord, and confusion. Bold and seditious speeches were made from the bar, in contempt of the Proprietors and their government. Since no pardons could be obtained but such as they had authorised the governor to grant, the assembly took the matter under deliberation, and fell into hot debates among themselves about a bill of indemnity. When they found the governor disposed to refuse his assent to such a bill, they made a law empowering magistrates and judges to put in force the habeas corpus act made in England. Hence it happened, that several of those pirates escaped, purchased lands from the colonists, and took up their residence in the country. While money flowed into the colony in this channel, the authority of government was a barrier too feeble to stem the tide, and prevent such illegal practices. At length the proprietors, to gratify the people, granted an indemnity to all the pirates, excepting those who had been plundering the Great Mogul, most of whom also found means of making their escape out of the country.

In this community there subsisted a constant struggle between the people and the officers of the Proprietors: the former claimed great exemptions and indulgences, on account of their indigent and dangerous circumstances; the latter were anxious to discharge the duties of their trust, and to comply with the instructions of their superiors. When quitrents were demanded some refused payment, others had nothing to offer. When actions were brought against all those who were in arrears, the poor planters murmured and complained among themselves, and were discontented at the terms of holding their lands, though, comparatively speaking, easy and advantageous. It was impossible for any governor to please both parties. The fees also of their courts and sheriffs were such, that, in all actions of small value, they exceeded the debt to be recovered by them. To remedy this inconvenience, the assembly made a law for empowering justices of the peace to hear, and finally to determine, all causes of forty shillings sterling value and under. This was equally agreeable to the people, as it was otherwise to the officers of justice. At length, to humour the planters, the governor proposed to the assembly, to consider of a new form of a deed for holding lands, by which he encroached on the prerogative of the proprietors, who had referred to themselves the sole power of judging in such a case, incurred their displeasure, and was soon after removed from the government.

[Sidenote] Thomas Smith appointed governor.

To find another man equally well qualified for the trust, was a matter at this time of no small difficulty to the Proprietors. Thomas Smith was a man possessed of considerable property, much esteemed by the people for his wisdom and sobriety; such a person they deemed would be the most proper to succeed Ludwell, as he would naturally be both zealous and active in promoting the prosperity and peace of the settlement.

Accordingly a patent was sent out to him creating him a landgrave, and, together with it, a commission investing him with the government of the colony. Mr. Ludwell returned to Virginia, happily relieved from a troublesome office, and Landgrave Smith, under all possible advantages, entered on it. He was previously acquainted with the state of the colony, and with the tempers and complexions of the leading men in it. He knew that the interest of the Proprietors, and the prosperity of the settlement were inseparably connected. He was disposed to allow the people, struggling under many hardships, every indulgence consistent with the duties of his trust. No stranger could have been appointed to the government that could boast of being in circumstances equally favourable and advantageous.

[Sidenote] The planting of rice introduced.

About this time a fortunate accident happened, which occasioned the introduction of rice into Carolina, a commodity which was afterwards found very suitable to the climate and soil of the country. A brigantine from the island of Madagascar touching at that place in her way to Britain, came to anchor off Sullivan's island. There Landgrave Smith, upon an invitation from the captain, paid him a visit, and received from him a present of a bag of seed rice, which he said he had seen growing in eastern countries, where it was deemed excellent food, and produced an incredible increase. The governor divided his bag of rice between Stephen Bull, Joseph Woodward, and some other friends, who agreed to make the experiment, and planted their small parcels in different soils. Upon trial they found it answered their highest expectations. Some years afterwards, Mr. Du Bois, treasurer to the East-India Company, sent a bag of seed rice to Carolina, which, it is supposed, gave rise to the distinction of red and white rice, which are both cultivated in that country. Several years, however, elapsed, before the planters found out the art of beating and cleaning it to perfection, and that the lowest and richest lands were best adapted to the nature of the grain; yet, from this period, the colonists persevered in planting it, and every year brought them greater encouragement. From this small beginning did the staple commodity of Carolina take its rise, which soon became the chief support of the colony, and its great source of opulence. Besides provisions for man and beast, as rice employs a number of hands in trade, it became also a source of naval strength to the nation, and of course more beneficial to it, than foreign mines of silver and gold. From the success attending this inconsiderable beginning, projectors of new schemes for improvement may draw some useful lessons, especially where lands are good, and the climate favourable to vegetation.

[Sidenote] Occasions a necessity for employing negroes.

With the introduction of rice planting into this country, and the fixing

upon it as its staple commodity, the necessity of employing Africans for the purpose of cultivation was doubled. So laborious is the task of raising, beating, and cleaning this article, that though it had been possible to obtain European servants in numbers sufficient for attacking the thick forest and clearing grounds for the purpose, thousands and ten thousands must have perished in the arduous attempt. The utter inaptitude of Europeans for the labour requisite in such a climate and soil, is obvious to every one possessed of the smallest degree of knowledge respecting the country; white servants would have exhausted their strength in clearing a spot of land for digging their own graves, and every rice plantation would have served no other purpose than a burying ground to its European cultivators. The low lands of Carolina, which are unquestionably the richest grounds in the country, must long have remained a wilderness, had not Africans, whose natural constitutions were suited to the clime and work, been employed in cultivating this useful article of food and commerce.

[Sidenote] Perpetual slavery repugnant to the principles of humanity and Christianity.

So much may be said for the necessity of employing Africans in the cultivation of rice; but great is the difference between employing negroes in clearing and improving those rich plains, and that miserable state of hardship and slavery to which they are there devoted, and which has been tolerated and established by the law of the land. If we view this race, first ranging over the hills of Africa, equally free and independent as other rude nations on earth, and from thence inveigled by frauds or compelled by force, and then consigned over to a state of endless slavery, we must confess the change is great and deplorable, especially to an impartial and disinterested eye. Without them, it is acknowledged, slow must have been the progress of cultivation in Carolina; but, from such a confederation, what man will presume to vindicate the policy of keeping those rational creatures in perpetual exile and slavery. Nature had given them an equal right to liberty as to life, and the general law of self-preservation was equally concerned for the preservation of both. We would be glad then to know, upon what principle of equity and justice the English traders found their right to deprive the freeborn inhabitants of Africa of their natural liberty and native country; or on what grounds the planter afterwards founds his right to their service during life, and that of all their posterity, to the latest generation. Can the particular laws of any country supersede the general laws of nature? Can the local circumstances of any province upon earth be pled in excuse for such a violent trade, and for such endless slavery in consequence of it? Besides, has not this trade a tendency to encourage war and plunder among the natives of Africa? to set one tribe against another, to catch and trepan their neighbours, on purpose to barter them for European trinkets to the factories? Nor is the traffic confined to the captives of war alone, who have been subjected to slavery by many nations; for so ardently do they covet the pernicious liquors and trifling commodities carried to them from Europe, that, without scruple, they will part with their nearest relations, their wives and children not excepted, to procure them. Thus civilized nations, by such a traffic, have made barbarians more barbarous, and tempted them to

commit the most cruel and unnatural actions.

Nothing can be more evident, than that such a trade is tolerated and carried on in violation of the grand rule of equity prescribed to Christians. For example, let us suppose the people of Africa had discovered an island, such as Newfoundland, in a climate too cool for the natives of that continent to cultivate, and that the inhabitants of the north of Europe were alone adapted to the work. In consequence of this discovery, were they to sail to Britain with a cargo of their gold dust, and stir up one county to wage war with another for the sake of captives were they to tempt the father to dispose of his son, the mother of her daughter, the husband of his wife, and the nearest friends, first to steal and kidnap, and then barter each other, for Africa's golden idol: we may with justice put the question, Ye inhabitants of England, what would ye think of such a traffic? We will readily own, there are few nations upon earth more fond of gold dust than you, or have gone farther lengths in the commercial way to procure it; yet, fond as ye are of this favourite metal, we must do so much justice to your humanity as to believe, that your nation would resound with complaints against a traffic so unjust and cruel. Yet certainly the African's natural right to pursue it is equally well grounded as that of the European. What principle of Christianity can you then plead in its vindication? Your superior power, avarice, and craft, the African acknowledges to his sad experience; but he complains of being made absolute property, such as cattle, goods and chattels, and subject to be seized, levied upon, and tossed from hand to hand for the payment of commercial debts, by the laws of your realm, to which he never owed any subjection or obedience. He complains of the means used to bring him into such grievous and deplorable circumstances, as unfair and iniquitous. He complains, that his utmost labour and industry for any limited time will not be accepted by the master he serves, as a compensation for the expence of his purchase, and that he and all his generation must remain slaves for ever, without hope of redemption or deliverance. And, without doubt, hard is his case, and well grounded are his complaints. Indeed the planter's concern only commences with the arrival of these slaves, and his contract made with the merchant, who, under the colour and authority of the laws, brought them into the country where he lives. For the purchase he makes he has also the sanction and countenance of law, which is in some measure a justification of his conduct. On provincial regulations, with respect to the subsequent management and treatment of negroes, we shall afterwards take occasion to make some remarks. At present we shall only add, that in no instance can it be said to be a more plain and lamentable truth, that the love of money is the root of all evil, than when it urges men to trade in the bodies and souls of their fellow-creatures.

[Sidenote] Foreign colonies encouraged from views of commercial advantage.

During the period of the usurpation in England, when the great councils of the nation were under the direction of men of mean birth and little education, the considerations of mercantile profit became connected with those of dominion and the higher springs of government. After the conquest of Jamaica, it was resolved, that the nation should make a

commercial profit of every colony that had been, or should be, planted in the western world. At the Restoration the same turn in politics was also adopted, and the parliament which brought about that great event made a law, by which it was enacted, that no sugar, cotton, wool, indigo, ginger, fustic, or other dying wood, of the growth of any English plantation in Asia, Africa, or America, should be transported to any other place than to some English plantation, or to England, Ireland, Wales, and Berwick upon Tweed, upon pain of forfeiture of ship and goods; that, for every vessel sailing from England, Ireland, Wales, and Berwick upon Tweed, bond shall be given, with security of one or two thousand pounds sterling, money of Great Britain, that if she load any of the said commodities at such plantations, she shall bring them to some port of these English dominions. And for every vessel coming to the said plantations the governor shall, before she be permitted to load, take such bond as aforesaid, that she shall carry such commodities to England, Ireland, Wales, or Berwick upon Tweed. This laid the foundation of what was afterwards called *enumerated commodities*; and to these already mentioned, rice, hemp, copper ore, beaver skins, and naval stores, were afterwards added, and, with some exceptions, subjected to the same restraint.

This navigation law, though it cramped the trade of the colonies, yet it has been attended with many beneficial consequences to Britain: and while she maintained the supreme power of legislation throughout the empire, and wisely regulated the trade and commerce of her foreign settlements, she might reap many and substantial advantages from them. She might render them a market for her manufactures, and at the same time supply herself with such commodities as her northern climate refused, and obliged her to purchase from other nations. By such means she might enlarge her commerce and trade, at the same time she increased her naval strength. It was her interest in a particular manner to encourage settlements in a different climate, the productions of which luxury had made necessary to the support of her domestic dominions. Their articles of product interfered not with those of Britain, and were in no danger of rivalling her at any market. But should the planters in these colonies begin to think themselves entitled to the privileges of raising what productions they please, and of sending them to any market they judged most advantageous to themselves, they would then become colonies equally useful to all the world; and the mother country, who discovered, peopled and protected them, would share no more advantage from them than rival states around her. On this principle Great Britain grounds her right to expect a market for her manufactures in the colonies she planted and nursed, and to regulate their produce and trade in such a channel as to render them only subservient to her own interest. Without this right they would not only be useless to her, but very prejudicial. Colonies planted in the same latitude with the parent state, raising the same productions, and enjoying the same privileges, must in time be both detrimental and dangerous; for while they drain her of inhabitants, they are growing strong upon her ruins. They meet her at the same market with the same commodities, a competition arises between them, and occasions jealousies, quarrels, and animosities. Then she will become sensible of the bad policy of having promoted such colonies, when they prove dangerous rivals in trade and commerce, and when perhaps it is become too late to remedy

the evil: for a rival daughter often becomes the more abusive and troublesome, in proportion as she is better acquainted than strangers with the natural fondness and indulgent temper of a tender mother.

From Carolina indeed Britain had less to fear than from the more northern colonies, as the latitude was more remote, and the climate and soil better suited to different productions. Here the people naturally engaged in pursuits different from those of the mother country, and a mutual exchange of commodities and good offices would of consequence the more necessarily take place. They might barter their skins, furs, and naval stores, for clothes, arms, ammunition, and utensils necessary for cultivation, imported from England. They might send their provisions, lumber, and Indian captives to the West Indies, and receive the luxuries of these islands, and the refuse of their cargoes of slaves, in return, without any prejudice to Britain: for as the two climates differed greatly, they were of consequence adapted to different articles of produce. To such staples the first views of the planters ought to have been chiefly directed, and, for their encouragement in raising them, premiums from the Proprietors might have been attended with the most beneficial effects.

[Sidenote] A.D. 1693. Indians complain of injustice.

Before this time the Carolinians had found out the policy of setting one tribe of Indians against another, on purpose to save themselves. By trifling presents they purchased the friendship of some tribes, whom they employed to carry on war with others, which not only diverted their attention from them, but encouraged them to bring captives to Charlestown, for the purpose of transportation to the West Indies, and the advantage of trade. In the year 1693, twenty Cherokee chiefs waited on Governor Smith, with presents and proposals of friendship, craving the protection of government against the Esaw and Congaree Indians, who had destroyed several of their towns, and taken a number of their people prisoners. They complained also of the outrages of the Savanna Indians for selling their countrymen, contrary to former regulations established among the different tribes; and begged the governor to restore their relations, and protect them against such insidious enemies. Governor Smith declared to them, that there was nothing he wished for more than friendship and peace with the Cherokee warriors, and would do every thing in his power for their defence: that the prisoners were already gone, and could not be recalled; but that he would for the future take care that a stop should be put to the custom of sending them off the country. At the same time the Chihaw king complained of the cruel treatment he had received from John Palmer who had barbarously beat and cut him with his broad-sword. In answer to which charge Palmer was insolent and contumacious, and protested, in defiance and contempt of both governor and council, he would again treat him in like manner upon the same provocation; for which he was ordered into custody, until he asked pardon of the house, and found security for his future peaceable behaviour to Indians. Such instances of harsh treatment serve to account for many outrages of Indian nations, who were neither insensible to the common feelings of human nature, nor ignorant of the grievous frauds and impositions they suffered in the course of traffic. By some planters

indeed they were used with greater humanity, and employed as servants to cultivate their lands, or hunt for fresh provisions to their families; and as the woods abounded with deer, rabbits, turkeys, geese, ducks, snipes, etc. which were all accounted game, an expert hunter was of great service in a plantation, and could furnish a family with more provisions than they could consume.

[Sidenote] The troubles among the settlers continue.

With respect to government Carolina still remained in a confused and turbulent state. Complaint from every quarter was made to the governor, who was neither able to quiet the minds of the people, nor afford them the relief they wanted. The French refugees were uneasy that there was no provincial law to secure their estates to the heirs of their body, or the next in kin, and afraid that their lands at their death would escheat to the Proprietors, and their children become beggars, notwithstanding their utmost industry and application; and, in such a case, the sooner they removed from the colony the better it would be for themselves and their posterity. The English colonists, not only kept up variances among themselves, but also perplexed the governor with their complaints of hardships and grievances. At last Landgrave Smith wrote the Proprietors, and frankly told them, that he despaired of ever uniting the people in interest and affection; that he and many more, weary of the fluctuating state of public affairs, had resolved to leave the province; and that he was convinced nothing would bring the settlers to a state of tranquillity and harmony, unless they sent out one of the Proprietors, with full powers to redress grievances, and settle differences prevailing and likely to prevail more in their colony.

[Sidenote] John Archdale appointed governor.

The Proprietors, astonished at the discontented and turbulent spirit of the people, yet anxious to prevent the settlement from being deserted and ruined, resolved to try the remedy Landgrave Smith had suggested; and accordingly pitched on Lord Ashley, an ingenious and bright young nobleman, to go to Carolina, and invested him with full powers, after viewing the posture of affairs on the spot, to establish such regulations as he judged most conducive to the peace and welfare of the colony. Lord Ashley, however, having either little inclination to the voyage, or being detained in England by business of greater consequence, John Archdale agreed to embark in his place. Archdale was a man of considerable knowledge and discretion, a Quaker, and a Proprietor; great trust was reposed in him, and much was expected from his negotiations.

In the mean time Landgrave Smith having resigned his charge, Daniel Blake was chosen governor, until the pleasure of the Proprietors was known. So great was the antipathy of the English settlers to the French refugees now grown, that they insisted on their total exclusion from a voice in the legislature. For this purpose an address was prepared and signed by a great number of them, and presented to Governor Blake, praying, that the refugees might not only be denied the privilege of sitting as members of the legislative body, but also of a vote at their election, and that the assembly might be composed only of English members, chosen by Englishmen.

Their request, however, being contrary to the instructions of the Proprietors, Blake, it is probable, judged beyond his power to grant, and therefore matters relating to them continued in the same unsettled state, until the arrival of Governor Archdale, which happened about the middle of the year 1695.

[Sidenote] Archdales's arrival, and new regulations.

The arrival of this pious man occasioned no small joy among all the settlers, who crowded about him, each expecting some favour or indulgence. Amidst the general joy, private animosities and civil discord seemed for a while to be buried in oblivion. The governor soon found, that three interesting matters demanded his particular attention. The first was, to restore harmony and peace among the colonists themselves; the second, to reconcile them to the jurisdiction and authority of the Proprietors; and the third, to regulate their policy and traffic with the Indian tribes. For these purposes he summoned his council for advice, and the commissions to the different deputies were read. The members appointed were Joseph Blake, Stephen Bull, James Moore, Paul Grimball, Thomas Carey, John Beresford, and William Hawett. All former judges of the courts, officers of the militia, and justices of the peace, were continued in their respective offices. But such was the national antipathy of the English settlers to the poor French refugees, that Archdale found their total exclusion from all concern in legislature was absolutely necessary to the peaceable convocation of the delegates, and therefore issued writs directing them only to Berkley and Colleton counties. Ten members for the one, and ten for the other, all Englishmen, were accordingly chosen by the freemen of the same nation. At their meeting the governor made a seasonable speech to both houses, acquainting them with the design of his appointment, his regard for the colony, and great desire of contributing towards its peace and prosperity. They, in return, presented affectionate addresses to him, and entered on public business with great temper and unanimity. Matters of general moment and concern Governor Archdale, by his extensive powers and great discretion settled to the satisfaction of all, excepting the French refugees. The price of lands and the form of conveyances were fixed by law. Three years rent was remitted to those who held land by grant, and four years to such as held them by survey, without grant. Such lands as had escheated to the Proprietors, were ordered to be let out or sold for their Lordships benefit. It was agreed to take the arrears of quitrents either in money or commodities, as should be most easy and convenient for the planters. Magistrates were appointed, for hearing all causes between the settlers and Indians, and finally determining all differences between them. Public roads were ordered to be made, and water passages cut, for the more easy conveyance of produce to the market. Some former laws were altered, and such new statutes made as were judged requisite for the good government and peace of the colony. In short, public affairs began to put on an agreeable aspect, and to promise fair towards the future progress and welfare of the settlement. But as for the French refugees, all the governor could do for them was, to recommend it to the English freeholders to consider them in the most friendly and compassionate point of light, and to treat them with lenity and moderation.

[Sidenote] Treats Indians with humanity.

No man could entertain more benevolent sentiments, with respect to the ignorant heathen savages, than Governor Archdale; his compassion for them was probably one of the weighty motives which induced him to undertake the voyage to this country. To protect them against insults, and establish a fair trade and friendly intercourse with them, were regulations which both humanity required and sound policy dictated. But such was the rapacious spirit of individuals, that it could be curbed by no authority. Many advantages were taken of the ignorance of Indians in the way of traffic. The liberty of seizing their persons, and selling them for slaves to the West-India planters, the colonists could not be prevailed on entirely to resign, without much reluctance. At this time a war raged between two Indian nations, the one living in the British, the other in the Spanish territories. The Yamassees, a powerful tribe in Carolina, having made an incursion into Florida, took a number of Indians prisoners, whom they brought to Charlestown for sale to the provincial traders to Jamaica and Barbadoes. Governor Archdale no sooner heard of their arrival, than he ordered the Spanish Indians to be brought to him, and finding that they had been instructed in the rites and principles of the Catholic religion, he could not help considering it as an atrocious crime to sell Christians of any denomination. To maintain a good understanding between the two provinces, he sent the prisoners to Augustine, and along with them the Yamassees warriors, to treat of peace with the Indians of Florida. The Spanish governor wrote a letter to Mr. Archdale, thanking him for his humanity, and expressing a desire to live on terms of friendship and peace with the Carolinians. In consequence of which, Governor Archdale issued orders to all Indians in the British interest, to forbear molesting those under the jurisdiction of Spain. The two kings being at that time confederates, the like orders were issued at St. Augustine, and in a short time they were attended with beneficial effects. Such wise steps served not only to prevent slaughter and misery among these savages themselves, but an English vessel being accidentally shipwrecked on the coast of Florida, the Indians did the crew no harm, but, on the contrary, conducted them safe to Augustine, where the commandant furnished them with provisions, and sent them to the English settlements.

Nor did Governor Archdale confine his views to the establishment of a good correspondence with the Indian nations on the south of this settlement, but extended them also to those on the north side of it. Stephen Bull, a member of the council and an Indian trader, at his request entered into a treaty of friendship with the Indians living on the coast of North Carolina. This proved also favourable for some adventurers from New England, who were soon after the conclusion of the treaty shipwrecked on that coast. These emigrants got all safe to land, but finding themselves surrounded by barbarians, expected nothing but instant death. However, to defend themselves in the best manner they could, they encamped in a body on the shore, and threw up an entrenchment around them. There they remained until their small stock of provisions was almost exhausted. The Indians, by making signs of friendship, frequently invited them to quit their camp; but they were afraid to trust them, until hunger urged them to run the hazard at all events. After they

came out, the Indians received them with great civility, and not only furnished them with provisions, but also permitted some of them peaceably to travel over land to Charlestown, to acquaint the governor with their misfortune. Upon which a vessel was sent to North Carolina, which brought them to Cooper river, on the north side of which lands were allotted them for their accommodation and they formed that settlement afterwards known by the name of Christ's-church parish.

About the same time, two Indians of different tribes being intoxicated with liquor, a vice which they learned from the English settlers, quarrelled at Charlestown, and the one murdered the other. Among these barbarians, not to avenge the death of a friend is considered as pusillanimous, and whenever death ensues, drunkenness, accident, or even self-defence, are in their eyes no extenuation of the crime. The relations of the deceased, hearing of his death, immediately came to Charlestown, and demanded satisfaction. Governor Archdale, who had confined the murderer, being desirous to save his life, offered them a compensation; but they refused it, and insisted on blood for blood and death for death, according to the law of retaliation. To prevent the quarrel spreading wider among them, he was obliged to deliver the prisoner up to punishment and death. While they were conducting him to the place of execution, his king, coming up to him, enjoined him, since he must die, to stand and die like a man; adding, at the same time, that he had often warned him of the danger of rum, and now he must lose his life for neglecting his counsel. When he had advanced to the stake to which he was to be fastened, he desired that they would not bind him, promising not to stir a foot from the spot; and accordingly he did not, but with astounding resolution braved the terrors of death, and fell a sacrifice to justice, the frequent wages of blind drunkenness and mad excess.

[Sidenote] The Proprietors shamefully neglected agriculture.

It may now be thought a matter of surprise by some men, especially by such as know the advantages of agriculture, that the Proprietors of Carolina, who were men of knowledge, and zealous for the interest and improvement of the colony, paid so little regard to the only thing upon which the subsistence of the inhabitants and the success of the settlement depended. Instead of framing codes of laws, and modelling the government of the country on principles of speculation, in which men are always in danger of error, especially when living in a different climate, far remote from the country they mean to govern; had they established a plantation in it for the particular purpose of making experiments, to find out what productions were most suitable to the soil and climate; this would have been of more real use than all the visionary laws they ever framed. The first planters were men of little knowledge or substance, many of them utter strangers to the arts of agriculture; and those who had been accustomed to husbandry in Europe, followed the same rules, and planted the same grain in Carolina, as they had formerly done in England; which were by no means adapted to the climate. They moved on in the old line, exhausted their strength in fruitless efforts, without presuming to imagine, that different articles of produce, and a deviation from the eastern modes of cultivation, could be beneficial. Hence the

planters, though they had lands on the easiest terms, remained poor; and the fault was occasioned more by their ignorance and inexperience than by the climate or soil. It was the business of the Proprietors to have directed their views to such productions as were best suited to the nature of their lands, and most likely to reward their toil; and not to have left a matter of such importance to chance, or the ingenuity of poor labourers. Agriculture was certainly an object of the highest consequence to the settlers, and of course also to the Proprietors of the country.

[Sidenote] Archdale returns to England, and leaves Joseph Blake governor.

Governor Archdale having finished his negotiations in Carolina, made preparations for returning to Britain. During his time though the government had acquired considerable respect and stability, yet the differences among the people still remained. Former flames were rather smothered for a while than extinguished, and were ready on the first occasion to break out again and burn with greater violence. Before he embarked, the council presented to him an address, to be transmitted to the Proprietors, expressing the deep sense they had of their Lordships paternal care for their colony, in the appointment of a man of such abilities and integrity to the government who had been so happily instrumental in establishing its peace and security. They told them, they had now no contending factions in government, or clashing interests among the people, excepting what respected the French refugees, who were unhappy at their not being allowed all the privileges and liberties of English subjects, particularly those of sitting in assembly, and voting at the election of its members, which could not be granted them without losing the affections of the English settlers, and involving the colony in civil broils; that Governor Archdale, by the advice of his council, had chose rather to refuse them those privileges than disoblige the bulk of the British settlers; that, by his wise conduct, they hoped all misunderstandings between their Lordships and the colonists were now happily removed; that they would for the future cheerfully concur with them in every measure for the speedy population and improvement of the country; that they were now levying money for building fortifications, to defend the province against foreign attacks, and that they would strive to maintain harmony and peace among themselves. Governor Archdale received this address with peculiar satisfaction, and promised to present it to the Proprietors on his arrival in England. Being impowered to nominate a lieutenant-governor, he made choice of Joseph Blake for his successor, and embarked for Britain about the close of the year 1696.

After Mr. Archdale's arrival in England, he laid this address, together with a state of the country, and the regulations he had established in it, before the Proprietors, and showed them the necessity of abolishing many articles in the constitutions, and framing a new plan of government. Accordingly, they began to compile new constitutions; from his information and intelligence forty-one different articles were drawn up and sent out by Robert Daniel, for the better government of the colony. But when the governor laid these new laws before the assembly for their assent and approbation, recommending the careful perusal and consideration of them, they treated them as they had done the former

constitutions, and, instead of taking them under deliberation, modestly laid them aside.

[Sidenote] A colony of French in Florida.

Mean while France, having thought proper to recognize King William in the quality of king of Great Britain and Ireland, a treaty of peace was concluded between the two nations. After which, a project was formed by Lewis XIV. for establishing a colony of his people at the mouth of the great river Mississippi. To that immense territory lying to the eastward of that river, and extending along the back of the Appalachian mountains, from the Mexican seas to his dominions in Canada, he laid claim, which, in honour of him, was afterwards called Louisiana. Some discerning men in England early warned the nation of danger to the British settlements from a French colony established on this quarter; yet many years elapsed before they began to feel the inconveniences and troubles arising from it. It was foreseen, that, besides the Spaniards, another competitor for power and dominion would spring up, in a situation where they had a fair opportunity of engrossing the trade and affections of Indian tribes, and harassing the weakest frontiers of the British colonies: and doubtless, from the influence and address of the Frenchmen among Indians, the English settlers had more to fear, than from the religious zeal and bigotry of indolent Spanish friars.

John Earl of Bath having succeeded Lord Craven as Palatine, several persons of character and influence in Carolina were by him created landgraves; among whom were Edmund Ballenger, John Bayley, and Robert Daniel; Edmund Bohun was appointed Chief Justice of the colony. About the same time Nicholas Trott, a learned and ambitious man, left the Bahama islands, and took up his residence in Carolina. Numbers from different quarters continued to resort to this country, and, notwithstanding its warm and unhealthy climate, the flattering prospects of landed estates induced men to run every risque; and the Proprietors neglected no means which they judged conducive towards its speedy population.

[Sidenote] The French refugees incorporated by law.

With respect to the French refugees, the national antipathies among the colonists now began to abate, who, from their quiet and inoffensive behaviour, entertained daily more favourable sentiments of them. Along with their neighbours they had defied the dangers of the desert, and given ample proofs of their fidelity to the Proprietors, their love to the people, and their zeal for the success of the colony. They had cleared little spots of land for raising the necessaries of life, and in some measure surmounted the difficulties of the first state of colonization. Yet none of them could boast of great success, excepting one man who had taught the Indians dancing and music, for which arts they discovered an amazing fondness, and liberally rewarded him for his instructions. At this favourable juncture the refugees, by the advice of the governor and other friends, petitioned the legislature to be incorporated with the freemen of the colony, and allowed the same privileges and liberties with those born of English parents. Accordingly an act passed for making all aliens free, for enabling them to hold

lands, and to claim the same as heirs to their ancestors, who should take the oath of allegiance to King William. With this condition the refugees joyfully complied, and the Proprietors, without scruple, ratified the law; in consequence of which, the French and English settlers, united in interest and affection, have ever since lived together in harmony and peace.

Though every person enjoyed liberty of conscience with respect to religion, yet as the Proprietors were Episcopalians, the tendency of their government leaned towards that mode of religious worship. Governor Blake, though a dissenter himself, possessed the most liberal sentiments towards men of a different persuasion. During his time a bill was brought into the assembly, for allowing the Episcopal minister of Charlestown, and his successors for ever, a salary of one hundred and fifty pounds sterling, together with a house, glebe, and two servants. Samuel Marshal, a pious and learned man, being the Episcopal minister at that time, whose prudence and ability had gained him great esteem from Christians of all denominations, the bill passed with the less opposition. Dissenters in general, a large body of the people, conscious of the amiable character and great merit of the man, acquiesced in the measure; and as no motion had been made respecting any established church, they seemed apprehensive of no ill consequences from it. However, soon after this, when the design of the Proprietors became more plain, this party, jealous above all things of their religious liberties, took the alarm, and opposed the establishment of the church of England in the colony with such violence, as occasioned no small ferment for many years in the settlement.

[Sidenote] Depredations of pirates.

About this time the coast of Carolina was infested with pirates, who hovered about the mouth of Ashley river, and obstructed the freedom of trade. In the last year of the seventeenth century, the planters had raised more rice than they could find vessels to export. Forty-five persons from different nations, Englishmen, Frenchmen, Portuguese, and Indians, had manned a ship at the Havanna, and entered on a cruise of piracy. While they were on the coast of Carolina, the people felt severely the pernicious effects of that lawless trade, which in former times they were too apt to encourage. Several ships belonging to Charlestown were taken by those public robbers, who sent the crews ashore, but kept the vessels as their prizes. At last having quarrelled among themselves about the division of the spoil, as frequently happens among such free-booters, the Englishmen proving the weaker party, were turned adrift in a long-boat. They landed at Sewee bay, and from thence travelled over land to Charlestown, giving out that they had been shipwrecked, and fortunately escaped to shore in their boat. But, to their sad disappointment and surprise, no less than three masters of ships happened to be at Charlestown at the time, who had been taken by them, and knew them; upon whose testimony the pirates were instantly taken up, tried and condemned, and seven out of nine suffered death.

[Sidenote] A hurricane,

During the autumn of the same year, a dreadful hurricane happened at

Charlestown, which did great damage, and threatened the total destruction of the town. The lands on which it is built being low and level, and not many feet above high-water mark, the swelling sea rushed in with amazing impetuosity, and obliged the inhabitants to fly for shelter to the second stories of their houses. Happily few lives were lost in town; but a large vessel, called the Rising Sun, belonging to Glasgow, and commanded by James Gibson, which had come from Darien with part of the unfortunate Scotch settlers, at the time of the storm rode at anchor off the bar. This ship the hurricane drove from her anchor, and dashed to pieces against the sand-banks, and every person on board perished. Archibald Stobo, a Presbyterian clergyman, Lieutenant Graham, and several more belonging to the ship, being accidentally on shore during the tempest, escaped the disaster. These men going next day in search of their unfortunate countrymen, found the corpses of the greatest part of them driven ashore on James's island, where they spent a whole day in burying them, the last act of humanity they could then perform to their beloved companions.

[Sidenote] and other public calamities, visit the province.

Nor was this the only disaster which distinguished this year in the annals of Carolina. A fire broke also out in Charlestown, and laid the most of it in ashes. The small-pox raged through the town, and proved fatal to multitudes of the rising generation. To complete their distress, an infectious distemper broke out, and carried off an incredible number of people, among whom were Chief Justice Bohun, Samuel Marshal the Episcopal clergyman, John Ely the receiver-general, Edward Rawlins the provost-martial, and almost one half of the members of assembly. Never had the colony been visited with such general distress and mortality. Few families escaped a share of the public calamities. Almost all were lamenting the loss, either of their habitations by the devouring flames, or of friends or relations by the infectious and loathsome maladies. Discouragement and despair sat on every countenance. Many of the survivors could think of nothing but abandoning a country on which the judgments of heaven seemed to fall so heavy, and in which there was so little prospect of success, health, or happiness. They had heard of Pennsylvania, and how pleasant and flourishing a province it was described to be, and therefore were determined to embrace the first opportunity that offered of retiring to it with the remainder of their families and effects.

Governor Blake, deeply sensible of the public distress, tried every art for alleviating the misery of the people, and encouraging them to perseverance; but the members of assembly who survived, became so negligent about public affairs, that he found himself under a necessity of dissolving the house, and calling another, hoping that they might be more zealous and active in concerting measures for the public relief. Of this new assembly Nicholas Trott, whose talents had raised him above the level of his fellow-representatives, was made speaker, and who warmly espoused the cause of the people, in opposition to the interest of the proprietors. The governor and council claimed the privilege of nominating public officers, particularly a receiver-general, until the pleasure of the proprietors was known. The assembly, on the other hand, insisted that

it belonged to them. This occasioned several messages between the two houses, and much altercation. However, the upper house appointed their man. The lower house resolved, that the person appointed by them was no public receiver, and that whoever should presume to pay money to him as such, should be deemed an infringer of the privileges of assembly, and an enemy to the country. Trott flatly denied they could be called an upper house, though they thus styled themselves, as they differed in the most essential circumstances from the house of lords in England; and therefore led the assembly to call them the Proprietors deputies, and to treat them with indignity and contempt, by limiting them to a day to pass their bills, and to an hour to answer their messages. At this time Trott was eager in the pursuit of popularity, and by his uncommon abilities and address succeeded in a wonderful manner. Never had any man there, in so short a time, so thoroughly engrossed the public favour and esteem, or carried matters with so high a hand, in opposition to the proprietary counsellors.

[Sidenote] James Moore chosen governor.

About the close of the year 1700, Governor Blake died, and a dispute arose in the upper house about the succession to the government. Joseph Morton, as eldest landgrave, claimed the preference, until the pleasure of the Palatine was known. But James Moore, a needy, forward and ambitious man, stood forth in competition, and, by activity and art, gained a number over in support of his pretensions. He objected to Landgrave Morton, because he had accepted a commission from King William to be judge of the court of vice-admiralty, while, at the same time, he held one of the Proprietors to the same office: this Moore and his friends declared to be a breach of the trust reposed in him; and that he might with equal propriety have accepted of a commission from King William to be governor; while he held that office of the Proprietors. Landgrave Morton replied, that there was a necessity for holding a commission from the king to be judge of the court of vice-admiralty, because it did not appear from the charter that the Proprietors could empower their judge to try persons for acts committed without the bounds of their colony, and that with such jurisdiction the judge of the admiralty ought for many reasons always to be vested. However, the upper house deemed the objection of force sufficient to set Morton aside, and James Moore was chosen successor to Governor Blake. From which period the colony may date the beginning of further jealousies and troubles, which continued for several years, and obstructed its progress in improvement. Various intrigues crept into the seat of government, and several encroachments were made on the liberties and privileges of the people, both civil and religious.

[Sidenote] Lord Granville Palatine.

King William, though he maintained the power of the established church, yet he often discovered a secret attachment to Presbyterians, and on all occasions treated them with lenity and moderation. Hence many of the more zealous friends to the church of England, alarmed at the prospects of its dangerous situation, became eagerly bent not only in support of its constitution, but even of its minutest forms, usages, and vestments. Lord

Granville among the rest, after he was called up to the house of peers, had there distinguished himself as an inflexible bigot for the High-church, having been early taught to entertain the most supercilious contempt for Dissenters of all denominations. Being now also Palatine of Carolina, he soon discovered that the establishment of Episcopacy, and the suppression of all other modes of religious worship, in that country, was the chief object of his zeal and attention. James Moore being considered as a man more fit than Landgrave Morton for assisting him in the accomplishment of his favourite design, the more easily obtained a confirmation of his election to the government.

[Sidenote] King William's charter to the society for propagating the gospel.

Here it may not be improper to observe, that several eminent men had appeared in England, who, pitying the miserable state of the western world with respect to religion, had proposed some public-spirited design for the propagation of the gospel among the heathens on that vast continent. Robert Boyle, no less distinguished for his eminent piety than universal learning, had been appointed by Charles II. governor of a corporation established for the propagation of the Christian religion among Indians, the natives of New England and parts adjacent, in America. Queen Mary afterwards discovered a great desire for enlarging their plan, and for this purpose gave a bounty of two hundred pounds sterling annually to support missionaries in that quarter. Dr. Compton, bishop of London, was at pains to procure a state of religion among the English colonies, from a persuasion of the necessity and propriety of beginning this charitable work among them; and Dr. Thomas Bray, his commissary in Maryland, furnished him with one suited to excite sympathy and compassion in every pious and generous breast. At length Dr. Tennison, archbishop of Canterbury, undertook the laudable design, applied to the crown, and obtained a charter incorporating a society for the propagation of the gospel in foreign parts. The nation in general entered into the design with their usual ardour for all benevolent and charitable institutions. From different parts large benefactions were received by this society, and it was soon enabled to support a number of missionaries in the plantations. Religious books were purchased and sent out to different provinces, and Carolina among the rest received a number of them. A law passed for instituting a public library in the province, to remain under the care and custody of the Episcopal minister of Charlestown. Edward Marston at this time took the charge of it, and was disposed to contribute every thing in his power towards rendering it generally useful. But the Dissenters, from the choice of the books, most of which were wrote by Episcopal divines, and in defence of the doctrine, discipline and worship of the church of England, soon perceived the intention of the society, and a library framed on such a narrow foundation was treated with neglect, and proved utterly ineffectual for promoting the desired end, I mean, the religious instruction of the people.

About this time the number of inhabitants in the colony amounted to between five and six thousand, besides Indians and negroes. In Charlestown they had one minister of the church of England, and another

of the church of Scotland; but in the country there was no such thing as public worship, nor schools for the education of children; and people living thus scattered through a forest, were likely in time to sink by degrees into the same state of ignorance and barbarism with the natural inhabitants of the wilderness. To supply these destitute colonists with proper means of instruction, called for the first attention of the society; for as Indians and negroes would naturally take their first religious impressions from their neighbours, to begin at this place was like paving the way for extending wider the benefits of instruction. In what manner the colony was supplied with ministers from this society, and how far the interest of religion in that country was promoted by it, we shall afterwards have occasion more particularly to narrate.

[Sidenote] An established church projected by the Palatine.

To prepare the province for the charitable assistance of this society, it was judged necessary to have the church of England established in it by a provincial law, and the country divided into different parishes, The Palatine imagined that these internal troubles and differences, by which the colony had hitherto been agitated, and the government rendered feeble and fluctuating, were occasioned by the clashing sentiments of the people with respect to religion. To remedy this evil, he perceived that some bond of union was necessary, to carry on public measures with ease and success; and religion had been deemed the firmest cement of every state. He knew that the Episcopal form of church government was more favourable to monarchy and the civil constitution than the Presbyterian, as in it a chain of dependence subsists, from the highest to the lowest in the church. While therefore he instructed Governor Moore to study all possible means of persuading the assembly to acquiesce in that form contained in the fundamental constitutions, he was equally zealous for an established church, that the wheels of their government might be no more clogged by religious dissensions.

[Sidenote] But disliked by the majority of the people.

But as a great majority of the colonists were Dissenters, who fled from England on account of rigorous acts of uniformity, their minds were ill disposed to admit of any establishment. Their former prejudices they had not yet thrown aside; their hardships in England they had not yet forgot. Their private opinions respecting religion were various as their different complexions, and unlimited toleration was granted to all by the charter. They could hear of no proposals about an established church, and the Palatine at such an unreasonable time, shewed more zeal than prudence or good policy in attempting to introduce it among them. The governor found them inflexible and obstinate in opposing such a measure; and the people even began to repent of having passed a law for fixing a salary for ever on the rector of the Episcopal church, and considered it as a step preparatory to further encroachments.

[Sidenote] Governor Moore resolves to get riches.

The great object with Governor Moore was to improve his time, not knowing how long his precarious power might last, for bettering his low and

indigent circumstances. It appeared to him, that the traffic in Indians was the shortest way to riches. He therefore granted commissions to several persons, to assault, trepan and captivate as many Indians as they could, and resolved to turn the profits of such trade to his own private emolument. Not contented with this cruel method of acquiring wealth, he formed a design for engrossing the whole advantages arising to the colony from their commerce with Indian nations. For this purpose a bill was brought into the assembly for regulating the Indian trade, and drawn up in such a manner as would cause all the profits of it to center in his hands. But Nicholas Trott, Robert Stephen, and others, proved to the assembly the pernicious tendency of such a bill, and therefore it was thrown out. At which Governor Moore being highly offended, dissolved the house, in hopes of procuring another more favourable to his private views and interests.

[Sidenote] Encourages irregularities at elections.

At the election of the next assembly the governor and his friends exerted all their power and influence to bring in men of their own complexion, I mean such as would be most compliant with Moor's instructions from England, and most ready to assist him in advancing his interest. Nicholas Trott, who had hitherto shone like a star of the first magnitude on the opposite side, being now appointed Attorney-general, threw all his influence and weight into the scale of government, turned his back on his former friends, and strongly supported that tottering fabric which he had formerly endeavoured to pull down. Charlestown, where all freeholders met to give their suffrages, at the time of this election was a scene of riot, intemperance, and confusion. The sheriff, having instructions so to do, admitted every person to vote; the members of Colleton county say, even common sailors, servants, foreigners, and mallattoes. Such freeholders as stood forth in opposition to the governor's party, were abused and insulted. At length, when the poll was closed, one half of the persons elected were found to be men of neither sense nor credit; but being the chosen creatures of the governor, it was his business to prevent all inquiry into the conduct of the sheriff, and the qualifications of such members.

Ar this time Carteret county was inhabited only by Indians; but in Colleton county there were no less than two hundred freeholders, who had a right to vote for delegates to assembly. The principal plantations in it were those of the late Sir John Yeamans, Landgraves Morton, Ballenger and Axtell, and those of Blake, Boone, Gibbes, Schinking, and others. The people of this county being highly offended at the manner of election, particularly the arts and intrigues practised, and the riot and intemperance permitted at it, drew up a representation of the whole transaction, and transmitted it to the Proprietors in England: but the Palatine was too deeply concerned in promoting those measures of which they complained, to grant them any favourable answer. In Berkley county the principal settlements were those of Sir Nathaniel Johnson, Governor Moore, Landgraves West, Smith, Bayley, and Daniel; together with those belonging to Godfrey, Mathews, Iazard, Colleton, Grimbball, &c.; several of whom were also dissatisfied with the public proceedings. But Craven county being composed of French refugees, who having little knowledge of

the English language, were easily managed; many of whom supported the governor purely out of affection to the Proprietors. In short, the house consisted of thirty members, one half of whom were elected from the dregs of the people, utter strangers to public affairs, and in every respect unqualified for fitting as provincial legislators.

[Sidenote] Proposes an expedition against Augustine.

In the mean time, a rupture took place in Europe between England and Spain, which turned the attention of the colony to a different object, and afforded Governor Moore an opportunity of exercising his military talents, and a new prospect of enriching himself by Spanish plunder or Indian captives. Accordingly, instead of private disputes among themselves, he proposed to the assembly an expedition against the Spanish settlement at Augustine. Many of the people, from mercenary motives, applauded the proposal; however, men of cool reflection, having yet had no intelligence of the declaration of war were averse from rushing into any hazardous enterprise, until they had certain advice of it from England. As the expedition was projected, contrary to the opinion and inclination of many Carolinians, without any recent provocation from the Spanish garrison; it is probable that the governor engaged in it chiefly from views of private emolument. Florida, he assured the people would be an easy conquest; and treasures of gold and silver were held out to them as the rewards of valour. In vain did some members of the assembly oppose it, by representing the province as weak, and ill provided for warlike enterprises, and by hinting at the many hazards and difficulties always attending them; in vain did they urge the strength of the Spanish fort, and the expenses incurred by a fruitless and perhaps bloody expedition: such men were called enemies and traitors to their country, and represented as timid and pusillanimous wretches, who were utter strangers to great and glorious undertakings. Accordingly, a great majority of the assembly declared for the expedition, and a sum of two thousand pounds sterling was voted for the service of the war. Six hundred Indians were engaged, who, being fond of warlike exploits, gladly accepted of arms and ammunition offered them for their aid and assistance. Six hundred provincial militia were raised, and schooners and merchant ships were impressed, for transports to carry the forces. Port-Royal was fixed upon as the place of general rendezvous, and there, in September 1702, the governor at the head of his warriors, embarked in an expedition equally rash and fool-hardy on one side, as it was well known and unprovoked on the other.

[Sidenote] Which proves abortive.

While these preparations were going on in Carolina, the Spaniards, apprised of the governor's design, were making ready for their defence. In the plan of operations it had been agreed, that Colonel Daniel, who was an officer of spirit, should go by the inland passage with a party of militia and Indians, and make a descent on the town from the land, while the governor with the main body should proceed by sea, and block up the harbour. Colonel Daniel lost no time, but advanced against the town, entered and plundered it before the governor got forward to his assistance. But the Spaniards having laid up provisions for four months

in the castle, on his approach retired to it with all their money and most valuable effects. Upon the arrival of Governor Moore, the place was invested with a force against which the Spaniards could not appear, and therefore kept themselves shut up in their strong hold. The governor finding it impossible to dislodge them without such artillery as are necessary to a siege, dispatched a sloop to Jamaica, on purpose to bring cannon, bombs, and mortars, for attacking the castle; and Colonel Daniel embarked and sailed with the greatest expedition to bring them. During his absence two Spanish ships, the one of 22 guns and the other of 16, appearing off the mouth of the harbour, struck such a panic into the governor, that he instantly raised the siege, abandoned his ships, and made a precipitate retreat to Carolina by land. In consequence of which the Spaniards in the garrison were not only relieved, but the ships, provisions, and ammunition, belonging to the Carolinians, fell also into their hands. Colonel Daniel, on his return, standing in for the harbour of Augustine, found to his surprise the siege raised, and made a narrow escape from the enemy.

Military expeditions rashly undertaken, conducted by a headstrong and unexperienced officer, and executed by raw and ill-disciplined troops, seldom succeed. We are not able to account for the governor's conduct. In raising this siege, after he had been a month in possession of the town, unless he was in immediate want of provisions or ammunition, or his men, having little confidence in his abilities, threatened to desert him: for if the Spanish ships drew more than ten feet water, which it is probable they must have done, they could not come over the bar to injure him: if they landed their men, yet still his force was superior to that of the enemy, and he might at least have risked a battle on such grounds, before he made an inglorious retreat. The Indians were averse from leaving the field, without scalps, plunder, or glory. It is true, the Spanish ships of war might have prevented Colonel Daniel from getting into the harbour with the supply of military stores, yet the coast was large, and afforded many more places for landing them. The governor had Indians to hunt for provisions to his men, and it was by no means impossible to have starved the garrison, and compelled them to surrender. What then shall we think of a commander, who, on the first appearance of a little danger, abandons his station, however advantageous, and tamely yields up, not only the town, but also his own ships and provisions to the enemy?

[Sidenote] The first paper currency made.

Upon his return to Carolina many severe reflections were thrown out against him, as might naturally have been expected; but especially by that party who opposed the enterprise. It is true, it proved not a bloody expedition, the governor having lost no more than two men in it; yet it entailed a debt of six thousand pounds sterling on a poor colony, which, at that period, was a grievous burden. The provincial assembly, who, during the absence of the governor had been under prorogation, now met, to concert ways and means for discharging this public debt. Great dissensions and confusion prevailed among them; but the governor, having a number of men under arms to whom the country stood indebted, despised all opposition, and silenced the malecontents by threats and compulsion. A bill was brought into the assembly for stamping bills of credit, to

answer the public expence, which were to be sunk in three years by a duty laid upon liquors, skins, and furs. In this measure all parties acquiesced, as it fell easy on private persons, at the same time that it satisfied the public creditors. This was the first paper money issued in Carolina, and, for five or six years after the emission, it passed in the country at the same value and rate with the sterling money of England. How, in process of time, it increased in quantity and sunk in value; how it was deemed useful by debtors and prejudicial by creditors, we shall afterwards have occasion more particularly to demonstrate. At present it may suffice to observe, that it was absolutely necessary to support the public credit, and the most practicable method the colony had of defraying the expences incurred by the unsuccessful expedition.

[Sidenote] The expedition against the Appalachian Indians.

Notwithstanding his past misfortunes, Governor Moore, fond of warlike exploits, had still in view the striking some blow that might distinguish his administration. The Appalachian Indians, by their connection with the Spaniards, had become insolent and troublesome. Mr. Moore determined to chastise them, and for this purpose marched at the head of a body of white men and Indian allies, into the heart of their settlements. Where-ever he went he carried fire and sword along with him, and struck a terror into his enemies. The towns of those tribes who lived between the rivers Alatomaha and Savanna he laid in ashes, captivated many savages, and obliged others to submit to the English government. This exertion of power in that quarter was attended with good effects, as it filled the savages with terror of the British arms, and helped to pave the way for the English colony afterwards planted between these rivers. The governor received the thanks of the Proprietors for his patriotism and courage, who acknowledged that the success of his arms had gained their province a reputation; but, what was of greater consequence to him, he wiped off the ignominy of the Augustine expedition, and procured a number of Indian slaves, whom he employed to cultivate his fields, or sold for his own profit and advantage.

[Sidenote] The culture of silk.

About this time Sir Nathaniel Johnson introduced the raising of silk into the country, which is an article of commerce exceedingly profitable, and, by proper encouragement, might have been made very beneficial both to the colony and the mother country. Mulberry trees grew spontaneously in the woods, and thrived as well as other natural productions. The great demand for silk in Britain made it an object of the highest consequence. About the beginning of March the worms are hatched from the eggs; nature having wisely so ordered it, that the silk-worms should come into life at the time mulberry leaves, on which they feed, begin to open. The feeding and cleaning them required rather skill than strength. Young persons might have been employed in furnishing leaves; one man of judgment and skill might have attended a large house full of worms; and in six weeks their whole operations are over. An article so profitable, and so easily raised, ought to have engaged the attention of the Proprietors, and induced them to give premiums to such men as should bring to market the greatest quantities of it. Men of knowledge and skill from Europe ought

to have been hired and sent out by them, for instructing the colonists in the management of the worms and winding of the silk. Where the climate was so well adapted to the purpose, could any article of improvement be conceived more likely to reward them for their expence? However, Sir Nathaniel Johnson, after all his pains, rather shewed what might have been done towards the culture of silk in that province, than made such progress in it as to render the commodity of national advantage.

[Sidenote] And of cotton.

To the culture of cotton the climate and soil were equally favourable. It might have been planted on lands newly cleared, or on light and sandy grounds, such as the maritime parts of Carolina, which are by no means unsuitable to the production. The seeds are commonly sown about two feet and a half asunder, and grow up like other plants. Indeed the fields require to be kept clean, and the fresh earth carefully thrown around the plant, to defend it against the winds; but this is no difficult task, and might be performed by hands incapable of more severe labour. When the pods burst, cotton is gathered, and separated from the seeds; which is the most tedious and troublesome part of the business requisite. This article also, though not of importance enough to have engrossed the whole attention of the colonists, might nevertheless, in conjunction with other staples, have been rendered profitable and useful.

[Sidenote] Rice fixed on by the planters as a staple commodity.

Instead of these and several other articles, to which the views of the planters in the weaker and earlier state of the colony ought to have been turned in some degree, we find from this period the culture of rice engrossing their whole strength and attention, This commodity being an article of provision, was indeed likely always to find a good market; yet it was scarcely possible to have fixed on a staple which required more severe labour during the whole process of its preparation. The warm climate and low lands were doubtless well adapted to the nature of the grain, after experience had taught the husbandman to clear and cultivate the swampy grounds for that purpose: yet it is certain that the planters long went on with this article, and exhausted their strength in raising it on higher lands, which poorly rewarded them for their toil. After clearing the lands they commonly plant it in furrows made with a hoe, about eighteen inches asunder. When the seed is sown the fields must be carefully kept clear of noxious weeds, which retard its growth, and the earth must also be laid up to the root of the rice, to facilitate its progress. No work can be imagined more pernicious to health, than for men to stand in water mid leg high, and often above it, planting and weeding rice; while the scorching heat of the sun renders the air they breathe ten or twenty degrees hotter than the human blood, and the putrid and unwholesome effluvia from an oozy bottom and stagnated water poison the atmosphere. They sow it in April, or early in May, and reap in the latter end of August, or in the month of September. After which it is dried and carried to the barn-yard, and built in stacks, in like manner as the corn in Europe. After this it is threshed, winnowed, and ground in mills made of wood, to free the rice from the husk. Then it is winnowed again, and put into a wooden mortar, and beat with large wooden pestles, which

labour is so oppressive and hard, that the firmest nerves and most vigorous constitutions sink under it. To free it from the dust and flour occasioned by pounding, it is sifted first through one sieve, and then, to separate the small and broken rice from the large, through another. Last of all, it is put into large barrels of enormous weight, and carried to the market. During the whole tedious process of its preparation, much care and great strength are requisite, and many thousands of lives from Africa have been sacrificed, in order to furnish the world with this commodity.

CHAP. IV.

After the death of King William, which happened on the 8th of March 1702, agreeable to the act made for settling the succession, the crown devolved on Anne Stewart, the youngest daughter of King James II. by his first marriage. At her accession to the throne, though in reality she was no friend to the Whig party, she declared that she would make the late king's conduct the model of her own, and maintain the succession to the crown in the Protestant line. The first object of her reign was to humble the pride of France, the power of which nation had at that time grown to such an exorbitant height, as to endanger the liberties of Europe. Lewis XIV. had such influence with the Spanish nation, as to persuade them to join him in proclaiming the pretended Prince of Wales king of Great Britain and Ireland. He had also made many encroachments on the freedom of English commerce and navigation. The indignity offered to her crown Queen Anne determined to resent, and therefore, on the 4th of May, declared war against France and Spain, which, for many years, she carried on with amazing vigour and success.

About this juncture Sir Nathaniel Johnson received a commission from John Lord Granville, investing him with the government of Carolina, to which office a salary of two hundred pounds was annexed, to be paid annually by the Receiver-general of the colony. This gentleman had not only been bred a soldier from his youth, but had been also a member of the house of commons, and was well qualified for the trust. But it being suspected that he was no friend to the Revolution, the Proprietors could not obtain her majesty's approbation of him, but on the following terms: That he qualify himself for the office in such a manner as the laws of England required; that he give security for his observing the laws of trade and navigation, and obey such instructions as should be sent out from time to time by her majesty; and the Lords Commissioners of trade and plantations were ordered to take care that good and sufficient security be given by him.

[Sidenote] His instructions.

With respect to his own conduct in the government of the colony, he had instructions from the Proprietors to follow such rules as had been given to former governors, in the fundamental constitutions and temporary laws

entered upon record, and to be guided by the same as far as in his judgment he might think fit and expedient. He was required, with the advice and assistance of his council, carefully to review the constitutions, and such of them as he should think necessary to the better establishment of government, and calculated for the good of the people, he was ordered to lay before the assembly for their concurrence and assent. He was to use his endeavors to dispose of their lands; but to take nothing less than twenty pounds for a thousand acres; and, in all future grants to make them escheat to the Proprietors, unless a settlement be made on them within the space of four years. He was to take special care that the Indians be not abused or insulted, and to study the properest methods of civilizing them, and creating a firm friendship with them, in order to protect the colony against the Spaniards in the neighbourhood. He was to transmit to England exact copies of all laws passed, accounts of the lands sold, and of all annual-rents paid, _&c._ These, and such other regulations as he might judge essential to the welfare of the country, and the interest of the Proprietors, he had particular injunctions to study and adopt.

[Sidenote] He endeavors to establish the church of England.

I have already observed, that the colony was in a deplorable state with respect to religion. The first emigrants from England, where public worship was countenanced, and had the sanction of the civil authority, retained indeed for a little time some sense of religion, and showed some respect for the ordinances of the gospel: but their children, born in a wilderness, where there was not so much as even the semblance of public worship, were likely to grow up in ignorance, and to live entirely void of all sense of religion. Proprietors were either unable to furnish them with the proper means of instruction, or they were unwilling to bear the expence of it, having as yet received little recompence for the past charges of the settlement. Not only the emigrants from England, but also those from France and Holland, were much divided in their private opinions with respect to modes of religious worship; and for this reason all governors, excepting the last, had prudently deferred meddling in a matter which would occasion uneasiness and confusion among the settlers. Still, however, the establishment of the church of England in Carolina was the chief object in view with the Proprietors. The Palatine was a bigoted zealot for this mode of ecclesiastical worship and government: the governor was strongly attached to it. James Moore, who was made Receiver-general, and Nicholas Trott the Attorney-general, were also men of the same complexion. These men, assisted by a majority of the council, now began to concert measures with art and skill, and to pursue them with firmness and resolution, for accomplishing this end, and gratifying the earnest desire of the Palatine.

[Sidenote] Pursues violent measures for that purpose.

It was not, however, without some difficulty and considerable struggles, that the keen opposition raised by Dissenters, who now plainly perceived their design, and who had an irreconcilable aversion from Episcopacy, could be overcome. This the governor and his party foresaw, and therefore it became necessary first to exert themselves to secure a majority in the

assembly in favour of the measure they had in view. Hitherto the riotous proceedings at the former election had been overlooked, and the rioters, by the countenance and protection of the preceding governor had escaped prosecution. The grand jury presented this neglect as a grievance to the court; but the judge told them, "That was a matter which lay before the governor and council, his superiors." When the complaint was made to the governor in council, he replied, "That these irregularities happened before his appointment to the government, but that he would take care to prevent them for the time to come." Notwithstanding this declaration, if we may believe the Dissenters, at the following election still greater irregularities prevailed. By the same undue influence and violence the governor and his adherents gained their point, and secured a majority in the house; for that a species of corruption had now infected the great fountain of liberty, the election of representatives.

It would appear that some of the colonists at this period had distinguished themselves by loose principles and licentious language, and had treated some of the fundamental doctrines of the Christian religion with the ridicule and contempt of professed infidelity. To bring an odium upon this class of Dissenters, and to discourage such licentious practices, a bill was brought into the new assembly for the suppression of blasphemy and profaneness; by which bill, whoever should be convicted of having spoken or written any thing against the Trinity, or the divine authority of the Old or New Testament, by the oath of two or more credible witnesses, were to be made incapable, and disabled in law to all intents and purposes, of being members of assembly, or of holding any office of profit, civil or military, within the province: and whoever should be convicted of such crimes a second time, were also to be disabled from suing or bringing any action of information in any court of law or equity, from being guardian to any child, executor or administrator to any person; and without fail suffer imprisonment for three years. Which law, notwithstanding its fine gloss, savoured not a little of an inquisition, and introduced a species of persecution ill calculated to answer the end for which it was intended. To punish men guilty of blasphemy and profaneness in this way, instead of bringing their atrocious crimes into public disrepute and abhorrence, served rather to render their persons objects of compassion, and induce men to pity them on account of their sufferings. Bad as the world is, these wicked practices seldom miss their deserved rewards, public ignominy and detestation, which perhaps would fall heavier on such wretches without penal laws than with them.

[Sidenote] The church of England established by law.

However, had Sir Nathaniel Johnson stopt here, many reasons might have been urged in his vindication; but he had other measures in view, much more unpopular and oppressive. He looked upon Dissenters of every denomination as enemies to the constitutions of both church and state, and therefore, to subvert their power and influence, or compel them to uniformity of sentiment, another bill was brought into the assembly, framed in such a manner as to exclude them entirely from the house of representatives. This bill required every man who should hereafter be chosen a member of assembly, to take the oaths and subscribe the

declaration appointed by it, to conform to the religion and worship of the church of England, and to receive the sacrament of our Lord's Supper, according to the rites and usage of that church; a qualification which Dissenters considered as having a manifest tendency to rob them of all their civil rights or religious liberties. To carry this bill through the house, all the art and influence of the governor and his party were requisite. In the lower house it passed by a majority of one vote, and in the upper house Landgrave Joseph Morton was refused liberty to enter his protest against it. At this juncture no bill could have been framed more inconsistent with the rights and privileges of the freemen, and more pernicious to the interest and prosperity of the country. Dissenters, who were a numerous and powerful body of the people, were highly offended, and raised a great outcry against it. Seeing themselves reduced to the necessity of receiving laws from men whose principles of civil and ecclesiastical government they abhorred, and subjected to greater hardships than they suffered in England, many had formed resolutions of abandoning the colony. Loud clamours were not only heard without doors, but jealousies and discontent filled the hearts of many within them, not of Dissenters only, but also of those who adhered to the church.

[Sidenote] The inhabitants of Colleton county remonstrate against it.

In this distracted state of the colony, the inhabitants of Colleton county, composed chiefly of Dissenters, met and drew up a state of their grievous circumstances, which they resolved to transmit to the Proprietors, praying their Lordships to repeal this oppressive act. John Ash, one of the most zealous men in the opposition, agreed to embark for England as agent for the aggrieved party, computed to be at least two thirds of the whole inhabitants of the colony. The governor and his friends, apprized of this design, used all possible means to prevent him from obtaining a passage in any ship belonging to Carolina. Upon which Ash went to Virginia, to which province his instructions were conveyed to him, and from thence he set sail for England.

After his arrival he waited on Lord Granville, the Palatine, acquainting him with the design of his message; but met with a very cold reception. That nobleman was too deeply concerned in bringing about that establishment against which Ash came to complain, favourably to listen to his representations. Accordingly, after staying some time in London, and giving the Proprietors all the information in his power relating to public affairs, the only satisfaction he could obtain from the Palatine was this, that he should cause his secretary write to the governor an account of the grievances and hardships of which Mr. Ash complained, and require an answer from him with respect to them. Mr. Ash, observing how the Palatine stood affected, and despairing of success, immediately began to draw up a representation of their case, which he intended for the press: but before he had finished it he was taken sick, and died; and his papers fell into his enemies hands. He was a man of a warm and passionate temper, and possessed of all those violent sentiments which ill usage, disappointment, and oppression, naturally kindle in the human breast. His representation, intended as an appeal to the nation in general, for the sufferings of the people under the tyrannical proprietary government, was full of heavy charges against the governor and his party in Carolina, and

bitter reflections on their conduct, which he considered as in the highest degree injurious to the colony.

Without doubt the Lords Proprietors planned this establishment with a view to the peaceful influence it would have upon the civil government of the country, as the preamble to the act expressly indicates. Their feeble and fluctuating state required the assistance and authority of an established church, and the sanction of religion, to give it more weight and influence with the people. How far the measures adopted served to promote the desired end, and were consistent with prudence and good policy, will afterwards more clearly appear.

[Sidenote] Lay commissioners appointed.

[Sidenote] The acts ratified by the Proprietors.

Sir Nathaniel Johnson having advanced so far, was determined to proceed in spite of every obstacle thrown in his way. He instituted what the inhabitants of Carolina took to be a high-commission court, like that of King James the second. It was enacted, that twenty lay-persons be constituted a corporation for the exercise of ecclesiastical jurisdiction, with full power to deprive ministers of their livings at pleasure, not for immorality only, but also for imprudence, or on account of unreasonable prejudices taken against them. In vain did many persons complain of this institution, as tearing the ecclesiastical jurisdiction out of the hands of the bishop of London, in whose diocese the whole British colonies in America were included. The governor, bent on carrying into execution the favourite plan of the Palatine, paid little regard to the uneasy apprehensions of the people. According to the act for erecting churches, the colony is divided into ten parishes; seven in Berkeley, two in Colleton, and one in Craven counties. Money is provided for building churches; lands are granted for glebes and church-yards; and salaries for the different rectors are fixed and appointed, payable from the provincial treasury. When these bills were transmitted to England, to be ratified and confirmed by the Proprietors, John Archdale opposed them, and insisted, that the Dissenters of Carolina had not yet forgot the hardships they suffered in England from acts of uniformity; that the right of private judgment in religious matters was the birth-right of every man; that undisturbed liberty of conscience was allowed to every inhabitant of Carolina by the charter; that acts of conformity, with penalties annexed to them, have in general proved destructive to the cause they were intended to promote, and were utterly inconsistent with Protestant principles; and therefore that these bills, so unpopular and oppressive in Carolina, ought to be repealed, as contrary to sound policy and religious freedom. The majority of the Proprietors, however, did not view them in this light, and the debate ran high between them. At length the Palatine, equally tyrannical as bigotted put an end to the dispute, by telling Mr. Archdale: "Sir, you are of one opinion, I am of another; our lives may not be long enough to end the controversy. I am for the bills, and that is the party that I will head and support." In consequence of which the acts were ratified by four Proprietors, and the following letter was sent to Sir Nathaniel Johnson. "Sir, the great and pious work which you have gone through with such unwearied and steady zeal, for the honour and worship of Almighty God, we have also finally

perfected on our part; and our ratification of that act for erecting churches, &c. together with duplicates of all other dispatches, we have forwarded to you by Captain Flavel."

[Sidenote] The petition of Dissenters to the House of Lords.

The Episcopal party having now got their favourite form of divine worship established by law in Carolina, began to erect churches in such situations as were most central and convenient for the settlers; and, to supply them with clergymen, application was made to the society in England for the propagation of the Gospel. The Dissenters, despairing of all hopes of redress from the Proprietors, became greatly discouraged, and could not brook the thoughts of being again subjected to the same troubles and miseries which had compelled them to leave their native country. Some were for transporting their families and effects immediately to Pennsylvania, in order to sit down under Penn's free and indulgent government; others proposed an application to the House of Lords in England, praying that august body to commiserate their distress, and intercede with her Majesty for their relief. For this purpose a petition was drawn up, and carried over by Joseph Boone to England. Several merchants in London, after Boone's arrival, being convinced of the illegal means by which those grievous acts were brought to pass, and of their pernicious consequence to trade, joined the petitioners. Accordingly, about the beginning of the year 1706, the following petition was presented to the House of Lords: setting forth, "That when the province of Carolina was granted to the Proprietors, for the better peopling of it, express provision was made in the charter for a toleration and indulgence of all Christians in the free exercise of their religion; that, in the fundamental constitutions, agreed to be the form of government by the Proprietors, there was also express provision made, that no person should be disturbed for any speculative opinion in religion, and that no person should, on account of religion, be excluded from being a member of the General Assembly, or from any other office in the civil administration: That the said charter, being given soon after the happy restoration of King Charles II. and re-establishment of the church of England by the Act of Uniformity, many of the subjects of the kingdom who were so unhappy as to have some scruples about conforming to the rites of the said church, did transplant themselves and families into Carolina; by means whereof the greatest part of the inhabitants there were Protestant Dissenters from the church of England, and through the equality and freedom of the said fundamental constitutions, all the inhabitants of the colony lived in peace, and even the ministers of the church of England had support from Protestant Dissenters, and the number of inhabitants and the trade of the colony daily increased, to the great improvement of her majesty's customs, and the manifest advantage of the merchants and manufacturers of the kingdom.

"But that, in the year 1703, when a new assembly was to be chosen, which, by the constitution, is chosen once in two years, the election was managed with very great partiality and injustice, and all sorts of people, even aliens, Jews, servants, common sailors and negroes, were admitted to vote at elections: That, in the said assembly, an act was passed to incapacitate every person from being a member of any General

Assembly that should be chosen for the time to come, unless he had taken the sacrament of the Lord's Supper according to the rites of the church of England; whereby all Protestant Dissenters are made incapable of being in the said assembly; and yet, by the same act, all persons who shall take an oath that they have not received the sacrament in any dissenting congregation for one year past, though they have not received it in the church of England, are made capable of fitting in the said assembly: That this act was passed in an illegal manner, by the governor calling the assembly to meet the 26th of April, when it then stood prorogued to the 10th of May following: That it hath been ratified by the Lords Proprietors in England, who refused to hear what could be offered against it, and contrary to the petition of one hundred and seventy of the chief inhabitants of the colony, and of several eminent merchants trading hither, though the commons of the same assembly quickly after passed another bill to repeal it, which the upper house rejected, and the governor dissolved the house.

"That the ecclesiastical government of the colony is under the bishop of London; but the governor and his adherents have at last done what the latter often threatened to do, totally abolished it; for the same assembly have passed an act, whereby twenty lay-persons, therein named, are made a corporation for the exercise of several exorbitant powers, to the great injury and oppression of the people in general, and for the exercise of all ecclesiastical jurisdiction, with absolute power to deprive any minister of the church of England of his benefice, not only for immorality but even for imprudence, or incurable prejudices between such minister and his parish; and the only minister of the church established in the colony, Mr. Edward Marston, hath already been cited before their board, which the inhabitants of the province take to be an high ecclesiastical commission-court, destructive to the very being and essence of the church of England, and to be held in the utmost detestation and abhorrence by every man that is not an enemy to our constitution in church and state.

"That the said grievances daily increasing, your petitioner Joseph Boone is now sent by many principal inhabitants and traders of the colony, to represent the languishing and dangerous situation of it to the Lords Proprietors; but his application to them has hitherto had no effect: That the ruin of the colony would be to the great disadvantage of the trade of this kingdom, to the apparent prejudice of her Majesty's customs, and the great benefit of the French, who watch all opportunities to improve their own settlements in those parts of America."

[Sidenote] Resolutions of the House of Lords.

After reading this petition in the house of Lords, the Palatine desired to be heard by his council, which was granted, and the further consideration of the matter was postponed for one week. Then having heard what Lord Granville had to offer in his behalf, the Lords agreed to address her Majesty in favour of the distressed petitioners of Carolina. They declared, that, after having fully and maturely weighed the nature of the two acts passed in Carolina, they found themselves obliged in duty to her Majesty, and in justice to her subjects, (who, by the express

words of the charter, were declared to be the liege people of the crown of England, and to have a right to all the liberties, franchises, and privileges of Englishmen), to come to the following resolutions: "First, That it is the opinion of this house, that the act of assembly in Carolina, lately passed there, signed and sealed by John Lord Granville, for himself, Lord Carteret and Lord Craven, and by Sir John Colleton, four of the Proprietors of that province, in order to the ratifying of it, entitled, An Act for the Establishment of Religious Worship in the Province according to the Church of England, _&c._ so far forth as the same relates to the establishing a commission for the displacing of rectors and ministers of the churches there, is not warranted by the charter granted to the Proprietors, as being not consonant to reason, repugnant to the laws of the realm, and destructive to the constitution of the church of England. Secondly, That it is the opinion of this house, that the act of assembly in Carolina, entitled, An Act for the more effectual Preservation of the Government of the Province, by requiring all persons that shall hereafter be chosen members of the Commons House of Assembly, and sit in the same, to take the oaths and subscribe the declaration appointed by this act, and to conform to the religious worship in this province according to the Church of England, and to receive the Sacrament of the Lord's Supper according to the rites and usage of the said church, _&c._ is founded on falsity in matter of fact, is repugnant to the laws of England, contrary to the charter of the Proprietors, is an encouragement to atheism and irreligion, destructive to trade, and tends to the depopulation and ruin of the Province".

[Sidenote] Their address to the Queen.

After which resolutions the house addressed her Majesty in the following words: "We your Majesty's dutiful subjects, having thus humbly presented our opinion of these acts, we beseech your Majesty to use the most effectual methods to deliver the said province from the arbitrary oppressions under which it now lies, and to order the authors thereof to be prosecuted according to law; at the same time we represent to your Majesty, how much the powers given by the crown have been abused by some of your subjects, justice requires us to acquaint your Majesty, that some of the Proprietors absolutely refused to join in the ratification of these acts. We humbly beg permission to inform your Majesty, that other great injustices and oppressions are complained of in the petition; but the nature of the fact requiring a long examination, it was not possible for the house to find time for, so near the conclusion of the session; and therefore we presume with all duty to lay the petition itself before your Majesty, at the same time we present our address. We cannot doubt but your Majesty, who from the beginning of your reign has shewn to great a concern and tenderness for all your subjects, will extend your compassion for those distressed people, who have the misfortune to be at so great a distance from your royal person, and not so immediately under your gentle administration. Your Majesty is fully sensible of what great consequence the plantations are to the crown of England, and to the trade of your subjects, and therefore we rest assured, that as your Majesty will have them all under your royal care, so, in particular, you will be graciously pleased to find out and prosecute the most effectual means for the relief of the province of Carolina."

[Sidenote] The Queen's answer.

To which address Queen Anne returned the following answer: "I thank the house for laying these matters so plainly before me: I am sensible of what great consequence the plantations are to England, and will do all in my power to relieve my subjects in Carolina, and protect them in their just rights." But as it likewise appeared that some of the Proprietors themselves had refused to approve of the acts, the matter was farther referred to the Lords of trade and plantations; who, after examination, found that all the charges brought against the provincial government and the Proprietors were well grounded; and represented farther to her Majesty, that the making of such laws was an abuse of the powers granted to the Proprietors by the charter, and will be a forfeiture of it, and humbly begged that she would be pleased to give directions for reassuming the same into her Majesty's hands, by a *_scire facias_* in the court of Queen's Bench. The Queen approved of their representation, and after declaring the laws null and void, for the effectual proceeding against the charter by way of *_quo warranto_*, ordered her Attorney and Solicitor-General to inform themselves fully concerning what may be most effectual for accomplishing the same, that she might take the government of the colony, so much abused by others, into her own hands, for the better protection of her distressed subjects. Here, however, the matter was dropt for the present, and no farther steps were taken against the charter of the Proprietors, or for the relief of the people.

In the mean time the distant colonists, though they had heard nothing of what had passed in England relating to those grievous acts, became daily more sensible of their oppressive nature and pernicious consequence. Several settlers had left the country on account of them, and moved to Pennsylvania. Archibald Stobo, a Presbyterian minister in Charlestown, who had warmly opposed this establishment from the beginning, had also convinced many who remained of the severities and hardships the Dissenters in England had suffered from the rigors of the Episcopal government. Several circumstances proved favourable to Stobo's opposition; he possessed those talents which render a minister conspicuous and respected, and the people that party-zeal which becomes violent from ill usage and persecution. To his treasures of knowledge and excellent capacity for instruction, he added uncommon activity and diligence in the discharge of the various duties of his sacred function. He had a natural aversion from the Episcopal jurisdiction, and no minister of the colony had engrossed so universally the public favour and esteem. The Governor and his adherents found it necessary to sow the seeds of division among his followers, and, from maxims of policy, to magnify his failings, in order to ruin his great power and influence.

But the Presbyterian party were not the only malcontents during these strange and unwarrantable proceedings of the legislature. Many wise and religious men of all denominations condemned them, as grievous and impolitical. They considered differences in religious opinion as improper objects of temporal punishment, and that magistrates had no business with them, unless they occasion danger and disturbance to the state. They looked upon religion as a personal affair, which lies between God and a

man's conscience, and that it was the prerogative of the Supreme Being to judge of men's hearts, as he alone was capable of forming a right judgment. In such a case, doubtless every man had a right to judge and chuse for himself, as he alone, and not the church, must at last be accountable to God for the choice. In every country this is reasonable; but in Protestant countries it is the fundamental principle on which they ground their right of protesting against the rules and errors of any particular church. For which reason judicious men in Carolina opposed the acts of assembly, as unreasonable in themselves, repugnant to the principles of Protestants, and robbing many of the colonists of their most valuable privileges, for their difference in religious opinion. Even the society for propagating the gospel disapproved of them, and, at a meeting in St. Paul's Church, resolved not to send any missionaries to Carolina, until the clause relating to lay-commissioners was annulled. So that all impartial men, in some measure, condemned the acts, and seemed to detest both the factious men who framed them, and the method by which they had been promoted in the province.

[Sidenote] A project formed for invading Carolina.

At length from these domestic troubles the attention of the people was drawn off, and turned towards a more important object, their common defence against foreign enemies. The war between Great Britain and France and Spain still raged in Europe. The Governor received advice of a project framed for invading Carolina, and had instructions to put the country in the best posture of defence. The Spaniards pretended a right to it on the foot of prior discovery, considering it as a part of Florida, and had now determined by force of arms to assert their right. Sir Nathaniel Johnson, as a military commander, was well qualified for his duty, and formed to shine in a more conspicuous manner in that line than in any other. No sooner had he received intelligence of the designs of his enemy, than he set all hands to work upon the fortifications, appointed a number of gunners to each bastion, and held frequent musters to train the men to the use of arms. A storehouse was prepared, and a quantity of ammunition laid up in it, to be ready on the first emergency. A small fort, called Fort Johnson, was erected on James's Island, and several great guns mounted on it. Trenches were cast up on White Point, and other places where they were thought necessary. A guard was stationed on Sullivan's Island, with orders to kindle a number of fires opposite to the town, equal to the number of ships they might spy on the coast. In short, such prudent regulations were made, as to prevent any surprise from an enemy, and at what time soever they might come, to give them as warm a reception as possible.

Few months had elapsed before they found the usefulness and necessity of these wise precautions. Carolina was at this juncture the southern frontier of the British empire in America. The colony, though it had acquired some degree of strength, was yet in a feeble state to resist an enemy of force and enterprize. From its situation there was reason to apprehend that the French and Spaniards would attack it, as it would fall an easier conquest than the more populous northern settlements. Before this time a plan had been concerted at the Havanna for invading it. Mons. le Feboure, captain of a French frigate, together with four more armed

sloops, encouraged and assisted by the Spanish governor of that island, had already set sail for Charlestown. To facilitate the conquest of the province, he had directions to touch at Augustine, and carry from thence such a force as he judged adequate to the enterprize. Upon his arrival at Augustine, he had intelligence of an epidemical distemper which raged at Charlestown, and had swept off a vast number of inhabitants. This animated him to proceed with greater expedition. Imagining the town to be in a weak and defenceless state, and that the militia in the country would be averse from coming nigh it through fear of the fatal infection, he took on board a considerable number of forces at Augustine, and made all the sail he could for Carolina.

[Sidenote] A Spanish and French invasion.

Before this time a Dutch privateer, formerly belonging to New-York, by order of the governor of Carolina, had been refitted at Charlestown for cruising on the coast. The command had been given to Captain Stool, who was sent out on purpose to intercept the supplies regularly sent to Augustine from the Havanna. After being out a few days he returned, and brought advice of having engaged a French sloop off the bar of Augustine; but upon seeing four ships more advancing to her assistance, he thought proper to make all the sail he could for Charlestown, and that he narrowly escaped falling into the enemy's hands. Scarcely had he delivered the news, when five separate smokes appeared on Sullivan's island, as a signal to the town that the same number of ships were observed on the coast.

Sir Nathaniel Johnson being at that time at his plantation, several miles from town, Lieutenant Colonel William Rhett commanding officer of the militia, immediately ordered the drums to beat, and the whole inhabitants to be put under arms. A messenger was dispatched with the news to the Governor, and letters to all the captains of the militia in the country, to fire their alarm guns, raise their companies, and with all possible expedition march to the assistance of the town.

In the evening the enemy's fleet came the length of Charlestown bar; but as the passage was intricate and dangerous to strangers, they did not think it prudent to venture over it while the darkness of the night approached, and therefore hovered on the coast all night within sight of land. Early next morning the watchmen stationed on Sullivan's Island observed them a little to the southward of the bar, manning their galleys and boats, as if they intended to land on James's Island; but there having come to an anchor, they employed their boats all that day in sounding the south bar; which delay was of great service to the Carolinians, as it afforded time for the militia in the country to march to town.

The same day Sir Nathaniel Johnson the governor came to Charlestown, and found the inhabitants in great consternation; but he being a man of courage, and skilled in the arts of war, his presence inspired them with fresh confidence and resolution. He proclaimed the martial law at the head of the militia, and gave the necessary orders: he sent to the Indian tribes in alliance with the colony, and brought a number of them to his

assistance. As the contagious distemper still raged in Charlestown, the Governor judged it imprudent to expose his men to the dangerous infection, unless necessity required it, and therefore held his head quarters about half a mile distant from town. In the evening a troop of horse, commanded by Captain George Logan, and two companies of foot, under the command of Major George Broughton, reached the capital, and kept diligent watch during the night. The next morning a company from James's Island, under the command of Captain Drake, another from Wando, under Captain Fenwick, and five more commanded by Captains Cantey, Lynch, Hearn, Longbois, and Seabrook, joined the militia of the town; so that the whole force of the province, with the Governor at their head, was now collected together in one place.

The day following the enemy's four ships and a galley came over the bar, with all their boats out for landing their men, and stood directly for the town, having the advantages of a fair wind and strong tide. When they had advanced so far up the river as to discover the fortifications, they cast anchor a little above Sullivan's Island. The Governor, observing the enemy approaching towards the town, marched his men into it to receive them; but finding they had stopt by the way, he had time to call a council of war, in which it was agreed to put some great guns on board of such ships as were in the harbour, and employ the gallant sailors in their own way, for the better defence of the town. William Rhett, a man possessed of considerable conduct and spirit, received a commission to be vice-admiral of this little fleet, and hoisted his flag on board of the Crown galley.

The enemy observing them employed in making all possible preparations for resistance, sent up a flag of truce to the Governor, to summon him to surrender. George Evans, who commanded Granville bastion, received their messenger at his landing from the boat, and conducted him blindfolded into the fort, until the Governor was in readiness to receive him. In the mean time the Governor, having drawn up his men in such a manner as to make them appear to the greatest advantage, received the French officer at their head; and having first shown him one fort full of men, he then conducted him by a different route to another, giving the same men time to go by a shorter way, and be drawn up beforehand: and there, having given him a view of his strength, he demanded the purport of his message. The officer told him, that he was sent by Mons. le Feboure, admiral of the French fleet, to demand a surrender of the town and country, and their persons prisoners of war; and that his orders allowed him no more than one hour for an answer. Governor Johnson replied, that there was no occasion for one minute to answer that message: he told him, he held the town and country for the Queen of England; that he could depend on his men, who would sooner die than surrender themselves prisoners of war; that he was resolved to defend the country to the last drop of his blood against the boldest invader, and he might go when he pleased and acquaint Mons. le Feboure with his resolution.

The day following a party of the enemy went ashore on James's Island, and burnt the houses on a plantation by the riverside. Another party, consisting of an hundred and sixty men, landed on the opposite side of the river, and burnt two vessels in Dearsby's Creek, and set fire to his

storehouse. Sir Nathaniel Johnson, from such beginnings perceiving that they were determined to carry fire and sword wherever they went, doubled his diligence for the defence of the town. He ordered Captain Drake and his company, with a small party of Indians, to James's Island, to defend their properties on that side. Drake marched against them, but before he could bring up his men, the Indians, whom he could keep under no control, and who ran through the woods with their usual impetuosity, had driven the invaders to their boats: Then advice was brought to town, that the party who landed on Wando Neck had killed a number of hogs and cattle, and were feasting on the plunder. To prevent their farther progress into the country, and give them a check if possible, Captain Cantey, with an hundred chosen men, was ordered to pass the river privately in the night, and watch their motions. Before break of day the captain came up with them, and finding them in a state of security, with fires lighted around them, surrounded and surprised them with a sharp fire from every quarter; in consequence of which, they were put in confusion and fled, and a considerable part being killed, wounded, and drowned, the remainder surrendered prisoners of war.

Having by this blow considerably weakened the force of the enemy, and being encouraged and animated by their success at land, the Carolinians determined also to try their fortune by sea. Accordingly William Rhett set sail with his fleet of six small ships, and proceeded down the river to the place where the enemy rode at anchor; but the French perceiving this fleet standing towards them, in great haste weighed anchor and sailed over the bar. For some days nothing more was heard of them; but, to make sure, the Governor ordered Captain Watson of the Sea-Flower out to sea to examine whether or not the coast was clear. The captain returned without seeing the enemy, but observing some men on shore whom they had left behind, he took them on board and brought them to town. These men assured the Governor that the French were gone. In consequence of which, orders were given for the martial law to cease, and the inhabitants began to rejoice at their happy deliverance.

[Sidenote] The invaders repulsed and defeated by the militia.

However, before night, certain advice was brought that a ship of force was seen in Sewee Bay, and that a number of armed men had landed from her at that place. Upon examination of the prisoners the Governor found that the French expected a ship of war, with Mons. Arbuset their general and about two hundred men more to their assistance. The Governor ordered Captain Fenwick to pass the river, and march against them by land; while Rhett, with the Dutch privateer and a Bermuda sloop armed, sailed round by sea, with orders to meet him at Sewee Bay. Captain Fenwick came up with the enemy, and briskly charged them, who, though advantageously posted, after a few volleys gave way, and retreated to their ship; and soon after Rhett coming to his assistance, the French ship struck without firing a shot. Rhett, being obliged by contrary winds to remain all that day in Sewee Bay, dispatched John Barnwell, a volunteer, to the Governor, with an account of their success; and next morning, the wind changing, he returned to Charlestown with his prize, and about ninety prisoners.

Thus ended Mons. le Feboure's invasion of Carolina, little to his own

honour as a commander, or to the credit and courage of his men. It is probable he expected to find the province in a weak and defenceless situation, and that the Governor would instantly surrender on his appearance before the town. But he was deceived, as many commanders have been who entertain a despicable opinion of their enemy. The Governor was a man of approved courage and conduct; the militia undertook the various little enterprizes with the spirit of men who had not only the honour of the province, but also their whole properties at stake, and amazing success crowned their endeavours. Out of eight hundred men who came against this little colony, near three hundred were killed and taken prisoners; among the latter were Mons. Arbuset, their commander in chief by land, with several sea officers, who together offered ten thousand pieces of eight for their ransom. On the other hand, the loss sustained by the provincial militia was incredibly small. The Governor publicly thanked them for the unanimity and courage they had shown in repelling the invaders: and received from the Proprietors soon after the following letter. "We heartily congratulate you on your great and happy success against the French and Spaniards; and for your eminent courage and conduct in the defence and preservation of our province, we return you our thanks, and assure you, that we shall always retain a just sense of your merit, and will take all opportunities to reward your signal services."

[Sidenote] The union of England and Scotland.

About this time the long-projected union between England and Scotland took place in Britain, which was attended, as might have been expected, with the most interesting and happy consequences to both kingdoms. God and nature had joined the two together, and of course all differences and divisions subsisting between them, while they acknowledged the same sovereign, were impolitical and absurd. Unity of affection and interest unquestionably constituted the strength of the island, and could alone enable it to oppose foreign enemies with vigour and success. Among the number of articles which composed this important and beneficial treaty, it was agreed, "That all the subjects of the united kingdom of Great Britain, should, from and after this union, have full freedom and intercourse of trade and navigation to and from any port or place in the said united kingdom, and the dominions and plantations thereunto belonging; and that there should be a communication of all rights, privileges and advantages which do or may belong to the subjects of either kingdom, except where it is otherwise expressly agreed in these articles." Unfortunately, however, two modes of religious worship were established in the nation, which served to perpetuate differences among the more stiff and rigid partizans of both the Episcopalian and Presbyterian churches. A division in the ecclesiastical establishment was as improper and unreasonable as a disunion in the nation. With respect to the essential principles and doctrines of religion, they are the same in both churches, and the difference between them lies in the modes of worship and government, in usages, vestments, forms and ceremonies, matters of little consequence with regard to religion. Both modes of worship and government have their advantages and disadvantages, and had delegates from both churches met at this juncture, and yielded a little on both sides, for the sake of mutual harmony, and uniformity, such

compliance might have been attended with happy effects. But the infelicity of the times, and narrow sentiments of the people, not admitting of this expedient, it was agreed that the Episcopalian government was only to extend to the colonies, and be considered as the establishment in them. As the greatest part of emigrants to America carried along with them prejudices against this establishment, and discovered a tendency towards a republican form of church-government, it is remarkable that this disaffection has continued, and in process of time been acquiring strength, insomuch that the hands of government, engaged in support of the established church, have often been weakened by it, and rendered unable to answer the ends of their appointment.

[Sidenote] Missionaries sent out by the society in England.

About this time the society incorporated by King William, having received large benefactions for the purpose of propagating the gospel, began to exert themselves for sending over, and maintaining missionaries in the plantations. As some colonies were totally destitute of the means of instruction, and others ill provided with ministers, and unable to support them, the society considered the British subjects as the primary objects of their charity. To prevent the influence of Roman Catholic missionaries among the heathens was a secondary end in view with this charitable corporation, who were also to improve every favourable opportunity for the instruction and conversion of negroes and Indians. While a number of missionaries were ordained for the northern colonies, Samuel Thomas was sent out to Carolina for the instruction of the Yamassee Indians; and to supply the different parishes, several more missionaries were on the passage to the province. The society had wrote to Sir Nathaniel Johnson, expressing their zeal for the interest of religion, and earnest desire for spreading the knowledge of the gospel among the inhabitants of the British colonies, and their hopes of his concurrence towards the accomplishment of their excellent design. Upon the receipt of which the governor summoned a meeting of his council, and sent an answer to the corporation in the following words: "We could not omit this opportunity of testifying the grateful sense we have of your most noble Christian charity to our poor infant church in this province, expressed by the generous encouragement you have been pleased to give to those who are coming missionaries, the account of which we have just now received by our worthy friend and minister Mr. Thomas, who, to our great satisfaction, is now arrived. The extraordinary hurry we are in, occasioned by the late invasion attempted by the French and Spaniards, from whom God hath miraculously delivered us, hath prevented our receiving a particular account from Mr. Thomas of your bounty, and also hath not given us leisure to view your missionaries instructions, either in regard to what relates to them or to ourselves: but we shall take speedy care to give them all due encouragement, and the venerable society the utmost satisfaction. There is nothing so dear to us as our holy religion, and the interest of the established church, in which we have been happily educated; we therefore devoutly adore God's Providence in bringing, and heartily thank your society in encouraging, so many missionaries to come among us. We promise your honourable society, it shall be our daily study to encourage their pious labours, to protect their persons, to revere their authority, to improve by their ministerial

instructions, and, as soon as possible, to enlarge their annual salaries. When we have placed your missionaries in their several parishes according to your directions, and received from them an account of your noble benefaction of books for each parish, we shall then write more particular and full. In the mean time, we beg your honourable society to accept of our hearty gratitude, and be assured of our sincere endeavour to concur with you in the noble design of propagating Christ's holy religion."

Soon after the missionaries arrived, and were settled in their respective parishes, Edward Marston minister at Charlestown died, and Mr. Thomas, whom the governor intended for his successor, did not long survive him: in consequence of whose death, the governor and Council applied by letters to the society, requesting farther supplies, particularly a learned and prudent man to take the charge of the capital. The Archbishop of Dublin recommended Gideon Johnston to them as a person for whose sobriety, diligence, and ability, he dared to be answerable, and doubted not but he would execute the duty required in such a manner as to merit the approbation of every one with whom he should be concerned. Accordingly, Mr. Johnston, being made commissary to the Bishop of London for the province of Carolina, and having fifty pounds a-year settled on him from the society, embarked for Charlestown. On his arrival he had almost lost his life in going ashore: the ship in which he sailed being obliged to come to an anchor off the bar to wait the return of the tide, and Mr. Johnston, with several more passengers, being impatient to get to land, went on board of the small boat to go up to the town; but a sudden gust of wind arising, drove the boat upon a sand bank, where they lay two days, almost perishing with hunger and thirst, when some persons accidentally discovered and relieved them.

Mr. Johnston was not the only person that shared of the charitable fund; for five more ministers were settled in the country, to each of whom an allowance of fifty pounds a-year, besides their provincial salary, was given by this incorporated society. Two thousand volumes of books were also sent to be distributed among the people, by these missionaries, for their private use and instruction. Justice requires a relation of these facts for the honour of that society, who supplied the province with instructors at this early period, when it was poor in itself, and stood so much in need of their generous assistance. As the church of England, however, continued to be considered as the established religion of the province; and as all the ministers sent out by this society were of that persuasion, Dissenters, who in general are not the most charitable in their judgments with regard to the conduct of their neighbours, and who perhaps contributed, like many others, towards raising this fund, concluded that the society had the propagation of Episcopacy more in their eye than that of Christianity. But certainly it cannot be denied, that the members of this corporation, who not only contributed largely, but were also at such pains in collecting a fund for this laudable end, were the proper judges in what manner it should be applied. Charity obliges us to believe, that this society, whose design was so benevolent, employed their money in such a way as they judged would be most agreeable to the intentions of those who gave it, and most useful for the instruction and happiness of their fellow creatures: yet mankind, in such cases, are apt to be forward in advancing their opinions with regard to

the conduct of such public managers, and, as they stand affected themselves, to praise or condemn them.

[Sidenote] Lord Craven Palatine.

About the close of the year 1707, Lord Granville the Palatine died; and was succeeded in that high dignity by William Lord Craven. The death of that nobleman, by whose instruction and encouragement the several violent steps for the establishment and support of the church of England in Carolina had been taken, was now likely to produce some change in the future state of public affairs. Though the Governor and his friends still maintained a majority in the house of assembly, yet, from the number and temper of Dissenters, they were not without some suspicions of seeing the fabric, which they had with such uncommon industry been erecting, totally overturned. While many Episcopalians in England were terrified with the prospects of danger to their church, the Carolineans took the alarm, and passed an act for its security in that province. The preamble of this act runs thus: "Whereas the church of England has of late been so happily established among us, fearing that by the succession of a new Governor this church may be either undermined or wholly subverted, to prevent which calamity falling upon us, be it enacted, That this present assembly shall continue to sit for two years, and for the time and term of eighteen months after the change of government, whether by the death of the present Governor, or the succession of another in his time." Whether the church must not have been in great danger when men were obliged to take such an extraordinary measure for its security, we leave it to the world to judge.

[Sidenote] Edward Tynte governor.

About the end of the year 1708, Colonel Edward Tynte received a commission from Lord Craven, investing him with the government of the colony. About the same time Charles Craven, brother to the Palatine, was made secretary to the province. During the time Sir Nathaniel Johnson had governed the country, it had not only been threatened with a formidable invasion, but also torn to pieces with factions and divisions, which had much retarded its progress and improvement. Great confusion among the people had been occasioned by the violent stretch of power in favour of an ecclesiastical establishment. The new Palatine, sensible of those things, instructed Governor Tynte to adopt such healing measures as would be most conducive to the welfare of the settlement. Soon after his arrival he received a letter from the Proprietors to the following effect: "We hope by this time you have entered upon your government of our province of Carolina, and therefore we earnestly require your endeavours to reconcile the minds of the inhabitants to each other, that the name of parties, if any yet remains among them, may be utterly extinguished: for we can by no means doubt, but their unanimous concurrence with our endeavours for their prosperity, will most effectually render Carolina as flourishing a colony as any in America." The late Palatine, from a mixture of spiritual and political pride, despised all Dissenters, as the enemies of both the hierarchy and monarchy, and believed the state could only be secure, while the civil authority was lodged in the hands of high-church men. Lord Craven

possessed not the same proud and intolerant spirit, and thought those Carolinians, who maintained liberty of conscience, merited greater indulgences from them; and, though a friend to the church of England, he always was doubtful whether the minds of the people were ripe for the introduction of that establishment. He therefore urged lenity and toleration, which in general have been productive of peace and union, while rigour and persecution have seldom failed to excite discord and promote superstition in every community.

[Sidenote] The revenues of the colony.

The expences incurred by the French invasion, though it terminated much to the honour of the Carolinians, fell heavy on the colony, still in a poor and languishing condition. No taxes as yet had been laid on real or personal estates: the revenues of the colony were all raised by duties laid on spirituous liquors, sugar, molasses, and a few other articles imported; and on deer-skins and furs exported. The amount of these several duties was applied towards defraying the charges of government, such as raising and repairing fortifications, paying the Governor's salary, maintaining garrisons, providing military stores, and salaries to ten ministers of the church of England, and sinking bills of credit stamped for answering the extraordinary expences of the province. Eight thousand pounds had been issued for defraying the public expences occasioned by the French invasion; and the act laying an imposition on furs, skins, and liquors, was continued, for the purpose of cancelling these bills of credit. From this time forward there was a gradual rise in exchange and produce, owing, as many thought, to the emission and establishment of paper currency in the province. Before this period, French and Spanish gold and silver, brought into the country by pirates, privateers, and the over-balance of trade with the West Indies, answered all the purposes of internal commerce, and very little English coin was circulating in the country. However, soon after this emission, fifty per cent. advance was given by the merchants for what English money there was; that is to say, for one hundred pounds English coin, they gave one hundred and fifty pounds paper currency of Carolina.

[Sidenote] The invasion of Canada.

A bloody war still continued between England and France in Europe, and the success which had attended an expedition against Acadia, had encouraged the British administration to enter on bolder undertakings in America. The French in Canada were numerous and strong, and Lord Godolphin, convinced of the necessity of maintaining a superiority over them, formed a design of attacking Quebec, and striking such a blow in that quarter as might render his administration distinguished. He sent for Sir Hovenden Walker, rear-admiral of the white, and after holding a private consultation with him respecting the enterprize, immediately began to make preparations for it. Six thousand men were drawn from the army in Flanders, and the command of them was given to General Hill. Eleven ships of the line, one frigate, and two bomb-ships, were fitted out: transports were provided, on board of which the army embarked and sailed for Boston in New England. They arrived there on the 24th of June 1711, but by no means met with that zeal and ardour for the expedition

among the people of New England that might have been expected, considering its interesting consequence with respect to them. Colonel Francis Nicolson, who had been successful in Acadia the year before, hastened to Boston, and first used his utmost endeavours to forward the expedition, and then marched by land, with a body of white men and Indians, against Montreal. Before Sir Hovenden Walker had procured every thing requisite to his expedition, the season of the year was too far advanced. The navigation up the river St. Laurence was hazardous, and none but unskilful pilots could be found. A sudden blow must necessarily be struck, or otherwise, as the frosty season begins there so early, the fleet might find it difficult to return down the river. When they set sail, they had every thing to dread from their own ignorance and a dangerous navigation. In proceeding up the river they found uncertain and rapid currents, and met with dark and foggy weather: in consequence of which eight transports ran upon a rock, and almost nine hundred men perished. This unhappy accident cast a damp upon the spirits of the army, and their plan was frustrated. In a council of war it was judged imprudent and impracticable to carry large ships up such a river without the most skilful pilots, and therefore they returned to New England. General Francis Nicolson having heard of the miscarriage of the expedition upon the river, retreated also from Lake George, and no more attempts were made for many years against the French settlements in Canada.

[Sidenote] A French colony planted in Louisiana.

In the year following the French planted a colony at the mouth of the great river Mississippi. Lewis the XIVth thought proper to grant a territory of vast extent in that quarter to Secretary Crozat, by which he evidently encroached on lands belonging to the Proprietors of South Carolina. Though the Carolinians had not a little to fear from a settlement in such a situation, yet Crozat was allowed to take peaceable possession, without any complaints from the Proprietors, or opposition from the British government. From this period a new competitor for the affection and interest of Indian nations arose, more active and enterprising than the Spaniards, whose motions the Carolinians had good reason to watch with a jealous and vigilant eye.

[Sidenote] A colony of Palatines settled.

About the same time application was made to the Proprietors for lands in Carolina, by a number of Palatines harassed in Germany by the calamities of a tedious war, and reduced to circumstances of great indigence and misery. The Proprietors wisely judging, that by such acquisitions the value of their lands would increase, and the strength of their settlement would be promoted, determined to give every possible encouragement to such emigrants. Ships were provided for their transportation. Instructions were sent to Governor Tynte to allow an hundred acres of land for every man, woman, and child, free of quit-rents for the first ten years; but, at the expiration of that term, to pay one penny per acre annual-rent for ever, according to the usages and customs of the province. Upon their arrival Governor Tynte granted them lands in North Carolina, where they settled, and flattered themselves with having found

in the hideous wilderness an happy retreat from the storms and desolations of war raging in Europe.

[Sidenote] Robert Gibbes governor.

However, like many others, Governor Tynte had scarcely time to learn the real state of the country, in order to establish proper regulations in it, before he died. After his death, a competition arose in the council about the succession. One party declared for Robert Gibbes, and another for Thomas Broughton. Gibbes, however, carried his election, and for a little while stood at the head of the colony. During his time, we know nothing remarkable that happened. An act of assembly passed for appointing commissioners, empowering them to take subscriptions and collect public contributions for building a church at Charlestown. Water passages were carried southward to Port-Royal, for the ease and convenience of passengers by sea, and money was provided for building public bridges; and establishing ferries, for the accommodation of travellers by land.

[Sidenote] Charles Craven governor.

But as it appeared to the Proprietors, that bribery and corruption had been used by Robert Gibbes to gain his election to the government, he was not permitted to continue long in that office; they forbade their Receiver-General to pay him any salary, and ordered the money due to be transmitted to Richard Shelton their secretary in England. A commission was sent out to Charles Craven, a man of great knowledge, courage and integrity, by his brother, investing him with the government of the colony. His council was composed of Thomas Broughton, Ralph Izard, Charles Hart, Samuel Eveleigh, and Arthur Middleton, &c.; all men of considerable property, and experience in provincial affairs. The assembly in his time was not elected, as formerly, in a riotous and tumultuary manner, but with the utmost harmony and regularity, and proceeded to their deliberations with great temper and mutual friendship. The Governor had instructions to defend the province against the French and Spaniards, and for that purpose to form and cultivate the firmest friendship and alliance with the Indians; to promote fisheries and manufactures, which was certainly an absurd and ridiculous instruction; for while they had so much land, agriculture was evidently more profitable and beneficial to both the possessors and Proprietors of the province. He was required to overlook the courts, and take special care that justice be equitably administered, and that no interruptions or delays attend the execution of the laws: he was ordered to employ eight men to sound Port-Royal river for the benefit of navigation, and to fix on the most convenient spot for building a town, with a harbour nigh it; and to transmit all acts of assembly made from time to time to England, for the Proprietors approbation or disapprobation; and such other public matters as appeared to him of general concern and utility, he was required carefully to study and promote.

[Sidenote] An Indian war in North Carolina.

In the year 1712, after Governor Craven had assumed the management of the

colony, a dangerous conspiracy was formed by the Indians of North Carolina against the poor settlers in that quarter. The cause of the quarrel we have not been able clearly to find out; probably they were offended at the encroachments made on their hunting lands. The powerful tribes of Indians called Corees, Tuscororas, and several more, united, and determined to murder or expel the European invaders. As usual, they carried on their bloody design with amazing cunning and profound secrecy. Their chief town they had in the first place surrounded with a wooden breast-work, for the security of their own families. Here the different tribes met together to the number of twelve hundred bowmen, and formed their horrid plot. From this place of rendezvous they sent out small parties, who entered the settlements, under the mask of friendship, by different roads. At the change of the full moon all of them had agreed to begin their murderous operations, on the same night. When that night came, they entered the planters houses, demanded provisions, out of pretence were displeased with them, and then murdered men, women, and children, without mercy or distinction. To prevent the alarm spreading through the settlement, they ran like fierce and bloody tygers from house to house, spreading slaughter among the scattered families wherever they went. None of the colonists, during the fatal night, knew what had befallen their neighbours, until the barbarians had reached their own doors. About Roanock one hundred and thirty-seven settlers fell a sacrifice to their savage fury the first night; among whom were a Swiss baron, and almost all the poor Palatines who had lately come into the country. Some, however, who had hid themselves in the woods, having escaped, next morning gave the alarm to their neighbours, and prevented the total destruction of that colony. Every family had orders speedily to assemble at one place, and the militia, under arms, kept watch day and night around them, until the news of the sad disaster reached the province of South Carolina.

[Sidenote] The Tuscorora Indians conquered.

Happy was it for the distressed North Carolinians Governor Craven lost no time in collecting and dispatching a force to their assistance and relief. The assembly voted four thousand pounds for the service of the war. A body of militia, consisting of six hundred men, under the command of Colonel Barnwell, marched against the savages. Two hundred and eighteen Cherokees, under the command of Captains Hartford and Turstons; seventy-nine Creeks, under Captain Hastings; forty-one Catabaws, under Captain Cantey, and twenty-eight Yamasses, under Captain Pierce, being furnished with arms, joined the Carolinians in this expedition. Hideous and dreadful, at this time, was that wilderness through which Colonel Barnwell had to march; and to get to North Carolina in time, for the relief of the people, the utmost expedition was requisite. In such a case it was not possible for his men to carry a sufficient quantity of provisions, together with arms and ammunition, along with them, or to have these things provided at different stages by the way. There was no road through the woods upon which either horses or carriages could conveniently pass; and his army had all manner of hardships and dangers from the climate, the wilderness, and the enemy, to encounter. In spite of every difficulty, Barnwell advanced against them, employing his Indian allies to hunt for provisions to his men by the way. At length, having

come up with the savages, he attacked them, and being much better supplied with arms and ammunition than his enemy, he did great execution among them. In the first battle he killed three hundred Indians, and took about one hundred prisoners. After which the Tuscororas retreated to their town, within a wooden breastwork; there Barnwell surrounded them, and having killed a considerable number, forced the remainder to sue for peace: some of his men being wounded, and others having suffered much by constant watching, and much hunger and fatigue, the savages more easily obtained their request. In this expedition it was computed that Barnwell killed, wounded, and captivated near a thousand Tuscororas. The remainder, who escaped on the terms of peace, soon after this heavy chastisement, abandoned their country, and joined a northern tribe of Indians on the Ohio river. King Blunt, who afterwards came to South Carolina, confirmed the account of the number the enemy had lost. Of Barnwell's party five Carolinians were killed, and several wounded: of his Indians, thirty-six were killed, and between sixty and seventy wounded. In justice to this officer it must be owned, never had any expedition against the savages in Carolina been attended with such hazards and difficulties, nor had the conquest of any tribe of them ever been more general and complete.

[Sidenote] Bank bills established.

Although the expedition to North Carolina was well conducted, and proved as successful as the most sanguine of the Carolinians could have expected, yet the expense the public had incurred by it fell heavy on the province, the revenues of which were inconsiderable, and not at all adapted for such important and extensive enterprizes. But as great harmony at this time subsisted between the Governor and assembly, they were well disposed for concurring with him in every measure for the public safety and relief. The stamping of bills of credit had been used as the easiest method of defraying these expenses incurred for the public defence: however, at this time the legislature thought proper to establish a public bank, and issued forty-eight thousand pounds in bills of credit, called Bank-bills, for answering the exigencies of government, and for the convenience of domestic commerce. This money was to be lent out at interest, on landed or personal security; and, according to the tenour of the act for issuing the same, it was to be sunk gradually, by four thousand pounds a-year; which sum was ordered to be paid annually by the borrowers, into the hands of commissioners appointed for that purpose. After the emission of these bank-bills, the rate of exchange and the price of produce quickly arose, and in the first year advanced to one hundred and fifty, in the second to two hundred _per cent_.

[Sidenote] Remarks on paper currency.

With respect to the utility of this paper money, the planters and merchants, according to their different views and interests, were divided in opinion. The former, who, for the most part, stood indebted to the latter, found that this provincial currency was not only necessary to answer the exigencies of government, but also very useful and convenient in the payment of private debts. This money being local, in proportion as it increased in quantity, it raised the nominal price of provincial

commodities: and became of course prejudicial to creditors, in proportion as it was profitable to debtors; for though it depreciated fifty _per cent_ in a year, during which time the planters stood indebted to the merchants, the next year such creditors were obliged to take it in payment, or produce, which had advanced in price, according to the quantity of money in circulation. By the acts of assembly which established these bills of credit, the currency was secured, and made a tender in law in all payments; so that if the creditor refused this money before witnesses offered to him, the debt was discharged from the minute of his refusal. Besides, the planters knew, that in a trading country gold and silver, by various channels, would make their way out of it when they answer the purposes of remittance better than produce, to their great prejudice: paper-money served to remedy this inconvenience, and to keep up the price of provincial commodities, as it could not leave the colony, and answered the purpose for paying private debts as well, or rather better, than gold and silver. As the trade of the country increased, no doubt a certain quantity of money was necessary to carry it on with ease and freedom; but when paper bills are permitted to increase beyond what are necessary for commercial ease and utility, they sink in value; and in such a case creditors lose in proportion to their depreciation.

In Carolina, as well as in the other British colonies in America, the greatest part of gold and silver current was foreign coin, and the different assemblies settled their value from time to time, by laws peculiar to each province. To remedy the inconveniences arising from the different rates at which the same species of foreign coin did pass in the several colonies and plantations, Queen Anne, in the sixth year of her reign, had thought fit, by her royal proclamation, to settle and ascertain the current rate of foreign coin in all her colonies. The standard at which currency was fixed by this proclamation, was at an hundred and thirty-three pounds, six shillings and eight-pence _per cent_; but this regulation, however convenient and advantageous to trade, was afterwards little regarded in these provinces, and the confusion of current money continued and prevailed.

After the emission of this great quantity of bank-bills in Carolina, and speedy rise of the price of produce in consequence of it, the merchants of London, to whom the colony stood indebted, judging it prejudicial to trade, complained of it to the Proprietors. They perceived that the trade of the country, by this means, would be carried on entirely without silver or gold; and although their factors in Carolina might raise the price of British commodities and manufactures, equal to the advanced price of the produce, yet it might be for their interest sometimes to take gold and silver rather than produce in return for their British goods. They considered the issuing of such bank-notes as a violation of the laws of England, and prevailed on the Proprietors to write Governor Craven a letter to the following effect: "We have heard complaints from several hands of an act you have passed, called the Bank Act. We do recommend to you to consider of some expedient for preventing the mischievous consequences of that act, lest, upon further complaints, we be forced to repeal it. The act is exclaimed against by our London merchants as injurious to trade, as an infringement and violation of the

laws of Great Britain, and made almost in opposition to the act of the sixth of Queen Anne. Therefore we expect, for preventing such complaints for the future, that you will endeavour, as much as in you lies, to reduce that paper credit, pretended to be established in your bank act, and that you will strictly put in execution the aforesaid act of Queen Anne."

[Sidenote] Trade infested by pirates.

As the trade of the colony had of late years considerably increased, and was almost entirely carried on in British ships, its protection was an object which demanded the attention either of the Proprietors or the British administration. The war in Europe had engrossed the care of the latter, and the former were either unable or unwilling to bear the expence of its protection. They had leased their property in the Bahama islands to a company of merchants, which turning out to little account; the Island of Providence became a receptacle for vagabonds and villains of all nations. From this place of rendezvous a crew of desperate pirates had been accustomed to push out to sea, and, in defiance of the laws of nations, to obstruct navigation. The trade of Carolina and that of the West Indies suffered greatly from their depredations. For five years after this period those lawless robbers reigned as the masters of the Gulph of Florida, plundering and taking ships of every nation. North Carolina, by the conquest of its maritime tribes of Indians, had also become a refuge for those rogues, who carried their prizes into Cape Fear river, or Providence, as best suited their convenience or interest. Their success induced bold and rapacious spirits to join them, and in time they became so formidable, that no inconsiderable force was requisite to suppress them.

[Sidenote] Several English statutes adopted.

After a long and expensive war, a treaty of peace and commerce was concluded between Britain, France and Spain in Europe; and orders were sent to all the colonies to desist from acts of hostility. Governor Craven, deeply interested in the prosperity of Carolina, now turned his attention to improve the precious blessings of peace, and to diffuse a spirit of industry and agriculture throughout the settlement. The lands in Granville county were found upon trial rich and fertile, and the planters were encouraged to improve them. Accordingly a number of plantations were settled in the neighbourhood of Indian nations, with whom the Governor studied to cultivate a friendly correspondence. For the purposes of trade some men took up their residence in their towns, and furnished them with clothes, arms, and ammunition, in exchange for their furs and deer-skins. An agent was appointed to superintend the affairs of Indian tribes, and to conciliate by all possible means their friendship and esteem. Several interior regulations, conducive to the peace and prosperity of the colony, were also established. The colonists, as an eminent writer observes, in general carry with them so much of the English law as is applicable to their local circumstances and situation; such as, the general rules of inheritance, and of protection from personal injuries. What may be proper to be admitted, and what are necessary to be rejected, is judged and determined, in the first

instance, by the provincial judicature, then subject to the approbation or disapprobation of the Proprietors; and so far of the British parliament, that nothing may be attempted by them derogatory to the sovereignty and supreme jurisdiction of the mother country. At this time Governor Craven obtained the assent of the General Assembly, to make several English statutes of the same force in Carolina as if they had been enacted in it. The people regarded him as a wise and indulgent parent, and wished to copy the spirit of their laws from the English original, although they received their obligation and authoritative force from their being the laws of the colony.

About this time Nicholas Trott, the Chief Justice of the colony, returned from England, where he had been for some time engaged in the settlement of private affairs. During his stay in Britain he had engrossed the favour of the Proprietors, who finding him to be a man of great abilities, professed a high respect for him, and afterwards desired his assistance and advice in every case respecting the future management of their colony. They advanced his salary to one hundred pounds a-year, and he agreed to carry on a regular correspondence with their secretary, and to give them the best intelligence with respect to their provincial affairs. Trott having thus secured the confidence of the Proprietors in England, soon after he came to Carolina, began to plume himself on his advantageous circumstances, and to treat his former friends in the colony with that pride and insolence too common to most men in office and power. On the other hand, those men, offended at his arrogance, watched his conduct with an envious and malignant eye, and seemed to desire nothing more than to humble his pride and destroy his influence. To this fatal difference may be ascribed several future jealousies and disturbances with which the colonists were harassed, and which terminated in the total subversion of the proprietary government.

CHAP. V.

After the death of Queen Anne, George, Elector of Hanover, ascended the British throne, and was crowned on the 12th of October, 1714. This event was far from giving general satisfaction to the British nation. A considerable party of the principal landholders favoured the pretensions of the house of Stewart, but were so divided in their councils and schemes, that they lost all influence and weight. Having no head, they were unable to turn the balance against the party in the other scale, who, by degrees, engrossed the royal favour, and all offices of power and trust in the kingdom. By this difference, however, a spirit of civil discord and sedition was excited in the nation, and the Chevalier, encouraged by it, and flattered with the hopes of assistance from France, formed a project of snatching the scepter by force of arms from the family of Hanover. For this purpose, a party in Scotland had recourse to arms, but meeting with little assistance from the pretended friends of the cause in England, the insurrection was soon quelled, and their rash design totally defeated.

[Sidenote] A design formed for purchasing all charters and proprietary governments.

During the former reign the Lord Commissioners of trade and plantations, from the contentions that prevailed in some of the colonies, had taken occasion to look more narrowly than formerly they used to do, into the state of proprietary governments in America, in order to form a plan for purchasing and uniting them more closely to the crown. They easily perceived the advantage of beginning this negotiation as soon as possible, for the sooner the purchase was made, the earlier it would be obtained. Accordingly, they wrote to the Proprietors of each colony, acquainting them, it was her Majesty's pleasure and command, that all governors of her foreign plantations do transmit to them frequent and full information of the state of their respective colonies, as well in respect to the administration of government and justice, as to their progress in trade and improvements. The Queen, though no friend to non-conformists, had also stretched out a hand of relief to the distressed Dissenters of Carolina, and publicly disapproved of some oppressive acts to which they had been subjected. This served to encourage a spirit of murmur and discontent among the Carolinians at the proprietary government, and to give their eyes a direction to the crown at every future period, when they thought themselves aggrieved under it.

[Sidenote] The Yamassees conspire the destruction of the colony.

During the same year in which the attention of Britain was occupied by a civil broil, the colony of Carolina was visited with a terrible Indian war, which threatened its total extirpation. The numerous and powerful tribe of Indians called Yamassees, probably at the instigation of the Spaniards at Augustine, were the most active in promoting this conspiracy against the settlement, though every tribe around was more or less concerned in it. The Yamassees possessed a large territory lying backwards from Port-royal Island, on the north-east side of Savanna river, which to this day is called Indian Land. By the Carolinians this tribe had long been esteemed as friends and allies, who had admitted a number of traders into their towns, and several times assisted the settlers in their war-like enterprizes. Of all other Indians they were believed to harbour in their minds the most inveterate and irreconcilable enmity to Spaniards. For many years they had been accustomed to make incursions into the Spanish territories, and to wage war with the Indians within their bounds. In their return from those southern expeditions, it had been a common practice with them to lurk in the woods round Augustine, until they surprized some Spaniard, and brought him prisoner home to their towns. On the bodies of these unfortunate prisoners they were accustomed to exercise the most wanton barbarities; sometimes cutting them to pieces slowly, joint by joint, with knives and tomahawks; at other times burying them up to the neck under ground, then standing at a distance and marking at their heads with their pointed arrows; and, at other times, binding them to a tree, and piercing the tenderest parts of their naked bodies with sharp-pointed sticks of burning wood, which last, because the most painful and excruciating method of torture, was the most common among them.

To prevent such horrid cruelties from being committed on the bodies of human creatures, the legislature of Carolina passed a law, offering a reward of five pounds for every Spanish prisoner these Indians should bring alive to Charlestown; which law, though it evidently proceeded from motives of humanity, yet, in the event, it proved very inconsistent with good policy: for, in consequence of this act, the Yamassees brought several Spaniards, at different times, to Charlestown, where they claimed the reward for their prisoners, and delivered them up to the governor. Charles Craven, who was no less distinguished for humanity than valour, used to send back such prisoners to Augustine, charging the Spanish government with the expences of their passage and the reward to the Yamassees. But this humane practice, while it displayed English greatness of mind, served also to begin an intercourse, which will exhibit to us a sad specimen of Spanish honour and gratitude.

For twelve months before the war broke out, the traders among the Yamassees observed that their chief warriors went frequently to Augustine, and returned loaded with presents; but were not apprehensive of any ill consequence from such generosity. John Fraser, an honest Scotch Highlander, who lived among the Yamassees, and traded with them, had often heard these warriors tell with what kindness they had been treated at Augustine. One had received a hat, another a jacket, and a third a coat, all trimmed with silver lace. Some got hatchets, others great knives, and almost all of them guns and ammunition, to prepare them for striking some great and important blow. These warriors told Mr. Fraser, that they had dined with the governor at Augustine, and washed his face, (a ceremony used by Indians as a token of friendship), and that now the Spanish governor was their king, and not the Governor of Carolina. Still, however, the Carolinians remained secure, and, having such confidence in the Indians, dreaded no ill consequences from this new intercourse and uncommon kindness. They knew the Yamassees antipathy to the Spaniards, their fondness for presents, but could suspect no mischievous plot meditated against the settlement by friends and allies. They were not ignorant that the subjects of both England and Spain always endeavoured for the sake of peace, to court the friendship of Indian nations, who were such powerful and dangerous enemies. Each competitor knew their passion for war, and how heavy their vengeance, wherever it pointed, generally fell, and therefore good policy dictated the necessity of turning the edge of their fierce and bloody temper against their neighbours, in order to save themselves.

It was a common thing for the traders who resided among these savages to single out a particular warrior of influence and authority among them, and to court his favour with trifling presents and constant civility. Among the Yamassees one named Sanute was Fraser's friend, who, with his fellow-warriors, had also been at Florida, and shared of the Spaniards insidious liberality. During his absence Mr. Fraser had married a fine woman; and Sanute, who had a great regard for him, after his return home came to his house, and brought along with him some sweet herbs, to show the lady a mark of respect, agreeable to customs of Indian nations. So soon as he entered the habitation of his friend, he called for a bason of water, in which he bruised the herbs, and first washed Mrs. Fraser's face

and hands, and then, clapping his own hands upon his breast, told her, that, for the future, he would communicate to her all he knew in his heart. She, in return, thanked him, and made him some present. Accordingly, about nine days before hostilities commenced, Sanute came to Mrs. Fraser's house, and told her, that the English were all wicked heretics, and would go to hell, and that the Yamassees would also follow them, if they suffered them to live in their country; that now the governor Augustine was their king; that there would be a terrible war with the English, and they only waited for the bloody stick to be returned from the Creeks before they began it. He told them, that the Yamassees, the Creeks, the Cherokees, and many other nations, together with the Spaniards, were all to engage in it; and advised them to fly to Charlestown with all they had in the greatest haste, and if their own pettiauger was not large enough to carry them, he would lend them his canoe. Fraser, not a little astonished at the news, asked him, how the Spaniards could go to war with the Carolineans, while at peace with Great Britain? To which Sanute replied, the Spanish governor told him that there would soon be a war again with the English, and that while they attacked the Carolineans by land, he would send to Spain for a fleet of ships to block up the harbour, so that not a man or woman of them should escape. Fraser asked him, how long it might be since they had formed this horrid design? Sanute answered, Do not you remember about twelve months ago that Ishiagaska, one of our chief warriors, with four more Indians, went to the Creeks. Fraser said, he remembered it well. Then it was, said Sanute, he carried with him a Spanish talk for destroying all the English inhabitants of the province; and, laying his hand upon his heart, declared he had told them all he knew, and repeated his advice to them to fly with all expedition: but, if they were determined to stay and run all hazards, he concluded by assuring them, that, to prevent torture, he would claim the privilege of performing the last friendly office to them, which was to kill them with his own hands. Fraser still entertained some doubts, but his wife being terrified, he resolved at all events to get out of the way, and accordingly, without delay, put his wife, his child, and most valuable effects, into his boat, and made his escape to Charlestown.

[Sidenote] The Yamassee war.

As the time drew nigh in which this dark plot was to be put in execution, Captain Nairn, agent for Indian affairs, and many traders, resided at Pocotaligo, the largest town belonging to the Yamassees. Mr. Fraser, probably either discrediting what he had heard, or from the hurry and confusion which the alarm occasioned, unfortunately had not taken time to communicate the intelligence he had received to his friends, who remained in a state of false security in the midst of their enemies. The case of the scattered settlers on the frontiers was equally lamentable, who were living under no suspicions of danger. However, on the day before the Yamassees began their bloody operations, Captain Nairn and some of the traders observing an uncommon gloom on their savage countenances, and apparently great agitations of spirit, which to them prognosticated approaching mischief, went to their chief men, begging to know the cause of their uneasiness, and promising, if any injury had been done them, to give them satisfaction. The chiefs replied, they had no complaints to

make against any one, but intended to go a-hunting early the next morning. Captain Nairn accordingly went to sleep, and the traders retired to their huts, and passed the night in seeming friendship and tranquillity. But next morning, about the break of day, being the 15th day of April, 1715, all were alarmed with the cries of war. The leaders were all out under arms, calling upon their followers, and proclaiming aloud designs of vengeance. The young men, burning with fury and passion, flew to their arms, and, in a few hours, massacred above ninety persons in Pocotaligo town and the neighbouring plantations; and many more must have fallen a sacrifice on Port-royal Island, had they not providentially been warned of their danger. Mr. Burrows, a captain of the militia, after receiving two wounds, by swimming one mile and running ten, escaped to Port-royal and alarmed the town. A vessel happening fortunately to be in the harbour, the inhabitants in great hurry repaired on board, and sailed for Charlestown; only a few families of planters on that island, not having timely notice, fell into their barbarous hands, some of whom they murdered, and others they made prisoners of war.

While the Yamassees, with whom the Creeks and Apalachians had joined, were advancing against the southern frontiers, and spreading desolation and slaughter through the province; the colonists on the northern borders also found the Indians down among the settlements in formidable parties. The Carolineans had foolishly entertained hopes of the friendship of the Congarees, the Catawbas and Cherokees; but they soon found that they had also joined in the conspiracy, and declared for war. It was computed that the southern division of the enemy consisted of above six thousand bowmen, and the northern of between six hundred and a thousand. Indeed every Indian tribe, from Florida to Cape Fear river, had joined in this confederacy for the destruction of the settlement. The planters scattered here and there had no time to gather together in a body, sufficiently strong to withstand such numbers; but each consulting his own safety, and that of his helpless family, in great hurry and consternation fled to the capital. Every one who came in brought the Governor different accounts of the number and strength of the savages, insomuch that even the inhabitants of Charlestown were doubtful of their safety and entertained the most discouraging apprehensions of their inability to repel a force so great and formidable. In the muster-roll there were no more than one thousand two hundred men fit to bear arms, but as the town had several forts into which the inhabitants might retreat, the Governor, with this small force, resolved to march into the woods against the enemy. He proclaimed the martial law, and laid an embargo on all ships, to prevent either men or provisions from leaving the country. He obtained an act of assembly, empowering him to impress men, and seize arms, ammunition, and stores, wherever they were to be found, to arm such trusty negroes as might be serviceable at a juncture so critical, and to prosecute the war with the utmost vigour. Agents were sent to Virginia and England, to solicit assistance; bills were stamped for the payment of the army, and other necessary expences; Robert Daniel was appointed deputy-governor in town, and Charles Craven, at the head of the militia, marched to the country against the largest body of savages.

In the mean time, the Indians on the northern quarter had made an inroad as far as a plantation belonging to John Hearne, about fifty miles from

town, and entered his house in a seemingly peaceable and friendly manner; but afterwards pretending to be displeased with the provisions given them, murdered him and every person in it. Thomas Barker, a captain of militia, having intelligence of the approach of these Indians, collected a party, consisting of ninety horsemen, and advanced against them: but by the treachery of an Indian, whom he unluckily trusted, he was led into a dangerous ambuscade in a thicket, where a large party of Indians lay concealed on the ground. Barker having advanced into the middle of them before he was aware of his danger, the Indians sprung from their concealments, and fired upon his men on every side. The Captain and several more fell at the first onset, and the remainder in confusion were obliged to retreat. After this advantage, a party of four hundred Indians came down as far as Goose Creek. Every family there had fled to town, except in one place, where seventy white men and forty negroes had surrounded themselves with a breast-work, and resolved to remain and defend themselves in the best manner they could. When the Indians attacked them they were discouraged, and rashly agreed to terms of peace; and, having admitted the enemy within their works, this poor garrison were barbarously butchered: after which the Indians advanced still nigher to town; but at length meeting with Captain Chicken and the whole Goose Creek militia, they were repulsed, and obliged to retreat into the wilderness.

By this time the Yamassees, with their confederates, had spread destruction though the parish of St. Bartholomew, and advancing downwards as far as Stono, they burned the church at that place, together with every house on the plantations by the way. John Cochran, his wife, and four children; Mr. Bray, his wife, and two children; and six more men and women, having found some friends among them, were spared for some days; but while attempting to make their escape from them, they were retaken and put to death. Such as had no friends among them were tortured in the most shocking manner, the Indians seeming to neglect their progress towards conquest on purpose to assist in tormenting their enemies. We forbear to mention the various tortures inflicted on such as fell into their merciless fangs: none can be pleased with the relation of such horrid cruelties, but the man who, with a smile of satisfaction, can be the spectator of a Spanish *auto de fe*, or such savage hearts as are steeled against every emotion of humanity and compassion.

[Sidenote] The Yamassees defeated and expelled.

By this time Governor Craven, being no stranger to the ferocious tempers of his enemies, and their horrid cruelty to prisoners, was advancing against them by slow and cautious steps, always keeping the strictest guard round his army. He knew well under what advantages they sought among their native thickets, and the various wiles and stratagems they made use of in conducting their wars; and therefore was watchful above all things against sudden surprises, which might throw his followers into disorder, and defeat the end of his enterprize. The fate of the whole province depended on the success of his arms, and his men had no other alternative left but to conquer or die a painful death. As he advanced the straggling parties fled before him, until he reached Saltcatchers, where they had pitched their great camp. Here a sharp and bloody battle

ensued from behind trees and bushes, the Indians hooping, hollowing and giving way one while, and then again and again returning with double fury to the charge. But the Governor, notwithstanding their superior number and all their terrible shrieks, kept the provincials close at their heels, and drove them before him like a flock of ravenous wolves. He expelled them from their settlement at Indian land, pursued them over Savanna river, and rid the province entirely of this formidable tribe of savages. What number of his army he lost, or of the enemy he killed, we have not been able particularly to learn; but in this Indian war near four hundred innocent inhabitants of Carolina were murdered by these wild barbarians.

[Sidenote] They take refuge in Florida.

The Yamassees, after their defeat and expulsion, went directly to the Spanish territories in Florida, where they were received with bells ringing and guns firing, as if they had come victoriously from the field; from which circumstance, together with the encouragement afterwards given them to settle in Florida, there is too good reason to believe, that this horrid conspiracy was contrived by Spaniards, and carried on by their encouragement and assistance. Two prisoners, whom they had saved and carried to Augustine along with them, Mrs. Sisson and Mrs. Macartey, afterwards reported to the Carolinians the news of this kind reception the Indians met with from the Spaniards. On the other hand, though the province of Carolina suffered much at this time, yet the Governor had the good fortune to prevent its total destruction. From the lowest state of despondency, Charlestown, on the Governor's return to it, was raised to the highest pitch of joy. He entered it with some degree of triumph, receiving from all such applauses as his wise conduct and unexpected success justly merited. Indeed his prosperous expedition had not only disconcerted the most formidable conspiracy ever formed against the colony, but also placed the inhabitants in general, however much exposed individuals might be to small scalping parties, in a state of greater security and tranquillity than they had hitherto enjoyed.

[Sidenote] Retain a vindictive spirit against the Carolinians.

However, from that period in which the Yamassees Indians were compelled to take up their residence in Florida, they harboured in their breasts the most inveterate ill-will and rancour to all Carolinians, and watched every opportunity of pouring their vengeance on them. Being furnished with arms and ammunition from the Spaniards, they often broke out on small scalping parties, and infested the frontiers of the British settlement. One party of them caught William Hooper, and killed him by degrees, by cutting off one joint of his body after another, until he expired. Another party surprised Henry Quinton, Thomas Simmons, and Thomas Parmenter, and, to gratify their revenge, tortured them to death. Dr. Rose afterwards fell also into their hands, whom they cut across his nose with their tomahawk, and having scalped him left him on the spot for dead; but he happily recovered of his wounds. In short, the emissaries of St. Augustine, disappointed in their sanguinary design of destroying root and branch in Carolina, had now no other resource left but to employ the vindictive spirit of the Yamassees against the defenceless frontiers of

the province. In these excursions, it must be confessed, they were too successful, for many poor settlers at different times fell a sacrifice to their insatiable revenge.

[Sidenote] The colonists turn their eyes for protection to the crown.

During the time of this hard struggle with Indians, the legislature of Carolina had made application to the Proprietors, representing to them the weak state of the province, the deplorable dangers which hung over it, and begging their paternal help and protection; but being doubtful whether the Proprietor would be inclined to involve their English estates in debt for supporting their property in Carolina, in so precarious a situation, they instructed their agent, in case he failed of success from them, to apply to the king for relief. The merchants entered cordially into the measure for making application to the crown, and considered it as the most effectual expedient for retrieving their credit in England, lost by the dangers which threatened the country, and the pirates that infested the coast. They perceived at once the many advantages which would accrue to them from being taken under the immediate care and protection of the crown. Ships of war would soon clear the coast of pestilent sea-robbers, and give free scope to trade and navigation. Forces by land would overawe the war-like Indians, prevent such dreadful attempts for the future, and they would reap the happy fruits of public peace and security. The inhabitants in general were much dissatisfied with living under a government unable to protect them, and what rendered their case still more lamentable, prevented the interposition of the crown for their defence, and therefore were very unanimous in the proposed application to the crown.

About the middle of the year 1715 the agent for Carolina waited on the Proprietors, with a representation of the heavy calamities under which their colony laboured from the ravages of barbarous enemies, and the depredations of lawless pirates. He acquainted them, that the Yamassees, by the influence of Spanish emissaries, had claimed the whole lands of the country as their ancient possessions, and conspired with many other tribes to assert their right by force of arms, and therefore urged the necessity of sending immediate relief to the colony. But not being satisfied with the answer he received, he petitioned the House of Commons in behalf of the distressed Carolinians. The Commons addressed the King, praying for his kind interposition and immediate assistance to the colony. The King referred the matter to the Lords Commissioners of trade and plantations. The Lords of trade made an objection, that the province of Carolina was one of the proprietary governments, and were of opinion, that, if the nation should be at the expence of its protection, the government ought to be vested in the Crown. Upon which Lord Carteret wrote them a letter to the following effect: "We the Proprietors of Carolina having met on this melancholy occasion, to our great grief find, that we are utterly unable of ourselves to afford our colony suitable assistance in this conjuncture, and unless his majesty will graciously please to interpose, we can foresee nothing but the utter destruction of his majesty's faithful subjects in those parts." The Lords of trade asked Lord Carteret what sum might be necessary for that service, and whether the government of the colony should not devolve on the Crown, if Great

Britain should agree to bear the expence of its defence. To which Lord Carteret replied, "The Proprietors humbly submitted to his majesty's great wisdom, what sum of money he should be pleased to grant for their assistance; and in case the money advanced for this purpose should not be in a reasonable time repaid, they humbly conceived that then his majesty would have an equitable right to take the government under his immediate care and protection."

[Sidenote] The project revived for purchasing the proprietary colonies.

The same year a bill was brought into the House of Commons in England for the better regulation of the charter and proprietary governments in America, and of his majesty's plantations there; the chief design of which was, to reduce all charter and proprietary governments into regal ones. Men conversant in the history of past ages, particularly in that of the rise and progress of different states, had long foreseen the rapid increase of American colonies, and wisely judged, that it would be for the interest of the kingdom to purchase them for the Crown as soon as possible. At different times administration, in the reigns of King William and Queen Anne, held treaties with the Proprietors for this purpose: but some obstacles always came in the way, or some accidents occurred, which prevented a final agreement. At this time while Penn was about selling the government of Pennsylvania, for twelve thousand pounds, to the Crown, he was seized with an apoplexy, and died before the deeds were executed. Lord Baltimore, the Duke of Beaufort, and Lord Craven, all minors, petitioned to be heard by counsel against passing the bill. The province of Massachusetts Bay petitioned against it, alledging that the charter they had received from King William placed them on the same footing with the different corporations in England, and that it would be equally hard and unjust to deprive them of their charter privileges, as to disfranchise the English corporations. The colony of Connecticut, whose charter was intended to be taken away by this bill, in like manner petitioned to be excepted out of it. These petitions, together with the reasons assigned in support of them, the committee of the House found some difficulty in answering, and therefore, instead of proceeding farther in an affair of such national concern, the design was entirely dropt.

It is remarkable, that the Proprietors of Carolina, at the time they obtained their charter, as is expressly mentioned in it were excited to form that settlement by their zeal for the propagation of the Christian faith among the Indians of America: yet, to their shame it must be confessed, that they have either never used any endeavours for this laudable purpose, or they have been utterly fruitless and ineffectual. At this time, indeed, the society incorporated for propagating the Gospel maintained several missionaries in Carolina, as well as in the northern provinces. The parishes of St. Helen's, St. Paul's, Christ-Church, St. Andrew's, St. James's, and St. John's were all supplied with ministers from this charitable corporation, who were instructed to use their best endeavours for spreading the Gospel among the heathens in their neighbourhood and received an annual allowance from the society for that purpose; yet we have not been able to learn that these heathens ever

reaped the smallest advantage from them. The Spaniards, though they have often made use of the more severe and rough means of conversion, and erected the standard of the cross in a field of blood, yet they have also been exceedingly diligent and assiduous in teaching heathens the principles of the Catholic religion. In point of policy, this zeal was more praise-worthy than English negligence: for such barbarians would certainly have been much easier tamed and civilized by mild instruction than by force of arms. The Tumican and Apalachian Indians, before Governor Moore's inroads among them, had made some advances towards civilization, and paid, by means of instruction from Roman Catholic missionaries, strict obedience to the Spanish government at Augustine. Had the Proprietors of Carolina erected schools, for the instruction of young Indians in the language, manners and religion of the English nation, such an institution might have been attended with the most beneficial effects. For while the children of such savages were living among the colonists, they would have been like so many hostages to secure the goodwill and peaceable behaviour of their parents, and when they returned to the nation to which they belonged, their knowledge of the English language and customs would, for the future, have rendered all commercial treaties and transactions between them easy and practicable. Besides, they would have all the prejudices of education in favour of the English manners and government, which would have helped both to fortify them against the fatal influence of Spanish rivals, and to render them more firm and steady to the British interest.

[Sidenote] Differences occasioned by the war.

Although the Yamasee war had terminated much to the honour of the Carolinians, yet the fatal effects of it were long and heavily felt by the colony. Many of the planters had no negroes to assist them in raising provisions for their families, and these persons who had negroes, could not be spared to overlook them, so that the plantations were left uncultivated, and the produce of the year was trifling and inconsiderable. The men being more solicitous about the safety of their families than the increase of their fortunes, purchased bills of exchange at any price, to send with them to the northern provinces, in order to procure for them there the necessaries of life. The provincial merchants being much indebted to those in London, the latter were alarmed at the dangers which hung over the colony, and pressed them much for remittances. The Indians, who stood indebted to the merchants of Carolina for ten thousand pounds, instead of paying their debts, had cancelled them, by murdering the traders, and abandoning the province. No remittances could be made, but in such commodities as the country produced, and all hands being engaged in war, rendered them both very scarce and extremely dear. To answer the public exigences of the province, large emissions of paper currency were also requisite. Hence the rate of exchange arose to an extravagant height. The province was indebted no less than eighty thousand pounds, and at the same time obliged to maintain garrisons on the frontiers for the public defence, which served to increase the debt. While struggling amidst those hardships, the merchants of London complained to the Proprietors of the increase of paper money, as injurious to trade; in consequence of which they strictly ordered their Governor to reduce it. All those things

served to aggravate the distress of the poor colonists, and caused them to murmur against their landlords for want of compassion, and to turn not a little disaffected to their government.

[Sidenote] Aggravated by the Proprietors.

The next step taken by the legislature of Carolina, served to widen the difference. The Yamassees being expelled from Indian land, the assembly passed two acts to appropriate those lands gained by conquest for the use and encouragement of such of his majesty's subjects as should come over and settle upon them. Extracts of these acts being sent to England and Ireland, and published among the people, five hundred men from Ireland transported themselves to Carolina, to take the benefit of them; which influx was a great acquisition at this juncture, and served to strengthen these frontiers against future incursions from barbarians. But the beneficial consequences of these acts were all frustrated by the Proprietors, who repealed them, claiming such lands as their property, and insisting on the right of disposing of them as they thought fit. Not long afterwards, to the utter ruin of the Irish emigrants, and in breach of the provincial faith to them, the Proprietors ordered the Indian lands to be surveyed for their own use, and run out in large baronies; by which harsh usage the old settlers, having lost the protection of the new comers, deserted their plantations, and again left the frontiers open to the enemy; as for the unfortunate Irish emigrants, having spent the little money they had, many of them, reduced to misery, perished, and the remainder moved to the northern colonies.

[Sidenote] Robert Daniel is made deputy-governor.

About this time Governor Craven, having received advice from England of Sir Antony Craven's death, intimated to the Proprietors, that the affairs of his family required his presence, and obtained their leave to return to Britain. No Governor had ever gained more general love and deserved respect from the Carolinians, nor had any man ever left the province whose departure was more universally regretted. Having appointed Robert Daniel deputy-governor, he embarked for England about the end of April, 1716. While the man of war rode at anchor near the bar, Mr. Gideon Johnston, with about thirty more gentlemen, went into a sloop to take leave of their beloved Governor, and sailed with him over the bar. On their return a storm arose, the sloop was upset, and Mr. Johnston, being lame of the gout and in the hold, was drowned. The other gentlemen, who were upon deck, saved themselves by swimming to the land. Afterwards the sloop drove, and what has been thought somewhat remarkable, Mr. Johnston's body was taken out of it while beating against the same bank of land upon which he had almost perished at his first arrival in Carolina.

[Sidenote] Lord Carteret Palatine

Before Governor Craven arrived in England, John Lord Carteret, a nobleman no less distinguished by his illustrious descent than personal merit, had succeeded to the dignity of Palatine. Nicholas Trott, who was Chief-Justice of Carolina, received a warrant from this nobleman,

impowering him to sit also as judge of the provincial court of vice-admiralty. William Rhett, who was Trott's brother-in-law, and Receiver-general, was likewise made Comptroller of his majesty's customs in Carolina and Bahama Islands. The many offices of trust and emolument which these two men held, together with their natural abilities, gave them great weight and influence in the province, especially at the election of members to serve in assembly. When the provincial assembly met, a bill was brought into the house for the better regulation of the Indian trade, nominating commissioners, and empowering them to apply the profits arising from it to the public benefit and defence, and passed with little opposition. As the colonists had been accustomed to chuse all their members of assembly at Charlestown, at which election great riots and tumults had often happened; to remedy this disorder, another bill was brought into assembly for regulating elections; in which, among other things, it was enacted, "That every parish should send a certain number of representatives, in all not exceeding thirty-six; that they should be ballotted for at the different parish churches, or some other convenient place, on a day to be mentioned in the writs, which were to be directed to the church-wardens, who were required to make returns of the members elected." This was a popular act, as the inhabitants found it not only allowed them greater freedom, but was more conformable to the practice in England, and more convenient for the settlers than their former custom of electing all members in town.

[Sidenote] The disaffection of the people increases.

By this time the struggle between the Proprietors and possessors of the soil, which had long subsisted, and in which the officers intrusted with supporting their Lordships power and prerogative always found themselves deeply interested, was become more serious. Those popular acts, but particularly the latter, gave great offence to some members of the council, who plainly perceived its tendency to ruin their influence at elections, and of course the power of the Proprietors. Among others, Trott and Rhett strenuously opposed the bills. Though they were not able to prevent their passing in Carolina, yet they took care to send to England such representations of them as could not fail to render them the objects of the Proprietors disapprobation. Indeed the act respecting elections had broke in upon a former law, which had been ratified in England, and never repealed by the same authority. The consequence was, both those bills in a little time were sent back repealed, by an instrument under the Proprietors hands and seals. The colonists, far from being pleased with the former conduct of their landlords, now became outrageous, and spoke boldly of their tyranny, bad policy, and want of compassion for distressed freemen. Being still exposed to incursions from the sanguinary and vindictive Yamassees, furnished with arms and ammunition from the Spaniards, they were obliged to maintain a company of rangers, to protect the frontiers against them. Three small forts were erected at Congarees, Savanna, and Apalachicola, for the public defence, and money must be raised for the payment of garrisons. Presents of considerable value were also necessary, to preserve the friendship of other Indian tribes. These public expences eat up all the fruits of the poor planter's industry. The law appropriating the profits of the Indian trade for the public protection had been repealed; the public credit was

at so low an ebb, that no man would trust his money in the provincial treasury. None would risk their lives in defence of the colony without pay, and the province, oppressed with a load of debt, was utterly unable to furnish the necessary supplies. The people complained of the insufficiency of that government which could not protect them, and at the same time prevented the interposition of the Crown for this purpose. Governor Daniel himself joined them in their complaints, and everyone seemed ardently to wish for those advantages which other colonies enjoyed, under the immediate care and protection of a powerful sovereign.

[Sidenote] Robert Johnson appointed governor.

In this discontented and unhappy state Robert Johnson found the Carolinians, when he arrived with a commission from Lord Carteret, bearing date April 30, 1717, investing him with the government of the province: to which office a salary of four hundred pounds sterling was now annexed. He was son to Sir Nathaniel Johnson, who formerly held the same office, and had left him an estate in Carolina. This new governor was a man of wisdom, integrity, and moderation; but came out with such instructions as were ill adapted to the circumstances and situation of the colony. Soon after his arrival he perceived the disaffection of the people to the proprietary government, and the many difficulties with which he would have to struggle in the faithful discharge of his duty. His council consisted of Thomas Broughton, Alexander Skene, Nicholas Trott, Charles Hart, James Kinloch, Francis Yonge, &c. some of whom were highly dissatisfied with the harsh treatment of the Proprietors. After calling an assembly, the Governor, as usual, signified to them his esteem for the people, his love to the province, and his resolutions of pursuing such measures as might be judged most conducive to its peace and prosperity. The assembly, in answer, expressed great satisfaction with appointing a man of so good a character to that high office; but, at the same time, were not insensible of the oppression of their landlords, nor of the many hardships they had to expect under their weak and contemptible government.

[Sidenote] Of the depredations of pirates.

About this time some merchants and masters of ships, trading to America and the West Indies, having suffered much from the barbarity and depredations of pirates, complained to the King in council of the heavy losses the trade of the nation had sustained from those public robbers, who had grown so numerous and insolent, that unless a speedy check should be given to them, the navigation in those seas would be totally ruined. In consequence of which the King issued a proclamation, promising a pardon to all pirates who should surrender themselves in the space of twelve months, and at the same time ordered to sea a force for suppressing them. As they had made the island of Providence their common place of residence, Captain Woodes Rogers sailed against this island, with a few ships of war, and took possession of it for the Crown. Except one Vane, who with about ninety more made their escape in a sloop, all the pirates took the benefit of the King's proclamation, and surrendered. Captain Rogers having made himself master of the island, formed a council in it, and appointed officers civil and military for the better

government of its inhabitants. He built some forts for its security and defence, and so ordered matters, that, for the future, the trade of the West Indies was well protected against this lawless crew.

[Sidenote] And their utter extirpation.

Though the pirates on the island of Providence were crushed, those of North Carolina still remained, and were equally insolent and troublesome. Vane, who escaped from Captain Rogers, had taken two ships bound from Charlestown to London. A pirate sloop of ten guns, commanded by Steed Bonnet, and another commanded by Richard Worley, had taken possession of the mouth of Cape Fear river, which place was now the principal refuge left for those rogues. Their station there was so convenient for blocking up the harbour of Charlestown, that the trade of the colony was greatly obstructed by them. No sooner had one crew left the coast than another appeared, so that scarcely one ship coming in or going out escaped them. Governor Johnson, resolving to check their insolence, fitted out a ship of force, gave the command of it to William Rhett and sent him out to sea for the protection of trade. Rhett had scarcely got over the bar when Steed Bonnet spied him, but finding he was more than match for him, made all the sail he could for his refuge in Cape Fear river. Thither Rhett followed him, took the sloop, and brought the commander and about thirty men with him to Charlestown. Soon after this Governor Johnson himself embarked, and sailed in pursuit of the other sloop of six guns, commanded by Richard Worley, which, after a desperate engagement off the bar of Charlestown, was also taken. The pirates fought like furies, until they were all killed or wounded, excepting Worley and another man, who even then refused to surrender, until they were likewise dangerously wounded. These two men, together with their sloop, the Governor brought into Charlestown, where they were instantly tried, condemned, and executed, to prevent their dying of their wounds. Steed Bonnet and his crew were also tried, and all, except one man, hanged, and buried on White Point, below high-water mark.

Governor Johnson, formerly a popular man, was now become much more so, by his courage in exposing his person, and the success attending his expedition against the pirates. The coast being happily cleared, and free scope given to trade, afterwards no pirates durst venture to sea in that quarter. This check, together with that they received among the islands, served to extirpate these pestilent robbers, who had declared war against all mankind; and, by reducing themselves to the savage state of nature, had led such lives as rendered them the common enemy of every civilised nation. But these two expeditions from Carolina, though crowned with success, cost the poor province upwards of ten thousand pounds, an additional burden which, at this juncture, it was ill qualified to support.

[Sidenote] Troubles from paper currency.

At the same time, Governor Johnson had instructions to reduce the paper currency circulating in the Province, of which the mercantile interest loudly complained, as injurious to trade. He recommended to the assembly to consider of ways and means for sinking it, and told them they were

bound in honour and justice to make it good. The Indian war had occasioned a scarcity of provisions; by the large emissions of paper money it sunk in value, and the price of produce arose to an exorbitant height. As the value of every commodity is what it will bring at market, so the value of paper money is according to the quantity of commodities it will purchase. Even gold and silver, though the universal medium of commerce, grow less precious in proportion as their quantity is increased in any country. Both rice and naval stores, however high, by doubling the quantity of paper money, though the commodities remain the same as formerly, become still much higher. The merchants and money-lenders were losers by those large emissions; and the planters indebted to them, on the other hand, were gainers by them. Hence great debates arose in the assembly about paper-money, between the planting and mercantile interests. At this time the Governor, however, had so much influence as to prevail with the assembly to pass a law for sinking and paying off their paper credit in three years, by a tax on lands and negroes. This act, on its arrival in England, gave great satisfaction both to the Proprietors and people concerned in trade, and the Governor received their thanks for his attention to the commercial interests of the country.

[Sidenote] Several laws repealed.

This compliance of the assembly with the Governor's instructions from England, and the good humour in which they at present appeared to be with government, gave him some faint hopes of reconciling them by degrees to the supreme jurisdiction of the Proprietors. But their good temper was of short duration, and the next advices from England blasted all his hopes of future agreement. The planters finding that the tax-act fell heavy on them, began to grumble and complain of its injustice, and to contrive ways and means for eluding it, by stamping more bills of credit. The Proprietors having information of this, and also of a design formed by the assembly to set a price on country commodities, and make them at such a price a good tender in law for the payment of all debts, they strictly enjoined their Governor not to give his assent to any bill framed by the assembly, nor to render it of any force in the colony, before a copy of the same should be laid before them. About the same time the King, by his order in council, signified to the Proprietors, that they should repeal an act passed in Carolina, of pernicious consequence to the trade of the mother country, by which a duty of ten _per cent_ was laid on all goods of British manufacture imported into that province. Accordingly this act, together with that for regulating elections, and another for declaring the right of assembly for the time being to nominate a public receiver, were all repealed, and sent to Governor Johnson in a letter, which enjoined him instantly to dissolve the present assembly and call another, to be chosen in Charlestown, according to the ancient usage and customs of the province. The Proprietors considered themselves as the head of the legislative body, who had not only power to put a negative on all laws made in the colony of which they disapproved, but also to repeal such as they deemed of pernicious consequence.

[Sidenote] Which occasions great disaffection.

Governor Johnson, sensible of the ill-humour which prevailed among the people at the proprietary government, and the ill consequences that would attend the immediate execution of his orders, summoned his council together, to take their advice about what was most proper to be done. When he communicated his orders and instructions from England, the majority of the council were astonished at them. Trott, indeed, who was one of them, probably knew from what spring they derived their origin, and to whose advice and influence the repeal of those laws ought to be ascribed. But as the assembly were at that time deliberating about the means of paying the provincial debt contracted by the expedition against the pirates, and other contingent charges of government, it was agreed to postpone the dissolution of the house until the business then before them should be finished. However, the repeal of the duty-law being occasioned by an order from the King in council, they resolved to acquaint the assembly immediately with the royal displeasure at that clause of the law laying a duty on all goods manufactured in Great Britain, and recommend it to them to make a new act, leaving out that clause which had given offence. Mean while, though great pains were taken to conceal the Governor's instructions from the people, yet by some means they were divulged, and kindled violent flames among them. The assembly entered into a warm debate about the Proprietors right of repealing laws passed with the assent of their deputies. Many alledged, that the deputation given to them was like a power of attorney sent to persons at a distance, authorizing them to act in their stead; and insisted, that, according to the charter, they were bound by their assent to acts, as much as if the Proprietors themselves had been present, and ratified and confirmed them.

[Sidenote] Further troubles from Indians.

While the colony was thus harassed with fears and troubles from rigorous landlords, to enhance their misery, their savage neighbours were also now and then making incursions into their settlements, and spreading havock among the scattered families. At this time a scalping party penetrated as far as the Euhah lands, where having surprised John Levit and two of his neighbours, they knocked out their brains with their tomahawks. They then seized Mrs. Borrows and one of her children, and carried them off with them. The child by the way, finding himself in barbarous hands, began to cry, upon which they put him to death. The distressed mother, being unable to refrain from tears while her child was murdered before her eyes, was given to understand, that she must not weep, if she desired not to share the same fate. Upon her arrival at Augustine she would have been immediately sent to prison, but one of the Yamassee kings declared he knew her from her infancy to be a good woman, interceded for her liberty, and begged she might be sent home to her husband. This favour, however, the Spanish governor refused to grant, and the garrison seemed to triumph with the Indians in the number of their scalps. When Mr. Borrows went to Augustine to procure the release of his wife, he also was shut up in prison along with her, where he soon after died: but she survived all the hardships of hunger, sickness, and confinement, to give a relation of her barbarous treatment. After her return to Carolina, she reported to Governor Johnson, that the Huspah king, who had taken her prisoner and carried her off, informed her, he had orders from the Spanish governor to spare no white man, but to bring every negroe alive to Augustine; and

that rewards were given to Indians for their prisoners, to encourage them to engage in such rapacious and murderous enterprizes.

[Sidenote] Complaints against Chief Justice Trott.

By this time Chief Justice Trott being suspected of holding a private correspondence with the Proprietors, to the prejudice of the Carolinians, had incurred their hatred and resentment. Richard Allein, Whitaker, and other practitioners of the law, over whom he tyrannized, charged him with many base and iniquitous practices. No less than thirty-one articles of complaint against him were presented to the assembly, setting forth, among other things, "That he had been guilty of many partial judgments; that he had contrived many ways to multiply and increase his fees, to the great grievance of the subject, and contrary to acts of assembly; that he had contrived a fee for continuing causes from one term to another, and put off the hearing of them for years; that he took upon him to give advice in causes depending in his courts, and did not only act as counsellor in that particular, but also had drawn deeds between party and party, some of which had been contested before him as Chief Justice, and in determining of which he had shewn great partialities; with many more particulars; and, lastly, complaining, that the whole judicial power of the province was lodged in his hands alone, of which it was evident he had made a very ill use, he being at the same time sole judge of the courts of Common Pleas, King's Bench, and Vice-Admiralty; so that no prohibition could be lodged against the proceedings of the court, he being obliged, in such a case, to grant a prohibition against himself; he was also, at the same time, a member of the council, and of consequence a judge of the Court of Chancery."

Those articles of complaint, though they took their rise from the bar, and might have proceeded in some measure from envy, ill-will, or resentment, were nevertheless too well grounded, and the facts contained in the charge were supported by strong evidence before the assembly. But as the Judge held his commission from the Proprietors, he denied that he was accountable to the assembly for any part of his conduct in his judicial capacity; and declared that he would be answerable no where but in England. The assembly, however, sensible that he held his commission only during good behavior, sent a message to the Governor and Council, requesting they would join them in representing his partial and unjust conduct in his office to the Proprietors, praying them either to remove him from his seat in the courts of justice, or at the least to grant him only one jurisdiction, and the people liberty of appeal from his judgements. The Governor and major part of the council, convinced of the male-administration of the Judge, agreed to join the Commons in their representation. But being sensible of the great interest the Chief Justice had with their Lordships, they judged it most prudent to send one of their counsellors to England with their memorial, that it might find greater credit and weight, and the more certainly procure redress; and Francis Yonge, a man of considerable abilities, who had been present at all their debates, was pitched upon as one well qualified for giving their Lordships a faithful account of the whole matter. Accordingly Yonge, being furnished with all the instructions, powers, and credentials, necessary to a commissioner for the aggrieved party of the

colonists, set sail for England, and arrived in London early in the year 1719.

[Sidenote] Laid before the Proprietors.

Soon after his arrival, he waited on Lord Carteret, the Palatine; but as his Lordship was preparing to set out on an embassy to the court of Sweden, he referred him to the other Proprietors for an answer to his representation. When the Proprietors met, Yonge presented to them a memorial, setting forth, "That he had been appointed by the Governor and Council of South Carolina, to lay before them, not only several acts of assembly passed there during their last sessions for their approbation, but also to inform them of the reasons that induced the Governor and Council to defer the dissolution of the assembly, in consequence of their Lordships commands; that he was instructed to shew their Lordships the arguments between the upper and lower houses of assembly, touching their Lordships right off repealing laws ratified and confirmed by their deputies; and presented to them a speech made by Chief Justice Trott at a general conference of both houses, together with the answer of the commons to it, and the several messages that passed between them, which he hoped would shew their Lordships, that no arguments or endeavours were wanting on their part, to assert the right the Proprietors had of repealing laws not ratified by them."

"At the same time, he was desired to request their Lordships to augment their Secretary's salary, to allow the members of the council so much money for the time and expence of attending the council on their service; to establish custom-house officers at Beaufort; to grant six thousand acres of land to the three garrisons at Congarees, Savanna Town, and Apalachicola; and liberty of appealing from erroneous judgements in law, which at that time the people had not, the whole judicial power in all the provincial courts being lodged in the hands of one man." Then he delivered to them a letter from Governor Johnson, the articles of complaint against Chief Justice Trott, and the joint address of the Governor, Council, and Assembly, praying to have him removed entirely from the bench, or confined to a single jurisdiction.

[Sidenote] Their answer.

This memorial, however, was far from satisfying the Proprietors, some of whom inferred from it, that the people seemed to be industrious in searching for causes of dissatisfaction, and grounds of quarrel with them, with a view to shake off the proprietary authority, and renounce their allegiance. Their letters from Trott served to confirm the truth, which intimated that Yonge, though an officer of the Proprietors, by mean subtilty and chicanery had assisted the people in forming plausible pretences for that purpose. For three months Yonge attended the Palatine's court, to give the board all possible information about the state of affairs in their colony, and to accomplish the ends of his appointment. After all, he was given to understand, that the business on which he was sent was extremely disagreeable to them; that both the trouble he had taken, and the office he had accepted as agent for the people, were inconsistent with his duty as one of their deputies, bound

to act agreeable to their instructions. They declared their displeasure with the members of the council who had joined the lower house in their complaints against Trott and removed them from the board, appointing others in their place, and increasing the number of members; and told Yonge, that he also would have been deprived of his seat but for the high respect they had for Lord Cartaret the absent Palatine, whose deputy he was. With respect to Chief Justice Trott, they had too much confidence in his fidelity and capacity to remove him from his office. On the contrary, they sent him a letter, thanking him for his excellent speech in defence of their right of repealing all laws made in the colony; together with a copy of the articles of complaint brought against him, on purpose to give him an opportunity of vindicating himself; at the same time acquainting him, that it was their opinion and order, that he withdraw from the council-board whenever appeals from his judgments in the inferior courts shall be brought before the Governor and council as a court of chancery.

[Sidenote] And letter to the governor.

How far Governor Johnson, in their opinion, had deviated from his duty, in joining the other branches of the legislature in their representation, may be learned from the Proprietors letter, brought over to him by Yonge, which runs in the following words: "Sir, we have received and perused your letters and all your papers, delivered us by your agent Mr. Yonge; and though we are favourably inclined in all our thoughts relating to our Governor, yet we must tell you, we think you have not obeyed the orders and directions given you to dissolve that assembly and call another forthwith, according to the ancient usage and custom of the province, and to publish our repeals of the acts of assembly immediately upon the receipt of our orders aforesaid; but we shall say no more on that subject now, not doubting but our Governor will pay more punctual obedience to our orders for the future.

"The Lords Proprietors right of confirming and repealing laws was so particular a privilege granted them by the charter, that we can never recede from it; and we do allure you, we are not a little surprised that you have suffered that prerogative of ours to be disputed.

"We have sent you herewith an instruction under our hands and seals, nominating such persons as we think fit to be of the council with you, six of whom and yourself, and no less number, to be a quorum. Upon your receipt of this we hereby require you to summon the said council, that they may qualify themselves according to law, and immediately sit upon the despatch of business. We also send you the repeal of the acts of assembly, which we order you to publish immediately upon the receipt of this. We do assure Mr. Johnson, that we will stand by him in all things that relate to the just execution of his office, and we are confident that he will perform his duty to us, and support our power and prerogatives to the best of his abilities. If the assembly chosen according to your pretended late act is not dissolved, as we formerly ordered, and a new assembly elected, pursuant to the act formerly confirmed by the Proprietors, you are forthwith commanded to dissolve that assembly, and to call another, according to the above-mentioned act; and so we bid you heartily farewell."

[Sidenote] Who obeys their commands.

Such was the result of Yonge's negotiation in England. Governor Johnson, who was well acquainted with the prevailing temper and discontented spirit of the people, plainly perceived, upon receiving these new orders and instructions, what difficulties would attend the execution of them. The flame was already kindled, and nothing could be imagined more likely to add fuel to it than such rigour and oppression. It is true, the Governor had received authority, but he wanted power to act agreeable to their instructions. Determined, however, to comply with their commands, he summoned his council of twelve men whom the Proprietors had nominated, who were, William Bull, Ralph Izard, Nicholas Trott, Charles Hart, Samuel Wragg, Benjamin de la Consiliere, Peter St. Julien, William Gibbons, Hugh Butler, Francis Yonge, Jacob Satur and Jonathan Skrine, some of whom refused, and others qualified themselves, to serve. Alexander Skene, Thomas Broughton, and James Kinloch, members of the former council, being now left out of the new appointment, were disgusted, and joined the people. The present assembly was dissolved, and writs were issued for electing another in Charlestown, according to the custom and usage of the province. The duty-act, from which the clergy were paid, the garrisons maintained, and the public debts in general were defrayed, was repealed; the law respecting the freedom of election was also repealed, by which the colonists were obliged to have recourse to the old, inconvenient and tumultuous manner of elections in Charlestown: the act declaring the right of the commons to nominate a public receiver was also annulled, and declared to be contrary to the usage and custom of Great Britain. All laws respecting the trade and shipping of Great Britain, which any future assembly might pass, the Governor had instructions to refuse his assent to, till approved by the Proprietors. The provincial debts incurred by the Indian war, and the expedition against pirates, not only remained unpaid, but no more bills of credit were allowed to be stamped, for answering those public demands. This council of twelve, instead of seven men, which was appointed, the colonists considered as an innovation in the proprietary government exceeding the power granted their Lordships by their charter, and therefore subjecting them to a jurisdiction foreign to the constitution of the province. The complaints of the whole legislature against Chief Justice Trott were not only disregarded, but that man, whom they considered as an enemy to the country, was privately caressed and publicly applauded. All these things the colonists considered as aggravated grievances, and what rendered them the more intolerable was the circumstance of being deprived of all hopes of redress.

It may be thought somewhat unaccountable and astonishing, that the Proprietors should have persisted in measures so disagreeable and oppressive of themselves, and so manifestly subversive of their authority and power. Many were the hardships from the climate, and the danger from savages, with which the poor colonists had to struggle; yet their landlords, instead of rendering their circumstances as easy and comfortable as possible, seemed rather bent on crossing their humours and doubling their distress. The people could now no longer regard them as indulgent fathers, concerned for the welfare of their colony, but as tyrannical legislators, that imposed more on them than they were able to

bear. Was it not the duty of the Proprietors to listen to their just complaints, and redress their heavy grievances? Was it not their interest to consult the internal security, and by every means promote the speedy improvement and population of their colony? What could more effectually answer these ends, than to cultivate the esteem and preserve the affections of the people? Nothing else could render their government stable and respectable. But, after all, perhaps the troubles and miseries the colonists suffered ought to be ascribed to their Lordships shameful inattention to provincial affairs, rather than to their tyrannical disposition. Lord Carteret, the Palatine, held high offices of trust under the Crown, which occupied his chief study and attention. Some of the Proprietors were minors, others possessed estates in England, the improvement of which engrossed their whole care and delight. Having reaped little or nothing from their American possessions, and finding them every year becoming more troublesome and expensive, it is probable they trusted the affairs of their colony to a clerk, or secretary, who was no ways interested in their prosperity and success. With this secretary Chief Justice Trott had established a correspondence, of whose wisdom and abilities the Proprietors entertained the highest opinion, and in whose integrity and fidelity they placed unlimited confidence. He held of them many offices of trust and emolument, which, together with his haughty and overbearing conduct, rendered him the object of popular envy and clamour. The colonists needed indulgence from their circumstances and situation; Trott, being made totally dependent on the Proprietors will for the tenure of his office and the amount and payment of his salary, strongly supported their power and prerogative. Hence those various struggles between the Proprietors and people, which were daily growing more serious and violent, and threatened totally to subvert the proprietary government.

[Sidenote] An invasion threatened from Spain.

About this time a rupture having taken place between the courts of Great Britain and Spain, a project for attacking South Carolina and the island of Providence was formed at the Havanna, and preparations were making there for the expedition. Governor Johnson, having received advice from England of this design, resolved immediately to put the province in a posture of defence. For this purpose he summoned a meeting of council, and such members of assembly as were in town, to inform them of the intelligence he had received, and to desire their advice and assistance in case of any sudden emergency. He told them of the shattered condition of the fortifications, and urged the necessity of speedy reparations; and for this end proposed a voluntary subscription, beginning with a generous offer himself, as an example to others. He declared that one day's delay might prove fatal to the province, as they were uncertain how soon the enemy might be at their door; and recommended unanimity and despatch. The assembly replied, that a subscription was needless, as the income of the duties would be sufficient to answer the purpose intended. The Governor objected, that the duty-law had been repealed, and none other yet framed in its place. To which the assembly answered, they had resolved to pay no regard to those repeals, and that the public receiver had orders from them to sue every man that should refuse to pay as that law directed. Chief Justice Trott told them, if any action or suit should be brought

into his courts on that law, he would give judgment for the defendant. In short, the contest between the two houses at this meeting became warm, insomuch that the conference broke up before any thing was concluded with regard to the public safety. The assembly were obstinate, and seemed determined to hazard the lots of the province to the Spaniards, rather than yield to the council, and acknowledge the Proprietors right of repealing their laws.

[Sidenote] An association formed against the Proprietors.

Governor Johnson, however, at such a juncture, judging it prudent to be always in the best posture of defence; for uniting the strength of the province called a meeting of the field-officers of the militia, ordered them to review their regiments, and fixed a place of general rendezvous. Indeed such was the uneasy and distracted state of the colony, that the Spaniards could scarcely have attacked it at a time more seasonable for obtaining an easy conquest. At this meeting the field-officers of the militia received their orders with their usual submission, and called together the different regiments, on pretence of training the men to expert use of arms. But before this time the members chosen to serve in assembly, though they had not met in their usual and regular way at Charlestown, had nevertheless held several private meetings in the country, to concert measures for revolting from their allegiance. They had drawn up a form of an association for uniting the whole province in opposition to the proprietary government, which was proposed to the people at this public meeting of the militia, as an opportunity the most favourable for procuring a general subscription. The people, oppressed and discontented, with eagerness embraced the proposal, and, almost to a man, subscribed the association, promising to stand by each other in defence of their rights and privileges, against the tyranny of the Proprietors and their officers. This confederacy was formed with such secrecy and dispatch, that, before it reached the Governor's ears, almost the whole inhabitants were concerned in it. The assembly, after having thus brought the people in general to back them, had then nothing to do but to go on, in taking such bold and vigorous steps as seemed best calculated for accomplishing their end.

CHAP. VI.

The members of assembly, as I already observed, having formed their resolution to revolt, and gone so far as to bring the people to stand by and support them, in spite of every obstacle determined to proceed, until they should bring themselves under the protection of the King. As they had the whole civil power to encounter, and many difficulties to surmount it may not be improper the more particularly to mark the various steps they took to accomplish this end. United in their view by the greatness of the danger, we shall see they regularly made their attacks.. They formed their outworks first at a distance, and then brought them gradually nearer; and, in short, raised none but such as afterwards

served to support others in the difficult progress of their future operations.

[Sidenote] The people's encouragement to revolt.

At the election of assembly in Charlestown, Trott and Rhett, who formerly had such influence and sway, were now become so obnoxious that they could not bring one man into the house. Alexander Skene, formerly excluded from the council, was elected a member of this new assembly, which was chosen on purpose to oppose the civil officers, considering themselves as ill used by the Proprietors, turned a zealous and active person for pulling down the tottering fabric of their government. This man, together with several other members of assembly, held frequent meetings, to consider of all their grievances, and the encouragements they had received from time to time from Britain, respecting the great end they now had in view. They recalled to mind what had passed in the House of Peers during the reign of Queen Anne, how her majesty had then ordered her Attorney and Solicitor-general to consider of the most effectual methods of proceeding against the charter. They knew also, that a bill had been brought into the House of Commons, for reducing all charter and proprietary governments into regal ones. They had been informed that Lord Carteret, conscious of the inability of the Proprietors to defend their province in the Yamassee war, had publicly applied for assistance from the British government, and that the Lords of trade were of opinion, that the government of the province should belong to that power which bore the expence of its protection. They had considered all these things, and flattered themselves with the hopes, that the King would take the colony under his care as soon as they renounced allegiance to the Proprietors. And as the time drew nigh in which they expected an attack from a powerful nation, they concluded that the province needed assistance of the Crown at the present, more than at any time past. They had convinced the people of the manifold advantages of the British constitution, and the great happiness of those colonies which were under the immediate care and protection of the Crown, insomuch that they now desired nothing more upon earth, than to enjoy the same invaluable privileges.

[Sidenote] Their letter to the Governor signifying their design.

To these secret meetings and transactions Governor Johnson, who lived at his plantation several miles from Charlestown, was an entire stranger, until he received the following letter, bearing date November 28, 1719, and signed by Alexander Skene, George Logan, and William Blakeway. "Sir, we doubt not but you have heard of the whole province entering into an association to stand by their rights and privileges, and to get rid of the oppression and arbitrary dealings of the Lords Proprietors. As we always bore you the greatest deference and respect imaginable, we take this opportunity to let you know, that the committee of the people's representatives were last night appointed to wait on you this morning, to acquaint you, that they have come to a resolution to have no regard to the Proprietors officers, nor their administration: and withal to beg, that your honour will hold the reigns of government for the King, till his Majesty's pleasure be known. The great value the whole country express for your honour's person, makes them desirous to have nobody but

yourself to govern them; and as you must be convinced, that no person can be more passionately fond of your government than ourselves, we hope you will not take amiss any advice given by faithful and affectionate friends; and therefore we take the liberty to tell you freely, we are of opinion that your honour may take the government upon you, upon the office of the people, for the King, and represent to the Proprietors, that rather than the whole country should be in confusion, and want a governing power, you held it for their Lordships, though you were obliged to comply with the colonists, who were unanimously of opinion they would have no Proprietors government. We could wish for a longer and better opportunity to explain this matter to you; but it is impossible, for the gentlemen will be with you in two hours at farthest. We heartily wish your honour the utmost success, let it go which way it will; but beg leave to observe, that your compliance will not only be the greatest satisfaction to the province in general, but also to your humble servants."

[Sidenote] Which the Governor endeavours to defeat.

This letter, though fraught with the highest professions of respect to the Governor, he nevertheless considered as an insult; but especially the advice, which he deemed both highly derogatory to his integrity as a man, and his fidelity as a governor. The bait thrown out to appearance was specious and flattering, yet the Governor had too much penetration, not to see under its false colours the naked hook. The letter, however, served to give him notice of the association, and the resolution of the people, which it was his duty by all means possible to defeat. For this purpose he hastened to town, and summoned his council, to take their advice in a case so unexpected and alarming. Meeting accidentally with Alexander Skene, he informed him that the committee who were appointed to wait on him had changed their minds, and were gone to their respective places of abode. Governor Johnson, nevertheless, informed his council of the association, and required their advice and assistance about the most effectual methods of breaking it up, and supporting the proprietary government. He perceived that, although he was called Governor, yet Trott ruled the province, and therefore resolved to do nothing without his advice, that he might be equally responsible with the rest for the ill consequences which he was apprehensive would attend their future proceedings. The council were not a little perplexed what step to take; but as the committee had altered their intention of waiting on the Governor, they were of opinion that no notice should be taken of their proceedings, until the assembly should meet in a legal manner, revive the matter, and bring it regularly before them; hoping that the people, upon more cool reflection, might drop their dangerous resolution.

[Sidenote] Proceedings of the convention.

In the mean time the members of assembly were using their utmost diligence among the people of the province to keep them firm to their purpose, having got almost every person, except the officers of the Proprietors and a few of their friends, to sign the association. All agreed to support whatever their representatives should do for disengaging the colony from the yoke of the Proprietors, and putting it

under the government of the King. Having thus fortified themselves by the union of the inhabitants, the assembly met on purpose to take bolder and more decisive steps: and being apprehensive that the Governor would dissolve them, so soon as their proceedings reached his ears, they instantly came to the following resolutions: "First, That the several laws pretended to be repealed are still in force within the province, and could nor be repealed and made void and null but by the General Assembly of this province, and that all public officers and others do pay due regard to the same accordingly. Secondly, That the writs, whereby the representatives here met were elected, are illegal, because they are signed by such a council as we conceive the Proprietors have not a power to appoint; for that this council does consist of a greater number of members than that of the Proprietors themselves, which we believe is contrary to the design and original intent of their charter, and approaching too near the method taken by his majesty and his predecessors in his plantations, whom they ought not to pretend to imitate or follow, his majesty not being confined to any number of counsellors, but as he thinks fit; but the Proprietors, as subjects, we believe, are bound by their charter. Thirdly, That we the representatives cannot act as an assembly, but as a convention delegated by the people, to prevent the utter ruin of this government, if not the loss of the province, till his majesty's pleasure be known: and, lastly, That the Lords Proprietors have by such proceedings unhinged the frame of their government, and forfeited their right to the same; and that an address be prepared, to desire the honourable Robert Johnson, our present Governor, to take the government upon him in the King's name, and to continue the administration thereof until his Majesty's pleasure be known."

Agreeable to the last resolution, an address was drawn up, signed by Arthur Middleton as president and twenty-two members of the convention. The Governor having sent them a message, acquainting them that he was ready with his council to receive and order them to chuse a speaker; they came to the upper house in a body, and Arthur Middleton addressed the Governor in the following words: "I am ordered by the representatives of the people here present to tell you, that, according to your honour's order, we are come to wait on you: I am further ordered to acquaint you, that we own your honour as our Governor, you being approved by the King; and as there was once in this province a legal council, representing the Proprietors as their deputies, which being now altered, we do not look on the gentlemen present to be a legal council; so I am ordered to tell you, that the representatives of the people do disown them as such, and will not act with them on any account."

[Sidenote] The perplexity of the Governor and council.

The Governor and Council, struck with silence and astonishment at the audacious spirit of the convention, and suspecting that they were backed and supported by the voice of the people, were greatly puzzled what measures they should take to recal them to the obedience of legal authority. Some were for opposing violence to violence, and thought the best way of bringing them back to their allegiance would be to terrify them with threats and confiscations. Others were of opinion, that the defection was too general to admit of such a remedy, and that mild

expostulations were more proper both for softening their minds, and convincing them of their error; and should such gentle means fail, the Governor might then dissolve them, and for the present time put an end to the dispute. But, on the other hand, dangers hung over the country, and the only fund for repairing the fortifications being lost by the repeal of the general duty-law, money must be provided for the public protection. If the Governor should dissolve the house, how could the province be put in a posture of defence against a Spanish invasion, with which it was threatened. If he should suffer them to sit while they had resolved that the Proprietors had forfeited their right to the government, and refused on any account to act with his council, he might be chargeable with a breach of his trust. The result of their deliberations was, a message from the Governor and council, desiring a conference with the house of assembly. To which they returned for answer, that they would not receive any message or paper from the Governor in conjunction with these gentlemen he was pleased to call his council. Finding them thus inflexible and resolute, the Governor was obliged to give way to the current, and therefore, in two days afterwards, sent for them in his own name, and spoke to them to the following effect:

[Sidenote] The Governor's speech for recalling the people.

"When I sent for you the other day, I intended to have desired you to have chosen your speaker, to be presented to me as usual, and then I did propose to have spoke to you in the following manner:

"Your being met together at a time when there was never more occasion for a ready dispatch of public business, and a good harmony betwixt the upper and lower house; I must recommend that to you; and nothing will be wanting on my part to promote a good understanding betwixt the Lords Proprietors and the people, at present (to my great affliction) I fear too much interrupted: I must, therefore, in the first place, recommend to you, that you will without delay, or other matter intervening, fall upon proper methods for raising money for finishing the repairs of the fortifications, and providing stores of war, which are much wanted. The intelligence which I have of the designs of our enemies, which makes this work so necessary, shall be laid before you.

"I am sorry the Lords Proprietors have been induced (by a necessity, to defend and support their just prerogatives) at this juncture to disannul some of your laws; if they had not thought the letting those acts subsist might have rendered their right of repeal precarious, they would have suffered them still to continue. I hope from you, therefore, a respectable behaviour towards them, that we may not feel any more their displeasure in so sensible a manner, as the loss (in this time of need) of our duty-law, and which has also occasioned an injunction to me and the council, from acting with an assembly who shall dispute their Lordships undoubted right of repealing laws, and appointing officers civil and military.

"I find some are jealous and uneasy on account of rumours spread, that you design to alter the tax-act, for sinking your paper currency. Public

credit ought to be sacred, and it is a standing maxim, That no state can subsist longer than their credit is maintained: I hope therefore you have no such intentions, which would put me under a necessity of doing what I have never yet done; I mean, disagreeing with you. I expect therefore you will make good what the public is answerable for, and proceed to such farther methods for paying our debts, as shall be both honourable and proper, and best adapted to our circumstances.

"The alarm from the southward, about five months since, obliged me to be in a posture of defence, and occasioned some charges, the accounts of which shall be laid before you; and I desire you will provide for the discharge of them: I think also the militia-acts want some amendments; and that you should contrive to keep a good watch in Charlestown.

"This is what I intended to have recommended to you: but Mr. Middleton's telling me, in the name of the rest, that you would not act with, and your surprising message since, that you will not receive any thing from me, in conjunction with my council, has made it necessary for me to take this occasion of talking with that plainness and freedom so extraordinary a proceeding of yours requires. And, first, I must take notice of your message, wherein you say, you own me as Governor, because I am approved of by the King; but that you disown the council to be a legal one, nor will act with them on any account whatsoever; and this is subscribed by all your members: but, upon examining, I find it to be pretty dark and evasive, and seems as if you would avoid expressing in plain terms, what I have too much cause to fear is your design, I mean, to renounce all obedience to the Lords Proprietors: and this I cannot but think you propose from all your words and actions. You say, you acknowledge me, because I am approved of by the King; but you take no notice of my commission from the Proprietors, which is what makes me Governor. The confirmation of the King, only signifies his majesty's approbation of the person the Lords Proprietors have constituted; but it is my commission and instruction from them, that not only grants, but limits my power, and contains the rules by which I must act, and are to warrant and vouch my actions; therefore, to avoid declaring in express terms your renouncing the Lords power, and at the same time doing it in effect, is to create perpetual doubts and disputes, and is not acting with that sincerity and plainness which ought to be used in all public debates, and especially in matters of so great concern as this is, and upon which so great consequences depend.

"I do require and demand of you, therefore, and expect you will answer me in plain and positive terms, whether you own the authority of the Lords Proprietors as Lords of this province, and having authority to administer or authorise others to administer the government thereof; saving the allegiance of them and the people to his most sacred majesty King George? Or, whether you absolutely renounce all obedience to them, and those commissioned and authorised by them? Or, whether you admit their general power, and only dispute that particular branch of their authority, in constituting a council after the manner they have now done? If you deny their general power and authority in this province, and say, that their Lordships have forfeited their charter, as Mr. Berrisford asserted, and you all acquiesced in; then I demand of you, that you signify wherein the

Lords have forfeited their charter, and what particular branch thereof they have broken: and I demand of you, that supposing (not granting) they have made a forfeiture of their charter, by what power do you presume to renounce their authority, and to model a government out of your own heads, before such time as that, by a court having lawful jurisdiction of the same, it shall be adjudged that the Lords have made a forfeiture of their charter, and that the powers granted them are null and void? If the King is of opinion, that any corporation or society have made a forfeiture of the rights and powers granted by their charter, although his majesty may have the advice of his Attorney and Solicitor-general, and his Judges and Council learned in the law, that such a forfeiture has been made, (and this he may more reasonably depend on than any advice or assurance you can have); yet, notwithstanding this, and his supreme authority as King, he never dispossessed the persons of the powers granted them, before a _quo warranto_ or some other process had been brought, and judgment obtained against the same. And if the King doth not assume such a power, by what authority do you assume it?

"I desire you further to consider the consequence that attends that assertion, Of the charter being forfeited, before judgment is given upon the same. For if it be so, then the forfeiture must be from the time that the fact was committed that caused the forfeiture; and then you must remember, that, by the charter, the Lords have granted to them, not only the power of ordering the government, but also the lands are granted to them by the said charter; so that if there is a forfeiture of the rights and prerogatives of the government, there is also a forfeiture of their rights to the lands; and so all grants made by their authority of any lands, since the fact committed that caused the forfeiture, according to your own doctrine and assertion, must be null and void; and therefore, how many persons titles to their lands will become void, I leave you to consider. And though, it may be, you will assign some new late fact, that you say will cause such a forfeiture, by which you may think to avoid the ill consequence that attends the titles to the lands; yet know, that the facts that you assign may not be the only ones that may be thought to have made the forfeiture of their charter. And if your present assertion is true, that they may be dispossessed before a judgment; it may be, other persons may assign other causes of the forfeiture, besides those which you assign, which may have been committed many years ago: for you cannot but know there have been persons in the province, that, for several years past, have publicly asserted, that the Lords have done facts, for which their charter was become forfeited. Which if so, I leave you to consider what a gate you will leave open to call in question, nay, utterly destroy, several hundreds of peoples titles to their lands. And though you have most unjustly and untruly suggested to the people, to create a prejudice in them to the Lords Proprietors, that their Lordships designed to dispute their titles to their lands; yet, by this assertion and practice, you are the persons that will not only call in question, but effectually destroy their titles.

"And if you persist in disowning the council as now authorised, then I desire you further to consider, in what capacity I can act with you, and to what purpose you pretend to sit and transact the public business of the province. You know very well I am not able to join with you in

passing any law without the consent of my council; and surely you cannot pretend to pass laws without me: and what an absolute occasion there is now to pass some laws, that the province may be put in a posture of defence, and the contingent charges thereof defrayed, I leave you seriously to consider, and hope you will not lose the whole province to the enemy, for your own humours.

"But I am further to tell you, that, in case you continue to deny the authority of the council, you cannot properly style yourselves the representatives of the people; for you know very well you were chosen members of assembly, pursuant to and by virtue of the writs signed by myself and council; for it is not the peoples voting for you that makes you become their representatives; the liege people of this, or any other province, have no power to convene and chuse their representatives, without being authorised so to do by some writ or order coming from authority lawfully empowered. And if you pretend that the writs signed by me, as Governor, were sufficient: to that I answer, that I do not pretend to any such authority, but jointly, and with the consent of my council, it being the express words of my commission; nor did I sign the writs in any other capacity than in conjunction with my council, who also signed the same. But if my signing the writs were sufficient authority for the people to chuse you, then you must allow, that as the power lies solely in me to call you, it lies also solely in me to dissolve you; and therefore, if by your actions you will force me to make use of that power, I do hereby publicly protest and declare, you only must be answerable for the ill consequences that may attend such a dissolution, and for the loss of the lives and estates of the King's subjects in this province, by any attack that may be made upon them by our public enemies the Spaniards, or from the Indians, by reason of the province's not being put into such a posture of defence as it ought, and would, if you proceeded to transact the public business under a lawful authority; and this I would have you seriously to consider of.

"Notwithstanding stories that have been industriously spread to prepossess the people, that you are the only persons who stand up for their rights and privileges; by which, it may be, you have so far engaged them in your favour, that you may have their assistance to enable you to commit any act of force or violence upon the government, and the authority of the Lords Proprietors; yet know, and be assured, that the matters in dispute are of that consequence, that they must and will be decided by an authority in England, having lawful jurisdiction of the same; and that there it must be law and right that must justify your claims, and not the consent and approbation of the people of Carolina, who will have no weight there, but the right and merit of the cause.

"I must farther mention to you, that it is notoriously known, you have promoted two forms of associations, and have persuaded the people to sign them. How far you can be justified at home, behoves you to consider: but as I am satisfied no matter of such public concern ought to be carried on without my knowledge, so I do hereby require and demand of you, an attested copy of both associations; and though it may not concern me to have the names of every individual person that has signed them, yet I do insist upon it that you do acquaint me which of your own members have

signed both, or either of them, as also the names of such persons who have commissions, or hold any places civil or military under their Lordships, or of such persons who practise the law in their Lordships courts, and have signed them.

"To what is here demanded of you I do require your plain and positive answer in express terms, and that you do in writing give me the same in a body, and under your hands."

[Sidenote] Their message in answer to it.

This long and elaborate speech, which was also given them in writing, they were not long considering of, but soon returned with the following message; and shewed him that they were neither to be shaken by persuasion, nor intimidated by threats, from their firm purpose. "We have already acquainted you, that we would not receive any message or paper from your honour, in conjunction with the gentlemen you are pleased to call your council; therefore we must now again repeat the same, and beg leave to tell you, that the paper your honour read and delivered to us, we take no notice of, nor shall we give any farther answer to it but in Great Britain."

Immediately after this they came with the following address to the Governor, publicly avowing their resolution to cast off all obedience to the proprietary government, and urging and intreating him to comply with their desire, and take upon him the government of the province in the name of the King. "It is with no small concern that we find ourselves obliged to address your honour, in a matter which nothing but the absolute necessity of self-preservation could at this juncture have prevailed on us to do. The reasons are already by us made known to your honour and the world, therefore we forbear to rehearse them; bur proceed to take leave to assure you, that it is the greatest satisfaction imaginable to us, to find throughout the whole country, that universal affection, deference and respect the inhabitants bear to your honour's person, and with what passionate desire they wish for a continuance of your gentle and good administration; and since we, who are instructed with, and are the assertors of their rights and liberties, are unanimously of opinion, that no person is fitter to govern so loyal and obedient a people to his sacred majesty King George, so we most earnestly desire and intreat your honour, to take upon you the government of this province, in his majesty's name, till his pleasure shall be known; by which means, we are convinced, that this (at present) unfortunate colony may flourish, as well as those who feel the happy influence of his majesty's immediate care.

"As the well-being and preservation of this province depends greatly on your honour's complying with our requests, so we flatter ourselves, that you, who have expressed so tender a regard for it on all occasions, and particularly in hazarding your own person in an expedition against the pirates, for its defence, an example seldom found in governors; so we hope, Sir, that you will exert yourself at this juncture for its support; and we promise your honour, on our parts, the most faithful assistance of persons duly sensible of your honour's great goodness, and big with the

hopes and expectation of his majesty's countenance and protection. And we farther beg leave to assure your honour, that we will, in the most dutiful manner, address his most sacred majesty King George, for the continuance of your government over us, under whom we doubt not to be a happy people."

[Sidenote] The Governor's answer.

To this flattering address the Governor returned the following answer; such as became his honour and trust. "I am obliged to you for your good opinion of me; but I hold my commission from the true and absolute Lords and Proprietors of this province [1], who recommended me to his majesty, and I have his approbation; it is by that commission and power I act, and I know of no power or authority can dispossess me of the same, but those only who gave me those authorities. In subordination to them I shall always act, and to my utmost maintain their Lordships just power and prerogatives, without encroaching on the people's rights and privileges. I do not expect or desire any favour from you, only that of seriously taking into your consideration the approaching danger of a foreign enemy, and the steps you are taking to involve yourselves and this province in anarchy and confusion."

[1] This is the term the charter gives them.

[Sidenote] The assembly dissolved, and the proceedings of the people.

The representatives having now fully declared their intentions, and finding it impossible by all their art and address to win over the Governor to a compliance with their measures, and to accept of the government only from his having the King's approbation, began to treat him with indifference and neglect. He, on the other hand, perceiving that neither harsh nor gentle means could recal them to their duty and allegiance, and that they became the more outrageous and ungovernable by his endeavours to this purpose, issued a proclamation for dissolving the house, and retired to the country. The representatives ordered his proclamation to be torn from the marshal's hands, and proceeded next to avowed usurpation. They met upon their own authority, and in direct opposition to that of the Proprietors, and chose Colonel James Moore their Governor; who was a man of a bold and turbulent disposition, and excellently qualified for being a popular leader in perilous adventures. To Governor Johnson he was no friend, having been by him removed from his command of the militia, for warmly espousing the cause of the people: to the Proprietors he was an inveterate enemy. In every new enterprize he had been a volunteer, and in whatever he engaged he continued to his purpose steady and inflexible. A day was fixed by the Convention for proclaiming him, in name of the King, Governor of the province, and orders were issued for directing all officers civil and military to continue in their different places and employments, till they shall hear farther from them.

Governor Johnson, some time before this, had appointed a day for a general review of the provincial militia; and the Convention, that they might have the opportunity of the people being under arms, and ready to

forward their scheme, fixed on the same day for publicly proclaiming Moore. The Governor, however, having intelligence of their design, sent orders to Colonel Parris, the commander of the militia, to postpone the review to a future day. Parris, though a zealous friend to the revolution, in answer assured him his orders should be obeyed. Notwithstanding this assurance, on the day fixed, when Governor Johnson came to town, he found to his surprise the militia drawn up in the market square, colours flying at the forts, and on board all the ships in the harbour, and great preparations making for the proclamation. Exasperated at the insults offered to his person and authority, he could scarcely command his temper and restrain his resentment. Some he threatened to chastise for flying in the face of government, to which they had sworn allegiance and fidelity. With others he coolly reasoned, and endeavoured to recal them by representing the fatal consequences that would certainly attend such rash proceedings. But advancing to Parris, who had betrayed him, he asked him, how he durst appear in arms contrary to his orders? and commanded him, in the King's name, instantly to disperse his men. Colonel Parris insolently replied, he was obeying the orders of the Convention. The Governor in great rage walked up towards him; upon which Parris immediately commanded his men to present, and bid him at the peril of life advance no nearer. The Governor expected, during this struggle, that some friends would have stood by him, especially such as held offices of profit and trust under the Proprietors, or that the militia would have laid down their arms at his command: but he was disappointed; for all either stood silent, or kept firm to the standard of the Convention. However, to amuse him, and prevent his taking any rash step in the heat of passion, John Lloyd, one of their party, was sent, out of pretence of friendship, to walk and converse with the Governor. Vain indeed were the efforts of a single arm, in so general a defection. Even Trott and Rhett, in this extremity, forsook him, and kept at a distance, the silent and inactive spectators of their masters ruined authority.

[Sidenote] James Moore proclaimed Governor.

[Sidenote] The declaration of the Convention.

After this the members of Convention attended, and, escorted by the militia, publicly marched to the fort, and there declared James Moore governor of the province in name of the King, which was followed by the loudest acclamations of the populace. Upon their return, they next proceeded to the election of twelve counsellors, of whom Sir Hovenden Walker was made president. In this, however, it is remarkable, that they assumed a right and power to themselves which they had refused to the Proprietors, and made one of the principal articles of complaint against them. So that the revolutioners had now their Governor, Council and Convention, and all of their own free election. In consequence of which the delegates met, and, in the first place, resolved to publish their declaration, to the following effect: "Whereas the Proprietors of this province have of late assumed to themselves an arbitrary and illegal power, of repealing such laws as the General Assembly of this settlement have thought fit to make for the preservation and defence thereof, and acted in many other things contrary to the laws of England, and the charter to them and us, freemen, granted; whereby we are deprived of those measures we had taken for the defence of the settlement, being the

south-west frontier of his majesty's territories in America, and thereby left naked to the attacks of our inveterate enemies and next-door neighbors the Spaniards, from whom, through the divine Providence, we have had a miraculous deliverance, and daily expect to be invaded by them, according to the repeated advices we have from time to time received from several places: And whereas, pursuant to the instructions and authorities to us given, and trust in us reposed by the inhabitants of this settlement, and in execution of the resolutions by us made, we did in due form apply ourselves in a whole body, by an address, to the honourable Robert Johnson, appointed governor of this province by the Lords Proprietors, and desired him, in name of the inhabitants of this province, to take upon him the government of the same, and in behalf of his majesty the King of Great Britain, France, and Ireland, until his majesty's pleasure had been known, which the said Governor refusing to do, exclusive of the pretended power of the Lords Proprietors over the settlement, has put us under the necessity of applying to some other person, to take upon him, as Governor, the administration of all the affairs civil and military within the settlement, in the name and for the service of his most sacred majesty, as well as making treaties, alliances and leagues with any nation of Indians, until his majesty's pleasure herein be further known: And whereas James Moore, a person well affected to his present majesty, and also zealous for the interest of the settlement, now in a sinking condition, has been prevailed with, pursuant to such our application, to take upon him, in the King's name, and for the King's service and safety of the settlement, the above-mentioned charge and trust: We therefore, whose names are hereunto published, the representatives and delegates of his majesty's liege people and free-born subjects of the said settlement, now met in convention at Charlestown, in their names, and in behalf of his sacred Majesty George, by the grace of God King of Great Britain, France, and Ireland, in consideration of his former and many great services, having great confidence in his firm loyalty to our most gracious King George, as well as in his conduct, courage, and other great abilities; do hereby declare the said James Moore his majesty's Governor of this settlement, invested with all the powers and authorities belonging and appertaining to any of his majesty's governors in America, till his majesty's pleasure herein shall be further known. And we do hereby for ourselves, in the name and on the behalf of the inhabitants of the said settlement, as their representatives and delegates, promise and oblige ourselves most solemnly to obey, maintain, assist and support the said James Moore, in the administration of all affairs civil and military within this settlement, as well as in the execution of all his functions aforesaid, as Governor for his sacred majesty King George. And further, we do expect and command, that all officers both civil and military within the settlement, do pay him all duty and obedience as his majesty's Governor, as they shall answer to the contrary at their utmost peril. Given under our hand, at the Convention, this 21st day of December, 1719."

Governor Johnson, after this public and solemn declaration, perceiving his power totally overthrown, and the current too violent and strong for him to withstand, had little hopes of recalling them to the obedience of proprietary authority. Still, however, he flattered himself, that such men as had usurped the government in opposition to lawful authority would

not long remain in a state of union, harmony and peace among themselves. The first unpopular step of their Governor might create disturbance and disaffection; the first difference among the leading men might divide them into parties: he determined to wait for such occurrences, and to improve them towards recovering his power and command. In the mean time he called together the civil officers of the Proprietors, and ordered them to secure the public records, and shut up all offices against the revolutioners and their adherents.

[Sidenote] The Governor transmits an account of the whole proceedings to the Proprietors.

That the proprietors in England might have notice of what had happened though a proper channel, Governor Johnson drew up a slate of the whole proceedings, and transmitted it them. He told them that the colonists had long laboured under difficulties and hardships, by debts contracted in the Indian war, and in protecting their trade against pirates; that an unhappy difference had broke out between their Lordships and the people, about the privileges of their charter; that some of the richest of the inhabitants had persuaded the rest, that neither they themselves nor their posterity could ever be safe in their persons, or secure in their properties, without the protection of the crown: that they had therefore with one accord disclaimed and renounced all obedience to their Lordships, and put themselves under the care and government of the King; that he, though earnestly solicited by them, had refused to govern them in any other way, than as commissioned and appointed by the Lords proprietors; that the people for that reason had shaken off his authority and chosen another Governor for themselves in name and behalf of the Kind: In short, that the revolution was in no way occasioned by his imprudence or mal-administration, and therefore he hoped, whatever might be the issue, that their Lordships would use their interest to continue him in the government of the province. To the same purpose he wrote to the Lords Commissioners of trade and plantations, who were no friends to the proprietary governments in America, and waited for such a favourable season as now offered in Carolina to purchase every one of them for the crown.

[Sidenote] The Revolutioners appoint new officers, and establish their authority.

In the mean time the members of the popular legislature were going on, and with all their diligence and skill regulating public affairs. The representatives of the people took a dislike to the name of a Convention, as different from that of the other regal governments in America, and therefore voted themselves an Assembly, and assumed the power of appointing all public officers. In place of Nicholas Trott, they made Richard Allein Chief Justice. Another person was appointed Provincial Secretary, in the room of Charles Hart. But William Rhett and Francis Yonge, by becoming obsequious to the humours of the revolutioners, secured to themselves the same offices they held from the Proprietors. Colonel Barnwell was chosen agent for the province, and embarked for England, with instructions and orders to apply only to the King, to lay a slate of their public proceedings before him, praying him to take the

province under his immediate care and protection. A new duty-law and others for raising money to defray the various expences of government were passed. The fortifications at Charlestown they ordered to be immediately repaired, and William Rhett, whom every one esteemed a friend to the revolution, was nominated Inspector-general of the Repairs. To their new Governor they voted two thousand five hundred pounds, and to their Chief Justice eight hundred current money, as yearly salaries. To their agent in England one thousand pounds sterling was transmitted: and to defray those and the other expences of government, a law was passed for laying a tax on lands and negroes, to raise thirty thousand pounds Carolina-money, for the service of the current year. In short, this popular assembly imposed such burdens on their constituents, as under the proprietary government would have been deemed intolerable grievances.

In consequence of the tax-act, when they began to levy those heavy tales, Governor Johnson and some of his party refused to pay, giving for reason that the act was not made by lawful authority. On account of his particular circumstances, Mr. Johnson was exempted; but they resolved to compel every other person to submit to their jurisdiction, and yield implicit obedience to their laws. They forcibly seized the effects or negroes of such as refused, sold them at public auction, and applied the money for the payment of their taxes. Thus, in spite of all opposition, they established themselves in the full possession of government, both in their legislative and executive capacities.

[Sidenote] In vain the Governor attempts to disconcert them.

[Sidenote] Rhett refuses obedience to his orders.

Governor Johnson, though obliged to stand at a distance, carefully observed their progress, and was not a little mortified by their great success. He however still persisted in throwing every obstacle possible in their way: he wrote to William Rhett, who was not only the Proprietors Receiver-general, but also Comptroller of the customs, a letter to the following effect; informing him, That "as the people had found means to hinder all masters of ships from coming to him as the Governor clearances, and from clearing in the lawful secretary's offices, notwithstanding the laws of trade made such neglects the forfeiture of ship and cargo, and the naval officer, by his orders, did all he could to induce them to act according to law: and as he was sensible that the defection was so general, and his authority so depressed, that he had no power left to punish them for disobedience; he therefore could think of no other way to oblige them to their duty but by stopping their obtaining clearances from the custom-house officers, until they paid their duty to him as the lawful governor of the province. He therefore desired Mr. Rhett would consult his powers and instructions as Surveyor and Comptroller of the customs, and act in this affair as he should think agreeable to them, to the laws of trade, and to the service of his majesty, and of the Lords Proprietors." Indeed it must be acknowledged, had Rhett so far consulted the interest of the Proprietors, as to have commanded the officers of the customs to do their duty, according to the Governor's project, it would have given the revolutioners no small trouble. They would have had the mortification to see the masters of ships disowning their authority, and going only to that office where they

could obtain authentic and legal clearances. The fees due to the Governor and Secretary would also have gone in their usual channel, which otherwise were transferred to such persons as had no just right, nor even the smallest pretensions to them. But Rhett's enmity to the Governor, and his prospects of profit from the prevailing party, induced him to neglect the duties of his station. He had already joined, or at least seemed to join, the revolutioners, being determined to retain at all events his places of profit and emolument. The countenance and encouragement he had given the people, they considered as a justification of their measures; and though they had passed a vote, that no person who held an office under the Proprietors should be permitted to continue in it, yet, as they found Rhett so obsequious to their views, they thought proper to dispense with it for an acquisition of such importance. They not only allowed him to continue in his former offices, but also made him Lieutenant-General of the militia, and Overseer to the works in repairing the fortifications. So that, instead of giving assistance to Governor Johnson for supporting the interest and power of the proprietary government, he shamefully deserted him, betrayed his trust, and joined the revolutioners.

[Sidenote] And preserves the confidence of the Proprietors.

Rhett, nevertheless, to the astonishment of every one, still maintained his credit with the Proprietors, and had the art to persuade them he had done all out of zeal for the service of his majesty, and for the good of the province. He wrote them two letters, giving them an account of all that had happened, and assuring them he had accepted of a commission from Mr. Moore, in order the more effectually to promote their interest, by giving him an opportunity of conversing freely with the people, and persuading them to return to their duty and allegiance. He represented the inflexibility of Governor Johnson as one source of the discontent and defection of the people, and utterly inconsistent with good policy. He told them, that there are times when the minds of men will not bend to authority, when the rigid exertion of power defeats its end, and when lenity becomes a more efficacious remedy against disaffection to government than severity. The Proprietors believed him, and such was their confidence in his honour and fidelity, that they sent him a letter expressing their approbation of his conduct, in the following words: "We have received your letters, wherein you give us a melancholy account of the present confused government of our province, and of the great consternation of the inhabitants, from the dreadful apprehension they have of a foreign invasion. But since they have been so unfortunate as to bring themselves into so much confusion, we are not a little pleased that your zeal for the service of his majesty, and the safety of the province, has engaged you to take upon you the command of the forces; for as, by your command of the said forces, you formerly defended and saved the country from the insults of an invading enemy, so we doubt not but you will again use your utmost skill to free your same fellow-subjects from the imminent danger they at present labour under. And since you have taken upon you the same command, we earnestly intreat you, that, with the greatest application, you will continue your endeavours in that command for the safety and preservation of the province, until you shall hear farther from us: We wish you all

imaginable success, and bid you heartily farewell."

[Sidenote] Further attempts of the Governor to recal the people.

In the mean time Governor Johnson received certain advice, that the Spaniards had sailed from the Havanna with a fleet of fourteen ships, and a force consisting of twelve hundred men, against South Carolina and Providence Island, and it was uncertain which of the two they would first attack. At this time of imminent danger the Governor again attempted to recal the people to subjection and obedience, and sent the following letter to the Convention. "I flatter myself that the invasion which at present threatens the province, has awakened a thought in you of the necessity there is of the forces acting under lawful authority and commission. The inconveniences and confusion of not admitting it are so obvious, I need not mention them. I have hitherto borne the indignities put upon me, and the loss I sustain by being out of my government, with as much temper as the nature of the thing will admit of, till such time as his majesty's pleasure shall be known. But to have another man to assume my authority when danger threatens the province and action is expected, and to be deprived of the opportunity of serving the public in my station, as I am indispensibly bound to do upon such occasions, I being answerable to the King for any neglect regarding the welfare of the province, is what I cannot patiently endure. I am willing with my council to consult and advise with you for the good and safety of the country in this time of imminent danger, as a Convention of the people, as you first called yourselves; nor do I see, in this present juncture of affairs, any occasion for formality in our proceedings, or that I explain by whose authority I act in grants of commissions or other public orders. Mr. Moore's commission you have given him does not pretend to say that it is derived from the King. You have already confessed I am invested with some authority of which you approve, and that is enough. What I insist upon is, to be allowed to act as Governor, because I have been approved of by the King. I do not apprehend there is any necessity of doing any thing at present but what relates to military affairs; and I do believe people will be better satisfied, more ready to advance necessaries, to trust the public, and obey my commands, by virtue of the King's authority which I have, if left to their liberty, than the orders of any other person in the province; and in a short time we may expect his majesty's pleasure will be known. If my reasons have not the weight with you I expect they should, you ought at least to put it to the vote, that, if a majority should be against it, I may have that to justify myself to the King and the world, who ought to be satisfied that I have done all I can for serving the country, and discharging the duty of my station."

By this letter Governor Johnson thought to alarm and terrify the people, by representing the dangerous consequences of military operations under unlawful authority; but they remained firm to their purpose, and the Convention, without taking any notice of it, continued to do business with Mr. Moore as they had begun. Sir Hovenden Walker, the President of their Council, being disgusted at their proceedings, left them and retired to his plantation; but they chose Richard Allein in his stead, and proceeded to concert measures for the public defence. They pronounced the martial law, and ordered all the inhabitants of the province to

Charlestown for its defence. All the officers of the militia accepted their commissions from Mr. Moore, and engaged to stand by him against all foreign enemies. For two weeks the Provincial militia were kept under arms at Charlestown every day expecting the appearance of the Spanish fleet; which they were informed had sailed from the Havanna. Happily for them, to acquire possession of both sides of the Gulf of Florida, and secure the navigation through this stream, the Spaniards had resolved first to attack Providence, and then to proceed against Carolina: but by the conduct and courage of Captain Rogers, at that time Governor of the island, they met with a sharp repulse at Providence, and soon after they lost the greatest part of their fleet in a storm.

[Sidenote] The Governor's last attempt to recover his authority.

The Spanish expedition having thus proved abortive, the Flamborough man of war, commanded by Captain Hildesley, returned to her station at Charlestown from Providence island. About the same time his Majesty's ship Phoenix, commanded by Captain Pierce, arrived from a cruize. The commanders of these two men of war were carressed by both parties, but they publicly declared for Governor Johnson as the magistrate invested with legal authority. Charles Hart, secretary of the province, by orders from the Governor and Council, had secreted and secured the public records, so that the revolutioners could not obtain possession of them. The clergy refused to marry without a licence from Governor Johnson, as the only legal Ordinary of the province. These inconveniencies having begun to operate, rendered several of the people more cool in their affection for the popular government. At this juncture Governor Johnson, with the assistance of the captain and crews of the ships of war, made his last and boldest effort for subjecting the colonists to his authority. He brought up the ships of war in front of Charlestown, and threatened their capital with immediate destruction, if they any longer refused obedience to legal authority. But the people having both arms in their hands for defence, and forts in their possession to which they could retreat, bid defiance to his power, and shewed him plainly that they were neither to be won by flattery, nor terrified by threats, to submit their necks any more to the proprietary yoke; and therefore for the future Governor Johnson dropt all thoughts of making any more attempts for that purpose.

[Sidenote] Injurious suspicions with regard to the conduct of the Governor.

Nicholas Trott now observing the frame of the proprietary government totally unhinged, and a rival Judge planted in his room, resolved to return to England. But before he embarked he wrote to Governor Johnson, acquainting him with his resolution, and promising, if he would contribute towards defraying his expences, he would give the Proprietors each a favourable account of his conduct and services, as would ensure to him the continuance of his office. But the Governor being no stranger to the character of the Judge, and being convinced that both the revolt of the people, and subversion of government, were in a great measure to be ascribed his pernicious policy and secret correspondence with his friend the secretary to the Proprietors, disdainfully rejected his interest and

friendship. To which disrespect for the Judge, however, Mr. Johnson attributed many of the injurious suspicions the Proprietors entertained of his honour and fidelity, and that shameful neglect with which he was afterwards treated by them. They had wrote him no answer to his letters respecting the violent steps the people had taken, or ever informed him whether his conduct during those popular commotions had met with their approbation or disapprobation. Some of them even alledged that he was privy to the designs of the malecontents; and gave them too much countenance and indulgence. But every principle of honour, duty and interest forbade such a connivance, and the upright and respectable character he maintained, rendered such suspicions groundless and unmerited. That he should join with a disaffected multitude in schemes of opposition, to divest himself of his government, was a thing scarcely to be supposed. That he should first wink at the subversion of the proprietary government, and afterwards refuse to govern them for the King, when solicited so to do by the representatives and whole body of the people, was a thing very improbable. When he arrived in the province, he found the inhabitants discontented and unhappy; but little suspected then they had any views of renouncing their allegiance to the Proprietors; and the various arts the people used to conceal from him their designs, were proofs they had every thing to fear, and nothing to hope for from their Governor. The many attempts made to defeat their measures were also evidences of his fidelity to their Lordships, and firmness in support of their government. He indeed differed with Trott and Rhett, the two favourites of the Proprietors, and perhaps to this, among other causes, the neglect with which he was treated by their Lordships may be ascribed. For as they discovered on all occasions such a partial regard to these men, and placed such unlimited confidence in them, the person who differed from them, however fair and unblemished his character, however firmly attached to their interest, was not likely, in such circumstances of trouble and difficulty, to escape all injurious suspicions. We have blamed the Proprietors in many respects with regard to the management of their colony, and we cannot think them worthy of praise in withdrawing their countenance and friendship from a Governor, who manifested such zeal and resolution in support of their authority. Being equally subject to the laws of their country with the Carolinians over whom they ruled, their power was likely to be feeble, even when exercised in the most prudent and gentle manner; but more especially when executed with rigour. British subjects in general abhor oppression, even from a supreme, and it could scarcely be expected they would tamely submit to it, from a subordinate jurisdiction.

[Sidenote] Francis Nicolson appointed Governor by the regency.

In the mean time the agent for Carolina had procured a hearing from the Lords of the regency and council in England, the King being at that time in Hanover; who gave it as their opinion, that the Proprietors had forfeited their charter, and ordered the Attorney-general to take out a *_scire facias_* against it. In consequence of which, in September 1720, they appointed General Francis Nicolson provisional Governor of the province, with a commission from the King. Nicolson was a man possessed of all the honourable principles of a good soldier. He was generous, bold, and steady. He had been Governor of several different colonies, and

it was thought his knowledge and experience in provincial affairs would render him well qualified for the important trust. He knew his duty as commander and chief, and was afraid of neither dangers nor difficulties in the execution of it; a warm friend to the King, and deeply concerned for the prosperity of his country: scarcely could they have pitched upon a man more fit to govern the province in such a confused and miserable state.

[Sidenote] General reflections on the whole transactions.

Upon a review of those past transactions, and the various causes which concurred for bringing about this event, which I have narrated the more fully and circumstantially on account of the interesting nature and important consequences of the change, we may observe, that although the conduct of the Carolinians during this violent struggle cannot, strictly speaking, be deemed legal, equitable and just, yet necessity, which has no law, and self-preservation, the most powerful principle of action, both strongly plead in their vindication. When the Proprietors first applied to the King for a grant of this large territory, at that time occupied by heathens, it is said they were excited thereto by their zeal for the propagation of the Christian faith; yet it is now plain that they have either used no endeavours for that purpose, or they have been utterly ineffectual. The Society for the propagation of the Gospel have indeed employed and supported missionaries for the conversion of those heathens; yet it is a lamentable truth, that their best endeavours have been vastly inadequate to the extent of the work, and therefore their success has proved small and inconsiderable. The Proprietors by their charter were empowered to build churches and chapels within the bounds of their province for divine worship; yet they have left the burden of this work entirely to the inhabitants, who have received no encouragement nor assistance, except from the incorporated Society, towards its accomplishment. They were empowered by their charter to erect castles and forts for the protection and defence of the colony; but all those the people have also been obliged to raise at their own expence. By the charter his Majesty saved to himself, his heirs and successors, the sovereign dominion of the province, and the faith and allegiance of his subjects, the inhabitants of it, declaring them to be the liege people of the crown of England, yet the Proprietors have assumed to themselves a despotic authority in repealing and abrogating, by themselves alone, laws made by the Assembly, and ratified by their deputies in Carolina. They not only tyrannized over the poor colony, but also employed and protected officers ten times more tyrannical than themselves. When the whole legislature complained of Chief Justice Trott, they paid no regard to their complaints, and absolutely refused to circumscribe his jurisdiction, or remove him from the bench. In times of imminent danger, when the colony applied to them for assistance, they were either unable or unwilling to bear the expence of its protection. When the Assembly allotted the Indian lands obtained by conquest for the encouragement of settlers, to strengthen the Provincial frontiers, the Proprietors claimed the sole right of disposing of those lands, and frustrated their plans of public security. When the trade of the province was infested and ruined by pirates, they could neither obtain a force sufficient to extirpate them, nor a confirmation of their laws made for defraying the expense of

such expeditions as the colony fitted out against them. The current money of the province, stamped for answering its public exigences, was, at the request of the merchants of London, cried down and cancelled. In short the people saw no end of troubles and dangers. Sad exigence dictated the necessity of some remedy against their political evils. No remedy under heaven appeared to them so proper and effectual as that of throwing themselves under the immediate care and protection of the crown of Great Britain. For under the excellent constitution of England, where the supreme power was both able and willing to protect them against every enemy, they evidently perceived they could only live happy and secure; therefore, sick of the feeble proprietary government, the people, after many violent struggles and convulsions, by one bold and irregular effort entirely shook off the yoke, and a revolution, fruitful of happy consequences, took place, to their great relief and unspeakable satisfaction.

The Proprietors, after long trial and frequent amendments, now finding that fine-spun system, by which they flattered themselves with having avoided the inconveniencies and supplied the defects of the English form of government, useless and impracticable, were at length convinced, that it was a much easier thing to find fault with the constitution of Old England than to mend it. They now perceived that all forms of government must be made for men as they really are, and not for them as they ought to be, and that it was impossible for the wisest legislators upon earth to mould men into any form they pleased by laws and regulations. From the first settlement of this colony, one perpetual struggle has subsisted between the Proprietors and possessors of the province. A division somewhat similar to that of the court and country parties in England, early sprung up in the settlement, and kept it in continual ferment and agitation. The exertions of proprietary power and prerogative, the people considered as inconsistent with their rights and privileges; hence they became turbulent and seditious, and were seldom satisfied with their governors in their public capacity, however esteemed and beloved as private men. The hands of government were always weak, and the instructions and regulations received from England were, for the most part, ill adapted to the local circumstances of the people, and the first state of colonization. The palatines in England and Germany, whose jurisdiction and authority have been established by time, and whose governments have acquired firmness and stability, would probably have deemed this usurpation illegal and rebellious, and punished the authors and abettors of it. No doubt a firm yet moderate opposition to the measures of government in defence of the rights and liberties of the people, differs as much from usurpation, as a wholesome remedy to a disordered constitution differs from deadly poison. But the great distance, dangerous circumstances, and complicated hardships of the Carolinians; the negligence, bad policy and tyranny of the Proprietors; all concurred to render their usurpation not only excuseable, but absolutely necessary. The Revolution in England had exemplified and confirmed the doctrine of resistance, when the executive magistrate presumes to violate the fundamental laws, and subvert the constitution of the nation. The Proprietors had done acts, which the Lords in regency had declared amounted to a forfeiture of their charter, and had ordered a writ of *_scire facias_* to be taken out, for repealing their patent and

rendering the grant void and null. By which means all political connection between the Proprietors and people of Carolina was now entirely dissolved, and a new relation formed, the King having taken the province under his immediate care and protection, and made it a part of the British empire.

[Sidenote] Nicolson's arrival occasions uncommon joy.

About the beginning of the year 1721, Francis Nicolson arrived in Carolina, and having the sanction of the British government for his appointment, Mr. Johnson acquiesced in his authority, and made no more efforts in behalf of the Lords Proprietors. The people in general congratulated one another on the happy change, and received General Nicolson with the most uncommon and extravagant demonstrations of joy. The voice of murmur and discontent, together with the fears of danger and oppression, were now banished from the province. Happy under the royal care, they resolved to forget all former animosities and divisions, and bury all past offences in eternal oblivion. The only contention now remaining was, who should be the most faithful subjects of his majesty, and the most zealous in promoting the union, peace and prosperity of the settlement. From a confused and distracted state they now looked upon themselves as happily delivered, and anticipated in imagination all the blessings of freedom and security, followed by industry and plenty, approaching, and as it were ready to diffuse their happy influence over the country.

[Sidenote] The people recognize King George as their lawful sovereign.

Soon after his arrival, Governor Nicholson issued writs for the election of a new assembly, who now entered with great temper and cheerfulness on the regulation of provincial affairs. They chose James Moore, their late popular governor, speaker of the house, of whom the Governor declared his entire approbation. The first business they engaged in, was to make an act, declaring they recognized and acknowledged his sacred majesty King George to be the rightful Sovereign of Great Britain, France, and Ireland, and of all the dominions and provinces belonging to the empire, and in particular his undoubted right to the province of Carolina. All actions and suits at law commenced on account of the late administration of James Moore by particular persons, creating misunderstandings and animosities among the people, were declared void and null, till his majesty's pleasure touching such administration shall be known; but all judicial proceedings under the same administration were confirmed; which acts were at this time judged proper and necessary for establishing harmony and tranquillity among the inhabitants. The two parties formerly subsisting, the one composed of a few adherents to Governor Johnson, and the other of the followers of James Moore, Nicolson had the good fortune to unite, and, by the wisdom and equity of his administration, to render both equally happy and contented under the royal government and protection.

[Sidenote] The Governor regulates Indian affairs.

Before Governor Nicolson left England, a suspension of arms between Great Britain and Spain had been published, and by the treaty of peace which afterwards took place, it was stipulated and agreed, that all subjects and Indians living under their different jurisdictions should cease from acts of hostility. Orders were sent out to Don Antonio Navidez, governor of Florida, to forbear molesting the Carolineans; and the British governor had also instructions to cultivate the friendship and good-will of the Spanish subjects and Indians of Florida. In consequence of which, Governor Nicolson, who was no stranger to the manners of savages, resolved to apply himself with great zeal and spirit to the regulation of Indian affairs, and to enter into treaties of friendship and alliance with the different tribes around the settlement. As most of their troubles from Indians had been occasioned by Europeans taking possession of lands claimed by them, without their permission or consent; to prevent quarrels and mischief, the first object that demanded his attention was to fix the limits and extent of their territories, and then to forbid encroachments on their hunting grounds. With these views he sent a message to the Cherokees, (a powerful nation, computed at this time to consist of no less than six thousand bowmen), acquainting them, that he had presents to make them, and would meet them at the borders of their territories, to hold a general congress with them, in order to treat of mutual friendship and commerce. They rejoiced at a proposal which plainly implied they were a free and respectable people, and immediately the chiefs of thirty-seven different towns set out to meet him.

At this congress the Governor having made them several presents, and smoked the pipe of peace with them, marked the boundaries of the lands between them and the English settlers. He regulated all weights and measures, that justice might be done them in the way of traffic. He appointed an agent to superintend their affairs, and, to unite them under a common head, proposed to nominate one warrior as commander and chief of the whole nation, before whom all complaints were to be laid, and who was to acquaint the Governor with every injury done them. With the consent of all present Wrosetasatow was declared chief warrior of the Cherokee nation, with full power to punish all guilty of depredations and murders, and to obtain satisfaction for every injury done to Indians from the British settlers. After which the Indians returned to their towns, highly pleased with their generous brother and new ally. The Governor then proceeded to conclude another treaty of commerce and peace with the Creeks, who were also at that time a numerous and formidable nation. He likewise appointed an agent to reside among them, whose business was to regulate Indian affairs in a friendly and equitable manner, and fixed on Savanna river as the boundary of their hunting lands, beyond which no settlements were to extend. Such negotiations were in many respects useful and important; for when Europeans take possession of lands contrary to the inclination, and without the permission and consent of these free and independent nations who claimed them as their property, it would puzzle a wise man to vindicate their tenure on any principles of equity and justice.

[Sidenote] And promotes religious institutions.

Having now secured the province as well as possible against external

foes, Governor Nicolson turned his attention next to internal regulations, particularly to such as respected the religious instruction of the people. For though he was bred a soldier, and was profane, passionate and headstrong himself, yet he was not insensible of the great advantage of religion to society, and contributed not a little to its interest in Carolina, both by his public influence and private generosity. The number of inhabitants in each parish being considerably increased, it was found necessary to enlarge several churches for their accommodation. The inhabitants of St. Paul's parish, many of whom having had their houses burnt, and otherwise suffered heavy losses in the Yamasee war, were obliged to apply to the public for assistance in this laudable design. The parish of St. George was separated and taken out of that of St. Andrews by an act of assembly, and a new church was built at a small village called Dorchester, by public allowance and private contributions. The inhabitants in and about Georgetown, who had long lived without the benefit of public worship, insomuch that the appearance of religion among them had almost entirely vanished, claimed particular attention. To erect a church in this quarter the Governor proposed a private subscription, and set the example by largely contributing towards the public institution. He made application to the Society in England for propagating the Gospel, and they supplied the province with clergymen, giving each of them an yearly allowance over and above the provincial salary. As no public schools had yet been instituted for the instruction of youth in the principles of virtue and religion, the Governor urged also the usefulness and necessity of such provincial establishments. It was alledged, that the want of early instruction was one of the chief sources of impiety and immorality, and if they continued any longer to neglect the rising generation, piety and Christianity would insensibly decay, and they would soon have a race of white people in the country equally ignorant as the brown Indians. Animated by the example, and assisted by the generosity of their Governor, the colonials therefore in good earnest engaged in providing seminaries for the religious education of youth. Besides general contributions, several particular legacies were also left for this purpose. Mr. Whitmarsh left five hundred pounds to St. Paul's parish, for founding a free school in it. Mr. Ludlam, the Society's missionary at Goose-creek, bequeathed all his estate, which was computed to amount to two thousand pounds Carolina currency, for the same purpose. Richard Beresfords, by his will, bequeathed the annual profits of his estate to be paid to the vestry of St. Thomas parish in trust, until his son, then eight years of age, should arrive at the age of twenty-one years; directing them to apply one third of the yearly profits of this estate for the support of one or more schoolmasters, who should teach reading, accounts, mathematics, and other liberal learning; and the other two thirds for the support maintenance, and education of the poor of that parish. The vestry accordingly received from this estate six thousand five hundred pounds Carolina money, for promoting those pious and charitable purposes. The Society in England sent out teachers, money and books, and assisted greatly, by their zeal and bounty, towards the religious instruction of the people. So much must be said for the honour of Governor Nicolson, whose liberality was conspicuously displayed in behalf of those religious institutions, and whose example excited that spirit of emulation among the people for promoting them. In Charlestown, and in several other parishes in the country, public schools were built

and endowed during his government, and every friend to knowledge and virtue, every well-wisher to posterity, seemed to promise themselves the greatest advantages from such wise and public-spirited designs.

Though religion, rightly understood and generally practiced, is productive of the most salutary and beneficial consequences to society, yet nothing has a more pernicious influence than mistaken notions of it. Of all kinds of delusion, religious enthusiasm is the most deplorable, and has often been attended with the most melancholy and dismal effects. By abusing the best things, they may be made the innocent occasion of the worst. Many calamities have happened in the world, even on account of religion, yet the fatal consequences ought not to be charged to that divine institution which naturally breathes benevolence, gentleness and peace, but to the ignorance and corruption of human nature, which pervert and abuse it. Enthusiasts generally agree in two articles: they disclaim the power and authority of the civil magistrate, and mistake their own wild fancies, the fruits of a distempered brain, for the impulses of the Divine Spirit, both of which are big with the most fatal consequences to society. The desperate fanatic Venner, in the reign of Charles the second, was not more transported with religious phrenzy and madness, than an unfortunate family in Carolina at this time happened to be. For the credit of the province, it were to be wished that such an incident lay buried in eternal oblivion; but history claims the privilege of exhibiting examples of different kinds for public instruction. If good examples serve as a spur to stimulate men to virtue and religion, bad ones, on the contrary, may also serve, like beacons upon a rock, to warn men of danger and delusion.

[Sidenote] The enthusiasm of the family of Dutartre.

"The family of Dutartres consisting of four sons and four daughters, were descendents of French refugees, who came into Carolina after the revocation of the edict of Nantz. They lived in Orange-quarter and though in low circumstances, always maintained an honest character, and were esteemed by their neighbours persons of blameless and irreproachable lives. But at this time a strolling Moravian preacher happening to come to that quarter where they lived, insinuated himself into their family, and partly by conversation, and partly by the writings of Jacob Behman, which he put into their hands, filled their heads with wild and fantastic ideas. Unhappily for the poor family those strange notions gained ground on them, insomuch that in one year they began to withdraw themselves from the ordinances of public worship, and all conversation with the world around them, and strongly to imagine they were the only family upon earth who had the knowledge of the true God, and whom he vouchsafed to instruct, either by the immediate impulses of his Spirit, or by signs and tokens from heaven. At length it came to open visions and revelations. God raised up a prophet among them, like unto Moses, to whom he taught them to hearken. This prophet was Peter Rombert, who had married the eldest daughter of the family when a widow. To this man the Author and Governor of the world deigned to reveal, in the plainest manner, that the wickedness of man was again so great in the world, that as in the days of Noah he was determined to destroy all men from off the face of it, except one family whom he would save for raising up a godly seed upon earth.

This revelation Peter Rombert was sure of, and felt it as plain as the wind blowing on his body, and the rest of the family, with equal confidence and presumption, firmly believed it.

"A few days after this, God was pleased to reveal himself a second time to the prophet, saying, Put away the woman whom thou hast for thy wife, and when I have destroyed this wicked generation, I will raise up her first husband from the dead, and they shall be man and wife as before, and go thou and take to wife her youngest sister, who is a virgin, so shall the chosen family be restored entire, and the holy seed preserved pure and undefiled in it. At first the father, when he heard of this revelation, was staggered at so extraordinary a command from heaven; but the prophet assured him that God would give him a sign, which accordingly happened; upon which the old man took his youngest daughter by the hand, and gave her to the wise prophet immediately for his wife, who without further ceremony took the damsel and deflowered her. Thus for some time they continued in acts of incest and adultery, until that period which made the fatal discovery, and introduced the bloody scene of blind fanaticism and madness.

"Those deluded wretches were so far possessed with the false conceit of their own righteousness and holiness, and of the horrid wickedness of all others, that they refused obedience to the civil magistrate, and all laws and ordinances of men. Upon pretence that God commanded them to bear no arms, they not only refused to comply with the militia law, but also the law for repairing the high-ways. After long forbearance, Mr. Simmons, a worthy magistrate, and the officer of the militia in that quarter, found it necessary to issue his warrants for levying the penalty of the laws upon them. But by this time Judith Dutartre, the wife the prophet obtained by revelation, proving with child, another warrant was issued for bringing her before the Justice to be examined, and bound over to the general sessions, in consequence of a law of the province, framed for preventing bastardy. The constable having received his warrants, and being jealous of meeting with no good usage in the execution of his office, prevailed on two or three of his neighbours to go along with him. The family observing the constable coming, and being apprized of his errand, consulted their prophet, who soon told them that God commanded them to arm and defend themselves against persecution, and their substance against the robberies of ungodly men; assuring them at the same time that no weapon formed against them should prosper. Accordingly they did so, and laying hold of their arms, fired on the constable and his followers, and drove them out of their plantation. Such behaviour was not to be tolerated, and therefore Captain Simmons gathered a party of militia, and went to protect the constable in the execution of his office. When the deluded family saw the Justice and his party approaching, they shut themselves up in their house, and firing from it like furies, shot Captain Simmons dead on the spot, and wounded several of his party. The militia returned the fire, killed one woman within the house, and afterwards forcibly entering it, took the rest prisoners, six in number, and brought them to Charlestown.

[Sidenote] Their trial and condemnation.

"At the Court of general sessions, held in September 1724, three of them were brought to trial, found guilty and condemned. Alas! miserable creatures, what amazing infatuation possessed them! They pretended they had the Spirit of God leading them to all truth, they knew it and felt it: but this spirit, instead of influencing them to obedience, purity and peace, commanded them to commit rebellion, incest, and murder. What is still more astonishing, the principal persons among them, I mean the prophet, the father of the family, and Michel Boneau, never were convinced of their delusion, but persisted in it until their last breath. During their trial they appeared altogether unconcerned and secure, affirming that God was on their side, and therefore they feared not what man could do unto them. They freely told the incestuous story in open court in all its circumstances and aggravations, with a good countenance, and very readily confessed the facts respecting their rebellion and murder, with which they stood charged, but pled their authority from God in vindication of themselves, and insisted they had done nothing in either case but by his express command.

"As it is commonly the duty of clergymen to visit persons under sentence of death, both to convince them of their error and danger, and prepare them for death by bringing them to a penitent disposition; Alexander Garden, the episcopal minister of Charlestown, to whom we are indebted for this account, attended those condemned persons with great diligence and concern. What they had affirmed in the court of justice, they repeated and confessed to him in like manner in the prison. When he began to reason with them and to explain the heinous nature of their crimes, they treated him with disdain. Their motto was, Answer him not a word; who is he that should presume to teach them, who had the Spirit of God speaking inwardly to their souls. In all they had done, they said they had obeyed the voice of God, and were now about to suffer martyrdom for his religion. But God had assured them, that he would either work a deliverance for them, or raise them up from the dead on the third day. These things the three men continued confidently to believe, and notwithstanding all the means used to convince them of their mistake, persisted in the same belief until the moment they expired. At their execution they told the spectators with seeming triumph, they should soon see them again, for they were certain they should rise from the dead on the third day. With respect to the other three, the daughter Judith being with child, was not tried, and the two sons, David and John Dutartre, about eighteen and twenty years of age, having been also tried and condemned, continued sullen and reserved, in hopes of seeing those that were executed rise from the dead, but being disappointed, they became, or at least seemed to become, sensible of their error, and were both pardoned. Yet not long afterwards one of them relapsed into the same snare, and murdered an innocent person, without either provocation or previous quarrel, and for no other reason, as he confessed, but that God had commanded him so to do. Being a second time brought to trial, he was found guilty of murder and condemned. Mr. Garden attended him again under the second sentence, and acknowledged, with great appearance of success. No man could appear more deeply sensible of his error and delusion, or could die a more sincere and hearty penitent on account of his horrid crimes. With great attention he listened to Mr. Garden, while he explained to him the terms of pardon and salvation proposed in the

Gospel, and seemed to die in the humble hopes of mercy, through the all-sufficient merits of a Redeemer."

Thus ended that tragical scene of fanaticism, in which seven persons lost their lives, one was killed, two were murdered, and four executed for the murders. A signal and melancholy instance of the weakness and frailty of human nature, and to what giddy heights of extravagance and madness, an inflamed imagination will carry unfortunate mortals. It is hard for the wisdom of men to conceive a remedy for a distemper such as religious infatuation. Severity and persecution commonly add strength to the contagion, and render it more furious. Indulgence and lenity might perhaps prove more efficacious, as the swellings of phrenzy would in time subside, in proportion as they exceed the bounds of nature. Had they given this unhappy family time for cool thought and reflection, it is not improbable that those clouds of delusion which overspread their minds might have dispersed, and they might have returned to a sense of their frailty and error. But it belongs to the civil power to prohibit wild enthusiasts and mad visionaries from spreading doctrines among vulgar people, destructive of civil order and public peace. The majority of mankind every where are ignorant and credulous, and therefore are objects of compassion, and ought to be protected against the baleful influence of such men as seduce them from their duty and subjection to legal authority, by poisoning their minds with notions hurtful to themselves and others.

[Sidenote] Progress of the colony.

About this time the number of white inhabitants, including men, women, and children, was computed to amount to fourteen thousand, an increase, in the space of fifty-four years after the arrival of first colony, very small and inconsiderable, and occasioned, no doubt, both by the unhealthiness of the climate and by the discouragements and troubles which prevailed during the proprietary government. The province now furnished the inhabitants with provisions in abundance, and exported what it could spare to the West Indies. The white inhabitants lived frugally, as luxury had not yet crept in among them, and, except a little rum and sugar, tea and coffee, were contented with what their plantations afforded. Maize and Indian pease seemed congenial with the soil and climate: and as they had been cultivated by the savages for provision, they were found also to be excellent food for European labourers, and more wholesome and nourishing than rice. Maize delights not to grow on a watry soil, but on dry and loose land, such as the higher spots on the maritime parts of the province. As the use of the plow could not be introduced until the lands were cleared of the roots of trees, to prepare a field for planting it great labour was requisite. They commonly made ridges with the hoe about five feet asunder, upon the top of which they planted the seed three inches deep. One gallon of maize will sow an acre, which, with skilful management on good lands, will yield in favourable seasons from thirty to fifty bushels. While it grows it requires to be frequently weeded, and the earth carefully thrown up about the root of the plant, to facilitate its progress. As it rises high, at the root of it the Indian pease are usually planted, which climb up its stalk like a vine, so that the lands yield a double crop. From the stem of maize large

blades spring, which the planters carefully gather, and which, when properly cured, the horses or cattle will prefer before the finest hay. These two articles, maize, Indian pease, together with the Spanish potatoes, are the chief subsistence of their slaves, consisting chiefly of negroes and a few Indians, and who, at this time, men, women, and children, amounted to between sixteen and twenty thousand.

In the year 1724, four hundred and thirty-nine slaves, as also British goods and manufactures of different kinds, to the amount of between fifty and sixty thousand pounds sterling, were imported into the province. In exchange for these slaves and commodities, eighteen thousand barrels of rice, and about fifty-two thousand barrels of pitch, tar and turpentine, together with deer-skins, furs, and raw silk, were exported to England. This trade was carried on almost entirely in British ships, and employed a number of hands. The Carolinians also traded to the West Indies, and several small ships and sloops were employed in carrying provisions, lumber, slaves and naval stores to these islands, which they bartered for sugar, rum, molasses, coffee, cotton, and Spanish gold and silver. To New England, New York, and Pennsylvania, they sent some rice, hides, deer-skins, tar and pitch, which they exchanged for flour, salt fish, fruit, beer, and cyder.

All gold and silver that came into the province from the West Indies they commonly sent into Britain, to answer the demands against them; and bills of credit continued increasing and circulating, for the convenience of domestic commerce. Forty thousand pounds were issued during Nicolson's government, over and above former emissions, by which increase the exchange with Britain, and the price of produce arose in one year from five to six hundred _per cent_. This has never failed to be the consequence of issuing large quantities of paper money in Carolina: for whenever this currency was permitted to increase beyond what was necessary for the purposes of commerce, it sunk in value, and proportionably increased the nominal price of provisions and labour; and of course should it by any accident be diminished, the price would again fall. Besides this, when the imports happened to exceed the exports, the great demand for bills of exchange raised the price of them, and helped to increase the depreciation of the current money of the province.

[Sidenote] The adventure of Captain Beale.

Among other traders, at this time Othneal Beale commanded a ship in the Carolina trade; and while sailing from Charlestown to London, not being provided with a Mediterranean pass, he was taken by an Algerine rover, who determined to carry him to Barbary, and for this purpose took the English sailors on board, and manned Captain Beale's ship with Algerines, giving them orders to follow him to the Mediterranean sea. Soon after, a storm arising in the night separated the two ships, and Captain Beale being the only person on board that understood navigation, resolved to avail himself of the advantage, and accordingly, instead of sailing for Africa, steered directly for England. Upon his arrival the Algerine sailors were surprized, but not at all displeas'd; they even confessed to their ambassador the kind usage they had received; upon which Captain Beale had all he lost returned by agreement, together with thanks for his

humanity. This bold adventure likewise procured the captain the honour of an introduction to the King, who expressed a desire of seeing him, and ordered Lord Carteret, then Secretary of state, to make him a handsome present on the occasion. This memorable anecdote being published, served to mark him for a man of address and courage in Carolina, where he afterwards took up his residence, and in time arrived at the chief command of the militia, was made a member of his majesty's council, and died at the age of eighty-five, a rare instance of longevity in that country.

[Sidenote] Arthur Middleton president.

In the year 1725, Governor Nicolson having obtained leave from his majesty, returned to Great Britain, and the government devolved on Arthur Middleton, president of the council. Mr. Middleton, though of a reserved and mercenary disposition, was a sensible man, and by no means ill qualified for governing the province. But having succeeded a man who liberally spent all his salary and perquisites of office in promoting the public good, he was neither so much distinguished nor respected among the colonists. Being possessed of a moderate fortune, his chief study was to improve it, and he seemed to aspire after the character of a rich man in private life, rather than that of a popular governor and generous benefactor. As he had taken an active part against the proprietary government, he was not insensible of the advantages now gained from the countenance given them by the crown, and was equally careful to promote loyalty to the King as the freedom and safety of his fellow-subjects.

[Sidenote] A dispute about the boundaries between Carolina and Florida.

At this time the boundaries between the provinces of Carolina and Florida were neither clearly marked nor well understood, as they had never been settled by any public agreement or treaty between England and Spain. To prevent negroes escaping to the Spanish territories, and overawe the Indians under the Spanish jurisdiction, the Carolinians had built a fort on the forks of the river Alatamaha, and supported a small garrison in it. This gave umbrage to the governor of Augustine, who complained of it to the court of Madrid, representing it as an encroachment on the dominions of Spain, and intended to seduce the Indians from their allegiance to his Catholic Majesty. The Spanish ambassador at London lodged the complaint before the court of Britain, and demanded that orders be sent out to Carolina immediately to demolish the fort. To prevent any interruption of the good correspondence then subsisting between the two courts, it was agreed to send orders to both governors in America to meet in an amicable manner, and settle the respective boundaries between the British and Spanish dominions in that quarter. Accordingly soon after Don Francisco Menendez, and Don Joseph de Rabiero, came to Charlestown, to hold a conference with the president and council of Carolina about this matter. At their meeting, Mr. Middleton shewed those deputies, that this fort was built within the bounds of the charter granted to the Proprietors, and that the pretensions of Spain to such lands were vain and groundless. At the same time he told them, that the fort on the river Alatamaha was erected for defending themselves and

their property against the depredations of Indians living under the jurisdiction of Spain. Then he begged to know from them their reasons for protecting felons and debtors that fled from Carolina to them, and for encouraging negroes to leave their masters and take refuge at Augustine, while peace subsisted between the two crowns? The deputies replied, That the governor of Florida would deliver up all felons and debtors; but had express orders for twenty years past, to detain all slaves who should fly to Augustine for liberty and protection. Middleton declared he looked on such injurious orders as a breach of national honour and faith, especially as negroes were real property, such as houses and lands, in Carolina. The deputies answered, That the design of the King of Spain was not to injure private men, having ordered compensation to be made to the masters of such slaves in money; but that his humanity and religion enjoined him to issue such orders for the sake of converting slaves to the Christian faith. In short, the conference ended to the satisfaction of neither party, and matters remained as they were; but soon after, the English fort, built of wood, was burned to the ground, and the southern frontiers of Carolina were again left naked and defenceless.

[Sidenote] Colonel Palmer makes reprisals on the Spaniards.

As no final agreement, with respect to the limits of the two provinces had been concluded, the Indians in alliance with Spain continued to harass the British settlements: particularly the Yamassees, as usual, penetrating into Carolina in scalping parties, persisted in killing white men, and carrying off every negroe they could catch. Though the owners of slaves had been allowed from the Spanish government a compensation in money for their losses, yet few of them ever received it. At length Colonel Palmer resolved to make reprisals on those plunderers, since no adequate recompense could otherwise be obtained. For this purpose he gathered together a party of militia and friendly Indians, consisting in all of about three hundred men, and entered Florida, with a resolution of spreading desolation throughout the province. He carried his arms as far as the gates of Augustine, and compelled the inhabitants to take refuge in their castle. Scarce a house or hut in the colony escaped the flames. He destroyed their provisions in the fields, and drove off their cattle, hogs and horses. Some Indians he killed, and others he made prisoners. In short, he left the people of Florida little property, except what was protected by the guns of their fort, and by this expedition convinced the Spaniards of their weakness, and the bad policy of encouraging Indians to molest the subjects of Britain. He shewed them that the Carolinians could prevent the cultivation and settlement of their province whenever they pleased, and render the improvement of it impracticable, on any other than peaceable terms with their neighbours.

[Sidenote] Encroachment of the French in Louisiana.

But by this time the Spaniards were not the only neighbours that created trouble to the Carolinians. The French settled in Louisiana were also advancing nearer them, and using all their art and address for gaining the interest and affections of these savage nations. They erected a strong hold, called Fort Alabama, high up on Mobile river, which was excellently situated for opening and carrying on a correspondence with

the most powerful nations around the British settlement. The Carolinians had good reason to be on their guard against the influence of these intimidating and enterprising neighbours. The tribes of Upper Creeks, whose hunting lands extended to their fort, were soon won over by promises and largesses to an alliance with them. The Cherokees indeed lived at a greater distance from them, and yet by means of Creeks and other emissaries, whom they sent among them, they endeavoured also to bring them over to their interest. The river Mississippi being navigable a great way from its mouth, opened a communication with the Choctaws, Chikisaws, and other nations residing near it. So that the French had many excellent opportunities of seducing Indians from their alliance with Britain. The president of Carolina employed Captain Tobias Fitch among the Creeks, and Colonel George Chicken among the Cherokees, to keep these tribes steady and firm to the British interest. These agents, however, during the whole time Mr. Middleton presided over the colony, found no small difficulty in counteracting the influence of French policy, and preventing their union and alliance with these enemies. From this period the British and French settlers in America became competitors for power and influence over Indian nations, the one or the other of whom were always exposed to danger and trouble from them, in proportion to the success of their rivals. Now the Carolinians were farther from peace and safety than ever. The French supplied these savages with tomahawks, muskets, and ammunition, by which means they laid aside the bow and arrow, and became more dangerous and formidable enemies than they had been in any former period.

[Sidenote] A terrible hurricane.

During the summer of 1728, the weather in Carolina was observed to be uncommonly hot, by which the face of the earth was entirely parched, the pools of standing water dried up, and the beasts of the field were reduced to the greatest distress. After such a long and general drought the inhabitants having usually observed hurricanes and tornadoes to follow in autumn, they began accordingly to look out with superstitious dread for them, as that season of the year approached. Accordingly a dreadful hurricane happened in the end of August, and occasioned an inundation, which overflowed the town and the low lands, and did incredible damage to the fortifications, houses, wharfs, shipping, and cornfields. The streets of Charlestown were covered with boats, boards, staves, and the inhabitants were obliged to take refuge in the higher stories of their dwelling-houses. Twenty-three ships were driven ashore, most of which were either greatly damaged, or dashed to pieces. The Fox and Garland men of war, stationed there for the protection of trade, were the only ships that rode out the storm. This hurricane, though it levelled many thousand trees in the maritime parts, yet so thick was the forest, that it was scarcely perceived an hundred miles from the shore. But as such violent storms are probably occasioned by the rarefaction of the air, with excessive heat, they are seldom of long duration, for having restored the equipoise in the atmosphere, the wind commonly shifts, and the tempest ceases.

[Sidenote] And Yellow Fever.

The same year an infectious and pestilential distemper, commonly called the Yellow Fever, broke out in town, and swept off multitudes of the inhabitants, both white and black. As the town depended entirely on the country for fresh provisions, the planters would suffer no person to carry supplies to it, for fear of catching the infection, and bringing it to the country. The physicians knew not how to treat the uncommon disorder which was so suddenly caught, and proved so quickly fatal. The calamity was so general, that few could grant assistance to their distressed neighbours, however much needed and earnestly desired. So many funerals happening every day, while so many lay sick, white persons sufficient for burying the dead were scarcely to be found; and though they were often interred on the same day they died, so quick was the putrefaction, so offensive and infectious were the corpses, that even the nearest relations seemed averse from the necessary duty.

[Sidenote] The Province purchased for the crown.

After all, one memorable event distinguished this year, which was attended with many beneficial consequences to the province. An act of parliament passed in Britain for establishing an agreement with seven of the Proprietors for a surrender of their right and interest, not only in the government, but also in the soil and lands of the province, to the King. The purchase was made for seventeen thousand five hundred pounds sterling, to be paid before the end of September 1729, free of all deductions; after which payment, the province was to be vested in the crown of Great Britain. At the same time seven-eight parts of the arrears of quit-rents, due from the colonists to the Proprietors, amounting to somewhat more than nine thousand pounds sterling, were also purchased for the crown for five thousand; so that seven-eight parts of this vast territory cost no more than twenty-two thousand five hundred pounds. But, in this act of parliament there is a clause, reserving to John Lord Carteret the remaining eight share of the property and arrears of quit-rents, which continues to this day legally vested in that family, only all his share in the government he surrendered to the crown. The Proprietors who sold their shares at this time, were Henry Duke of Beaufort, William Lord Craven, James Bertie, Dodington Greville, Henry Bertie, Mary Danson, Elisabeth More, Sir John Colleton, John Cotton, and Joseph Blake, who before the surrender were possessed, either in their own right or in trust, of seven eight parts of the government and property of the province. This surrender was made to Edward Bertie, Samuel Horsey, Henry Smith, and Alexis Clayton, in trust for the crown. In consequence of the powers granted to his Majesty by this act of parliament, he claims the prerogative of appointing Governors to both South and North Carolina, and a council similar to the other regal governments in America.

THE END OF VOLUME FIRST.

The First SET Of The

FUNDAMENTAL CONSTITUTIONS

Of

SOUTH CAROLINA.

As Compiled By Mr. JOHN LOCKE.

Our Sovereign Lord The King having, out of his royal grace and bounty, granted unto us the province of CAROLINA, with all the royalties, properties, jurisdictions and privileges of a county palatine, as large and ample as the county palatine of Durham, with other great privileges; for the better settlement of the government of the said place, and establishing the interest of the Lords Proprietors with equality, and without confusion; and that the government of this province may be made most agreeable to the monarchy under which we live, and of which this province is a part; and that we may avoid erecting a numerous democracy: we the Lords and Proprietors of the province aforesaid, have agreed to this following form of government to be perpetually established amongst us, unto which we do oblige ourselves, our heirs and successors, in the most binding ways that can be devised.

I. The eldest of the Lords Proprietors shall be Palatine; and, upon the decease of the Palatine, the eldest of the seven surviving proprietors shall always succeed him.

II. There shall be seven other chief offices erected, viz. the admirals, chamberlains, chancellors, constables, chief justices, high stewards, and treasurers; which places shall be enjoyed by none but the Lords Proprietors, to be assigned at first by lot; and upon the vacancy of any one of the seven great offices by death, or otherwise, the eldest proprietor shall have his choice of the said place.

III. The whole province shall be divided into counties; each county shall consist of eight signiories, eight baronies, and four precincts; each precinct shall consist of six colonies.

IV. Each signiory, barony, and colony, shall consist of twelve thousand acres; the eight signiories being the share of the eight proprietors, and the eight baronies of the nobility; both which shares, being each of them one fifth part of the whole, are to be perpetually annexed, the one to the proprietors, the other to the hereditary nobility, leaving the colonies, being three fifths, amongst the people; that so in setting out, and planting the lands, the balance of the government may be preserved.

V. At any time before the year one thousand seven hundred and one, any of the Lords Proprietors shall have power to relinquish, alienate, and dispose, to any other person, his proprietorship, and all the signiories, powers, and interest, thereunto belonging, wholly and entirely together, and not otherwise. But, after the year one thousand seven hundred, those who are then Lords Proprietors shall not have power to alienate or make over their proprietorship, with the signiories and privileges thereunto belonging, or any part thereof, to any person whatsoever otherwise than as in Paragraph XVIII; but it shall all descend unto their heirs male,

and, for want of heirs male, it shall all descend on that Landgrave or Cassique of CAROLINA, who is descended of the next heirs female of the Proprietor; and, for want of such heirs, it shall descend on the next heir general; and, for want of such heirs, the remaining seven proprietors shall, upon the vacancy, chuse a Landgrave to succeed the deceased proprietor, who being chosen by the majority of the seven surviving proprietors, he and his heirs successively shall be proprietors, as fully to all intents and purposes as any of the rest.

VI. That the number of eight proprietors may be constantly kept; if, upon the vacancy of any proprietorship, the seven surviving proprietors shall not chuse a Landgrave to be a proprietor, before the second biennial parliament after the vacancy; then the next biennial parliament but one after such vacancy, shall have power to chuse any landgrave to be a proprietor.

VII. Whosoever after the year one thousand seven hundred, either by inheritance or choice, shall succeed any proprietor in his proprietorship, and signiories thereunto belonging shall be obliged to take the name and arms of that proprietor whom he succeeds; which from thenceforth shall be the name and arms of his family and their posterity.

VIII. Whatsoever Landgrave or Cassique shall any way come to be a proprietor, shall take the signiories annexed to the said proprietorship; but his former dignity, with the baronies annexed, shall devolve into the hands of the Lords Proprietors.

IX. There shall be just as many landgraves as there are counties, and twice as many cassiques, and no more. These shall be the hereditary nobility of the province, and by right of their dignity be members of parliament. Each landgrave shall have four baronies, and each cassique two baronies, hereditarily and unalterably annexed to, and settled upon, the said dignity.

X. The first landgraves and cassiques of the twelve first counties to be planted, shall be nominated thus; that is to say, of the twelve landgraves the Lords Proprietors shall each of them separately for himself nominate and chuse one; and the remaining four landgraves of the first twelve, shall be nominated and chosen by the Palatine's court. In like manner of the twenty-four first cassiques, each proprietor for himself shall nominate and chuse two, and the remaining eight shall be nominated and chosen by the Palatine's court; and when the twelve first counties shall be planted, the Lords Proprietors shall again in the same manner nominate and chuse twelve more landgraves, and twenty-four cassiques, for the twelve next counties to be planted; that is to say, two thirds of each number by the single nomination of each proprietor for himself, and the remaining one-third by the joint election of the Palatine's court, and so proceed in the same manner till the whole province of CAROLINA be set out and planted, according to the proportions in these FUNDAMENTAL CONSTITUTIONS.

XI. Any landgrave or cassique at any time before the year one thousand seven hundred and one shall have power to alienate, sell, or make over,

to any other person, his dignity, with the baronies thereunto belonging, all entirely together. But, after the year one thousand seven hundred, no landgrave or cassique shall have power to alienate, sell, make over, or let, the hereditary baronies of his dignity, or any part thereof, therwise than as in Paragraph XVIII; but they shall all entirely, with the dignity thereunto belonging, descend unto his heirs male; and, for want of heirs male, all entirely and undivided, to the next heir general; and, for want of such heirs, shall devolve into the hands of the Lords Proprietors.

XII. That the due number of landgraves and cassiques may be always kept up; if, upon the devolution of any land graveship or cassiqueship, the Palatine's court shall not settle the devolved dignity, with the baronies thereunto annexed, before the second biennial parliament after such devolution; the next biennial parliament but one after such devolution shall have power to make any one landgrave or cassique in the room of him, who, dying without heirs, his dignity and baronies devolved.

XIII. No one person shall have more than one dignity, with the signiories or baronies thereunto belonging. But whensoever it shall happen that any one, who is already proprietor, landgrave, or cassique, shall have any of these dignities descend to him by inheritance; it shall be at his choice to keep which of the dignities, with the land annexed, he shall like best; but shall leave the other, with the lands annexed, to be enjoyed by him, who, not being his heir apparent and certain successor to his present dignity, is next of blood.

XIV. Whosoever, by the right of inheritance, shall come to be landgrave or cassique, shall take the name and arms of his predecessor in that dignity, to be from thenceforth the name and arms of his family and their posterity.

XV. Since the dignity of proprietor, landgrave, or cassique, cannot be divided, and the signiories or baronies thereunto annexed must for ever all entirely descend with, and accompany that dignity; whensoever, for want of heirs male, it shall descend on the issue female, the eldest daughter and her heirs shall be preferred, and in the inheritance of those dignities, and the signiories or baronies annexed, there shall be no co-heirs.

XVI. In every signiory, barony and manor, the respective lord shall have power, in his own name, to hold court-leet there, for trying of all causes both civil and criminal; but where it shall concern any person being no inhabitant, vassal, or leet-man of the said signiory, barony, or manor, he, upon paying down of forty shillings to the Lords Proprietor's use, shall have an appeal from the signiory or barony-court to the county-court, and from the manor-court to the precinct-court.

XVII. Every manor shall consist of not less than three thousand acres, and not above twelve thousand aces, in one entire piece and colony; but any three thousand acres or more in one piece, and the possession of one man, shall not be a manor unless it be constituted a manor by the grant of the Palatine's court.

XVIII. The lords of signiories and baronies shall have power only of granting estates not exceeding three lives, or thirty-one years, in two thirds of the said signiories or baronies, and the remaining third shall be always demesne.

XIX. Any lord of a manor may alienate, sell, or dispose, to any other person and his heirs for ever, his manor, all entirely together, with all the privileges and leet-men thereunto belonging, so far forth as any colony lands; but no grant of any part thereof, either in fee, or for any longer term than three lives, or one and twenty years, shall be good against the next heir.

XX. No manor, for want of issue male, shall be divided amongst co-heirs; but the manor, if there be but one, shall all entirely descend to the eldest daughter and her heirs. If there be more manors than one, the eldest daughter first shall have her choice, the second next, and so on, beginning again at the eldest, till all the manors be taken up; that so the privileges which belong to manors being indivisible, the lands of the manors, to which they are annexed, may be kept entire, and the manor not lose those privileges, which, upon parceling out to several owners, must necessarily cease.

XXI. Every lord of a manor, within his manor, shall have all the powers, jurisdictions, and privileges, which a landgrave or cassique have in his baronies.

XXII. In every signiory, barony, and manor, all the leet-men shall be under the jurisdiction of the respective lords of the said signiory, barony, or manor without appeal from him. Nor shall any leet-man, or leet-woman, have liberty to go off from the land of their particular lord, and live any where else, without licence obtained from their said lord, under hand and seal.

XXIII. All the children of leet-men shall be leet-men, and so to all generations.

XXIV. No man shall be capable of having a court-leet, or leet-men, but a proprietor, landgrave, cassique, or lord of a manor.

XXV. Whoever shall voluntarily enter himself a leet-man, in the registry of the county-court, shall be a leet-man.

XXVI. Whoever is lord of leet-men, shall, upon the marriage of a leet-man or leet-woman of his, give them ten acres of land for their lives; they paying to him therefore not more than one eighth part of all the yearly produce and growth of the said ten acres.

XXVII. No landgrave or cassique shall be tried for any criminal cause in any but the chief justice's court, and that by a jury of his peers.

XXVIII. There shall be eight supreme courts. The first called the Palatine's court, consisting of the palatine and the other seven

proprietors. The other seven courts of the other seven great officers, shall consist each of them of a proprietor, and six counsellors added to him. Under each of these latter seven courts, shall be a college of twelve assistants. The twelve assistants of the several colleges shall be chosen, two out of the landgraves, cassiques, or eldest sons of proprietors, by the Palatine's court; two out of the landgraves, by the landgraves chamber; two out of the cassiques, by the cassique's chamber; four more of the twelve shall be chosen by the commons chamber, out of such as have been, or are, members of parliament, sheriffs, or justices of the county court, or the younger sons of proprietors, or eldest sons of landgraves or cassiques; the two other shall be chosen by the palatine's court, out of the same sort of persons, out of which the commons chamber is to chuse.

XXIX. Out of these colleges shall be chosen at first, by the Palatine's court, six counsellors, to be joined with each proprietor in his court; of which six, one shall be of those who were chosen in any of the colleges by the Palatine's court, out of the landgraves, cassiques, or eldest sons of proprietors; one out of those who were chosen by the landgraves chamber; and one out of those who were chosen by the cassiques chamber; two out of those who were chosen by the commons chamber; and one out of those who were chosen by the Palatine's court, out of the proprietors younger sons, or eldest sons of landgraves, cassiques, or commons, qualified as aforesaid.

XXX. When it shall happen that any counsellor dies, and thereby there is a vacancy, the grand council shall have power to remove any counsellor that is willing to be removed out of any of the proprietors courts to fill up the vacancy; provided they take a man of the same degree and choice the other was of, whose vacant place is to be filled up. But if no counsellor consent to be removed, or upon such remove, the last remaining vacant place, in any of the proprietor's courts, shall be filled up by the choice of the grand council, who shall have power to remove out of any of the colleges, any assistant, who is of the same degree and choice that counsellor was of, into whose vacant place he is to succeed. The grand council also shall have power to remove any assistant, that is willing, out of one college into another, provided he be of the same degree and choice. But the last remaining vacant place in any college, shall be filled up by the same choice, and out of the same degree of persons the assistant was of, who is dead or removed. No place shall be vacant in any proprietor's court above six months. No place shall be vacant in any college longer than the next session of parliament.

XXXI. No man, being a member of the grand council, or of any of the seven colleges, shall be turned out but for misdemeanour, of which the grand council shall be judge; and the vacancy of the person so put out shall be filled, not by the election of the grand council, but by those who first chose him, and out of the same degree he was of who is expelled. But it is not hereby to be understood, that the grand council hath any power to turn out any one of the Lords Proprietors or their deputies, the Lords Proprietors having in themselves an inherent original right.

XXXII. All elections in the parliament, in the several chambers of the

parliament, and in the grand council, shall be passed by balloting.

XXXIII. The Palatine's court shall consist of the Palatine and seven proprietors, wherein nothing shall be acted without the presence and consent of the Palatine or his deputy, and three others of the proprietors or their deputies. This court shall have power to call parliaments, to pardon all offences, to make elections of all officers in the proprietor's dispose, and to nominate and appoint Port Towns; and also shall have power by their order to the treasurer to dispose of all public treasure, excepting money granted by the parliament, and by them directed to some particular public use; and also shall have a negative upon all acts, orders, votes and judgments, of the grand council and the parliament, except only as in Paragraphs VI. and XII.; and shall have all the powers granted to the Lords Proprietors, by their patent from OUR SOVEREIGN LORD THE KING, except in such things as are limited by these FUNDAMENTAL CONSTITUTIONS.

XXXIV. The Palatine himself, when he in person shall be either in the army or in any of the proprietors courts, shall then have the power of general, or of that proprietor, in whose court he is then present; and the proprietor, in whose court the Palatine then presides, shall during his presence there be but as one of the council.

XXXV. The chancellor's court, consisting of one of the proprietors, and his six counsellors, who shall be called vice-chancellors, shall have the custody of the seal of the palatine, under which all charters of lands, or otherwise, commissions and grants of the Palatine's court, shall pass. And it shall not be lawful to put the seal of the palatinate to any writing, which is not signed by the Palatine or his deputy, and three other proprietors or their deputies. To this court also belong all state matters, dispatches, and treaties with the neighbour Indians. To this court also belong all invasions of the law, of liberty of conscience, and all disturbances of the public peace, upon pretence of religion, as also the licence of printing. The twelve assistants belonging to this court shall be called recorders.

XXXVI. Whatever passes under the seal of the palatinate, shall be registered in that proprietor's court, to which the matter therein contained belongs.

XXXVII. The chancellor or his deputy shall be always speaker in parliament, and president of the grand council, and, in his and his deputy's absence, one of his vice-chancellors.

XXXVIII. The chief justice's court, consisting of one of the proprietors and his six counsellors, who shall be called justices of the bench, shall judge all appeals in cases both civil and criminal, except all such cases as shall be under the jurisdiction and cognizance of any other of the proprietor's courts, which shall be tried in those courts respectively. The government and regulation of the registries of writings and contracts, shall belong to the jurisdiction of this court. The twelve assistants of this court shall be called masters.

XXXIX. The constable's court, consisting of one of the proprietors and his six counsellors, who shall be called marshals, shall order and determine of all military affairs by land, and all land-forces, arms, ammunition, artillery, garrisons, forts, &c. and whatever belongs unto war. His twelve assistants shall be called lieutenant-generals.

XL. In time of actual war, the constable, while he is in the army, shall be general of the army, and the six counsellors, or such of them as the Palatine's court shall for that time or service appoint, shall be the immediate great officers under him, and the lieutenant-generals next to them.

XLI. The admiral's court, consisting of one of the proprietors, and his six counsellors, called consuls, shall have the care and inspection over all ports, moles, and navigable rivers, so far as the tide flows, and also all the public shipping of CAROLINA, and stores thereunto belonging, and all maritime affairs. This court also shall have the power of the court of admiralty; and shall have power to constitute judges in port-towns, to try cases belonging to law-merchant, as shall be most convenient for trade. The twelve assistants, belonging to this court, shall be called proconsuls.

XLII. In time of actual war, the admiral, whilst he is at sea, shall command in chief, and his six counsellors, or such of them as the Palatine's court shall for that time and service appoint, shall be the immediate great officers under him, and the proconsuls next to them.

XLIII. The treasurer's court, consisting of a proprietor and his his counsellors, called under-treasurers, shall take care of all matters that concern the public revenue and treasury. The twelve assistants shall be called auditors.

XLIV. The high-steward's court, consisting of a proprietor and his six counsellors, called comptrollers, shall have the care of all foreign and domestic trade, manufactures, public buildings, work-houses, high-ways, passages by water above the flood of the tide, drains, sewers, and banks against inundations, bridges, post, carriers, fairs, markets, corruption or infection of the common air or water, and all things in order to the public commerce and health; also setting out and surveying of lands; and also setting out and appointing places for towns to be built on in the precincts, and the prescribing and determining the figure and bigness of the said towns, according to such models as the said court shall order; contrary or differing from which models it shall not be lawful for any one to build in any town. This court shall have power also to make any public building, or any new highway, or enlarge any old high-way, upon any man's land whatsoever; as also to make cuts, channels, banks, locks, and bridges, for making rivers navigable, or for draining fens, or any other public use. The damage the owner of such lands (on or through which any such public things shall be made) shall receive thereby, shall be valued, and satisfaction made by such ways as the grand council shall appoint. The twelve assistants, belonging to this court, shall be called surveyors.

XLV. The chamberlain's court, consisting of a proprietor and his six counsellors, called vice-chamberlains, shall have the care of all ceremonies, precedence, heraldry, reception of public messengers, pedigrees, the registry of all births, burials, and marriages, legitimation, and all cases concerning matrimony, or arising from it; and shall also have power to regulate all fashions, habits, badges, games and sports. To this court also it shall belong to convocate the grand council. The twelve assistants, belonging to this court, shall be called provosts.

XLVI. All causes belonging to, or under the jurisdiction of, any of the proprietors courts, shall in them respectively be tried, and ultimately determined, without any farther appeal.

XLVII. The proprietors courts shall have a power to mitigate all fines, and suspend all executions in criminal causes, either before or after sentence, in any of the other inferior courts respectively.

XLVIII. In all debates, hearings, or trials, in any of the proprietor's courts, the twelve assistants belonging to the said courts respectively, shall have liberty to be present, but shall not interpose, unless their opinions be required, nor have any vote at all; but their business shall be, by the direction of the respective courts, to prepare such business as shall be committed to them; as also to bear such offices, and dispatch such affairs, either where the court is kept or elsewhere as the court shall think fit.

XLIX. In all the proprietors courts, the proprietor, and any three of his counsellors, shall make a quorum; provided always, that, for the better dispatch of business, it shall be in the power of the Palatine's court, to direct what sort of causes shall be heard and determined by a quorum of any three.

L. The grand council shall consist of the Palatine and seven proprietors, and the forty-two counsellors of the several proprietors courts, who shall have power to determine any controversies that may arise between any of the proprietors courts, about their respective jurisdictions, or between the members of the same court, about their manner and methods of proceeding; to make peace and war, leagues, treaties, &c. with any of the neighbour Indians; to issue out their general orders to the constable's and admiral's courts, for the raising, disposing, or disbanding the forces, by land or by sea.

LI. The grand council shall prepare all matters to be proposed in parliament. Nor shall any matter whatsoever be proposed in parliament, but what hath first passed the grand council; which, after having been read three several days in the parliament, shall by majority of votes be passed or rejected.

LII. The grand council shall always be judges of all causes and appeals that concern the Palatine, or any of the Lords Proprietors, or any counsellor of any proprietor's court, in any cause, which otherwise should have been tried in the court in which the said counsellor is judge

himself.

LIII. The grand council, by their warrants to the treasurer's court, shall dispose of all the money given by the parliament and by them directed to any particular public use.

LIV. The quorum of the grand council shall be thirteen, whereof a proprietor or his deputy shall be always one.

LV. The grand council shall meet the first Tuesday in every month, and as much oftener as either they shall think fit, or they shall be convocated by the chamberlain's court.

LVI. The Palatine, or any of the Lords Proprietors, shall have power under hand and seal, to be registered in the grand council, to make a deputy, who shall have the same power to all intents and purposes as he himself who deposes him; except in confirming acts of parliament, as in Paragraph LXXVI, and except also in nominating and chusing landgraves and cassiques, as in Paragraph X. All such deputations shall cease and determine at the end of four years, and at any time shall be revocable at the pleasure of the deputator.

LVII. No deputy of any proprietor shall have any power whilst the deputator is in any part of CAROLINA, except the proprietor, whose deputy he is, be a minor.

LVIII. During the minority of any proprietor his guardian shall have power to constitute and appoint his deputy.

LIX. The eldest of the Lords Proprietors, who shall be personally in CAROLINA, shall of course be the Palatine's deputy, and if no proprietor be in CAROLINA, he shall chuse his deputy out of the heirs apparent of any of the proprietors, if any such be there; and if there be no heir apparent of any of the Lords Proprietors above one and twenty years old in CAROLINA, then he shall chuse for deputy any one of the landgraves of the grand council; and till he have by deputation under hand and seal chosen any one of the forementioned heirs apparent or landgraves to be his deputy, the eldest man of the landgraves, and, for want of a landgrave, the eldest man of the cassiques, who shall be personally in CAROLINA, shall of course be his deputy.

LX. Each proprietor's deputy shall be always one of his own six counsellors respectively; and in case any of the proprietors hath not, in his absence out of CAROLINA, a deputy, commissioned under his hand and seal, the eldest nobleman of his court shall of course be his deputy.

LXI. In every county there shall be a court, consisting of a sheriff, and four justices of the county, for every precinct one. The sheriff shall be an inhabitant of the county, and have at least five hundred acres of freehold within the said county; and the justices shall be inhabitants, and have each of them five hundred acres a-piece freehold within the precinct for which they serve respectively. These five shall be chosen and commissioned from time to time by the Palatine's court.

LXII. For any personal causes exceeding the value of two hundred pounds sterling, or in title of land, or in any criminal cause; either party, upon paying twenty pounds sterling to the Lords Proprietors use, shall have liberty of appeal from the county-court unto the respective proprietor's court.

LXIII. In every precinct there shall be a court consisting of a steward and four justices of the precinct, being inhabitants, and having three hundred acres of freehold within the said precinct, who shall judge all criminal causes; except for treason, murder, and any other offences punishable with death, and except all criminal causes of the nobility; and shall judge also all civil causes whatsoever; and in all personal actions not exceeding fifty pounds sterling, without appeal; but where the cause shall exceed that value, or concern a title of land, and in all criminal causes; there either party, upon paying five pounds sterling to the Lords Proprietors use, shall have liberty of appeal to the county-court.

LXIV. No cause shall be twice tried in any one court, upon any reason or pretence whatsoever.

LXV. For treason, murder, and all other offences punishable with death, there shall be a commission, twice a year at least, granted onto one or more members of the grand council or colleges, who shall come as itinerant judges to the several counties, and with the sheriff and four justices shall hold assizes to judge all such causes; but, upon paying of fifty pounds sterling to the Lords Proprietors use, there shall be liberty of appeal to the respective proprietor's court.

LXVI. The grand jury at the several assizes, shall, upon their oaths, and under their hands and seals, deliver in to the itinerant judges a presentment of such grievances, misdemeanors, exigences, or defects, which they think necessary for the public good of the county; which presentments shall, by the itinerant judges, at the end of their circuit, be delivered in to the grand council at their next sitting. And whatsoever therein concerns the execution of laws already made; the several proprietors courts, in the matters belonging to each of them respectively, shall take cognizance of it and give such order about it, as shall be effectual for the due execution of the laws. But whatever concerns the making of any new law, shall be referred to the several respective courts to which that matter belongs, and be by them prepared and brought to the grand council.

LXVII. For terms, there shall be quarterly such a certain number of days, not exceeding one and twenty at any one time, as the several respective courts shall appoint. The time for the beginning of the term, in the precinct-court, shall be the first Monday in January, April, July, and October; in the county-court, the first Monday in February, May, August, and November, and in the proprietors courts, the first Monday in March, June, September, and December.

LXVIII. In the precinct-court no man shall be a jury-man under fifty

acres of freehold. In the county-court, or at the assizes, no man shall be a grand jury-man under three hundred acres of freehold; and no man shall be a petty jury-man under two hundred acres of freehold. In the proprietors courts no man shall be a jury-man under five hundred acres of freehold.

LXIX. Every jury shall consist of twelve men; and it shall not be necessary they should all agree, but the verdict shall be according to the consent of the majority.

LXX. It shall be a base and vile thing to plead for money or reward; nor shall any one (except he be a near kinsman, not farther off than cousin-german to the party concerned) be permitted to plead another man's cause, till, before the judge in open court, he hath taken an oath, that he doth not plead for money or reward, nor hath nor will receive, nor directly nor indirectly bargained with the party, whose cause he is going to plead; for money or any other reward for pleading his cause.

LXXI. There shall be a parliament, consisting of the proprietors or their deputies, the landgraves and cassiques, and one freeholder out of every precinct, to be chosen by the freeholders of the said precinct respectively. They shall sit all together in one room, and have every member one vote.

LXXII. No man shall be chosen a member of parliament, who hath less than five hundred acres of freehold within the precinct for which he is chosen; nor shall any have a vote in chusing the said member that hath less than fifty acres of free-hold within the said precinct.

LXXIII. A new parliament shall be assembled the first Monday of the month of November every second year, and shall meet and sit in the town they last sat in, without any summons, unless by the Palatine's court they be summoned to meet at any other place. And if there shall be any occasion of a parliament in these intervals, it shall be in the power of the Palatine's court to assemble them in forty days notice, and at such time and place as the said court shall think fit; and the Palatine's court shall have power to dissolve the said parliament when they shall think fit.

LXXIV. At the opening of every parliament, the first thing that shall be done, shall be the reading of these FUNDAMENTAL CONSTITUTIONS, which the Palatine and proprietors, and the rest of the members then present shall subscribe. Nor shall any person whatsoever sit or vote in the parliament, till he hath that session subscribed these FUNDAMENTAL CONSTITUTIONS, in a book kept for that purpose by the clerk of the parliament.

LXXV. In order to the due election of members for the biennial parliament, it shall be lawful for the freeholders of the respective precincts to meet the first Tuesday in September every two years, in the same town or place that they last met in, to chuse parliament-men; and there chuse those members that are to sit the next November following, unless the steward of the precinct shall, by sufficient notice thirty days before, appoint some other place for their meeting, in order to the

election.

LXXVI. No act or order of parliament shall be of any force, unless it be ratified in open parliament during the same session, by the Palatine or his deputy, and three more of the Lords Proprietors or their deputies; and then not to continue longer in force but until the next biennial parliament, unless in the mean time it be ratified under the hands and seals of the Palatine himself, and three more of the Lords Proprietors themselves, and by their order published at the next biennial parliament.

LXXVII. Any proprietor or his deputy may enter his protestation against any act of the parliament, before the Palatine or his deputy's consent be given as aforesaid; if he shall conceive the said act to be contrary to this establishment, or any of these FUNDAMENTAL CONSTITUTIONS of the government. And in such case, after full and free debate, the several estates shall retire into four several chambers; the Palatine and proprietors into one; the landgraves into another; the cassiques into another; and those chosen by the precincts into a fourth: and if the major part of any of the four estates shall vote that the law is not agreeable to this establishment and these FUNDAMENTAL CONSTITUTIONS of the government, then it shall pass no farther, but be as if it had never been proposed.

LXXVIII. The quorum of the parliament shall be one half of those who are members, and capable of fitting in the house that present session of parliament. The quorum of each of the chambers of parliament shall be one half of the members of that chamber.

LXXIX. To avoid multiplicity of laws, which by degrees always change the right foundations of the original government, all acts of parliament whatsoever, in whatsoever form passed or enacted, shall, at the end of an hundred years after their enacting, respectively cease and determine of themselves, and without any repeal become null and void, as if no such acts of laws had ever been made.

LXXX. Since multiplicity of comments, as well as of laws, have great inconveniences, and serve only to obscure and perplex; all manner of comments and expositions on any part of these FUNDAMENTAL CONSTITUTIONS, or any part of the common or statute law of CAROLINA, are absolutely prohibited.

LXXXI. There shall be a registry in every precinct, wherein shall be enrolled all deeds, leases, judgments, mortgages, and other conveyances, which may concern any of the land within the said precinct; and all such conveyances not so entered or registered, shall not be of force against any person nor party to the said contract or conveyance.

LXXXII. No man shall be register of any precinct, who hath not at least three hundred acres of freehold within the said precinct.

LXXXIII. The freeholders of every precinct shall nominate three men; out of which three, the chief justice's court shall chuse and commission one to be register of the said precinct, whilst he shall well behave himself.

LXXXIV. There shall be a registry in every signiory, barony, and colony, wherein shall be recorded all the births, marriages and deaths, that shall happen within the respective signiories, baronies, and colonies.

LXXXV. No man shall be register of a colony, that hath not above fifty acres of freehold within the said colony.

LXXXVI. The time of every one's age, that is born in CAROLINA, shall be reckoned from the day that his birth is entered in the registry, and not before.

LXXXVII. No marriage shall be lawful, whatever contract and ceremony they have used, till both the parties mutually own it before the register of the place where they were married, and he register it, with the names of the father and mother of each party.

LXXXVIII. No man shall administer to the goods, or have right to them, or enter upon the estate of any person deceased, till his death be registered in the respective registry.

LXXXIX. He that doth not enter in the respective registry the birth or death of any person that is born or dies in his house or ground, shall pay to the said register one shilling per week for each such neglect, reckoning from the time of each birth or death respectively, to the time of registering it.

XC. In like manner the births, marriages, and deaths of the Lords Proprietors, Landgraves, and Cassiques, shall be registered in the chamberlain's court.

XCI. There shall be in every colony one constable to be chosen annually by the freeholders of the colony; his estate shall be above a hundred acres of freehold within the said colony, and such subordinate officers appointed for his assistance as the county-court shall find requisite, and shall be established by the said county-court. The election of the subordinate annual officers shall be also in the freeholders of the colony.

XCII. All towns incorporate shall be governed by a Mayor, twelve Aldermen, and twenty-four of the common-council. The said common-council shall be chosen by the present housholders of the said town; the aldermen shall be chosen out of the common-council; and the mayor out of the aldermen, by the Palatine's court.

XCIII. It being of great consequence to the plantation, that Port-Towns should be built and preserved; therefore, whosoever shall lade or unlade any commodity at any other place but a Port-Town, shall forfeit to the Lord's Proprietors for each run so laden or unladen, the sum of ten pounds sterling; except only such goods as the Palatine's court shall license to be laden or unladen elsewhere.

XCIV. The first port-town upon every river shall be in a colony, and be a

port-town for ever.

XCV. No man shall be permitted to be a freeman of CAROLINA, or to have any estate or habitation within it, that doth not acknowledge a GOD; and that God is publicly and solemnly to be worshipped.

XCVI. [As the country comes to be sufficiently planted and distributed into fit divisions, it shall belong to the parliament to take care for the building of churches, and the public maintenance of divines, to be employed in the exercise of religion, according to the church of England; which being the only true and orthodox, and the national religion of all the king's dominions, is so also of CAROLINA; and therefore it alone shall be allowed to receive public maintenance, by grant of parliament].^[2]

[2] This article was not drawn up by Mr. LOCKE; but inserted by some of the chief of the proprietors, against his judgment; as Mr. LOCKE himself informed one of his friends, to whom he presented a copy of these Constitutions.

XCVII. But since the natives of that place, who will be concerned in our plantation, are utterly strangers to Christianity, whose idolatry, ignorance, or mistake, gives us no right to expel, or use them ill; and those who remove from other parts to plant there, will unavoidably be of different opinions concerning matters of religion, the liberty whereof they will expect to have allowed them, and it will not be reasonable for us on this account to keep them out; that civil peace may be maintained amidst the diversity of opinions, and our agreement and compact with all men may be duly and faithfully observed; the violation whereof, upon what pretence soever, cannot be without great offence to almighty God, and great scandal to the true religion, which we profess; and also that Jews, Heathens, and other dissenters from the purity of Christian religion, may not be scared and kept at a distance from it, but, by having an opportunity of acquainting themselves with the truth and reasonableness of its doctrines, and the peaceableness and inoffensiveness of its professors, may by good usage and persuasion, and all those convincing methods of gentleness and meekness suitable to the rules and design of the gospel, be won over to embrace and unfeignedly receive the truth; therefore any seven or more persons agreeing in any religion, shall constitute a church or profession, to which they shall give some name, to distinguish it from others.

XCVIII. The terms of admittance and communion with any church or profession, shall be written in a book, and therein be subscribed by all the members of the said church or profession; which book shall be kept by the public register of the precinct where they reside.

XCIX. The time of every one's subscription and admittance shall be dated in the said book of religious record.

C. In the terms of communion of every church or profession, these following shall be three; without which no agreement or assembly of men, upon pretence of religion, shall be accounted a church or profession

within these rules:

1. "That there is a GOD.

2. "That GOD is publicly to be worshipped.

3. "That it is lawful and the duty of every man, being thereunto called by those that govern, to bear witness to truth; and that every church or profession shall, in their terms of communion, set down the external way whereby they witness a truth as in the presence of GOD, whether it be by laying hands on, or kissing the Bible, as in the church of England, or by holding up the hand, or any other sensible way."

CI. No person above seventeen years of age shall have any benefit or protection of the law, or be capable of any place of profit or honour, who is not a member of some church or profession, having his name recorded in some one, and but one religious record at once.

CII. No person of any other church or profession shall disturb or molest any religious assembly.

CIII. No person whatsoever shall speak any thing in their religious assembly irreverently or seditiously of the government, or governors, or state matters.

CIV. Any person subscribing the terms of communion in the record of the said church or profession, before the precinct register, and any five members of the said church or profession, shall be thereby made a member of the said church or profession.

CV. Any person striking out his own name out of any religious record, or his name being struck out by any officer thereunto authorised by each church or profession respectively, shall cease to be a member of that church or profession.

CVI. No man shall use any reproachful, reviling, or abusive language, against the religion of any church or profession; that being the certain way of disturbing the peace, and of hindering the conversion of any to the truth, by engaging them in quarrels and animosities, to the hatred of the professors and that profession, which otherwise they might be brought to assent to.

CVII. Since charity obliges us to wish well to the souls of all men, and religion ought to alter nothing in any man's civil estate or right, it shall be lawful for slaves, as well as others, to enter themselves, and be of what church or profession any of them shall think best, and therefore be as fully members as any freeman. But yet no slave shall hereby be exempted from that civil dominion his master hath over him, but be in all other things in the same state and condition he was in before.

CVIII. Assemblies, upon what pretence soever of religion, not observing and performing the abovesaid rules, shall not be esteemed as churches, but unlawful meetings, and be punished as other riots.

CIX. No person whatsoever shall disturb, molest, or persecute another for his speculative opinions in religion, or his way of worship.

CX. Every freeman of CAROLINA shall have absolute power and authority over his negro slaves, of what opinion or religion soever.

CXI. No cause, whether civil or criminal, of any freeman, shall be tried in any court of judicature, without a jury of his peers.

CXII. No person whatsoever shall hold or claim any land in CAROLINA by purchase or gift, or otherwise, from the natives, or any other whatsoever; but merely from and under the Lords Proprietors; upon pain of forfeiture of all his estate, moveable or immoveable, and perpetual banishment.

CXIII. Whosoever shall possess any freehold in CAROLINA, upon what title or grant soever, shall, at the farthest, from and after the year one thousand six hundred and eighty-nine, pay yearly unto the Lords Proprietors for each acre of land, English measure, as much fine silver as is at this present in one English penny, or the value thereof, to be as a chief rent and acknowledgment to the Lords Proprietors; their heirs and successors, for ever. And it shall be lawful for the Palatine's court, by their officers at any time, to take a new survey of any man's land, not to out him of any part of his possession, but that by such a survey the just number of acres he possesseth may be known, and the rent thereupon due may be paid by him.

CXIV. All wrecks, mines, minerals, quarries of gems, and precious stones, with pearl-fishing, whale-fishing, and one half of all ambergrease, by whomsoever found, shall wholly belong to the Lords Proprietors.

CXV. All revenues and profits belonging to the Lords Proprietors in common shall be divided into ten parts, whereof the Palatine shall have three and each proprietor one; but if the Palatine shall govern by a deputy, his deputy shall have one of those three tenths, and the Palatine the other two tenths.

CXVI. All inhabitants and freemen of CAROLINA above seventeen years of age, and under sixty, shall be bound to bear arms, and serve as soldiers whenever the grand council shall find it necessary.

CXVII. A true copy of three FUNDAMENTAL CONSTITUTIONS shall be kept in a great book by the register of every precinct, to be subscribed before the said register. Nor shall any person, of what condition or degree soever, above seventeen years old, have any estate or possession in CAROLINA, or protection or benefit of the law there, who hath not before a precinct register subscribed three FUNDAMENTAL CONSTITUTIONS in this form:

"I A. B. do promise to bear faith and true allegiance to our sovereign lord king CHARLES the Second, his heirs and successors; and will be true and faithful to the Palatine and Lords Proprietors of CAROLINA, their heirs and successors; and with my

utmost power will defend them, and maintain the government according to this establishment in these FUNDAMENTAL CONSTITUTIONS."

CXVIII. Whatsoever alien shall, in this form, before any precinct register, subscribe these fundamental constitutions, shall be thereby naturalized.

CXIX. In the same manner shall every person, at his admittance into any office, subscribe these FUNDAMENTAL CONSTITUTIONS.

CXX. These FUNDAMENTAL CONSTITUTIONS, in number a hundred and twenty, and every part thereof, shall be and remain the sacred and unalterable form and rule of government of CAROLINA for ever. Witness our hands and seals, the first day of March, 1669.

RULES of PRECEDENCY.

I. The Lords Proprietors; the eldest in age first, and so in order.

II. The eldest sons of the Lords Proprietors; the eldest in age first, and so in order.

III. The landgraves of the grand council; he that hath been longest of the grand council first, and so in order.

IV. The cassiques of the grand council; he that hath been longest of the grand council first, and so in order.

V. The seven commoners of the grand council that have been longest of the grand council; he that hath been longest of the grand council first, and so in order.

VI. The younger sons of proprietors; the eldest first, and so in order.

VII. The landgraves; the eldest in age first, and so in order.

VIII. The seven commoners, who, next to those before-mentioned, have been longest of the grand council; he that hath been longest of the grand council first, and so in order.

IX. The cassiques; the eldest in age first, and so in order.

X. The seven remaining commoners of the grand council; he that hath been longest of the grand council first, and so in order.

XI. The male line of the proprietors.

The rest shall be determined by the chamberlain's court.

*** END OF THE PROJECT GUTENBERG EBOOK, AN HISTORICAL ACCOUNT OF THE RISE AND PROGRESS OF THE COLONIES OF SOUTH CAROLINA AND GEORGIA, VOLUME 1 ***

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