

SKETCHES

OF

NORTH CAROLINA

CHAPTER I.

THE FIRST DECLARATION OF INDEPENDENCE IN THE UNITED STATES OF AMERICA, MAY 20TH, 1775.

THE little village of CHARLOTTE, the seat of justice for Mecklenburg county, North Carolina, was the theatre of one of the most memorable events in the political annals of the United States. Situated in the fertile champaign, between the Yadkin and Catawba rivers, far above tide-water, some two hundred miles from the ocean, and in advance of the mountains that run almost parallel to the Atlantic coast, on the route of that emigration which, before the Revolution, passed on southwardly, from Pennsylvania, through Virginia, to the unoccupied regions east of the Mountains, on what is now the upper stage route from Georgia, through South Carolina and North Carolina, to meet the railroad at Raleigh,—it was, and is, the centre of an enterprising population. It received its name from Princess Charlotte of Mecklenburg, whose native province also gave name to the county, the House of Hanover having been invited to the throne of England.

Here was located the first academy, or high school, in the upper part of the State; and here was made the first effort for a college in North Carolina, in the institution called QUEEN'S MUSEUM.

The traveller, in passing through this fertile, retired, and populous country, would now see nothing calculated to suggest the

fact, that he was on the ground of the boldest Declaration ever made in America; and that all around him were localities rich in associations of valor and suffering in the cause of National Independence, the sober recital of which borders on romance. Everything looks peaceful, secluded, and prosperous, as though the track of hostile armies had never defaced the soil. Were he told, this is the spot where lovers of personal and national liberty will come, in pilgrimage or imagination, to ponder events of the deepest interest to all mankind, he must feel, in the beauty and fertility of the surrounding region, that here was a chosen habitation for good men to live and act, and leave to their posterity the inestimable privileges of political and religious freedom, with abundance of all that may be desired to make life one continued thanksgiving.

Seventy years ago, on the 19th day of May, 1775, might have been seen assembled, in this frontier settlement, an immense concourse of people under great excitement; some few, well dressed, moving about with the dignity of Colonial Magistrates; a small number of officers of the militia; the great mass of the assembly clad in the homespun of their wives and sisters,—not a few shod with the moccasins of their own manufacture,—all completely wrapt in the exciting subjects of a revolutionary nature, then agitating the whole land. Continental Congress was then in session in Philadelphia, consulting for the welfare of the Colonies; provincial Legislatures had been dissolved, and the whole population of the United Provinces were in commotion, discussing the rights and privileges of persons, and States, and Kings. (Every man had become a politician, and from being a hunter was prepared to become a soldier.)

There was no printing press in the upper country of Carolina, and many a weary mile must be traversed to find one. Newspapers were few, and, no regular post traversing the country, were seldom seen. The people, anxious for news, were accustomed to assemble to hear printed handbills from abroad, or written ones drawn up by persons appointed for the purpose, particularly the Rev. Thomas Reese, of Mecklenburg, North Carolina, whose bones lie in the grave yard of the Stone Church, Pendleton, South Carolina. There had been frequent assemblies in Charlotte, to hear the news and join in the discussions of the exciting subjects of the day; and finally, to give more efficiency to their discussions, it was agreed upon, generally, that Thomas Polk, Colonel of the Militia, long a surveyor in the province, frequently

a member of the Colonial Assembly, well known and well acquainted in the surrounding counties, a man of great excellence and merited popularity, should be empowered to call a convention of the representatives of the people, whenever it should appear advisable. It was also agreed that these representatives should be chosen from the Militia districts, by the people themselves; and that when assembled for council and debate, their decisions should be binding on the inhabitants of Mecklenburg.

Having heard of the attempt of Governor Martin to prevent the assembling of a Provincial Congress, or Convention, in Newbern, in April; and of his arbitrary proceedings in dissolving the last provincial Legislature after a session of four days, before any important business had been transacted; and being afflicted with the news from distant colonies, and from across the ocean, the people were clamorous for action and for redress. The Provincial Congress of North Carolina had assembled in direct opposition to the proclamation of the Governor, and had approved of the acts and doings of their representatives in the Continental Congress, expressing their confidence in their wisdom and abilities, by re-appointing them to the arduous duties of Representatives in the Legislature of the United Colonies; and the people generally were more and more restless under the exercise of royal authority, and daily more irritated by the exactions of men who glutted their avarice under the color of law.

In this state of the public mind, Colonel Polk issued his notice for the committee men to assemble in Charlotte, on the 19th of May, 1775. On the appointed day between twenty and thirty representatives of the people met in the Court House, in the centre of the town, at the crossing of the great streets, and surrounded by an immense concourse, few of whom could enter the house, proceeded to organize for business, by choosing ABRAHAM ALEXANDER, a former member of the Legislature, a magistrate, and ruling elder in the Sugar Creek Congregation, in whose bounds they were assembled, as their chairman; and John Mc-Knitt Alexander, and Dr. Ephraim Brevard, men of business habits and great popularity, their clerks. Papers were read before the Convention and the people; the handbill, brought by express, containing the news of the battle of Lexington, Massachusetts, on that day one month, the 19th of April, came to hand that day, and was read to the assembly. The Rev. Hezekiah James Balch, Pastor of Poplar Tent, Dr. Ephraim Brevard, and William Kennon, Esq., addressed the Convention and the people

at large. Under the excitement produced by the wanton bloodshed at Lexington, and the addresses of these gentlemen, the assembly cried out as with one voice, "Let us be independent! Let us declare our independence, and defend it with our lives and fortunes!" The speakers said, his Majesty's proclamation had declared them out of the protection of the British Crown, and they ought, therefore, to declare themselves out of his protection, and independent of all his control.

A committee consisting of Dr. Ephraim Brevard, Mr. Kenyon, and Rev. Mr. Balch, were appointed to prepare resolutions suitable to the occasion. Some drawn up by Dr. Brevard, and read to his friends at a political meeting in Queen's Museum some days before, were read to the Convention, and then committed to these gentlemen for revision.

While the committee were out discussing these resolutions, the Convention continued in session and were addressed by several gentlemen. General Joseph Graham, then but a youth, and present at the deliberations, relates an interesting incident. A member of the committee, who had said but little before, addressed the chairman as follows: "If you resolve on Independence, how shall we all be absolved from the obligations of the oath we took to be true to King George the Third, about four years ago, after the *Regulation battle*, when we were sworn, whole militia companies together? I should be glad to know how gentlemen can clear their consciences after taking that oath?" The Speaker referred to the blood shed by Governor Tryon, on the 16th of May, 1771, on Alamance Creek, when he dispersed the Regulators, men driven to open resistance of His Majesty's officers, by their tyranny and exactions;—and to the numerous executions that followed in Hillsborough and the neighboring country;—and to the oath of allegiance forced on the people by the Governor, to save their lives and property, after that bloodshed. The question produced great confusion, and many attempted to reply; the chairman could with difficulty preserve order. This question did not imply fear, or want of patriotism; it simply revealed the spirit and tone of the man's conscience, that he was one of those men blessed of the Lord, "who sweareth to his own hurt, and changeth not." The excitement that followed evinced the fact that the Speaker had struck a chord that vibrated through the assembly. An answer must be given, or the event of that day's discussion would not be for independence. The haste to answer the question revealed the fact that the communi-

ty felt the awful and binding sanction of a solemn oath; and unless some answer was given, and given speedily, the minds of the auditory would be turned back from the proposed declaration, for very many were held by the oath exacted by Tryon. Some cried out that—"allegiance and protection were reciprocal; when protection was withdrawn, allegiance ceased; that the oath was binding only while the King protected us in our rights and liberties as they existed at the time it was taken." Others, of more passion than conscience, cried out that such questions and difficulties were all "*nonsense*." One man at last carried the assembly with him by a short illustration, pointing to a green tree near the Court House,—“If I am sworn to do a thing as long as the leaves continue on that tree, I am bound by that oath as long as the leaves continue. But when the leaves fall, I am released from that obligation.” The people determined that when protection ceased, allegiance ceased also. The Convention proceeded to enact by-laws and regulations by which it should be governed as a standing committee, and about midnight adjourned till noon the next day.

The excitement continued to increase through the night and the succeeding morning. At noon, May 20th, the Convention re-assembled with an undiminished concourse of citizens, amongst whom might be seen many wives and mothers, anxiously awaiting the event. The resolutions previously drawn up by Dr. Brevard, and now amended by the committee, together with the by-laws and regulations, were taken up; John McKnitt Alexander read the by-laws, and Dr. Brevard the resolutions. All was stillness. The Chairman of the Convention put the question:—“Are you all agreed?” The response was an universal “aye.”

After the business of the Convention was all arranged, it was moved and seconded that the proceedings should be read at the Court House door in hearing of the multitude. Proclamation was made, and from the Court House steps Colonel Thomas Polk read, to a listening and approving auditory, the following resolutions, viz.:—

THE MECKLENBURG DECLARATION.

“Resolved, 1st. That whosoever directly or indirectly abetted, or in any way, form, or manner, countenanced the unchartered and dangerous invasion of our rights, as claimed by Great Britain, is an enemy to this country, to America, and to the inherent and unalienable rights of man.

“Resolved, 2d. That we, the citizens of Mecklenburg county, do hereby dissolve the political bonds which have connected us with the mother country, and hereby absolve ourselves from all allegiance to the British crown, and abjure all political connection, contract, or association with that nation, who have wantonly trampled on our rights and liberties, and inhumanly shed the blood of American Patriots at Lexington.

“Resolved, 3d. That we do hereby declare ourselves a free and independent people; are, and of right ought to be, a sovereign and self-governing association, under the control of no power, other than that of our God, and the General Government of the Congress:—to the maintenance of which independence, we solemnly pledge to each other, our mutual co-operation, our lives, our fortunes, and our most sacred honor.

“Resolved, 4th. That as we acknowledge the existence and control of no law, nor legal office, civil or military, within this county; we do hereby ordain and adopt, as a rule of life, all, each, and every of our former laws; wherein, nevertheless, the crown of Great Britain never can be considered as holding rights, privileges, immunities, or authority therein.

“Resolved, 5th. That it is further decreed, that all, each, and every military officer in this county is hereby retained in his former command and authority, he acting conformably to these regulations. And that every member present of this delegation shall henceforth be a civil officer, viz.: a Justice of the Peace, in the character of a committee man, to issue process, hear and determine all matters of controversy, according to said adopted laws; and to preserve peace, union, and harmony in said county; and to use every exertion to spread the love of country and fire of freedom throughout America, until a general organized government be established in this province.”

A voice from the crowd called out for “three cheers,” and the whole company shouted three times, and threw their hats in the air. The Resolutions were read again and again during the day to different companies desirous of retaining in their memories sentiments so congenial to their feelings. There are still living some whose parents were in that assembly, and heard and read the resolutions; and from whose lips they heard the circumstances and sentiments of this remarkable declaration.

THE SECOND MECKLENBURG DECLARATION.

The Convention had frequent meetings, and on the 30th of May, 1775, issued the following paper, viz.:—

“CHARLOTTE, MECKLENBURG COUNTY,
May 30th, 1775.

“This day the committee of the county met and passed the following *Resolves*:—Whereas, by an Address presented to his Majesty by both houses of parliament, in February last, the American Colonies are declared to be in a state of actual rebellion, we conceive that all laws and commissions confirmed by, or derived from the authority of the king or parliament, are annulled and vacated, and the former civil constitution of these Colonies for the present wholly suspended. To provide, in some degree, for the exigencies of this county, in the present alarming period, we deem it necessary and proper to pass the following resolves, viz:—

“1st. That all commissions, civil and military, heretofore granted by the crown, to be exercised in these Colonies, are null and void, and the constitution of each particular Colony wholly suspended.

“2d. That the Provincial Congress of each province, under the direction of the Great Continental Congress, is invested with all legislative and executive powers, within their respective provinces, and that no other legislative power does, or can exist, at this time, in any of these Colonies.

“3d. As all former laws are now suspended in this province, and the Congress have not provided others, we judge it necessary for the better preservation of good order, to form certain rules and regulations for the internal government of this county, until laws shall be provided for us by the Congress.

“4th. That the inhabitants of this county do meet on a certain day appointed by this committee, and having formed themselves into nine companies, viz., eight in the county, and one in the town of Charlotte, do choose a Colonel and other military officers, who shall hold and exercise their several powers by virtue of this choice, and independent of the crown of Great Britain and the former constitution of this province.”

[Then follow eleven articles for the preservation of the peace, and the choice of officers to perform the duties of a regular government.]

“16th. That whatever person shall hereafter receive a commission from the crown, or attempt to exercise any such commission heretofore received, shall be deemed an enemy to his country; and upon information to the captain of the company in which he resides, the company shall cause him to be apprehended, and, upon proof of the fact, committed to safe custody, till the next sitting of the committee, who shall deal with him as prudence shall direct.”

A copy of the acts and doings of this convention was sent by express to the members of Congress from North Carolina, then in session in Philadelphia. Capt. James Jack, of Charlotte, was chosen as the bearer, and set out immediately on his mission. Passing through Salisbury, on the regular court day, he was persuaded by Mr. Kennon, a lawyer in attendance at court, also a member of the committee that reported the first declaration, to permit a reading of the papers publicly. The citizens of Rowan, generally, approved of the course taken by their fellow-citizens of Mecklenburg. Two individuals, John Dunn and Benjamin Booth Boote, opposed the sentiments of the resolution, pronounced them treasonable, and proposed the detention of Captain Jack. Bidding them defiance, and favored by the great majority of the people, he passed on unmolested, and delivered the declarations to the delegates from North Carolina, then in Philadelphia—Messrs. Caswell, Hooper, and Hewes. Approving of the spirit of their fellow-citizens, and the tone of the resolutions, these gentlemen nevertheless thought them premature, as the General Congress had not then abandoned all hopes of a reconciliation with the mother country, on honorable terms; and did not present them to Congress. By this perhaps prudent smothering of the expressions of sentiment by an intelligent people, the citizens of Mecklenburg were disappointed, but not discouraged; they lost the foreground their patriotism merited, but lost not their spirit. They declared themselves independent May, 1775, and have never ceased to be so.

A copy of the proceedings of the Convention was addressed to the Moderator of the first Provincial Congress of North Carolina, which met in Hillsborough, August 20th, 1775; and was laid before the committee of business, but was not particularly acted upon, as the majority of the body were still hoping for reconciliation on honorable terms.

A copy of the proceedings appeared in the Cape Fear Mercury, published in Wilmington, and meeting the eye of Governor Josiah Martin, is thus noticed by him in the Proclamation is-

sued from on board his Majesty's ship Cruiser, August 8th, 1775, and sent to the Provincial Congress:—"And whereas, I have also seen a most infamous publication in the Cape Fear Mercury, importing to be '*Resolves*' of a set of people styling themselves '*a Committee of the County of Mecklenburg*,' most traitorously declaring the entire dissolution of the laws, government, and constitution of the country, and setting up a system of rule and regulation repugnant to the laws, and subversive of his Majesty's government," &c. The Governor knew the people better than his predecessor, Tryon, and had he known them better still, he would have spoken of them more respectfully.

A copy of the second declaration (that of May 30th, 1775) appeared in the public papers in New York and Massachusetts; files of which are still preserved; and from them was copied by Mr. Force into his State Papers.

The history of the preservation of the first declaration (that of May 20th, 1775), in the absence of printed documents, will be given, in full, in the sketch of Hopewell Congregation, and the Secretary of the Convention.

The energy of the committee was equal to the decision of their declarations. The laws were vigorously enforced; and the venerable chairman, and his coadjutor Col. Polk, with the committee at large, demonstrated that, in seeking freedom from tyranny, they designed no overthrow of law, or perversion of justice. Opposers of independence were reckoned offenders; and open offenders found no refuge in Mecklenburg. As soon as the news of the insult offered their express, Capt. Jack, in Salisbury, reached Charlotte, the committee ordered a party of some ten or twelve armed men, on horseback, to proceed to Salisbury, the seat of justice in Rowan, and bring these men prisoners to Charlotte. The party lost no time in fulfilling their mission, and met with no resistance in Rowan. The offenders, Dunn and Boote, were, after examination by the committee, sent to South Carolina as suspicious persons, to be kept in confinement. Gen. Graham says—"My brother, George Graham, and the late Col. John Carruth, were of the party that went to Salisbury; and it is distinctly remembered that when in Charlotte, they came home at night in order to provide for their trip to Camden; and they and two others of the party took Boote to that place. This was the first military expedition from Mecklenburg in the revolutionary war, and believed to be the first anywhere to the South."—But it was far from being the last, retired and frontier as the country was. It characterized, in its spirit, energy

and success, the various expeditions in and from Mecklenburg during the seven years' war—more particularly in the distressing campaigns of Cornwallis, in which Graham himself acted so conspicuous a part. Dunn and Boote were both transferred to Charleston, for safekeeping, as persons particularly inimical to the country. Their wives made a strong appeal in their favor to the Provincial Congress, which met in Hillsborough, August 20th, 1775; on the 29th of that month it was decided by a vote of that body that they remain in confinement.

Associations were formed very generally, throughout the different counties in the state during the summer of 1775. Articles drawn up for the purpose were signed individually as a test of patriotism. The first association of which there is a copy, was drawn up in Cumberland county, July 10th, 1775; the second in Tryon, now Lincoln, in August of the same year.

The first Provincial Congress of North Carolina were not prepared for independence of the mother country; and on the 4th of September, 1775, after discussion and the action of a committee, it was resolved—"The present association ought to be further relied on for bringing about a reconciliation with the parent state." But on the 9th of the same month, the appointment of a Provincial Council, of thirteen persons, with executive powers, was resolved upon; also County Committees of Safety, with executive powers, in connection with the Provincial Council, to consist of not less than twenty-one persons, to be chosen annually by the electors on the day they made choice of Congressmen. It was also determined that, after the 10th day of December, no suit for debt should be entertained except by permission of this committee. These committees of safety appear to have been the same as that already in existence in Mecklenburg; and Abraham Alexander continued to act as chairman, as appears from the following certificate, which may be also a specimen of the spirit of the times, and the vigilance with which the committee acted:

"NORTH CAROLINA, MECKLENBURG COUNTY,
"Nov. 28th, 1775.

"These may certify to all whom they may concern, that the bearer hereof, William Henderson, is allowed here to be a true friend of liberty, and has signed the association.

"Certified by Abraham Alexander, chairman of the committee of safety."

Though the Declaration of Independence, made and repeated

in Charlotte, in May, 1775, had no immediate effect upon the Continental Congress, it is not unfair to conjecture that it had an influence on the Provincial Congress of North Carolina, that met in Hillsborough in August of that year, in the appointment of the Provincial Committee and the County Committees of Safety, as four of the members of the convention were members of the Congress, viz.:—Thomas Polk, Waightstill Avery, John Pfifer, and John McNitt Alexander. Neither is it unfair to conclude that it had some influence on the Provincial Congress that assembled in Halifax, April 4th, 1776: as, on the 8th of that month a committee was appointed, consisting of Messrs. Harnett, Burke, A. Jones, T. Jones, Nash, Henekin, and Person, to take into consideration the usurpations and violence committed by the king and parliament of Great Britain; and, on the 12th, Mr. Harnett submitted an able report, which was concluded with the following resolution, viz.:

“Resolved, That the delegates from this colony, in Continental Congress, be empowered to concur with the delegates of the other colonies in *declaring independence*, and in forming foreign alliances; reserving to this colony the sole and exclusive right of forming a constitution and laws for this colony, and of appointing delegates from time to time (under the direction of a general representation thereof), to meet delegates of the other colonies for such purposes as shall be hereafter pointed out.”

This resolution was, on the same day it was proposed, unanimously adopted; and IS THE FIRST PUBLIC DECLARATION FOR INDEPENDENCE BY THE CONSTITUTED AUTHORITIES OF A STATE. It was presented to the Continental Congress, May 27th, 1776, nearly six weeks before the national Declaration.

The question now arises, who were these people of Mecklenburg, and whence did they come? What were the habits and manners by which they were characterized? What were their religious principles? and what their daily practice? The county was comparatively new; and it was not yet forty years since the first of those composing the convention had settled in the wilderness. Agriculturists, at a distance from market, and in a fertile country affording in its pea-patches, and cane-brakes, and prairies, plentiful sustenance for their herds, they had abundance of provisions, and little of the sinews of war, money. Skilful marksmen, hunters, and horsemen, capable of enduring great fatigue, in making the Declaration of Independence, they offered a heart and a hand, to give and act according to their abilities, and the emergencies in which they might be placed.

The riches of the gold mines were then unknown: the wealth of the country was in her sons, and she was rich. Protestants, trained in religious things in the strict doctrines of the Reformation, their settlements were made in congregations; and their places of worship so arranged as to accommodate all the families. Their descendants now assemble where their fathers worshipped before the Revolution. Their forms and creed were the forms and creed of their ancestors, who were eminently a religious people; and their Confession of Faith has descended as a legacy from the emigrants, to go down to the latest posterity.

Whence did these people come? and what was their ancestry? Of the members of the Convention that proclaimed Independence, May, 1775, one was a minister of the Gospel, and nine were Elders in the Church; and all in some way connected with the seven churches and congregations that embraced the whole county of Mecklenburg. In tracing their history, the true and legitimate workings of religious principles are as happily displayed as in the annals of any State or section in the United States. When the history of these people and their descendants shall be the history of two centuries, it may, and probably will appear, that in the advance of true religious and genuine liberty and sound literature, the South and West are not a whit behind the most favored sections of our Confederacy. It cannot well be otherwise, for the principles, the creed of Puritanism, under whose influence human society has so happily been developed in the New England States, are the principles of Presbytery, the principles of civil and religious liberty, that struck deep in the soil of Carolina, and sent out their vigorous shoots in the great valley of the Mississippi.

But the question arises with increased force, who were these people, and whence did they come? In what school of politics and religion had they been disciplined? At what fountains had they been drinking such inspirations, that here in the wilderness, common people, in their thoughts of freedom and equality, far outstripped the most ardent leaders in the Continental Congress? Whence came these men that spoke out their thoughts, and thought as they spoke; and both thought and spoke unextinguishable principles of freedom of conscience and civil liberty? That they were poor and obscure but adds to their interest, when it is known that their deeds in the Revolution were equal to their principles. Many a "life" was given in Mecklenburg in consequence of that declaration, and much of "fortune" was sacrificed; but their "honor" came out safe,

even their great enemy Tarleton being witness. They did not get their ideas of liberty and law from Vattel, or Puffendorf, or the tomes of English law. From what book then did they get their knowledge, their principles of life? Ahead of their own State in their political notions, as a body, they never wavered through the whole Revolutionary struggle; and their descendants possess now just what these people asserted then, both in religion and politics, in conscience and in the state.

To North Carolina belongs the unperishable honor of being the first in declaring that Independence, which is the pride and glory of every American. Honor to whom honor is due!